

**WEST DEER TOWNSHIP PLANNING COMMISSION MINUTES**  
**November 30, 2023**

The Meeting was called to order with the following members in attendance:  
Rich Hollibaugh, Jake Oresick, Robert Bechtold, Dan Maltese, and Patrick Stark.

Absent Members: Alan Banks, Mark Schmidt.

Other Attendees:

Dorothy Moyta, West Deer Township Zoning & Planning Dept.  
Scott Shoup, Shoup Engineering  
Gavin Robb, Solicitor  
Adam Akexandrunas, Owner, Alexandrunas Plan of Lots  
Chris Jackson, MDM Engineering, Alexandrunas Plan of Lots  
Robert Feree, Owner, Tristani Property Flex Building  
Jonathan Garczewski, Gateway Engineers, Tristani Property Flex Building  
Kento Ohmori, Fukui Architects, Tristani Property Flex Building  
Josh Wiegand, Fire Chief, West Deer Fire Department #3

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**Outline and Order of Meeting**

1. Approval of October Minutes
2. Alexandrunas Plan of Lots: Subdivision
3. Tristani Property Flex Building; Final land Development Application
4. West Deer Planning Commission Bylaws Review
5. Comments/Questions from the Public
6. Comments/Discussion by the Planning Commission Members/Staff/ Adjournment

**Approval of Meeting Minutes**

The October Meeting Minutes were approved with some corrections. First motion by Mr. Oresick and second motion by Mr. Maltese to **RECOMMEND APPROVAL WITH CORRECTIONS DISCUSSED**; voting was unanimous.

**Alexandrunas Plan of Lots**

Mr. Stark explained the access issue carried over from the October meeting.

Mr. Jackson presented the revisions made since the last meeting. Lot 1 has no frontage on a public or private road. Lot 1 cannot be a flag lot as that would cause other issues. Mr. Jackson suggested a Request for Modification going forward.

Comments/ Questions from the Planning Commission Members/ Presenters were as follows:

1. Mr. Bechtold asked if the sewage module was done. Mr. Jackson said that it was under review.
2. Mr. Hollibaugh asked if a utilities easement was required. Mr. Shoup said yes. Mr. Jackson said that both lots were owned by Mr. Alexandrunas.
3. Mr. Hollibaugh said that a condition could be recording utility easements.
4. Mr. Stark said that it would be helpful to have easements for future utility work.
5. Mr. Jackson said that utility easements are not required at this point.
6. Mr. Shoup said that it looks like they are creating a private road that requires a 50' right of way and a cul-de-sac of required dimensions. Subdivisions require access from every lot onto a public or private road. Mr. Shoup suggests a modification that would no longer require that lots have that access.
7. Mr. Hollibaugh asked why this is not being pursued as a variance.
8. Mr. Alexandrunas said that the main reason for this subdivision was so that he could build his home (primary structure according to the ordinance) on this property which currently has a commercial event venue on it. He went through the channels; the only red flag at October's meeting was the 50' frontage. Now there are more issues. Mr. Alexandrunas said that there is no Modification Paperwork on the Township to guide someone through this process. (The modification request done by Mr. Alexandrunas was shown.)
9. Mr. Robb suggested talking to an attorney as the Modification Request needs to be done in detail and needs to reference the appropriate sections of the Ordinance. He reiterated what Mr. Shoup said earlier and also suggested that the first plan with modifications may be the better way to proceed. .
10. Mr. Shook said that he may have needed to be more specific when explaining the request to Modification to Mr. Alexandrunas.
11. Mr. Jackson said that they just changed the access to 50'. There were no other changes. Also, the access easement doesn't require access to the easement. Mr. Jackson said that they will revise the request for modification.
12. Mr. Stark said that the easement had been changed from 20' to 50'.
13. Mr. Shoup said they needed to put a note on the plan.

**There was no Public Comment.**

First motion by Mr. Bechtold and second motion by Mr. Maltese to **RECOMMEND APPROVAL**, voting was unanimous of the Alexandrunas Plan of Lots: Minor Subdivision with the following conditions:

1. Complete the sewage module.
2. Document the utility and access easements on the subdivision plan.
3. Document 50' easement on plan; Document on plan that the 50' easement cannot be developed without satisfying all the requirements of a private road.

4. Revise the Request for Modification to include specific sections of the Zoning Ordinance that are being referenced.

### **Tristani Property Flex Building: Final Land Development**

Mr. Garczewski and Mr. Ohmori presented the project. Mr. Garczewski said that the building is located in 16.7 acres in the SU: Special Use District. The Bon Tool building is across the road. Mr. Garczewski explained the limitation surrounding the wetlands on the site.

The proposed building is 67,000 Sf with 2 access drives on Gibsonia Rd. It's a spec building with space for office and compliant light manufacturing, and other uses. There are truck docks in the rear of the building. The building received 2 variances for setbacks and building height in July. The building meets all landscape, lighting, and parking required by the Township.

Mr. Ohmari said that the building has a precast concrete perimeter, storefront, and meets all Township requirements.

Comments/ Questions from the Planning Commission Members/ Presenters were as follows:

1. Mr. Maltese questioned some of the building around the 100-year Floodway. Mr. Garczewski said that cut and fill can occur outside of the Floodway. The loading dock elevation is at 924'. Discussion ensued regarding wetlands, and the DEP requirements guidelines in the site. Mr. Garczewski said that there are some "suspect" areas. The existing sanitary sewer which clips the corner of the building had to be relocated but is outside of the floodway.
2. Mr. Bechtold asked about the abandoned mines that are as close as 30' from the surface in some areas. Mr. Garczewski said that they will grout as necessary. Mr. Bechtold said that they should grout mines less than 100' down from the surface.
3. Mr. Hollibaugh asked how many tenants there could be in the building. Mr. Ohmari said they planned for 4 tenants but that can be flexible with knock-out panels.
4. Mr. Hollibaugh wanted to make sure the tenants will adhere to all Township Ordinances and Building Codes.
5. Mr. Bechtold asked Mr. Shoup if he had a chance to look over this project.
6. Mr. Shoup confirmed that this was a Flex Use Building, that there was no floor elevation lower than 924', and that the sewage module was currently being reviewed.
7. Mr. Maltese asked if they had to place any restrictions in place to protect the trout stream. Mr. Garczewski said that they talked to the DEP and there is nothing that they need to put in place.
8. Mr. Hollibaugh confirmed that they don't have any tenants presently.
9. Mr. Hollibaugh asked Mr. Wiegand if he was aware of this project.
10. Mr. Ohmari said that the project has fire truck access, the building type is IIB Non-Combustible, there is a complete access drive around the building, and they are looking at installing a 6" sprinkler line.
11. Mr. Wiegand asked if there was a fire hydrant on the site. Mr. Ohmari said that there is one across Gibsonia Rd.
12. Mr. Wiegand said that fire hydrants should be located a minimum of 750' apart.

13. Mr. Hollibaugh asked if a 6” sprinkler line with a pumper truck would suffice.
14. Mr. Bechtold wanted to see something about grouting for mines go into the conditions. Mr. Ohmari said that this may be covered under special inspections.

Mr. Shoup went over the comments on his letter dated 11.22.2023 as well as the Geotechnical Report.

**There was no Public Comment.**

First motion by Mr. Hollibaugh and second motion by Mr. Oresick to **RECOMMEND APPROVAL**, voting was unanimous of the Tristani Property Flex Building - Final Land Development with the following conditions:

1. Satisfy all comments in the Scott Shoup Engineering letter dated 11.22.2023.
2. Submit all revisions by 12.8 2023 to be included for the 12.20.2023 Board of Supervisor’s meeting.

**West Deer Township Planning Commission Bylaws/ Issues**

Mr. Oresick noted that the By Laws were approved in October but changes needed to be worked through all sections of the document.

**Zoning Ordinance/ Zoning Map Update.**

Mr. Hollibaugh asked Mr. Robb if this meeting was the last opportunity to make comments regarding the Zoning Ordinance and the Zoning Map. Mr. Robb said that this is a living document and there is a Public Hearing on January 17, 2024. The Supervisors will make any decisions involving changes after the January 17<sup>th</sup> Public Hearing.

Mr. Hollibaugh asked if the most recent changes from the Supervisors and Others could be gone over and they included:

1. Page 28: Definition of Principal Structure.
2. Page 45: reduced R District to 1 acre w/utilities and width being changed from 200’ to 150’.
3. Page 86, #2: Took out requirement for homes to be near open space.
4. Page 120, I: Took 3 acre minimum off of short-term rental.
5. Page 158: Distance to Well pad is reduced from 750 to 650’. Also, R-2 and R-3 districts were added.
6. Page 159, #3 Compressor: Districts R-1 and R were added. (Mr. Stark noted that only I Industrial allows compressor in Fawn Township.)

Mr. Wiegand asked how often the Zoning Ordinance is updated. Mr. Robb said 10-15 years but there are many amendments in between that time.

**There was No Public Comment.**

## **New Business**

Mr. Hollibaugh said that there was a definite lack of communication between the Planning Commission and the Board of Supervisors. He suggests a Planning Commission member be present at the side table at the Board of Supervisors meeting.

Comments included:

1. Mr. Robb said that sometimes the Supervisors don't agree.
2. Mr. Wiegand says the Planning Commission's intent often gets lost at the Supervisor's meeting.
3. Mr. Robb, Mr. Shoup, and Mr. Shook said they would try to better facilitate communication between the Planning Commission and the Board of Supervisors.

## **Adjournment**

First motion by Mr. Oresick and second motion by Mr. Hollibaugh to **ADJOURN THE MEETING**. Voting to adjourn was unanimous.

The December Regular Planning Commission meeting will be held on December 14, 2023. The meeting time and agenda will be posted on the web site.