

MINUTES

REGULAR MEETING OF HAMPTON TOWNSHIP COUNCIL

WEDNESDAY, SEPTEMBER 28, 2016

President Son called to order the Regular Meeting of Hampton Township Council at 7:30 pm in the Council Chambers of the Municipal Building located at 3101 McCully Road, Allison Park, Pennsylvania.

Those present: V. Son, President; R. Dunlap, C. Montgomery, S. Neugebauer, P. Russ, Members; J. Speakman, Controller; V. Tucceri, Legal Counsel; W.C. Lochner, Municipal Manager.

APPROVAL OF MINUTES

Mr. Montgomery moved for the approval of the minutes for the Regular Meeting held August 24, 2016 and the Agenda Meeting held September 14, 2016. Mr. Dunlap seconded the motion.

Mr. Speakman and Ms. Neugebauer pointed out errors in the minutes for the Regular Meeting held August 24, 2016 regarding their attendance. Mr. Son requested that the necessary corrections be made in the final draft of the minutes for this meeting. Mr. Montgomery and Mr. Dunlap amended their motion and second accordingly.

Following the discussion, a roll call vote was unanimously in favor with the exception of Ms. Neugebauer and Mr. Russ, who abstained from voting for the minutes from the Regular Meeting held August 24, 2016, and Mr. Son, who abstained from voting for the minutes from the Agenda Meeting held September 14, 2016.

RECOGNITION OF CAMP CADET GRADUATES

Chief Vulakovich presented a summary of the Camp Cadet program and noted that Hampton Township Police Officers Hoffman and Finnegan became involved as counselors in the program this year. Officer Hoffman and Officer Finnegan were in attendance and presented a detailed description of the program and stressed the many benefits provided by Camp Cadet. Officer Hoffman noted that both Hampton participants were in her squad and she detailed their progress and achievements. Officer Finnegan also spoke to the program's effectiveness and expressed his hope that Hampton Township will be able to continue participating in this program in the future. Mr. Son called Camp Cadet graduates Aiden Bunzitzki and James Dunbar to step forward for official recognition and congratulation from Council.

CITIZEN AGENDA MATTERS

Mr. Son noted that two residents, Joseph Lee and Janet McCall, have made requests to address Council regarding earth work occurring on South Pioneer Road. For clarification, Mr. Son provided a background of this matter for members of Council and the audience. He explained the review process for various types of applications and remarked that, generally speaking, earth

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

disturbance permits and other types of building and zoning permits are not required to be reviewed by Township Council. He stated that these types of applications are reviewed by Township staff, and sometimes by Township engineers as well, who then verify that they comply with all applicable requirements. Mr. Son then detailed the inspection process that takes place once the permit has been issued and work has commenced. He noted that PVE Sheffler, one of the Township's engineering firms, has already visited the subject property twice and determined that they are currently in compliance with the terms of the permit. Mr. Son commented that Township staff also visits the site weekly and he asked Mr. Orban if the site is currently in compliance. Mr. Orban replied that there was one issue that was identified several days ago regarding dust control; however, the problem has since been resolved and the site is currently in compliance.

Joseph Lee of 4925 S. Pioneer Road addressed Council regarding this matter. He thanked them for granting him the opportunity to speak and he expressed concern regarding the earth disturbance projects occurring along S. Pioneer Road. He provided a description of his property and noted that it is a certified natural resource. He described a rain garden that he installed to accommodate the runoff from his roof so as not to impact the endangered Crouse Run stream. He stated that he is worried about the transparency related to commercial development along S. Pioneer Road, specifically the grading work occurring at 4962 Vernon Drive. He remarked that few, if any, of the residents in that area were made aware of these projects or their extents. Mr. Lee stated that he lives within 100 feet of this property and he received no notice of any sort regarding this project. He provided a summary of the duration of construction activities and reported that they were working on a Sunday, which is in violation of the Township's Noise Ordinance. Mr. Lee described his interactions with the responding Hampton Township Police Officers. He stated that, while he understands that the Township was under no obligation to notify the neighbors, perhaps this is a change in policy that the Township should consider. He expressed a concern regarding the functionality and maintenance of a stormwater detention basin that is being constructed on the subject property. He detailed potential problems with mosquitoes and flooding. Mr. Lee asserted that the construction could damage the Crouse Run stream and the properties along it. He also stated that the Pioneer Apartments construction located further up S. Pioneer Road could contribute massive amounts of water into Crouse Run and exacerbate flooding problems in that area. Mr. Lee provided a list of properties/developments in the surrounding area that he believes have contributed runoff or experienced flooding.

Mr. Son stated that any development that is proposed under the current Stormwater Management Ordinance must be reviewed and approved by the Township's third-party stormwater engineer. He explained that the sole purpose of this review is to make sure that the resulting development is designed to discharge less stormwater runoff than it did prior to the development. Mr. Son described the various engineering firms and advisory boards that review land development applications such as Pioneer Apartments. He noted that, if a development meets all Township requirements and has received a recommendation of approval from the engineering firms, there is essentially no way that Council can withhold approval. Mr. Son stressed the importance that is placed on ensuring that the amount of runoff post-development is less than it was before construction began. Regarding the earth disturbance permit for 4962 Vernon Drive, he noted that

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

the stormwater detention basin is not required and is being installed voluntarily by the property owner to reduce any stormwater impact to the neighbors. He expressed sympathy for their position and their concerns regarding the tree removal. Mr. Tucceri noted that there is no notification requirement for earth disturbance permits; however, if and when the owners of 4962 Vernon Drive decide to develop that property then there would be notice sent out. He provided a summary of the State regulations that govern the process that municipalities can use for reviewing things like permits or land development applications. Mr. Tucceri elaborated on the amount of discretion that Council does or does not have when determining policies such as this. Mr. Son noted that, according to the Building Code, displaying the permit placard on site serves as the notification for things like earth disturbance and building permits.

Mr. Son stated that the Township can consider the possibility of a courtesy notification to the neighboring properties when an earth disturbance permit of a certain magnitude is being reviewed. Mr. Lochner added that, by choosing to install a stormwater detention facility, the Township will now be able to inspect that facility to make sure that it is functioning as needed. He remarked that the Township has been monitoring this site diligently and so far they have been in full compliance. Mr. Lee thanked Council for their remarks and expressed his intention to monitor this project. Mr. Lochner stated that Mr. Lee can call 911 if he observes them doing anything illegal. Mr. Son also remarked that the developer has been accessing the site via Vernon Drive, a private road, instead of S. Pioneer Road as another courtesy to the Township and the neighbors. Mr. Lee expressed concern regarding the increased slope of the hillside and the height and stability of the detention facility. Mr. Son replied that stormwater facility will be reviewed when they make an application to develop the property. At that time, any problems that are observed or anticipated can be addressed. Mr. Lee and Mr. Lochner discussed the possibility of receiving notice of the engineer's inspections. Mr. Lee stated that he is worried about increased traffic and speeding along S. Pioneer Road. He discussed this issue and expressed his hope that the Township can reduce the amount of speeding along this road. Mr. Dunlap thanked Mr. Lee for his comments and involvement.

Janet McCall of 4879 S. Pioneer addressed Council, first thanking them for their service and their time in hearing her remarks. She described her property, noting that Crouse Run stream runs through the middle of her land. She provided a personal history of her time living in the Township and she recounted the diverse wildlife living in Crouse Run that she has observed from her property. Ms. McCall expressed a serious concern regarding a rise in the frequency and severity of the flooding on her property. She described the flooding events that she has witnessed, noting she has seen tires, wood and other types of construction debris floating down the stream after a storm. Ms. McCall elaborated on the environmental consequences of this flooding and the mitigation steps she has taken on her own property. She expressed her shock at discovering the tree removal and grading associated with the project at 4962 S. Pioneer Road. She stated that, after contacting the Township, she was surprised to learn that that no notification to the neighbors was required for this type of earth disturbance permit. Ms. McCall remarked that, although there was no legal requirement, common courtesy suggests that it would have been the right thing to do as this permitted use has had an extremely negative impact on the nearby residents. She spoke

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

regarding the zoning of properties that are located at the critical intersections of commercial zones, residential zones, and watershed ecosystems. She stated that, while she understands the challenges of balancing competing priorities, important stewardship issues must be considered so as to maintain the character and natural resources of this area. Ms. McCall addressed the problems with having commercially zoned properties so close to environmentally sensitive and critical areas. She read through numerous pertinent sections listed in the Township's Comprehensive Plan and Zoning Ordinance as they relate to the protection of Hampton's natural resources and residential character. She respectfully urged Council to ensure that the Township remains true to the vision that is articulated in Hampton's Comprehensive Plan.

Mr. Son thanked Ms. McCall for her comments. He remarked that Council has been very mindful of making sure that they do not expand the various zoning districts beyond where they have already been established. He detailed the zoning layout in that area, noting that the whole eastern side of S. Pioneer Road is also zoned as Highway Commercial. He reiterated that Council has always aimed to keep commercial developments within Highway Commercial districts and to not expand those zones. He emphasized that spot zoning is not a legally viable option. He explained that there is nothing the Township can do to prevent allowable commercial activities from taking place within properties that are already zoned Highway Commercial. Mr. Son discussed the need for commercial development due to a low commercial base in Hampton Township and the ensuing real estate tax burden this creates for the community. Ms. McCall thanked Council for their time and she requested that they continue to watch over this area as it contains a delicate ecosystem at the intersection of these two zoning districts. Mr. Russ and Mr. Lochner discussed the history of flooding in that area.

AUTHORIZATION TO ADVERTISE A SPECIAL MEETING FOR OCTOBER 12, 2016 CONCERNING THE 2011-2012 BOND REFINANCING

Mr. Son remarked that proceeding with the bond refinancing will require a Special Meeting so that a vote can be cast during what would otherwise be a non-voting Agenda Meeting.

Mr. Montgomery moved for the authorization to advertise a Special Meeting for October 12, 2016 concerning the 2011-2012 bond refinancing as per the memo from Mr. Brown dated September 27, 2016. Mr. Dunlap seconded the motion and a roll call vote was unanimously in favor.

AUTHORIZATION TO ADVERTISE AN ORDINANCE REFINANCING THE 2011-2012 BOND REFINANCING

Mr. Dunlap moved for the authorization to advertise a proposed parameters bond ordinance approving bonded debt of the Township in an aggregate principal amount not to exceed \$11,200,000 for the purpose of refunding the Township's series of 2011 bonds and series of 2012 bonds. Mr. Montgomery seconded the motion and a roll call vote was unanimously in favor.

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

APPROVAL OF CYBER LIABILITY COVERAGE THROUGH ARTHUR J. GALLAGHER

Mr. Son stated that this item has been discussed by Council and reviewed by the solicitor. Mr. Son reported that the solicitor's office has recommended that Council approve this cyber liability coverage.

Mr. Montgomery moved for the approval of cyber liability coverage through Arthur J. Gallagher for the amount of \$4,527. Mr. Dunlap seconded the motion and a roll call vote was unanimously in favor.

TABLING OF A RESOLUTION CONVERTING BEN HERR STREET TO A ONE-WAY STREET

Mr. Montgomery moved for the tabling of a resolution converting Ben Herr street to a one-way street. Mr. Dunlap seconded the motion.

A short discussion was held regarding the expected timeline for reconsideration of this item.

Following the discussion, a roll call vote was unanimously in favor.

APPROVAL OF THE 2017 MINIMUM MUNICIPAL OBLIGATIONS FOR THE GENERAL EMPLOYEES, GENERAL EMPLOYEES DEFINED CONTRIBUTION, AND THE POLICE PENSION PLANS

Mr. Son read the following amounts for the 2017 Minimum Municipal Obligations; \$367,640 for the General Employees Pension Plan, \$48,611 for the Defined Contribution Pension Plan, and \$423,387 for the Police Pension Plan. He noted that these will all be part of the 2017 Budget.

Mr. Russ moved to approve the 2017 Minimum Municipal Obligations for the General Employees, the General Employees Defined Contribution, and the Police Pension Plans in the amounts set forth in the three memorandums provided to Council and as listed by Mr. Son during the discussion. Mr. Dunlap seconded the motion and a roll call vote was unanimously in favor.

APPROVAL OF THE 2017 BUDGETARY DEVELOPMENT GOALS AND OBJECTIVES

Mr. Dunlap moved for the approval of the 2017 Budgetary Development Goals and Objectives. Mr. Russ seconded the motion and a roll call vote was unanimously in favor.

NORTH HILLS COUNCIL OF GOVERNMENTS MONTHLY REPORT

Mr. Montgomery had nothing to report.

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

WATER AUTHORITY MONTHLY REPORT

A copy of the Water Authority monthly report was included as a part of Council's agenda packet.

OTHER WATER AUTHORITY BUSINESS

Mr. Dunlap stated that there has been some publicity recently regarding Chromium Hex 6 being found in water supplies. He advised the members of Council that there are no EPA limits set on Chromium Hex 6 levels. He added that California, which is the only state that has elected to pass limits on this, has adopted a limit of 10 parts per billion (ppb) in the water supply. Mr. Dunlap reported that Hampton Township's water was found to have only 0.04 ppb. Mr. Son noted that certain areas that were recently acquired by Hampton Shaler Water Authority are still using City of Pittsburgh water, whereas Hampton's water comes from Shaler Township and Westview. Mr. Dunlap remarked that even the City of Pittsburgh is in compliance with the limits as set by California. Several more remarks were exchanged regarding this. Mr. Dunlap reported that, due to very low amounts tested in Hampton's water supplies, that there is no perceived threat regarding this issue.

Mr. Lochner stated the HSWA is in serious discussions with the Borough of Aspinwall regarding the potential operations of their water system. He elaborated further on this issue and expected a final decision to be made within the next few months.

Mr. Lochner thanked Mr. Son and Mr. Speakman for taking time to work through a computer network question that the HSWA is currently wrestling with. He reported that the Township should have an answer in the near future as to how it will be proceeding with computer operations with regard to use by the HSWA.

ENGINEER'S MONTHLY REPORT - GATEWAY

A copy of the engineer's monthly report from Gateway was included as a part of Council's agenda packet.

LEGAL COUNSEL MONTHLY REPORT

A copy of the legal counsel monthly report was included as a part Council's agenda packet.

Mr. Tucceri stated that the proposed agreement with the PA Turnpike Commission has been finalized and provided to Council for review. He requested that Council authorize the President to execute this agreement between the Township and the Turnpike Commission as per the document dated September 28, 2016. Mr. Tucceri summarized the three points of the proposed agreement.

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

Mr. Russ moved to authorize the President to execute an agreement with the Pennsylvania Turnpike Commission as set forth in the agreement dated September 28, 2016. Mr. Dunlap seconded the motion.

Mr. Russ commented that only one house would be impacted by the conversion of Ben Herr to a one-way street. As the agreement requires that Council consider this conversion, Mr. Russ stated that he felt it was important to make clear that there will be relatively minimal impact if Council should choose to proceed with that.

Following the discussion, a roll call vote was unanimously in favor.

CONTROLLER'S/MANAGER'S MONTHLY REPORT

Mr. Speakman noted that, with a few exceptions, revenues and expenditures continue to be comparable to the budgeted amounts and to previous years.

ADOPTION OF A RESOLUTION AMENDING THE PERSONNEL POLICY MANUAL TO PROHIBIT ANY VISIBLE BODY ART SUCH AS TATTOOS OR PIERCINGS ON ANY POLICE OFFICERS' EXPOSED AREA OF HIS OR HER BODY

Chief Vulakovich explained that, as applications are coming in for openings, he aims to prevent the need to make subjective decisions regarding the appropriateness or subject matter of visible body art such as tattoos or piercings. He clarified that the only areas of the body that would be prohibited from having tattoos would be below the sleeve line or on any other visible area only. Mr. Son asked if there are any current Hampton Township police officers who have visible tattoos or body art, to which Chief Vulakovich replied no.

Mr. Dunlap moved for the adoption of Resolution No. 944, amending the Personnel Policy Manual to prohibit any visible body art such as tattoos or piercings on any police officers' exposed area of his or her body. Mr. Montgomery seconded the motion.

Mr. Dunlap verified from Mr. Tucceri that the solicitor's office has reviewed and approved this amendment.

Following the discussion, a roll call vote was unanimously in favor.

PUBLIC SAFETY MONTHLY REPORT

A copy of the Public Safety monthly was included as a part of Council's agenda packet.

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

COMMUNITY SERVICES MONTHLY REPORT

A copy of the Community Services monthly report was included as a part of Council's agenda packet.

Mr. Zarenko also provided a brief summary of the status of the 2016 Road Resurfacing Program.

ENVIRONMENTAL SERVICES MONTHLY REPORT

A copy of the Environmental Services monthly report was included as a part of Council's agenda packet.

In addition to the monthly report, Mr. Degan remarked that DES workers have conducted their semi-annual cleaning of the digester at the Water Pollution Control Plant. He reported that Township staff removed approximately seven tons of grit and implemented a new process to reduce odors. He also stated that he will be providing Council with an update regarding the SCADA system at the WPCP in October.

RICHTER SUBDIVISION/LOT CONSOLIDATION (16-14)

The applicant is seeking approval to subdivide a portion of a lot fronting McNeal Road, creating a new lot fronting Talley Cavey Circle, and consolidating a portion of that lot with an existing lot fronting Talley Cavey Circle in an RB zoning district.

Mr. Orban commented that Township staff, engineers, and the Planning Commission have all recommended approval of this application with conditions.

Mr. Russ moved for the approval of the Richter Subdivision/Lot Consolidation (16-14) pursuant to the conditions in the memorandum from Mr. Orban dated September 28, 2016 (a copy of which has been included as a part of these minutes). Mr. Dunlap seconded the motion and a roll call vote was unanimously in favor.

PRIMANTI'S REVISED SITE PLAN (16-15)

The applicant is proposing to redevelop the existing Wendy's building and site to a Primanti's restaurant at property located at 4679 Route 8 in an HC zoning district. Improvements will include a 1,100 square foot expansion of the existing structure and expansion of existing parking areas. Variance requests have been granted by the Township's ZHB for bufferyard and parking dimension relief.

Mr. Orban stated that all engineering items have been resolved. He reported that Township staff and all advisory boards and engineers are recommending approval of this application with conditions.

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

Mr. Dunlap moved for the approval of the Primanti's Revised Site Plan (16-15) subject to the conditions in the memorandum from Mr. Orban dated September 28, 2016 (a copy of which has been included as a part of these minutes). Mr. Montgomery seconded the motion and a roll call vote was unanimously in favor.

OMBERG LOT CONSOLIDATION (16-16)

The applicant is seeking approval to consolidate four non-conforming lots into one new lot fronting Josephine Drive in an RB zoning district.

Mr. Orban reported that Township staff, engineers, and the Planning Commission are all recommending approval of this application with conditions.

Mr. Russ moved for the approval of the Omberg Lot Consolidation (16-16) subject to the conditions in the memorandum from Mr. Orban dated September 28, 2016 (a copy of which has been included as a part of these minutes). Mr. Dunlap seconded the motion and a roll call vote was unanimously in favor.

REQUEST FOR ACCEPTING THE PUBLIC IMPROVEMENTS IN THE WHISPERING CREEK DEVELOPMENT

Mr. Orban remarked that there are numerous engineering items that need to be resolved prior to the Township considering this request. As such, the developer has granted an extension to the Township through October of 2016.

Mr. Dunlap moved to grant the extension for the request for accepting the public improvements in the Whispering Creek development. Mr. Montgomery seconded the motion and a roll call vote was unanimously in favor.

REQUEST FOR ACCEPTING THE PUBLIC IMPROVEMENTS IN THE SINGLE FAMILY DWELLING PORTION OF THE STONEBRIDGE DEVELOPMENT

Mr. Orban stated that this development also has unresolved engineering items and the developer, who is the same developer as for Whispering Creek, has granted an extension for the review of this request as well

Mr. Dunlap moved to accept the extension for the request for acceptance of the public improvements in the single family dwellings portion of the Stonebridge Development. Mr. Montgomery seconded the motion and a roll call vote was unanimously in favor.

ADOPTION OF A RESOLUTION RELATED TO THE TAKEOVER OF THE SANITARY SEWER LINE EXTENSION ON ARNOLD AVENUE

MINUTES
REGULAR MEETING

HAMPTON TOWNSHIP COUNCIL
WEDNESDAY SEPTEMBER 28, 2016

Mr. Orban stated that this is a 100' extension that was installed by a property owner to avoid the need for a septic system. The infrastructure has been inspected and approved by Mr. Degnan. Mr. Orban reported that Township staff and engineers are recommending approval of this item.

Mr. Russ moved for the adoption of Resolution No. 945 related to the takeover of the sanitary sewer line extension on Arnold Avenue. Mr. Montgomery seconded the motion and a roll call vote was unanimously in favor.

REFERRALS

Mr. Russ moved for the referral of the Seahorse Revised Site Plan (16-17). Mr. Dunlap seconded the motion and a roll call vote was unanimously in favor.

ZONING AND PLANNING MONTHLY REPORT

A copy of the Zoning and Planning monthly report was included as a part of Council's agenda packet.

OLD BUSINESS

Nothing was brought before Council for discussion.

NEW BUSINESS

Nothing was brought before Council for discussion.

There being no further items for discussion, Mr. Son adjourned the Regular Meeting at 8:45 pm.

Susan A. Bernet,
Clerk of Council

Victor D. Son,
President of Council



TOWNSHIP OF

Hampton

September 28, 2016

Township Council
Victor D. Son, President
Peter S. Russ, Vice-President
M. Richard Dunlap
Cary J. Montgomery
Sherry A. Neugebauer

Township Controller
Jerry E. Speakman

Municipal Manager
W. Christopher Lochner

Legal Counsel
Vincent A. Tucceri

PERSONAL & CONFIDENTIAL

TO: Township Council
Jerry Speakman, Township Controller
W. Christopher Lochner, Municipal Manager
Vince Tucceri, Township Solicitor

FR: Martin Orban, Land Use Administrator *MO*

RE: **Motion for Approval of the Richter Subdivision/Lot Consolidation**

The Solicitor and I have prepared a proposed motion for approval, with conditions, for the **16-14 Richter Subdivision/Lot Consolidation Plan**, should Council decide to approve the application. In that case, it is Solicitor's recommendation that the following motion be made part of the meeting minutes:

I make a motion to approve with conditions Application No. 16-14 Richter Subdivision/Lot Consolidation Plan, subject to and contingent upon the following conditions:

1. Applicant shall record the revised plan and associated revised metes & bounds descriptions at the appropriate County offices within 90 days of approval. Two paper copies of the recorded plan shall be provided to the Township along with proof of recordation of the revised metes & bounds for the newly configured parcels.
2. The relocation of the driveway for Lot No. 1, including the submission to the Township of a "Road Opening Permit" application, shall occur prior to and as a condition of issuance of any building permit for Lot 3.
3. Applicant may, within thirty (30) days of receiving the written decision of the Township, notify the Township of its refusal to accept any or all of the conditions, in which case, the Township shall be deemed to have denied Final Approval of the Plan. In the event the applicant does not, within said period, notify the Township of its refusal to accept any condition, Final Approval of the Development Plan, with the foregoing conditions, shall stand as granted.

Cc: file

3101 McCully Road, Allison Park, PA 15101 • Telephone: 412/486-0400 Fax: 412/486-5019 • web: www.hampton-pa.org

"A Community of Pride, Progress and Tradition."



TOWNSHIP OF

Hampton

Township Council
Victor D. Son, President
Peter S. Russ, Vice-President
M. Richard Dunlap
Cary J. Montgomery
Sherry A. Neugebauer

Township Controller
Jerry E. Speakman

Municipal Manager
W. Christopher Lochner

Legal Counsel
Vincent A. Tucceri

September 21, 2016

PERSONAL & CONFIDENTIAL

TO: Township Council
Jerry Speakman, Township Controller
W. Christopher Lochner, Municipal Manager
Vince Tucceri, Township Solicitor

FR: Martin Orban, Land Use Administrator 

RE: Motion – Primanti’s Revised Site Plan

The Solicitor’s office and I have prepared the following motion, to **Approve with conditions, the 16-15 Primanti’s Revised Site Plan**, should Council decide to act upon the applications. In that case, it is Solicitor’s recommendation that the following motion be made part of the meeting minutes:

MOTION TO APPROVE WITH CONDITIONS APPLICATION 16- 15 PRIMANTI’S REVISED SITE PLAN SUBJECT TO AND CONTINGENT UPON THE FOLLOWING CONDITIONS:

1. Applicant must submit to the Township for its approval amended, revised Plans/Reports/Permits for Approval (“Amended Plan”) conforming to all of the conditions of this Decision.
 - a. Applicant’s Amended Plans shall address all of the comments and recommendations of the Township Engineer, as set forth in the comment letters of Joseph Sites, Gateway Engineers, through and including those dated September 20, 2016 to the satisfaction of the Township, which comments are incorporated herein by reference as if fully set forth at length herein. No grading or building permits shall be issued until all outstanding review items are addressed to the satisfaction of Mr. Sites, including the submission of the proposed retaining wall details for review and approval.

- b. Applicant's Amended Plan shall address all of the comments and recommendations of the Township Stormwater Engineer, as set forth in the comment letters of Andrew Banfield, PVE Sheffler, through and including those dated September 14, 2016 to the satisfaction of the Township, which comments are incorporated herein by reference as if fully set forth at length herein.
 - c. Applicant's Amended Plan shall address all of the comments and recommendations of the Township Traffic Engineer, as set forth in the review letters from Bob Goetz, Trans Associates, up to and including those dated September 16, 2016 to the satisfaction of the Township, which comments are attached hereto and also incorporated herein by reference as if fully set forth at length herein.
 - d. Applicant's site work and/or development shall address all of the comments and recommendations of the Township Sanitary Engineer, as set forth in the review letters from Eric Tissue, KLH Engineers, up to and including those dated August 4, 2016 and those in the July 18, 2016 memo of James Degnan, Director of Environmental Services, to the satisfaction of the Township, which comments are incorporated herein by reference as if fully set forth at length herein.
2. Final Approval is conditioned upon execution of a developer's agreement, with associated posted security, both to the satisfaction of the Township Solicitor and Engineer, guaranteeing completion of all Required Improvements contained in the Approved Plan (including but not limited to any required paving, lighting, sewers, storm sewers and stormwater management facilities, E&S controls, landscaping, etc.). No permit applications will be accepted until this condition is fully addressed.
3. Final Approval is conditioned upon execution of a developer's agreement, with associated posted security, both to the satisfaction of the Township Solicitor and Engineer, guaranteeing completion of all Required Improvements contained in the Approved Plan (including but not limited to any required paving, lighting, sewers, storm sewers and stormwater management facilities, E&S controls, landscaping, etc.). No permit applications will be accepted until this condition is fully addressed.
4. All stormwater management facilities (including but not limited to any stormwater ponds, outfall structures, detention facilities, private sewer lines, or any open drainage swales) will be the responsibility of the Developer/Owner. Maintenance of same shall be in accordance with the approved storm water maintenance plan as shown on the approved plans and as described in the Operation and Maintenance Program. Applicant shall execute and record a Stormwater Facilities Maintenance Agreement with proof of recordation provided to the Township, prior to, and as a condition of issuance of a certificate of occupancy. The Township must approve any future modification and/or changes to the above-mentioned areas.

5. A highway occupancy permit(s) (HOP) must be obtained from PennDOT, and Applicant shall adhere to all associated HOP conditions, stipulations, and requirements.
6. No signs are authorized by this approval. Any proposed sign, permanent or temporary, must be approved by separate permit application.
7. The applicant shall reimburse the Township for all Engineers, Solicitor and other professional consultant fees and all other expenses incurred by the Township as a result of the revised site plan application review and inspection of the proposed site improvements for development on the subject property and any associated inspection fees. Reimbursement shall be paid in full within thirty (30) days of receipt of notice from the Township.
8. The applicant may, within thirty (30) days of receiving the written decision of the Township, notify the Township of its refusal to accept any or all of the conditions, in which case, the Township shall be deemed to have denied the Applications. In the event the applicant does not, within said period, notify the Township of its refusal to accept any condition of this Decision, the Approval of the Site Plan, with the conditions, shall stand as granted.

Cc: file



TOWNSHIP OF

Hampton

Township Council

Victor D. Son, President
Peter S. Russ, Vice-President
M. Richard Dunlap
Cary J. Montgomery
Sherry A. Neugebauer

Township Controller

Jerry E. Speakman

Municipal Manager

W. Christopher Lochner

Legal Counsel

Vincent A. Tucceri

September 28, 2016

PERSONAL & CONFIDENTIAL

TO: Township Council
Jerry Speakman, Township Controller
W. Christopher Lochner, Municipal Manager
Vince Tucceri, Township Solicitor

FR: Martin Orban, Land Use Administrator *MO*

RE: **Motion for Approval of the Omberg Lot Consolidation**

The Solicitor and I have prepared a proposed motion for approval, with conditions, for the **16-16 Omberg Lot Consolidation Plan**, should Council decide to approve the application. In that case, it is Solicitor's recommendation that the following motion be made part of the meeting minutes:

I make a motion to approve with conditions Application No. 16-16 Omberg Lot Consolidation Plan, subject to and contingent upon the following conditions:

1. Applicant shall record the revised plan and associated revised metes & bounds descriptions at the appropriate County offices within 90 days of approval. Two paper copies of the recorded plan shall be provided to the Township along with proof of recordation of the revised metes & bounds for the newly configured parcels.
2. Applicant may, within thirty (30) days of receiving the written decision of the Township, notify the Township of its refusal to accept any or all of the conditions, in which case, the Township shall be deemed to have denied Final Approval of the Plan. In the event the applicant does not, within said period, notify the Township of its refusal to accept any condition, Final Approval of the Development Plan, with the foregoing conditions, shall stand as granted.

Cc: file

3101 McCully Road, Allison Park, PA 15101 • Telephone: 412/486-0400 Fax: 412/486-5019 • web: www.hampton-pa.org

"A Community of Pride, Progress and Tradition"

