

MINUTES

ZONING & SUBDIVISION REVIEW COMMITTEE

Tuesday – November 20, 2007 – 7:30 p.m. – MCRPC Offices

MEMBERS PRESENT

Larry McAdams, Vice-Chairman
Chuck Garrett
James L. Hogan
Clifford McCandless
James Hughes
Elliott Lengel
Patty McAdams

OTHERS PRESENT

Lisa Holm Schrader, Planner
Chris Conti, Senior Planner
Joseph R. Knott, Surveyor
Dennis DeSilvey, CES, Inc.
Don Duerring, Mallard Lake Development
Jim Rickard, Sprint
Matt Smith, General Dynamics
Pete Colosimo, GD/Sprint
Jeremy Coxe, City of Hermitage
Luann & Norbert Franklin
Michael Ristvey, Lewis & Ristvey

Mr. McAdams, Vice-Chairman, called the meeting to order at 7:30 p.m. **A quorum was present.** A motion was made by Mr. McCandless and seconded by Mr. Garrett to approve the Minutes of the August 21, 2007 meeting with no additions, corrections, or deletions. The motion passed.

NEW BUSINESS

1. Major Land Development Plan – Greene Township – George I. Carr Cell Tower – Ms. Holm Schrader explained that in our Mercer County Subdivision and Land Development Ordinance, cell towers are now major land development plans and must meet the requirements that include information such as Federal Communications license number, space requirement, information regarding co-locating (no other cell towers within a ¼ mile radius) and to show the service area for the tower. Ms. Holm Schrader stated that this cell tower would be located on Dowling Road in Greene Township on the George I. Carr property. The tower would be 199 feet tall. General Dynamics would provide the tower for Sprint-Nextel service. Ms. Holm Schrader noted that there are requirements for landscaping, which they have added to the plan. Also, a 20' access easement is required, which has been met. Ms. Holm Schrader stated that a note was added to the plan regarding the requirements for removal the cell tower if it remains unused for a year. She noted that we received proof of insurance and FAA license as required.

A motion was made by Mr. Hughes to recommend approval of the Final Land Development Plan for the George I. Carr Cell Tower in Greene Township. Mr. McCandless seconded. The motion passed.

2. Major Land Development Plan – French Creek Township – Ruth Ann Ford Cell Tower – Ms. Holm Schrader explained the major land development plan for a cell tower on North Road in French Creek Township on the Ruth Ann Ford property. This tower would also be 199 feet. General Dynamics would provide the tower for Sprint-Nextel service. Ms. Holm Schrader noted they have added the required landscaping to the plan. The 20' access easement is shown. Ms. Holm Schrader noted that this plan also includes the requirements of removing the cell tower. She noted that we have a copy of the certificate of insurance and FAA license as required.

A motion was made by Mr. Hughes to recommend approval of the Final Land Development Plan for the Ruth Ann Ford Cell Tower in French Creek Township. Mr. Garrett seconded. The motion passed.

3. Preliminary Major Subdivision Plan – Pine Township – Mallard Lake Development – Lots 4-10 and Parcel A – Ms. Holm Schrader explained that this preliminary plan had begun in 2004 along Whittaker School Road in Pine Township. The preliminary plan was previously reviewed but was never completed. A minor subdivision of 3 lots along the front of Whittaker School Road was approved. This plan includes the remaining 7 lots (Lots 4-10) and open space property (Parcel A) around a lake which is dedicated for common use by all residents of the development. Ms. Holm Schrader explained that when the original plan was reviewed in 2004, the plan received approval for a modification to the length of the cul-de-sac street, which is to remain private, and modification to the 4:1 depth to width ratio. The floor was open for comments.

Mr. Hughes asked who has title to the common open space. Ms. Holm Schrader explained the provisions are that after six homes are built, the homeowner's association will take ownership. Until that time, the developer would retain ownership and be responsible for maintenance. Mr. Hogan asked who would maintain the roads. Ms. Holm Schrader explained that it would work the same way as the agreement for the common open space. Mr. McCandless asked about the length of the cul-de-sac. Ms. Holm Schrader confirmed that the plan had received approval in 2004 for a modification to the length of the cul-de-sac street, as well as the 4:1 depth to width ratio. Mr. Hughes asked what the frontage was for the lots. Ms. Holm Schrader stated that they have close to 100' frontage.

Ms. Holm Schrader noted that the plan meets the requirements of the Mercer County Subdivision and Land Development Ordinance. She explained that there is an agreement with the fire department for a dry hydrant so the fire department could pump water from the lake for emergency use. Ms. Holm Schrader explained that all lots are approved for individual on-lot sewage systems and wells. She noted that the development includes a private lane and open space property around a lake dedicated for common use of all residents of the development. Mr. Don Duerring, from Mallard Lake Development, further explained the intent for this major subdivision and the ownership of the street and the common open space through a homeowners association and deed restrictions.

After discussion, **a motion was made by Mr. Hughes to recommend approval of the preliminary subdivision for Mallard Lake Development in Pine Township. Mr. Lengel seconded. The motion passed.**

4. Final Major Subdivision Plan – Pine Township – Mallard Lake Development - Ms. Holm Schrader explained that the final plan for Mallard Lake Development meets the requirements of the Mercer County Subdivision and Land Development Ordinance because of the stage of construction of the private street and that all lots are approved for individual on-lot sewage systems and wells. She explained that Pine Township accepted the private street construction as detailed to local standards and acknowledges that the developers and homeowner's association of the development will own and maintain Mallard Lake Drive as a private street. Ms. Holm Schrader explained that the developer must obtain all of the signatures on the Mylar before we could sign the final subdivision plan.

After discussion, **a motion was made by Mr. Hughes to recommend approval of the final subdivision for Mallard Lake Development in Pine Township with the condition that we obtain the original Mylar with all the signatures. Mr. McCandless seconded. The motion passed.**

5. Zoning Ordinance Text and Map Amendment – City of Hermitage – Ms. Holm Schrader explained that the City of Hermitage had prepared a text and map amendment to create the IN-3 Institutional District and to rezone approximately 22 acres along the west side of North Hermitage Road (Route 18), south of Highland Road from Institutional to the new IN-3 District. She noted that the text amendment would create the Institutional-3 district, which would include all current uses found in the existing Institutional zoning district and add adult and child day care centers, as well as restaurants without drive-thru windows. She noted that the Commission has discussed rezoning of the southern property included in this 22 acres several times in the past few years. She noted that the existing land uses include mixed uses such as offices, doctor's offices,

spa/salon and remaining residences. She noted that the Hermitage School District uses the driveway located to the south of this area. She noted that the surrounding land uses to the north of Highland Road remains Institutional, to the west of the area are Institutional and to the east is Institutional including the Hickory High School, and R-1-100, a single-family residential development and to the south is CC-1. She noted that this area is served by public sewer and water. The floor was open for comments.

In discussion, Mr. Hogan asked if this plan has been reviewed by the Hermitage Planning Commission. Ms. Holm Schrader stated that the Hermitage Planning Commission reviewed this and there was a mixed vote against this text and map amendment. Mr. Ristvey spoke about this particular area and explained that the Franklin property has been revisited to be rezoned three times so it could be sold and it was turned down each time. Mr. Ristvey felt that creating the new IN-3 District would destroy the Hermitage Zoning Ordinance because it will open the door for IN-4, IN-5, etc., but stated that he is not opposed to creating this new I-3 district because it could help the Franklins sell their property. Mr. Ristvey discussed Lindenpoint, a 115-acre Institutional Technical Park and the area near the Business Route 18/62 intersection. Ultimately, Mr. Ristvey would like to see this property zoned Commercial. The commission and the public discussed the Hermitage School District's recent building renovations and future planning efforts. The City of Hermitage's Town Center Study was also discussed. Ms. Holm Schrader explained that we have looked at the Franklin property a number of times, but are not solely looking at that property for this request but rather at a slightly larger area.

After discussion, a motion was made by Mr. McCandless to recommend approval of the zoning ordinance text change to create an IN-3 (Institutional-3) District of approximately 22 acres along the west side of North Hermitage Road (Route 18) and south of Highland Road in the City of Hermitage. Mr. Hughes seconded the motion. Mr. McAdams, Mr. Hogan, Mr. Lengel and Ms. McAdams voted against the motion. Mr. Garrett, Mr. Hughes and Mr. McCandless voted in favor of the motion. The motion failed 4-3.

Subsequently, a motion was made by Mr. Hogan to recommend denial of the zoning map change to create an IN-3 (Institutional-3) District of approximately 22 acres along the west side of North Hermitage Road (Route 18) and south of Highland Road in the City of Hermitage. Mr. McCandless seconded. The motion passed.

Ms. Holm Schrader mentioned to the committee that a number of the recent rezoning requests have been located within the area included in the City of Hermitage PA Route 18 North Land Use Study. Due to the time elapsed since the completion of the study in 2001 and the number of recent rezoning proposals in the area, the City may need to review the study to determine its recommendations for the area. This would allow for a broader comprehensive review of a larger section of the Route 18 Corridor rather than looking at many individual requests and having a localized review of a more narrow area which generally occurs during an individual rezoning request.

Subsequently, a motion was made by Mr. Lengel to recommend to the City of Hermitage that they revisit/review the 2001 Route 18 North Land Use Study. Mr. Hughes seconded. The motion passed.

ADJOURNMENT

There being no further business to conduct, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Lisa Holm Schrader, Planner

LHS/ew