

Middlesex Township Board of Supervisors
Minutes of the Regular Meeting
March 18, 2009

The Regular Meeting of the Middlesex Township Board of Supervisors was called to order at 6:30 p.m. Present were Chairman Alonzo Van Atta, Vice Chairman Mark Vincent , Supervisor Mike Spreng, Solicitor Michael Hnath, Manager Scot Fodi, and Secretary Linda Young.

Bob Starr, Thorn Drive, commented that he would like the Agenda put on the website when the Supervisors receive their package so that there is enough time to review.

On a motion of Vincent, seconded by Spreng the Board of Supervisors opened the Public Hearing for Weatherburn Heights at 6:37 p.m., Karen Rowland was the stenographer.

Manager Fodi presented an overview of Weatherburn Heights.

Mr. Donald Trant, Trant Corporation, presented Phase 1A final approval and modifications to the tentative approval issued November 19, 2009 for Weatherburn Estates, Planned Residential Development (PRD).

Modifications:

1. Phase 1 will be divided into two sub-phases. Phase 1A will have 53 lots and Phase 1B will have 51 lots.
2. Filing of the final approval application applies to the filing of each sub-phase within three (3) years.
3. The developer would like input on the location of any easements or rights-of-ways for sewer and water connections to adjacent properties.
4. The location of the walking trail connecting the phases will be at the discretion of the Homeowners Association (HOA). It will need to be publicly dedicated as a separate easement once the location is determined.
5. Relief from placing a sidewalk on the left side of Eagle Ridge Drive (709 ft) from Denny Road.
6. The publicly dedicated streets or right-of-ways would be accepted by the Township after 45 units are complete instead of 78 units.
7. No work can be done within the wetlands (no 50 ft buffer).

Janice Kennedy, Deer Meadows Lane, stated that she thought that anything to do with the wetlands had to go through the DEP.

8. Given the extent of the wetlands and the location of the sanitary sewer extension, the applicant cannot provide a 50 ft wetland buffer and the entire 50 ft right of way can not be graded on the left side for the 133 ft on Eagle Ridge Drive from Denny Road.

John Rusnak, Township Engineer, wanted to show a continuity along with the path of grading where they start grading or where the drop off is and where they ended that there is a guiderail so no one would go off the road.

Clarification 6 in the northwest corner the waterline will be within the perimeter buffer underground.

9. The Declaration of Restrictions and Covenants, once approved by the Township, will be recorded with the Butler County Recorder of Deeds.
10. Houses shall not have exposed foundations of standard concrete or concrete block, except that split face block shall be permitted as an exterior building material. No house shall have front wooden decks, except in connection with dwellings which have an integral garage, the railing shall be of vinyl clad material.
11. Within one year from issuance of the building permit by the Township and weather permitting, the applicable house, driveway, sidewalk, and landscaping shall be completed.
12. Landscaping may not be completed before occupancy permit is issued, weather permitting, landscaping may be completed after occupancy.
13. No later than six months from occupancy of a dwelling, all driveways and turning aprons and walkways must be completed with an approved surface material.

Bob Starr, Thorn Drive, asked what the source of water was. Mr. Trant stated that Adams Township Water Authority will provide the water.

Bill McIlroy, Meadow Lane, asked if there are drawings of the tentative approval of Weatherburn Heights.

Janice Kennedy, Deer Meadows Lane, handed out a copy of her survey completed when the Harris sold her the farm.

Mr. Trant commented that no matter whose survey is used, Janice's property all stays on her side of the existing driveway.

On a motion of Vincent, seconded by Spreng the Board of Supervisors closed the public hearing for Weatherburn Heights at 7:17 p.m. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors approved modification 1-5 and 7-13 and also clarification 6. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors granted final approval of Phase 1A of Weatherburn Heights Planned Residential Development. Motion carried unanimously.

On a motion of Spreng, seconded by Van Atta the Board of Supervisors approved the Regular Meeting Minutes dated February 18, 2009, Vincent abstained. Motion carried.

On a motion of Vincent, seconded by Spreng the Board of Supervisors approved the Spring Road Tour Minutes dated March 9, 2009. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors approved Warrant List #030109 dated March 12, 2009. Motion carried unanimously.

Paul Suppa, West Cruikshank Road, commented that his neighbor Jim Mahaffey and several other people are using their property as a shooting range. Mr. Suppa is concerned for the safety of his family, especially his two small children and stated that the noise is very loud even in his house. He has tried to resolve the issue with Mr. MaHaffey peacefully, with no results. They usually shoot on Sunday afternoon for a couple of hours. Mr. Suppa has contacted the local police, state police, game commission, and the EPA. Manager Fodi suggested that he contact the Butler County Conservation District. Vice Chairman Vincent stated that he is not violating any Township Ordinances from a safety standpoint, but would have Sergeant Ruediger evaluate the situation.

Vice Chairman Vincent presented an overview of the COG meeting of March 12, 2009.

On a motion of Vincent, seconded by Spreng the Board of Supervisors adopted Resolution #8 of 2009, supporting the need for improvements to the Route 228 corridor and acknowledging the efforts of the Route 228 Regional Corridor Alliance. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors adopted Resolution #9 of 2009 entering into an Agreement with the Pennsylvania Department of Transportation to utilize Grants Electronic Access to PennDOT Systems in order to complete required end-of-year reports on Liquid Fuels revenues and expenditures. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors adopted Resolution #10 of 2009, declaring the Township's intent to retain recordings of Board of Supervisors meetings for only a limited period of time. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors entered into an agreement with Environmental Planning and Design, LLC, Pittsburgh for the purpose of amending certain provisions in Chapter 175 of the Township Code, Zoning. Motion carried unanimously.

On a motion of Vincent, seconded by Spreng the Board of Supervisors approved Resolution #11, preliminary and final subdivision for the Keith E. Hay Lot Line Revision. Motion carried unanimously.

Manager Fodi presented an overview of the 2009 Spring Road Tour.

Eric Urbanowicz, Black Cloud Inc., commented that he asked the Board of Supervisors last April to create an Ordinance, regarding no shooting within 1,000 feet of a business during business hours, for the safety of his riders and horses.

Jim Starr, Park Drive, said that there is a drainage pipe that runs under Park Place and when it rains, instead of going to the catch basin, it is running down the back of the residents' yards on Park Drive and flooding them. The Board stated that they would have the road department look at it.

On a motion of Spreng, seconded by Van Atta the Board of Supervisors adjourned at 8:25 p.m.
Motion carried unanimously.

Scot E. Fodi, Township Manager

UNAPPROVED