

West Lakeland Township

August 13, 2018

7:00 p.m.

Oak-Land Middle School

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Jennifer Samec, Deputy Clerk; Ms. Marsha Olson, Treasurer; Mr. Mark Votava, Planning Commission Chair; Ms. Viet Hahn Winchell, Attorney, Mr. Ryan Stempski, Town Engineer

Public hearing to consider an application by Michael Wurst, 1460 Orwell Ave N, for a variance to allow an accessory structure to be located closer to the street front than the main residence.

Chairman Kylo called the public hearing to order at 7:04 PM. Mr. Wurst presented the request. The house was built at the highest location of the lot, so there is a substantial drop in elevation in the back, and the well and septic limit options to provide for a drive around the house. The proposal is to build in front of the house, using the existing mature trees to provide screening.

Ms. Vance provided the planning commission recommendation in favor of the variance, noting the hardships of the slopes in the rear, the location of the septic and the location of the well. It was recommended the building be completed to complement the existing residence.

Having no further comment, Chairman Kylo closed the public hearing at 7:04 PM

Call to Order:

Chairman Kylo called to order the regular meeting of the board of supervisors.

Discussion of Variance Request, 1460 Orwell Avenue

Supervisor Schultz noted there are several mature trees, so that the construction site proposed would be sufficiently screened. After discussion, Chairman Kylo moved to approve the variance request to allow construction of an accessory building in front of the main residence, noting the practical difficulties of the steep slopes preventing a building site in the rear; and location of the well and septic limiting access to the rear of the lot, subject to the conditions that the site be screened and the screening be maintained and having the exterior finish complementary to the main residence and to direct the town attorney to prepare a resolution documenting the approval of the variance. Seconded by Supervisor Ebner, the motion carried.

Approval of the Minutes

Supervisor Ebner moved to approve the minutes of the July 2018 regular meeting. Seconded by Supervisor Schultz, the motion carried.

Treasurer's Report

Ms. Olsen presented the treasurer's report, reflecting \$357, 192 in revenues and \$29,479 in expenses, leaving \$2,296,762 in current assets. Supervisor Schultz moved to approve the report and pay the invoices presented by the clerk. Seconded by Supervisor Ebner, the motion carried.

Public Comment

No public comment was offered.

Lot Line Adjustment, 1499 O'Ryan Trail

Mr. Andrew Hanson appeared before the board, represented by Mr. Dave Dupay, to request a lot line adjustment with the neighboring lot. The purpose is to acquire enough property to meet the setback requirements for installation of a pool. Both lots would still meet the 2.5-acre lot requirement after the transaction is completed. Public easements for utilities and drainage do exist along the current lot line. A public hearing would be required to vacate the easements.

Chairman Kylo moved to approve the lot line adjustment contingent upon approval of the deeds by the township attorney and authorize the clerk to stamp the deeds after review. Seconded by

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Supervisor Ebner, the motion carried. Chairman Kylo moved to refer the request to vacate the existing easements to the planning commission for review and publish a notice of public hearing. Seconded by Supervisor Schultz, the motion carried.

Reduction of Security Escrow for Burr Oaks

Mr. Stempski noted the improvements for Burr Oaks have been accepted and recommend extending the warranty period to August 2019. \$133,875 would remain in escrow through the warranty period. Mr. Stempski noted the only outstanding issue is a copy of the record drawings but generated no concerns. Chairman Kylo moved to authorize a reduction of the escrow/security amount to \$133,875 with the return of \$109,060 contingent upon receipt of the record drawings. Seconded by Supervisor Ebner, the motion carried.

Preliminary plat approval for minor subdivision plat to be known as Autumn Run 3

Ms. Winchell, township attorney, noted there is an appeal pending on the approval of the two variances approved at the last meeting for the lots on Autumn Run 3. The developer's agreement and storm water agreement are also still pending for this subdivision. Chairman Kylo moved to extend the time frame for approval of the preliminary plat for Autumn Run 3 for an additional 60 days for a total of 120 days from August 1, 2018. Seconded by Supervisor Ebner, the motion carried.

Appeal Notice for Variances for Autumn Run 3 Approved July 9, 2018

The board reviewed the process for hearing the appeal of the variances on Autumn Run 3 approved on July 9, 2018. Ms. Winchell further noted that the contingencies recorded with the approval of three lots in this location have not been met, making that preliminary approval as part of Autumn Run 2 not valid.

The Planning Commission was tasked with recommending a board of appeals, and scheduling the appeals hearing, tentatively scheduled for September 20, 2018.

Noncompliance with Resolution R 2013-3, 1430 Neal Ave N.

Mr. Duane Stensland, building inspector, noted that Mr. Robert O'Geay, 1430 Neal Ave, was required to provide for screening for the accessory structure built on his lot as a contingency of the variance approval. Mr. Yannish, owner of the neighboring lot, spoke to Mr. O'Geay last year, and was told the trees would be planted. To date, there is no screening planted. The accessory structure was completed two years ago.

Chairman Kylo will contact Mr. O'Geay regarding the requirements of the variance approval.

Wireless cell tower on Parcel # 34.029.20.42.0003, SE corner of Hudson road and main entrance of Lucy Winton Bell Athletic fields

A request has been proposed to install a cell tower on a one acre lot near the entrance to the Lucy Winton Bell Athletic fields. There was discussion of how this use on lot with an existing billboard would comply with the town code. The area proposed is neighborhood commercial zone. Chairman Kylo moved to direct the township attorney to draft a response to the request. Seconded by Supervisor Schultz, the motion carried.

BOLD Planning, Township Contact for Alert Notification Procedures and Workgroups

Supervisor Schultz attended the meetings at Washington County regarding input to the BOLDPlanning alert notifications. Most municipalities are represented by staff. It was suggested the clerk might be a better choice for managing these requirements. The township clerk will contact Washington County to determine the time involved.

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RCM Specialties Spray Patch

Supervisor Schultz presented quotes from RCM Specialties for street patching. After review with the township engineer, 4th Street and 6th Street may be delayed and addressed as a reclaim in 2019. Chairman Kylo moved to approve the spray patch for \$112,925 with RCM Specialties. Seconded by Supervisor Ebner, the motion carried.

Modification of Permit Fee Section of the Town Code

Supervisor Ebner presented a draft of changes to the permit fee section of the town code to allow the use of escrow funds to address damage to Township property or right of way in the process of other construction activities. The proposed language was reviewed by the planning commission at their last meeting. Ms. Winchell, the town attorney, has not had the opportunity to provide comment. The action was held until the September meeting.

Planning Commission Vacancy

Mr. Votava, noted two candidates were considered for the vacancy on the planning commission, and reported the recommendation of moving Mr. Del Miske forward. He has been a consistent audience member at the board meetings and planning commission meetings for a good while. After discussion, Supervisor Ebner moved to appoint Mr. Del Miske to the planning commission. Seconded by Chairman Kylo, the motion carried.

Old/New Business

The board signed resolutions 2018-10 and 2018-11 for variances granted at the last meeting. Mr. Votava reviewed the taskings to the planning commission

Adjourn

Having no further business, Supervisor Schultz moved to adjourn the meeting. Seconded by Supervisor Ebner, the motion carried. The meeting was adjourned at 9:19 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary