

Marshall Township Ordinance Update

Steering Committee Meeting #3: CR/910 Updates, Trees and Landscaping

10/11/2023

Meeting Minutes

- **Overview of Tonight's Goals**

- The main focus of this meeting was discussing the continued development of high-priority ordinance sections. In particular, the project team proposed approaches for related sections of the Zoning Ordinance and Subdivision and Land Development Ordinance (SALDO), including the Conservation Residential (CR) district, tree protection and landscaping. The team also sought feedback on a recommended direction for zoning along Route 910 following the public meeting targeted for area property owners.

- **Conservation Residential District**

- Review Context
 - Continuing discussion on the Conservation Residential (CR) district, the project team provided a brief refresher on the issues at hand and the results of the last committee meeting, when members provided feedback on various development scenarios and identified priorities. The project team heard that preserving the bucolic aesthetics and environmental quality of the area and screening the views of new developments from the road are primary goals. The committee generally agreed that diversifying housing types is appropriate *provided* that the development could be properly screened.
 - Accordingly, the project team suggested changes to the CR district that are detailed in the Meeting 3 Memo. The most important of these is adding two options to cluster development configurations to incentivize enhanced screening and permanent green space preservation. The options would be:
 - **Current:** Preserve at least 40% of the adjusted tract area (ATA) as greenway, single-family homes only, density factor of 1 unit/acre (density neutral as compared to conventional large-lot subdivision with no ATA greenway preservation)
 - **Mixed cluster:** Preserve at least 55% of the ATA as greenway, 50%-75% single family with some options for two-family or townhouse, density factor of 1.5 unit/acre

- **Housing variety:** Preserve at least 70% of the ATA as greenway, up to 100% townhouses, density factor of 2.0 units/acre
- The team presented several test scenarios to see how the two new options would look on existing development sites (Allman Acres and Mallard Pond). The results of these appear in the Meeting 3 Memo.
- Discussion
 - The topography in the Allman Acres test case looks more dramatic than the site was prior to construction (when it was “pretty flat”), so the calculus would have been different at the time. The colors shown in this figure might represent post-development conditions.
 - Several committee members expressed concern about the impact that a higher density factor for the two new cluster configuration options would have on quality of life, traffic in particular.
 - One explained that the committee was comfortable with mixing in some townhomes, but an equal number of total homes including some townhomes is different from a substantially higher total yield of new homes.
 - In the Mallard Pond test, the yield rises from 59 single-family homes under the current regulations to 128 total homes under the housing variety option.
 - Another clarified that a developer makes “much less” on townhomes, so the incentive is minimizing internal disturbance or the additional yield.
 - “It’s a balancing act” to address green space, noise and traffic congestion. Counterpoint: The tradeoff shouldn’t be “we get more green space but can’t get down the streets” due to increased traffic volume.
 - Further discussion on traffic involved some clarifications on how it factors into new development considerations.
 - Traffic already backs up along Spang Road and Pleasant Hill Road. Spang is narrow and would be challenging to widen to accommodate more traffic.
 - Legally, governing bodies (such as Township Supervisors) can’t use anticipated additional traffic as a general basis to deny a proposed development that otherwise complies with its land use and development regulations. Marshall Township has a traffic impact fee and committee. The Township adjusts its Capital Improvement Program to reflect analysis and implement improvements.
 - The project team will take a look at adjusting the density factor for the new cluster options, with a goal of responding to the

committee's concerns about a net increase in homes while balancing the need to incentivize enhanced green space preservation.

- **Tree Protection**

- Existing Standards and Practices Review
 - The project team briefly recapped the sections of the ordinances that now address tree preservation. Provisions are scattered between [Article 1500 \(Corridor Enhancement Overlay\)](#), [Article 1600 \(Conservation Subdivision Design\)](#), [Article 1700 \(Non-CS Subdivisions in CR and MR\)](#), [Article 2200 \(Screening, Bufferyards and Trees\)](#) and in [SALDO Article 600, Natural Features](#).
 - Looking at Spring Way as an example of the ordinances in practical application, the project team noted that the clearance of trees from this site sparked community objection. A lack of perimeter screening is one factor here, as the cleared hillside is visible from Pleasant Hill Road due to a lack of planting along the property border, which was not required.
 - The group also reviewed Sewickley Farms, which pre-dated the CR regulations. The site was largely cleared in 1993 but now has mature tree cover.
 - The project team recommended expanding the Corridor Enhancement Overlay standards to apply to all publicly owned streets and increasing buffer standards in CR to apply to borders with neighboring parcels.
- Discussion
 - The tree survey as part of the Corridor Enhancement Overlay provides an opportunity to pinpoint invasive species.
 - The group discussed the legal and practical considerations for tree preservation during site development.
 - In response to Spring Way, "Seeing homes doesn't offend me. What's offensive is that they stripped the land, no tree preservation whatsoever." Neighbors are concerned that even the large trees were removed.
 - What's not obvious in viewing the Spring Way site from the road is the 55% of it that is permanently preserved.
 - "In the short term (before plantings reach maturity), you strip everything. Where does the rainwater go?" Anytime there's earth disturbance, the conservation district gets involved, per DEP regulations, to ensure that runoff rates are equal to or better than pre-development conditions.

- Homeowner education might be needed to allow meadows to grow to natural vegetated state.
 - The group generally agreed that applying the Corridor Enhancement Overlay standards to all public roads makes sense. However, this should apply only to major subdivisions and land developments only, exempting minor situations where compliance would be burdensome.
 - The history book about Marshall Township identified “heritage trees.” There does not appear to be a current list of such trees, though protecting the Township’s largest and most important trees is important and worth looking into.
- **Screening, Bufferyard, Landscape**
 - Existing Standards and Practices Review
 - Landscape architects on the team reviewed existing standards and offered recommendations for improvement, recognizing that bufferyards are a key consideration for the CR district and on the whole.
 - Current Article 2200 and related figures establishes bufferyard requirements and configuration options. The project team recommends simplifying the options; adding a plant list and emphasizing native forest species; and creating a bufferyard specific to CR (to enable a “layered successional buffer” to enhance already-forested sites and seed natural meadows at clear sites).
 - Discussion
 - The group generally agreed that the approach is appropriate, specifically that it’s more important for plantings to achieve a natural native landscape than it is for them to quickly achieve maximum year-round opacity (as mounding/evergreens would). “Keep the feel does not mean a wall of evergreens down Spang.”
 - Where a buffer is installed, someone has to be responsible to maintain it.
 - No mulch piles (as shown in Moon example).
- **910 Transitional Overlay**
 - Stakeholder meeting recap
 - The project team reviewed the results of a well-attended public meeting targeted for property owners along Route 910 between Mingo Road and Wexford Run Road.
 - Meeting discussion revealed no clear consensus. Several property owners feel strongly that the zoning should remain as is, anticipating that any additional development would worsen traffic, noise and other problems that make living in the area a challenge.

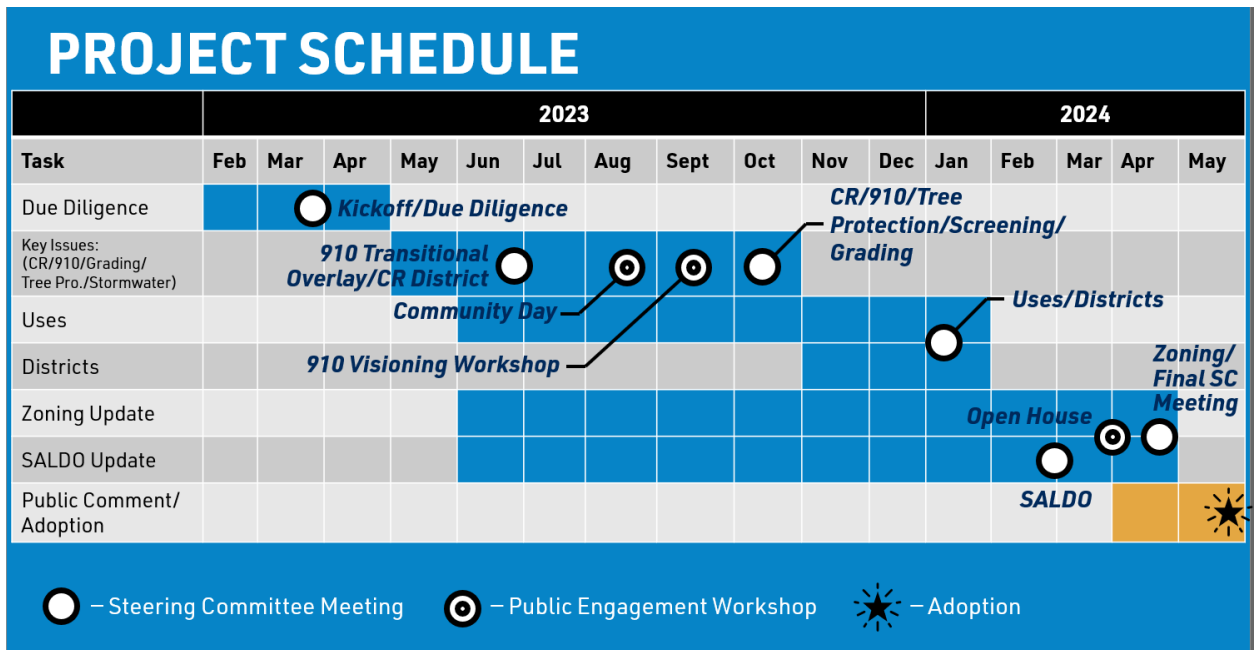
Several other property owners feel strongly that zoning should allow for commercial uses, which would enable them to sell their property with more value than it now has. Those living north of Route 910 are concerned about the potential for negative impacts of higher-intensity uses (light, noise, visual quality, traffic, etc.). Many people living in the area described traffic safety problems that grow increasingly untenable.

- Discussion
 - Considering insight from this meeting, as well as many other points of feedback and context, the project team recommended creating a Route 910 Transitional Overlay that would open options for redevelopment only under certain conditions, such as parcel assembly and creation of single access points. The main impetus for the recommendation at this point is the safety concerns and other negative externalities of increasing traffic volume, which the project team anticipates will continue to grow given development in neighboring communities and the I-79 interchange reconfiguration.
 - Specifics regarding uses, screening, setbacks, and access requirements are yet to be determined and are still being considered.
 - A committee member who owns property along Route 910 and attended the meeting suggested that some property owners are simply interested in maximizing the price their properties can command.
 - Owners south of the Mingo Road intersection seem to be the ones most interested in seeing something happen.
 - If a development were to go in across from Mingo, the developer would likely install a turning lane, depending on the traffic study and highway occupancy permit. PennDOT can require improvements. Whatever's developed on the south side would have a single access point and an access road with a light at the intersection.
 - There would also have to be an access road on the north side; "you can't turn left without a light."
 - Consider changing the base district – to MDR?
- **Status Update on Grading Ordinance**
 - The Grading Ordinance, which was reviewed and updated by Jim Harris, PE and Township Engineer, Art Gazdik, PE and reviewed by the Steering Committee, will be brought to the Board of Supervisors for adoption at their upcoming Agenda Meeting on October 30th.
 - The updated ordinance provides land use protection controls to the Township and is in line with current best practices.

- **Introduce Uses and Districts**

- The committee's next meeting will focus on classification of land uses across zoning districts. The group will review and discuss a Use Matrix that the project team has developed with staff.

- **Review Project Schedule**



- The group discussed the procedural steps that will precede adoption, including the final committee meeting and public open house relative to the 45-day comment period required by the state planning code. The project team will work with staff to line up a specific order of events and dates as this portion of the project approaches.

- **Next Steps**

- The next committee meeting, scheduled for January, will focus on Uses/Districts.
- Project Team will incorporate the results of tonight's discussion in draft ordinance language for several sections (CR, Route 910 overlay, Corridor Enhancement Overlay, landscaping, etc.) and submit to staff for review.
- The Stormwater Ordinance Review memo will be submitted to staff for comment and then shared with the steering committee (*Note: the consultant team is not scoped to rework this section but only to evaluate and recommend changes for staff to implement*).