

## Draft

# Conditions of Approval

### 1. Water Quality

Perform a baseline water quality test prior to the beginning of construction of the proposed project on Haymaker Run and Pearson Run. Parameters of testing are to be developed by the applicant and approved by the Municipal Engineer in consultation with the Environmental Advisory Council (EAC) and the Westmoreland Conservation District. Testing is to focus on color, odor, turbidity, pH, conductivity, dissolved oxygen; hardness, alkalinity, nitrate, iron, and other parameters required by the Municipal Engineer and the EAC (see attached PA DCNR Table). The School District shall be responsible for all costs associated with the testing.

Test locations are to be:

- Just upstream/north of the Crowfoot Road Bridge;
- Pearson Run above the proposed new building;
- At the confluence of Pearson Run and Haymaker Run, and;
- 200' downstream of the Sloan School Bridge.

In addition to the baseline testing, the School District shall test monthly during construction and for a period of one year after the completion of all construction activities at the identified locations. The water quality testing period shall be required during the school year to quantify salt impacts from parking lots to the receiving streams. Test results shall be submitted monthly to the Municipality. The monthly test results shall also include statistical analysis of the data collected. Upon completion of the water quality testing period, a report shall be prepared to evaluate the data collected and submitted to the Municipality.

Upon review by the Municipality and if determined that impacts have occurred, the School District will be notified and required to provide the Municipality with a corrective action plan to address impacts within thirty days of notification by the Municipality. If corrective action is required, the School District shall be required to perform additional water quality testing upon approval/completion of the corrective action plan or until the water quality is within the baseline parameters or within the acceptable freshwater streams parameters as per the attached table by the PADCNR.

### 2. Lighting

All lighting shall be installed per the approved plan and operated in accordance with the submitted dimming plan, with lighting being turned off between the hours of 6:30 PM and 6:30 AM during non-event evenings with the exception of emergency lighting and lighting deemed to be for safety and security. Parking lot lighting shall be turned off 30 minutes after the end of an evening event. It is understood this time may be extended for a reasonable period of time to ensure the safety of those individuals who remain on the Sloan campus after the event.

Seasonal adjustments for daylight savings time will be permitted. The Municipality shall monitor the foot candles to assure compliance with the photometric plan and may require an adjustment to the dimming schedule to eliminate lighting impacts to neighboring properties. The School District shall be responsible for any costs for the professional services required by the Municipality to ensure that the lighting scheme is in compliance with the approved plan.

### 3. Traffic

- a. School Bus Traffic: All school buses shall be prohibited from using Crowfoot Road from Longview to Hills Church, in both directions, except in emergency situations. It is understood the School District may be required to provide transportation services to student(s) who attend the Sloan School(s) and live on Crowfoot Road.
- b. If Municipal Council determines a school zone is required on Sardis Road and/or Crowfoot Road, the School District shall be responsible for the costs of the equipment and maintenance thereof.
- c. Post-Occupancy Traffic Study: A post-occupancy traffic study shall be performed in the second full school year of operations to determine if (i) the traffic counts identified in the original plan submission are accurate, and (ii) to further take into consideration all other observable traffic and safety considerations then existing as identified by Murrysville or the traffic consultant. The post-occupancy traffic study shall specifically address whether traffic improvements are necessary based upon meeting PennDOT warrants and/or also any other traffic improvements which do not have corresponding PennDOT warrants if none exist, for improvements being required by the Murrysville Council as a result of the study.

The School District shall be responsible for the cost of the study, and sole financial responsibility for the cost of the traffic improvement determined and required by Murrysville based on the study. The selection of the consultant shall solely be at the discretion of the Municipality. The post-occupancy traffic study should include evaluation of the Markosky study previously performed for this project.

The School District shall provide a bond in the amount of \$2,300,000 for traffic improvements until the post-occupancy study is completed and determined by the Municipal Council based on recommendation of the Municipal Engineer if any roadway improvements are warranted or required.

The bond amount of \$2,300,000 has been preliminarily determined to be sufficient to cover the within anticipated possible required traffic improvements at the following four locations.

- Construct a turning lane for traffic traveling south on Sardis Road for turns

onto Crowfoot Road and /or constructing a turning lane for northbound Sardis traffic onto Crowfoot Road.

- Widen the Crowfoot Bridge to improve turning movements of larger vehicles to a width approved by the Municipal Engineer. Sidewalks are to be provided.
- Install a PennDOT approved traffic control/calming feature at the intersection of Longview Court and the new Sloan School entrance. This may include a properly designed roundabout, traffic signal or four way stop condition provided PennDOT warrants are met.
- Widening of Crowfoot Road from the Sardis Road intersection to the proposed new Sloan School entrance across from Longview Drive.

Traffic improvements shall be deemed to include all related facilities reasonable and necessary for the aforesaid improvements.

The \$2,300,000 financial security shall be deposited by the School District with the Municipality to cover the costs of such traffic improvements and secure to the public the completion of the traffic improvements as determined and required by Murrysville. The assured completion date of said improvements and financial security shall be determined by Murrysville Council after completion of the study. The aforesaid bond amount shall be adjusted by the Municipality at the time to conform to the required transportation improvements determination of the Murrysville Council based upon the recommendation of the Municipal Engineer.

The Murrysville Council may approve financial security of the School District as a cash bond from a borrowing under a set aside agreement, a Federal or Commonwealth chartered lending institution's irrevocable letters of credit and restrictive or escrow accounts, a bonding company authorized to conduct such business within the Commonwealth, and provided that the said financial security irrevocably commits to the assured release to Murrysville of said funds upon its written requests for the aforesaid purpose provided for in this condition and is so approved by the Murrysville Solicitor. Periodic written requests for such releases to Murrysville shall be honored by the security holder for its payment of a contractor or contractors performing the work.

The School District shall commit to the \$2,300,000 financial security in one of the above forms which the Municipality may approve. Approval shall not be unreasonably withheld. Upon good cause shown, the School District may request the Murrysville Council to approve a portion of the \$2,300,000 be secured by the full faith, credit and taxing power of the School District. Murrysville may decline such request at its sole discretion if it is determined the amount of said request is excessive or lacks sufficient cause for such relief. Murrysville's decision in such regard shall be final, binding and not subject to judicial review by a court of competent jurisdiction that its denial or approval was unreasonably withheld and/or that it conflicts with other Pennsylvania statutory and/or appellate court authority to the contrary.

#### 4. Noise

The use of outdoor public address speakers shall be for emergencies purposes only.

5. Harrison Trail Easement along Crowfoot Road

The School District shall provide an easement for the Harrison Trail along Crowfoot Road as identified on the print provided by the Westmoreland Conservancy.

6. Approval of DEP Planning Module

Approval from DEP of the required Planning Module component for the requested EDUs as approved by FTMSA shall be required prior to the issuance of a building permit for this project. Further, a resolution for modification of the Municipality of Murrysville's Act 537 to accommodate the proposed Sloan School project must be approved by Murrysville Council and that any appeal thereof by the applicant and/or an aggrieved party must be disposed of by an administrative body or court of competent jurisdiction so that the Municipality's approval is final and legally binding.

7. Compliance with Emergency Management Comments

Site Plans shall be in compliance with review comments of the Emergency Management Committee letter of March 20, 2018.

8. Refuse Pick-Up and Delivery Time Hours

All pick-up and deliveries shall be performed no earlier than 7:00AM and no later than 6:00 PM. This requirement does not include the drop off or pick up of students.

9. Standard Engineering Conditions

- a. An individual NPDES permit is required for this project and approval shall be provided to the Municipality.
- b. The Westmoreland Conservation District must approve the General Permits 4 and 7 required for this project. Approvals shall be provided to the Municipality.
- c. Approval of the Chapter 105 Water Obstruction and Encroachment Joint Permit is required for this project and shall be submitted to the Municipality.
- d. The owner shall execute a Stormwater Management and Operations Maintenance Agreement. The Agreement shall include specific language related to the operations and maintenance of the approved Post-Construction Stormwater Management Plan. The agreement shall be recorded at the Westmoreland County Courthouse.
- e. The School District must retain a qualified geotechnical engineer to monitor the

earthmoving operations. This geotechnical engineer must be licensed in Pennsylvania as a Professional Engineer. The geotechnical engineer must approve all cut and fill slopes and must provide the Municipality with bi-weekly reports on the earthmoving activities. At the completion of all earthmoving activities, the geotechnical engineer must provide a final report bearing his or her seal.

- f. In the opinion of the Chief Administrator, if material changes to the plan submitted by the School District and approved by the Municipality are made as a result of permit review by various state and federal agencies, the School District shall resubmit the revised plans for review and comment by the Planning Commission, EAC and Council.

#### 10. Architectural Design

All rooftop utility equipment shall be screened and soundproofed per the specifications submitted by the applicant and meet the requirements of the Municipal Noise Ordinance. A pre- and post-development noise survey shall be completed by the School District to ensure compliance with the ordinance. Cost for the pre- and post-development noise survey shall be the responsibility of the School District.

#### 11. Emergency Response and Evacuation Plan.

The Murrysville Police, Murrysville Medic One, School District and the Fire Chiefs of the various local Murrysville Fire Companies shall each formulate and coordinate their respective Emergency Response and Evacuation Plans for Sloan School Campus, and their “assured priority access and use” of state and local roads necessary for the above stated purposes.

