

**SUMMIT TOWNSHIP SUPERVISORS**  
**Regular Business Meeting**  
**Monday, September 21, 2015**

Chairperson Agostine called the regular business meeting of the Board of Supervisors to order at 6:00 p.m. following salute to the flag. Supervisors Church and Lee were present, as were Solicitor Sennett, Zoning Administrator Miller, Engineer Jonas, Secretary Yeast, and nine interested persons.

CALL TO ORDER

Motion by Lee, seconded by Church, to approve the minutes of the Regular Business Meeting on September 8, 2015, as presented and reviewed by the Board of Supervisors.  
Vote: 3/0

9/8/2015 MINUTES

There was no correspondence to report.

CORRESPONDENCE

Motion by Lee, seconded by Church, to approve the August 2015 Treasurer's Report as presented and reviewed by the Board of Supervisors. (\$484,041.05 expensed)  
Vote: 3/0

AUG. 2015 TREAS.  
REPORT

Chairperson Agostine explained Mr. Bruce Hoffman has requested Board consideration to purchase excess right-of-way at the northwest corner of Hessinger and Laurie Drives. Mr. Hoffman lives adjacent to this property and is maintaining it. Supervisor Church suggested that the Board propose a price to Mr. Hoffman based on a percentage of current property values in that area.

TOWNSHIP  
CONSIDERATION  
TO SELL EXCESS  
R-O-W

Motion by Church, seconded by Lee, to consider selling the excess right-of-way (over required 50') for property referenced above and establish a price per discussion above.

Rita Weryha, 460 Robison Road, commented that she has recently negotiated a similar purchase with National Fuel calculated using \$36,000 per acre, and in her case it was 10% of an acre.  
Vote: 3/0

Zoning Administrator Miller reported that the NFG Supply Corp. Subdivision has been reviewed and recommended for approval by both the Summit Township Planning Commission and Erie County Planning.

NFG SUPPLY CORP.  
SUBDIVISION

Motion by Agostine, seconded by Church, to approve the NFG Supply Corp. Subdivision Parcel ID No. (40) 12-67-52.01. Agostine explained that NFG had plans to install fencing, and the adjacent home owner wanted to preserve an area she had been maintaining.

Rita Weryha, 460 Robison Road, added that, after negotiating with NFG, the location of the fence is less obtrusive.  
Vote: 3/0

Zoning Administrator Miller reported that the Scott's Dev. Co., and Scott's Econo Inn, Inc Subdivision basically trades (2) sections of the exact dimensions between the two facilities, and incorporates an existing .4 acre parcel into the Scott's Econo Inn, Inc. property. This Subdivision has been reviewed and recommended for approval by both the Summit Township Planning Commission and Erie County Planning.

SCOTT'S DEV.  
CO./SCOTT'S  
ECONO INN  
SUBDIV.

Motion by Lee, seconded by Church, to approve the Scott's Dev. Co., and Scott's Econo Inn, Inc. Subdivision, Parcel ID No. (40) 17-73-5, 5.01 and 9.  
Vote: 3/0

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Zoning Administrator Miller reported that the Econo Lodge never had a land development plan as it was constructed prior to the Township's regulations. IHOP had been granted a variance allowing cross-parking on the Econo Lodge property, so the Land Development Plan shows both facilities. It has been reviewed and recommended for approval by both the Summit Township Planning Commission and Erie County Planning.

IHOP AND ECONO  
LODGE LDP

Motion by Lee, seconded by Church, to approve the IHOP and Econo Lodge Land Development Plan (LDP), Parcel ID No. (40) 17-73-5 & 5.01.

Discussion ensued regarding cross-parking, Agostine and Miller confirmed that cross-parking is acceptable if approved by the Zoning Hearing Board and it complies with regulations.

Vote: 3/0

Zoning Administrator Miller reported that the New Motors Amended LDP reflects an addition on the front of the building. It has been reviewed and recommended for approval by both the Summit Township Planning Commission and Erie County Planning.

NEW MOTORS AMD.  
LDP

Motion by Lee, seconded by Church, to approve the New Motors Amended LDP for Parcel ID No. (40) 1-72-38.01.

Vote: 3/0

Zoning Administrator Miller reported that the Boyer RV Center Amended LDP reflects the addition of a pole building at the rear of the property. It has been reviewed and recommended for approval by both the Summit Township Planning Commission and Erie County Planning.

BOYER RV CENTER  
AMD. LDP

Motion by Lee, seconded by Church, to approve the Boyer RV Center Amended LDP for Parcel ID No. (40) 15-84-91.01.

Ken Boyer, 8495 Peach Street, expressed concern that, since his facility is similar to an "automobile dealership", the parking regulations are excessive. Supervisor Agostine responded that it is the Summit Township Zoning Hearing Board that can address variance requests and possibly provide relief. Mr. Boyer added that landscaping requirements are also proving to be a hardship and not suitable for the topography. Agostine responded that Mr. Boyer's concerns seem valid but only the Planning Commission can review and approve an alternate greenspace plan.

Vote: 3/0

Engineer Jonas explained that TESCO has requested Board consideration to waive (3) Sections of the Stormwater Management Ordinance, Section 701.B.2, Section 701.B.4 and Section 701.B.6. Engineer Jonas added that Urban Engineers recommends the waivers be granted. The original request by David Laird Associates and response Memo from Urban Engineers is attached.

TESCO REQUEST  
FOR SECTIONS OF  
STMWTR. MGMT.  
ORD. TO BE  
WAIVED

Motion by Lee, seconded by Church, to waive the Stormwater Management Ordinance Sections 701.B.2, 701.B.4 and Section 701.B.6 for TESCO per the Engineer's recommendation. Supervisor Agostine confirmed that the berm referred to in the second section is of sufficient height. Discussion ensued regarding the rain garden construction. Engineer Kopac from David Laird Associates described the rain garden and underground system constructed for TESCO.

Vote: 3/0

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Zoning Administrator Miller reported that Tresler Construction has requested release of (4) Sidewalk Bonds. Engineer Jonas has inspected these sidewalks and recommends release.

TRESLER CONST.  
SIDEWALK BONDS  
RELEASED

Motion by Lee, seconded by Church, to release the following sidewalk bonds to Tresler Construction:

- 2833 Dorn Road \$1,040
- 2831 Dorn Road \$ 980
- 2825 Dorn Road \$ 980
- 2823 Dorn Road \$ 860

Vote: 3/0

Solicitor Sennett reported that communication between the Knox Law Firm and Atty. Ward (Solicitor for PHHC) is proceeding, Atty. Kuhar will provide a summary of the research.

SOLICITOR:  
• PHHC  
• Time Warner

Solicitor Sennett reported that he has spoken with the Time Warner attorney to discuss alternatives for a solution to the franchise issue. The attorney for Time Warner responded that he will review the case and get back to us.

Engineer Jonas reported that the Township Stormwater Inspection report has been presented for Board review. He further explained and summarized the report.

ENGINEER:  
• Township  
Stmwtr. report  
SUPERVISORS:  
• No Semi  
Parking in  
Glenmar  
Gardens

Supervisor Lee reported that a semi recently hit one of the corner Penelec utility poles at Fairfield and Jefferson in Glenmar Gardens. He mentioned this incident because he has received multiple complaints regarding semis parked on Frank Avenue. Supervisor Lee suggested it may be prudent to limit semis traveling and parking in this area. Engineer Jonas was directed to research signage possibilities limiting semi-truck travel and parking.

Robert Kazmaier, 9135 Sampson Road, commended the Board for allowing the entire road crew to attend a safety training class held at the Greene Township Municipal Building. Supervisor Lee thanked Mr. Kazmaier for his observation.

PUBLIC INPUT  
• Road crew  
safety  
• Trooper Patrol  
Sargent Jerry  
Hughes

Patrol Sargent Jerry Hughes, to promote communication with PA State Police, encouraged public vigilance and reporting of suspicious activity. The PA State Police relies on public cooperation. Trooper Hughes further provided statistics as to how many incidents are responded to in Summit Township. Discussion ensued.

Rita Weryha, 460 Robison Road, expressed concern that the PA State Police response statistics do not reflect the responses from PHHC who are understaffed. Agostine responded that the Board is in process of working to alleviate the PHHC staffing issues.

With no further business to come before the Board, motion by Lee, seconded by Church, to adjourn the meeting at 6:43 p.m.

ADJOURNMENT

Vote: 3/0

Respectfully submitted,

Christene S. Yeast  
Recording Secretary  
08/21/2015