

**SUMMIT TOWNSHIP SUPERVISORS**  
**Regular Business Meeting**  
**Monday, March 19, 2018**

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| Chairman Lee called the regular business meeting of the Board of Supervisors to order at 4:30 p.m. following salute to the flag. Supervisors Welka and Davis were present, as were Solicitor Christopher Sennett, Zoning Administrator Miller, Engineer Jonas, Secretary Yeast, and eight interested people.   | CALL TO ORDER                                       |
| Motion by Welka, seconded by Davis, to approve the minutes of the Public Hearing and Regular Business Meeting March 5, 2018, as presented and reviewed by the Board of Supervisors.<br>Vote: 3/0   | 3/5/2018 MINUTES                                    |
| There was no correspondence to report.   | CORRESPONDENCE                                      |
| Motion by Welka, seconded by Davis, to approve the February 2018 Treasurer's Report as presented and reviewed by the Board of Supervisors. (\$760,616.12 expensed)   | FEB. 2018 TREAS.<br>REPORT                          |
| Jim Chojnacki, 9481 Old French Road, questioned why the February expenses were so high. The Board responded that because Summit Township recently received the third and fourth quarter 2017 ECGRA funds, cash flow allowed us to transfer the 2018 budgeted allocation to Capital Improvements in the amount of \$465,000 (the majority of the total expense).<br>Vote: 3/0 |   |
| Motion by Welka, seconded by Davis, to approve expenses for Supervisor Lee and (2) Volunteer Firemen from Perry Hi-Way Hose Company (PHHC) to attend the ECATO Annual Firemen's Conference Dinner on March 29, 2018.<br>Vote: 3/0  | ECATO FIREMEN'S<br>CONFERENCE                       |
| Motion by Welka, seconded by Davis, to purchase a 2019 Mack Truck through Co-Stars Contract #025-022 and #025-021 from Legacy Truck Centers in the amount of \$117,976 and Walsh Equipment in the amount of \$94,960, respectively.<br>Vote: 3/0.  | 2019 MACK TRUCK                                     |
| Motion by Welka, seconded by Davis, to authorize the advertisement of Board consideration to adopt a proposed Ordinance to remove the Stop Sign northbound on Cherry Street Extension at the Johnson Road intersection. Public Hearing to be scheduled for April 2, 2018 immediately preceding the Regular Business Meeting at 6 pm.   | AD FOR REMOVAL<br>OF STOP SIGN N/B<br>ON CHERRY ST. |
| Bill First, 705 Langdon Road, supported the recommendation of Engineer Jonas.<br>Vote: 3/0   |   |
| Motion by Welka, seconded by Davis, to authorize the advertisement for consideration to adopt the proposed Uniform Construction Code (UCC) Ordinance. Public Hearing to be scheduled for April 2, 2018, immediately preceding the Regular Business Meeting.  | AD FOR UCC ORD                                      |
| Motion by Welka, seconded by Davis, to approve the Building Inspection Underwriters (BIU) Agreement pending execution by BIU. Zoning Administrator Miller explained that Summit Township is contracting with BIU to be the sole UCC inspection agency. Hiring a licensed building code official or a building inspection agency is a requirement of the UCC.                 | BIU INSPECTION<br>AGREEMENT                         |
| Laban Marsh, 2231 Dorn Road, asked if contracting with BIU will remove Labor and Industry (L&I) from the inspection process. Miller responded, yes. Mr. Marsh further asked how many other municipalities' contract with BIU. Miller responded, multiple Erie County municipalities including Fairview, Millcreek, Harborcreek, Union City, etc.                             |   |

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Solicitor Sennett explained that ECATO will be meeting on March 22, 2018 to execute the agreement allowing Summit Township to participate with ECATO's UCC Joint Board of Appeals.

ECATO UCC  
BOARD OF  
APPEALS AGRMT.

Motion by Welka, seconded by Davis, to approve the ECATO Agreement to participate with their UCC Joint Board of Appeals, pending execution by ECATO. Zoning Administrator Miller further explained that providing an Appeals Board which allows the opportunity for anyone to appeal a decision made by the UCC inspection agency is another requirement of the law.

Zoning Administrator Miller presented the Allen Acres Sketch Plan to the Board for review. Mr. Marsh is proposing a public-right-of-way/privately maintained roadway, allowing the developer to construct (4) homes. Under the stipulations of a public R-O-W/privately maintained roadway agreement, upon consideration to build a fifth home, Mr. Marsh will be required to construct this roadway to Township specifications. Zoning Administrator Miller, Engineer Jonas, and the Summit Township Planning Commission had concerns for the proposed development including:

ALLEN ACRES  
SKETCH PLAN

- The length of the proposed roadway before the cul-de-sac is 400' longer than the generally accepted length per the Subdivision Ordinance of a maximum of 500'.
- The future proposed road on the current Transportation Plan requires a significant set-back which reduces the buildable area for the entire development.
- Using the existing proposed location of the privately maintained road, the newly constructed home along Dorn Road would be located within the front yard set-back of the proposed R-O-W, making it a non-conforming lot. This is self-created and advised against.
- The curve radii do not meet the Ordinance requirement for public right-of-ways.
- One of the proposed parcels, which is proposed to create an open park space meets the general lot size requirements but is not deep enough to meet the building set-back requirements.

Miller further explained that as a "sketch" plan, no action is required by the Board; Mr. Marsh is simply looking for Board guidance and recommendations.

Laban Marsh, 2231 Dorn Road, explained that this is the third development concept for this property. He is attempting to gain optimal use for residential development, while admitting that he may or may not market the parcels.

Jim Welka, Welka Associates presented an amended proposal for Board consideration. Discussion ensued regarding the width of the cartway, the radius of a cul-de-sac, and amending the Transportation Plan eliminating the proposed roadway that impacts the property in question. Mr. Marsh further expressed that he is anxious to begin construction of his own home, but the positioning of this new construction is conditioned upon the layout of the future development.

Chairperson Lee stated that with the presentation of the amended plan, the Board will need to review it prior to any recommendations.

Engineer Jonas reported that it has been determined that the Storm Water Infiltration basin at the First Energy Substation at 6995 Old French Road is not functioning. An extended dry pond is proposed as an alternative. A geo-technical engineering inspection has been completed resulting in a First Energy request for a waiver of Section 701.B.18.e of the Stormwater Management Ordinance, identifying that a key and cutoff trench are required for embankments over 4' high. The proposed embankment will be 4.38 high and is already filled with water with no signs of seepage. Engineer Jonas has reviewed the proposed modifications to create an extended detention pond, and further recommends waiving the requirement for a key and cutoff trench.

ERIE SOUTH SVC  
REQUEST FOR  
WAIVER OF  
STMWTR ORD.  
SECTION 701.B.18e

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Supervisor Lee added that the Board has been receiving complaints from neighboring property owners downhill from this site regarding excessive storm water.

Motion by Welka, seconded by Davis, to waive Section 701.B.18e of Storm water Ordinance for Erie South SVC (First Energy) at 6995 Old French Road, Parcel ID No. 40-012-027.0-002.00.

Vote: 3/0

Zoning Administrator Miller reported that G.R.E.A.T., a non-profit organization that recently purchased the Family First Sports Park and, in addition to a major interior renovation of the existing facility, they have proposed (2) minor additions to the existing facility that would require submission of a Land Development Plan (LDP). Shelane Buehler, the Architect for the project, further explained the (2) additions are 8' deep x 100' long x 10' high, constructed to accommodate player benches. Miller added that these (2) additions will not impact land development requirements and they will not have any effect on storm water or parking. The use of the building will also not change.

G.R.E.A.T. LDP  
WAIVED

Motion by Welka, seconded by Davis, to waive the LDP requirement.

Jim Chojnacki, 9481 Old French Road, expressed concern that the Board is consistently granting waivers to Township regulations.

Laban Marsh, 2231 Dorn Road, expressed his support to the Board for limiting some bureaucracy imposed on developments.

Supervisor Davis explained that waiting for the LDP process would stall construction for approximately another month. Discussion ensued. Ms. Buehler agreed to submit a LDP after the fact for Township records.

Vote: 3/0

Zoning Administer Miller explained that the Zoning Permit Fee for the proposed G.R.E.A.T renovation project, based on a projected construction cost of \$2,112,000 calculates to be \$5,024. Miller explained that G.R.E.A.T. has requested relief from the Board of the required permit fee.

G.R.E.A.T. ZONING  
PERMIT FEE  
WAIVED

Motion by Welka, seconded by Davis, to waive the Zoning Permit fee for the proposed G.R.E.A.T. renovation project at 8159 Oliver Road.

Vote: 3/0

Solicitor Sennett reported that on March 16, 2018 he advised the Board on amending the Transportation Plan and provided options available for the Allen Acres Development.

SOLICITOR:  
• Transportation  
Plan

Engineer Jonas reported that at the Board of Supervisors Regular Business on April 2, 2018 the annual Storm water MS-4 public input session will be on the agenda. Engineer Jonas encouraged attendance and questions.

ENGINEER:  
• MS-4 Public  
Input  
• Glenmar  
Gardens

Engineer Jonas reported that due to traffic complaints from residents on Frank Avenue, he has been researching traffic calming techniques, and options have been forwarded to LTAP for review and comment. Supervisor Welka added that the State Police has been making a presence in this area, and the neighbors have reported that it is making a difference.

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Supervisor Welka reported that Bill First, Summit Township's Emergency Management Coordinator has requested additional funding to complete the radio installation at the Municipal Building.

BILL FIRST EMC  
REQUEST FOR  
FUNDING

There was no public input.

PUBLIC INPUT

With no further business to come before the Board, motion by Welka, seconded by Davis, to adjourn the meeting at 5:17 p.m.

ADJOURNMENT

Vote: 3/0

Respectfully submitted,

Christene S. Yeast  
Recording Secretary  
03/26/2018