

**SUMMIT TOWNSHIP SUPERVISORS**  
**Regular Business Meeting**  
**Monday, October 1, 2018**

Chairman Lee called the regular business meeting of the Board of Supervisors to order at 6:00 p.m. following salute to the flag. Supervisor Davis was present, as were, Solicitor Christopher Sennett, Engineer Jonas, Zoning Administrator Miller, Secretary Yeast, and five interested persons. Supervisor Welka was absent.	CALL TO ORDER
Motion by Lee, seconded by Davis, to approve the minutes of the Regular Business Meeting on September 17, 2018, as presented and reviewed by the Board of Supervisors. Vote: 2/0	9/17/2018 MINUTES
There was no correspondence.	CORRESPONDENCE:
Motion by Davis, seconded by Lee, to approve the September 2018 expenses as presented and reviewed by the Board of Supervisors. Vote: 2/0	SEPT. EXPENSES
Motion by Davis, seconded by Lee, to approve expenses for attendance to the ECATO Annual Convention on October 26, 2018 at Nick's Place. Vote: 2/0	ECATO ANNUAL CONVENTION
Motion by Davis, seconded by Lee, to approve the Wegman's 2018 Real Estate refund per Exoneration #235767 in the amount of \$44.60. Vote: 2/0	WEGMAN'S R.E. REFUND
Motion by Davis, seconded by Lee, to approve the "write-off" of \$265.48 from the Wal-Mart Developers Escrow Account, and close out same. Vote: 2/0	WALMART DEV. ESCROW
Motion by Davis, seconded by Lee, to authorize the advertisement for the 2019 Recycle Contract. Bids to be opened on Wednesday, October 24, 2018 at 1:00 p.m. and a possible award at the Regular Business Meeting on November 5, 2018. Vote: 2/0	2019 RECYCLE CONTRACT BID AD AUTHORIZED
Zoning Administrator Miller updated the Board on the status of the Summit Township Sewer Authority (STSA) Component 4A Planning Module for the proposed parallel sewer and equalization basin. It consists of the construction of 1500' of 12' sanitary sewer lines running parallel to existing sanitary sewer lines and the construction of a one-million-gallon equalization tank to mitigate peak flow storm events, on the east side of Old Perry Highway. The Summit Township Planning Commission has reviewed the Module with the following comments: the DEP will be notified that the plan is consistent with the Municipal Comprehensive Plan for land use, the plan is consistent with the use, development and protection of Water Resources, the plan is consistent with municipal land use planning as it relates to prime agricultural land preservation, the plan does not propose encroachments, obstructions, or dams that will affect wetlands, no historical or archaeological resources will be impacted, no known endangered or threatened species, plant, or animal will be impacted, the plan is consistent with the municipal Official Sewage Facilities Plan, there are no wastewater disposal needs in the area adjacent to this proposal that should be considered; however the proposed plan is not consistent with the Zoning Ordinance and the Subdivision, Land Development & Mobile Home Park Ordinance for the following reasons: The proposed use of a sewage equalization basin has been determined to be the same as a sewage lagoon, which the Summit Township Zoning Ordinance characterizes into a use category titled "Water Recreation and Storage". The water recreation and storage use is only permitted in the R-2 (Residential) District as a Special Exception Use. Based upon these	STSA COMP. 4A PLANNING MODULE

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criteria the sewage lagoon would need to meet all setback requirements including the 50-foot front yard setback off of Old Perry Highway, the 50-foot front yard setback off of Harold Road and the 50-foot front yard setback off of Queens Boulevard, which the current design does not meet. The Water Recreation and Storage Special Exception Use has been applied for by the Summit Township Sewer Authority, but has not been granted by the Summit Township Zoning Hearing Board as of this date.

The proposed plan would require a variance to the Zoning Ordinance if the Sewer Authority decides to proceed with the current design of the equalization basin, as they would need to seek a variance to Section 400.05 regarding the Water Recreation and Storage Special Exception Use requirements.

All applicable Zoning Approvals have not been obtained for the current proposed plan, as the Special Exception Use has not been granted to the STSA by the Summit Township Zoning Hearing Board.

Based upon the criteria set forth in Section 504 of the Summit Township Subdivision, Land Development and Mobile Home Park Ordinance the sewage lagoon would need to meet all building line standards, which include the 50-foot front yard setback off of Old Perry Highway, the 50-foot front yard setback off of Harold Road and the 50-foot front yard setback off of Queens Boulevard, which the current design does not meet.

Best Management Practices need to be provided and followed to prevent light pollution and glare in accordance with Section 605.8 of the Zoning Ordinance.

Best Management Practices need to be provided and followed to prevent and eliminate odors in accordance with Section 605.6 of the Zoning Ordinance.

The proposed equalization basin should be screened from view to preserve the character of the neighborhood.

Any "screening" or "screen planting" should comply with the definitions of each term within Article 2 of the Zoning Ordinance.

Miller confirmed that since the Planning Commission's initial review, his office has received an application from the STSA requesting approval of the Water Recreation & Storage Special Exception Use. Zoning Administrator Miller recommended the Board table any decision regarding this issue until all the comments provided by the Planning Commission have been addressed.

Motion by Lee, seconded by Davis, to table a decision regarding the STSA Component 4A Planning Module.

Supervisor Lee added that the location of the proposed equalization tank is near the Millcreek Township border, and he has already received calls from neighbors expressing concern. He added that he advised them to attend a STSA meeting.

Vote: 2/0

Zoning Administrator Miller reported that the Joel and Brittany Brennan Amended Land Development Plan combines the neighboring parcel recently purchased with the existing Steadfast Tattoo Property. The plan proposes widening the driveway and paving additional parking spaces increasing the total impervious area, which requires stormwater management. This plan has been reviewed and recommended for approval by both the Summit Township Planning Commission and the Erie County Department of Planning. Miller added that the Brennan's have also requested a deferral of sidewalk construction, and have signed a sidewalk deferral agreement.

BRENNAN AMD. LDP

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Motion by Lee, seconded by Davis, to approve the Joel and Britany Brennan Amended LDP for 8310 and 8320 Peach Street, Parcel ID Nos. 40-016-072.0-024.00 and 025.00.

Vote: 2/0

Zoning Administrator Miller reported that the final Land Development Plan for the Copperleaf Development has been submitted. They have received a variance from the ZHB to accommodate the proposed 14-unit townhouse shown on the western end of Homeview Lane. In addition to the 14-unit townhouse the final plan also shows the two additional 30-unit apartment buildings, the third commercial building with residential apartments above, and the proposed sidewalk running along the border of the property fronting Edinboro Road & Zuck Road. The sidewalk construction has been deferred by the Supervisors at a previous meeting and Joe Palermo has executed a Sidewalk Deferral Agreement with the Township. The Summit Township Planning Commission has reviewed and recommended approval with conditions. The Erie County Department of Planning has reviewed this plan and recommended approval. Zoning Administrator Miller recommended the Board approve the final Copperleaf LDP as submitted.

**COPPERLEAF LDP**

Motion by Davis, seconded by Lee, to approve the final LDP for the Copperleaf Development Parcel ID No. 40-001-007.0-001.05

Vote: 2/0

Solicitor Sennett reported that in an effort to vacate paper streets in the area of the proposed sewage equalization basin, contacting Penelec has been unsuccessful. The STSA will also attempt to contact Penelec.

**SOLICITOR:**

- Paper street vacation
- Charter Communications
- Armstrong Utilities

Solicitor Sennett reported that Charter Communications has not been paying the franchise fee per the Franchise Agreement. They were previously contacted and Secretary Yeast confirmed the Township has still not received payment. Solicitor Sennett will contact Charter Communications to effectuate payment. Armstrong Utilities have approached Summit Township for a cable franchise agreement. Solicitor Sennett will attempt to negotiate the best Agreement for the Township, which shall be at least equal to the Agreement with Charter Communications. Supervisor Lee added that Armstrong will be looking at areas within the Township that are not receiving any cable service.

Engineer Jonas reported that the MS-4 Progress Report has been submitted, adding that the Summit Township Stormwater Ordinance needs some minor revisions to coordinate with the MS-4.

**ENGINEER:**

- MS-4
- 2018 Curb Ramps
- Frank Ave. Speed hump

Engineer Jonas reported that the 2018 Paving and Curb Ramp Projects are nearing completion. The road crew has installed the speed hump on Frank Avenue, and follow-up speed studies will be conducted.

Supervisor Lee reported that the 2018 Seal Coat Project is complete. Picnicana continues to be improved. A portable shed for the Senior Center has been installed and the old one will be relocated to Picnicana.

**SUPERVISORS:**

- Projects update

Ken Mattern, 129 Frank Avenue, thanked the Board for the installation of the speed hump on Frank Avenue, adding that he anticipates the need for a second speed hump. Mr. Mattern further added that he has seen an increased presence of the PA State Police also.

**PUBLIC INPUT:**

- Frank Avenue
- Taller Fire Hydrants

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April Blackford, 128 Frank Avenue, also thanked the Board for their efforts adding that she agrees with Ken Mattern that a second speed hump may be needed. She cited numerous recent instances of speeding after the vehicle left the hump.

Kevin Ingraham, 8905 Honeysuckle Drive, expressed concern that the fire hydrants are positioned too low, and require constant attention during the winter months. He mentioned that he had approached the Summit Township Water Authority with a suggestion to alleviate this issue and had no success. His suggestion was to install taller hydrants not only to be more easily accessed but also seen during heavy snow events. The Board responded that the idea was worthy of research, and would contact the Water Authority.

With no further business to come before the Board, motion by Davis, seconded by Lee, to adjourn the meeting at 6:40 p.m.

Vote: 2/0

ADJOURNMENT

Respectfully submitted,

Christene S. Yeast  
Recording Secretary  
10/5/2018