

SUMMIT TOWNSHIP SUPERVISORS

Public Hearing

Monday, May 19, 2014

Chairman Church called a public hearing of the Board of Supervisors to order at 6:00 p.m. followed by the salute to the flag. Supervisors Church and Agostine were present, as were, Solicitor Sennett, Zoning Administrator Hudak, Engineer Jonas, Secretary Yeast, and thirty-two interested persons.

CALL TO ORDER

Zoning Administrator Hudak explained the purpose of the hearing is to receive public input regarding a petition by John, Julie, and Thomas Willow to re-zone 5.25 acres of the B-1 (Business) zone on the west side of Edinboro Road to T-1 (Transitional). Zoning Administrator Hudak defined the T-1 Zoning District as a mix of light business and residential uses keeping with the residential character of the surrounding area. Hudak further listed the Permitted Principal Uses and Special Exception Uses, and explained the general and special criteria for a T-1 Zoning District, noting that B-1 would allow more invasive uses than T-1.

PURPOSE OF HEARING:
Consideration to rezone a portion of Edinboro Road parcel from B-1 to T-1

Jesse Palermo, 2500 Palermo Drive, and a potential developer for the property explained that this 5-acre parcel will be utilized as a "grand entrance" to the proposed development with the remaining T-1 zone. Mr. Palermo further described the proposed development as 6-8 supporting commercial units (i.e. deli, candle shop, small retail) and 6-8 luxury apartments located on the second floor of the retail units. Mr. Palermo indicated that this proposed development fits with the County Comprehensive Plan for this area.

PUBLIC INPUT

Darlene Hoh, 2723 Hershey Road, expressed concern that a development will increase traffic to the already congested intersection of Hershey Road and Route 99. Jesse Palermo responded that the T-1 zoning designation offers less development opportunities than B-1 resulting in less traffic impact also. Ms. Hoh further presented a petition listing residents in opposition to "rezoning area on Edinboro Road from B1 to T1".

Supervisor Agostine added that the Board cannot make a zoning decision based on a specific use. A decision to change zoning has to be decided based on any use allowed in the proposed and current zoning. Agostine further explained that the Board and PaDOT will require traffic studies along with multiple land development requirements for any development.

Bob Helsley, 7550 White Birch Lane, opposes development proposed by Mr. Palermo.

Steve Urbanick, 2925 Hershey Road, opposes development citing traffic congestion. Mr. Urbanick suggested improving the highway prior to development.

Kurt Schiemer, 2681 Hershey Road, also expressed traffic concerns citing statistics that traffic impact for a development will have minimal impact of 6% which equates to an additional 1,180 vehicles. Mr. Schiemer further maintained accidents will also increase without highway improvements.

Scott Fried, 2694 Hershey Road, asked if any improvements are scheduled for this area. Supervisor Church responded that this is an intersection of (2) State Highways, and funding for improvements is severely limited. The recent increases in fees and fuel taxes may relieve some funding issues. Supervisor Church discussed his previous suggestion to extend Hamot Road to Route 99.

Engineer Jonas added that PaDOT will require Highway Occupancy Permits (HOP) and traffic impact studies which may lead to highway improvements that mitigate impact. Mr. Fried asked how long a traffic study takes to complete. Engineer Jonas responded that PaDOT utilizes current information and may take a month to complete a study.

SUMMIT TOWNSHIP SUPERVISORS

Public Hearing

Monday, May 19, 2014

Page 2 of 3

Supervisor Church added that Lord Corporation will further increase traffic congestion, and they are also working with ideas to alleviate traffic by possibly adding turn lanes.

Supervisor Agostine added that PaDOT had performed initial cost estimates to extend Hamot Road to Rt. 99 resulting in a determination that it was cost prohibitive. Lord Corporation is currently attempting to initiate highway improvements at the State level. The Willow family has generously offered property needed for right-of-way to accomplish the addition of turning lanes.

Bob Green, 2843 Hershey Road, expressed support for rezoning to the T-1 zone, as it is much less invasive than the current B-1. Mr. Green compared the proposed development to Village West, an attractive shopping center in Millcreek Township. Mr. Green added that the T-1 zone also mandates increased greenspace. Agostine confirmed that the T-1 zone has more stringent greenspace requirements than B-1.

Jesse Palermo requested Board consideration to vote today, but establish an effective date of July 1, 2014 due to development issues.

Kurt Schiemer, 2681 Hershey Road, confirmed that Hershey Road is a State Road, and maintained that PaDOT has no funding available for new projects. Supervisor Church concurred, adding that discussions with Bill Petit, a PaDOT official, have established that funding is lacking. Agostine responded that Lord Corporation may have some influence.

Darlene Hoh, 2723 Hershey Road, requested an explanation of why the proposed development cannot be factored into a decision in regard to zoning changes.

Solicitor Sennett responded that "uses" can change, and the Board is responsible to maintain zoning districts based on a variety of uses listed as available per zoning district. B-1 allows auto sales and service, retail, and wholesale (big box) facilities. The T-1 Zoning eliminates those possibilities.

Remle Fried, 2694 Hershey Road, asked if the Township Comprehensive Plan is available to the public. Zoning Officer Hudak responded, yes.

Tom Willow, 2906 Hershey Road, confirmed with Solicitor Sennett that it is possible for the Board to vote an approval today, but establish an effective day of July 1, 2014. Atty. Sennett added that an effective date can be established contingent upon the Willow's not rescinding the petition. Mr. Willow also suggested an option to delay the vote until the next Regular Business Meeting of the Board of Supervisors.

Supervisor Church stressed that T-1 zoning is more limiting than the current B-1 zone. Church added that he would "have a hard time going back to B-1" if the Willow's attempt to petition again.

Zoning Officer Hudak reported that Erie County Planning and the Summit Township Planning Commission have both reviewed and recommended approval for the rezoning request; it is also consistent with the Erie County and Summit Township Comprehensive Plans.

SUMMIT TOWNSHIP SUPERVISORS

Public Hearing

Monday, May 19, 2014

Page 3 of 3

With no further input from the public, motion by Agostine, seconded by Lee, to close the hearing
at 6:44 p.m.

Vote: 3/0

HEARING CLOSED

Respectfully submitted,

Christene S. Yeast
Recording Secretary
5/21/2014