

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman Kujawa in the Assembly Room of the Millcreek Township Municipal Building. Present were Gerald Wolf, Richard Figaski, Joseph Kujawa, Brian McGrath, Evan Adair, Esq., Phyllis Vollbrecht, Julie Maggio and Richard Morris, P.E.

Following the Pledge to the Flag, Chairman Kujawa called for public comment on agenda items other than development or rezoning applications. No comments were received.

It was moved by Mr. Figaski, seconded by Mr. McGrath and carried by unanimous roll call vote to approve the minutes of the Board's May 7, 2013 meeting.

It was moved by Mr. McGrath and seconded by Mr. Figaski to approve payment of the General Fund bills in the amount of \$158,645.67 and the Sewer Revenue Fund bills in the amount of \$87,209.28. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. McGrath to accept the bid purchase price of \$30,000.00 from Scott D. Swartz, the sole bidder, for the triangular parcel of property owned by Millcreek Township located at Richmond Street, West Gore Road and Washington Avenue. Motion carried by unanimous roll call vote.

A public hearing was held on the following petitions requesting a change in zoning classification:

**Guy and Mike Euliano, for property located at 2412 Powell Avenue, now zoned R-1 Single Family Residential District, asking for a change of classification to R-4 High Density Residential District.**

Mrs. Maggio reported that the Millcreek Township Planning Commission recommended approval, Erie County Planning stated that the proposed zoning change is generally consistent with the Erie County Comprehensive Plan, and the Millcreek Township Future Land Use Plan shows commercial.

Mike Euliano, 5739 West Ridge Road, appeared on behalf of the petition. It was determined that eight units per developable acre could be constructed. The Eulianos agreed to meet all requirements of the Township.

Rick D'Amico, 2404 Powell Avenue, asked about a buffer between his property and 2412 Powell Avenue. No buffer is required between residential properties; however the setbacks will be 50 feet front yard, 30 feet rear yard and 30 feet side yard according to Mrs. Maggio.

It was moved by Mr. Figaski and seconded by Mr. McGrath to approve the change from R-1 Single Family Residential to R-4 High Density zoning for 2412 Powell Avenue. Motion carried by unanimous roll call vote.

**Earl J. and Marilyn C. Wagner, for property located at the northeast corner of Old Zuck Road and Zimmerly Road, now zoned RR Rural Residential District, asking for a change of classification to R-4 High Density Residential District.**

Mrs. Maggio reported that the Millcreek Township Planning Commission recommended denial with the recommendation to the Supervisors to consider R-2 which would be conducive to the existing community's character, Erie County Planning Department stated that the proposed

zoning change in generally consistent with the Erie County Comprehensive Plan, and the Millcreek Township Future Land Use Plan shows multi-family.

Atty. John Knox, 4347 West 28th Street, appeared to represent Mr. and Mrs. Wagner who have owned this five-acre parcel of undeveloped land at the northeast corner of Old Zuck Road and Zimmerly Road since 1985. They are requesting a change to make it marketable. Several buyers have been interested but only if the zoning was changed. Within the area surrounded by Old Zuck Road, Zuck Road and Zimmerly Road, there are several pieces of property zoned R-4. An endorsement letter from Jack Bertges, owner of property immediately to the east, was submitted to the Board.

Earl Wagner, Tampa, FL, owner of the property, gave a brief history of his family's ownership of the property. He spent \$30,000 for water and sewer. He is now very interested in selling the land but up until now cannot because of the zoning. The property has access onto two roadways. Mr. Kujawa asked if he would consider rezoning to R-2. Mr. Wagner did not want to consider that and said all prospective buyers want R-4. Financially it makes a big difference to him.

Mr. Figaski said one of the biggest issues addressed with an R-4 development is traffic. Traffic on Zimmerly Road to Interchange Road and the Mall is becoming a huge issue. Mr. Wagner informed the Board that the State acquired .7 acres along Zimmerly Road years ago to widen the turn onto Old Zuck Road. The bridge over I-79 is where the bottle-neck is and PennDOT has no plans to widen the bridge according to Mr. Kujawa.

Pete Mitchell, Passport Realty, 217 Forest Drive, indicated that there have been two qualified buyers in the last six months who wished to develop this property but needed R-4 zoning. This would enhance the tax base. Developers are aware of the R-2 zoning but want a more aggressive zoning. Mr. McGrath said that in looking closely at the Zoning Ordinance, the setbacks required in R-4 vs. what is required in R-2, and after all the calculations for driveways, parking, setbacks, etc., the density in both are going to be almost identical.

Donna Reese, 4057 Calico Drive, spoke about the corridor south of West 38th Street from Pacific Avenue to Lancaster Road being inundated with multi-family dwellings. Her concern is stormwater management, traffic and the overburden of school system. She would like to see single-family homes instead.

Philip Temple, 2740 Alexandra Drive, spoke of behalf of the 36 homeowners of Vineyard Estates Subdivision. Their concern is of the density of this particular project. Severe traffic problems exist on Zimmerly Road and now on Old Zuck Road. They are not sure R-2 zoning is a better designation for this parcel. He asked the Board to follow the recommendation of the Planning Commission and deny the petition.

John Degas, 2700 Alexandra Drive, expressed his concern over the traffic. He told of times when traffic is backed up from I-79 to the church on Zimmerly Road.

Mr. Figaski reported receipt of many emails from residents who could not attend the meeting and reviewed the following:

- Kathy Aranyos** – increase of traffic and noise, favors condo concept
- Joni Lumoindong** – current traffic congestion which would be increased with R-4 zoning
- Joe Mureo** – traffic problems between Old Zuck Road and Interchange Road
- Karen Ziemianski** – existing infrastructure already insufficient to support increased traffic of a high density zoning, speed issue exists at curve
- Tim Ulrich** – traffic situation in area already insufficient both east and westbound on Zimmerly Road near Interchange Road
- Martha Kosir** – increased traffic issue, decrease in property values, increase in noise
- J. Ward Hill** – increase in noise, increase in traffic, loss of green space

Mr. Figaski asked the petitioner if he would consider changing his request to R-2. Atty. Knox and Mr. Wagner left the room for a few moments to consider the change.

Atty. Adair opined that because the issue of R-4/R-2 zoning was raised at the Planning Commission and not just at this meeting, the Board could accept from Mr. Wagner an amended petition to ask for R-2 rather than R-4. Mr. Wagner told the Board he would amend his petition to now ask for R-2 zoning.

It was moved by Mr. McGrath and seconded by Mr. Figaski to approve the change of the parcel at the northeast corner of Old Zuck Road and Zimmerly Road from RR Rural Residential to R-2 Low Density Residential. Motion carried by unanimous roll call vote.

It was moved by Mr. Kujawa and seconded by Mr. Figaski to hire the following as summer help at the appropriate rate: Anthony Giononi (start May 17) in the Traffic Department and Anthony Rossi (start June 13) at the Recycling Center. No public comment was received. Motion carried by unanimous roll call vote.

It was moved by Mr. McGrath and seconded by Mr. Figaski to approve the utilization of the West Lake Fire Police to perform traffic control for the following events: the Girard Borough Memorial Day Parade on May 27 from 1230 hours to 1500 hours, and the Edinboro Triathlon at Edinboro Lake on June 1 from 0800 hours to 1500 hours. No public comment was received. Motion carried by unanimous roll call vote.

It was moved by Mr. McGrath and seconded by Mr. Figaski to hire Julia Neval and Mary Eidell as gymnastics instructors at \$7.65 per hour and Susan Hottle for adult leisure at \$10.50 per hour for the Parks and Recreation 2013 summer staff. No public comment was received. Motion carried by unanimous roll call vote.

The following quotations were received for a pump for the Sewer Department jetter:

Radco Supply	\$17,419.00
Pierce Eagle Equipment	\$16,078.00
U. S. Municipal Supply	\$15,813.00

It was moved by Mr. McGrath and seconded by Mr. Figaski to purchase the pump from U. S. Municipal Supply for \$15,813.00. No public comment was received. Motion carried by unanimous roll call vote.

No meeting will be held next week due to the Assembly Room's use as a polling site.

On the recommendation of Attorney Adair and Travelers Insurance, it was moved by Mr. McGrath and seconded by Mr. Figaski to alter and amend documents used for bids, solicitations and requests for proposals, and contracts to provide for an attachment that outlines the various insurance coverages the Township requires. No public comment was received. Motion carried by unanimous roll call vote.

On the recommendation of Engineer Morris, it was moved by Mr. Figaski and seconded by Mr. McGrath to hire Ryan Grode as summer help in the Engineering Department beginning May 15, 2013 at the appropriate rate. No public comment was received. Motion carried by unanimous roll call vote.

There being no further business to come before the Board or citizens to be heard, it was moved by Mr. Figaski, seconded by Mr. McGrath and carried to adjourn the meeting at 10:35 a.m.

Phyllis A. Vollbrecht  
Assistant Secretary

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APPROVED: May 28, 2013

Joseph S. Kujawa  
Richard P. Figaski