

April 4, 2023

The regular meeting of the Millcreek Township Planning Commission was held on Tuesday, April 4, 2023, at 5:30 p.m. in the Assembly Room of the Millcreek Township Municipal Building, 3608 West 26th Street. Planning Commission members present, Chairman Mr. Gene Strohmeyer, Messrs. Prozan, Sitter, Stewart, Skellie, Fugate, and Reade. Also present were Matthew Puz, Jr. Zoning and Development Officer, Julie Maggio, Assistant Zoning and Development Officer, and Attorney Lydia Caparosa, Counsel for Township. Absent was Mr. Kubeja.

The meeting was called to order at 5:33 PM by Mr. Strohmeyer.

At this time, Mr. Strohmeyer informed the public that the Planning Commission proceedings were streamed live online and are accessible at <https://www.millcreektownship.com/meetings>

Following the Salute to the Flag, a motion was made by Mr. Fugate, seconded by Mr. Reade, and carried that the Minutes of the Meeting of March 7, 2023, be approved.

The following Subdivision Petition was heard:

REPLOT OF LANDS FOR TAMMY & WILLIAM BAUMANN. Small Subdivision Plan. A subdivision plan to show the creation of a 3,238 square foot lot, Parcel "A", resulting in a 1.85-acre residual lot for 3828 Edgebrook Drive (tax parcel ID 33-085-376.0-021.00), Parcel "A" is to become an integral part of 3846 Edgebrook Way (tax parcel ID 33-085-376.0-021.09) resulting in a new acreage of 0.69 acres, along the west line of Edgebrook Way, south of West 38th Street, in Tract 309. Index 460-009

Wade Brink, 3846 Edgebrook Way, was present to speak on behalf of this subdivision. Mr. Strohmeyer asked if the purpose of the subdivision was to take the small piece being subdivided and add it to his property. Mr. Brink replied yes it was. His neighbor offered it to him so the owner would not need to care for the property behind Mr. Brink's house.

There were no other public comments.

After discussion, a motion to recommend approval of the subdivision was made by Mr. Fugate, and seconded by Mr. Sitter, and carried 7-0.

The following Conditional Use Petition was heard:

ERIE HUMANE SOCIETY for property located at 2433 Zimmerly Road to install a Crematory as an Accessory Use in the MU-2 Corridor Mixed Use district. Index 614-006

Genna Druzak, architect with Weber Murphy Fox, 3230 West Lake Road, Nicole Leone, Executive Director of the Erie Humane Society, 2407 Zimmerly Road, and Robert Lewis, Facilities Manager for the Erie Humane Society, 2407 Zimmerly Road, were present to speak on behalf of this conditional use request. Ms. Druzak stated that the crematory would be the second crematory on site for the use of the Erie Humane Society. The primary building is located at 2407 Zimmerly Road.

Ms. Druzak went through the thirteen (13) criteria set out in the zoning ordinance to show that use met all of the requirements as outlined:

- A. A business established for cremation of human or animal remains shall be located on property of not less than one (1) acre.
 - a. Ms. Druzak stated that the property was 2.5 acres.
- B. The crematory cannot be constructed closer than seven hundred fifty (750) feet from an existing Dwelling, Public or Private School or Day-Care Center.
 - a. Ms. Druzak stated that the Millcreek Township Zoning Hearing Board granted a variance to permit the Crematory within 90' of an existing dwelling on March 29, 2023

130182

- C. Emission Standards.
- D. Emission Control Devices.
- E. Continuous Emission Monitoring.
 - a. For items C, D, and E, Ms. Druzak referred to the documentation that was submitted with the application to show that all three sections of this ordinance were met.
- F. All costs for monitoring shall be borne by the applicant.
 - a. Ms. Druzak stated that the Erie Humane Society will bear all costs associated with monitoring the Crematory.
- G. Emission Performance Testing
 - a. Per the letter submitted with the application, Per the U.S. Cremation Equipment proposal, they were helping the Erie Humane Society with the initial environmental permit and start-up
- H. Hours of Operation.
 - a. Ms. Druzak stated that the proposed hours of operation are 8:00 AM to 4:00 PM Monday through Friday. The ordinance permitted hours of operation between 7:00 AM to 7:00 PM.
- I. The cremation unit shall be totally enclosed within a Building.
 - a. Ms. Druzak stated that the crematory will be enclosed within a detached garage.
- J. The Crematory operator/owner shall provide the Township with copies of all certifications necessary to operate the Crematory.
 - a. Pending Township approval, all required certifications would be provided to the Township. Ms. Druzak also furnished the current permit to show that they were in compliance with their current unit.
- K. The Crematory operator/owner shall provide prior to issuance of a Building Permit a copy of any required federal or state permit(s).
 - a. Ms. Druzak elaborated on how they have been in contact with Building Inspection Underwriters to obtain a building permit once all required permits have been obtained.
- L. A Crematory may provide a room(s) for the private viewing of the cremation by members of the deceased's family but may not be used to conduct public or private Funeral Home services.
 - a. Due to the size of the crematory building, no viewing room was planned for this crematory.
- M. Any additional standards or operational requirements that are needed to protect the public health, safety and welfare or to address unique characteristics of a site as defined by the Township Board of Supervisors shall be complied with by the landowner and/or developer and Crematory operator and owner.
 - a. Ms. Druzak stated the crematory will meet all regulatory standards. The letter submitted also stated that they were prepared to comply with any additional standards or requirements as deemed necessary by the Township Board of Supervisors.

Ms. Leone explained the reason why they were seeking a second crematory for their facility. She stated that there is a high demand for crematory services in Erie, PA. Most facilities without crematories contract out for services. The animals were sent to Ohio for services. Providing services in Erie allowed for the animals to stay local. Crematory services also helped fund the Erie Humane Society. In 2022, an additional \$103,000 were generated from the services provided. The new crematory will take approximately 9 to 10 months to complete and it was projected to add an additional \$216,000 to \$300,000 in funds once completed.

There were no other public comments.

After discussion, a motion to recommend approval of the conditional use was made by Mr. Prozan, and seconded by Mr. Skellie, and carried 7-0.

There being no further business to come before the Commission, the meeting was adjourned on motion by Mr. Prozan, seconded by Mr. Stewart, and carried unanimously at 6:00 PM.

Doug Prozan
Secretary