

Board of Supervisors:  
Thomas Schiebel, Chairman  
Andrew Erie, Vice Chairman  
Ronald Flatt, Supervisor  
Kenneth Frenchak Jr, Supervisor  
Edward Latuska, Supervisor



Michael Gallagher, Solicitor  
Olsen & Associates, Engineer  
Anthony Amendolea, Secretary/Treasurer  
Mark Lauer, Public Works Director  
Richard Round, BCO/Zoning Official

Board of Supervisor Public Hearing  
Aubrey/Thomas Rezoning Request  
March 31, 2010  
6:30 p.m.

### **CALL TO ORDER:**

Chairman Schiebel called the Center Township Board of Supervisors Public Hearing to order at 6:30 p. m. The Hearing was held at the Center Township Municipal Building, 419 Sunset Drive, Butler, PA 16001.

### **ROLL CALL:**

In addition to Chairman Schiebel, Vice Chairman Andrew Erie, Supervisor Ronald Flatt, Supervisor Kenneth Frenchak, Supervisor Edward Latuska, and Township Secretary/Treasurer Anthony Amendolea were present. Cheryl Morris, Court Reporter was also present.

### **PURPOSE OF HEARING:**

The purpose of the hearing was for the Board to obtain public comment and testimony regarding the George Aubrey request to rezone properties owned by George Aubrey; the Aubrey Family Limited Partnership, and Mark R. Thomas, which are as follows:

property located south of North Duffy Road (T-509) and west and south of Peters Lane, being Center Township Tax Map Parcel 060-2F104-13F (40.14AC m/l)

property located along the western side of Mercer Road (T-494), being Center Township Tax Map Parcel 060-2F104-23DAA (10AC m/l)

property located along the eastern side of North Duffy Road (T-509), being Center Township Tax Map Parcel 060-S7-B (39.23AC m/l)

property located in Center Township, only, located along the western side of Mercer Road (T-494) being part of Butler Township Tax Map Parcel 056-4-2 (36 acres) (Said property is located in both Butler and Center Township and is currently assessed for tax purposes in Butler Township. The rezoning request applies to the Center Township portion of the property only. The acreage located in Center Township is estimated to be 10.8AC m/l)

His request is to rezone these properties from R-1A, Low Density Residential, to R-2, Multi-Family Residential District.

Notifications were mailed February 25, 2010 to eighty-three (83) property owners within 300 feet of the properties. Four notifications were returned. Two ads were placed in the Butler Eagle on March 16<sup>th</sup> and 23<sup>rd</sup>, 2010, and the property was posted March 23<sup>rd</sup>, 2010. Butler County Planning had no specific comments for consideration.

Cheryl Morris swore in all individuals that wished to provide comments and/or testimony.

#### **AUBREY/THOMAS COMMENTS:**

Mr. Chad Boschele presented the request for Mr. George Aubrey and Mr. Mark Thomas. He stated they are requesting the aforementioned property be rezoned from R-1A, Low Density Residential District, to R-2, Multi-Family Residential District. At this time, they do not have any plans on how the property will be developed. As communities grow progress is needed. Property values and a positive attitude is a result. Mr. John Aubrey stated Mr. Rivers was not included with this application because he is interested in building a single family home.

#### **PUBLIC TO BE HEARD:**

Mr. Cecil Crouch, 322 North Duffy Road, their driveway is a part of the original forty foot (40') right-of-way. With the requested change from the current R-1A, Low Density Residential District to R-2, Multi-Family Residential District additional traffic flow will ~~comprise~~ *compromise* (corrected 04/14/2010) the safety of all the residents along the North Duffy Road corridor. In addition, property values will decrease. In the R-2, Multi-Family Residential District, the Zoning Ordinance requires property to be served by sanitary sewer lines. With the current right-of-way, utility lines could be installed which would decrease property values and create safety issues. Stormwater runoff issues should be considered. Rezoning these properties could allow low-income residents regardless of how upscale the residences are. The current Center Township Comprehensive Plan should be followed.

Ms. C. J. Campbell, 364 North Duffy Road, agrees with comments made by Mr. Crouch. North Duffy Road is very dangerous. No one obeys the speed limit. Vehicles have run off the road into her yard on various occasions.

Ms. Debra Ward, 117 Aubrey Drive (Butler Township resident), thanked the Board for the notification of the public hearing. Her concerns were (1) if the property is rezoned, is this the best use of the land; (2) the availability of public sewage and water; and (3) if the property is rezoned to R-2, Multi-Family Residential District, this does not match the Center Township Comprehensive Plan which depicts R-1A, Low Density Residential District.

Ms. Nancy Mikan, 205 South Links Avenue (Butler Township resident), is worried the proposed entrance to the plan is beside her property. Links Avenue and South Links Avenue have a ten-foot (10') right-of-way and is not capable of handling from 3,000 to 5,000 vehicles per day.

Mr. Frank Pinto, 109 Aubrey Drive (Butler Township resident), asked if the golf course, located in Butler Township, is part of the rezoning request.

Mr. Dennis Lynn, 326 North Duffy Road, agrees with Mr. Crouch. With any development along North Duffy Road, what will the traffic influx be? Without adequate police protection, the crime rate could possibly increase if the development is approved.

### **BOARD COMMENTS:**

Schiebel noted that the concerns of ingress and egress to North Duffy and Mercer Roads will be considered at the time a plan is submitted for development. This hearing is to determine whether the properties should be rezoned to R-2, Multi-Family Residential District.

Flatt noted that River's property, 334 North Duffy Road (S7 BA), is being advertised as R-2, Multi-Family Residential District. Individuals who spoke were opposed to direct excess to North Duffy and Mercer Roads. He reiterated that it will be considered as part of the approval process for the land development which is not relevant at this time. Flatt emphasized that any permitted use in the R-2, Multi-Family Residential District, would be allowed.

Latuska took an impromptu polling of the Center Township residents attending whether they were pro or con for the rezone request. The majority were against the rezoning.

### **ADJOURNMENT:**

Schiebel made a motion to adjourn at 6:45 p.m. noting the Board will vote to approve/disapprove the rezone request at their regular meeting on April 14, 2010 at 6:30 p.m. Erie seconded. Motion carried unanimously.

ANTHONY A AMENDOLEA  
Township Secretary/Treasurer

THOMAS G SCHIEBEL  
Chairman

ANDREW ERIE  
Vice Chairman

RONALD E FLATT  
Supervisor

KENNETH J FRENCHAK, JR  
Supervisor

EDWARD G LATUSKA  
Supervisor