

Mon.  
7-26-21

Public Hearing -  
COLLIER TOWNSHIP  
BOARD OF COMMISSIONERS

MINUTES  
DONE BY THE  
COURT REPORTER

DATE 7-26-21

TIME MEETING BEGAN 6:00pm

COMMISSIONER Chiurazzi CALLED THE MEETING

MEMBERS

ROLL CALL

MARY ANN  
CUPPLES  
Debbie  
ZYMROZ

PRESENT

ABSENT

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Rick  
RUFFENNACH

PRESENT

ABSENT

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DAN  
STYCHE - VICE PRESIDENT

PRESENT

ABSENT

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Wayne  
CHIURAZZI - PRESIDENT

PRESENT

ABSENT

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ALSO PRESENT:

LENNON, SMITH

MEANS Kate Dreesen - Solicitor

Kyle  
THAUVETTE

CAMPBELL

Bob  
CAUN

HINDS

PALMOSINA

PLIETZ

NORQUEST

Valerie  
SALLA

WERNER

# AGENDA

## COLLIER TOWNSHIP BOARD OF COMMISSIONERS

### PUBLIC HEARING

July 26, 2021 6:00pm

#### I. Call to Order

A: Pledge of Allegiance

B: Roll Call

#### II. Public Hearing

This hearing is regarding the proposed adoption of a zoning Ordinance amendment to the Collier Township Code of Ordinances, amending Sections 27-502.2.A, 27-602.2.A, 27-6A02.2.A, 27-702.2.A, 27-902.2.A and 27-1602.2.A of the Collier Township Code of Ordinances to remove School, Public and Private as an authorized conditional use in certain residential zoning districts and the PEDD Planned Economic Development District, and amending Sections 27-1102.2.A and 27-1202.2.A to permit School, Public and Private as a conditional use in the B-1 Planned Shopping Center District and B-1-A Highway Interchange District, ~~Section 27-2304.7, On-Premises Directional Signage and~~ ~~Section 27-2308.3.B.5 Ground Signs, to revise Zoning Regulations applicable to On-Premises Directional Signs and Ground Signs.~~

#### III. Presentation

#### IV. Public Comment

#### V. Adjourn

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BOARD OF COMMISSIONERS  
COLLIER TOWNSHIP  
COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA

- - -

IN RE: Zoning Ordinance Amendment

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HEARING BOARD: Wayne Chiurazzi, President  
Dan Styche, Vice-President  
Rick Ruffannach  
Maryann Cupples  
Debbie Zymroz

ZONING OFFICER: Robert Caun

SOLICITOR: Kate M. Diersen, Esquire

TOWNSHIP MANAGER: Kyle Thauvette

TOWNSHIP SECRETARY: Valerie Salla

HEARING LOCATION: Collier Township Municipal Bdg  
2418 Hilltop Road  
Presto, PA 15142

HEARING DATE: Monday, July 26, 2021  
6:02 p.m.

REPORTED BY: Kathy D. Landock  
Certified Realtime Reporter

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**TRANSCRIPT OF HEARING**

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2 P R O C E E D I N G S  
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4 MR. CHIURAZZI: Welcome to the Collier Township  
5 Board of Commissioners public hearing, July 26, 2021,  
6 6:00 p.m.

7 Call to order. Let's do the Pledge of  
8 Allegiance, please.

9 (Whereupon, the Pledge of Allegiance was  
10 recited.)

11 MR. CHIURAZZI: Roll call, Val.

12 MS. SALLA: Mary Ann Cupples?

13 MS. CUPPLES: Here.

14 MS. SALLA: Deb Zymroz?

15 MS. ZYMROZ: Here.

16 MS. SALLA: Rick Ruffennach?

17 MR. RUFFENNACH: Here.

18 MS. SALLA: Dan Styche?

19 MR. STYCHE: Here.

20 MS. SALLA: Wayne Chiurazzi?

21 MR. CHIURAZZI: Here.

22 So this is the time and place for the public  
23 hearing that was duly advertised, and I am going to  
24 have Commissioner Styche read what this hearing is  
25 about.

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2 MR. STYCHE: Good evening. This hearing is  
3 regarding a proposed adoption of a zoning ordinance  
4 amendment to the Collier Township Code of Ordinances,  
5 amending Sections 27-502.2.A, 27-602.2.A, 27-6A02.2.A,  
6 27-702.2.A, 27-902.2.A and 27-1602.2.A of the Collier  
7 Township Code Of ordinances to remove school, public  
8 and private, as an authorized conditional use in  
9 certain residential zoning districts and the PEDD,  
10 Planned Economic Development District, and amending  
11 Sections 27-1102.2.A and 27-1202.2.A to permit school,  
12 public and private, as a conditional use in the B-1  
13 planned shopping center district and the B-1-A Highway  
14 Interchange District, Section 27-2304.7 on-premises  
15 directional signage and Section 27-2308.3.B.5 ground  
16 signs to revise zoning regulations applicable to  
17 on-premises directional signs and ground signs.

18 MR. CHIURAZZI: Thank you. Commissioner Styche  
19 was reading verbatim and said exactly what this says.

20 Presentation?

21 MR. CAUN: The last part of that description  
22 talked about on-premise directional signage is not part  
23 of this hearing. It was mistakenly copied on to this  
24 agenda. So this hearing does not deal with on-premise  
25 directional signage, ground signs and any zoning

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regulations applicable to those. This strictly deals with the public and private school issue.

MR. CHIURAZZI: So after the comma after 7, is everything else out?

MR. CAUN: After highway interchange district, it should stop.

MR. CHIURAZZI: Oh, after highway interchange district. So there should be a period after district, and the rest of it is out. Let's make sure we have that before we do these.

Thank you, Commissioner Styche, for reading that.

Presentation?

MR. CAUN: So as you know, this ordinance to amend the Collier Township zoning ordinances, currently public and private school is an authorized conditional use in the R-1, R-2, R-3 and R-4 and the PEDD zoning districts. This amendment removes that use from those districts and adds it as a conditional use in the B-1 and the B-1-A zoning districts.

It was sent to Allegheny County on April 28. Allegheny County had no relevant comments. The Planning Commission reviewed this and recommended approval at their meeting on May 20. You've seen the

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amendment, that is basically what it does, removes from those R districts and allows it in the B-1 and B-1-A.

If you have any questions, we can try to answer.

MR. CHIURAZZI: Any questions up here?

We're good. Any public comment? Unless, Bob, you had anything else you wanted to add.

MR. CAUN: No.

MR. CHIURAZZI: Public comment?

MR. THAUVETTE: There is public comment that was submitted through the CollierPublic@Colliertwp email address from a Jeffrey Vermeire of 257 Sunrise Drive, Collie Township 15106.

His comments are as follows: First I want to go on record by objecting to this meeting and any potential public hearing that may or may not have been held prior. Section 710.1(c) of the Pennsylvania Sunshine Act permits any member of the public to openly object to any perceived violation of said act at any time.

The Sunshine Act also requires that agendas for public meetings be posted at least 24 hours prior to the meeting. The agenda for this meeting was posted at 8:24 a.m. this morning, July 26, 2021. As of the

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writing of this letter, no agenda for a public hearing was posted, nor is there any reference to a public hearing on the township calendar or entire site for that matter. Whether a public hearing was advertised in a newspaper, which I was unable to find through search, as required by the Municipal Planning Code of PA, it is immaterial as a public hearing is also a public meeting and concurrently subject to the Sunshine Act.

I will be filing a legal complaint with the Allegheny County Court of Common Pleas and notifying the ACLU.

I apologize for not being able to speak in person, as I have another obligation to attend to. As far as Ordinance No. 719, I realize that there's not a thing that I or anyone else for that matter could say that will change the minds of any of the members of this board. That was made abundantly clear in the March 22 meeting after Wayne Chiurazzi recruited 15 of his friends and neighbors to speak in favor of banning schools (other than Chartiers Valley, of course) from Collier Township. I want to review some of the comments made.

Comment 1: I'm opposed to the prosed -- I



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should mention that these are in quotations.

1. "I'm opposed to the proposed charter school moving in on behalf of maintaining the safety, quality and value of our community."

2. "Makes no sense to degrade valuable tax paying communities with a move that they intend to do, not to mention the increased safety concerns and hazards."

3. "They'll destroy the hand that supports Collier (in reference to Nevillewood)."

4. "I support the zoning ordinance to disallow new schools into the township."

5. "I support the zone change to disallow the school to take over the property on Boyds Run Road."

6. "I vehemently opposed to a charter school opening in this school district."

7. "I support the township in altering the zoning law to prohibit any new schools from opening."

8. "It's interesting that a school of up to 195 children would cause so much concern about safety. I didn't realize that schools were so dangerous and degrading. Nearly all the comments came from Nevillewood residents. Many of them expressed opposition to a school opening at Craig Cozza's former

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house at 215 Boyds Run Road. It's especially interesting given that Mr. Cozza had sold the property to someone else in the weeks prior to that meeting."

9. "I want to make something very clear, this ordinance is a de facto ban of any school, including pre-schools, from opening within the borders of Collier Township. That is by careful design. The only two places that a school would be permitted are Great Southern Shopping Center and Trader Jacks. Who in their right mind would ever send a child to a K-12 school in that busy shopping center or in a semi-industrial area like Trader Jacks. Who wants to send their child to a school next to an asphalt plant? This tells me that this board has no regard for child safety, education and well-being."

10. "I would like to point out that members of the Dogwood Charter School team toured the Settlers Cabin Business Center as a potential location in March. That is in a PED District, which still allowed schools as conditional use under the originally proposed ordinance amendment. Shortly thereafter, this board changed the proposed amendment to remove school use from the PED District as well. The PED District is not a residential district. If the intention of the

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ordinance amendment is to remove school use from residential areas, why then would it suddenly be removed from a Planned Economic Development District? To me that signals that this amendment is meant to be a de facto exclusionary ban. (See *KS Dev Co., LP vs. Lower Nazareth Township*, 149 A.3d 105, PA Commonwealth Court 2016.)"

Let me address some other things around this issue. Members of the public were told that a charter school would steal 200 kids from Chartiers Valley and cost \$30,000 per student. Residents were threatened that both Chartiers Valley School District and Collier Township would be forced to raise taxes.

These are lies and fabrications. The truth: It currently costs Chartiers Valley a little over \$20,000 to educate a single student. To send a child to a charter school it costs CV \$16,000 on average. In fact, if every single child, all 3,200 of them, enrolled in charter schools, the district would still have \$23 million dollars left over without having to educate a single student.

If a charter school opened in Collier or Chartiers Valley, only a projected 5 to 20 students would come from Chartiers Valley, not 200. At the

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maximum, that would only amount to 0.4 percent of the district's \$74 million dollar budget. The remaining enrollment would come from students from surrounding districts, those within 10 miles surrounding Collier.

Contrary to the letter that teachers were told to sign and submit, Charter schools are held to the same standards as all other public schools. They are not only answerable to state but also to the granting school district.

A district can choose to inspect and close a charter school at any time. A charter is only granted for five years at a time and has to be renewed by the granting district each five-year cycle. Other public schools are not held to such an extreme standard.

It seems to me the Chartiers Valley School District has no problem raising taxes without a charter school within its borders.

I think that there is a general misconception that charter schools are underperforming schools run by evil, profit-seeking corporations out to destroy the public school system. That couldn't be farther from the truth.

PA law requires that all charter schools be managed by 401(c)(3) non-profit organizations. Charter

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schools are tuition-free public schools open to anyone that applies. Charters can't choose who enrolls in their schools. The only caveat is that if enrollment exceeds capacity, then a random lottery determines which students are able to attend.

Most charter schools, especially brick and mortar schools, endeavor to serve students that are struggling in their home district. They want to provide a quality educational experience that isn't determined by zip code or neighborhood.

Not every family can afford to live in Nevillewood. Not everyone can afford to live in the Chartiers Valley School District. How many families do you think wish that they could attend a school like CV? I bet plenty. Why deny them the opportunity?

There is a general conflation of brick and mortar charter schools with cyber charter schools. Charters in general are advertised as underperforming traditional public schools. While this may be true of cyber charters, this is patently false for brick and mortar schools.

The CREDO study, and there is a PDF report link inside this comment, performed regularly by Stanford University, has shown time and time again that brick

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and mortar charter schools in Pennsylvania perform as well or better than their traditional public school counterparts.

This is especially true for those considered underprivileged and for Hispanic students and students of color. And consider that charter school receive 75 percent of the funding that traditional public schools do.

Countless studies have shown the positive economic impact that charter schools have on a community. From surrounding district families spending more time and money at community shops and businesses to the positive impact on home values. So why then ban schools from a community?

Let me remind you, too, this isn't a ban of charter schools. This will ban all schools, including pre-schools, from Collier Township. Do we really want to send the signal that schools and children are not welcome in our community?

And that concludes it.

MR. CHIURAZZI: Thank you. Any other public comment?

MR. THAUVETTE: No.

MR. CHIURAZZI: Motion to adjourn?

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MR. STYCHE: Motion.

MR. CHIURAZZI: Second it. All those in favor?

(Aye in unison.)

(At 6:17 p.m., the hearing was concluded.)

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C E R T I F I C A T E

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I hereby certify that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me on the hearing of the within cause, and that this is a true and correct transcript of the same.

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Kathy D. Landock  
Certified Realtime Reporter



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**Fw: public comment for tonight**

1 message

Mon, Jul 26, 2021 at 3:23 PM

**Collier Public Meetings** <collierpublic@colliertwp.net>  
To: "kdl@pulsenet.com" <kdl@pulsenet.com>

**From:** Jeffrey Vermeire <jdvermeire@gmail.com>  
**Sent:** Monday, July 26, 2021 7:40 PM  
**To:** Collier Public Meetings <collierpublic@colliertwp.net>  
**Subject:** public comment for tonight

Jeff  
Vermeire (Pronounced VUHR-meyer)  
257  
Sunrise Drive  
Collier  
Township, PA 15106

First,

I want to go on record by objecting to this meeting and any potential "public hearing" that may or may not have been held prior. Section 710.1(c) of the Pennsylvania Sunshine Act permits any member of the public to openly object to any perceived violation of said Act at any time. The Sunshine Act also requires that agendas for public meetings be posted AT LEAST 24 hours prior to the meeting. The agenda for

*this* meeting was posted at 8:24 AM EDT this morning, July 26, 2021. As of the writing of this letter, no agenda for a public hearing was posted, nor is there any reference to a public hearing on the township calendar (or entire site for that matter). Whether a public hearing was advertised in a newspaper, which I was unable to find through search, as required by the Municipal Planning Code of PA, is immaterial as a public hearing is also a public meeting and concurrently subject to the Sunshine Act. I will be filing a legal complaint with the Allegheny County Court of Common Pleas and notifying the ACLU.

I apologize for not being able to speak in-person as I have another obligation to attend to. As far as Ordinance #719, I realize that there's not a thing that I, or anyone else for that matter, could say that will change the minds of any of the members of this board. That was made abundantly clear in the March 22 meeting after Wayne Chiurazzi recruited 15 of his friends and neighbors to speak in favor of banning schools (other than Chartiers Valley, of course) from

Collier Township. I want to review some of the comments made:

not

a residential district. If the intention of the ordinance amendment is to remove school use from residential areas, why then would it suddenly be removed from a "Planned Economic Development" district? To me that signals that this amendment is meant to be a de facto exclusionary ban (See: *KS Dev. Co., L.P. v. Lower Nazareth Twp.*, 149 A.3d 105 (Pa. Commw. Ct. 2016)).

Let

me address some other things around this issue:

Members

of the public were told that a charter school would "steal" 200 kids from Chartiers Valley and cost \$30,000 per student. Residents were threatened that both Chartiers Valley School District and Collier Township would be forced to raise taxes.

These

are lies and fabrications. The truth:

It currently costs Chartiers Valley a little over \$20,000 to educate a single student. To send a child to a charter school, it costs CV \$16,000 on average. In fact, if every single child, all 3,200 of them, enrolled in charter schools, the district would still have \$23 million left over. *Without having to educate a single student.*

If a charter school opened in Collier/CV, only a projected 5 - 20 students would come from Chartiers Valley, not 200. At the maximum, that would only amount to 0.4% of the district's \$74 million budget. The remaining enrollment would come from students from surrounding districts, those within 10 miles of Collier.

Contrary to the letter that teachers were told to sign and submit, charter schools are held to the same standards as all other public schools. They are not only answerable to the state, but also to the granting school district. A district can choose to inspect and close a charter school at any time. A charter is only granted for 5 years at a time and has to be renewed by the granting district each 5 year cycle. Other public schools are not held to such an extreme standard.

It seems to me that Chartiers Valley School District has no problem raising taxes without a charter school within its borders.

I think that there is a general misconception that charter schools are underperforming schools run by evil, profit-seeking corporations out to destroy the public school system. That couldn't be farther from the truth. PA law requires that all charter schools be managed by 401(c)(3) non-profit organizations. Charter schools are tuition-free public schools, open to



anyone that applies. Charters can't choose who enrolls in their schools, the only caveat is that if enrollment exceeds capacity, then a random lottery determines which students are able to attend. Most charter schools, especially brick & mortar schools, endeavour to serve students that are struggling in their home district. They want to provide a quality educational experience that isn't determined by zip code, or neighborhood. Not every family can afford to live in Nevillewood. Not everyone can afford to live in the Chartiers Valley School District. How many families do you think wish that they could attend a school like CV? I bet plenty. Why deny them the opportunity?

There

is a general conflation of brick & mortar charter schools with cyber charter schools. Charters, in general, are advertised as underperforming traditional public schools. While this may be true of cyber charters, this is patently false for brick & mortar schools.

The CREDO study ([https://credo.stanford.edu/sites/g/files/sbiybj6481/f/2019\\_pa\\_state\\_report\\_final\\_06052019.pdf](https://credo.stanford.edu/sites/g/files/sbiybj6481/f/2019_pa_state_report_final_06052019.pdf)), performed regularly by Stanford University,

has shown time, and time again, that brick & mortar charter schools in Pennsylvania perform as well, or better, than their traditional public school counterparts. This is especially true for those considered "underprivileged," and for hispanic students and students of color. And consider that charter schools receive 75% of the funding that traditional public schools do.

Countless

studies have shown the positive economic impact that charter schools have on a community. From surrounding district families spending more time and money at community shops and businesses, to the positive impact on home values. So why then ban schools from a community?

Let

me remind you, too, this isn't a ban of charter schools, this will ban ALL SCHOOLS, including preschools, from Collier Township. Do we really want to send the signal that schools and children are not welcome in our community?