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BEFORE: DUNMORE ZONING BOARD

IN RE: UNITED PENN SERVICES
NICK BOCCELLA

DATE: JANUARY 25TH, 2024

TIME: 7:00

PLACE: DUNMORE COMMUNITY CENTER
DUNMORE, PA 18512

BOARD MEMBERS:

GERARD LONGO - Chairman

TERRY MCDONNELL

PETER SABIA, JR.

ROBERT CUFF

STEVE YANISKO

MOLLY CLARK, ESQ. - Solicitor

Maria McCool, RPR
Official Court Reporter

1 (Pledge of Allegiance.)

2

3 MR. LONGO: Roll call, Mike.

4 MR. BRAZIL: Mr. Sabia.

5 MR. SABIA: Here.

6 MR. BRAZIL: Mr. Longo.

7 MR. LONGO: Here.

8 MR. BRAZIL: Mr. Yanisko.

9 MR. YANISKO: Here.

10 MR. BRAZIL: Mr. McDonnell.

11 MR. MCDONNELL: Here.

12 MR. BRAZIL: Mr. Cuff.

13 MR. CUFF: Here.

14 MR. BRAZIL: Attorney Dempsey is on
15 the phone and I'm Mike Brazil.

16 ATTY. CLARK: I'm here.

17 MR. LONGO: Okay. Next on the
18 agenda is approval of the minutes from November
19 15th, 2023. Yes. All approve?

20 ALL MEMBERS: Yes.

21 MR. LONGO: All right. United Penn
22 Services, United Outdoor, 315 South Blakely
23 Street, Dunmore. Applicant seeks approval to
24 erect and operate a digital billboard on Winton
25 and Interstate 380. Representing?

1 ATTY. DENAPLES: Good evening,
2 Attorney Joseph DeNaples for the applicant
3 United Penn Services, Inc., doing business as
4 United Outdoor. We submitted on November 28th,
5 2023, an application requesting as an --
6 permission to seek and operate a digital
7 billboard.

8 The purpose of the request before
9 the Board is set forth in the submission along
10 with the exhibit. And what is unique to this
11 property is it's located on a railroad track.
12 My scouring of the ordinance allows me to
13 arrive at the conclusion that I don't see any
14 type of zoning classification applicable to a
15 railroad.

16 Therefore, I come before the Board
17 asking for its permission to proceed with the
18 sign and erection and operation.

19 MR. LONGO: Okay. The packet that
20 you have there, that's deeds.

21 ATTY. DENAPLES: The packet that was
22 provided includes an easement from the property
23 owner giving us the right to erect and operate
24 and maintain a billboard on the property.

25 MR. LONGO: With the deed to the

1 property and all the easements and --

2 ATTY. DENAPLES: Correct. All the
3 supporting documentation, also included in the
4 application was railroad mapping, county
5 mapping identifying the parcel.

6 MR. LONGO: Surveying.

7 ATTY. DENAPLES: There was artist
8 renderings. There was artist renderings
9 including copies of the sign identifying the
10 sign location of what it's intended to look
11 like. And there was engineer drawings that
12 were attached that provide for the scope, the
13 size of the sign, the dimension of the sign,
14 all of those calculations and whatnot.

15 Also included which ties back to the
16 amendment or, excuse me, to the easement is the
17 railroad mapping that dates back to -- I have a
18 larger print here. But for ease of the packets
19 that were circulated, there's railroad mapping
20 that dates back to at least 1906 identifying
21 the railroad location and the line calls which
22 is 6245.

23 And, Mr. Brazil, when I dropped the
24 packet off I think I showed you that the line
25 code relates back to the easement. So it makes

1 reference to it.

2 MR. LONGO: Okay. We'll call that
3 Exhibit A and attach it to the transcript.

4 ATTY. DENAPLES: Yes.

5 MR. LONGO: How many pages is that?
6 Is it numbered?

7 MR. BRAZIL: Maybe 40.

8 MR. LONGO: Roughly 40, okay. All
9 right. We'll attach that as Exhibit A.

10

11 (Whereupon, Exhibit A was marked for
12 identification.)

13

14 MR. LONGO: Anybody have any
15 questions on the board?

16 MR. CUFF: No.

17 MR. LONGO: No.

18 MR. SABIA: I don't have any.

19 MR. LONGO: All right. Do I have a
20 motion to grant approval for the billboard as
21 stated on the property Winton Street and 380 --
22 Interstate 380 on the railroad bed.

23 MR. YANISKO: I'll make a motion.

24 MR. SABIA: I'll second it.

25 MR. LONGO: Okay, roll call.

1 MR. BRAZIL: Those who approve say
2 aye. Mr. Sabia.

3 MR. SABIA: Aye.

4 MR. BRAZIL: Mr. Longo.

5 MR. LONGO: Aye.

6 MR. BRAZIL: Mr. Yanisko.

7 MR. YANISKO: Aye.

8 MR. BRAZIL: Mr. McDonnell.

9 MR. MCDONNELL: Aye.

10 MR. BRAZIL: Mr. Cuff.

11 MR. CUFF: Aye.

12 MR. LONGO: Motion passes. Good
13 luck.

14 ATTY. DENAPLES: Thank you. Have a
15 nice evening.

16

17 Agenda Item No. 6

18

19 MR. LONGO: Next on the agenda, Park
20 Family Properties, Plymouth Road, New Jersey
21 seeking zoning change for commercial to
22 residential 401 Mortimer Street, Dunmore.

23 MR. CALVEY: My name is Patrick
24 Calvey. I'm here representing.

25 MR. LONGO: Come on up so we could

1 hear you a little better.

2

3 PATRICK CALVEY, having been called
4 as a witness and being duly sworn testifies as
5 follows:

6

7 MR. CALVEY: I'm here representing
8 Nick Boccella and Park Family Properties. The
9 point of me being here on his behalf is of --
10 this property 401 Mortimer to go from
11 commercial zoning to residential zoning.

12 And that request -- he is available
13 on the phone if you would like to speak with
14 him. I'm just here on his behalf.

15 MR. LONGO: So it was once a small
16 grocery store.

17 MR. CALVEY: Indeed, on the first
18 floor.

19 MR. LONGO: It still has a
20 storefront.

21 MR. CALVEY: Yep. And it's
22 currently three apartments that are all
23 residential. So it's been grandfathered in as
24 commercial decades ago. And now it's in a
25 residential area and the goal is to make the

1 building totally residential without the
2 commercial --

3 MR. LONGO: What's going to be in
4 the store area, another apartment?

5 MR. CALVEY: It's an apartment,
6 yeah.

7 MR. LONGO: So that is the third
8 apartment?

9 MR. CALVEY: Yes.

10 MR. SABIA: It was an apartment,
11 right?

12 MR. CALVEY: Yeah, it used to be --

13 MR. LONGO: The front, it was a
14 grocery store.

15 MR. CALVEY: At one point, correct.

16 MR. LONGO: But it's not now.

17 MR. CALVEY: Correct.

18 MR. LONGO: And there is someone
19 living in that?

20 MR. CALVEY: Yes.

21 MR. LONGO: Okay. So you want to
22 downgrade the use from commercial to
23 residential?

24 MR. CALVEY: Indeed.

25 MR. LONGO: Three family

1 residential. Anybody have any questions?

2 MR. CUFF: Parking is -- they meet
3 the requirements for parking, right?

4 MR. LONGO: Parking is probably just
5 on the street.

6 MR. BRAZIL: Because it's been there
7 for 20 years or longer it's -- the parking
8 wouldn't be an issue for us.

9 MR. LONGO: And the use I think
10 commercial would be more parking. We're
11 downgrading the use.

12 MR. BRAZIL: That's to our
13 advantage.

14 MR. SABIA: I think it was a three
15 unit all the while, right? It always was a
16 three unit.

17 MR. LONGO: So you made one
18 bigger --

19 MR. CALVEY: Yeah, the commercial
20 space was --

21 MR. BRAZIL: They lived behind the
22 small store. They lived in the back. So it
23 always was an apartment.

24 MR. SABIA: It was always three.

25 MR. CALVEY: And now it's just

1 expanded to the commercial space is all just
2 one residential unit.

3 MR. LONGO: Any other questions?
4 All right. Do I have a motion to convert the
5 commercial use at 401 Mortimer Street to a
6 residential three family?

7 MR. CUFF: I'll make a motion.

8 MR. LONGO: Okay. I have a motion.
9 Second?

10 MR. MCDONNELL: I'll second.

11 MR. LONGO: Second. Roll call.

12 MR. BRAZIL: All those in favor say
13 aye. Mr. Sabia.

14 MR. SABIA: Aye.

15 MR. BRAZIL: Mr. Longo.

16 MR. LONGO: Aye.

17 MR. BRAZIL: Mr. Yanisko.

18 MR. YANISKO: Aye.

19 MR. BRAZIL: Mr. McDonnell.

20 MR. MCDONNELL: Aye.

21 MR. BRAZIL: Mr. Cuff.

22 MR. CUFF: Aye.

23 MR. LONGO: Okay. Motion passes.

24 Good luck.

25 MR. CALVEY: Thank you.

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MR. YANISKO: Good luck.

MR. LONGO: Motion to adjourn.

MR. MCDONNELL: All those in favor.

MR. LONGO: Aye.

C E R T I F I C A T E

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2
3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 notes taken by me of the above-cause and that this copy
6 is a correct transcript of the same to the best of my
7 ability.

8
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10 _____
11 Maria McCool, RPR
12 Official Court Reporter
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