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BEFORE: DUNMORE ZONING BOARD

IN RE: BARLETTA OUTDOOR MEDIA  
ROBERT M. BURKE

DATE: February 22nd, 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: Mike, roll call, please.

4 MR. BRAZIL: Mr. Longo.

5 MR. LONGO: Here.

6 MR. BRAZIL: Mr. Sabia.

7 MR. SABIA: 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.

15 ATTY. CLARK: Here.

16 MR. LONGO: Okay. Next on the

17 agenda is approval of the minutes from January

18 25th. All in favor?

19 ALL MEMBERS: Yes.

20 MR. LONGO: All right. Next on the

21 agenda is Barletta Outdoor Media, Clarks Summit

22 seeking variance for change of use for existing

23 billboard at 948 East Drinker Street.

24 Representing?

25 ATTY. BARRETT: Matt Barrett here on

1           behalf of Barletta. How are you guys doing  
2           tonight?

3                       MR. LONGO: Good.

4                       ATTY. BARRETT: I'll try to be  
5           quick. Has the application been submitted to  
6           the entire Board? You all have a copy.

7                       MR. LONGO: We all have a copy.

8                       ATTY. BARRETT: I ask that that be  
9           marked as an exhibit and made part of the  
10          record. At issue is a sign up on Drinker  
11          Street. You all have the picture. It's  
12          currently a sign that's used for on premises  
13          advertisement.

14                      The application is to allow for it  
15          to be used for an off premises advertisement.  
16          The variance that would be required is because  
17          there's a residential zone within 250 feet of  
18          the sign itself. The sign has been there for a  
19          number of years. There wouldn't be any change  
20          really to the sign other than the fact that it  
21          would be used for advertising outdoor  
22          advertisement or outdoor advertisement under  
23          the ordinance.

24                      I have Rob Barletta. I could go  
25          very quick. We can swear him in.

1 MR. LONGO: Okay.

2

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

6

7 BY ATTY. BARRETT:

8 Q. State your full name, please.

9 A. Robert Barletta, Jr.

10 Q. And are you associated with Barletta  
11 Outdoor?

12 A. Yes.

13 Q. How are you associated?

14 A. Owner.

15 Q. And do you have an agreement with the owners  
16 of the property up on Drinker Street which is the  
17 subject of the application?

18 A. Yes, and she's here.

19 Q. And the application would allow you to place  
20 a sign there for outdoor advertisement if approved by  
21 the Borough?

22 A. Yes.

23 Q. By the Zoning Board. Can you describe the  
24 current situation? What is there? What is going on on  
25 the property? And what is on the sign currently?

1           A.     So currently there is a sign there.  It  
2     was -- previously it was for Serafina Restaurant.  
3     Jenna had purchased the property.  And she has a sign  
4     up there for her business.  It's LMJ.  It's for the  
5     shed business and for their landscaping Lawn and Order  
6     and LMJ Sheds.

7                     They approached me looking -- asking if I  
8     was looking to partner up with them to put  
9     advertisements on it.  So nothing would change except  
10    the content on the sign.  Right now they have a vinyl  
11    banner on there for their business.  And the only thing  
12    that would change is the content.  So instead of Law  
13    and Order Landscaping, it might say Dunkin' Donuts.  It  
14    might say Geisinger.

15           Q.     So just so we're clear, we're not talking  
16    about a digital board, correct?

17           A.     No.

18           Q.     What is this series of photographs?

19           A.     So the first one, Exhibit 1A is what's  
20    there now today.  It's the front of it.  The second  
21    sheet Exhibit 1B is just the back side of it that's  
22    there now, the back side of the sign.  And the third  
23    exhibit, Exhibit 2A is just a rendering of the content  
24    that would potentially be changing if you were to  
25    approve it.  What I just put on there was a Geisinger

1 ad.

2 And the second -- I'm sorry, the fourth page  
3 is just the back side, a rendering of the back side  
4 which is just also a Geisinger ad.

5 Q. I think we just need to be clear. The  
6 renderings kind of make it look like it could be a  
7 digital application. It's not a digital application.  
8 It's a static --

9 A. No, just another piece of vinyl.

10 Q. Okay. Is there a similar board or is there  
11 an outdoor advertisement board in close proximity to  
12 this one?

13 A. There's a Lamar billboard, a big, you know,  
14 traditional bigger one up the street on the right I  
15 think near the gas station.

16 Q. Right. Are there homes just beyond that  
17 sign?

18 A. Yeah, there are.

19 Q. Okay.

20 A. And there's a picture of that -- not  
21 included in the -- it's in the folder if you want me  
22 to --

23 ATTY. BARRETT: I think the members  
24 probably all know. So we'll make this one, the  
25 application itself I guess would be Applicant

1           No. 1. The four photographs on four separate  
2           pages on four different pages will be Applicant  
3           No. 2. This will be Applicant No. 3.

4

5                                 (Applicant Exhibit Nos. 1, 2, 3 were  
6           marked for identification.)

7

8         BY ATTY. BARRETT:

9           Q.     And is a photograph that you took that  
10           depicts the billboard of up the road, if you will?

11           A.     Yes. And as you could see, there are houses  
12           both on that side of the road where that sign is and  
13           also across the street. I wasn't sure -- well, yeah,  
14           there are houses on both sides of the street next to  
15           that sign.

16                                 ATTY. BARRETT: I don't have any  
17           other questions at this time.

18                                 MR. LONGO: Okay. Board have any  
19           questions?

20                                 MR. SABIA: No.

21                                 MR. MCDONNELL: What is it zoned?

22                                 THE WITNESS: Commercial C3.

23                                 ATTY. BARRETT: So it's actually  
24           permitted in a C3. It's not that the use is  
25           not permitted in a C3. The only thing that

1 makes it so it's not permitted is its proximity  
2 to the residential district. We will say  
3 admittedly, it's pretty hard. If you look  
4 online --

5 MR. MCDONNELL: Which is 500 feet,  
6 correct?

7 ATTY. BARRETT: If that road is  
8 considered an arterial road which PennDOT  
9 has -- the Borough says an arterial road --  
10 they don't have anything that's defined  
11 anywhere in your ordinance. I think PennDOT  
12 has minor arterials.

13 So I think this will be treated as a  
14 minor arterial. So it would be 250, which  
15 would be across the street.

16 MR. MCDONNELL: Mike, can I ask you  
17 a question is this -- according to what we're  
18 looking at now C3 or --

19 MR. BRAZIL: Yes --

20 MR. LONGO: The new SAPA because  
21 that's been adopted.

22 MR. MCDONNELL: We're juggling.

23 ATTY. BARRETT: When did that get  
24 adopted?

25 MR. LONGO: December 20th. So we



1 have to go by that.

2 ATTY. BARRETT: And our application  
3 has been pending for a while.

4 MR. BRAZIL: It was pulled at one  
5 point and resubmitted.

6 MR. LONGO: So, Molly, what do we go  
7 by, the old or the new?

8 ATTY. CLARK: I think the old.

9 MR. LONGO: The old. Okay. So in  
10 the old it's 250.

11 ATTY. BARRETT: I would have to  
12 defer to Molly like the rest of you.

13 MR. LONGO: It doesn't -- 250 is the  
14 residents are still closer.

15 ATTY. BARRETT: Yeah. But I'm  
16 saying though, the ordinance itself didn't  
17 change it to our benefit.

18 MR. LONGO: No.

19 ATTY. BARRETT: All right.

20 MR. LONGO: The billboard that's on  
21 there, that's not like a normal billboard.  
22 It's not something you would build.

23 THE WITNESS: Correct.

24 MR. LONGO: So you are not going to  
25 do anything to it?

1 THE WITNESS: No. If you would  
2 allow it we would. I did approach just a -- I  
3 did approach the house across the street and  
4 knocked on their door and let them know I would  
5 be applying for it to see if they would have  
6 any opposition to it. And the girl I spoke to  
7 said it was okay. And I think her husband  
8 might have called me back a couple days later.  
9 I don't know if they're here or not.

10 UNIDENTIFIED WOMAN: We said no.  
11 Sorry. We are here.

12 THE WITNESS: Okay. So are you  
13 opposed to it?

14 UNIDENTIFIED WOMAN: We are. We  
15 love that they have their family business, but  
16 we don't want --

17 MR. LONGO: All right. We'll -- I'm  
18 going to call you up.

19 ATTY. CLARK: You have to get sworn  
20 in so just wait.

21 MR. LONGO: All right. I'm going to  
22 call the audience up now. Do you want to be  
23 first? Just come up and get sworn in.

24

25 MICHAEL SHIELDS, having been called

1 as a witness and being duly sworn testifies as  
2 follows:

3  
4 MR. SHIELDS: So my wife and I spoke  
5 to Mr. Barletta on the phone. She spoke to him  
6 in person. Our biggest concern with this is  
7 not putting a sign there. We love having the  
8 Urbans and their business as our neighbors. We  
9 don't want to take money out of anyone's mouth.

10 Our concern is what does this open  
11 the door to? So if in the future, would this  
12 variance allow lights to be put on, allow an  
13 LED board to be put up. That's not in the  
14 proposed plans now. But what does this open us  
15 to in future? We have three small children to  
16 whom have bedrooms facing the street, facing  
17 the sign. So that is our main concern.

18 MR. LONGO: For an LED board, he  
19 would have to come back to us.

20 MR. SHIELDS: How about any  
21 lighting? When we spoke on the phone he did  
22 mention LED lights.

23 MR. LONGO: He said he's not going  
24 to change it. And there's no light on it now.  
25 So he would have to come back if he decided to

1 put lights on it.

2 MR. SHIELDS: When we spoke on the  
3 phone he mentioned two LED lights similar to  
4 the Lamar board further up street which is --

5 MR. LONGO: It's not in -- they're  
6 not asking for that.

7 THE WITNESS: We pulled back on  
8 that.

9 MR. LONGO: Are you going to do  
10 that?

11 THE WITNESS: No, I thought that  
12 when we had spoke, I thought that you had said  
13 as long as you're not going to put up the  
14 lights that you guys were not opposed to it.

15 MR. SHIELDS: Yeah, that was our  
16 biggest concern was the lights and what was on  
17 the advertisement.

18 ATTY. CLARK: You have to come up.

19  
20 DANA SHIELDS, having been called as  
21 a witness and being duly sworn testifies as  
22 follows:

23  
24 ATTY. BARRETT: I think for the  
25 record, it would be better if you state your

1 address. I know you're across the street.

2 MS. SHIELDS: Sure, 979 East Drinker  
3 Street. So we're directly across the street.  
4 The other reason we are opposed is obviously  
5 property value. If a Geisinger sign goes up,  
6 the house next to us is going to go up for  
7 sale.

8 I feel that if I was buying in  
9 Dunmore outside my house, I wouldn't want a  
10 Dunkin Donut sign, a McDonald's sign. Again,  
11 we have no problem with the Urbans there.  
12 Their sign isn't flashy. It doesn't take  
13 someone's eye away from the road; and also,  
14 people fly there.

15 So we have three small children. So  
16 accidents on Drinker Street, I just --  
17 uncomfortable with the sign there that it's,  
18 you know, it's Dunkin Donuts a mile and a half  
19 down the road, property value. I don't want to  
20 see -- I would rather see a family business in  
21 Dunmore than a commercial sign for Geisinger,  
22 McDonalds, Dunkin Donuts.

23 It's just -- takes away eye appeal  
24 from our house which we put a lot of money into  
25 since we bought it from our grandparents. And

1           that's what is kind of upsetting.

2                       MR. LONGO:   Okay.  Thank you for  
3           your input.  Anyone else?  No.  Any other  
4           questions on the Board?

5                       ATTY. BARRETT:  If I could establish  
6           of record, basically it's an empty lot at this  
7           point.  There had been a restaurant there, a  
8           structure and the structure is now gone.  Is  
9           that true?

10                      THE WITNESS:  True.

11                      ATTY. BARRETT:  That's all I have.

12                      MR. LONGO:  Thank you.

13                      ATTY. BARRETT:  Just from an  
14           argument standpoint, I mean, the difficulty  
15           with the lot is that, you know, is on that  
16           turn.  I understand your concerns.  The  
17           billboard up the road doesn't really change the  
18           character of the neighborhood.

19                      The fact that the lot is basically  
20           empty without a structure at this point makes  
21           it unique and given the fact that, you know, is  
22           that just such close proximity to that change  
23           in boundary line just makes it a unique  
24           situation.

25                      MR. LONGO:  Okay.  Thank you.  Do I

1           have a motion to approve a variance or the  
2           billboard at 948 Drinker Street as is, no  
3           alterations, no new construction, no light, no  
4           LED billboard? I don't have a motion.  
5           Anybody, a motion?

6                           (No response.)

7                   MR. LONGO: Okay. Variance is not  
8           approved.

9                   ATTY. BARRETT: Let me just talk to  
10          Molly for one second.

11                   ATTY. CLARK: I think we have to  
12          vote on it.

13                   MR. LONGO: If we don't have a  
14          motion to approve it -- do I have a motion not  
15          to approve it?

16                   MR. SABIA: Yes.

17                   MR. LONGO: Do I have a second not  
18          to approve?

19                   MR. MCDONNELL: Yes.

20                   MR. LONGO: Okay. Roll call.

21                   MR. BRAZIL: Mr. Longo.

22                   MR. LONGO: No -- or yes.

23                   MR. BRAZIL: Mr. Sabia.

24                   MR. SABIA: Yes.

25                   MR. BRAZIL: Mr. Yanisko.

1 MR. YANISKO: Yes.

2 MR. BRAZIL: Mr. McDonnell.

3 MR. MCDONNELL: Yes.

4 MR. BRAZIL: Mr. Cuff.

5 MR. CUFF: Yes.

6 MR. LONGO: Okay. Motion not to  
7 approve passes.

8 ATTY. BARRETT: Have a great day.  
9 Thanks.

10

11 (Robert M. Burke)

12

13 MR. LONGO: Next on the agenda is  
14 Robert Burke, 1515 Madison Avenue of Dunmore  
15 seeking variance to construct a four family  
16 apartment building, 1322-1326 Adams Avenue,  
17 Dunmore.

18

19 DON JULIAN, having been called as a  
20 witness and being duly sworn testifies as  
21 follows:

22

23 MR. JULIAN: I'm the land surveyor  
24 representing Mr. Burke. And his intention is  
25 to build a four-unit apartment building on a



1           vacant triangular parcel at the 1300 block of  
2           Adams Avenue in Dunmore. We're seeking several  
3           variances from a land development standpoint.

4                       The first one is the minimum area  
5           per dwelling unit required 5,000. We're asking  
6           for 2,850. Minimum lot depth required is 160.  
7           The existing shape of the parcel we have 57.  
8           The front yard we would like to reduce from  
9           required 25 to 12. And the minimum rear yard  
10          we would like to reduce to 7 and a half feet.

11                      MR. LONGO: If I could just  
12          interrupt. Is that by the new book, the SAPA  
13          book or the old book?

14                      MR. JULIAN: I believe it's the new  
15          book. We're providing eight off-street parking  
16          spaces.

17                      MR. CUFF: What's the minimum for  
18          the rear?

19                      MR. LONG: The rear is 30. He's got  
20          7 and a half.

21                      MR. CUFF: Because it's not listed  
22          on here.

23                      MR. JULIAN: There's a vacant  
24          portion of the old Erie Railroad bed behind us.

25                      MR. LONGO: It's not part of your

1 lot?

2 MR. JULIAN: And behind that it's  
3 industrial UGL.

4 MR. LONGO: Go ahead. Carry on.

5 MR. JULIAN: That's probably all I  
6 have to say.

7 MR. LONGO: Okay.

8  
9 JORDAN CLARK, having been  
10 called as a witness and being duly sworn, was  
11 examined and testified as follows:

12  
13 MR. CLARK: Jordan Clark, architect  
14 representing client. Last time we were in here  
15 there was a little more at play. The owners  
16 elected not to purchase the adjoining property.  
17 He's keeping this simple to one building on one  
18 lot.

19 The challenge being as Don said the  
20 shape of the lot is a triangle. So inherently  
21 trying to do anything it gets a little tough.  
22 And the proportions of the building are  
23 slightly around the side of a single-family  
24 dwelling so we don't feel the size of the  
25 building is any different than if it was a

1 single-family home.

2 And again, I just want to stress  
3 that we are meeting the requirements for off  
4 street parking if this were to go through so  
5 the concern there would be negated.

6 MR. MCDONNELL: You're reducing the  
7 lot size, the requirements.

8 MR. LONGO: You got a little more  
9 than half.

10 MR. MCDONNELL: To get the parking,  
11 correct?

12 MR. CLARK: I'm sorry, can you say  
13 that again?

14 MR. MCDONNELL: You went from an R2  
15 apartment 5,000 square foot to 2,854 square  
16 foot?

17 MR. CLARK: Yes.

18 MR. MCDONNELL: Is that to  
19 accommodate parking?

20 MR. JULIAN: That's just an  
21 ordinance requirement when you do a multiunit  
22 building. They give you an amount of square  
23 feet on the property per dwelling unit. And  
24 we're asking for four units. So when we divide  
25 the land area up, you don't have the required

1           5,000 per unit.

2                   MR. CLARK: And each unit would be a  
3 two bedroom, two bathroom unit.

4                   UNIDENTIFIED WOMAN: What's the size  
5 of the building?

6                   ATTY. CLARK: You have to get sworn  
7 in to speak.

8                   MR. BRAZIL: The public will have a  
9 chance to comment.

10                  MR. LONGO: We'll bring you up.

11                  MR. MCDONNELL: So eight bedroom.

12                  MR. CLARK: Eight total bedrooms,  
13 yes.

14                  MR. LONGO: So two on the bottom,  
15 two on the top.

16                  MR. CLARK: Yeah, side by side.

17                  MR. LONGO: Do you know square  
18 footage of each apartment?

19                  MR. CLARK: 860 about.

20                  MR. LONGO: Okay. And they are all  
21 the same roughly.

22                  MR. CLARK: Identical. Yeah, it's  
23 just mirrored to the other and staircase --

24                  MR. LONGO: Staircase going up the  
25 center --

1 MR. CLARK: Right up the center,  
2 yes.

3 MR. LONGO: Okay. Is there any  
4 lighting on the outside of the building?

5 MR. CLARK: Minimal wall packs just  
6 for lighting but nothing that will -- and we  
7 didn't get that far yet but there would be wall  
8 packs just for lighting the sidewalks, typical  
9 lantern. That's it. No pole lights or  
10 anything like that.

11 MR. LONGO: How about in the parking  
12 lot?

13 MR. CLARK: Nothing that isn't  
14 required. So we're not looking to put a pole  
15 light up if we don't have to.

16 MR. LONGO: Any questions on the  
17 Board?

18 MR. SABIA: How big was building  
19 itself?

20 MR. LONGO: About 860 per unit.

21 MR. CLARK: Per unit. So it's 1,600  
22 square foot footprint, roughly -- 1,600, 1,800.  
23 I don't recall off the top of my head.

24 MR. CUFF: The dimensions, length  
25 and width, height.

1 MR. CLARK: The height is less --  
2 it's within the requirements. I think it's 24  
3 feet. And then I apologize, I don't recall the  
4 dimensions. But it's somewhere around 40 by  
5 50, less than that. It's an odd number.

6 MR. LONGO: But the height is not  
7 over 25 feet.

8 MR. CLARK: No, to the peak which I  
9 believe is 26 feet.

10 MR. LONGO: Okay. Questions, any  
11 questions?

12 MR. YANISKO: How big is your  
13 parking area? They are very vague -- these  
14 blueprints.

15 MR. JULIAN: 9 by 18. There is  
16 eight of them. One is handicap.

17 MR. LONGO: Anybody else? I'm going  
18 to call the audience. Anybody have questions  
19 on it? One at a time.

20  
21 ANN MARIE KUCHMAS, having been  
22 called as a witness and being duly sworn  
23 testifies as follows:

24  
25 MS. KUCHMAS: I just have obviously

1 if anybody knows our block and I'm sure all you  
2 guys know what our block looks like. There is  
3 not a lot of parking as it is right now. So  
4 I'm not against an apartment house. And it  
5 looks beautiful. I'm not against nice and  
6 clean apartment house as long as it doesn't  
7 bring in a lot of -- you know -- but eight  
8 parking spots is fine for four units. So  
9 you're talking two each, right?

10 But they're going to have company.  
11 So there will be a lot more cars on that block.  
12 Right now you can't even park. And I know this  
13 is another subject, but there's a bar opening  
14 up at our corner. And I saw the woman down  
15 there. And I asked her where is all of your  
16 people going to park because there's no parking  
17 down there.

18 And she said we're going to park on  
19 the streets. So if -- like, where are we going  
20 to park? We've been there for years. My  
21 husband's handicapped. He has a handicap  
22 parking. And the girl already told me -- I  
23 said, well, my husband is handicapped. He has  
24 a handicap parking. She said, that's not just  
25 for you. We can park up there too if we have

1 handicap clients.

2 So where are we going to, you know,  
3 like I said, I'm not against the apartment  
4 because it looks beautiful. But where are we  
5 going to park? That to me is an issue. I  
6 would rather see that apartment house there  
7 than the field to be honest with you if it's  
8 made up nice and we have nice clientele. I  
9 don't want to seem rude, but do you know where  
10 I'm coming from?

11 MR. LONGO: Yes, we do.

12

13 WILLIAM KUCHMAS, having been called  
14 as a witness and being duly sworn testifies as  
15 follows:

16

17 MR. KUCHMAS: I'm basically going to  
18 say everything that she said. But we basically  
19 went through this before. I've been parking if  
20 you know where Dean Court is, I was allowed to  
21 come back there. That is where I parked for 30  
22 years because I couldn't park on the street.

23

24 There's big confrontations with  
25 people and parking. Most of the neighbors are  
all nice. We get our own spots. When Ruddy's



1 had the bar, we couldn't park. Everybody was  
2 parking in front of the house. They not only  
3 were parking, they were dropping beer bottles.

4 They were peeing in the yards. And  
5 with Adams Avenue too, you've got Ferguson  
6 Court. I was going to draw a map about it.  
7 There has to be six or eight or ten homes down  
8 there with no parking. They park on Adams  
9 Avenue.

10 MR. LONGO: I'm familiar with  
11 Ferguson Court.

12 MR. KUCHMAS: And now with the  
13 restaurant on both sides, parking is a big  
14 issue, a big issue. I'm thinking about because  
15 of Dean Court, I might be fortunate but it's  
16 going to cost me 8 to \$10,000 to pave my  
17 backyard so I have a place to park. I'm not  
18 going to be able to park outside.

19 MR. LONGO: Right. Understood.

20 MS. KUCHMAS: When the bar does open  
21 up because the woman told me she's going to  
22 open in the spring, when that opens up is she  
23 now because Larch Street used to be you  
24 couldn't park on Larch because it was PP&L.  
25 But is that going to be opened up now for

1 parking?

2 ATTY. CLARK: That's not before us  
3 tonight.

4 MR. LONGO: We can't speak on that.  
5 We don't know about it.

6 MS. KUCHMAS: But do you know for a  
7 fact if Larch Street is open to parking if we  
8 had to park down there?

9 MR. LONGO: No, I don't know that.  
10 Any other questions? Anybody want to speak?

11 MS. TOLAN: I do have a couple of  
12 questions. My name is Christine Tolan, 1345  
13 Adams Avenue.

14 MR. LONGO: You have to get sworn  
15 in.

16  
17 CHRISTINE TOLAN, having been called  
18 as a witness and being duly sworn testifies as  
19 follows:

20  
21 MS. TOLAN: This printing here is  
22 very vague. So a lot of things could shift,  
23 change if it's approved without an official of  
24 what's actually is going be -- wanting to be  
25 done. The dimensions and everything like the

1 setbacks, if I wanted to do something like that  
2 it would be really hard because in my own  
3 property I would probably be denied.

4 But doing this down the street and  
5 then opening it up for bringing in more people  
6 to the area causes more traffic, you might be  
7 bringing in the wrong element, the parking  
8 situation is one thing.

9 But I would rather look at a clean  
10 field than somebody bringing in a property like  
11 this. I don't know who's going to live there.  
12 It could be a drug dealer, prostitution, drug  
13 addictions. I don't know. But it could cause  
14 me more problems because I deal with housing  
15 developments that are already there.

16 I have people getting shot at on New  
17 York Street because they have a huge  
18 development of property like that, an  
19 apartment. I have people come up and walk on  
20 my property, use my property because it's clean  
21 and their children can come and use it and  
22 everything like that.

23 So are you going to have enough  
24 green space? Will they stay in their area,  
25 your tenants and everything like that so that

1           they can be able to play and everything like  
2           that?

3                   MR. CLARK: That is the intent but  
4           it's not my property. I'm representing the  
5           property, the architect.

6                   MS. TOLAN: So you don't know what  
7           is going to happen from here. He already owns  
8           a property. And I already know how he deals  
9           with the property. So he has a property where  
10          he hid damage so you don't see it. And it's  
11          covering up mistakes on the property,  
12          dilapidated garage that can -- fell to pieces  
13          down to the ground instead of taking it off the  
14          property, he put a fence up in front of it to  
15          hide it.

16                   MR. LONGO: Is that the property  
17          we're talking about?

18                   MS. TOLAN: No.

19                   MR. LONGO: We can't talk about it.

20                   MS. TOLAN: But as a landlord, this  
21          is how he's dealing with property though.

22                   MR. LONGO: We can't talk about  
23          that, only this property.

24                   MS. TOLAN: Right. So you can't  
25          guarantee me that he's going to protect my

1 environment because he's asking for variances  
2 based on -- the only person that is going to  
3 profit from this is him, not the neighborhood.  
4 He's not bringing anything positive. He's  
5 bringing possibly more negative to area than  
6 good.

7 So that's where I have a problem  
8 where you're not going to place that in stone.  
9 So you're going to approve this and he could  
10 make all of these little tweaks without me  
11 knowing what's going to happen.

12 MR. LONGO: No, he has to build it  
13 to the size of what he's saying. How it looks,  
14 we have no control of how it looks.

15 MS. TOLAN: Right, you don't even  
16 have specs yet and everything like that. Where  
17 is the garbage refuse going to be for this?

18 MR. MCDONNELL: That's Planning  
19 Commission. So that will be something  
20 different.

21 MS. TOLAN: So you're going to let  
22 him have the setbacks and everything like that.  
23 So what's going to happen if he decides he's  
24 going buy the property which is already been  
25 set on a possible map setup with the county

1           that he's going to take over Maria's property?

2                   MR. LONGO: I'm only talking about  
3           this property.

4                   MS. TOLAN: Right. There's going to  
5           be different legs that -- you have no idea if  
6           this is what's set in stone.

7                   MR. LONGO: Then he would have to  
8           come back. He can't just do it.

9                   MS. TOLAN: Well, apparently he is.

10                  MR. LONGO: Next?

11                  MS. KUCHMAS: I don't want to be  
12           mean or anything. But I think it's attractive.  
13           We're only here to talk about parking. That is  
14           my issue. As long as there's parking, do you  
15           know what I mean?

16                  MR. LONGO: Understood.

17                  MS. KUCHMAS: And if we have to come  
18           back for the other issue, that would have to  
19           come in front of you guys too, right?

20                  MR. LONGO: No, it goes to Planning  
21           Commission. And then we're going to put a  
22           conditional approval with Council if it passes  
23           here.

24                  MS. KUCHMAS: No, I'm talking about  
25           the other property that I'm not supposed to

1 talk about.

2 MR. LONGO: I can't talk about that.  
3 That's not before us now so we have no  
4 information on it. Okay. You're next.

5 MR. TOLAN: Joe Tolán, 1345 Adams  
6 Avenue.

7  
8 JOSEPH TOLAN, having been called as  
9 a witness and being duly sworn testifies as  
10 follows:

11  
12 MR. TOLAN: Just basically you know  
13 how long I've been saying parking is a big  
14 issue because we do have problems in the  
15 neighborhood. Me and my wife have a little  
16 more concerns. We do have an atmosphere that  
17 is not the nicest. We just don't want it to  
18 keep going in the wrong direction with  
19 transients just coming and going and not really  
20 caring about how they live.

21 So garbage which is not your  
22 department, but that is another issue because  
23 in the neighborhood there is a lot of trouble  
24 with that. But getting back to the parking, I  
25 thought under the zoning there was two spots

1 per unit. And if you do two spots per unit,  
2 they only have eight. If there is no  
3 handicapped, there is only technically seven  
4 spots because no one can use that handicap  
5 spot. So should they have nine?

6 MR. MCDONNELL: There's still eight  
7 spots.

8 MR. LONGO: It doesn't specify  
9 handicap or not.

10 ATTY. CLARK: There's nine.

11 MR. BRAZIL: They have eight and a  
12 handicap spot.

13 MR. MCDONNELL: I think they meet  
14 parking.

15 MR. TOLAN: That is our biggest  
16 concern that we're afraid of parking and how  
17 many is going to come there because technically  
18 you cannot park in the handicap spot if you are  
19 not handicapped.

20 MR. LONGO: There's nine.

21 MR. TOLAN: I thought there was  
22 eight. My mistake. Sorry about that. I  
23 thought there was only eight. You got me. No  
24 further questions.

25 MR. LONGO: Thank you.



1 MR. TOLAN: That is specified right  
2 in the details?

3 MS. TOLAN: It's not clear. That's  
4 the problem. From 1 to 25 spots, number one,  
5 you have one mandatory handicap spot. So if  
6 you have to have two spots per unit, that is  
7 eight. So you have to one of them specified as  
8 handicap. So somebody in that building has to  
9 be handicap to use that spot technically. But  
10 then, I don't know if law enforcement will  
11 enforce it if it's on private. I don't know  
12 how it would be enforced anyway.

13 MR. CLARK: You could also rent an  
14 apartment if you don't have a car.

15 MR. LONGO: The book says you need  
16 two spots per unit so we need eight spots. Are  
17 the bathrooms all ADA in there and the  
18 kitchens?

19 MR. CLARK: No.

20 MR. LONGO: Then it's not set up --  
21 it's not intended for handicap. Then they  
22 won't need a handicap spot. Unless you have an  
23 ADA bathroom and kitchen, you can't use the  
24 apartment.

25 ATTY. CLARK: You don't have to make

1 all apartments ADA.

2 MS. TOLAN: All I know is when you  
3 have a parking lot that is what it says by law.

4 MR. CLARK: When you go over a  
5 certain number of units, then you have to have  
6 a handicap unit.

7 MR. WELSCH: Don Welsh, 1311 Adams  
8 Avenue.

9  
10 DONALD WELSCH, having been called as  
11 a witness and being duly sworn testifies as  
12 follows:

13  
14 MR. WELSCH: My concern is parking  
15 with everybody else. But this spot is taking  
16 up all the parking that is in front of that  
17 field now that the neighbors across the street  
18 at 1317 and everybody else use because it will  
19 have to remain open for them to get in and out  
20 of there.

21 They are going to be -- that is  
22 their spot. It will be private property and it  
23 will have a driveway that has to be open  
24 probably 15 feet on each side of it. So you  
25 are going to -- over a 100 feet that is used

1 for parking now that's always taken up that is  
2 not going to be there.

3 MR. LONGO: Correct.

4 MR. MCDONNELL: Yes.

5 MR. LONGO: You got to come off the  
6 road he's saying and you're taking away parking  
7 from the road.

8 MR. CLARK: We're not intending to  
9 do a curb cut the whole way.

10 MR. LONGO: You're going to have 15  
11 foot.

12 MR. YANISKO: It's doesn't look that  
13 way.

14 MR. LONGO: You're not showing any  
15 egress.

16 MR. SABIA: It's just showing a big  
17 opening here.

18 MS. TOLAN: Can I ask one more  
19 question? I thought that they have to have  
20 some type of egress for the firemen to get in  
21 between the two buildings. It has to be so  
22 much. I thought it was part of new ordinance.

23 MR. MCDONNELL: That's Planning  
24 again. That wouldn't fly. And still --

25 MS. KUCHMAS: If it gets -- say they

1           could have it down here and then it goes to the  
2           Planning?

3                     MR. LONGO:  Yeah, but if it gets  
4           shot down here it's finished.

5                     MS. KUCHMAS:  And then Planning says  
6           you have to do this, this, this.

7                     MR. LONGO:  You're only going to  
8           have a 15 foot driveway or 18 foot?

9                     MR. CLARK:  About 18 feet to make a  
10          swing.

11                    MR. LONGO:  Do you think that's  
12          enough?  That's going to be tight.

13                    MR. YANISKO:  I think we need more  
14          dimensions.  There is absolutely no dimensions  
15          on it.  There's no numbers to the building,  
16          there is no numbers to the parking spots,  
17          anything.

18                    MR. MCDONNELL:  Agreed.

19                    MR. YANISKO:  How can you approve  
20          something with no numbers on it?  That is my  
21          concern.

22                    MR. LONGO:  Okay.  Anybody else in  
23          the audience have anything to say?  Do I have  
24          motion to table it and come back with more  
25          information, more measurements on the plan?

1 MR. CLARK: Would it be possible to  
2 get conditional on setbacks and then just come  
3 back for the parking?

4 MR. MCDONNELL: No.

5 MR. LONGO: No.

6 MR. YANISKO: No. We need more  
7 defined blue presents. You're telling me it's  
8 10 foot back off the property, but you are not  
9 telling me how big the building itself is.

10 MR. CLARK: I can find it if you let  
11 me look on my phone.

12 MR. LONGO: All right. We're going  
13 to take a vote on it. Do I have a motion to  
14 table the project for more information?

15 MR. SABIA: I'll make a motion.

16 MR. CUFF: I'll second it.

17 ATTY. CLARK: I think you have to  
18 based on what we have. We need more.

19 MR. LONGO: Okay. I have a motion  
20 and a second. Roll call?

21 MR. BRAZIL: Jerry Longo.

22 MR. LONGO: Yes.

23 MR. BRAZIL: Mr. Sabia.

24 MR. SABIA: Yes.

25 MR. BRAZIL: Mr. Yanisko.

1 MR. YANISKO: Yes.

2 MR. BRAZIL: Mr. McDonnell.

3 MR. MCDONNELL: No.

4 MR. BRAZIL: Mr. Cuff.

5 MR. CUFF: Yes.

6 MR. LONGO: Okay. Motion wins.

7 Come back next time with more measurements,  
8 more complete plans and we'll look at it again.

9 MR. CLARK: Okay. Thank you.

10 MR. LONGO: You're welcome. Motion  
11 to adjourn.

12 MR. MCDONNELL: Can I say something  
13 on the record though? Find out what you have  
14 to do for conditional use as far as when it  
15 goes to Council and just find out which avenue  
16 you have to go to. Just advice. That's all.

17 MR. LONGO: Meeting adjourned.

18

19

20

21

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23

24

25

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