

**THE BOROUGH OF CLARK'S SUMMIT
PLANNING COMMISSION
TUESDAY, NOVEMBER 20, 2018**

AGENDA

The November Regular Meeting of the Planning Commission was conducted on Tuesday, November 20, 2018 at approximately 7:05 P.M. The Meeting was held in Borough Council Chambers, 2nd Floor, 304 South State Street, Borough of Clark's Summit, County of Lackawanna and Commonwealth of Pennsylvania. Chairman John Durdan called the meeting to order.

Members in attendance were Mr. John Durdan, Mr. John Recicar, Mr. Shannon Brown Mr. Ed Yasinkas, Solicitor Michael Cowley, Code Officer Ms. Jenn Basalyga, and Recording Secretary Ms. Virginia Kehoe. Jim Burke was absent from the meeting.

APPROVAL OF THE AGENDA:

John Durdan stated that there is a sketch plan that he would like to enter into the agenda and he would like to move that ahead. Ed Yasinkas made the first motion to approve the agenda as revised, seconded by John Recicar, vote was unanimous.

APPROVAL OF MINUTES:

- 9/19/2018: Ed Yasinkas made the first motion to accept the minutes, seconded by John Recicar, vote was unanimous.

COMMUNICATIONS:

- Cherry Hill Partners – PC Letter to Council: Virginia Kehoe stated that Borough Council voted 6-1 for the Conditional Use.

PUBLIC INPUT/COMMENT:

SITE PLANS AND RE-SUBDIVISIONS: Attorney Paul Keeler was at the meeting to represent Dr. Cynthia Hawver. She is looking to purchase 411 Davis Street to move her practice there. This is zoned as CC but it is currently being used as a residence. They presented site plans. They are currently renting parking spaces in the Abington Travel parking lot. It is currently a 2 story single residence and they do have the sketch plans for the second floor. The site will be handicapped accessible. The individual session rooms are broken out, there are 2 on the first floor, 3 on the second floor and the first floor would then have access for the ADA. Mr. Durdan asked about the parking. She is renting from Abington Travel parking lot and there is a paved area at the site. Ms. Kehoe stated that this would be a situation where we would need something in writing from Mr. Verano. They intend to demolish the garage at the new site. They would like to approval stating that this is a permitted use. It is a permissible change of use. At this point they are at 57% lot coverage. They would need a variance if they wanted to add any impervious surface. One section on the sketch does show the addition of pavement, look into

this. They don't have to meet the minimum parking standards because the site is located on Davis Street. That was from Ordinance 2009-13. They will need a handicapped parking spot.

OLD BUSINESS:

- Cherry Hill Partners – KFC – Land Development: Presented the most updated plans. They decided to stick to what needs to be addressed and if there is anything they can discuss it.
 1. Lackawanna Planning Commission has been addressed.
 2. Soil Conservation District has been addressed.
 3. Comment has been addressed with the grading.
 4. The attorneys still need to come up with the wording for the easement. This would be a condition for approval.
 5. The grease trap has been addressed.
 6. Stormwater inlet 12 has been addressed.
 7. Comments from Zoning Officer has been addressed.
 8. There are still some flat areas that may cause ponding of water. They would check into that.

Zoning:

1. The Conditional Use was granted.
2. Proposed site lighting has been addressed. Shannon Brown stated that there is softer lighting which is 3,000K. Radio frequency there were issues with older products, the newer name brands are much better. Shannon Brown stated that this could interfere with police radios etc.
3. ADA parking has been addressed.
4. Loading and unloading area. The conditional use was granted so that vehicles over 30 feet are not allowed on the property. 2 notes were added to the plan. The site is designed to accommodate a maximum 30 foot long box truck and will not support larger wheel based vehicles. Also, it stated that the owner shall comply with the Clarks Summit Borough sewer ordinance 2012-01 and any amendments there of including all maintenance and operation requirements associated with the sanitary sewer, later and exterior grease trap operation. Shannon Brown stated that they have a note on there about large trucks. He asked how do we limit the trucks going into that site. What happens if a semi-truck pulls into the parking lot? If a large truck does pull in they could get out, but delivery trucks will not be that large. Ms. Kehoe stated that acknowledgement would be helpful for future businesses there. Any owner of the land will actively discourage the use of larger trucks in their deliveries.
5. Solicitor Mike Cowley commented on the pavement issue. In section 902.2 – non-conforming structures, this includes pave. John Durdan agreed. Mr. Keisling estimated that the pavement put in there probably in 1974. That addresses 504.9 in the ordinance.
6. The landscaping plan was approved by Bob Naegele. There is a note that says the plan should include dimensions.

7. 701.8.D: Light leaves the property, spillage onto State Street in the Right of Way. They are using the lowest lighting possible at the site. John Durdan stated that he takes no issue and he thinks this has been addressed.
8. 500 and 509: Mr. Durdan stated that these will remain open until everything has been completed. This has to go through Borough Council and the Borough Solicitor.
9. 902.1.B: They needed to show the traffic and pedestrian flow. The plans needed to be revised to show a stop sign and a stop bar if they didn't currently exist. The left turn only was left as part of the land development; it was not part of the Conditional Use. Solicitor Mike Cowley stated that they have an easement which runs from the shopping mall to the KFC site. The question was can traffic be restricted to one way on that easement. It could be one way with a modification of the easement with the current owner of the mall and the current owner of the KFC site. John Durdan stated that he believes this is necessary because of the drive through and traffic coming up. There should be some restriction for people coming up the hill. Michael Cowley stated that you can't force the owner of the mall to do this. It would have to be voluntary. Shannon Brown stated that they were looking for the applicant to take proactive action with this. The applicant can go to the easement and put a sign that says no entry on his side of the property. Mr. Keisling is not opposed to the sign. They will put up a "Do Not Enter" and a "No Left Turn" signs up. They will add the stop sign and stop bar. They want to limit the traffic coming up the easement.

In summary:

1. Item #4, the easement still needs to be taken care of.
2. Item #8, check proposed grading.
3. Item 701.1: Make sure the dimensions are added.
4. Items 500 and 509: Waiting for Borough Council and Solicitor
5. Item 901.2.B: Add a stop sign, stop bar, "Do Not Enter" sign, and "No Left Turn" sign.

Mr. Durdan stated that with these conditions, he believes they are at a point where they can make a recommendation for conditional approval for Borough Council. Ed Yasinskas made the first motion to give conditional approval, seconded by John Receicar, vote was 4-0. Ms. Kehoe stated that she will write this up for John Durdan's approval before this will be introduced to Borough Council at the next meeting. Jenn Basalyga stated that one of our council members was concerned about the smell and grease in the environment from KFC. They are aware that this may come up during the council meeting.

Shannon Brown stated that they had the meeting for the SAPA process last week. They interviewed all 4 of the candidates for the consultant position. It came down to two applicants, they did choose one firm. This is the first time in the commonwealth that anyone has attempted to do a regional plan with 9 municipalities. The Planning Commission is going to have a lot of work to do at times during this 18 month process.

NEW BUSINESS:

ADJOURNMENT: Ed Yasinkas made the first motion to adjourn, seconded by Shannon Brown, vote was unanimous.