

CITY PLANNING COMMISSION



SCRANTON

Mr. Ev Jones
Mr. Thomas Preambo
Mr. Jerry Richardson
Mr. Jim Thomas, Chair
Mrs. Mary Jean Moran-Naughton
Mrs. Elizabeth Moylan
Mr. John Kennedy
Mr. Don King, City Planner

**CITY PLANNING COMMISSION
MAY 24, 2005
MINUTES**

IN ATTENDANCE:

Mr. Richardson
Mr. Thomas
Mr. Jones
Mrs. Moran-Naughton
Mr. Kennedy
Mrs. Moylan
Mr. Preambo
Don King, City Planner
George Parker, City Engineer
Angela Nole, Secretary

MINUTES:

A motion to accept the minutes of the April 19, 2005 meeting was made by Mr. Jones and 2nd by Mr. Kennedy. Mr. Richardson and Mr. Preambo abstained. Approved 5-0.

CORRESPONDENCE:

None.

OLD BUSINESS:

- 1.) **Review of Minor Subdivision plan by Robert Magnotta, 214 Crown Ave.
Create 2 lots from one. R-1A Zone.**

Mr. Mendola, engineer, representing Mr. Magnotta.
The garage is to be used as storage and the house is to be sold separately.
Lackawanna County Regional Planning Commission gave conditional approval
and submitted a draft letter. Mr. Parker stated the drafting corrections were
addressed.

Mr. Parker stated the sewer along the east side of the 2 car garage should have an easement in the deed stating when the parcel is to be conveyed that the buyer be made aware that a space has to be set aside for any repairs to that line in the future. Mr. Parker stated his three (3) previous concerns have been met. Mr. Mendola stated a note in the drawing: An easement agreement is a condition to be established in the new deeds at the time of conveyance for each parcel for the sanitary line maintenance. Either party can have access to maintain the line. Mrs. Moran-Naughton read from the Lackawanna County Regional Planning Commission's draft letter which stated that the garage would become a principal use rather than an accessory as per the Zoning Ordinance. Lackawanna County does not understand the Zoning Board's conclusions of law no. 14 qualifying the garage as a residential use, with this classification, it can legally be remodeled into a residential use, contrary to the ordinance and it is a self-created hardship. Given the Zoning Board's decision, Lackawanna County must abide by the granted variance and approve. This decision could have ramifications through out the city rendering the zoning code useless. Mrs. Moran-Naughton also stated if the CPC denied this subdivision, the city would probably lose in court. Mr. Parker also stated zoning regulations should be closely adhered to and CPC should be made aware of the ZHB's calendar to see if CPC members should give testimony at the hearing. Mr. King stated the applicant should be entitled to final approval and echos what the county planning commission has stated. A motion to approve was made by Mr. Jones and 2nd by Mrs. Moran-Naughton. Approved 5-1. Mr. Richardson abstained.

NEW BUSINESS:

- 1.) **Review of lot combination by Julio Ramos, 330 S. Irving Avenue, combine two lots into one. R-1A Zone.**

Mr. King stated Lackawanna County Regional Planning Commission granted approval and recommends final approval.

Mr. Parker had three (3) minor drafting changes, but recommended conditional approval.

A motion was made for conditional approval by Mr. Jones and 2nd by Mrs. Moylan.

Approved 7-0.

- 2.) **Review of Land Development by DiMare Fresh Inc. For the development of a 82,820 square foot produce warehouse at Genet St and Bergan Ct I-L Zone.**

Emmett Mancinelli, representing DiMare Fresh Inc.

This site is the former Notarianni site that burned down and DiMare razed the building. The side and rear lots will remain the same. There is a 40 ft cell tower enclosed by a fence.

Lackawanna County Conservation District needs to resolve issues. Lackawanna County Regional Planning Commission granted conditional approval. The Zoning Hearing Board granted variances. The comments from the Engineer's Office will be addressed.

Mr. Kennedy stated the refrigeration trucks should be placed away from the residential area.

Mr. Thomas asked about lighting and landscaping. There will be no mounted lighting fixtures and landscaping will not be around the site but will be near the offices.

Mrs. Mary Ann Balko, R 314 Genet Street had pictures of trucks near her home and stated there is a parking issue.

Mrs Moran-Naughton asked if a buffer zone with trees to buffer the noise near the res area is possible.

Mr. King stated DiMare should meet with residents to resolve some issues and a rep should be at the next cpc meeting.

Mr. Preambo requested decibel readings for the next meeting requiring distances and circumference of the noise of refridg trucks.

Mr. Mancinelli stated there is 3 inches of insulation and frig may not run continuously.

Mr Parker will look into the grates on Genet St.

Ann Harrington, 316 Genet St. Stated the grates need cleaning, there is no security at the site and buffering and lighting is needed.

Mr. Parker stated this is not up for final review, and he will take into consideration the comments by the residents and members and look at the requirements of the subdivision ordinance.

COMMITTEE REPORTS:

Mr Kennedy questioned if we should notify the state of the CPC's position in the public comment phase regarding the landfill located in Old Forge.

ADJOURNMENT

A motion to adjourn was made by Mr. Preambo and 2nd by Mr. Kennedy


James Thomas, CHAIR


Angela Nole, Secretary