

MEETING MINUTES

Pen Argyl Planning Commission - Thursday, April 18, 2024– 7:00 P.M.

LOCATION: Pen Argyl Municipal Building

ADDRESS: 11 N. Robinson Ave., Pen Argyl, PA 18072

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ATTENDEES

Craig Reduzzi, Chairman
Eric Mesko, Vice Chairman
Stephen Marhevka, Commissioner
Fred Farino, Commissioner
Tyler Kemp, Commissioner
Peter Layman, Esq.
Paul Mastrogiovanni, Zoning Officer
Besfort Kaja
Leonard Policelli
Mark Bahnick, P.E., Van Cleef Engineering Associates

APPROVAL OF MINUTES: February 15, 2024

Eric Mesko made a motion to approve the minutes as written. Seconded by Stephen Marhevka and the motion passed with all in favor.

OLD BUSINESS:

None.

NEW BUSINESS:

Review of the Special Exception Permit Application submitted by Besfort Kaja for the conversion of an existing building at 21 North Lobb Avenue into an eight-unit apartment building.

1. PC previously had provided comments on the Special Exception Permit Application at the February 15, 2024 meeting.
2. Zoning Hearing Board did not approve the Special Exception Permit Application at their meeting in February. Application was denied primarily because the Applicant did not provide a Deed Covenant to ensure that parking was provided long term on the Policelli property.
3. The Applicant submitted a new application on March 28th. The Application packet included a Parking Lot Lease Agreement to establish 16 parking spaces on the Policelli property, which is adjacent to the proposed apartment building.

4. Peter Layman outlined the context of the application submitted and the Planning Commission's role in the review process.
5. Besfort Kaja presented his proposal for the building conversion and provision of the required off street parking.
6. Mark Bahnick reviewed his comment letter on the project, which is dated February 13, 2024.
7. Paul Mastrogiovanni updated the Planning Commission on the status of the Mr. Kajas application.
8. Special Exception Permit Issues
 - a. Lease refers to a future Deed Covenant to be provided but does not specifically create the Covenant. Timing on the Covenant being created, and project approvals needs to be confirmed.
 - b. Covenant would be a tri party agreement between the Borough, Mr. Kaja and Mr. Policelli. Its purpose is to ensure that parking is provided and maintained for the needs of the proposed 8 unit apartment building.
 - c. The Covenant could only be amended in the future if all three parties agree.
9. The Planning Commission's role in the Special Exception process is to provide comments to the Zoning Hearing Board.
10. Mark Bahnick also discussed future issues that will need to be addressed relative to the proposed parking lot.
 - a. The sketch submitted shows 8 parking spaces that would back out directly onto Bell Avenue. This is not acceptable. Mr. Kaja indicated that an alternate plan has or will be developed that will not require cars to back out into Bell Avenue.
 - b. 16 spaces are to be provided for the apartment use. The current plan shows 26 spaces. The parking needs for the residential units owned by Mr. Policelli need to be confirmed.
 - c. The parking lot should be paved and should have lighting and landscaping per applicable Borough Ordinances.
 - d. A stormwater management plan will need to be developed and approved by the Borough for this site.
 - e. A Land Development Plan should be prepared by the Applicant and submitted for review by the Planning Commission and Borough Council.
 - f. Proposed retaining wall will need to be designed and reviewed by the Borough.

Stephen Marhevka made a motion to provide the following two comments to the Zoning Hearing Board for their consideration relative to the Special Exception Permit Application. Seconded by Fred Farino and the motion passed with all in favor.

Comment Number One

The proposed conversion of the existing building at 21 North Lobb Avenue should include an off-street parking facility that meets the following criteria:

- I. A minimum of 16 spaces should be provided that are reserved for use by the proposed apartment building.
- II. Parking spaces should be designed so that cars will not back out onto any of the adjacent streets.
- III. If the parking spaces will be provided on land not owned in fee simple by the owner of 21 North Lobb Avenue, a Deed Covenant shall be provided on the property that is the

site of the proposed parking facility, which will be recorded in the Recorder of Deeds Office. Said Covenant shall provide the Owner of 21 North Lobb Avenue with the right to construct, utilize and maintain 16 parking spaces reserved exclusively for use by the residents of 21 North Lobb Avenue. This Deed Covenant shall be enforceable by the Owner of 21 North Lobb Avenue and by Pen Argyl Borough Council. The 16 parking spaces shall be designed and constructed in accordance with all requirements of the Borough of Pen Argyl Zoning Ordinance, Borough of Pen Argyl Subdivision and Land Development Ordinance, and all other applicable codes. Handicapped parking space(s) should be provided per applicable codes.

- IV. The Deed Covenant will need to be prepared and executed prior to the issuance of a Building Permit for the Apartment Building. The executed Deed Covenant will be held in escrow by the Borough and will be recorded prior to the issuance of a Certificate of Occupancy for the Apartment Building.

Comment Number Two

The proposed site of the apartment building does not appear to be compatible with provision of a protective planting strip to create a buffer yard(s) along shared property lines with existing adjacent uses.

PUBLIC COMMENT- AGENDA/NON-AGENDA ITEMS

None.

ADJOURNMENT

Meeting was adjourned at 8:15 PM