

As advertised in the Journal Herald newspaper, the Packer Township Supervisors a meeting on Tuesday, July 20, 2021 at the township building. Bob Selert called the meeting to order and roll call was taken. All were present with Cory Gerhard attending by Zoom.

Bob Selert explains that the meeting is being recorded for the purposes of developing the minutes and the recording will be destroyed when the minutes have been adopted. The purpose of the meeting is to have a open public hearing to discuss and inform and receive public comments on the request of James Grega to re-zone Packer Township tax parcel ID #112-45-A43 as I-1 Light Industrial district.

The meeting was opened to the floor. Dan Humenick-The only comment I would have to make is, my name is Dan Humenick. I owe a parcel right next to the parcel in question. As long as Mr. Grega feels he doesn't want to reveal what he wants to do with the property, I don't know if it's, I can't say I'm for it. I would be adamantly opposed to it only because who knows what's going to go in there. Especially if down the road he sells it. He can sell it to anybody he wants and they could do anything they want with it within the limits of the light 1 Industrial. That's the only comment I would have at this time. James Grega-I'm Jim Grega. I'm the applicant. Are the Supervisors all aware of the comments the Planning Commission provided? Bob Yurchak- This is not a time for asking questions. This is only a time for public comment so you don't ask the Board any questions at this point in time. This is public comment and a public hearing to receive public comment. It's not a question and answer right now. If you have a statement to make, for or against it, you can make it but no questions. Ken Didonato-I'm Ken Didonato. I own the parcel across the street and my only concern right now would be water drainage-coming directly onto my property. I'm not sure about construction or what they're doing there but that's really like my biggest concern. They put the 3 drop boxes, my grandfather, years and years ago, they've been dealing with it but they put the drop boxes above, on top of the mountain, all the water came across the road underneath and it all runs down on my property. My property is basically almost a swamp as it is when it rains. I mean I got like 2-3 inches of water on my driveway alone so that's really like my only comment on it is I'm not sure with the pipe that runs directly right across the road onto my property from the other parcel so that might be an issue. I'm not sure what they're doing with it. Bob Selert asked if he was across the street. Mr. Didonato-I'm directly across the street. Dan Humenick-That's a high water table. Water is a problem off that mountain. Mr. Didonato- I can't have any more water as it is coming down there. I seen that they came, they dug out both sides of the pipe there and I mean there's like 4 feet of water on the one side of the pipe. As soon as it rains it's like a swamp. I mean it's so bad it's coming down. I dug, I dug, I dug, like multiple times to dig trenches down to try to divert it. I mean my whole barn is getting washed out. The foundation and everything so that's really my biggest concern is how much water more am I going to be receiving coming through that pipe on my yard. Jim James-Right and you don't know how much water currently, you don't know the existing condition nor do you know the proposed condition nor do I know the proposed condition. Mr. Didonato-It's mainly like if it comes out from like if they go and they strip land and take all the trees out, how much more water is going to end up tabling to my side of the yard. Mr. Grega-If any. Didonato-Yes. If any but I'm not saying that there won't be...James-We're both in the situation where we get water crossing the Humenick properties all down the shoulders from the mountain side. Didonato- Absolutely. It's been 30 years my grandfather had been fighting with...James-I'm not saying the issue is you. It's, kind of a, I want to say a PennDOT issue potentially. Didonato-I'm just, you know, that would be why I would oppose it. Dan Humenick-The rain. When it rains...Didonato-Or if it's like light industrial and they put a business there or something along them lines and then there's like pollutants coming down and it's going right into my fresh water stream. That's another thing too. James-Well listen, I, there's an industrial zone just above my, just so you know. Didonato-Sure. Well I'm just saying if you were to sell it somebody does something you know what I mean, you can't fight everybody, everybody has things that they do. James-Right. Just keep in mind there is already and existing industrial zone there. Didonato-Sure. You have plans for a business or something? James-I have plans to submit this application as I did to request that the property get changed from residential to industrial. Under section 1402 of the zoning ordinance which I'd like to note that the public notice said section 1401 not 1402 like my application stated. Just so it's noted. Phillip Prout-Ok. James-And that's all this request is, just to

change it from and R-1, and that's what that section of the zoning ordinance, I mean that's what it pertains to. It doesn't ask for details, I mean that is a, details would come with a building permit, sewage permit and all that stuff. Is that, would you agree? That's a question, sorry. I'm looking not, I should say to change my property, I'm looking to expand an existing I-1 zone like it was mentioned in the application. My property is an 8 acre piece of land. I don't think it's fit to be used zoned as residential. If it was a 1/2 acre, an acre, I can see that being, you know an issue but this is an 8 acre piece of land. I could potentially break this up, it has over 600 feet of road frontage. I could break this thing up into 3 residential lots with on lot sewage, a 3 bedroom home is 400 gallons per day flow. I mean a warehouse per Pennsylvania code is, every employee is considered 35 gallons per day. I can have 10 employees but I'm not saying that's anything to do with a business or anything like that I'm just pointing out that 10 employees can be on this and it's still less than one single family residential home in sewage flow. And I can potentially break this up into 3 lots and put 3 septic systems in, so, going back to the comment of 10 acres that was made by the planning commission, that comment pertains to a lot, it needs to be 10 acres or more to have on lot sewage. I think that 10 acres is completely arbitrary. I think it's the, there's no justification behind it based on the information in the Pennsylvania code on lot sewage. When you look at those numbers I think that that 10 acres is just random and it really has no basis. Selert-The 10 acre minimum is for industrial use. James-But it's says...Selert-Not, not, you can put a sewage system on two acres. There's no...James-I think you should look at the zoning ordinance. I would really like if you would look at the zoning ordinance because also in the Planning Commission meeting Section 1402 was also read, the whole paragraph other than the last two words. The last two words said, or the last sentence said something along the lines of provide the following information, if or when applicable. Those words specifically were not read during that meeting and I just want the public and everyone to hear that it says "when applicable". And one of the comments was that I didn't submit enough information for Section E of that application. I believe that I did. I believe, I don't want to speak for Mr. Prout but I mean he passed on that application so I assume that he also believed that it was sufficient to accept. Therefore, that covered the two comments that...Selert-Ok. So I'm looking at 1402. The following information when applicable. So we can decide when it's applicable and we, the Planning Commission determined that all of this was applicable because it's up in the air as to what the proposed is. If you had...James-The proposed is to change the property from residential to I. That's what the proposed is. The proposed use would come involved when you apply for a building permit, sewage permit, something along those lines. Yurchak-You do not need to explain that. This is for public comment. We're only in the hearing stage at this point. Selert-Alright, anybody else. Leo Humenick-I just want to say, my name's Leo Humenick. I live above Dan. I think the biggest concern of ours is we don't know what they're going to put in there. It's a residential zoned out by the highway. If Jay's (Croman) property, Jim's property, Dan's, my father's and mine and you go up the road they are all residential pieces of ground. If you grant this or change the zoning we don't know what's going to go in and it's going to devalue our properties. James-I would also like to point out that this property, the one we are sitting at right now is zoned Industrial. It's not 10 acres and it's zoned Industrial. I just want to point that out. It's 3 point something acres. Selert-And that was adopted, when the original ordinance was adopted in 1989 they, I had no parts of that. James-But my point is, it's not, apparently it's not creating an issue or anything like that and this is an 8 acre plus piece of land. Selert-Alright. Terry-Anybody else. Selert-Is there anybody else? Gerry Grega-I have a comment. Selert-Go ahead. Gerry-Gerry Grega, Wetzel Run Drive. I'd like to just comment on 3 issues. I listened to the Planning Commission meeting also and basically what I'm (inaudible) is there was no commentary at all from any of the Planning Commission members other than Bob Selert. There wasn't one word that came from them other than a, other than voting on the denial of the recommendation. I believe to have a fruitful type of a planning commission meeting you have to have input from all people present and I hope that happens in the future and not continues on like it is or has recently where nobody speaks but one of the supervisors themselves. And I really believe Bob lead the meeting not saying that was positive or negative but it's the facts. Secondly is, the zone, and this is my son applying, the zone he's applying for is a light industrial. Not heavy industrial. And the permitted uses he's asking for are listed simply in the zoning ordinance which should be provided to the general public on the website. I would hope it can go on in the next couple days so anybody can review those zoning ordinance documentation and requirements and regulations at any time without having to bother somebody from the Township just to get an

answer to a question. Its public information and it should be provided to the public and I don't have any idea why it's not sitting there available to the public in general especially after it's been reapproved as of 12/1/2020 with the updates. And the last thing I'd like to say is I would like a copy of the recorded meeting before it gets destroyed sent to me by the secretary just for reference, this zoom meeting that took place tonight. And the last thing I'd like to say is I didn't realize this, I asked to attend, get a zoom meeting attendance for the July meeting but I wasn't sent that and therefore I did not get to participate in that particular meeting either but I just stating a personal opinion I just, I'm upset that you're not allowing for zoom meetings to continue at least by request by members who can't physically get to meetings in the future. That's all I have to say at this time. Thank you. Selert-Any more comments? Cory are you there? Cory-Yes, I'm here. Selert-Ok. Cory have you seen the letter from the Planning Commission to the Supervisors? Cory-Yes, Stephanie sent them over before. Selert-ok. Alright. Yurchak-Close the public hearing and move into the meeting. Selert-At this time we are going to adjourn the public hearing.

Bob Selert opened the meeting to vote on the proposed zoning request of James Grega. Again a 3 minute limit on comments. Anybody has any comments? James-Is this, can I ask a question now? Has the remaining Supervisors seen the comments or just the denial letter? Selert-Cory did you see the comments from Carbon County? James-Carbon County? Cory-Looking now. Selert-Bob can we read the planning commission's... Yurchak-If you want to you can, there's nothing to harm, it doesn't hurt anything. Like both planning commissions, they are recommending bodies. Selert-ok so the Planning Commission met on the 15<sup>th</sup> of June for public comment. This is the letter that was drafted. Mr. Selert proceeds to read the letter drafted to the Supervisors from the Packer Township Planning Commission. Gerry-I have a question. Again Gerry Grega, Wetzel Run Drive. Are you saying that there were comments sent back to you from the County regarding this application? Selert-Yes. James-Was I to receive this? Gerry-Were they sent to the applicant? Selert-I don't know. Stephanie-We just received them. Phillip-We haven't received the physical copy yet. They were emailed over, the meeting took place this afternoon. Gerry-Can you tell us what the county recommended based on not being aware of there was any response or even knowing that it was ever sent to the county? At least to my knowledge. Yurchak-Phil, read it. Phillip asked Selert if that was what he just read. Selert responded no, that he read the township planning commission letter. Phillip proceeds to read a letter dated July 20, 2021 from the Carbon County Planning Commission. Gerry-I would like to also request again a copy of the recording from this reopened public meeting as well prior to getting destroyed if the secretary could send that to me prior to destroying the zoom copy. Thank you. Selert-Ok. Cory, are you there? Cory-Yes. Bob Selert-Ok. I'm going to make a motion we deny the request of James Grega to rezone tax parcel ID # 112-45-A43 as I-1 Light Industrial due to the fact that our local Planning Commission has suggested that we turn it down because it did not meet the size and it did not specify in the application his intended use. Terry Davis seconded the motion and Cory Gerhard agreed. Vote 3-0

Bob Selert adjourned the meeting at 8:31 p.m. A total of 5 residents attended the meeting in person and there was one Zoom attendee.

Respectfully submitted  
Stephanie Stolpe  
Packer Township Secretary/Treasurer