

Paupack Township Board of Supervisors

Meeting Minutes of September 26, 2019

The Paupack Township Board of Supervisors conducted their 2nd monthly meeting on Thursday, September 26, 2019 at the Township Municipal Building. The meeting was called to order at 3:03 PM by Chairman Bruce Chandler.

The following Township Officials were present at the meeting

Bruce Chandler, Chairman Jim Martin, Supervisor Leigh Gilbert, Supervisor
Cheryl Scartelli, Asst. Secretary/Treasurer Marianne Unger/Secretary/Treasurer

The following members of the public were present at the meeting

Vernon Perry Elaine Herzog Atty. John Martin Doug Klosterman

Bruce Chandler said this is a final decision for a Conditional Use hearing for Douglas Klosterman.

Mr. Chandler read the Paupack Township Conditional Use Decision. Mr. Chandler said it was July 15, 2019 that the applicant Douglas Klosterman filed for a Conditional Use on 1.9 acres in Paupack Township, property owned by Edin Becirovic. The request for the Conditional Use is to operate an auto mechanic repair shop and inspection station in a C-1 district not an S-1 district. Mr. Chandler added that all of State Route 590 is commercial to 750 feet back or the nearest property line so you do not vacate a piece of property. Mr. Chandler added the applicant appeared before the Paupack Township Planning Commission on Thursday, September 5, 2019, without counsel and presented his application before the Planning Commission. The Planning Commission voted to recommend approval of the Conditional Use application with three conditions, all of which were set forth in a letter dated September 5, 2019 by the Chairman Frank Williams to the Supervisors.

Mr. Chandler said the hearing was held before the public on September 12, 2019 at 5:45 pm at the township. The applicant was present along with his counsel, John J. Martin, who presented the application, various exhibits, and submitted himself to cross examination at the hearing. The applicant provided a written lease for the subject premises in his name and presented his hours of operation would be 8:00 a.m. to 6:00 p.m. Monday through Friday and Saturday 8:00 a.m. to noon, with no work on Sundays. The applicant conceded that he needs to get the facility itself licensed by the state, and that he himself had already been approved as someone who could perform state inspections on vehicles. The applicant stated that he would dispose of all his liquids generated through the business by using Advanced Oil Recovery. He also stated that he would have no more than six vehicles of customers parked outside, and that they would be parked in the back. He stated he had no employees and that there were bathroom facilities on site. He stated that he would construct a six (6) foot high privacy fence along his neighbor's side (Stiefel). He indicated that he would not have a lit sign advertising his business on the premises, and would only use the existing sign that is presently on the signpost along Route 590.

Mr. Chandler said the decision was made after much discussion with the Supervisors and the Attorney. He said they feel this is appropriate language and is fair to the township and the applicant. Jim Martin made a motion to approve the Conditional Use based on the following conditions. Leigh Gilbert seconded the motion. The motion carried 3-0.

Bruce Chandler said the proposed use is in the C-1 zone in which the subject property sits. He said the applicant has met his burden of proof, and has satisfied the supervisors that said application should be granted. He said the Township Supervisors approve the Conditional Use Application of Douglas Klosterman to operate an auto mechanic repair shop and inspection station on the 1.9 acres owned by Edin Becirovic, under subject to the following conditions:

1. Refuse storage – Storage of refuse will be inside of the building and not outside;

2. Hours of operation – Hours of operation are restricted to Monday through Friday, 8:00 a.m. to 6:00 p.m., Saturdays from 8:00 a.m. to 12:00 noon, with no operation of the business on Sundays. The operation shall be closed on all major holidays. (Christmas Day, New Year's Day, Memorial Day, the July 4, holiday, Labor Day and Thanksgiving;
3. Outside vehicles – The outside storage of vehicles is limited to vehicles to be worked on and they must have an up to date registration and be licensed. All outside storage of vehicles must be in the back of the business;
4. Highway Occupancy Permit – A highway occupancy permit must be secured and presented to the Township prior to the opening of the business;
5. Screening/Fencing – There will be a six (6) foot high privacy fence along the neighbor, Stiefel's property and from the rear parking area extending toward State Route 590 for the total length of the building. The screening, including a fence shall be completed before the opening of the business;
6. All State Licenses and evidence of Licenses shall be copied to the Township;
7. Sign – The existing signage is permitted after approval by the Zoning Officer;
8. HazMat – oil and anti-freeze – 55 gallon drums with a spill pad shall be stored inside. An agreement with a third party, of the pick-up and safe disposal of these liquids is required to be secured and a copy of the agreement shall be provided to the Township prior to the opening of the business. This agreement shall specify the liquids to be picked up and disposed of including a pick up schedule.

Bruce Chandler said these are the decisions of the Paupack Township Supervisors. He said they did vote on this decision and said this Conditional Use is passed. He added that the applicant will still have to go to zoning and said he will still have to meet the Commercial Building Code.

Attorney Martin asked about condition number 8. He said his client has paid receipts from the oil disposal company. He asked if that will suffice since it is hard to get an actual agreement from the company. Mr. Klosterman said it is the same company that the township uses. Mr. Chandler said that should be adequate to the township. Attorney Martin added that they can provide proof of paid invoices.

New Business

Bruce Chandler made a motion that the Township rent a John Deere excavator and have it moved on to Peifer Road for stump removal. Leigh Gilbert asked for how long will the rental be and Mr. Chandler said a maximum of two weeks. Leigh Gilbert seconded the motion. The motion carried 3-0.

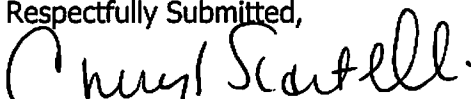
Public Comments

Elaine Herzog said she had one observation. She said if you are not conducting business previously how can you have hazmat material removed and why would you? Ms. Herzog said she did not want an answer to that. Ms. Herzog said it was just a rhetorical question.

Adjournment

Chairman Chandler asked if there was anything else to come before the Board. Hearing none, the meeting was adjourned at 3:15 pm.

Respectfully Submitted,


Cheryl Scartelli, Asst. Secretary