

**BOROUGH OF CLARKS SUMMIT  
PUBLIC HEARING & SPECIAL MEETING OF COUNCIL  
WEDNESDAY, AUGUST 4<sup>TH</sup> 2004  
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A Public Hearing and Special Meeting of Borough Council, having been duly advertised and the property posted, in accordance with State Law, was conducted on Wednesday, August 4<sup>th</sup> 2004 at approximately 6:15 P.M. Council members in attendance were Council President Donald H. Moyer, III, Council Vice President Timothy D. Rowland, Councilman Richard W. Armbrust, Councilman Thomas Bradley, Councilperson Margaret (Peg) Jackson, and Councilman Williams. Councilperson Gerry Carey was absent due to illness. Also attending were Mayor Wesley W. Dunn, Sr., and Borough Manager/Secretary James G. Vones, Sr. Solicitor Malcolm L. Mac Gregor was absent. A stenographic record, of the Hearing and Special Meeting, was taken by Mrs. Lisa Graff.

**PUBLIC COMMENT:**

**ORDINANCE 2004-04 ZONING DISTRICT BOUNDARY CHANGE**

The Borough Manager/Secretary briefed this matter. A Borough Ordinance 200404 was requested by Attorney Patrick Lavelle on behalf of his clients Village Square Plaza Associates. The required legal advertisement had been made in the Scranton Times/Tribune and the property posted at Village Square Plaza at Grove and State Streets.

Motion by Mr. Rowland to adopt Ordinance 2004-04 for discussion purposes. Second by Mrs. Jackson. Discussion followed.

Mr. Bradley stated what was the intent of the zoning district boundary line, when the Zoning Ordinance was first adopted in January 2002, why was the Giggles Building not included then? Mr. Rowland stated that at the time he was the Chairman of the Borough Planning Commission, and it could have been, but the Village Square Plaza Associates did not own the property at that time, and no public comment was made relating to its location, even though several Hearing were held by both the Planning Commission and Borough Council, over the nine years the Zoning Ordinance Amendment was under development.

The Manager/Secretary read a Memo from the Planning Commission regarding this matter.

Mr. Bradley stated that he would personally not favor any future expansion of the commercial district into the RP Zone, beyond this.

For the record, the Manager/Secretary stated that this matter, if adopted, did not, expressed or implied, approve the pending Land Use and Minor Subdivision action of the Village Square Plaza Associates and asked that Attorney Lavelle, on behalf of his clients so stipule. Attorney Lavelle so stipulated.

Mr. And Mrs. Paul Kalmanowicz, the abutting property owners on School Street (512 School Street) were present. Both the Council President and Vice President showed the plans to Mr. And Mrs. Kalmanowicz and asked if they had questions or issues. They said no, but when Eagle Cleaners was constructed they worked until all hours of the night and made a lot of noise with construction and trucks, which kept them getting a night's sleep. They were advised that the current Zoning Ordinance prohibited this and they should report it if it happened again.

Mr. Bradley asked, just to be sure, is the old Miller house/property at School Street and East Grove Street to stay RP under this Curative Amendment? Mr. Steve Selige (a partner in Village Square Plaza Associates) responded yes, that would stay in the RP Zone.

**ADOPTION:**

**Ordinance 2004-04**

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On the adoption of Ordinance 2004-04 which would amended the Official Zoning Map and change the District boundary, Mrs. Jackson – yes, Mr. Rowland – yes, Mr. Bradley – yes, Mr. Williams wanted the maintain the RP Zone to protect the residential district and voted yes, President Moyer – yes, and Mr. Armbrust – yes. The motion carried 6-0.

**ADJOURNMENT:**

This Public Hearing and Special Meeting adjourned at approximately 6:43 P.M. to a Public Hearing and Special Meeting scheduled for 6:30 P.M.

Respectfully submitted,

**JAMES G. VONES, SR.**  
Borough Manager/Secretary

**DONALD H. MOYER, III**  
Council President