

Planning Commission of the Borough of Matamoras

Meeting Minutes of October 18, 2022

Chairman Madsen	P	Mr. Anderson	P	Mr. Oszczepinski	P
Mrs. O'Donnell	A	Mr. Howard	P	Mr. McIntyre	P
Mr. Addison	A	Ms. Salvato	P		

The Planning Board convened at 7:00 PM.
8 members of the public were present.

Chairman Madsen noted that the first item we would look at is the Lot Combination under new business.

Public Comment:

Eric Kudrich 101 Ave K regarding the Rental Ordinance he reviewed; his concerns are that it seems as if “big brother” is looking over us. He has issues with Section 96-5, B. items #4, 5 & 6. Mr. Madsen noted there will be an open dialogue later in the evening.

Approval of the Minutes

Minutes of the October 5, 2022 meeting were approved **M: Howard/ Oszczepinski. All in favor.**

Correspondence:

Letter from Council to the Planning Commission regarding the Property Rental Ordinance

New Business:

- a. Motion to send 507 Ave I Gionti Lot Combination to Council for approval. **M: Salvato/Anderson.** Mr. McIntyre reviewed the plan and deed(s). Lots 362 and 364 were purchased by the Gionti as one piece of property, they were both on one deed and they pay one tax bill. They learned it was two pieces of property when they applied for a shed permit. They wish to combine the two lots to be known as Lot 362A. After confirming that property description matches the map, Mr. McIntyre found no issues and council had no further questions. **Motion passed. All in favor.**

Old Business:

- a. Firework Ordinance: Assistant Police Chief Eric Stewart was invited to express his thoughts on the proposed Ordinance. Asst Chief Stewart noted that House Bill 2157 was adopted as of Sept 9th 2022, it is now known as Pennsylvania Act 74 of 2022. He noted that the proposed Borough Ordinance 78-15 mirrored the language that was in Act 74. Since the Act was passed, it basically voids the need for the Borough to pass an Ordinance. State law supersedes local law. His recommendation is that the Borough refer to the State law and expand it to specify that it is unlawful to ignite or discharge fireworks on public or private property of any lot size within the Borough limits. Under the Special exceptions section 78-17 he recommends that we consider requiring special insurance or bonds for approved professional displays in case a pyrotechnic device happens to land on a home or business and causes damage. One further thought is to

consider a special exception for novelty items such as sparklers for children. Moving on to the fines, if anyone in the borough is shooting on fireworks and the department is called, they will take an incident report and it will be the responsibility of the Zoning Officer to follow up. An exception to this would be if a large number of fireworks is discovered, then the Officers can and will be instructed to confiscate them. Asst Chief Steward also recommends that all ordinances that refer to fireworks be reviewed to remove any mention of fireworks or strike the ordinance in its entirety. Fireworks are discussed in 78-13, 78-15 and 78-17. Ideally everything should be combined neatly into one ordinance.

The Planning Committee thanked him for his time. The fireworks discussion will remain open, no action was taken.

- b. Chapter 96 Rental Property Ordinance: Mr. Madsen opened the floor for informal discussion. Noted all items being discussed will be taken under advisement. Proposed Ordinance 96-5 B: strike the requirement for recording the tenants license plate information, adjust line item four, leave unit number and name. Define "Tenant" in the ordinance. 96-5 C: amend radius to 20 to match the proposed application. Section 96-9 proposed amending the fine to a range from \$100 to \$1,000. The Zoning Officer noted that if the tenant is the person responsible for a violation the landlord will be notified, but it will be the tenant who would be taken to court. More discussion ensued within the group. The goal is accountability and responsibility; not allowing tenants to bring the neighborhood down.

New Business Continued:

- b. 2nd Amendment Resolution: Not discussed. Will be discussed in future meetings.

There was a motion to adjourn the meeting at 8:01 p.m. by Mr. Anderson/Mr. Howard. All in favor.

Respectfully submitted,



Marianne Brown
Planning Secretary