

**Planning Commission of the Borough of Matamoras
Meeting Minutes of July 16, 2024**

Call to Order, Salute to the flag and Roll Call @ 7:00 pm.

Mr. Eddie Addison Chairman	P	Mr. Bob Howard	P	Mr. Nick McIntyre Solicitor	P
Mr. Dave Oszczepinski Vice Chair	A	Mr. Mark Madsen	A	Mr. Shawn Bolles Zoning Officer	A
Mr. Rich Anderson	L - 7:08	Mrs. Lisa Salvato	P		
Mr. Danny Fernandez	P	Mrs. Kelli Johnson Alternate	P		

4 members of the public were present

Approval of the Meeting minutes of June 18, 2024: **M: Fernandez/Howard. 4 in favor, none opposed. Motion carried.**

Public Comment:

Dimitry Roby 105 PA Ave brought up the Patel project; noted that an information packet containing plans and correspondence should be kept in the possession of the members so they can refer back to them and also suggested the packet should be sent the Friday before the meeting.

Pam Conklin 402 Ave L expressed concerns regarding maintaining the landscaping of 507/509 Pennsylvania Ave. Mr. Addison responded that the zoning ordinance can be enforced concerning property maintenance, but we cannot require putting fencing around the perimeter of the property. The property owner has been cited for the overgrown grass. The planning commission and the zoning officer are aware of the situation and are working with the property owner.

Correspondence: On file.

- Letter from Council to Planning regarding the Street Excavation Permit for review. Mr. Addison explained that at the last Borough Council meeting Mr. Prey requested that several items be added to the permit application. Mr. Addison read the list. A copy of this list is on file.

Old Business:

- a) Motion to table 507-509 PA Ave Redevelopment Project. **M: Howard/Fernanadez.** Discussed that at the next meeting, the Planning Commission will either make a recommendation for approval or denial or the applicant can request another extension. The Commission must act on this by 08/20/2024. **All in favor, none opposed. Motion carried.**
- b) Motion to table Borough Ordinance Review-Ongoing-general review of all ordinances not listed below. **M: Anderson/Fernanadez. All in favor, none opposed. Motion carried.**
- c) Motion to send § 124-18 Off-Street Parking and Loading, with no further changes, to the Borough Council for consideration. **M: Fernandez/Howard. All in favor, none opposed. Motion carried.**
- d) Motion to table Chapter 86 Loitering. **M: Fernandez/Anderson.** Recently the Supreme Court affirmed ordinance restrictions, with a progressive penalty system, was found *not to be* cruel and unusual punishment if you are violating laws and ordinances. Mr. McIntyre noted that a progressive penalty system was important to the court's decision and that town ordinances are allowed to criminalize actions, not status. Model the ordinance after the case that was just affirmed. The definition of "loitering" was discussed. Discussed tents in the park overnight and increased sightings of people sleeping in abandoned homes and business doorsteps. **All in favor, none opposed. Motion carried.**
- e) Motion to table Comprehensive Plan. **M: Fernandez/Salvato.** Mr. Addison and Mr. Madsen attended the initial Westfall meeting where the need to update the Plan was discussed, and later Mr. Oszczepinski joined Mr. Kurich and Mr. Addison at the last Westfall Township meeting where the topic of the Joint Comprehensive Plan continued. Mr. Addison noted that our Joint Comprehensive Plan, a collaboration between Westfall Township and Matamoras Borough, expired in December 2020. The Borough can either create an independent Comprehensive Plan or choose to join forces

again with Westfall Township. The Borough is fully developed, with no room for new growth. Therefore, the majority of the Plan would focus on Westfall Township. Due to this, it was discussed that the bulk of the cost should fall on Westfall Township. A benefit of a multi municipality Comprehensive Plan may be the possibility of obtaining/applying for more grant funding. Westfall is currently seeking RFP's. Mr. Addison requested that each member of the Planning Commission review the current Plan to decide whether improvements or limitations are needed so it can be presented to Westfall Township. Matamoras' plan will be looking at conservation, restrictions, and improvements while Westfall will be drafting a plan for future developments. Our needs are quite different. A decision will need to be made to either develop our own plan or continue the joint plan with Westfall. Discussion on the cost was discussed. Council President Eric Kudrich promised to send the Planning Commission information on the grant for the next meeting and Mr. Addison asked members of the Commission to review the plan and bring their thoughts and ideas to the next meeting. **All in favor, none opposed. Motion carried.**

New Business:

- a) Discussion regarding changes to the Street Excavation Permit. Mr. Addison explained that at the last Borough Council meeting Mr. Prey requested that several items be added to the permit application. Mr. Addison read the list. A copy of this list is on file. Discussion ensued between the Planning Commission members and Mr. Prey regarding the following: 1. Notifying the Borough Office 24-48 hours before the dig. 2. If there are street closures EPRP, Port Jervis Ambulance and the Fire Department should be notified on the day of the dig, so everyone is aware of the closing/re-opening of the roadway. 3. In-depth discussion of the depth of the dig and compaction testing ensued. Mr. Addison suggested that they lean on the advice of the Solicitor concerning compaction testing and restoration standards. Possibly adopt a 6-8-month inspection/compaction test. Mr. McIntyre shared his thoughts that the Borough should be responsible for notifying the 911 center to be sure the proper authorities are notified and said he would discuss the compaction further and the other items discussed with Jason Ohliger the Borough Solicitor. The permit should include the specific date of the dig; TDB should not be acceptable.
- Motion to table changes to the Street Excavation Permit. **M: Fernandez/Anderson. All in favor, none opposed. Motion carried.**

Motion to adjourn 8:15 pm: **M: Salvato/Howard. All in favor.**

Respectfully submitted,



Marianne Brown
Planning Secretary