

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, JULY 14, 2021**

Council met for a WORK SESSION on Wednesday, July 14, 2021 in Council Chambers and via ZOOM Teleconferencing. The WORK SESSION began at 7:02 p.m.

In attendance were City Council President James Perry, Vice-President Anthony Colombo, Allison Barletta, Lauren Sacco and Jack Mundie. City Officials present were Mayor Jeff Cusat, Atty. Sean Logsdon, Dan Lynch, Ralph Sharp, Joe Zeller, Frank Vito, Fire Chief Donald Leshko, and Police Chief Brian Schoonmaker.

Atty. Logsdon said Diane Panzarella, Code Enforcement Supervisor, brought the duck issue, in the City, to his attention. Perry said this will be the first discussion, the City's handling of ducks and chickens, and the need for an ordinance for handling them. Perry said it takes time out of the limited resources in the City.

COMMENTS FROM THE AUDIENCE: Mark Rabo, 1st Street, Hazleton, said a few years back, Luzerne County had nine meetings on backyard chickens. He said when he saw this topic, on the WORK SESSION meeting agenda, it brought back "bad memories". Rabo said he hopes it does not get prolonged to nine meetings.

Panzarella stated the City has been having a problem, lately, with residents getting chickens and ducks. She stated the residents get them as "little peeps", they grow up, then do not want them and run around the town. Code Enforcement has been finding them who have been running around the town. Panzarella said they bring them back to the office and taking their time to find homes for them. She said they find places who accept them, delivering them to farms, and some farms are not even in the area. She stated they take 4-5 hours, out of the day, after hours, delivering them. She said she would like an ordinance, passed or written, that would accommodate for the time involved and a citation issued immediately. Panzarella said Rabo mentioned the Luzerne County issue. She said it went all the way up to the county level because people wanted chickens for laying eggs. She said the people are going to Tractor Supply to get them. Panzarella stated they went to Tractor Supply and stated, "check with your local ordinances". Sacco asked if they find them on the streets or in the yards. Panzarella stated both. Barletta said there have been some running around her neighborhood and went after the kids. She asked how often they "run into this". Panzarella stated last week, or two weeks ago, three or four times. Barletta asked if other areas have this ordinance. Atty. Logsdon said yes. He said there are a couple different ones. He said, currently, the City's ordinance "on the books" forbids fowls, chickens and ducks. He said they are not permitted. Panzarella said the ordinance states it is 45,000 square feet for one or two chickens. Atty. Logsdon said, he is assuming, most properties do not have. He said with the City's codification and not knowing how far the council wanted to "take it", because some of these ordinances are very detailed, dealing not only with, farm animals, but ducks, chickens, fowl, exotic reptiles, Vietnamese pigs, pot belly pigs, backyard pigs and could get very detailed. He said a pet goat is not, completely, "out of the question" but is a farm animal and should not be in a backyard in an urban area. He said they need to look at this "through the lens" of the City having codification. He said not just hitting them with a citation but with a relocation fee or restitution. Mayor Cusat said all the animals are "spelled out" in the Zoning Ordinance. He stated the problem is the time and what is costing the City to relocate them. He said there are a lot of animals the Hazleton Animal Shelter does not take. He said they are not part of the SPCA in the Pittston area. He stated the City needs either to find a home for them or destroy them. Mayor Cusat said the City is trying to find homes for them and need to "recoup" some of the funds, costing the City, to relocate them. Barletta asked what he is thinking. He said if someone has to come in, on the weekend, he said this would be four hours overtime and could cost \$150.00 to just relocate one

chicken. He said something needs to be done with these animals. Colombo stated the City does not know who owns the animals. Panzarella agreed. She said she takes them to her home a lot of times and is violating the City's ordinance. She said she keeps some chickens, in her garage, until they find homes. Perry said the City needs to come up with an amount. Atty. Logsdon suggested the City keep it limited to a restitution/fine amount. Panzarella said they are using their time, gas and driving there and back. Mayor Cusat said a couple months ago, they placed a lien on top of it and coming up with a monetary number that the City could place a lien on a property. Panzarella said the City could talk to the residents and tell them to find a home for the animals. She said they agree and is convenient for the City. Barletta said this is what the residents did three houses away from her. Panzarella said it is a zoning violation. Rabo stated the Zoning Ordinance states, "one acre of land". Perry said the City, a lot of times, does not get compensation for this. Mayor Cusat said, years ago, they went to Tractor Supply, to post this violates the City of Hazleton's ordinance. He said they will not post this because they will lose a sale. He stated the animals come through, also, U.S. mail. Panzarella said Tractor Supply said they cannot prohibit someone from buying the animals, and would post a sign, but cannot enforce it. Barletta said this is the avenue "to go down". Atty. Logsdon said this is the ordinance he will put together for the next council meeting. Mayor Cusat said the City should make a general restitution for all animals and all other things. Barletta asked Panzarella if she sees other issues. Panzarella stated, "not yet".

Perry stated Ordinance 2021-15- Special Events Ordinance, will be discussed. He said this is very thorough. He stated there are a lot of things going on, in the City, especially, at City View Park. Perry said the chart with the events going on is important. Mayor Cusat said the only section, they need to address, is if the City grants someone a block party. He said this would fall under a street that needs closure but asked what the City could do if there are cars parked there that do not want to move. He said this ordinance requires the residents if they want to have a block party, are limited to two blocks, total, and block one street. He stated the City needs to have a majority of the residents agree to let them do it. He said what if he parks his car there and asked, "what would happen to it". He asked how the City would make them move their car. He said they cannot tow a car for no reason. Mayor Cusat stated the City could put in the ordinance that the event, being granted, the City could post emergency NO PARKING, as for street sweeping or snow removal, and would fall under the Parking Enforcement law. He said this is the only thing, he thinks, that needs to be addressed. He said this is under Gatherings, in Section 4, Part 2- AA-4. Sacco asked if the City gives them 48 hour notice. Mayor Cusat said it is 24-hour notice. He said the emergency parking signs need to be up 24 hours before the City "could act" on a vehicle. Sacco stated if the car does not move, then they would follow the "normal protocol". Mayor Cusat said the City could tow it around the corner. He said council could make an amendment to follow emergency parking enforcement. He said the City cannot grant a block party, a neighbor who does not like you, parks six cars there. Mayor Cusat said with Funfest, someone parks there car there, and does not move it, what are the ramifications.

Mayor Cusat stated this is a "work of art". Perry stated this ordinance will not take effect until 2022. Mayor Cusat said there are events, almost every week, starting now. He said the 14th, 21st, and 28th, but nothing Labor Day weekend, but a couple First Fridays are granted. He said there are a couple events at City View Park. He said the Dominican Parade will be held on August 22nd with their block party to be held at the Heritage Market parking lot. Barletta asked if they would have loud music. Mayor Cusat said they will have music. He said it is an event being held on private property. He said the parade is going through town, starting at the Chestnut Street parking lot, go through town, and ending at the Chestnut Street parking lot. He said the event they wanted to have at City View Park will be at the Heritage Market. He said it will be from 3:00 p.m.- 6:00 p.m.

Perry stated Sacco suggested the next Hazleton City Council meeting should be held at City View Park to show off this location. He said Luzerne County Council held remote meetings, also. Atty. Logsdon said this meeting would have to be advertised. Mayor Cusat said this is still a City owned property and is handicapped accessible. Perry stated, "weather permitting". Mayor Cusat said the garage area is cleaned out, with bleachers and a stage. Perry stated the next city council meeting is on August 11,

2021. Gary Perna stated they will be working on the logistics for this. Mayor Cusat asked when the September meetings are. The City Clerk stated the 8th and the 21st of September.

Perry said the next topic of discussion is the Zoning Ordinance and map. He said people could come up and speak for three minutes. He said, unfortunately, the area of contamination is not in their "purview" here. He stated Atty. Logsdon will speak first.

Atty. Logsdon said, as council knows, they are planning a WORK SESSION meeting, independent of this meeting, and is still trying to arrange it. He stated it is an ordinance, of importance, in the City. He said he got some large maps and trying to get them on poster board. Atty. Logsdon said they want to give a presentation to make sure council knows where everything is coming from. He said this has been a "work in progress" for a while, now, in drafting the ordinance, itself, and putting the map together. He said the City's current ordinance and map are from 1995. He said the "government studies people" recommend that they update the zoning map and ordinance every 10 years. He said the City is behind on this. Atty. Logsdon said they had a couple WORK SESSION meetings, on this, before the public meeting. He said they need to make council aware of what the Zoning Ordinance is. He stated a lot of people get confused with a subdivision ordinance, land development and zoning ordinances. Atty. Logsdon said the public hearing, from last time, they are not talking about land development, but zoning. He stated there are two areas here: The text of the Zoning Ordinance which is in conjunction with the zoning map. He said, in terms of the text of the Zoning Ordinance, it is not easy to read and it tedious. Atty. Logsdon said it is a manual where people need to figure out their planned use is- i.e.- put up an apartment building, operate a deli, or trying to build a single-family home. Atty. Logsdon said it gives people the mechanism to find their property, on the zoning map, and see where their house is located in terms of zoning districts. Then, you take your zoning district and go to the Zoning Ordinance. He said based on the Zoning Ordinance would give the regulations, per use, per zoning district. Atty. Logsdon stated it could be a permitted use, as a residential-type districts, open up a gas station or deli, and would be able to look at their property to see what the permitted uses and special exception uses are. He stated this has not been updated since 1995. He said special exceptions would be activities that would require the Zoning Hearing Board to approve this use. He said a variance is a relatively difficult standard and based on the uniqueness of the property. Atty. Logsdon said the standard the Zoning Hearing Board refers to an undue hardship of a property. He said if the property cannot be developed or does not have a use that confirms with the Zoning Ordinance, the resident could request the Zoning Hearing Board grant a variance. He stated to "thumb through the ordinance" to see what the uses are, in the districts, to see the permitted use, a non-permitted use, a special exception requirement and a conditional use. He said conditional uses are uses that are identical to special exceptions except if comes in front of city council instead of the Zoning Hearing Board, but the mechanism is the same. He said it is the exact same thing if it came from the Zoning Hearing Board with the appellate rights and then becomes a land-use appeal. Atty. Logsdon said the Zoning Hearing Department is in the City. He stated if anyone wants to convert a property into apartments or rental unit with businesses on the first floor, this is where they would come, and not land development. He said a couple other areas are fencing, pools, accessory structures, and vacant lots where a structure is taken down. He said the resident has an RV and decides either to store it or park it on a vacant lot. Atty. Logsdon stated no, they cannot do this. He said these are the things they are talking about, and the accessory uses. He stated for the purpose of tonight's hearing is to do a full WORK SESSION on the Zoning Ordinance and map. He said, in terms of tonight, he said everyone seen the new map and verbiage. He said they will open up discussion for this and if the does not have the questions, will get the answers relatively quickly. He said things are a little different from the old map. He stated looking at the two maps, and seeing the intent and uses included in there, and looking at the new one, they need to see if it is similar. He said they will answer any questions from council. He stated there is a certain time frame from the time of the public hearing if this is going to be the ordinance and map the

City will pass. He said if there are any amendments that need to be made, they would talk procedurally how to make the amendments and be voted on.

Atty. Logsdon said he will turn it over to city council. He said they heard a lot of comments from the last meeting. He said if there are questions regarding land use or a guy with "one hundred dogs", this would be a code issue.

Perry said the biggest issue was the map and the public reading it. He said he asked Dominic Yannuzzi to "blow up" the map for residents to see exactly what references and changes are made. He said he hopes this helps the residents in the Heights. Perry said they will let the public speak first.

Barletta asked if the Zoning Ordinance went to the Zoning Hearing Board. Atty. Logsdon said it does not go to the Zoning Hearing Board. She asked if it went to the Planning Commission. Atty. Logsdon stated it goes to the Planning Commission first, first the county and then local. He said the Zoning Hearing Board is a "quasi" judicial board. He said it went to the county Planning Commission and the local Planning Commission. Perry said he does not know if they could get a verification from the county that they saw and understand this. Perry asked if the City received "no comment" from Luzerne County. Atty. Logsdon said no. Perry said they will go "down the list" for people to speak.

Bob Yevak, 1011 North Locust Street, said he is a 66-year resident of the City. He said he was talking to a lot of people, from the Heights, about the Zoning "deal". He said, over the last 50 years, he has bought and sold a lot of properties and has a lot of properties. He said he has been "around the block" with zoning and all kind of difficulties. He said he feels the people's "pain". He said council was elected to help the whole City. He said they need to change this to not hurt the Heights residents. He said they need to put this "to sleep" so they could have a little quality of life. Yevak said they heard from three to four speakers on how bad the quality of life is in the City. He stated they are trying to "beat these people up" to try to keep their double homes and revenue, up there, for a couple people. Yevak stated the zoning change will only help a couple "big people" up the Terrace and a few at the tables here. He said this needs to be "put to sleep" when it gets to the vote and think about doing the right thing for the people that put them in their seats.

Atty. Logsdon asked Yevak what the "right thing is". Perry said they want to be civil and asked what the exact issues are. Mayor Cusat asked what the "right thing is".

Barry Logan, Hazleton Heights resident, thanked Yevak for what he said. He said it is a few people and some people "up at that table" who knows what they want to do, with the woods, between the Terrace and the Heights. Logan said Mayor Cusat "took him" when running for re-election to whether they (*inaudible*) that property. He stated Mayor Cusat wanted his vote. He said he could not believe all the trucks with logs on them. He said he let Mayor Cusat come into his home and he changed his affiliation from Democrat to Republican. Logan stated he trusted him because he gave him his computer password. He asked about the Terrace residents whose properties are flooding. Mayor Cusat said they fixed the swale to move the water. Logan asked what the plan is in the woods up the Heights.

Logan said Perry stated, in a Standard Speaker Sunday article, about a meeting the council was going to have, later in the month, after the first meeting in June. Perry said Galski interviewed him weeks before and thought they could get it in before the 14th of July. He said these dates are irrelevant. Perry stated they will listen to Logan's concerns. Mayor Cusat said in the old zoning map, this area was considered office space. He stated office space does not exist anymore. Perry asked what it was changed to. Mayor Cusat said it was changed to central commercial. Logan asked about the article, in the newspaper, on Sunday, regarding retail space. Perry stated he never said anything about retail space. Perry said Logan had a question, regarding the wooded area, by the tower. Mayor Cusat said it was office space, on the old zoning map, in the old ordinance, and this was eliminated. He said it went to commercial, and give the guy "the right" to put office space in. Mope stated to keep it residential. Logan agreed. Logan said Mayor Cusat is going around the City looking for places to increase the tax base. Mayor Cusat said it was office space. Logan said to leave it residential and let someone build a home. Mayor Cusat said it is not his property. Logan asked who owns the land. Mayor Cusat said DeAngelo owns all the land and is

not his property. Perry asked Logan what he wants it to be changed to. Logan said change it to residential. He said the DeAngelo brothers own the property. Mayor Cusat said if the City changes to residential, the DeAngelo brothers have the right to use it for what it was before. Mope (*inaudible*). Perry stated if they tell the City what they want, they could do it. Mope (*inaudible*). Perry stated everyone needs to focus on the issues because it “went off the rails”. Mayor Cusat said, currently, it is office space. He stated if the owners, of the property, want to put a ten-story office space, there, they could do it. Logan asked Mayor Cusat if they did not do it already. Mayor Cusat said he does not know; he does not own the property. Logan asked if they come to Mayor Cusat’s bar/restaurant or does city council members. Perry said they are getting into areas that are not correct. Mayor Cusat said the City cannot take away the value of their property. Mayor Cusat said someone could ask him to donate the property.

Atty. Logsdon stated the statement of intent for office and commercial district states, “to provide sufficient space and appropriate locations for all types of commercial and service activities anticipated”. He stated this from the 1995 ordinance and not reading from the new stuff. Mayor Cusat said it is the same thing, and did not change, anything, over there. Perry said the residents need to focus on the areas, of the map, they want changed.

Mark Rabo, 1st Street, Hazleton, said, as the solicitor stated, for Luzerne County Planning, to review it, was received by them on Monday. He said they are required 30 days, by law, to review the ordinance and map. Atty. Logsdon said he sent it to Luzerne County two months ago. Mayor Cusat stated they sent it, to Luzerne County, on March 3rd, 2021. Sacco asked Rabo what issue he has with the ordinance. Rabo said Luzerne County has 30 days to review the ordinance and once it is reviewed, it comes back here and the City needs another public hearing. Rabo said if there are any amendments, it needs to go back to Luzerne County to comply with their Comprehensive Plan. Sacco asked Atty. Logsdon why Rabo, who lives on 1st Street, could be speaking on the Heights issue. Atty. Logsdon said they are talking about everything, and not just limited to the Heights. Mayor Cusat said they just need to listen to him and thank him for his comment. Rabo said his speech is being limited. He stated the only thing he cares about is the City does right by the people. He asked where the buffer zones are between the respective zones. He said the chicken and ducks issue sparked Luzerne County to amend their Zoning Ordinance. Rabo stated this was not done since 1955. Rabo stated the City is doing theirs, currently, which was not amended since 1995. He said zoning implies how the City uses the land, and not how it is developed. Rabo stated there needs to be buffer zones. He said if not done, the right way, by law, it states, the zoning ordinance, that the City paid \$30,000 for, is “null and void”. Mayor Cusat said buffer zones are “spelled out” in each section of the Zoning Ordinance. Rabo said it needs to be delineated and have notations on the map. Mayor Cusat stated it was not on the old map. Rabo said they are condensing the lines and is comprehensive-free zone.

John Nilles, 575 North Church Street, Hazleton, said listening, to all of this, and understanding people’s pains, they are asking for sections of the City. He said talking about the center of the Heights, they are talking commercial center. He said next to the Hazleton Water Authority is being changed to general industrial. He said if the City puts a 500,000 or 1,000,000 square foot building there, there are some things to consider. He said the Terrace is “right there” with all their property and space. Nilles said there are two things to consider there: a barrier like along the interstate and an illumination study. He said going, by Minersville, going down the interstate, people would see massive lights and will encroach on people. He said, for the Northside, taking it from R-2 to a commercial center, from Diamond Avenue to 22nd Street, to Lee and Sherman Courts, there are a lot of historic homes along Church Street. He said a lot of them were destroyed for parking at the hospital. He said between Diamond Avenue and 7th Streets should remain R-2 residential for the people there who put a lot of money into their homes. He said he knows of one individual who put a lot of money into his home and has it “up for sale”. He said the areas, currently, commercial areas, on Church Street, whether it be Gennaro Gardens, the hospital land or bank, should be made into commercial because it is already there and leave residential where it is. Nilles said this goes to Lee and Sherman Court, and two or three people sell their homes, and now they are stuck

because someone is putting a putting a Waa-Waa in next to them because it is commercial highway. He said this needs to be studied further for the people. Nilles said same thing, for the Heights, for what is going on with some of the property. He stated he is correct with who owns the property and uses. Nilles said this cannot change. Nilles stated how far will these lines stay. He asked will it be moved to Laurel and Vine Streets, and the same for the Heights residents. He said the residents want the "peace and quiet" that they have and not the noise and fireworks. He stated the City needs to take "section by section" and for the residents to see a "blown up" map and where buffer zones are. He said people getting excited and "tempers flaring" is not getting them anywhere. Nilles said they need to decide what is best for the people living there. He said there are some good things, especially for the historic districts, but more needs to be put into this.

Jean Mope, 531 South Hazle Street, said Paul DeAngelo has been very good to the City, and spent a lot of money to buy the property, but there is contamination, and this is the biggest problem the residents are worrying about. Mope said if someone reaches out to him, asked him for a donation, he could "well afford", could write it off on his taxes, he will not lose anything. She said it would be beneficial to the City and could be turned into a "green space" to keep the woods. Mope said she wished someone would "reach out" for this suggestion. Mope stated he is a kind man, has donated to the City "many, many" times, and the City needs the help in this neighborhood. Mope stated Poplar Street is being changed from commercial highway to central commercial. She asked why this is being done. She said this may be because they want to expand central commercial out further as Mr. Nilles mentioned. Mope said businesses that are not central highway could only be on central highway. She stated central commercial, once there is a property that extends passed this, people could go to zoning and ask for the variance or for the exception to be included because they are next door. Mope said they cannot use it for central highway because they are not living on a highway, or their business will not be located on a highway. Mope stated the lot should remain residential. She said they are still working on their trucks on Dietrich Avenue and parking illegally. Mope said there is still a problem with Multi Plastics and trucks still coming through, with GPS, and causing distress to the residents. She said if more industrial is coming in, how long will it take the GPS system to tell them where the address is. Mope said this lot is a gate station with 200 to 1,500 lbs. of natural gas flowing through it. She said the shut off valve is in close proximity. She said they could say, "goodbye to the Heights and parts of the Terrace" because they will not be there anymore. Mope said the Heritage Terra Plaza was supposed to be re-zoned years ago. She said she understood it was due to loans owed through the previous owner, to the City, done through CD. Mope stated Quality Beverage is commercial and Helping Hands is sitting "in the middle". Mope said this property should have commercial highway extended to Arthur Gardner to make this property legal. She said, currently, it is illegal, and this is why there are truck stops there. She thanked Colombo, Barletta and Sacco and her baby, on the 3rd of July, after the fireworks, and they saw what is going on there. Mope asked what would happen with massive amounts of trucks going down Arthur Gardner Beltway and would affect the Terrace residents they go by. Mope stated they will go crazy because they have a smaller amount that goes by her. She said this could eliminate the prostitution, with the truck drivers being serviced, and drug sales going on there. Mope said there are a lot of illegal activities going on in town that need to be addressed. She stated Mr. Nilles brought up about the commercial highway being changed which is across from Paul DeAngelo. She said he will not have to pay another electric bill because he will not have to turn a light on. Mope said this is a massive project and they are asking for it to be enlarged from the original intention. She asked if there was a traffic study done. She stated if they have the amount of warehousing going on and causing traffic going "back and forth" on Arthur Gardner Beltway, the City would need to ask the state to make it a four-lane road. She said they will have to ask for eminent domain because of the power lines and the power poles, on the Southside, and the only place to go is on the Northside of the beltway. She said there will be major traffic problems. She said her husband was on Church Street, today, and it was backed up to McAdoo. Mope said there is a "bottleneck" to where the old Beltway Diner meets the railroad trestle and all the "way up, with PNC Bank, the Presbyterian Church, CAN DO Building, Altamont, City Hall, and the library. She said imagine a "shift change" and traffic flow to go into the five plants. Mope said central commercial gives them the ability to expand. She said there was surveying done and asked who paid for it. She said the maps were done by Alfred Benesch and asked what the cost was. Mope asked if it was "bidded out" if it was over \$18,000

and did council vote on it. She asked what part council play did, in this, when council is involved in land usage. She corrected Atty. Logsdon and said this is marriage, land usage, ordinance and the zoning map. Mope said she spoke to many people, on Planning, and they stated these cannot be separated. She stated if they voted on this ordinance, at the last meeting, they would have voted on the map without people having "a say". Mope said they have been hearing form the Heights and Terrace residents, but the other residents do not know what is going on in their neighborhood. She said this needs to be advertised, with a list of what it is being changed to, for the public, and not just on the City's Facebook or website. Mope said there was a nice article from city council. She asked what council thinks of this and sure they did not see the zoning map until it was presented to them last time. Mope said council they are the people who was to create it.

Mundie said the Zoning Ordinance is supposed to be done by city council. He said Mayor Cusat is doing it because he knows it needs to be done. He said no city council member will make any changes that will change the quality of life for people in the Terrace or anywhere else in the City. He said these changes are coming from administration. Mundie stated the changes they are making, he or any council member will not vote for anything that will hurt the Terrace or anywhere in the City. Mundie said council is not in total agreement with administration.

Perry said Mope is getting off the subject on what is being built and what is coming here. He said Mope needs to focus on the Zoning map and what they do not like. Mope said it will affect Perry once the traffic comes off Route 93. She stated New Coxeville residents are not happy with this. She said she does not know if council members understand what central commercial could do and the repercussions are. Mope said once the Zoning map, is passed, people will have no recourse. She stated they need to work with the rest of the City to see what their problems are. Mope asked why it should be changed to central highway. She said this property should be condemned, the "wooded-one". She said it is a toxic waste dump. Perry said DEP should have this information. Mope said the City needs to reach out to DEP before changing zoning. Perry stated this is not the City's property. Mope thanked them for their patience and time to listen to the residents.

Anthony Mope, 531 Hazle Street, Hazleton, said he wants to reiterate what his wife has said. Mope said Dietrich Avenue should be kept residential. Mope said they do not know the true situation. He said the owners of Heritage and the Kama area should have the soil tested. Mope stated there is more "toxic-stuff" up there then they know. He said there has been "quite a few" cancer incidents there, like his mother. Mope said he does not want this to happen to anyone else. He suggested to put something flat on the Dietrich lot, and said not to dig it. Mope said if they start disturbing the area, it will "come out". He said Prestolite has been doing this since 1944 with burning of rubber, silver reclamation and mercury. Mope said that soil is contaminated "just as much" as Kama.

John Roman, 528 Thirwell Ave., Hazleton, asked Atty. Logsdon why it is necessary, the wooded lot, in front of the Multi Plastics Plant, the radio tower, needs to be changed from office space to central commercial. Atty. Logsdon said the new Zoning Ordinance does not have a designation of office space and the definition, he read, is the same thing. Roman said he thought he saw an office space, on the Zoning map, that still existed on the Northside of the City. Mayor Cusat said it is open space, and not office space and includes playgrounds, cemeteries and the school district are open spaces. He stated there is "O" and there is "OS". Atty. Logsdon stated the purpose of the article for office space, or "O" district, provides reasonable standards for the harmonious development of businesses and professional offices and other uses and accessory uses. Atty. Logsdon stated, "and for the sufficient space in an appropriate location for all types of commercial services and activities anticipated". He said when he read the definition of "CC" is harmonious with this. Roman said they could keep it office space, as Mayor Cusat mentioned, and they could build office spaces there or a tower. He said they could build a tower there and it would be empty. Atty. Logsdon stated office space is not a zone, and there is no more "OS". He said the new Zoning Ordinance has the open space and they are talking about "O", referring to office. Roman said they are talking about, at least, 10 acres, and giving the current or, potentially, a new owner, a "blank check" and could do whatever commercial space they want. He said his fear is a warehouse,

and are in “vogue”, in the City, currently. Roman said a one-hundred-foot building, and no one wants to see a 30–40-foot warehouse in the Heights or Terrace. He stated the wooded lot gives ample space to do this, and they better re-pave the streets because there will be tractor trailers going “up and down” these streets. Mayor Cusat said a warehouse requires a certain amount of parking, tractor trailer spaces and would not fit on 10 acres. He said with the zoning requirements, for vehicle parking, and the buffer zones, a water retention system that would need to go in there, this would not happen.

Roman stated, the environmental effects aside, they already spoke of these. He asked what this will do to the residents and is taking away their quality-of-life concerns and the health concerns. Roman said he is convinced his mother died from cholangiocarcinoma due to chemicals emitted from these factories, Kama and Prestolite. He said the amount of the cholangiocarcinoma cases, in the Heights, are “ridiculously high” there compared to other areas in the nation. Roman asked what this would do to their property values. He said having a commercial space “knocks” 10% of their property values, and talking “millions of dollars” of property values. Roman said Frank Romero is “butted up” to the property line, who supported Mayor Cusat, and this will take \$10-\$15,000 or \$20,000 off his house. Mayor Cusat said this is speaking “hypothetical” that it would drop the values. He said what if someone puts in very expensive townhouses there. Roman asked why he is not here. Mayor Cusat stated he did not request this to be changed. Roman said he should be here. He said at these variance meetings, the owners need to explain what he will do and let the residents “go to bed” at night knowing a skyscraper will not go there. Mayor Cusat stated he is buying a lot of property, in the area, to preserve the area. He said he does not know his intentions, does own a lot of houses, in the area, and does not want to sell it. Mayor Cusat said he is the owner, of the property, and did not ask for the change. He said it was changed from office space to central commercial. Mayor Cusat said if he wants to put a whole chapter on office space, the City could put it back in the ordinance, but would cost a lot of money. He stated he will still have the same rights to build a building, that is considered office space, in there. He said this was not done maliciously and not to hurt anyone. He said he would like to see a housing development there and up the Heights. Roman stated Mayor Cusat needs to put weightier boots and walk around the land. He said it is a swamp and wetlands. Mayor Cusat said he does not think it is buildable, but it is not up to him to tell him what to do with his property. Roman said when the City takes a huge piece of land, “t-boned” in between a R-2 and R-1 zone, and is a nice R-2 zone, with nice single homes. Mayor Cusat agreed. He stated he owns property up there. Roman said they do not need tractor trailers, eye sores, and their quality of life disturbed. Roman asked why he cannot give the residents the assurance. Mayor Cusat said he could call him and ask him. Perry asked Roman if he wants it to be residential. Roman said it is not buildable due to it being a marsh and a wetland and has an environmental impact. He stated central commercial may mean a warehouse, a Fedex facility, and tractor trailers going up and down the street. Mayor Cusat said manufacturers are looking, for a minimum, of 95 acres. He stated the City lost Walmart because 95 acres was not enough for tractor trailer parking and requires 2,000 tractor trailer parking spaces and 1,500 parking spaces. He said due to the size and magnitude, of the building, they want everything under one roof. He said the property, over on South 309, needs to put in three retention ponds, almost 6 acres. Roman said he agrees. He stated, at minimum, getting passed the swamp land and the toxicity issues, he asked him to be candid and address it. Mayor Cusat said he will reach out to him and ask him. He said it “butts” up to his homes and buying land there. Roman said he needs to, publicly, let them know. Mayor Cusat said he will call him tonight.

Carol Zelenak, Dietrich Ave., Hazleton, spoke of the wooded area and the tower. She asked what the difference is office space and commercial. She said there needs to be a reason why it was changed. She stated they cannot rely on Paul DeAngelo to promise them because he could die. Zelenak said this needs to be in writing and zoned correctly. He said if he sells it and dies, they need a guarantee it would not be commercial. Mayor Cusat said he will have Atty. Logsdon read office space, from 1995, compared to central commercial. Zelenak said she just needs to be told, and not to read it. She asked what could go into commercial besides offices. Mayor Cusat said a store could go but would not be feasible for this location. Perry stated Zelenak want it to be left alone. Zelenak said they do not want anything. Mayor Cusat said Dunkin Donuts needs 90,000 cars, a day, going by. She said it could be something small. She said this is the buffer zone and this is the environmental protection zone. Zelenak stated when they

had the spill, DER came, now DEP, and could get the land evaluated. She said if they did not put water in there, it had to be taken down to "virgin soil". Mayor Cusat said the only way, to keep it this way, is to own it. He said someone could put in Section 8 homes. Zelenak said they could fight it. Mayor Cusat said they cannot because it is in R-2 zone. She said they need to go "back to the drawing board" and figure something out. Mayor Cusat said if the City owned it, it would be a different story, but it is privately owned. Zelenak asked if he knows the zone is being changed. Mayor Cusat said he does not know. He stated this is what the advertising and hearing are for. He said the City changed over 1,000 properties. He said Paul owns a lot of land. Zelenak said the City needs to put an article, in the newspaper, and tell the residents what is going on. She said it also needs to be on the website. She stated it needs to be in "black and white", in English, and is simple and easy to read for the elderly. She stated people out there have no idea what is going on. Zelenak said they need to say where the proposed zoning is changing. Mayor Cusat said the City would never afford to publish the ordinance. She said just the big areas need to be published. Mayor Cusat said about one thousand of houses, and thousands of changes, on the map, have been made. He said it includes 15th, Alter, Broad, Church, and areas in the Heights have been changed. Zelenak they could work on it "section by section".

Marty Stranko, Carleton Ave., Hazleton, said he lives one block from Poplar Street. He said he spoke at the last meeting and is "scared to death". He said there are a lot of things going on. Stranko asked if they have an understanding to Hazleton in the next five years. He said there are 19 distribution centers coming to this area, if not more. He said he understands the urgency of Mayor Cusat changing this. Stranko stated the City has to be realistic to the residents. He said they live on the Heights and do not want their lives changed. He said they are talking "tens of thousands" people coming into the area. He said he worked at the Keystone Job Corps Center for ten years and with students in Philadelphia, Baltimore, D.C, and intercity kids. He said he seen their houses "burned out" and seen things happening to the students, the things and problems that they to deal with. Stranko said Hazleton is a small area surrounded by Hazle Township who are getting these in. He asked who are going to be working at these distribution centers and how will they be housed. He asked if there are going to be big skyscrapers in Hazleton. Stranko stated the City cannot build "out" so they need to build "up". He said city council and Mayor Cusat need to decide how this will be. He said, last week, he watched the house, on the Heights, burn and the Hazleton firefighters going in, with full body armor, to save no one. Stranko said they do not know which house is abandoned. He said he is scared because he is seeing what is happening, in the big cities, happening in Hazleton, "little by little". He stated the City needs to be prepared. Perry stated the City has a big Comprehensive Plan, going forward, for ten years. Stranko said the City is worried about chickens. Perry said they are getting everyone involved with the plan. Stranko asked Perry to let the residents, as a community, know about it. He said they need to be ready for this and a lot of people will make profits off of this. Stranko stated they need to live in harmony.

John Nilles, 575 North Church Street, Hazleton, said when Hazleton Water Authority sends out their bills, they could put a flier to notify residents there are zoning changes being made in the City. Nilles stated a lot of people do not get the Standard Speaker. Perry stated city council has their own website. Mayor Cusat stated where the police donation "part is", they could change the writing on that.

Wayne Funk, 549 Kiefer Ave., Hazleton, said he wants to talk about their bad neighbors. He said he is not referring to the residents, but the companies nearby. Funk stated on the one side, there is the plastics plant, and besides the noise of the plant, they hear the banging of the coupling cars of the train. He said, sometimes, in the middle of the night, there are tractor trailers "steadily" marching down Kiefer Avenue, factory workers, speeding in the neighborhood, going to the plant, and some do not stop at the intersection, some blasting music, late at night and early morning. Funk said this includes loud pipes, on vehicles, thinking a tank is "crawling up the avenue". He said, by Prestolite, it has become a truck depot with garbage all over. Funk said only when they want city council to approve a liquor license, they cleaned up their mess. He stated these are bad neighbors. He said this has everything to do with re-zoning. Funk said the proposal is to increase the industrial area and commercial area in their neighborhood. He stated this is encroaching on their quality of life. Funk said if they end up with

businesses at the end of Kiefer, more traffic will encroach in their neighborhood. He stated kids and adults walk in their neighborhood. He said they represent the residents, so they need to protect their neighborhood. He said modernizing zoning is important, but it should enhance the best commodity, the people of Hazleton. Funk said without them, there is no City.

Maria Jacketti, 549 Kiefer Ave., Hazleton, thanked everyone for letting her speak. She said she was appalled about the comment Sacco made to Rabo regarding living on 1st Street and talking about the Heights. She stated they are “one City”. Jacketti said she does not know why council did not “step in” to protect Rabo’s civil rights. She said they are not a “volcanized” City. She said people on the Northside, could indeed, care about the Heights. Jacketti stated if the Heights “falls”, the Terrace is next, and does not know what is next. She has a proposal for re-zoning. Jacketti stated she would have loved to hear a comment about Rabo’s civil rights being violated. She stated, “we will leave that for later”. She said the “L” that forms from E Street, to Dietrich, to Prestolite, needs to be re-zoned green. Jacketti stated the City could do this with enlightened public policy and zoning proposals. Jacketti said the fourteen acres belong to the DeAngelo Brothers. She said Neil was very generous at their reunion and wants to buy him “a cup of coffee”. She said she agrees with Mope that the DeAngelo Brothers need to donate that land to the City of Hazleton. Jacketti said the City needs to have assurances that it will be a “green zone”. She said they could become “heroes instead of villains”. She said if there are commercial properties built there, there will be a class-action lawsuit brought against the City of Hazleton. Jacketti said these lands are wetlands and protected by DEP and the EPA. She said there are enough residents to take a class-action suit and bring national media attention to the City’s own “love canal”. She stated the land needs to be tested based on the number of “cancer clusters” up the Heights. Jacketti said she will buy the DeAngelo Brothers a “cup of coffee”. She said the residents want the land tested and cleaned up. She said they want everything in the “L-form” to be tested. She said the lot by the Mope’s house, and the article in the Standard Speaker, the gas line needs to be protected, as Mr. Mope stated, there should be no digging there. She said they need to be self-sustaining with community gardens, energy, and food production. Jacketti said when Russia decides to “hack the grid”, the City could not “starve out” and keep their lights on. She agrees with Mayor Cusat’s proposal for Arthur Gardner as a clean energy zone. Jacketti said she wanted this for a “long, long” time. She said the City needs to show a “different face” to the world. She said she had someone from Turkey interview her. Jacketti stated the world is watching the City. Jacketti said when they fight for the Heights, they are fighting for the whole City. She said they will have class-action suits against the City. She stated there are a lot of them.

Mayor Cusat said he wants to speak of the “silent” issues that they want to try to address and are hurting the Heights. He said the medical rehabilitation centers and group homes were not addressed in the 1995, are important, and need to be addressed. He said the 1995 ordinance does not even define pharmacy. Mayor Cusat said there are, currently, medical marijuana facilities, two rehabilitation facilities on Broad Street, and a Methadone clinic downtown. He spoke of job creation. He stated all the jobs come here, they live here, the City is given the burden of protecting the homes with the fire department and police, and all the jobs are going to the surrounding areas. He said this ordinance and map was created to help create jobs, in the City, and lower property taxes with the creation of the EIT tax. He stated this was the intent of the administration in changing some areas. He said there was no harm meant and tried to simplify it. He said this has not been done for 25 years, and the codification was last done about 20 years ago. Mayor Cusat said this ordinance cost the City over \$50,000, over 2 ½ years to build, and the codification cost \$40,000. He said they need to inform the residents through one location. He stated, currently, to see a law, they need to go to the 2002 Code Book, go through 7,000 files to find the updated and, most recent, law. Perry said the City is bringing it to the “Twenty first Century”. He said the City has been very “pro-active” the last five years. He said the City is trying to address everything, not trying to hurt anyone, and protect every property owner and residents’ rights. He said the gas lines will be addressed at the “zine” phase. He said all the soil samples will come before they “break ground” and handled through DEP. He stated the Multi-modal facility in Hazle Township, started in 2016, broke ground one month ago due to DEP needing to test all samples, there was water runoff, and a bat problem. He said just because there is zoning “something” does not mean it will come to fruition.

Perry asked Atty. Logsdon to have definitions at the next meeting for the City's residents. Atty. Logsdon said they do have them. Mayor Cusat said it is on the web site, very detailed, and could search anything. He said the new website is much more "user-friendly". Atty. Logsdon said when they are talking about zoning, and a residential property that will be part of the "CH" or "CC" zone, that does not mean the bulldozer "goes in there" and the "burger joint" goes up. He stated no. He said there is a thing called non-conforming uses. He said the City cannot change the zone and then put an eviction notice on their homes. He said in the "O" district, there are permitted uses, and one is medical and similar laboratories and clinics. Atty. Logsdon said one is business service, and no definition in there. Mayor Cusat said office space does not just mean accountants and doctors. Atty. Logsdon said these things need to be addressed. He said the 1995 ordinance was very vague and poorly written. Perry said it needed to be updated. Barletta agreed. She said they are not trying to hurt anyone, could all work together, listen to their concerns, and make the changes. Perry stated they could narrow down a couple areas. She said there is the empty lot, one by Heritage and Poplar Street. She stated they are listening to their concerns. Mayor Cusat said commercial highway is for the businesses the transients to use, i.e.- coffee shop or dry cleaner. He said it is not for the bigger businesses. He stated commercial highway is for the area residents for use. He said a Dollar General would fall into this.

Barletta said, "moving forward", how would council go ahead and make the changes. Mayor Cusat said they need to put it on their agenda and make amendments. Barletta said okay. Atty. Logsdon said there are procedural things to do; go back to Planning agency before there is a vote. Perry asked if they need to re-advertise. Atty. Logsdon stated if there needs to be another advertised public hearing, they will need another one. Perry said the goal would be to have a WORK SESSION and "zero-in" on the issues. Atty. Logsdon said it could start at 5:00 -6:00 p.m. and that is all they will do is zoning. Perry said Dominic Yannuzzi could "blow up" the areas. He said they have a six-foot map. Perry stated they have big maps. Mayor Cusat said the size is 4-foot x 3 foot. Barletta asked if the zoning map could go in the newspaper. Mayor Cusat said a full-page ad, in the newspaper, is \$4,500. Colombo said instead of putting it, in the paper, he suggested putting it with the resident's water bills.

Perry said they will get all the information out to the public through the paper and the website and get more clarification for the residents' concerns. He said all residents could e-mail the City Clerk with any questions. He said they will take it "as they come".

Perry adjourned the WORK SESSION meeting at 8:50 p.m.