

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

January 13, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:20PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Nina Sordoni- Absent

Court Stenographer- Bernadette Farran

Recording Secretary-Tammy Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

Korinchock advised the solicitor is not present. The board cannot proceed with the hearings or the re-organization . Asked for a motion for a continuance to Monday, January 27, 2025.

Motion: Paul Rashko 2<sup>nd</sup> Jamie Price

Approve the minutes of the December 2, 2024 meeting:

Motion to Approve: Rashko 2<sup>nd</sup>: Price All: Aye

Motion to approve any bills:

Motion: Korinchock 2<sup>nd</sup>: Price All: Aye

Motion to continue hearing on January 27,2025, Motion: Paul Rashko 2<sup>nd</sup> Jamie Price vote all-aye

Time Adjourned: 5:30 pm.

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

January 27, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:15PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Nina Sordoni- Absent

Court Stenographer- Bernadette Farran-Present

Stephen Seach- Solicitor – Present

Recording Secretary-Tammy Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

Meeting turned over to Solicitor- Stephen Seach for Zoning Board reorganization. Seach asked if there are any changes or nominations as far as chairman, vice-chairman or secretary? Korinchock, Price and Rashko all replied with no change. Price made a motion to accept the reorganization, Korinchock 2<sup>nd</sup> the motion.

Meeting turned back over to Korinchock:

- 1. The application of Indira Charles, 1159 Route 940 Hwy, Hazle Twp, PA 18202 for a special exception to operate an in-home business related to the application of cosmetic products on a property located in an R-1 Single Family District.**
- 2. The application of Hazleton Hospitality, LP, 1221 N Church Street, Hazle Twp, PA 18202 requesting a variance for a 0' (zero) foot setback dividing two parcels prior to the subdivision process. The property is located in a B-2 General Commercial District.**

Hearing 2-Hazleton Hospitality will be continued until February 3, 2025 hearing. Seach asked if the hearing had been posted, Krone said it was posted in the newspaper several times and on the property.

Hearing #1Korinchock swore in Chuck Krone, Hazle Twp Zoning Officer. Krone presented Hazle Twp Exhibit 1 which included: Notice of appeal, sketch drawing of property, notice of the posting on the

property, copy of the deed, copy of the public notice and copy of the neighbors notified and various photos of the property.

Korinchock swore in Interpreter Sofia Parientes and applicant Indira Charles.

Korinchock asked Seach if the applicant is here in good standing. Seach replied the township confirmed she is here in good standing and the fees were paid. Seach asked Indira Charles what her relationship is to the property? Charles testified she is the owner.

All Testimony for Indira Charles will be via Sofia Parientes:

Korinchock asked what would you like to do on the property? Charles testified she purchased the property and brought the shed with her. She received a notice that said she had to put the shed 10 feet from the street and 10 feet from the property line. It was hard to move but now it is level with the house. Her job is to do makeup, and she bought the property with the intention of doing her job in the shed. Charles testified that she has a business on Alter Street in Hazleton and she wants to move it to this location.

Krone offered rebuttal testimony: Notice of violation was sent regarding the shed being in the front yard which is in violation of the zoning code, also it was not 10 feet from the property line also there were renovations being done to operate the business which is why the notice of violation was sent. The shed has been moved but it is debatable according to the pictures if it is still considered to be in the front or not.

Charles testified; she knew she had to move the shed, but the weather made it complicated. The shed was moved on Saturday, and she has photos. Krone testified that it would be up to the board to deem if the shed is in the front yard or the side yard. It is moved to the side of the yard- it is debatable. Charles showed the photos to Krone and the zoning board.

Price asked about the fence. Does it go to the building? Charles testified that the fence is behind, He told me the shed could not be in the front yard. Charles testified that he told her the shed could not be in the front yard, but it could be in the back yard.

Korinchock- what do you want to do in that building? Charles testified to put on makeup, eye lashes and eyebrows. Korinchock asked, "Do you sell or work on customers? Charles testified she works on customers.

Price asked where will the people park? Charles testified; she has a lot of parking.

Rashko asked where? he can see a truck and tractor and 2 vehicles parked there. You need parking for customers. Charles testified the tractor is her husband's so it can be moved and there is room for 10 cars there. Charles testified she is not operating out of there right now.

Korinchock asked how will you get power to the building? Charles testified she is thinking of running it from the house. All she needs is two lamps and lights, but she will do whatever the board tells her to do. Korinchock advised that it is not up to the board to tell her what she needs to do to run the commercial business. She needs to tell the board what she plans on doing. This would be a commercial business so you would need a separate power service. Rashko stated she would need a separate meter and a board installed by a licensed professional electrician.

Korinchock asked if there will be a restroom in the facility? Charles testified, my house has a restroom, and the client is only there for an hour.

Korinchock asked how many entrances and exits in the shed and is there water? Charles testified one entrance and no water service because she does not need water.

Korinchock, what are your hours of operation? Charles testified Monday through Saturday from 10am to 6pm.

Korinchock asked if she would have a sign and Price asked will it be illuminated? Charles testified, she will need a sign, and she would like lights but she does not know what the board will allow. Charles also testified that she works by appointment only.

Seach asked what district is this property in? Krone testified R-1 Single Family.

Rashko asked if she had been in business since August when the letter was sent? Charles testified, no she was not and she has proof. She did not know it would be this complicated- she is new to the township.

Korinchock asked if she has a business license? Charles testified yes; she does for 5 years now.

Price asked Krone if it would change if the shed was in the back yard? Krone testified; the definition of the front of the house is not clear in the zoning. It is his opinion that it is not in the front anymore so the fence would not change anything. The original request was for the shed to be moved to the back yard. He meant more to the alleyway area. Now it appears to be on the side, but it does meet the setback requirements.

Korinchock asked if she has insurance on the shed and on your business? Charles testified, yes. She has all the paperwork for the business and it is legal.

Price asked if she was working in the shed in Hazleton? Charles testified no; she bought the house thinking she had enough land to work there out of the shed. She brought the shed with her the same day she moved.

Krone testified that the applicant had previous conversations with him when the shed first showed up. She had considered moving the business into the house. He was open to the business being in the house because it would have water and toilet facilities, but it would need to be handicap accessible. Then the applicant proceeded to go with the route of the shed. He does not recall if the conversation was with the applicant or her husband. Charles testified, it was with her Aunt and that she was trying to do something that she would only get one bill. He was telling her about the shed, and she was asking about the shed just to see what her options were.

Price motioned for executive session. Rashko 2<sup>nd</sup> the motion.

Korinchock called the meeting back to order.

Seach stated the zoning officer has issued his decision. The applicant has filed an appeal of his decision, and it is being read as a request for variances.

Is there a motion for #1 to the zoning request for use and #2 to deny any request for a use variance, therefore denying the applicants request to use the shed for the eyelash business.

Korinchock motioned that the shed can stay where it is. Price 2<sup>nd</sup> the motion

Roll call: All Aye

Korinchock motioned to deny:

**The application of Indira Charles, 1159 Route 940 Hwy, Hazle Twp, PA 18202 for a special exception to operate an in-home business related to the application of cosmetic products on a property located in an R-1 Single Family District.**

Rashko 2<sup>nd</sup> the motion Roll Call -All Aye

Seach advised he will write a written summary decision and it will be mailed to 1159 Route 940. From the date of the decision, you will have 30 days to appeal. Charles asked to repeat the information regarding the letter. Seach replied the letter will be from him to Charles. It will summarize the decision on this hearing and advise the time limit for appeal. Applicants can appeal the decision in the court of common pleas. The letter will be in English, and the applicant has the right to appeal for 30 days. Charles asked if she would have to pay again? Seach advised, yes there are filing fees.

Charles asked if she would receive the address where she needs to appeal. Seach advised he generally does not include that. Meanwhile, you cannot use the shed as a business or for commercial use. He will make a note and will consider including the name of the court where she needs to appeal. He generally does not include that but he made a note of it.

Approve the minutes of the January 3, 2025 meeting with date edits.

Motion to Approve: Price 2<sup>nd</sup>: Rashko All: Aye

Motion to approve any bills:

Motion: Price 2<sup>nd</sup>: Rashko All: Aye

Meeting open for public comment: No public comment.

The next regularly scheduled hearing date is Monday, February 3, 2025, at 5 P.M.

Motion to adjourn: Paul Rashko 2<sup>nd</sup> Jamie Price vote all-aye

Time Adjourned: 6:10 pm.

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

February 3, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-absent

Solicitor- Nina Sordoni- Present

Court Stenographer- Bernadette Farran-Present

Recording Secretary-Tammy Blasko-Present

Alt Zoning Officer- LeeAnn Kasha- Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

- 1. The continued hearing for the application of Hazleton Hospitality, L.P, 1221 N Church Street, Hazle Twp, PA 18202 regarding a variance for a 0' (zero) foot setback dividing two parcels prior to the subdivision process. Property is located in a B-2 General Commercial District.**
- 2. The application of L.V. Petroleum, 7210 Placid St, Las Vegas, NV for a variance for a sign that exceeds maximum allowed height (requesting 60 feet) and total surface area (requesting 200 sq feet) on a property located at 492 Can Do Expressway, Hazle Twp, PA 18202, owned by Mountain Portfolio Owner PA3, LLC.**
- 3. The application of Diplomat Investment Partners Co, LLC, 205 S Aberdeen Ave, Wayne, PA 19087, for a variance for the reduction of required off street parking spaces for Lots 2B and 2D located alone SR 424 (Arthur Gardner Parkway) and owned by Butler Enterprises Pin#26U8-00A/71UB-00A**

**Hearing#1**

**The continued hearing for the application of Hazleton Hospitality, L.P, 1221 N Church Street, Hazle Twp, PA 18202 regarding a variance for a 0' (zero) foot setback dividing two parcels prior to the subdivision process. Property is located in a B-2 General Commercial District.**

Korinchock asked if the applicant is here in good standing? Sordoni advised that they were.

Korinchock swore in Zoning Officer, LeeAnn Kasha. Kasha presented Hazle Twp Exhibit#1 which included Application, notice of appeal, reason for the appeal, posting, deed, zoning section, neighbors notified, transmittal and plan.

Korinchock swore in Nat Pothireddy

Korinchock asked if there is anything on the lot? Pothireddy testified, not yet.

Korinchock asked if anyone is buying the property you are subdividing? Pothireddy testified, correct.

Rashko asked, is anything on the property? Pothireddy testified, nothing is on the property. Two separate lots with no room to separate. This is why he wants to make it a zero foot setback.

Pothireddy referred to Red Carpet Final subdivision map dated 9/29/23

Rashko asked if Pothireddy owned both lots? Pothireddy testified yes he does.

Korinchock swore in John Ackerman. Ackerman testified there are three parts on the subdivision map, Existing building, front end is the conference center, completely separate building from hotel in back. Pothireddy is asking for a subdivision with zero food setback.

Ackerman, referred to map with the board. Pointed out the areas and explained what was on the map.

**Rashko motion to grant:**

**The application of Hazleton Hospitality, L.P, 1221 N Church Street, Hazle Twp, PA 18202 regarding a variance for a 0' (zero) foot setback dividing two parcels prior to the subdivision process. Property is located in a B-2 General Commercial District.**

**Price 2<sup>nd</sup> the motion                      Vote: all aye**

**Hearing #2**

**The application of L.V. Petroleum, 7210 Placid St, Las Vegas, NV for a variance for a sign that exceeds maximum allowed height (requesting 60 feet) and total surface area ( requesting 200 sq feet) on a property located at 492 Can Do Expressway, Hazle Twp, PA 18202, owned by Mountain Portfolio Owner PA3, LLC**

.Korinchock swore in Shawn Logsdon on behalf of the applicant.

Korinchock asked if the applicant was here in good standing? Sordoni responded, yes he is.

Kasha presented Exhibit #1 which included Application for appeal, reason for appeal, building permit, deed, photos, public notice and neighbors notified

Logsdon testified that in the packets provided, it laid out the location of the property. It is on the Can Do Expressway, State Route 924. The Old Fuel On-Citgo gas station. What we are asking for tonight is to install a new sign. The current sign that is there has Citgo on the top and gas

prices underneath and is currently 36 feet in height. The zoning ordinance is currently 25 feet in a B2 zoning district where this property is located. What LV Petroleum is proposing to do, although it is a great location, the station is not producing. The current sign is old, outdated, boring and dull. They are trying to breathe new life into the property with a new business or two. The location will operate under TA Travel Center of America. It is a truck stop So they will have truck drivers come in, park, eat and shower. They are proposing to install a 60-foot-high sign on the site. This would require about a 40-foot variance. The new sign will not be visible from the highway, but it will be visible for the industrial park traffic where there are trucks. One of the most important marketing factors would be for the truck drivers to be able to see the fuel pricing which is very important to them. They will also be able to see the TA sign which is well recognized, and the quick service restaurants that will be available. The group is making plans for possibly a Jimmy Johns or other well know QSR- quick service restaurants.

Sordoni asked if the quick service restaurant will be in the same building? Logsdon testified yes. The sign will have the TA logo, then the gas prices under the logo, then the Conco Symbol under that and the QSR- quick service restaurants that will be available. They are trying to modernize the station and breathe new life into it.

Rashko referred to the paperwork and asked if this is what they planned on putting up? Logsdon testified, yes it was and that he also included some pictures of some of the other signage that is up in the area. The Can-Do sign is 50 feet so this will be a little higher than the Can Do sign. They are trying to make the sign more visible to the trucks but not visible from the highway.

Korinchock asked, if the sign would fall, would it impede the traffic on Route 924? Would it fall into the traffic lane? Referring to the map, it looks like there would possibly be enough room. Logsdon testified, There is a safety design, referred to the map and testified, if it were to fall, it would fall along the lines of where he pointed out to the board.

Korinchock stated, he does not think there are any homes near the location. Logsdon stated no and the sign will have a safety design.

Rashko asked if the sign would be 60 feet tall, noting the overhead view. Logsdon testified, yes 60 feet.

Korinchock asked the board members and the audience if anyone had any further questions? No one had any questions.

**Rashko motioned to grant:**

**The application of L.V. Petroleum, 7210 Placid St, Las Vegas, NV for a variance for a sign that exceeds maximum allowed height (requesting 60 feet) and total surface area (requesting 200 sq feet) on a property located at 492 Can Do Expressway, Hazle Twp, PA 18202, owned by Mountain Portfolio Owner PA3, LLC**

Price second the motion

Vote: All Aye

**Hearing #3**

**The application of Diplomat Investment Partners Co, LLC, 205 S Aberdeen Ave, Wayne, PA 19087, for a variance for the reduction of required off street parking spaces for Lots 2B and 2D located alone SR 424 (Arthur Gardner Parkway) and owned by Butler Enterprises Pin#26U8-00A/71UB-00A**

Kasha presented Hazle Twp Exhibit#1 which included application of appeal, Posting, transmittal letter, neighbors notified, list of adjoining neighbors, reason for appeal, deed and zoning section.

Korinchock swore in Brian Stahl and Joe Liparela

Stahl testified that the board granted several variances a few months ago. They are close to obtaining an end user for one of the buildings and would like a further reduction of parking spaces. The potential end user does not need as many parking spaces as required by the ordinance. They are asking for a variance to further reduce the number of parking spaces.

Rashko asked if the retention ponds are right there? He had residents complain that the retention ponds are in their backyards. Stahl testified, we have one project on the corner of Route 424 and Route 93. He would be happy to speak with Rashko after the meeting if there are specific neighbors he would like Stahl to reach out to. He has spoken with several neighbors, and he thought he addressed all of their issues. We can speak after the meeting, and I will be happy to contact them.

Liparela testified that we are referring to Butler site #161 along Route 424, explained the location on the map and testified the site is split between Hazleton City and Hazle Township. Pointed out parcel#2D and 2B which involves this variance. The potential end user for parcel 2B does not require as many parking spaces. Same thing with parcel 2D. We are asking for the variance, so we do not have to over extend the parking lot.

Rashko asked what changed? Liparela testified in the previous application, the building on 2B used to be a million square foot building. Pointed out a building on the map that was smaller. It was speculative development. The potential end user is interested in the building on parcel 2B.

Rashko asked how big the building is. Liparela testified approx. 720,000 square feet. Rashko asked if they cut off the East end? Liparela testified, they cut off the west end. He also referred to the map again Pointing out the buildings etc..

Korinchock asked what happens in the event you get a different tenant that needs more parking, what do you do? Stahl testified that this is a specific design for this tenant. If the tenant would end up not transacting, they would not move forward with the plan.

Korinchock stated, five years down the road, the tenant moves out and the new tenant needs more parking. What do you do? We have run into problems in Humboldt where reduced parking was

requested, then it changed and we had people parking cars on the side of the highway. We want to make sure no one will be parking on the side of the highways or residential areas. Stahl testified that the potential end user has a similar facility that they have operated for a long time. We are confident that this end user with the model they are using will invest in the township and purchase the property as part of their distribution plan. They have one facility in New England. They are a distributor of HVAC materials and they are using this to expand.

Rashko asked, you are not taking anything from the Jeansville side? Stahl testified, we are not pushing it closer to the Jeansville side. We are keeping it farther from the Jeansville side.

Price asked if they have a potential tenant for Parcel 2D? Stahl testified, not at this time.

Korinchock asked if everything will come off of 424? Liparela testified, yes.

Price asked if the overall footprint has changed? Liparela testified, it was reduced from the previous plan.

Rashko asked if Stahl was an engineer? Stahl testified, no

Korinchock asked if anyone in the audience has any questions?

Sordoni asked for Mr Bevens to state his name and address for the record. John Bevens, 990 Jeansville Road asked if the building they are talking about by the cemetery on top of the hill? Stahl pointed out the area on the map and asked if this was the cemetery area Bevens was referring to? Bevens responded yes, how far down the hill will it come? Stahl pointed out areas on the map and asked if this was where Jeansville was? He explained the area in question.

Rashko asked if there will be a road? Stahl testified there will be no road leading to Poplar Street. Sordoni asked Stahl if this is still in front of planning? Stahl testified, yes, it was. Sordoni advised she does not mean to discount his concerns, but we are only here tonight for the parking variance issues. The retention pond plan is still in front of the planning department. Sordoni advised the planning department handles the hardscape and trees and advised the meeting days for the Planning Department.

Korinchock asked if anyone has any other questions.

**Rashko motioned to grant:**

**The application of Diplomat Investment Partners Co, LLC, 205 S Aberdeen Ave, Wayne, PA 19087, for a variance for the reduction of required off street parking spaces for Lots 2B and 2D located alone SR 424 (Arthur Gardner Parkway) and owned by Butler Enterprises Pin#26U8-00A/71UB-00A**

**Price 2<sup>nd</sup> the motion**

**Vote: All- Aye**

Approve the minutes of the January 27, 2025 meeting with date edits.

Motion to Approve: Price      2<sup>nd</sup>: Rashko      All: Aye

Motion to approve any bills:

Motion: Korinchock      2<sup>nd</sup>: Rashko      All: Aye

Meeting open for public comment: No public comment.

The next regularly scheduled hearing date is Monday, March 3, 2025, at 5 P.M.

Motion to adjourn: Paul Rashko      2<sup>nd</sup> Jamie Price      vote all-aye

Time Adjourned: 6:10 pm.

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

March 3, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Michael Shotto- Present  
Present

Court Stenographer- Bernadette Farran-

Recording Secretary-Tammy

Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

The application of Andrew Mhley, 572 W Broad St, Hazleton PA 18201, for 2 variances related to a property located at Pin # 26-R9S2-005-004, St James Dr and Calello Dr, owned by David and Mary Kost. The first is a request to reduce the required lot width to 52 feet where 100 feet is required and secondly, a reduction of the front setback to 10 feet where 35 feet is required. This property is located in an R-2 Multi Family zone.

Korinchock swore in Hazle Twp Zoning Officer, Chuck Krone. Krone advised corrections to application. Applicants are seeking variance for side setback variance not front setback. Side setback is to allow 10' where 15' is required and lot width of 48 and 45 feet. It is an odd shaped lot.

Krone presented Hazle Twp Exhibit#A which included: application, letter from applicant requesting that the gentlemen speak on his behalf, notice, posting, list of neighbors notified and an GIS map.

Korinchock swore in Thomas Sterling and asked Shotto if they were here in good standing? Shotto advised, yes they are.

Rashko asked Sterling if he is familiar with the project? Sterling testified, yes. Rashko asked why on one form the purchase price is \$20,000. And on the other it is \$15,000. Sterling testified that the property has not been purchased yet. There is a purchase agreement and that is the last sales agreement he received.

Korinchock swore in Daniel Mhley who testified that the purchase is pending approval of variances they have applied for.

Rashko asked for clarification of where the property is? Daniel Mhley referred to the map from the packet.

Price asked where is the setback you are requesting? Both Sterling and Mhley referred to the map.

Rashko asked; what are you planning to build? Sterling testified four townhouses and referred to the map.

Korinchock asked what side is St James on? Sterling referred to the map.

Korinchock asked if it is 35' feet off St James and 10' feet off Calello. Sterling testified; yes.

Rashko asked Krone, side setback is 15'? Krone testified 15' yes.

Calello drive is a 24' pathway, not heavily travelled and not sure if it is actually 24' wide.

Price asked if they will be splitting the parking between the back and the front of the building? Mhley and Sterling testified, yes.

Korinchock asked if there was public water and sewer? Mhley testified, yes it comes off of Callelo Drive.

Korinchock asked Krone if the applicant was only here for the land use? Not for the townhouses? Krone testified yes, it is an R2 multi-family residential zone so they should not have to come back unless for some reason they cannot meet the height but at this point we are just here for the lot.

Korinchock asked for a motion:

Rashko motioned to approve:

The application of Andrew Mhley, 572 W Broad St, Hazleton PA 18201, for 2 variances related to a property located at Pin # 26-R9S2-005-004, St James Dr and Calello Dr, owned by David and Mary Kost. The first is a request to reduce the required lot width to 52 feet where 100 feet is required and secondly, a reduction of the front setback to 10 feet where 35 feet is required. This property is located in an R-2 Multi Family zone.

Korinchock asked for public comment:

Sheyna Pimprasrom responded they are the house next to the property, they are very close together and they wanted to know what was going to be built?

Korinchock stated we are only here tonight for the land usage and to approve the variance for the setbacks.

Pimprasrom stated she just wanted to know how close the townhouses will be to their home?

Korinchock advised the applicant will have to comply with the zoning ordinance and the variances they asked for. They will have to submit plans to the zoning officer to look at before they can build to make sure height, width and fire protection are up to code.

Vote to Approve:

Motion by Rashko      2<sup>nd</sup> by Price      All: Aye

Approve the minutes of the January 27, 2025 meeting with date edits.

Motion to Approve: Price      2<sup>nd</sup>: Rashko      All: Aye

Approve the minutes of the February 3, 2025 meeting:

Motion to approve: Price      2<sup>nd</sup> Rashko      All: aye

Motion to approve any bills:

Motion: Korinchock      2<sup>nd</sup>: Rashko      All: Aye

Meeting open for public comment: No public comment. No additional public comment.

The next regularly scheduled hearing date is Monday, April 7, 2025, at 5 P.M.

Motion to adjourn: Paul Rashko      2<sup>nd</sup> Jamie Price      vote all-aye

Time Adjourned: 5:25 pm.

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

April 7, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Nina Sordoni- Present

Court Stenographer- Bernadette Farran-Present

Recording Secretary-LeeAnn Kasha-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

. Hearing#1- Continuance to May 5, 2025 meeting.

**The application of Mecka LLC, for a special exception to change a non-conforming use as a contractor/storage yard to a new non-conforming use for automobile inspections and repairs at a property owned by Patriot Home Pros LLC located at 1145 Route 940 Hwy, located in an R-1 Single Family District.**

Hearing#2:

**The application of Brian and Misty Riedel, 105 Tim Dr, Hazle Twp PA 18202 for a variance of the front yard setback of 30 feet where 35 feet is required in an R-1 Single Family District.**

Korinchock swore in Hazle Twp Zoning Office, Chuck Krone.

Chuck Krone presented Hazle Township Exhibit 1A which included, Application, copy of deed, copy of legal notice, posting, list of neighbors notified and plot plan

Nina Sordoni advised the applicant is here in good standing. They are the applicant and they own the property.

Korinchock swore in Greg Kurtz. The variance is for an addition onto the house but the portion of the construction will be a piece of the garage. The entrance of the garage will be in the setback. They have a lot of room on the property but because of the existing structure and the entrance to it, it makes it very difficult to work in the addition and have the garage up front. The addition will be for an elderly mother for living space.

Price asked if the variance was only for the front, not the side? Kurtz testified that was correct.

Rashko asked if Kurtz drew up the plan. Kurtz testified yes in conjunction with the architect. Rashko pointed out questions on the drawing. Kurtz testified that must be an old copy. Korinchock stated they are referring to SKC1 dated 3/26/25. Rashko stated he wanted to make sure they have the information on the right home.

Kurtz testified that it will not be close to the road.

Price stated it is a dead end on both sides of the street.

Motion to Approve:

Motion by Rashko

**The application of Brian and Misty Riedel, 105 Tim Dr, Hazle Twp PA 18202 for a variance of the front yard setback of 30 feet where 35 feet is required in an R-1 Single Family District.**

2<sup>nd</sup> by Price

Vote All: Aye

Approve the minutes of the March 3, 2025 meeting:

Motion to approve: Rashko      2<sup>nd</sup> Price      All: aye

Motion to approve any bills:

Motion: Korinchock      2<sup>nd</sup>: Rashko      All: Aye

Meeting open for public comment: No public comment.

The next regularly scheduled hearing date is May 5, 2025, at 5 P.M.

Motion to adjourn: Price      2<sup>nd</sup> Rashko      vote all-aye

Time Adjourned: 5:25 pm.

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

May 5, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Sean Logsdon- present

Court Stenographer- Bernadette Farran-Present

Recording Secretary-Tammy Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting forth that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

**The rescheduled hearing for the application of Mecka LLC, for a special exception to change a non-conforming use as a contractor/storage yard to a new non-conforming use for automobile inspections and repairs at a property owned by Patriot Home Pros LLC located at 1145 Route 940 Hwy, located in an R-1 Single Family District.**

Korinchock swore in Hazle Twp Zoning Office, Chuck Krone.

Krone advised that there is a correction, the applicant is also asking for variance for a sign because it is a non-conforming structure.

Chuck Krone presented Hazle Township Exhibit #1 which included notice of appeal, deed, list of joint properties, legal ad and the posting from March 20<sup>th</sup>.

Sean Logsdon advised the applicant is here in good standing. The owner of the property is Patriot Home Pros, LLC. And the applicant is Mecka, LLC. He is assuming there is either an agreement of sale or a landlord / tenant agreement.

Thomas Sharkey representing the applicant stated there is a sale agreement.

Sharkey to Krone, Zoning district that the property is located in, is it residential? Krone testified Yes, that is correct, single family residential.

Sharkey to Krone, Is the current use of the property commercial? Krone testified yes. Sharkey to Krone, the past use of the property, was it commercial? Krone testified he does not have any records on it but he assumes it was some type of business. Sharkey to Krone, the proposed non-conforming use, would that be replacing a previous conforming use? Krone testified no.

Sharkey to Krone, one stipulation of the expansion is not to exceed the 25% lot coverage. Did you find an issue with that with the denial? Krone testified, that is correct, no he did not.

Korinchock swore in Scott Carsia.

Sharkey showing copy of deed to S. Carsia asking if this is the deed showing ownership by Patriot Home Pros, LLC? S. Carsia testified yes, it is. Sharkey asked "What is Patriot Home Pros, LLC? S. Carsia testified that it is a residential construction company. Sharkey to S. Carsia, are you the sole member of LLC? S. Carsia testified yes. Sharkey asked if he is aware that Mr. Hernandez applied for the variance for the expansion and do you support the application? S. Carsia testified yes to both questions. Sharkey asked is the property contains two full lots and a partial lot? S. Carsia testified yes, that is correct.

Sharkey asked S. Carsia, When you originally bought the property, what was the intended use?

S. Carsia testified a showroom, vehicle storage, material storage, construction equipment etc.,...

Sharkey asked S. Carsia if he was familiar with the immediate prior use of the property? S. Carsia Testified, yes it was a manufacturer of taxidermy molds.

Sharkey asked S. Carsia if he was familiar with the use prior to the taxidermy mould manufacturer?

S. Carsia said he is guessing it was some type of garage because there is a lift built into the building that comes out of the floor, and it is still in the building.

Sharkey asked S. Carsia. What was your standing on the zoning? S. Carsia testified that he was under the impression it was commercial. Sharkey asked S. Carsia what he is using the building for and what are the hours of operation?. S. Carsia testified he is using the building for his business and the hours could be 6am to 11pm.

Sharkey asked S. Carsia if he did repair work in the building? S. Carsia testified, yes, he services his machines and his equipment. Changes oil, brakes, tires and does repairs on his commercial vehicles. He has a welding machine, compressor, tire machine, torches and air tools.

Sharkey asked S. Carsia, what do you do with the fluids? S. Carsia testified it is stored on the premises until his friend takes it. Sharkey asked S. Carsia if he ever sold a vehicle on the property? S. Carsia testified, yes, he did sell a few vehicles there by putting a for sale sign on them.

Sharkey asked S. Carsia do customers come to the building. S. Carsia testified they came to look at samples or colors of building materials. Sharkey asked S. Carsia if he received deliveries at the building? S. Carsia testified yes with a boom truck or a truck with a forklift.

Sharkey submitted Applicant Exhibit #1 containing photos of the equipment, tools and commercial construction equipment that are currently in the the garage. Photos of the original manufacturing equipment, mold press, 440 volt compressor and steam boiler that were in the building when he

purchased it. S. Carsia explained what each photo was and testified that the photos were an overview of what was in and is in the garage currently.

Korinchock asked if there is a restroom? S. Carsia testified, yes a sink and a toilet.

Sharkey asked S. Carsia, Do you think Mr. Hernandez will be utilizing the property for most of the same uses that you did? S. Carsia testified, yes.

Sharkey asked S. Carsia, have you ever had any issues with public services such as police and fire service not being adequate or sewer and streets not being adequate due to the use of the property? S. Carsia testified, no he did not.

Sharkey asked S. Carsia if he felt the proposed use will detrimentally affect the neighborhood and will the proposed use be detrimental to public welfare? S. Carsia testified, no it will be the same use as what it is now.

Sharkey asked S. Carsia if he grew up and lived in the area, would he support the application if he thought it would be detrimental to the neighborhood? S. Carsia testified, no he would not.

Korinchock swore in Laura Carsia.

Sharkey submitted Applicant Exhibit#2 He asked L. Carsia to explain the document. L. Carsia testified it is a list of garages which are up to 1-1/2 miles from the garage.

Sharkey Submitted applicant Exhibit #3 L.Carsia testified that they are photos of the garages on the list. L. Carsia explained each photo and garage on the list.

Sharkey asked L. Carsia, given Mr. Hernandez plans, will it be harmonious to the neighborhood. L. Carsia testified, yes.

Korinchock asked if they have a state easement or PennDOT highway occupancy permit since it is commercial? S. Carsia testified, not that he knows of. The entrance is setback and they have the back alley.

Sharkey asked S. Carsia if he ever received a notice of violation from PennDOT? S. Carsia testified he did not.

Korinchock swore in Daniel Poncavage who is the engineer that drafted the plans. Sharkey submitted and handed out Applicant Exhibit#4 which was plans and a map.

Sharkey asked Poncavage to explain the plans. Poncavage testified the setback to the street and property lines are unchanged. The driveway to 940 is what is there now. They will organize the car park and add landscaping. They will add additional handicap parking and the existing driveway in the alley has not been changed. It is far enough and wide enough, so they have not applied for a revised highway occupancy permit because there are not changes. If there was a problem with the highway occupancy, PennDOT would have contacted them. We still have Route 940 and in

the alley way and they hope the customers will exit on the less traveled exit. The painting of lines was never done previously. There is limited parking on the residential side of the property. The intersection side will be used to sell cars. The shrubs are low shrubs. Basically, what is shown on the plan, handicap parking and we will stripe the sidewalk for pedestrian walking. There are 2-3 parking spaces in the front of the building where cars for sale will be parked.

There are 10 angle spaces shown for parking. Inside the building, we dealt with adding a handicap restroom and a mop sink. We are separating the office to make so people are not going to have to enter the work zone to do business. Two proper exits are provided. One new door was installed. Zoning needs to be approved so they can acquire a building and occupancy permits.

Sharkey asked Poncavage if he reviewed the Hazle Township Zoning ordinance and does the map comply with the ordinance? Poncavage testified, yes he reviewed and yes it complies.

Sharkey asked Poncavage- the lot is zoned residential. Do you see any hardship with the lot conforming to the Hazle Township Zoning Code? Poncavage testified No, it is a well-built concrete building. Large doors that are not on the residential side. Provides much needed service to the community. This would be an enhancement to the property.

Korinchock asked if there are 3 lifts in the building? S. Carsia testified no only 1 lift.

Korinchock asked about signage and lighting? Sharkey stated they are looking for wall signs, one to face Hillside Drive and one to face Route 940. 32 square feet

Sharkey to Poncavage- would the lighting be intrusive to the residential property? Poncavage testified; no, the lighting would be up to code.

Sean Logsdon asked, in terms of parking- Auto Sales required 1 space for every 600 feet and 1 additional spaces for every 5000 square feet. Auto Repair requires 1 space for every 200 square feet of interior floor space. Will that be accomplished? Poncavage testified that building code measures square footage differently. The outside size is 2000 sq feet including thick walls. In his opinion, he rarely sees that standard met or exceeded. If they had to, there is an area in the back of the building that they can take a car or two.

Korinchock asked how many cars you are anticipating selling? Poncavage testified he would be guessing.

Korinchock swore in Humberto Hernandez.

Sharkey asked Hernandez, Have you heard all the testimony? Hernandez testified yes, he has.. Sharkey asked Hernandez what he plans on doing in the building? Hernandez testified, auto sales and auto repairs, tires, brakes, inspections. All work would be done inside the building.

Price asked Hernandez- will you be doing body work? Hernandez testified, no.

Sharkey asked, what are the hours of operation? Hernandez testified 8am to 6pm, Monday thru Saturday.

Korinchock asked, no Sunday hours? Hernandez testified, no Sunday hours.

Sharkey asked, will there be any structural change? Hernandez testified, no, just the extra door that is shown on the plans/

Logsdon asked, in regard to the parking spaces needed, will they be split between sales and repair? Hernandez testified he will probably put some flagging where the sales section will be. Logsdon asked how many spaces he will have for sales. Hernandez testified that the minimum is 5 but they will have 3 to 5 at the most. They will not jam the cars onto the lot. They want to remodel, paint and make it look professional.

Rashko asked if the repainting would take place before they start the business. Hernandez testified, yes before we start, we will stucco and repaint. The insurance company is asking for that to be done as well Because it is flaking and falling off.

Rashko asked if they would be paving the lot? Hernandez testified, yes if you require it.

Price asked, since 3-5 parking spaces will be taken up by cars for sale, will you be operating by appointment only? Hernandez, no, we can take walk ins. On the plans, it shows 5 workstations so we plan on having the cars inside the shop and as we finish, we will probably have them on the right side of the property and in front of the property as well.

Rashko asked if there are plans to park on Hillside Drive? Hernandez testified, no.

Price asked if it would be in the parameters of the sidewalk? Hernandez testified yes.

Price asked if they would need any extra electrical service other than what is currently in the building? Hernandez testified, No the service that is in there is 200amp service and that is adequate.

Price asked if he would require any disposal of fluids that is not already on the property? Hernandez testified, No.

Korinchock asked where they will store the used tires? Hernandez said probably in the building or in a trailer. Korinchock asked will they be thrown outside the building? Hernandez testified, no.

Rashko asked if he does mechanical work? Hernandez testified, very little. I do residential construction

Rashko stated, the application states inspections. Hernandez testified that he is planning on getting his inspection license.

Korinchock asked if they will have a sign? Hernandez testified, yes, 32sq foot sign on two sides of the building. Just regular signs, nothing electrical, neon if it's possible.

Price asked, nothing on a pole and not facing the residents. Hernandez testified, no just on two sides of the building.

Logsdon asked what licenses do you need? Hernandez testified, Inspection station license and a dealer's license. Whoever is selling the vehicles will need to be a licensed salesperson. For the auto repair, he prefers people with experience and education background but also inspection licenses.

Logsdon asked, will the cars on display be operable? Hernandez testified, yes.

Logsdon asked will the lighting on the property be overhead lighting? Is that required for a used car lot? The ordinance requires that no lighting can escape the property. The lighting has to be directed onto the property. What is your plan regarding overhead lighting on the property. Hernandez testified, probably he will put lighting against the building on a swivel so he can point it down onto the cars specifically. Nothing that would go into the homes or be distracting in any way.

Rashko stated that he just came through the alley today and he had to back up because a car was coming. If you start parking vehicles back there, there is going to be a problem. Hernandez testified that he will not be parking any vehicles on Ski Court. All vehicles will be parked on the property.

Price commented that signage should be posted to be sure the customers do not park there. Hernandez testified that he has no problem doing that.

Price pointed to where the chain link fence is and asked if there is going to be another chain link fence and pointed out the area on the map. Hernandez testified that wherever it is needed.

Rashko asked if Hernandez ever owned a business like this before? Hernandez testified that he currently owns a business for six years with his mother. It is a real estate investment business. They buy and flip properties. They currently have 20 units.

Rashko, if you do the right thing, this will be good but the three of us go by there every day. Hernandez testified he wants to do something that will be an asset not an eyesore to the community.

Korinchock stated that if you are putting in shrubs and trees and re-stuccoing the building it will make the building look a lot nicer.

Korinchock asked if anyone had any questions or comments?

Laura Carsia testified that she would never consider this if she didn't think he was going to keep the area nice.

Price stated she knows what his mother does in the city and her reputation is good.

Motion to Approve:

**The application of Mecka LLC, for a special exception to change a non-conforming use as a contractor/storage yard to a new non-conforming use for automobile inspections and repairs at a property owned by Patriot Home Pros LLC located at 1145 Route 940 Hwy, located in an R-1 Single Family District.**

Korinchock asked, before we go any further, do we need a variance for the two signs? Price asked if a variance is needed for parking. Korinchock stated, no the parking is good. Logsdon stated we can grant a variance for the off-street parking.

Logsdon added: To clarify the motion- the variance for the two signs on two sides of the building will be included in the motion and also a variance as to the off-street parking requirement for automotive sales that are included in the zoning ordinance.

Motion: Rashko            2<sup>nd</sup> Price                            Vote All: Aye

Approve the minutes of the April 7, 2025 meeting:

Motion to approve: Rashko       2<sup>nd</sup> Price                            All: aye

Motion to approve any bills:

Motion: Rashko            2<sup>nd</sup>: Price                            All: Aye

Meeting open for public comment: No public comment.

The next regularly scheduled hearing date is June 2, 2025, at 5 P.M.

Motion to adjourn: Korinchock   2<sup>nd</sup> Rashko   vote all-aye

Time Adjourned: 6:04 pm.



HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

July 1, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:15 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Nina Sordoni- present

Court Stenographer-Not Present

Secretary-Tammy Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

**The Application of John A. Craig, 24 Garrison Road, Hazle Twp, PA 18202, for a variance for rear setbacks for a deck. Applicant is requesting 6 feet where 30 feet is required for a property located in an R-1 Single Family District at 24 Garrison Road.**

Korinchock advised that due to the absence of the court stenographer, the hearing will be continued until Tuesday, July 8, 2025 at 5PM.

Sordoni advised there will not be another newspaper posting. The continuation was announced at the public hearing tonight.

Meeting open for public comment: Question was asked if they can see the drawings of the plan. Korinchock advised they will be able to see them at the next hearing.

Approve the minutes of the June 2,2025 meeting:

Motion to approve: Rashko 2<sup>nd</sup> Price All: aye

Motion to approve any bills:

Motion: Rashko 2<sup>nd</sup>: Price All: Aye

The next regularly scheduled hearing date is August 4, 2025 at 5 P.M.

Motion to adjourn at 5:45PM : Korinchock 2<sup>nd</sup> Rashko vote all-aye

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

July 8, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Absent

Vice-Chairman- Paul Rashko- Present

Alternate- William Gallager, Present

Zoning Officer- Chuck Krone-Present

Solicitor- Nina Sordoni- present

Court Stenographer-Bernadette Farren, Present

Recording Secretary-Tammy Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies

**The continued hearing for the application of John A Craig, 24 Garrison Road, Hazle Twp, PA 18202, for a variance for rear setbacks for a deck. Applicant is requesting 6 feet where 30 feet is required for a property located in an R-1 Single Family District at 24 Garrison Road, Hazle Twp.**

Korinchock swore in Chuck Krone, Hazle Twp Zoning Officer who presented Hazle Twp Exhibit #1. Exhibit #1 includes notice of appeal, Public notice, copy of deed, newspaper posting, list of neighbors notified and map.

Korinchock swore in Brian Hermend, the contractor who will speak on behalf of Mr. Craig.

Rashko asked if he had sketches to show the deck size versus the lot size? Hermend testified, no.

Korinchock advised that part of the property owners' responsibility is to provide sketches to show the project.

Rashko asked,, how far is the deck from the property line? John A Craig responded 4-1/2 feet. It is a pie shaped lot.

Sordoni asked Hermend to draw a sketch of the deck and show the size of the sides.

Gallager asked how big is the deck? Craig responded 14 feet x 27 feet.

Gallager asked if that would be the whole back yard? Craig responded, no about 1/2 of the back yard.

Rashko asked how big is the old deck? Craig responded, 10 feet out for 8 feet and back side was 14 feet.

Gallager asked what is the closest point from the Oberto property? Craig responded 4 feet.

Dino Oberto stated that he was okay with the distance from his property line, Craig will put up some sort of fence.

Gallager stated as long as Craig and Oberto reached an agreement.

Korinchock motioned to grant:

**The application of John A Craig, 24 Garrison Road, Hazle Twp, PA 18202, for a variance for rear setbacks for a deck. Applicant is requesting 6 feet where 30 feet is required for a property located in an R-1 Single Family District at 24 Garrison Road, Hazle Twp.**

Motion 2<sup>nd</sup> by Rashko                      Roll Call-All aye

Approve the minutes of the July 1, 2025 meeting:

Motion to approve: Rashko      2<sup>nd</sup> Korinchock                      All: aye

Motion to approve any bills:

Motion: Gallager                      2<sup>nd</sup>: Rashko                      All: Aye

The next regularly scheduled hearing date is August 4, 2025 at 5 P.M.

Motion to adjourn at 5:20PM                      : Korinchock      2<sup>nd</sup> Rashko      vote all-aye

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

August 4, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:25 PM.

Pledge of Allegiance

**Roll Call:**

Chairman-	Rick Korinchock- Present	Secretary- Jamie Price-Present
Vice-Chairman-	Paul Rashko- Present	Zoning Officer- Chuck Krone-Present
Solicitor-	Nina Sordoni- Absent	Court Stenographer-Bernadette Farren, Present
Recording Secretary-	Tammy Blasko-Present	

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies.

**Hearing#1**

**The application of Andrew Mhley, 572 W Broad St #288 Hazleton PA for a front yard variance of 10 feet where 35 feet is required; Left yard variance of 30 feet where 35 feet is required and a rear yard variance of 14 feet where 15 feet is required for a lot located at the intersection of Harwood Rd and Express Ct, Hazle Township that is zoned R-2 multi family**

**Hearing#2 The application of Roberto Giunta, 219 Dean Gray Alley, Weatherly PA for a special exception for multi family housing for a property located at 1695 Route 940 Hwy Hazle Twp PA that is zone B-1 Neighborhood Commercial and Shopping District**

Rick Korinchock stated due to the absence of the solicitor, the hearing will be continued until 5PM on Monday, August 18,2025.

Approve the minutes of the July 8, 2025 meeting:

Motion to approve: Rashko 2<sup>nd</sup> Price All: aye

Motion to approve any bills:

Motion to Approve: Price 2<sup>nd</sup>: Rashko All: Aye

The next regularly scheduled hearing date is September 2 2025 at 5 P.M.

Motion to adjourn at 5:40PM Rashko 2<sup>nd</sup> Price vote all-aye

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

August 18, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:15 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Nina Sordoni- Present

Court Stenographer-Laura Baranko, Present

Recording Secretary-Tammy Blasko-Present

Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies.

**Hearing#1 Continued from 8/4/25**

**The application of Andrew Mhley, 572 W Broad St #288 Hazleton PA for a front yard variance of 10 feet where 35 feet is required; Left yard variance of 30 feet where 35 feet is required and a rear yard variance of 14 feet where 15 feet is required for a lot located at the intersection of Harwood Rd and Express Ct, Hazle Township that is zoned R-2 multi family**

Sordoni stated they are here in good standing- he is the property owner.

Korinchock swore in Hazle Twp Zoning officer, Chuck Krone. Krone submitted Hazle Twp Exhibit A which Included sales agreement, list of neighbors notified, survey, public notice, public posting, site plan, site map and article 3 regulations regarding corner lots.

Korinchock swore in Daniel Mhley, cousin to Andre Mhley and he has a notarized letter allowing him to speak on Andre's behalf. Mhley submitted Notarized letter and cop of deed. Sordoni marked the exhibits as letter - Applicants A1 and Applicant's A2 recorded deed

Mhley testified that they want to build rental units. He has more detailed plans that he can explain to the board and to Zoning Officer. Mhley went over drawings with the board.

Mhley testified that they want the variance to build six rental units. Three bedrooms, two baths, 2 parking spaces per unity, 950 square feet each. This would be 35% coverage of the lot.

Price asked if all parking is off street? Mhley testified: yes, 2 parking spaces per unit.

Price asked if the front yard is facing Express or Harwood? Krone testified corner lots are all considered facing front. He has explanations in the packet 303.

Korinchock asked if the units will be 1 floor? Mhley testified yes and he has an exterior site plan, would you like to see it? Korinchock responded, yes.

Rashko asked if they will be putting up a fence? Mhley testified they are considering putting up a singular fence.

Korcinchock asked where the nearest neighbor is? Mhley testified, next lot.

Price asked if the access will be from Express court? Mhley testified; yes, grass on the back.

Joann Mantos asked where the sewer is coming from? Price asked if it was public sewer? Mhley testified, yes and pointed out the sewer and water lines on the map.

Joann Mantos stated she was told no one could build on that property and there is a water drainage pipe that was installed by Township employees that empties onto that property.

Krone testified that they cannot get a building permit before they have a paid tap on fee from the Municipal Authority.

Rashko reviewed sewage line with Mantos. Korinchock stated it would be up to the engineer to advise the applicant on sewage.

Price stated entrance is facing Express Court. You will be looking at the back of the property. Giunta testified, They will also have a fence between the properties.

Korinchock stated, the Township planning department will have to issue a permit, and the township engineer will review.

Price asked if there is a retention wall? Mantos stated there is a black pipe angled down into the lot.

Price advised that any water redirection issue is handled by the Municipal Authority, water authority or the planning department.

William Deeble asked how will the parking be angled? Mhley testified he will leave that up to the contractor.

Sordoni marked Applicant exhibit A3 - Picture of sewer line and Applicant A4 Picture of water line.

Korinchock asked if there will be a sign? Mhley testified, no.

Rashko asked if the building will be stick built? Mhley testified, yes, stick built.

Price asked if there will be a basement? Mhley testified that there was no basement, probably a crawl space.

Rashko asked if units are 1 or 2 stories? Mhley testified 1 story.

Korinchock asked if the units will be electric hear? Mhley testified. Probably.

Motion to approve:

The application of Andrew Mhley, 572 W Broad St #288 Hazleton PA for a front yard variance of 10 feet where 35 feet is required; Left yard variance of 30 feet where 35 feet is required and a rear yard variance of 14 feet where 15 feet is required for a lot located at the intersection of Harwood Rd and Express Ct, Hazle Township that is zoned R-2 multi family

Motion: Rashko                      2<sup>nd</sup>: Price                                      Vote: All AYe

Hearing#2 The application of Roberto Giunta, 219 Dean Gray Alley, Weatherly PA for a special exception for multi family housing for a property located at 1695 Route 940 Hwy Hazle Twp PA that is zone B-1 neighborhood Commercial and Shopping District.

Korinchock swore in Robeto Giunta. He has a notarized letter allowing him to speak on behalf of William Bonavita who owns the property.

Krone submitted Hazle Township Exhibit A which included notice of appeal, public posting, public notice, contract for purchase, deed, copy of GIS map and notification of two neighbors, Pagnotti and Centerline Stone.

Rashko asked if he has deeded access to get to the property? Giunta testified, yes

Korinchock asked what is your plan? Giunta testified to build 3 units, one bedroom studio downstairs, one bedroom apartment upstairs and a two bedroom luxury unit in the back.

Rashko asked if they are all connected? Giunta testified, connected but they all have separate entrances.

Korinchock asked if it was public water and sewer? Giunta testified, yes

Price asked the condition of the property. Giunta testified it was used recreationally for the last few years, it has water, sewer and the major systems in place. Upstairs is livable, needs drywall but it

Has everything to stay a few days

Korinchock asked size of units. Giunta testified 1100-1200 square feet and the one in the back 1600 square feet.

Sordoni, are you changing from commercial to residential? Rashko asked if it will be a rooming house? Giunta testified, no to both.

Korinchock asked if there was ample parking? Giunta testified, yes room for 7 cars on one side and room for 4 cars on the other side. No parking on the street.

Korinchock asked what he will do to safely access route 940? Giunta testified stone in the mean time and Then paving.

Korinchock asked how the line of site is? Giunta testified, very good, you can see far. People will be Pulling out not backing out.

Motion to approve:

The application of Roberto Giunta, 219 Dean Gray Alley, Weatherly PA for a special exception for multi-family housing for a property located at 1695 Route 940 Hwy Hazle Twp PA that is zone B-1 neighborhood Commercial and Shopping District.

Motion: Rashko            2<sup>nd</sup>: Price                      Vote: All Aye

Approve the minutes of the August 4, 2025 meeting:

Motion to approve: Price            2<sup>nd</sup> Rashko                      All: aye

Motion to approve any bills:

Motion to Approve: Korinbchock            2<sup>nd</sup>: Rashko                      All: Aye

The next regularly scheduled hearing date is September 2 2025 at 5 P.M.

Motion to adjourn at 5:50PM    Rashko    2<sup>nd</sup> Price    vote all-aye

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

September 2, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:15 PM.

Pledge of Allegiance

**Roll Call:**

Chairman-	Rick Korinchock- Present	Secretary- Jamie Price-Present
Vice-Chairman-	Paul Rashko- Present	Zoning Officer- Chuck Krone-Present
Solicitor-	Donald Karpowich- Present	Court Stenographer-Bernadette Farrren, Present
Recording Secretary-	Tammy Blasko-Present	

**Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies.**

**The application of NP Hazleton Holdings I, LLC, 3315 N. Oak Trafficway, Kansas City, MO for a variance to reduce the required off street parking spaces to 1022 where 3894 is required for a property located at 2500 North Park Drive, Hazle Township, that is zoned I-1 Industrial.**

Korinchock swore in Hazle Township Zoning Officer, Chuck Krone. Krone presented Hazle Township exhibit#1 which included: notice of appeal, public notice, property posting, map of property and deed. There was no objection to the submission of the packet.

Korinchock asked if the applicant was in good standing? Karpowich advised yes.

Rich Williams, attorney for Hazleton Holding I, who is here for the variance for a data center campus. The campus will consist of 15 buildings, one substation and a switch yard. He has 2 witnesses to call. He presented Applicant's exhibit #1. In addition to the newspaper postings, he sent letters out to each adjacent property owner via mail and he has an affidavit of service.

Korinchock swore in Anthony Caponigro and Tom Williams.

R. Williams asked Caponigro what his occupation was? Caponigro testified that he is a civil engineer for 20 years, licensed in PA since 2013 he is also license in NJ and DE.

R. Williams asked if he was familiar with the application and plans of North Point? Caponigro testified, yes, he is.

R. Williams asked if the plans they are presenting tonight adequately depict the project? Caponigro testified, yes

R. Williams asked if he could explain the project in general terms? Caponigro testified this is for a data center campus. The property being developed is on property that is 1280 acres in size, located North of Humboldt North Industrial zone, 15 buildings, data center buildings, employee/ employment building security building and waste water treatment facility.

R Williams asked what the property is zoned as? Caponigro testified I-1 Industrial with a very small portion in the southwest corner zoned as C-1 Conservation which is not being impacted or developed.

R. Williams asked if there are any businesses located in close proximity to this project? Caponigro testified not in proximity but as you are coming through Humboldt Noth, you pass through the park to North Park drive which is the road that ends in a circle. Our plan is to extend the road by about a half mile or three thousand feet further North to access our campus. The Northern boundary line you have Black Creek and Sugarloaf Township Industrial zone which is predominantly undeveloped as well.

R. Williams asked if there are any residents located near the project? Caponigro testified, there is one resident located to the southwest corner of the site. He is located approximately 370 feet from the southwest corner. A single-family home which is located in a planned subdivision area. This is the only property that was developed in the subdivision. The rest of the property is undeveloped. There is a box on the plan showing where the home is located.

R. Williams asked Caponigro to describe the distance of the property lines in regard to the project? Caponigro brought up an ariel google map which was submitted as applicant exhibit#2. He explained the map and pointed out the area where the campus will be developed. The residential home is about 350 feet from the property lines. He pointed out areas on the Development map that were cleared and where the natural resources are. The closest point at the southern boundary line is approx. 275' setback which far exceeds the required 35-foot setback. All other boundary lines far exceed the 35-foot required setback. There will be a security building, a wastewater treatment building and the data center buildings will all exceed the minimum setback requirements.

R. Williams asked what is the gross floor area in each of the buildings? Caponigro testified each data building is approximately 225,000 square feet, primarily for data storage, minimal office space and one dock door. We are approximately 411 acres of impervious coverage. That is approximately 32% of the site with 60 % left of open space. There will be four ancillary buildings. Caponigro explained the parking: office space / employee building would have 161 parking spaces,, security building would have 55 spaces and 11 visitor spaces, and water treatment facility would also have parking. Parking for the data center buildings will be in front of the buildings.

Korinchock asked how many employees there are in each building. Caponigro testified to be a maximum of 50 per building, 750 total- over a period of 24 hours / 3 shifts.

Korinchock, asked 15/20 per shift? Caponigro testified probably less,

Price asked if there was only one entrance? Caponigro testified; There will be two. Grassy path will be extended to Weston Road, and the main entrance would be North Park Drive.

Rashko asked if the facility will be gated and secured? Caponigro testified, highly secured with standard double fencing around the entire perimeter.

Karpowich asked if Crossroads XOXO is constructing the access road or are you? T. Williams testified that Northpoint, Hazleton Holdings, will construct the road. Karpowich stated that the language in the deed implies that adjoining property owners must cooperate. There are 2 deeds. Can you show me on the map where Crossroads begins and ends and where Butler begins and ends?

Karpowich, to be clear, you acquired two properties. One from Bulter Enterprises and one from crossroads and the two properties will encompass the entire project? Caponigro testified, yes. Karpowich asked Where is the C-1 on the map and that is not developable? Caponigro testified, that is correct, it is not developable.

Rashko asked if there is only one entrance? Caponigro testified there are two, Grassy Path and North Park Drive.

Price asked if it will be paved? Caponigro testified yes.

Karpowich asked; each data building will be 225,000 square feet, how many floors? Caponigro testified the buildings will not exceed 40 feet in height.

Karpowich asked, are you proposing only one end user? Caponigro testified to his understanding it will be only one end user.

R. Williams asked if the buildings would be open to the public. Caponigro testified, no they will not.

R Williams asked if there was an advantage to having less impervious site coverage? Caponigro testified, yes there is. There are a lot of natural features, the property is between two natural creeks, there are a lot of topography changes throughout the site, We are trying to limit the coverage while making sure the site is adequate for the end user.

Korinchock asked, who will maintain the roads? Caponigro testified, they will maintain the roads

Korinchock asked if Grassy path will be paved? Caponigro testified, yes.

Price asked about North Park Drive extension. Caponigro testified there are very detailed plans in place to extend the road to multiple lanes, there is a section that has to cross stony creek so there are detailed plans in place.

Karpowich asked if the only variance they found they need is for parking? Caponigro testified, yes, it is.

Karpowich asked if the information he testified to was based on conversations with the end user? Caponigro testified it was based on the data center industry which is not a very high number of employees needed at one time. The area is very specific to business, low traffic, high technology.

Karpowich asked how many phases of the project are there? Caponigro testified, There are three phases- The first phase is the bottom five buildings, Phase 2 and 3 would follow. Phase 2 is currently being reviewed by the Hazle Twp Planning Department.

R. Williams asked if there are any industry standards for data centers. Caponigro testified that there are not. There is for warehousing, retail and shopping centers but there is not for Data Centers. Generally it is just from end user feedback. There are a lot of changes being made in other municipalities as far as parking requirements for Data centers.

R. Williams asked if the variance for the parking will directly affect the adjacent properties? Caponigro testified that it would not. If they were required to meet the required parking spaces, there would be substantially more excavating and earthwork to be done. More land disturbed.

Price asked if there will be commercial vehicles? Caponigro testified, there is one dock door per building for access to lowboys, generator, fire equipment etc... during and after construction. There will be accessibility for tri axels.

Karpowich asked if there is a construction schedule? Caponigro testified that it is not required to give a time frame, just a sequence of construction.

Rashko asked if they will be using generators? Caponigro testified, yes they would for power backup.

Karpowich asked if they have power on site yet, Caponigro testified, no , not yet.

Rashko asked about the water. Caponigro testified, Industrial wastewater building on site. That water will be used for cooling purposes in the buildings only. Domestic, potable water will come in from North Park Drive for domestic use and fire protection. Then there is the industrial wastewater used for cooling the buildings There is an industrial wastewater pipe that is being extended under the highway to provide the heavy water demand.

Rashko asked where the water is coming from? Caponigro testified Greater Hazleton Sewer Authority,— across the highway.

R. Williams Called T. Williams to testify. T Williams testified, he is the project manager for North Point which is a national commercial industrial development company that has been developing in NE Pennsylvania for the past 9 years with multiple buildings in Luzerne County. There is about 7.5 million square feet near Wilkes Barre, predominantly in Hanover Township. They also have a building on the south side of Hazleton, predominantly in the Township at the corner of 424 and route 93. We additionally have more acreage in that corridor and are looking to expand five more buildings along 424.

R. Williams asked if he would explain what is proposed for the project. T, Williams testified this is a proposal for a data center campus consisting of 15 data center buildings and four ancillary buildings for security, administration and wastewater treatment.

R. Williams asked, in regard to Karpowich's question as to where the Crossroads property begins and ends versus where the former Butler Enterprises property is , can you give them an indication of the property boundaries are. T. Williams, while explaining on the map. Northpoint is currently the owner of all the property proposed for this data center campus for the entire development portion of this project. The land that was acquired by Crossroads is in the NE corner of the site, a portion of land on the south side of black creek, and there is a smaller portion that goes to Tomhicken Road. This is land that Crossroads acquired via the estate of Pasco Schiavo in a subdivision process. The rest of the property we acquired in 2024 from Butler Enterprises.

R. Williams asked to explain who has the obligation and responsibility for the maintenance for the access drives? T. Williams testified, there may be language of shared access, that is not part of the project at this time. Grassy Path and North Park Drive are the two access points for the campus... Those access roads will be controlled by the developer, North Point Development. We are not proposing deeding any access roads to the township. They will be private access roads for the campus, and They

will have control of the access from the east and west. All maintenance obligations for the access roads is fully on the developer, maintaining, plowing and long-term maintenance. No long term or short-term maintenance will fall on the township.

T. Williams testified- in regard to the condition of these roadways, Grassy Path will be upgraded to a two-lane paved roadway running out to Weston Road with storm water management and will be fully accessible to vehicles as well as Emergency vehicles. Weston Road is a smaller, state road but we are not projecting or proposing that larger vehicles use that access point.

Korinchock asked if they will be used all the time for access? T. Williams testified the roads will be accessible 24/7 to people who have a purpose for being on the property.

T. Williams testified that the topography on the south side has higher elevation, substantial storm water management.

Karpowich is there a way to meet the required number of spaces if they had to? Caponigro testified, it would be difficult to do. Substantial more earthwork to be done, substantial more storm water management, substantial more clearing and land disturbance to accommodate all that parking potential impact to the wetlands. It would be very difficult to do.

T. Williams testified the plan was accepted by the planning department at the May meeting. That is in review with the township engineer and planning department, we are at two rounds of comments at this point.

Korinchock asked if Northpoint has any experience with data centers? T. Williams testified they have opportunities in Pennsylvania as well as other parts of the country. We have one under construction.

Korinchock asked if there would be a lot of noise? T. Williams testified Primarily from the backup generator that is needed in case of the transmission power being interrupted. Normal basis, those generators get exercised periodically.

Price asked if the buildings would pull more power than a normal industrial building of the same size? T Williams testified, yes. It would pull more power. We are not involved with sourcing the power, but it will be suitable power source.

Karpowich asked, how long do you anticipate until the power lines are there? Will that affect the construction schedule, and is there adequate power there now? T. Williams testified there is adequate power there now for Phase 1. He is not sure what kinds of upgrades are necessary for the full campus. It is his understanding that there is other growth in the Hazleton area and potentially power upgrades, and transmission upgrades are due to the growth of Hazleton and other end users in the market place.

Price asked if the build out for the substation on the plan is adequate for all phases of the project, not just phase 1? T. Williams testified e, that is correct,

R. Williams asked if the number of parking spaces proposed are sufficient. T. Williams testified, 3784 parking spaces as prescribed by the ordinance is much more than the site will ever need. It would be a lot of work for something that will not be used.

Price asked if there is any planned redirection of the water? T. Williams testified, correct, There are minimal amount of wetlands that they have been able to avoid. The impact will be less than a quarter

acre of wetlands mitigation required. . Water source for cooling- reclaimed water piped from Greater Hazleton Joint Sewer Authority to the Wastewater Treatment Plant. No chemicals added or other things that take place in the process that would change the makeup of the water . We are not extracting water from Black Creek, we are not drilling = any wells. Domestic water for Bathrooms will come from Can-Do on Park Drive. The reclaimed water will be sourced from GHJSA in conjunction with MAHT.

Rashko asked if they can connect to the Tomhicken Road? T. Williams testified, there is a proposal for Crossroads project but that is not part of our project.

Rashko asked about the site work? W. Williams testified, the site work, roads, utility work, infrastructure and building the buildings will all be the responsibility of the tenant.

Price asked if they have a tenant? T. Willimas testified, there is not a tenant at this time.

T. Williams testified that they are working on a low volume drive way occupancy permit with PennDOT

Karpowich asked if they would sell or lease? T. Williams testified, it is currently a mixed complicated plan that he cannot speak out at this time.

Karpowich asked what is the gross land size? 606 or 601? T. Williams testified 601 because 5 acres were excluded that are C-1 Conservation.

Karpowich stated 308 of ordinance states that you do not have to exclude C-1 in industrial. You can include as industrial.

Korinchock motioned to break for executive session. 2<sup>nd</sup> by Price.

Meeting called back to order

Korinchock opened the meeting up to public questions related only to parking. There were no questions.

**Rashko motion to grant:**

**The application of NP Hazleton Holdings I, LLC, 3315 N. Oak Trafficway, Kansas City, MO for a variance to reduce the required off street parking spaces to 1022 where 3894 is required for a property located at 2500 North Park Drive, Hazle Township, that is zoned I-1 Industrial**

**Motion: Rashko            2<sup>nd</sup>: Price            Vote: All Aye**

Approve the minutes of the August 18, 2025 meeting:

Motion to approve: Price            2<sup>nd</sup> Rashko            All: aye

Motion to approve any bills:

Motion to Approve: Korinbchock            2<sup>nd</sup>: Rashko            All: Aye

The next regularly scheduled hearing date is October 7, 2025 at 5 P.M.

Motion to adjourn at 6:20PM    Rashko    2<sup>nd</sup> Price    vote all-aye

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

October 7, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5:09 PM.

Pledge of Allegiance

**Roll Call:**

Chairman-	Rick Korinchock- Present	Secretary- Jamie Price-Present
Vice-Chairman-	Paul Rashko- Absent	Zoning Officer- Chuck Krone-Present
Solicitor-	Donald Karpowich- Present	Court Stenographer-Bernadette Farrren, Present
Recording Secretary-	Tammy Blasko-Present	

**Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies.**

The application of Mercedes Rodriguez, 1195 State Route 940 for a left side variance of 8 feet where 10 feet is required and a rear setback of 8 feet where 30 feet is required for an attached carport at 1195 State Route 940, located in an r-1 Single Family Residential Zone.

Korinchock swore in Hazle Township Zoning Office, Chuck Krone. Krone presented Hazle Township Exhibit A which included Notice of Appeal, Public Hearing Posting, Deed, Newspaper Ad, Public Notice and pictures of the structure.

Korinchock swore in Josselin Marin, Interpreter

Karpowich advised Marin to go over the documents in the exhibit with the applicant to see if they agree.

Korinchock asked if the applicant is here in good standing? Karpowich advised, yes they are.

Korinchock swore in Victor Santana. Karpowich asked what his relationship is to the property owner? Santana testified, her son. All testimony going forward for Victor Santana is via Josselin Marin.

Korinchock asked Santana to explain what they want to do or what they did. Santana testified they did not know they were taking more space than they were supposed to. They wanted to build an open type of garage for spending time outside with family.

Korinchock asked if they applied for a building permit? Santana testified, yes.

Korinchock asked if they knew the setbacks? Santana testified they provided all the limits..

Korinchock asked if they received the building permit before or after construction started? Krone testified before construction. He was lead to believe that it was going to be a carport, but it appears to be attached to the home. If it was unattached, it would meet the setback requirements of 5 feet but it is attached as an addition.

Karpowich asked who applied for the permit? Santana testified, his uncle's wife.

Karpowich asked why did she tell the zoning officer that it was going to be unattached but it is attached? Santana testified that the construction company was involved with that, they had copies of the papers.

Karpowich asked, who is the construction company? Santana testified that his brother contracted the construction company. They live in NY so this is a vacation home for them.

Karpowich asked if they have a construction contract? Santana testified, they will call the brother to find out the contractor's name.

Korinchock asked if they are licensed contractors in the state of PA? Santana testified, yes. Price asked if they have a contract? Korinchock stated they need a contractor number.

Karpowich advised that because the work the contractor performed is a home improvement ir requires him to be licensed by the state of PA and registered with the Attorney General.

Korinchock asked Krone if they provided the contractor number when they applied for the permit? Krone testified, he was not sure he could pull the application.

Karpowich asked how they came up to the structure being 8 feet from the property lines? Krone testified, that is the information the contractor gave him, and it would be within the setback requirements if it was not attached.

Price stated options for the structure to be un-attached while explaining on the photos.

Karpowich advised we cannot tell them what to do, we can only advise on the variance.

Price asked if the structure was completely unattached, then it would meet the setback requirements? Krone testified, that is correct.

Karpowich advised that a residential structure erected on the side yard can be 5 feet from the property line as long as it is 150 square feet or less. Korinchock advised it is 16x16. Krone testified, he could not verify. Karpowich advised it would have to be under 150 square feet if it is bigger, they need 10 feet according to 302.2.

Karpowich stated the whole lot is 42x88. Krone testified that there is a sizeable front yard on that side. Santana testified the size is 28x28 listed on the application.

Karpowich advised they need 10 feet setback for a structure that is not a corner lot and exceeds 150 square feet.

Santana testified that the contractor's name is Alber Contractor, LLC from Tamaqua, PA.

Alber Contractor stated via Josselin Marin that the permit was for 28 feet x 28 feet but he did make it bigger.

Karpowich asked what is the actual size? Alber contractor via Josselin Marin stated 24x34 or 36 and is 10 feet from the property line.

Korinchock asked for the contractors' registration number. Alber Contractor advised via Josselin Marin – PA199845.

Korinchock advised the contractor should have known the setbacks required before he started the project. He did not do his job following the setbacks. Alber Contractor stated via Josselin Marin that he spoke to the zoning officer. Krone testified, yes after he was already building it. Alber Contractor advised he was the one who picked up the permit.

Karpowich asked if the contractor can reconfigure the structure so it is not attached to the house and is ten feet from the rear and side property lines so he can comply? Alber Contractor stated via Josselin Marin, yes, he could do that.

Karpowich to Marin, the landowner, Mercedes Rodriguez is present, can you ask her if she was present for the entire hearing and heard all the testimony and does she agree with all that was said? Does she have anything to add? Rodriguez stated via Marin, whatever the law says, they will follow it. If it needs to be changed, he will change it so they can enjoy it with their daughter.

Public questions-

Mercina Deitrich, 1199 State Route 940, is the floor going to be concrete or is their plans to make it concrete? Rick, it is stone. Santana testified, no plans as of right now for concrete. Deitrich asked If it is concrete and something happens in the future, how will they get through this building?

Korinchock asked if the sewer line runs thru the property? Petrosky, 1204 State Route 940 stated yes it does.

Karpowich advised that they do not have plans currently to pour concrete and if they do In the future, the zoning officer will have to take into consideration where the sewer lines are.

Deitrich stated the neighbors were not notified of the building permit. Karpowich advised they are not notified for a building permit. Once there is a hearing, then the neighbors are notified.

Karpowich advised that whether there is concrete or not, if there is a break in the lines, they will have to address it. They should not have sub-divided the lot originally.

Motion on decision:

Korinchock advised the contractor is in agreement to revise the structure to meet the township's setback requirements. This needs to be addressed and work started as soon as possible.

2<sup>nd</sup> \_Price      Vote All Aye

The next regularly scheduled hearing date is Monday, November 3, 2025 at 5 P.M.

Motion to approve the September minutes

Approve: Korinchock      2<sup>nd</sup> Price Vote \_All Aye

Motion to approve any outstanding bills:

Motion: Korinchock    2nd Price 2nd L Price    Vote: All Aye

Karpowich advised the contractor needs to contact the zoning officer to be sure the work is being done to the specifications required to meet the zoning ordinance. Who is going to be the point of contact ? Krone testified He has Victor's phone number. Santana advised contact.

Motion to adjourn Price    2<sup>nd</sup> Korinchock    vote All Aye

Meeting adjourned 5:55 P.M.

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

November 3, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Sean Logsdon - Present

Court Stenographer-Bernadette Farrren, Present

Recording Secretary-Tammy Blasko-Present

**Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies.**

Hearing#2

**The application of Armen Jusuf Ametaj, 111 Sunset Drive, Hazle Township, for a variance to erect a chicken coop and the keeping of chickens on the same property. The property is located in an R-2 Multi Family District.**

Korinchock stated that there are procedural issues with the newspaper advertisement.

Logsdon asked if Mr. Ametaj was the applicant. Ametaj stated he was.

Logsdon advised that part of the zoning application is to advertise the posting for each of the zoning hearings. Inadvertently, the address was misidentified in the newspaper as 111 Sunset Drive and it should be 111 Claude Boulevard. Because of the misidentification, people reading th notice may not have realized that this hearing was going on tonight. We are going to continue your hearing to our next regularly scheduled zoning board meeting on December 1<sup>st</sup>. Is that okay with you? Ametaj stated it was.

Logsdon stated that the hearing on a zoning application is required within 60 days of the application. Because the hearing is being continued, it will be over the 60 day requirement. Will you waive the 60-day requirement to allow your hearing to be held on December 1<sup>st</sup>?

Rashko asked if the back yard is fenced in? Peregrino testified it was.

Korinchock asked if they will be using the basement? Peregrino testified, no.

Korinchock asked how many children do they plan on having there? Peregrino testified she was not sure yet.

Rashko asked if there is a bathroom? Campos testified, yes.

Price asked what type of heat is in the home? Peregrino testified, Electric.

Logsdon stated he understands they are not 100% sure of the number of children they will have in the home but what ages will the children be? Campos testified 3 months to 5 years old.

Korinchock asked if Campos is currently licensed? Campos testified not in Pa but she is licensed in New York.

Logsdon asked if the home was purchased as an investment property, business property or with the intention of having a single-family home? Peregrino testified a single-family home.

Korinchock asked if they will have a sign? Peregrino testified, just for advertisement, plus signs to slow down, children in area.

Korinchock asked what the hours of operation will be? Peregrino testified 6:30am to 6pm.

Rashko asked if you live alone there? Campos testified, no 3 people live there. Rashko asked where will the 3 people be doing their cooking with the children there? Campos testified they will not be there during the hours the children are, they will be at work.

Korinchock asked how many employees they will have. Peregrino testified they will need 1 worker for every 2 children.

Logsdon explained the variance, you live in the building and you have a one-year-old. If you do not want to live there any more, will you rent the upstairs out to someone else?

Peregrino testified that they will not rent the upstairs out.

Logsdon asked what type of security they will have. Peregrino testified they will have cameras 24 hours and a ring camera, the parents will have to sign in and sign out at drop off and pick up we will have emergency contact lists for the children on file, and the children will only be released to the person listed on the paperwork.

Krone testified, the zoning ordinance states, the play area needs to be completely enclosed with a fence that is six foot in height. Play area to be open 10am to 5pm and the be a minimum of 100 square feet or 10 square feet per child.

Logsdon asked if there will be buses picking up the children to go or to come back from public school? Will you be accommodating those children? Peregrino testified, no, the children will be under school age, and the parents will have a designated pickup area.

Logsdon asked if there would be any amplified outdoor sound? Peregrino testified, no, just a simple play area.

Rashko asked if there will be children left for a few hours after school? Peregrino testified, no.

Price asked if the requirements of 1 worker for 3 children or 2 workers for 6 children, does that include your child? Campos testified, yes

Logsdon asked if the the board does not grant the variance, will you be under hardship? Peregrino testified, no, not much will be a hardship.

Logsdon asked if the property could still be used as a single-family residence. Peregrino testified, yes.

Korinchock opened the meeting up to public questions.

Kevin Hornick, 417 Old Cranberry. He is concerned because he has a dog and he does not want the kids sticking their hands through the fence. Peregrino testified we will be changing the chain link fence to wood or vinyl.

Rashko asked Hornick how big is the alley behind your house? Hornick stated probably 12 feet with grass on both sides.

Donna Davidyock, 424 Old Cranberry stated the roads are small and there will be an issue for her getting in and out of her house if people park in front of the house.

Korinchock asked if people are currently parking on the street? Davidyock stated, everyone parks on the street. Price asked, everyone parks on the street but they are not allowed to park on the street? Davidyock stated if people are driving on the street and our six grand kids are playing out there or we are trying to get out of our driveway, it will be a problem.

Korinchock motioned to break for executive session. Price 2<sup>nd</sup>

Korinchock called the meeting back to order.

Logsdon , on the

**The application of Yoni Campos of 421 Old Cranberry Road, Hazle Township for a variance for a home occupation to operate a day care at this address, which is owned by Gabriela Baez, ETA of 424 West Hemlock Street, Hazleton. The property is located in a R-2 Multi Family District.**

Do I have a motion to conditionally approve the application contingent upon:

\*State and local Agency approvals be obtained for the operation of the day care center  
Along with all applicable licensures and certifications required.

Signage to be Installed in the front and the back of the property regarding parking.

The property must remain as a primary residence of Ms. Campos.

Motion to approve: Price 2<sup>nd</sup> Rashko All: aye

Korinchock, does everyone understand what was just said? They cannot continue to do anything until they get state certification which will dictate the number of children allowed in the home, fencing and all other requirements needed. The local agencies will also be involved. She has a NY certification, but she will have to apply to get a PA certification to run the day care. There will be a lot of things that will be in place before they can open up.

Logsdon advised that the approval tonight will allow her to continue with the process with State and local licensure and approvals. Code officer will also need to inspect the building and advise any changes that need to be made. You will receive a written decision within 45 days of this hearing stating all the conditions to be met.

Motion to approve the minutes of the October 7, 2025 hearing.

Motion: Rashko 2<sup>nd</sup> Price. All: Aye

Motion to approve payment of any outstanding bills:

Motion: Rick 2<sup>nd</sup> Rashko All: Aye

The next regularly scheduled hearing will be on December 1, 2025.

Motion to Adjourn: Rashko 2<sup>nd</sup> Price All: Aye

HAZLE TOWNSHIP ZONING HEARING BOARD OF APPEALS

PO BOX 506, HARLEIGH, PA. 18225

December 1, 2025

Meeting Minutes

Meeting called to order by Chairman, Rick Korinchock at 5 PM.

Pledge of Allegiance

**Roll Call:**

Chairman- Rick Korinchock- Present

Secretary- Jamie Price-Present

Vice-Chairman- Paul Rashko- Present

Zoning Officer- Chuck Krone-Present

Solicitor- Sean Logsdon - Present

Court Stenographer-Bernadette Farrren, Present

Recording Secretary-Tammy Blasko-Present

**Aggrievement statement: Any person aggrieved by any decision of the Board of Adjustment or any Taxpayer or the Supervisors of Hazle Township may appeal to the Court of Common Pleas of Luzerne County by petition duly verified setting for that such decision is Arbitrary, Capricious and an abuse of their discretion or otherwise not in accordance of law and specifying the grounds on which he relies.**

Korinchock motioned to break for executive session. Motion second by Price

Korinchock called meeting back to order

Continued hearing:

**The application of Armen Jusuf Ametaj, 111 Sunset Drive, Hazle Township, for a variance to erect a chicken coop and the keeping of chickens on the same property. The property is located in an R-2 Multi Family District.**

Logsdon asked if Mr. Ametaj was the applicant. Ametaj stated he was. Logsdon wanted to go over some housekeeping items.

Hazle Twp- Exhibit#1 which included copy of hearing notice, property posted, fees paid

Exhibit #2- public notice for tonight's hearing that was published in the newspaper.

Exhibit#3-notice of appeal,

Exhibit#4 copy of deed,

Logsdon asked Ametaj, it is listed as Sofia and Usef. Ametaj testified he is here on behalf of his father. They are getting ready to retire and he wants to get them the chicken coop.

Logsdon asked if he was authorized to be here on behalf of his father? Ametaj testified, yes.

Logsdon asked if Ametaj lived at the property. Ametaj testified, he lives at 761 N Church Street in Hazleton.

Logsdon advised the property is in his parents' name. You need a legal standing to be here. You will need A letter from your dad notarized saying you can be here and speak on his behalf. Are you waiving the right to continue the hearing until January 6, 2026 so you can provide a letter from your dad. You will have to waive your right to continue this hearing to January 6 which is over the 60 day requirement for a zoning hearing. Ametaj testified yes he will waive the 60 day requirement so he can provide the notarized letter needed.

Motion to continue: Rashko            2<sup>nd</sup>: Price            All aye

Motion to approve the 2026 Zoning Hearing Dates: Rashko            2<sup>nd</sup> Price

Motion to approve the minutes of the November 3, 2025 hearing.

Motion: Price            2<sup>nd</sup> Rashko.    All: Aye

Motion to approve payment of any outstanding bills:

Motion: Paul            2<sup>nd</sup> Price            All: Aye

The next regularly scheduled hearing will be on January 6, 2026.

Motion to Adjourn: Rashko    2<sup>nd</sup> Price            All: Aye