

**New Stanton Planning Commission  
Minutes of Meeting  
Council Chambers  
April 12, 2023**

**1. Call to Order**

Jay Gomolak called the meeting to order at 7:00 PM.

**2. Roll Call**

**A. Attendance:** Commission members: James Evans, Jay Gomolak, George Miller and Tim Seale. Absent: Amy Damaska, Charles Humes and Kimberly Hixson.

Other borough officials in attendance: Borough Manager Jeffrey McLaughlin and Borough Engineer Steve Eby.

**B. Others in Attendance**

Mayor Tom Smith, Daniel Andres representing The EADS Group and Joe DePascale representing New Stanton Investors, LLC.

**3. Approval of Previous Meetings' Minutes**

Jim made a motion seconded by George to adopt the minutes of March 15, 2023. Motion passed unanimously.

**4. Audience Comments on Non-Agenda Items**

There were no comments.

**5. Audience Comments on Agenda Items**

There were no comments.

**6. Old Business**

Jim asked about the changes to the fees. Jeff said that Anita, Mike Stack and he met about the building permit fees. He said that they were leaning toward recommending a cost per square foot basis but are still looking into it.

**7. New Business**

**a. Discussion and/or Deliberation and/or Official Action to Recommend to Council the Land Development Plan Submitted by New Stanton Investors, LLC c/o Summerwood Corporation for the Property at 105 Highland Avenue, Parcel ID# 64-04-09-0-004**

Jeff introduced Dan Andrus from the Eads Group who was present to give an overview of a proposed Taco Bell on the site of the former Pizza Hut. Jeff pointed out that the developer had three variance requests before the Zoning Hearing

Board, including the elimination of sidewalks on N. Center and Highland, installing 16 as opposed to the minimum number of 27 parking spaces required, and installing a 11 ½' retaining wall over the maximum required. The committee was to meet on April 10, 2023, but did not have a quorum. The variance requests will be considered at the next Zoning Hearing Board meeting scheduled for May 8, 2023. Jeff stated that the land development review could proceed and if the Planning Commission so desires, could be recommended pending the variances.

Jeff pointed out that the land development plan was sent out to all of the members along with Steve's review letter.

Dan pointed out the following items regarding the project:

- There would be 52 seats for customers.
- The driveway entrance would be in the same location as the existing driveway.
- Traffic flow would be one-way with traffic going around the building to access the drive-thrus.
- Two drive-thrus are being proposed.
- There will be an outdoor patio with seating.
- 16 parking spaces are being proposed. Under the Borough zoning ordinance, 27 are required, that is why a variance is needed.
- Deliveries will be after hours.
- All traffic surfaces will be asphalt with the exception of the drive-thru, handicapped parking space and the walkway from the handicapped space to the building which will be concrete.
- An 11 ½' retaining wall is being called for at the back of the site to maximize the usability of the site.
- The store will open at 7 AM, 7 days a week. On Friday and Saturday the main doors to the restaurant will close at 10 or 11 PM with the drive-thru remaining open until 2 AM.
- The same pole on which the Pizza Hut sign is currently will be used for the new Taco Bell sign. They will also be installing a new manual change message board in place of the existing. There will be signage on the building as well.

- There will be multiple planting beds with landscaping screening on the edge of the property where it meets the adjoining property.
- The amount of impervious area will be reduced which he said would allow them to be exempt from stormwater management. They will only be disturbing .9 acres. He said that they will be providing an erosion and settlement control plan.

Jim asked about lighting. Dan said that they will be providing LED pole-mounted lights. He said a lighting plan has been submitted and light will not be shining off the property.

Jay asked why two drive-thrus were being proposed. Joe DePascale said that drive-thrus account for 80% of their business and that two drive-thrus are the trend in the industry, especially because of the pandemic which caused more people to not want to come into the restaurant. Joe gave an additional overview of the company, Summerwood Corporation, which just took over this market and as part of the transaction are required to build new stores. They are looking at holes in the market and do not have a Taco Bell in the vicinity. He said that they prefer the largest building possible in the event that they need to sell a property, it would be more valuable to sell with a bigger building.

There was a discussion about sidewalks. Jeff reviewed the sidewalk ordinance that was passed in March and also the reference to sidewalks in the comprehensive plan. Steve pointed out that there is a crosswalk from the western side of N. Center Avenue that crosses to the lower corner on Highland. Joe said that the sidewalks are not shown on the land development drawing because they had applied for the variance. George said that council decided to weigh in on the Zoning Hearing Board's consideration, advocating at a minimum that the sidewalk on Highland be required. Dan mentioned that there were utility poles near the corner of Highland and N. Center that would make sidewalks more difficult. Jim said that we should never give variances on sidewalks. He said that if we keep giving variances we will never have sidewalks.

Regarding the parking space variance request, Steve stated that if the developer is okay with a limited number of parking spaces, he is okay with it as well. Regarding the retaining wall height variance request, Steve suggested a fence on top of the wall.

Steve said that the developer went above and beyond borough requirements on the landscaping.

Jeff inquired about the need for cars going through the drive-thru to go around the building twice. Joe said that it allows for more vehicle stacking for the drive-thru.

After additional discussion on sidewalks, two motions were passed regarding the land development plan:

George made a motion seconded by Jim to recommend that council approve the land development plan submitted by New Stanton Investors for 105 Highland Avenue allowing for variances from the Zoning Hearing Board regarding the number of parking spaces and the retaining wall height, if a fence is placed on top of the wall. Motion passed unanimously.

Jim made a motion seconded by George to recommend that council approve the land development plan submitted by New Stanton Investors for 105 Highland Avenue contingent upon sidewalks on S. Center Avenue and Highland Street continuing to be required for the development. Motion passed with all those present voting yes with the exception of Tim who voted no.

**b. Other New Business**

Jeff said that members need to fill out the 2022 ethics forms. They are due on May 1, 2023.

**8. Adjournment**

Tim made a motion seconded by George to adjourn the meeting at 7:52 PM. There were no objections.

Respectfully submitted,

Jeffrey McLaughlin  
Borough Secretary