

**WHITE OAK BOROUGH  
ZONING HEARING BOARD MEETING MINUTES  
HELD SEPTEMBER 30, 2009**

**Zoning Hearing Board Members Present:**

Terry Farrell  
Phyllis Spiegel  
Keith Reigh, Alternate

**Zoning Hearing Board Members Absent:**

**Others Present:**

Wayne Washowich, Code Enforcement Officer  
Tony Bianco, Hudson Companies  
Wayne Weinstein  
Gene Sabol

Mr. Farrell: Good evening. Make sure our microphones are working. I apologize for getting started a little bit late, we wanted to discuss this a little bit in back. But, before we begin I'd just like to introduce the members of the Zoning Board. I'm Terrance Farrell. To my left is Phyllis Spiegel and to her left is Keith Reigh. Before we begin also I'd just like to ask that we just all stand and we'll pledge allegiance to the flag.

All: Recited Pledge of Allegiance.

Mr. Farrell: I'm going to ask the Zoning Officer, Mr. Washowich if this meeting has been properly advertised?

Mr. Washowich: Yes it has Mr. Farrell.

Mr. Farrell: And anybody who is going to speak tonight, if you come up to the podium, pull the microphone to your face please, and speak clearly and introduce yourself.

Mr. Tony Bianco: Hello, thank you for having me.

Mr. Washowich: You know what Tony, you can pull that right out. Just take that, pull that whole thing out, the microphone part. It will just pull right out if you want, and you can hold it.

Mr. Washowich: Okay.

Mr. Tony Bianco: That's good. I'm Tony Bianco, Hudson Companies, representing the

Community Action Partnership of Mercer County, 2450 Shenango Valley  
Freeway in Hermitage, 724-981-1204 phone number.

Mr. Wayne Weinstein: I'm Wayne Weinstein, I'm the real estate agent involved in this project for White Oak, and my phone numbers on here.

Mr. Farrell: Who's going to be the presentater, presenter? Okay.

Mr. Tony Bianco: As you all have a copy of the request for a Zoning variance. We're seeking a zoning variance based on acreage. The present site that we have obtained an option to purchase on, that Wayne helped us, is off of Rainbow, and we have a total of two acres, and under the current zoning ordinances you need a minimum of five acres, so we're seeking a three acre variance to permit a multi-family dwelling. And also, under the I-2, we're looking to –

Mr. Farrell: I-1.

Mr. Tony Bianco: I-1, yeah, we're looking to refer it back to the C designation where it permits multi-family with a business use. And the business use in this building would be the actually business management office that is in each and every building. There is a full-time business manager's office.

Mr. Farrell: I'm sure there's going to be a lot of questions because we had a lot of questions to our Zoning Officer in the back so, if we can begin a little bit, okay, and maybe you can sort of fill us all in as we have questions.

Mr. Tony Bianco: Yeah.

Mr. Wayne Weinstein: Terry can I add a little to the?

Mr. Farrell: Sure Wayne, come on.

Mr. Wayne Weinstein: This may seem like a fairly large variance, but I think you all understand that this is a piece of back property. It's pretty much useless for other things at this point. It doesn't impact any residential properties, it's not close to anything, it's not, you can almost not get to any residential properties from here. There's only one neighbor that's in front of us, the storage units, which is Gene Sabol, and he's here tonight. And uh, that's about the story. This is a good location. It's certainly a good user, because everything about it is beneficial to the Borough. It does pay taxes. It's not a tax free property. And it does not tax the Borough or school services. It's for occupants 62 years of age or older, so there's no children involved, no school expenses. Many of these people won't have cars, some will. But there's no crime associated with people in this age group. And it provides a method of people who are retiring and selling their home in White Oak to stay in the area, because of their families. That's some of the just, some of the reasons for this request of this variance. And may I also say that it was truly hard

to find something. I worked with Tony Bianco for a long time looking at a bunch of different properties and uh, the topography here is very difficult, finding a five acre site that's usable is uh, next to impossible. And we had to settle for this, it's an ugly piece of property right now and this wind up being an asset to the community.

Mrs. Spiegel: Can you tell us the dimensions of this piece of property, you say that it is two acres, I don't know, you know, where to where, and it says over here, the area is 1.28. You see on this drawing that we have here?

Mr. Tony Bianco: Yes.

Mrs. Spiegel: Okay.

Mr. Tony Bianco: I don't have a copy to refer to.

Mr. Farrell: Here, I'll lend you mine, okay, because we can borrow, I can share Mrs. Spiegel's.

Mrs. Spiegel: I just don't understand where you have two acres.

Mr. Tony Bianco: The parcel, do I have to use the microphone?

Mr. Farrell: It is being recorded.

Mr. Washowich: It is being recorded Tony.

Mr. Tony Bianco: You have your primary piece, where we're going to propose building. But also –

Mrs. Spiegel: Where is it?

Mr. Tony Bianco: The primary piece of property is here, with these pins, so we did have a preliminary survey conducted. But also –

Mr. Farrell: Are the pins that you are referring to the dark spots on –

Mr. Tony Bianco: That's correct. That is correct.

Mr. Farrell: That surround the property?

Mr. Tony Bianco: Yes.

Mrs. Spiegel: And what is that, is that two acres?

Mr. Tony Bianco: That is about 1.26 I believe, and then the .712, which this is a totally

useless piece of property to us, but knowing that we were going to need a variance, we purchased, or optioned I should say, to get as close as we could to the five acres that's needed. So, Gypsy Lane comes this way. So this property behind it that we also have optioned, is totally useless, we can't use it.

Mr. Farrell: It's a hillside, is that right Tony? It's a hillside?

Mrs. Spiegel: And how much is that?

Mr. Tony Bianco: It's a hillside.

Mr. Washowich: Three quarters of an acre.

Mrs. Spiegel: Oh.

Mr. Tony Bianco: I'm sorry, yes, three. And this is the 1.26.

Mr. Farrell: But the real structure is really just being built then on the 1.286.

Mr. Tony Bianco: Yes.

Mr. Farrell: I mean you can come in and ask for a variance for 1.286 as opposed to a variance for 2 acres.

Mrs. Spiegel: Because you can't use it.

Mr. Farrell: In other words the site requirement is 5 acres and you're saying you have 2 acres.

Mr. Tony Bianco: Yes.

Mr. Farrell: Obviously you do if you acquired them. But (.) almost three quarters of an acre is useless.

Mr. Tony Bianco: Correct.

Mr. Farrell: So the whole projects going to be on 1.286 acres.

Mr. Tony Bianco: Correct.

Mr. Farrell: I mean you can't even use, from what I'm gathering here, the  $\frac{3}{4}$  acre for parking?

Mr. Tony Bianco: We cannot, because there's a physical hardship associated with the property. (inaudible)

Mr. Wayne Weinstein: I think I can add a little something to that. We originally made a description of this property taken from tax map records and it came to about 2 ½ acres of land, now that does include out to the center of Gypsy Lane and some of the properties, which have, not officially been abandoned by the Borough, but which we expect the Borough to abandon, the Borough has indicated they're willing to cooperate on this. So it's a little larger than that, plus when you talk about Borough anything unusable, that's always the case, these (inaudible) often become green space. Essentially, such as the Oaks, which it was a smaller variance there but, that's a 5 acre requirement as well and it was something like 4.93 acres, well they came close, but only an acre or so of that land was usable (inaudible) So the green space that's contemplated by the Ordinance counts at least for something.

Mr. Farrell: Okay, your question was, is if this Gypsy Lane is vacated back to the owners, what about all this other property that's around it? All of it, will it effect them ever getting that property sold?

Mr. Wayne Weinstein: Well, you have, I represent one of the owners, (inaudible)

Mr. Farrell: Excuse me, Wayne, do you want to speak into the microphone?

Mr. Wayne Weinstein: Oh, I'm sorry. I represent one of the owners, there are only two owners involved. I represent one of the owners, that's the Zonas, Zona Enterprises, who is the seller here.

Mr. Farrell: And where does Zona own? He owns the parcel we're speaking of, plus the ¾ acres?

Mr. Wayne Weinstein: Yeah, everything that's included in this description. I don't know if you're looking at, you're probably not looking at the same thing I am.

Mr. Reigh: I'm looking at that map

Mr. Farrell: I'm looking at that map Wayne.

Mr. Wayne Weinstein: Okay.

Mr. Tony Bianco: This is Gene's storage. Zona owns this parcel and that other .72.

Mr. Reigh: So that's where the building is going to be, that close to the storage sheds, right there?

Mr. Tony Bianco: Yes.

Mr. Wayne Weinstein: You can basically start where –

Mr. Farrell: Tony is it?

Mr. Tony Bianco: Yes.

Mr. Farrell: Show me that again. Where are we going to be? So I went up there and took a look around just tonight, just before I came to this meeting. There's a couple concrete pads up there, some abandoned trailers.

Mr. Tony Bianco: Right. Correct.

Mr. Farrell: Is that the site that we're going to be on?

Mr. Tony Bianco: Yes. And we'll have to move, obviously, excavate the hillside.

Mr. Farrell: I understood that we were going to be much –

Mr. Washowich: I thought it was going to be much farther back in.

Mrs. Spiegel: What's the size of the building?

Mr. Tony Bianco: The dimensions of the building are 50 by 187. What you're looking at there is probably our typical 50 by 200, that the architect always shows on site plans.

Mr. Farrell: Yeah, he had –

Mr. Wayne Weinstein: So that's about 10,000 square feet.

Mrs. Spiegel: Pardon?

Mr. Wayne Weinstein: About 10,000 square feet.

Mr. Tony Bianco: Yeah, we're typically around 10,000 – 11,000 square feet per floor.

Mr. Farrell: Now this space here Tony that you're going to be 200 by 55?

Mr. Tony Bianco: That's our typical dimensions 200 by 55 is what we always quote. It's proposed, we were thinking around 200 by 55, a 23 unit, but because of the site, we're also considering maybe only 19 units. If we're only at 19 units, it's going to be 55 by 187.

Mrs. Spiegel: 19 units?

Mr. Tony Bianco: Yes.

Mr. Farrell: Don't you think that's important for us to know for sure, what you're going to build?

Mr. Tony Bianco: Yes.

Mr. Farrell: Before we approve anything.

Mr. Tony Bianco: I do, but we're at the point where, um, we are under, we have to abide by what's called the NOFA, it's the notice of funding availability, at the point in time the architect is laying this out the notice of funding availability wasn't released by the Federal Government, the US Department of Housing and Urban Development. And without that being released we didn't know how many units were available in Allegheny County, so we were strategizing and we said, let's look at 23. And since that point in time, not only has the local been released, but we learned from the surveyor, who placed these pins, that we're going to have more of a challenge than we originally thought of, so that's why we're contemplating (inaudible) as well.

Mrs. Spiegel: Are you related, are you with Hudson?

Mr. Tony Bianco: Yes, I'm with Hudson Companies. We are not the developer, we will be the construction company, but we work with the Community Action Partnership of Mercer County, as I indicated on there in the upfront, which is a non-profit company that, it does a lot of community service, community outreach projects similar to this. And they just simply don't have the staffing to do due diligence on these projects.

Mr. Farrell: So this will be low-income?

Mr. Tony Bianco: Yes, it's based on income, for seniors only, 62 and older.

Mr. Farrell: Low income is all relative, what, do you know what the real guidelines are as far as low-income? I mean the dollar amounts or something?

Mr. Tony Bianco: It's based on the per capita in the area, and naw, truly that would be a question for the Community Action Partnership of Mercer County. But everybody's rent is different, because it's based on everyone's income. So if my Aunt Sally makes \$25,000 a year and this woman is only at \$18,000, well whoever makes the \$25,000 is going to have slightly higher rent than the person that makes \$18,000.

Mrs. Spiegel: How is the ingress and egress going to be there? It's not on your property, is it? Going in and going out.

Mr. Tony Bianco: Well, Gene Sabol has, what we believe to be Rainbow Drive coming up.

Mr. Farrell: When you say you believe, Gene Sabol has, what do you mean Gene Sabol has?

Mr. Tony Bianco: Well, we believe that this is Rainbow Drive.

Mrs. Spiegel: And he owns it?

Mr. Wayne Weinstein: I can give a little additional history on that. Mr. Sabol, who is here as I said, developed the storage units, which are there now. He had a driveway that was entirely on his own property, but was a little bit tortuous, but the Borough didn't like that, the Borough required him to pave to public road specifications, that part of Rainbow Avenue, which he has since paved. And so, that was the access.

Mr. Farrell: Is it my understanding though Wayne, and you have some familiarity with this, that that is a private roadway?

Mr. Wayne Weinstein: Well, again, there's more history. All of you remember, maybe not Keith, he's too young. But when PennDOT condemned all of this property for the so-called new Route 48, yeah I didn't ---

Mrs. Spiegel: I got it, okay.

Mr. Wayne Weinstein: -- PennDOT did not actually condemn the roads. They just assumed they could have them, took them over, ripped out sewers and any utilities that were in the roadways. So when they pulled out of that project and offered these properties up for sale, they actually had no say in the roads. Now there were two roads going in to this plan, one was Herr Avenue, which is through what is now a large portion of the Zona property, that has been abandoned by the Borough, officially. Rainbow Avenue was never abandoned by the Borough, but the Borough isn't maintaining it either, the Borough isn't claiming it, and we do have folks, which is really not this Board's problems, of having the Borough either take over, once the road is developed further, and the necessary utilities are there, we hope they would take it over. That's not something decided. But we're here basically for one purpose, these questions about the site, with the building on the property and things of that nature will be taken up by the Planning Commission once they're developed. Frankly we're not totally ready. The Planning Commission hasn't seen that, a final plan yet. But we're here for the purpose of getting the variance on space, on the area, on the required area. And that's what we hope to achieve tonight.

Mrs. Spiegel: But you do have just 1.something, do you have the other?

Mr. Wayne Weinstein: Actually it's more Phyllis, and I think it will wind up more. Our



description, and now we prepared this, this wasn't done by an engineer. But we used County tax records, or tax maps of the properties that are involved, and an estimation of the amount of area out to the middle of Rainbow and Gypsy Lane, and in the case where they own both sides, where there's owners like on both sides of Gypsy Lane, the entire width of Gypsy Lane there. And we think it's more like 2 ½ acres.

Mr. Farrell: But, this developer won't own the lots next to the ¾ acre back lot will he?

Mr. Wayne Weinstein: Yeah. From, not on either side of it, but in front of it, yes.  
Because it –

Mr. Farrell: In front, what I'm saying though like, the adjoining lots to the, Zona's lot that sits behind the hillside, that's ¾ acres, who owns the lots adjoining those lots?

Mr. Wayne Weinstein: On both sides of it?

Mr. Farrell: No going back, well yeah, on both sides.

Mr. Wayne Weinstein: Well both sides and probably even the rear are owned by Eugene Sabol.

Mr. Farrell: So Sabol would own on either side of the Zona lot?

Mr. Wayne Weinstein: On either side of one of the Zona lots. For some reason or other the Zonas own one piece of the land, which is on the upper side of the old Gypsy Lane.

Mr. Farrell: Right, that's the piece I'm concerned with.

Mr. Wayne Weinstein: Yeah.

Mr. Farrell: Who owns the other side to those? Do you know?

Mr. Wayne Weinstein: It's Gene Sabol.

Mr. Farrell: Sabol.

Mrs. Spiegel: Can you show it to us on the map?

Mr. Farrell: So Sabol might own both of these?

Mr. Tony Bianco: You're referring to this?

Mr. Wayne Weinstein: Yeah.

Mr. Farrell: Yeah, right Tony.

Mr. Tony Bianco: Yeah, I don't know who owns this.

Mrs. Spiegel: You hope to own that right?

Mr. Tony Bianco: Yes. (inaudible) part of the Zona property (inaudible)

Mr. Farrell: Right.

Mr. Tony Bianco: (inaudible)

Mr. Farrell: And what you're saying, Wayne, is if the Borough were to abandon Gypsy Lane or Gypsy Road, whatever it's called, it would revert to the adjoining property owners, half to this development –

Mr. Wayne Weinstein: Well this is –

Mr. Farrell: Along the whole, along the back of the whole property, and half in front of the  $\frac{3}{4}$  acres.

Mr. Reigh: Then what we're doing is we're landlocking these properties up there then, right?

Mr. Wayne Weinstein: They're not landlocked, no.

Mr. Reigh: Not if Gypsy Lane goes through there.

Mr. Wayne Weinstein: Gypsy Lane (inaudible) there were even houses on Gypsy Lane, but this was many years ago, and the Borough has no plans (inaudible) road –

Mr. Tony Bianco: There's no infrastructure.

Mr. Wayne Weinstein: Yeah, there's no infrastructure (inaudible) But on this portion of Gypsy Lane, since it is owned on both sides, in (inaudible) this property would (inaudible) this side to the Zona's and this side to Gene Sabol. (inaudible)

Mrs. Spiegel: And you're planning to obtain that?

Mr. Wayne Weinstein: Obtain what?

Mrs. Spiegel: Those different –

Mr. Farrell: The vacation of the street.

Mr. Wayne Weinstein: Yes, we are.

Mrs. Spiegel: But don't you have the permission of the Zona and the others?

Mr. Wayne Weinstein: Mr. Zona's here, if you want to ask him, if he's even signed in.

Mr. Farrell: Mr. Sabol's not here though is he?

Mr. Wayne Weinstein: I mean Mr. Sabol is here. I'm sorry. Zone is here, I represent them.

Mr. Farrell: Okay. You're not sure whether you're going to build a 19 unit building or a 23 unit building, as I understand it. And the actual building area right now that you're showing is like 1.286 acres?

Mr. Farrell: Yes.

Mrs. Spiegel: And it's 50 by 187?

Mr. Wayne Weinstein: It's 50 by 187 if it's the smaller unit and 55 by 220 if it's the bigger one.

Mr. Tony Bianco: And more than likely it's going to be the smaller, but we went with the worst case scenario.

Mr. Wayne Weinstein: And I want to add also, that when they come in with the actual building plans, which if this Board sees fit to grant the area variance, they will come in and meet all of the Borough's specifications as to setbacks and parking requirements and all of those.

Mr. Farrell: Just a question, in nature this is going to be sort of a residential type of facility.

Mr. Tony Bianco: Uh huh.

Mr. Farrell: There's still available land up there to build commercial or industrial type of structures nearby, aren't there Wayne?

Mr. Wayne Weinstein: Yeah, there is, but if you note the topography there, it's extremely unlikely. This is a back piece of property, which the Zona's, Zona Enterprises is willing to sell because they don't see any future for industrial or commercial development there. Now, on the other side of Rainbow Avenue, putting all the way out to Lincoln Way, that is a commercial (inaudible) piece. But that doesn't meet Rainbow Avenue.

Mr. Farrell: And Tony, if I were to look at this map that you, that we were given as part

of our package, this property to the left of your building, is, are the sheds that close?

Mr. Washowich: That's where the sheds are.

Mr. Farrell: Are we that close?

Mr. Tony Bianco: Yeah, you can see the property (inaudible) here –

Mr. Farrell: Why is that shaded like that, that white block?

Mr. Tony Bianco: It's just an overlay that I did, just to get an idea of the various ways we can position the building, because I truly didn't like the way the architect did it, so I put the building to scale and did the new overlay, positioned it to scale in the approximate area where we realistically (inaudible) there is a, will be a natural buffer.

Mr. Farrell: Can you go to the next picture?

Mr. Tony Bianco: Yeah.

Mr. Farrell: It's a little easier for me to see.

Mr. Tony Bianco: -- natural buffer exists, and then we always of course, when the engineers when they design the projects they do one too.

Mr. Reigh: How bad of a grade do you have, from the front of your property to Gypsy Lane? Rainbow to Gypsy Lane, there up, yeah.

Mr. Tony Bianco: This is flat to here.

Mr. Reigh: That's flat to there?

Mr. Tony Bianco: Okay. So that's flat there. From here to Gypsy Lane, 28, 25.8 % grade. This first half, this much of it isn't bad, maybe only a 10%, and then –

Mr. Reigh: It's steep?

Mr. Farrell: If I look at those sheds, it seems like the first row of sheds was set down lower than the upper sheds.

Mr. Wayne Weinstein: It is, it rises this way.

Mr. Farrell: And I guess that sort of relates to that whole topography back in there, right? The stepping up.

Mr. Tony Bianco: It's going to be an engineering challenge. But this is the artists rendering of what a two-story, I believe this is 27 units, so (inaudible) just for aesthetic purposes this is –

Mr. Reigh: That's the basic building?

Mr. Tony Bianco: Yeah.

Mr. Wayne Weinstein: That's about what it will look like.

Mr. Tony Bianco: Yeah, it's grey, (inaudible) elevated building with an elevator, fully sprinkled, with fire protection, fire protection built in each unit in case (inaudible) stove. It's a secured building, it's a keypad security system for everybody to get in. And uh, typically in each building we have a community room for the residents to gather, have birthday parties. There's a networked neighborhood room with computers. And then there is one small designated for health screening and beauty if you will.

Mr. Wayne Weinstein: That's in case people want someone to come in, maybe a doctor or some kind of health screening, or flu shots, if someone wants to have a beautician come in and schedule for several apartment renters, that's where they come in. It does not have a commercial kitchen, it doesn't offer restaurant services, they eat in their apartments. But they do have these additional amenities available to the tenants if they want them.

Mrs. Spiegel: What are they, 1 bedroom?

Mr. Tony Bianco: One bedroom. Each unit is 540 square feet. They are very small, but yet efficient. (inaudible) our construction if you need some more information, is based on hotel construction. We use dock planking so the building is pretty much solid concrete.

Mr. Spiegel: Is it a two way road going down from there to where you have to go?  
Where do you come out? Onto Lincoln Way?

Mr. Tony Bianco: Lincoln, yes, it goes to Lincoln Way.

Mr. Wayne Weinstein: Rainbow Avenue goes to Lincoln Way. And Rainbow Avenue is wide enough the way it is right now, courtesy of Mr. Sabol. It is built to Borough road specifications.

Mrs. Spiegel: Well, I'm really haven't been to the site, because I didn't know just exactly where what was. I wouldn't mind if we could go and look at it and get the feel of it.

Mr. Wayne Weinstein: You're welcome to do it.

Mr. Farrell: We thought we might, listen to the testimony tonight, adjourn, and then maybe meet with Tony or Wayne one day, maybe even over the weekend.

Mrs. Spiegel: Not the weekend, not the weekend.

Mr. Farrell: And then reconvene Wednesday of next week. That would give us a chance and an opportunity to see exactly the site. And um, to weigh in on, you know, just how the feel of it's going to be.

Mr. Wayne Weinstein: I'll be glad to help on that essence, I mean with the (inaudible)

Mrs. Spiegel: I'd appreciate it.

Mr. Farrell: Tony, are you, you're from Mercer?

Mr. Tony Bianco: Sharon, Hermitage.

Mr. Farrell: Um, is anybody else going to testify tonight? Are you? Are you folks?

Mr. Gene Sabol: Gene Sabol, I'm the owner next to them.

Mr. Farrell: Okay.

Mr. Gene Sabol: That road that I put in there, That's a low volume road and now I don't know if they're going to require a red light down there or not, so, I don't know, I don't want to have the road closed off from my point, you know.

Mr. Wayne Weinstein: Gene, I can say this, this is a low volume use as well. There won't be a red light required.

Mr. Tony Bianco: We have statistics that will show, for instance, in Hopewell, we received a parking variance, space requirement variance because only 40% of the tenants own vehicles. And that's based on eight built buildings to date. So only 40% of the total residents own vehicles. And those own vehicles, don't, they typically get on the public transportation.

Mr. Farrel: But they also have family, and that family would visit them, and that could create some traffic and that could create some parking up there.

Mr. Tony Bianco: Unfortunately, and I wish that were, I wish that were more true. There's not, you don't see many visitors unfortunately. It's not what I thought it would be. We had some focus groups on all the other built properties so we could find out what that was. And a load of information is available, it is very low in terms of visitation, unfortunately.

Mr. Farrell: Back to Mr. Sabol. Do you have other land up there Mr. Sabol?

Mr. Gene Sabol: Yes, I got, my land sandwiches his piece of property in the center there. I own on both sides.

Mr. Farrell: Do you have much, to the right of your, looking at these, to the right of your presently located storage sheds?

Mr. Gene Sabol: (inaudible)

Mr. Farrell: Right.

Mr. Gene Sabol: (inaudible)

Mr. Wayne Weinstein: Mr. Sabol owns over 20 acres there.

Mr. Farrell: But not a lot of it useful is what you're saying?

Mr. Gene Sabol: I could go back (inaudible)

Mrs. Spiegel: And you're willing to sell it?

Mr. Gene Sabol: Well I'm not going to sell it right now. And I may lease it.

Mr. Wayne Weinstein: Mr. Sabol's development, and correct me if I'm wrong on this Gene, is progressing backwards from Rainbow, going up the hill as you noted Terry, on different levels. And he has plans I think, to build more units up, again on a higher level, going straight back.

Mr. Gene Sabol: (inaudible) some extensive excavating to get up there, into the hillside, as you can see if you ride back.

Mr. Farrell: Just as a point of interest, do you own the bottom part too? That's in the flats now?

Mr. Gene Sabol: Right down here?

Mr. Farrell: No below that even.

Mr. Gene Sabol: This is all of Zonas' property.

Mr. Farrell: Oh that's all Zona.

Mr. Gene Sabol: And then I own all of this, up in here. All of the woods except for a small strip up in here.

Mr. Wayne Weinstein: And Mr. Sabol also owns property back in this direction, another 5 or 6 acres. It's of this map.

Mr. Farrell: This Rainbow Road that was there, did it go all the way over to Ripple Road?

Mr. Wayne Weinstein: No, it never did. It came back to the developed part, and this is a little history again, this goes back to McKeesport Real Estate was the Barr, probably John Barr and his father before him, (inaudible). They developed this old lot, and had some houses built. Mike Kadar lived up there, and some others. But it only went back, I think it went back as far as where they intersect, Rainbow Avenue and Gypsy Lane. And I think they had a paper street back to the end of their property, which is now Gene Sabol's property. But that was the end of it, it did not extend into the property behind there.

Mr. Farrell: And where did Gypsy Lane come out?

Mr. Wayne Weinstein: It didn't come out.

Mr. Farrell: It never came out?

Mr. Wayne Weinstein: No.

Mr. Farrell: It didn't come back out of –

Mr. Wayne Weinstein: I don't think there was a cul-de-sac back there, but I think it just ended out there.

Mr. Farrell: But there were houses back there though?

Mr. Wayne Weinstein: There were 2 or 3 houses on Gypsy Lane.

Mr. Gene Sabol: (inaudible)

Mr. Farrell: Not that this is necessary for my, because we are going to go up and take a look at the site, but more educational I think for all of us, is that, it's my understanding that the Borough doesn't claim to own that street, or either street, and the state doesn't claim to own either street, how do you clear that up that you get title to the middle of the street?

Mr. Wayne Weinstein: Well if the Borough, the property has been sold back, all inclusive by PennDOT to Mr. Sabol and to the Zona family.

Mr. Farrell: Right.

Mr. Wayne Weinstein: So they have no claim whatsoever. If the Borough abandons any



claim they may have, then it would go to the owners of the land such as Mr. Sabol and Zona Enterprises. It's, the Borough will never say we own that property, because they don't want to be on the book for maintaining it and (inaudible) and I understand that.

Mr. Gene Sabol: We went round, and round, and round with my property. I ended up paving it, all the way up to (inaudible). I was going to put a road in through here and come out here, but that would be kind of dumb. (inaudible) Borough specifications, the Borough engineer was up there, and uh, he (inaudible). It's all (inaudible) Borough specifications.

Mr. Farrell: I was on it today.

Mr. Wayne Weinstein: It's nicer than some of the Borough and State –

Mr. Farrell: It's built to Borough specs so if they need to get a fire truck up there that's full of heavy water that wouldn't effect anything.

Mr. Gene Sabol: No. The road is built, it's on solid stone, and I got, I tell you, the asphalt is, I swear I got that thick.

Mr. Wayne Weinstein: This is not an official measurement, but that gives you an idea. It was built to Borough specs so it's substantial.

Mr. Farrell: Does the Borough salt it, ice it? Or paint it?

Mr. Gene Sabol: No, I was going to talk that, you know, being that we did, I did do things that over, to the Borough and (inaudible) stop signs and other things (inaudible)

Mr. Wayne Weinstein: As of now the Borough does not maintain it, plow it.

Mrs. Spiegel: And it's a private drive?

Mr. Gene Sabol: Yeah.

Mr. Wayne Weinstein: It's like a private drive –

Mr. Gene Sabol: I maintain it. I cut the grass around it on both sides, (inaudible) and I snow plow it, and I ---

Mr. Farrell: Okay, are there any other questions? Keith do you have any?

Mr. Reigh: No, not right now.

Mr. Farrell: Phyllis?

Mrs. Spiegel: No, no.

Mr. Farrell: Okay.

Mr. Wayne Weinstein: I'll add one thing, I'll make myself available, probably anytime depending on my schedule, but if it's one or more trips there, I'd be glad to do that, too.

Mrs. Spiegel: Thank you.

Mr. Farrell: Okay, and your telephone number Wayne is?

Mr. Wayne Weinstein: There's a couple of them. My office and cell phone are on here, I'm usually in the office, but I put my cell on there too.

Mr. Farrell: I don't know that it's necessary that we all go up together. It would be nice if we could, but it might be a scheduling conflict for us to do it, and so, if we –

Mrs. Spiegel: I think it would be good if we went together.

Mr. Farrell: I think we –

Mr. Reigh: Not that we've got a good idea of where it's sitting. I mean, we can just drive up and look at it even. I had no clue it was that close to the buildings, storage sheds.

Mrs. Spiegel: I want to be there.

Mr. Farrell: I'd like to see it with Wayne.

Mrs. Spiegel: Yeah, I do, I want to be there, so we can get the details.

Mr. Farrell: Sort of piece it in for me so I can understand, you obviously have some current County maps too.

Mr. Wayne Weinstein: Tax maps.

Mr. Farrell: Yeah, and I'd like to see those.

Mr. Reigh: Tony, are the pins in? Are these pins in?

Mr. Tony Bianco: They're not actual, you'll see them, you'll see survey stakes, there's tape.

Mr. Reigh: Tape? Hanging on a tree branch or whatever?

Mr. Tony Bianco: Yeah, right.

Mr. Farrell: I saw some flags in the ground up there, that's not part of Mr. Sabol's surveying, that's your work?

Mr. Tony Bianco: Yes.

Mr. Farrell: That will help. And, I guess the one I saw that was going straight back would be the dividing line between the two properties perhaps? I guess?

Mr. Tony Bianco: I don't know where you were.

Mr. Farrell: It's hard to say where it was, yeah I –

Mr. Tony Bianco: Here, there's going to be one here, then you'll see one here –

Mr. Farrell: Okay, we'll figure it out up there with Wayne and with –

Mr. Washowich: Tony, that second page, flip over to the second page, can you do that again so that the Zoning Board members can have that? That would have been great if we would have had that initially.

Mr. Tony Bianco: This?

Mr. Washowich: Yeah, that, and that –

Mr. Farrell: We don't need it that size necessarily.

Mr. Washowich: Not that size, no.

Mr. Farrell: But if we can have a –

Mrs. Spiegel: The aerial view.

Mr. Reigh: Yeah, we were asking about that.

Mrs. Spiegel: Yeah.

Mr. Reigh: So we knew where it was located.

Mr. Washowich: Can you reduce that down?

Mr. Tony Bianco: I can print that on an 11 by 17.

Mr. Washowich: That's fine.

Mr. Tony Bianco: And email it as a PDF.

Mr. Farrell: 11 by 17, I don't know if I can, what's that? No I can't print that.

Mrs. Spiegel: (inaudible) like that.

Mr. Tony Bianco: I can put it on legal.

Mr. Farrell: That's 8 ½ by 14. That would work.

Mrs. Spiegel: That's good.

Mr. Washowich: That would be great if you could do that.

Mr. Tony Bianco: Yeah.

Mr. Farrell: And even if you don't, you know, we don't need to see so much of Lincoln Way, you know, we can –

Mr. Wayne Weinstein: (inaudible)

Mr. Reigh: Now you placed the building on your, which one will they use, this one we have or that?

Mrs. Spiegel: They're not sure.

Mr. Tony Bianco: We'd have to ask the engineer. It's the engineer's job to lay out the building. (inaudible) architects, the site engineer, the civil engineer, I should say, that's where they come and assuming everything moves forward, we get the variance, once we get the variance, we, once we get the variance, to help you understand this process, we have a November 13<sup>th</sup> deadline, which means we have to have by November 13<sup>th</sup> a phase I environmental completed, a market study completed, and then a lot of other due diligence that I have already have most of it done. We have to package that, make sure it meets the November 13<sup>th</sup> deadline, and then we wait until approximately May to find out if we were awarded the project. If we're awarded the project, then at that point in time we're actually served from the Housing and Urban Development a capital advance award letter, and that's when we engage the engineer, who then starts working on the site.

Mr. Reigh: Because for some reason, it just looks like it's covering a lot more property.

Mr. Tony Bianco: It's approximately to scale, and yeah, you're right, it isn't exact.

Mr. Reigh: Okay.

Mrs. Spiegel: Now who give you permission, is it HUD?

Mr. Tony Bianco: Yeah, Housing and Urban Development.

Mrs. Spiegel: Okay.

Mr. Tony Bianco: Yes. And so far, we have been awarded every application we have worked on.

Mrs. Spiegel: The ones that you have done here, is that it?

Mr. Tony Bianco: There's a lot of other that aren't in there too.

Mr. Reigh: What's the closest one here?

Mr. Tony Bianco: Probably Chippawa.

Mrs. Spiegel: Where's that?

Mr. Tony Bianco: Beaver County. Beaver County would be the closest.

Mrs. Spiegel: That's out of my turf.

Mr. Tony Bianco: Yeah, Chippawa exit off of 60.

Mr. Farrell: Are these actual pictures in this brochure?

Mr. Tony Bianco: Yes.

Mr. Farrell: Of structures you are presently manging?

Mr. Tony Bianco: Yes. And let me clarify that too, we don't manage them. The non-profit entity will act as the developer, then the owner corp, and then they also manage. So in this case scenario, the Community Action Partnership of Mercer County. And we've worked on, probably this would be our fifth project with them, if it's awarded.

Mr. Farrell: This picture they show on Page 4 is more likely the two story, with the kickouts that you're referencing, something to that design.

Mr. Tony Bianco: Yeah, actually the design's been jazzed up a lot more than that. That's the old design. This is Chippawa that you see here.

Mr. Farrell: On page 4? Or page 5?

Mr. Tony Bianco: This is Chippawa.

Mr. Farrell: It's a bigger structure.

Mr. Tony Bianco: Yeah. Three story, 36 unit.

Mr. Farrell: Okay, so we're going to adjourn this meeting to reconvene on Wednesday, the 7<sup>th</sup> of October. Is that soon enough or?

Mrs. Spiegel: What time? In the morning, early?

Mr. Farrell: Or do you want to do it earlier?

Mrs. Spiegel: I have a 2:00 pm meeting and I'd like to be with you.

Mr. Wayne Weinstein: (inaudible) evening or something like that?

Mrs. Spiegel: What?

Mr. Washowich: It's got to be daylight.

Mr. Farrell: I think it would be evening.

Mrs. Spiegel: Evening?

Mr. Farrell: Looks like we need to take a vote. It still has to be a public meeting and it appears to me that we should do it in the evening.

Mrs. Spiegel: Well not Wednesday.

Mr. Farrell: Not Wednesday.

Mrs. Spiegel: No.

Mr. Farrell: I mean, I can do it Monday.

Mr. Reigh: At 2:00 pm I can do it Monday.

Mrs. Spiegel: I can do it Monday.

Mr. Farrell: Want to do it Monday?

Mrs. Spiegel: Monday's good.

Mr. Farrell: Which is the 5<sup>th</sup>.

Mrs. Spiegel: That's good.

Mr. Farrell: At 7:00 pm?

Mrs. Spiegel: It gets dark.

Mr. Reigh: We're talking a meeting here.

Mr. Farrell: Yeah, we're meeting here.

Mrs. Spiegel: Oh, I thought we were going up to see the –

Mr. Farrell: We're going to do that over the weekend. We're going to do that in the next few days. I'm talking about reconvening this public meeting, to vote.

Mrs. Spiegel: Oh, okay, tonight's meeting, Monday's good.

Mr. Wayne Weinstein: If the weekend's no good for you Phyllis, if you want to see it tomorrow or Friday, call me.

Mr. Washowich: What date are you looking at Terry? The 5<sup>th</sup>?

Mr. Farrell: October the 5<sup>th</sup>, which is Monday.

Mr. Washowich: Do we have to re-advertise that?

Mr. Farrell: No. Just a continuation –

Mr. Washowich: For a continuation.

Mr. Farrell: Right.

Mr. Washowich: If you adjourn –

Mr. Farrell: Well, okay we'll –

Mr. Washowich: Yeah, I think if it's a continuation –

Mr. Farrell: Then we can continue the meeting. October the 5<sup>th</sup> at 7:00 pm.

Mrs. Spiegel: Okay, that's fine, Monday night.

Mr. Washowich: October 5<sup>th</sup>?

Mr. Wayne Weinstein: That's not a problem with notice, because notice has been given.

Mr. Washowich: Yeah, okay.

Mr. Farrell: That's right.

Mr. Washowich: Council and Babyak was concerned about that so.

Mr. Farrell: I may use the wrong word, but we're just going to continue until the 5<sup>th</sup>. At 7:00 pm we'll reconvene here, and at that time, there may be a few more questions, and we will take a vote on the issue.

Mr. Tony Bianco: Okay.

Mr. Farrell: Anything else?

Mrs. Spiegel: Monday at 7:00 pm?

Mr. Washowich: You can ask for an adjournment.

Mr. Farrell: And then we will all make our arrangements with Wayne after the, we finish up this meeting, at this hour, to arrange to visit and view this property and see exactly the site location and where we're talking about.

Mrs. Spiegel: That would be good.

Mr. Farrell: All right. No further questions, we will continue this meeting on October the 5<sup>th</sup>, at 7:00 pm.

Mrs. Spiegel: 7:00 pm I have that down.

Mr. Farrell: Thank you.

Mr. Tony Bianco: Thank you.

Mr. Farrell: Tony, you'll be back, right?

Mr. Tony Bianco: I hope so –