

**South Waverly Planning Commission  
Regular Meeting  
May 28, 2025**



**CALL TO ORDER**

Meeting was called to order at 6:00 p.m. by Ken Bentley  
Quorum was established.

**ATTENDANCE**

Chair: Ken Bentley  
Vice-Chair: Tim Hickey  
Secretary: Ron Chamberlin  
Members: Joel Hunt (absent), Mike Bronson, Chris Wood, Erin Wayman  
Solicitor: Attorney Jonathan Foster via phone  
Public: No members of the public  
Guest: Chintan Patel and 2 guests (PMC Sayre, LLC)

**PUBLIC COMMENTS AND QUESTIONS**

- No Formal Public Comment

**READING AND APPROVAL OF MINUTES**

Motion: **TO ACCEPT THE MINUTES FROM THE MEETING ON APRIL 30, 2025 WITH CORRECTIONS**

Motion made by Tim Hickey, Motion seconded by Ron Chamberlin.

Vote: Unanimous approval

Resolved: Motion Carries

**UNFINISHED BUSINESS (IF ANY)**

- 2015 Comprehensive Plan
- Ordinance Chapter 398 - Peddling and Soliciting - FINAL REVIEW/VOTE

Motion: **ORDINANCE CHAPTER 398 - PEDDLING AND SOLICITING**

Motion made by Mike Bronson, Motion seconded by Tim Hickey.

Vote: Unanimous approval

Resolved: Motion Carries

- Chris Wood said Julie Lewis would like us to review the current Peddling and Soliciting Application and to give any recommendations. The current application was reviewed and recommendations were given by the commission. Recommendations are to be forwarded to Julie Lewis for Council's consideration.

The Recommendations are:

- (1) Removing Last Place of Business
- (2) Add Specific types of goods, wares, services or merchandise offered for sale
- (3) Add Location of Operation within the Borough
- (4) Request additional documents at time of application:

- Copy of Driver's License / Registration
- Certificate of Liability Insurance (COI) - South Waverly Borough must be listed as additional insured and insurance carriers must carry an AM Best Rating of A- or better - insurance to include workers' compensation, general liability and auto insurance.
- When applicable, copy of the License from the Commonwealth of Pennsylvania Department of Agriculture.

Motion: **PEDDLING AND SOLICITING APPLICATION RECOMMENDATIONS**

Motion made by Ron Chamberlin, Motion seconded by Chris Wood.

Vote: Unanimous approval

Resolved: Motion Carries

**NEW BUSINESS**

- PMC Sayre, LLC

Mr. Patel reviewed their plans to develop the Old Amerigas site at 449 N. Keystone Ave. The plan is to open a newsstand with the sale of tobacco products. A zoning application was filed by Mr. Patel with the guidance of his legal counsel, John Thompson, Esquire, 304 North Keystone Avenue Sayre, PA 18840

Mr Patel acknowledged receiving the letter dated 05/16/2025 from Attorney Foster to their Attorney, John Thompson. The letter is on behalf of the South Waverly Borough Council, who is a party to every zoning application.

The letter discussed: (1) The Zoning Board includes Patel application language as follows, "As a newsstand applicant intends to utilize the property selling snacks, tobacco products, non-alcoholic drinks, and other various sundries. No gasoline sales will be conducted nor will marijuana sales or other similar products be available now or at any point in the future" in the decision. This will prohibit the sale of marijuana or other similar products now and the future. (2) The Borough Council have provided two large zoning districts for this use in the Agricultural District and the Industrial District. (3) Based on Council's recent adoption of the regulation of Smoke Shops, Drug Paraphernalia Stores, Tobacco Stores, and Drug Marijuana. On April 15, 2025 Council does not want drug paraphernalia stores, smoke shops and tobacco stores having more than 100 square feet dedicated to the storage of tobacco, tobacco products or tobacco paraphernalia in the Business I District at 449 North Keystone Avenue.

Mr. Patel was given a copy of Borough Ordinance Article XIII Signs for reference for their proposed establishment.

A discussion regarding parking lot size, sq footage, pre-existing non-conforming use was held among commission members. Mr. Patel was encouraged to work with his attorney in regard to our current zoning laws and how his proposed establishment fits within our current zoning laws.

Motion: **RECOMMENDATION TO COUNCIL TO APPROVE PMC SAYRE, LLC PLAN TO DEVELOP 449 NORTH KEYSTONE AVE AS A NEWSSTAND WITH THE SALE OF TOBACCO PRODUCTS WITHIN CURRENT ZONING LAWS.**

Motion made by Chris Wood, Motion seconded by Tim Hickey.

Vote: Unanimous approval

Resolved: Motion Carries

**ANNOUNCEMENTS**

- No announcements

**ADJOURNMENT**

- The meeting was adjourned at 6:37 p.m. Motion made by Tim Hickey , Motion seconded by Mike Bronson.

**NEXT MEETING**

- June 25, 2025 at 6:00 p.m. at the South Waverly Borough Hall

Respectfully submitted by: Ken Bentley