

# ATHENS TOWNSHIP ZONING HEARING BOARD

January 5, 2016

Zoning Hearing Board members in attendance were: Solicitor, Andrew Hutz, Esq., John Baird, Rita Jo Swingle, Kirstie Lake, Ed Reid, Zoning Officer, and Secretary, Elaine Daddona. John Schoonover, alternate, was unable to attend. Stenographer was Caitlyn Shaylor of Verbatim Reporting. Sign-in sheet was available for all others in attendance and is hereby attached.

Chairman John Baird called the meeting to order at 6:38PM. Motion by Rita Jo Swingle to approve the Minutes of October 27, 2015 as read.

## **Election of Officers**

Motion by Rita Jo Swingle to elect John Baird as Chairman of the Zoning Hearing Board, second by Kirstie Lake, and motion carried. Motion by Rita Jo Swingle to elect Kirstie Lake as Vice Chairman of the Zoning Hearing Board, second by John Baird, and motion carried.

## **Randy B. Williams Trust**

**Parcels #09-20.18-67, #09-020.18-68, #09-020.18-69, #09-020.18-70, #09-020.18-71, #09-020.19-3**

## **Application for Variances**

The applicant seeks a variance under Article, Section 800.E of the Athens Township Zoning Ordinance to allow for four (4) access driveways for proposed construction project; and a variance under Article 3, Section 306 of the Ordinance to allow for impervious surface greater than 70 per cent, and such other relief as determined by the Zoning Hearing Board.

Testimony began at 6:40PM and Ed Reid, Zoning Officer, presented the application to the Zoning Hearing Board members for the Williams Ford Lincoln facility located at 1538 Elmira Street, Athens Township, Pennsylvania, zoned Commercial.

Randy B. Williams was represented by Attorney R. Joseph Landy and Mr. Williams was also present along with Timothy Gourley of Dietz-Gourley Consulting of State College, project engineer, and Andrew Harding of AJH Design.

Attorney Hutz stated that the applicant would like to table the requested variance regarding the impervious surface. Attorney Landy testified that the plans would likely comply with the Ordinance as is and therefore the variance would not be required, as the proposed plan had not yet been reviewed by the Planning Commission for the land development process and changes may be forthcoming.

Testimony continued regarding the request to allow the auto dealer and service center to construct four driveway access points onto the property which is made up of six commercial-zoned parcels owned by the Randy B. Williams Trust. Under the Zoning Ordinance, commercial properties are limited to two access points. However, the Ordinance allows applicants to request additional driveways when a non-residential lot's frontage exceeds 300 feet or in the event of exceptional circumstances. Mr. Landy explained that the lot's location, bounded by Elmira and Bressler Streets and Herrick Avenue made it necessary to construct multiple access points. Mr. Gourley explained that presently there are six access points on the property and what is proposed is one main entrance onto Elmira Street, one on Bressler Street, and two driveways onto Herrick Avenue. This would allow for the large tractor trailers with vehicles to access the lot safely.

Ms. Brenda Ferguson of 78 Bressler Street inquired about the access driveway onto Bressler Street and it was addressed by Mr. Gourley. Mr. Williams further explained about the requirements of the Ford Motor Company with respect to construction of all the new dealerships and how it affects this location to meet the requirements for this project. Testimony concluded at 7:04PM.

Chairman Baird asked for an executive session of the Zoning Hearing Board to consider the testimony and possibly reach a Decision at 7:07PM and reconvened at 7:15PM.

The applicant and Attorney R. Joseph Landy agreed to waive the 24-hr. time constraint to receive a written Decision.

Motion by Rita Jo Swingle to **approve** granting the variance request of the Randy B. Williams Trust concerning the four (4) access drives, second by Kirstie Lake, and motion unanimously carried. Role call vote was as follows: John Baird “yes”, Kirstie Lake “yes”, and Rita Jo Swingle “yes”.

The meeting was adjourned at 7:25PM, as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary

