

ATHENS TOWNSHIP ZONING HEARING BOARD

June 25, 2019

Zoning Hearing Board members in attendance were: Solicitor, Andrew Hutz, Esq., Chairman John Baird, Rita Jo Swingle, William Bresser, Cynthia Parrish, Asst. Zoning Officer, and Secretary, Elaine Daddona. Stenographer was Beth Brucie 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 6:34PM.

Motion by Rita Jo Swingle to approve the Minutes of May 28, 2019 as read, second by Bill Bresser, and motion unanimously carried.

Williams Auto Group

Parcels #09-020.23-408-002-000; #09-020.19-001-001-000; #09-020.24-144-000-000

Application for Variances

The applicants, Randy Williams, Dalton Williams, and Marc Maser of Maser Engineering were present to request a variance of Section 403, to allow a Dog Park in a Commercial zone. The subject property is owned by Dandy Corporate Center, LLC and is located at 1754-1778 Elmira Street, Sayre, PA (Tax Parcel No. 09-020.24-133) 70 Clinton Street, Sayre, PA (Tax Parcel No. 09-020.23-408-002) and 1730 Elmira St., Sayre, PA (Tax Parcel 09-020.19-001-001) in a Commercial zone. A request for a Variance to the "Ordinance", Section 800 to allow three (3) access drives for the proposed non-residential lot; one 30 ft. wide driveway on Clinton Street, and two (2) driveways on Elmira Street.

Cynthia Parrish, Assistant Zoning Officer, presented the variance application to the Zoning Hearing Board members for a Use Variance and Driveway Access Variance.

Mr. Willy Rowe, Project Manager, and Ryan Sampson for Maser Engineering were present to give testimony on behalf of the applicant, Williams Auto Group. Testimony began immediately following Ms. Parrish and concluded at 7:20 PM for Executive session of the Zoning Hearing Board. Executive session concluded at 7:35PM.

Attorney Hutz announced that the definition of "park" and "kennel" is a use not provided for; therefore, the Dog Park is a "use not provided for" and would need to be determined by the Township Supervisors, as the Zoning Hearing Board cannot act on this Variance. Mr. Hutz also stated that as to the Variance requested for driveway access, the points are tied to the feasibility of the Dog Park and the decision would be deferred to a group with the authority to make that decision.

It was determined that the applicant would need to apply for a Conditional Use Hearing with the Supervisors. Cindy Parrish, Zoning Officer, asked for a classification on the third driveway access. Mr. Hutz stated that there was a lack of testimony at this hearing for the Zoning Hearing Board to make a decision on the third drive, as not enough information was supplied by the applicants.

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The meeting was adjourned at 7:45PM, as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary