

ATHENS TOWNSHIP ZONING HEARING BOARD
January 24, 2012

Zoning Hearing Board members in attendance were: Solicitor, Gerard A. Zeller, Esq., John Baird, Rita Jo Swingle, Diane Marvin, Walt Haggerty, Alternate, Cynthia Parrish, Assistant Zoning Officer, and Secretary, Elaine Daddona. Ed Reid was unable to attend due to illness. Stenographer was Linda Wettlaufer. Sign-in sheet was available for all others in attendance and is hereby attached.

Chairman, John Baird, called the meeting to order at 6:33PM. Mr. Baird requested an Executive session of the Board which began at 6:34PM. The Board reconvened at 6:40PM.

Attorney Zeller presented correspondence from Attorney Turowski on behalf of his client, Michael Dinich, to request a re-hearing to present new testimony for the application with respect to a wind turbine for Orange Hill Farms, LLC. Prior hearing had been held on August 23, 2011 and the Decision for a variance was **Denied**. Attorney Turowski was present with Mr. Dinich for the decision of the Zoning Hearing Board as to their discretion to grant or deny the request for a re-hearing within the limit of one year. He stated the reasons to request a new hearing. Diane Marvin stated that she had not heard the previous hearing due to the fact she was out of town at the time, and thought it was advantageous that Walt Haggerty, the alternate, sit on the Board for the re-hearing. Motion by Rita Jo Swingle for Walt Haggerty to sit in on the vote for this with Diane Marvin's permission, second by Walt Haggerty, and motion unanimously carried. Attorney Zeller stated that a new application should be re-filed by February 6 prior to setting a date for the re-hearing. Motion by Walt Haggerty to grant the request for re-hearing, second by John Baird, and motion unanimously carried.

Lisa Scheftic/Discover the World Learning Center, LLC
Parcel #09-020.23-408-000-000
Application for Special Exception

Hearing began at 6:45PM regarding the application of Lisa Scheftic for property located at 70 Clinton Street which is presently owned by Ronald and Joyce Ellers. Applicant seeks a Special Exception to operate a daycare center at an existing structure and such other relief as determined by the Zoning Hearing Board. Cynthia Parrish, Assistant Zoning Officer, read an explanation of the application. Attorney Damian Rossettie represented the applicant. Testimony began immediately thereafter and concluded at 7:09PM. Attorney Zeller presented a letter from the Athens Township Planning Commission concerning their review of the application; they had no adverse comment to the application as long as the applicant followed through with the requirements of the Land Development Ordinance. Executive session of the Zoning Hearing Board convened thereafter to render a Decision. The Board reconvened at 7:26PM. Motion by Diane Marvin to grant the Special Exception use noting that the applicant needed to meet fencing and exterior lighting requirements, and certification of the agencies to acquire permits and licensing, and meet the Athens Township land development requirements; recommend consideration of a sidewalk to front the property for safety in the area of the development, second by Rita Jo Swingle, and roll call vote of the Board was a unanimous vote of **approval** with these stipulations. The applicant granted a waiver of receiving the written Decision within 24 hours.

Election of Officers – 2012

Motion by Rita Jo Swingle to retain John Baird to as Chairman and Diane Marvin as Vice Chairman for 2012, second by Diane Marvin, and motion unanimously carried.

Diane Marvin and Walt Haggerty stated that they would not be available for the next scheduled date of February 28, 2012 for the Zoning meeting due to the fact they would be out of town at the time. Mr. Zeller stated that he would suggest the next session of the Board be postponed until the March date for a meeting unless there were new applications submitted for February and possibly another date could be set in that case. Otherwise, the Dinich re-hearing would be scheduled in March and Mr. Zeller would contact the applicant accordingly.

Motion by Rita Jo Swingle to approve the minutes of September 27, 2012 as read, second by Diane Marvin, and motion unanimously carried.

The meeting was adjourned at 8:35PM, as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary

AGENDA
ZONING HEARING BOARD
ATHENS TOWNSHIP
April 24, 2012

- I. Organizational Matters
 - A. Approval of Minutes
 - B. Correspondence

II. **James Kennedy** – Parcels: #09-007.14-003-001-000 & 09-007.14-004-000-000
Applicant seeks a special exception to Section 309 of the Athens Township Zoning Ordinance to allow an existing pole barn and acre around it to be used as a contractor's shop and yard, and such other relief as determined by the Zoning Hearing Board. Request for continuance to May meeting agenda from applicant's attorney dated April 19, 2012.

III. **Robert/Susan Sperrazza** – Parcel: #09-007.09-011-001-000
Applicant sees a variance pursuant to Section 1001 of the Athens Township Zoning Ordinance to allow them to keep a horse on their property, and such other relief as determined by the Zoning Hearing Board.

IV. **Site Enhancement Services/Ty Robbins** – Parcel: #09-007.10-042-031-000
Applicant seeks a variance from Section 704.B.2a of the Athens Township Zoning Ordinance to allow for additional square footage for a wall sign at Advance Auto Parts, and such other relief as determined by the Zoning Hearing Board.

IV. Next meeting date – Tuesday, May 22, 2012

ALL RECORDING DEVICES USED REQUIRE SIGN IN WITH THE BOARD

ATHENS TOWNSHIP ZONING HEARING BOARD
June 26, 2012

Zoning Hearing Board members in attendance were: Solicitor, Gerard A. Zeller, Esq., John Baird, Diane Marvin, Rita Jo Swingle, Walt Haggerty, Alternate, Ed Reid, Zoning Officer, and Secretary, Elaine Daddona. Stenographer was Linda Wettlaufer. Sign-in sheet was available for all others in attendance and is hereby attached.

Chairman, John Baird, called the meeting to order at 6:30PM. Motion by, Rita Jo Swingle, second by Diane Marvin to approve the minutes of May 22, 2012 as read, and motion unanimously carried.

Chesapeake Land Development, LLC
Parcel #09-006.00-012-001-000
Application for variance

Chairman Baird stated that he had received an e-mail from Ed Reid, Zoning Officer, that Chesapeake had withdrawn their application.

Sayre Health Care Center, LLC
Parcel #09-006.00-012-000-000
Application for Special Exception

Hearing began at 6:39PM regarding the application of the Sayre Health Care Center, LLC for a special exception to Section 309 of the Athens Township Zoning Ordinance to allow a personal care home to be built and operated on a 13.6 acre parcel, and such other relief as determined by the Zoning Hearing Board. Ed Reid read an explanation of the application. Attorney Damian Rossettie was present on behalf of the applicant for this project, along with Michael Kelly, President of Senior Health Care Solutions, and Gary Burcher, Managing Partner of Keystone Consulting. Chairman Baird asked Ed Reid if the Supervisors had stated a position regarding this application, and he stated they had not, but a Conditional Use Hearing had been set by the Supervisors in this matter due to a modification of a previously approved application for a Conditional Use. The hearing is scheduled with the Supervisors for Monday, July 30, 2012. Testimony of Michael Kelly and Mr. Burcher began immediately thereafter and concluded at 7:25PM. Ed Reid, Zoning Officer, pointed out to Mr. Burcher that the plans submitted did not comply with the Zoning Office requirements for the access drive and parking spaces and stated what was required.

Executive session of the Board began at 7:30PM and concluded at 7:43PM. The applicant's attorney granted a waiver of receiving the written Decision within 24 hours. Diane Marvin made a motion, second by Rita Jo Swingle to **approve** the special exception conditioned on the correction of the access drive and parking spaces to meet the Zoning Ordinance requirements. Role call vote was unanimous "yes".

The meeting was adjourned at 7:46PM, as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary