

ATHENS TOWNSHIP ZONING HEARING BOARD

March 11, 2014

Zoning Hearing Board members in attendance were: Solicitor, Gerard A. Zeller, Esq., John Baird, Rita Jo Swingle, Walt Haggerty, Alternate, Cindy Parrish, Zoning Officer, and Secretary, Elaine Daddona. Diane Marvin was unable to attend. Stenographer was Caitlyn Jurek 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 6:30PM. Attorney Zeller thanked the Board for the rescheduling change that was made for this hearing due to the lack of required advertising.

**Election of Officers, 2014**

Motion by Rita Jo Swingle to nominate John Baird as Chairman of the Zoning Hearing Board, and Diane Marvin as Vice Chairman, second by Walt Haggerty, and motion unanimously carried.

Motion by Rita Jo Swingle to approve the Minutes of the meeting held on December 17, 2013 as read, second by Walt Haggerty, and motion unanimously carried.

**Mary Lou Palmer/Maryanne Geiss**

**Parcel #09-020.23-259-000-000**

**Application for Special Exception or Use Variance**

The applicant seeks relief in the alternative: a determination that the Applicants' Quilt Shop is a cultural facility qualifying as a special exception; or a use variance to permit retail sales and instruction classes, and such other relief as determined by the Zoning Hearing Board.

Cindy Parrish, Zoning Officer, presented the application to the Zoning Hearing Board members for the property located at 131 Center Street, zoned Residential Urban.

The application was reviewed by the Athens Township Planning Commission on February 3, 2014 and the letter of comment was entered into evidence by Attorney Gerard Zeller, Solicitor.

Attorney Damian Rossettie along with the applicants, Mary Lou Palmer and Maryanne Geiss, presented testimony for the above application which began at 6:35PM and concluded at 7:05PM. Mr. Rossettie submitted a Memorandum of Law to be entered as additional testimony following the applicants' testimony.

The applicants testified as to the proposed use of the facility to include the hours of operation, number of employees and parking provided. She stated the hours are presently 10AM-5PM Monday through Thursday, 10AM-6PM on Friday, and 10AM-4PM on Saturday and the only employees are Mrs. Palmer and Mary Anne Geiss. Mrs. Palmer stated that she and her daughter, Maryanne Geiss presently operate the Friendship Quilt Shop located in downtown Sayre since September of 2012. She explained that they share ideas and techniques about quilting, a quilt gallery to display the quilts, and provides resources to quilt. She stated that their present location is inadequate. They also offer classes in quilting and propose to purchase the former Little Lambs Daycare building which is located on this parcel if zoning for their use is

approved by the Zoning Hearing Board.

Executive session of the Zoning Hearing Board members began at 7:25 PM and concluded at 7:45PM to reach a Decision in this matter.

Attorney Zeller asked Mr. Rossettie if the applicant would be willing to waive receipt of the written Decision within the 24-hour period, and he stated they would.

Motion by Rita Jo Swingle to **approve** the Application for Special Exception and stated that the Zoning Hearing Board was in agreement that quilting is an art form first, and that retail sales was second in considering this application. The approval vote was unanimous of the Zoning Hearing Board contingent on them keeping the classes and the gallery in operation.

Attorney Zeller asked Mr. Rossettie if the applicants would be willing to waive receipt of the written Decision within the 24-hour period, and he stated they would.

The meeting was adjourned at 7:50PM, as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary