

ATHENS TOWNSHIP ZONING HEARING BOARD

July 22, 2014

Special Meeting

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

Chairman John Baird called the meeting to order at 6:32PM.

**TL Cannon Corp (Applebee's Restaurant)**

**Parcel #09-020.24-096-000-000**

A special meeting of the Zoning Hearing Board was held to discuss the Athens Township Appeal of the Board's decision concerning the premises located at 1860 Elmira Street, known as the Applebee's Restaurant Development and for other general purposes.

Attorney Zeller explained that the Athens Township Board of Supervisors and the applicant for Applebee's had reached an understanding as set forth in a proposed Stipulation for the Bradford County Court of Common Pleas which requested the signature of Attorney Zeller, Solicitor for the Zoning Hearing Board, to end the Appeal. A letter dated July 15, 2014 required a meeting of the Board to discuss this request.

After a lengthy discussion of the Zoning Hearing Board, motion by Rita Jo Swingle to request 1) that the Athens Township Board of Supervisors withdraw the Appeal; 2) that the Decision of the Zoning Hearing Board would stand ; or 3) to join in a request by all to the Court to permit a remand to the Zoning Hearing Board, second by Diane Marvin, and motion unanimously carried.

The Board did not wish to authorize signature of the Stipulation because they felt that the case was originally presented by the applicant in such a way that they did not want to alter their Decision without further discussion with the Board of Supervisors and the applicant.

Motion by Rita Jo Swingle to approve the Minutes of May 27, 2014 and June 2, 2014 as read, second by John Baird and motion unanimously carried.

The meeting was adjourned at 7:48PM, as there was no further business to discuss.

Respectfully submitted,

Elaine J. Daddona, Secretary

