

ATHENS TOWNSHIP ZONING HEARING BOARD

January 26, 2021

Due to Covid-19 concerns and inclement weather, the regular meeting of the Zoning Hearing Board was held via a Zoom online call. Login information for interested persons was posted on the office door and on the township's Facebook page.

Zoning Hearing Board members in attendance were: Chairman Bill Bresser and Rick Felt, and Cheryl Wood-Walter. Secretary, Cindy Parrish, and Township Solicitor, John Thompson were also in attendance.

Chairman Bill Bresser called the meeting to order at 6:31PM.

Election of Officers:

Motion was made by Rick Felt to keep Bill Bresser as Chairman and Cheryl Wood-Walter as Vice Chairman.

Cheryl was having connectivity (technical) issues and kept dropping in and out of the call and had no audio. No second to the motion was made. The election of officers was tabled until the technical issues could be resolved.

Approval of Minutes:

Motion was made by Rick Felt to approve the minutes from November 24, 2020, second by Bill Bresser, and motion carries.

Correspondence:

Due to the virtual nature of the meeting, the correspondence file will be reviewed at the next meeting.

Review Proposals for ZHB Solicitor:

Discussion was held to discuss proposals from John Foster, Jr. and Taunya Knolles Rosenbloom to represent the board. Cheryl Wood-Walter rejoined the meeting without further interruption at 6:55PM. Motion was made by Cheryl to accept the offer from Taunya Knolles Rosenbloom with the condition of the retainer being lowered to \$500/yr. Rick seconded the motion, and the motion carried unanimously. Cindy will contact Ms. Rosenbloom with the decision and a compilation of the hearings the board has had over the past few years for reference.

Cheryl seconded the motion to have Bill continue as Chairman and Cheryl to continue as Vice Chairman. Motion carried unanimously.

The meeting was adjourned at 7:00PM as there was no further business to discuss.

Respectfully submitted,

Cynthia R. Parrish, Secretary

ATHENS TOWNSHIP ZONING HEARING BOARD

April 27, 2021

Zoning Hearing Board members in attendance were: Solicitor, Taunya Rosenbloom, Esq., Chairman Bill Bresser, Rick Felt, and Cheryl Wood-Walter, Ed Reid, Zoning Officer, and Secretary, Cindy Parrish. Stenographer was Christine Reynolds of Verbatim Reporting. Kevin Solli from Solli Engineering was in attendance via GoMeeting. A GoMeeting link was provided on the Township website for those wishing to attend the Lowe's hearing virtually. Sign-in sheet was available for all others in attendance and is hereby attached.

Approval of Minutes

Chairman Bill Bresser called the meeting to order at 6:30PM. Motion by Wood-Walter to approve the minutes from January 26, 2021, second by Felt, and motion carried unanimously.

Correspondence

Board members reviewed the correspondence file

Lowe's Home Centers, Inc.

Parcel #09-020.24-116-000-000

Application for Variance

Ed Reid read a statement from the Zoning Office.

Kevin Solli from Solli Engineering presented the request for a variance from the parking requirements as they are planning a small addition to the current Lowe's on Elmira Street to allow for tool rental services.

The subject property is owned by Lowe's Home Centers, Inc. and is located at 2151 Elmira Street, Sayre, PA (Tax Parcel No. 09-020.24-116). A request for a Variance to the "Ordinance", Section 800, Table 2 to allow for 404 parking spaces rather than the 430 allowed from a previous variance.

Questions and answers occurred between Solli and the Board. Chairman Bresser took the Board into executive session at 6:40PM. The hearing resumed at 6:49PM.

Motion to approve the variance by Felt, second by Wood-Walter. The motion carried unanimously. Atty. Rosenbloom asked the applicant to waive the 24hr requirement for a written decision, and Solli agreed.

Hazelton, Carl/Donna

Parcel #09-032.00-064-000-000

Application for Variance

Carl and Donna Hazelton were present to request a variance to construct an accessory structure on a property with no existing principal structure.

Wood-Walter stated that she is an adjacent property owner and recused herself from the decision.

Reid read a statement from the Zoning Office. Questions and answers between the Board, applicants, and Zoning Officer occurred.

Chairman Bresser took the Board into executive session at 7:00PM. The hearing resumed at 7:08PM.

Motion by Bresser, second by Felt to approve the variance request. Motion carried. Atty. Rosenbloom requested an extension to provide the written decision, and the applicant agreed.

The meeting was adjourned at 7:10PM, as there was no further business to discuss.

Respectfully submitted,

Cynthia R. Parrish, Secretary

ATHENS TOWNSHIP ZONING HEARING BOARD

June 22, 2021

Zoning Hearing Board members in attendance were: Solicitor, Taunya Rosenbloom, Esq., Chairman Bill Bresser, Rick Felt, and Cheryl Wood-Walter, Ed Reid, Zoning Officer, and Secretary, Cindy Parrish. Stenographer was Christin Reynolds of CSR Court Reporting. Sign-in sheet was available for all others in attendance and is hereby attached.

Approval of Minutes

Chairman Bill Bresser called the meeting to order at 6:33PM. Motion by Wood-Walter to approve the minutes from April 27, 2021, second by Felt, and motion carried unanimously.

Correspondence

Board members reviewed the correspondence file

JLM Real Estate Investments, LLC

Parcel #09-020.24-120-000-000

Application for Variance

The subject property is owned by Richard and Allison Prezelski and is located at 2267 Elmira Street, Sayre, PA (Tax Parcel No. 09-020.24-120). A request for a Variance to the "Ordinance", Section 704B2 to exceed the maximum allowable wall signage.

Chris Karelus, project manager for JHA Companies was in attendance to request a variance from the wall sign requirements as they want to place 3 wall signs totaling 240 sq. ft., as opposed to the maximum allowable 50sq. ft., on their proposed development on Elmira Street. Karelus presented their sign package in relation the other signs in the community. He noted their freestanding sign will be two-faced and will meet the ordinance. He said that 50 sq. ft. would not allow them to be known and that Mavis Tire requires the signage size that they are requesting.

The board posed questions about the illumination of the signs. Ed Reid was sworn in and read a statement from the Zoning Office.

Bresser called executive session at 6:41PM. The hearing resumed at 6:48PM.

Motion to approve the variance with the stipulation of a timer being set to turn the illumination off at 11:00PM was made by Felt, seconded by Wood-Walter. Motion carried unanimously. Atty. Rosenbloom requested and extension on the written decision and Karelus agreed.

Motion to adjourn the hearing at 6:50PM as there was no further business to discuss was made by Wood-Walter and seconded by Felt. The motion carried unanimously, and the meeting adjourned.

Respectfully submitted,

Cynthia R. Parrish, Secretary

AGENDA
ZONING HEARING BOARD
ATHENS TOWNSHIP
August 24, 2021

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

- II. **Athens (Front) DPP, LLC**
 - Parcel #09-020.13-055-000-000
 - Located at 1100 Front Street, Athens Twp, PA

Applicant is requesting a Special Exception approval in order to build a convenience market in the Rural Center District. The subject property is owned by Timothy D. Robinson and is located at 1100 Front Street in the Rural Center District.

- III. Next meeting date – Tuesday, September 28, 2021

ALL RECORDING DEVICES USED REQUIRE SIGN IN WITH THE BOARD

ATHENS TOWNSHIP ZONING HEARING BOARD

October 26, 2021

Zoning Hearing Board members in attendance were: Solicitor, Taunya Rosenbloom, Esq., Chairman Bill Bresser, Rick Felt, and Cheryl Wood-Walter, Ed Reid, Zoning Officer, and Secretary, Cindy Parrish. Stenographer was Christin Reynolds of CSR Court Reporting. Sign-in sheet was available for all others in attendance and is hereby attached.

Approval of Minutes

Chairman Bill Bresser called the meeting to order at 6:30PM. Motion by Wood-Walter to approve the minutes from August 24, 2021, second by Felt and motion carried unanimously.

Correspondence

Board members reviewed the correspondence file

Stephen T. Schmeckenbecher

Parcel #09-006.00-013-004-000

Application for Variance

The subject property is owned by Chesapeake Land Company, LLC and is located at 175 Lamoka Road, Sayre, PA (Tax Parcel No. 09-006.00-013-004). A request for a Variance to the "Ordinance", Section 303 to allow the property to be used as an Institutional Residence and Section 411F to allow relief from the requirement of residents to stay a minimum of 30 days.

Ed Reid was sworn in and read a statement from the Zoning Office.

Atty. Wes Kocsis was in attendance to request a use variance to allow a drug and alcohol rehabilitation facility (institutional residence as defined in the ordinance) to operate on the property. He gave the history of the property and stated that no new construction would be necessary. He went on to discuss the unique conditions such as existing dormitory facilities on site, unkempt vegetation, and long term vacancy. The owners will be marketing the property to be leased by a rehabilitation center and not managing the facility themselves. Presentation and statements from psychologist Michele Strohl, owner Steve Schmeckenbecher, and realtor Lori Williams can be found in the transcript.

The Board asked questions about capacity. Strohl and Williams made comments about the treatment process and the impacts of vacant properties on the local tax base, respectively. Kocsis inquired as to whether the board wanted to swear in all those who have spoken, and they were then sworn in by the stenographer. Realtor, Val O'Neil stated that saying "no" would almost be like turning your back on the community.

Chairman Bresser took the board into executive session at 7:09PM. The hearing resumed at 7:29PM. Discussion was held about whether this use needed a Variance through the ZHB or a Conditional Use through the Supervisors and concerns over who had the authority to make the decision. Chairman Bresser took the board into a second executive session at 7:45PM. The hearing resumed again at 8:29PM.

Motion to grant the variance requests with the stipulation that the Township Supervisors confirm that this matter was properly brought before the ZHB and that they (ZHB) have the

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authority to grant a use variance for it was made by Bresser, seconded by Felt. The motion carried unanimously. Atty. Rosenbloom requested a three day extension on the written decision and Kocsis agreed.

Motion to adjourn the hearing at 8:31PM as there was no further business to discuss was made by Felt and seconded by Wood-Walter. The motion carried unanimously, and the meeting adjourned.

Respectfully submitted,

Cynthia R. Parrish, Secretary