

ATHENS TOWNSHIP PLANNING COMMISSION  
Regular Meeting  
February 3, 2014

The regular meeting of the Athens Township Planning Commission was called to order on Monday, February 3, 2014 7:01PM by Chairman, Scot Saggiomo.

Present: Scot Saggiomo, Clif Cheeks, Ron Reagan, Marion Carling, Ed Reid, Zoning Officer, and Secretary, Elaine Daddona. All others in attendance signed a sign-in sheet, which is hereby attached. Matt Hicks of the Morning Times completed a Registration for a Recording Device for an audio tape of the meeting.

Comment [E1]:

There was no meeting of the Planning Commission held on January 13, 2014 due to the lack of any plans being filed. Therefore, the Election of Officers for 2014 was postponed to this meeting. Motion by Ron Reagan to retain the existing officers, second by Marion Carling, and motion unanimously carried.

**Review of Zoning Hearing Board Special Exception Application, Friendship Star Quilt Shop**

Attorney Damian Rossettie was present on behalf of his clients, Mary Lou Palmer and Maryanne Geiss, the applicants of the Zoning Hearing Board application for a Special Exception, or in the alternative a Variance which was filed with the Athens Township Zoning Office on January 10, 2014.

Mr. Rossettie explained to the Planning Commission that the applicants propose to purchase the building and relocate the Friendship Star Quilt Shop presently located in Sayre, PA to the prior building occupied by Little Lambs Daycare at 131 Center Street, Athens Township, zoned Residential-Urban.

The Zoning Hearing Board application states the Quilt Shop is not a typical retail use. It sells high quality quilting materials, including fabrics, notions, buttons, patterns and other items. However, much of Mrs. Palmer's and Mrs. Geiss's time in the shop is occupied in sharing their passion and artistry during scheduled classes or impromptu lessons. The Shop is a store but is also a part of the community's cultural fabric. The Special Exception description of the application states that the applicants seek approval of their proposed use

as a cultural facility that will fit right in on Center Street. The building they have agreed to purchase—a 2,786 square foot one-story structure previously housed the Little Lambs Day Care Center and is a perfect fit for them, providing plenty of space for classes without crowding out a varied and growing inventory. Parking is already in place, and no construction or alteration to the floor plan is planned.

The application further states that a special exception should be granted because it will be a boon to its neighborhood and will not unduly disrupt any nearby residences, and conforms with the applicable regulations of the Residential-Urban district.

Application is also submitted for a Variance in the alternative to Special Exception and states the following: The applicants seek a use variance for the building. The building, which they are under contract to purchase, is not a residence; its open floor plan and cemented parking lot in lieu of a front yard adapt it to lighter commercial or public uses. The Ordinance states that the purpose of the Residential-Urban district is to accommodate moderate to high-density residential development, along with "associated institutional, recreational and compatible neighborhood retail uses." Section 201(C). Despite these purposes, none of the permitted uses, special exceptions or conditional uses specifically authorize any kind of neighborhood-friendly retail uses at all. The Shop represents a hybrid retail/cultural use that would fit squarely with the purposes of the district. Because the district regulations fail to make provision for this type of use, and because the property is not fit for the uses permitted to the district, a variance would be appropriate.

Discussion of the application followed with Attorney Rossettie. The members of the Planning Commission asked what the store hours would be, whether or not there would be an increase in the amount of employees, what the hours and frequency of the classes would be, and Mr. Rossettie did not have that information.

The Planning Commission agreed to send the following comments to the Zoning Hearing Board:

1) There is concern with the future use of the facility if the Special Exception is granted;

2) Need to learn the hours of operation and frequency of the classes and their schedule;

3) This is a retail business with classes incidental to the sale of quilting goods (see definition of Retail Business in the Zoning Ordinance to draw a conclusion).

4) Need to learn how many employees are anticipated.

5) The Planning Commission does not feel that a Variance is warranted.

Motion by Clif Cheeks to accept the Minutes of December 9, 2013 as read, second by Marion Carling, and motion unanimously carried.

Meeting was adjourned at 8:05PM, as there was no further business to discuss.

Regular Supervisors mtg. - February 26, 2014- 7:00PM  
Regular Planning mtg. - March 3, 2014 - 7:00PM

Respectfully submitted,

Elaine Daddona, Secretary