



## Lycoming County Zoning

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Zoning Hearing Board Solicitor

### LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES

Executive Plaza Building  
1<sup>st</sup> Floor Commissioner's Board Room  
December 20, 2023  
6:00pm

#### I. CALL TO ORDER

Acting Chairman, Leslie Whitehill, called the meeting to order at 6:05pm.

#### II. ROLL CALL

**Members Present:** George Logue, Dan Clark, Leslie Whitehill, Stephan Brady

**Members Present via Conference Call:** None

**Members Absent:** Chris Logue, Bill Klein

#### III. MINUTES OF PREVIOUS MEETING

The October 25, 2023 meeting minutes were approved; Stephan Brady motioned to approve, George Logue second to motion. Motion carried.

#### IV. NEW BUSINESS

**A. ZHB Case 2023-010**  
**Thomas Nagle Jr.**  
**Limestone Township**  
**Special Exception**

**Seated Members:** Dan Clark, Leslie Whitehill, Stephan Brady, George Logue

Heather George presented to the Zoning Hearing Board case number 2023-010. The applicant, Thomas Nagle, Jr. is requesting a Special Exception to permit Agricultural use, Section 3250C, of the Lycoming County Zoning Ordinance, in the Rural Center (RC) Zoning District. Special Exception in the RC Zoning Districts permits the use. The property is located at 365 Shed Rd, Jersey Shore, Limestone Township, Tax Parcel #25-427-131.C and contains approximately 2.7 acres. The property fronts a local road. Currently the property contains a single-family dwelling with attached garage and accessory structures.

**CONCLUSIONS:** General Standards for Special Exception are listed in the Lycoming County Zoning Ordinance, Section 10310.A-C.

Heather George reviewed the following Communications:

1. Special Exception received October 16, 2023
2. Notices sent to interested parties: Director Lycoming County Planning, Lycoming County Commissioners, Limestone Township Supervisors, Applicant/Property Owner, Solicitor, Zoning Hearing Board and adjacent property owners
3. Legal notice published in Sun-Gazette December 5, & December 12, 2023
4. Property posted on December 11, 2023

Heather George read Shannon Rossman's letter at the meeting.

The following are exhibits presented by Heather George:

- Z#1 – Zoning Hearing Packet
- Z#2 – Shannon Rossman's Letter
- Z#3 – Legal Advertisements
- Z#4 – Property Posting
- Z#5 – Map with property owners within 300 ft radius
- P#1 – Photos submitted by Dale Winter

Mr. Nagle arrived thirty minutes late in the middle of the following discussion:

DISCUSSION: - Heather stated the applicant was advised to contact the Conservation District for a manure management plan in July. Stephan Brady questioned the need for an auxiliary building. Stephan also asked if this was a retroactive request for the animals. Heather confirmed that the animals are already on the property. David Hubbard mentioned that the property was brought to the county's attention. The shed was permitted as an equipment shed. It would require a change of use, but does meet the setbacks. Norman Bliler, neighbor, stated that the duck manure being dumped by his fence is running onto his property. Stephan Brady asked to clarify if the applicant doesn't meet the requirements for the plan that is separate from the decision of ZHB allowing for the use. Dale Winter, township supervisor, introduced himself and submitted seven photos to the board. Dale Winter stated that the property is a nuisance and not being taken care of as it should be. Stephan Brady asked who takes care of the township's maintenance. Dale Winters stated that Central Keystone COG is who takes care of the township's maintenance, but that the township has not contacted them yet. Stephan Brady asked for clarification for the audience the difference between a Variance and a Special Exception. A Variance is a deviation from the Ordinance, such as a setback. A Special Exception is permitting use as seen fit by the ZHB. George Logue asked for more information regarding RC (Rural Center). David Hubbard reviewed the township map showing how RC is surrounded by AG Agricultural Zoning. (Mr. Nagle arrived) Dale Winter, township supervisor, asked how many animals were on the property. Fred Holland stated that Mr. Nagle would have to be in compliance with the manure management plan. After swearing in Mr. Nagle, he stated that he'd like to have animals and gardening on his property. The small animals are for his daughter, Rose. David reviewed AG use and stated zoning works with structures - location and the use. Mr. Nagle permitted the accessory structure as a storage facility. Once the AG use is approved with the conditions, then he will have to change the use of the structure. Fred Holland asked the applicant if he had a copy of his manure management plan. He did not have a copy with him. Mr. Nagle stated that he had the following animals currently on his property: Five small Kune pigs, six turkeys, fourteen laying hens, four female pheasants, one male pheasant, six goats, two dogs and nine white ducks. He would also like one steer in the future and to keep compost pile for mulch for his yard/garden. Stephan Brady asked for a timeline when the accessory structure and animals. Mr.

Nagle stated in March he was permitted an equipment storage shed. In May he got chickens in May and other animals in June. Mr. Nagle stated he also needs another building. Dale Winter, township supervisor, expressed concerns regarding the property maintenance and stated that steer and more pigs are not suitable for the property.

Mr. Holland stated the board has deliberated, but has not made a decision. The board is going to conduct a second hearing at the scheduled January meeting, January 24, 2024. Mr. Nagle was instructed to provide the Zoning Administration, at least a week prior to the January meeting, a copy of the manure management plan to submit as an exhibit. The board will have forty-five days from January 24, 2024 to make a decision. Mr. Holland reminded everyone of the new location of the meetings next year.

**V. ACTION ITEMS/DISCUSSION** – Discussion regarding meeting location at TSP, parking, ZHB terms and vacancies.

**VI. ADJOURNMENT**

Meeting adjourned at 7:15 PM  
Respectfully submitted,

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Sherrie Hook, Recording Secretary

\_\_\_\_\_  
Leslie Whitehill, Acting Chairman

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_