



Lycoming County Zoning

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David Hubbard
County Zoning Administrator

Fred A. Holland, J.D.
Zoning Hearing Board Solicitor

LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES
Third Street Plaza, 6th Floor Board Room
January 18, 2024
6:00pm

I. CALL TO ORDER

Chairman, Bill Klein, called the meeting to order at 6:00pm.

II. ROLL CALL

Members Present: Bill Klein, Leslie Whitehill, Dan Clark, Stephan Brady

Members Present via Conference Call: None

Members Absent: George (Herman) Logue, Howard Fry, III

III. MINUTES OF PREVIOUS MEETING

The December 20, 2023 meeting minutes were approved; Leslie Whitehill motioned to approve, Dan Clark second to motion. Motion carried.

IV. NEW BUSINESS

A. ZHB Case 2023-010 (continued)

Thomas Nagle Jr.
Limestone Township
Special Exception

Seated Members: Leslie Whitehill, Dan Clark, Stephan Brady

David Hubbard, Zoning Administrator, gave a summary of the project presented by Heather George in December. David stated that after deliberations at the December meeting, Mr. Nagle was instructed to provide the manure management plan to the Zoning Administration one week before the January hearing. Rodney Morehart from Lycoming County Conservation District delivered the manure management plan for Mr. Nagle's property. Mr. Morehart's letter stated that an E&S plan is not required.

The following additional exhibits presented by David Hubbard:

Z#6 – Re-posting of the Property

Z#7 – Legal Advertisement

Z#8 – Letter sent to surrounding neighbors

Z#9 – Manure Management Plan

Z#10 – Rodney Morehart’s (Conservation District) letter

DISCUSSION: - Stephan Brady questioned why the manure management plan was not turned in on-time, however Mr. Nagle was not present at this time to provide an answer. Mr. Holland brought up the email from Herman Logue with his concerns since he was not able to attend the meeting. One of Herman’s concerns was regarding fencing, however Rodney Morehart states that the fencing is adequate for the current livestock. Dale Winter, Limestone Township Supervisor, asked if Mr. Nagle got more animals would he be required to get a fence to contain them. Fred Holland stated that if the board grants the special exception it will be likely to propose conditions. Since Mr. Nagle was not present, the board went to the next hearing before deliberations. Thomas and Joanna Nagle showed up during the second hearing. Bill Klein informed the applicants that his case was discussed before he arrived. David gave another summary, informed the applicant that the manure management plan had been delivered that morning, letters to the neighboring properties, the legal notices, the property posting, the letter from Rodney Morehart letter, no E&S plan required. Mr. Holland updated the applicants of the exhibits presented. Bill Klein stated the concern of the number of animals and fencing in the future. Mr. Nagle stated that his fencing will hold a horse, a cow or a steer to raise for beef. Mr. Nagle stated that the current fencing keeps all animals in, the dogs, including the turkeys. He has it set up for an electric fence but not hooked up and there are no plans to expand operations. Stephan Brady asked Mr. Nagle why the manure management plan was not provided a week before the hearing. Joanna Nagle stated the manure management plan was sent to her back in August of 2023.

Mr. Holland stated that after deliberations, the board has decided to grant the Special Exception with conditions. The five conditions are as follows:

1. Applicant will not increase the number of animals kept on the property unless he has submitted an amended Manure Management Plan and provided a copy of the Plan to the Zoning Office for approval which reflects the new number of animals and the ability to properly manage manure that is produced.
2. For purposes of clarity, this condition requires that Applicant have no more than each of the following species of animal unless a revised Manure Management Plan has been reviewed and approved:
 - 5 kune pigs
 - 9 turkeys
 - 20 chickens
 - 10 pheasants
 - 6 goats
 - 9 ducks
3. For the purposes of clarity, this condition does not permit the Applicant to keep a steer or other bovine creature on the property unless a revised Manure Management Plan has been reviewed and approved as outlined above.

4. Applicant must within 30 days, report the presence of goats on his property to Mr. Morehart, so that the current Manure Management Plan may be updated if needed.
5. Applicant must confer with the Zoning Office to ensure that he is in compliance with Section 3420.I. of the Zoning Ordinance, which may require construction of additional animal shelters and creation of privacy fencing in some areas.

Leslie Whitehill motioned to approve, Stephan Brady second the motion. Motion carried.

B. ZHB Case 2024-002
George Duckworth
Penn Township
Variance

Seated Members: Bill Klein, Leslie Whitehill, Dan Clark, Stephan Brady

David Hubbard presented to the Zoning Hearing Board case number 2024-002. The applicant, George Duckworth is requesting a Variance to permit the construction of a Single-Family Dwelling, located at 150 Keehn Lane in Penn Township, tax parcel #44-316-156.L. Keehn Ln is considered a private road. Table 4140A; Conventional Single-Family Bulk Standards provides standards that govern the construction of single-family dwellings. The applicant is requesting a dimensional variance relating to the front yard setback. The front yard setback for the dwelling is proposed at 40 feet from the right of way line, requiring ten feet of dimensional relief. The property is currently vacant, approximately 2.03 acres and is located in the Countryside (CS) Zoning District.

CONCLUSIONS: General Standards for a Variance are listed in the Lycoming County Zoning Ordinance, Section 10420.

David Hubbard reviewed the following Communications:

1. Variance application received December 20, 2023
2. Notices sent to interested parties: Lycoming County Planning Commission, Lycoming County Commissioners, Penn Township Supervisors, Applicant and the Zoning Hearing Board
3. Legal notice published in Sun-Gazette January 9th and January 16th 2024
4. Property posted on January 12, 2024

David Hubbard read Shannon Rossman's letter at the meeting.

The following are exhibits presented by David Hubbard:

- Z#1 – Zoning Hearing Packet
- Z#2 – Shannon Rossman's Letter
- Z#3 – Posted Notice
- Z#4 – Published Legal Advertisement

DISCUSSION: - David Hubbard reminded that we had a similar variance last year for a neighboring property because of the contour of the land.

Mr. Holland stated the consensus of the board is to grant the variance without any conditions. Dan Clark motioned to approve, Stephan Brady second the motion. Motion carried.

V. ACTION ITEMS/DISCUSSION

A. Election of Officers for 2024 - After discussion, Fred Holland asked for motion of unanimous ballot cast for Bill Klein – Chairman; Stephan Brady – Vice-Chair; Leslie Whitehill – Secretary. Bill Klein motioned and Stephan Brady second motion. Motion carried.

VI. ADJOURNMENT

Meeting adjourned at 7:24 PM
Respectfully submitted,

Sherrie Hook, Recording Secretary

Bill Klein, Chairman

DATE: _____

DATE: _____