

LYCOMING COUNTY ZONING HEARING BOARD MEETING MINUTES

Executive Plaza Building

1st Floor Commissioner’s Board Room

October 27, 2021

6:00pm

1. CALL TO ORDER

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

1. ROLL CALL (Members & Alternates)

**Members Present**: Bill Klein, Chris Logue, Leslie Whitehill, Dan Clark

**Members Present via Conference Call:**

**Members Absent:** David Hines

1. MINUTES OF PREVIOUS MEETING

The July 28, 2021 meeting minutes were approved.

Chris Logue made motioned to approve, Leslie Whitehill second to motion. Motion carried.

1. NEW BUSINESS
2. **ZHB Case 2021-010**

**W. Patrick Fortin**

 **Muncy Township**

 **Special Exception – Event Venue**

 **Seated Members:** Bill Klein, Chris Logue, Leslie Whitehill, Dan Clark

David Hubbard presented to the Zoning Hearing Board case number 2021-010, located in Muncy Township. The applicant W. Patrick Fortin is requesting Special Exception approval for Event Venue located at 2394 Rt. 220 Hwy. in Muncy Township. The Subdivision of the lot into multiple parcels is being proposed.

The subject property of tax parcel #41-353-103 contains approximately 66.66 acres and is located in the Countryside (CS) Zoning District in Muncy Township. The property currently contains an existing house (Single Family Dwelling), multiple agricultural buildings (including barns, corncribs, storage sheds, tool sheds, and farm utility shelters); the property fronts a minor arterial road.

Upon SALDO and Zoning approval, the site location will provide for a 12.5-acre lot with developments for the venue, including but not limited to (1) driveway and parking (2) water and septic (3) and stormwater management with general site plan.

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

David Hubbard reviewed the following communications:

1. Special Exception Application received, September 16, 2021
2. Notices sent to interest parties:
	1. Lycoming County Planning Commission,
	2. Lycoming County Commissioners,
	3. Muncy Township Supervisors
	4. Applicant/Consultant/Property Owner
	5. Zoning Hearing Board
3. Legal notice published in Sun-Gazette October 12 & October 19, 2021.
4. Property posted 10/15/2021.

The Zoning Hearing Board packet containing the Special Exception application, copy of LCPC comments from Shannon Rossman, Zoning Permit application, Overhead GIS sight plan view.

The following are exhibits presented by David Hubbard:

Z#1 – ZHB packet including letter from Shannon Rossman

Z#2 – Legal posting Sun-Gazette

Z#3 – Property posting

Z#4 – Muncy Township Comment Letter

Joshua Billings presented the case for his client W. Patrick Fortin. The venue will be of a barn style venue with a lot of wood to be consistent with the community character. Due to the lay of the land, you will not see this from route 220 it is about 800 plus feet from route 220 down over the hill. The building proposed will be 25 to 26 ft. high to its peak with a good 30 ft. drop in elevation from 220. There is a 50 ft. buffer between residential lots to the 220 side of the 12.8 acre parcel. There will be evergreens planted to help buffer any view from the residential homes.

The upper field may house four or five residences or maybe two that is unknown at this time this does not have any barren on the use of lower use of the property. If other residence are built, Penndot has indicated there has to be a shared entrance based upon the number entrances allowed to the Spring Farm off of 220. There will have to be low volume Highway Occupancy Permit because of the commercial nature use of the venue and the possible residential homes. Comes down to the flexibility and vision of Spring Farm and Mr. Fortin to put the plan together with the residential idea one the property there.

This venue is proposed at 6000 sq. ft. anything less than that would be a lesser intensity as negotiations move forward as finances are put in place the size of the venue may change based upon what is being viewed as being the best case scenario for the size of the building. Mr. Fortin does have the architectural completed for a 6000 sq. ft. building. The lighting will be cased towards the ground not to spill out to cause any issues with any dark skies. The Zoning Ordinance states for lighting to be shielded so that is directs the light downward not to go onto adjacent properties. That is a requirement of the Zoning Ordinance. Parking is required around 63 spaces based upon the potential of the occupants, one space for four participants it could be upward of 100 spaces, this could be around the western part of the building or extend towards the east. The only concern is the 50 ft. buffer between the parking lot and the property line. There is a field row there that they want to be able to use for multiple uses for a venue like walking paths, bike trails etc. There would have to be an easement to use the field row. Muncy Township has a Stormwater Ordinance that the development would have to be consistent with incorporating this will have to be done on the residential lots with the venue located in the area that is suitable to collect anything from the parking lot to the roof leaders. Any other impervious surfaces down to a lower spot on the property of the 12.5 acres.

This area is not served from any public sewer or water; the venue would have its private water supply a well drilled as well as being required to have a septic system on site. For this type of use it does get large, the Sewage Enforcement Officer would come out to do the necessary test pits and perking for the system that would be required. They have perked for sand mounts with no issues.

Joshua stated they are here for the use itself and requirements as far as land development, subdivision can be done after this.

 Mr. Fortin stated hours of operation would be from 6pm-11pm unless it is a daytime ceremony then it

 would be an earlier start time and end time for Saturdays. During the week, it would be normal day

 time operating hours for professional development for corporations or gatherings of different

 Businesses. Hours during the week hours would end by 6pm starting about 8 or 9am.

 Joshua stated it would be available for use 7 days a week shutting down around 10pm

Mr. Fortin stated there will be bands with the 800 ft. from the highway and dropping topography and buffering up and the sound be projected not toward the highway they don’t think it will be a noise disturbance. They will also be directing traffic on how to get back to 220. Bands will be inside the building. There will also be no PLCB acquired, no commercial kitchens.

Mr. Fry read a letter he had written that allowed him to speak his mind.

Gary Jones spoke on behalf of Spring Farm Trust, they are the property owners. He met Mr. Fortin they were considering doing the existing barn that is there now but the existing barn is to close to a residence, etc. The trustees sat down to discuss proposing a new barn that will be laid out nicely. They were looking to sell the farm as a whole years ago this was in his ex-wife’s family she wanted to hold onto it as much as possible and to keep it esthetically as best as it could be. After the venue is complete they will probably do a couple houses near the road. The venue fits in nicely with the contour they did look a lot of consideration in for the venue having a developer come in to do eight houses. They are more comfortable as the property owner with this venue. The venue will be managed at such a high level due to the people involved that the interference with the community he does not see any problems. The Trustees are more comfortable with the venue.

Joshua Billings ran down list for permitted uses in the Countryside Zoning District relating to Commercial. Standard Restaurants are allowed thru Special Exception, County Inn is permitted by right without the hearing, Home Occupation are permitted by right, Home Businesses are permitted by right, Camp Ground are permitted by right, Hunting Preserve are a Special Exception, Event Venues are a Special Exception now. The Comprehensive Plan shows 220 within Muncy Township as being a growth corridor.

Fred spoke on behalf of the board the consensus is to grant the Special exception with conditions from Shannon Rossman.

1. Landscaping must be provided as suggested in the plan.
2. Lighting be done to minimize effect on neighboring property.
3. Stormwater Management property addressed.
4. There must be a Highway Occupancy Permit

Other conditions:

1. Square footage to be depicted as is on plans, as 6000 sq. ft. or less venue with a covered patio shall be 40 x 40.
2. Amplified music, no amplified music outside of the building. Amplified music inside the building be discontinued no later than at 10pm.
3. Hours of operation and general compliance with the ordinance, especially the section specific to Event Venue.

Leslie Whitehill motioned to approve, Chris Logue second the motion. Motion carried.

 ADJOURNMENT

Meeting adjourned at 7:31 pm.

Respectfully submitted,

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Heather George, Recording Secretary Bill Klein, Chairman

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