

Bloomsburg Town Council held three public hearings on Monday, October 7, 2013, beginning at 6:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor W. Carey Howell; Council Members Diane Levan, Sylvia Costa, Bill Kreisher, Fred Trump, Eric Bower and Sandy Davis; Town Administrator William Lowthert; Code Enforcement Officer Ed Fegley and Solicitor Jack Mihalik.

The purpose of the first hearing is to hear testimony from William and Shirley Hoffman, 1028 Millville Road, Bloomsburg PA, the Bloomsburg Code Enforcement Department as well as the general public, regarding the Hoffman's request to change the zoning district designation from Residential-Conservation to Commercial-Warehouse for 14.1243 acres located along State Route 42 west of Interstate 80 and east of Fishing Creek known as 1028 Millville Road.

Mayor Howell opened the hearing and asked Mr. and Mrs. Hoffman to present the case for their requested district change.

Property owner, Shirley Hoffman, explained that the current sign has been declared to be unfit for use by the Occupational Safety Hazard Administration (OSHA) and that they are seeking to replace the sign with two new ones.

Mayor Howell requested information about the request, staff input as well as the Planning Commission's recommendation.

E. Fegley asked Council to refer to the Code Office comments regarding the change request and also refers Council to the timeline which is also included in the information packet that was provided at the beginning of the meeting.

Solicitor Mihalik advised Council of the typical proceedings process and that no decision needs to be made and that the purpose of the hearings is to gather information.

Mayor Howell opened the floor for public comment.

Amanda Pritzlaff, 261 W. Main Street, raised the question regarding Fishing Creek and the possible impact on the trees, farms and scenery and urged Council to consider these things.

Oren Helbok, 705 E. Fifth Street, questioned if the signs were the only reason for the rezoning request? Shirley Hoffman replied yes.

Oren Helbok addressed Council and questioned if we want to look at the beautiful natural features or signage?

Planning Commission Member, Barry Thorne, 819 E. Third Street, agreed with Oren's statement and further stated that he didn't believe that anyone wanted more signs, except maybe the Hoffman's. Mr. Thorne expressed that this seems very much like spot zoning and that he is adamantly opposed to the request to rezone.

Amanda Pritzlaff questioned the amount of revenue that would come from allowing the two signs to be built and went on to say that the natural features of Bloomsburg are what attracted her to the area. Having grown up in the Philadelphia area, she has had her fill of signs.

Shirley Hoffman explained that because the existing sign is no longer usable and since they lost everything in the flood, they are unable to keep up with the property, especially the tax bills. She further offers to discuss the revenue with anyone who would like to know.

F. Trump questioned if the proposed signs would be brighter. Mr. and Mrs. Hoffman's attorney, William McCormick, explained that there would be no appreciable difference.

Solicitor Mihalik addressed the notion of spot zoning, as it was previously brought up. He referenced case law that would suggest that this case would not be considered spot zoning.

B. Kreisher made the following statements: to rezone this area would be consistent with adjacent Commercial-Warehouse land (Steve Shannon's warehouse); it would add value to the homeowner's land which would result in a better tax return; by not granting this request would render this land useless due to the current zoning and its location with the floodplain and the additional signage would be beneficial to tourism.

Barry Thorne stated that although he agrees with B. Kreisher's points, the signs will still take people's eyes off of the road.

Property owner, Bill Hoffman, asked Mr. Thorne what he proposes to fix the problem and is he aware that this zoning district never changed? Mr. Thorne replied, yes and no.

Shirley Hoffman expressed that agricultural use doesn't support the property and asked Council, what would you do with the property, would you just let it deteriorate?

S. Davis pointed out that this proposed change affects the future, even after the current owners have gone and further, change would entail compliance with all Commercial-Warehouse regulations in the future; all of the property is located within the floodplain; half of the property is located within the floodway; other permitted uses could create hazardous conditions within a floodplain and/or floodway such as warehousing, automotive uses and laundries.

Oren Helbok closed the public comments by stated that the greater good of the community must outweigh the needs of one person.

Hearing no further public comments, Mayor Howell closed the public comment portion of the hearing and asked Council for comments. Hearing no further comments, Mayor Howell called for a motion to act on the request.

On a motion by B. Kreisher, seconded by D. Levan and voted on Three (3) (B. Kreisher, D. Levan and E. Bower voting "Yes"), to Four (4) (C. Howell, S. Costa, F. Trump and S. Davis voting "No"), Council denied the rezoning request.

The second public hearing of Bloomsburg Town Council was held Monday, October 7, 2013, immediately following the first hearing beginning at 6:40 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor W. Carey Howell; Council Members Diane Levan, Sylvia Costa, Bill Kreisher, Fred Trump, Eric Bower and Sandy Davis; Town Administrator William Lowthert; Code Enforcement Officer Ed Fegley and Solicitor Jack Mihalik.

The purpose of the second hearing is to hear testimony from the applicant, Donald Camplese, 20 E. Twelfth St., Bloomsburg PA, as well as the Code Enforcement Office and the general public, regarding Mr. Camplese's request to change the zoning district designation from Residential-Suburban to High-Density for 17.147 acres located north of the northern terminus of Franklin Avenue.

Mayor Howell opened the hearing providing the opportunity, to the applicant, to present his testimony regarding the reasoning behind the request to change the zoning district.

The applicant, nor a representative, was present.

Mayor Howell requested any pertinent information be provided by the Code Enforcement Office.

E. Fegley testified that the recommendation of the Bloomsburg Planning Commission was to deny the request. Also, with the agreement of Mr. Camplese, Mr. Gerrish (Hearing #3) and Mr. Hill (Hearing #4), the Bloomsburg Planning Commission has viewed the three requests as one from the time of their submittals.

Mayor Howell opened the hearing to public comment.

Barry Thorne of the Bloomsburg Planning Commission affirmed Mr. Fegley's testimony.

Hearing no further public comments, Mayor Howell closed the public comment portion of the hearing and asked Council for comments. Hearing no further comments, Mayor Howell called for a motion to act on the request.

The purpose of the third hearing is to hear testimony from Gaylen Gerrish and Trudy Garrish, 305 Fair St., Bloomsburg PA, the Bloomsburg Code Enforcement Department as well as the general public, regarding the Gerrish's request to change the zoning district designation from Residential-Suburban to High-Density for 12.7 acres located north of the northern terminus of Franklin Avenue.

Mayor Howell opened the hearing to hear testimony from the applicant.

Mr. Gerrish stated that he and his wife's request was only submitted as a measure to ensure that if Mr. Camplese's request was granted, their property value would not decrease as a result thereof.

Mr. Fegley confirmed that Mr. Gerrish has had that position since the application was submitted, thus the action, by the Bloomsburg Planning Commission, to view this request in combination with the Camplese and Hill requests.

Mayor Howell called for public comment, hearing none he closed the hearing to public comment and called for Council comment, hearing none he closed the hearing to comment and called for a motion to act on the request.

The purpose of the fourth hearing is to hear testimony from David and Mary Hill, P.O. Box 604, Bloomsburg PA, the Bloomsburg Code Enforcement Department as well as the general public, regarding the Hill's request to change the zoning district designation from Residential-Suburban to High-Density for approximately 10 acres located north of the northern terminus of Franklin Avenue.

Mr. Hill stated that, similar to Mr. Gerrish's request, he and his wife's request was only submitted as a measure to ensure that if Mr. Camplese's request was granted, their property value would not decrease as a result thereof.

Mr. Fegley confirmed that Mr. Hill has had that position since the application was submitted, thus the action, by the Bloomsburg Planning Commission, to view this request in combination with the Camplese and Hill requests.

Mayor Howell called for public comment, hearing none he closed the hearing to public comment and called for Council comment, hearing none he closed the hearing to Council comment and called for a motion to act on the request.

On a motion by B. Kreisher, seconded by D. Levan and voted unanimously, Council denied the requests of Mr. Camplese, as well as Mr. Gerrish and Mr. Hill.

With no further business, the hearing concluded at 6:45 p.m.

WILLIAM LOWTHERT
Town Administrator & Secretary