

**TOWN OF BLOOMSBURG
SPECIAL PLANNING COMMISSION MEETING
April 10, 2019**

Chairperson Rick Bogar called the meeting to order at 6:30 P.M. In attendance were Commission member's Ed Sabo, Rick Bogar, Barry Thorne, and Bonnie Crawford. Also in attendance were Director of Code Enforcement Ken Roberts, Code Enforcement Officer Kyle Bauman, Mayor W. Kreisher, Council Member Toni Bell, and Town Planner Bob Aungst. Absent were John Thomas and Mike Mertz.

R. Bogar opened the meeting by providing background on the committee that was created to draft the curative amendments in response to a challenge by Bloomsburg Industrial Ventures (hereinafter BIV). BIV challenged that The Town of Bloomsburg's zoning ordinances were invalid. On September 13th, 2018 BIV submitted two curative amendments indicating that the Town's zoning ordinance failed to provide for Homeless Shelters, as well as Transitional Living Facilities as a permitted use. Town Council held a public hearing on November 7, 2018 to hear the facts and later came to the resolution on November 27, 2018 that Council would consult with the Planning Commission (hereinafter PC) to draft municipal amendments that would cure the defects as outlined in the BIV application.

R. Bogar explained that The Homeless Shelter Curative Amendment has been completed and at the March 28, 2019 PC meeting the motion was made to send it to Town Council with a recommended to approve. Bogar went on to explain the first agenda item as being the proposed zoning amendment for a Halfway House for persons on parole or probation. The defined terms in the ordinance were explained in detail, and he then followed with an explanation of operational procedures of such a facility as drafted in that amendment.

Matt Zoppetti questioned the use as a special exception and provided the commission with constructive criticism in which he believed that a requirement of submitting a curative amendment was to specifically provide for Homeless Shelters and Transitional Living Facilities as a permitted use and not just as a special exception use. Zoppetti went on to recommend that the Town should also reconsider the location of the Halfway House as the amendment provides for this use in the High-Density (H-D) district. Zoppetti argued that he could build these all over Town which could result in negative impacts similar to what happened in Williamsport. Toni Bell commented that the Town's solicitor and planner (Jack Varaly) reviewed both amendments and didn't believe Mr. Zoppetti's concerns to be an issue. Zoppetti reiterated that a Citizen Cure provides the applicant with site specific relief and the Town should go back to their legal Counsel and confirm such.

On a motion by B. Thorne, seconded by B. Crawford, and voted on unanimously, the Commission recommended that the proposed zoning amendment for Halfway Houses for Persons on Parole or Probation be forwarded to Council for preparation and advertising for a public hearing.

The next item on the agenda was discussion of the proposed zoning amendment for Substance Abuse Treatment Facilities. R. Bogar began the discussion explaining what a Substance Abuse Treatment facility was, as well as what Substance Abuse Treatment entailed. Bogar went on to explain other terms as defined in the proposed amendment. Bogar explained how each term referenced a separate use and where those uses would be permitted as stipulated in the amendment. Bogar then explained the regulatory and operational procedures set forth in the amendment.

M. Zoppetti voiced concerns for the insurance requirement that policies shall provide coverage of not less than one Million dollars per occurrence and two million five hundred thousand dollars per aggregate. Zoppetti reiterated that the

uses in the amendment were not permitted uses and provided for as a Special Exception only. Zoppetti went on to explain that none of the uses provided for in this amendment were site specific to his request and that the Town should consult with their legal Counsel to confirm the legalities of this. Mayor Bill Kreisher explained that Town Council forwarded the task to the Planning Commission to draft the amendment and that these amendments were the first step in the adoption process.

On a motion by B. Crawford, seconded by B. Thorne, and voted on unanimously, the Commission recommended that the proposed zoning amendment for a Substance Abuse Treatment Facility be forwarded to council for preparation and advertising for a public hearing.

The last item on the agenda dealt with a parcel of land, owned by BIV, which sits within two zoning districts. The building in question is mostly in the Industrial Park zoning district whereas a small portion of the building also lies in the Business Campus district. R. Bogar explained that the commission is working on this further and will provide updates soon.

Next workshop is scheduled for April 18, 2019 at 10:00 a.m. in which M. Mertz, R. Bogar, and E. Sabo will be attending.

Being no further business the meeting adjourned at 7:10 p.m.

Notes taken by Kyle Bauman and Ken Roberts.