

**MINUTES**  
**WARREN COUNTY PLANNING COMMISSION**  
**Warren County Courthouse**  
**Commissioners' Conference Room, 1<sup>st</sup> Floor**  
**April 4, 2023**  
**5:30 P.M.**

The regular meeting of the Warren County Planning Commission was called to order by Chair Paul Pascuzzi at 5:30 p.m.

**ROLL CALL:**

Members Present: Brian Jennings, Gary Olson, Jacob Pangborn, Paul Pascuzzi, Sheryl Vanco, Gary Wareham, Jeffrey Zariczny

Members Absent: Andy Brooks

Staff Present: Daniel Glotz, Laurie Burdick, Michael Lyon, Commissioner Jeff Eggleston

Guests Present: Josh Cotton (Times Observer), Kelly Stroup, Pat Evans, Ed Sekerak, Arthur Stewart, Susan Stewart, Louis Decicco, Allen Sowers, Meghan Stewart, Tyler Q. Martin, Katie Stewart, Ben Sutton, Sarah Sutton, Welles Sutton, Jennifer Giovoni, Pat Ditonto

**APPROVAL OF MINUTES:**

The Minutes of February 7, 2023 were approved unanimously with a motion by Gary Olson and a second by Jacob Pangborn. Motion carried.

**NEW BUSINESS:**

1. Annual Report

Daniel Glotz reviewed the Annual Report with the Commission and explained the Subdivision, Grants Administration, and Planning Activities sections. Michael Lyon reviewed the Zoning section of the Annual Report with the Commission.

2. Rezoning Request for Brian & Stacy Bills – 34 E. Main St., Columbus, PA – from Residential 1 "R1" to Residential 2 "R2" – Parcel No. CY-371-524800 (request is to permit a duplex conversion to the above address)

Michael Lyon explained this item, stating that this is a historic, brick building that was blighted, and the Bills are completely renovating the home. They would like to make the home a duplex, and duplexes are only permitted in R2 Residential, but he said there are at least 3 other structures in proximity to this structure that are multi-family housing that are located in R1. He said this is not considered spot-zoning, so he will suggest that the Commission make a recommendation to the County Commissioners to rezone this property so the Bills can proceed with their project. Jeff Zariczny then explained the details and described what renovations the Bills have completed. He concurred with Michael Lyon's suggestion to the Commission to

recommend rezoning to the Commissioners. Gary Olson made a motion, with a second by Jacob Pangborn, to recommend rezoning this property from R1 to R2 to the Warren County Commissioners. A vote was taken and all were in favor, with the exception of Jeffrey Zariczny, who abstained. Motion carried.

3. Review and comments for Jennings/Loranger Subdivision – City of Warren

Dan Glotz explained this subdivision to the Commission. He said he saw no reason to deny it since it meets the requirements of the City. Jeff Zariczny made a motion, with a second by Jacob Pangborn, to recommend approval of this subdivision by the City of Warren. A vote was taken and all were in favor; motion carried.

4. Review of Short-term Rental Draft Ordinance

Michael Lyon presented this item to the Commission. He stated that the Short-term Rental Ordinance was prepared over several months and will affect only the 13 zoned municipalities and not the City of Warren or the unzoned municipalities. This was a result of receiving several phone calls from people that were opposed to having short-term rentals and from general attention in the media. Mr. Lyon participated in several webinars and reviewed several Ordinances throughout the State to find a happy medium that would make everybody happy. He said some of the regulations in the Ordinance are directly in line with the International Building Code. They are also suggesting that operators of short-term rentals have a sign posted for 24-hour contact. This was highly suggested from legal review that he has done. There have been numerous law cases amongst municipalities being sued for either permitting short-term rentals with no criteria or not allowing them at all or not addressing the issues. Several people from the public made comments or had questions, including Arthur Stewart, Ed Sekerak, Jennifer Giovoni, Susan Stewart, and Tyler Martin. Paul Pascuzzi appointed Jeff Zariczny as the Chair of a task force committee, along with members Gary Olson, Gary Wareham, Michael Lyon, Arthur Stewart, Edward Sekerak, and Tyler Martin. Jeff Zariczny will contact the committee appointees to set up a meeting time to review the proposed Ordinance.

5. Zoning Change Request by Commissioner Jeff Eggleston to change County zoning regulations to reduce front and rear yard setbacks to 10 feet

Commissioner Eggleston stated that there was a recent request for a Variance for a front yard setback, and, as a result of the denial, he has done some review of the setback requirements for zoned municipalities in the County of Warren. From his perspective, he feels the setbacks are excessive requirements and proceeded to explain his position. He further expressed that there are no studies to explain anything definitively one way or another as to why there is a 30-foot front-yard setback. He further feels there is no scientific reason to have a 30-foot rear-yard setback. From his perspective, he feels the County needs to expand construction. He feels having a 30-foot front-yard and 30-foot rear-yard setback is restrictive and prevents construction. He said he doesn't believe there have been any serious review of these regulations on setback requirements in decades. He is asking the Planning Commission to either move to adopt the request to reduce the setbacks or spend a month and have a group research this to produce a study so that by the next meeting they can make a determination regarding the setback requirements. He assumes the Commissioners will deliberate on this subject at some point and



he would like to have a recommendation from the Planning Commission in order to do that.

Jeff Zariczny asked how often, historically, the setbacks have impacted development, and he talked about how one can go through a variance request process if he/she has a legitimate hardship. He said he has an issue with changing the setbacks in R1 Districts to 10 feet, and he believes there is a reason for it. He discussed the size of the lots in the City of Warren and said their sewage is municipal and not on-site, so the lots can be smaller.

Pat Evans was present and stated that she was previously a Zoning Officer, Planning Director, and County Commissioner. She made the comment that she didn't think Mr. Eggleston would want this to be part of his legacy as he leaves the Commissioners' Office. She made reference to the case that Mr. Eggleston was referring to and said she attended that hearing. The woman claimed she had a hardship and wanted to place an addition on her house that would put the house closer to the road, because it was the best place to put the addition on her house in her mind, which Mrs. Evans said didn't make it a hardship because she had a large lot and could put it somewhere else. The woman was denied and had a 30-day opportunity to appeal but did not. The woman (applicant) then went to the Commissioners and requested that they change the Zoning Ordinance. She said this smacks of favoritism and seems to be untoward. Mrs. Evans said she has always lived where she had to have a septic system, where you need more space. She said people who build according to the Zoning Ordinance have some protection and, if it changes all of a sudden, and her house is 35 feet back from the road and the neighbor builds 10 feet from the road, she has lost her view. She thinks that is unfair and also doesn't think they should change a particular Zoning District. She said it doesn't make sense to her, and this is not something the Planning Commission should recommend.

Commissioner Eggleston responded and said the case Pat Evan's is referring to is the Marcy O'Brien case and that Mrs. O'Brien had called the Commissioners' Office and told Mr. Eggleston that she had consulted with an attorney regarding an appeal and was told by the attorney that it was pointless to appeal because she would be denied. Commissioner Eggleston further stated that he had received several negative comments about this issue and was accused of doing this for Marcy O'Brien. He said this has nothing to do with Marcy O'Brien and that he could care less about that case or her plight in this situation as it relates to this discussion, but stated that he is here to talk about personal liberty and a person's property. He said every response he has received to this request has been theoretical and nothing definitive that could make people safer. He is asking the Planning Commission to come up with information that states that one should have a 30-foot setback and show that it is scientifically proven.

Jeffrey Zariczny was concerned that if this zoning change request was approved, the next domino to fall would be the site area.

Paul Pascuzzi stated that he would like to have Dan Glotz and Michael Lyon review the Zoning Ordinance and identify where the setbacks are and discuss this at the next meeting. He would also like to know how frequently variances are requested for this intrusive 30-foot setback.

6. Blighted Property Review Committee

- A. (#86) – 106 Cottage Place, Pine Grove Township, Parcel #WN-281-317400 – Lana Cunningham (declared blighted by BPRC on 2-16-23)

Dan Glotz presented this item to the Commission and shared photographs of the property. The township has gone through the process of notifications, adopting the Resolution, and completion of the Analysis Report. Attempts were made to contact the owner, to no avail. It is understood that the owner has moved out of the area. The property is vacant and abandoned. The owner also had several nuisance violations. Protocol was followed by both the township and the Blighted Property Review Committee. Jeffrey Zariczny then made a motion, with a second by Jacob Pangborn, to forward this item onto the Redevelopment Authority. A vote was taken and all were in favor. Motion carried.

- B. (#87) – 209 West Main St., Sheffield Township, Parcel #SH-355-924900 – Louis Decicco (declared blighted by BPRC on 2-16-23)

Dan Glotz presented this item to the Commission and explained that this is the old BP Station. Mr. Decicco updated the Commission on where things stand. Photographs of the property were shared with the Commission, and Paul Pascuzzi read aloud through the Analysis Report. The Blighted Property Review Committee invited Mr. Decicco to their meeting, which he attended. The recommendation from the Blighted Committee was to move it onto the Planning Commission. Mr. Decicco addressed the Committee regarding this property. He explained that the underground tanks were to be removed by the previous owner as a part of the condition of the sale, and a suit by the DEC & EPA was pending. He is not sure where the case stands at this point, but he has hired an attorney to represent him. He has filed a complaint with the state police regarding vandalism. He is working on the plaster walls of the building and will coat the roof. He said the building is very sound. They patched up the windows and addressed the door. The municipality and the Blighted Property Review Committee both followed protocol. Gary Olson then made a motion, with a second by Brian Jennings, to forward this item onto the Redevelopment Authority. A vote was taken and all were in favor. Motion carried.

**UNFINISHED BUSINESS:**

None.

**SUBDIVISIONS RECENTLY APPROVED:**

No questions on the recent subdivisions.

Jensen, Fred E. & Katherine Kemp	Columbus	2/7/2023	CY-3-5855/5884
Chase, Dale & Lori	Pittsfield	2/7/2023	YV-7-5320
Wengerd, David J. & Alma J.	Farmington	2/16/2022	WN-1-4989/4973/4883
Thomas, James R., John W. & Karen E.	Spring Creek	2/28/2023	CY-9-427/42739
Byler, Joe (Re-approval)	Farmington Twp.	3/23/2023	YV-3-6177/563
Bedow, Sr., Rodney A. (Lauri Jackson)	Southwest	3/23/2023	TV-6-552000

**PLANNING DIRECTOR'S REPORT:**

Dan Glotz reported on the Transportation projects that are planned for this construction year with PennDOT.

Mr. Glotz also reported on the DCNR grant.

**DEPUTY PLANNING DIRECTOR/ZONING OFFICER'S REPORT:**

Nothing to report.

**COMMUNICATIONS:**

Nothing to report.

**OTHER BUSINESS:**

None.

**ADJOURNMENT:**

Meeting unanimously adjourned at 7:21 p.m. by motion of Jeff Zariczny and second by Brian Jennings. Motion carried.

**NEXT MEETING:**

Tuesday, May 2, 2023 @ 5:30 p.m. in the Commissioners' Conference Room, 1<sup>st</sup> Floor, Warren County Courthouse.

Respectfully submitted,



Laurie A. Burdick  
Department Secretary  
Warren County Planning & Zoning  
204 Fourth Avenue  
Warren, PA 16365  
814-728-3512  
814-728-3517 (fax)

