

JIM THORPE BOROUGH ZONING HEARING BOARD MEETING MINUTES

August 24, 2023 6:00 pm Jim Thorpe Memorial Hall

Call to Order

Time: ___6:07pm___

Pledge of Allegiance

Roll Call of Board Members and Officials

	Present Y/N
Michael Huber, Vice-Chairperson	___ Yes ___
James Igoe, Secretary	___ Yes ___
Roxanne Long, Member	___ Yes ___
Andrew Roberts, Member	___ Yes ___
Eli Skrimcovsky, Chairperson	___ Yes ___
*Larry Cinicola, Alternate Member	___ Yes ___
*August Long, Alternate Member	___ Yes ___

Attorney Matthew Schnell and Zoning Officer Alexis Wilkinson were in attendance. Attorney Schnell directed the hearing. Attorney Schnell and Zoning Officer Wilkinson had no voting capabilities

Approval of Minutes and Agenda

1. Request approval of the minutes from the meeting held on April 27, 2023. Mr. Roberts makes the motion to approve the minutes. This was seconded by Mr. Huber. The vote passes unanimously.
2. Request approval of the August 24, 2023 agenda. Mr. Roberts makes the motion to accept the agenda. This was seconded by Mr. Huber. The vote passes unanimously.

First (1st) Hearing-

Name: Brian Seitz
Property Address: 300 Lentz Trail Jim Thorpe, PA 18229
Purpose: The applicant will discuss a proposed settlement offer regarding the property. This property is owned by Mr. Seitz and was previously denied a special exception. The original denial was successfully appealed, and as a result Mr. Seitz, along with his counsel prepared a settlement offer to share with the Zoning Hearing Board.

Alternate Member, Larry Cinicola and August Long will not vote for the hearing

Questions/Discussion: Attorney Schnell read the available exhibits and entered them into the record. Mr. Seitz was not present in person. Attorney Mark Koch, representing Mr. Seitz, indicated that Mr. Seitz was available on the phone. Attorney Schnell read the settlement offer for all to listen. Attorney Schnell recommended an executive session for the board to discuss the settlement.

One resident was sworn in prior to speaking about the property. The speaker was Mr. Robert Silliman. He reviewed his status as a neighbor. Mr. Silliman asked the zoning hearing board to vote against the settlement. Mr. Silliman made it clear, as a neighbor, he is against this settlement offer. There were no questions from the board to Mr. Silliman or Attorney Koch.

Notice of an Executive Session:

Prior to voting, the Zoning Hearing Board voted to begin an executive session. Mr. Huber made the motion, and it was seconded by Mr. Skrimcovsky. All remaining members unanimously voted on an executive session. The executive began at 6:10pm and the hearing restarted at 6:32pm.

Ruling by Zoning Hearing Board Members:

A motion was offered and seconded to grant approval on the settlement offer. A roll call vote was then conducted.

Yes: 4 Voting yes: Mr. Huber, Mr. Igoe, Mrs. Long, and Mr. Skrimcovsky

No: 1 Voting no: Mr. Roberts

Final Result: Settlement offer is granted

A board recess was held at 6:37pm.

Second (2nd) Hearing- Board recess ended, and the second hearing began at 6:40pm.

Name: Jake Arner of Jake Arner Farms, LLC

Property Address: Canyon Rim Estates Flagstaff Road Jim Thorpe, PA 18229

Purpose: The applicant is appealing the decision of the Zoning Officer denying the request to allow campsites on his property. The property is located in the S Zoning District.

Member, Andrew Roberts will not vote for the hearing

Zoning Hearing Board Attorney Schnell recused himself from this hearing. Attorney Robert Frycklund filled in as the Attorney for the Zoning Hearing Board

Questions/Discussion: Attorney Frycklund read the available exhibits and entered them into the record. Zoning Officer Wilkinson spoke about the original application and explains about granting partial approval. Agritourism is an allowable use but is tied to farming activity. Zoning Officer Wilkinson recommends establishing a farming practice then upon showing proof of farming other activities can occur. This parcel being in the S district, agritourism would be ok if farming is established first.

Attorney Kim Roberti, along with his client, Mr. Jake Arner were also present. Attorney Roberti provides maps of the property to the ZHB members. Mr. Arner provides details about the property. Mr. Arner owns 380 acres when all the acreage is combined. 170 acres are wooded and have trails and trees. Mr. Arner has a timber license for lumber needed for firewood among other uses. Rustic camping has been taking place for 2 ½ years. Mr. Arner allows hiking, biking, hunting, berry, mushroom

and fiddlehead picking on various parts of the property. Besides the natural areas and recreation, carriage rides are being offered. Mr. Arner would like to continue offering opportunities for tourism in order to support his agriculture goals.

Mr. Arner points out that other areas in the S district offer camping, namely Jim Thorpe Campground and Mauch Chunk Lake Park. The camp parking area will be suitable with over 200 spots. Mr. Arner speaks about the winery on the property operating for over 5 years and about the timber harvesting taking place on all parcels of the land.

Attorney James Nanovic is in attendance as the borough attorney and has many questions for Mr. Arner. Attorney Nanovic begins by questioning the number of acreage of the property. Attorney Nanovic tells Mr. Arner that the numbers do not add up. Mr. Arner explains that each parcel contains trails and fields. Attorney Nanovic asks about the timbering being completed on the property. Mr. Arner explained that it's selective cutting. Much of the wood is used for his camping guests. Attorney Nanovic asked if Mr. Arner has other permits. Mr. Arner answers no. Mr. Igoe, zoning hearing board member, asked about allowing people to hike/bike around the property once homes are built. Mr. Arner responded that yes people will continue to use the property and believes more trails will be established for the homeowners. Mr. Skrimcovsky, zoning hearing board member, asked about hunting. Mr. Arner responded that hunting will still be allowed because the camping and winery are seasonal operations and will be closed once hunting begins.

Ms. Kathy Bauer, citizen and friend of Mr. Arner, speaks in support of Mr. Arner. Ms. Bauer believes that the carriage rides will attract more people to the Flagstaff property, which is their goal. Attorney Roberti handed out forms indicating links between camping, recreation, and agritourism. No other questions came from the zoning hearing board. Attorney Nanovic did offer a final point about remembering what Mr. Arner is applying for.

Notice of an Executive Session:

Prior to voting, the Zoning Hearing Board voted to begin an executive session. Mr. Skrimcovsky made the motion, and it was seconded by Mr. Huber. All remaining members unanimously voted on an executive session. The executive began at 7:41pm and the hearing restarted at 7:56pm.

Ruling by Zoning Hearing Board Members:

Mr. Huber made a motion to deny the request to add campsites on the Arner property. Mr. Skrimcovsky seconded the motion. A roll call vote was then conducted.

Yes: 5 Voting yes to deny the request: Mr. Huber, Mr. Igoe, Mrs. Long, Mr. Long, and Mr. Skrimcovsky

No: 0

Final Result: The request to add campsites on the Arner property is denied.

A board recess was held at 7:57pm.

Third (3rd) Hearing- Board recess ended, and the final hearing began at 8:05pm.

Name: John Kravchak

Property Address: Undeveloped property on School Street Jim Thorpe, PA 18229

Purpose: The applicant is seeking a Special Exception to build a single-family dwelling in the C-2 Zoning District.

Alternate Member, Larry Cinicola and August Long will not vote for the hearing

Questions/Discussion: Attorney Schnell read the available exhibits and entered them into the record. Mr. Kravchak explains his plan to place a pre-fabricated house on the property. Zoning Officer Wilkinson explains the need for a Special Exception in Zone C-2. Zoning Officer Wilkinson further explains that the lot size meets the criteria, and that borough water and sewer connections are already approved. Mr. Roberts asked if nearby properties would be affected, and the answer was “no”. Mr. Long asked more about the plans, notably about setbacks. It was revealed to the board that the plan meets setbacks. Mr. Skrimcovsky asked about access to the driveway and how the dwelling will be used. Mr. Kravchak indicated that the house would be his main residence with no plans to sell or rent. Mr. Cinicola asked how the house would be positioned on the ground. Mr. Kravchak indicated that the house will sit on concrete block piers and then will be wrapped in a skirting to cover the open space underneath the house.

One resident was sworn in prior to speaking about the property. The speaker was Attorney Jean Engler. Attorney Engler indicated that she is a neighbor and owns a vacant lot next to the Kravchak property. Attorney Engler is not against the planned use by Mr. Kravchak but is questioning if the lot depth can be incorrect. Zoning Officer Wilkinson clarifies the lot size. No further questions or statements were given.

Notice of an Executive Session:

Prior to voting, the Zoning Hearing Board voted to begin an executive session. Mr. Skrimcovsky made the motion, and it was seconded by Mrs. Long. All remaining members unanimously voted on an executive session. The executive began at 8:24pm and the hearing restarted at 8:30pm.

Ruling by Zoning Hearing Board Members:

Mr. Skrimcovsky made a motion to approve the Special Exception. The motion was seconded by Mr. Roberts. A roll call vote was then conducted.

Yes: 5 Voting yes: Mr. Huber, Mr. Igoe, Mrs. Long, Mr. Roberts, and Mr. Skrimcovsky

No: 0

Final Result: The Special Exception is granted

Adjourn

Motion by Mr. Roberts , second by Mr. Skrimcovsky to adjourn at 8:31 PM.