

**LUZERNE COUNTY ZONING HEARING BOARD MINUTES**

**March 8, 2022**

**ATTENDANCE**

**Present were Dave Williams, Chairperson, Leon Schuster and Bill Harris members, Kathy Wood, Recording Secretary, Angela Sallemi, Standing Commissioner, Michael Butera, Solicitor and Interested Parties.**

**MINUTES.**

**A motion was made by Mr. Schuster, seconded by Mr. Harris, and carried to approve the minutes of January 4, 2022.**

**Mr. Williams asked if the cases were properly advertised and posted, and if the contiguous property owners had been notified. Mrs. Wood answered that they were.**

**RE-ORGANIZATION:**

**A motion was made by Mr. Williams, seconded by Mr. Harris to nominate Leon Schuster as Chairman of the Luzerne County Zoning Hearing Board.**

**Case #1**

**Jun Wang, 1024 Wyoming Ave., Wyoming, PA, request a Special Exception to operate an entertainment facility, trampoline park (including basketball court, dodgeball area, ninja course, jungle maze, arcade, photo booth, virtual reality gaming and lego castle, etc.), at 1066 Wyoming Ave. (former Bon-Ton building), Wyoming Borough, located in a (CB) Community Business District.**

**Jun Wang was present. He stated they would like to open a facility named Nova Trampoline Park in the former Bon-Ton building in the Midway Shopping Center. He stated the trampoline park will be mostly for children of all ages and some adults. He stated the business will be open normally after school, three (3) to nine (9) Monday thru Thursday, twelve (12) to eleven (11), Friday, ten (10) to eleven (11) Saturday and Sunday ten (10) to nine (9). He stated the hours are so kids get out to do activities after school rather than just staying home being on the phone and things like that. Mr. Wang stated the business will be open earlier on school vacation days.**

**Mr. Wang stated their purpose is to create more activities for the local kids. He stated the kids will get exercise and be with adults and it will be like a family setting. He also stated it will create more jobs for the local community. Mr. Wang stated the company will employ people to monitor the children. He stated he would likely employ at least 35 people, with 15 to 20 people working on each shift as watch monitors.**

**Mr. Wang stated the building is around 64,000 sq. ft.**

**The Board told Mr. Wang he must notify the municipality and comply with their building codes if the project is approved by the Board.**

**No objectors were present.**

**A motion was made by Mr. Harris, seconded by Mr. Williams, and unanimously carried, to approve a Special Exception to operate an entertainment facility, trampoline park, (including basketball court, dodgeball area, ninja course, jungle maze, arcade, photo booth,**

virtual reality gaming and lego castle, etc.) at 1066 Wyoming Ave. (former Bon-Ton building) in a (CB) Community Business District in Wyoming Borough.

Chairman Schuster stated that since Mr. Yost has two cases, Mr. Yost can explain both cases together.

Case #2

Jeffrey Yost, 254 Academy St., Stillwater, PA, request a Use Variance to operate a dyno meter testing & tuning facility in an existing 40 ft. x 40 ft. residential accessory use structure and a Sign Variance at that address, New Columbus Borough, located in a (SR) Suburban Residence District.

Jeffrey Yost was present. He stated people bring their cars for testing and tuning, like electronic fuel injection for better fuel mileage and more performance. He stated he works on some racing cars, mostly his own.

Mr. Yost stated cerakoteing is basically a ceramic based paint that is baked on objects. He stated you can put cerakote on anything like kitchen sinks, guns, etc.

Mr. Yost stated he needs zoning permission to obtain a Federal Firearms License to be able to cerakote guns.

Mr. Yost stated he and his son will be operating the businesses.

Mr. Yost stated he will be running these businesses from a garage on his mother's property, which is where he resides.

Mr. Yost stated he did some sound-proofing in the building for the noise from the dyno meter testing. He stated the cerakote business will be in the rear of the building. Mr. Yost stated he recently purchased a 4 ft. x 4 ft. electric oven for the business.

**Mr. Yost stated he previously did business in the garage and did not know he was in violation of running a business from the property. He stated he stopped and moved his business to Bloomsburg.**

**Chairman Schuster asked if people will be dropping of guns off to get cerakoted.**

**Mr. Yost said some drop off, some by mail.**

**Mr. Yost stated he will not be selling bullets and he may sell a gun once in a while.**

**Chairman Schuster asked if Mr. Yost would sell a gun once in a while would it be considered that he operates a gun shop.**

**Mr. Yost answered that yes it would be considered a gun shop.**

**Chairman Schuster asked Mr. Yost if he is operating his business at the present time.**

**Mr. Yost stated that he is not.**

**Chairman Schuster asked Mr. Yost if his intent is only to do the cerakote operation.**

**Mr. Yost stated he would also be doing some gunsmithing. He stated that is a hobby of his. He stated he will not be opening a gun store, but maybe sell a gun once in a while and he will do some gunsmithing for people.**

**Chairman Schuster stated that the concern is that the building is in a Suburban Residence District and setting up a gun shop in a residential district would require a variance.**

**Mr. Yost stated he lives in the middle of nowhere and doesn't think anyone would care.**

**Matt Jones, Executive Director of the Luzerne County Planning Commission and Zoning Office asked if he could address the Board. He stated that Luzerne County does zoning for New Columbus Borough. He stated he wanted to provide some historical background on behalf of New Columbus Borough.**

**Mr. Jones stated that in November of 2014, Mr. Yost was issued a permit for a pole barn to be constructed and used for residential storage.**

**Three years later, in March of 2018 it was apparent that Mr. Yost was operating an automotive service and inspection station (PA Dyno) from the pole barn.**

**The County sent Mr. Yost a Notice of Violation letter stating that the use (service station & inspection station) was not a permitted use. Mr. Yost also had a sign on the property and that was also a violation of the zoning ordinance.**

**The violation letter outlined the Use Variance application process and sign variance option to Mr. Yost, and ordered that the business activity cease until an application was made for the business.**

**Because of staff turnover, the operation of the business was not addressed until August of 2021. At this time, it was apparent that the automotive/service station was continuing to operate as well as a new light industry business (Jeff's Cerakote).**

**The County again sent Mr. Yost a Notice of Violation to order that all advertising, equipment and business- related materials be removed from the premises within 30 days.**

**An application for a Use Variance drafted by the applicant between April & August of 2021 was never deemed complete because it did not contain business plan or a sketch plan.**

**Mr. Yost new applications are before the Board today.**

**Because the pole barn was originally proposed for residential storage, it circumvented the land development for a commercial structure.**

**No objectors were present.**

**The Board entered into Executive Session at 7:31 P.M. and resumed at 7:42 P.M.**

**A motion was made by Mr. Harris, seconded by Mr. Williams and unanimously carried, to approve a Use Variance to operate a dyno meter testing facility in an existing 40 ft. x 40 ft. residential accessory use structure and a Sign Variance (7 ft. high x 3 ft. wide) in a (SR) Suburban Residence District in New Columbus Borough with the following condition:**

- 1. Subject to any Subdivision/Land Development required by Luzerne County Planning Commission.**

**Case #3**

**Jeffrey Yost, 254 Academy St., Stillwater, PA request a Use Variance to operate a cerakote business (car parts, guns and anything not rubber) in an existing 40 ft. x 40 ft. residential accessory use structure at that address, New Columbus Borough, located in a (SR) Suburban Residence District.**

**A motion was made by Mr. Williams seconded by Mr. Harris and unanimously carried to DENY (without prejudice) a Use Variance to operate a cerakote business (car parts, guns, and anything not rubber) in an existing 40 ft. x 40 ft. residential accessory use structure in a (SR) Suburban Residence District in New Columbus Borough.**

**Board member Bill Harris stated that a more specific proposal needs to be presented to the Board by Mr. Yost if he wishes to reapply for a Use Variance to operate a cerakote business.**

**ADJOURNMENT.**

**A motion was made by Mr. Schuster, seconded by Mr. Harris and carried to adjourn the meeting.**

**RESEPECTULLY SUBMITTED,**

A handwritten signature in cursive script, appearing to read "Kathy Wood".

**KATHY WOOD, RECORDING SECRETARY**

**LUZERNE COUNTY ZONING HEARING BOARD**