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August 7, 2017

Palmyra Township Board of Supervisors

Attn: PETE STEFFEN, Chairman

re: Henry M. Skier
Harmony Presents project

Dear Pete:

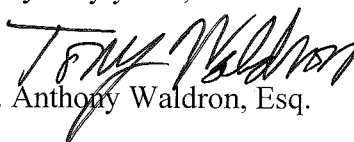
I am submitting to you the proposed amendment to the Township Zoning Ordinance that was discussed at the workshop meeting on July 19th. I had hoped to present this in person, but have to be at a previously scheduled Council meeting at Milford Borough at 7:00 pm. in Milford.

The Amendment provides for the definition of a Theater and then adds Theater, as a Conditional Use, to both the R-R and C-1 Zones. It is pretty basic, but accomplishes the way to allow for my client's project to be considered for approval. If this ordinance amendment is adopted, we will still have to apply for, and obtain, Conditional Use and Land Development approvals. Henry Skier has hired Justin Hoffmann and Kiley Associates to work on these submissions and the PennDOT HOP.

We would like to get this project approved before winter, if possible. I believe I can ask the Wayne County Planning Commission to expedite its review of the amendment and I assume the Township Planning Commission can meet this month to make its recommendation on the amendment. Please let my office know when that meeting is scheduled, so we can make a brief presentation. I would ask if you could schedule the hearing on the amendment for your September 5, 2017 meeting, so that we can know that we can proceed with the Conditional Use. If that is not convenient or possible, could we do so prior to the October meeting?

We sincerely appreciate your cooperation in this matter.

Very truly yours,


R. Anthony Waldron, Esq.

cc: Jeffrey S. Treat, Esq.

PALMYRA TOWNSHIP, WAYNE COUNTY, PA

ORDINANCE NO. _____

AMENDMENT TO CHAPTER 125-ZONING ORDINANCE
TO PROVIDE FOR THEATERS IN THE R-R AND C-1 ZONING DISTRICTS

THIS ORDINANCE shall amend Chapter 125 of the Palmyra Township Ordinances, which is the Zoning Ordinance (hereinafter "Ordinance") to provide for Theaters in the Ordinance and is based upon the following considerations:

WHEREAS, the Ordinance regulates the use of real property in Palmyra Township, Wayne County, PA (hereinafter "Township"); and

WHEREAS, the Ordinance does not provide for a Theater to be a lawful zoning use in the Township; and

WHEREAS, Henry M. Skier (hereinafter "Skier") owns 14 acres in the Township, a portion of which is in the General Commercial (C-1) District, with the rest of the parcel being in the Rural Residential (R-R) District; and

WHEREAS, Skier is proposing to construct a theater for the performing arts on his property, but needs to have this use provided for in the Ordinance; and

WHEREAS, this Amendment is intended to provide for a definition of a Theater and to amend the Schedule of District Regulations to list Theaters as a Conditional Use for both the C-1 and R-R Zoning Districts.

NOW THEREFORE, the Supervisors of Palmyra Township, Wayne County, PA hereby adopts and ordains this Ordinance as follows:

Item I. Article II, Sections 125-6 of the Ordinance, Definitions, is hereby amended to include the following definition:

"Theater - A building, or part of a building, devoted to the performing arts, including live theatrical productions, live music performances, dance performances, the showing of motion pictures or video, lectures and other educational presentations related to the performing arts, including presentations for summer camp attendees. Theater shall not include Indoor Theaters, define in this Ordinance solely for showing films, nor shall it include any Adult Business, as defined in this Ordinance."

Item 2. Amend Article III, Basic Zoning Regulation, Section 125-14, Schedule of District Regulations to add "Theater" to both the Rural Residential (R-R) and General Commercial (C-1) Zoning Districts as a Conditional Use.

Item 3. In all other respects, the Ordinance shall remain in full force and effect.

Adopted this _____ day of _____ 2017.

Palmyra Township Board of Supervisors

Attest:

Secretary