

Ligonier Township Supervisors
Special Meeting
29 March 2011

The Supervisors of Ligonier Township met in special session at a properly advertised meeting at 6:30 pm. The purpose of the meeting was to conduct a public hearing regarding the Conditional Use application by Paul and Maggie Nied to operate a Bed and Breakfast at the Foxley Farm on Barron Road. The property is 59.615 acres located in an R-2 residential zone. Present were Supervisors: Chairman William C Penrod Jr, Keith A Whipkey and Timothy R Komar.

The case for the applicant was presented by Attorney Justin Barr and Paul Nied. The primary use of the property is intended to be as a homestead for the Nields, agricultural, and operate a Bed and Breakfast business. A list of subsidiary uses was presented, most in support of the the Bed and Breakfast – including hiking, biking, bird watching, sun bathing and the like. Eventually, the business plan provides for the offering of a very large reception hall for weddings and other events requiring such a hall. The property does not, and is not contemplated in the future, contain a commercial kitchen. Such future uses would require catering. Also, organic food will be grown on the site, and the food will be used for guests. All discussion of the reception hall was made with the understanding that this is a future idea and does not fall under any approval which might be granted for the bed and breakfast.

The current plan provides 14 parking spaces for employees and guests. The private septic system located on the property will support use of 6 rooms in the home, including that of the owners. This determination was made by the Sewage Enforcement Officer of the Township, Mike D'Arrigo. He determined that the present arrangement would service a maximum of 800 gallons of sewerage per day, and the use would have to live within those restrictions. A number of witnesses appeared in support of the plan, including the present owners, the family of Burt Todd. Many commented regarding the ability demonstrated by the Nields in operating a similar business in Laughlintown without any problems throughout the years to the neighbors. Comments were consistent that the Neids, in addition, went out of their way to be good neighbors and civic-minded. A local farmer spoke to the need to maintain such a use in the Valley because so many sold farms are converted to other uses. He stated that he would not have supported other uses for the property, but the modern economics of farming demand such multiple uses of the land to preserve what is already there.

Various speakers were introduced by opposition attorney, Dan Hewitt, along with 72 signed letters of opposition. Based upon examination of the witnesses appearing at the meeting, the opposition was centered on worries that the property was going to be converted into a commercial enterprise focused on the potential for weddings, parties, and other such events occurring regularly and disrupting traffic flows on Barron Road and increasing the already problematic intersection with SR 711.

Zoning Officer Cindy Turley testified that any use of the reception hall apart from day-to-day servicing of guest of the B&B would have to come back to the Supervisors for further public hearing and other considerations.

A motion was made by Komar and seconded by Whipkey to end public comment. Motion carried. A motion was made by Komar and seconded by Whipkey to approve the Conditional Use and directed the Solicitor to prepare the resolution for the 12 April meeting. Motion carried. A motion was made by Whipkey and seconded by Komar to adjourn the meeting at 8:35. Motion carried.

Respectfully submitted,
Keith A Whipkey
Secretary