

IN RE: : BEFORE THE DICKINSON TOWNSHIP
APPLICATION OF NICHOLE TOLER : ZONING HEARING BOARD
: CUMBERLAND COUNTY, PENNSYLVANIA
:DOCKET Z-2024-0004

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION APPROVING
APPLICANT'S REQUEST FOR A SPECIAL EXCEPTION**

The Applicant is seeking a special exception from Chapter 205-7, specifically B. The Applicant wishes to use the property as a wedding venue or outdoor event venue which is not a use that's provided for in the Zoning Ordinance. The Dickinson Township Zoning Hearing Board held a public hearing on October 29th 2024 at 5:02 PM in the Dickinson Township Municipal Building. The hearing was continued until November 27, 2024 at 4:00 p.m. as the Zoning Hearing Board requested additional information on three items, same being: septic, waste and traffic control.

FINDINGS OF FACT

1. The Applicant is Nichole Toler, with an address of 1860 Walnut Bottom Road, Carlisle, Pennsylvania 17015 (the "Applicant").
2. The meeting of the Zoning Hearing Board was called to order on October 29, 2024, at 5:02 PM.
3. On the Agenda is hearing number one, Nichole Toler, asking for a special exception. The Zoning Officer received the application on September 9, 2024.
4. Dropped off packets to Zoning Hearing Board members September 25th.
5. Confirmation to the court reporter was sent on October 8th.
6. An email requesting newspaper ads was sent on October 9th.
7. Confirmation of newspaper ads was on October 10th.

8. Notified applicant by certified mail on October 9th.
9. The first newspaper ad was published on October 15th.
10. The Property was posted October 21st.
11. The second newspaper ad was published October 22nd.
12. The hearing was held on October 29th.
13. Mailed to surrounding property owners within 200 feet, also October 9th.
14. The Applicant is asking for a special exception to use the property as a wedding venue or outdoor event venue which is not a use that's provided for within the code. The property is zoned agricultural.
15. The property site would be able to accommodate up to 200 people.
16. There would be pop-up tents and porta-potties brought in for the events.
17. Driveway adjustments have been made to make the driveway wider at the road for ease of entrance onto Walnut Bottom Road.
18. Events would be held only Friday through Sunday, May through November.
19. There would be an event planner(s) for each event.
20. There would be no food preparation on site. All food would be catered or brought in off of the property.
21. A water source is available.
22. A small dumpster would be brought on to the property depending on the number of people attending an event.
23. A small sign would be placed on the property identifying the property.
24. The board raised questions about septic, waste and traffic control.

At the continued meeting on November 27, 2024 the following were discussed:

25. DEP allows portable bathrooms only when used seasonally.
26. A dumpster would be brought on site and hauled away routinely after events.
27. PennDOT certified traffic control would be hired to assist with traffic issues which involve large groups.
28. The driveway had been widened to allow for bus entry and exit as well as raising the tree line.

CONCLUSIONS OF LAW

1. Sections 10912.1 of the Municipalities Planning Code (the "MPC"), 53 P.S. §10912.1, requires the Zoning Hearing Board to hear requests for special exceptions to be granted or denied by the Board pursuant to express standards and criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. Section 912.1 further provides that in granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of the MPC and Zoning Ordinance.

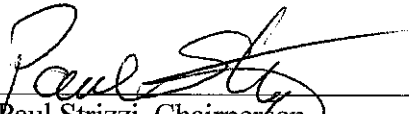
DECISION

In view of the foregoing and having carefully considered the testimony and exhibits submitted to the Zoning Hearing Board, the request for a special exception to Chapter 205-131 is granted, conditioned on the following:

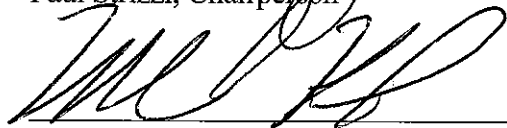
1. Porta Potties must be used as needed with permits.
2. Traffic control for all events.
3. PennDOT will review the driveway.
4. Maximum of 200 people.
5. Events will occurring only during Friday through Sunday, May through November.

6. There will be no food preparation on site unless the caterer has their own equipment.
7. Permits will be required if changes are made to the parking. Weather will be tracked closely to avoid vehicles getting stuck.
8. Permits will be pulled for any other work done.
9. The Township assumes no responsibility for liability.
10. Applicant shall comply with all applicable requirements of the Zoning Ordinance.

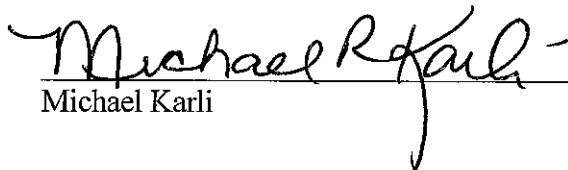
This decision is executed and issued this _____ day of January, 2025 by the Dickinson Township Zoning Hearing Board.



Paul Strizzi, Chairperson



Michael Kistler



Michael Karli