

## **LEGAL PROCESSES IGNORED BY DEVELOPERS IN BARKEYVILLE**

Over 25 years ago, Barkeyville Borough formed a planning commission to anticipate future development within the Borough. After meetings with attorneys, municipal planners, citizens and business advocates, an ordinance was drafted. **The Zoning Ordinance was adopted in 1990 and subsequently revised and updated in 1999. It is the legal basis for zoning permits and all land use in the Borough of Barkeyville.**

Residential, business, commercial services and industrial uses were all permitted in the plan. An area along Stevenson road was designated as an Industrial Park. Seven family residences already existed on Stevenson Road in 1999. In order to assure these residents that no harm would result from the Industrial Park developments, the Ordinance specifically allowed only certain types of industries. **Industries that would pollute the air, release dust or fly ash, emit noxious fumes, create excessive noise or degrade the property of any other person in the Borough would not be permitted.**

**On New Year's Eve of 2006 Mr. Gary Dovey, zoning officer for Barkeyville Borough, issued a zoning permit to Glenn O Hawbaker Inc. to build a coal-fired hot-mix asphalt manufacturing plant in the Industrial Park.** The plant would have the capacity to produce 400 tons per hour of asphalt cement and emit 200 or more tons of pollutants into the atmosphere annually. **Mr. Dovey issued the permit while simultaneously working as a developer for the Oil Region Alliance for Business Industry and Tourism, which owns the land in the Industrial Park.** Mr. Dovey resigned his position as zoning officer in mid February. A new officer was hired, Mr. Bill Walker, on March 6, 2007.

**On February 21, concerned citizens formally requested a hearing to challenge the legality of the permit issued by Dovey to Glenn O Hawbaker Inc. On March 20, The Zoning Hearing Board notified the citizens that a formal hearing will be held at 7:00 PM, April 11 at the Barkeyville Borough Building.**

**Hawbaker continues construction at this time in direct violation of the Pennsylvania Municipalities Planning Code, which states that all property development must stop when a Zoning Permit is challenged by formal appeal. The Borough has taken no action to stop the construction activities at the site. The Oil Region Alliance, the Venango County Planning Commission, the new zoning officer and Hawbaker Inc. have shown no regard for the due process available to the citizens.**

**The hearing before the Zoning Hearing Board on April 11 is the only opportunity to make sure that the rule of law will prevail.**

**PLEASE SIGN THE PETITION . . . EXERCISE YOUR RIGHTS**

**SUPPORT THE RULE OF LAW . . . ATTEND THE PUBLIC HEARING ON APRIL 11**

For documentation of the above facts, dates and events, and contact information for public officials please visit: [www.protectbarkeyville.org](http://www.protectbarkeyville.org)

