

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

BRIAN GORSLINE,	: No. 14-00130
DAWN GORSLINE,	:
PAUL BATKOWSKI,	:
MICHELE BATKOWSKI,	:
	:
vs.	:
	:
BOARD OF SUPERVISORS OF	:
FAIRFIELD TOWNSHIP,	:
	:
vs.	:
	:
INFLECTION ENERGY LLC,	:
And DONALD SHAHEEN and	:
ELEANOR SHAHEEN, his wife,	:
Appellants	: 1925(a) Opinion

OPINION IN SUPPORT OF ORDER IN
COMPLIANCE WITH RULE 1925(a) OF
THE RULES OF APPELLATE PROCEDURE

This Opinion is written in support of this Court’s Order entered on August 29, 2014. The procedural background is as follows.

Inflection Energy filed a conditional use application for proposed oil and gas wells to be located in a district zoned for residential and agricultural uses in Fairfield Township, Lycoming County, Pennsylvania. The matter came before the Board of Supervisors of Fairfield Township (Board) for review following a determination by the zoning officer that the proposed use was not provided for under the Ordinance and was thus treated as a conditional use under Ordinance §12.18. The Board held hearings on October 7, 2013 and November 4, 2013 and voted 2-1 to approve the conditional use application at its December 2, 2013 meeting. The Board issued is written decision on December 18, 2013.

Brian Gorsline, Dawn Gorsline, Paul Batkowski and Michele Batkowski appealed the Board's decision to the Court of Common Pleas of Lycoming County. On May 19, 2014, the Board submitted a copy of its decision and the record of the proceedings held on October 7 and November 4, 2013. Following briefing by the parties and oral argument held on July 2, 2014, the Court overturned the Board's decision in an Opinion and Order entered on August 29, 2014.

Inflection Energy LLC, Donald Shaheen and Eleanor Shaheen ("Appellants") filed a timely appeal. On October 1, 2014, the Court directed Appellant to file a concise statement of errors on appeal within twenty-one (21) days and Appellants complied. Appellants raised several issues on appeal, all of which the Court believes were adequately addressed in its decision. Therefore, the Court would rely on its Opinion and Order entered on August 29, 2014.

DATE: _____

By The Court,

Marc F. Lovecchio, Judge

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Superior Court (original & 1)