

<b>BIG ROCKS, LLC,</b>	:	<b>IN THE COURT OF COMMON PLEAS</b>
	:	
<b>Appellant</b>	:	<b>OF LUZERNE COUNTY</b>
<b>v.</b>	:	
	:	<b>CIVIL ACTION LAW</b>
<b>LUZERNE COUNTY ZONING HEARING BOARD,</b>	:	
	:	
<b>Appellee,</b>	:	
	:	
<b>and</b>	:	
	:	
<b>AVOCA BOROUGH,</b>	:	<b>2024-12395</b>
	:	
<b>Intervenor</b>	:	

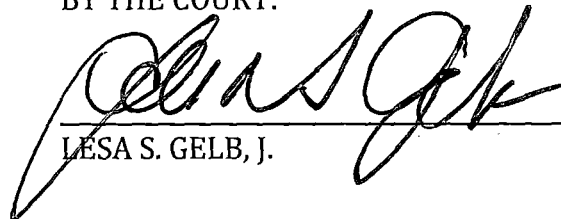
PROTHONOTARY LUZERNE COUNTY  
FILED OCT 7 2025 2:29

**ORDER**

*7n*  
**AND NOW**, this \_\_\_\_ day of October, 2025, upon consideration of Appellant Big Rocks, LLC's Notice of Land Use Appeal (Docket Entry #1), all relevant docket entries and oral argument, it is hereby **ORDERED** and **DECREED** that the October 23, 2024 Decision of the Luzerne County Zoning Hearing Board denying Big Rocks, LLC's application for special exception to construct and operate a waste transfer station in a light industrial zone in the Borough of Avoca is **AFFIRMED** pursuant to the enclosed Opinion.

The Clerk of Judicial Records/Prothonotary is directed to serve notice of the entry of this Order and enclosed Opinion pursuant to Pa. R.C.P. 236.

BY THE COURT:

  
 \_\_\_\_\_  
 LESA S. GELB, J.

Copies:

Mara Terrana, Esquire  
Francis J. Hoegen, Esquire  
William L. Byrne, Esquire  
Hoegen & Associates, PC  
152 South Franklin Street  
Wilkes-Barre, PA 18701-3036  
[mterrana@hoegenlaw.com](mailto:mterrana@hoegenlaw.com)  
[fhoegen@hoegenlaw.com](mailto:fhoegen@hoegenlaw.com)  
[wbyrne@hoegenlaw.com](mailto:wbyrne@hoegenlaw.com)

Michael I. Butera, Esquire  
Gramercy Park Building #200  
121 South Main Street  
Pittston, PA 18640-1728  
[mibbutters@yahoo.com](mailto:mibbutters@yahoo.com)

Matthew G. Boyd, Esquire  
Jordan M. Dempsey, Esquire  
Ufberg & Associates, LLP  
310 Penn Avenue  
Scranton, PA 18503  
[mboyd@ufberglaw.com](mailto:mboyd@ufberglaw.com)  
[jdempsey@ufberglaw.com](mailto:jdempsey@ufberglaw.com)