

Penn Township Zoning Hearing Board

Minutes for Tuesday, January 14, 2020

The Penn Township Zoning Hearing Board met on Tuesday, January 14, 2020, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; Harold Mack, Vice Chairman; Larry Smith, Member; and William Gill, Member. Pamela Berlingo, Member, was absent without notice. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

Harold Mack made a motion to keep all present Board Members in the same position. The motion was second by Larry Smith and passed unanimously.

All properties were properly advertised and posted and all legal notices properly published. William Gill made a motion to approve the Minutes from December 10, 2019. The motion was second by Larry Smith and approved unanimously.

ZHB19-26 – The Wharf Group, LLC, Eric Hare c/o The Wharf Group, LLC, 13 Green Tree Drive, New Oxford, PA 17350. Applicant is requesting

a special exception to Section 407.3 (Replacement of one nonconforming use by another nonconforming use) in order to operate an office at the property. The property is located at 539 Baltimore Street in the R-15 zone.

Larry Smith made a motion to approve the special exception in that it meets the standards for Section 634 (A) the proposed nonconformity will have no more adverse effect upon adjacent property and met the standards of Section 407.3 and Section 502.3. William Gill second the motion and it was approved unanimously. .

The meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, March 10, 2020

The Penn Township Zoning Hearing Board met on Tuesday, March 10, 2020, at 7:00 p.m. to hear five requests.

The meeting was called to order and roll call was taken and members present were as follows: William Gill, Acting Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, alternate member. William Woodward was absent with notice. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

Pam Berlingo made a motion to nominate William Gill as Vice Chairman. The motion was second by Larry Smith and it was passed unanimously.

All properties were properly advertised and posted and all legal notices properly published. Pam Berlingo made a motion to approve the Minutes from January 14, 2020. The motion was second by Larry Smith and approved unanimously.

ZHB20-01 – The Markets of Hanover, 1649 Broadway, Hanover, PA 17331. Applicant is requesting a special exception to Section 201.2 (Use Regulations) in order to operate a brew pub. The property is located at 1649

Broadway in the S/C zone.

Larry Smith made a motion to approve the special exception in that it is compatible to the uses in the district and because it meets the standards for Sections 207.2, 201.2, the uses not provided for and Section 503.3. Pam Berlingo second the motion and it was approved unanimously.

ZHB20-02 – Edward Gonzales, 27 Eastwood Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations) in order to construct two single family houses. The property is located at 517 Meade Avenue in the R-8 zone.

Larry Smith made a motion to approve the variance and allow two, 60-foot wide lots because it meets the standards for Section 202.2 and 502.3. Pam Berlingo second the motion and it was approved by a 3 to 1 vote.

ZHB20-03 – Nicole Kitzman, 4104 Chestnut Street, Fairfax, VA 22030. Applicant is requesting a special exception to Section 322 (Uses not provided for) in order to operate a short-term rental. The property is located 216 Park Heights Blvd. in the R-15 zone.

Applicant asked for an extension.

ZHB20-04 – Octagon Rentals, LLC, 515 Penn Street, Hanover, PA 17331. Applicant is requesting a variance to Section 306 (Access Drives), 628

b) & d) (Multi-Family Dwelling), a special exception to Section 628 (Multi-Family) and an interpretation of Section 103 (Definitions) in order to construct multi-family dwellings (3 units). The property is located at 300 John Street in the R-8 zone.

Applicant requested a continuance until the April zoning hearing.

ZHB20-05 – John Meckley, 10 Baugher Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct an addition that encroaches into the side setback. The property is located at 10 Baugher Drive in the R-15 zone.

Larry Smith made a motion to approve the variance for the side and rear setback to 203.3 in that it meets the standards for Section 502.3. Pam Berlingo second the motion and it was approved unanimously.

ZHB19-07 – Maitland Investment Corporation requested an extension of their special exception for an additional 6 months, until October 10, 2020. Larry Smith made a motion to grant the extension for one year. Pam Berlingo second the motion and it was approved unanimously.

The meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, May 12, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, May 12, 2020, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township entrance doors. Pam Berlingo made a motion to approve the Minutes from March 10, 2020. The motion was second by Ronald Fanilli with the change he is a member instead of alternate and approved unanimously.

ZHB20-03 – Nicole Kitzman, 4104 Chestnut Street, Fairfax, VA 22030. Applicant is requesting a special exception to Section 322 (Uses not provided for) in order to operate a short-term rental. The property is located 216 Park Heights Blvd. in the R-15 zone.

Larry Smith made a motion to deny the special exception to 322 in that the Applicant has not sufficiently demonstrated that the proposed use would not be detrimental to the public health, safety, and welfare of the neighborhood and we are unable to find that this use is similar to any other use permitted in the R-15 zone and does not meet the standards for Section 503.3. Ronald Fanilla second the motion and it was approved by a vote 3-2 with William Woodward and William Gill dissenting.

ZHB20-04 – Octagon Rentals, LLC, 515 Penn Street, Hanover, PA 17331. Applicant is requesting a variance to Section 306 (Access Drives), 628 b) & d) (Multi-Family Dwelling), a special exception to Section 628 (Multi-Family) and an interpretation of Section 103 (Definitions) in order to construct multi-family dwellings (3 units). The property is located at 300 John Street in the R-8 zone.

Larry Smith made a motion to accept the Applicant's request to withdraw the application. Pam Berlingo second the motion and it was approved unanimously.

The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, June 9, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, June 9, 2020, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township website. Pam Berlingo made a motion to approve the Minutes from May 12, 2020. The motion was second by William Gill and approved unanimously.

ZHB20-06 – Steven Ryniak, 179 Timber Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a deck that encroaches into the rear setbacks. The property is located at 179 Timber Lane in the R-15 zone.

Larry Smith made a motion to grant the variance to Section 203.3



in that the Applicant does meet the standards for Section 502.3. William Gill second the motion and it was approved by a vote 4-1 with Pam Berlingo dissenting.

The meeting was adjourned at 7:20 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, July 14, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, July 14, 2020, at 7:00 p.m. to hear three requests.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township website. Larry Smith made a motion to approve the Minutes from June 9, 2020. The motion was second by Ronald Fanelli and approved unanimously.

ZHB20-07 – Andrew Bloom, 835 Logan Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct an above ground pool and deck that encroaches into the setbacks. The property is located at 835 Logan Lane in the R-8 zone.

Larry Smith made a motion to grant both variances to Section

202.3 in that the Applicant does meet the standards for Section 502.3. William Gill second the motion and it was approved unanimously.

ZHB20-08 – Andrew & Helen Fritz, 194 Sugarboot Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) and a special exception to Section 203.2 (Uses by Special Exception) in order to operate a home daycare. The property is located at 69 Red Rock Run in the R-15 zone.

Larry Smith made a motion to grant the special exception to Section 203.2 in that the Applicant does meet the standards for Section 613. William Gill second the motion and it was approved by a vote 3-2 with Ronald Fanelli and Pam Berlingo dissenting.

Larry Smith made a motion to grant the variance to Section 300.3 in that the Applicant does meet the standards for Section 503.3. Pam Berlingo second the motion and it was approved by a vote 3-2 with Ronald Fanelli and William Gill dissenting.

ZHB20-09 – Wayne Stremmel, 195 Bankert Road, Hanover, PA 17331. Applicant is requesting a variance to Section 205.3 (Area and Bulk) in order to construct a detached garage that encroaches into the setbacks. The property is located at 195 Bankert Road in the R-40 zone.

Larry Smith made a motion to grant the variance to Section 205.3 in that the Applicant does meet the standards for Section 502.3. Pamela Berlingo second the motion and it was approved unanimously.

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, August 11, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, August 11, 2020, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Shane Rohrbaugh, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township website. Pamela Berlingo made a motion to approve the Minutes from July 14, 2020. The motion was second by Ronald Fanelli and approved unanimously.

ZHB20-10 – Ramir and Luzaida Soriano, 25 Gardenia Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct an addition that encroaches into the setbacks. The property is located at 25 Gardenia Drive in the R-15 zone.

William Gill made a motion to grant the variance to Section 203.3. Pamela Berlingo second the motion and it was approved unanimously.

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, September 8, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, September 8, 2020, at 7:00 p.m. to hear one request.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Shane Rohrbaugh, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township website. Pamela Berlingo made a motion to approve the Minutes from August 11, 2020. The motion was second by William Gill and approved unanimously.

ZHB20-11 – Hanover Shoe Farms, Inc., P.O. Box 339, Hanover, PA 17331. Applicant is requesting a special exception to Section 322 (Uses Not Provided For) in order to conduct a one-day horse sale. The property is located at 451 Eagle Avenue in the R-8 zone.

William Gill made a motion to grant the special exception to Section 322 (Uses Not Provided For) in order to conduct horse sales at the property of 451 Eagle Avenue in the R-8 zone. William Woodward second the motion and it was approved unanimously.

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,

Christine Myers, RPR



Penn Township Zoning Hearing Board

Minutes for Tuesday, October 13, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, October 13, 2020, at 7:00 p.m. to hear three requests.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Shane Rohrbaugh, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township website. Pamela Berlingo made a motion to approve the Minutes from September 8, 2020. The motion was second by William Gill and approved unanimously.

ZHB20-12 – Hanover Foods Corp., c/o James Osborn, 1486 York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 209.3 (Area and Bulk) in order to construct an industrial freezer that exceeds the maximum height. The property is located at 1175 Wilson Avenue in the Industrial

zone.

Larry Smith made a motion to grant the requested continuance until November. Ronald Fanelli second the motion and it was approved unanimously.

ZHB20-13 – Bell Plus Development, 160 South George Street, York, PA 17401. Applicant is requesting a special exception to Section 322 (Uses Not Provided For) in order to operate a day programming facility. The property is located at 460 Clover Lane in the R-15 zone.

Larry Smith made a motion to grant the special exception to Section 322 (Uses Not Provided For) as being similar to medical clinics and facilities on the condition that they submit an annual report of state inspection to the zoning officer and that they submit also the fire chief's inspection report to the zoning officer. Pamela Berlingo second the motion and it was approved by a vote 4-1 with William Gill dissenting.

ZHB20-14 – Bealing Roofing & Exteriors, Inc., c/o Andy Bealing 440 Black Rock Road, Hanover, PA 17331. Applicant is requesting a variance to Section 209.3 (Area and Bulk) in order to construct a roofing warehouse that does not meet the minimum setback regulations. The property is located at 25 Spring Garden Street in the Industrial zone.

Larry Smith made a motion to grant the variance to Section 209.3 (Uses Not Provided For) and 502.3 Standards for a Variance in order to construct a roofing warehouse that does not meet the minimum setback regulations. Pam Berlingo second the motion and it was approved by a vote 4-1 with William Gill dissenting.

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, November 10, 2020

The Penn Township Zoning Hearing Board met by Zoom on Tuesday, November 10, 2020, at 7:00 p.m. to hear two requests.

The meeting was called to order and roll call was taken and members present were as follows: William Woodward, Chairman; William Gill, Vice Chairman; Pamela Berlingo, Member; Larry Smith, Member; and Ronald Fanelli, member. Also present was Shane Rohrbaugh, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published, including the Zoom notice and link posted on the Penn Township website. William Gill made a motion to approve the Minutes from October 13, 2020. The motion was second by Ronald Fanelli and approved unanimously.

ZHB20-12 – Hanover Foods Corp., c/o James Osborn, 1486 York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 209.3 (Area and Bulk) in order to construct an industrial freezer that exceeds the maximum height. The property is located at 1175 Wilson Avenue in the Industrial

zone. Continued from October meeting.

Larry Smith made a motion to approve the variance for Section 209.3 because it meets the standards for variance in Section 502.3. Pam Berlingo second the motion and it was approved unanimously.

ZHB20-15 – Ryan & Christine Oglevee, 90 Carson Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a garage that encroaches into the rear and side setbacks. The property is located at the rear of 90 Carson Avenue in the R-8 zone.

Larry Smith made a motion to approve the variance to Section 202.3 because it meets the standards for Section 502.3 Standards for a Variance. Pamela Berlingo second the motion and it was approved unanimously.

The meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Christine Myers, RPR