

Penn Township Zoning Hearing Board

Minutes for Tuesday, May 14, 2024

The Penn Township Zoning Hearing Board met Tuesday, May 14, 2024, at 7:00 p.m. to hear six requests.

The meeting was called to order and roll call was taken and members present were as follows: Troy Thomason, Vice Chairman; Ronald Fanelli, Member; and Mary Welsh, Member. David Baker, Chairman, and Donna Leone, Member were absent with notice. 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. Ronald Fanelli made a motion to approve the Minutes from April 9, 2024. The motion was second by Mary Welsh and approved unanimously.

ZHB24-02 – **Daman, Ryan S. represented by Roberto Ugarte, Becker Law Group, P.C.**, 529 Carlisle Street, Hanover, PA 17331. The Applicant is requesting a special exception to Sections 322 (Uses Not Provided For) in order to operate a motorcycle/ATV repair shop/storage facility. The property is located at 502 Meade Avenue in the R-8 zone.

Ronald Fanelli made a motion to approve the special exception to operate an ATV/UTV sales and storage facility (not a repair shop) under Section 322 in that the Applicant does meet the standards in Section 503.3 with the following conditions: 1. All vehicles will be stored inside. 2. There is to be no riding on the street. 3. There is no on-site repairs. 4. There is to be no loading or unloading on the street. 5. The hours of operation are not to exceed Monday through Friday 8:00 a.m. to 5:00 p.m.; Saturday 11:00 a.m. to 4:00 p.m. and no business should be conducted on Sunday. Mary Welsh second the motion and it was approved unanimously.

ZHB24-03 – **Free, Lindsay**, 575 South Franklin Street, Hanover, PA 17331. The Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct an accessory building which does not meet the rear setback requirements. The property is located at 575 South Franklin Street in the R-15 Zone.

Mary Welsh made a motion to approve the variance under Section 203.3 in that it meets the requirements in Section 502.3 (a) through (f), provided the existing sheds will be removed. Ronald Fanelli second the motion and it was approved unanimously.

ZHB24-04 – **Marsh, John**, 8 Allen Drive, Hanover, PA 17331. The Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations)

and 300.2 (Accessory Structure Nonattached) in order to construct a 2-car garage which does not meet the side setback requirements. The property is located at 8 Allen Drive in the R-15 Zone.

Mary Welsh made a motion to approve the variance under Section 203.3 and 300.2 in that it meets the requirements in Section 502.3 (a) through (f) for the 2-foot side setback. Ronald Fanelli second the motion and it was approved unanimously.

ZHB24-05 – **Cellco Partnership d/b/a Verizon Wireless represented by McNeese Wallace & Nurick LLC**, 100 Pine Street, Harrisburg, PA 17101. The Applicant is requesting a variance to Section 207.2 (Use Regulations), 608(a), 608(e)(8) and 608(e)(10)(a) (Communications, Transmitting and Receiving Facilities) in order to construct and operate a wireless communications facility. The property is located at 1019 Baltimore Street, Hanover, PA 17331 in S/C Zone.

Attorney Rausch received a letter from McNeese Wallace & Nurick, LLC indicating they are withdrawing application ZHB23-05.

ZHB24-06 – **Silbaugh Investors LP #5 represented by Barley Snyder**, 100 East Market Street, York, PA 17401. The Applicant is requesting a variance to Section 207.2 (Use Regulations), special exception to Section 322 (Uses Not Provided For) and interpretation to Section 103 (Definitions) in order to

construct a market master office and quarters within an existing building. The property is located at 1649 Broadway, Hanover, PA 17331 in the S/C Zone.

Mary Welsh made a motion to approve an extension request until next month's zoning hearing on June 11, 2024. Ronald Fanelli second the motion and it was approved unanimously.

ZHB24-07 – **Neiderer, George**, 1016 York Street, Hanover, PA 17331. The Applicant is requesting a variance to Section 208.3 (Area and Bulk Regulations) in order to construct an accessory building in the setbacks. The property is located at 1016 York Street, Hanover, PA 17331 in the H/B Zone.

Mary Welsh made a motion to approve the variance under Section 208.3 in that it meets the requirements in Section 502.3 (a) through (f). Ronald Fanelli second the motion and it was approved unanimously.

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Christine Myers, RPR