

Penn Township Zoning Hearing Board

Minutes for Tuesday, February 13, 2024

The Penn Township Zoning Hearing Board met Tuesday, February 13, 2024, at 7:00 p.m. to reorganize and hear one request.

The meeting was called to order and roll call was taken and members present were as follows: Ronald Fanelli, Chairman; Troy Thomason, Member; Mary Welsh, Member; David Baker, Member; and Donna Leone, Member. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Robert Smith, Zoning Officer.

Mary Welsh made a motion nominating David Baker as Chairman. The motion was second by Donna Leone and approved by a vote 3 to 2 with Troy Thomason and Ronald Fanelli dissenting. David Baker made a motion nominating Troy Thomason as Vice Chairman. The motion was second by Mary Welsh and passed unanimously.

David Baker made a motion to approve MPL Law Firm as solicitor to the Zoning Hearing Board. The motion was second by Troy Thomason and passed unanimously.

All properties were properly advertised and posted, and all legal

notices properly published. Troy Thomason made a motion to approve the Minutes from December 12, 2023. The motion was second by Mary Welsh and approved by a vote 4 to 1 with Donna Leone abstaining.

ZHB23-21– **Homewood at Hanover, PA Inc.**, 425 Westminster Avenue, Hanover, PA 17331. The applicant is requesting a special exception to Sections 201.2 (Use Not Provided For), 203.2 (Use Regulations), 204.2 (Retirement Village), 203.2 (Model Home/Sales office), 627 (Model Home/Sales Office), and 635 (Retirement Village); a variance to Sections 203.2 (Use Regulations), 203.3 (Area and Bulk Regulations), 204.2 (Use Regulations), 204.3 (Building Height), 303.1 (Parking Requirements), 204.3 (Lot Coverage), 635(d) (Lot Coverage), and 635(h)(Proximity of Structures to Lot or Street Lines); and an interpretation of Sections 201.3 (Accessory Uses and Structures), 203.2 (Area and Bulk Regulations), 204.2 (Use Regulations), 635 (Retirement Village), 635(h) (Proximity of Structures to Lot or Street Lines), and 627 (Model Home and/or Sales Office) of the zoning ordinance, in order to develop the properties into a Retirement Village. The properties are located at 425 Westminster Avenue and 770 Frederick Street in the Highway Business zone, R-15 zone, and R-22 zone.

In consideration of the late hour, the Zoning Hearing Board will meet in executive session before the next regularly scheduled Zoning Hearing Board meeting on March 12, 2024, at 7:00 p.m. This Application will be listed on the

agenda and a motion will be called for at that time.

The meeting was adjourned at 12:02 a.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, March 12, 2024

The Penn Township Zoning Hearing Board met Tuesday, March 12, 2024, at 7:00 p.m. to make a motion and/or motions on one Applicant continued from February 13, 2024.

The meeting was called to order and roll call was taken and members present were as follows: David Baker, Chairman; Troy Thomason, Vice Chairman; Ronald Fanelli, Member; Mary Welsh, Member; and Donna Leone, 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. Troy Thomason made a motion to approve the Minutes from February 13, 2024, per the change. The motion was second by Ronald Fanelli and approved unanimously.

ZHB23-21– **Homewood at Hanover, PA Inc.**, 425 Westminster Avenue, Hanover, PA 17331. The applicant is requesting a special exception to Sections 201.2 (Use Not Provided For), 203.2 (Use Regulations), 204.2 (Retirement Village), 203.2 (Model Home/Sales office), 627 (Model Home/Sales Office), and

635 (Retirement Village); a variance to Sections 203.2 (Use Regulations), 203.3 (Area and Bulk Regulations), 204.2 (Use Regulations), 204.3 (Building Height), 303.1 (Parking Requirements), 204.3 (Lot Coverage), 635(d) (Lot Coverage), and 635(h)(Proximity of Structures to Lot or Street Lines); and an interpretation of Sections 201.3 (Accessory Uses and Structures), 203.2 (Area and Bulk Regulations), 204.2 (Use Regulations), 635 (Retirement Village), 635(h) (Proximity of Structures to Lot or Street Lines), and 627 (Model Home and/or Sales Office) of the zoning ordinance, in order to develop the properties into a Retirement Village. The properties are located at 425 Westminster Avenue and 770 Frederick Street in the Highway Business zone, R-15 zone, and R-22 zone.

Mary Welsh made a motion on the application for a variance from Section 635(d), "Lot coverage shall not exceed thirty-five (35%) percent." I move to deny the request for a variance to allow lot coverage of 37.5%.

Troy Thomason second the motion and it was approved unanimously.

Mary Welsh made a motion, and as clarified, on the application for a variance from Section 635(h), "No structure shall be closer than fifty (50) feet to any lot or street line." I move that Section 635(h) is not applicable to the interior lot or street lines since the proposed development will not contain individual lot lines, and the proposed private streets will not have a street right-of-way line in order

to establish setbacks.

Troy Thomason second the motion and it was approved by a vote of 4 to 1 with Ronald Fanelli dissenting.

Donna Leone made a motion that the definition for a “Retirement Facility/Village” is not limited to single-family dwellings and can include different dwelling types as identified in Exhibit 11.

Mary Welsh second the motion and it was approved by a vote of 4 to 1 with Ronald Fanelli dissenting.

Donna Leone made a motion that the definition for a “Retirement Facility/Village includes accessory uses customarily associated with a retirement village such as those identified in Exhibit 11, Page 29.

Troy Thomason second the motion and it was approved by a vote of 4 to 1 with Ronald Fanelli dissenting.

Donna Leone made a motion to approve the request for a special exception to allow the use of a retirement village on Lot 44-CD-76.A (770 Frederick Street) and Lot 08L-15-0052-000 (Hanover Pike), subject to the following conditions:

- a. The three separately deeded parcels that comprise the retirement village shall be treated as one lot for purposes of granting the special exception;

- b. The identified accessory uses shall be for the residents only, except for the dining area;
- c. A personal care & medical care facility as listed in Exhibit 4 is not part of the special exception approval;
- d. The existing barn is not part of the special exception approval.

Mary Welsh second the motion and it was approved by a vote of 4 to 1 with Ronald Fanelli dissenting.

Mary Welsh made a motion that the application for a variance from the requirement in Sections 203.3 and 204.3 of a maximum building height of thirty-five (35) feet is approved to the extent that the maximum height of the buildings identified in Exhibit 6 does not exceed forty-five (45) feet.

Troy Thomason second the motion and it was approved by a vote of 4 to 1 with Ronald Fanelli dissenting.

The meeting was adjourned at 7:10 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, April 9, 2024

The Penn Township Zoning Hearing Board met Tuesday, April 9, 2024, 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: David Baker, Chairman; Troy Thomason, Vice Chairman; Ronald Fanelli, Member; Mary Welsh, Member; and Donna Leone, 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. Ronald Fanelli made a motion to approve the Minutes from March 12, 2024. The motion was second by Donna Leone and approved unanimously.

ZHB24-01 – **333 Realty LLC, c/o Buck M. Stuckey, Sole Member represented by Barley Snyder,** 100 East Market Street, York, PA 17401.

The Applicant is requesting a special exception to Sections 407.2 (Expansion and Alteration); a variance to Section 400.1 (Front Setbacks from Major or Minor Arterials); and Section 300.3 (Fences and Walls); and an appeal to a previous Zoning

Hearing Board Decision in order to construct an addition and a fence to an existing assisted living home. The property is located at 3101 Grandview Road in the R-15 zone.

Ronald Fanelli made a motion to disapprove the special exception to Section 407.2 in that the Applicant did not meet the standards under Section 503.

Mary Welsh second the motion and it was approved unanimously.

Ronald Fanelli made a motion to disapprove the variances to Sections 400.1 and 303.3 in that the Applicant did not meet the standards under Section 502.

Mary Welsh second the motion and it was 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 Section 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.

Donna Leone made a motion to approve a continuance until next

month's zoning hearing on May 14, 2024.

Mary Welsh second the motion and it was approved  
unanimously.

The meeting was adjourned at 9:30 p.m.

Respectfully Submitted,

Christine Myers, RPR

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

Penn Township Zoning Hearing Board

Minutes for Tuesday, June 11, 2024

The Penn Township Zoning Hearing Board met Tuesday, June 11, 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: David Baker, Chairman; Troy Thomason, Vice Chairman; Ronald Fanelli, Member; and Mary Welsh, Member; and Donna Leone, 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. Ronald Fanelli made a motion to approve the Minutes from May 14, 2024. The motion was second by Mary Welsh and approved unanimously.

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.

Donna Leone made a motion to approve an extension request until next month's zoning hearing in July. Mary Welsh second the motion and it was approved unanimously.

ZHB24-08 – **Fleck, Bridget**, 132 Ruel Avenue, Hanover, PA 17331. The applicant is requesting a variance to Section 300.2 (Accessory Structure Nonattached) in order to permit an accessory structure in the side setbacks. The property is located at 132 Ruel Avenue in the R-15 Zone.

Troy Thomason made a motion to approve the variance under Section 300.2 in that it meets the requirements for a di minimus variance. Mary Welsh second the motion and it was approved by a vote 3-2 with Ronald Fanelli and Donna Leone dissenting.

ZHB24-09 – **Mosier, DVM, Jennifer, represented by Barley Snyder**, 100 East Market Street, York, PA 17401. The applicant is requesting a variance to Section 207.2 (Use Regulations) in order to allow an animal hospital in the Shopping Commercial Zone. The property is located at 1139 Baltimore Street in the S/C Zone.

Ronald Fanelli made a motion to approve the variance under Section 207.2 in that it meets the requirements in Section 502.3 (a) through (e).

Donna Leone second the motion and it was approved unanimously.

ZHB24-10 – **Frederick Street Properties, LLC**, 148 Penn Street, Hanover, PA 17331. The applicant is requesting a variance to Sections 404 (Division of Built-On Lots), 206.3 (Area and Bulk Regulations) and 303.1 (Off-Street Parking) in order to subdivide existing properties to create single family residences. The properties are located at 500, 502 and 506-518 Frederick Street, Hanover, PA 17331 in the A/O Zone.

Robert Smith received a letter indicating they are withdrawing application ZHB24-10.

ZHB24-11 – **CAC Property LLC**, 1035 High Street, Hanover, PA 17331. The applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to expand an existing animal hospital. The property is located at 1035 High Street, Hanover, PA 17331 in the R-15 Zone.

Donna Leone made a motion to approve the special exception under Section 407.2 in that it meets the requirements in Section 503 and 1, 2 and 3 as delineated in the application to include the five-year continuing renewal on architectural plans. Ronald Fanelli second the motion and it was approved unanimously.

ZHB24-12 – **Keel, LP**, Spring Garden Street, Hanover, PA

17331. The applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) and a variance to Sections 612(f) and 612(g) (Expansion of Nonconformity) in order to construct an expansion on an existing nonconforming building. The property is located at Spring Garden Street, Hanover, PA 17331 in the I Zone.

Ronald Fanelli made a motion to approve the special exception to Section 407.2 in that it meets the requirements under Section 503 and approve the variance to Section 612 in that it meets the requirements under Section 502. It is noted as to Section 612, the Applicant meets the requirements of 612 (a), (b), (c), (d), (e) and (g), but 612 (f), (Landscaping and Buffer Yards) is deferred to the Board of Commissioners to address during the subdivision and land development process. Mary Welsh second the motion and it was approved unanimously.

The meeting was adjourned at 8:32 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, July 9, 2024

The Penn Township Zoning Hearing Board met Tuesday, July 9, 2024, 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: David Baker, Chairman; Troy Thomason, Vice Chairman; Ronald Fanelli, Member; Mary Welsh, Member; and Donna Leone, 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. Ronald Fanelli made a motion to approve the Minutes from June 11, 2024. The motion was second by Mary Welsh and approved unanimously.

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.

Withdrawn.

ZHB24-13 – **Rodgers, Dan, represented by Barley Snyder**, 14 Center Square, Hanover, PA 17331. The applicant is requesting a special exception to Section 311 (Street Access) in order to allow subdivision of a tract of land that does not abut a public Street. The property is located on Beck Mill Road in the R-15 Zone.

Ronald Fanelli made a motion to grant the Applicant's request for a continuance to our meeting on August 13th, 2024. Troy Thomason second the motion and it was approved unanimously.

ZHB24-16 – **Cellco Partnership d/b/a Verizon Wireless represented by McNees 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.

Troy Thomason made a motion to grant the Applicant's request for a continuance to our meeting on August 13th, 2024. Ronald Fanelli second the motion and it was approved unanimously.

Chairman Baker called for a motion for the solicitor to sign the Homewood Stipulation. Troy Thomason made a motion for the solicitor to sign the stipulation for Homewood. Mary Welsh second the motion and it was passed unanimously.

ZHB24-14 – **Lisette, Dylan B & Stacie R, represented by Barley Snyder.,** 100 East Market Street, York, PA 17401. The applicant is requesting a variance to Section 204.2 (Use Regulations) and 300.3 (Fences and Walls) in order to extend a fence on an adjacent lot which is comprised of three vacant parcels. The property is located at 133, 135, & 139 Quartz Ridge Road, Hanover, PA 17331 in the R-22 Zone.

Ronald Fanelli made a motion to approve the variance under Section 204.2 in that it meets the requirements in Section 502.3 and deny the variance under Section 300.3 in that it does not meet the requirements in Section 502.3. Therefore, the Applicant may install the fence of the same color and material, but the fence would have to be no more than three feet along Quartz Ridge Road in keeping with the current ordinance. Troy Thomason second the motion and it was approved unanimously.

ZHB24-15 – **Sheely, Andrew M. & Rebecca A.,** 35 Penn Circle, Hanover, PA 17331. The applicant is requesting a variance to Sections 300.2 (Accessory Structure Nonattached) in order to place an accessory structure,

nonattached, in a side yard. The property is located at 35 Penn Circle, Hanover, PA 17331 in the R-15 Zone.

Donna Leone made a motion to approve the variance to Section 300.2 to install a pergola/gazebo in the side yard in that it meets the requirements under Section 502.3. Mary Welsh second the motion and it was approved unanimously.

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, August 13, 2024

The Penn Township Zoning Hearing Board met Tuesday, August 13, 2024, at 7:00 p.m. to hear four requests.

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

ZHB24-13 – **Rodgers, Dan, represented by Barley Snyder**, 14 Center Square, Hanover, PA 17331. The Applicant is requesting a special exception to Section 311 (Street Access) in order to allow subdivision of a tract of land that does not abut a public street. The property is located on Beck Mill Road in the R-15 Zone.

Withdrawn.

ZHB24-16 – Cellco Partnership d/b/a Verizon Wireless  
represented by McNees 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 the S/C Zone.

Donna Leone made a motion to approve the use variance under  
Section 207.2 in that it meets the requirements in Section 502.3 (a) through (f) and  
meets the standards under the Telecommunications Act. Mary Welsh second the  
motion and it was approved unanimously.

Donna Leone made a motion to approve the variance under  
Section 608(a) to permit the facility not to be located on a hilltop, but to be located  
on a ridge line in that it meets the requirements in Section 502.3 (a) through (f).  
Mary Welsh second the motion and it was approved unanimously.

Donna Leone made a motion to approve the variance under  
Section 608(e)(8) for the monopole not to be painted but to have the galvanized steel  
gray finish in that it meets the requirements in Section 502.3 (a) through (f). Mary  
Welsh second the motion and it was approved unanimously.

Donna Leone made a motion to approve the variance under Section 608(e)(10)(a) to defer to the Board of Commissioners to determine whether a land development plan would be required in that it meets the requirements in Section 502.3 (a) through (f). Mary Welsh second the motion and it was approved unanimously.

Donna Leone made a motion to approve the request under Section 502.1 to extend the timeframe to obtain a building permit or certificate of use from 6 months to 24 months. Mary Welsh second the motion and it was approved unanimously.

ZHB24-18 – **Shorb, William**, 1403 Baltimore Street, Hanover, PA 17331. The applicant is requesting a variance to Section 203.2 (Area and Bulk Regulations) in order to construct an accessory structure which does not meet the rear setback requirements. The property is located at 1403 Baltimore Street, Hanover, PA 17331 in the R-15 Zone.

Donna Leone made a motion to approve the variance under Section 203.2 in that it meets the requirements in Section 502.3 with the stipulation of a 15-foot setback. Mary Welsh second the motion and it was approved unanimously.

ZHB24-19 – **Garcia Zepeda, Martin & Barajas, Blanca**, 299

Wirt Avenue, Rear, Hanover, PA 17331. The applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to demolish the existing dealership and construct a new building with a residence above. The property is located at 299 Wirt Avenue, Hanover, PA 17331 in the R-8 Zone.

Mary Welsh made a motion to approve the special exception to Section 407.2 in that it meets the requirements under Section 503.3. Donna Leone second the motion and it was approved unanimously.

The meeting was adjourned at 11:15 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, September 10, 2024

The Penn Township Zoning Hearing Board met Tuesday, September 10, 2024, 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: Troy Thomason, Vice Chairman; Ronald Fanelli, Member; and Donna Leone, member. David Baker, Chairman, and Mary Welsh, Member, were absent with notice. Also present was Charles Rausch, Esquire, solicitor to the Zoning Hearing Board; and Beth LeFevre, Zoning Officer.

All properties were properly advertised and posted, and all legal notices properly published. Motion to approve/disapprove the Minutes from August 13, 2024, was stayed until next hearing.

ZHB24-20 – Russell, Bernadette M., 10 Walloby Lane, Hanover, PA 17331. The Applicant is requesting a variance to Section 300.3 (Fences and Walls) in order to have a fence that exceeds the maximum height of three feet in a front yard area. The property is located 10 Walloby Lane, Hanover, PA 17331 in the R-40 Zone.

Ronald Fanelli made a motion to approve the variance under Section 300.3 in that it meets the requirements in Section 502.3 (a) through (e) with the stipulation no future additions or alterations to the current location or style of the fence would be made. Donna Leone second the motion and it was approved unanimously.

The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, November 12, 2024

The Penn Township Zoning Hearing Board met Tuesday, November 12, 2024, at 7:00 p.m. to hear two extension requests.

The meeting was called to order and roll call was taken and members present were as follows: David Baker, Chairman; Troy Thomason, Vice Chairman; Mary Welsh, Member. Donna Leone, member, was absent with notice. Charles Rausch, Esquire, solicitor to the Zoning Hearing Board was absent with notice. Beth LeFevre, Zoning Officer, was present.

All properties were properly advertised and posted, and all legal notices properly published. Motion to approve/disapprove the Minutes from August 13, 2024, and September 10, 2024, were stayed until next hearing.

ZHB24-21 – **Freiert, Cristianne & Joseph**, 168 Windsor Court, Hanover, PA 17331. The Applicant is requesting a variance to Section 202 (R-8 Urban Residential Zone) and a special exception to Section 201.2 / 322 (Uses Not Provided For) in order to have a short-term rental. The property is located 215 Westminster Avenue, Hanover, PA 17331 in the R-8 Zone. Extension Request.

Mary Welsh made a motion to approve the extension request to the December meeting. Troy Thomason second the motion and it was approved unanimously.

ZHB24-22 – **Snyder's-Lance, Inc.**, One Campbell Place, Camden, NJ 08103. The Applicant is requesting a variance to Section 203.2 (R-15 Zone Use Regulations) and 209.2 (Industrial Zone Use Regulations) and to appeal a notice of violation from the Zoning Officer in order to allow sheep on the property for maintenance purposes. The property is located 1401 York Street, Hanover, PA 17331 in the R-15 and I Zones. Extension Request.

Mary Welsh made a motion to approve the extension request to the December meeting. Troy Thomason second the motion and it was approved unanimously.

The meeting was adjourned at 7:10 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, December 10, 2024

The Penn Township Zoning Hearing Board met Tuesday, December 10, 2024, 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: Troy Thomason, Vice Chairman; Mary Welsh, Member; and Donna Leone, member. David Baker, Chairman, was absent with notice. Charles A. Rausch, Esquire, solicitor to the Zoning Hearing Board; and Beth LeFevre, Zoning Officer, were present.

All properties were properly advertised and posted, and all legal notices properly published. Donna Leone made a motion to approve the Minutes from August 13, 2024. The motion was second by Mary Welsh and approved unanimously. Motion to approve/disapprove the Minutes from September 10, 2024, and November 12, 2024, were stayed until next hearing.

Donna Leone made a motion to approve MPL Law Firm, Charles A. Rausch, as solicitor to the Zoning Hearing Board. The motion was second by Mary Welsh and passed unanimously.

ZHB24-21 – **Freiert, Cristianne & Joseph**, 168 Windsor Court, Hanover, PA 17331. The Applicant is requesting a variance to Section 202 (R-8 Urban Residential Zone) and a special exception to Section 201.2 / 322 (Uses Not Provided For) in order to have a short-term rental. The property is located 215 Westminster Avenue, Hanover, PA 17331 in the R-8 Zone.

Mary Welsh made a motion to approve the special exception as it is similar to other special exceptions in the R-8 zone and meets the standards for Section 503 with two conditions. One, the house rules must be made available when a rental is being offered; two, that the owner can be the only leasing agent and property manager. Troy Thomason second the motion and it was approved unanimously.

ZHB24-22 – **Snyder's-Lance, Inc.**, One Campbell Place, Camden, NJ 08103. The Applicant is requesting a variance to Section 203.2 (R-15 Zone Use Regulations) and 209.2 (Industrial Zone Use Regulations) and to appeal a notice of violation from the Zoning Officer in order to allow sheep on the property for maintenance purposes. The property is located 1401 York Street, Hanover, PA 17331 in the R-15 and I Zones.

Donna Leone made a motion to grant the appeal based on the notice of violation on the basis of the use of sheep for the maintenance use and an accessory use to the primary use, which is the solar array field, provided that the

sheep maintenance are on the field a maximum of three times per year, a maximum of a two-week period, and with notice to the township at the time. Mary Welsh second the motion and it was approved unanimously.

ZHB24-24 – **Silbaugh Investors LP #5 represented by Barley Snyder.** 126 East King Street, Lancaster, Pa 17602. The Applicant is requesting a variance to Section 207.2 (Use Regulations) and 612(b) (Expansion of Nonconformity) and a special exception under Section 612 (Expansion of Nonconformity) and Section 407.2 (Expansion and Alteration) in order to utilize the existing space as a warehouse. The property is located 1649 Broadway, Hanover, PA 17331 in the S/C Zone

Donna Leone made a motion to approve the special exception expansion of the site with two conditions. One, no outdoor storage; two, no tractor trailers loading or unloading, meaning pickups or deliveries between 11:00 p.m. and 4:00 a.m. Also, grant the variance for the site to extend the 35 percent maximum to allow the warehouse use inside since it's all an interior expansion. Mary Welsh second the motion and it was approved unanimously.

The meeting was adjourned at 9:55 p.m.

Respectfully Submitted,

Christine Myers, RPR