

**MINUTES
BOARD OF COMMISSIONERS PUBLIC MEETING
APRIL 8, 2024**

CALL TO ORDER – ROLL CALL – DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a special session on Monday, April 8, 2024. President Elksnis called the meeting to order at 6:00 p.m. with a roll call of members. Present were Commissioners Baile, Berlingo, Brown, Heiland, and Elksnis. Also present was Township Manager Ledley.

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS: There were none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Attorney Paul Minnich, of Barley Snyder, representing Homewood, requested his associate Attorney Chris Naylor to present a fact sheet regarding the Homewood at Plum Creek Zoning Application. Mr. Minnich noted that the Zoning Hearing Board's decision was thoughtful but did not encompass all the zoning relief sought. They did not receive the entire height variance requested, nor lot coverage. If the project proceeds, they will construct 403 new units, along with additional residential community space, exceeding green space minimums, and implementing robust stormwater management planning, which is very meaningful to residents. Residents ranging from 70 to their 90s are in attendance to support the proposed plan. He reported that the community supports over 500 constituents. He described the plan as beautiful and expansive. There is an existing barn structure with a height of 42 inches, and the variance relief received allows them to expand three feet higher. He further reported that the project has a significant positive economic impact, with private streets and roads generating tax revenue and limited demands on public services. He respectfully requested the Board refrain from filing an appeal.

Mr. Michael Hoover of Hershey Heights Road expressed his support for an appeal of the Zoning Hearing Board's decision. He noted that in the Township's history, no one has ever exceeded the 35-foot height ordinance. The proposed development would surpass this limit by a staggering 420 times. Mr. Hoover highlighted that when questioning Homewood's attorney about the necessity for six special exceptions, eight variances, and six interpretations of the Zoning Ordinance, the response was that concessions from Penn Township were needed to make the plan financially viable, as Conewago Township had rejected any such considerations within their jurisdiction.

Mr. Hoover raised concerns about the origin of the 45-foot height limit set by the Zoning Hearing Board. Penn Township's height ordinance stipulates 35 feet, yet Homewood requested

heights of 70, 60, and 50 feet. Notably, 45 feet was never mentioned in the testimony or established record.

Mr. David Baker, Valley Run Circle, Chair of the Zoning Hearing Board. Mr. Baker stated that the Zoning Hearing Board reviewed the plans, noting there was a 20-foot space on the top of the buildings that was completely empty space, just for design. In order for them to get the full amount of expansion the Board decided the closest decision they could come to was the 45 foot height.

CONSIDER AN APPEAL OF THE HOMEWOOD AT HANOVER, PA INC. ZONING HEARING BOARD DECISION:

Commissioners Elksnis/Heiland moved to authorize our solicitor to proceed with filing an appeal regarding the decision of the Zoning Hearing Board in case ZHB23-21-Homewood at Hanover, PA Inc. Motion carried 5-0 on a roll call vote.

OTHER BUSINESS: There was none.

PERSONS TO BE HEARD/CITIZEN'S COMMENTS:

Mr. Bill Tarbell, a resident of Westminster Avenue in Homewood, is an advocate for the expansion of Homewood, a Christian-based community. He stated that residents have substantial input, and the expansion of the community is seen as advantageous for both Homewood and Penn Township. It's noteworthy that Homewood residents do not rely on township public services but contribute to the tax system.

Mr. Patrick Gartrell, Homewood resident, stated that at Homewood attorney made an excellent point that Homewood bought the property, not some land developer who may choose to use it for anything else. It is a good facility. Regarding the height restrictions, the statement was made that the current restriction was put into place over 50 years ago. He noted that this restriction was most likely due to the fire apparatus of that time, He stated over the past 50 years there have been many changes. He stated that the fire chief went to great lengths to explain his equipment and mobility throughout the campus. Mr. Gartrell stated that this should not be an issue, the architect has been building retirement communities for more than thirty years, he stated that he believes that the cottage style until is the most efficient and desirable for a continuing care facility. He stated that Homewood is a self-sustaining not for profit organization and must be as efficient as possible.

Mr. Don Horneff, residing at 8 Pond Ridge Lane, noted that he lives adjacent to the southern boundary of the Homewood property. There is a significant hill on the edge of the Homewood premises, from which they experience a substantial amount of water runoff, particularly from the facility's streets, he has concerns about drainage. Additionally, Mr. Horneff emphasized the importance of adhering to the Zoning Ordinance's 35-foot height limit. Deviating from this regulation would significantly alter the overall outline of the facility, especially considering its positioning on a hill.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Brown/Heiland moved for adjournment at approximately 6:21 p.m. Motion carried.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary