

Penn Township Zoning Hearing Board

Minutes for Tuesday, April 8, 2014

The Penn Township Zoning Hearing Board met on Tuesday, April 8, 2014, 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: Michael Brown, Chairman; David Colgan, Vice Chairman; Gary LeFevre, Member; Frederick Stine, Member; and Paul McAndrew, Member. Also present was John Baranski, Esquire, Solicitor to the Zoning Hearing Board; and Matthew Swanner, Zoning Officer.

All properties were properly advertised and posted and all legal notices properly published. David Colgan made a motion to approve the Minutes from March 11, 2014. The motion was second by Paul McAndrew and approved unanimously.

Z14-03 – Cellco Partnership d/b/a Verizon Wireless, 4642 Jonestown Road Suite 200, Harrisburg, PA 17109. Applicant is requesting a variance to Section 202.2 (Use Regulations), 608 (a), 608 (e)(8), 608 (e)(10(a) (Communication, Transmitting and Receiving Facilities) and 306.3 (b)(2) (Non-Residential Access Driveways) and a special exception to Section 310 (Number of

Principal Uses on a Lot) in order to construct a commercial communications transmitting and receiving facility. The property is located at 590 McAllister Street in the R-8 zone.

David Colgan made a motion to redefine the February 8, 2011 condition to include cell tower and surrounding compound at the Hanover School District's facility based on the submitted request for variance to Section 202.2. Gary LeFevre second the motion and it was approved by a vote of 3 to 2 with Michael Brown and Paul McAndrew casting the dissenting vote.

Frederick Stine made a motion to grant the variance to Section 202.2 in that it meets the standards for Section 502.3 (a) through (f). David Colgan second the motion and it was approved by a vote of 3 to 2 with Michael Brown and Paul McAndrew casting the dissenting vote.

Frederick Stine made a motion to grant the variance to Section 608 (a) in that it meets the standards for Section 502.3 (a) through (f). David Colgan second the motion and it was approved by a vote of 4 to 1 with Paul McAndrew casting the dissenting vote.

Frederick Stine made a motion to grant the variance to Section 608 (e)(8) meaning the tower would not need to be painted in that it meets the standards for Section 502.3 (a) through (f). Gary LeFevre second the motion and it

was approved unanimously.

The Applicant withdrew the variance request to Section 608 (e)(10)(a).

Frederick Stine made a motion to grant the variance to Section 306.3 in that it meets the standards for Section 502.3 (a) through (f) with the stipulation that there be a gate added to the access drive at the current paved parking area. David Colgan second the motion and it was approved by a vote of 4 to 1 with Michael Brown casting the dissenting vote.

Frederick Stine made a motion to grant the variance to Section 401 (a) in that it meets the standards for Section 502.3 (a) through (f). David Colgan second the motion and it was approved by a vote of 4 to 1 with Michael Brown casting the dissenting vote.

Frederick Stine made a motion to grant the special exception to Section 310 in that we find this application to be an accessory use and not a principal use and this will not set a precedent for future approvals on this property. Gary LeFevre second the motion and it was approved by a vote of 3 to 2 with Michael Brown and Paul McAndrew casting the dissenting vote.

Z14-04 , Christopher and Donna Freeze, 49 Little Knoll Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 618

(Home Occupation) in order to operate a salon in their dwelling unit. The property is located at 49 Little Knoll Drive in the R-15 zone.

Frederick Stine made a motion to grant the special exception in that it meets the standards for Section 503.3 (a) through (e) and Section 618 except for Section I and M. The Applicant needs to present to the zoning officer written evidence they are not exceeding 15 percent or 400 square feet requirement and the permit from the state. Paul McAndrew second the motion and it was approved unanimously.

The meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

Christine M. Myers

Court Reporter