

Penn Township Zoning Hearing Board

Minutes for Tuesday, January 13, 2015

The Penn Township Zoning Hearing Board met on Tuesday, January 13, 2015, 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, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Frederick Stine was absent with notice. Also present was Christopher King, Esquire, solicitor to the Zoning Hearing Board; and Matthew Swanner, Zoning Officer.

David Colgan made a motion to nominate Michael Brown as Chairman. The motion was second by Paul McAndrew and passed unanimously. Gary LeFevre made a motion to nominate David Colgan as Vice Chairman. The motion was second by Michael Brown and passed unanimously.

All properties were properly advertised and posted and all legal notices properly published. David Colgan made a motion to approve the Minutes from December 9, 2014. The motion was second by Paul McAndrew and approved unanimously.

Z15-01 – Dawg Gone Bees, LLC., 832 West Middle Street,

Hanover, PA 17331. Applicant is requesting a special exception to Section 202.2 (Use Regulations) in order to operate a mead making business. The property is located at 832 West Middle Street in the R-8 zone.

David Colgan made a motion to grant the special exception in that it meets the standards for Section 503.3 (a) through (e). Paul McAndrew second the motion and it was approved unanimously.

Z15-02 – Amy L. Smith, 105 Littleton Drive, Hanover, PA 17331. Applicant is requesting a variance and interpretation to Section 400.2 (Front, Side and Rear Setback of Buildings on Built-up Streets) and a special exception to Section 407.2 (Expansion and Alteration) in order to construct an addition. The property is located at 105 Littleton Drive in the R-15 zone.

Gary LeFevre made a motion to eliminate the special exception. Michael Brown second the motion and it was approved unanimously. Paul McAndrew made a motion to grant the special exception in that it meets the standards for Section 502.3 (a) through (f). Gary LeFevre 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, February 10, 2015

The Penn Township Zoning Hearing Board met on Tuesday, February 10, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Frederick Stine was absent with notice. Also present was John J. Baranski, Jr., 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. Paul McAndrew made a motion to approve the Minutes from January 13, 2015. The motion was second by David Colgan and approved unanimously.

Z15-03 – Karyn & Douglas Thacker, 319 Azalea Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a hair salon out of their home. The property is located at 319 Azalea Drive in the R-15 zone.

Paul McAndrew made a motion to grant the special exception

in that it meets the standards for Section 618. Gary LeFevre second the motion and it was denied by 2 to 2 vote with Michael Brown and David Colgan dissenting.

Z15-04 – Marcum Dale Jay, 117 Courtland Place, Belair, MD 21014. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) and to Section 618 (Home Occupation) in order to operate a home office for an internet based business. The property is located at 30 Blue Spruce Drive in the R-15 zone.

David Colgan made a motion to continue the Applicant's request until next month. Gary LeFevre second the motion and it was approved unanimously.

Z15-05 Trone Rental Properties, LLC, 350 Third Street, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) to erect a four (4) foot fence in front yard area. The property is located on Bowman Road in the R-8 zone.

David Colgan made a motion to grant the variance in that it meets the standards for Section 502.3 (a) through (f). Gary LeFevre second the motion and it was approved by 3 to 1 vote with Michael Brown dissenting.

Z15-06 – South Western School District and York Adams Community Tennis Association, 225 Bowman Road, Hanover, PA 17331.

Applicant is requesting a variance to Section 202.3 (Area and Bulk) and a special exception to Section 202.2 (Use Regulations) in order to enclose existing tennis courts and future classroom. The property is located at 225 Bowman Road in the R-8 zone.

David Colgan made a motion to grant the variance in that it meets the standards for Section 502.3 (a) through (f). Paul McAndrew second the motion and it was approved unanimously.

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, March 10, 2015

The Penn Township Zoning Hearing Board met on Tuesday, March 10, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Frederick Stine, Member; and Paul McAndrew, Member. Gary LeFevre was absent with notice. Also present was John L. Senft, 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 February 10, 2015. The motion was second by Paul McAndrew and approved by vote 3-0 and Frederick Stine abstaining.

Z15-04 – Marcum Dale Jay, 117 Courtland Place, Belair, MD 21014. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) and to Section 618 (Home Occupation) in order to operate a home office for an internet based business. The property is located at 30 Blue Spruce Drive in the R-15 zone.

David Colgan made a motion to grant the special exception to Section 203.2 and Section 618 in that it meets the standards for Section 503.3 (a) through (e). Paul McAndrew second the motion and it was approved unanimously.

Z15-07 Conewago Northridge Partners, L.P., 610 Edgegrove Road, Hanover, PA 17331. Applicant is requesting a variance to Section 207.2 (Uses Not Provided For) and an interpretation to Section 502.1 (Filing of Variance) in order to construct a service station. The property is located on Lot 8, Gateway Hanover Shopping Center at Wilson Avenue and Eisenhower Drive in the Shopping/Commercial zone.

David Colgan made a motion to grant the variance to Section 207.2 in that it meets the standards for Section 502.3 (a) through (f); and motion to grant the special exception to Section 201.2 in that it meets the standards for Section 503.3 (a) through (e); and motion to grant the interpretation to Section 502.1 to allow for one year first period extension with two additional six-month extensions for a total of two years maximum. Frederick Stine second the motion and it was approved unanimously.

Z15-08 – Samuel M. Lehigh, 450 Bankert Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 205.3 (Use Regulations) for use as a cemetery. The property is located at 2510 Grandview Road in the R-40 zone.

Paul McAndrew made a motion to grant the special exception in that it meets the standards for Section 503.3 (a) through (e). David Colgan second the motion and it was approved unanimously.

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Christine Myers, RPR

PENN TOWNSHIP
ZONING HEARING BOARD

Minutes for April 14, 2015

The Penn Township Zoning Hearing Board met on Tuesday, April 14, 2015, at 7:00 p.m., to hear one request.

The meeting was called to order and roll call was taken. Members present were as follows: David Colgan, Member; Paul McAndrew, Member, Frederick Stine, Vice Chairman; and Michael Brown, Chairman. Also present were John J. Baranski, Jr., Esquire, Solicitor to the Zoning Hearing Board, and Matthew Swanner, Zoning Officer. Gary LeFevre, Member, was absent with notice.

All properties were properly advertised and posted and all legal notices properly published.

Paul McAndrew made a motion to accept the Minutes from March 10, 2015, seconded by Frederick Stine, and they were approved unanimously.

CASE Z15-09 - ALDUS BREWING COMPANY, 101 Little Bridge Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) and to Section 612 (Expansion

of Nonconformity) in order to extend hours at an existing brew pub. The property is located at 555 Centennial Avenue in the R-15 Zone.

Paul McAndrew made a motion to approve the request, with the following amendment: The hours for the brew pub will be extended to 9:00 p.m. That will be Monday through Friday 3:00 to 9:00 p.m. and Saturday 12:00 to 9:00 p.m.

David Colgan did second the motion.

The motion carried with a 3-1 vote, Frederick Stine opposing.

A motion was made for adjournment at 7:55 p.m. There was a second to the motion. It was approved unanimously with a vote of 5-0.

Respectfully Submitted,

Judith A. Greenholt, RPR
Court Reporter

Penn Township Zoning Hearing Board

Minutes for Tuesday, May 12, 2015

The Penn Township Zoning Hearing Board met on Tuesday, May 12, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Frederick Stine, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was Christopher King, 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 April 14, 2015. The motion was second by Frederick Stine and approved unanimously.

Z15-10 – Ashley Moore, 120 Charles Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) in order to erect a fence in the front yard that exceeds the maximum height. The property is located at 120 Charles Avenue in the R-8 zone.

Frederick Stine made a motion to deny the variance to Section

300.3 in that it does not meet the standards for Section 502.3 (a) through (f). Michael Brown second the motion and it was denied unanimously.

Z15-11 - Anthony and Robin Baummer, 34 Industrial Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to renovate/expand an existing legal non-conforming structure. The property is located at 34 Industrial Drive in the Industrial zone.

Paul McAndrew made a motion to grant the special exception to Section 407.2 in that it meets the standards for Section 503.3 (a) through (e). Gary LeFevre second the motion and it was approved unanimously.

Z15-12 – Robert Mosko, 555 Baltimore Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to construct an addition to an existing legal non-conforming structure. The property is located at 555 Baltimore Street in the R-15 zone.

David Colgan made a motion to grant the special exception to 407.2 in that it meets the standards for Section 503.3 (a) through (e). Frederick Stine 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, July 14, 2015

The Penn Township Zoning Hearing Board met on Tuesday, July 14, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Frederick Stine, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was Christopher King, 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. Frederick Stine made a motion to approve the Minutes from May 12, 2015. The motion was second by David Colgan and approved unanimously.

Z15-13 – Margo Caswell, 4309 Walters Hatchery Road, Seven Valleys, PA 17360. Applicant is requesting a special exception to Section 310 (Number of Principal Uses on a Lot) and to Section 205.2 (Use Regulations) in order to operate a before and after school program daycare. The property is located at 865 Gitts Run Road in the R-40 zone.

Frederick Stine made a motion to grant the special exception to Section 310 and Section 205.2 in that it does meet the standards for Section 503.3 (a) through (e) and Section 607 with the provision that all certifications from state authorities be submitted to the township and the four foot fence be installed in the rear of the property. David Colgan 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, August 11, 2015

The Penn Township Zoning Hearing Board met on Tuesday, August 11, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Frederick Stine was absent with notice. Also present was John J. 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 July 14, 2015. The motion was second by Paul McAndrew and approved unanimously.

Z15-14 – Scott Taylor, 2 Little Knoll Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) and to Section 612 (Expansion of Nonconformity) in order to use a deck that does not meet rear setback requirements. The property is

located at 2 Little Knoll Drive in the R-15 zone.

Paul McAndrew made a motion to grant the special exception to Section 407.2 and Section 612 in that it does meet the standards for Section 503.3 (a) through (e). David Colgan second the motion and it was approved unanimously.

Z15-15 – James Miller, 760 Black Rock Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Use Regulations), Section 503.3 (General Standards for Special Exceptions) and Section 618 (Home Occupation) in order to operate a home based internet business. The property is located at 760 Black Rock Road in the R-15 zone.

David Colgan made a motion to table to Applicant's requests until September 8, 2015, at 7:00 p.m. Michael Brown second the motion and it was approved unanimously.

Z15-16 – Hanover Real Estate Partners, LP, 348/350 Poplar Street, Hanover, PA 17331. Applicant is requesting a variance to Section 303.2d (Development and Maintenance of Parking Facilities), in order to park on an unpaved parking area. The property is located at 348 Poplar Street in the Industrial zone.

David Colgan made a motion to grant the variance in that it

meets the standards for Section 502.3 (a) through (f) with the following conditions: the well that is on the site remains capped and barriers built around that capped well for protection, the special exception is only valid for three years from the date of August 11, 2015; the maximum improvements would be a total area of 50,000 square feet, and lastly, only to be used to park trailers. Gary LeFevre second the motion and it was approved unanimously.

Z15-17 – B & D Property Management, LLC, 878 Baltimore Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 322 (Uses Not Provided for) in order to operate a distillery. The property is located at 878 Baltimore Street in the H/B zone.

David Colgan made a motion to grant the special exception in that it meets the standards for Section 503.3 (a) through (e) with the condition that deliveries will be scheduled between 8:00 a.m. and 6:00 p.m. Monday through Friday in the rear access and not on Baltimore Street. Paul McAndrew second the motion and it was approved unanimously.

The meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, September 8, 2015

The Penn Township Zoning Hearing Board met on Tuesday, September 8, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Frederick Stine, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was John J. 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 August 11, 2015. The motion was second by Michael Brown and approved unanimously.

Z15-15 – James Miller, 760 Black Rock Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Use Regulations), Section 503.3 (General Standards for Special Exceptions) and Section 618 (Home Occupation) in order to operate a home based internet business. The

property is located at 760 Black Rock Road in the R-15 zone.

David Colgan made a motion to grant the special exception in that it meets the standards for Section 503.3 (a) through (e) and Section 618. Paul McAndrew second the motion and it was approved unanimously.

The meeting was adjourned at 7:15 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, October 13, 2015

The Penn Township Zoning Hearing Board met on Tuesday, October 13, 2015, 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: David Colgan, Acting Chairman; Frederick Stine, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Michael Brown, Chairman, was absent with notice. Also present was John J. 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. Frederick Stine made a motion to approve the Minutes from September 8, 2015. The motion was second by Paul McAndrew and approved unanimously.

Z15-18 – Lester & Dawn Little, 28 Hill Street, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations), in order to construct a garage that encroaches into the side setbacks.

The property is located at 28 Hill Street in the R-15 zone.

Paul McAndrew made a motion to grant the variance in that it meets the standards for Section 502.3 (a) through (f). David Colgan second the motion and it was approved unanimously.

Z15-19 – TureNorth Wellness Services, 625 West Elm Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 204.2 (Uses by Right) in order to operate a counseling services and office use facility. The property is located at 1161-1181 Westminster Avenue in the R-22 zone.

Gary LeFevre made a motion to grant the amendment to the original request for variance to Section 204.2 to a special exception under Section 624 and a variance to Section 624(c). David Colgan second the motion and it was approved unanimously.

Frederick Stine made a motion to grant the variance to 624 (c) in that it meets the standards for Section 502.3 (a) through (f). Gary LeFevre second the motion and it was approved unanimously.

David Colgan made a motion to grant the special exception to 624 in that it meets the standards for Section 503.3 (a) through (e). Frederick Stine second the motion and it was approved unanimously.

5 a) Review request from Brookside LLC for an extension to

their special exception to Section 202.2 to allow single family attached dwellings in the R-8 zone in Phase 3 of Brookside Heights subdivision which was previously granted in Case Z14-12.

David Colgan made a motion to grant the request for a 6-month extension until April 15, 2016. Gary LeFevre second the motion and it was approved unanimously.

5 b) Review request from Brookside LLC for an extension to their variances to Section 202.3 to allow townhomes to be constructed with a height of 35 feet and to Section 306.2 (f)3 to allow townhouse driveways to be constructed within one foot of the side property line on interior lots in Phase 3 of Brookside Heights subdivision which was previously granted in Case Z14-12.

David Colgan made a motion to grant the request for a 6-month extension until April 15, 2016. Gary LeFevre second the motion and it was approved by a 3 to 1 vote.

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

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, November 10, 2015

The Penn Township Zoning Hearing Board met on Tuesday, November 10, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Frederick Stine, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was Christopher King, 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 October 13, 2015. The motion was second by Frederick Stine and approved unanimously.

Z15-20 – Joseph T. and Carol E. Lane, 61 Lion Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations), in order to construct a screened in porch that encroaches into the side setbacks. The property is located at 61 Lion Drive in the R-15 zone.

David Colgan made a motion to grant the variance in that it meets the standards for Section 502.3 (a) through (f). Frederick Stine second the motion and it was approved unanimously.

Michael Brown announced his resignation from the Zoning Hearing Board in December of 2015.

The meeting was adjourned at 7:15 p.m.

Respectfully Submitted,

Christine Myers, RPR

Penn Township Zoning Hearing Board

Minutes for Tuesday, December 8, 2015

The Penn Township Zoning Hearing Board met on Tuesday, December 8, 2015, 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: Michael Brown, Chairman; David Colgan, Member; Frederick Stine, Member; Gary LeFevre, Member; and Paul McAndrew, Member. Also present was John J. Baranski, Jr., 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 November 10, 2015. The motion was second by Frederick Stine and approved unanimously.

Z15-21 – Sean Schuman, 680 Gitts Run Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to construct an addition. The property is located at 680 Gitts Run Road in the Industrial 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 407.2. David Colgan second the motion and it was approved unanimously.

Z15-22 – Diana Bastida, 22 ½ West Walnut Street, 2nd floor, Hanover, PA 17331. Applicant is requesting a special exception to Section 202.2 (Use Regulations) in order to make homemade food for takeaway. The property is located at 101 Wirt Avenue in the R-8 zone.

Application was withdrawn.

Z15-23 – Wesley Sensenig, 6999 Cannery Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 202.2 (Use Regulations) in order to convert an existing building into a three (3) unit multi-family dwelling. The property is located at 736 Baltimore Street in the R-8 zone.

David Colgan made a motion to grant the special exception in that it meets the standards for Section 503.3 (a) through (e) and that the existing driveway off of Baltimore Street be closed to vehicle parking. Frederick Stine second the motion and it was approved unanimously.

Case #Z14-17 - Review request from ConAgra for an extension to their original variance to Section 209.3 (Area and Bulk) in order to construct a canopy over existing bulk unload area that encroaches in the front set back. The

facility is located at 680 West Chestnut and was previously granted.

David Colgan made a motion to grant the continuance until June 30, 2016. Paul McAndrew second the motion and it was approved unanimously.

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

Respectfully Submitted,

Christine Myers, RPR