

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