

PENN TOWNSHIP ZONING HEARING BOARD

MINUTES OF JANUARY 11, 2018

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The Penn Township Zoning Hearing Board (ZHB) met on Thursday, January 11, 2018, at 7:00 p.m. in the Penn Township Municipal Building to conduct their reorganizational meeting. A list of visitors is on file in the Township Office. Secretary conducted the roll call of the ZHB.

Present: JoAnn Glossner, Chairman
Dave Clark, Member
Brian Foster, Member
Larry Watts, Alternate (Voting Member for Hearing)
Barbara Van Horn, Alternate
Helen Klinepeter- Secretary

REAPPOINTMENT

Upon a Foster/Watts motion, the ZHB voted unanimously to appoint Joanne Glossner as Chairman. Mrs. Glossner abstained as the matter concerned her.

Upon a Foster/Watts motion, the ZHB voted unanimously to appoint Brian Foster as Vice-Chairman. Mr. Foster abstained as the matter concerned him.

Upon a Foster/Watts motion, the ZHB voted unanimously to appoint Helen Klinepeter as Secretary.

Upon a Foster/Watts motion, the ZHB voted unanimously to appoint Dennis J. Shatto, Attorney at law as the Zoning Hearing Board Solicitor.

HEARINGS

The ZHB opened the hearing at 7:05 p.m.

Visitors Sworn In: Helen Klinepeter, Joe Burget, Jeff Forrer, Jesse Boyer, III, and Doug Niesley.

Exhibits Presented:

Township 1 – FSA letter dated 1/11/18 from Lenny Sizer, Zoning Officer

Applicant 1 – 2 Page document of the Penn Township Zoning Ordinance, stating definitions of the uses.

Applicant 2 – 4 Pages showing the aerial of the lot, copy of the 2 pages of the proposed plan and a page showing the tax map.

Applicant 3 – 1 page showing the Zoning Map of this area.

Applicant 4 – 1 page showing showing the planting strip requirements in the Penn Township Zoning Ordinance.

Solicitor asked Mr. Burget if there was a problem if Mr. Watts set in as a voting member for this Hearing. Mr. Burget stated there no problem. Solicitor had the Secretary sworn in and asked about the advertisement of the hearing, posting of the properties, and notification of the neighbors. Secretary stated in the affirmatory that all was completed. Solicitor then noted that

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the Zoning Officer was not in attendance due to a conflict, but that he had sent a written review dated January 11, 2018. Solicitor read the exhibit into the record.

Mr. Burget explained the history of the lot and that Mr. Forrer would like to bring the service center to this lot. Mr. Burget explained that the first variance request for a rear lot setback. Mr. Burget and Mr. Larry Miller has an agreement for a portion of Mr. Miller's property to be an easement for Mr. Forrer. The rear setback line is determined by the property line; therefore, the building encroaches 6.84 feet. It is not affecting anyone. Discussion for clarification commenced. Ms. Glossner asked about the stormwater issues. Mr. Burget explained that the was will be piped to the same area and sent to the river. This matter will be reviewed during the Land Development Plan. Mr. Foster asked if the easement would supersede the easement. Solicitor explained that it could be considered that. The variance makes everything cleaner.

Mr. Burget commenced with the second variance request asking for an interpretation of the required parking. If the consideration of the parking is for Vehicle Sales/Repair Shop, 164 spaces would be required. If the consideration of the parking is for two different services. Retail Stores would require 19 parking spaces and Service Stations would require 5 parking spaces for a total of 24 parking spaces. Mr. Forrer is planning for 56 parking spaces, which consists of 23 existing parking spaces and 33 new parking spaces. Mr. Burget is asking for an interoperation of the zoning ordinance. Questions for clarification were asked and answered.

Mr. Burget commenced on the third variance request of the Landscaping on the south side of the property. Mr. Burget explained that there is a stream on the South side of the property which is the property line for property. Mr. Burget offered that the adjoining property is zoned commercial and is part of the property of Mr. Frank Boyer. Mr. Burget read the Penn Township Zoning Ordinance on where landscaping and buffering would be required. Mr. Burget showed that the property is zoned commercial while the use is residential. Mr. Burget offered that the portion of the property under discussion not residential use as the house is across Spur Road and is not large enough to be built upon. There is a road (Spur Road) between the property and the residential lot.

Mr. Foster asked if the adjoining property owners were talked to about this matter. Mr. Berget replied in the negative. Solicitor asked any property owners expressed concern with this project. Mr. Forrer offered that Mr. Frank Boyer approached Mr. Forrer to purchase the property. Solicitor asked other property owners made any complaints? Mr. Boyer offered that the Liddick's and Mr. Boyer had come to a Board of Supervisor expressing concern of the lighting and the revoked driveway. When the prior plan was presented for approval, Mr. Boyer asked about a buffer being put into the plan, which it was. Mr. Jesse Boyer offered that the Township feels that the landscaping should be provided as the resident are worried about the light pollution impeding upon their property. Mr. Forrer offered that the problem that was brought to him was regarding the driveway. Discussion commenced regarding the buffering. The question was asked regarding if the Liddick's were notified. The Liddick's did not get a letter. Joe stated he did not know why he did not put Liddick's on list.

Doug Nisley offered that he would like the corner of Spur Lane and SR 11/15 cleaned up. The ZHB recessed from 8:12 until 8:29 p.m.

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Upon a Foster/Watts motion, the ZHB voted unanimously to grant all three variances requested as presented with no conditions.

After discussion, and upon a Foster/Clark motion, the ZHB voted unanimously to close the hearing at 8:31 p.m.

REAPPOINTMENT – Upon a Watts/Glossner motion, the ZHB recommended that David Clark be re-appointed for three years.

MINUTES – Upon a Van Horn/Watts motion, the ZHB voted unanimously to approve the ZHB minutes of January 12, 2017.

Upon the completion of all business, and upon a Glossner/Watts motion, the ZHB voted by majority to adjourn the ZHB meeting at 8:38 p.m.

Respectfully Submitted;

Helen Klinepeter
ZHB Secretary