

Conewago Township Zoning Hearing Board

Minutes of Meeting, 06 May 2015, Cases # 4-2015 and #5-2015

Michael Sabaka, Chairman, Conewago Township Zoning Hearing Board (the Board), after determining that a quorum was present, called the meeting to order at 7:00 P.M. It was also determined that the notices of hearing for both cases were properly advertised and posted. The first order of business was to review minutes from the Zoning Hearing board Meeting, Case #3 of 04 March 2015, which were then approved as written.

Case # 4, a petition by Mark J. and Cheree` Keeney, husband and wife, at 14 Deer Drive, Zone R-1, Hanover, for a dimensional variance to provide relief from the required, minimum fifteen-foot side yard set-back under Section 155-15-I (155, Attachment 2:1) of the Conewago Township Zoning Ordinance, was heard.

Pursuant to their Application, dated 29 March 2015, their purpose was to construct a garage to be attached to their existing residence and to be used for secure storage of Mr. Keeney's work van, tools and materials. The Applicants submitted an outline drawing of the proposed construction which was then allowed to be entered into evidence as Exhibit #1.

After testimony by Mr. Keeney and questions directed to him by Board members and the Board solicitor, the Board adjourned for an Executive session, as permitted under the Pennsylvania Sunshine Act, subsequently reconvening (at 7:25 P.M.) and approving the Application, as written and with the proviso that the Applicants seek a building permit and commence construction within one year. Motion to approve was made by Ray Presley, second by Dennis Kacmarczyk and approved, as follows:

Ray Presley - For

George Tavares - For

Dennis Kacmarczyk - For

Michael Sabaka - For

No one -

Opposed

At the conclusion of the hearing for Case #4, the Board took up Case # 5-2015.

Case #5-2015 involved Mr. Christopher Trone, owner of property at 350 Third Street, Hanover, Zone R-2, who petitioned for a use variance to allow construction of a six-unit residential complex (town homes) on the property. He presented testimony as well as two exhibits, one depicting the six, individual units associated with his Application and the other showing three, two-unit apartments (duplexes), the latter of which is a use by-right within Zone R-2. Both exhibits were allowed into evidence.

Extensive testimony and questions by residents who claimed direct and potentially negative impact on them, their home values and their neighborhood then ensued. Principal among those opposed to the proposed construction were:

1. Fabian Kuhn, 201 Linden Avenue
2. Francine Dutrisac, 400 Maple Avenue
3. Lee and Angela Klunk (his wife) at 404 Maple Avenue
4. Cathy Allewelt, 400 Maple Avenue
5. Charles and Francine Smith (his wife) at 213 Linden Avenue and
6. Jesse Reynolds, 410 Maple Avenue

A short list of perceived impact included:

1. Parking on streets, which they claim is already scarce
2. Increased levels of noise from the six apartments/sixteen bedrooms in the new construction

3. Children and automobile traffic in alleyway behind the proposed structure
4. Unknown character and living habits of renters moving in/out the apartments
5. Integrity of single manager, the owner, Mr. Trone, e.g., possible lack of close oversight, resale of property, etc.
6. Razing of current, abandoned building and erecting a new, two-story structure which would be too close, i.e., within two feet of adjacent property lines (allowed within this zone), and obscuring views
7. Changing the nature of the community - the architecture as well as the future resident base, which now consists of owner-occupied, long-time residences.

At 8:40 P.M. and after hearing all testimony and cross examinations, the Board adjourned to Executive Session wherein it was decided to defer a decision on this case to the next, scheduled Board meeting, 03 June 2015. This decision was announced to Mr. Trone after the Board reconvened, at approximately 9:00 P.M.

Old Business - None

New Business:

1. Welcome to newly-appointed Board Member, Mr. George Tavares, who will complete a regular, three year term, and
2. Election of Board Secretary, George Tavares, to replace Mr. Donald Baker who recently resigned from the Board. Nomination was made by Dennis Kacmarczyk with a second made by Ray Presley. Voting was:

George Tavarares - For

Michael Sabaka - For

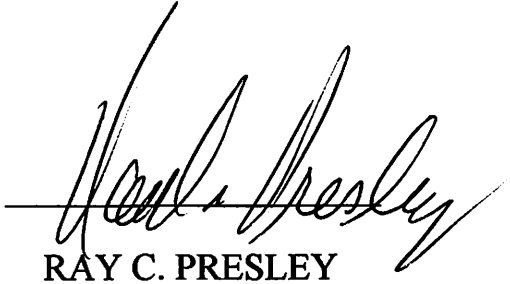
Dennis Kacmarczyk - For

Ray Presley - For

None - Opposed

Motion for adjournment was made by George Tavares at approximately 9:45 P.M. The next meeting of the Conewago Township Zoning Hearing Board, a decisional meeting for Case #5, will be on 03 June at 5:00 P.M.

Respectfully submitted,



RAY C. PRESLEY

Acting Secretary, Conewago Township Zoning Hearing Board