

## MINUTES OF ZONING HEARING BOARD MEETING

The Zoning Hearing Board of Palmer Township met on Wednesday, September 6, 2017, at 7:00 P.M. in the Palmer Memorial Library, One Weller Place, to hear the following appeals. In attendance Nick Noel, Esq., Zoning Board Solicitor, Charles Roseberry Board Chairman, Emilio DeNisi Board Vice Chairman, Cherie Kavanaugh Board Member, Peg Kennedy Board Member, James Raudenbush Zoning Administrator, Court Reporter Ted Rewak and Board Member Kris Grube was absent.

Cherie Kavanaugh made a motion to approve the minutes from August 1, 2017. The motion was seconded by Peg Kennedy and the minutes were approved by a vote of 4-0.

**17-20 7:00 p.m.** 609 Morris St., Alexis Perch is seeking a Special Exception from §190-38B for a General Home Occupation, to convert her garage into a salon. This property is in a Medium Density Residential Zoning District.

**Witnesses:** Alexis Perch, Applicant, Stephen Melick, 609 Morris St.

**Action:** Peg Kennedy made a motion to approve the home occupation for a salon as shown on exhibits A-3 and A-4 in the event the garage would be expanded in the future. Appointments will be for one individual at a time with no overlaps. The hours will be Wednesday, Thursday and Friday from 2-8 and every other Saturday from 9-3. The motion was seconded by Cherie Kavanaugh with the motion passing by a vote of 4-0.

**17-21 7:10 p.m.** 160,200 and 220 Commerce Lane, Charles Chrin from Charles Chrin Real Estate Trust is seeking an interpretation or in the alternative a variance from the following sections;

§190-276.B(8)-The applicant seeks an interpretation that the specific requirements listed for distribution centers in the North End Business Zoning District are the only specific requirements that need to be met. Additional requirements for distribution centers are listed within Article XX of the Palmer Township code that the applicant feels do not apply, since distribution centers are permitted by right within the North End Business Zoning District. If the Zoning Board does not provide a favorable interpretation and determines all the specific requirements listed for distribution centers need to be met (not just the requirements listed in the North End Business District) the applicant is requesting variances from §190-210.B.33 (b,c,g,j) in Article XX of the Palmer Township Code.

§190-281.B(1)-The applicant is seeking an interpretation that portion of the lot along Commerce Lane is considered a side yard. The definition of front yard (§190-13) states the applicant may choose which is the front yard when a lot abuts two or more public streets. If the Zoning Board determines the property along Commerce Lane is a front yard the applicant is requesting a variance from §190-281.B(1) to have truck parking/loading and unloading areas in the front of the building.

§190-150.A.2.b-The applicant is requesting a variance to have a construction area in an existing right-of-way/easement for overhead electrical lines.

All the lots are in the North End Business Zoning District.

**Witnesses:** Jim Chrin Jr., Charles Chrin Real Estate Trust, Tim Charlesworth Atty., Fitzpatrick, Lentz and Bubba, Keith Ottes, Langan Engineering, Chris Hermance, Carson Companies

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**Action:** Emilio DeNisi made the following motions:

-The interpretation of the ordinance should be that all specific sections listed within §190-276.B(8) and §190-210.B.33 of the ordinance apply for distribution centers. Since the applicant did not receive a favorable interpretation regarding the specific sections of the ordinance, the requested variances from sections §190-210.B.33 (b,c,g,j) are granted.

-A favorable interpretation was given to designate McFadden Rd as a front yard and Commerce Lane as a side yard, since no designation was given by the Zoning Officer.

-§190-150 A.2.b does not apply in this case and a variance has been granted to have a construction area in a sanitary sewer easement that will be re-located as part of the project.

The motion was seconded by Charles Roseberry with the motion passing by a vote of 4-0.

Having no further business to discuss, the meeting was adjourned at 8:45 p.m.

James F. Raudenbush  
Zoning Officer