

MINUTES OF ZONING HEARING BOARD MEETING

The Zoning Hearing Board of Palmer Township met on Tuesday, October 3, 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, Cherie Kavanaugh Board Member, Kris Grube Board Member, James Raudenbush Zoning Administrator, Court Reporter Ted Rewak. Emilio DeNisi Board Vice Chairman and Peg Kennedy Board Member were absent.

Cherie Kavanaugh made a motion to approve the minutes from September 6, 2017. The motion was seconded by Kris Grube and the minutes were approved by a vote of 3-0.

17-22 7:00 p.m. 326 Old Orchard Dr., Ronald and Sharon Bernhardt are seeking a variance form §190-33 G (1) to build an addition that would have a rear yard setback of 15'. A rear yard setback of 35' is required in a Low Density Residential Zoning District.

Witnesses: Ronald and Sharon Bernhardt, Applicants, Tom Schlegel, Atty. Fitzpatrick, Lentz and Bubba

Action: Charles Roseberry made a motion to deny the requested dimensional variance for the rear porch roof. The motion was seconded by Kris Grube with the motion passing by a vote 3-0

17-23 7:10 p.m. Parcel #J8-27-A1 (Main St. between Rt. 33 and Trolley Line Dr.) located within the Main Street Commercial Overlay District. Charles Chrin Real Estate Trust is requesting variances from the following sections:

- §190-297.D.(1) to have buildings that would exceed the 15' maximum setback from the future right-of-way of a public street.
- §190-300.A.2 to have off street parking areas in the front yard. Off street parking areas are required to be in the side or rear yard.
- §190-296.A.(3) to have stacking for a fast food restaurant drive thru lane that will not be able to accommodate 10 cars. The proposed drive thru lane has roughly 175' of stacking space.
- §190-170.A to not provide off street loading facilities/zones for the proposed fast food restaurant and convenience store.

Witnesses: Jim Chrin Jr., Charles Chrin Real Estate Trust, Tim Charlesworth Atty., Fitzpatrick, Lentz and Bubba, Keith Ottes, Langan Engineering, Charles Young, 33 Glasgow Way

Action: Separate motions were made on the above sections.

§190-297.D.(1)-Charles Roseberry made a motion to approve the requested setbacks for Buildings A1, B1 and D1 as shown on exhibit A-2 at the time of the hearing. The buildings can be moved within 5% of the setbacks shown on exhibit A-2 without needing further zoning board approvals. The motion was seconded by Kris Grube with the motion passing by a vote of 3-0.

§190-300.A.2-No additional approvals were needed from this section since the Zoning Board previously approved a plan that showed parking in the front yard.

§190-210.B.(8)-Charles Roseberry made a motion to approve the proposed car wash, since it met all the specific conditions listed within the zoning ordinance for car washes.(not just within the base zoning district) The motion was seconded by Cherie Kavanaugh with the motion passing by a vote of 3-0.

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§190-296.A.(3)- The applicant was able to comply with the stacking requirements and no longer needed a variance from the section

§190-170.A- Charles Roseberry made a motion to approve the request for no loading zones for the fast food restaurant (Building B1 on exhibit A-2) and convenience store (Building C1 on exhibit A-2). The fast food restaurant shall schedule deliveries between the hours of 12 a.m. and 9 a.m. since the proposed tenant does not offer breakfast. If the fast food restaurant tenant/or new tenant in the future decides to offer breakfast, deliveries shall be completed prior to opening for breakfast. Deliveries for the convenience store shall be made between the hours of 10 p.m. and 6 a.m. to avoid conflicts with customers. The motion was seconded by Kris Grube with the motion passing by a vote of 3-0.

Having no further business to discuss, the meeting was adjourned at 9:00 p.m.

James F. Raudenbush
Zoning Officer