

# ZHB MINUTES OF MARCH 10, 2011

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The Penn Township Zoning Hearing Board (ZHB) met on Thursday March 10, 2011, at 7:00 p.m. in the Penn Township Municipal Building to conduct a hearing concerning PTMA Zoning Hearing, Docket Number 2011-01. A list of visitors is on file in the Township Office.

Secretary conducted the roll call of the ZHB.

Present: David Clark, Member  
Larry Watts, Alternate  
Lenny Sizer, Zoning Officer (ZO)  
Dennis Shatto, Zoning Solicitor  
Helen Klinepeter- Secretary

## HEARINGS

### Century Link Variance Request, Docket 2011-02

The ZHB opened the hearing at 7:00 p.m.

See Transcript for testimony.

**Visitors Sworn In:** Tom Englerth, Brian Maguire, Donald Bucher, Helen Klinepeter, and Lenny Sizer

### **Evidence Submitted:**

Applicant:

1 PennDOT Highway Occupancy Permit

Mr. Englerth explained that Century Link would like to place a pad and relay box for broadband use, fiber optic and a booster site. Mr. Englerth offered that the PennDOT HOP is in the land owner name as per regulations. He continued that the easement is forty feet wide and fifty-six feet deep. The pad measures ten feet by fifteen feet. The pad would be placed 25 feet from the eastern property line. The cabinet is three feet high and measures two feet by four feet. The parking area is for the use of field maintenance people. There would be room for one or two vehicles.

The placement of the pad in relation to the setbacks of the easement is a very small margin due to the necessity of the pad being within a set distance from the utility pole. A discussion on the possible relocation of the pad commenced.

A discussion commenced on the stream easement and the proximity of the pad. The ZO offered the Township Engineer has classified that the drainage area as a stream. Mr. Englerth offered that the stream is not listed the FEMA Floodplain Maps. Mr. Englerth states that stream/drainage area only goes to the back of the property line and that the low point of the property is in the back of the property. The ZO offered that this issued needs to be reviewed.

The ZHB went into executive session from 7:35 p.m. until 7:53 p.m. Upon a Clark/Watts motion, the ZHB granted the variance Section 806 of the front and side yard setback with the a revised drawing of the twenty-five foot setback from the bank

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After discussion, and upon a Clark/Watts motion, the ZHB voted unanimously to close the hearing at 7:55 p.m.

### Cornerstone Christian Church, Docket 2011-03

The ZHB opened the hearing at 7:56 p.m.

See Transcript for testimony.

**Visitors Sworn In:** To Englerth, Brian Maguire, Rock Morrison, Vince McCollum, Helen Klinepeter, and Lenny Sizer

Mr. Morrison offered that they are requesting a variance for the height of the sign from six feet to six feet four inches, square footage of the sign from forty feet to forty-eight feet, allowing sequential signs. He continued that the right-of-way from SR274 is fifty-five to sixty feet. The size of the sign would be a total of thirteen feet due to the downward slope of the ground. Mr. Morrison offered that would like the sign to be illuminated from 6:00 a.m. until 11:00 p.m. The rest of the time, the sign would be dimmed.

Mr. Maguire offered that the Board of Supervisors is not against the granting of the variance for the size and height of the sign, but would ask the ZHB to limit the illumination of the sign to twelve hours.

The ZHB went into executive session from 8:15 p.m. until 8:40 p.m. Upon a Clark/Watts motion, the ZHB granted the variance Section Table 2 with the conditions that the sign shall be lit not more than 12 total (not necessarily consecutive) hours per day and that the applicant shall maintain strict conformance with the testimony, plans and evidence present to the Board.

Upon the completion of all business, and upon a Watts/Clark motion, the ZHB voted by majority to adjourn the hearing at 8:45 p.m.

### MINUTES

Secretary present the minutes of January 13, 2011 for approval. Upon a Clark/Watts motion, the ZHB voted to approve the minutes.

Upon the completion of all business, and upon a Watts/Clark motion, the ZHB voted by majority to adjourn the hearing at 8:50 p.m.

Respectfully Submitted;

Helen Klinepeter  
ZHB Secretary