

**MINUTES OF THE MEETING OF THE  
UPPER ALLEN TOWNSHIP ZONING HEARING BOARD  
October 13, 2022**

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The October meeting of the Upper Allen Township Zoning Hearing Board was called to order by Vice-Chairperson, Christopher Gleeson at 6:36 p.m. on Thursday, October 13, 2022. The following board members were present, Gerald Schultz and Paul Rigney. Also present was the Zoning Hearing Board Solicitor Christopher Fisher

**MINUTES**

A motion was made by Mr. Schultz and seconded by Mr. Rigney to approve the Minutes from the September 8, 2022 meeting. A roll call vote was taken and passed unanimously (3-0).

**OLD BUSINESS**

**VARIANCE NO. 22-07 Ted & Robin Hoffman, 127 Nittany Drive.**  
**Variance under Section 245-17.1(D)**

Applicant is requesting a Variance under Section 245-17.1(D), to allow for a driveway that exceeds the 24-foot maximum driveway width at the street right-of-way that is permitted by code.

This meeting was continued from the September 8, 2022 Hearing.

Ted & Robin Hoffman are the owners of 127 Nittany Drive. Letter from Township Stormwater entered as Township Exhibit 1. Mr. Hoffman was sworn in to testify. Questions that if the Township decides to redo the road, the Twp would then want to cut up the driveway. Worried that if he was required to remove driveway possibly. Board responds broadly this letter is a recommendation only and clarify that it would not necessarily have to be removed. However once Twp repairs the stormdrain, the Twp may decide that the driveway extension is no longer needed and/or would not be responsible for any repairs to the driveway.

The Board went into Executive Session at 6:52pm. The board returned from Executive Session at 7:13pm. The purpose of the Executive Session was for deliberation.

After discussion on motion duly made by Mr. Rigney and seconded by Mr. Schultz, it is:

RESOLVED, that the Applicant's request filed to case no. 22-07 for a Variance under Section 245-17.1(D), is hereby approved. Until such time as stormwater management is resolved sufficient to remove the issue.

The Applicant shall further comply with all applicable township, state and federal rules, regulations, ordinances, and law.

(Motion carried unanimously)

**NEW BUSINESS**

**VARIANCE NO. 22-08 Antonino Purpura, 2210 Aspen Drive.**  
**Variance under Section 245-6.4.C(1) and 245-16.5.C and 245-16.5.F(3)**

Applicant is requesting a Variance from 245-6.4.C(1) and 245-16.5.C to allow for proposed building expansion inside the 30 foot front yard setback and 30 foot buffer yard. Applicant is also requesting a Variance from 245-16.5.F(3) to allow an access drive at an increased horizontal angle across a buffer yard with turning and maneuvering ability for vehicles that exceeds code allowances.

Michael C. Welt, Zoning / Codes Officer, announced that public notice was given, as required by law by publication in The Sentinel on September 30, 2022 and October 6, 2022, and the property was also posted, and neighboring properties were notified by certified mail.

Antonino Purpura is the owner of 22-08 Aspen Drive. Antonio Purpura was sworn in to testify. Chris Hoover was sworn in to testify. Mr. Hoover states Mr. Purpura intends to expand the existing building to the rear approximately 22'. Due to the geometry of Aspen Drive, it creates an encroachment. Township requested additional 20' ROW be dedicated to Twp after closing an open swale. This land was taken by the Twp and has narrowed this lot. This plan has not gone before the PC yet.

Mr. Fisher asks that JoJo's is there. Applicant is looking at putting in a 2<sup>nd</sup> restaurant. Would this be a 2<sup>nd</sup> owned by you? Mr. Purpura. Yes the other one would be owned by my brother. JoJo's is a pizza shop? Purpura: Yes. And the other one would be a casual restaurant similar to a Friday's.

Mr. Fisher: You now own both parcels? Purpura: Yes. Hoover: The lots are now one parcel.

Hoover: The plan presented shows the consolidation and the setbacks are accurate.

Mr. Rigney asks if they have sufficient parking. Hoover: New ordinance is more lenient, and the parking is compliant and sufficient.

Rigney: You have more spots than you need? Why not cut back on the new parking? Hoover: Practically want to have more parking to make sure we have enough parking for future.

Mr. Gleeson asked Mr. Welt about Township issues. Mr. Welt said we have none with the request generally, but there are issues with the stormwater easement to the back that will need to be resolved.

Joel Buser was sworn in to testify. Mr. Buser lives at 2207 Aspen Dr. Mr. Buser is in favor of the driveway coming out on Mimosa so vehicles aren't exiting facing his home. Also have no issue with building expansion request.

LuAnne Glessner was sworn in to testify. Ms. Glessner lives at 2198 Spring Run Drive. Ms. Glessner says Aspen is busy already and you are taking your life in your hands walking it. There

are a lot of kids in the neighborhood now. Also the stormwater coming down the powerline area is heavy, and adding more hard surface will probably add to stormwater problem. Don't know what kind of tree you can get that would be tall and wide enough to fit in for screening.

The Board went into Executive Session at 7:50pm. The board returned from Executive Session at 8:07pm. The purpose of the Executive Session was for deliberation.

After discussion on motion duly made by Mr. Schultz and seconded by Mr. Rigney, it is:

RESOLVED, that the Applicant's request filed to case no. 22-08 for a Variance under Section 245-6.4.C(1) and 245-16.5.C, is hereby approved.

RESOLVED, that the Applicant's request filed to case no. 22-08 for a Variance under Section 245-16.5.F(3), is hereby approved.

The Applicant shall further comply with all applicable township, state and federal rules, regulations, ordinances, and law.

(Motion carried unanimously)

### **OTHER BUSINESS**

There being no other business, the meeting was adjourned at 8:08 pm.