

MINUTES
AND ADMINISTRATIVE RECORD
New Holland Zoning Hearing Board
September 26, 2022

The New Holland Borough Zoning Hearing Board met on Monday, September 26, 2022 at 7 p.m. in Borough Hall. Chairperson John M. Taylor called the meeting to order and took the roll of members. One other member was present, Vice-Chairman Kenneth C. Wright. Member Charlene Richardson was absent. Also present were Board attorney Robert Sisko of Morgan, Hallgren, Crosswell and Kane, Zoning Officer J. Richard Fulcher, stenographer Jenna Ferenz, applicant Ruth Carey-Hench and Borough resident Jeffrey Lyons.

Ken Wright made the motion that the Minutes and Administrative Record of the Board for its meeting of August 22, 2022, be approved. This was seconded by John Taylor and passed.

Chairman Taylor then opened the Hearing portion of the meeting. He stated there is one case to be heard this evening, number 465-9-22, the request of Ruth Carey-Hench of 307 Willow Lane, New Holland, for a Special Exception to allow the customary in-home occupation of a professional therapeutic massage business at 307 Willow Lane, New Holland. The property is in the Borough's R-1 zoning district. He outlined the purpose and function of the Borough's Zoning Hearing Board and the process and timeframe related to it. If necessary, the Board has up to 45 days within which to make a decision after the close of a hearing. He then swore-in/affirmed Zoning Officer Fulcher and applicant Ruth Carey-Hench for testimony.

Zoning Officer Fulcher stated that 307 Willow Lane is in the Borough's R-1 zoning district. The request for a Special Exception for the customary home occupation of a therapeutic massage business is required under Section 3.1.E(3) of the Borough's zoning ordinance. The hearing was properly advertised and property posted.

The applicant stated she is Ruth Carey-Hench, owner of 307 Willow Lane, New Holland, Pennsylvania. Her request is for a Special Exception to allow a professional therapeutic massage business out of her residence which is 307 Willow Lane. She has prepared and submitted a packet of information with her application for the Board's review.

Chairman Taylor requested the stenographer mark the packet of case information as prepared by the applicant as Exhibit 1 of the Hearing; noting it consisted of seven single sided pages.

Ruth Carey-Hench then continued stating she has had a similar business in the Borough in the 200 block of East Main Street. She is hoping to slow down her pace by purchasing the residence at 307 Willow Lane to reduce her activities.

Member Wright asked about on-site parking availability for customers.

Ruth Carey-Hench stated her property has room for two customer cars in her driveway and hers would be in her garage at this location. As cited in her information packet she is only going to schedule people with a minimum of one-half hour between the end of an appointment and next appointment. This should prevent any customer parking concerns.

Chairman Taylor inquired about the proposed sign requested to be utilized.

Ruth Carey-Hench stated the size requested is 18" x 20", slightly different than the usual two square feet size.

Attorney Sisko inquired if the requirement of the area in use for the massage therapy room was identified as within the maximum 25 percent. The finished house indicates 1,048 square feet. He is unclear of the room size to be used.

Ruth Carey-Hench stated it is only the one room to be used, which she estimates is a maximum 12' x 14'; lower than the 25 percent maximum.

Zoning Officer Fulcher stated he inspected the structure prior to occupation and the Hearing and believes the applicant's estimate is about correct. He inspected it but inadvertently forgot to get the exact dimensions for the file. The room being used is a simple spare bedroom.

Member Wright stated he also inspected the structure looking for various use and safety concerns related to such a public use. He agrees, noting that only from his on-site inspection, it is not an overly large area being used for the business. He also does not feel it would be consistent with the neighborhood to remodel the structure for a separate outside entrance and walkway for the use as requested.

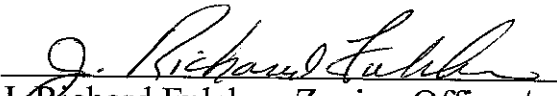
There being no other comment or testimony, the Hearing portion of the meeting was closed.

Member Ken Wright then made the motion that the request for a Special Exception to operate a therapeutic massage business at 307 Willow Lane, New Holland, be granted; based on the information, exhibits and testimony provided and sections 1607.1 and 1607.2 of the Borough's zoning ordinance. This was seconded by John Taylor and passed.

The Special Exception was granted.

The meeting adjourned at 7:21 p.m.

16 Nov. 2022
Date Approved


J. Richard Fulcher, Zoning Officer/
Recording Secretary