

**PAXTANG BOROUGH
PUBLIC HEARING
3423 Derry Street
March 21, 2023**

COUNCIL MEMBERS PRESENT

Council President	Kathleen Bloss
Council Vice President	Christopher Spackman
Council President Pro Tempore	Jack Thomas

Mayor	Nathan Martin
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Councilman Wingert
Councilwoman Britten
Councilman Fillman

COUNCIL MEMBERS ABSENT

Corbin Bower

BOROUGH OFFICIALS

Manager	Keldeen Stambaugh
Solicitor	Joshua Bonn
Zoning/Codes	Robert Ihlein

PRESENTORS

Mr. Ambrose W. Heinz, Esquire – Stevens and Lee Law Firm
Mr. Bill Gladstone – The Bill Gladstone Group
Robert Ihlein – Zoning/Codes Official

President Bloss called to order this evening's meeting at 6:00 p.m. stating Council would be conducting a Public Hearing pursuant to Section 609 of the Municipalities Planning Code to present and hear comments on a proposed amendment to the Paxtang Zoning Ordinance. Luis Florendo and Gerry Florendo have submitted a petition to modify the residential density requirements in the Mixed Neighborhood Business Zoning District. The proposal is to eliminate the cap on the total number of dwelling units on a lot and reduce the minimum lot area per unit. This will permit the petitioners to convert the building known as the Dauphin Deposit Building (3607 Derry Street) from an office building into an apartment building. Representing Luis and Gerry Florendo is Attorney Ambrose W. Heinz of the law firm Stevens and Lee. Mr. Robert Ihlein, Zoning Officer for the Borough would present actions taken by the Borough to review said petition to ensure compliance with Borough Ordinances. Public comment will then be entertained. If Council favors the petition, it may enact the proposed ordinance at tonight's regular business meeting at 7:00 p.m.

Identifying documents for the Record of Proceedings are as follows:

1. Petition for Zoning Text Ordinance Amendments – Submitted January 13, 2023
2. Dauphin County Planning Commission Comment Letter – Issued March 6, 2023
3. Zoning Comment Letter – Issued March 17, 2023
4. Proof of Publication of Public Notice Published in the Hummelstown Sun – March 2, 2023, and March 9, 2023

5. Minutes of Public Hearing

6. Minutes of Council Regular Meeting

Mr. Ambrose Heinz proceeded with the following presentation on behalf of this clients, Luis and Gerry Florendo:

Mr. Heinz stated his clients are under contract to purchase the Dauphin Deposit/Nationwide Insurance building. The proposal is to convert existing offices into residential units on the second and third floors with the first floor offering commercial service related amenities geared towards residents. The proposal would remove the 5 unit per lot limitation and reduce the minimum lot size requirement to 1,800 square feet. Improvements to the exterior of the building would be submitted through a Land Development Plan to be filed at a later date. Apartments would be geared towards Senior Citizens but not necessarily confined to Seniors and not that of a nursing home facility.

Mr. Robert Ihlein, Zoning and Codes Officer proceeded with the following presentation:

Mr. Robert Ihlein stated tonight's meeting would reference an amendment to the Borough Zoning Ordinance as petitioned and initiated by Luis and Gerry Florendo. Mr. Ihlein believed the request was worthy of Council's consideration which would make it possible for the developer and new owners to move ahead with their intended project.

Councilman Fillman entered at this point 6:13 p.m.

Mr. Ihlein was of the opinion that the proposed development of apartments and service-related businesses would create economic growth, acknowledged procedures as required under the Municipalities Planning Code have been accomplished, the hearing was advertised noting that Council would be considering an action later this evening, and review recommendations were submitted by the Dauphin County Planning Department as well as by Mr. Ihlein. Mr. Ihlein believed the proposed text amendment and planned conversion project is consistent with the purpose of the Mixed Neighborhood Business Zoning District and that everything was in order for Council's consideration.

Mayor Martin stated while he was in favor of the proposed project, he requested Mr. Ihlein explain, for the benefit of those attending the meeting, why the change to the present ordinance was needed in order for the project to go forth.

Mr. Ihlein stated if one were to have an interest in a different type of use that was not permitted in a particular zoning district, applicants could choose to follow through with a variance and meet before a Zoning Hearing Board. The applicant would present their hardship as they would be seeking something currently not permitted, and then anticipate a favorable conclusion from members of the Board. Another approach for applicants to consider would be to petition Council to alter or change an ordinance to accommodate their needs as was chosen by Luis and Gerry Florendo.

While Councilman Wingert stated he was in favor of the proposed apartments, he voiced his concern with the possibility of a sub division with sub ownerships. Mr. Ihlein stated he had no information on this matter. Mr. Gladstone stated there has been no statements regarding condominiums. Mr. Heinz stated there has not been any discussion other than that of apartments. Mr. Ihlein mentioned the property could be sold at a future date and to be attentive to property and maintenance issues.

Vice-President Spackman stated he was in favor of the proposed apartments and asked if the change to the ordinance could create an opportunity for more apartment buildings as growth would be beneficial to the Borough. Mr. Ihlein stated the area in question encompasses a relatively small area of the eastern edge of the Borough. President Bloss stated there could be the potential for the demolition of the property at a future time.

Mr. Ihlein stated the petitioners are requesting the change to the current ordinance to accommodate their needs. With the change, this section of the Borough would be the most densely populated property at the present time. The positive side would be that it would provide housing for senior citizens, is on a public transit route, has access to amenities, is close to Harrisburg City, is situated at a favorable location, and would be a beneficial asset to the Borough.

AUDIENCE PARTICIPATION

President Bloss opened the floor for those wishing to share comments on matters relating to this evening's meeting. Hearing none, President Bloss proceeded with the meeting.

ADJOURNMENT

*1) Councilman Thomas made a motion to close the record and adjourn the public meeting. Motion seconded by Vice-President Spackman. Motion carried. Meeting adjourned at 6:25 p.m.

Faye Clark, Secretary

1.Adjourn