

Meeting Minutes of the
SILVER SPRING TOWNSHIP ZONING HEARING BOARD

June 8, 2026

6:00 P.M.

The meeting was brought to order at 6:00 P.M.

I. Attendance

A roll call of members was taken for the Zoning Hearing Board (“Board”). Present members were Chairman, Donald Franklin, Vice-Chairman, Richard Maffett, Darrell McMillan, Ryan Siney, and James Hall along with Kayla Zizzi, Esquire of Tucker Arensberg, P.C., who served as solicitor to the Zoning Hearing Board.

Other Township Employees Present: Zoning Hearing Officer, Chelsea Leiby, Township Manager, Raymond Palmer, and Land Development Specialist, Scott Maldonado.

II. April Meeting Minutes

A motion was made to approve April’s Silver Spring Township Zoning Hearing Board Minutes by Vice-Chairman Maffet and seconded by Board Member Hall. The motion was approved unanimously.

III. New Business

1. Approval of Zoning Hearing Board Solicitor to Attend Meetings Remotely

A motion was made to approve the Zoning Hearing Board Solicitor to appear virtually for future meetings to accommodate the current Solicitor’s pending maternity leave. A motion was made by Board Member McMillan and seconded by Vice-Chairman Maffett. The motion was approved unanimously.

IV. Presentations

1. Variance 2026-3

Applicant and owner, Lois Jane Hoy (“Applicant”), sought variances from the rear and side yard setback and maximum impervious coverage requirements of 204.C of the Silver Spring Township Zoning Ordinance. The Applicant seeks to construct a Shed at her property located at 3 Pheasant Street, Mechanicsburg, Pennsylvania (the “Property”). The Property is located in the Residential Zoning District (R-1). Chelsea Leiby testified that the required legal notices were published and/or posted as required by law. Section 204.C of the Silver Spring Township Zoning Ordinance places the minimum side and rear yard setback requirements for an accessory structures at five (5’) feet and maximum impervious coverage at thirty-five (35%) percent in the Residential Zoning District (R-1). Applicant Lois Hoy was present and offered evidence and testimony in support of the Application, including but not limited to information relating to the change in zoning districts for properties located on the same street, hardships, and layout of the lot.

Questions were presented by members of the Board. Chairman Franklin opened the floor to public comment on the variance requests, and two residents presented comment. Maynard Bertolet, an abutting neighbor testified to his opposition of the Shed as being directly next to his fence. Another resident, William Zelner, testified his support to the Application citing the small nature of the lots on Pheasant Street.

The Board adjourned to executive session for quasi-judicial deliberations. After testimony on the Variance, a motion to approve the Application and Variance in part and deny the Application and Variance in part was made by Vice-Chairman Maffett and seconded by Board Member McMillan. The motion was approved unanimously.

2. Variance 2026-4

Applicants and owners, Daniel and Carolyn Stacks (“Applicants”) sought a variance from Section 301.1 of the Silver Spring Township Zoning Ordinance to construct a fence, which includes a portion in the front of the residence located at 24 Homestead Lane, Enola, Pennsylvania (the “Property”). The Property is located in the Rural Residential Zoning District (R) and any fences contained within the Rural Residential Zoning District must be a maximum height of three (3’) feet. Chelsea Leiby testified that the required legal notices were published and/or posted as required by law. Mr. and Mrs. Stacks were present and served as representatives for the application. In doing so, the parties presented evidence and testimony in support of the application. The parties elaborated on the layout, the nature of the Property being a through corner lot, easements, and proposed additions to the residence. Questions were presented by members of the Board. Chairman Franklin opened the floor to public comment on the variance request, and none were received. After testimony on the Variance, a motion to approve the Application and Variance was made by Board Member Siney and seconded by Board Member Hall. The motion was approved unanimously.

3. Public Comment

At the conclusion of the presentations, Chairman Franklin opened the floor to public comment to which none was received.

4. Review of Ordinance Amending Code to Provide for Data Centers in the General Industrial (I-2) Zoning District and Other Provisions and Criterial for Conditional Uses in the General Industrial (I-2) Zoning District

At the conclusion of the formal meeting, there was a discussion amongst the Board, Township Manager Ray Palmer, and Zoning Officer Chelsea Leiby regarding feedback, comments, and questions on the proposed Ordinance No. 01 of 2026.

Township Manager Ray Palmer indicated that the request for the review of the Ordinance came after an initial draft was presented by the Silver Spring Township Board of Supervisors (“Board of Supervisors”). Manager Palmer also indicated that the Board of Supervisors intended to take a more stringent look on noise control and engage with acoustic professionals. Based on this information, the Board of Supervisors are looking for any input from the Board, as there will likely be revisions to the Ordinance at the next meeting.

Chairman Franklin opined that he was aware of the Ordinance and the pending amendments to the General Industrial Zone but was pleased that noise was an issue that was going to be addressed. Chairman Franklin further stated that if noise experts were conducting testing with regard to data centers that they consider testing windows, the size of the facility, and backup generators and other structures creating additional noise.

Member of the public, Clarence Bouchat, also presented brief comment that Silver Spring Township is a densely populated area that continues to grow. Mr. Bouchat expressed concerns for the residential areas that abut the General Industrial (I-2) Zone and the impact that data centers will have on those areas.

V. Adjournment

Having no further matters or public comment, the meeting was adjourned by Chairman Franklin.

The meeting concluded at 8:00 PM.