

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting Minutes – November 9, 2021

The West Hempfield Township Zoning Hearing Board met in the meeting room of the West Hempfield Township Municipal Building at 3476 Marietta Avenue, Lancaster, PA, and remotely via Zoom videoconference. Board members Gary Lintner, Ciro Gambone, David Lounsbury, Daryl Peck and Carl Manelius were present. Also present were Solicitor Bernadette Hohenadel and Court Reporter Lisa Miller. Recording Secretary Judy Carrier attended remotely via Zoom.

Call to Order

Chairman Gary Lintner called the meeting to order at 7:30 p.m.

Approval of Minutes – September 14, 2021

- **Motion** was made by David Lansbury and seconded by Ciro Gambone to ***approve*** the minutes for the meeting held September 14, 2021 as presented. The motion carried (5-0).

Case 1321

Applicant: Dave and Heidi Dollhofer
Owners: Same
Description: Request for a Variance for Location of a pool Section 704.3.A
Location: 522 Norwood Road, Columbia
Zone: RR 5.80 Acres/252648.0 ft²

Chairman Lintner opened the Hearing for Case 1321. Solicitor Bernadette Hohenadel explained the procedures for the Hearing and confirmed that notice of the Hearing was duly advertised and posted in accordance with the PA Municipalities Planning Code and the West Hempfield Township Zoning Ordinance, proof of publication and photos of the property posting and all exhibits were marked and entered into the record. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

The applicants and owners of the property, Heidi and David Dollhofer, were sworn in. Heidi Dollhofer presented the Request for a Variance for Location of a Pool Section 704.3.A which states all private pools shall be located to the rear of the dwelling, and provided reasons why that is not feasible. They are requesting to locate a pool on the side of their dwelling located at 522 Norwood Road, Columbia, and presented a Proposed Inground Pool Plot Plan for placement of the pool on the side of the building, along with reasons why the plan is ideal. Following discussion and there being no further questions on comments, ***motion*** was made by David Lounsbury and seconded by Carl Manelius to ***approve*** Variance for Location of a pool Section 704.3.A for property located at 522 Norwood Road, Columbia, with the condition no portion of the pool or its accessories would extend beyond the front of the building. The motion passed (5-0).

Case 1322

Applicant: The Jay Group Inc.
Owners: Indian Springs Drive LLC/Dana Chryst
Description: Request for a Variance for maximum allowable sign size Section 708.9
Location: 700 Indian Springs Drive, Lancaster
Zone: I1 15.88 Acres/ 691732.8 ft²

Chairman Lintner opened the Hearing for Case 1322. Solicitor Bernadette Hohenadel explained the procedures for the Hearing. Township Manager Andrew Stern, filling in for West Hempfield Township Zoning Officer, Dwayne Steager, was sworn in and attested that notice of the Hearing was duly advertised and posted in accordance with the PA Municipalities Planning Code and the West Hempfield Township Zoning Ordinance, proof of publication and photos of the property posting and all exhibits were marked and entered into the record. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

Anna Ranck, Jay Group employee, was sworn in and presented Case 1322, Application for Zoning Variance Section 708 Sign Regulations, referring to the memorandum submitted by Dana Chryst, CEO, The Jay Group and Owner, Indian Springs Drive, LLC. At completion of testimony and discussion, **motion** was made by David Lounsbury and seconded by Ciro Gambone, to **deny** the application as presented. The motion carried (4-1) with Carl Manelius opposing.

Case 1323

Applicant: St Mary's Coptic Church of Lancaster
Owners: St Mary's Coptic Church of Lancaster
Description: Request for a Variance for structure height and/or interpretation of zoning ordinance Section 403.3.B.2.e
Location: 770 Summit Drive, Lancaster
Zone: TV 4.76 Acres/ 207345.6 ft²

Chairman Lintner opened the Hearing for Case 1323. Solicitor Bernadette Hohenadel explained the procedures pertaining to a Legislative Hearing, and informed that due to a conflict she would not be serving as the Zoning Hearing Board solicitor for this Hearing. She introduced Attorney Julie Miller, Russell Krafft Gruber LLP, who would be representing the Zoning Hearing Board for the hearing of this case. Township Manager Andrew Stern, filling in as Assistant Zoning Officer, was sworn in and, provided a signed statement from West Hempfield Township Zoning Officer Dwayne Steager, confirming that notice of the Hearing was duly advertised and posted in accordance with the PA Municipalities Planning Code and the West Hempfield Township Zoning Ordinance, proof of publication and photos of the property posting were marked and entered into the record. Mr. Stern testified that he was present when the statement was signed and confirmed all dates. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

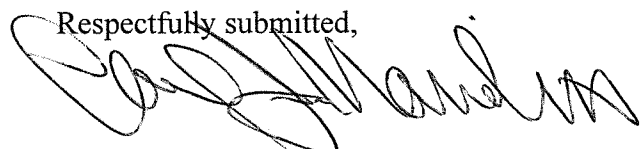
Jill Nagy, Counsel for St. Mary's, conducted the Hearing. All those wishing to provide testimony were sworn in. Attorney Nagy stated the purpose of the two witnesses, Awad Eskander, Design Consulting Architect who will describe the importance of the dome as being a landmark building

monument that adds character and balance to be architecturally feasible, and professor Christine Kalleeny, who will speak to the religious argument of the request. Township Solicitor Josele Cleary stated the Board was not given time to prepare. Township Manager Andrew Stern clarified the previous objection was not just the height but also the magnitude of the dome. Solicitor Cleary stated the Board of Supervisors was aware the applicant was requesting a variance for structure height before this Hearing and the Township is taking no position on the variance. However, the Township was not provided with any information on the religious argument prior to this Hearing and recommended the Zoning Hearing Board consider bifurcating. She then stated that the Township wishes to be recognized as a party to this Hearing and requests that the Zoning Hearing Board take administrative notice of the record and its decision of Case #1259. Copies were submitted to be marked as Township Exhibit #1. **Motion** was made by Carl Manelius and seconded by David Lounsbury to **admit** West Hempfield Township Zoning Hearing Board Exhibit #1. The motion passed (5-0).

A brief recess was taken by the Board at 8:33 p.m. to consult with their Solicitor. The Hearing resumed at 9:13 p.m. **Motion** was made by Daryl Peck and seconded by Ciro Gambone to **continue** Case #1323 Hearing, with testimony left open, to the December 14, 2021 Zoning Hearing Board meeting. The motion passed (5-0). The applicant was requested to provide updated exhibits and a view of what the building would look like.

Adjournment

There being no further business to come before the Board, Ciro Gambone **moved**, seconded by Daryl Peck and unanimously carried (5-0) to **adjourn** the meeting at 10:08 p.m.

Respectfully submitted,

Carl J. Manelius, Secretary