

**WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD**  
**Meeting October 13, 2020**

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 and Daryl Peck attended in person. Also attending in person were Zoning Officer Dwayne Steager; Township Manager Andrew Stern; Solicitor Bernadette Hohenadel and Court Reporter Kelly Ryan. Board Members David Lounsbury and Carl Manelius and 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 8, 2020**

**Motion** was made by Daryl Peck and seconded by Ciro Gambone to *approve* the minutes for the meeting held September 8, 2020 as presented. The motion carried unanimously (5-0).

**Case 1306**

Applicant: Archduke Investments LLC  
Owner: Joseph Pennino  
Description: Request for a Special Exception Substitution of nonconforming use Section 705.2.C  
Location: 4220 Fairview Road, Columbia  
Zone: R-2 - .17 acres/7,405 ft<sup>2</sup>

Chairman Lintner opened the Hearing at 7:35 p.m. and Solicitor Bernadette Hohenadel explained the purpose and procedures pertaining thereto. A court stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

The applicant, Archduke Investments LLC is the prospective purchaser of the property located at 4220 Fairview Road, Columbia, which is comprised of a legal non-conforming restaurant in one half and an apartment in the other, and wants to use the property in the same fashion. They are requesting a Special Exception Substitution of nonconforming use Section 705.2.C. to use the property as a base station for a food truck operation. The preparation work and kitchen would be on the property, and the truck would drive off the property to prospective locations. There is one (1) truck currently; however, at some point in the future, the property would be opened for a café-type eatery having not more than 15-20 seats. Two maps depicting the property were provided.

Christopher Sarno, Esq., Clymer, Musser & Sarno, was present representing the applicant and Joseph Pennino, Owner of the property, was also present. John Patrick, 4242 Fairview Road; Lee Singer, 4260 Fairview Road; and Mark Radkey, 795 Prospect Road, were present and requested party status. There were no objections and all three were unanimously approved to have party status and were sworn in by motion of Daryl Peck, seconded by Carl Manelius. Solicitor Hohenadel confirmed with Township Zoning Officer Dwayne Steager, that the Hearing was properly advertised, the property was duly posted and all exhibits were entered into the record.

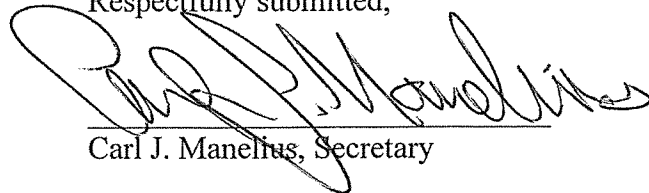
Attorney Sarno presented the Case. Following testimony, questions and comments were heard from the Board and various members of the audience. It was determined that further information is required and the applicant was asked to come back to the next Zoning Hearing Board meeting with a revised application that provides a more detailed analysis of the parking requirements and availability that will address the concerns of the Board, a better analysis of the available parking spaces in the parking area and how parking can reasonably be facilitated on this property i.e., a good estimate of how many parking spaces are required for number of employees working, owner parking, residential parking; and amended to address the residential use. The new application must be submitted by 12:00 noon Monday, October 19, 2020 to be on the agenda for the November 10<sup>th</sup> meeting. This was agreeable to the Applicant.

**Motion** was made by David Lounsbury and seconded by Ciro Gambone to *Continue* the Hearing for Case #1306, Archduke Investments LLC, to November 10, 2020, with the testimony left open and the instructions given to the applicant to return with further information. The motion passed (5-0).

**Adjournment**

There being no further business to come before the Board, **motion** was made by Carl Manelius and second by Gary Lintner to *adjourn* the meeting at 8:54 p.m. The motion carried unanimously (5-0).

Respectfully submitted,



Carl J. Manelius, Secretary