

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting Minutes December 8, 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 Rhonda Adams. 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 – November 10, 2020

Motion was made by Daryl Peck and seconded by Ciro Gambone to *approve* the minutes for the meeting held November 10, 2020 as presented. The motion carried unanimously (5-0).

Case 1308 Amended

Applicant: Rob and Colleen Murphy

Owner: Same

Description Request for a Variance to Section 305.3.A.1 minimum lot size, a Variance to 305.3.B for road frontage and a Modification of a Subdivision Plan Note confirming that the parcel can be subdivided.

Location: 490 Norwood Road, Columbia

Zone: R-R - 11.9 acres/518,364 ft²

Chairman Lintner opened the Hearing for Amended Case 1308. Solicitor Bernadette Hohenadel advised that this case had been continued from last month to this month and since that time there has been some discussion concerning a plan note from a previous plan that needs to be analyzed and considered and determined by the Board of Supervisors. Mr. and Mrs. Murphy were not present. Through written correspondence from their counsel Dwight Yoder, they requested a continuance until the January 12, 2021 Zoning Hearing Board meeting, which will give them an opportunity to address this issue and resolve it with the Board of Supervisors. They have agreed to an extension of time within which the Board would act on their application. Following discussion, **motion** was made by David Lounsbury and seconded by Carl Manelius to *continue* Amended Case 1308, Rob and Colleen Murphy, to the January 12, 2021 Zoning Hearing Board meeting. The motion passed (5-0).

Case 1311

Applicant: Sheldon Smoker, Smoker Design Build

Owner: John M and Tracie Thorsen

Description Request for Special Exception for Echo Housing, Sections 303.2.b, 702.9, 1005.3.

Location: 3489 Coronet Ave, Lancaster

Zone: R2 – .45 acres/19,602 ft²

Chairman Lintner opened the Hearing for Case 1311, Smoker Design Build, at 7:34 p.m. Sheldon Smoker, Smoker Design Build, was present on behalf of John and Tracie Thorsen, to provide testimony and was sworn in. There were no requests for party status. A court stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

Smoker Design Build is seeking a special exception for Echo Housing, Sections 303.2.b, 702.9, 1005.3 for property located at 3489 Coronet Ave, Lancaster for John Thorsen's father. Mr. Smoker presented the case utilizing the exhibits and design plans that were submitted with the application. He explained the plan to convert the existing garage, doing interior renovations to create living space, and also putting a small addition on the side of the house to enlarge some of that living space and also provide a small extension to the existing home in that the laundry room is being moved out into the addition.

There was some confusion regarding the plans that was clarified during discussion of the square footage, the shared laundry room and status of the chimney and kitchen. The Board agreed the laundry room can remain as it is an original part of the house and not added square footage for the Echo Housing. Mr. Smoker confirmed the chimney will remain, a cooktop is planned in the kitchen, there is sufficient parking in the existing driveway, and all utilities will be tied into the existing home which is served by both public sewer and water. Revised plans have been submitted to the Township as part of the permit package and should they be required, they would be made readily available to the Township. Mr. Steager will add a copy to the file. Solicitor Hohenadel confirmed with Mr. Smoker that Mr. and Mrs. Thorsen are aware that once this ceases to be in use as Echo Housing, the cooking appliance will have to be dismantled.

No one in the audience or via Zoom, other than the applicant and their representatives, wished to speak on this application. Dwayne Steager was sworn in and attested that the Notice of the Hearing was published as required by the Municipal Planning Code, the property also was posted with Notice of the Hearing, and to the marking and entry of exhibits and design plans into the record.

There being no further comments or questions, **motion** was made by Ciro Gambone and seconded by Daryl Peck to *approve* the request for construction of Echo Housing on the property at 3489 Coronet Avenue, with the condition that when said use is no longer needed, any cooking appliance is removed. The motion passed (5-0) and the Hearing for Case 1311, Smoker Design Build, was closed at 7:48 p.m.

Case 1312

Applicant: Dave Costello
Owner: Gregory E & Joan L Reichardt
Description: Request for a Variances to Section 303.3.B for lot width and 707.2.B access drive and driveway design for a proposed development
Location: 3809 Concordia Rd. and 3835 Concordia Rd
Zone: R2 – 9.6 acres/418,176 ft²
R2 – 12.5 acres/544,500 ft²

Chairman Lintner opened the Hearing for Case 1312, Dave Costello, at 7:49 p.m. Solicitor Bernadette Hohenadel explained the purpose and procedures applying to the Hearing and Dwayne Steager attested that Notice of the Public Hearing was properly advertised as required by the MPC, the property was properly posted as required by the MPC, the Township has copies of the advertising and posting, and all exhibits have been marked and entered into the record. Several neighbors requested party status and there were no objections. Individuals testifying and those requesting party status were sworn in. A court stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

Attorney Seth Hiller, Blakinger Thomas, conducted the Hearing on behalf of the Applicant and Todd Vaughn, Sr. Project Manager, David Miller/Associates, provided testimony. Following Mr. Vaughn's testimony, Andrew Stern, Township Manager, was sworn in and testified to the Township's position, stating that the Township Staff and Engineer walked the site and met on-site with the applicant, Mr. Costello. They modeled a similar plan that turned out very well, encouraged the shared driveway, and are happy that they have significantly reduced the project, and have come to the Zoning Hearing Board with a request for variances to make this a better project. He commended the applicant for going through these extra steps.

The applicant is also requesting to amend the application to request a one-year extension of time to give adequate time to go through the subdivision planning process. Attorney Hiller respectfully asked that the Board consider the application on its merits, look favorably on the variance requests and accept the request for extension of time. Solicitor Hohenadel stated the request to amend the application to request the extension of time is not unreasonable, it would not need to be advertised, and the Board could initial and date this request on the application.

The Hearing was then opened to the Parties. Number of lots, type of residences, stormwater issues, public water service and hook-up requirements were addressed and related exhibits were marked and made part of the Record. Solicitor Hohenadel re-confirmed with Mr. Steager that all advertising and posting requirements for the Hearing have been met. There was no public comment. After discussion among the Board, the following actions were taken:

- Amendment to add time extension
Motion was made by Daryl Peck and seconded by Ciro Gambone to **allow** the extension of time to be added to the application, pursuant to Section 1005.4.G. The motion passed (5-0).
- Variance – lot size and street frontage
Motion was made by Carl Manelius and seconded by David Lounsbury to **grant** the variance of 50 feet, pursuant to section 303.3.B, for lots 3, 4, 6 and 7, and the lot at 3835 Concordia Rd., the existing dwelling unit to the west, to allow lots to be created that do not have street frontage and to create lot size for said units as depicted on the Plan. The motion passed (5-0).

Motion was made by Ciro Gambone and seconded by Gary Lintner to **allow** the lot for the existing dwelling at 3835 Condordia Road, to be considered as a non-conforming lot with no street frontage. The motion passed (5-0).

○ Access drive and driveway design

Motion was made by Daryl Peck and seconded by Ciro Gambone to *allow* the creation of a shared driveway, section 707.2.B, to allow an access drive and driveway design for the development, lots 1, 2, 3, 4, 5, 6, 7, as set forth in the proposed plan, with the understanding that everything be carried out as depicted on the submissions and that there will be an Owners Agreement at some point of time. The motion passed (5-0).

○ Extension of Time

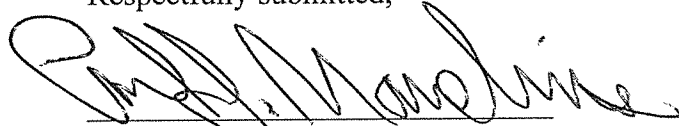
Motion was made by Daryl Peck and seconded by Ciro Gambone to *grant* a one-year extension of time, Section 1005.4.G, to allow the construction to take place. The deadline would be the December 2022 Zoning Hearing Board meeting. The motion passed (5-0).

The Hearing for Case 1312, David Costello 3809 Concordia Road and 3835 Concordia Road was closed at 8 :54 p.m.

Adjournment

There being **no** further business to come before the Board, **motion** was made by Daryl Peck and seconded by Ciro Gambone to *adjourn* the meeting. The motion passed (5-0) and Chairman Lintner *adjourned* the meeting at 8:55 p.m.

Respectfully submitted,



Carl J. Manelius, Secretary