

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting of August 11, 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 and Board Members David Lounsbury and Carl Manelius, and Solicitor Edward Browne participated remotely via Zoom. Also in attendance were Zoning Officer Dwayne Steager, Township Manager Andrew Stern, Recording Secretary Judy Carrier via Zoom, and Rhonda Adams, Court Stenographer.

Call to Order

Gary Lintner apologized for the four-minute delay and called the meeting to order at 7:34 p.m.

Approval of Minutes – July 14, 2020

Motion was made by Daryl Peck and seconded by Carl Manelius to *approve* the minutes for the meeting held July 14, 2020 as presented and discussed. The motion carried unanimously (5-0).

Case 1302 **Continued**

Applicant: Cable Services Company, Inc.

Owner: Ken Michaels

Description: Request for a Special Exception for Contractor Shop
Sections 401.2.B.4 and variances for lot size and outdoor
Storage area, Sections 702.12.B and 702.12.D

Location: 1780 Columbia Avenue, Columbia

Zone: C-1 – 3.3 acres/143,748 sq.ft.

Chairman Lintner opened the Hearing at 7:38 p.m. Cable Services Company, Inc. is a telecommunications utility contractor seeking a Special Exception for a Contractor Shop per Section 401.2.B.4, and variances for lot size and outdoor Storage area per Sections 702.12.B and 702.12.D. Tonight's Hearing is a continuance of a Hearing of Case 1302 held on July 14, 2020. Dwayne Steager, Township Zoning Officer, confirmed the Hearing was properly advertised. A court stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

Attorney Dan Mathers and Ken Michaels, Principal Owner and President, Cable Services Company, Inc., were in attendance remotely, Jeremy Michaels and Adam Roskowski were in attendance at the meeting to provide specific testimony pertaining to storage and maximum usage that includes specific information regarding the impact on the neighboring community and variances that may be needed. Andrew Stern, Township Manager and Licensed Certified Planner, asked to be recognized and was sworn in. He stated that this is an Industrial Use and expressed concerns with trying to shoehorn an industrial use into a Commercial property; stating this would be a Special Exception and it is up to the applicant to prove they can meet the requirements for a Commercial Use. He asked what benefit this is going to be for the Township and questioned why the Township would grant a variance if there is no substantial benefit to the Township. The floor was then opened for public comment and all those wishing to speak were sworn in.

Board members Gary Lintner, Ciro Gambone and Daryl Peck declared a short recess to Executive Session to teleconference with Solicitor Browne and Board members David Lounsbury and Carl Manelius via teleconference at 8:35 p.m. and returned to the Hearing at 9:14 p.m.

Solicitor Browne asked if the applicant had any further witnesses or evidence they wished to present tonight for their application. They did not and there were no other witnesses or persons seeking party status. Attorney Mathers made a few comments about the property and what the applicants would bring to the Township. Solicitor Browne remarked that the applicant started with asking for a variance of 16,500 sq. ft. and is now suggesting lowering that request. He asked if the applicant is requesting another continuance. Attorney Mathers replied they were not equipped to answer to any specificity the amount of minimum square footage required for outside storage at this point in time. They would have to run some numbers on what would be financially viable and would need a month to do that.

Chairman Lintner polled the Board for a decision on whether to accept the request for continuance to grant the applicant the opportunity to determine if financially viable and confer further with Counsel to provide additional testimony, or move forward and render a decision tonight in accordance with what has been heard in the last two meetings. As a result, the following action was taken:

- On request by the Applicant to Continue Case #1302, **motion** was made by Daryl Peck and seconded by Dave Lounsbury to keep the record of testimony open and *continue* the Hearing of Case #1302, Cable Services Company, Inc., Request for Special Exception for Contractor Shop Section 401.2.B.4 and variances for lot size and outdoor storage area, Sections 702.12.B and 702.12.D, to the September 8, 2020 Zoning Hearing Board meeting. The motion passed (5-0).
- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to *accept* Applicant Exhibit #1 into the record. The motion passed (5-0).

Case 1304

Applicant: Nathan Z. Nolt
Owner: Harriet S. Scott
Description: Request for Special Exception for ECHO Housing
Sections 301.2.B.7 and 702.9
Location: 2778 Ironville Pike, Columbia
Zone: RI – .55 acres/23,958 sq.ft.

Chairman Lintner opened the Hearing at 9:32 p.m. A court stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing. Mr. Nathan Z. Nolt attended in-person and was sworn in to present his request for a Special Exception to proceed with a plan to convert an existing garage into living quarters to serve as ECHO housing, as well as add a small addition to the side of the garage to create an apartment for his mother-in-law, Harriet S. Scott. Mr. Nolt provided and explained a blueprint showing the existing house and the addition to the side of the garage. There is no change in the number of bedrooms

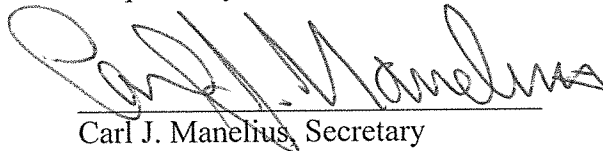
currently in the house. Mr. Nolt will be removing the lower driveway to subtract from the total square feet to meet impervious sq. ft. stormwater needs. He and his wife, Hanna, are planning to purchase the property, which has public water and an on-site septic system, from Harriet S. Scott. The Board noted that adequate parking is provided and reminded Mr. Nolt that the Septic System needs to be pumped out every three years, and that the range/oven must be dismantled when the ECHO housing no longer necessary. Mr. Nolt agreed. As there were no requests for party status and no further comments or questions (Board or Public), testimony was closed at 9:40 p.m.

Motion was made by Daryl Peck and seconded by Ciro Gambone to *grant* Special Exception for ECHO Housing for the property at 2778 Ironville Pike, Columbia, with the condition that everything will be carried out as described in this proceeding. The motion passed (5-0).

Adjournment

There being no further business to come before the Board, **motion** was made by Daryl Peck and seconded by Carl Manelius to *adjourn* the meeting at 9:45 p.m.

Respectfully submitted,



Carl J. Manelius, Secretary