

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting Minutes - April 13, 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 and Carl Manelius were present. Also present were Zoning Officer Dwayne Steager; Township Manager Andrew Stern; Solicitor Bernadette Hohenadel and Court Reporter Rhonda Adams. 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 – February 9, 2021

- **Motion** was made by Carl Manelius and seconded by Ciro Gambone to *approve* the minutes for the meeting held February 9, 2021 as presented. The motion carried (4-0).

Case 1314

Applicant: Taylor Chip LLC
Owners: Gwen Goldfarb, Michael Goldfarb, Amy Deptula
Beth Hoppman, Executrix of the Estate of Barry Newhart
Description: Request for a special Exception for use not provided for ‘Direct to Consumer/Online’ sales of Cookies and Related Products, Manufacturing, Retail, Wholesale and Restaurant. In the alternative a variance for the Same.
Location: 1780 Columbia Ave, Columbia
Zone: C-1 3.3 acres/143748.0 sq.ft.

Chairman Lintner opened the Hearing for Case 1314, Taylor Chip LLC. Claudia Shank, Counsel for the Applicant, Taylor Chip LLC, informed the Applicant would be videotaping tonight’s proceeding for the purpose of documenting Doug and Sarah Taylor’s YouTube channel to document their growth. Township Solicitor Bernadette Hohenadel had no objections so long as this did not interrupt or interfere with the Public Hearing acoustics. Township Zoning Officer Dwayne Steager was sworn in and Solicitor Hohenadel confirmed the Hearing was properly advertised in the Lancaster Newspapers in accordance with the MPC and proof of publication and photos of the property postings have been entered into the record. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

Claudia Shank, McNees, Wallace & Nurick, Counsel for the Applicants, introduced the following persons providing testimony: Doug Taylor, Owner Taylor Chip LLC; Sarah Taylor, Owner Taylor Chip LLC; Mark Diffenderfer, Broker of Record, Hess Realty; and Kevin Miller, Project Architect, Professional Design and Construction, Inc. The Board recognized Kevin Miller as an expert in Architectural Design and all witnesses were sworn in.

Attorney Shank conducted the Hearing and began with a description of the property, the business and the uses, and presented narrative in support of the application. Mark Diffenderfer provided additional information from the MLS as to the marketing of the property and referred to

correspondence dated March 15, 2021 from Annette Cassel Means, Associate Broker, High Associates, that addressed the Variance Request. Sarah Taylor focused on the background and history of the business and use of the various buildings, including production of the cookies, shipping, retail, and indoor and outdoor dining consisting of 30 tables. Andrew Stern, Township Manager and Certified Planner, was sworn in at the beginning of the Hearing on behalf of West Hempfield Township Supervisors. He provided a brief history of the property and this project, commented that “there is an excellent property that needs a use and an excellent use that needs a property”, and reviewed the long process ahead of them that will be required as they progress to ensure the Township is protected. He further stated he was “present at tonight’s Hearing as Township Manager to testify that the Township supports this application” and further remarked “it is an excellent use of this property – they have the perfect cookie and this is a perfect township”. There being no further testimony, questions or comments, Attorney Shank asked that exhibits presented this evening be admitted into the record, closed with a brief summary of the proceedings and respectfully requested that the Board approve the Application for Special Exception presented this evening.

- **Motion** was made by Ciro Gambone and seconded by David Lounsbury to *admit* all exhibits into the record. Motion carried (4-0) and testimony was closed at 8:32 p.m.

Solicitor Hohenadel stated that the testimony presented this evening establishes and supports Use Not Provided. Andrew Stern agreed with the Solicitor’s legal analysis and that it is worthy of a Special Exception. The Board concurred.

- **Motion** was made by Ciro Gambone and seconded by David Lounsbury to *grant* Special Exception for Use Not Provided pursuant to Section 101.7 of the West Hempfield Township Zoning Ordinance for property at 1780 Columbia Avenue, Columbia, PA, with the condition that all guidelines presented in the Hearing are followed, and all necessary permits and approvals are obtained for all other outstanding issues. The motion passed (4-0).

Case 1313

Applicant: Juan Carlos Ayllon Tapia
Owner: Kathleen Friend
Description: Request for a Special Exception for a Residential Conversion
Location: 127 Prospect Road, Salunga
Zone: RA 10.1 acres/ 439956.0 sq. ft.

Solicitor Hohenadel opened the Hearing for Case 1313 Request for a Special Exception for a Residential Conversion at 127 Prospect Road, Salunga PA and explained the procedures that will be followed. No legal counsel was present on behalf of the Applicant and there were no others present wishing to speak in favor of the application. Zoning Officer Dwayne Steager was sworn in and confirmed he has done his due diligence in posting the property as required and assured Public Notice was advertised in the Lancaster Newspaper. Juan Carlos Ayllon Tapia, Property Manager, and Kathleen Friend, Owner, were sworn in to provide testimony. There were no others present wishing to provide testimony. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

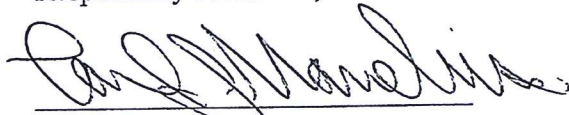
Mr. Tapia and Ms. Friend presented their Case, describing the property and explaining what they would like to do with it. Photographs, drawings and a list of interior room measurements were provided to illustrate their plans. Carl Manelius stated he didn't see any red flags, Andrew Stern had no comments and testimony was closed. The exhibits were accepted and entered into the record.

- **Motion** was made by Carl Manelius and seconded by David Lounsbury to *grant* Special Exception pursuant to Section 702.1 of the West Hempfield Township Zoning Ordinance for a Residential Conversion at Sunset Park Communities, 127 Prospect Road, Salunga PA subject to all required applications and approvals, a building code review, and conditioned on compliance with testimony presented in the Hearing this evening. The motion passed (4-0).

Adjournment

There being no further business to come before the Board, David Lounsbury **moved**, seconded by Ciro Gambone and carried (4-0) to *adjourn* the meeting at 9:02 p.m.

Respectfully submitted,



Carl J. Manelius, Secretary