

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting Minutes – February 13, 2024
7:00 PM

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. Board members Gary Lintner, Ciro Gambone, Amanda Hood, David Lounsbury, and Daryl Peck were present. Also present were Township Zoning Officer Dwayne Steager; Planning Director Lindsay Gerner; Solicitor Bernadette Hohenadel and Rhonda Adams, Court Reporter. Recording Secretary Judy Carrier attended remotely.

Call to Order – Chairman Gary Lintner called the meeting to order at 7:00 p.m.

Reorganization of Board

The first order of business was to organize the Zoning Hearing Board for the year 2024.

- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to *elect* Gary Lintner as Chairman for the year 2024. The motion passed (4-0-1) with Gary Lintner abstaining.
- **Motion** was made by Ciro Gambone and seconded by Amanda Hood to *elect* Daryl Peck as Vice-Chairman for the year 2024. The motion passed (4-0-1) with Daryl Peck abstaining.
- **Motion** was made by Daryl Peck and seconded by Amanda Hood to *elect* Ciro Gambone as Secretary for the year 2024. The motion passed (4-0-1) with Ciro Gambone abstaining.

Acceptance of Scheduled Meeting Dates

- **Motion** was made by Daryl Peck and seconded by David Lounsbury to *approve* the meeting dates and times for 2024, the second Tuesday of the month at 7:00 p.m. The motion passed (5-0).

Approval of minutes for December 12, 2023

Motion was made by Daryl Peck and seconded by Ciro Gambone to *approve* the minutes for the meeting held December 12, 2023 as presented. The motion carried (5-0).

Case 1353 ZHB (60 Day 3/9/2024)
Applicant: D.R. Horton
Owners: D.R. Horton
Description: Request for a Variance for Temporary Use Permit for off-street parking.
Location: Lot 24, 154 Erica Lane, Columbia, PA.
Zone: R2 – 0.20 acre/ 8,960.0 ft²

Chairman Lintner opened the Hearing for Case 1353, D.R.Horton Request for a Variance for Temporary Use Permit for off-street parking, Lot 24, 154 Erica Lane, Columbia, PA. (Reserves at Lakeside). Solicitor Bernadette Hohenadel explained the procedures for the Hearing and the regulations that will be followed. Dwayne Steager, Zoning Officer, 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. These procedures and sworn testimony by the Zoning Officer will apply to both Case 1353 and Case 1354. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing.

Todd Kurl, RGS Associates, was sworn in and provided testimony. The applicant, D.R. Horton, Inc., is requesting a temporary use permit for temporary off street paved parking on Lot 24 Sycamore Drive (Reserves at Lakeside development) associated with the model home/sales office. Once sales of the development are approximately 90% complete, this area will be turned into a lot for a home to be built upon. Following Mr. Kurl's testimony and discussion, the Hearing was closed and the following action was taken:

- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to **grant approval** of a Temporary Use Permit for Lot 24, 154 Erica Lane, Columbia, to allow a temporary parking lot with the time limit of one year to expire February 11, 2025. The motion passed (5-0).

Case 1354 ZHB (60 Day 3/9/2024)
Applicant: D.R. Horton
Owners: D.R. Horton
Description: Request for a Variance for Temporary Use Permit for Model home as sales office.
 Section 902.4
Location: Lot 25, 156 Erica Lane, Columbia, PA.
Zone: R2 – 0.20 acre/ 8,960.0 ft²

Chairman Lintner opened the Hearing for Case 1354, D.R.Horton Request for a Variance for Temporary Use Permit for Model home as sales office, Lot 25, 156 Erica Lane, Columbia, PA. Hearing procedures and testimony provided for Case 1353 shall apply. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing. The Hearing was closed and the following action was taken:

- **Motion** was made by Daryl Peck and seconded by Amanda Hood to **allow** a temporary use permit of Lot 25, 156 Erica Lane, Columbia (Reserves at Lakeside development) for use of the model home as a sales office. This permit is for one year to expire February 12, 2025. The motion carried (5-0).

Case 1355 ZHB (60 Day 3/10/2024)

Applicant: Gregory E. Fiedler and Deborah A. Fiedler
Owners: David S. Weidman
Description: Request for a Special Exception for ECHO Housing and a Variance for the size of the ECHO Housing
Location: 3301 Marietta Ave. Lancaster, PA.
Zone: RA – 1.90 acre/ 82764.0 ft²

Chairman Lintner opened the Hearing for Case 1355, Gregory E. Fiedler and Deborah A. Fiedler. Solicitor Bernadette Hohenadel explained the procedures for the Hearing and the regulations that will be followed. Dwayne Steager, Zoning Officer, 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.

Sheila O'Rourke Esq., presented the zoning narrative. Gregory and Deborah Fiedler, Applicants and David S. Weidman, Owner were present. Mr. Fiedler and Mr. Weidman were sworn in and provided testimony. A Court Stenographer was present to record testimony, and the stenographic transcript will be the official record of the Hearing. After all testimony was heard and discussed, the Hearing was closed and the following action was taken:

- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to *grant* a Special Exception to provide ECHO Housing for property at 3301 Marietta Ave., Lancaster, PA. to allow Echo Housing use of the existing dwelling with the condition that all expectations of this are handled as discussed in these proceedings and all conditions are met. The motion carried (5-0).

- **Motion** was made by Daryl Peck and seconded by Amanda Hood to *grant* a variance of 556 square feet for the size of the Echo Housing for the property at 3301 Marietta Ave., Lancaster, PA. The motion carried (5-0).

Case 1356 ZHB (60 Day 3/15/2024)

Applicant: Professional Design and Consulting
Owners: Tim Mitchel Associates
Description: Request for a Variance to allow expansion of non-conforming use to exceed 25%.
Request for a Variance to allow Stone Parking lot surface to extend up to REAR Property in lieu of required 10 ft setback.
Request for a Variance to allow less than 3% of the total parking lot be devoted to interior landscaping when 20+ parking spaces are required.
Request for a Variance to allow required Parking Spaces (1-per 400 square feet of gross floor area devoted to repair and service facilities in addition to areas normally devoted to automobile storage and 1 per employee on major shift) to include being located on rear STONE parking lot and not be individually striped.

Request for a Variance to allow a Fence 6'-8' high be placed on the edge of the FRONT YARD "20' wide landscape screen/visual barrier" in lieu of a 10 ft setback and allow Fence 6'-8' high be placed on REAR Property Line in lieu of a 10 ft setback.

Review previous variances.

Location: 4030 Old Harrisburg Pike, Mount Joy
Zone: I2 – 6.60 acre/ 287,496.0 ft²

Township Zoning Officer Dwayne Steager presented additional exhibits received from the applicant and requested they be accepted into the record of the Hearing for Case 1356, Professional Design and Consulting. **Motion** was made by Daryl Peck and seconded by Ciro Gambone to **accept** all of the applicant's additional exhibits into the record of the Hearing. The motion carried (5-0).

Chairman Lintner opened the Hearing for Case 1356 Professional Design and Consulting. Solicitor Bernadette Hohenadel explained the procedures for the Hearing and the regulations that will be followed. Dwayne Steager, Zoning Officer, 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.

Applicant Larry Prescott, Professional Design and Consulting and Owner Tim Mitchell, were present and both were sworn in. Mr. Prescott provided background information pertaining to the property located at 4030 Old Harrisburg Pike, Mt. Joy, PA, along with three carry-over requests from previous plan approval, and explained five additional dimensional variance requests relating to proposed expansion. Mr. Mitchell provided additional testimony and was available to answer any questions and concerns.

A brief recess was taken by the Board from 8:39 p.m. until 9:08 p.m. to consult with Counsel. Upon return, Chairman Lintner asked for a motion to continue the Hearing.

- **Motion** was made by Daryl Peck and seconded by David Lounsbury that there be no further deliberations at this meeting and that Case #1356 Professional Design and Consulting be **continued** to the March 12, 2024 Zoning Hearing Board meeting, with testimony and records left open. The motion carried (5-0).

Adjournment

There being no further business to come before the Board, **motion** was made by David Lounsbury and seconded by Amanda Hood to **adjourn** the meeting at 9:13 p.m. The motion carried (5-0).

Respectfully submitted,



Ciro Gambone, Secretary