

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting Minutes – May 9, 2023
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, and Daryl Peck were present. Also present were Township Zoning Officer Dwayne Steager; Township Director of Planning Lyndsay Gerner; Solicitor Bernadette Hohenadel and Rhonda Adams, Court Reporter. Recording Secretary Judy Carrier attended remotely. David Lounsbury was absent.

Approval of Minutes – February 14, 2023

- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to *approve* the minutes for the meeting held February 14, 2023 as presented. The motion carried (5-0).

Case 1338 ZHB Withdrawn
Applicant: Prestige Gymnastics
Owners: Mountville Industrial Development, LLC
Description: Request for a Use variance for a gymnastics training facility
Location: 3820 Hempland Road, Mountville PA
Zone: 12-5.77 acres/251,341.2 ft²

Dwayne Steager, Zoning Officer, reported the Applicant, Prestige Gymnastics, has formally requested that their Variance Application for 3820 Hempland Road be withdrawn without prejudice.

Case 1340 ZHB (6 Day 6-2-23)
Applicant: Taylor Chip
Owners: Taylor Chip
Description: Request for a time extension
Location: 1780 Columbia Ave, Columbia
Zone: C1 – 3.3 acres/143,748.0 ft²

Chairman Lintner opened the Hearing for Case 1340, Taylor Chip. Solicitor Bernadette Hohenadel explained the procedure for the Hearing. 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.

Claudia N. Shank, Esq., McNees Wallace Nurick, was present as counsel for the Applicant. Also present were Cheryl L. Love, RLA, ELA Group, Kevin Miller, Architect, Professional Design & Construction and Taylor Chip Owners Sara and Doug Taylor. All were sworn in. Attorney Shank

reviewed prior Zoning Hearing Board Decisions dated May 12, 2021 and June 16, 2022 in which the Applicants had until May 9, 2023 to obtain a zoning permit, and until May 14, 2024 to complete construction of the proposed facility. The Applicants are requesting a one-year extension to each of these time periods. Discussion followed and the Hearing was closed.

- Action taken: **Motion** was made by Daryl Peck and seconded by Ciro Gambone to **grant** Taylor Chip Request for time extension Case 1340 such that the deadline for Applicant to obtain a zoning permit will be May 14, 2024 and the deadline to complete construction of the project will be May 13, 2025. The motion passed (4-0).

Case 1341 ZHB (60 Day 5-23)
Applicant: DDP Enterprises, Inc.
Owners: DDP Enterprises, Inc.
Description: Request for a Variance from Section 707.2.B Driveway Design for a multi
 Lot shared driveway and a time extension for one additional year to complete.
Location: 4578 Klinessville Rd, Columba
Zone: RR – 39.50 acres/1,720,620.0 ft²

Chairman Lintner opened the Hearing for Case 1341, DDP Enterprises, Inc. Solicitor Bernadette Hohenadel explained the procedure for the Hearing. 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.

The applicant is requesting a Variance from Section 707.2.B Driveway Design for a multi Lot shared driveway and a time extension for one additional year to complete. Mike Davis, Esq., Barley Snyder, was present as counsel for the Applicant. Also present were Todd Vaughn, Civil Engineer, D/MA and Dennis Funk, DDP Enterprises. The Board unanimously approved Mr. Vaughn as expert witness to provide testimony and he was sworn in.

DDP is proposing to develop Property located at 4578 Klinessville Road, Columbia, into five lots for single-family detached dwellings. The proposed development design for the Property requires one variance from the applicable requirements of the Zoning Ordinance – a variance relating to the shared access drive. DDP is also requesting a time extension of one additional year to the 6-month limitation to allow sufficient time to secure the land development approvals necessary for the proposed project. Discussion followed and the Hearing was closed.

- Action taken: **Motion** was made by Ciro Gambone and seconded by Daryl Peck to **grant** Variance of two additional properties sharing a shared drive with the condition that a maintenance agreement be submitted for Township approval. The motion passed (4-0).
- Action taken: **Motion** was made by Ciro Gambone and seconded by Daryl Peck to **grant** a one-year time extension to the 6-month limitation of Section 1005.4.G to allow DDP sufficient time to secure land development approvals necessary for proposed project, time to obtain permits November 12, 2024 and to complete construction May 13, 2025. The motion passed (4-0).

Case 1342 ZHB (60 Day 6-12-23)
Applicant: Charles Wood
Owners: Charles Wood.
Description: Request for a time extension
Location: 4363 Marietta Ave. Columbia
Zone: RA – .630 acres/ 27,442.8 ft²

Chairman Lintner opened the Hearing for Case 1341, DDP Enterprises, Inc. Solicitor Bernadette Hohenadel explained the procedure for the Hearing. 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.

Mr. Charles Wood, Owner and Applicant is asking for a one-year time extension of a previously granted variance for 4363 Marietta Ave., Columbia and was sworn in to provide testimony. The Hearing was closed following Mr. Wood's testimony and the following action was taken.

- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to **grant** a one year time extension, Case 1342 Charles Wood, to May 14, 2024 to allow time for pulling permits and complete construction. The motion carried (4-0).

Case 1330 ZHB (60 Day waived, time extension granted till October 30, 2023)
Applicant: Steven Buterbaugh

Communication has been received that Applicant Steven Buterbaugh has agreed to a time extension for the Zoning Hearing Board to set a Hearing upon his Application for Variance to permit construction of an accessory structure (detached garage) in the front yard of his property until October 30, 2023.

Adjournment

There being no further business to come before the Board, **motion** was made by Amanda Hood and seconded by Ciro Gambone to **adjourn** the meeting at 7:43 p.m. The motion passed (4-0).

Respectfully submitted,

Ciro Gambone, Secretary

