

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD

Meeting Minutes – June 10, 2025

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, Robert Skuya, David Lounsbury, and Daryl Peck were present. Also present were Township Zoning Officer Dwayne Steager; Assistant Zoning Officer Lindsay McElhenny, Solicitor Bernadette Hohenadel and Rhonda Adams, Court Reporter.

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

Approval of minutes for April 8, 2025

Motion was made by Daryl Peck and seconded by Dave Lounsbury to *approve* the minutes for the meeting held April 8, 2025 as presented. The motion carried (4-0).

PROCEDURAL MATTERS

Counsel provided procedural explanation to attendees regarding order of testimony and evidence presentation, party status requirements and rights, Board decision options and timelines, appeal procedures to Lancaster County Court of Common Pleas and written decision timeline.

CASE 1374 ZHB (60 Day 7-6-25)

Applicant: Edward and Leanne Snyder
Owner: David Ginder
Description: Request for a Special Exception for Roadside Stand
Location: 3451 Meadow Spring Drive, Lancaster, PA
Zone: RA – 91.0 acre/ 3,990,096.0 ft²

POSTING AND NOTICE REQUIREMENTS

Dwayne Steager, Township Zoning Officer, testified under oath regarding proper posting and notification procedures for Case No. 1374, including property posting, newspaper publication, and municipal building notice posting.

Township Exhibit 1: Complete posting and notification package including property posting photos, publication proof, online ad copy, building agenda posting, and applicant notification letters

APPLICANT TESTIMONY

Edward Snyder testified under oath as follows:

- **Residence:** 3451 Meadow Spring Road (residing there approximately 1.5 years)
- **Request:** Special exception for temporary roadside stand and approval for limited kitchen operation
- **Application Date:** May 2, 2025

Special Exception Request Details:

Applicable Ordinance Sections:

- Section 301.2.B.6 (Temporary Roadside Stand)
- Section 701.9 (Sale of Farm Products)
- Section 201.2 (No Impact Home-Based Business - handled administratively)

Compliance with Section 701.9 Requirements:

1. **Product Source:** At least 50% of products to be grown on property or contiguous property
2. **Parking:** Minimum three parking spaces available (significantly more available on site)

3. **Structure:** Temporary portable stand on wheels, towable wagon that can be removed during off-season
4. **Setback:** Stand to be located at least 50 feet from road right-of-way
5. **Parking Location:** Behind highway right-of-way line

Proposed Operations:

- **Products:** Vegetables, fruits, flowers, dried cut flowers, and baked goods
- **Season:** May through November (growing season)
- **Hours:** Monday through Friday, 9:00 AM to 6:00 PM (estimated)
- **Staffing:** Family operation - applicant, spouse, and children (no outside employees)
- **Signage:** Temporary, traditional roadside stand signage

Limited Kitchen Approval:

- Township approval received for limited food establishment
- Kitchen located in existing dwelling
- Department of Agriculture application still pending
- Will allow sale of baked goods produced on-site

BOARD DISCUSSION

Board members noted:

- Minimal anticipated impact on surrounding area
- Adequate parking and setback compliance
- Low traffic area location
- Surrounding agricultural/farming land use compatibility

EXECUTIVE SESSION

The Board recessed for executive session to confer with legal counsel on procedural and legal matters related to the application.

Motion was made by Daryl Peck and seconded by Robert Skuya to *grant approval* of a Special Exception per Section 301.2.b.6 to allow for a temporary roadside stand at 3451 Meadow Spring Road pursuant to Section 701.9

CASE 1375 ZHB (60 Day 7-12-25)

Applicant: Andrew and Trisha Brighton
Owner: Same
Description: Request for a Variance for side yard setback
Location: 907 Jade Ave., Lancaster, PA
Zone: R2 – 0.280 acre/ 12196.8 ft²

POSTING AND NOTICE REQUIREMENTS

Dwayne Steager, Township Zoning Officer, testified under oath regarding proper posting and notification procedures for Case No. 1375, including property posting, newspaper publication, and municipal building notice posting.

Township Exhibit 1: Complete posting and notification package including property posting photos, publication proof, online ad copy, building agenda posting, and applicant notification letters

APPLICANT TESTIMONY

Andrew Brighton testified under oath as follows:

- **Residence:** 907 Jade Avenue, Lancaster, PA 17671

- **Length of Residency:** 29 years
- **Request:** Variance from Section 303.4.B1 requiring minimum 10-foot side yard setback for attached addition

Present at Hearing:

- Andrew Brighton (Applicant)
- Tricia Brighton (Spouse)
- Sam Stolfus (Builder, Penryn Construction/Penryn Builders)
- Keith Greenewald (Architect)

Variance Request Details:

Proposed Structure: 11 feet wide by 22 feet 6 inches long addition attached to existing garage for workshop/storage use

Setback Issue: Due to triangular property configuration:

- Front of structure: Compliant at 10-foot setback
- Rear of structure: Encroaches approximately 2.17 feet into required setback (7.83 feet actual distance)
- Variance represents approximately 21.7% relief from required setback

Proposed Use:

- **Primary Use:** Retirement woodworking hobby workshop
- **Equipment:** Table saws, radial arm saws, power tools requiring safe operation space for 4x8 sheets of material
- **Secondary Use:** Storage for lawnmower and equipment via double doors at rear
- **Access:** Through existing garage door (interior connection)

Design Constraints:

- **Existing Chimney:** Limits door placement and workspace configuration
- **Safety Requirements:** 11-foot width necessary for safe woodworking operations
- **Equipment Access:** Double doors (6 feet wide) needed at rear for equipment storage
- **Japanese Maple Tree:** Limits forward placement options

NEIGHBOR SUPPORT

Applicant Exhibit 1: Letter from Kyle and Christine Hughes of 905 Jade Avenue supporting the variance request (submitted after initial application package)

BUILDER TESTIMONY

Sam Stolfus, Penryn Builders, testified regarding design considerations:

- Chimney placement determines door location and workspace layout
- Required width accommodates workbench placement and safe egress
- Rear doors provide secondary egress for safety
- Alternative configurations are possible but would increase costs and complexity

BOARD DISCUSSION

Board members raised questions regarding:

- **Hardship Determination:** Whether sufficient hardship exists for variance approval
- **Alternative Configurations:** Possibility of reducing structure size or changing shape
- **Forward Placement:** Option to move structure closer to street to reduce setback encroachment
- **De Minimis Relief:** Whether 2.17-foot variance qualifies as minimal relief
- **Attached vs. Accessory Structure:** Clarification that structure is attached addition, not separate accessory structure

Technical Clarifications:

- Structure connects to garage through existing exterior door (becomes interior door)
- Applicant measured property lines: 21 feet 4 inches at garage front, 19 inches at chimney location
- Forward movement limited by existing Japanese maple tree (approximately 6 feet from proposed location)

VARIANCE CRITERIA DISCUSSION

Legal counsel addressed variance requirements:

EXECUTIVE SESSION

The Board recessed for a second executive session to confer with legal counsel regarding variance criteria and application merits.

Motion was made by Dave Lounsbury and seconded by Daryl Peck to **grant approval** for variance from Section 303.4.B.1 of 2' 2" for the SE side yard setback for 907 Jade Ave. The motion carried (4-0).

Adjournment

There being no further business to come before the Board, **motion** was made by Dave Lounsbury and seconded by Daryl Peck to **adjourn** the meeting at 8:18 p.m. The motion carried (4-0).

Respectfully submitted,



Ciro Gambone, Secretary