

WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD
Meeting Minutes – July 11, 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, David Lounsbury and Daryl Peck were present. Also present were Township Zoning Officer Dwayne Steager; Director of Planning Lindsay Gerner; Solicitor Bernadette Hohenadel and Rhonda Adams, Court Reporter. Recording Secretary Judy Carrier attended remotely.

Approval of Minutes – May 9, 2023

- **Motion** was made by Ciro Gambone and seconded by Amanda Hood to **approve** the minutes for the meeting held May 9, 2023. The motion carried (5-0).

Case 1343 ZHB (6 day 8-11-23)
Applicant: Logan Legenstein
Owners: Douglas L. Ednie (Exec.)
Description: Request for a variance for Lot Size Section 303.3.A.2
Location: 118 Turquoise Rd, Columbia Pa.
Zone: R2- 035 acres/ 15,246.0 ft²

Chairman Lintner opened the Hearing for Case 1343, Logan Legenstein at 7:05 p.m. Solicitor Bernadette Hohenadel explained the procedure for the Hearing. The Board unanimously **approved** (5-0) five individuals requesting Party Status on motion made by Ciro Gambone, seconded by David Lounsbury and they were sworn in. 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, Logan Legenstein, Case 1343, is requesting a variance to build on an approved lot that is less than 25,000 sq. ft. Mr. Russ Addie, Agent for Iron Valley Real Estate, presented the request on behalf of the Applicant. Questions and concerns were heard from residents Charlene Russel, Ed Schopf, Earl Breneman and Nelson Brown concerning stormwater run-off (*the Applicant is required to have a stormwater management plan and this will be addressed by the builder*); size of lots required for development (*any building must meet set-back requirements*); effect on existing wells (*none, the new development would have public water and sewer*); clarification of agreement pertaining to maintenance/deed restriction of the private lane (*per testimony of Applicant there is a shared agreement*). The Hearing closed at 8:05 p.m. and the following action was taken:

- **Motion** was made by David Lounsbury and second by Ciro Gambone to **approve** Request for a variance for Lot Size Section 303.3.A.2 for property at 118 Turquoise Road, Lot #118, Columbia Pa, Case #1343, Logan Legenstein, a variance of 9,754 ft² from the required 25,000 ft², subject to everything being carried out as stated in testimony. The motion passed unanimously (5-0).

Case 1344 ZHB (6 Day 8-11-23)
Applicant: Logan Legenstein
Owners: Douglas L. Ednie (Exec)
Description: Request for a Variance for Lot Size Section 303.3.A.2
Location: Turquoise Rd, Columbia Pa.
Zone: R2- 0.36 acres/ 15,681.6 ft²

Chairman Lintner opened the Hearing for Case 1344, Logan Legenstein, at 8:09 p.m. Solicitor Bernadette Hohenadel explained the procedure for the Hearing, testimony and parties to be the same as Case #1343. The situations for the second lot are identical with the only difference being that water and sewer cross over the first lot. The applicant agreed. Dwayne Steager, Zoning Officer was reminded that he was still under oath from a previous testimony, 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. The stenographic transcript by the Court Reporter will be the official record of the Hearing. The Hearing closed at 8:16 p.m. and the following action was taken:

- **Motion** was made by Ciro Gambone and seconded by Daryl Peck to **grant** a Variance for Lot Size Section 303.3.A.2, Case 1344, Logan Legenstein, for the property identified on the tax map as 300-78538-0-000 on Turquoise Road, a variance of 9,318 ft² from the required 25,000 ft², with the conditions that everything be carried out as stated in testimony. The motion passed unanimously (5-0).

Case 1345 ZHB (60 Day 8-12-23)
Applicant: High Ridge Acquisitions, LLC.
Owners: Richard B. Drager Lifetime Revocable Trust
Description: Request for a Variance from Section 303.3.B Lot width at Street Line,
707.2.B.1 Driveway Design for a multi lot shared driveway and 1005.4.G
time extension to obtain permits and complete construction.
Location: 760 High Ridge Rd, Columbia Pa.
Zone: R2 – 37.40 acres/ 1,629,144.0 ft²

Chairman Lintner opened the Hearing for Case 1345, High Ridge Acquisitions, LLC at 8:20 p.m. Solicitor Bernadette Hohenadel explained the procedure for the Hearing. Dwayne Steager, Zoning Officer was reminded that he was still under oath from a previous testimony, 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, High Ridge Acquisitions, LLC is requesting a Variance from Section 303.3.B Lot width at Street Line, 707.2.B.1 Driveway Design for a multi lot shared driveway and 1005.4.G time extension to obtain permits and complete construction. Claudia Shank, Esq., McNeese Wallace Nurik; William Swiernik, Landscape Architect, DM/A and Jay and Scott Provanzo,

Homeland Builders were present on behalf of the Applicant. Attorney Shank provided narrative in support of the Application and read the proposed conditions of approval which are acceptable to the applicant. **Motion** made by Daryl Peck, second by David Lounsbury and carried

unanimously (5-0) **approved** William Swiernik as Expert Witness and he explained the various phases of the project in order to establish an approximate 10-year timeline as being reasonable. Township Solicitor Bernadette Hohenadel remarked that the timeframes in the Township Ordinance do not reflect today's reality. After lengthy discussion, the Hearing was closed at 9:11 p.m. and the following action was taken.

- **Motion** was made by Daryl Peck and second by David Lounsbury to **grant** Variance from Section 303.3.B Lot width at Street Line to waive 50' minimum lot width. Motion carried (5-0).
- **Motion** was made by Daryl Peck and seconded by Ciro Gambone to **grant** Variance from Section 707.2.B.1 Driveway Design to permit three adjoining residents (Lots #72, #73, #74) to share one drive. Motion carried (5-0).
- **Motion** was made by David Lounsbury and seconded by Ciro Gambone to **grant** time extensions pursuant to Section 1005.4.5 to August, 4, 2027 for pulling permits and August 4, 2032 for completion of the project. The motion carried (5-0).

Case 1330 ZHB (60 Day waived, time extension granted till October 30, 2023)
Applicant: Steven Buterbaugh
 No action required

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 9:14 p.m. The motion passed (5-0).

Respectfully submitted,



Ciro Gambone, Secretary