

**WEST HEMPFIELD TOWNSHIP ZONING HEARING BOARD**  
**3401 MARIETTA AVENUE**  
**LANCASTER, PA 17601**  
**May 8, 2018**

The West Hempfield Township Zoning Hearing Board met in the meeting room of the West Hempfield Township Building at 3401 Marietta Avenue, Lancaster, PA, on Tuesday, May 8, 2018. Gary Lintner, Chairman, called the meeting to order at 7:30 P.M. Board members Daryl Peck and Anthony Crocamo were also present, along with Matthew Crème, Jr., ZHB Solicitor, Dwayne Steager, Zoning Officer; Rhonda Adams, Court Reporter; and Judy Carrier, Recording Secretary.

**Approval of Minutes – April 10, 2018**

- ❖ **Motion:** Daryl Peck moved, seconded by Anthony Crocamo, to *approve* the minutes for the meeting held April 10, 2018. Motion carried (3-0).

**Case 1270 – Continued**

**Applicant:** JNJM Properties LLC and Craig Arnold  
**Location:** 1820 Franklin Street, Columbia, PA  
**Zoned:** C-2

The applicant is requesting a determination that storage and distribution are accessory to office use or alternatively a special exception for storage and distribution Section 402.2.B.2 and a dimensional variance for a loading area in the front yard of property, Section 706.1.D at 1820 Franklin Street, Columbia, PA 17512. Testimony was given at the April 10, 2018 Zoning Hearing Board meeting by Mark Koch, Koch & Koch; Michael L. Saxinger, J.L. Saxinger & Associates; Chad Harbach, J&J Material Handling; and Butch Long; Heck Construction.

Following the opening presentation on April 10, representation for the applicant asked to submit an amendment to the original application for a variance for required parking Section 707.4.A. Motions were passed by the Board to allow the amendment addition and to continue Case 1270 to May 8, 2018 with the record of testimony left open and to ensure advertisement of the amendment. All those testifying at the April 10, 2018 meeting remain sworn in as witnesses to provide testimony during continuation of this case and Mr. Koch re-introduced Mr. Saxinger, and Mr. Long. Mr. Harbach was not present at tonight's meeting. Messrs. Jeff Moyer and Jeff Nikolaus, Equitable Owners of JNJM Properties were present and agreed to be sworn in as witnesses to provide testimony if called upon to do so.

**Storage and Distribution Exception - Section 402.2.B.2**

- ❖ **Motion:** Moved by Daryl Peck and seconded by Anthony Crocamo, the Board *determines* that storage and distribution use is not accessory to the permitted office uses but is related and requires Special Exception approval and that the Special Exception approval is *granted*. The motion passed (3-0).

Dimensional variance for a loading area in the front yard of property, Section 706.1.D

- ❖ **Motion:** Moved by Tony Crocamo and seconded by Daryl Peck to *grant* relief requested to allow the loading area to be in the front yard of the property where it is not normally permitted. The motion passed (3-0).

Variance for required parking – Section 707.4.A (Added by amendment after-the-fact)

- ❖ **Motion:** Moved by Daryl Peck and seconded by Anthony Crocamo to *grant* the requested relief by deletion of six (6) parking spaces from the required thirty-one (31), subject to the condition that it be bound by the testimony presented and based on the Plot Plan as originally provided and subsequent to the original application. The motion passed (3-0).

A stenographer was present to record the testimony and the stenographic transcript and exhibits will be the official record of the meeting.

- ❖ **Motion:** Following receipt of all evidence, testimony and public comments, Anthony Crocamo moved, seconded by Daryl Peck, for admission of exhibits into the record and to close Case 1270. The motion passed (3-0).

Case 1272

**Applicant:** Joseph Mazzeo  
**Owner:** RHOUSE516 LLC  
**Location:** 4695 Marietta Ave, Columbia, PA  
**Zoned:** RA

Request for a variance to Section 301.2 permitted principal use.

Joseph Mazzeo, Owner, Mazzeo Contracting LLC and Rodney Frey, 95 Pinetree Drive, Columbia, were sworn in as witnesses to provide testimony. They are requesting to utilize a building located on property at 4695 Marietta Avenue, Columbia, PA and require a variance to allow for use of non-agricultural storage for a local small business. Mr. Mazzeo referred to and submitted for exhibit, correspondence dated March 28, 2018 pertaining to the application. Type of use, materials being stored, hours of operation, planned improvements, security, financing, expert testimony and variance in flood plain and insurance were discussed. Attorney Crème read a list of Board determinations and Mr. Mazzeo agreed to comply with all as read. The Board determined that this is a difficult piece of property; however, there is a portion of the property

that is not in the flood plain which could permit new construction, and testimony from a professional engineer would be required before the Board could make a decision.

- ❖ **Motion:** Moved by Daryl Peck and seconded by Anthony Crocamo to *continue* Case 1272 to June 12, 2018 leaving the record of testimony open. The motion passed (3-0).

### Case 1273

**Applicant:** Diesel Works, LLC  
**Location:** 3861 Old Harrisburg Pike, Mount Joy, PA  
**Zoned:** RA

Request for variances to Section 502.4.A front yard setback, Section 707.3.L.1.b parking lot, Section 1005.4.G time frame for obtaining a permit and construction.

Brian Cooley, D. C. Gohn Assoc., and Sean Kopp, Owner, Kopp Excavating, were present on behalf of Diesel Works LLC and were sworn in to provide testimony. A stenographer was present to record the testimony and the stenographic transcript and exhibits will be the official record of the meeting.

The existing Diesel Works, LLC business consists of an existing building used for the repair of diesel vehicles and a gravel area for employee parking. Kopp Excavating occupies the adjacent existing building. Diesel Works is proposing to construct a new 4,800 square foot garage shop and a 280 square foot office space adjacent to the existing garage. The access drive will be revised to accommodate the proposed building expansion and the existing parking spaces will be re-aligned to accommodate the required number of spaces. There are no changes to the existing excavating business. There is one point of access from Old Harrisburg Pike which provides access to the subject property and will remain.

In order for Diesel Works to move forward with the proposed site improvements, they are requesting the following zoning relief:

1. Variance pursuant to Section 502.4.A which requires a 70' front yard setback from a collector street.

- ❖ **Motion:** Moved by Daryl Peck and seconded by Anthony Crocamo to *amend* the application to include parking to reflect a necessary rear yard setback. The motion passed (3-0).

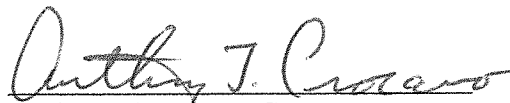
2. Variance pursuant to Section 707.3.L.1.b which requires that all parking lots constructed in side or rear yards shall be setback a minimum of 10' from all property lines for use as a landscape strip.

- ❖ **Motion:** Moved by Daryl Peck, seconded by Anthony Crocamo and passed (3-0) by the Board to *approve* the following:

- *Amend* the existing application to include a necessary variance request to the rear yard setback Section 502.4.C.
  - *Grant* a variance to the front yard setback Section 502.4.A being 52' of the 70' required, conditioned that construction is done as presented and the new structure is no closer to the right-of-way of Harrisburg Pike than the existing structures, and on the condition that the front yard plantings and screening not be disturbed.
  - *Grant* a variance to the rear yard setback 502.4.C of 16.3' to required 50',
  - *Grant* parking lot buffer variance to 707.3.L.1.b being 10' to required 10' with the condition of the existing rear yard eliminating the buffer.
3. Variance pursuant to Section 1005.4.G which requires a zoning permit obtained within 6 months and completed construction within one year.
- ❖ **Motion:** Moved by Anthony Crocamo and seconded by Daryl Peck to *approve* an additional six (6) months to the granted six (6) months to provide for twelve (12) months to obtain a zoning permit and eighteen (18) months to complete construction subject to conditions bound by testimony presented. If an extension is needed, D.C.Gohn needs to be present at the November 2019 Zoning Board meeting to request an extension. The motion passed (3-0).

There being no further business to come before the Board, the meeting was unanimously adjourned at 9:00 p.m.

Respectfully submitted,

  
Anthony Crocamo, Secretary