

Conewago Township Zoning Hearing Board

December 14, 2009

Minutes

At 7:00 PM the ZHB meeting was called to order with the pledge of allegiance. Members present were Earl Miller, Sharon Beck, David Clouser, Hanson Quickel and Margaret Burg. John Elliot, Attorney at Law provided legal council for the ZHB.

The minutes of the previous meeting were approved as presented.

Old Business- Case 01-2008 Request for Special Exception, Interpretation and Variance, Interpretation for an expansion of the Strinestown Fire Company Building at 5690 Susquehanna Trail, Manchester, Pa., 17345 Tax Map 2 parcel 9/10. Attorney John Elliot informed the ZHB that a judge has been assigned to the case.

New Business- Case 05-2009 Aaron Enterprises Inc. request for a Special Exception to allow for a Contractor's Facility in an Agricultural Zone. Vincent Rice the proposed owner and John Luciani from 1st Capital Engineering gave testimony for the case. The property is approximately 6.6 acres and is in and agricultural zone. Aaron Enterprises Inc. does pipe placement and underground boring. There will be not buildings placed on this site. Evergreen screening will be provided, a fence will enclose the storage area and lighting will be placed to shine one the storage area. Many of the deciduous trees will be removed.

The following residents presented some of the following concerns. Hank Bryner, Jody Newcomer, Charles Zitnick Rick Fink and Jo Boltz. Concerns included lighting, screening, security, buffer size, noise, retention pond, road classification, and potential runoff.

Zoning ordinance section 619(d) states access to a Contractors Facility must be via arterial or collector road. Cloverleaf Road is classified as a rural road. Attorney John Elliot stated the applicant could ask for a variance to the special exception as long as everyone present was aware of the request.

Dave Clouser made a motion that the ZHB accept the applicant's request for a variance to Section 619 (d). Margaret Burg seconded. The motion carried.

John Luciani presented evidence to support the request for a variance.

Dave Clouser made a motion that the ZHB grant Vincent and Kathleen Rice's request for a variance to zoning section 619 (d) for a Contractor's Facility at 300 Cloverleaf Road, York Pa, 17406. Margaret Burg seconded. The motion carried.

Dave Clouser made a motion that the ZHB grant Vincent and Kathleen Rice's request for a Special Exception for a Contractors Facility at 300/330 Cloverleaf Road subject to the following conditions:

1. A lighting plan showing the Lumens of the lighting layout for the storage yard be presented to the Board of Supervisors for approval.
2. There will not be direct access to Cloverleaf Road from the lot at 300 Cloverleaf Road.
3. All lights will be shielded.
4. A reverse subdivision will be done to combine the lot at 300 Cloverleaf Road with the lot at 330 Cloverleaf Road.
5. A buffer of Eight-foot evergreen trees is to be provided.
6. The address on the Special Exception Application is amended to read 300/330 Cloverleaf Road, York, Pa., 17406.

Hanson Quickel seconded. The motion carried.

Case No 05-2009 Wellington Investments Group, request for a zoning variance relief from minimum side setback requirement of twenty-five feet in an R-2 zone. Eric Johnston of Johnston Associates and Phil Garber presented evidence for the case.

Residents Dale Knepper and Lorreta Wilhide presented some of the following concerns. A harmonious look through the various stages of Stonegate Development, affect on the tax base of the township, the application appears a financial concern for the owner.

Attorney John Elliot explained that the ZHB could only interpret the zoning ordinance as presented. The Conewago Board of Supervisors would have to amend the side set back requirement.

The applicant Phil Garber stated he wanted to withdraw his request for a variance.

Dave Clouser made a motion the ZHB accept the applicant's request to withdraw Case 05-2009 as presented. Sharon Beck seconded. The motion carried.

The ZHB adjourned at 8:44 PM

Respectfully Submitted,

David Clouser
Secretary