

Conewago Township, York Co., PA

Zoning Hearing Board Minutes - July 13, 2015

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance. Members present were Sharon Beck, Dave Zambito, Hanson Quickel, Margaret Burg, Jesse Coy and Zoning Officer Albert "Fritz" Neufeld. Attorney John Herrold provided legal counsel for the Board.

The minutes of the December 8, 2014 meeting of the ZHB were approved as distributed.

Reorganization

Chairperson – Sharon Beck

Co-Chair – Dave Zambito

Secretary – Margaret Burg

New Business:

Case No. 1-2015 York (Canal) DPP XII, LLC/Bentley Farms LP

Request for Special Exception to allow a Dollar General Store at 15 East Canal Road, York, PA 17404, a Village Zone, §305c.35; Variances of §660b & 405b, parking requirements; §660f, access drive minimum width and §402 Chart A, permitted permanent signs, free standing and attached.

Sean P. Delaney, representing the applicant, reviewed the application with the Zoning Hearing Board. _____ Gage representing Dollar General Store.

Residents sworn in to testify – Mr. Kriner, Ms. Gilberti, Mr. and Mrs. Lagana and Ms. Benner.

Question and Answer Session:

Tractor trailer will made deliveries one time per week, before store opens.

Only 10 cars per hour, Dollar General does not generate high volume traffic.

Penn Dot Traffic Study not done yet, can take up to 6 months before results.

Looking for Spring 2016 opening.

Residents expressed concern over access into and out of the location which is very close to the traffic light intersection where there are significant sight problems and high speed traffic through the signal light.

The applicant representatives advised residents that the developer would be responsible for construction of turning lanes and stop lights if necessary.

The applicant representatives advised they expect the highest number of cars on the lot at one time to be 23 cars and 3 employee cars. Due to the physical restraints because of the size of the property at 2.8 acres, extra impervious coverage would cause the need to create larger storm water control and doesn't make sense from an environmental standpoint.

Store hours will be Monday through Saturday 8 am to 9 pm and Sunday 9 am to 9 pm. They do not do special sales.

The store will have 2 dumpsters for trash.

In response to Ms. Gilberti's questions, representatives advised a water retention facility will be built on the property, probably 2 ponds; the impervious surface run-off will not cause flooding, nor will it impact the Conewago Creek across the road, and fencing and vegetation will be placed around the water retention facilities.

The building will be 9100 square feet.

The Laganas requested fencing around the property be required. The Planning Commission recommended a fence and vegetative screening the entire property to within 20 feet of canal road.

Larry Hoover representing Bible Baptist Church had no questions.

Applicant representatives advised the ZHB they were going to withdraw the request for a Variance concerning the size of the free standing sign and will follow the Zoning Ordinance.

ZHB member Dave Zambito suggested the use of an 8 foot monument sign as a better choice than the tall free standing sign.

The signs will be lighted internally and there will be night lights in the store. Lights will not "bleed" off the sight. They will be directed down.

Ms. Gilberti questioned the maximum size of the signage since they claim to have such low traffic and a small footprint. The representatives responded they feel the size is appropriate for the area. The attached sign is the standard size used for this size store.

Attorney Herrold explained to the residents there will be more opportunities for the public to question and provide input regarding the plans when the traffic study has been completed and the Land Development Plan goes to the Planning Commission and then on to the Board of Supervisors for final approval.

Ms. Gilberti questioned if any other commercial properties are planned for that area. ZO Neufeld reported nothing now.

Public water and sewer are available to the property.

There will be 2 handicapped parking spaces at the door of the store.

ZHB Action:

ZO Section 405b & Section 660b – Motion to grant a Variance to reduce the required number of off-street parking spaces to a total of 32 spaces by Dave Zambito, second by Jesse Coy, Vote recorded 5-0.

ZO Section 660f –Variance requested that the set back requirement be interpreted as a minimum of 300 feet from property building to Bible Baptist Church building instead of from property lines. Motion to grant a Variance subject to the developer establishing vegetation and a 6 foot wood privacy fence to run the length of the property up to approximately 20 feet from the road for sight visibility by Dave Zambito, second Hanson Quickel. Vote recorded 5–0.

ZO Section 660h – Motion to grant a Variance for access driveway width to comply with PA Department of Transportation requirement of 24 foot width and developer to provide roll-over curbs installed 6 feet on either side of access drive, by Dave Zambito, second Jesse Coy. Vote recorded 5-0.

ZO Section 402 Chart A – Free Standing Sign – Motion to deny the request of a Variance for a 97.2 square foot sign which stands 21 feet high by Margaret Burg, second Sharon Beck. Vote recorded 4-1, with Dave Zambito dissenting.

ZO Section 402 Chart A – Attached Business Sign – Motion to grant a Variance for a 97.5 square foot (26' x 3'9") sign attached to the front of the building by Dave Zambito, second Hanson Quickel. Vote recorded as 5-0.

Special Exception – Sections 305c.35 and 660 – Motion to approve the Special Exception, subject to the Variances that have been approved or denied, by Jesse Coy and second Hanson Quickel. Vote recorded as 5-0.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Margaret L. Burg

Margaret L. Burg, Secretary