

## Conewago Township, York Co., PA

### Zoning Hearing Board Minutes - August 12, 2019

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance. Board members present were Sharon Beck, Margaret Burg, Jesse Coy and Rob Fogle. Attorney John Herrold and Zoning Officer Albert "Fritz" Neufeld were also present. Vice Chairperson, Dave Zambito was absent.

The minutes of the May 13, 2019 meeting of the ZHB were approved as distributed on a motion by Rob Fogle and second by Jesse Coy.

#### **Old Business**

**03-2019 – Strinestown Solar I, LLC** - Request for extension of time to secure a building permit or use certificate until September 2020. Motion by Jesse Coy, second Margaret Burg. Motion carried 4-0.

**04-2018 – Phillip Shoop, DPR Land and Hardscape Design** – Request for extension of time for 12 months to obtain Land Development approval. Motion to approve extension until August 31, 2020 by Jesse Coy, second Rob Fogle. Motion carried 4-0

#### **New Business:**

**07-2019 – Sheetz.** – Brent Brubaker and David Smith representing Sheetz, Ron Lucas, Esq. - Request for three Dimensional Variances.

Use is permitted. Store size is 6077 sq. ft. There will be 12 spaces for trucks, no overnight parking. Sheetz is open 24/7, every day of the year. The Lease for the property is for 50 years. Six properties are being combined. The property has two street frontages on Susquehanna Trail and Cloverleaf Road. Directional signs have been requested by the Board of Supervisors. The Planning Commission recommended approval of all Variances.

The change in elevation from the Susquehanna Trail to the rear of the property is about 30 feet.

Variance Request – Section 402.b Chart A-P-8B- Number of Attached Business Signs/Area of Attached Business Signs, pursuant to Conewago Township Zoning Ordinance #322.

To allow three Sheetz wall signs mounted to the principal building each with a sign area of 25.94 sq. ft. and one Sheetz sign mounted on the main gas canopy with a total area of 35.50 sq. ft. Motion to approve by Jesse Coy, second Margaret Burg, approved by a vote of 4-0.

Variance Request – Section 402.b Chart A-P-8A – Area of Free-Standing Business Sign, pursuant to Conewago Township Zoning Ordinance #322.

To allow a free-standing business sign along Susquehanna Trail with a sign area of the Sheetz Logo at 51.25 sq. ft. and a sign area of gas prices of 57.06 sq. ft. with a total area of the free-standing sign of 108.31 sq. ft. Motion to approve by Jesse Coy, second Rob Fogle, approved by a vote of 4-0.

Variance Request – Section 402.b Chart A-P-8A – Area and Height of Free-Standing Business Sign (Pole Sign), pursuant to Conewago Township Zoning Ordinance #322.

To allow a free-standing sign of 472.33 square feet and a free-standing sign height of 100 feet. Motion to allow by Jesse Coy, second by Rob Fogle, approved by a vote of 4-0.

**08-2019 JLM Real Estate Investments, LLC** – Request for a Special Exception/Variance for a proposed Dollar General Store in a Village Zone at 3457 Bull Rd, Dover, PA 17315; Section 305.c.35. and 405.b and 660.b pursuant to Conewago Township Zoning Ordinance #322. Kevin Melocheck, appearing for JLM.

The store is permitted by Special Exception. Penn DOT has no traffic concerns. Store hours will be 8 am to 10 pm, 7 days a week. No outside speaker system. Studies done at other Dollar General stores for determining number of parking spaces, found twenty-six spaces to be adequate for the store size of 9,360 square feet. At least 50 feet is needed for front yard setback for reasonable use of the property.

Township resident Rebecca Noll presented a Petition signed by 50 persons opposing the store and voiced her opposition to a store being placed in that location due to traffic and lights until late in the evening. The attorney for Dollar General objected to including the petition in exhibits for the hearing. Attorney Herrold did allow it as an exhibit.

Township resident Donna Miller questioned screening and sidewalks, which Attorney Herrold said will be addressed in the Land Development Plan which goes before the Board of Supervisors. She also asked for an explanation of Village Zoning which Attorney Herrold explained.

Business owner, Jeff Bobb, who owns the commercial property across the street in Dover Township questioned only 26 spaces for parking which he did not feel was sufficient.

Ms. Noll asked Mr. Melocheck for a copy of the traffic study.

Discussion by Mr. Bobb, Ms. Miller and Mr. Melocheck regarding large volume of traffic currently using Bull Road and Canal Rd.

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Variance for Front Setback – Motion by Jesse Coy to approve the variance request of Section 305.e front setback from 5 -15 feet to 50 feet pursuant to the Conewago Township Zoning Ordinance #322, second by Sharon Beck, motion carried by a vote of 4-0.

Variance for Parking Spaces – Motion by Jesse Coy to approve the variance request of Section 405.b and Section 660.b spaces required for parking to allow 26 spaces, pursuant to the Conewago Township Zoning Ordinance #322, second by Margaret Burg, motion carried by a vote of 4-0.

Special Exception – Motion by Jesse Coy to approve the request for a Special Exception to allow a retail store in a Village Zone according to Section 305.c.35 pursuant to the Conewago Township Zoning Ordinance #322, second by Sharon Beck, Motion carried by a vote of 4-0.

There being no further business, the meeting was adjourned.

Respectfully submitted,

*Margaret L. Burg*

Margaret L. Burg, Secretary