

Conewago Township, York Co., PA

Zoning Hearing Board Minutes - November 13, 2018

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance. Board members present were Sharon Beck, Dave Zambito, Margaret Burg, and Hanson Quickel. Attorney John Herrold and Zoning Officer Albert "Fritz" Neufeld were also present. Member Jesse Coe was not present.

The minutes of the October 9, 2018 meeting of the ZHB were approved as distributed on a motion by Hanson Quickel and second by Margaret Burg.

Old Business: There was no old business.

New Business:

Case No. 04-2018 Phillip Shoop - Request for a Special Exception of Section 308.c.11 and section 619 and a Variance of section 619.d of the Conewago Township Zoning Ordinance #322 for the property located at 1830 Jug Road, accessed thru Stahle Lane, Dover, PA 17315. Attorney Reilly Noetzel appearing on behalf of Mr. Shoop. The property will be used only for storage of landscaping business equipment and everything will be enclosed within a pole barn. There is no collector road, access to the property is by private lane that has right of way access for the residents and properties. Appropriate screening and regulations will be met. The property still had to go through the Land Development phase.

Several residents appeared with questions and concerns over the use of the property and Stahle Lane, which is not paved or a township road and is only a one lane private drive for the residents along the lane.

Resident Billie McKenzie expressed concern regarding the noise the equipment will create, hours of operation and the number of persons that will be using Stahle Lane to access the property, in addition to the residents that will be coming in and going out the Lane.

Resident Brad McKenzie expressed concern about the size of the pole building and traffic.

Resident Wanda Stahle expressed about the use of Stahle Lane by several pieces of heavy equipment and damage to the lane and adjoining properties. She also questioned snow removal and graveling the lane which the residents now take care of themselves.

Resident Curtis Knaub expressed concern about the narrow width of the lane and use of recycled materials and chemicals.

Resident Corey Rupp expressed concern about poor visibility at his place across from the property.

Mr. Shoop responded to each of the residents' concerns, hours of operation should be 7:00 A.M. to 5:00 P.M. He could take care of the brunt of caring for the road and snow plowing. He

does not expect noise to be a factor. He is willing to work with the residents regarding the care and use of the Lane. He will negotiate with the neighbors regarding placement of the entry road to his property.

ZHB Chairperson Sharon Beck questioned the access to Butter Road.

Mr. Shoop stated the access drive is grown over and can't be used.

Motion by Dave Zambito to grant the application for a Variance of Section 619.d of the Conewago Township Zoning Ordinance #322 to allow access to the property through a private lane/deeded Right of Way in lieu of the normal requirement of a collector street. Second by Margaret Burg, motion passed by a vote of 3 to 1, Chairperson Beck voting no.

Motion by Dave Zambito to grant the Special Exception for a Contractor's Facility, Section 308.c.11 and Section 619 of the Conewago Township Zoning Ordinance #322 at the 1830 Jug Rd. accessed through Stahle Lane, Dover, PA 17315. Second by Margaret Burg, motion passed by a vote of 3 to 1, Chairperson Beck voting no.

Case No. 05-2018 David Krulac – Request for a Variance of Flood Ordinance #351, Sections 5.01.D, 503.A.1, 506.A to place a Manufactured Home Park in a Flood Zone. The property is located on Jimmy's Dr. and Susquehanna Trail.

Esh McCombie, Esq. appearing on behalf of Mr. Krulac, requested an unlimited continuance waiving time requirements for the Board to act on the request for a Variance.

After discussion on granting the continuance, the motion was made by Margaret Burg to continue the hearing indefinitely in accordance with the representation of counsel that we're not going to run into any deemed approval here, and that the next hearing will be coordinated between the applicant and the zoning officer and will be scheduled accordingly.

Following discussion regarding Mr. Neufeld's concern about the hearing being continued indefinitely, Attorney Herrold advised that if the applicant doesn't contact him about a hearing date, Mr. Neufeld can set a date for a hearing. The motion was seconded by Dave Zambito, and passed by a vote of 4 to 0.

Mr. Quickel advised the Board that he has submitted his resignation from serving on the Board to the Supervisors. The Board thanked him for his service and wished him well.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Margaret L. Burg

Margaret L. Burg, Secretary