

Manheim Township Zoning Hearing Board Minutes
Monday March 4, 2019
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Absent
David Beyer	Present
James Stephens	Present
Matthew Wolf	Present

Chairman David Wood called the regular meeting to order, requested a roll call, explained the Zoning Hearing Board meeting process, and announced the agenda.

Austin D. Sahd
213 Jackson Street and 200 Lincoln Street

PLZHB19006

Paul Martinez, Lynn Hedricks, Josh Nice, Melonie Martinez, Richard Dehl and Patrick Evans were sworn in for testimony.

Attorney Derek Dissinger distributed a revised plan for the apartment building and explained the changes. Mr. Dissinger stated that this is a scaled down version, with 3 stories and 18 apartments in the building. In addition, there will be 18 parking spaces, with 6 spaces on the property and 12 in the garage across the alley. Mr. Dissinger stated that this project is consistent with the comprehensive plan.

Mr. Sahd stated that the revised building height will be 28.5 feet to the top of the 3rd story window and 31.5 feet to the roof, which is consistent with the building heights in the neighborhood. Mr. Sahd stated that he had a February 26, 2019 meeting with the neighbors to discuss the revised building. Mr. Sahd distributed letters from the owners of the neighboring properties. There was discussion regarding these letters.

Mr. Stephens left the meeting.

There was a discussion if the 12 unit garage bays were large enough for cars to park. Mr. Sahd stated the garage is large enough for a SUV.

There was a discussion of the appearance of the proposed apartment building and how to make it have the same appearance as the townhouses. Architect Larry Stauffer stated that he could add features to the building consistent with the neighborhood. Mr. Sahd stated that 75% are studio apartments and 25% are one bedroom apartments. Mr. Sahd stated that additional parking is available as shown on the aerial photos.

Mrs. Martinez distributed a signed petition from the neighbors opposing this apartment building. Mrs. Martinez stated that the additional parking spaces proposed are 630 feet and 440 feet from the proposed apartment building which is further from the building than is required by the zoning ordinance. Mrs. Martinez asked what the hardship is.

Zoning Hearing Board Minutes

Monday March 4, 2019

Page 2

The remaining of the neighbors in attendance voiced their concerns regarding changing this peaceful neighborhood, noise, parking problems, parking during construction, possible top terrace parties, façade differences of the building to the neighborhood.

There was an executive session.

Mr. Beyer moved to deny application in the case of PLZHB19006. Mr. Wood seconded the motion. The motion was approved 2 – 1 with Mr. Wolf dissenting.

**Montessori Academy of Lancaster
2750 Weaver Road, R-1 Residential**

PLZHB19021

Sharon Sheaffer, Pranav Mehta, Fred Hess, and Mike Huxta were sworn in for testimony

Mr. Huxta stated the following: This request is for a building addition to the school building. This same addition was approved by the Zoning Hearing Board in 2007 but the time frame of the approval lapsed and a new request for a special exception to expand the school building is required. The land development plan is still valid for the addition.

Neighbors in attendance voiced the following concerns: Had to place a fence in their rear yard to keep students off their property, no natural borders between the school building and the residential properties, increased traffic, no security in the school parking lot at night, stormwater management and stormwater ponding on neighboring properties.

Mr. Wolf moved to approve a special exception in accordance with Section 703.4 for the expansion of the elementary school. Mr. Beyer seconded the motion. The motion was approved 3-0.

**Pamela Kinney
65 Eshelman Road, R-1 Residential**

PLZHB19022

Pamela Kinney was sworn in for testimony.

Mrs. Kinney explained that her son was looking for a property that is private for the growing family. Mrs. Kinney's son bought this property with the existing upstairs accessory dwelling unit. She stated that she will live in the main part of the building and her son will live in the upstairs accessory dwelling unit when he is in the area. Her son has a job that requires him to travel and is not home that often.

Mrs. Kinney stated that the accessory dwelling unit will not be rented to the public.

Mrs. Kinney stated that in the future her son will live in the primary dwelling and she will move to the accessory dwelling unit when he moves to this property to raise a family.

Zoning Hearing Board Minutes

Monday March 4, 2019

Page 3

Mr. Beyer moved to approve a special exception in accordance with Section 2515 to permit an accessory dwelling unit; a variance of Section 2515.2.A.6. to permit the accessory dwelling unit to be larger than 1,000 square feet; a variance of Section 2515.2.A.7 to permit the property owner not to be a permanent resident of the property. . Mr. Wolf seconded the motion. The motion was approved 3-0.

Mr. Wood summarized the request approvals: a special exemption to allow an accessory dwelling unit, a variance to allow the accessory dwelling unit that is larger than, 1,000 square feet, and a variance to permit the property owner to live in the house on a part time basis.

Fourmation Fitness

PLZHB19023

1630 Manheim Pike, B-4 Business and D-R Retrofit Overlay

Steven Esh was sworn in for testimony.

Mr. Esh distributed revised floor plans of the building marking the location his business will operate in the building. The tenant space is a 2,500 square foot space.

Mr. Esh explained that he is requesting a special exception for a commercial recreation facility to operate his Fourmation Fitness business. This is group training for 10 to 30 people at a time in the morning and evening hours.

Mr. Esh explained the concept of the fitness program which improves lifestyle with fitness.

Mr. Esh stated that 40 spaces are needed for this business and there are 35 to 40 parking spaces available in the parking lot.

Mr. Wolf moved to approve a special exception in accordance with Section 1403.2. to permit Fourmation Fitness to operate as a commercial recreation facility in this building. Mr. Beyer seconded the motion. The motion was approved 3-0.

Petersburg Road Associates LLC

PLZHB19024

321 Petersburg Road, R-1 Residential and T-1 Natural Resources Overlay Area.

Steve Schramm, Stella Sexton, Mark Young, Chris Martin and Esch McCombie, Doug Parkins, Josh Boultebe, and Kim Graybill were sworn in for testimony.

Mr. McCombie began by describing the proposed subdivision and stated that this is an infill project with five streets.

Mr. McCombie stated the following: The Subdivision and Land Development Ordinance (SALDO) require a subdivision to connect to existing streets. There will be no development in

Zoning Hearing Board Minutes

Monday March 4, 2019

Page 4

the wetlands, only in the wetland buffer. This plan will give more efficient connectivity to Petersburg Road as required by the township's official map and throughout those neighborhoods.

Mr. McCombie reviewed the requested variances regarding encroaching with the 35 foot wetland buffer and encroaching into the riparian buffer and a time extension and stated these are only dimensional variances. The reason for the variances is because the SALDO requires connecting to the existing streets which requires the encroachment into the wetland buffers and riparian buffers and requires zoning approval.

Mr. Parkins described the layout of the subdivision referencing the subdivision plans. He stated that this is a 67 acre piece of property which is the largest property in the R-1 zoning district.

Mr. Parkins described the 5 phases for the subdivision referencing the phasing plan drawing. Phase 4 and 5 developments are 7 to 8 years away. It will take 10 years to build out the entire subdivision.

Mr. McCombie reviewed the stormwater plans for the subdivision, the riparian buffer plans and wetland buffer plans. Mr. McCombie stated the subdivision will be encroaching on 15.6% of the wetland buffer and 20% of the riparian buffer.

Mr. Gochnauer explained the environmental evaluation he made of the project. There is a stream and 3 wetlands for the stream. Wetlands are under pressure. DEP allows development up to the wetlands. DEP regulates the road over the stream. This subdivision will not cause harm to the riparian and wetlands.

One neighbor came to learn about the project, but stated it would be nice to use cul-de-sacs instead of through streets.

The neighbors adjacent to this development voiced the following concerns: traffic, short cuts through neighborhood, stormwater problems and placement of trees earlier in the wetlands before the start of development.

There was a discussion regarding cu de sac verses through streets. Lisa Douglas stated that through streets are needed for planning, public service and emergency services.

Mr. Martin stated that the stormwater will be redesigned with less run off and the basin will be enlarged.

There was a discussion of the proposed time extensions.

Mr. Beyer moved to approve a variance of Section 2403.4.B.3.b. to permit more than 5 percent of the riparian buffer area to be disturbed; a variance of 2403.5.B.4. to permit a limited amount of disturbance within the 35 foot wetland buffer area; a variance of Section 2808.1. to permit an extension of timeframes to secure permits and complete construction. The extension of time is

Zoning Hearing Board Minutes

Monday March 4, 2019

Page 5

tied to the approval of land development phase 4 and to complete construction 1 year from the date of recording. Mr. Wolf seconded the motion. The motion was approved 3-0.

This meeting was adjourned at 9:50 PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting on Monday, April 1, 2019.

Z:\Zoning Hearing Board\MINUTES\2019\03042019 ZHB minutes.doc