

Manheim Township Zoning Hearing Board Minutes
Tuesday October 4, 2016
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
Jennifer Luciani	Absent
David Beyer	Absent
James Stephens	Present
Patrick Trimble	Absent

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

Craig Hansson **PLZHB16263**
846 Valley Road, R-2 Residential

Victor Miacnikowicz, Jamie Esbenthaler, Anne Gaul, Richard Walters, Marilyn Walters, Dan Eberly, Mark Will and Craig Hasson was sworn in for testimony.

Mark Will explained that Mr. Hasson purchased the property in 2015. This property is a lot of record on a subdivision plan dated February 25, 1960. A well will be placed on the property and public sewer will be accessed from Valley Road. The lot depth of this property is 150 feet instead of the required 200 feet. The neighbors were approached with a request to place an easement across their properties to access public water and place a one inch water line to this property. All the neighbors declined the offer. In addition, Mr. Hasson could not obtain permission to place the water line in the private drive.

Mr. Will explained the variance request to permit to construct a dwelling on this lot not meeting the 60,000 square foot lot area and the 200 foot lot depth requirements.

The neighbors testified that they are having well problems and do not want another well in the area. The other concerns were creating more stormwater runoff problems, and the sewer system is small with grinder pumps.

Mr. Strausser moved to approve the request for a variance of Section 805.2.B.2.a. to allow a dwelling to be constructed on a lot less than 60,000 square feet with the use of an on lot water well and a variance of Section 805.2.B.2.c. to allow a lot depth of less than the required 200 feet. Mr. Stephens seconded the motion. The motion was approved 2-1 with Mr. Wood dissenting.

Girolamo and Jacqueline Micciche **PLZHB16264**
731 Jake Landis Road, R-2 Residential

Tricia Como of Coldwell Banker, Alana Micciche, Mark Micciche, Jacqueline Micciche, Girolamo Micciche, Rita Fenty, and Ron Fenty were sworn in for testimony.

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Ms. Como explained that the Micciche's have this house under agreement and are requesting to continue the existing accessory dwelling unit for Girolamo and Jacqueline to move into without any changes to the accessory dwelling unit. Their son and family will live in the main dwelling unit.

Ron & Rita Fenty own the dwelling and have the existing accessory dwelling unit and are selling the house and moving out of the area.

Neighbors Michael and Virginia Young stated that they are in support of this request.

Mr. Stephens 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 1,703 square feet; a variance of Section 2005.4. to permit the accessory dwelling unit required parking space to encroach within the required front yard building setback.

Mr. Strausser seconded the motion. The motion was approved 3-0.

Central PA Equities LLC

PLZHB16265

1580 Fruitville Pike, I-2 Industrial and D-R Retrofit Overlay

Alex Piehl, David Hogg, Stacey McNeal were sworn in for testimony.

Ms. MacNeal explained that the plans are to construct a 120 room Hilton hotel on the property.

Referencing the aerial view of the lot and area, Mr. Piehl explained the existing property and highlighted the farmhouse, limits of the flood plain, wetlands, and riparian buffer located on the property. The historic farmhouse would be reused for possibly offices.

Mr. Piehl explained the requested variances regarding the retaining wall and driveway encroaching within the riparian buffer and wetlands and to allow to construct 5 foot sidewalk instead of the required 10 foot width. He stated that the riparian buffer creates a hardship on the property. The driveway is needed to access the proposed parking spaces for the farmhouse use. This use is consistent to the uses in the area. Mr. Piehl explained that there will be no crowds with this use and would not require a 10 foot wide sidewalk.

There was a discussion regarding parking. The Board mentioned incorporating the parking for the farmhouse into the hotel parking and possibly reducing the numbers of rooms to minimize the impact into the wetland. Mr. Piehl stated that marketing requires 120 rooms. The small addition on the farmhouse will be demolished with the approval of the Pennsylvania Historic Museum Commission. Mr. Piehl stated that 20-30 percent of floodplain is on the property.

There was a discussion about the sidewalk variance.

In closing, Mr. Piehl stated that the 5 foot request is appropriate to allow the appropriate use of the property and this plan shows a de minimis encroachment into the wetlands

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Mr. Stephens moved to approve a variance of Section 2408.3.A. Appendix A 14.3. to allow a minimum sidewalk width of 5 feet for a non-residential use, and requested another motion for the other variances. Mr. Strausser seconded the motion. The motion was approved 3-0

Mr. Strausser moved to approve a variance of Section 2403.4.B.3.a. to allow construction of an access drive and retaining wall within the 50 foot Riparian Buffer; a variance of Section 2403.5.B.4. to allow construction of an access drive and retaining wall within the 35 foot Wetland Buffer. Mr. Wood seconded the motion. The motion was approved 2-1 with Mr. Stephen dissenting.

Stephen McGuirk

PLZHB16266

1659 Lititz Pike, B-4 Business and D-R Retrofit Overlay

Stephen McGuirk and Will Bowker were sworn in for testimony.

Mr. McGuirk stated that he was working with the sign official Andy Bowman regarding building signs. He stated that the request is for 298.72 square feet of building signs to be placed on the tenant space exterior walls. This figure represents the zoning requirement of 1.5 square feet per liner foot of facade for the building walls but exceeds the 200 square feet of building signs allowed per tenant space. The zoning ordinance creates a hardship. This tenant space is an end cap of the shopping center and has a third wall. These walls are bordered by heavily traveled thoroughfares of Rt. 30, and Rt. 272. The ordinance does not take into consideration of a third wall.

Mr. McGuirk stated that the major roads have an impact in advertising. The signs along Rt. 30 and Rt. 272 are critical to Primanti Brothers and is too important not to use.

There was a discussion of sign content and size. The board mentioned if the sandwich is required in the sign and if they need the amount of signs that were proposed on all walls. Mr. McGuirk stated that this is the Primanti Brothers trade brand and is recognized by the customers. Mr. McGuirk compared this request to the sign request of Giant Food Store where they were granted a variance not to exceed the 1.5 square feet per linear feet of façade regulation.

Mr. McGuirk stated that this is a unique site because of the thoroughfares and the third wall and should be allowed to have more signage.

Mr. Stephens moved to approve a variance of Section 1805.2. Table 2 Part A to permit the proposed building signs to exceed 200 square feet of sign area not to exceed 300 square feet of sign area. Mr. Strausser seconded the motion. The motion was approved 2-1 with Mr. Wood dissenting.

The meeting was adjourned at 9:08PM. The next regularly scheduled Manheim Township Zoning Hearing Board meeting will be on Tuesday, November 1, 2016.