

Manheim Township Zoning Hearing Board Minutes
Monday, June 6, 2020
6:30 P.M.

Attendance:

David Wood (by Zoom computer conference)	Present
Greg Strausser (by Zoom computer conference)	Present
David Beyer (by Zoom computer conference)	Present
James Stephens (by Zoom computer conference)	Present
Jane Macedonia, Alternate (by Zoom computer conference)	Present

Zoning Hearing Board Solicitor, Neil Albert, Court Reporter Allen Blank, Zoning Officer Lisa Douglas and Assistant Zoning officer Samuel Maurer were present at the Manheim Township Municipal Building.

The Zoning Hearing Board meeting was held remotely because of the COVID-19 and the Zoning Hearing Board members and applicants participated remotely through the Zoom App.

David Wood called the regular meeting to order and requested a roll call. All Zoning Hearing Board members were remotely present through the Zoom App.

Mr. Wood announced the items on the June 1st Zoning Hearing Board agenda, indicating that the first case was continued from May.

The entirety of each public hearing was stenographically recorded.

M & G Realty Inc. PLZHB20045
1850 Oregon Pike/East Roseville Road; B-2 Business and D-C Corridor Overlay

The applicant's representative, Brandon Harner was sworn in for testimony and the solicitor for the applicant, Shane Rohrbaugh, was also present to continue testimony regarding the requested variances.

The applicant discussed the process and findings of a balloon test, whereby a large balloon is lofted to a certain height to provide a visual.

Persons offering comments or testimony at the June hearing via Zoom included Andy Benko, Barry Kauffman, Cassandra Williams, Terry Singer, Jennifer Martin, Rebecca Dillon, Kate Plass, Ethan Eshbach, Kristin Thiry, Rosie Mische John, Michael Gibeault, Ryan Boulder. All the individuals testified in opposition to the application.

Lisa Douglas read questions from an e-mail authored by Mary Iovino of 406 Glen Ridge Drive.

The following individuals requesting party status, either at the May 4 hearing or at the June 1 hearing: Rebecca Dillon, 216 E. Roseville Road; Kate Plass, 1857 Anne Avenue; Kristin Thiry, 1834 Oregon Pike; Rosamund Mische John, 465 E. Roseville Road; Jennifer Martin, 265 Murray Hill Road; Ryan Bouder, 1979 Park Place; Aaron Miller, 394 E. Roseville Road; and Michael Gibeault, on behalf of the Highland Presbyterian Church, 500 East Roseville Road. All these individuals participated at the hearing and testified as to the impact of the proposed use on their

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properties. Each was cross examined by counsel for the Applicant. After public deliberation, all were granted party status by the Board. One individual, Sue Savage, had made a request for party status at the May hearing but did not provide an address, did not participate in either hearing, and failed to respond when her name was called to give support for her request for party status, so her request was deemed abandoned.

David Wood requested an executive session; however, complications with the remote breakout meeting room prevented an executive session.

A motion was made to approve the following variances: a variance of Section 1204.2.C.7 to allow for a convenience store with 7,646 square feet of gross floor area; a variance of Section 2103.1 to allow for one vehicle fueling canopy at a height of 19 feet 11 inches; a variance of Section 2211.1 to allow for one driveway that is 45 feet wide; a variance of Section 2410.3.A Design Standard 14.3 to allow for a sidewalk 5 feet in width to match the existing sidewalks of the nearby properties. The motion did not pass in a 1-4 vote.

David Wood requested Vice-Chairman, James Stephens, to preside over the next two cases and dismissed himself from the hearings as a result of work commitments related to COVID-19.

WX2, LLC

PLZHB20147

I-1 Industrial and D-R Retrofit Overlay, 1585 Commerce Drive

The applicant and representatives of the applicant including Steve Walter, owner, Phil Weaver, owner and Ed Ostrowski, ELA Group were sworn in for testimony. The applicant's legal counsel, Mrs. Stacey Brubaker, presented the case. Following an overview of the project and discussion on the requested variances, the Vice-Chairman called for questions. There was a brief discussion regarding the landscape screen.

No one requested party status and no one, other than the Zoning Hearing Board commented on the requests.

A motion was made to approve the following variances: Section 2408.2.B.(1) to allow the building to be setback further than 25' feet from the street right-of-way; a variance of Section 2402.5 and 2408.3.A, Appendix A, Design Standard 3.4 to permit a building less than 20' in height; a variance of Section 2402.5 and 2408.3.A, Appendix A, Design Standards 14.3 to allow for a sidewalk 5 feet in width; and a variance of Section 2402.8 and 2408.3.A, Appendix A, Design Standard 16.4 to exclude the requirement of a "Street Wall" and utilize the existing landscaping along Commerce Drive while providing a landscape strip along Flory Mill Road and a variance of Section 2808.1. to permit a time extension to obtain permits and complete construction.

The motion was unanimously approved, 4-0.

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KSL PARTNERS, LLC

PLZHB20148

B-3 Business and D-R Retrofit Overlay, 2061 -2091 Grand Street.

The applicant and representative of the applicant including Kevin Lapp, KSL principal, Frank Barrett of Boyd Wilson, Bill Swiernik, David Miller/Associates and Randy Hess, Hess Home Builders, were sworn in for testimony. The applicant's legal counsel, Claudia Shank and Mark Stanley of McNees Wallace & Nurick were also present. The applicant's legal counsel, Ms. Shank, presented the case.

The applicant requested to amend the application to include Building F, as a multi-family residential only building, in addition to Buildings C, D, and E. The Zoning Hearing Board voted to amend the application in a 4-0 affirmative vote.

There was a brief discussion regarding the use of the buildings, the proposed detached garage spaces and the changes between the prior approval and the current requests.

No one requested party status and no one, other than the Zoning Hearing Board commented on the requests.

A motion was made to approve the following variances: variance of Section 1302 to permit buildings C, D, E. & F as depicted on Exhibit F to be developed solely for multi-family residential use; a variance of Section 2102.4. to permit private garages to encroach into the front yard/build to line setback and a variance of Section 2808 to permit a time extension to obtain permits and complete construction and to extend the approvals granted by the 2017 Decision to align with these timeframes.

The motion was unanimously approved, 4-0.

Proceedings adjourned at 9:56 p.m.

The next Zoning Hearing Board meeting will be held on July 6, 2020 beginning at 6:30 p.m.

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