

Manheim Township Zoning Hearing Board Minutes
Monday, December 6, 2021
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
David Beyer	Present
James Stephens	Present
Jane Macedonia	Present

The Zoning Hearing Board, Zoning Hearing Board Solicitor, Neil Albert, and Assistant Zoning Officer Samuel Maurer were in person in the Morgan Center located at Manheim Township Library.

Chairman Wood announced that the Pennsylvania Covid 19 related directives were rescinded the Zoning Hearing Board and the applicants would be heard in person at the Manheim Township Library. The zoom availability is only for the public to watch the meeting without participation.

Chairman Wood called the regular meeting to order and requested a roll call and announced the agenda. Zoning Hearing Board members were in attendance in person at the Manheim Township Library building. Mr. Wood stated that there is a quorum.

This meeting was stenographically recorded.

Zoning Hearing Board Solicitor Neil Albert explained that the last month continuance was because of advertising issues, failure of advertising. A packet was created with the agenda and letters recording the November 3, 2021 meeting continuance to December 6, 2021.

Sonshine Holding LP
R-2 Residential, 1042 & 1050 Bluegrass Road.

PLZHB21423

Joel Snyder and Jeff Rutt were sworn in for testimony.

Mr. Snyder distributed additional exhibits.

Referencing the site plan of the Stoner Development and the computer generation photo of the entry signs and bus stop shelter, Mr. Snyder explained the request to construct 2 entrance signs and a bus stop shelter at the entrance of Stoner Farm subdivision on the lots of 1042 and 1050 Bluegrass Road. Mr. Snyder stated that the entrance wall signs and bus stop shelter creates a sense of entry to the Stoner Farm development, and creates a street wall at the front of the development.

Mr. Snyder explained the requested variances regarding: two development signs, signs encroachment into setback, bus shelter exceeding height limit, and the bus shelter encroachment within the 5-foot setback and the bus stop shelter within the front yard building setback.

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Mr. Snyder stated the reasons for the variances is that Manheim Township owns 25 feet of land from Eden Road which moved the development signs and bus shelter back into the development.

There was a discussion regarding that the bus shelter could be built in compliance of the zoning ordinance. Mr. Snyder stated that you would loose the visual feel if the bus shelter would be moved back any farther.

Public comment: Bernadette Margel of Royer Drive stated that she was concerned with the bus stop being maintained by the homeowner's association.

There was a discussion regarding the hardship for the wall variance. Mr. Snyder stated that if the wall was far away it would not have a virtual presence to see the sign. The Board stated that if the boulevard would be removed, the wall signs and bus stop shelter could comply with the zoning ordinance.

Mr. Strausser moved to approve the following: a variance of Section 1805.2. Table 2 Part B to construct development entry sign / features which encroaches within the required 10-foot minimum sign setback: a variance of Section 1805.2. Table 2 Part B to permit two (2) development signs at one entrance; a variance of Section 2103.1. to permit the proposed bus shelter to exceed 10 feet in height; a variance of Section 2103.2. to permit the proposed bus shelter to encroach within the required 5-foot setback from the property line; A variance of Section 2103.3. to permit the proposed bus shelter within the front yard building setback. Mr. Beyer seconded the motion. The motion was approved 4-1 with Mr. Stephens dissenting.

**Aspen Home Improvements
2653 Lititz Pike, B-2 Business and T-5 Neffsville Overlay**

PLZHB21423

Nancy Tipton was sworn in for testimony.

Ms. Tipton, of Advanced Signs, explained that Aspen Home Improvements wants to install a larger 30 square foot sign replacing the existing 20 square foot sign in the front yard of the property, and stated that the neighboring properties have larger signs.

Ms. Tipton stated the hardship for the larger sign is that the existing sign cannot be seen going north and south on Lititz Pike because buildings and a tree are blocking the existing sign.

There was a discussion regarding the 30 square foot request. Ms. Tipton explained the letter size in comparison to the distance of the proposed sign from the Lititz Pike traffic and the size of the sign.

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Ms. Macedonia moved to approve a variance of Section 1805.2. Table 2, Part A to permit the installation of a freestanding sign larger than the 20 square foot requirement. The motion was approved 4-1 with Ms. Macedonia dissenting.

RNJ Washes LLC

PLZHB21425

1850 Oregon Pike & 384 East Roseville Road, B-2 business and D-C Corridor Overlay

Matt Crème Esq. representing RNJ Washes LLC, stated that there is one neighbor requesting party status.

Reilley Noetzel Esq., of Barley Snyder, representing ABK Realty owner of 1834 Oregon Pike adjoining the subject property, stated that him and his client negotiated conditions for the car wash and are here to night to observe and make sure those proposed conditions are entered into the record, and are seeking party status.

Matt Crème stated that he has no objection to the party status.

The Board voted unanimously by a voice vote to allow this party status for ABK Realty.

Ryan Bollinger and Thomas Maddison were sworn in for testimony.

Mr. Crème stated that the request is for a special exception for a motor vehicle car wash and four variances. The B-2 Business portion of the Manheim Township zoning ordinance was changed allow for a motor vehicle wash facility by special exception.

Mr. Crème explained the special exception process, read the definition of a typical car wash, described the lot, and stated that this is an appropriate level of use for this property.

Mr. Bollinger stated that this car wash will be like the RNJ car wash at the Stauffer store in Lititz, explained the operation of the proposed car wash, explained the fan design of the “Stealth 120 blower” which is quieter than the carwash in Lititz, stated the sound will be directed to East Roseville Road, and that the car wash fan will be quieter compared to other car washes.

Mr. Bollinger explained that there will be 60% of water reclamation and will use the Lancaster City public water. The remaining used water will drain into the public sanitary sewer. This car wash will not service large trucks, the height limit is 9 feet.

Mr. Bollinger stated that there will be outdoor vacuums for cars, not large trucks. The vacuums have a central turbine with low noise.

Mr. Maddison explained that everything on the site will be removed, rebuild for the car wash, with one access to Oregon Pike. Described the vehicle direction and movement through the car wash, and the use of the property. This car wash have the capacity to stack

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35 cars waiting to use the car wash. Mr. Madison stated that there will be 50% reduction of impervious coverage on this site.

Mr. Maddison reviewed compliance with the bulk regulations of the zoning ordinance, and explained the 4 requested variances regarding, installation of a 5-foot-wide sidewalk, no street edging along Oregon Pike, parking within the 75-foot setback at the residential zoning district, and the vacuum use outside of the building.

There was a discussion regarding the required hedgerow street edge requirement. Mr. Maddison stated that the hedgerow cannot be placed within the PennDOT right of way.

Public comment: Bernadette Margel stated she was concerned with traffic at McDonalds and that a traffic light may be needed. In addition, she is concerned if there is enough of water supply for the car wash. There was a discussion regarding traffic from the site, and it was mentioned that speed bumps will be placed on the driveway.

Mr. Stephens moved to approve the following: a special exception in accordance with 1203.7. to operate a Motor Vehicle Washing facility; A variance of Section 2410.3.A. Appendix A. Design Standards 14.3. to provide a proposed sidewalk along Oregon Pike at a width of less than the 10-foot requirement; a variance of Section 2410.3.A. Appendix A. Design Standards 16.3, 16.4, 16.5, and 16.6. to allow development of the Premises without providing a street wall, fence, or hedge along the Oregon Pike frontage; A variance of Section 2005.5 to permit parking to the rear of the building adjacent to a residential zoning district; a variance of Section 2507.2. to allow the vacuum and mat washing functions to be located on the exterior of the building; all this per the conditions and testimony as provided. Mr. Beyer seconded the motion. The motion was approved 5-0.

Lancaster Catholic High School
850 Juliette Avenue, R-3 Residential and T-4 Urban Neighborhoods

PLZHB21426

Steve Gergely, Tim Hamer and Chris Peters were sworn in for testimony.

Mr. Gergely distributed new architect drawings to replace the ones that were submitted with the application. Mr. Gergely explained the request for a special exemption for a school building addition and described the lot and location.

Mr. Gergely stated that interior building alterations has been happening over time. There will be no increase of the 500-student population.

Mr. Gergely explained the building addition, and explained the variances regarding: building height, landscape islands in parking lot, and a 2-year time extension. It was mentioned that the time extension was not requested in the submittal and was not advertised, therefore it cannot be requested at this hearing.

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Mr. Peters explained that there will be kitchen alterations and auditorium renovations with this building expansion. Referencing the architect plans of the proposed addition Mr. Peters described the proposed renovations and building expansion within the existing courtyard space and explained the phases of the project. The auditorium will be just under 50 feet tall to make room for the stage sets and rigging and would be taller than the zoning ordinance height requirements.

Mr. Peters explained the variances regarding the auditorium height.

Mr. Gergely explained the proposed changes to the parking lot by installing landscape islands and speed bumps and reduce street accesses. Band practice is done on the parking lot. Mr. Gergely explained the lot area variance and stated that there will be 15% of open area with this project which is more than the existing open area of the property.

Mr. Beyer moved to approve a special exception in accordance Section 903.2. to allow a secondary school expansion; a special exception in accordance Section 903.2. to allow a secondary school expansion; a variance of Section 906.1. to exceed the maximum building height of 35 feet; a variance of Section 906.2.B.6. to exceed the minimum 65% open area; a variance of Section 2512.2.A. to encroach into the 10-foot-wide planting strip along the southern property line; a variance of Section 2512.3.C.3. to not require one (1) standard landscape island for every twenty (20) parking spaces or ten (10) parking spaces in a single row. Mr. Stephens seconded the motion. The motion was approved 5-0

Village of Olde Hickory LP

PLZHB21427

600 Olde Hickory Road, R-3 Residential and D-C Corridor Overlay

Judi Rineer, Chris Venarchick, Peter Cardinal, and Bernadette Margel were sworn in for testimony.

There was a party status vote to allow party status of Bernadette Margel and Gail Hoffer for this case. The Board unanimously approved this party status request.

Mike Davis Esq. of Barley Snyder summarized this project to enhance the floodplain and riparian buffer between the Olde Hickory and the Royer Drive residential lots. Mr. Davis stated the requested variances for this case are for disturbing the riparian buffer.

Mr. Venarchick explained the variance requests regarding the floodplain and temporally disturbing the riparian buffer. The disturbance of the riparian buffer is essential to work on the floodplain for enhancement of the floodplain function. Sediment will be removed from the floodplain which, would allow full functionality of the floodplain.

Mr. Venarchick explained the D-C Overlay variance requests for the construction of additional apartment buildings and garages regarding building façade 35 feet from the build

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to line, street edge requirements, not placing 60% of building façade along the build to line, and the garage 41-foot setback request.

There was a discussion regarding the build to line with the Board

Mr. Venarchick explained the variance request for the location of the parking lot expansion within a corner lot. There will be an 18-parking space expansion on the corner lot.

Public comment:

Peter Cardinal of 508 Royer Drive voiced concern regarding making the stream deeper by removing silt and removing trees from the floodplain, and possibly moving the stream.

Mr. Venarchick stated that the entire floodplain will be modified depending how much sediment is there. The stream will be redesigned but not moved. Large equipment will be used.

Bernadette Margel voiced concerns regarding the stream restoration process, creating a marshland, removing trees from the floodplain, affecting wildlife, and car headlights shining into the Worthington development from the Olde Hickory development. She asked what you are trying to fix and requested an explanation of the floodplain restoration process.

Mr. Venarchick answered by stating the project corrects the stream channel and removes sediment. The Department of Environmental Protection (DEP) recommends this option. Mr. Venarchick continued by stating that the car headlights would be blocked by the buildings and the trees will be removed from the floodplain.

Mr. Davis stated that Boyd Wilson will meet with the neighbors and discuss this project and changes to the area.

Mr. Strausser moved to approve the following request: The applicant is requesting the following: a variance of Section 2403.4.B.1. to allow disturbance of 2,200 linear feet of stream corridor and 15.44 acres of existing vegetated areas within the Riparian Buffer and Riparian Forest Buffer as part of a floodplain restoration; a variance of Section 2403.4.B.3.a. to allow disturbance within the Riparian Buffer and Riparian Forest Buffer as part of a floodplain restoration; a variance of Appendix A, Design Standard 4.5. to allow building façade architecture with a maximum offset from the build-to-line of thirty (30) feet; a variance of Appendix A, Design Standard 4.6 to permit the placement of buildings in a configuration that do not extend the full length of the lot; a variance of Appendix A, Design Standard 4.7. to allow a twelve (12) foot offset from the build-to-line; a variance of Appendix A, Design Standard 7.4. to permit detached garages to be located at a minimum of forty-one (41) feet from the back of the curb of Olde Hickory Road; a variance of Appendix A, Design Standard 13.4. to allow 38% of the off-street parking for Phase 3 to be located at the front façade of the buildings; a variance of Appendix A, Design Standard 8.6. and 13.5. to allow the expansion of the existing off-street parking lot at the corner of Olde Hickory

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Road and Oregon Pike. Ms. Macedonia seconded this motion. The motion was approved 4-1 with Ms. Macedonia dissenting.

Lititz Sign Company
1731 Lititz Pike, R-2 Residential

PLZHB21449

Tom Benjamin was sworn in for testimony.

Mr. Benjamin explained the project. An existing 4.8 square foot existing sign will be removed and replacing it with a 12 square foot sign in the front yard. Mr. Benjamin stated that the increase in size would allow the customers to find the eye business. Only 2 square feet of sign area is permitted to be placed on this property which is within the R-2 Residential zoning district.

Referencing the submitted sign comparison plans, Mr. Benjamin stated that he proposed sign will occupy the same space as existing neighboring signs. Only the logo will be lit.

There was discussion regarding hardship. Mr. Benjamin stated the hardship is that the traffic patterns changed from past to present and travelers pay too much attention to traffic opposed to signs.

There was a discussion if the sign could be smaller. Mr. Benjamin stated that the logo is the reason for the 12 square foot sign request, however the sign could be reduced to 10 square feet.

Ms. Douglas stated that the zoning ordinance allows 20 square foot of sign area within the B-2 and B-3 Business zoning districts.

Mr. Strausser moved to approve a variance of Section 1805.2. Table 2 Part A to permit a freestanding sign larger than 2 square feet. Ms. Macedonia seconded the motion. The motion was denied 4-1 with Mr. Wood voting yes to the motion.

Gail Groff
2273 Lititz Pike, R-2 Residential

PLZHB21450

Gail Groff and Brett Groff was sworn in for testimony.

Mrs. Groff explained that she is requesting a special exception to operate a skin care single chair salon as a major home occupation. Mrs. Groff is a licensed esthetician

Mrs. Groff explained the location of the home on Lititz Pike and stated that the property which has enough of parking for the business. The hours of operation will be Monday – Friday 9:00 AM to 5:00 PM and Saturday 9:00AM to 2:00 PM, appointment only.

Mrs. Groff stated that there is not much availability for skin care in Manheim Township.

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Mr. Stephen moved to approve a special exception accordance with Section 2110.4.M.3. to operate a single-chair personal care facility for skin care as a major home occupation. Mr. Beyer seconded the motion. The motion was approved 5-0.

Zoning Hearing Board Solicitor Neil Albert asked Samuel Maurer, Assistant Zoning Officer, if the current updated agenda was posted on the Manheim Township website, and it was placed on the Manheim Township Municipal Building and as well as the Manheim Township Library, and the copies of that are available to the public here at the meeting tonight? Mr. Albert also asked, is that the updated agenda that announces that we will not be holding hearings tonight? Mr. Maurer stated “yes” to all the above questions.

This meeting was adjourned at 11:00 PM. The next regularly scheduled Zoning Hearing Board meeting will be held on Tuesday, January 4, 2022, at the Manheim Township Public Library, 595 Granite Run Drive, Lancaster, Pa. 17601

<https://manheimtwp.sharepoint.com/sites/Planning/Shared Documents/General/Zoning Hearing Board/MINUTES/2021/12062021 ZHB minutes.doc>