

Manheim Township Zoning Hearing Board Minutes
Monday, October 2, 2023
6:30 P.M.

Attendance:

David Wood	Present
Greg Strausser	Present
David Beyer	Absent
Patrick Trimble	Present
Gary Gaiserrat	Present
Mike Callahan	Present

The Zoning Hearing Board, Zoning Hearing Board Solicitor Neil Albert, and Zoning Officer David Bednar were in person in the Public Meeting Room at Manheim Township Municipal Building.

Mr. Wood called the regular meeting to order and requested a roll call. The Zoning Hearing Board members were in attendance in person at the Manheim Township Municipal Building. Mr. Wood stated that there is a quorum.

Mr. Wood explained the sunshine act regarding the Zoning Hearing Board public meeting.

This meeting was stenographically recorded.

Mr. Wood explained the process of the Zoning Hearing Board meeting and announced the agenda.

Ryan Gibbs

R-3 Residential District/ T-4 Urban Neighborhoods Overlay
941 Louise Avenue

PLZHB23331

Ryan Gibbs and Greg Frisby were sworn in for testimony.

Mr. Gibbs presented his case for a variance to put a building addition onto his home. Mr. Gibbs stated that their mother stays with them and they need to add the extra bedroom and renovate existing spaces at the dwelling. Mr. Gibbs gave a detailed description of the area and their property layout. Mr. Gibbs explained that the encroachment of 3 total feet into the side yard setback is the minimum size to get a one car garage spot constructed that will fit a standard vehicle.

Mr. Gibbs provided images of the proposed look of the dwelling with the addition. Mr. Frisby stated that he is a neighbor and in support of the work that Mr. Gibbs has planned. Mr. Strausser confirmed with Mr. Gibbs that vehicle access will continue to be from the alley. Mr. Gibbs noted that the addition was planned with the additional impervious cover in mind and will not exceed what is currently permitted.

Mr. Trimble made a motion to approve a variance from Section 905.2.B.(3) [d] [ii] to permit a building addition to encroach 3 feet into the required 10-foot side yard setback. Mr. Callahan seconded the motion. The motion was approved 5-0.

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ALDI

**I-3 Industrial District/ D-A Airport Overlay
500 Airport Road**

PLZHB23332

Derek Dissinger, Jayne Katherman, Tom Newman, Rachel Kegerise and Ed Foster were sworn in for testimony.

Mr. Beyer made a motion to approve a variance from Section 2108.1 to allow a constructed wall to remain without modification. Mr. Gaissert seconded the motion. The motion was approved 4-0.

Mr. Dissinger started by addressing the recently approved Market added to the zoning ordinance and providing a background for the site at the airport property. Mr. Dissinger provided handouts that included the overall proposed site layout and explained how the ALDI would meet the ordinance requirements for a market. Mr. Dissinger identified a 22,664 SF with 95 parking spaces.

Mr. Foster and Ms. Katherman did a question answer that resulted in the airport agreeing to support the ALDI project. Mr. Foster noted that the non-aeronautical uses are necessary to provide support to the overall budget for the airport.

Mr. Newman handed out color handouts of the exhibits. Mr. Dissinger commenced a question-and-answer session with Mr. Newman. Mr. Newman presented and explained the dimensional variances being requested. The main reason for needing the perimeter buffer variances are due to the existing utility line easements that are in place on the property. Mr. Newman and Mr. Dissinger discussed the plants to provide landscaping that would have been in the perimeter, elsewhere on site.

Mr. Newman presented the planning for the parking, site access, entrances and exits, delivery truck circulation, and traffic. The lighting will be required to follow FAA Standards.

Ms. Katherman and Ms. Kegerise discussed other projects specifics. The operational plan was discussed with the hours being open from 9:00AM to 8:00PM, with a total of 12 to 18 employees. Ms. Kegerise noted that the plans for this store and expected use is based off of the other ALDI stores that are already in operation around Lancaster County. Everyone discussed ALDI extensively.

Mr. Wood asked Mr. Foster about the airport master plan and how the areas are determined for such uses and who decides on what goes into the locations. Mr. Foster explained that ALDI was solicited for the location by the airport. Mr. Strausser and Mr. Foster both discussed the airports current and proposed development plan.

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Mr. Trimble made a motion to approve a Special Exception to permit a “market” as defined in Article V. Section 503 within the D-A Airport Overlay under Article XXIV, Section 2409.2.C. A variance from Section 2512.2.A to not require a landscape planting strip along Millport Road due to the existing utility easements: whereas a 10-foot-wide planting strip measured from the street right of way is otherwise required. A variance from Section 2512.3.A to not require landscape screening along Millport Road due to existing utility easements; whereas a 10-foot-wide planting strip measured from the street right of way is otherwise required. Mr. Gaisser seconded the motion. The motion was approved 4-1.

Manheim Pike Partners LLC

I-2 Industrial District/ T-6 Urban Transition Overlay

1036, 1046 Manheim Pike

PLZHB23337

Peter Wertz, William Swiernik and Joe Deerin were sworn in for testimony.

Mr. Wertz provided a site summary of the Foundry Apartments property. Mr. Wertz provided a summary of the existing parking and the proposed garage spaces. The variances being requested for the garages and the flagpole height was presented. Mr. Swiernik and Mr. Wertz performed a question-and-answer session for the site and variances. Mr. Swiernik presented a detailed overview of the status and overall layout of the project site currently under construction. Mr. Swiernik presented the proposed garage locations shown within the exhibits.

Mr. Swiernik and Mr. Wertz discussed the variance being requested for the flagpole as well as the surrounding site characteristics. Mr. Strausser and Mr. Swiernik discussed the proposed garages and why the garages were grouped and located in such a way. Mr. Swiernik presented information on the exhibits that the vehicle traffic needs to have the open area at the end of the lane between the garages to maneuver so the garage cluster was split.

Mr. Deerin provided a detailed explanation of the flagpole height, design and maintenance. Mr. Wood expressed concerns that the flagpole height variance would be a good candidate for amending the ordinance if the new standard is the 100-foot flagpole. The variance section referenced was clarified with a missing reference number to be correctly addressed in making the motion.

Mr. Trimble made a motion to approve a variance from Section 2102(1)(B) of the Zoning Ordinance to permit a grouping of 11 garages. A variance from Section 2407(5)(J)(5)(b) of the Zoning Ordinance to permit the proposed garages to encroach into the rear yard setback. A variance from Section 1604(1)(B) of the Zoning Ordinance to permit a flagpole with a height of 100 feet.. Mr. Strausser seconded the motion. The motion was approved 4-1.

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This meeting was adjourned at 8:12 PM. The next regularly scheduled Zoning Hearing Board meeting is on Wednesday, November 8th, 2023, at the Manheim Township Municipal Office at 6:30PM.

<https://manheimtwp.sharepoint.com/sites/Planning/Shared%20Documents/General/Zoning%20Hearing%20Board/MINUTES/2023/10022023%20ZHB%20minutes.doc>