

**ZONING HEARING BOARD: November 14, 2017**  
**LMSE Management Group**  
**Special Exception and Variance Requests**

The Providence Township Zoning Hearing Board meeting was held on Tuesday evening, November 14, 2017, at 7:00 p.m., in the township municipal office. Members present were James Hess, Chairman, Bradford Duvall and Albert Warfel. Thomas Goodman, Zoning Hearing Board Counsel, Connie Peiffer, Secretary/Zoning Officer, Melissa Anderson, court reporter, and six (6) observers were also present.

Mr. Hess brought the meeting to order at 7:00 pm. The only hearing is a request for a special exception to allow the expansion of a nonconforming use and variance requests to allow the expansion to exceed the 50% limitation, to permit the expansion of the existing parking lot without the required visual screen, to permit the parking lot to encroach within the required 20' landscape strip around the perimeter of the property, to not provide the required 15' landscape strip and to permit a clear sight triangle measured 50' along the driveway centerline instead of the required 100' at 2318 Beaver Valley Pike. The property is owned by LMSE Management Group and is zoned Industrial. Mr. Hess turned the hearing over to Mr. Goodman. Zoning Officer, Constance Peiffer, was sworn in by the court reporter. Upon questioning by Mr. Goodman, Mrs. Peiffer confirmed the hearing had been legally advertised in the Lancaster Newspapers on Monday, October 30, 2017 and Monday, November 6, 2017, with proof of publication being displayed and marked as ZHB Ex. #1. A list of adjoining property owners who were sent notice of the hearing was confirmed by Mrs. Peiffer and marked as ZHB Ex. #2. Mrs. Peiffer confirmed the property was properly posted.

Thomas Matteson, from Diehm & Sons, Inc., and Paul Landis, from Martin Appliance, were sworn in by the court reporter. Mr. Goodman presented the Zoning Hearing Board application and it was marked as App. Ex. #1. The narrative prepared by Diehm & Sons, Inc. was presented and marked as App. Ex. #2. Mr. Goodman presented the GIS map of the property and it was marked as ZHB Ex. #3. The deed dated June 20, 2003 between LMSE Property Management and the previous owner was marked as App. Ex. #3. Mr. Goodman presented the site plan dated October 17, 2017 submitted by the applicant. Mr. Matteson submitted a revised site plan and the plan was marked as App. Ex. #4. Mr. Matteson stated the area for the proposed expansion is currently used for the septic system. When the site was developed in 2006, the industrial zone allowed for all commercial uses; however since the 2014 Zoning Ordinance the retail sales portion is a nonconforming use. The expansion of the nonconforming use will exceed the 50% maximum limitation. The new building will be approximately 7,000 sq. ft. of retail and 7,000 sq. ft. of warehouse, making a 67% expansion of the existing nonconforming use. Mr. Matteson passed out the minutes prepared by the Township Engineer from the meeting with Township staff and the minutes were marked as App. Ex. #5. Upon further questioning from Mr. Goodman, regarding business operations, Shawn Reynold, Martin Appliance store manager was sworn in by the court reporter. Mr. Reynold stated there are currently 45 employees and only a few more will be needed with the expansion. The address of the property was confirmed to be 2318 Beaver Valley Pike, New Providence, PA 17560.

There were two public comments. Elam Esh, 2302 Beaver Valley Pike, was affirmed by the court reporter. Mr. Esh stated that Martin Appliance has been good for the Township because years ago the property was abandoned and a hazard. J. Pepper Goslin, 64 Snyder Hollow Road, was affirmed by the court reporter. Mr. Goslin encouraged the granting of the special exception and variance requests.

Mr. Hess made a motion to close testimony. The motion was seconded by Mr. Duvall and carried unanimously. Mr. Goodman announced the hearing was off the record at 7:35 p.m. The hearing was back on record at 7:37 p.m. Mr. Warfel made a motion to grant the special exception and variance requests with conditions, stated by Mr. Goodman. Mr. Duvall seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:39 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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James Hess, Chairman

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Constance Peiffer, Secretary

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Bradford Duvall, Vice Chairman

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Albert Warfel, Member

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