

ZONING HEARING BOARD: JANUARY 10, 2017
DECISION: LANCASTER PIKE LP

The Providence Township Zoning Hearing Board meeting was held on Tuesday evening, January 10, 2017, at 7:00 pm, in the township municipal office. Members present were James Hess, Albert Warfel and Anna Hipple. Connie Peiffer, Secretary/Zoning Officer, Melissa Anderson, court reporter, Tom Goodman, solicitor to the Board, and eleven (11) observers were also present.

Mr. Hess brought the meeting to order at 7:00 pm and the first order of business was the election of officers for the year 2017. Mr. Warfel nominated Jim Hess as the chairman and Brad Duvall as the vice chairman. Ms. Hipple seconded the motion and it was carried unanimously. Mr. Hess then turned the proceedings over to their legal counsel, Tom Goodman. Mr. Goodman announced the first decision to be rendered was on the requests of Lancaster Pike LP. Mr. Hess made a motion to grant the special exception and variance requests for Lancaster Pike LP, with the following conditions, as read by Mr. Goodman: A. The applicant shall comply with its plans and promises as presented to the Zoning Hearing Board, B. The applicant shall file and have approved a storm water management plan, C. If required, the applicant shall file and have approved a land development plan with Providence Township, D. The applicant shall comply with all applicable building code requirements, E. A violation of any of the conditions contained in this Decision shall be considered a violation of the Ordinance, and F. This decision shall bind the applicant, his heirs, successors, grantees, and assigns. Ms. Hipple seconded the motion and it was carried unanimously. Mr. Warfel, Mr. Hess and Ms. Hipple signed the decision.

MILLERSVILLE UNIVERSITY REQUEST WITHDRAWN

The second order of business was to consider the request for Millersville University to allow a migrant worker educational training facility at 2381 Beaver Valley Pike. Mr. Goodman read an email, dated December 21, 2016, from Damaso Albino Jr., from Millersville University, stating the request has been withdrawn. The email was marked as ZHB Ex. No. 3 and made a part of the record.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

James Hess, Vice Chairman

Constance Peiffer, Secretary

Albert Warfel, Member

Anna Hipple, Alternate Member

ZONING HEARING BOARD: JANUARY 10, 2017
PRIMAX PROPERTIES LLC
ADVANCED AUTO PARTS STORE

At 7:07 p.m. Mr. Hess introduced the third order of business, which was the consideration of several variance requests from Primax Properties LLC, concerning the location of an Advanced Auto Parts store at 475 and 479 West Fourth Street. Mr. Bradford Duvall took the place of Ms. Hipple on the Board for this hearing and the next. The properties are owned by Glenn and Kathleen Robinson and are zoned commercial. Zoning Officer, Constance Peiffer, was sworn in by the court reporter. Upon questioning by Mr. Goodman, Mrs. Peiffer confirmed the hearing had been advertised in the Lancaster Newspapers on December 26, 2016 and January 2, 2017, with proof of publication being on display 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 stated the properties had been properly posted.

Mark Magrecki, from PennTerra Engineering, was sworn in by the court reporter. Mr. Magrecki presented a layout plan for the development of 475 and 479 West Fourth Street, showing the proposed Advanced Auto Parts store. This layout plan was marked as App. Ex. #1. The next item Mr. Magrecki presented was an existing conditions plan, marked as App. Ex. #2. A road widening plan was marked as App. Ex. #3. Mr. Magrecki stated there are dwellings on each of the properties now. The total acreage of the two properties is around .932 acre. The Advanced Auto Parts store will be 83' x 83' in size and will have 26 parking spaces. There will be access from Oak Bottom Road and from West Fourth Street also. An interoffice memo from Township Engineer Mark Deimler, dated 12/23/2016, was marked as Twp. Ex. #1. This memo explained the setbacks from the proposed access drives to the intersection. The memo outlined an agreement by Advanced Auto Parts to widen a section of Oak Bottom Road by 6 ½' and to widen the shoulder on West Fourth Street. The following variance requests were presented and discussed: Section 300.3.2; clear site triangle, Section 312.6; off street loading space location, Section 300.2.1; access drive setback and Section 313.18.3.1; interior landscaping. The proposed widening and improvements on Oak Bottom Road were discussed. Mr. Magrecki stated that Primax Properties has agreed to contribute \$15,000.00 to Quarryville Boro towards future improvements at the intersection of Route 222 and Route 372.

The Board members and Mr. Goodman had numerous questions on the requests. The lighting, security, outside storage, and number of delivery trucks were some of the topics discussed. Several neighbors had questions and comments on the proposed development. At the completion of discussion of all questions and comments, Mr. Hess made a motion to close all testimony on this request. The motion was seconded by Mr. Warfel and carried unanimously. Mr. Duvall then made a motion to render a decision on this request at the next ZHB meeting, to be held on Tuesday, February 14, 2017. Mr. Warfel seconded the motion and it was carried unanimously. The hearing was adjourned at 8:06 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

James Hess, Chairman

Constance Peiffer, Secretary

Bradford Duvall, Vice Chairman

Albert Warfel, Member

ZONING HEARING BOARD: JANUARY 10, 2017
DEBBIE HITCHENS LORENZ
VARIANCE REQUEST

The last hearing was brought to order by Mr. Hess at 8:09 p.m. Mr. Goodman was not present for this hearing. The request is to consider a variance request to allow outside storage of a commercial business, an existing fencing business at 467 West Fourth Street. The applicant is Debbie Hitchens Lorenz and the property is owned by Glenn and Kathleen Robinson. The property is zoned commercial.

Mrs. Peiffer gave testimony on the advertisement of the hearing in the Lancaster Newspapers on December 26, 2016 and January 2, 2017, proof of publication being on display. Mrs. Peiffer stated the property had been properly posted. Mrs. Peiffer gave a brief background on the zoning information for the request and the use of the property. Brian and Debbie Hitchens Lorenz were sworn in by the court reporter. Ms. Hitchens Lorenz stated they intend on fencing in the entire back yard area of the property and are requesting to allow outside storage of fencing supplies and fencing within that rear yard area. They are adding a storage container in the rear to store fencing equipment. Deliveries are by a small utility trailer.

Following all questions and discussion, a motion was made by Mr. Duvall to approve the variance of Section 205.15, to allow the outdoor storage of items associated with the fencing business at 467 West Fourth Street, with the following conditions: a. The applicant shall at all times comply with and adhere to the evidence presented to the Board including, but not limited to, the plans, materials and testimony submitted at the hearing, b. The applicant must obtain all other permits, licenses and approvals pursuant to any and all applicable federal, state and local laws, rules and regulations, c. Any violation of the conditions contained in this decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Zoning Ordinance and the Municipalities Planning Code, d. This Decision shall bind the applicant, his heirs, successors, grantees and assigns. Mr. Warfel seconded the motion and it was carried unanimously. The hearing was adjourned at 8:20 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

James Hess, Chairman

Constance Peiffer, Secretary

Bradford Duvall, Vice Chairman

Albert Warfel, Member