

**ZONING HEARING BOARD: June 12, 2018**  
**John Wright Company, Inc.**  
**Special Exception**

The Providence Township Zoning Hearing Board was held on Tuesday evening, June 12, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, chairman, James Hess and Albert Warfel. Thomas Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter, and nine (9) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. and stated there were four hearings this evening. Mr. Duvall turned the hearing over to Mr. Goodman. Heidi Martinez, Zoning Officer was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearings had been legally advertised in the Lancaster Newspapers on May 28, 2018 and June 4, 2018, with proof of public on display and marked as ZHB Ex. #1. The first hearing is for John Wright Company, Inc. for a special exception to allow the substitution/replacement of a nonconforming use with another nonconforming use to allow office space and storage and distribution of products of home goods and hardware. The property is located at 645 Lancaster Pike and is owned by Lydell E. Nolt. The property is zoned residential (R-2). Mrs. Martinez confirmed the adjoining property owners' were notified and the notification list was marked as ZHB Ex. #2. Mrs. Martinez also confirmed the property was properly posted.

Brant Hershey, attorney for John Wright Company, Inc. was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mr. Hershey confirmed the address of the property is 645 Lancaster Pike and the zoning district along with current and previous uses of the property. Mr. Hershey stated there will be no changes to the building other than interior. There are currently thirty four (34) parking spaces and the signage will not change other than the plastic side panels. John Wright Company, Inc. designs homeware that is manufactured off site and would be stored for wholesale at the 645 Lancaster Pike address. There are eight (8) employees and the hours will be from 7 a.m. to 5 p.m. Monday through Friday. The Zoning Hearing Board Application with the narrative was marked as App. Ex. #1. The plan dated June 11, 2015 and revised August 3, 2015 prepared by Strausser Surveying and Engineering, Inc. for Lydell E. Nolt was marked as App. Ex. #2.

Mr. Duvall asked if there will be retail sales on site, truck traffic and purchasing or leasing the property. Mr. Hess asked about potential growth, hazardous materials and security. Mr. Warfel asked about outside storage.

There was one public question from Richard Turner, 49 Pennsy Road, asked why the board wanted to know about the security system.

There were no public statements.

Mr. Duvall made a motion to close testimony. Mr. Hess seconded the motion and the motion carried unanimously. Mr. Hess made a motion to grant the special exception to allow the substitution/replacement of a nonconforming use with another nonconforming use to allow office space and storage and distribution of products of home goods and hardware, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The hours of operation shall be Monday-Friday 7 am to 5 pm.
- c. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- d. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion was carried unanimously. The hearing adjourned at 7:26 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Heidi Martinez, Secretary

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Bradford Duvall, Chairman

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Albert Warfel, Vice Chairman

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James Hess, Member

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**ZONING HEARING BOARD: June 12, 2018**

**Jesse Esch  
Special Exception**

At 7:28 p.m. Mr. Goodman introduced the second hearing, a special exception to allow a kennel at 121 Pennsy Road. The property is owned by Jesse B and Elizabeth K Esch and is zoned agricultural. Mrs. Martinez confirmed the adjoining property owners' were notified and the notification list was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

Jesse Esch, 121 Pennsy Road, was affirmed by the court reporter. Mr. Esch confirmed the property is in the agricultural district and is 64 acres. The Zoning Hearing Board decision dated October 10, 2017 granting the special exception for a dog kennel in the dairy barn was marked as ZHB Ex. #3. Mr. Esch will be renovating the heifer barn for the kennel instead of the dairy barn. Mr. Esch explained the setbacks for the heifer barn from the adjoining property lines. There are no changes to the disposal of the waste. Mr. Esch stated there are nine (9) adult dogs, four (4) German Shepherds and five (5) Huskies.

Mr. Hess asked how many adult dogs Mr. Esch is planning on having. Mr. Esch stated he would like to have twenty five (25) adult dogs and he will be applying for a commercial license. The Zoning Hearing Board application was marked as App. Ex. #1 and the sketch plan was marked as App. Ex. #2. Mr. Duvall asked how many litters of puppies.

There were no public questions or public statements.

Mr. Duvall made a motion to close testimony. Mr. Hess seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the special exception to allow a kennel at 121 Pennsy Road, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall obtain any necessary Use and Occupancy Permit from the zoning officer.
- c. The Applicant shall obtain the necessary Dog License from the Pennsylvania Department of Agriculture.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:50 p.m.

**PROVIDENCE TOWNSHIP ZONING HEARING BOARD**

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Heidi Martinez, Secretary

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Bradford Duvall, Chairman

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Albert Warfel, Vice Chairman

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James Hess, Member

**ZONING HEARING BOARD: June 12, 2018**  
**LMSE Management Group**  
**Variance Requests**

At 7:50 p.m. Mr. Goodman introduced the third hearing, variance requests to allow the following: the parking lot to be closer than 20' to the road right-of-way, outdoor storage in the rear yard setback, the dumpster area not to be enclosed, the outdoor salt storage not to be screened and to not provide the 50' wetland protection overlay at 2318 Beaver Valley Pike. The property is owned by LMSE Management Group and is zoned industrial. Mrs. Martinez confirmed the adjoining property owners' were notified and the notification list was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

Thomas Matteson, Diehm & Sons, Inc. was sworn in by the court reporter. The Zoning Hearing Board decision dated December 7, 2017 was marked as ZHB Ex. #3. The site plan dated May 14, 2018 prepared by Diehm & Sons was marked as App. Ex. #1. The Zoning Hearing Board application with narrative was marked as App. Ex. #2. Upon questioning from Mr. Goodman, Mr. Matteson confirmed the address, the zoning district and the expansion plan for Martin's. Mr. Matteson explained each variance request in detail.

Mr. Hess asked about the salt storage. Mr. Duvall asked about wetland protection overlay buffer.

There were no public questions.

There were several public statements. Elam Esch, 499 Cinder Road, was affirmed by the court reporter. Mr. Esch encouraged the relief of the requests. J. Pepper Goslin, 64 Snyder Hollow Road, was sworn in by the court reporter. Mr. Goslin stated his support and encouraged relief of the requests. C. William Shaffer, 39 Ridge Road, was sworn in by the court reporter. Mr. Shaffer encouraged business development and recommended looking into the 50' wetland protection overlay buffer.

Mr. Duvall made a motion to close testimony. Mr. Warfel seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the variance requests to allow the parking lot to be closer than 20' to the road right-of-way, outdoor storage in the rear yard setback, the dumpster area not to be enclosed, the outdoor salt storage not to be screened and to not provide the 50' wetland protection overlay at 2318 Beaver Valley Pike with the following conditions:

- a. The Applicant shall comply with it's plans and promises as presented to the Zoning Hearing Board.
- b. If necessary, the Applicant shall file and have approved a Land Development Plan with Providence Township.
- c. The Applicant shall comply with all applicable provisions of the stormwater management ordinance.
- d. The Applicant shall obtain any necessary building permits from the zoning officer and shall comply with all applicable building code requirements.
- e. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- f. This Decision shall bind the Applicant, it's successors, grantees and assigns.

Mr. Hess seconded the motion and the motion carried unanimously. The hearing adjourned at 8:17 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Heidi Martinez, Secretary

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Bradford Duvall, Chairman

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Albert Warfel, Vice Chairman

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James Hess, Member

**ZONING HEARING BOARD: June 12, 2018**

**Daniel Glick  
Use Variance**

At 8:17 p.m. Mr. Goodman introduced the fourth hearing, a use variance to allow the expansion of a kitchen at 358 Radcliff Road. The property is owned by Eli E and Ruth L Glick and is zoned agricultural and floodplain protection overlay. Mrs. Martinez confirmed the adjoining property owners' were notified and the notification list was marked as ZHB Ex. #2. Mrs. Martinez confirmed that the property was properly posted.

Daniel Glick was affirmed by the court reporter. Mr. Glick confirmed the address and the zoning district of the property. Upon questioning from Mr. Goodman, Mr. Glick confirmed the dwelling is a double house located in the floodplain. The addition to the kitchen is 6'x 18' and is for personal use. The distance from the Pequea Creek to the addition is 200' and 325' from Radcliff Road. Mr. Glick stated he has only had water twice in his basement.

Mr. Duvall asked if there will be a basement underneath the addition. The Zoning Hearing Board application was marked as App. Ex. #1 and the plot plan was marked as App. Ex. #2. Mr. Duvall asked if it was the original house.

There were no public questions.

There was one public statement. Mr. Shaffer encouraged granting the use variance.

Mr. Duvall made a motion to close testimony. Mr. Hess seconded the motion and the motion carried unanimously. Mr. Duvall made a motion to grant the use variance to allow the expansion of a kitchen at 358 Radcliff Road, with the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall obtain a building permit from the Zoning Officer.
- c. The Applicant shall comply with all applicable building code requirements.
- d. A violation of any of the conditions of this Decision shall constitute a violation of the Ordinance.
- e. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Hess seconded the motion and the motion carried unanimously. The hearing adjourned at 8:33 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Heidi Martinez, Secretary

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Bradford Duvall, Chairman

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Albert Warfel, Vice Chairman

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James Hess, Member