

**ZONING HEARING BOARD: January 8, 2019**  
**Buck Rentals LLC**  
**Use Variance and Variance Requests**

The Providence Township Zoning Hearing Board was held on Tuesday, January 8, at 7:00 p.m., in the township municipal office. Members present were Bradford Duvall, Albert Warfel, and Omar Smoker. Heidi Martinez, Secretary/Zoning Officer, Melissa Anderson, court reporter and seventeen (17) observers were also present.

Mr. Duvall brought the meeting to order at 7:00 p.m. and stated there were three hearings this evening; the rendering of a decision for Buck Rentals LLC and two additional hearings. Mr. Duvall first introduced the Zoning Hearing Board members and thanked James Hess for his years of service to the community as a member of the Zoning Hearing Board. The first order of business is election of officers. Mr. Warfel made a motion, seconded by Mr. Smoker to nominate Mr. Duvall as Chairman of the Zoning Hearing Board. The motion carried unanimously. Mr. Duvall made a motion seconded by Mr. Smoker to nominate Mr. Warfel as Vice Chairman of the Zoning Hearing Board. The motion carried unanimously.

Mr. Duvall announced the first hearing is for the rendering of the decision for a use variance and various variance requests for 722 Truce Road, Quarryville, PA 17566. The property is owned by DFB Property Management LLC and is zoned Commercial.

Mr. Duvall made a motion to grant the variances from the requirements of Section 205.2, 205.5, 205.15, 310.6.2, 313.18.3 and 312.3 of the Providence Township Zoning Ordinance, with the following conditions:

- a. The Applicant must comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall use the existing driveway for the new business known as Buck Rentals rather than creating a new driveway close to the intersection of Truce Road and 272.
- c. The outdoor display may only be located where indicated in Applicants Exhibit #3. The outdoor display area adjacent to Rout 272 shall be located 25 feet from the right-of-way line of 272 as depicted in Applicants Exhibit #3. All other outdoor display shall be located adjacent to the proposed building for Buck Rentals.
- d. The Applicant shall file and have approved a Land Development Plan.
- e. The Applicant shall file and have approved a Stormwater Management Plan.
- f. The Applicant shall obtain a Building Permit from the Zoning Officer prior to the construction of any building and shall comply with all applicable building code requirements.
- g. A violation of any conditions of this Decision shall constitute a violation of the Ordinance.
- h. This Decision shall bind the Applicant, his heirs, successors, grantees and assigns.

Mr. Warfel seconded the motion. The motion carried unanimously. The hearing was adjourned at 7:06 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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Omar Smoker, Member

**ZONING HEARING BOARD: January 8, 2019**

**Stephen Lapp  
Variance Request**

At 7:08 p.m. Mr. Duvall introduced the second hearing, a variance request by Stephen Lapp to allow a horse and carriage barn in the side yard setback at 15' at 555 Snyder Hollow Road. The property is owned by Stephen L Lapp and is zoned Residential (R-2).

Heidi Martinez was sworn in by the court reporter. Mrs. Martinez confirmed that the property was properly posted. Mrs. Martinez confirmed the hearing had been legally advertised in the Lancaster Newspapers on December 24, 2018 and December 31, 2018, with proof of publication being displayed. Mrs. Martinez gave background information on the property and the hearing.

Stephen Lapp was affirmed by the court reporter. Mr. Lapp explained the location of the proposed horse and carriage barn and the use for the second story. Mr. Lapp stated the proposed horse and carriage barn will be 80' or more from the neighboring dwelling.

There were no public questions or statements.

Mr. Duvall made a motion to grant the variance to allow the horse and carriage barn in the side yard setback at 15', 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 the motion carried unanimously. The hearing adjourned at 7:15 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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Omar Smoker, Member

**ZONING HEARING BOARD: January 8, 2019**  
**Mike and Laura Findley**  
**Special Exception and Variance Request**

At 7:16 p.m. Mr. Duvall introduced the third hearing, for a special exception by Laura and Mike Findley to allow the minimum lot size to be reduced in accordance with the "Right to Farm" law for the proposed project of two poultry barns and a manure stacking shed and a variance request to allow the construction of the access drive and storm water management facilities at less than 50' from the existing wetland area at 283 Hollow Road. The property is owned by David J and Judith A Gerhart and is zoned Agricultural.

Mrs. Martinez confirmed the hearing had been legally advertised in the Lancaster Newspapers on December 24, 2018 and December 31, 2018, with proof of publication being displayed. Mrs. Martinez confirmed the property was properly posted. Mrs. Martinez gave background information on the request.

Cameron Renehan, TeamAg Inc., Mike Findley, Laura Findley, and David Gerhart were sworn in by the court reporter. Mr. Renehan explained the proposed project and the required plans the project will comply with including an erosion and sedimentation control plan, conservation plan and nutrient management plan. Mr. Renehan explained the variance request with regards to the improvements to the existing crossing versus installing an additional crossing.

Mr. Duvall asked about the odor, location of barns, adjoining parcel and supplier. Mr. Smoker asked about the wetland area and adjoining farm.

There were six public questions. John Macgregor, 280 Hollow Road, asked about odor management and storm water management. John Summers, 242 Hollow Road, asked about Hollow Road condition. Jere Kleinhaus, 247 Hollow Road, asked about truck traffic and odor. Scott Swinehart, 259 Hollow Road, asked about odor, wetland and truck traffic. Dustin Martin, 183 Schoolhouse Road, asked about a previous hearing for Quarry Ridge Builders. Tony Nardella, 132 Hollow Road, asked about the right to farm. There were no public statements.

Mr. Warfel made a motion to grant the special exception to allow the minimum lot size to be reduced in accordance with the "Right to Farm" law for the proposed project of two poultry barns and a manure stacking shed and a variance to allow the construction of the access drive and storm water management facilities at less than 50' from the existing wetland area, 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. Smoker seconded the motion and motion carried unanimously. The hearing adjourned at 7:56 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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Omar Smoker, Member