

**ZONING HEARING BOARD: July 12, 2022**  
**EH Beiler Sawmill LLC**  
**Special Exception**

The Providence Township Zoning Hearing Board was held on Tuesday, July 12, at 7:00 p.m. Members present were Omar Smoker, Chairman, Albert Warfel and Bradford Duvall. Thomas Goodman, Zoning Hearing Board Counsel, Heidi Martinez, Township Zoning Officer, Melissa Anderson, court reporter and nine (9) observers were present.

Mr. Smoker brought the hearing to order at 7:00 p.m. Mr. Smoker announced the first hearing. The first hearing is a request by EH Beiler Sawmill LLC for a special exception for the expansion of the sawmill at 921 Lancaster Pike. The property is owned by Emma E Beiler and is zoned Industrial. Mr. Smoker turned the hearing over to Mr. Goodman.

Heidi Martinez was sworn in by the court reporter. Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearing was advertised in the Lancaster Newspapers on June 27, 2022, and July 4, 2022. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed the property was properly posted and a copy of the posting was marked as ZHB Ex. #3.

Chris Stoltzfus, White Horse Construction, and Aaron Beiler, one of the owners of Beiler Sawmill were affirmed by the court reporter. Upon questioning from Mr. Goodman, Mr. Beiler explained the property and the sawmill operation layout. Mr. Stoltzfus presented a site plan, and it was marked as App. Ex. #1. Mr. Duvall asked about the previous Zoning Hearing Board decision, if there was a basement, and hours of operation. Mr. Smoker asked about the volume of the operation. There was one public question. Merv Conrad, 117 Mt. Hope School Road, asked if the building is moving closer to the southern property line. There were no public statements.

Mr. Duvall made a motion to close testimony. Mr. Smoker seconded the motion and the motion carried unanimously. Mr. Smoker made a motion to grant the request for a special exception pursuant to Section 206.4.13 of the Ordinance subject to the following conditions:

- 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 Land Development Plan.
- c. The Applicant shall obtain any necessary building permits from the Zoning Officer.
- d. The Applicant shall comply with all applicable provisions of the Providence Township Stormwater Management Ordinance.
- 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, its successors, grantees and assigns.

Mr. Warfel seconded the motion and the motion carried unanimously. The hearing adjourned at 7:20 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Omar Smoker, Chairman

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Heidi Martinez, Secretary

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Albert Warfel, Vice Chairman

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Bradford Duvall, Member

**ZONING HEARING BOARD: July 12, 2022**  
**Mahlon King**  
**Special Exception**

At 7:23 p.m. Mr. Smoker introduced the second hearing, a request by Mahlon King for a special exception to allow a kennel at 1858 Beaver Valley Pike. The property is owned by Mahlon Z and Sarah L King and is zoned Agricultural.

Upon questioning from Mr. Goodman, Mrs. Martinez confirmed the hearing was advertised in the Lancaster Newspapers on June 27, 2022, and July 4, 2022. The proof of publication was marked as ZHB Ex. #1. The list of adjoining property owners was marked as ZHB Ex. #2. Mrs. Martinez confirmed the property was properly posted and a copy of the posting was marked as ZHB Ex. #3.

Mahlon King was affirmed by the court reporter. Upon questioning from Mr. Goodman, Mr. King explained the property and the proposed kennel. Mr. Warfel asked about the noise and number of inspections. Mr. Duvall asked about the state regulations for noncommercial kennels versus commercial and the outside runs. Mr. Smoker asked about the special exception expiration and washing of the pens.

Mr. Smoker made a motion to close testimony. Mr. Duvall seconded the motion and the motion carried unanimously. Mr. Smoker made a motion to grant the request for a special exception pursuant to Section 200.4.14 of the Ordinance subject to the following conditions:

- a. The Applicant shall comply with his plans and promises as presented to the Zoning Hearing Board.
- b. The Applicant shall furnish a copy of the inspection reports to Providence Township.
- c. There shall be no more than a maximum of 20 mature dogs in the dog kennel operation.
- d. There shall be no more than 60 transfers in any one calendar year.
- 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, his heirs, successors, grantees and assigns.

Mr. Duvall seconded the motion and the motion carried unanimously. The hearing adjourned at 7:37 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Omar Smoker, Chairman

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Heidi Martinez, Secretary

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Albert Warfel, Vice Chairman

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Bradford Duvall, Member

**ZONING HEARING BOARD: July 12, 2022**  
**Brent Siegrist**  
**Special Exception**

At 7:38 p.m. Mr. Goodman stated there was one additional item of business, amending the signed decision from the hearing on February 8, 2022, for Brent A and Elizabeth R Siegrist. Mr. Goodman explained there were two (2) conditions on the decision that were not part of the hearing. Mr. Duvall was not present during the February 8, 2022, hearing.

Mr. Smoker made a motion to amend the decision for Brent A and Elizabeth R Siegrist to alter Condition C to reference three pieces of equipment rather than two pieces over 20,000 pounds and remove Condition F which read: "The amount of equipment used in the business shall not be increased". Mr. Warfel seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:41 p.m.

PROVIDENCE TOWNSHIP ZONING HEARING BOARD

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Omar Smoker, Chairman

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Heidi Martinez, Secretary

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Albert Warfel, Vice Chairman