

The regular meeting of the East Hempfield Township Zoning Hearing Board was held on Monday, March 20, 2017, at 7:00 p.m. in the Township Municipal Building. Members present were Elam M. Herr, Kenneth L. Beard, Alternate Garry Longenecker and Brett D. Jackson. Also present were Attorney William Crosswell, Development Services Director Jon E. Beck, Zoning Officer Colin Siesholtz and a court reporter.

The meeting was called to order at 7:08 p.m. by Chairman, Elam Herr, who led the Pledge of Allegiance.

Mr. Herr noted the following changes to the January ZHB minutes; 1. The appointment of Morgan, Hallgren, Crosswell & Kane as ZHB solicitor should be added; 2. In case #2363 in the December 2016 minutes, the spelling of Mr. Beard's last name should be corrected; 3. In case #2358 in the December 2016 minutes, the spelling of Mr. Crosswell's last name should be corrected; 4. In case #2363 in the December 2016 minutes, it should be noted that Mr. Jackson recused himself rather than abstaining and that his firm represented the Applicant rather than the Application. Mr. Beard made a motion to approve the January 16, 2017 minutes, as amended. Mr. Jackson seconded the motion which carried 3-0-1, Mr. Longenecker abstaining.

Old Business:

There was no old business on the agenda.

New Business:

Case #2366 - Derby Run, LLC filed an application seeking a modification of conditions from a previous Zoning Hearing Board case, for the subject property located at 1007 Nissley Road, located within the Low Density Residential (RL) Zone.

Present for the applicants were: Paul and Rebecca Mangold from Derby Run LLC.

Mr. Beard made a motion in Case #2366, to grant the following amendment to the application:

1. To modify condition 2, page 2 from Zoning Hearing Board Case #2338 "tax preparation business and professional services business" to read any "professional, scientific or technical offices."

Mr. Longenecker seconded the motion, which carried 3-1 in favor. Mr. Jackson opposed.

Mr. Jackson made a motion in Case #2366 to supersede the previous motion to modify the application to stipulate that the request of the applicant is to modify the previous conditions to allow a "tax preparation business and professional services business" to read any "professional, scientific or technical offices."

Mr. Longenecker seconded the motion, which carried 4-0 in favor.

The Zoning Hearing Board took administrative notice of Cases #56, #154, #249, #411, #691, #786 and #812.

Mr. Herr made a motion in Case #2366 to grant a Modifications of Conditions from Case #2338 to modify condition 2, page 2, tax preparation business or insurance business to read "professional, scientific or technical office."

Subject to the following conditions:

1. The secondary use within the building is limited to the six spaces.
2. The ZHB's standard conditions.

Mr. Jackson seconded the motion, which carried 3-1 in favor, Mr. Herr opposed.

Case #2367 - RRA Manheim, LLC filed an application seeking a variance to permit a school K-12 use, for the property located at 2124 Ambassador Circle, located within the Regional Commerce Center (RCC) Zone.

Present for the applicant were Caroline Hoffer, Barley Snyder; Bob Safran, Owner; Steven Capoferri and Patti Shatto Young, RRA Manheim, LLC; Corinn Kirchner and Tracy Horst, PPM Real Estate, Inc.

Entry of Appearance form submitted for Ray Ferry for Case #2367.

The Zoning Hearing Board entered into evidence the following:

- Applicant's Exhibit #1 - Variance Application to the Zoning Hearing Board
- Applicant's Exhibit #2 - Final Plan Land Development Add on Regency Square Lot No. 3,4 and 5.
- Applicant's Exhibit #3 - New Building for Consolidated School of Business Plan
- Applicant's Exhibit #4 - Site Photographs
- Applicant's Exhibit #5 - Prior Use/Proposed Use Document
- Applicant's Exhibit #6 - Site Photographs
- Applicant's Exhibit #7 - Existing Condition Aerial Photograph
- Applicant's Exhibit #8 - Final Plan Land Development Add On Regency Square Lot No. 3,4 and 5.
- Applicant's Exhibit #9 - Commonwealth of PA License
- Applicant's Exhibit #10 - Proposed Conditions

Mr. Herr made a motion in Case #2367 to grant a variance to permit a school K-12 use, for the property located at 2124 Ambassador Circle, located within the Regional Commerce Center (RCC) Zone.

Subject to the following conditions:

1. Use of the school is limited to a PA licensed private academic school serving grades K through 12 and school related administrative offices.
2. Hours of operation for the students will be approximately 7:00 a.m. to 3:30 p.m. on an academic schedule, with no weekend, holiday or summer schedule. School and administrative staff hours will be typical office hours.
3. Use will comply with all applicable Pennsylvania Department of Education requirements and/or other applicable state and federal government regulations. The applicant will supply a copy of the license to the township.
4. Court adjudicated students would not be permitted before the applicant would have come back before the ZHB for approval to use said site for such student activity.
5. Limit the number of students to 75.
6. The ZHB's standard conditions.

Mr. Jackson seconded the motion, which carried 4-0 in favor.

The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Kenneth L. Beard
Secretary