

**Conewago Township Zoning Hearing Board  
Minutes of Meeting held on March 6, 2019**

At 6:00 p.m. Dennis Kacmarczyk, Chairman, Conewago Township Zoning Hearing Board, stating that a quorum of the Zoning Hearing Board was present, called the meeting to order. The following members of the Zoning Hearing Board were present: Dennis Kacmarczyk, Chairman; James E. Finecey, Vice Chairman; Gerald M. Lippy; and George E. Tavares, Secretary. Also present were: David W. Arndt, Jr., Conewago Township Zoning/Code Enforcement Officer; Corrie Ondrizek, Stenographer; and Harold A. Eastman, Jr., solicitor for the Zoning Hearing Board. The Chairman then announced that anyone present should provide his or her information on the Attendance Sheet for the meeting.

The Zoning Hearing Board unanimously approved the minutes from the Wednesday, January 9, 2019, organization meeting and training session of the Board.

**Case No. 1-2019**

The Chairman announced that the first hearing before the Zoning Hearing Board was the Application to the Zoning Hearing Board filed on February 5, 2019 by and on behalf of Smith's Specialized Automotive, LLC, the Applicant/Business Operator, and Conewago Contractors, Inc., the Applicant/Property Owner. Pursuant to the Application to the Zoning Hearing Board, the Applicants were requesting a special exception in order to authorize a passenger motor vehicle and recreational vehicle sales, service and repair facility use and an extension of that use consistent with section 155-21.C.(1)(f) of the Zoning Ordinance of Conewago Township, at certain adjoining parcels or lots of real property, owned by Applicant, Conewago Contractors, Inc., which parcels or lots of real property are intended to be consolidated and used as a single property for the operation of the business of the Applicant, Smith's Specialized Automotive, LLC. The four (4) adjoining parcels or lots of real property are each zoned and located in a Township Highway Commercial Zone (HC) and are respectively identified by street address and Adams County Tax Map Parcel Identification numbers as follows: 1366 Carlisle Pike (08L13-0045---000); 1374 Carlisle Pike (08L13-0044---000); 1386 Carlisle Pike (08L13-0043---000); and 1392 Carlisle Pike (08L13-0042---000), Hanover, Conewago Township, Adams County, Pennsylvania.

Being sworn as witnesses by the Chairman, Allen Smith of Conewago Contractors, Inc., and Joshua Smith of Smith's Specialized Automotive, LLC, presented evidence, in the forms of testimony and exhibits, to the Zoning Hearing Board in support of the application for special exception. Bob and Mary Crawford, owners of nearby or adjoining real property, were present at the hearing but did not object to the Applicants' request for the granting of a special exception.

Following the completion of the zoning hearing, the Zoning Hearing Board convened an executive session in order to conduct its deliberations on Case No. 1-2019. The executive session

of the Zoning Hearing Board was announced during the public meeting and was held consistent with section 708(a)(5) of the Sunshine Act.

Following the completion of its executive session, the Zoning Hearing Board reconvened its public meeting in order to make its decision in Case No. 1-2019.

A motion was made and unanimously approved by the Zoning Hearing Board to grant a special exception pursuant to section 155-21.C.(1)(f) of the Conewago Township Zoning Ordinance in order to authorize the proposed passenger motor vehicle and recreational sales, service and repair facility use and extension on real property to be consolidated located in Conewago Township's Highway Commercial Zone (HC) with street addresses of 1366, 1374, 1386 and 1392 Carlisle Pike, Hanover, Conewago Township, Adams County, Pennsylvania. The special exception was granted subject to the requirements and the applicable regulations as set forth in section 155-114.A. through I. of the Zoning Ordinance.

A motion was made and unanimously approved by the Zoning Hearing Board to direct the solicitor to prepare a written decision supporting the grant of the special exception pursuant to section 155-21.C.(1)(f) of the Zoning Ordinance consistent with the decision of the Zoning Hearing Board to grant the special exception requested by the Applicants.

The zoning hearing in Case No. 1-2019 was then adjourned at approximately 6:45 p.m., prevailing time.

#### **Case No. 2-2019**

The Chairman announced that the next hearing before the Zoning Hearing Board was on the Application to the Zoning Hearing Board filed on February 11, 2019 by and on behalf of McGrew Enterprises, LLC d/b/a Bobcat of Adams County, the Applicant. Pursuant to the Application to the Zoning Hearing Board, the Applicant was requesting a special exception in order to authorize the operation of a heavy equipment sales, service, repair, leasing, rental and warehousing facilities use consistent with section 155-22.C.(6) of the Zoning Ordinance of Conewago Township, at certain real property, owned by Michael F. Johnson and Judith E. Johnson. The real property subject to the Applicant's request for a special exception is zoned and located in a Township Industrial Zone (I) and is identified by street address and Adams County Tax Map Parcel and Identification number as follows: 360-370 Church Street, Hanover, Conewago Township, Adams County, Pennsylvania (08K14-0037---000).

Being sworn in as witnesses by the Chairman, Greg McGrew, Chief Executive Officer, and Jeff Miller, Chief Financial Officer of McGrew Enterprises, LLC d/b/a Bobcat of Adams County, presented evidence in the forms of testimony and exhibits, to the Zoning Hearing Board in support of the application for special exception. Nickolas and Natalie Kraus of 386 Church Street, Hanover, PA, Donald and Joni Swope of 386 Church Street, Hanover, PA, and Travis and Holly Kuhn of 340 Church Street, Hanover, PA, owners of nearby or adjoining real property, were each granted party status and appeared at the hearing as objectors and participated in the

proceedings by way of cross-examination of Mr. McGrew and providing testimony in support of their opposition to the granting of the Applicant's request for a special exception.

Following the completion of the zoning hearing, the Zoning Hearing Board convened an executive session in order to conduct its deliberations on Case No. 2-2019. The executive session of the Zoning Hearing Board was announced during the public meeting and was held consistent with section 708(a)(5) of the Sunshine Act.

Following the completion of its executive session, the Zoning Hearing Board reconvened its public meeting in order to make its decision in Case No. 2-2019.

A motion was made and unanimously approved by the Zoning Hearing Board to grant a special exception pursuant to section 155-22.C.(6) of the Conewago Township Zoning Ordinance in order to authorize a heavy equipment sales, service, repair, leasing and rental facility use on real property located in Conewago Township's Industrial Zone (I) with street addresses of 360-370 Church Street, Hanover, Conewago Township, Adams County, Pennsylvania. The special exception was granted subject to the requirements and the applicable regulations as set forth in section 155-91.A. through G. of the Zoning Ordinance.

A motion was made and unanimously approved by the Zoning Hearing Board to direct the solicitor to prepare a written decision supporting the grant of the special exception pursuant to section 155-22.C.(6) of the Zoning Ordinance consistent with the decision of the Zoning Hearing Board to grant the special exception requested by the Applicant.

The zoning hearing in Case No. 2-2019 was adjourned.

There being no further business before the Zoning Hearing Board, the public meeting was adjourned at approximately 8:40 p.m., prevailing time.

Respectfully submitted:



George E. Tavares  
Secretary of the Conewago  
Township Zoning Hearing Board

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