

Conewago Township Zoning Hearing Board

Minutes of Meeting held on: Wednesday, December 1, 2021 Time: 6:00pm

Case Number 6-2021

Meeting called to order at 6:00pm by Chairman Dennis Kacmarczyk.

Meeting began with the Pledge of Allegiance to the Flag.

In attendance were board members:

Dennis Kacmarczyk – Chairman
James Finecey – Vice Chairman
Gerald Lippy
Kelly McKee
George Weih - Secretary

It was determined that a quorum was present.

Also in attendance were:

David W. Arndt, Jr. – Conewago Township Zoning & Code Enforcement Officer
Harold A. Eastman, Jr. Esq. – Zoning Hearing Board Solicitor
Karen Brown – Stenographer

There were Five people in the audience.

Minutes from the November 3, 2021 meeting were approved as written. (Vote: 5-0)

Chairman Kacmarczyk called for all who intend to provide testimony during the meeting to sign the attendance sheet and then swore them in.

Chairman Kacmarczyk opened the hearing for Zoning Hearing Board CASE #6-2021 pertaining to a request for a use variance pursuant to section 155-15(B), uses permitted by right of the Conewago Township Zoning Ordinance to authorize the use of the real property for an indoor service and vehicle repair shop and short term storage of motor vehicles awaiting repair, and storage of the owners personal property.

Zoning and Code Enforcement Officer David W. Arndt, Jr. presented the following: The purpose of the zoning hearing in Case No. 6-2021 is to consider an Application to the Zoning Hearing Board filed by the Applicant, Dennis E. Stem, relative to certain real property identified by street address as 3380 Centennial Road, Hanover, Conewago Twp., Adams Co., PA. The real property, which is located in the Township's Suburban Residential Zone (R-1) zoning district, is further identified as Adams County Tax Map/Parcel ID No.: 08K14-0025—000. The Applicant is requesting the grant of a use variance pursuant to section 155-15(B), uses permitted by right of the Conewago Township Ordinance to authorize the use of the real property for an indoor service and vehicle repair shop and for short term storage of motor vehicles awaiting repair, and storage of the owner's personal property.

Chairman Kacmarczyk called for testimony from the applicant. Attorney Joseph A. Kalasnik, representing the applicant Dennis E. Stem, questioned Mr. Stem about the past use and the current use of the property, and the planned use of the property as an auto repair shop. Mr. Stem also provided testimony about the planned improvements on the property and need for an auto repair shop in the area. He also explained various operational parameters of the repair shop including the type of vehicles to be repaired, the number of vehicles awaiting repair, hours of operation, number of employees, and property buffering.

The Board Solicitor asked the applicant if he would consider amending his application to also apply for a Special Exception under 155-163, substitution or replacement of a nonconforming use by another nonconforming use. Mr. Stem said he would add this to his application and the ZHB agreed to accept this amendment. (Vote 5-0)

Chairman Kacmarczyk called for any objector's testimony. Mr. Thomas J. Klunk had several concerns including compliance with the existing variance restrictions, hours of operation, days of operation, the number of cars on the property, and vehicles stored on the property with no tags.

Chairman Kacmarczyk opened the hearing to Township questions. David Arndt Jr., Township Zoning and Code Enforcement Officer, had several questions including hours of operation, number of stored cars, buffering, driveway paving, signage, and late night drop off of campers.

Chairman Kacmarczyk opened the hearing to questions from the Board. The board questioned the use of the repair shop during the past year. Mr. Stem was asked what he would consider acceptable hours of operation.

Chairman Kacmarczyk asked for any concluding remarks. Mr. Klunk stated he would prefer to have the repair shop without the camper storage.

At 6:53pm Chairman Kacmarczyk called for an executive session to review the case.

At 7:48pm Chairman Kacmarczyk reconvened the meeting. The Board Solicitor read and explained the decision of the Board. Secretary Weih made a motion to grant the Special Exemption requested with several conditions. Vote (5 -0)

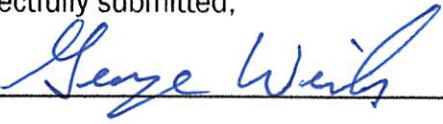
Secretary Weih read a motion to direct the zoning Hearing Board Solicitor to complete the written decision document. Vote (5 -0)

Chairman Kacmarczyk called for any unfinished business. The Board Solicitor discussed the continuance of the Race Horse Road, LLC Substantive Validity Challenge.

Chairman Kacmarczyk called for any new business. David Arndt stated there may be a ZHB hearing on January 5, 2022 at 6:00pm regarding a swimming pool.

The hearing was adjourned at 8:07pm

Respectfully submitted,



George Weih, Secretary, Conewago Township Zoning Hearing Board