

Conewago Township Zoning Hearing Board

Minutes of Meeting held on: Wednesday, December 7, 2022 Time: 6:00pm

Case Numbers 5-2022 and 6-2022

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
Gerald Lippy
George Weih – Secretary
Jim Finecey

It was determined that a quorum was present.

Also in attendance were:

David W. Arndt, Jr. – Conewago Township Manager/Zoning Officer
Harold A. Eastman, Jr. Esq. – Zoning Hearing Board Solicitor
Christina Myers – Stenographer

There were 11 people in the audience.

Minutes from the May 11, 2022 meeting were approved as written. Approval vote: 4-0

Chairman Kacmarczyk asked if there were any outstanding cases. There were none.

Chairman Kacmarczyk called for all who intend to provide testimony during the meeting to sign the attendance sheet.

Chairman Kacmarczyk called for all who intend to provide testimony during the meeting to stand and swore them in.

Chairman Kacmarczyk asked if there were any objectors to tonight's hearing. There were none.

Chairman Kacmarczyk opened the hearing for Zoning Hearing Board Case #5-2022 pertaining to a variance request from Section 155-79.D.

Township Manager/Zoning Officer David W. Arndt, Jr. presented the following:

The purpose of the zoning hearing in Case No. 5-2022 is to consider an Application to the Zoning Hearing Board filed by the Applicant, Abdier A. Dijol Ortiz, relative to certain real property identified by street address as 131 Maple Drive, Hanover, Conewago Twp., Adams Co., PA. The real property, which is located in Conewago Township's Multi-Family Residential Zone (R-3) zoning district, is further identified as Adams County Tax Map/Parcel ID No.: 08021-0198-000. The Applicant is requesting the grant of a variance from the family day-care facilities' requirement of section 155-79.D. of the Conewago Township Zoning Ordinance that day-care outdoor play areas must be set back 25 feet from all property lines in order to allow the proposed fenced outdoor play area to be located less than 25 feet from all property lines.

Chairman Kacmarczyk called for testimony from the applicant.

The Applicant, Abdier A. Dijol Ortiz , who spoke through an interpreter, began by presenting a letter from a neighbor supporting her desire to open a family day-care facility. Ms. Ortiz explained the need for home childcare in the area, her work with children, and her desire for family income.

Ms. Ortiz's property is kind of pie shaped, with the smaller area in the back, which presents the need for the requested variance.

Ms. Barbara Green testified that Ms. Ortiz has completed all required classes needed for home childcare and the requested variance will allow the applicant to meet the Department of Human Services outdoor space requirements.

Ms. Yamily Applewhite testified about the continued oversight that is provided by the DHS.

Chairman Kacmarczyk called for any objector's questions. There was none.

Chairman Kacmarczyk opened the hearing to Township questions. There were none.

Chairman Kacmarczyk opened the hearing to questions from the Board. There were questions about the size of the property.

Chairman Kacmarczyk asked for any concluding remarks.

Ms. Ortiz stated she will complete all requirements for the property, including the required fence on the property line. She requested the letter presented earlier be admitted as evidence. The letter was accepted as evidence and marked as exhibit 1.

At 6:26pm Chairman Kacmarczyk called for an executive session to review the case.

At 6:40 Chairman Kacmarczyk reconvened the meeting.

Secretary Weih read a motion to grant the Applicant's request for the variance requested. Vote 4-0

Secretary Weih read a motion to direct the Zoning Hearing Board Solicitor to complete the written decision document. Vote 4-0

Chairman Kacmarczyk called for a short recess before the next Hearing. Time 6:43pm

At 6:46pm Chairman Kacmarczyk reconvened the ZHB for case #6-2022.

Chairman Kacmarczyk called for all who intend to provide testimony during the meeting to sign the attendance sheet.

Chairman Kacmarczyk called for all who intend to provide testimony during the meeting to stand and swore them in.

Chairman Kacmarczyk asked if there were any objectors to tonight's hearing. There were none.

Chairman Kacmarczyk opened the hearing for Zoning Hearing Board Case #6-2022 pertaining to a variance request from Section 155-13.

Township Manager/Zoning Officer David W. Arndt, Jr. presented the following:

The purpose of the zoning hearing in Case No. 6-2022 (which will commence following the hearing in Case No. 5-2022) is to consider an Application to the Zoning Hearing Board filed by the Applicant, Hanover Soccer Club, relative to certain real property, owned by C & J Clark

America, Inc., and identified by street address as 355 Kindig Lane, Hanover, Conewago Twp., Adams Co., PA. The real property, which is located in the Township's Industrial Zone (I) zoning district, is further identified as Adams County Tax Map/Parcel ID No.: 08K14-0007-000. The Applicant is requesting the grant of a variance from the definition of Parks and Playgrounds as set forth in section 155-13 of the Zoning Ordinance. The Applicant proposes the location, construction and use of soccer fields and accessory facilities for the Applicant's private recreational use and not for use by the general public or for the commercial purposes of the Applicant.

Chairman Kacmarczyk called for testimony from the Applicant.

Project Engineer, Jack Powell's testimony began by noting the property is 115 acres, and the proposed use is for soccer fields and auxiliary building for the soccer matches. He stated the project requires 156 parking spaces but will have over 200 spaces as shown on the preliminary plans. The soccer club is a 501C entity and not for raising money for C & J Clark America, Inc. Mr. Powell said they have applied for the required environmental permits.

Ms. Amy Redding, Hanover Soccer Club, gave an overview about the use of the fields. They will be used in the spring and the fall, about 12 to 15 weeks. Monday through Friday will be practice time, from 5:00pm until dark. The fields will not be lighted. Sunday matches will be from 12:00pm until 4:00pm. Each game will last one hour. Travel teams will play home and away.

Chairman Kacmarczyk opened the hearing to questions from the Board. There were questions about parking, traffic, fencing, and entrance and exits for the parking area.

Chairman Kacmarczyk called for any objector's testimony. There were no objectors.

Chairman Kacmarczyk opened the hearing to Township questions. Township Manager/Zoning Officer David W. Arndt, Jr. stated that Clarks will only allow the Hanover Soccer Club to use this land.

Chairman Kacmarczyk asked for any concluding remarks. The Applicant asked to enter the preliminary sketch drawing into evidence. This was accepted by the board and marked as exhibit #1. The Board Solicitor asked if the township approved of this use for this property, and the answer was yes. One neighbor had some questions about parking on Kindig La. Ms. Redding discussed the parking area and fencing. There were also concluding remarks about the need to support the children in the area with activities such as the proposed soccer fields.

At 7:16pm Chairman Kacmarczyk called for an executive session to review the case.

At 7:27pm Chairman Kacmarczyk reconvened the meeting.

Secretary Weih read a motion to grant the variance relief requested. Vote 4-0

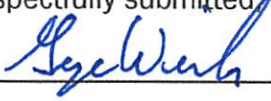
Secretary Weih read a motion to direct the Zoning Hearing Board Solicitor to complete the written decision document. Vote 4-0

Chairman Kacmarczyk called for any unfinished business. There was none

Chairman Kacmarczyk called for any new business. Township Manager/Zoning Officer David W. Arndt, Jr. stated there was a possible request for a use variance for next month.

The hearing was adjourned at 7:34pm. Vote 4-0

Respectfully submitted

A handwritten signature in blue ink, appearing to read "George Weih", is written over a horizontal line.

George Weih, Secretary, Conewago Township Zoning Hearing Board