

**PENN TOWNSHIP
ZONING HEARING BOARD
MINUTES OF JANUARY 13, 2016**

ATTENDANCE

Board Members Present:

Brian Miller
Dale Rohrer
Gerald L. Wolfe
Steven Bushey
Justin Wolgemuth

Carl & Dorothy Myer, Walnut Run Farm
John B. Myer, Walnut Run Farm
Daniel S. Bollinger, Walnut Run Farm
Sam Lapp, resident
Dick Shellenberger, Supervisor
Keith Hodge, Team Ag Inc.
Devin Gerlach, Team Ag Inc.
Wayne Martenas, resident
Glenn Flickinger
Josh Witmer, Walnut Run Farm
Phil Julian, Walnut Run Farm
Dave & Gwen Bruckhart, Walnut Run Farm
George Overton, resident

Others:

Harry Smith, Zoning Officer
Melvin Newcomer, ZHB Solicitor
Brenda Pardun, Stenographer
H. Fintan McHugh, Auto Zone
Jeff Berneburg, Auto Zone
Aaron S. Marines, Russell, Krafft & Gruber

Call to Order - 7:00 P.M.—B. Miller, Chairperson

Reorganization – G. Wolfe made a motion, seconded by S. Bushey, that all positions remain the same, (B. Miller Chairperson, D. Rohrer, Vice Chairperson, H. Smith, Secretary). The motion passed unanimously.

Approval of Minutes of December 9, 2015 - A motion was made by G.Wolfe with a second by S. Bushey to approve the Minutes of the previous meeting. The motion was approved unanimously.

- Case # 871 – Walnut Run Farms is requesting a Special Exception to expand a concentrated animal feeding operation and a variance to allow construction of a concrete bunk silo pad closer than 50’ from the property line. The property at issue is 292 Elm Road, Lititz, PA in the T-2 Agricultural Zoning District.
 - Aaron Marines with Russell, Krafft & Gruber LLP presented the case for Walnut Run Farms along with Keith Hodge and Kevin Gerlach from Team Ag Inc. Mr. Marines established that Walnut Run Farms is a Concentrated Animal Operation and that the farm is composed of 3 parcels. Mr. Marines identified (2) two requests, a special exception to allow expansion of a Concentrated Animal Operation and a variance to allow a bunk silo within about 19’ of an internal property line. G. Wolfe made a motion to approve as requested with a second by D. Rohrer. The request was approved unanimously.
- Case #872 – AutoZone Development, LLC is requesting variances from the build to line, side yard setback, lot coverage, parking location, off-street loading, trash enclosure setback, and sign requirements of the Penn Township Zoning Ordinance. The property at issue is 90 Doe Run Road, Manheim, PA in the T-5MU District.

- H. Fintan McHugh with assistance from Jeff Berneburg, project manager, presented the case.
- George Overton, resident, questioned the wisdom of allowing yet another auto parts store.
- Following the presentation and a lengthy question and answer period, the following motions were made.
- Wolgemuth made a motion to approve the variance request from the build to line requirements on West End Dr. and permit a setback of 61 feet. The motion was seconded by Bushey and approved unanimously.
- Bushey made a motion to approve the variance to reduce the western side set back to 10' from the required 15'. Motion was seconded by Rohrer and approved by a 4-1 vote, with Wolfe voting no.
- Variance to allow lot coverage of 75.9% with TDRs being purchased for lot coverage to 70%. D. Rohrer made a motion to approve with a second by S. Bushey; approval was 3-2 with a no vote by G. Wolfe and B. Miller.
- Variance from §208-5.E, requiring all parking behind plane of primary façade. B. Miller made a motion to approve the request with a second by G. Wolfe. It was approved unanimously.
- Variance from §311.10 requiring a 15' landscape strip around the off street loading area. B. Miller made a motion to approve with a second by D. Rohrer and the request was approved unanimously.
- Variance from §203.8 trash enclosure set back reduction; D. Rohrer made a motion to approve with a second by S. Bushey; approval was 4-1 with a no by G. Wolfe.
- Variance from §313.3B.1 to allow 67.22 square feet wall signs on the building sides with street frontages and a ground sign. D. Rohrer made a motion to approve with a second by S. Bushey. It was approved unanimously.

The meeting adjourned at 9:00 p.m.

Respectfully Submitted,
Harry Smith, Zoning Officer