



-113 KINGS ALLEY-
-HARMONY, PA 16037-

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Conditional Use Hearing Minutes

*Equipment Rental Options
322 Perry Hwy
Harmony, PA 16037*

The Lancaster Township Conditional Use Hearing was called to order by Chairman Joseph Plesniak at 6:24PM. Those in attendance were, Chairman Joe Plesniak, Supervisor Dennis Kerr, Supervisor Kris Kniess, Township Manager Ben Kramer, Township Secretary-Treasurer Chrissy Senft, Township Engineer Gannett Fleming represented by Tom Thompson, Solicitor Chris Reese and Court Reporter Eugene Hazy. Equipment Rental Options was represented by Bob Beran and Eric Dougherty. Property owner Mark Butler was present. The following residents also attended: Randy Anno, George Coholich, Mary Ann Brill, Mark Jeffries, George & Shirley Winger, Jay Wack, Daniel Cox, Connie Domhoff, Kathy Ligday, Debbie Scott, and Frank Noland.

Chairman Joe Plesniak introduced himself as Supervisor and Chairman of the Board and requested the Township Officials and Staff rise and state their name to the audience. Upon completing the introductions. All those planning to give testimony or speak on the record during the hearing were asked to remain standing and be sworn in by Court Reporter Eugene Hazy.

Chairman Plesniak requested that Solicitor Reese explain why the hearing was being held and the process that would be followed for the duration of the hearing. This conditional use hearing is being held to review the request as submitted by MHB Real Estate Holdings LLC seeking to modify the previously approved Conditional Use to include additional acreage totaling 2.64 +/- acres and permitting an enclosed structure on a previously approved 'lean-to- washing facility on the northwest of the building.

Parcel 200-S2-A60 (Perry Hwy to Middle Lane) and Parcel 200-S2-A61 (Perry Hwy to Scholars Run) are the specific parcels in question this evening as it pertains to the Conditional Use.

Lancaster Township Zoning Ordinance #89, under Article 9, Section 903, Part L regulates that all subsequent development, construction, and use shall be in accordance with the approved site and/or construction plan and the conditional use decision, unless a revised plan is submitted and approved.

Mr. Dougherty of Beran Environmental Services presented the applicants narrative and was subsequently asked if he had any documents that he wanted to submit for the record and introduced the concept plan for the properties. Mr. Dougherty further explained how the applicant wished to consolidate the existing parcels and leave the new frontage of the currently vacant parcel as a standalone parcel. The residual of that parcel will be part of the consolidation and account for stormwater management facilities.

Township Manager/Zoning Officer Ben Kramer was asked if he had any documents to submit for the records. Mr. Kramer requested the following documents be entered:

- (1) Application narrative dated October 10, 2019 submitted by Beran Environmental on behalf of MHB Real Estate Holdings LLC requesting Conditional Use Modification approval

- (2) Notice of Public Hearing. This Notice of Public hearing was advertised in the Butler Eagle on 10/29 and 11/5. Additionally, the Notice of Public Hearing was posted at parcels A60 and A61, at the Lancaster Township Municipal Building, and was also sent to all property owners of record within 200' of the parcel(s) on 10/22.
- (3) Butler Eagle Proof of Publication
- (4) List of property owners that were notified
- (5) Lancaster Township Planning Commission Meeting Minutes dated 10/10/2019.
- (6) Lancaster Township Zoning Ordinance #89, Article IX, Section 906, Part A, Subparts 33 a-g. This portion of the Zoning Ordinance outlines the standards and criteria for the conditional use of a Heavy Equipment Sales, Rental/Service-related development.
- (7) Gannett Fleming Review Letters as follows:
 - (a) September 10, 2019 – Preliminary & Final Land Development Plan – Zoning Ordinance Comments Numbers 1 and 2.
 - (b) October 30, 2019 – Land Development Floodplain Consistency

The general public was asked if they had any questions for Equipment Rental Options. Kevin Ryan of 60 Scott Ridge Road asked if any additional buildings were to be placed on the properties. Mr. Butler explained that he did not intend to add any facilities at this time.

The Township Manager/Zoning Officer did not have any questions for Equipment Rental Options.

Neither the Township Engineer, Tom Thompson or Solicitor, Chris Reese had any questions for Equipment Rental Options.

Supervisor Kniess asked about parking being moved from the current existing location or further expanding to the additional parcels. Beran Environmental explained that all required parking is covered on the proposed plan and meets the requirements of the current Zoning Ordinance standards.

Township Manager/Zoning Officer Ben Kramer presented the requirements of the Zoning Ordinance as follows:

The Zoning requirements detailing the proposed use can be found in the Lancaster Township Zoning Ordinance. Specifically, Ordinance 89, Article IX, Section 906, Part A, Subparts 33 a –g. This has been submitted as an exhibit to the record.

In the mixed-use zoning district, which this property lies within, the proposed use is one that is permitted through the Conditional Use Hearing procedure. It should be noted, that this Conditional Use is to expand the previously approved conditional use by 2.64+/- acres to adjoining parcels.

Township Manger/Zoning Officer Ben Kramer recommended that MHB REAL ESTATE HOLDINGS OR ITS DESIGNEES be granted Conditional Use Approval to develop the parcel(s) in question for the purposes of operating a facility dedicated to the operation of heavy equipment sales, rental, and service and continuing to enhance the southern Route 19 corridor. The recommendation is contingent upon design standards being required by the Board of Supervisors to be discussed as part of the decision and findings of fact.

A motion was made by Supervisor Kerr to close testimony on the application and recess for deliberations, this motion was seconded by Chairman Plesniak at 6:40. At 7:00, the hearing was called to order at which point Supervisor Kerr made a motion to approve the conditional use pending the Solicitors office preparing and conducting a final reading of the findings of fact to be completed at the December 16, 2019 Board of Supervisors meeting. This was seconded by Chairman Plesniak and passed by a majority vote. Mr. Plesniak made a motion to adjourn the hearing at 7:12 pm. Seconded by Mr. Kerr and passed by a majority vote.

Respectfully submitted,

Christina M. Senft