

## Manor Township Zoning Hearing Board Meeting Minutes

Wednesday, April 4, 2018

7:00 p.m.

Chairman Bradley Singer called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, Pennsylvania on Wednesday, April 4, 2018 at 7:00 p.m. Chairman Singer made introductions and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Alex Egner, Dennis Funk, Bradley Singer, and Missy Charles  
Staff Present: Nate Taggart and Tammy Mattes  
Township Solicitor: James R. McManus  
Visitors Present: Carrie Vigeant, 108 Shade Tree Drive  
Tommy Vigeant, 108 Shade Tree Drive  
David Charles, 350 Letort Road

**Approval of Minutes** – Chairman Singer made a motion to approve the March 7, 2018 minutes as submitted, Mr. Egner seconded, and the motion carried unanimously.

### Old Business

**Case #2-2018** – The application of Carrie A. Vigeant, property located at 2638 Columbia Avenue, Lancaster, Pennsylvania 17603, Account No. 410-30527-0-0000 for a Variance from Section 425-17.B. (Permitted Uses) in accordance with Section 425-123.D – Variances. The Applicant would like to operate a small animal veterinary hospital. The property is zoned General Commercial (GC). Testimony is closed, and a decision will be rendered.

Ms. Charles asked the Board if anyone wanted to discuss anything regarding this decision. Mr. Egner said that while he'd like to see this Applicant be able to do what she'd like to do, he just couldn't find a lot of reason to make this permitted use change. While medical facilities for humans are allowed in this zone, Mr. Egner nevertheless had difficulty voting for allowing the change.

Mr. Funk expressed the point of view that this was a different sort of case. He stated that Manor Township will very likely make this sort of amendment to the ordinance in the near future. Mr. Egner also pointed out that the restrictions included in the draft, such as no kennels and no caged animals outside were good limiting factors.

Mr. McManus then offered to summarize the draft decision. The Board would grant the Applicant's request for a variance subject to eight conditions:

- 1) The Applicant shall adhere to the facts and dimensional criteria contained in her application, Exhibits, and plans, as well as all testimony presented by the Applicant or on her behalf at the hearings held on February 7 and March 7, 2018.
- 2) The Applicant shall comply with all applicable State and local regulations regarding the use and occupancy of the proposed small animal veterinary hospital.

- 3) The Applicant shall comply with all applicable building code regulations for the intended use and shall obtain all associated required permits.
- 4) The Applicant shall obtain and maintain all licenses issued and required by regulating governmental entities for the proposed small animal veterinary hospital.
- 5) The veterinary facility shall be limited to the care of small animals.
- 6) No portion of the Property may be used as a kennel.
- 7) No outdoor caging or animal activity areas shall be permitted on the Property.
- 8) No exterior lighting shall be installed on the Property which will produce any glare onto or otherwise adversely affect neighboring properties.

Mr. Singer stated that he had no further comments on the matter.

Mr. Egner stated that he understood why the other Board Members were voting for the Variance. He said that although he wouldn't be voting for it, he was happy to see some limiting factors.

Ms. Charles said that her vote to approve the Variance was based upon the idea that Manor Township will be changing the Ordinance in question soon. She said that she didn't think that it was fair to make someone miss out on an opportunity when the Ordinance is likely to change in a couple of months anyway. She expressed the view that if we deny this Applicant's request, someone else may end up being allowed to do the same thing in a couple of months. She also pointed out that the neighbors' biggest concerns have been about noise and animals running outside, and these things will not be allowed.

Mr. Funk made a motion to approve the decision as prepared and presented, Ms. Charles seconded, Mr. Egner voted nay, and the motion carried.

### **New Business**

The Board, Zoning Solicitor, and Zoning Officer discussed time frames and procedures regarding getting draft minutes and decisions to the Board and the Solicitor in between meetings.

Mr. Singer stated that the next Zoning Board Special Meeting is scheduled for the evening of Tuesday, April 24, 2018 at 7:00 p.m. Mr. McManus then gave an update to the Board on the status of the appeals scheduled to be discussed at the special meeting.

Mr. Singer stated that the next Zoning Hearing Board Meeting will be held in this room on Wednesday, May 2, 2018 at 7:00 p.m. He also stated that he does not know of anything coming in at this point.

With no further business to discuss, Mr. Funk motioned to adjourn the meeting, Ms. Charles seconded, and the motion carried unanimously. The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Dennis Funk  
Secretary