

Manor Township Zoning Hearing Board Minutes

Wednesday, February 6, 2019

Time: 7:00 p.m.

Chairman, Bradley Singer called the Manor Township Zoning Hearing Board meeting to order in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA 17603 on February 6, 2019 at 7:00 p.m. Chairman Singer led those in attendance in the Pledge of Allegiance and introduced the Board.

Members Present: Bradley Singer, Missy Charles, Dennis Funk, and Alexander Egner
Staff Present: Nate Taggart and Michelle Smith
Township Solicitor: James McManus
Visitors: See attached Sign-In Sheet

Re-Organization

Appointment to the Zoning Hearing Board by the Township Supervisors – Missy Charles was appointed for a three year term by Resolution 2-2019, beginning January 7, 2019 and expiring December 31, 2021. Alexander Egner, Alternate, was appointed for a three year term by Resolution 3-2019, beginning January 7, 2019 and expiring December 31, 2021.

Election of Officers

Chairman- Missy Charles nominated Brad Singer as Chairman.

Vice Chairman – Dennis Funk nominated Missy Charles as Vice Chairman.

Secretary – Brad Singer nominated Dennis Funk as Secretary.

Brad Singer cast a collective ballot for the nominations listed above. Missy Charles seconded and the motion carried unanimously.

Set Meeting Dates

Dennis Funk made a motion to meet the first Wednesday of each month at 7:00 pm. Missy Charles seconded and the motion carried unanimously.

Selection of the 2019 Zoning Hearing Board Solicitor

Brad Singer made a motion to retain James R. McManus as Solicitor for the Zoning Hearing Board for 2019. Dennis Funk seconded and the motion carried unanimously.

Approval of Minutes – Chairman Singer entertained a motion to approve the September 5, 2018 meeting minutes as they have been submitted. Missy Charles so motioned. Dennis Funk seconded and the motion carried unanimously.

New Business

Case #1-2019 – The application of Joshua L. & Brooke E. Wenzel, 12 Chamberlain Ln, Millersville, PA 17551. The applicant is requesting a Variance to section 425-13A (RL Zone – Purpose) to install onsite septic and a well on the property located at 194 Ironstone Ridge Rd, Lancaster, PA 17603, Tax ID Number 410-91125-0-0000. The property is located in the Low-Density Residential (RL) Zone.

James McManus stated that the applicant, Joshua Wenzel is present and will be representing himself and his wife, Brooke. Mr. McManus asked if there were any other persons in attendance with an interest in this case. Dan Siegrist, from Custom Home Group, identified himself and stated that he would be giving testimony along with Mr. Wenzel. Mr. McManus requested that Nate Taggart, Zoning Officer of Manor Township, be sworn in. In that capacity, Nate Taggart received the application from Joshua L. & Brooke E. Wenzel, indexed at #1-2019. The application was on standard Township form that was fully complete. The application includes a standard form, a one page summary of criteria, a list of adjoining property owners, a colored aerial photo showing the names of adjoining property owners and a site plan that is shown to scale. Mr. McManus verified with Mr. Taggart that all fees have been paid. A notice of the time, date, place and subject matter of this hearing was published in Lancaster Newspaper on January 23, 2019 and January 30, 2019. Mr. Taggart received proof of publication. The application was marked as Exhibit #1. The proof of publication was marked as Exhibit #2. Mr. Taggart additionally posted the property, which is the subject of this application, with a notice of the time, date, place and subject matter of this hearing on January 29, 2019. The same notice was placed in the lobby of the Manor Township Municipal Building on January 23, 2019. The notice was sent to adjoining property owners as well. All notices contained identical text.

James McManus requested that Joshua Wenzel and Dan Siegrist be sworn in. Joshua Wenzel handed out copies of his power point presentation. This was marked as Exhibit #3. Mr. Wenzel purchased 194 Ironstone Ridge Rd a little over a year ago. He is requesting a variance because it is creating a hardship for his family. Mr. Wenzel reviewed Ordinance 425-13-A. This ordinance requires public water & sewer hook-up. Mr. Wenzel referred everyone to the site plan that was included in the packet. The site plan was marked as Exhibit #4. The minimum requirements for Mr. Wenzel's project include a 200' entrance and a 30' set back. Mr. Wenzel further explained that he is making this request because there are public sewer and water hook up issues. Hook up is on the far side of Ironstone Ridge Road (Derby Lane). Laterals were not provided in that area. Mr. McManus asked Mr. Wenzel to verify his definition of a lateral. Mr. Wenzel stated that he is referring to something in the street. The connection would go across the street and

into his property. Mr. Wenzel also presented that Ironstone Ridge Road cannot be opened within five years of paving. It was paved in 2015, so he would have to bore under the road. Even through the boring process, there would be some cutting of the road required to access the connections. Mr. Wenzel stated that it is highly likely that rock will be encountered and costs will increase as a result. The minimum requirement for building his home is 230-250' from the road; however, he would like to go 411'.

Joshua Wenzel reviewed the cost difference between public water and an on-site well. Mr. Wenzel's estimate for public water is \$10,000 to \$12,000. This includes tap in fee, cutting the street, trenching, installing the lateral, installing the meter pit, stoning the trench, installing 1" copper lining, stoning and compacting the street and paving costs. The estimate for an on-site well is \$5,000. This includes a standard well, well pump, water line to the house, and pressure tank. He went on to review the cost difference between public sewer and an on-site septic system. Mr. Wenzel's estimate for public sewer is \$21,000 to \$25,000. This includes tap in fee, cutting the street, trenching, installing the man hole and lateral, stoning in, running 4" sewer line with clean outs, stoning and compacting the street and paving costs. The estimate for an onsite septic system is \$5,500 to \$12,500. This includes testing for a septic system and installation of an SEO approved system. The total cost for public hook up would be \$31,000 to \$37,000 and the total cost for on-site septic and well would be \$10,500 to \$17,500. Based on these costs, he would like to submit a variance request to the Township's ordinance because of a monetary hardship. Mr. Wenzel submitted a copy of these estimates on Custom Home Group letterhead that was signed off by Dan Siegrist.

Dennis Funk asked if a perc test was completed. Mr. Wenzel verified that there has not been a perc test done on the property, so he is not sure if a standard system or a sand mound will be required. Mr. Funk asked Mr. Wenzel if he talked to the Township about the possibility of cutting the road. Mr. Wenzel explained that the previous owner, Henry Fisher, had correspondence with the Township and he has a letter that was provided to Mr. Fisher in 2016 stating that this would not be an option. Mr. Funk went on to ask if Mr. Wenzel had contacted LASA and Lancaster City Water about installing a lateral. Mr. Wenzel has spoken with Peter and he said this is a possibility. Mr. Funk thought that it was their responsibility from the main to your property line. Mr. Wenzel assumed that this was true. Because these costs were included in Mr. Wenzel's estimate, his numbers are going to be off. Mr. Funk asked if there was a requirement stating that you must connect to public water and sewer if your property is within so many feet of the main. Mr. Wenzel stated that this is 150' from the property line. Nate Taggart verified that the requirement is to the principle structure.

Brad Singer asked if there is anything on the property that would not enable the necessary piping to be run from the hook up to the house. Are there any obstructions or physical obstacles that would make hook up impossible? Mr. Wenzel was not aware of anything that would prevent the pipes from being installed.

Missy Charles asked if the rocky terrain was enough to make it impossible for the lines to be run through his property. Mr. Wenzel replied that through conversations with neighbors he has learned that the area is very stony and rocky. Dennis Funk stated that the rocky terrain would not make it impossible, it would however, make it more expensive.

Alex Egner asked if the letter to the previous homeowner regarding road opening was customary on the Township's part. Nate Taggart verified that this is Township policy. The decision is made by the Public Works and they rarely offer exceptions.

James McManus verified that everyone understood where the existing sewer and water lines are on Ironstone Ridge Road. Dennis Funk verified that they are on the East side of the road. Mr. McManus thought that it was LASA's responsibility to provide the lateral connection to the property line. Mr. Egner asked if the adjoining property owners were on public water and sewer. Mr. Wenzel did not have an accurate answer to this question. Mr. McManus asked what the minimum size lot for this district is. Nate Taggart verified that the minimum is 15,000 square feet. Mr. Egner wanted to know if there were any other hardships, beyond cost and opening the road, which make it difficult to go to public water and public sewer. Mr. Wenzel reiterated the fact that the neighbors are a stones through from the hook up. The position of his lot creates a monetary hardship that others in the area will not have to deal with.

James McManus clarified that Mr. Wenzel's cost estimates do include the installation of the lateral. Mr. Wenzel referred this question to Dan Siegrist. Mr. Siegrist verified that the estimate does include the cost of the lateral. Mr. Siegrist would need to verify whether this is the provider's responsibility or the homeowner's responsibility. Mr. McManus felt that it is LASA's responsibility to provide the lateral and asked what the independent cost of the lateral is. Mr. Siegrist did not have an accurate figure, but it could be as much as \$10,000. Mr. McManus verified that the original sewer estimate of \$21,000 to \$25,000 could be lowered by as much as \$10,000. Mr. Siegrist spoke with Sewer Enforcement Officer, David Lockard and he confirmed that the on-site septic system would more than likely have to be a sand mound. Mr. Siegrist was looking to install an alternate system, called Eco Flow. This system uses a cocoa filter and requires yearly maintenance and filter replacement every 10 years. This system has more longevity than a sand mound.

Dennis Funk verified that Mr. Wenzel has not yet drilled a well. Mr. Funk asked if the Township had specific requirements about nitrate levels. Nate Taggart could not verify the requirements. Dan Siegrist said that he would do a potable water test and if the results mandate purification, a water system would need to be installed. James McManus stated that the septic system must be approved by the SEO. Mr. Siegrist stated that after a variance has been granted, a perc and probe test would be scheduled and then a system would be designed based upon the results.

Joshua Wenzel verified that there are no plans to subdivide the lot in the future. Nate Taggart verified that all setbacks are approved and meet the requirements of the zoning district.

Alex Egner wanted to know if the board will be getting an answer on the cost of the lateral. Joshua Wenzel said that he will get more information from LASA. Mr. Wenzel requested a continuance of the meeting. Mr. Wenzel will continue with additional testimony at the next month's meeting.

James McManus continued the hearing, at the request of the applicant, to the Boards next meeting date on March 6, 2019 at 7:00 p.m.

Brad Singer commented that with no further business to discuss, the meeting adjourned at 7:56 p.m.

Respectfully Submitted,

Dennis Funk
Secretary

Recording Secretary
Michelle Smith