

Manor Township Zoning Hearing Board Minutes

Wednesday, October 2, 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 October 2, 2019 at 7:01 p.m. Chairman Singer led those in attendance in the Pledge of Allegiance and introduced the Board.

Members Present: Bradley Singer, Dennis Funk, and Missy Charles

Staff Present: Nate Taggart and Michelle Smith

Township Solicitor: James McManus

Visitors: See Attached Sign In Sheet

Previous Month Minutes – Dennis Funk made a motion to accept the September 4, 2019 meeting minutes as they have been submitted. Missy Charles seconded and the motion carried unanimously.

Old Business

Case #4-2019: Cellco Partnership d/b/a Verizon Wireless, 180 Washington Valley Road, Bedminster, New Jersey 07921. The applicant is requesting a Special Exception to section 425-61.B and a Variance to Section 425-61.B(4)(b) (Tower Setback Variance) and 425-122.K (Extension of Timeframes). The applicant is requesting approval to permit the construction and operation of a wireless communications tower facility, including antennas, tower and equipment (the “Facility”), on the property located at 1730 Prospect Road, Washington Boro, Pennsylvania 17582, Tax ID Number 410-12441-0-0000. The property is located in the Agricultural (A) Zone.

Chairman Singer explained that the Board members provided individual opinions to the Township Solicitor. The Solicitor takes the opinions from the members and renders a Decision. Mr. Singer asked if the Board had any comments or discussion regarding the Decision. There was no further discussion. The Decision contains Findings of Facts, Conclusions of Law which addresses the Special Exception and the Variance, and a written Decision.

As prepared, the Decision would grant each request being the Variance and the Special Exception. The Decision outlines several conditions attached to these grants. The first of which states the proposed monopole shall not be located nearer than 52’ from the Property’s southern lot line and 72’ from the Property’s western lot line as indicated on the Plans prepared by NB+C Engineering Services, LLC., last revised August 22, 2019. The second condition is that the height of the monopole structure shall not exceed a height of 126’

measured to the top of a six foot lightning rod installed atop the monopole. The third condition states the Applicant shall at all times comply with and adhere to the Plans, Exhibits and all other evidence submitted in its application or presented to the Board by the Applicant or on its behalf at the hearing held on September 4, 2019. Lastly, the Applicant shall comply with all other applicable governmental rules, ordinances, and regulations regulating the construction, use and operation of the proposed cell site antenna facility.

Missy Charles made a motion to approve the Decision as drafted. Dennis Funk seconded and the motion carried unanimously.

In addition to the conditions outlined above, the Board grants the Applicants request of 18 months to secure a permit and begin work authorized by the Zoning Hearing Board and 24 months to complete such work. Missy Charles made a motion to accept the extension. Dennis Funk seconded and the motioned carried unanimously. The Board signed three copies of the Decision.

Case #1-2017: The Extension Request of Reese Investments LLC property located at 135 West Charlotte Street, Millersville, PA 17551, account # 410-11799-0-0000. The applicant received approval for a Special Exception to expand a nonconforming use on May 3, 2017. The applicant is seeking an extension of the approval for the time to obtain permits and the time to complete construction due to the City of Lancaster not being able to supply the necessary water to the property until 2022. The property is zoned Medium Density Residential (RM).

Brent Detter, from David Miller/Associates, was sworn in. Nate Taggart, Manor Township Zoning Officer, was also sworn in. Mr. McManus verified that Mr. Taggart is familiar with the application. This is the second time that the Board will be addressing this extension. The initial extension required permits to be obtained by December 31, 2019 and construction to be completed no later than December 31, 2020. The Zoning Hearing Board approved this extension on March 6, 2019.

Mr. Detter is working on behalf of Reese Investments LLC for the development of the property for obtaining Land Development approval. Through the Land Development approval, Mr. Detter found that the City of Lancaster was able to provide water capacity, but not until the anticipated infrastructure upgrades are complete. This upgrade is anticipated to be complete in spring of 2022. The Land Development Plan is anticipated to be approved this month by the Board of Supervisors, so they will meet the December 31, 2019 permitting and recording of the plan deadline. Mr. Detter is requesting an extension of time for the Special Exception. Knowing that construction projects from the City and other authorities don't always follow the anticipated timeframe, they are requesting a deadline of October 7, 2024. This follows the five year vesting of the Land Development Plan.

Brad Singer asked Mr. Taggart to verify the date on the letter from DM/A. The requested deadline is October 7, 2024. Because this an extension from a prior application, they were not required to submit a new application and the letter is a sufficient way to submit the request.

Dennis Funk asked if they have a written commit from Lancaster City. Mr. Detter has a letter from the City and the Board was provided with a copy of this letter. The letter states that the City will be able to provide the additional capacity, but they can't do this until after the upgrade is complete. The project is anticipated to take two years from the time that it starts. The City will provide an updated schedule in 2020. Mr. Detter went on to explain that as part of the Land Development Plan, he requested a modification to delay supplying the water capacity letter and the Applicant will not pull a building or zoning permit until such letter is provided to the Township. This condition will be on the recorded Land Development Plan. In essence, the plan is going to sit until they receive a capacity letter.

Dennis Funk made a motion to accept the extension request for project completion until October 7, 2024. Missy Charles seconded and the motion passed unanimously.

The next meeting will be held on November 6, 2019. Brad Singer commented that with no further business to discuss, the meeting will close. Dennis Funk made a motion to adjourn the meeting. Missy Charles seconded and the meeting adjourned at 7:29 p.m.

Respectfully Submitted,

Dennis Funk
Secretary

Recording Secretary
Michelle Smith