

Manor Township Zoning Hearing Board Minutes

Wednesday, November 1, 2023

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 W Fairway Dr, Lancaster PA 17603 on November 1, 2023 at 7:00 p.m. Chairman Singer led those in attendance in the Pledge of Allegiance and introduced the Board.

Members Present: Bradley Singer, Dennis Funk, and Jeff Klugh

Staff Present: Nate Taggart, and Peg Hess

Township Solicitor: Susan P. Peipher

Visitors: See attached Sign-In Sheet

Previous Month Minutes – Dennis Funk made a motion to approve the September 6, 2023 meeting minutes as they have been submitted. Jeff Klugh seconded, and the motion carried unanimously.

New Business

Case #9-2023: Applicant: Proto Real Estate LLC, 1206 Canterbury Drive, Mount Joy, PA 17552. The applicant is requesting variances to Sections 425-13.B(6) & 425-13(K) of the Manor Township Zoning Ordinance. The proposed single family dwelling lot would be serviced with an on-lot well instead of public water, as required by ordinance. The proposed dwelling would be located approximately 47 feet from the Agricultural Zone where a 100-foot setback is required. The property in question is located at 205 Bender Mill Rd, Lancaster, PA 17601, Tax ID 410-12401-0-0000 and is in the Low Density Residential (RL) Zone.

Solicitor Peipher explained the procedure that the Board will follow for the hearing. Nate Taggart confirmed to Solicitor Peipher that this hearing was properly advertised in accordance with the MPC and the Township Zoning Ordinances.

John Pogue, Landvision LLC and Matthew Proto, property owner, were sworn in.

John Pogue, Landscape Architect Landvision LLC gave testimony for Matt Proto, owner, who wants to subdivide 15,000 sf of the existing 1.38 acre property to allow a single-family home to be built, in which he will reside. There is an existing apartment building on the property that Mr. Proto owns and manages. The water is currently serviced by an existing well. The existing public water line is currently capped by a stream bridge approximately 800-1000 sq. ft. away from this property on Bender Mill Road. There are no future plans to extend the water service any closer to this property. The three homes to the west of this property are serviced with well water. The property on the other side of the road is preserved agriculture. It is not practical to have public water run to this site. They are proposing on-site well service. Lancaster Geological Solutions, LLC conducted a Water Feasibility Desk Top Study (Exhibit 1) regarding water capacity on this property. The Conestoga formation has sufficient groundwater capacity to supply the proposed single-family home which should not adversely affect the water supply of neighboring wells. Mr. Proto was asked if there were ever any water issues at the current apartment building, which there has not. Exhibit 2 is a LanCo View Map of property and neighboring properties showing distance between properties allowing sufficient spacing between wells to service these properties. This should satisfy variance request for Section 425-13.B(6) according to the applicant.

Dennis Funk asked if running the public water line would be going through private property, which it would not. The existing water line ends on the other side of the stream across the bridge approximately 800 ft away from this property. The water company stated that it is impractical to continue this line for a few lots.

According to the variance request for Section 425-13(k), this property borders an Agriculture Zone across the street. The proposed building is approximately 47 feet from the boundary line on Bender Mill Rd. The building cannot be moved back any further because of an existing sewer easement to the rear of the property. Exhibit 2, Aerial Map, Exhibit 3, Layout Plan, and Exhibit 4 Stormwater Management Plan were submitted as evidence. The existing sewer easement that cuts across the property in a diagonal creates a smaller building envelope. The agricultural property across the street has a higher elevation so a growing detriment from shading created from such home would not occur.

John Pogue read how Variance Standards were addressed as this property has unique circumstances, the hardship is physical to the current Easements and topography. The hardship was not created by Owner and will not be a detriment to any neighboring properties. They are asking for minimum relief to attain development of a single-family home which would complement the existing neighboring properties. There are no future subdivision plans or any plans to build any other structures on this property.

Dennis Funk inquired about the number of apartments in the building on the same property, which is four. The existing lot becomes long, slender and with rough terrain going northeast making a house unrealistic to build in this area. A portion of this property is in a flood zone. Dennis Funk commented that the cost of attaining public water could be split five ways to mitigate cost. All other homes in this vicinity are serviced by well water.

Jeff Klugh inquired about the size of the proposed home, which would be less than 1600 sf.

Patricia Beaumont, 145 Carol Road, inquired where the creek was located.

Chairman Singer made a motion to consider testimony closed.

The board requested a 5–10 minute break to discuss.

Brad Singer reconvened the meeting. Jeff Klugh made a motion to grant the variance requests to Sections 425-13.B(6) & 425-13(K) of the Manor Township Zoning Ordinance. Dennis Funk seconded, and the motion carried unanimously.

The next meeting will be held December 6, 2023, at 7:00 pm at the Manor Township Municipal Office at 950 West Fairway Avenue, Lancaster.

Chairman Singer commented that there was no further business to discuss. Dennis Funk made a motion to adjourn the meeting. Jeff Klugh seconded, and the meeting adjourned at 7:39 pm.

Respectfully Submitted,

Jeffrey Klugh
Secretary

Recording Secretary
Peg Hess