

**WEST LAMPETER TOWNSHIP
ZONING HEARING BOARD
April 12, 2022**

A meeting of the West Lampeter Township Zoning Hearing Board was held on April 12, 2022 at 6:00 p.m. in the Township Building at 852 Village Road in Lancaster County, PA. Members present were Raymond Lanas, Terry Kauffman and John Lines. Also, present were Attorney Matthew Creme, Recording Secretary Denise Glatfelter, Court Reporter Vanessa Smith and Community Development Director Amanda Hickman.

MINUTES APPROVAL – John Lines made a motion to approve the March 8, 2021 minutes, seconded by Terry Kauffman. Motion approved 3-0.

Daniel Fisher – 825 Strasburg Pike, Strasburg PA. Continued Hearing from March 8, 2022. Applicant is requesting a Modification from a Prior Decision from the ZHB on 4/10/18.

Parties: Applicant
West Lampeter Township
Byron Ebersole, 838 Strasburg Pike
Jeremy Heitland, 826 Strasburg Pike
Murray Miller, 767 Strasburg Pike

Request for a Modification from a previous ZHB Decision dated May 3, 2018.

The modification is regarding Condition #9 of the original decision (Except for fertilizer tanks, no outside storage of fertilizer or fertilizer ingredients or components for the Business shall be permitted), and Condition #15 (No other buildings shall be used or constructed at 825 Strasburg Pike as part of the fertilizer operation). The separate building was to be used for farm use (on the north portion of the building).

Attorney Cooke presented into evidence Exhibit 6 which included a drawing designating the area's that Mr Fisher would like to add as outdoor storage, and a written description of those area's and what would be stored in them, as well as what Mr Fisher is proposing to be stored in the North Building. Section A outside of the north section, a 20x17 area for the storage of Farm Equipment, empty tanks, and spare tires. Section B outside the south section a 20x30 storage area for empty cage tanks, and a 15x40 area Section C around the fertilizer tanks, storage of empty fertilizer tanks.

Attorney Cooke requested that Exhibit 6 be accepted into evidence for the hearing. John Lines made a motion to amend the application to include Exhibit 6. Motion was seconded by Terry Kauffman. Motion approved 3-0.

When asked how this outside storage would be marked, the applicant said he would paint the area's, however, the areas are not asphalt, but rather compressed stone. No fencing would be used as it would prohibit snow removal in the winter.

Attorney Cooke inquired that if making an amendment to the original application to include a dimensional variance to allow for use of the north building for commercial use would ease the outside storage issue. Currently the north building sits at 50ft off the setback line. For Commercial Use it would need to be 100ft. Mr Lanas stated that Mr Miller, a Party to this proceeding, had contacted him via phone, that he was unable to attend this meeting due to being out of town, but that he wanted Mr Lanas to know that he did not agree with the outdoor storage of materials.

Also brought to the attention of the Board were the deliveries that are being stored in front of the building, and the tanker trailers being stored on site. Mr Fisher stated that he had just received a shipment of supplies that day and had yet to move them inside, and that the tanker trailer was waiting to be picked up for delivery. Amanda asked the questions of Mr Fisher, if everything for the business could be stored using both buildings, and Mr Fisher was unsure.

The Township has issues with any outside storage.

The Board recessed to Executive Session at 6:45 to discuss the matter. The Hearing was reconvened at 6:54. Terry Kauffman made a motion to close the record and the motion was seconded by John Lines. Motion approved 3-0.

Motion was made by Ray Lanas and seconded by Terry Kauffman to deny the applicants application as the burden of proof had not been met. Motion carried 3-0.

There being no further business before the Board, Ray Lanas adjourned the meeting at 6:55pm. Motion approved 3-0.

Respectfully submitted,

Denise Glatfelter