

**WEST LAMPETER TOWNSHIP
ZONING HEARING BOARD
September 14, 2021**

A meeting of the West Lampeter Township Zoning Hearing Board was held on September 14, 2021 and called to Order at 6:02 pm after an Executive Session at 5:45pm. in the Township Building at 852 Village Road in Lancaster County, PA. Members present were Ray Lanas, John Lines, and Terry Kauffman. Also, present were Attorney Matthew Creme, Recording Secretary Denise Glatfelter, Court Reporter Christy Della Rova, Community Development Director Amanda Hickman and Attorney Jason Hess from Morgan, Hallgren, Crosswell and Kane representing the Township.

MINUTES APPROVAL – Minutes Approval was deferred until the end of the meeting.

Willow Street Center, LLC– 2504 Willow Street Pike, Willow Street, PA
Willow Street Enterprises, LLC – 2930 Willow Street Pike, Willow Street, PA. A Hearing on the Application of Willow Street Center, LLC and Willow Street Enterprises, LLC for property located at 2504 Willow Street Pike, Willow Street, PA. and 2930 Willow Street Pike, Willow Street, PA Applicant is requesting Special Exceptions from Section(s) 285-20 Use Not Listed and 285-5 Terms Defined, Amusement Arcade for Willow Street Center, LLC and Section(s) 285-20 Use Not Listed, 285-5 Terms Defined, Games of Skill and 285-51 Required Number of Parking Spaces for Willow Street Enterprises, LLC.

Parties: Applicant
West Lampeter Township

After the Boards Executive Session, the following Decisions were rendered by the Board:

Willow Street Center, 2504 Willow Street Pike, Lancaster, PA 17602
Based on testimony presented at the hearing, and the Applicants description of the available parking to serve the existing use, but did not present and drawing, plan or sketch depicting the existing parking and parking field for use by the existing and proposed uses, the Zoning Hearing Board DENIES the requested Special Exception for a Use Not Listed as related to Terms Defined, specifically, “Amusement Arcade”

under Sections 285-5 and 285-20 to permit the use and operation of what are known as "Skill Games" or "Games of Skill".

Willow Street Enterprises, LLC – 2930 Willow Street Pike, Willow Street, Pa 17584. Based on testimony presented at the hearing and the Applicants description of the available parking to serve the existing use, but did not present and drawing, plan or sketch depicting the existing parking and parking field for use by the existing and proposed uses, the Zoning Hearing Board DENIES the requested Special Exception for a Use Not Listed as related to Terms Defined, specifically, "Amusement Arcade" under Sections 285-5 and 285-20 to permit the use and operation of what are known as "Skill Games" or "Games of Skill".

The Board heard testimony from Attorney Neil Hilker from Reidenbach Associates, representing Willow Street Center, LLC. And Willow Street Enterprises, LLC.

The Applicants and Property Owners provided testimony as to the proposed use of the Pass-o-Matic Machines which are legal in the State of PA as they are not a game of chance but games of skill. Mr Hertzog issued Notice of Violation letter for the type of use, off street parking, indoor recreations square footage and blocking egress right of way for customers.

Mr Javani testified that it was his customers that requested the machines. Board Member inquired as to why the Township was not notified that these machines were being installed, how many machines are in each store, how do they work, what does it cost to have the machines in the store, and what is the stores profit. Mr Javani stated that due to more gas stations and convenience stores opening up in the Township that he was losing business, and that this was a way to try and increase business in his stores.

After a brief discussion the Board Member went into and Executive Session at 7:56pm. Member returned at 8:14pm. Terry Kauffman made a motion to keep the record open which was seconded by John Lines. Motion passed 3-0

Terry Kauffman made a Motion to defer the decision, Seconded by Ray Lanas until the next Meeting on October 12, 2021. Motion Approved 3-0.

There being no further business before the Board, Ray Lanas adjourned the meeting at 7:50pm.

Respectfully submitted,

Denise Glatfelter