

**MOUNT JOY BOROUGH ZONING HEARING BOARD
MINUTES of OCTOBER 30, 2019**

The Zoning Hearing Board met in the Council Chambers of the Mount Joy Borough Offices, 21 E. Main Street, Mount Joy, on the above date. The meeting was called to order at 7:00 p.m. by Cindi Jerman. Board members present included Bob Marker, George Leyh and Alternate Michael Melhorn. Borough officials in attendance included Stacie Gibbs, Zoning Officer. Zoning Hearing Board Solicitor, Joseph Kenneff, Esquire, was present. Michelle Parke, court stenographer was also present.

The Board decided to remove item C. Reorganization because of the lack of attendance of Zoning members and because this was the first and last meeting of the year.

Minutes of March 28, 2018, meeting of the Board was approved on a Motion by Jerman and a second by Marker which passed unanimously 4-0.

NEW BUSINESS

Cindi Jerman read the Standard Board Procedures to all those present. There were no objections to the jurisdiction of the Zoning Hearing Board nor were there any challenges as to the personal or business interest of any member of the Board.

Stacie Gibbs, Zoning Officer was sworn in.

CASE NO. 1

The applicant, Reist Seed Company, located at 113 Manheim Street, Mount Joy, PA 17552, requested Variances of §270-47.A (Table of Lot & Setbacks) to allow for a 5' side yard setback and a 10' rear yard setback to relocate a metal storage building. And, a Variance of §270-47.A (Table of Lot & Setbacks) to allow for a 9.7' front yard setback to erect a 12' diameter grain bin at the West end of the building. The property is located in the Light Industrial Zoning District.

EXHIBITS

BOARD:

- B-1 – Zoning Hearing Board Application
- B-2 – Legal Ad with Proof of Publication.
- B-3 - Neighbor Notification Letters.

Mike Higgins, applicant was sworn in.

Keith Good, President of CGA Architects, Inc. was sworn in.

QUESTIONS AND TESTIMONY

1. Attorney Kenneff asked what the property address is. Good advised 113 Manheim Street, Mount Joy PA.
2. Attorney Kenneff asked what the size of the property is. Good advised it is approximately 60,032 square feet. Good further advised it is approximately 242' deep, 131' in the front and 183' in the rear.
3. Attorney Kenneff asked what the current use is of the property. Good advised it is in the Light Industrial Zoning District and the use is a popcorn processing plant.
4. Attorney Kenneff asked Good to describe the buildings on the property. Good advised there is a main building, storage building, frame garage, frame block building, frame and metal building, 3 bins and a truck scale.
5. Good showed the Board an existing conditions plan from 2015.
6. Good advised a previously recorded plan showed a proposed building addition, a framed garage to remain, one of the existing grain bins to remain and 6 new grain bins were to be built.
7. Good advised traffic flow over the property is not ideal and the previously approved plan would make it difficult from a truck maneuvering standpoint.
8. Good advised, the new plan which will be a revised plan, is to change the configuration of the addition so the new loading dock would be located in a way for better traffic flow. Two of the grain bins would remain and the third one would be removed which will allow for better truck turning movements. One of the existing garages over the existing setbacks would be removed and the other would be moved back. There will then be smaller 12' diameter grain bins along Appletree Alley and one 12' diameter grain bin would be installed over the existing load out pit along the Manheim Street side of the building. One of the framed garages would also be removed.
9. Kenneff asked if the Variances being requested are for the front, side and rear.
10. Good advised one building is currently over the existing setback and is 12' over the property line. The current setback required is 15'. The proposal is to push the building back North and line the edge up with the existing building. They end up with a 10' rear yard setback. There is an existing nonconformity on the building. Moving this building would have a 5' setback on the side. The two setbacks are a reduction from 15' to a 5' side yard setback and from 15' to 10' for a rear yard setback.
11. Kenneff asked what the purpose is of the building. Good advised it is for storage.
12. Jerman asked Good to talk about the bin they want to put out in the front.

13. Good advised the existing building is set back 10.83' from the property line. There is an existing load out to a dump bin. Reist would like to place a 12' diameter grain bin over the pit. It calculates to a 9.89' front yard setback.
14. Good showed a clear sight triangle on the plan that indicates the new grain bin would not obstruct traffic. There is nothing in the ordinance that requires them to show this, but he spoke with the Borough Engineer and they discussed showing it.
15. Kenneff asked how close the existing corner of the building to the front yard setback is. Good advised it is 10.83'. Gibbs advised that is supposed to be 15' as well. Good advised this means the building is also already within the front yard setback.
16. Good advised there are several hardships on the lot. Good advised the lot is bordered by alleys on 3 sides, a railroad track, the lot is narrow, and it has become difficult to make safe.
17. Leyh advised the traffic configuration seems to be the main issue and that is a hardship in itself.

**On a motion by Jerman and a second by Marker, the taking of testimony was closed.
*Motion carried 4-0.***

Attorney Kenneff noted for the record that there was no public present.

ACTIONS BY THE BOARD

A motion was made by Marker and seconded by Leyh, to grant the application made by Reist Seed Company, located at 113 Manheim Street, Mount Joy, PA 17552, for Variances of §270-47.A (Table of Lot & Setbacks) to allow for a 5' side yard setback and a 10' rear yard setback to relocate a metal storage building. And, to grant a Variance of §270-47.A (Table of Lot & Setbacks) to allow for a 9.7' front yard setback to erect a 12' diameter grain bin at the West end of the building. *The Motion passed by a 4-0 vote*

Cindi Jerman announced her resignation effective at the end of the year. Jerman advised that now she is retired, they are traveling, and she does not want to continue to make the commitment if she might not be available. The Board thanked Jerman for her many years of service. Gibbs requested she forward an official letter of resignation to Borough Council. Michael Melhorn expressed interest in becoming a full-time board member instead of an alternate. Gibbs requested he provide a letter stating that request to Council for consideration.

ADJOURNMENT

**On a motion by Jerman and a second by Marker, the meeting was adjourned.
*Motion carried 4-0.***

Respectfully submitted,

Adopted this ____ day of _____, 2020

Stacie Gibbs, Zoning Officer

Ned Sterling, Secretary