

COLERAIN TOWNSHIP ZONING HEARING BOARD MINUTES

Joseph G. Lapp Case 2022-08

September 7, 2022 at 7:00 P.M.

Members present were: Bob Stanley, Chairman, Doug Eaby, Vice-Chairman, Tammy Rineer, Member, and Sara Hodgkiss, Alternate. Josele Cleary, Zoning Hearing Board Solicitor was present as well as Rhonda Adams Court Reporter. Rhonda can be reached at 717-468-6250. A listing of others in attendance will be kept on file.

Ms. Cleary announced the hearing by reading the notice and asked the applicant to step forward. She also asked if anyone wished to be recognized as a party for this application. No one stepped forward.

Mr. Lapp was sworn in and testified by giving a brief presentation of his case by answering questions related to the size of the property, existing house, and proposed dwelling as well as what kind of farming is performed. He also explained that the proposed dwelling would be for one of his sons and their family as well as explaining why he could not locate the addition to any other side of the house due to other buildings and driveway being in the way. After a brief discussion between Mr. Lapp, Ms. Cleary and the Board the actual distance the proposed dwelling would be from the edge of the road was determined. Ms. Cleary asked Mr. Lapp if would agree to certain conditions which she read if the Board granted his application and he confirmed he would.

At this time, Ms. Cleary opened up questions from the audience and Scott Kulicke stepped forward.

Scott Kulicke asked Mr. Lapp about his plans for the Septic System. Mr. Lapp has been in contact with Marvin Stoner, Sewage Enforcement Officer. He testified that he would be willing to install a new system if required.

Ms. Cleary asked if anyone else in the audience had any more questions of the witness; seeing none she recommended the Board close the record.

A motion was made by Doug Eaby and seconded by Tammy Rineer to close testimony. The vote was unanimous.

Ms. Cleary explained the de minimus theory to the Board to assist them in their discussion as well as the options available to the Board for the purposes of rendering a decision.

A motion was made by Doug Eaby to grant the application subject to the conditions which were previously read by the Ms. Cleary. Tammy Rineer seconded the motion. The vote was unanimous

Applicant must comply with all requirements of the Sewage Enforcement Officer for Sewage for the new dwelling.

Applicant shall adhere to the testimony that any violation of these conditions shall be considered a violation of the Zoning Ordinance and will be subject to all penalties, remedies of the PA Municipalities Code.

Applicant shall obtain all permits and approvals required under zoning, storm water management, and the UCC.

These conditions are binding on the applicant, landowners and, and successor owners of the property.

This hearing was immediately followed by the Case 2022-09 Luke Hershey at 7: 32.

Respectfully Submitted,

Carmen B. Wiker, Asst. Zoning Hearing Board Secretary