

COLERAIN TOWNSHIP ZONING HEARING BOARD MINUTES  
Benjamin B. Lapp Case 2022-02  
June 1, 2022 at 7:00 P.M.

Members present were: Bob Stanley, Chairman, Doug Eaby, Vice-Chairman, and Tammy Rineer, Member. Josele Cleary, Zoning Hearing Board Solicitor was present as well as Allen Blank Court Reporter whose contact information is 717-687-8942. A listing of others in attendance will be kept on file.

Bob Stanley called the meeting to order at 7:00 P.M. and announced that the meeting was being recorded.

A motion was made by Tammy Rineer and seconded by Bob Stanley to approve the May 4, 2022 Minutes. The vote was unanimous.

At this time the Board and Josele Cleary introduced themselves.

Bob Stanley read the public notice for the Case.

Ms. Cleary gave an explanation for the procedure that the board will need to follow. Ms. Cleary asked if the audience had any questions regarding the procedures for all. There were none.

At this time Carmen B. Wiker was sworn in by the Court Reporter and Ms. Cleary confirmed with her that the proofs of advertising and posting of the property documents were on file with the Township for this hearing and the following two hearings which are Cases 2022-03 and 2022-04.

At this time Ms. Cleary asked if the applicant was present and if he was representing himself which he did. Ms. Cleary also asked if anyone wished to be recognized as a party. None stepped forward.

Mr. Lapp was sworn in and presented his case by explaining that he is currently operating the farm equipment repair business in which he is requesting the Special Exception for. He explained the size and location of the building where business is conducted, type of work being performed, hours of operation, growth of business, conversation with the Zoning Officer about legality of the business, employees, and Ag Preserve requirements.

Ms. Cleary questioned Mr. Lapp concerning the building size, location of building on the parcel, a GIS Aerial photo of the property marked "shop" that was part of his application, business name, hours of operation, number of employees, if employees drive to the property, if employees live on the property, business growth plans, current owners of the property, Ag Preserve status.

In response Mr. Lapp stated the building is 34' x 68', he confirmed the location of the building by pointing to the area marked "shop" on the GIS, business name is Solanco Machinery, LLC., hours of operation 6 A.M. to 5 P.M. Monday through Friday, three employees including himself, employees are taxied and do not live on the property, no business growth is planned at this time due to being maxed out for space, Property owned by Mr. Lapp and his wife Annie, the property is preserved but he has not confirmed with the Ag Preserve Board that his business would be allowed.

Ms. Cleary explained that Mr. Lapp is responsible for getting approval from the Ag Preserve Board and if the Zoning Hearing Board would decide to grant this application one of the conditions could be presenting this approval to the Township.

Doug Eaby asked about soil classifications; Mr. Lapp was not sure exactly but did mention that the property was very rocky and not good for farming. Mr. Eaby mentioned that one of the conditions he could see being added is confirming that the soils classifications are 4-8.

Bob Stanley questioned Mr. Lapp on the following: previous use of building before Mr. Lapp bought the property, if any space is being rented inside the building, Ag Preserve rules awareness,

Mr. Lapp stated the previous owners used it for storage, no space is being rented, and Mr. Lapp is aware of the Ag Preserve status, and he was reminded that there are many stipulations within his agreement with the Ag Preserve Board.

Tammy Rineer asked if he used the whole building and he stated he did.

Ms. Cleary asked about outdoor storage and Mr. Lapp stated some equipment does sit out but confirmed nothing sits out by the road. He also clarified that most of the work they do is repair work and not sales.

In response to Doug Eaby's concern about employee parking Ms. Cleary clarified that because his employees are being taxed the consideration for parking would not need to be addressed.

Ms. Cleary questioned the availability of space on the property for trucks to pick up and drop off equipment without parking along the road and Mr. Lapp confirmed he has the space needed.

Ms. Cleary confirmed with Mr. Lapp that he would agree to the condition of no loading or unloading on the street.

Ms. Cleary opened up questions to the applicant from the audience. Nancy Stauffer asked Mr. Lapp if he was planning on additional building in the future and would he be installing a driveway off of Hideaway drive, and if he did build in the future would he make sure to get all zoning approvals needed. He stated that certainly no buildings near Hideaway Drive but possibly near the other existing buildings, and no driveway could be installed on Hideaway due to the Ag Preserve rules, and yes to zoning approvals.

Ms. Cleary asked Mr. Lapp if he would agree to the following conditions if the Board would choose to grant his application:

Applicant shall provide evidence that applicant has obtained all required approvals from the Ag Preserve Board.

The business shall be limited to the existing 34' x 68' shop building.

The business shall be operated in accordance with the testimony and shall serve the ag community.

Applicant shall prohibit loading or unloading of equipment or material on Solanco Road.

All access to the business shall be from Solanco Road.

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.

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

Mr. Lapp agreed to all of the above conditions.

At this time, Ms. Cleary recommended that the Board close testimony.

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

At this time Ms. Clearing explained the options available to the Board for the purposes of rendering a decision.

At 7:30 P.M. Bob Stanley announced the Board would adjourn for an executive session which they returned from at 7:35 P.M. and Bob Stanley called the meeting back to order.

A motion was made by Doug Eaby to grant the application subject to the conditions which were previously read by the Ms. Cleary. Bob Stanley seconded the motion. Tammy Rineer opposed the motion.

This hearing was over at 7:35 but the board continued immediately to the next hearing which was Case 2022-03.

Respectfully Submitted,

Carmen B. Wiker, Asst. Zoning Hearing Board Secretary