

Conewago Township Zoning Hearing Board

August 11, 2008

Minutes

At 7:30 PM the ZHB meeting was called to order with the pledge of allegiance. Members present were Earl Miller, Sharon Beck, David Clouser and Margaret Burg. Hanson Quickel was absent. Attorney Greg Gettle provided legal council for the ZHB.

A reorganization of the ZHB was held with the following results- Chairman- Earl Miller, Vice Chairman- Sharon Beck, Secretary- David Clouser.

The minutes of the previous meeting were approved as presented.

Old Business- None.

New Business- Case 01-2008 Request for Special Exception, Interpretation and Variance, Interpretation for an expansion of the Strinestown Fire Company Building at 5690 Susquehanna Trail, Manchester, Pa., 17345 Tax Map 2 parcel 9/10.

ZHB member Margaret Burg abstained from commenting or voting due to her involvement with the Strinestown Fire Company functions.

Rick Fink, President of the Strinestown Community Fire Company presented evidence for the case along with council from Attorney Robert Shrefter. During the course of the meeting the following evidence was presented. The first request was for a Variance to wave side set backs between lots 9 and 10. The second request was for a Special Exception to build a social Hall and Kitchen next to the existing Fire Hall. The lot where the existing Social Hall is has a sewer right of way problem. Repairs to the existing Social Hall are not economically viable. There is a question of ownership of some portions of lots 9 and 10. The York County GIS Maps are in error. If lots 9 and 10 were to be reverse subdivided the total allowed impervious area would be exceeded. The Fire Company wants to expedite the process to be able to submit applications for grants. A six- foot high wooden fence alongside lot 10 belongs to property owners Vernon and Betty Spangler. There is a need to obtain a Quit Claim deed or Quiet Title to settle the issue of the questionable ownership in lots 9 and 10. Attorney Shrefter stated a Quiet Title would be obtained. He also requested the ZHB follow the township's recommendations in the letter dated March 3, 2008 from the Zoning Officer.

Zoning Officer Fritz Neufeld said Pennsylvania law requires a reverse subdivision. He requested the ZHB read thru each step of the Zoning Ordinance for a Variance request to determine if all steps were reasonably met. He stated lot 8 does not exist on the tax maps. He is concerned about the difficulty in enforcing restrictions on lot sales.

The following exhibits were presented-

Exhibit 1- the lot plans for the site dated 6-27-08

Exhibit 2- A copy of Case No 2579, Strinestown Community Fire Company's approval of a Special Permit to construct the Fire House.

Exhibit 3- a computer printout of York County GIS Mapping showing the lots in question.

Exhibit 4- A Copy of the deed for lot 9.

The following people asked questions of the applicants- Steve Stoner of 910 Copenhafer Road and Lynn Kann of 330 Copenhafer Road.

Attorney Jeff Gettle expressed concerns about tax assessment issues, unclear ownership of portions of lot 9 and 10 and when the lots were acquired.

David Clouser made a motion that Case No. 01-2008 Strinestown Community Fire Company's Interpretation request be granted subject to the following conditions-

- 1- The applicant is required to prepare and record a deed at the Office of the Recorder of Deeds of York County which includes Lots 8, 9 and 10 on the deed and provides language in the deed that all of the lots are joint and merged and shall not be separated without approval of the Board of Supervisors of Conewago Township.
- 2- The question of ownership of portions of lot 9 and 10 will be resolved that in fact that Strinestown Community Fire Company owns all of the property in question and will obtain a court decree that determines such.

Earl Miller seconded. The motion carried.

David Clouser made a motion that Case No. 01-2008, Strinestown Community Fire Company's request for an Interpretation and Special Exception Request be granted.

Sharon Beck seconded. The motion carried.

The ZHB met in executive session.

The ZHB meeting was adjourned at 10:10 PM.

Respectfully Submitted,

David Clouser
Secretary