

MEETING MINUTES
LANCASTER TOWNSHIP
ZONING HEARING BOARD

November 26, 2013

Chairperson John Metzger called the meeting to order at 7:00 P.M. The meeting was held at the Maple Grove Community Building. The following members were present: John W. Metzger, Elizabeth W. Bamford, Peggy D. Hall and alternate member Joseph P. LoCurto. Also in attendance was Thomas L. Goodman, zoning Hearing Board solicitor, Thomas P. Daniels, Assistant Township Manager, and Cheryl Hansberry, Court Reporter.

MINUTES

On a motion, the minutes from the October 22, 2013 meeting of the Lancaster Township Zoning Hearing Board were unanimously approved as written.

NEW BUSINESS

1. Randall Wagner of Roslyn Mansion LLC has applied for a Special Exception pursuant to Section 403.1, Section 1505 and Section 1905.4 for his property located at 1035 Marietta Ave. The building on the property is a single family residence, zoned R-1, on approximately 2.0 acres of land. Building is currently unoccupied. Applicant wishes to establish a Bed and Breakfast at the property.

Mr. Daniels was sworn in and testified that the notice and publication requirements have been met. Mr. Michael W. Davis, Esq. represented the applicant who was sworn and provided testimony. Approximately 34 individuals requested party status. Mr. Davis had no objection to those who are adjoining property owners or who are in close proximity to the property but questioned any others having sufficient interest.

Randall Wagner testified that he purchased the property on May 22, 2013. A site plan was submitted into evidence. Mr. Wagner testified that the proposed use as a Bed and Breakfast conforms with each requirement of Section 1905.4, arguing that the use would have a minimal impact on the neighborhood. There will be 5 parking spaces added for a total of 9 spaces, as the applicant feels is the number required. There will be no parking in front of the building.

In response to questioning from Mr. Andrew Jacobs, 322 N. President Ave., Mr. Wagner testified that Roslyn Mansion LLC is comprised of two individuals, with a business address at Cameron Estates, and that these two individuals run several other businesses. Mr. Wagner testified that there is no plan to host fundraiser events, as previously indicated to the neighbors in a document handed out at an open house this past summer. There are no plans for Designer Showhouses. Mr. Wagner indicated that the business plan was revised in light of the neighbors' negative reaction.

In response to a question from Mr. Bill Schlageter, 1022 Buchanan Ave., Mr. Wagner testified that he and his partner had no plans to live at the property, but that the Bed and Breakfast would be run by a resident manager, who would be responsible for all tasks related to the business. Mr.

Schlageder questioned the import of the requirement of Section 201.4 that the "owner/occupant" be the primary occupant. At this time, no additional employees are planned. Breakfast will be the only meal served. No one will be staying in the carriage house, which will probably be used for storage. Some lighting will be added, and while no sprinklers will be installed, fire extinguishers will be placed throughout the building. Mr. Johnathan Stuart, 1029 Marietta Ave., questioned the amount of screening that is planned.

Mr. Daniels commented that 10 parking spaces will probably be required. The garage was mentioned as additional parking. In response to a question by Mr. Paul Casale, Buchanan Drive, Mr. Wagner again stated that there is no intention to lease the carriage house beyond the time it takes to renovate the building. Renovations could take anywhere from 6 to 18 months.

A large number of neighbors made statements expressing their disapproval of the plan, arguing that a Bed and Breakfast, run by a corporation, would have a negative impact and would change the character of the neighborhood. The increase in traffic, noise, light pollution and potential for off street parking in a congested traffic area, would be detrimental. A Bed and Breakfast operated by a corporation not living at the property, is more like a hotel and is not within the scope of the intent of the regulations. The opposition requested that in the event the application is approved, several conditions should be placed on the decision. A copy of suggested conditions was admitted into evidence. Mr. Frank Gerhart, 153 Wilson Drive, questioned the economic viability of the project.

Mr. Davis closed by arguing that the proposed use meets the requirements of the Ordinance.

Mr. Metzger moved to close testimony and continue the hearing until a meeting set for December 18, 2013 to be held at the Township Office at 7:00 P.M. A decision will be rendered by the Board at that time. Ms. Hall seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business before the Board, Mr. Metzger adjourned the meeting at 10:00 P.M. The next meeting of the Lancaster Township Zoning Hearing Board will not be at its regularly scheduled time but will be held Wednesday, December 18, 2013 at 7:00 P.M. at the Township Office. All present were in agreement about the new date.

Respectfully submitted,



Peggy D. Hall, Secretary