# *Conewago Township Zoning Hearing Board*

Minutes of Meeting held on: Wednesday, July 10, 2024 Time: 6:00pm

**Case Numbers 5-2024 (continued) and 6-2024**

Meeting called to order at 6:00pm by Chairman James Finecey.

Meeting began with the Pledge of Allegiance to the Flag.

In attendance were board members:

James Finecey – Chairman
Kelly McKee – Vice-Chairman
David Deporter - Secretary
Gerald Lippy
Eugene Zeyn

It was determined that a quorum was present.

Also in attendance were:

David W. Arndt, Jr. – Conewago Township Manager/Zoning Officer
Harold A. Eastman, Jr. Esq. – Zoning Hearing Board Solicitor
Corrie Ondrizek – Stenographer

There were atleast 74 people in the audience.

Minutes from the June 5, 2024 meeting were approved as written. Approval vote: 5-0

Zoning Hearing Board Solicitor, Harold Eastman explained to the board and applicants that ZHB Case 6-2024 will take place prior to the continuance of ZHB Case 5-2024.

Chairman Finecey called for all who intend to provide testimony during the meeting to sign the attendance sheet.

Chairman Finecey called for all who intend to provide testimony during ZHB Case 6-2024 to stand and swore them in.

Chairman Finecey asked if there were any objectors to tonight's hearing. There were two, Thomas Klunk and Sandra Klunk.

Chairman Finecey opened the hearing for Zoning Hearing Board Case #6-2024 pertaining to a variance request from Section 155-15(B).

Chairman Finecey called for testimony from the applicant.

The Applicant presented their testimony.

Chairman Finecey called for any objector's testimony.

Chairman Finecey opened the hearing to the Township Zoning Officer, David Arndt for questions.

Chairman Finecey opened the hearing to questions from the Board.

Chairman Finecey asked for any concluding remarks.

Mr. Klunk mentioned he would be ok with 20 cars but feels 35 is way too many.

At 7:07pm Chairman Finecey called for an executive session to review the case.

At 7:48 Chairman Finecey reconvened the meeting.

Board member, Eugene Zeyn read a motion to grant the Applicant's request for an increase of vehicles from 10 to 20. Hours of operation to 7 AM to 7 PM, Monday through Friday. And to require the applicant to install a privacy fence between his property and the Klunk property. Vote 5-0

Board member, Eugene Zeyn read a motion to direct the Zoning Hearing Board Solicitor to complete the written decision document. Vote 5-0

At 7:55 PM Chairman Finecey called to order the Zoning Hearing Board for the continued case #5-2024.

Chairman Finecey called for all who intend to provide testimony during the hearing to stand and be sworn in.

Chairman Finecey asked if there were any objectors to tonight's hearing. There were several and they were sworn in one by one for the record.

Chairman Finecey opened the continued hearing for Zoning Hearing Board Case #5-2024 pertaining to a special exception request pursuant to Section 155-22.C.7 and Section 155-22.G to permit two digestor tanks, as proposed, which tanks will each exceed the maximum permitted height of 45 feet within the Industrial Zoning District.

Chairman Finecey called for testimony from the Applicant.

Jonathon Andrews, Esq., of McNees, Wallace, & Nurick, LLC., began testimony on behalf of the applicant, Divert Real Estate Holdings, LLC., by identifying Craig Davis, of Divert as his first witness.

Chairman Finecey opened the hearing for questions from the Board.

Chairman Finecey opened the hearing for objector's testimony.

Chairman Finecey opened the hearing for questions from the Township Manager/Zoning Officer David W. Arndt, Jr.

It was determined the hearing be entered into a recess due to the time of night. All parties agreed to continue the hearing on Wednesday August 7, 2024 at 6 PM.

Board member Kelly McKee made a motion, seconded by Ugene Zeyn to adjourn the hearing at 10:14 PM. Vote 5-0

Respectfully submitted,

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David Deporter, Secretary, Conewago Township Zoning Hearing Board