

**ZONING HEARING BOARD
SOUTH LONDONDERRY TOWNSHIP
27 WEST MARKET STREET
PALMYRA, PA 17078**

February 8, 2018

Opening Ceremonies- The meeting was called to order at 7:00 PM by Chairman Horstick followed by the Pledge of Allegiance.

Appointment of Chairman of the Board: A motion by Member Blauch second by Member Harris to appoint Member Horstick as Chairman of the Zoning Hearing Board. Motion carried.

Appointment of Vice Chairman of the Board: A motion by Member Horstick seconded by Member Blauch to appoint Member Harris as Vice Chairman of the Zoning Hearing Board. Motion carried.

The following members were present:

John Horstick, Chairman
Jeremiah Harris, Vice Chairman
Dawn Blauch, Member
Richard Druby, Solicitor

Township Representatives present:

Jenna Seesholtz, Manager
Patrick Armstrong, Solicitor
Rob Moyer, Zoning Officer
Andy Nelson, Building Code Enforcement
Josh Nelson, Building Code Enforcement

Public also Present: Robert Fisher, Ryan Haldeman, Gregory Hetrick, William Haldeman, Bret Haldeman, Melanie Haldeman, Duane Herr, Faith Bucks, John & Claudia Haldeman, Carissa Cassel, Claire Baker, Melvin Brandt, Heidi Prestige, Aaron Martin

2018-1-ZHB Becker – Fence Variance: Application of Robert Becker, with regard to property located at 201 Fox Rd, Palmyra, South Londonderry Township, Lebanon County. The property is located in the Low Density Residential zoning district. The Applicant requests variances from Zoning Ordinance §210.B regarding permitted uses, specifically fences; from Zoning Ordinance §434.B, regarding the permitted height of a fence; and from Zoning Ordinance §113, regarding yard area definitions. The applicant proposes installation of a FOURTY EIGHT (48) inch tall fence in the front yard.

The following people were sworn in and offered testimony regarding the property at 201 Fox Rd:
Robert Becker, Carin Becker

A motion by Harris second by Blauch to grant the variance as requested.
There was not public comment. Motion carried.

2017-4-ZHB Haldeman: Amended Application of William and Eleanor Haldeman, with regard to property located at 5055 Road, Hershey, South Londonderry Township, Lebanon County. The property is located in the Agriculture zoning district. The Applicant used the property for wedding receptions. The Applicant appeals the Enforcement Notice and the Zoning Officer's determination that wedding receptions and/or similar events are a Commercial Recreation Facility use not permitted in the Agricultural Zone Zoning District and that a zoning permit is required for use of the property. In the alternative, the Applicant requests a Special Exception pursuant to §107.A and §704.0 of the Zoning Ordinance to use the Property for a wedding venue. Township Solicitor Patrick Armstrong asked the applicant questions in regard to the case.

The following people were sworn in and offered testimony in regard to the wedding venue:

Robert Fisher, Brett Haldeman, William Haldeman, Melanie Haldeman, Duane Herr, Heidi Prestige, Bobbie Gautsch, Pat Krebs

Public Comment:

Robert Fisher: Robert Fisher representing the Haldeman's as their Engineer/Land Surveyor gave testimony which included several exhibits in regard to the property. The parking lot is gravel behind garage and in front of the dwelling and barn it is paved. 54 parking spaces are available with 2 handicapped accessible. The property has on-lot well and septic.

Melanie Haldeman: Resident and co-operator of Wedding on Memory Lane Melanie Haldeman gave testimony regarding the venue. She stated events have been between 90-150 people.

William Haldeman: Resident and property owner William Haldeman gave testimony on various items regarding the venue.

Brett Haldeman: Resident and co-operator of Weddings on Memory Lane Brett Haldeman gave testimony regarding hours of operation. He stated that the sound curfew for the venue is 10pm and attendees would be off property by 11pm. They do not provide food or drink for the venue but have catering vendors supply food. The bathroom is adjacent to barn equipped with 2 bathrooms, 1 handicapped accessible.

Duane Herr, 5020 Colebrook Road: Resident Duane Herr noted that the noise coming from the Haldeman properties is excessive. Mr. Herr indicated he could hear the words to all of the songs on July 15th, September 9th and 22nd. He stated that the Haldeman's operation is in violation of the noise/nuisance ordinance in addition to a commercial business operating in an agricultural zone. Mr. Herr described the video he took on various occasions of yelling and screaming coming from the Haldeman wedding venue. He called the Haldeman's, however there was no change in the volume when he called.

Bobbie Gautsch, 6001 Colebrook Rd: Resident Bobbie Gautsch testified that they own the home adjoining the Haldeman's property and they do not hear anything from the venue.

Melvin Brandt: Mr. Melvin Brandt owns property on Bachmanville Road that adjoins the Haldeman's property and gave comments regarding the noise level during events held at the Haldeman's.

Heidi Prestige, 7 Koser Rd: Ms. Prestige witnessed Brett Haldeman being diligent about the sound not being too loud.

Jane Popko, 142 Schoolhouse Rd: Resident Jane Popko indicated that she does not live near the property but asked if approved, will it impact the Agriculture Zoning District.

Phillip Haldeman: Phillip Haldeman questioned whether anyone complains about the Hersheypark concert noise.

Pat Krebs, 121 Lawn Rd: Resident Pat Krebs inquired if there will be changes made to the definition of Agricultural Zoning.

The Zoning Hearing Board went into executive session at 10:25PM to discuss this application. The Zoning Hearing Board reconvened at 10:52PM. A decision will be delivered within the 45-day deadline.

Adjournment: There being no other business to attend to, a motion by Harris second by Wertz to adjourn at 10:55PM. Motion carried.

Jenna Seesholtz, Manager, Secretary/Treasurer