

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

October 10, 2018

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

**The following members were present:**

John Horstick, Chairman  
Jeremiah Harris, Vice Chairman  
Travis Aughenbaugh, Member  
Richard Druby, Solicitor

**Township Representatives present:**

Dawn Blauch, Zoning and Code enforcement officer

**Public Present:** Audrey Wentling, Anthony DiCaprio Jr., Eric McCabe, Mike Battestelli Myron Comarnitsky, Donald Kinser and Doug Kinser

**Public Comment:** There was no public comment.

**Approval of meeting minutes:**

Chairman Horstick asked for a correction of the returned time from executive session for September 12 being changed to the correct time of 8:25 pm. Mr. Harris Made the motion to accept the meeting minutes of July 25, 2018; August 20, 2018 and with changes September 12, 2018, Mr Aughenbaugh 2<sup>nd</sup> the motion all said I.

**Old Business-**

**ZHB-06-2018 Mike and Julie Battistelli:** Continuation of Application of Mike and Julie Battistelli, regard to property located at 153 Bell Road, Palmyra, South Londonderry Township, Lebanon County. The property is located in the Agricultural zoning district. The Applicant requests a variance from Zoning Ordinance §201.G, regarding the permitted yard setback for an Accessory Structure. The applicant proposes installation of a TWENTY FIVE (25) FOOT BY TWENTY EIGHT (28) foot second garage on the property to encroach to within FIFTEEN (15) feet from the lot line adjacent to the property.

The following people were sworn in and offered testimony: Mike Battistelli, Anthoy DiCaprio Jr., Audrey Wentling, Dawn Blauch

Testimony was given on the above-mentioned zoning hearing application. Mr. Battestelli reviewed the requested information he provided the board, the email and attachments were entered as Exhibit No.6. Mr. Harris asked about drainage issues and backfill mentioned in information. Mr. Battestelli explained his proposed placement best place to avoid drainage issues. Mr. Horstick made hardship comments. Mr. Aughenbaugh asked hardship question. Ms. Wentling asked stormwater question. Ms. Blauch answered the Stormwater question. Mr. Dicaprio asked enforcement question and Ms. Blauch answered.

Board went into executive session from 7:23pm to 7:41pm. Mr. Harris asked if Mr. Battestelli could pick the home location when purchasing the house. Mr. Battestelli answered.

A motion by Horstick second by Harris to approve Variance of application ZHB-06-2018 for an

Accessory Structure. Mr. Horstick and Harris said I, Mr. Aughenbaugh opposed. Motion carried.

**New Business-**

- 1. 2018-7-ZHB- Donald Kinser:** with regard to property located at 2731 Horseshoe Pike, Palmyra, South Londonderry Township, Lebanon County. The property is located in the Mixed Use Zoning district. The Applicant requests a variance from Zoning Ordinance No. 203§ 220.E, regarding the permitted height requirement for an Accessory Structure and 203§220.D.3 regarding Number of Uses. The applicant proposes installation of a Pole Barn FIFTY (50) feet by THIRTY (30) feet by TWENTY FIVE (25) in height, as an addition to an existing cottage.

The following people were sworn in and offered testimony: Donald Kinser, Douglass Kinser and Dawn Blauch.

Testimony was given on the above-mentioned zoning hearing application. Donald Kinser expressed his wishes to have his Son Douglass Kinser testify on his behalf. Douglass explained the proposal. Mr. Druby asked height question Douglass answered. Mr. Aughenbaugh questioned Accessory Use consideration, Ms. Blauch answered question. The cottage had been rented previously currently empty for renovations. Storage on bottom living quarters to move to the Top, uses changing from one to two. Mr. Kinser explained surrounding properties. Mr. Harris had Building code questions. Mr. Kinser will apply for building permit and supply the required plans.

Mr. Harris made motion to approve the variances requested in application 2018-7, 2<sup>nd</sup> by Mr. Aughenbaugh all said I.

- 2. 2018-8 Myron and Pearl Comarnitsky:** with regard to property located at 222 Fox Road Palmyra, South Londonderry Township, Lebanon County. The property is located in the Low Density Residential Zoning district. The Applicant requests a variance from Zoning Ordinance No. 203§ 113 Definitions of Lot Area, Building Envelope, and Buffer, and §304.B.1 regarding Open space design. The applicant proposes the installation of a Residential Swimming Pool to encroach within TWENTY FIVE (25) foot of the FIFTY (50) foot Wetland and Detention basin setbacks.

The following people were sworn in and offered testimony: Myron Comarnitsky and Dawn Blauch.

Mr. Comarnitsky started to explain his request. Ms. Blauch explained the SALDO modification and entered a letter from the Board of Supervisors as Exhibit 1 approving the modification. Mr. Comarnitsky entered a lot plan, his deed and email from Valley Pools and the Flood Plain map as exhibits 2-5. Mr. Aughenbaugh asked if he would have been able to have the pool without the relief granted, Mr. Comarnitsky said no. Discussion on pool. Mr. Druby offered his opinion on the variance request on definitions.

Mr. Harris motioned to approve the variance request of the above applicant. Mr. Aughenbaugh 2<sup>nd</sup> the motion, All said I.

Mr. Horstick adjourned the meeting at 8:20pm

**Adjournment:** There being no other business to attend to, a motion by Harris second by Aughenbaugh to adjourn at 8:29 PM. Motion carried.