

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: April 8, 2025

The meeting was called to order by David Beecher at 7:00 p.m.

ATTENDANCE

Planning Commission Members:

David Beecher, Chairman – Present
Patrick Hein, Vice-Chairman – Present
Felicia Dell – Present
Rainer Niederoest, Dawood Engineers – Attendance
Not Required

Staff:

Matthew Biehl – Absent
Fred Walters – Absent
Rachelle Sampere, Zoning Officer – Present

Tonight's Planning Commission meeting was held in person. The meeting was broadcasted over Zoom for viewing purposes only.

APPROVAL OF MINUTES

MOTION: by Patrick Hein to approve the March 11, 2025, Planning Commission meeting minutes.

SECOND: by Fred Walters

MOTION PASSED: 3-0

ZONING HEARING BOARD CASES

ZHB 25-05 Leigh Ann Lauer – requests to appeal a notice of violation and in the alternative requests a variance §150-5 definitions of domestic pets and a variance §150-51 Permitted Uses to allow the non-commercial keeping of livestock (chickens) **located at 2533 Westminster Drive** (Tax Map: 36; Parcel: 0099) in the R-3 Residential Zone.

Ms. Leigh Ann Lauer and Mr. Thomas White presented the request. Mr. White stated that they received a notice of violation for their chickens in February 2025. They've had four (4) chickens on the property for two (2) years. Before they got the chickens, they researched the Township's website and didn't believe that they violated any ordinances. The property owners believe that the definition of domestic pets in the Zoning Ordinance is extremely vague. They offered testimony and presented pictures of their "pet chickens" wearing hats and celebrating birthday and holidays. Her chickens have names. Ms. Lauer explained that the chicken small coop is well-maintained. She provided copies of letters from neighbors in support of her having chickens. She also provided copies of letters from some neighbors who were unaware that there are chickens on her property. Ms. Lauer explained that they wouldn't have brought chickens to their property if they didn't believe they were allowed to do this. She offered testimony that she loves her chickens just as others love their dogs, cats, fish, etc. Ms. Lauer stated that she has pictures of her chickens on her walls at home and on her desk at work. Her chickens are approximately five (5) pounds each, smaller than many dogs in the neighborhood. She explained that her chickens produce less noise than many of the dogs in her neighborhood. Ms. Lauer explained that chickens help to control pests, they get rid waste food scraps and weeds and their waste can be used in compost or gardens. If she's forced to get rid of her chickens or rehome them, she believes it could harm them or even cause them to perish.

Dr. Beecher empathized with Ms. Lauer; but explained that her presentation did not prove a hardship for a variance. Dr. Beecher suggested that the applicants file a Zoning Ordinance text amendment to for the Township to consider revising the definition of domestic pets to include chickens. Mr. Hein suggested that they look at surrounding municipalities' zoning ordinance definitions of domestic pets to see if they include chickens. Ms. Dell also empathized with Ms. Lauer and Mr. White and said that she understands that animals can be friendly, but she did not hear them present a hardship leading to a variance. Mr. Hein offered that he lives nearby and was unaware that they had chickens on the property.

MOTION: by Felicia Dell to recommend the Zoning Hearing Board not approve the variance request, as

presented, because the applicants did not present a hardship.

SECOND: by David Beecher

MOTION PASSED 2-1 (Nay – Hein)

ZHB 25-06 Leedy Brothers, LLC – requests a special exception §150-289 and a variance §150-289.A.2 to alter and expand an existing nonconforming use (automotive machine & automotive repair shop) by more than 25% (proposed construction of a garage w/ an office for the automotive machine & automotive repair shop w/ state inspection service) and a variance §150-301.A.2 to allow the applicant more than 6 months to obtain a building or use certificate **located at 4690 West Market Street** (Tax Map: 27; Parcel: 0301) in the Professional Office Zone.

Mr. Kyle Leedy and Mr. Delane Leedy appeared before the Planning Commission to present their application. Mr. Leedy explained that their father started the business, Leedy Automotive, in 1987, and the business has been located on the current lot since 1990. The existing detached garage has low ceilings and narrow doorways which makes it very difficult to work on the newer model vehicles. Mr. Leedy's father rented the property for many years. He was a sole proprietor. The Leedy brothers purchased the business and the property in October 2024. They currently work on vehicles outside because there's not enough room in the current building to work on them. They currently store items outdoors. They'd like to build a new garage with an attached office to move their operations and storage indoors. They believe the neighbors would be supportive of this project because they would no longer hear power tools and equipment if they move their operation indoors. They believe this will help them clean up the property. Mr. Leedy explained that they understand that they will need to go through the land development process. They are proposing to add giant arborvitae along the side and rear property lines to screen their property from the adjoining residential uses. Mr. Hein asked if the existing detached garage would be demolished. Mr. Leedy explained that they'd like to keep that garage for storage and build the new garage and office to move their operations indoors. The proposed garage and office are a 200% increase in nonconforming use. Approximately half of the proposed new building would be in the existing stone parking area. Ms. Sampere explained that the stone parking area would be considered as impervious area due to the compaction of the stones over time. Mr. Leedy explained that half of the parking lot is stone and half of it is paved. Ms. Dell asked if the proposed size of the building is the minimum that would provide the applicants with relief. Mr. Leedy explained that the proposed building size would accommodate modern (larger) vehicles, provide an indoor workspace, and provide indoor storage. Mr. Hein stated that the proposed change doesn't appear to change the existing characteristics of the neighborhood, but he believes it would improve it by moving the current outdoor storage indoors. Ms. Sampere noted that in the Professional Office zone, outdoor storage is not permitted.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board grant the special exception §150-289 and variance §150-289.A.2 to expand the existing nonconforming use by more than 25%, as presented.

SECOND: by Felicia Dell

MOTION PASSED: 3-0

MOTION: by Felicia Dell to recommend the Zoning Hearing Board grant variance §150-301.A.2 to allow a minimum of 18 months and a maximum of 24 months to obtain a building permit.

SECOND: by Patrick Hein

MOTION PASSED: 3-0

NEW BUSINESS

Draft Comprehensive Plan Review – to review and discuss a draft of the Township's Comprehensive Plan (10-year plan). The draft has been made available for review on the Township's website. Notice of this meeting has been advertised in the newspaper and posted on the Township's website under "Latest & Breaking News".

There were no members of the public present to discuss the draft of the Comprehensive plan; however, Dr. Beecher acknowledged that Mr. Ronald Ruman submitted an email to them as part of public input on the draft of the comprehensive plan. While the Planning Commission believes that Mr. Ruman brought up some valid

points regarding properties that should be considered for rezoning, the Planning Commission believes the recommendations for site-specific rezoning should be addressed during the Zoning Ordinance update. The Planning Commission also acknowledged Mr. Ruman's suggestions for increased building heights in specific zones throughout the Township. The Planning Commission also believes this should be addressed as part of a Zoning Ordinance update rather than part of the Comprehensive Plan. Ms. Dell explained that the Comprehensive Plan is a document which is used as a general guideline of how the municipality views its future growth. It generally discusses zoning in a very broad manner: showing generalized residential, commercial and industrial areas. The Comprehensive Plan should not address site specific zoning details. The Zoning Ordinance is the Township's document which addresses specific zoning regulations. Ms. Dell recommended that Appendix 1 currently included in the draft of the Comprehensive Plan be excluded from the draft. Its data will be useful when updating the current Zoning Ordinance, but its data should not be part of the Comprehensive Plan draft for adoption. The Planning Commission members agreed that Appendix 1 should be removed from the draft of the Comprehensive Plan.

MOTION: by Felicia Dell to have Gannett Fleming remove Appendix 1 from the current draft of the Comprehensive Plan and for the Planning Commission to accept the revised draft of the Comprehensive Plan, approve it for distribution to adjoining municipalities, distribution to the York County Planning Commission, distribution to the West York Area School District and to forward it to the Board of Supervisors for consideration.

SECOND: Patrick Hein

MOTION PASSED: 3-0

DISCUSSION

Zoning Officer Sampere reminded the Planning Commission members that PMPEI is offering a 10-hour Course in Zoning during the month of May and asked them to confirm their interest in participating so she may submit the registration form.

ADJOURN

MOTION: by Patrick Hein to adjourn the meeting.

SECOND: by Felicia Dell

MOTION PASSED: 3-0

The meeting adjourned at 8:17 p.m.

MOTION: by _____ to recommend the Board of Supervisors _____

SECOND: by _____

MOTION PASSED: _____

DISCUSSION

ADJOURN

MOTION: by _____ to adjourn the meeting.

SECOND: by _____

MOTION PASSED: _____

The meeting adjourned at _____ p.m.