

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: June 10, 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 – Present

Staff:

Matthew Biehl – Present

Fred Walters – Present

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 Matthew Biehl to approve the May 13, 2025, Planning Commission meeting minutes.

SECOND: by Felicia Dell

MOTION PASSED: 4-0 (Abstain – Walters)

ZONING HEARING BOARD CASES

ZHB 25-08 – G&S Commercial Properties, LLC – requests a variance §150-86 Number of Uses to allow more than one (1) principal use on the lot and §150-83.B Permitted Uses to permit a sandwich shop (fast-food restaurant) within the existing beer distributorship **located at 330 South Richland Avenue** (Tax Map: 17; Parcel: 0190) in the Local Commercial Zone.

Mr. Joseph Gurney, RLA, PLA, First Capital Engineers, presented the variance request along with the property owner, Mr. Salvatore Faraone of G&S Commercial Properties, LLC, also known as “Bottoms Up” beer distributor. Mr. Gurney informed the Planning Commission members that his client’s contractor submitted a building permit in February 2024 to establish a sandwich shop (fast-food restaurant) inside the existing beer distributor. Zoning Officer Sampere denied the building permit because a fast-food restaurant is not a permitted use the Local Commercial Zone and because each lot shall be used for one principal use in the Local Commercial Zone except that one dwelling unit in conjunction with another permitted use shall be allowed if it is contained within the same building. Ms. Sampere explained that she had a discussion with the property owner last year before she denied the building permit. Mr. Faraone informed her that the sandwich shop would be a separate and distinct business entity. It would not be operated as part of the beer distributorship. Mr. Gurney stated that he was unaware of that detail. He explained that this type of business model is like other businesses in the area where they provide retail sales of goods and fast-food sales all within the same convenience store/gas station building. The applicant is proposing interior renovations to the existing building. The beer distributor space is 5,323 square feet of which only 1,928 square feet is open to the public for display of retail goods. The proposed sandwich shop would be 1,411 square feet of which 222 square feet would be open to the public for display of retail goods. The applicant is not proposing to have any indoor or outdoor seating. All food is to be for off-site consumption. There are 12 existing parking spaces and 2 proposed parking spaces. Mr. Gurney and Mr. Faraone said that the building is too large for the existing use since retail sales are limited to 2,400 square feet in the Local Commercial Zone. Mr. Faraone believes that having 2 businesses housed in the same building will enable them to use the entire building. Mr. Gurney explained that the use of the property has changed over the years. In the 1970s, there was a car wash on the property. In 1986, Buy Rite Beer Distributor occupied the property. In the 2010s, in addition to the beer distributor, there was a print store in part of the building. When Mr. Faraone purchased the property there was only one business use on the property. Mr. Gurney said he believes that the Zoning Ordinance creates the hardship for the property owner. He believes that the zoning trends are starting to

combine similar retail uses or compatible uses within the same building. Mr. Biehl asked if the two businesses would operate under one business entity, would the variance still be required. Ms. Sampere said that she previously discussed that with the property owner, and he was determined to keep the business entities separate. Mr. Faraone said that if the variance for the two separate uses is not granted, he'd be willing to merge the business entities, but a variance would still be required for the fast-food restaurant.

MOTION: by Felicia Dell to recommend the Zoning Hearing Board deny variance §150-86 Number of Uses and to recommend the Zoning Hearing Board grant variance §150-83.B to allow the sandwich shop (fast-food restaurant) to operate as part of the beer distributorship.

SECOND: by Matthew Biehl

MOTION PASSED: Unanimously (5-0)

ZHB 25-09 – Joe Cleary – requests a special exception §150-289 to alter and expand an existing nonconformity (existing nonconforming use is Commercial/Industrial making it residential and dimensional nonconformity for setbacks to enlarge by constructing a deck) **located at 1952 Stanton Street** (Tax Map: 04; Parcel: 0229) in the R-5 Residential Zone.

The property owner, Mr. Joe Cleary, presented the special exception request. Mr. Cleary stated that the property was most recently occupied by Poly-lite W/R Supplies, Inc. (windshield repair kit distributor business.) The property is situated in the R-5 Residential Zone. Mr. Cleary explained to the Planning Commission member that not only was the use of the property an existing nonconformity, but there are also various dimensional nonconformities: the existing lot width does not meet the minimum required lot width, and the existing building does not meet the required minimum side yard setbacks.

Mr. Cleary explained that he would like to bring the use of the building into compliance as a single-family detached dwelling and to expand it by less than 25% by adding a deck onto the rear of the building. The proposed deck would follow the same side setbacks as the existing dwelling.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board grant the special exception request to alter the existing nonconforming use to make the building residential and the dimensional nonconformity for setbacks to enlarge it by constructing a deck.

SECOND: Fred Walters

MOTION PASSED: Unanimously (5-0)

OLD BUSINESS

T-900 Preliminary/Final Land Development Plan for 1763 Colony Road Commercial – to depict a proposed 96,768 sq. ft. flex-space building and related improvements on a vacant 6.75-acre tract of land **located at 1763 Colony Road** (Tax Map: JH; Parcel: 0056T) in the Light Industrial Zone. The property will be served by public water and public sanitary sewer.

Mr. Trevor Kulynych, EIT, of Landworks Civil Design, LLC, presented the preliminary/final land development plan. Mr. Jeremy Bittinger, EIT, of Landworks Civil Design, LLC, was also in attendance to present the plan. Mr. Kulynych explained that the applicant is proposing to construct a 96,768 square foot flex-space building with associated loading docks, employee parking, and stormwater management. Ms. Dell asked what use is proposed for the site since “flex-space” is not listed as a permitted use in the Light Industrial Zone. Mr. Kulynych explained that the property would be used for warehousing/commercial storage with associated office space for employees. He explained that they are proposing a curb cut wider than 35 feet, which will require a waiver from the Board of Supervisors, in order to accommodate tractor trailer access to the site. Mr. Kulynych discussed the proposed stormwater management on site. Mr. Kulynych said that he had received Staff's comments a few days prior to tonight's Planning Commission meeting and was unable to revise and resubmit the plan for distribution prior to tonight's meeting. Mr. Kulynych and Mr. Bittinger explained that they have since addressed most of the comments and brought a copy of the revised plan with them to tonight's meeting.

Dr. Beecher noted that there were still a number of outstanding comments that must be addressed prior to the

Planning Commission recommending the plan be approved by the Board of Supervisors. The Planning Commission stated that they wanted to have staff review the revised plan and provide an updated memo to them showing that many of the comments were addressed prior to forwarding the plan on to the Board of Supervisors. Ms. Sampere informed the Planning Commission members that the applicant had provided a time extension waiver that will expire at the end of August which will enable staff to review the plan again and provide the applicant with comments well in advance of the July Planning Commission meeting.

MOTION: by Matthew Biehl to table the plan until the July 8, 2025 Planning Commission meeting.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

T-901 Preliminary Subdivision and Land Development Plan for the Baker Road Subdivision – to depict the proposed subdivision of a 48.640-acre parcel creating 65 residential lots and 2 homeowner's association lots, associated roads and stormwater management **located along the south side of Baker Road near the intersection with Sunset Lane** (Tax Map: JG; Parcel: 0033D) in the R-1 Residential Zone. The properties will be served by public water and public sanitary sewer.

Ms. Sampere informed the Planning Commission members that the applicant had not submitted any plan revisions; however, the applicant did submit a time extension waiver with an expiration date of September 25, 2025. Mr. Craig Smith of RGS Associates informed Ms. Sampere that he would get back to her regarding the applicant's desire to file a variance application and the future steps for the project.

DISCUSSION

There were no additional items discussed at tonight's meeting.

ADJOURN

MOTION: by Fred Walters to adjourn the meeting.

SECOND: Matthew Biehl

MOTION PASSED: Unanimously (5-0)

The meeting adjourned at 8:15 p.m.