

MINUTES  
WEST MANCHESTER TOWNSHIP  
PLANNING COMMISSION  
DATE: August 12, 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 – Absent

Fred Walters – Present

Rachelle Sampere, Zoning Officer – Present

Tonight's Planning Commission meeting was held in person. The meeting was not broadcast over Zoom due to technical difficulties.

**APPROVAL OF MINUTES**

MOTION: by Fred Walters to approve the July 8, 2025, Planning Commission meeting minutes.

SECOND: by Patrick Hein

MOTION PASSED: 3-0 (1 Abstain – Dell)

**ZONING HEARING BOARD CASES**

**ZHB 25-14 – Gregory Jacobs** – requests a variance §150-57.B to exceed the maximum height of an accessory structure from fifteen (15) feet to a proposed maximum height of twenty-five (25) feet **located at 2155 Taxville Road** (Tax Map: IG; Parcel: 0018M) in the R-3 Residential Zone.

Mr. Gregory Jacobs presented the request. Mr. Jacobs explained while his property is 2.79 acres, it is encumbered by a 200' building restriction to the rear of his property, which is preventing him from being able to construct the detached garage at a size that would suit his needs with only a 15' building height. Mr. Jacobs would like to construct a 25' high detached garage located 10' from the side property line. The proposed detached garage would be constructed 10' from the side property line and approximately 390' from the front property line. The proposed height increase would not be noticeable from the street since the building would be setback so far from Taxville Road. The proposed building would be located approximately 52' behind the front face of the single-family detached dwelling. Mr. Jacobs explained that he needs to store large vehicles inside the proposed garage, rather than store them outdoors, which is why he is requesting the height variance.

MOTION: by Felicia Dell to recommend the Zoning Hearing Board grant the variance subject to the following conditions:

1. The accessory structure may not be used as a dwelling unit.
2. A building permit application must be submitted, approved and issued prior to beginning construction.
3. The property owner must submit a stormwater management plan to be approved by the Township Engineer or the Township Stormwater Inspector.
4. The property owner must install the required stormwater management for the project prior to receiving a certificate of occupancy.

SECOND: Patrick Hein

MOTION PASSED: 3-0 (1 Abstain – Walters)

**ZHB 25-15 Jose Bernardi, Jesus Rosado and Adolfo Manzo Madrigal** – request a special exception and variance to alter an existing nonconforming use (automobile repair, maintenance and auto sales) to include the sales and service of tires **located at 1924 Stanton Street** (Tax Map: 04; Parcel: 0227) in the R-5 Residential Zone.

Mr. Adolfo Madrigal presented the request to the Planning Commission. Mr. Madrigal explained that he is the current property owner who desires to lease the property. The property is zoned R-5 Residential and has been used commercially for many years. The applicants, Mr. Jose Bernardi and Mr. Rosado, would like to lease the property to perform auto sales, minor automobile repair and tire sales, but would not offer state inspections. Currently, the property has zoning hearing board approval for automobile sales and minor repair. Mr. Madrigal explained that the tires would be stored in containers within the fenced area of the property. Vehicles being repaired would be done so within one to two days. There would be no long-term storage of vehicles on the property. There would be no major vehicle repairs (ie. engine rebuilds or bodywork) performed. The applicants would like a special exception and variance to sell and install tires as part of their everyday operation.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board grant the request subject to the following conditions:

1. There shall be no outdoor storage of tires other than within the trailers inside the fenced area.
2. All vehicles shall be serviced, repaired and removed from the site within thirty (30) days of entry.
3. Only ten (10) vehicles at a given time may be stored outside of the repair shop and buildings used for repair and service only in that area along Ship Avenue and behind the rear building line.
4. The criteria of Section 150-312.A-H of the Zoning Ordinance of West Manchester Township entitled "Automobile Service and Repair Facilities: shall be binding conditions of the variance approvals with the exception of G, which mandates all vehicles shall be repaired and removed from the premises within 45 days being altered to a more stringent 30 days as above-referenced.

SECOND: Felicia Dell

MOTION PASSED: Unanimously (4-0)

### **NEW BUSINESS**

**T-902 Preliminary/Final Subdivision and Land Development for The Learning Experience – Kenneth Road** – to depict a subdivision creating two (2) parcels in the Professional office zone and to depict the land development of the parcels creating a 10,000 square foot commercial day care facility with associated parking, landscaping and stormwater management on Lot 1 and the land development of a 6,000 square foot office building with associated parking, landscaping and stormwater management on Lot 2 **located along the 1900 block of Kenneth Road** in the Professional Office Zone and the R-2 Residential Zone.

Ms. Sampere informed the Planning Commission members that she received an email from the applicant's engineer requesting that the plan be tabled at this month's meeting.

MOTION: by Patrick Hein to table the plan until the September 9, 2025, Planning Commission meeting.

SECOND: Fred Walters

MOTION PASSED: Unanimously:

**Proposed Zoning Ordinance Text and Map Amendment for a Data Center Overlay Zone**– to review and make a recommendation to the Board of Supervisors regarding a proposed a Zoning Ordinance text and map amendment for a use not provided for, Data Center Overlay Zone. The applicant is requesting that the Board of Supervisors amend the Zoning Ordinance and Zoning Map to define and permit data centers subject to certain standards in a new Data Center Overlay Zone and apply it to UPI # 51-000-HG-0004-00000 and 51-000-IG-0032B-000000 located in the Open Space Zone.

Attorney Jamie Strong of McNees, Wallace and Nurick presented the proposed Zoning Ordinance text and map amendment for the Data Center Overlay Zone. Also in attendance were Mike Hahn of Viridian Partners and Jeramy Bittinger of Landworks Civil Design. The proposed text and map amendments show a data center overlay zone located along West Market Street and South Salem Church Road. The current zone is Open Space. Ms. Sampere provided a memo to the Planning Commission members informing them that the Local

Government Advisory Committee (LGAC) reviewed the draft text and map amendment and voted to recommend that the York County Planning Commission make a recommendation to the Township not to accept the draft ordinance because they felt that the approach as an overlay was not appropriate. Ms. Dell explained that an overlay zone is not usually specific to two (2) parcels. She agreed that the proposed overlay was not the best path forward. She suggested that the applicant request that the properties be rezoned to Light Industrial or General Industrial. Mr. Hahn explained that Viridian Partners had met with Township staff and the Township Solicitor. The applicant believed that this was the best path forward as rezoning the properties could have their own difficulties such as building height restrictions, utilities, etc. The applicants wanted to work with the Township to create a data center overlay where they could propose text that would allow data centers as an overlay zone and not open the properties up to all industrial uses. The Planning Commission members were not opposed to a data center use in the Township but would prefer more time to review the proposed text and map amendment. They'd also like the applicant to take a different approach, rather than submitting this as overlay zone. After a lengthy discussion regarding various paths to add data centers to the Zoning Ordinance, the Planning Commission recommended that the request be tabled to allow the applicant time to consult with their attorney regarding the proposed text and map amendment.

MOTION: by Fred Walters to table the review of the proposed Zoning Ordinance Text and Map Amendment until the September 9, 2025, Planning Commission meeting.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4-0)

### **DISCUSSION**

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

### **ADJOURN**

MOTION: by Fred Walters to adjourn the meeting.

SECOND: Felicia Dell

MOTION PASSED: Unanimously (4-0)

The meeting adjourned at 8:49 p.m.