

PUBLIC HEARING MINUTES

March 23, 2023

A HEARING TO CONSIDER THE REPORT OF THE WEST MANCHESTER ZONING OFFICER REGARDING AN ALLEGED DANGEROUS BUILDING LOCATED AT 1920 BAKER ROAD, WEST MANCHESTER TOWNSHIP AND TO HEAR SUCH TESTIMONY AS MAY BE OFFERED BY THE OWNER, OCCUPANT, MORTGAGEE, LESSEE, NEIGHBORS OR OTHER INTERESTED PARTY RELATIVE TO THE ALLEGED DANGEROUS BUILDING.

ATTENDANCE:

Supervisors Present:

Steven Harlacher – Chairman
Ron Ruman – Vice-Chairman
Dave Markel – Supervisor(remote)

Staff Present:

Kelly Kelch – Township Manager
Laura Mummert – Stenographer
Lori Trimmer – Parks & Recreation
Keith Whittaker – Finance
Clif Laughman – Fire Chief
John Snyder – Police Chief
Rainer Neidorest – Engineer
Rachelle Sampere – Zoning Officer
Andrew Herrold – Solicitor
Rich Shaw – Public Works

I. CALL TO ORDER

Chairman Harlacher called the Public Hearing meeting to order at 7:00 p.m. Chairman Harlacher stated the purpose of this meeting was to consider the report of the West Manchester Township Zoning Officer regarding an alleged dangerous building located at 1920 Baker Road.

II. RULES OF HEARING

A. The Township Solicitor, Andrew Herrold, stated the Rules of the Procedure for the Hearing.

III. PRESENTATION OF REQUEST

A. Zoning Officer Rachelle Sampere was sworn in by the professional stenographer and gave testimony about the alleged dangerous building located at 1920 Baker Road. She explained the steps taken to come to this conclusion, and that the barn located on this property was dangerous in her opinion and in disrepair. Pictures taken by Officer Sampere were shown to the Board and to Ms. Joyce Miller, property owner, who was present at this meeting. Officer Sampere also stated this was a safety concern because if a high wind were to come through it could sweep away pieces of the barn into the road or other areas. It was Officer Sampere's recommendation that the barn be demolished and removed from the property.

B. Ms. Joyce Miller, property owner of 1920 Baker Road was present for this meeting. She asked to speak. Ms. Miller was shown the pictures taken by Zoning Officer Sampere, in which she asked why she was not informed that someone was on her property taking these pictures without her knowledge or agreement? Officer Sampere answered that she did not take the pictures in question from Ms. Miller's property, she had received permission from her neighbor to go onto their property to take the pictures. She had also stood on the other side of the road and used the "zoom" option on the camera to take the pictures.

C. Ms. Miller stated that she knows the barn is falling over, and that she has tried several times in the past to have it taken down. Every time the person saying they would help, did not show up to do the job. Ms. Miller also stated that she agreed the barn is a hazard but does not think a strong wind would blow pieces of it onto the road.

IV. QUESTIONS FROM THE PUBLIC

A. Randy Draais, 1860 Hayward Road, asked the Zoning Officer how far away the structure (barn) was away from the public road. Officer Sampere answered it was roughly 20-25 feet.

V. COMMENTS FROM THE PUBLIC

A. There were no comments from the public.

VI. QUESTIONS FROM THE BOARD

A. Chairman Harlacher asked Ms. Miller for her opinion on the barn, and whether she thought it should be demolished or have it repaired. Ms. Miller stated she thinks it should be demolished.

VII. COMMENTS FROM THE BOARD

A. There were no comments from the Board.

VIII. ADJOURNMENT

A. A motion was made by Vice-Chairman Ruman to deem the barn in question dangerous, and to have it demolished. Chairman Harlacher second the motion. Motion passed unanimously.

B. Another motion was made by Chairman Harlacher to have the owner be responsible for demolishing and removing the barn from the property. Supervisor Markel second the motion. Motion was passed unanimously. Solicitor Herrold informed Ms. Miller that she will receive a formal letter in the mail from him stating this decision, and will have fifty (50) days to complete this.

C. Ms. Miller understood what Solicitor Herrold stated. She also informed the Board that there was an issue with a property on Taxville Road that the Zoning Officer should also look at. The Board thanked her, and informed her Officer Sampere would look at that.

The meeting was adjourned at 7:23 p.m.

MOTION: S. Harlacher

SECOND: R. Ruman

MOTION PASSED UNANIMOUSLY