

**West Manchester
Township**
(717) 792-3505



**380 East Berlin Road
York, Pa. 17408**
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**West Manchester Township
Zoning Officer's Monthly Report
February 2023**

Attached for your review are the following reports:

- No Citations were issued in February 2023
- Zoning Violation Letters issued in February 2023
- Agenda for the Planning Commission Meeting February 14, 2023
- Agenda for the Zoning Hearing Board Meeting February 28, 2023
- Building Permit Recap Report for January 2023
- Dangerous Building 1920 Baker Road (Update)
- MS4 Monthly Report for February 2023

The following Violation Letters were issued in February 2023:

Linda Zartman, 2264 Walnut Bottom Road – Driveway Without Stormwater Management.
Kelly Valentine, 2315 Walnut Bottom Road – Driveway Without Stormwater Management
Bettie Lovejoy, 3150 Lark Drive – Trailer in Front Yard
Komoa Hawkins, 2152 High Street – Abandoned Vehicle
Joshua Leon, 1 Carlisle Court. – Chickens in Residential Zone
Michael & Deborah March, 2210 Nena Drive – Boat in Front Yard Area
Morales Morale & Ching Maylie, 2427 Sunset Lane – Camper in Front Yard Area
Kevin Oaster, 1140 Taxville Road – Mud Dragged onto Road
Samantha Larbi, 2805 Butternut Lane – Patio Permit Expired
Caleb Linburg JTAC LLC, 2238 Locust Lane, Garage and Driveway Permit Expired
Steven & Karen Washington, 1490 Huntley Court – Deck with Roof Permit Expired
Korina Olvera Del Muro, 1890 Trolley Road – Permit Application Denied – Exceeds Maximum Lot Coverage
Charles Jr & Ruth Potter, 1802 Wyndhurst Court – Trash, Junk & Debris
Teresa Augustyniak, 1406 West Princess Street – Airbnb Not Permitted in R-3 Zone
Jeremy Kingsley, 2441 Log Cabin Road – Abandoned Vehicle
Candis Randall, 2296 Brougher Lane – Trash, Junk & Debris
Seth & Tracy Conrad, 4850 Darlington Drive – Boat in Front Yard Area

**West Manchester Township
Planning Commission
February 14, 2023
AGENDA**

I. Call meeting to order

II. Approval of minutes from the January 10, 2023 Planning Commission meeting.

III. Zoning Hearing Cases

- a. **ZHB 23-06 – Luis Rivera for RL Investment Properties, LLC** – requests a special exception §150-289.A to alter an existing nonconforming use (commercial building) and a variance §150-289.A.8 to allow a second nonconforming use (operation of a contractor’s office and materials storage) in the building located at 1900 Orange Street (Tax Map: 04; Parcel: 0118) in the R-3 Residential Zone.

IV. New Business

- a. **T-875 Preliminary Subdivision and Land Development Plan for Westgate Campus Phase 2 Proposed Professional Office Buildings -** A preliminary subdivision plan creating 6 additional lots and a preliminary land development plan depicting 4 office buildings located along the proposed extension of Westgate Drive in the Professional Office Zone. The properties will be served by public water and public sanitary sewer. Review/Action.
- b. **T-876 BAE Stormwater Improvements Waiver Requests** – The applicant is requesting a waiver from the following sections of the Stormwater Management Ordinance: §113-17.I.5 Stormwater systems to convey the 25 year storm event; §113-17.H.2 flooded roads or driveways shall not exceed 8 feet in spread for the 10 year storm event located at 1100 Bairs Road at its intersection with Smith Drive. Review/Action.

V. Discussion

VI. Adjourn

**West Manchester Township
Zoning Hearing Board Agenda
February 28, 2023**

The West Manchester Township Zoning Hearing Board will meet in-person on **Tuesday, February 28, 2023, at 7:00 p.m.** at the West Manchester Township Municipal Building located at 380 East Berlin Road, York, PA 17408 to hear the following applications:

ZHB 23-06 – Luis Rivera for RL Investment Properties, LLC – requests a special exception §150-289.A to alter an existing nonconforming use (commercial building) and a variance §150-289.A.8 to allow a second nonconforming use (operation of a contractor’s office and materials storage) in the building **located at 1900 Orange Street** (Tax Map: 04; Parcel: 0118) in the R-3 Residential Zone.

All interested parties are invited to attend. Persons with disabilities may contact the Township office at (717)792-3505 to discuss how to best accommodate your needs.

Thank you.
/s/ Rachelle Sampere
Zoning Officer

BUILDING PERMIT RECAP

FOR THE MONTH JANUARY 2023

	CONSTRUCTION COST		YEAR TO DATE	
	NUMBER	AMOUNT	NUMBER	AMOUNT
RESIDENTIAL				
New Single Family	1	\$120,000	1	\$120,000
New Multi-Family	0	0	0	0
Improvements to Existing	24	\$449,810	24	\$449,810
COMMERCIAL				
New Commercial	1	\$685,000	1	\$685,000
Improvements (Including Signs)	19	\$388,528	19	\$388,528
INDUSTRIAL				
New Industrial	0	0	0	0
Improvements (Including Signs)	0	0	0	0
OTHER				
Agricultural Building	0	0	0	0
Use Certificates	3	0	3	0
Temporary Use	0	0	0	0
Temporary Signs	0	0	0	0
Demolition	0	0	0	0
Municipal	0	0	0	0
BP Extensions	2	0	2	0
BP Replacements	0	0	0	0
Transient Sales	0	0	0	0
Going Out of Business	0	0	0	0
TOTAL	50	\$1,643,338	50	\$1,643,338

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TO: Board of Supervisors
Kelly K. Kelch, Township Manager
Andrew Herrold, Township Solicitor

FROM: Rachele Sampere, Zoning Officer

DATE: February 14, 2023

RE: Dangerous Building
1920 Baker Road, York, PA
UPI #: 51-000-IG-0018B-00000



On February 3, 2023, Attorney Andrew Herrold sent a letter to Ms. Miller reminding her there are outstanding judgments owed for the storing of abandoned vehicles on her property at 1920 Baker Road. The letter also informed her that it has come to the Township's attention that a building on her property has collapsed. The letter states that: "Pursuant to Chapter 59 of the West Manchester Township Code, all dangerous buildings are declared to be public nuisances." The letter further states: "You are hereby notified that, if you do not remove the demolished building from your property within thirty (30) days of the date of this letter, the Township intends to hold a public hearing regarding the collapsed building. At such hearing, you may be ordered by the Board of Supervisors to repair, vacate, or demolish the building. Please further note that, should you fail to comply with any notice or order to repair, vacate or demolish a dangerous building following the public hearing, West Manchester Township is empowered to cause such repair, vacation or demolition of the building and to cause the costs, together with penalty of ten (10%) percent to be charged against the land on which the building existed as a municipal lien or to recover such costs in a suit at law against you." The letter also informed Ms. Miller that the Township intends to seek enforcement of any and all violations existing on the property.

UPDATE

As of February 8, 2023, the dangerous building remains on site. Its condition has significantly worsened since the original notice of violation was sent to the Millers in 2014. No apparent attempts to remove the building or secure the area are visible. Please see the attached pictures.

Rainer Niederoest of Dawood Engineers responded to my request for an evaluation of the dangerous building. Chapter 59 of the West Manchester Township Codified Ordinance does not require the opinion of an engineer. Mr. Niederoest's email states; "Though we cannot offer an official opinion without conducting a site visit, there are some things evident in the pictures the Township has provided." Mr. Niederoest's email is attached to this memo.

Lieutenant Hanuska responded to my request for a written statement regarding the dangerous building. His email states: "With all due respect, you won't be getting a letter from me. From the pictures, this is unsafe for obvious reasons but it's not a criminal matter. We are universally disliked for our law enforcement efforts. We can't/won't wade into the middle of civil matters."

I have not yet received a response from Fire Chief Laughman regarding the dilapidated building.

The abandoned vehicles noted in the original notice of violation in 2014 remain on site. Ms. Miller has received additional fines for the abandoned vehicles since 2016. No apparent attempts to remove the vehicles or bring them into compliance are visible. Please see the attached pictures.

The dilapidated swimming pool remains on site. Ms. Miller has received a fine in the amount of \$100.00 for the condition of the swimming pool. No apparent attempts to remove the swimming pool or bring it into compliance are visible. Please see the attached picture.

Please see the attached spreadsheet addressing the fines assessed for abandoned vehicles, junk and debris and the swimming pool condition. The remaining outstanding balance for the citations is \$3,731.10 as of February 8, 2023. Attorney Herrold's letter dated February 3, 2023, to Ms. Miller states the outstanding judgments total \$2,564.55. I suspect that due to the length of time some of the judgments have been open; some may have expired, and the Township is unable to collect them.



Taken by RLS on 2/1/2023



Taken by RLS on 2/1/2023



Taken by RLS on 2/1/2023



Taken by RLS on 2/1/2023



Taken by RLS on 2/1/2023



Taken by ZW on 2/8/2023

----- REPORT FROM PREVIOUS ZONING OFFICER BELOW (2014-2016):

Ms. Joyce Miller & Bradley B. Miller were notified of the Dangerous Building issue on March 21, 2014. No response was received from Ms. Miller, however, Mr. Miller called to inform the Township that he no longer lived there.

The original abandoned vehicle violation notice was sent on June 5, 2013, and again on Friday August 22, 2014.

The Zoning Department began filing Civil Complaints against Ms. Miller November 19, 2014 starting with \$100. The disposition was December 5, 2014.

January 9, 2015 the fine by the judge was \$226.25 after the hearing February 27, 2015.

February 5, 2015, \$300 fine set on March 12, 2015. March 19, 2015 a fine of \$300 was set on April 23. May 28, 2015 a \$300 fine was set on July 2, 2015. The November 9, 2015 filing resulted in a \$400 fine on December 14, 2015 which Ms. Miller paid on December 17, 2015 (handwritten note attached).

In 2016 February 23 filing resulted in a \$500 fine on March 29; then on June 2, 2016 a \$600 fine was requested, the hearing set for July 6, 2016. The hearing was rescheduled for July 20 and the magistrate set the fine at \$625.90. On July 18, Ms. Miller sent in a check for \$600

On June 2, 2016 a civil action was filed for junk & debris, requesting \$100 fine, which was also to be heard on July 6, 2016. The hearing was rescheduled for July 20 – the fine was set for \$125.90 and Ms. Miller sent in a check for \$100.00 dated July 18.

The total amount of the fines is **\$2,878.05**. Of the fines set, the \$400 fine from December 2015, and \$700 of the July fines have been paid - so **\$1,778.05 remains outstanding**.

Ms. Miller also owes \$2,331.92 for refuse disposal – it appears that has not been paid since 2012.

November 21 update: Ms. Miller was fined an additional \$600 for the abandoned vehicles, and \$25.90 for Constable delivery because she did not get her registered mail. 11/21/16 she paid \$600.00. Currently due \$2,487.72 for Refuse billing and \$1,803.95 for violations.

OUTSTANDING FEES FOR JOYCE E. MILLER CIVIL CITATIONS

CIVIL CASE #	DATE	VIOLATION	FINE ASSESSED	DATE OF PAYMENT RECEIVED FROM JOYCE MILLER	AMOUNT OF PAYMENT RECEIVED	TENDER	REMAINING BALANCE
CV-260-2014	12/23/2014	ABANDONED VEHICLES	\$100.00		0		\$100.00
CV-006-2015	2/27/2015	ABANDONED VEHICLES	\$226.25		0		\$226.25
CV-031-2015	3/12/2015	ABANDONED VEHICLES	\$300.00		0		\$300.00
CV-070-2015	4/23/2015	ABANDONED VEHICLES	\$300.00		0		\$300.00
CV-127-2015	7/2/2015	ABANDONED VEHICLES	\$300.00		0		\$300.00
CV-265-2015	12/14/2015	ABANDONED VEHICLES	\$400.00	12/17/2015	\$400.00	Check #06-030630	\$0.00
CV-031-2016	3/29/2016	ABANDONED VEHICLES	\$500.00		0		\$500.00
CV-104-2016	7/20/2016	ABANDONED VEHICLES	\$625.90	7/20/2016	\$600.00	Check #2348	\$25.90
CV-105-2015	7/20/2016	JUNK & DEBRIS	\$125.90	7/20/2016	\$100.00	Check #2347	\$25.90
CV-191-2016	11/21/2016	ABANDONED VEHICLES	\$625.90	11/21/2016	\$600.00	Check #2363	\$25.90
CV-230-2016	12/27/2016	ABANDONED VEHICLES	\$600.00	1/17/2016	\$125.00	Check #2013	\$475.00
CV-182-2017	8/18/2017	ABANDONED VEHICLES	\$600.00	2/16/2016	\$125.00	Check #2018	\$475.00
CV-240-2017	11/17/2017	ABANDONED VEHICLES	\$625.85	3/20/2017	\$125.00	Check #068	\$500.85
CV-072-2018	6/12/2018	ABANDONED VEHICLES	\$600.00	4/20/2017	\$125.00	Check	\$475.00
CV-047-2019	5/31/2019	ABANDONED VEHICLES	\$626.30	6/2/2017	\$125.00	Check #2629	\$501.30
CV-120-2019	7/12/2019	ABANDONED VEHICLES	\$600.00	8/18/2017	\$600.00	Check #2448	\$0.00
CV-198-2019	11/1/2019	ABANDONED VEHICLES	\$600.00	11/21/2017	\$600.00	Check #2457	\$0.00
				6/12/2018	\$600.00	Check #2479	(\$600.00)
CV-119-2020	10/16/2020	SWIMMING POOL CONDITION	\$100.00	5/30/2019	\$600.00	Check #2493	(\$600.00)
CV-120-2020	10/16/2020	ABANDONED VEHICLES	\$600.00		0		\$100.00
					0		\$600.00
			TOTAL FINES ASSESSED				REMAINING OUTSTANDING BALANCE
			\$8,456.10				\$3,731.10
					TOTAL PAYMENTS RECEIVED		
					\$4,725.00		

MS4 MONTHLY REPORT – JANUARY 2023

Inspection of 3 stormwater management facilities for new construction.

Update MS4 files for permitting.

Meet with numerous township residents to discuss why stormwater management is needed and their options to manage stormwater for their projects.

Perform follow up inspections for Stormwater Facilities with violations which had repairs made to them to bring them into compliance.

Meet with engineers at Little Conewago Conservation Area to discuss Little Conewago Creek Conservation Area Project.

Resident called in to report a clogged inlet at 762 Weldon Dr. Notified builder of problem and they removed blockage.

Lewis Environmental continues to monitor and clean up the diesel spill on Indian Rock Dam Rd. They removed booms from stream and replaced with new ones.

Replied in writing to the EPA on their comments from audit of our facility. Addressed issues with Public Works.