

WARRINGTON TOWNSHIP
Minutes of the Zoning Hearing Board Meeting
Held, pursuant to due notice, in the Municipal Building
3345 Rosstown Road, Wellsville, PA 17365
Tuesday, May 3, 2018, 7:30 PM

Presiding: Mr. Allan Winey, Chairman
Members Present: Ms. Lisa Frye
Mr. Alvin Hayes
Mr. Gregory Seifert – alternate member
Ms. Linda Spoon – alternate member

Staff Present: Attorney Stacey MacNeal, Solicitor
Mr. Michael Gasswint, Zoning Officer
Tammy Rinehart, Court Reporter

The meeting was opened with the Pledge to the Flag.

Re-organization of the Board. Motion was made by Mr. Hayes to appoint Allan Winey Chairman of the Board. Mrs. Frye seconded. Motion carried unanimously.

Motion was made by Ms. Frye and seconded by Mr. Seifert to appoint Alvin Hayes Vice Chairman. Motion carried unanimously.

Motion was made by Ms. Frye and seconded by Ms. Spoon to change the meeting night of the Zoning Hearing Board to the first Thursday of the month at 7:00 PM. Motion carried unanimously. The meetings were previously held the third Tuesday of the month. Meetings are scheduled as needed.

Minutes. Motion was made by Ms. Frye and seconded by Mr. Hayes to approve the minutes of December 19, 2017 meeting. Motion carried.

ZONING HEARING CASES

Case 2018-02 – Greg Ryder and Charlene Shank, 7100 Bull Road, Lewisberry, PA. The application referenced property owned by Joan Barrett and Christopher Mahoney at 200 Boring Bridge Road. For the purpose of reviewing the Zoning Officer’s determination not to issue an enforcement notice and to appeal a decision made by the Warrington Township Zoning Hearing Board. The issue is that there are three zoning violations that include sale of vehicles, accessory structure without a principal structure and kennel at 200 Boring Bridge Road, 393 Boring Bridge Road and a third property identified as Boring Bridge Road.

Testimony

Attorney Dubbs. The Zoning Officer did not issue an enforcement notice at the above named properties that are zoned Conservation. The Use Certificates are identified as Agricultural Buildings but were used to house dogs and sell cars. Dog barking and dogs trespassing onto the Ryder property are at issue. An enforcement notice was not issued but the series of permits were revised and Use Certificates were changed to private use garage and storage of domestic pets.

Mr. Greg Ryder, 7100 Bull Road, Lewisberry, PA. Mr. Ryder's complaint is that there were 28 dogs on the Barrett property that were trespassing onto his property and constantly barking. His house is about 300 yards from the dogs and the noise has impaired his standard of living.

Charlene Ryder-Shank. Ms. Shank is sister to Mr. Ryder and spends part of each day on the 7100 Bull Road property. She collaborated with Mr. Ryder's testimony. She also discussed the vehicle sales operation of Mr. Mahoney.

Mrs. Joan Barrett, 200 Boring Bridge Road. Mrs. Barrett owns 102 acres that include several parcels but the only address she uses is 200 Boring Bridge Road. She did not have a license for her first 25 dogs. She has now obtained a noncommercial license that allows her to own 75 dogs. She said she does not breed dogs for a business. The dogs are hers and she does not sell them.

Michael Gasswint, Warrington Township Zoning Officer. Mr. Gasswint issued documents for five structures on the Barrett property. After Use Certificates were issued for agricultural purposes it was discovered by Mr. Gasswint that the buildings were not used for that purpose and Mrs. Barrett was told to come into the township and re-apply for use certificates for the correct purposes for which the buildings are being used. Mr. and Mrs. Mahoney did reapply for corrected use certificates. Mr. Gasswint then determined that all the uses were correct.

Attorney Dubbs asked if Mr. Gasswint didn't find it troublesome that her complaint was not followed up by him to let them know he was investigating the complaint. Attorney Hoyt said Attorney Dubbs is argumentative. Motion was made by Mr. Hayes and seconded by Ms. Frye that Attorney Dubbs is being argumentative. Motion carried unanimously.

Motion was made by Mr. Hayes to close testimony. Mr. Seifert seconded. Motion carried unanimously.

Motion was made by Mr. Hayes and seconded by Mr. Seifert that an enforcement notice was not needed for operating a kennel. Motion carried unanimously.

Motion was made by Ms. Frye and seconded by Ms. Spoon that an enforcement notice was not required to house domestic pets on the property. Motion carried unanimously.

Motion was made by Ms. Frye and seconded by Mr. Seifert that an enforcement notice was not required for selling of vehicles and there was no evidence that the vehicles were sold as a commercial operation. Motion carried unanimously

ADJOURNMENT

Motion was made by Mr. Hayes and seconded by Mr. Seifert to adjourn the meeting. Motion carried.

The meeting was adjourned at 10:00 PM.

Rebecca Bradshaw
Township Secretary