



Zoning Hearing Board Meeting Minutes
September 18, 2024

Chairperson Jane Ginter called the meeting to order at 7:00 PM. Members present: Jonathan Reynolds, Gina Myers, and Alternate James Turnure. Also, present were Zoning Officer John McLucas, Solicitor Mike Craley, Attorney Samatha Craley, Stenographer Tammy Rinehart, Recording Secretary, and about seven citizens.

I. Approval of Minutes from August 21, 2024, Meeting

Motion by Reynolds, second by Myers, to approve the August 21, 2024, revised meeting minutes. All members voted aye; motion carried.

II. Zoning Hearing Cases

- a. ZHB 24-3 -1445 East Canal Road- Industrial District
 - i. ZHB Case No. 24-3- Application by Northern York Co. Regional Police Commission located at 1445 East Canal Road in the Industrial District is seeking a Variance of 27-410.3B – Minimum lot frontage and width (100’) to subdivide the rear, previously combined lot.

Attorney Stacey MacNeal along with two witnesses, Police Chief David Lash and Clark Craumer, Land Surveyor, were present on behalf of this application. They are requesting a dimensional variance to allow subdivision of the property located at 1445 East Canal Road which has a required lot frontage and lot width in the Industrial zone of 100 feet. Given the unique shape of this parcel, which has only 75 feet of frontage along a private right of way, there is no reasonable possibility for the applicant to obtain the necessary 25 additional feet of lot frontage.

Police Chief Lash gave testimony that he has the legal authority to provide testimony on behalf of the Northern York County Regional Police Commission. The police station is currently situated on three separate tax parcels, one parcel holds the main police headquarters, the second parcel holds the parking lot, and the third parcel is about 4 acres and has the firing range, a storage building, and a small pavilion. The third parcel is accessed by a private drive located off of the Hamm’s private driveway. The firing range has been in use since 1975. The firing range is used weekly by NYCRP officers, the FBI, ICE, and the DEA all use this range. The subdivision plan legally connected this parcel to the parcels adjacent to



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Canal Road but has never been physically connected to those parcels. With the increase in size of the NYCRP department and changing technology, it became necessary to build a new facility. The current facility was built in 1974 and housed only 14 male police officers. It became necessary to build a new facility that could house the needs of the 68 police officers at the station today, with 5 of those officers being women. There is a hardship being created in the physical characteristics of the parcel that were not created by the NYCRP department. Without being able to subdivide this parcel, it affects the operations of the police department and places an additional hardship on the department being that the firing range is used daily for training purposes. It is impossible to relocate the firing range to the new location because it will not have sufficient property to allow for a firing range. If the variance is granted nothing visionary will change.

Clark Craumer, Land Surveyor, gave testimony that typically to combine lots that are not contiguous, there is one deed written to combine both tax parcels. In this case, it is not possible because there is no physical tie between the two lots and no evidence on the plan itself that ties them together. If an industrial user purchases this parcel, they would need to go through a land development plan, and the current property is not sufficient for industrial use per the ordinance. In 2001, the lots were combined but should never have happened because the two parcels do not touch.

Thomas Lamparter, 4061 Nursery Rd gave testimony that the existing lease between the applicant and the Lamparters will not be renewed or transferred to the new owners of the Canal Road lot that houses the parking lot.

*Planning Commission's Recommendation:
Motion by Love, seconded by Miller to recommend to the Zoning Hearing Board to look favorably upon the request for Variance of 27-410.3B - Minimum lot frontage and width (100') to subdivide the rear, previously combined lot for ZHB 24-3 - Northern York County Regional Police Commission located at 1445 East Canal Road in the Industrial District.*



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Ruling:

Motion by Myers, second by Reynolds, to grant the de minimis variance of §27-410.3B request by Northern York Co. Regional Police Commission for minimum lot frontage and width (100') to subdivide the rear, previously combined lot based on the evidence presented tonight. All members voted aye; motion carried.

III. Other Business

None

IV. Adjournment.

Chairperson Ginter adjourned the meeting at 7:52 PM. **Motion** by Reynolds, seconded by Turnure. All members voted aye; motion carried.

Respectfully Submitted by,

Tina Wagner
Recording Secretary