

The members of the Pequea Twp. Zoning Board met on 3 June 2014 at 19:00 in the meeting room of the Pequea Twp. Municipal Building.

The meeting was called to order by Chairlady Johns.

**Members present:** Jackie Johns, Robert Mellinger, Mark Meyer, James Haines and Tom Haas. With Janice Longer present as council to the board.

**Old Business:** Minor corrections for clarity to the 6 May 2014 minutes with a motion to approve as amended by Chairlady Johns and seconded by Mark Meyer.

**The Hearing:** The board will hear a special exception request of Section 1736, Uses Not Provided For by J. Martin and Sandy Harnish of 56 West Willow Road, Willow Street, PA to permit the disposition of clean fill deposits and grading for future use.

**Parties:** Dr. Jeffery Trost, 22 West Penn Grant Road, Willow Street, PA. Adjoining neighbor

Under cross examination from Harnish attorney James Thomas, J. Martin Harnish testifies to the following.

- Use not provided for under ordinance Sec 1736
- 6.4 acre tract.
- Pipe to carry runoff from route 272 underground.
- Fill is currently soil and rock. Clean fill as defined by DEP guidelines.
- No Haz-Mat materials being dumped on site.
- Delivery to site is 07-17:00 Monday – Friday.
- Martin is using a dozer to place fill on property.
- Hay bales are currently being stored on tract.
- Noise level is not greater than that of farm equipment.
- Dumping has been halted during wet periods to keep mud from roadway.
- Future plans for property is to farm tract for hay.
- State issued NPDES permit is good for a term of five years with extensions possible.

Chairlady Johns, Questioned ZO Mark Deimler on the future land use for this property. Current Zoning is R-2 and could be changed to Commercial when the new plan is completed and approved.

William Swiernik landscape architect from David Miller and Assoc. testified to the following

- 38' of fill needed in deepest spot.
- Discussed final plans for water handling and stabilization of property.
- No thermal impacts on site.
- Site needs to be maintained to the specifics of the NPDES permit.
- Proposal is consistent with surrounding land use.
- Project is not detrimental to the Health, Safety and Welfare of the area.

Party Testimony: Mr. Jeff Trost has no issues with project.

Chairlady Johns questioned J. Martin on who will do site inspections. Martin stated he is responsible for the site and the County Conservation District does inspections at will.

The Board adjourned for executive session at 20:00 returning at 20:05.

The Decision: A motion by Mark Meyer with a second by James Haines, and all in favor to approve the application of J. Martin and Sandra Harnish for a Special Exception to deposit clean fill at the property identified as 3050 Willow Street Pike South, Willow Street, PA with the following conditions: approval is conditioned on compliance with the Erosion and Sediment Plan developed by David Miller Assoc. and the NPDES permit no.PAG02003614016, which were made part of the application, and all other representations made on behalf of the applicant at the hearing.

The hearing ended at 20:10. Kelly Snyder was the Court Reporter.

Following the meeting Mr. and Mrs. Dagenhart aired a grievance on the Stoltzfus property zoning violations that are currently before the Supervisors. The Board suggested they continue to work with ZO Mark Deimler and address the Supervisors with their concerns.

Respectfully submitted,



Tom Haas

6/3/2014 ZHB Sign In

P. E. Degenhardt  
Longer Degenhardt

Jeff Trust MD