

**PEQUEA TOWNSHIP  
ZONING HEARING BOARD  
Minutes of – August 3, 2021**

The members of the Pequea Township Zoning Board met on August 3, 2021 in the conference room of the Pequea Township Building. The ZHB meeting was called to order by Chair, Mark Meyer @ 19:03 hrs.

**ZHB Members Present:**

Mark Meyer, Don Homsher, Rob Mellinger, Jeff Krieder and Constantine

Costa

**Court Reporter:**

Kelly Snyder

**ZHB Solicitor:**

Janice Longer

**Zoning Officer:**

Jennifer Hendricks

**Old Business:**

A motion was made to approve the minutes of the 7/6/21 meeting.  
All Approved

**New Business:**

3 Applications

1. McCord
2. Probst
3. Verizon / Cellco

**The Hearing:**

1. McCord - Informative and emotional from both, for and against, arguments
  - a. Executive Meeting – out 20:03 / in 20:13
2. Probst - Informative and emotional from both, for and against, arguments
  - a. Executive Meeting – out 21:06 / in 21:13
3. Verizon / Cellco – Verry well, excellent presentation.
  - a. Executive Meeting – out 22:58 / in 23:03

**Parties:**

1. McCord – Bill and Carla McCord
2. Probst – D. Haley Probst
3. Verizon / Cellco – James M. Strong, Esq

**Vote:**

1. McCord: 0-5 Declined
2. Probst: 0-5 Declined
3. Verizon / Cellco: 5-0 Approved

**Decision:**

Dear Mr. McCord:

This will confirm that, at a hearing on August 3, 2021, the Pequea Township Zoning Hearing Board denied your request for a Variance from the provisions of Section 602 of the Pequea Township Zoning Ordinance to allow a Bed and Breakfast at the above-referenced address, which is in the R-1 Zoning District. Pursuant to the Ordinance, a Bed and Breakfast is a permitted use only in the Agricultural Zoning district. The Board determined that the requirements for a Variance as set forth in Section 1705.4 of the Ordinance were not met. The Zoning Hearing Board has instructed me to provide this Notice to you and to prepare Findings of Fact and Conclusions of Law, which will follow under separate cover, in my capacity as Solicitor to the Board.

Sincerely,  
Janice L.M. Longer, Esq.  
Solicitor for ZHB

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Dear Ms. Probst:

The Pequea Township Zoning Hearing Board at a hearing on August 3, 2021, considered your request for a variance from Section 1425 of the Pequea Township Zoning Ordinance, which provides for the noncommercial keeping of livestock and fowl on lots of less than ten acres in the Agricultural Zoning District. If approved, this variance would allow the keeping of livestock and fowl on lots of less than ten acres in the R-1 Zoning District, where your property is located. This request for a variance was denied. The Board also considered your request for a variance from Section 602 of the Ordinance, which establishes permitted uses for the R-1 District. The keeping of livestock and fowl and operating a therapeutic petting zoo are not permitted uses in the R-1 District. You requested a variance to allow these activities to continue in the R-1 District as permitted uses. This request for a variance was denied. The Board determined that the criteria for a variance as set forth in Section 1705.4 of the Ordinance cannot be met as the property has been developed in conformity with the provisions of the Ordinance as a residential property and there is no unnecessary hardship which prevents the property from reasonable use in accordance with the R-1 standards. The Zoning Hearing Board has instructed me to provide this Notice to you and to prepare Findings of Fact and Conclusions of Law, which will follow, in my capacity as Board Solicitor

Sincerely,  
Janice L.M. Longer, Esq.  
Solicitor to the ZHB

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Dear Ms. Trainer and Mr. Strong:

This will confirm that, at a hearing on August 3, 2021, the Pequea Township Zoning Hearing Board approved your request for a Special Exception pursuant to Section 503.3 of the Pequea Township Zoning Ordinance to construct and operate a communications tower facility, including antennas and equipment, on property located at 98 Run Valley Road, Conestoga, PA.

The Special Exception is subject to the following condition:

Development of the site and construction of the communications tower facility shall be in accordance with the information presented in the Application and the plans and other submissions and testimony presented to the Zoning Hearing Board.

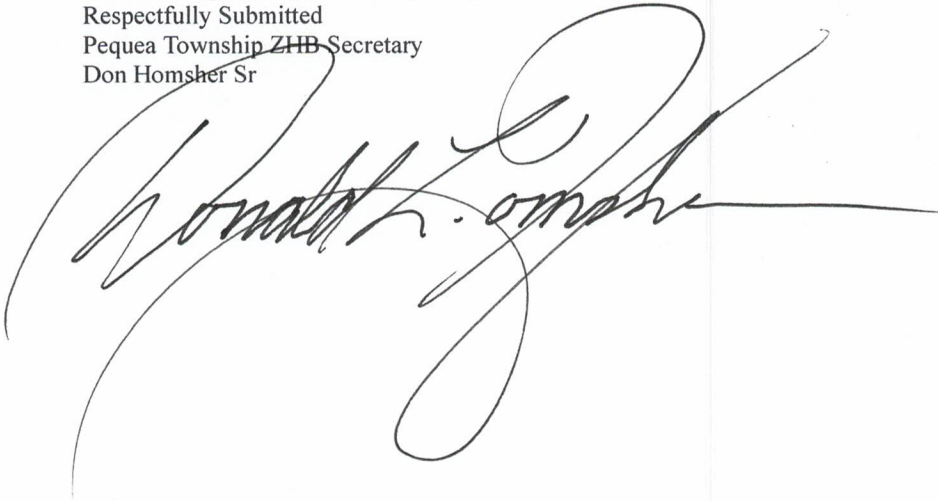
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The Board has instructed me to provide you with confirmation of their decision in my capacity as Solicitor to the Board. Findings of Fact and Conclusions of Law will follow under separate cover.

Sincerely,  
Janice L.M. Longer, Esq.  
Solicitor to the ZHB

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This Meeting was adjourned at (23:09) hrs.  
Respectfully Submitted  
Pequea Township ZHB Secretary  
Don Homsher Sr

A large, stylized handwritten signature in dark ink, which appears to read "Don Homsher Sr". The signature is written over the printed name and extends across the width of the text block.