

January 6, 2003

THESE NOTES ARE ONLY A SUMMARY OF PROCEEDINGS HELD AT A CONDITIONAL USE HEARING AND ARE NOT A TRANSCRIPT OF ANY STATEMENT OR TESTIMONY PRESENTED AT THE HEARING.

The Board of Supervisors of Strasburg Township held a conditional use hearing at its regular meeting on Monday evening, January 6, 2003, at 8:00, at the Township Municipal Building. Present were Peggy Dearolf, Daniel Herr, Thomas Willig, and a court reporter.

Application of **Norman B. & E. Arlene Leaman** to conduct a farm-related business to sell new and used tractor parts on property located on Breneman Road, behind 305 Breneman Road, in Strasburg Township, PA, in the Agriculture Zone.

Elvin Kraybill, attorney for Norman Leaman, introduced Norman Leaman, owner of the property and son Ken Leaman, user of the property, and elicited the following testimony from Norman Leaman: Leaman owns the property at 305 Breneman Road, Willow Street. He is applying for a conditional use to use a barn that is 1100-1200 feet off Breneman Road. There is a straight driveway with broad access at the barn for stacking or back up of vehicles. There is no other non-farming use on the farm. The barn is 45'x85'. His son would like to sell packaged tractor parts. Not vehicles would drive through mud or manure. There would be one sign at the public road. All supplies and materials would be inside the existing barn. The closest neighbor is a tenant about 1200 feet from the barn and the next closest is across the road another 300 feet. The barn is visible from the road although there are silos in front of it.

On questioning by Herr, Leaman further testified that there would be no sale of used equipment or tractors. The store would sell packaged, refurbished parts. There would be a UPS truck once a day. The parts would come from a factory in Iowa which does the refurbishing and would be delivered by a large truck once a month. These are aftermarket tractor parts; there would be no car or truck parts sold.

Josele Cleary, Township solicitor, asked if the applicant would object to a condition that there be no outdoor storage of any kind, and that there would be no parking of junk tractors to strip for parts. There was no objection.

Ken Leaman testified that he agrees with his father's testimony. The name of the business would be LTP distributing. The property is a single parcel. Norman Leaman explained that the 21-foot driveway which goes through the front property is part of the farm's deed, so the barn and the access drive is a single tax parcel. There is no other non-farming business on the property. There would be one employee besides Leaman. The remainder of the property will continue to be farmed by Norman Leaman.

Kraybill asked that the business not be limited to one employee as there may be more or part-time employees in the future.

There will be no new water or sewage facilities. Employees would use the present farm facilities.

On a motion by Herr/Willig the Supervisors voted unanimously to close testimony and to render their decision at the next meeting.

Application of **Gary Weaver** to subdivide a 3.0 acre lot for a single-family non-farm dwelling from a 54.7 acre farm located at 822 Stively Road, Strasburg Township, PA, in the Agriculture Zone.

Weaver and presented testimony that he would like to subdivide three acres off his father's farm for a single-family dwelling. The site is in the corner of the eastern end of the farm farthest from Stively Road. Strasburg Township Planning Commission has recommended approval. There would be 51.7 acres left on the farm. A 3-acre lot is need, according to the surveyor, for the septic drainfield because of nitrates.

Josele Cleary, Township solicitor, said that the Zoning Ordinance requires evidence from DEP is a lot is to be larger than the maximum of 2 acres. The sewer module includes a letter from a geologist stating that 2.7 acres is needed, but there is no letter from DEP.

Willig asked why this was a flag lot as LCPC does not favor them. Weaver said he liked that area the best and did not consider putting the lot by the road. Weaver plans to leave some of the acreage in farming. The Supervisors suggested that the lot could be a 2-acre lot with a 1-acre plume easement from the farm. The plume easement would not allow construction, but would allow it to be farmed.

Cleary said that if the lot is to be three acres, evidence is needed that it is required by DEP.

On a motion by Herr/Willig, and with the consent of the applicant, the Supervisors continued the hearing until evidence is received from DEP requiring a 3-acre lot, or the plan is revised to a smaller lot with an easement.

The hearing was adjourned at 9:10 p.m.

Caroline D. Herr  
Township Secretary