

Conewago Township Zoning Hearing Board

June 11, 2007

Minutes

At 7:30 PM the ZHB meeting was called to order with the pledge of allegiance. Members present were Earl Miller, Sharon Beck, David Clouser, Margaret Burg and Hanson Quickel. Attorney Jeff Gettle provided legal council for the ZHB.

The minutes of the previous meeting were approved as presented.

Old Business- None

New Business- Case No. 06-2007, Journey House Inc.'s request for a Special Exception for a Group Home\ Personal Care Boarding Home and a Variance for a Halfway House in a Residential Zone. Joe Stuck, President of the Board of Journey House Inc. presented evidence for the case. Attorney John Elliot of Anstine & Sparler at 1117 East Market Street, York, Pa represented the applicant. During the course of the meeting the following evidence was presented:

The subject property is in a residential zone at 4960 Susquehanna Trail, York, Pa., 17406. Public sewer and water are available. Greensprings Properties LLC owns the subject property. James Clymer and his wife are the owners of the company. The applicant will lease the property on a month-to-month basis. The house is currently vacant. The applicant proposed to use the property to run a program to help men who have had a crisis in their lives and need help to get back on their feet. The proposed residence will house up to 14 men at a time. The qualified residents must be at least 18 years old, not convicted sex offenders or convicted arsonists. The residents will only gain admission to the program thru referral by members of Stillmeadow Church. No referrals will be accepted from government agencies or the criminal system. There will not be a professional staff or medical care provided at the residence.

Off street parking will be available. The applicant did not know how many spaces would be available. The applicant did not provide the square footage, layout or design for the proposed home to the ZHB. This will be a nonprofit operation. Resident fees will be based on operating expenses. A person with experience operating a home of this type will be hired as a resident manager. Directors of Journey House Inc. are appointed by the Elders of Stillmeadow Church. Residents will be required to have committed their life to Christ, will be tested for drug and alcohol abuse, will be required to find a job and be a part of a Christian organization.

Attorney Andrew Miller of Miller, Poole & Lord, LLP at 137 East Philadelphia Street York, Pa., represented Walter and Jennifer Baer in opposition to the application. They reside adjacent to the applicants proposed use. Baer Opposition Exhibit- a petition signed by many residents of the township opposed to the application was presented to the ZHB.

Many residents testified in opposition to the application. For a complete list of names please refer to a complete copy of the Findings of Fact and Conclusion of Law for Case 06-2007 Journey House Inc. The list is available at the Conewago Township Building. Many concerns were expressed by the opposition including the following-

1. Safety and welfare of children and adults living close to a large group of unrelated men with many personal problems.
2. No written plan presented to the ZHB for how the proposed home will be operated.
3. How residents of the proposed home will be controlled and monitored during their time in the community.
4. The actual dimensions and layout of the proposed home.
5. The actual qualifications of the resident manager of the proposed home.
6. The potential for the proposed home to transition into a different type of care facility over time, especially if the program changes ownership.
7. How a resident of the proposed home who is determined to be disqualified would be removed from the area.
8. The affect on neighboring property values and salability.
9. Lack of guaranteed jobs in the area for residents of the proposed home.
10. Means of transportation for the residents of the proposed home.
11. The residence can be used as a single-family residence as it is, without Special Exception or Variance.
12. The applicant will not be licensed to provide the proposed services.
13. The harmful affect the proposed home will have on adjacent residents ability to use their own properties without concern of potential noise or harmful interactions with the residents of the proposed home.
14. The ability of the applicant to properly screen and control potential residents of the proposed home.
15. The unclear listing of the subject property's ownership on the application.
16. What kind of liability insurance would be maintained.
17. If the proposed screening process for potential residents could become less selective over time.
18. How operating expenses will be determined.
19. The profound concern of many township residents that they would no longer feel safe in their own homes with the proposed home nearby.
20. Concern that one resident manager would not enough to insure the proposed home would be operating as described.
21. If residents of the proposed home's visitors would be screened.
22. The constant influx on new residents into the proposed home.
23. Even with a curfew, residents of the proposed home will not be confined to the property.
24. What kind of failure rate occurs in this type of proposed use.
25. The need for a fence around the property of the proposed use.

Margaret Burg made a motion that the application does not fit the description of Group Home and the ZHB should deny the applicants request for a Special Exception for a Group Home. Hanson Quickel seconded. The motion carried.

Hanson Quickel made a motion that the application does not fit the description of a Personal Care Boarding Home and the ZHB should deny the applicants request for a Special Exception for a Personal Boarding Care Home. Margaret Burg seconded. The motion carried

David Clouser made a motion that Case No. 06-2007 Journey House Inc.'s request for a Variance for a Halfway House in a residential Zone at 4960 Susquehanna Trail, York, Pa., 17406, Tax Map NH Parcel 171d be denied. Margaret Burg seconded. The motion carried.

The ZHB adjourned at 11:42 PM.

Respectfully Submitted,

David Clouser
Secretary