

YORK TOWNSHIP  
ZONING HEARING BOARD  
May 26, 2020, Tuesday  
6:00 p.m.

## **AGENDA**

### **This meeting will be conducted via Zoom Video Conferencing Software**

Virtual meeting log in information, examination of all applications and/or the submission of comments in advance of the hearings may be made by contacting York Township at 717-741-3861, ext. 127, or [l.frye@yorktownship.com](mailto:l.frye@yorktownship.com), by 2:00 p.m. May 26, 2020.

1. Call to Order
2. Minutes of April 28, 2020
3. Decisions of April 28, 2020
4. Special Exceptions/Variances/Appeals:

6:00 p.m. Appl. 2020-09: Natalie Berkhart requests a Special Exception to construct a fence higher than three feet in a front yard on property located at 701 Seaton Drive in a Residential High Density (RH) District.

6:30 p.m. Appl. 2020-10: Michael Potter requests a Special Exception to construct a fence higher than three feet in a front yard on property located at 3011 Raylight Drive in a Residential Medium Density (RM) District

7:00 p.m. Appl. 2020-11: Truman Treffinger requests a Special Exception to construct a fence higher than three feet in a front yard on property located at 88 Homeland Road in a Residential Low Density (RL) District.

**Anyone who wishes to receive a written copy of a specific decision  
may contact the York Township Offices to request same.**

## **York Township Zoning Hearing Board Meeting**

### **Zoom Guidelines for participating in Hearings**

The York Township Zoning Hearing Board (the “Board”) will be conducting its public meeting and the hearings on the agenda through the Zoom video conferencing software while the Governor’s stay at home, gathering limit or social distancing orders are in place. Zoom video conferencing is being used to allow the Board to hear and to decide upon applications for zoning relief and to allow the residents of the Township and potentially affected parties (each a “participant”) an opportunity to participate in the hearing and/or provide comment.

Below is a list of guidelines and other relevant information.

Reference is also made to the Bylaws of the Board and applicable law, including the Municipalities Planning Code.

The application and documentation submitted for each case can be made available upon request.

The call to order, approval of meeting minutes and approval of prior decisions shall precede the first hearing.

#### **The Hearing link, ID and Password**

Hearing link, ID and Password will be provided upon request to those who desire to participate. Contact Lisa Frye by 2:00 pm of the day of the meeting at 717-741-3861, ext. 127 or [l.frye@yorktownship.com](mailto:l.frye@yorktownship.com) to obtain them.

#### **Joining a hearing**

Upon joining the meeting, participants will be placed in a waiting room until the hearing is started. A staff host will admit all users. Users will be able to join the online approximately 15 minutes before the advertised hearing start time. All microphones will be muted to limit background noise except for staff and Board members. See “Submit Comments Ahead of Time” and “Raise Hand” below. Note that phone, cellular or data rates and limits may apply. Scheduled speakers will be unmuted when their agenda item is reached.

#### **Recordation of the Hearing**

The hearings will be recorded to create a record and a transcript of the proceeding can be obtained if desired for legal purposes after the meeting. By participating in an online hearing, you acknowledge that the hearing is being recorded and you consent to be recorded. If you do not agree to these terms, you may see “Submit Comments Ahead of Time.”

#### **Submit comments ahead of time.**

Any participant that has any comments about any application is encouraged to submit those comments prior to the hearing time. To submit a comment, send an email to [l.frye@yorktownship.com](mailto:l.frye@yorktownship.com) with your name, address, application number and your comments. Comments must be submitted by 2:00 pm of the day of the meeting to be read into the record of the hearing.

#### **The Order of Each Hearing**

- (A) Hearing called to order by the Chairman.
- (B) Chairman administers the oath to all witnesses of Applicant.
- (C) Applicant’s presentation of its case, including all testimony and exhibits.
  - (1) Board members questions of applicant’s witnesses.
  - (2) Other participants questions of applicant’s witnesses.
- (D) Other Participants testimony for or against the Application (must be sworn in).
  - (1) Questions of other participants by applicant or Board, if any.

- (E) Statement of the Zoning Officer from the Township perspective and presentation of any comments provided in advance of the hearing.
- (F) Other testimony and evidence, if any.
- (G) Closing statement/rebuttal by Applicant.
- (H) Concluding remarks of Board members and decision (or notice of when decision is expected to be made).
- (I) Adjournment of hearing.

### **Raise a Hand – How to indicate a desire to participate by asking a question or providing testimony**

If a participant would like to ask a question of a witness or counsel of the Applicant provide testimony during the hearing at the appropriate times mentioned above, use the “Raise Hand” feature. On the bottom of the Zoom window, click on “Participants.” Then select “Raise hand”. The Staff Host will give the attendee permission to unmute themselves to provide a comment. When permitted to speak, please state your name and address before providing a comment.

**Please remember that each hearing is a quasi-judicial proceeding. Therefore, the directives of the Chairman and the procedure above must be followed. The Applicant must present its case, including all testimony and exhibits, in a clear and concise manner, in the virtual format to all involved in the hearing. Participants may question or provide input, but only at the appropriate time. The Board will render its decision based upon the evidence presented and in accord with applicable law.**

### **Help**

Joining a meeting: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Joining meeting by phone call: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>

Raise Hand: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>

### **Best Practices for Using Zoom**

- Log into your hearing from a distraction-free, quiet environment.
- Please keep your microphone muted until it is your time to speak and you are recognized by the Chairman.
- Take turns and don't interrupt others. Take turns speaking, when appropriate. Avoid talking over another.
- If you're going to participate in a Zoom video session with video enabled, please dress appropriately for a public meeting and make sure there is nothing behind you that you don't want others to see.
- Join the hearing 5-10 minutes early. This helps by giving you time to set up your audio and video settings. Joining late can be distracting to others.

### **Questions/Concerns**

If you have questions, concerns or need an accommodation, please contact Lisa Frye in advance of the meeting at 717-741-3861, ext. 127 or [l.frye@yorktownship.com](mailto:l.frye@yorktownship.com)