

**BEFORE THE FAIRVIEW TOWNSHIP
ZONING HEARING BOARD**

DECISION

IN RE: APPLICATION OF YBV FAMILY LLC; APPLICATION NO. 2025-04

APPLICANT(S): YBV Family, LLC
HEARING DATE: June 19, 2025, continued to July 15, 2025
DECISION DATE: July 15, 2025
APPEARANCES: Attys. Charles M. Suhr and Jake A. Domen, Stevens & Lee
(counsel)
Robin Wiley – Owner/Member
Bruno Bertin – Owner/Member
Matthew Fisher (Engineer with RJ Fisher & Associates)
Stephen Waller, Township Zoning Officer

EXHIBITS: Exhibit A-1 – Engineer Qualifications
Exhibit A-2 – Application (Original)
Exhibit A-3 – Fairview Twp. ZHB Decision (No. 2019-06)
Exhibit A-4 – Property Deeds
Exhibit A-5 – Proposed Land Development Plans
Exhibit A-6 – Photos (Proposed Access)
Exhibit A-7 – Photos (Drive Sight Distances)
Exhibit A-8 – Management Plan
Exhibit A-9 – Photos of Buildings/Property
Exhibit A-10 – Application Narrative (Amended)
Exhibit A-11 – Proposed Land Development Plans (Amended)

SUBJECT PROPERTY: 101 Spanglers Mill Road and 101A Spanglers Mill Road, both in
New Cumberland, Pennsylvania, 17070

BACKGROUND

This decision of the Fairview Township Zoning Hearing Board (the “**Board**”) is from an application, as amended (the “**Application**”) filed with Fairview Township (the “**Township**”) seeking zoning relief under the Township’s Zoning Ordinance (the “**Ordinance**”) in order to obtain a special exception for a use not provided for to operate a vineyard property for wine manufacturing, tasting, sales and hosting (which was amended at the July 15th continued hearing to solely be an event hosting use with vineyard), along with a variety of variances as provided in the Application. The specific zoning relief requested includes:

- (i) a special exception under §300.4.B, Use not provided for, in order to establish and operate an event hosting use with vineyard (which is not otherwise a provided use in the zoning ordinance);
- (ii) variances from §300.57.A(2) and B(4)(a-b) to permit the location of a parking lot within the front yard of the property (between the principal building and the street right-of-way);
- (iii) a variance from §300.99.D(11) to permit Applicant three years from approval to obtain all permits required for the use approved, and achieve completion of all improvements related to the approval within the last (4th) year;

- (iv) a variance from §300.21.B(Table 5-4) to permit the location of certain existing accessory buildings on the Vineyard Property within the front yard setback;
- (v) a variance from §300.21.B(Table 5-4) to permit the location and use of existing buildings on the Vineyard Property to continue (reclassified as commercial) despite being in excess of the 4,000 sq. foot limit; and
- (vi) variances from §300.33.A(Table 7-1) to permit Applicant to forgo the screening requirement (90% opacity) between the properties and at the western boundary, and limiting the buffer yard between the properties to 10 feet at the existing barn structure.

The subject properties are located at 101 Spanglers Mill Road and 101A Spanglers Mill Road, both in New Cumberland, Pennsylvania, 17070, located in the Township’s Residential Mixed Use (RMU) Zoning District.

A hearing was held on the Application on Thursday, June 19, 2025, with the meeting starting at 6:00 p.m. Said hearing was continued at the Applicant’s request until Tuesday, July 15, 2025 when the meeting was reconvened at 6:00 p.m. The Zoning Hearing Board was represented by Timothy Mader (Chairman), Mark Perry (Vice Chairman), Keith Bashore, and Daniel Alderman (attending as the alternate and not participating in the decision). All published and posted notices were duly given, with no objection thereto being made in writing or orally at the time of the hearing. No opposition to the Application was offered. After hearing the testimony and viewing the evidence in this matter, at both the original hearing on June 19th and the continued hearing on July 15th, the Board makes the following determinations:

FINDINGS OF FACT

1. YBV Family, LLC (“***Applicant***”) seeks to operate an event hosting and vineyard business operation (the “***Use***”) at properties located at 101 Spanglers Mill Road (the “***Residential Property***”) and 101A Spanglers Mill Road (the “***Vineyard Property***”), both in New Cumberland, Pennsylvania, 17070 (collectively the “***Property***”).
2. The Residential Property is currently owned by Bruno Bertin and the Vineyard Property is currently owned by Robin Wiley, with Mr. Bertin and Ms. Wiley (collectively the “***Owners***”) being members of the Applicant.
3. The Property is located in the Township’s Residential Mixed Use (RMU) Zoning District.
4. The Vineyard Property is improved with a single residential dwelling structure, while the Residential Property is improved with a residential dwelling, a barn, pool house (with pool and tennis court), and a number of outbuildings as depicted on Exhibit A-11.
5. The Vineyard Property is currently bound by the Residential Property to the east, Spangler’s Mill Road to the north, and to the south and west by unimproved farmland known as Limekiln Road, owned by Sienna Fee Simple, LLC (the “***SFS Property***”).

6. The SFS Property is being developed for multi-family residential use, and construction or siteworks has commenced in some form, however there is no one residing at any residential structures (nor are any residential structures completed) on the SFS Property.

7. The Residential Property is currently bound by the Yellow Breeches Creek to the east, Spangler's Mill Road to the north, and to the south and west by the Vineyard Property.

8. Applicant, by and through the Owners, desire to adjust the lot lines between the Property to provide for the barn and two (2) outbuildings to join the single dwelling structure on the Vineyard Property, as well as to create a "flagpole" access to an area along Yellow Breeches Creek, in all cases as shown on Exhibit A-11 (collectively the "*Line Adjustment*").

9. Upon achieving the Line Adjustment, the Owners would use the Residential Property as their residential dwelling, and Owners, through the Applicant, would use the Vineyard Property as the Use.

10. Owners previously obtained a special exception under §300.4.B, Use not provided for, in order to establish and operate a vineyard property for wine manufacturing, tasting, sales and hosting solely on the Residential Property pursuant to Township ZHB Docket No. 2019-06 (the "*2019 Decision*")

11. Due to a number of factors outside of Applicant and Owners' control, Owners were unable to meet the time requirements under §300.99.D(11) to effectuate the zoning relief granted under the 2019 Decision and such approval lapsed.

12. In addition, the Owners acquired the Vineyard Property in 2024, which adjoins the Residential Property, which also altered how the Owners and Applicant desired to operate the Property and the Use.

13. The Applicant desires to operate the Use on the Vineyard Property, with the vineyard located in the southern corner of the Vineyard Property, the barn being the main event hosting location, the current residential dwelling being converted into a bridal suite (for preparations), and the other outbuildings being used for staging, storage, or for mini-hosting areas.

14. The Use would mainly host weddings, corporate events, and similar social parties, be limited to up to 150 guests per event hosted, and would generally be operated and managed as provided in Exhibit A-8.

15. Applicant proposes a new access drive and parking area on the western portion of the Vineyard Property as depicted in Exhibit A-11, with said parking area located in the front yard of the Vineyard Property.

16. The proposed Line Adjustment, as shown on Exhibit A-11, would mean that (i) the barn structure is the principal building on the Vineyard Property, with the bridal suite building and another outbuilding located in the front yard; (ii) the barn structure is 10 feet from the boundary line with the Residential Property; and (iii) would also leave a total of roughly 10,855 S.F. of

building footprints (between bridal suite, barn and two (2) outbuildings) to be located on the Vineyard Property and subject to the Use.

17. Other than truck deliveries to accommodate events (such as food or other supplies), the only traffic impact would be during events, and would be focused on the starting and ending times of such events.

18. The façade/architectural aspect of the barn would remain as it currently exists, except for repairs and maintenance.

19. The Vineyard Property, mainly including without limitation the barn structure, would be connected to public utilities (including public water and sewer).

20. Stephen Waller, as the Township Zoning Officer, testified that all public notices of the application and hearing were legally conducted, with the hearing being advertised in the newspaper on June 5th and June 12th, the Property being posted on June 12th, and the adjoining property owners having letters mailed to them on June 3rd.

CONCLUSIONS OF LAW

1. The Applicant has established the elements required to grant a special exception under Section 300.4.B, Use not provided for, in order to establish and operate an event hosting use with vineyard (which is not otherwise a provided use in the zoning ordinance), and has established the elements required by Section 300-99(E)(3)(b) of the Ordinance regarding the general criteria for a special exception.

2. The Applicant has failed to establish the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.57.A(2) and B(4)(a-b) to permit the location of a parking lot within the front yard of the Vineyard Property (between the principal building and the street right-of-way), with said failure being the failure to establish that a hardship exists that was not self-created by Applicant/Owners.

3. The Applicant has established the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.99.D(11) to permit Applicant three years from approval to obtain all permits required for the Use, and achieve completion of all improvements related to the Use within the last (4th) year.

4. The Applicant has established the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.21.B(Table 5-4) to permit the location of certain existing accessory buildings on the Vineyard Property within the front yard setback as depicted on Exhibit A-11.

5. The Applicant has established the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.21.B(Table 5-4) to permit the location and use of the existing buildings on the Vineyard

Property (being the barn, bridal suite, and two (2) outbuildings totaling 10,855 S.F.) to be used in the Use despite being in excess of the 4,000 sq. foot limit.

6. The Applicant has established the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.33.A(Table 7-1) to permit Applicant to effectuate the Line Adjustment thereby limiting the buffer yard for the barn structure to 10 feet as required due to a non-residential use adjoining a residential use in the RMU Zoning District.

7. The Applicant has failed to establish the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.33.A(Table 7-1) to permit Applicant to effectuate the Line Adjustment and forgo the installation of screening (with 90% opacity) along the property line of the Vineyard Property adjoining the Residential Property as required due to a non-residential use adjoining a residential use in the RMU Zoning District, with said failure being the failure to establish that a hardship exists that was not self-created by Applicant/Owners.

8. The Board has determined due to the development approvals and activity on the SFS Property, the SFS Property (bordering the western boundary of the Vineyard Property, is an “existing lower-density residential dwelling type use” pursuant to Section 300.33.A(Table 7-1).

9. To the extent requested by Applicant, the Applicant has failed to establish the elements required by Section 300-99(E)(4) of the Ordinance regarding the general criteria for a variance in order to grant a variance from Section 300.33.A(Table 7-1) to permit Applicant to forgo the installation of screening (with 90% opacity) along the property line of the Vineyard Property adjoining the SFS Property as required due to a non-residential use adjoining a residential use in the RMU Zoning District, with said failure being the failure to establish that a hardship exists that was not self-created by Applicant/Owners.

DECISION

Due to the nature of the zoning relief requested, and the number of requests presented, the Board took each requested zoning relief separately, with separate motions and votes on each, as follows:

1. Regarding a special exception pursuant to Section 300.4.B, Use not provided for, in order to establish and operate an event hosting use with vineyard, Mr. Perry made a motion to grant such special exception, which Mr. Bashore seconded and the Board unanimously approved.

2. Regarding the variance from Section 300.57.A(2) and B(4)(a-b) to permit the location of a parking lot within the front yard of the Vineyard Property (between the principal building and the street right-of-way), Mr. Perry made a motion to deny such variance(s), which Mr. Bashore seconded and the Board unanimously approved.

3. Regarding the variance from Section 300.99.D(11) to permit Applicant three years from approval to obtain all permits required for the Use, and achieve completion of all

improvements related to the Use within the last (4th) year, Mr. Perry made a motion to grant such variance, which Mr. Bashore seconded and the Board unanimously approved.

4. Regarding the variance from Section 300.21.B(Table 5-4) to permit the location of certain existing accessory buildings on the Vineyard Property within the front yard setback as depicted on Exhibit A-11, Mr. Perry made a motion to grant such variance, which Mr. Bashore seconded and the Board unanimously approved.

5. Regarding the variance from Section 300.21.B(Table 5-4) to permit the location and use of the existing buildings on the Vineyard Property (being the barn, bridal suite, and two (2) outbuildings totaling 10,855 S.F.) to be used in the Use despite being in excess of the 4,000 sq. foot limit, Mr. Perry made a motion to grant such variance, which Mr. Bashore seconded and the Board unanimously approved.

6. Regarding the variance from Section 300.33.A(Table 7-1) to permit Applicant to effectuate the Line Adjustment thereby limiting the buffer yard for the barn structure to 10 feet (instead of the required 15 feet), Mr. Perry made a motion to grant such variance, which Mr. Bashore seconded and the Board unanimously approved.

7. Regarding the variance from Section 300.33.A(Table 7-1) to permit Applicant to effectuate the Line Adjustment and forgo the installation of screening (with 90% opacity) along the property line of the Vineyard Property adjoining the Residential Property, Mr. Perry made a motion to deny such variance, which Mr. Bashore seconded and the Board unanimously approved.

8. To the extent requested by Applicant, regarding the variance from Section 300.33.A(Table 7-1) to permit Applicant to forgo the installation of screening (with 90% opacity) along the property line of the Vineyard Property adjoining the SFS Property, Mr. Perry made a motion to deny such variance, which Mr. Bashore seconded and the Board unanimously approved.

Mr. Perry further moved that the following conditions be placed on the above zoning relief approvals:

1. The hours of operation shall be Noon to 10:00 pm, Monday through Saturday; and Noon to 8:00 pm on Sunday.

2. No outdoor, amplified concerts or musical events shall be held at the Vineyard Property.

3. There shall be no events held at the Vineyard Property until it has been connected to public sewer and a new access road to the public street has been installed.

4. The façade/architectural aspect of the barn shall remain as it currently exists, except for repairs and maintenance.

Mr. Bashore seconded the motion for the above conditions. Upon a vote, the Board unanimously approved the motion for the above conditions.

APPLICANT SHALL ABIDE BY ALL FEDERAL, STATE AND LOCAL LAWS, REGULATIONS AND ORDINANCES PERTAINING TO PERMISSIONS GRANTED BY THIS DECISION.

APPLICANT SHALL PROCEED PURSUANT TO THIS DECISION IN ACCORDANCE WITH THE TESTIMONY AND EXHIBITS PRESENTED AT THE HEARING.

A handwritten signature in black ink, appearing to read 'T. Mader', written over a horizontal line.

Timothy Mader, Chairmen

Date: July 25, 2025

ANY PERSON AGGRIEVED BY THIS DECISION OF THE FAIRVIEW TOWNSHIP ZONING HEARING BOARD MAY APPEAL TO THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA. THE APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS FROM THE MAILING OF THESE FINDINGS OF FACT, CONCLUSIONS OF LAW AND THE ABOVE DECISION.

MAIL DATE: JULY 25, 2025

PUBLIC NOTICE

The Fairview Township Zoning Hearing Board will hold a Public Hearing on Thursday, **June 19, 2025**, at 6:00pm, at the Fairview Township Municipal Building, 599 Lewisberry Road, New Cumberland, PA 17070, to discuss the following:

Docket No. 2025-04: The applicant, YBV Family LLC, are requesting a Special Exception from Section §300.4.B – Interpretation and uses otherwise not provided, to purpose the development and use of its property for wine manufacturing, tasting, sales and hosting social gatherings. The applicants also seek a Variance from Sections 300.57.A(2) and 300.57.B(4) – Location and design of parking areas, to locate a parking area within the front yard between the principal building and street right-of-way, as well as from Section 300.99.D(11) – Effect of Zoning Hearing Board of the Township of Fairview’s decision to request a one-year extension on both the Special Exception and Variance relief requests to allow a total of four (4) years to begin and complete the authorized action. The subject properties are located at 101 Spanglers Mill Road, New Cumberland PA 17070, having UPI No. 27-000-RE-0029.00-00000 and 101A Spanglers Mill Road, New Cumberland PA 17070, having UPI No. 27-000-RE-0029.E0-00000, which are located within the (RMU) Residential Mixed Use Zoning District.



ZONING HEARING BOARD
APPLICATION
YORK COUNTY, PENNSYLVANIA

Please see instructions for further information on completing the application.



PART 1 - APPLICANT/OWNER AND PROPERTY INFORMATION

APPLICANT(S):

Name: YBV Family, LLC c/o Bruno Bertin & Robin Wiley
Address: 101 Spanglers Mill Road City New Cumberland State PA Zip: 17070
Email: bbertin2.0@gmail.com | robin.ferraro@gmail.com Phone:

PROPERTY OWNER(S) (if other than applicant):

Name: Bruno Bertin & Robin Wiley
Address: 101 Spanglers Mill Road City New Cumberland State PA Zip: 17070
Email: bbertin2.0@gmail.com | robin.ferraro@gmail.com Phone:

PROPERTY INFORMATION:

Address: 101 Spanglers Mill Road & 101A Spanglers Mill Road City New Cumberland State PA Zip: 17070
Lot Size: Combined: 25.64 Date Purchased: 1/16/2019 & 11/15/2024 Tax Parcel ID: 27-000-RE-0029.00-00000 and 27-000-RE-0029.E0-00000
Current Use of Property: Residential Zoning Map District Designation: RMU

PART 2 - ZONING REQUEST TYPE:

Please identify one or more of the following applicable type(s) of relief being requested.

[X] SPECIAL EXCEPTION As required in Section(s) 300-4-B of the Zoning Ordinance.

The proposed use for the location is claimed by the applicant:

- a. To be considered with such other standards as required by the Zoning Ordinance in Section(s): See attached Narrative Attachment
b. Will not detract from the use and enjoyment of adjacent or nearby properties for the following reasons: See attached Narrative Attachment
c. Will not substantially change the character of the neighborhood for the following reasons: See Attached Narrative Attachment
d. To comply with various elements and objectives of the Comprehensive Plan, and/or any other applicable plans adopted by the Township of Fairview: See Attached Narrative Attachment

[X] VARIANCE of Section: 300-57-A(2) Subsection:
Section: 300-57-B(4) Subsection:
Section: 300-99-D(11) Subsection:
Section: Subsection:

of the Fairview Township Zoning Ordinance.

Nature of Variance(s) requested: See attached Narrative Attachment

The applicant believes the Variance should be granted due to:

- Applicant is unable to make reasonable use of his property for the following reasons:
See attached Narrative Attachment.

- The unnecessary hardship on this property is:
 - The result of the application of the Zoning Ordinance;
 - Due to unique physical circumstances of the property in question not shared by other properties in the vicinity;
 - Not financial in nature;
 - Not self-created;
- The proposed Variance will not alter the essential character of the neighborhood nor impair the use of the adjacent property for the following reasons: See Attached Narrative Attachment

- The Variance requested represents the minimum that will afford relief for the following reasons:
See Attached Narrative Attachment.

APPEAL OF THE ZONING OFFICERS DECISION

The decision of the Zoning Officer dated: _____, 20 _____ based upon an interpretation of Section(s) _____ of the Zoning Ordinance. The nature of the appeal by applicant is as follows: _____

PART 3 – PREVIOUS ZONING HEARING BOARD ACTIONS

To the best of your knowledge, has there been any previous Zoning Appeals, Variances or Special Exceptions associated with this property? YES NO .
If yes, please provide dates or Case #'s Docket Number 2019-06

PART 5 – APPLICANT/OWNER AUTHORIZATION AND AFFIDAVIT

Commonwealth of Pennsylvania :

County of Dauphin :

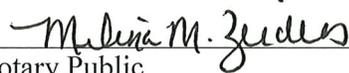
The undersigned, being duly sworn according to law, deposes and says that he/she is the above-mentioned applicant/owner/representative, that they are the owner OR authorized to take this Affidavit on behalf of the owner and that the forgoing information and facts contained in the application are true and correct to the best of their knowledge.

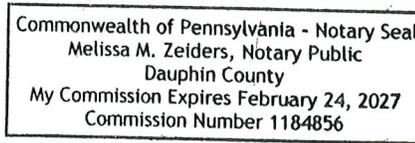
Applicant/Owner/Representative

Jacob Domen, Attorney for Applicant
Name/Title


Signature

Sworn to and subscribed before me
this 15 day of May, 2025.


Notary Public



For office use only:
ZONING HEARING BOARD CHECKLIST

Application received: _____

Property Zoning District: _____

Request Type: Special Exception, Variance or Appeal: _____

Case No.: _____ Fee paid: \$ _____ Payment type: _____

Hearing date: _____

Draft Public Notice sent to Attorney for review: _____

Notice sent to newspaper: _____

Notice published in newspaper: _____

Notice mailed to property owners (225 ft. buffer): _____

Public Notice posted on property: _____

ZHB packets mailed and emailed: _____

Action taken: _____

INFORMATION AND INSTRUCTIONS ON THE FAIRVIEW TOWNSHIP ZONING HEARING BOARD APPLICATION

PART 1: APPLICANT/OWNER AND PROPERTY INFORMATION:

APPLICANT: Enter the applicant's name, address, and contact information. Under the Pennsylvania Municipalities Planning Code, the applicant must be the landowner which is defined as "the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land." If the applicant is not the landowner as defined above, a purchase/lease agreement providing the tenant with the right to apply for zoning relief, or written consent from the owner is required to be submitted along with application or the application will be rejected by the Zoning Officer.

PROPERTY OWNER: Enter the name, address, phone number and email of the current property owner(s).

PROPERTY INFORMATION: Enter the property address; the size of the lot in square feet or acres; the date the property was purchased; the Parcel ID OR Tax Map and Parcel number (can be found on tax bill or at York County Tax Assessment website); the current use of the property (such as a single family dwelling, multi-family dwelling, commercial or industrial use, agricultural land or vacant lot); the properties Zoning Map Designation which can be found on the Township Zoning Map.

PART 2: ZONING REQUEST(S) TYPE AND DESCRIPTION OF THE REQUEST :

SPECIAL EXCEPTION: A special exception is defined as use which is outlined in the Zoning Ordinance that may be permitted ONLY by Zoning Hearing Board Approval by satisfying specific criteria as outlined in the Ordinance.

APPEALS: Any decision made by the Zoning Officer or their representative can be appealed to the Zoning Hearing Board.

VARIANCE REQUESTS: A variance is a request to use or construct on a property in a way that is not permitted by the Zoning Ordinance.

Section(s) of the Zoning Ordinance that relief or an appeal is being requested MUST be indicated on the application or the application will be deemed incomplete.

PART 3 : PREVIOUS ZONING HEARING BOARD ACTIONS: Please note any previous cases that have been heard by the Zoning Hearing board for the noted property.

PART 4: LIST OF PROPERTY OWNERS:

List and identify all property owners within **200 feet** of the subject property indicated on application. This information can be obtained from the York County Tax Assessment website at <http://york-county.org>. Follow the tax assessment/real estate assessment menus. Identify the use type of the surrounding properties (i.e.: single family dwelling, multi-family dwelling, commercial use, industrial use, agricultural land or vacant lot).

PART 5: AUTHORIZATION AND AFFIDAVIT:

This section must be signed, dated by the property owner or an authorized applicant/equitable owner and notarized to certify the submittal is true to the best of their knowledge and belief.

NOTES:

- The Zoning Officer will be a PARTY present at the hearing and will be representing the Fairview Township Zoning Ordinance requirements or justification of the zoning determination that was made. Due to this, the Zoning Office CANNOT give advice or direction on the completion of the application outside of general information. It is the responsibility of the Applicant to make the determination of what type of relief is being requested.
 - The applicant *should consider* using Legal Counsel to assist in the completion of the application as well as appearing before the Zoning Hearing Board.
 - ***The applicant, owner or an authorized representative MUST appear at the hearing*** to present the case. Lack of attendance/representation may be reason for denial of the application.
 - ALL applicable portions of the application must be completed; the application must be signed and notarized where indicated in Part 5; and the FILING FEE must be paid at the time the application is submitted. An incomplete application may be reason for denial.
 - The current filing fee can be obtained by calling the Fairview Township Codes Office or by visiting our website at www.twp.fairview.pa.us. Follow the links to the Zoning Hearing Board page.
 - A completed application must include six (6) hard copies and be submitted to the Fairview Township Codes Office *not later than 3:30pm on the deadline date*. A list of the meeting dates and deadlines can be found on our website at www.twp.fairview.pa.us. (if any attachments are larger than 8 ½" X 11" page - one (1) digitized copy of the attachment(s) is required.
 - All submitted zoning hearing cases will be read into record at the first Planning Commission meeting after the application is received. The Planning Commission meeting is held on the first Tuesday of the month. The applicant may attend this meeting, but it is not required.
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Narrative Attachment
YBV Family, LLC Zoning Application

YBV Family, LLC (the “Applicant”) is a Pennsylvania limited liability company comprised of the legal owners of two tracts of land totaling ±25.64 acres located at 101 Spanglers Mill Road, New Cumberland, PA 17070 (Tax ID No. 27-000-RE-0029.00-00000) (the “Residential Property”) and 101A Spanglers Mill Road, New Cumberland, PA 17070 (Tax ID No. 27-000-RE-0029.E0-00000) (the “Vineyard Property” and collectively with the Residential Property the “Properties”). The Properties are located within the Residential Mixed Use (“RMU”) Zoning District under the Fairview Township Zoning Ordinance (the “Zoning Ordinance”).

By written decision dated November 21, 2019, the Zoning Hearing Board granted a special exception for YBV to develop the Vineyard Property in order to use the property for wine manufacturing, tasting, and sales and to host social gatherings (the “2019 ZHB Decision”). A copy of the 2019 ZHB Decision is included in the Application.

After the 2019 ZHB Decision was issued, YBV acquired additional land for the Vineyard Property. However, due to the intervening COVID pandemic and uncertain market conditions thereafter, the Applicant did not commence operations as approved. Therefore, the 2019 ZHB Decision expired in 2022, pursuant to Ordinance § 300-99-D(11). YBV has since made changes to the development plan: (i) reconfiguring the property line between the two Properties to better fit the uses proposed herein; (ii) rearranging the location of the parking area, access driveway and stormwater facilities; and (iii) showing the acquisition and use of the additional land acquired for the Vineyard Property.

This application, therefore, requests the following zoning approvals as it relates to the currently pending preliminary land development plan (the “Plan”):

1. Special Exception Pursuant to Ordinance § 300-4-B – Uses not otherwise provided for.

The development of the Vineyard Property for wine manufacturing, tasting, and sales and to host social gatherings (the “Use”) is a use not provided for under the Zoning Ordinance. Pursuant to Ordinance § 300-4-B, any use which is not provided for in the Ordinance may be permitted by special exception.

The Zoning Hearing Board granted this special exception in the 2019 ZHB Decision. The reasoning and rationale set forth therein remain applicable to the pending application.

Therefore, for the foregoing reasons, and as will be established at the hearing, YBV requests a special exception approval pursuant to Ordinance § 300-4-B for a wine manufacturing, tasting, and sales and social gatherings use on the Vineyard Property.

2. Dimensional Variance from Ordinance §§ 300-57-A(2) & 300-57-B(4)(a-b) – Location of parking areas.

The Plan shows a new parking lot for the Vineyard Property located within the front yard of the property situated between the barn (the principal building) and Spanglers Mill Road (the public street)¹. Ordinance § 300-57-A(2) states:

“Off-street parking shall not be located between the principal building and the public street right-of-way, except for that part of the front yard that is occupied by a driveway leading to a garage or an improved and stabilized parking area (including turnaround).”

Similarly, regarding the location of a parking area, Ordinance § 300-57-B(4)(a-b) states:

“(a) Be provided in behind the rear building line of the principal building first and, if not possible, then may be located in the side yard behind the front façade or front building line of the principal building.

(b) Not be located in the front yard between the principal building and the public street (excluding alleys).”

Based on the Applicant’s review of the Vineyard Property, and in the opinion of the land development engineers, the parking lot location proposed is the only adequate location to provide parking for the property. This opinion is based on the shape and topography of the Vineyard Property, the location of streams crossing through the Vineyard Property, and the ability to connect the parking lot to the primary access drive.

Therefore, for the foregoing reasons, and as will be established at the hearing, YBV requests a dimensional variance pursuant to Ordinance §§ 300-57-A(2) and 300-57-A(4)(a-b) to allow for the location of the parking area to be between the principal building and the public street right-of-way.

3. Ordinance § 300-99-D(11) – Effect of Zoning Hearing Board of the Township of Fairview’s decision.

Ordinance § 300-99-D(11) provides a two-year period for an applicant who receives approval in the form of special exception or variance relief to obtain the necessary permits and begin authorized action, and then complete the action within the third year. The Applicant requests a one-year extension of both time periods to allow for a four-year period to complete the authorized action. This period is a reasonable time period for the Applicant to receive the permits and complete the conversion of the Vineyard Property to accommodate the Use.

¹ The Zoning Ordinance does not provide parking standards for this Use. Based on the Applicant’s review of the Ordinance, the standard that is most similar to the proposed use relates to “Community Centers” which has a parking requirement of 1 space per every 400 square feet. If using this calculation, the Vineyard Property would require 23 parking spaces. The Applicant is proposing 43 spaces within the parking area, 6 additional spaces near the barn for ADA Handicap and employee parking, and an additional 40 spaces on a Geogrid Parking lot situated next to the Parking Area. As will be demonstrated at the hearing, the Applicant believes this is a sufficient amount of parking for the proposed Use.

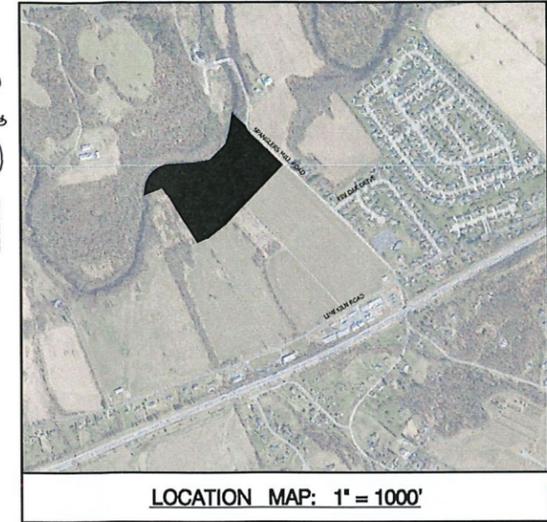
Therefore, for the foregoing reasons, and as will be established at the hearing, YBV requests a variance pursuant to Ordinance § 300-99-D(11) to allow for a three-year period to obtain the necessary permits and begin the authorized actions with an additional year thereafter to complete the authorized actions.

DRAWING INDEX:

Sheet List Table	
Sheet Number	Sheet Title
1	COVER SHEET
2	EXISTING CONDITIONS PLAN
3	PROPOSED SUBDIVISION PLAN

FINAL LOT ADD-ON & LAND DEVELOPMENT PLAN FOR 101 & 101A SPANGLERS MILL ROAD

LOCATED IN
FAIRVIEW TOWNSHIP, YORK COUNTY, PA



LOCATION MAP: 1" = 1000'

GENERAL NOTES:

- THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE 101 SPANGLERS MILL ROAD IN ORDER TO BE ADDED TO AN EXISTING LOT AT 101A SPANGLERS MILL ROAD.
- THE EXISTING TRACT BOUNDARY IS PER A SURVEY BY R.J. FISHER AND ASSOCIATES, INC. OCTOBER 2024 AND CERTIFIED BY MATTHEW R. FISHER, P.L.S.
- THE TRACT BOUNDARY IS RELATIVE TO THE HORIZONTAL COORDINATE SYSTEM PA SPCS, SOUTH ZONE, NAD83 AND VERTICAL COORDINATE SYSTEM NAVD 88.
- FLOODPLAIN BOUNDARY SHOWN ACCORDING TO FEMA FIRM RATE MAP 42133C0033F, EFFECTIVE 12/16/2015.

ZONING DATA:

	REQUIRED	101 SPANGLERS MILL ROAD		101A SPANGLERS MILL ROAD	
		EXISTING	PROPOSED	EXISTING	PROPOSED
Lot Area	40,000 Sq.Ft.	534,627 Sq.Ft.	477,503 Sq.Ft.	588,892 Sq.Ft.	646,016 Sq.Ft.
Lot Frontage	60 Ft.	386 Ft.	386 Ft.	175 Ft.	225 Ft.
Lot Width at Setback Line (Minimum)	65 Ft.	175 Ft.	225 Ft.	275 Ft.	275 Ft.
Dwelling Unit Density	6 DU/net lot area	0.08 Units per Acre	0.09 Units per Acre	0.07 Units per Acre	0.067 Units per Acre
Front Setback	30 Ft.				
Side Setback	10 Ft. - Principle 7 Ft. - Accessory				
Rear Setback	25 Ft. - Principle 7 Ft. - Accessory				
Impervious Lot Coverage	50% max	66,682 Sq.Ft. (12.5%)	38,859 Sq.Ft. (8.1%)	5,137 Sq.Ft. (0.9%)	66,682 Sq.Ft. (12.5%)
Vegetative Lot Coverage	20% max	467,945 Sq.Ft. (87.5%)	438,644 Sq.Ft. (91.9%)	583,755 Sq.Ft. (99.1%)	66,682 Sq.Ft. (12.5%)
Max Building Height	35 Ft.	30 Ft.	30 Ft.	30 Ft.	30 Ft.
Off-Street Parking (Community Center)	1 Space/400 Sq. Ft.	N/A	N/A	N/A	44 Spaces * (2 Accessible Spaces)
Max Commercial Building Footprint	4,000 Sq. Ft.	N/A	N/A	N/A	8,948 Sq. Ft.

* Venue square footage: 8,948 / 1 space per 400 square feet = 23 spaces.

TAX PARCEL NUMBER:

101 SPANGLERS MILL ROAD - PARCEL: 27-000-RE-0029.00
101A SPANGLERS MILL ROAD - PARCEL: 27-000-RE-0029.00

SITE DATA:

- RECORD OWNERS:
 - 101 SPANGLERS MILL ROAD: BRUNO BERTIN
 - 101A SPANGLERS MILL ROAD: ROBIN WILEY
- EXISTING USE:
 - 101 SPANGLERS MILL ROAD: SINGLE FAMILY DETACHED
 - 101A SPANGLERS MILL ROAD: SINGLE FAMILY DETACHED
- PROPOSED USE:
 - 101 SPANGLERS MILL ROAD: SINGLE FAMILY DETACHED
 - 101A SPANGLERS MILL ROAD: SINGLE FAMILY DETACHED/WEDDING VENUE
- EXISTING WATER SUPPLY: PRIVATE
- PROPOSED WATER SUPPLY: PRIVATE
- EXISTING SEWAGE DISPOSAL: PRIVATE
- PROPOSED SEWAGE DISPOSAL: PRIVATE/PUBLIC TO WEDDING VENUE

CARBONATE GEOLOGY CERTIFICATION

I, _____, CERTIFY THAT THE PROPOSED STORMWATER MANAGEMENT FACILITY IS NOT UNDERLAIN BY CARBONATE GEOLOGY.

WETLANDS CERTIFICATION

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THE WETLANDS SHOWN AND DESCRIBED HEREON ARE CORRECT TO THE ACCURACY REQUIRED BY THE FAIRVIEW TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

FAIRVIEW TOWNSHIP STORMWATER MANAGEMENT CERTIFICATION

ON THIS DATE, _____, HAVE REVIEWED AND HEREBY CERTIFIES THAT THE SWM SITE PLAN MEETS ALL DESIGN STANDARDS OF THE FAIRVIEW TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND CHAPTER 252 OF THE FAIRVIEW TOWNSHIP STORMWATER MANAGEMENT ORDINANCE.

FAIRVIEW TOWNSHIP ENGINEER CERTIFICATE

THIS PLAN WAS REVIEWED BY THE FAIRVIEW TOWNSHIP ENGINEER THIS ___ DAY OF ___, 20__.

FAIRVIEW TOWNSHIP PLANNING COMMISSION CERTIFICATION

AT A MEETING HELD ON ___ 20__, THE FAIRVIEW TOWNSHIP PLANNING COMMISSION REVIEWED THIS PLAN ACCORDING TO THE REQUIREMENTS OF THE FAIRVIEW TOWNSHIP SUBDIVISION & LAND DEVELOPMENT ORDINANCE. THIS CERTIFICATE DOES NOT INDICATE APPROVAL OR DISAPPROVAL BY THE FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS.

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS CERTIFICATION

AT A MEETING HELD ON ___ 20__, THE FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS GRANTED PRELIMINARY / FINAL PLAN APPROVAL OF THIS PROJECT, INCLUDING THE COMPLETE SET OF PLANS (MARKED SHEETS), THROUGH WHICH FORM A PART OF THE APPLICATION DATED ___ LAST REVISED ___ AND BEARING FAIRVIEW TOWNSHIP FILE NO. ___ BASED UPON ITS CONFORMITY WITH THE STANDARDS OF THE FAIRVIEW TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

YORK COUNTY PLANNING COMMISSION

THE YORK COUNTY PLANNING COMMISSION, AS REQUIRED BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1958, AS AMENDED, REVIEWED THIS PLAN ON ___ 20__ AND A COPY OF THE REVIEW IS ON FILE AT THE OFFICE OF THE PLANNING COMMISSION IN FILE NO. ___. THIS CERTIFICATE DOES NOT INDICATE APPROVAL OR DISAPPROVAL OF THE PLAN BY THE YORK COUNTY PLANNING COMMISSION, AND THE COMMISSION DOES NOT REPRESENT THAT THIS PLAN COMPLIES WITH THE VARIOUS ORDINANCES, RULES, REGULATIONS OR LAWS OF THE LOCAL MUNICIPALITY, THE COMMONWEALTH OR FEDERAL GOVERNMENT.

CERTIFICATE OF OWNERSHIP - 27-000-RE-0029.00-00000 - BRUNO G. BERTIN

ON THIS, THE ___ DAY OF ___, 20__, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN A. KERSCHNER BEING DULY SWORN ACCORDING TO LAW, DEPOSED AND SAYS THAT HE IS THE RECORD OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE LAND DEVELOPMENT PLAN THEREOF WAS MADE AT HIS DIRECTION, THAT HE ACKNOWLEDGES THE SAME TO BE ITS ACT AND PLAN, AND DESIRES THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW.

CERTIFICATE OF OWNERSHIP - PARCELS 27-000-RE-0029.E0-00000 - ROBIN WILEY

ON THIS, THE ___ DAY OF ___, 20__, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN A. KERSCHNER BEING DULY SWORN ACCORDING TO LAW, DEPOSED AND SAYS THAT HE IS THE RECORD OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE LAND DEVELOPMENT PLAN THEREOF WAS MADE AT HIS DIRECTION, THAT HE ACKNOWLEDGES THE SAME TO BE ITS ACT AND PLAN, AND DESIRES THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW.

OWNERS:

101 SPANGLERS MILL ROAD
BRUNO BERTIN
101 SPANGLERS MILL ROAD
NEW CUMBERLAND, PA 17070
XXX-XXX-XXXX

101A SPANGLERS MILL ROAD
ROBIN WILEY
101A SPANGLERS MILL ROAD
NEW CUMBERLAND, PA 17070
XXX-XXX-XXXX

DESIGN ENGINEER:

R.J. FISHER & ASSOCIATES, INC.
1546 BRIDGE STREET
NEW CUMBERLAND, PA 17070
PHONE: (717) 774-7534
mf@rjfisherengineering.com

ENGINEER CERTIFICATIONS:

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE FAIRVIEW TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE FAIRVIEW TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE STORM DRAINAGE FACILITIES SHOWN AND DESCRIBED HEREON ARE DESIGNED IN CONFORMANCE WITH ARTICLE VII, DRAINAGE AND STORMWATER MANAGEMENT, OF THE FAIRVIEW TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND CHAPTER 252 OF THE FAIRVIEW TOWNSHIP STORMWATER MANAGEMENT ORDINANCE.

MATTHEW R. FISHER, P.L.S., P.E. DATE



PA UTILITY ONE - CALL:



PENNSYLVANIA ACT 287 OF 1974, AS AMENDED BY ACT 50 OF 2017, REQUIRES NOTIFICATION OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE COMMONWEALTH. SERIAL NO. 2022027415 COMPLETED ON AUGUST 15, 2022

COMPANY: PENNSYLVANIA AMERICAN WATER
ADDRESS: 852 WESLEY DR
MECHANICSBURG, PA. 17055
CONTACT: JEFF HORTON
EMAIL: JEFF.HORTON@PAWATER.COM
PHONE: 717-550-1510

COMPANY: EAST PENNSBORO TOWNSHIP
ADDRESS: 21 E DULLES DR
CAMP HILL, PA. 17011
CONTACT: TAYLOR TROUTMAN
EMAIL: tttroutman@eastpennsboro.net
PHONE: 717-732-3621 EXT. 1245

COMPANY: VERIZON PENNSYLVANIA LLC
ADDRESS: 1026 HAY ST
PITTSBURGH, PA. 15221
CONTACT: DEBORAH BARUM
EMAIL: deborah.d.della@verizon.com
PHONE: 412-344-3901

COMPANY: PPL ELECTRIC UTILITIES CORPORATION
ADDRESS: 437 BLUE CHURCH RD
PAXINOS, PA. 17860
CONTACT: DOUG HAUPPT
EMAIL: dhauppt@pplweb.com
PHONE: 610-297-2461

COMPANY: COMCAST
ADDRESS: 4601 SMITH STREET
HARRISBURG, PA. 17109
CONTACT: MICHAEL SWEIGARD
EMAIL: mike_sweigard@cable.comcast.com
PHONE: 717-298-6450

COMPANY: UGI UTILITIES INC
ADDRESS: 1301 AIP DR
MIDDLETOWN, PA. 17057
CONTACT: STEPHEN BATEMAN
EMAIL: sbateman@ugi.com
PHONE: 610-807-3174

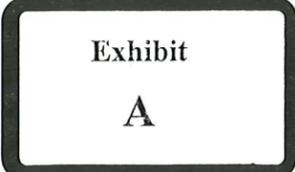
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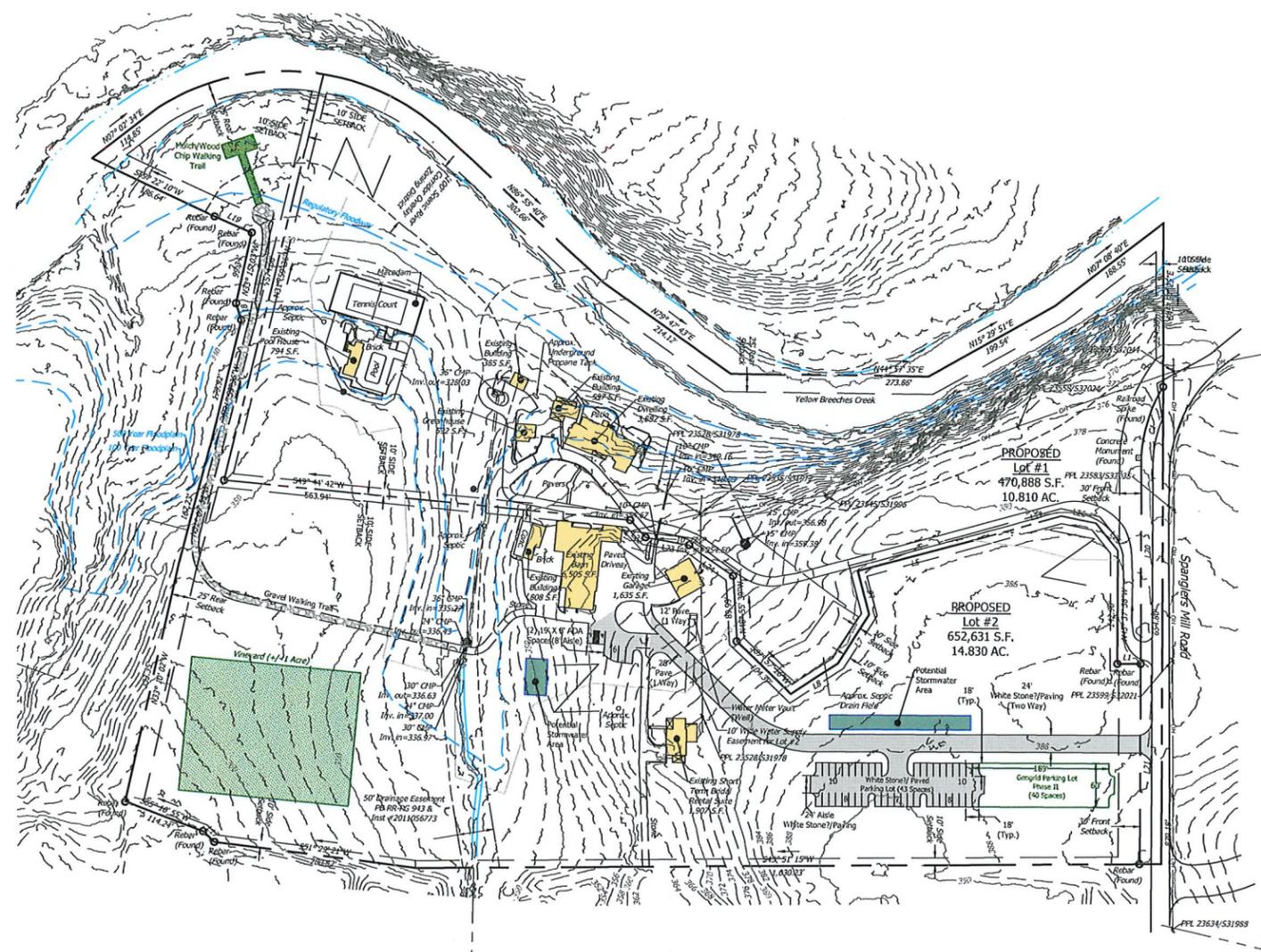
R. J. FISHER & ASSOCIATES, INC.
SITE PLANNING & CIVIL ENGINEERING & LAND SURVEYS
1546 BRIDGE STREET, NEW CUMBERLAND, PA. 17070
PHONE: (717) 774-7534 & FAX: (717) 774-7190
R.J.FISHERENGINEERING.COM



COVER SHEET
FOR
101 & 101A SPANGLERS MILL ROAD
LOCATED IN
FAIRVIEW TOWNSHIP, YORK COUNTY, PA

DRAWING ID: 224060-COV
PROJECT: 222072
DATE: 4/2/25
SHEET: 1 OF 3



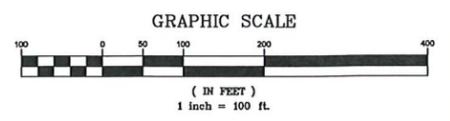


Existing Conditions Legend

	Existing Boundary Line		Existing Deciduous Tree
	Existing Right-Of-Way Line		Existing Coniferous Tree
	Existing Adjacent Property Line		Existing Overhead Utility Wire, Utility Pole, Guy Wire, Guy Wire
	Existing Benchmark		Existing Underground Utilities
	Existing Building Setback Line		Existing Utility Easement
	Existing Street Centerline		Existing Communications Box
	Existing Edge of Pavement		Existing Underground Electric Transformer
	Existing Curb		Existing Gas Main, Valve
	Existing Point Line		Existing Gas Easement
	Existing Drainage Area		Existing Gas Lateral, Service Shut-Off
	Existing Minor Contour		Existing Water Main, NH, Hydrant, Valve
	Existing Major Contour		Existing Water Lateral, Meter, Service Shut-Off
	Existing Fence		Existing Water Easement
	Existing Gulch		Existing Sanitary Sewer Line, MH
	Existing Flatbox		Existing Sanitary Sewer Easement
	Existing Property Line Marker		Existing Sanitary Lateral
	Existing Concrete Monument		Existing Storm Sewer Line, Inlet, MH
	Existing Sign		Existing Storm Sewer Easement
	Existing Light		Existing Wetlands
	Existing Sola Boundary		
	Existing Stream		
	Existing 100 Year Floodplain		
	Existing Sidewalk		
	Existing Trestle		

Line #	Direction	Length
L1	S44° 22' 22"W	32.07'
L2	S44° 22' 22"W	58.71'
L3	S58° 15' 43"W	70.00'
L4	S51° 20' 07"W	73.70'
L5	S29° 33' 49"W	165.52'
L6	S60° 26' 11"E	62.00'
L7	S13° 20' 47"E	79.34'
L8	S11° 26' 21"W	77.51'
L9	S02° 02' 44"E	78.26'
L10	S03° 27' 10"W	21.17'
L11	S50° 06' 16"W	126.57'
L12	S24° 27' 52"W	88.76'
L13	S62° 22' 14"W	72.00'
L14	N146° 18' 38"W	134.43'
L15	S60° 22' 36"W	103.50'
L16	S33° 21' 43"W	58.81'
L17	N82° 47' 17"E	21.62'
L18	S62° 50' 40"E	23.94'
L19	N67° 36' 09"E	55.55'
L20	S45° 37' 25"E	286.97'
L21	S45° 37' 25"E	274.72'

Curve #	Radius	Length	Chord Bearing	Chord
C1	209.81	99.04	S27° 48' 56"E	98.12
C2	50.00	73.27	S81° 22' 44"W	66.89



NO.	REVISION	DATE
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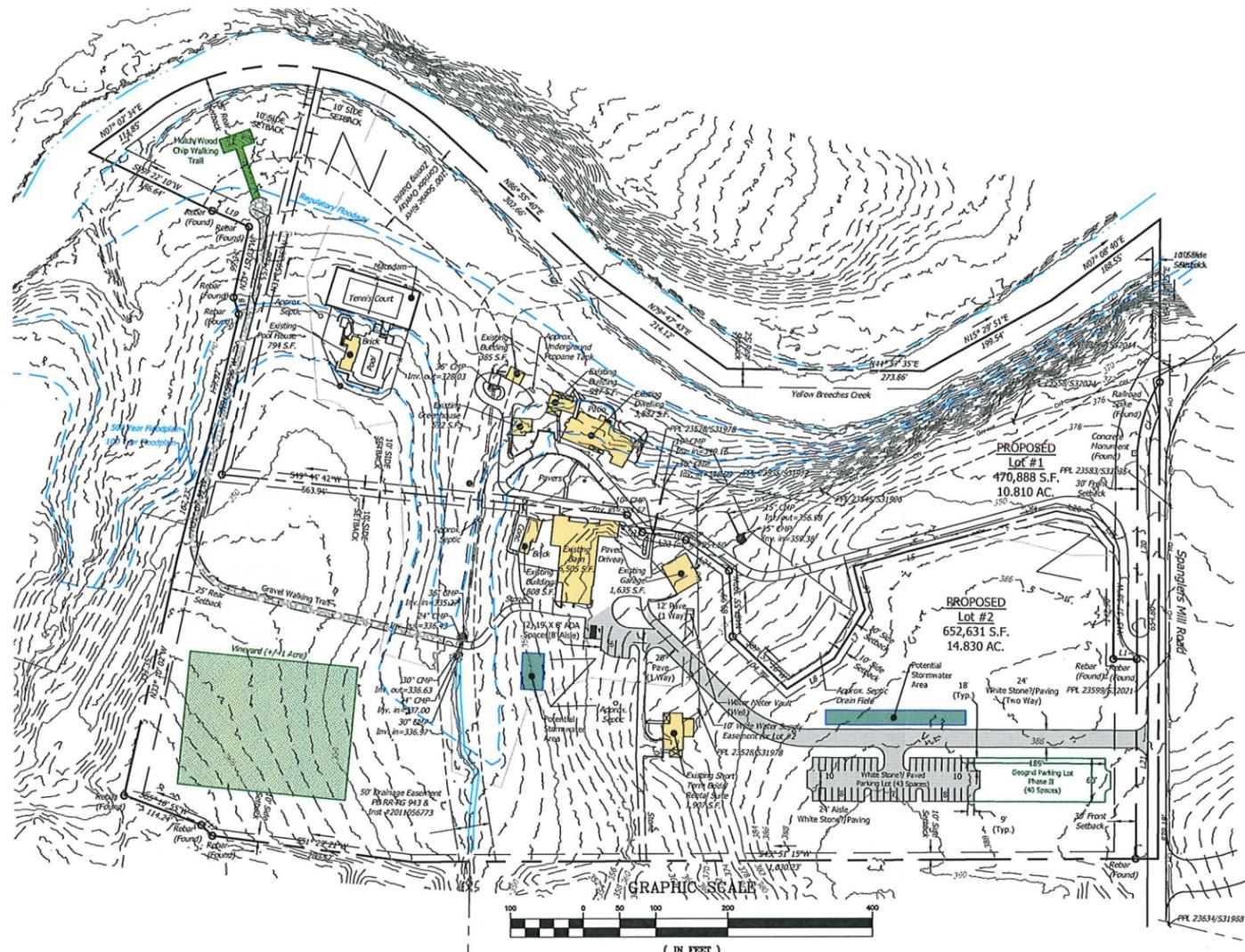
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 1546 BRIDGE STREET, NEW CUMBERLAND, PA. 17070
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EXISTING CONDITIONS PLAN
 FOR
101 & 101A SPANGLERS MILL ROAD
 LOCATED IN
 FAIRVIEW TOWNSHIP, YORK COUNTY, PA

DRAWING ID: 224060-EXC
 PROJECT: 224060
 DATE: 4/2/25
 SHEET: 2 OF 3

DATE PLOTTED: 4/2/25 10:00 AM
 PLOT: 224060-EXC.DWG
 DSC: PLAN



Existing Boundary Line Table

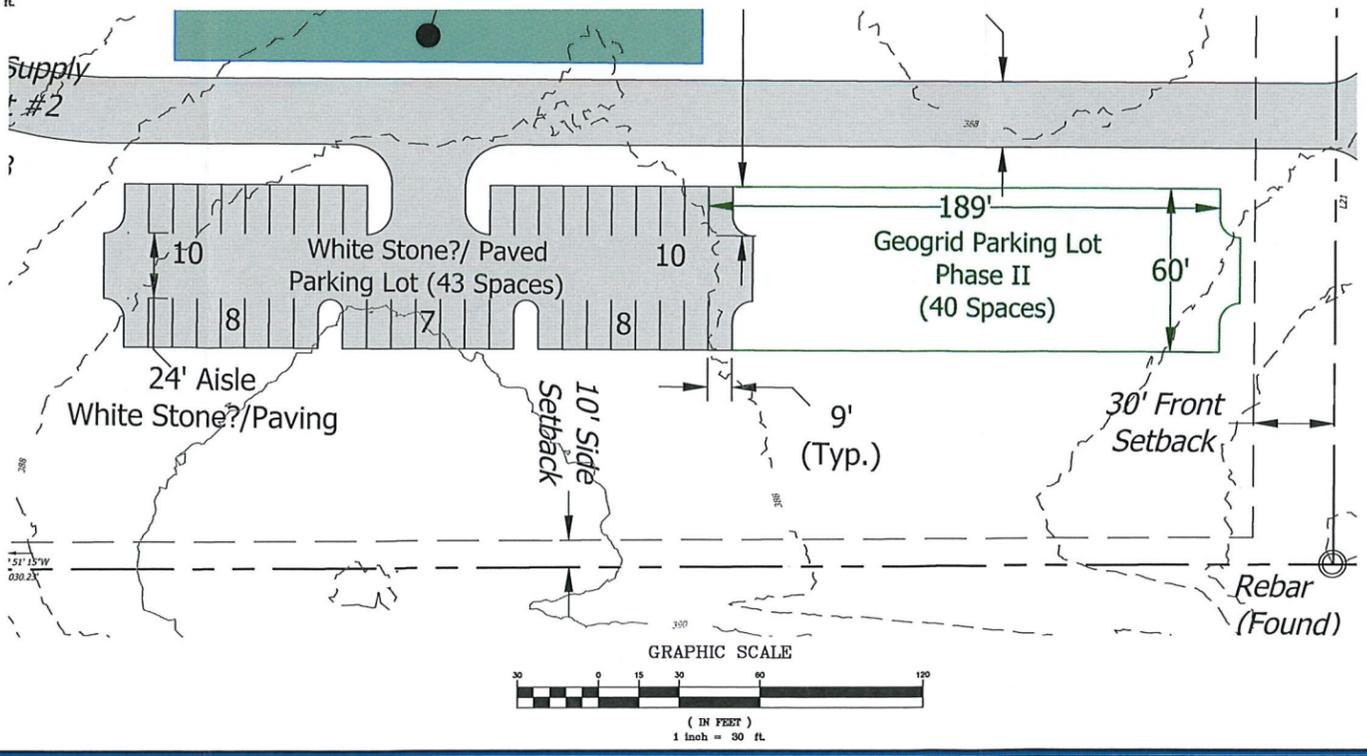
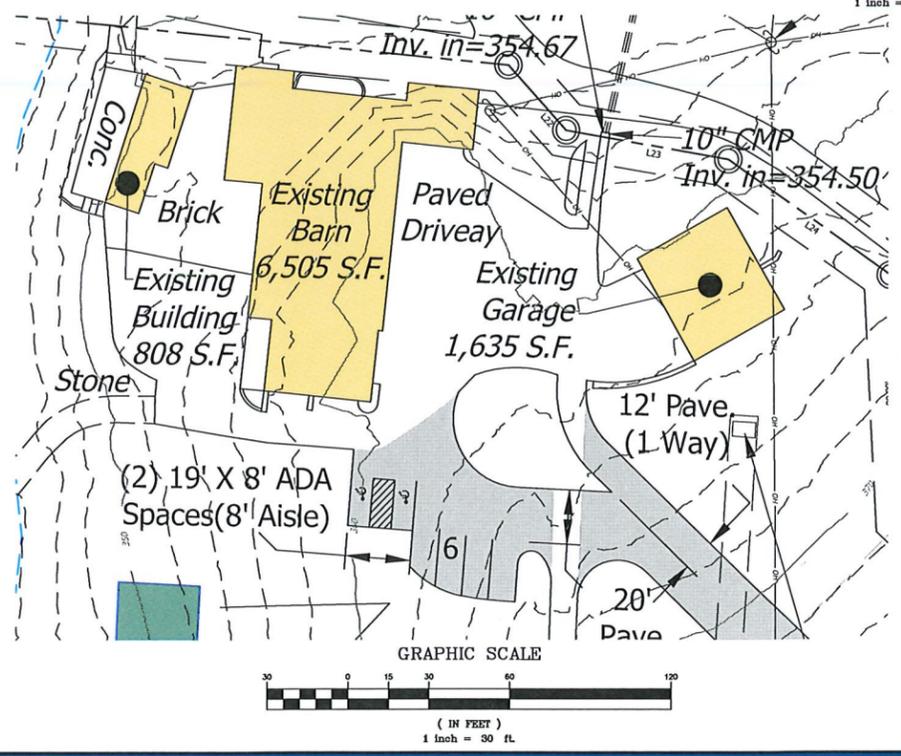
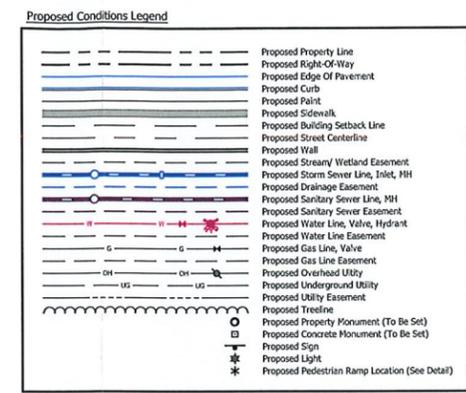
Line #	Direction	Length
L1	S44° 22' 22"W	32.07'
L2	S44° 22' 22"W	58.71'
L3	S58° 15' 43"W	70.00'
L4	S51° 20' 07"W	73.70'
L5	S29° 33' 49"W	165.52'
L6	S60° 26' 11"E	62.06'
L7	S13° 20' 47"E	79.34'
L8	S11° 26' 21"W	77.51'
L9	S02° 02' 44"E	78.26'
L10	S03° 27' 10"W	21.17'
L11	S50° 06' 16"W	126.57'
L12	S24° 27' 52"W	88.76'
L13	S62° 22' 14"W	72.00'
L14	N16° 18' 38"W	134.43'
L15	S60° 22' 36"W	103.56'
L16	S33° 21' 43"W	58.81'
L17	N87° 47' 17"E	21.62'
L18	S62° 50' 40"E	23.94'
L19	N67° 36' 09"E	55.55'
L20	S45° 37' 25"E	286.97'
L21	S45° 37' 25"E	274.72'

Proposed Boundary Line Table

Line #	Direction	Length
L22	S87° 56' 24"E	32.07'
L23	N54° 10' 17"E	61.02'
L24	N79° 27' 35"E	73.39'
L25	S84° 47' 35"E	48.27'
L26	N55° 53' 28"E	48.83'
L27	N28° 49' 58"E	126.12'

Existing Boundary Curve Table

Curve #	Radius	Length	Chord Bearing	Chord
C1	209.81	99.04	S27° 48' 56"E	98.12
C2	50.00	73.27	S81° 22' 41"W	66.89



NO.	REVISION	DATE
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R. J. FISHER & ASSOCIATES, INC.
 SITE PLANNING • CIVIL ENGINEERING • LAND SURVEYS
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 PHONE: (717) 774-7534 • FAX: (717) 774-7190
RJFISHERENGINEERING.COM



LOT ADD-ON & LAND DEVELOPMENT PLAN
 FOR
101 & 101A SPANGLERS MILL ROAD
 LOCATED IN
 FAIRVIEW TOWNSHIP, YORK COUNTY, PA

DRAWING ID: 224060-SCP
 PROJECT: 224060
 DATE: 4/2/25
 SHEET: 3 OF 3

DATE PLOTTED: 4/2/25 10:00 AM
 PLOT BY: JEFFREY W. FISHER
 SVP & LDP PLAN

IN THE MATTER OF : BEFORE THE FAIRVIEW TOWNSHIP
THE APPLICATION OF : ZONING HEARING BOARD
BRUNO BERTIN AND : YORK COUNTY, PENNSYLVANIA
ROBIN FERRARO : DOCKET NO. 2019-06

**DECISION GRANTING A SPECIAL EXCEPTION PURSUANT TO SECTION 300-4
OF THE FAIRVIEW TOWNSHIP ZONING ORDINANCE**

The Applicants applied for a special exception pursuant to Section 300-4 of the Fairview Township Zoning Ordinance in order to use the property for wine manufacturing, tasting, and sales and to host social gatherings at 101 Spanglers Mill Road, New Cumberland, PA 17070, which is located in the Residential Mixed-Use (RMU) Zoning District. A hearing on the application was held on October 17, 2019, at 6:30 p.m., at the Fairview Township Municipal Building, 599 Lewisberry Road, New Cumberland, PA 17070.

FINDINGS OF FACT

1. The Applicants are Bruno Bertin and Robin Ferraro both of 101 Spanglers Mill Road, New Cumberland, PA 17070. Bruno Bertin and Robin Ferraro are the legal owners of this 12.11-acre parcel which is the subject of the application.
2. Notice of the hearing was properly advertised; the property was properly posted; and all neighboring property owners required to be notified of the hearing were notified in accordance with the Township Ordinance and the Pennsylvania Municipalities Planning Code.
3. The Applicants were represented by John Andrews, Esquire, of *McNees, Wallace & Nurick, LLC*, 100 Pine Street, Harrisburg, PA 17101. Robin Ferraro testified for the Applicants, providing written materials, pictures and a site plan which were entered as Applicants' Exhibits A-1 through A-11.

Exhibit
B

4. The Applicants are requesting a special exception pursuant to Section 300-4 of The Fairview Township Zoning Ordinance (Interpretation and Uses Otherwise Not Provided For) for the purpose of using the property for wine manufacturing, tasting and sales, as well as to host social gatherings.

5. There are three (3) existing structures on the property that will be specifically utilized for the winery. Grapevines would be planted and grown in four (4) different locations on the property. The largest building near the center of the property is the proposed event and wine production facility. A smaller building adjacent to the proposed event / wine production facility would be used for hosting social events. A third, smaller building to the northwest of the proposed event / wine production facility would be used as guest quarters for couples who wish to have their wedding ceremony on-site. *See Applicants' Exhibit "A-1"*.

6. The winery would operate under a "limited winery" license issued by the Pennsylvania Liquor Control Board ("PLCB"). Issuance of the license requires, *inter alla*, local governmental approval of the business. A limited winery license allows the licensee to sell the wine to other licensees, to individuals, on premises or by mail, phone, and internet. It would also allow the licensee to provide free sampling and food sales on the premises. 47 P.S. §5-505.2 sets out the terms and conditions related to "limited wineries".

7. Several residents and neighboring property owners on Limekiln Road and Pine Oak Drive appeared and testified. There was no opposition from the neighbors to the proposed limited winery, as such. The neighboring property owners were interested in traffic access to the property and possible noise from large events.

8. Stephen M. Waller, Codes Administration Director for Fairview Township, testified that the Applicants' property is in the RMU district of the township and that the

proposed use is not expressly provided for in the Zoning Ordinance. He noted that future development is proposed for the tract to the South and that there is an agreement to connect the subject premises to the public sewer when it is provided via the adjacent development.

9. Because a limited winery is neither permitted nor prohibited under the Ordinance, the Applicants demonstrated that the proposed limited winery use meets the requirements of the Ordinance for a Section 300-4 special exception which provides that the proposed use may be granted a special exception if it is "in general conformity" with the Fairview Township Comprehensive Plan and meets the criteria set out in Section 300-4.B(2)-(7) of the Ordinance. The limited winery operation at this location will be equal to or less intensive than other permitted uses which could be made of the property under the Ordinance. Furthermore, the requirements for all special exceptions, in Section 300-99 of the Ordinance were met, subject to the conditions set hereafter by the Board.

10. The hours of operation and the possibility of noise from outdoor events are issues that should be considered. Unless reasonably limited, the hours of operation could have a negative impact on the residential community. Therefore, the hours of operation should be limited as follows: Noon to 10:00 p.m. Monday through Saturday and Noon to 8:00 p.m. on Sundays. There should be no outdoor, amplified music in connection with any social events. Currently, the access from the property to Spanglers Mill Road is inadequate and unsafe for use under this special exception use. Also, public sewer is necessary for the proposed use. Therefore, there should be no events held at the location until the premises is connected to public sewer and a new access road to the public street is available. Both the public sewer and the new access to the public street will be provided at the time of and in connection with the subdivision development to occur on the property immediately to the South.

CONCLUSIONS

1. The Applicants have the burden of establishing entitlement to the requested special exception and demonstrating that all requirements of the Fairview Township Zoning Ordinance are met.

2. On the basis of the testimony and documentary evidence presented, the Board finds and concludes: (1) that the operation of a limited winery, which is not expressly permitted nor prohibited in any zoning district in the township, is a "use not otherwise provided for" which should be allowed as a special exception in the Residential Mixed-Use (RMU) Zoning District; and (2) the Applicants have met all the requirements for a special exception under Fairview Township Zoning Ordinances Sections 300-4 and 300-99 and thereby established their entitlement to a special exception for a limited winery at 101 Spanglers Mill Road, New Cumberland, PA 17070, subject to the following conditions:

- A. The hours of operation shall be Noon to 10:00 p.m., Monday through Saturday; and Noon to 8:00 p.m., on Sunday;
- B. No outdoor, amplified concerts or musical events shall be held; and
- C. There shall be no events held at the location until the premises is connected to public sewer and to a new access road to the public street, both of which can be provided at the time of and in connection with the subdivision development to occur on the property immediately to the South.

DECISION

On the basis of the foregoing findings and conclusions and on the basis of all the testimony and evidence presented to the Board at the hearing, the request for a special exception for the purpose of operating a limited winery at 101 Spanglers Mill Road, New Cumberland, PA 17070, is granted subject to the following conditions:

- A. The hours of operation shall be Noon to 10:00 p.m., Monday through Saturday; and Noon to 8:00 p.m., on Sunday;
- B. No outdoor, amplified concerts or musical events shall be held; and
- C. There shall be no events held at the location until the premises is connected to public sewer and to a new access road to the public street, both of which can be provided at the time of and in connection with the subdivision development to occur on the property immediately to the South.

The Application was approved as stated upon the motion of Mr. Perry, seconded by Mr. Bashore, and adopted 3-0 by the Board Members present and voting.

FAIRVIEW TOWNSHIP ZONING HEARING
BOARD

Dated: November 21, 2019

By: 

Timothy C. Mader, Chairman

Distribution: John Andrews, Esquire, *for Applicant*

Deed
02247

York County
Assessment Office



1224881

Prepared By: Charles M. Courtney, Esq.

Return To: Charles M. Courtney, Esq.
McNees Wallace & Nurick, LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Site Address: 101 Spanglers Mill Road
Fairview Township, York County, PA

Parcel No.: 27-000-RE-0029.00-00000

DEED

MADE this 8th day of January 2019,

BETWEEN

R FAIRVIEW YORK INVESTMENTS, LLC, a Pennsylvania limited liability company
("Grantor"),

AND

E BRUNO G. BERTIN, an adult individual ("Grantee").

WITNESSETH

That Grantor, in consideration of One Million and No/100 Dollars (\$1,000,000.00), paid by Grantee to Grantor, the receipt and sufficiency whereof is acknowledged, hereby grants and conveys unto Grantee:

5P
2N

ALL THAT CERTAIN real property described on Exhibit A, attached hereto and incorporated herein by reference.

BEING a part of the same premises which Fairview York Investments, LLC, by Deed dated May 29, 2018 and recorded June 4, 2018 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Book 2472, Page 7392, granted and conveyed to Fairview York Investments, LLC, the Grantor herein.

BEING ALSO known as Proposed Lot #1 on that certain Final Minor Subdivision Plan for 101 Spanglers Mill Road, prepared by Alpha Consulting Engineers, Incorporated, dated August 3, 2018, last revised October 4, 2018, and recorded January 8, 2019 in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Plan Book 2501, Page 8607.

Exhibit
C

UNDER AND SUBJECT to all mortgages, liens, easements, restrictions, encumbrances and other matters of record or that a visual inspection of the premises would reveal.

AND Grantor shall and will warrant SPECIALLY the property hereby conveyed.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed as of the day and year first written above.

GRANTOR:
FAIRVIEW YORK INVESTMENTS, LLC, a
Pennsylvania limited liability company

By: _____

Name:

Title:

J. K. Murphy
John K. Murphy
Managing Member

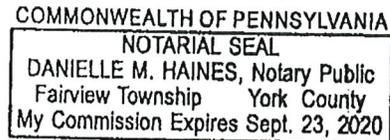
COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF YORK : SS:

On this, the 8 day of January 2019, before me, a Notary Public, the undersigned officer, personally appeared JOHN K. MURPHY, who acknowledged himself to be the MANAGING MEMBER of Fairview York Investments, LLC (the "Company"), and that he, as such officer, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Company by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Danielle M. Haines (Seal)
Notary Public

My commission expires: 9/23/20



CERTIFICATION OF ADDRESS

I hereby certify that the precise address of the Grantee herein is:
101 Spanglers Mill Road, New Cumberland
514 Nursery Drive PA 17070
Mechanicsburg, PA 17055

[Signature]
Attorney or Agent for Grantee

EXHIBIT A

Legal Description

PROPOSED LOT #1

FAIRVIEW YORK INVESTMENTS LLC
Fairview Township, York County, Pennsylvania

ALL THAT CERTAIN tract or parcel of land and premises, situated, lying and being in the Township of Fairview, County of York, and Commonwealth of Pennsylvania, being known as Proposed Lot #1 on plan titled "Final Minor Subdivision Plan for 101 Spanglers Mill Road" by Alpha Consulting Engineers, Incorporated, dated August 3, 2018, last revised October 4, 2018, as more particularly described as follows:

BEGINNING at a MAG Nail found along the western dedicated right-of-way of Spanglers Mill Road (S.R. 4027), said MAG Nail being located on the western line of lands now or formerly of Luther B. & Homer Stanley Hetrick (Tax Parcel 27-000-SE-002); Thence along said western dedicated right-of-way of Spanglers Mill Road the following two (2) courses and distances:

1. By a curve to the left having a radius of 209.81 feet, an arc length of 99.04 feet, a chord bearing of which is South 27 degrees 48 minutes 42 seconds East and a chord distance of 98.12 feet to a concrete monument; and
2. South 45 degrees 37 minutes 11 seconds East a distance of 286.97 feet to a point;

Thence leaving said western dedicated right-of-way of Spanglers Mill Road and traversing through lands now or formerly of Fairview York Investments LLC, following a common line between Proposed Lot #1 and Proposed Lot #2 as shown on the aforementioned plan the following twenty-four (24) courses and distances:

1. South 44 degrees 22 minutes 36 seconds West a distance of 32.07 feet;
2. North 45 degrees 37 minutes 24 seconds West a distance of 142.90 feet;
3. South 44 degrees 22 minutes 36 seconds West a distance of 58.71 feet;
4. South 58 degrees 15 minutes 57 seconds West a distance of 70.00 feet;
5. South 51 degrees 20 minutes 21 seconds West a distance of 73.70 feet;
6. South 29 degrees 34 minutes 03 seconds West a distance of 165.52 feet;
7. South 60 degrees 25 minutes 57 seconds East a distance of 62.06 feet;
8. South 13 degrees 20 minutes 33 seconds East a distance of 79.34 feet;
9. South 11 degrees 26 minutes 35 seconds West a distance of 77.51 feet;
10. South 87 degrees 57 minutes 30 seconds West a distance of 104.39 feet;
11. South 02 degrees 02 minutes 30 seconds East a distance of 78.26 feet;
12. South 03 degrees 27 minutes 24 seconds West a distance of 21.17 feet;
13. South 50 degrees 06 minutes 30 seconds West a distance of 126.57 feet;
14. South 24 degrees 28 minutes 06 seconds West a distance of 88.76 feet;
15. South 27 degrees 37 minutes 32 seconds East a distance of 128.22 feet;
16. South 62 degrees 22 minutes 28 seconds West a distance of 72.00 feet;
17. North 46 degrees 18 minutes 24 seconds West a distance of 134.43 feet;

18. South 60 degrees 22 minutes 50 seconds West a distance of 103.56 feet;
19. North 32 degrees 10 minutes 13 seconds West a distance of 145.28 feet;
20. North 48 degrees 51 minutes 43 seconds West a distance of 177.42 feet;
21. South 33 degrees 21 minutes 57 seconds West a distance of 58.81 feet;
22. By a curve to the left having a radius of 50.00 feet, an arc length of 73.27 feet, a chord bearing of which is South 81 degrees 22 minutes 58 seconds West and a chord distance of 66.89 feet;
23. North 50 degrees 36 minutes 01 second West a distance of 169.09 feet; and
24. North 22 degrees 28 minutes 11 seconds West a distance of 279.08 feet to a point in or near the center of the Yellow Breeches Creek;

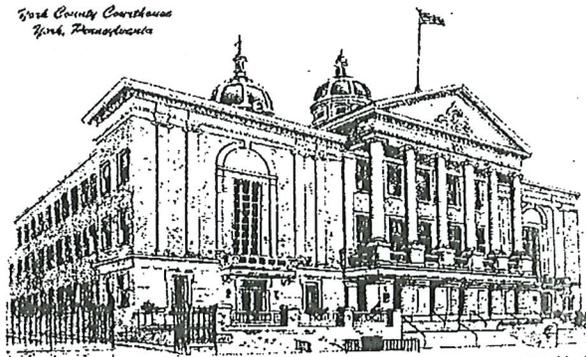
Thence traversing in or near the center of Yellow Breeches Creek the following six (6) courses and distances:

1. By a curve to the right having a radius of 322.87 feet, an arc length of 89.97 feet, a chord bearing of which is North 78 degrees 53 minutes 45 seconds East and a chord distance of 89.68 feet;
2. North 86 degrees 55 minutes 54 seconds East a distance of 302.66 feet;
3. North 79 degrees 47 minutes 57 seconds East a distance of 214.12 feet;
4. By a curve to the left having a radius of 285.42 feet, an arc length of 285.63 feet, a chord bearing of which is North 44 degrees 57 minutes 49 seconds East and a chord distance of 273.86 feet;
5. By a curve to the left having a radius of 940.54 feet, an arc length of 199.92 feet, a chord bearing of which is North 15 degrees 30 minutes 05 seconds East and a chord distance of 199.54 feet; and
6. North 07 degrees 08 minutes 54 seconds East a distance of 188.55 feet to a point along the western line of lands now or formerly of Luther B. & Homer Stanley Hetrick;

Thence along said western line of lands now or formerly of Luther B. & Homer Stanley Hetrick, South 45 degrees 37 minutes 11 seconds East a distance of 224.37 feet to a MAG Nail, said MAG Nail being the place of BEGINNING.

CONTAINING approximately 527,461 Square Feet (12.11 Acres).

York County Courthouse
York, Pennsylvania



YORK COUNTY RECORDER OF DEEDS
28 EAST MARKET STREET
YORK, PA 17401

Laura Shue - Recorder
Tina M. Channell - Deputy

Instrument Number - 2019002247
Recorded On 1/16/2019 At 3:32:19 PM

Book - 2503 Starting Page - 56
* Total Pages - 6

* Instrument Type - DEED
Invoice Number - 1307844
* Grantor - FAIRVIEW YORK INVESTMENTS LLC
* Grantee - BERTIN, BRUNO G
User - CND
* Customer - MIDSTATE ABSTRACT CO

* Received By: COUNTER

*** FEES**

STATE TRANSFER TAX	\$10,000.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$40.25
RECORDING FEES	\$15.00
AFFORDABLE HOUSING	\$11.50
PIN NUMBER FEES	\$10.00
BLIGHT DEMOLITION FUND	\$15.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
WEST SHORE SCHOOL	\$5,000.00
REALTY TAX	
FAIRVIEW TOWNSHIP	\$5,000.00
TOTAL PAID	\$20,097.25

PARCEL IDENTIFICATION NUMBER
27000RE0029000000
Total Parcels: 1

I Certify This Document To Be
Recorded In York County, Pa.



Laura Shue
Recorder of Deeds

THIS IS A CERTIFICATION PAGE
PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

Book: 2503 Page: 61

Prepared by and Return To:

Daniel R. Jameson, Esq.
JAMESON STONE, LLC
3400 Trindle Road
Camp Hill, PA 17011

Parcel No. 27-000-RE-0029.E0-00000

Property Address: 101A Spanglers Mill Road, New Cumberland, Pennsylvania 17070

This corrective deed is being recorded to fix an incorrect legal description

THIS CORRECTIVE DEED,

MADE THIS 15th day of *November*, in the year two thousand twenty-four (2024).

BETWEEN

FAIRVIEW YORK INVESTMENTS, LLC, a Pennsylvania limited liability company,

Grantor,

and,

ROBIN WILEY, adult individual,

Grantee,

WITNESSETH, that in consideration of SIX HUNDRED SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$607,500.00), in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, her heirs and assigns,

ALL THAT CERTAIN tract or parcel of land and premises, situated, lying and being in the Township of Fairview, County of York, and Commonwealth of Pennsylvania, being York County Tax Parcel 27-000-RE-0029.E0-00000, now or formerly of Fairview York Investments LLC, being Proposed Lot #2 on a plan prepared by Alpha Consulting Engineers, Inc. titled "Final Minor Subdivision Plan for 101 Spanglers Mill Road" recorded in Plan Instrument #2019000771 with a recording date of January 8, 2019, more particularly described as follows: BEGINNING at a concrete monument located along the western dedicated right-of-way of Spanglers Mill Road (S.R. 4027) at the common corner of Proposed Lot #2 as shown on the above-mentioned plan and lands now or formerly of Sienna Fee Simple LLC (York County Tax Parcel 27-000-RE-0029.D0-00000); Thence along said lands now or formerly of Sienna Fee



Simple LLC the following two (2) courses and distances:

1. South 43 degrees 51 minutes 29 seconds West a distance of 1,000.23 feet to a point,
2. South 51 degrees 29 minutes 35 seconds West a distance of 280.52 feet to an iron pin along other lands now or formerly of Sienna Fee Simple LLC (York County Tax Parcel 27-000-RE-0029.B0-00000); Thence along said other lands now or formerly of Sienna Fee Simple LLC South 87 degrees 47 minutes 31 seconds West a distance of 21.62 feet to an iron pin at other lands now or formerly of Sienna Fee Simple LLC (York County Tax Parcel 27-000-RE-0001.E0-00000); Thence along said other lands now or formerly of Sienna Fee Simple LLC South 65 degrees 11 minutes 09 seconds West a distance of 114.24 feet to a point at other lands now or formerly of Sienna Fee Simple LLC (York County Tax Parcel 27-000-RE-0029.C0-00000); Thence along said other lands now or formerly of Sienna Fee Simple LLC the following seven (7) courses and distances:

1. North 33 degrees 09 minutes 48 seconds West a distance of 333.35 feet to an iron pin,
2. North 31 degrees 07 minutes 39 seconds West a distance of 167.23 feet to an iron pin,
3. North 31 degrees 59 minutes 22 seconds West a distance of 179.92 feet to an iron pin,
4. North 62 degrees 50 minutes 26 seconds West a distance of 23.94 feet to an iron pin,
5. North 33 degrees 14 minutes 49 seconds West a distance of 99.34 feet to an iron pin,
6. South 67 degrees 36 minutes 23 seconds West a distance of 55.55 feet to an iron pin,
7. South 69 degrees 22 minutes 24 seconds West a distance of 186.64 feet to a point at or near the center of Yellow Breeches Creek;

Thence along the center of said Yellow Breeches Creek the following two courses and distances:

1. by a curve to the right having a radius of 325.52 feet, an arc length of 115.45 feet, having a chord bearing of North 07 degrees 02 minutes 48 seconds East and a chord distance of 114.85 feet to a point,
 2. by a curve to the right having a radius of 322.87 feet, an arc length of 334.84 feet, having a chord bearing of North 41 degrees 12 minutes 11 seconds East and a chord distance of 320.03 feet to a point at lands now or formerly of Bruno G. Bertin (Proposed Lot #1 on the above-mentioned plan); Thence along said lands now or formerly of Bruno G. Bertin (Proposed Lot #1) the following twenty-four (24) courses and distances:
1. South 22 degrees 28 minutes 11 seconds East a distance of 279.08 feet to an iron pin,
 2. South 50 degrees 36 minutes 01 seconds East a distance of 169.09 feet to an iron pin,
 3. by a curve to the right having a radius of 50.00 feet, an arc length of 73.27 feet, having a chord bearing of North 81 degrees 22 minutes 58 seconds East and a chord distance of 66.89 feet to an iron pin,
 4. North 33 degrees 21 minutes 57 seconds East a distance of 58.81 feet to an iron pin,
 5. South 48 degrees 51 minutes 43 seconds East a distance of 177.42 feet to an iron pin,
 6. South 32 degrees 10 minutes 13 seconds East a distance of 145.28 feet to an iron pin,
 7. North 60 degrees 22 minutes 50 seconds East a distance of 103.56 feet to an iron pin,
 8. South 46 degrees 18 minutes 24 seconds East a distance of 134.43 feet to an iron pin,
 9. North 62 degrees 22 minutes 28 seconds East a distance of 72.00 feet to an iron pin,
 10. North 27 degrees 37 minutes 32 seconds West a distance of 128.22 feet to an iron pin,
 11. North 24 degrees 28 minutes 06 seconds East a distance of 88.76 feet to an iron pin,
 12. North 50 degrees 06 minutes 30 seconds East a distance of 126.57 feet to an iron pin,

13. North 03 degrees 27 minutes 24 seconds East a distance of 21.17 feet to an iron pin,
14. North 02 degrees 02 minutes 30 seconds West a distance of 78.26 feet to an iron pin,
15. North 87 degrees 57 minutes 30 seconds East a distance of 104.39 feet to a point,
16. North 11 degrees 26 minutes 35 seconds East a distance of 77.51 feet to an iron pin,
17. North 13 degrees 20 minutes 33 seconds West a distance of 79.34 feet to an iron pin,
18. North 60 degrees 25 minutes 57 seconds West a distance of 62.06 feet to an iron pin,
19. North 29 degrees 34 minutes 03 seconds East a distance of 165.52 feet to an iron pin,
20. North 51 degrees 20 minutes 21 seconds East a distance of 73.70 feet to an iron pin,
21. North 58 degrees 15 minutes 57 seconds East a distance of 70.00 feet to an iron pin,
22. North 44 degrees 22 minutes 36 seconds East a distance of 58.71 feet to an iron pin,
23. South 45 degrees 37 minutes 24 seconds East a distance of 142.90 feet to an iron pin,
24. North 44 degrees 22 minutes 36 seconds East a distance of 32.07 feet to an iron pin along the western dedicated right-of-way of Spanglers Mill Road;

Thence along said western dedicated right-of-way of Spanglers Mill Road South 45 degrees 37 minutes 11 seconds East a distance of 274.69 feet to a concrete monument, being the place of **BEGINNING**.

CONTAINING: 589,260 Square Feet (13.53 Acres)

BEING THE SAME PREMISES which Fairview York Investments, LLC, by deed dated May 29, 2018, and recorded June 4, 2018, in the Recorder of Deeds Office in and for York County, Pennsylvania in Instrument No. 2018023076, granted and conveyed unto Fairview York Investments, LLC, Grantor herein.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever, unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor as well at law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground above described with the said hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, to and for the only proper use and behoof of the said Grantee, her heirs and assigns forever.

AND, the said Grantor for their successors and assigns, does by these presents, covenant, promise, and agree, to and with the said Grantee, her heirs and assigns that the said Grantor, their successors and assigns, all and singular the hereditaments and premises herein above described and granted, or mentioned and intended so to be with the appurtenances unto the said Grantee, her heirs and assigns, against the said Grantor their successors and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under him, her, them, it, shall and will **WARRANT SPECIALLY AND FOREVER DEFEND**, subject as aforesaid.

IN WITNESS WHEREOF, said Grantor has hereunto set their hand and seal the day and year first above written.

*Signed, Sealed and Delivered
in the Presence of*

FAIRVIEW YORK INVESTMENTS, LLC

) 
) John Murphy (Sole Member

STATE OF *Pennsylvania*)
COUNTY OF *Cumberland*) ss.
)

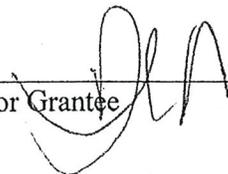
On this, the *15th* day of *November*, 2024, before me, the undersigned officer, personally appeared John Murphy, as Sole Member of Fairview York Investments, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Commonwealth of Pennsylvania - Notary Seal
Brittany M. Johnson, Notary Public
Cumberland County
My commission expires July 11, 2027
Commission number 1263525
Member, Pennsylvania Association of Notaries

Notary Public 

I do hereby certify that the address of the within named Grantee is: *101A Sparglers Mill Rd.
New Cumberland PA 17070*

Attorney for Grantee 



REV-183
 BUREAU OF INDIVIDUAL TAXES
 PO BOX 280603
 HARRISBURG, PA 17128-0603

1830019105

**REALTY TRANSFER TAX
 STATEMENT OF VALUE**
 COMPLETE EACH SECTION

RECORDER'S USE ONLY

State Tax Paid: _____
 Book: _____ Page: _____
 Instrument Number: _____
 Date Recorded: _____

SECTION I TRANSFER DATA

Date of Acceptance of Document 11/15/2024			
Grantor(s)/Lessor(s) Fairview York Investments LLC	Telephone Number (717) 220-3529	Grantee(s)/Lessee(s) Robin Wiley	Telephone Number (717) 220-3529
Mailing Address 3400 Trindle Road		Mailing Address 101A Spanglers Mill Rd	
City Camp Hill	State PA	ZIP Code 17011	City New Cumberland
	State PA	ZIP Code 17070	

SECTION II REAL ESTATE LOCATION

Street Address 101A Spanglers Mill Rd		City, Township, Borough New Cumberland, Fairview Township	
County York	School District West Shore	Tax Parcel Number 27-000-RE-0029.E0-00000	

SECTION III VALUATION DATA

Was transaction part of an assignment or relocation? YES NO

1. Actual Cash Consideration 607,500.00	2. Other Consideration + 0.00	3. Total Consideration = 607,500.00
4. County Assessed Value 156,860.00	5. Common Level Ratio Factor x 1.87	6. Computed Value = 293,328.20

SECTION IV EXEMPTION DATA - Refer to instructions for exemption status.

1a. Amount of Exemption Claimed \$ 12,150	1b. Percentage of Grantor's Interest in Real Estate 100 %	1c. Percentage of Grantor's Interest Conveyed 100 %
--	--	--

2. Fill in the Appropriate Oval Below for Exemption Claimed.
- Will or intestate succession. _____ (Name of Decedent) _____ (Estate File Number)
 - Transfer to a trust. (Attach complete copy of trust agreement and all amendments.)
 - Transfer from a trust. (Attach complete copy of trust agreement and all amendments.)
 - Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
 - Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
 - Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
 - Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
 - Statutory corporate consolidation, merger or division. (Attach copy of articles.)
 - Other (Provide a detailed explanation of exemption claimed. If more space is needed attach additional sheets.)

SECTION V CORRESPONDENT INFORMATION - All inquiries may be directed to the following person:

Name Jameson Stone LLC		Telephone Number (717) 220-3529	
Mailing Address 3400 Trindle Road		City Camp Hill	State PA
		ZIP Code 17011	

Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party <i>Daniel R. Jameson</i>	Date 11/15/2024
---	--------------------

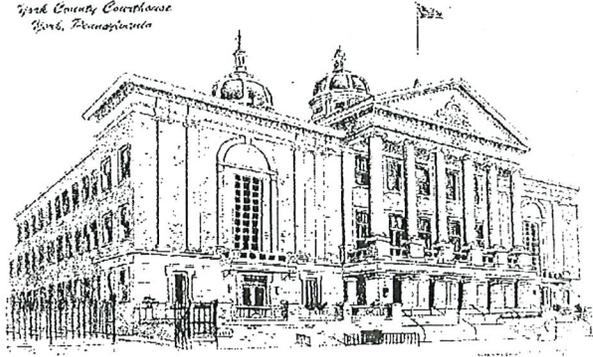
FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.



1830019105

1830019105

York County Courthouse
York, Pennsylvania



YORK COUNTY RECORDER OF DEEDS
28 EAST MARKET STREET
YORK, PA 17401

Laura Shue - Recorder
Tina M. Channell - Deputy

Instrument Number - 2024045407
Recorded On 11/15/2024 At 2:35:17 PM
* Instrument Type - DEED
Invoice Number - 1601608
* Grantor - FAIRVIEW YORK INVESTMENTS LLC
* Grantee - WILEY, ROBIN
User - CND
* Customer - JAMESON STONE LLC

Book - 2854 Starting Page - 6062
* Total Pages - 6

* Received By: ERECORD

*** FEES**

STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$40.25
RECORDING FEES	\$15.00
AFFORDABLE HOUSING	\$11.50
PIN NUMBER FEES	\$10.00
BLIGHT DEMOLITION FUND	\$15.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TOTAL PAID	\$97.25

York County UPI Certification On November 15, 2024 By HC

PARCEL IDENTIFICATION NUMBER
27000RE0029E000000
Total Parcels: 1

I Certify This Document To Be
Recorded In York County, Pa.



Laura Shue
Recorder of Deeds

THIS IS A CERTIFICATION PAGE
PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.