

BEFORE THE ZONING HEARING BOARD

TOWNSHIP OF EAST LAMPETER

IN RE: :  
: No. 2026-01  
APPLICATION OF GABRIEL SKOLNICK :

DECISION

**I. FINDINGS OF FACT**

1. Applicant is Gabriel Skolnick, 28 Glendale Drive, Lancaster, Pennsylvania 17602 ("Applicant").

2. The property which is the subject of the instant application is 28 Glendale Drive, East Lampeter Township, Lancaster County, Pennsylvania (the "Property").

3. The Property is located in the Medium Density Residential (R-2) District as shown on the Official Zoning Map of East Lampeter Township.

4. Applicant is the owner of the Property.

5. Notice of the hearing on the within application was duly advertised and posted in accordance with the provisions of the Pennsylvania Municipalities Planning Code ("MPC") and the East Lampeter Zoning Ordinance of 2016 (the "Zoning Ordinance").

6. A public hearing was held before the Zoning Hearing Board of East Lampeter Township ("Board") on this application on March 26, 2026.

7. Testimony at the hearing was stenographically recorded.

8. Applicant appeared personally at the hearing.

9. The following persons completed entry of appearance forms and were recognized as parties to the hearing:

Jane F. Brenneman  
29 Glendale Drive  
Lancaster, PA 17602

Ron Brenneman  
29 Glendale Drive  
Lancaster, PA 17602

John Robert Zook  
23 Highland Drive  
Lancaster, PA 17602

Carole Navitsky  
25 Glendale Drive  
Lancaster, PA 17602

Jim Donnelly  
25 Highland Drive  
Lancaster, PA 17602

Janice A. Hershey  
22 Glendale Drive  
Lancaster, PA 17602-3310

Sandra Graham  
26 Glendale Drive  
Lancaster, PA 17602

Don Graham  
26 Glendale Drive  
Lancaster, PA 17602

G.R. Stauffer  
23 Glendale Drive  
Lancaster, PA 17602

Doris T. Bell  
23 Glendale Drive  
Lancaster, PA 17602

10. Applicant has requested a special exception pursuant to Section 375-6020.C.13 of the Zoning Ordinance.

11. Section 375-6020.C.13 of the Zoning Ordinance states that tourist homes, as a principal or accessory use within a single family detached dwelling, are permitted in the Medium Density Residential (R-2) District by special exception, subject to the provisions set forth in Section 375-23110.B.2 of the Zoning Ordinance.

12. The Property is improved with a single family dwelling with attached garage.

13. The Property contains approximately 0.29 acres.

14. The dwelling contains complete sanitary sewage disposal services, bathing facilities, a central kitchen and three (3) bedrooms.

15. The dwelling is served by public sanitary sewer service and public water service.

16. Applicant testified that not more than eight (8) guests would occupy the tourist home at any one time.

17. Applicant testified that, with regard to the proposed tourist home, the length of stay for any guest will not exceed thirty (30) days.

18. Applicant has prepared and provided an emergency management plan in the event of a catastrophic event resulting from

flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event.

19. Applicant has prepared and provided a list of emergency contacts.

20. Applicant has prepared and provided an emergency exit diagram.

21. There is adequate parking located on the Property for the proposed use.

22. Applicant and his brother, Berechiah Skolnick, will be the emergency contacts for the tourist home. Although Applicant will be in Pittsburgh attending medical school, Applicant's brother lives in Willow Street and is available in the case of emergencies and/or complaints.

23. Applicant will utilize a booking service, such as Airbnb, to perform screening of potential tourists utilizing the tourist home.

24. Applicant will install video cameras for the front and back entrances and will also install a sound volume meter to monitor noise levels.

25. When being used as a tourist home, Applicant will prohibit pets.

26. Some neighbors expressed concerns regarding the affect of the tourist home on their property values, as well as concerns regarding transient guests, parking, and the safety of children.

27. The Board finds the testimony of neighbors regarding the affect of the tourist home on their property values, as well as concerns regarding transient guests, parking, and the safety of children and other concerns, as speculative and without credible support or substantiation.

28. With conditions, the tourist home use complies with the requirements of Section 375-6020.C.13 and Section 375-23110.B.2 of the Zoning Ordinance and, without limiting the foregoing, will not adversely affect the general character of the neighborhood or the general health, safety and welfare of residents or property owners within the general neighborhood.

## **II. CONCLUSIONS OF LAW**

1. "[T]o be entitled to a special exception, an applicant must bring the proposal within the specific requirements in the zoning ordinance." *Act I, Inc. v. Zoning Hearing Board of Bushkill Township*, 704 A.2d 732, 735 (Pa. Cmwlth. 1997).

2. An applicant for a special exception has the burden of persuasion as to the specific criteria and standards of the zoning ordinance. *Shamah v. Hellam Township Zoning Hearing Board*, 648 A.2d 1299 (Pa. Cmwlth. 1994); *Abbey v. Zoning Hearing Board of the Borough of East Stroudsburg*, 126 Pa. Commonwealth Ct. 235, 559 A.2d 107 (1989).

3. A special exception is a conditionally permitted use, allowed by the legislature if specifically listed standards are met.

4. With conditions, Applicant has presented evidence to demonstrate that he has met the requirements for the issuance of a special exception under Section 375-6020.C.13 and Section 375-23110.B.2 of the Zoning Ordinance.

5. Conditions must be attached to the grant of the special exception to protect and preserve the surrounding neighborhood.

### **III. DECISION**

Based upon the foregoing findings of fact and conclusions of law, the Zoning Hearing Board of the Township of East Lampeter hereby grants the application of Gabriel Skolnick for a special exception pursuant to Section 375-6020.C.13 and Section 375-23110.B.2 of the Zoning Ordinance to operate a tourist home on property known and numbered as 28 Glendale Drive, Lancaster, Pennsylvania. The special exception granted herein shall be subject to the following conditions and safeguards which the Board deems necessary to implement the purposes of the Zoning Ordinance and the MPC:

1. Applicant shall obtain all approvals and permits required by applicable federal, state and Township laws and regulations.

2. Applicant shall at all times comply with and adhere to the information and representations submitted with and contained in his

application and the evidence presented to the Board at the hearing held on March 26, 2026.

3. Applicant shall provide proof to the Township that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer and similar facilities associated with the Property and the dwelling comply with applicable code requirements.

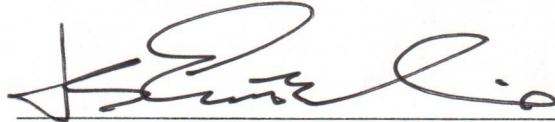
4. When being used as a tourist home, Applicant will prohibit pets.

5. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Pennsylvania Municipalities Planning Code.

6. The approval granted by this Decision shall expire in accordance with the terms of Section 375-25070 of the Zoning Ordinance.

7. The foregoing Decision shall be binding upon the Applicant and his heirs and assigns.

ZONING HEARING BOARD OF THE  
TOWNSHIP OF EAST LAMPETER



J. Scott Enterline, Chairman

Jordan Good, Vice-Chairman



Edward R. Kennett, Member

Dated and filed April 9, 2026, after hearing held on March, 2026.

The undersigned certifies that a copy of this Decision was served upon all parties on or prior to April 10, 2026.

