

York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

Vol. 134

YORK, PA, THURSDAY, DECEMBER 3, 2020

No. 36

CASES REPORTED

HAROLD STONEBERGER, ET AL V. WARRINGTON
TOWNSHIP ZONING HEARING BOARD, et al
No. 2019-SU-002853

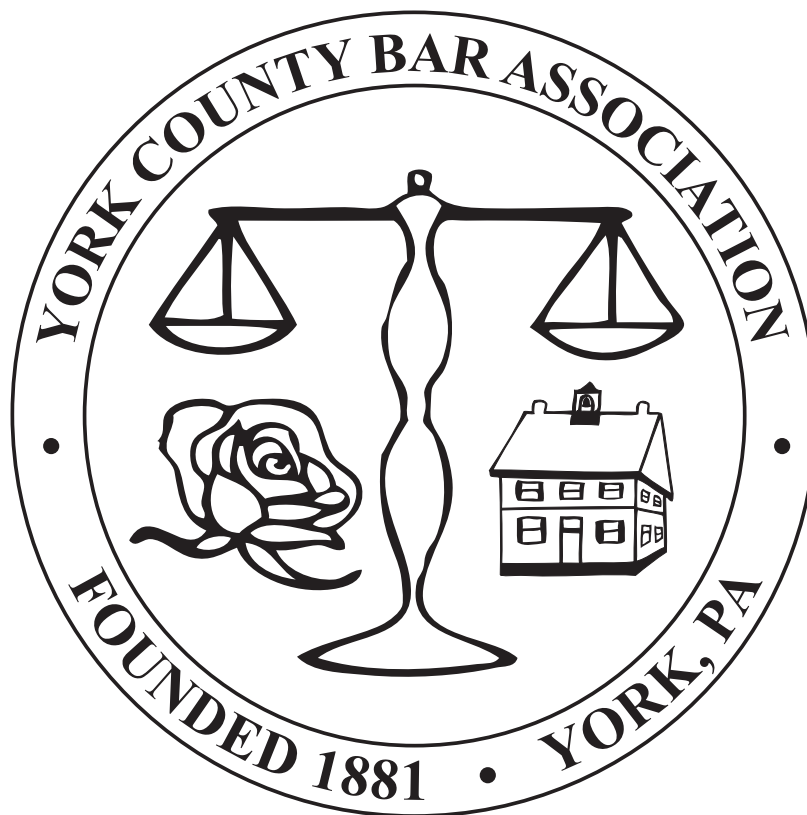
Land Use Appeal – Accessory Use – Special Exception

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EMERGENCY NOTICES

Declaration of Judicial Emergency – Jury Trial Suspension November 30, 2020 through January 18, 2021
– President Judge Joseph C. Adams

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**HAROLD STONEBERGER, ET AL V. WARRINGTON
TOWNSHIP ZONING HEARING BOARD, et al****No. 2019-SU-002853****Land Use Appeal – Accessory Use – Special Exception**

1. Appellant filed a timely notice of appeal for land use issues relating to special exceptions and accessory use.
2. The Court affirmed the zoning board, finding that a wedding event was not an accessory use to agriculture or any type of club or meeting hall and that a special exception was not warranted because the property owners already exceeded the permitted uses on the property.

**IN THE COURT OF COMMON PLEAS OF
YORK COUNTY, PENNSYLVANIA****No. 2019-SU-002853****LAND USE APPEAL****HAROLD L. STONEBERGER &
SHARON L. STONEBERGER,
Appellants**

v.

**WARRINGTON TOWNSHIP ZONING
HEARING BOARD,
Appellee**

&

**WARRINGTON TOWNSHIP,
HEARING BOARD,
Intervenor**

For Appellants: Charles M. Suhr, Esquire

For Intervenor: Donald B. Hoyt, Esquire

**MEMORANDUM OPINION
AFFIRMING THE ZONING BOARD**

Before the Court is the Land Use Appeal filed by Appellants Harold and Sharon Stoneberger. Appellee in this matter is the Warrington Township Zoning Hearing Board, and Intervenor/Applicant is the Warrington Township. Appellants seek to reverse the Warrington Township Zoning Hearing Board's decision to deny an accessory use or a special exception permit for a wedding events venue.

Upon consideration of the Record, the Court does hereby AFFIRM the decision of the Warrington Township Zoning Hearing Board.

BACKGROUND

Appellants, Stonebergers, have owned the land located at 75 Quarry Road, Wellsville, Pennsylvania ("Property") since 2002. During this time, the Appellants have used the Property in the following ways: 1) residence; 2) agricultural purposes; 3) shooting events; 4) bed and breakfast; and 5) club and event venues. *Notice of Appeal* at 6. On May 6, 2019, the Warrington Township Zoning Officer issued a Notice of Violation to Appellants asserting that the Property was being used for a wedding event venue without zoning approval. *Id.* On June 1, 2019, Appellants appealed the Notice of the Board/Application in which the Appellants requested a special exception for a "park" as an accessory use for the wedding events venue. *Id.* On July 24, 2019, a hearing was conducted on the Appellants' Application in which several neighbors testified in opposition to the Application. *Id.* On July 23, 2019, the Board voted to deny the Application. The Board issued its decision denying the Application on August 21, 2019. Appellants appealed the following issues to this Court: 1) whether the Board erred in denying that the wed-

ding events venue be permitted as an accessory use to the "agricultural" use as of right or as a "club room, club grounds or meeting hall" or 2) whether the Board erred in denying an accessory use for the wedding events venue via a special exception "park".

DISCUSSION

In a land use appeal, the reviewing court must only set aside a zoning hearing board's decision if it determines that there was a capricious disregard of material, competent evidence. *Taliaferro v. Darby Twp. Zoning Hearing Bd.*, 873 A.2d 807, 811 (Pa. Commw. Ct. 2005). Zoning ordinances should be liberally construed to allow land owners to realize the full benefit of their property. *Southco, Inc. v. Concord Twp.*, 713 A.2d 607, 609 (Pa. 1998). However, the reviewing court must conduct its review by giving the board's interpretation of its own zoning ordinance great weight and deference. *Riskier v. Smith Twp. Zoning Hearing Bd.*, 886 A.2d 727, 731 (Pa. Commw. Ct. 2005).

When a board grants a special exception, "it is not an exception to a zoning ordinance, but rather, is a conditionally permitted use, allowed by the legislature if specifically listed standards are met." *Bray v. Zoning Bd. of Adjustment*, 410 A.2d 909, 911 (Pa. Commw. Ct. 1980). Therefore, the Applicant must demonstrate compliance with the "express standards and criteria set forth in the applicable zoning ordinance." *In re Brickstone Realty Corp.*, 789 A.2d 333, 340 (Pa. Commw. Ct. 2001). Objectors still retain the initial presentation burden with respect to the general matter of the detriment to health safety, and general welfare. *Greaton Props. v. Lower Merion Twp.*, 796 A.2d 1038, 1046 (Pa. Commw. Ct. 2002). The evidence presented by objectors must show a high probability that the use will generate adverse impacts not normally generated by this type of use and that these impacts will pose a substantial threat to the health and safety of the community. *Id.*

The Appellants did not meet their burden under the relevant ordinances to be granted an accessory use or a special exception to use the Property as a wedding events venue. Accordingly, the Board did not abuse their discretion or commit an error of law in denying Appellants' request.

A. Accessory Use to Agriculture or Club Room, Club Grounds or Meeting Hall

In determining whether a wedding event venue is an accessory to principal uses such as "agriculture" or "club room, club grounds or meeting hall," the definition of the use must first be evaluated. Specifically, "where the words in an ordinance are free from all ambiguity, the letter of the ordinance may not be disregarded under the pretext of pursuing its spirit." *Keener v. Rapho Twp. Zoning Hearing Bd.*, 79 A.3d 1205, 1213 (Pa. Commw. Ct. 2013). Here, the Board found that a barn which was used solely for a wedding event venue was not an accessory use, "customarily incidental and subordinate to the principal use," to agriculture because the Appellants failed to presented credible evidence to support this contention. *Board's Decision*, Aug. 21, 2019 at 5. This Court agrees. Further, the Court is not persuaded by the Appellants' argument that merely because weddings sometimes occur in some barns, this Court is bound to read such a custom into the Ordinance's definition of agriculture. *Hr'g Tr.*, Sept. 8, 2020 at 2-3.

Moreover, this Court finds that the Board did not err or abuse its discretion by concluding that a wedding event venue is not within the definition of "Club Room, Club Grounds or Meeting Hall." *Board's Decision*, Aug. 21, 2019 at 7. Notably, the Ordinance's definition includes key language requirements such as "members" and activities that are "not conducted for profit." ZONING ORDINANCE § 203. Accordingly, it would be contradictory for this Court to find that a wedding event venue is somehow incidental and subordinate to any manner of a "club" when the very nature of a wedding event venues does not include members and its purpose is to generate a profit.

B. Special Exception

The Court notes preliminarily that both parties agree that the provision for "banquet and social halls" under the definition of "park" does appear to permit a wedding events venue. *Hr'g Tr.*, Sept. 8, 2020 at 8; *see also* ZONING ORDINANCE § 203. Additionally, as acknowledged in *Keener*, the distinction between profits and nonprofits for the purpose of classifying a use as a "park" does not hinder Appellants' case. 79 A.3d 1205, 1216 (Pa. Commw. Ct. 2013). However, Appellants are still unable to meet their burden because they are not entitled to another principle use under Section 203 of the Zoning Ordinance.

This Honorable Court remarks that by the Appellants' own admission, the Property already exceeds the permitted single principal use

four times over. *See Notice of Appeal* at 6. Further, when evaluating the purpose set out in this Ordinance, this Court recognizes that granting Appellants a special exception would both be inequitable and contradictory to the essence of the ordinance. *See ZONING ORDINANCE* § 102 (“The purpose of these regulations is to promote and protect the harmonious development of the Township.”).

Moreover, even if the Appellants were entitled to a special exception, the Appellee/Intervenor provided substantial evidence of traffic congestion, alcohol use, and porta potties that had and would cause adverse impacts not normally generated by this type of use and that these impacts will pose a substantial threat to the health and safety of the community. *See Groaton Props.*, 796 A.2d at 1046; *see also Hr’g Tr.*, Sept. 8, 2020 at 5-6, 11-12; *See also ZONING ORDINANCE* 604(f). Therefore, the Board did not abuse its discretion or err as a matter of law by refusing to grant a special exception because the Appellants already exceeded the permitted uses outlined in the Ordinance.

The Court does hereby **AFFIRM** the decision of the Warrington Township Zoning Hearing Board.

BY THE COURT:

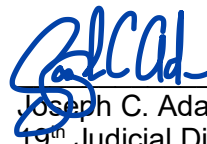
Dated: 09/22/2020

N. CHRISTOPHER MENGES, JUDGE

IN THE SUPREME COURT OF PENNSYLVANIA**IN RE: 19TH JUDICIAL DISTRICT
DECLARATION OF JUDICIAL
EMERGENCY****31 MM 2020****DECLARATION**

AND NOW, this 24th day of November, 2020, this court's Order dated October 8, 2020 is amended to suspend jury trials effective November 30, 2020 and continuing through January 18, 2021. Any postponement caused by the judicial emergency shall be considered a court postponement and shall constitute excludable time for purposes of the application of Pa. R.Crim.P. 600. See *Commonwealth v. Bradford*, 46 A.3d 693 (Pa 2012) and *Commonwealth v. Mills*, 162 A.3d 323 (Pa. 2017).

BY THE COURT:



Joseph C. Adams, President Judge
19th Judicial District

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Attorney: Rachel Dodson Hamme, Esquire, The Hamme Law Firm, LLC, 1946 Carlisle Road, York, PA 17408 12.03-3t

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Attorney: Larry C. Heim, Esquire, Barley Snyder, 100 E. Market Street, York, PA 17401 12.03-3t

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HILDA R. HERSHNER, DECEASED

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Attorney: Ronald L. Hershner, Esquire,
STOCK AND LEADER, Susquehanna
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Attorney: Amanda Snoke Dubbs, Esquire,
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11.25-3t

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Attorney: Clayton A. Lingg, Esquire,
MOONEY LAW, 230 York Street,
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DECEASED

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Attorney: Rachel Dodson Hamme, Esquire,
The Hamme Law Firm, LLC, 1946
Carlisle Road, York, PA 17408 11.25-3t

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DECEASED

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Perry, 345 East Market Street, York, PA
17403
Attorney: J. Robert Katherman, Esquire,
Katherman & Perry, 345 East Market
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DECEASED

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West Broadway, Red Lion, PA 17356
Attorney: David M. Laucks, Esquire,
LAUCKS & LAUCKS, PC, 105 West
Broadway, Red Lion, PA 17356 11.25-3t

ESTATE OF MABEL C. LEESE, DECEASED

Late of Penn Twp., York County, PA.
Administrator: Melvin Leese, 28 Dogwood
Lane, Hanover, PA 17331
Attorney: David K. James, III, Esquire, 234
Baltimore St., Gettysburg, PA 17325
11.25-3t

ESTATE OF RONALD E. LEHR, JR.,
DECEASED

Late of Newberry Twp., York County, PA.
Administratrix: Stacey L. Lehr, c/o Stock
and Leader, 221 West Philadelphia Street,
Suite 600, York, PA 17401
Attorney: MacGregor J. Brillhart, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite 600 York, PA
17401-2991 11.25-3t

ESTATE OF ANN MARIE LINTZ,
DECEASED

Late of York City, York County, PA.
Executor: Clarence A. Lintz, Jr., c/o 340 Pine
Grove Commons, York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law
Firm of Robert Clofine, 340 Pine Grove
Commons, York, PA 17403
11.25-3t

ESTATE OF BETTY W. MARSHALL,
DECEASED

Late of Penn Twp., York County, PA.
Personal Representative: Robert P. Marshall,
17 Maxa Ct., Baltimore, MD 21220
Attorney: G. Steven McKonly, Esquire, 119
Baltimore Street, Hanover, PA 17331
11.25-3t

ESTATE OF BRIAN D. NAEGELI,
DECEASED

Late of York City, York County, PA.
Administrator-Executor: John Nugent, 5902
Mount Eagle Drive, #917, Alexandria, VA
22303 11.25-3t

ESTATE OF JACQUELINE J. POWELL a/k/a
JACQUELINE JANE POWELL, DECEASED

Late of Penn Twp., York County, PA.
Executrix: Dorothy Loretta Patterson, c/o
Barley Snyder, LLP, 14 Center Square,
Hanover, PA 17331
Attorney: Jennifer M. Stetter, Esquire, Barley
Snyder, LLP, 14 Center Square, Hanover,
PA 17331 11.25-3t

ESTATE OF OPAL L. REDDING, DECEASED

Late of Hanover Borough, York County, PA.
Executor: Cheryl Ann Cucco, 5146 Haines
Lane, Taneytown, MD 21787
Attorney: David K. James, III, Esquire, 234
Baltimore St., Gettysburg, PA 17325
11.25-3t

ESTATE OF MADELINE B. SCHMID,
DECEASED

Late of Franklin Twp., York County, PA.
Administrator: Valerie J. Stokes, c/o Wm. D.
Schrack, III, Esquire, BENN LAW FIRM,
124 West Harrisburg Street, Dillsburg, PA
17019-1268
Attorney: Wm. D. Schrack, III, Esquire,
BENN LAW FIRM, 124 West Harrisburg
Street, Dillsburg, PA 17019-1268 11.25-3t

ESTATE OF THERESA M. WALBURN, DECEASED
Late of Hopewell Twp., York County, PA.
Executor: Paul Michael Walburn, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401
Attorney: Jody Anderson Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 11.25-3t

ESTATE OF PAUL D. WESOCKES, DECEASED
Late of Lower Windsor Twp., York County, PA.
Administratrix: Alison M. Greene, c/o 340 Pine Grove Commons, York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 11.25-3t

ESTATE OF THELMA M. WITMER, DECEASED
Late of York City, York County, PA.
Executrices: Glenda K. Abel and Pamela J. Riggs, c/o 340 Pine Grove Commons, York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 11.25-3t

ESTATE OF ELLIS R. WOLFE, DECEASED
Late of Warrington Twp., York County, PA.
Administrator CTA: Steven M. Morret, c/o Wm. D. Schrack, III, Esquire, BENN LAW FIRM, 124 West Harrisburg Street, Dillsburg, PA 17019-1268
Attorney: Wm. D. Schrack, III, Esquire, BENN LAW FIRM, 124 West Harrisburg Street, Dillsburg, PA 17019-1268 11.25-3t

THIRD PUBLICATION

ESTATE OF ELLEN J. BATES a/k/a ELLEN JANE BATES, DECEASED
Late of Peach Bottom Twp., York County, PA.
Co-Executrices: Brittany Lewis, Heather Lewis & Shannon Lewis, 543 McDermott Road, Fawn Grove, PA 17321
Attorney: Gilbert G. Malone, Esquire, 42 South Duke Street, York, PA 17401 11.19-3t

ESTATE OF HELEN R. DRAWBAUGH, DECEASED
Late of Jackson Twp., York County, PA.
Co-Executors: Linda A. Hoover and Michael L. Drawbaugh, c/o John W. Stitt, Esquire, 1434 W. Market St. York PA 17404
Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 11.19-3t

ESTATE OF PATRICIA A. FISHER, a/k/a PATRICIA ANN FISHER, DECEASED
Late of Hallam Borough, York County, PA.
Co-Executors: Scott A. Fisher and Ryan M. Fisher, c/o GARBER & GARBER LAW, 208 Hellam Street, Wrightsville, PA 17368
Attorney: John M. Garber, Esquire, GARBER & GARBER LAW, 208 Hellam Street, Wrightsville, PA 17368 11.19-3t

ESTATE OF JOANN F. GARNET, DECEASED
Late of Fairview Twp., York County, PA.
Executor: Joann Flear Garnet, Jr., c/o Kristen

Snyder, Esquire, Jackson Law Firm, PLLC, 1215 Manor Drive, Suite 202, Mechanicsburg, PA 17055
Attorney: Kristen Snyder, Esquire, Jackson Law Firm, PLLC, 1215 Manor Drive, Suite 202, Mechanicsburg, PA 17055 11.19-3t

ESTATE OF ALICIA S. HOFF a/k/a ALICIA SUSAN HOFF, DECEASED
Late of Hanover Borough, York County, PA.
Co-Executors: Marla A. Reichart a/k/a Marla A. Hoff, 166 Race Track Road, Hanover PA 17331 and Wayne R. Hoff, 6074 West Side Avenue, Spring Grove, PA 17362
Attorney: Matthew L. Guthrie, Esquire, Barley Snyder LLP, 14 Center Square, Hanover, PA 17331 11.19-3t

ESTATE OF LINDA L. JACOBY, DECEASED
Late of Windsor Twp., York County, PA.
Executor: Rohit Amin and Susmita R. Amin, c/o Alex E. Snyder, Esquire, 100 E. Market Street, York PA 17401
Attorney: Alex E. Snyder, Esquire, Barley Snyder LLP, 100 E. Market Street, York PA 17401 11.19-3t

ESTATE OF JEANIE M. KENNEY, DECEASED
Late of Windsor Twp., York County, PA.
Administrator: Chad R. Kenney, c/o 129 E. Market St., York, PA 17401
Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP 129 E. Market St., York, PA 17401, 11.19-3t

ESTATE OF BARRY L. KOICUBA, DECEASED
Late of Spring Garden Twp., York County, PA.
Administrator: Scott M. Koicuba, c/o Marshall & Smith, PC, 46 East Philadelphia Street, York, PA 17401
Attorney: Jeffrey C. Marshall, Esquire, Marshall & Smith, PC, 46 East Philadelphia Street, York, PA 17401 11.19-3t

ESTATE OF GLORIA LICON-MILLER, DECEASED
Late of Newberry Twp., York County, PA.
Executor: Christine Marie Fanelli, c/o Shaun E. O'Toole, Esquire, 220 Pine Street, Harrisburg, PA 17101
Attorney: Shaun E. O'Toole, Esquire, 220 Pine Street, Harrisburg, PA 17101 11.19-3t

ESTATE OF PAULA M. MAHAN, DECEASED
Late of York Twp., York County, PA.
Executor: Sandra A. Diener, 2619 Southern Hill Road, York, PA 17403
Attorney: Edward R. LeCates, Esquire, 7 East Market Street, First Floor, York, PA 17401 11.19-3t

ESTATE OF BETTY M. MCFADDEN, DECEASED
Late of Peach Bottom Twp., York County, PA.
Executrix: Debra M. Beard, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401
Attorney: Jody Anderson Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 11.19-3t

ESTATE OF BARRY LYNN MECKLEY a/k/a BARRY L. MECKLEY, DECEASED
Late of Hanover Borough, York County, PA.
Administrator-Executor: Jill Renee Meckley, 120 S. Forney Avenue, Hanover, PA 17331 11.19-3t

ESTATE OF MARVIN MERNICK, DECEASED
Late of Springettsbury Twp., York County, PA.
Executrix: Robin Ramsey, c/o Barley Snyder, LLP, 14 Center Square, Hanover, PA 17331
Attorney: Jennifer M. Stetter, Esquire, Barley Snyder, LLP, 14 Center Square, Hanover, PA 17331 11.19-3t

ESTATE OF CHARLES F. MILLER, DECEASED
Late of West Manchester Twp., York County, PA.
Administrator: Andrew J. Miller, c/o 129 E. Market St, York, PA 17401
Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP, 129 E. Market St, York, PA 17401 11.19-3t

ESTATE OF JOHN J. MILKOVICH, III, a/k/a JOHN JOSEPH MILKOVICH, DECEASED
Late of Penn Twp., York County, PA.
Executor: Sharon L. Neigh, c/o Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331
Attorney: Scott J. Strausbaugh, Esquire, Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331 11.19-3t

ESTATE OF BENJAMIN H. NOLL, DECEASED
Late of N. Codorus Twp., York County, PA.
Co-Executrices: Barbara J. Brouger and Evelyn R. Halteman, c/o Nevin D. Beiler, Esq., 105 S. Hoover Ave., New Holland, PA 17557
Attorney: Nevin D. Beiler, Esquire, Beiler Legal Services, P.C., 105 S. Hoover Ave., New Holland, PA 17557 11.19-3t

ESTATE OF MARY LOU NOLL, DECEASED
Late of Dallastown Borough, York County, PA.
Administrator-Executor: Richard M. Noll, 2041 Craley Rd., #C, Windsor, PA 17366 11.19-3t

ESTATE OF DOLORES E. PALMER, a/k/a ETHEL D. PALMER, DECEASED
Late of Shrewsbury Twp., York County, PA.
Executrix: Charlene R. Gilbert, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401
Attorney: D. Reed Anderson, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 11.19-3t

ESTATE OF ROBERT G. RAUHAUSER a/k/a ROBERT GENE RAUHAUSER, DECEASED
Late of Jackson Twp., York County, PA.
Administrator-Executor: Scott R. Rauhauser, c/o Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402
Attorney: Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402 11.19-3t

ESTATE OF PATRICIA ANN RAY,
DECEASED
Late of Shrewsbury Twp., York County, PA.
Administrator-Executor: Diane M. Luthy,
13008 Gent Rd., Reisterstown, MD 21136
11.19-3t

ESTATE OF LEO E. RUTTER, DECEASED
Late of Manchester Twp., York County, PA.
Executor: Tim L. Rutter, c/o 135 North
George Street, York, PA 17401
Attorney: Timothy Bupp, Esquire, CGA Law
Firm, PC, 135 North George Street, York,
PA 17401 11.19-3t

ESTATE OF ROBERT L. STEIN, DECEASED
Late of Windsor Twp., York County, PA.
Administrator-Executor: Linda S. Gerber,
c/o Mpl Law Firm, LLP, 137 East
Philadelphia Street, York, PA 17401
Attorney: John D. Miller, Jr., Esquire, Mpl
Law Firm, LLP, 137 East Philadelphia
Street, York, PA 17401 11.19-3t

ESTATE OF MARGARET E. M. STETLER,
DECEASED
Late of Manchester Twp., York County, PA.
Co-Executors: Daryl R. Stetler and Diana
R.S. Meckley, c/o 129 E. Market St., York,
PA 17401
Attorney: John C. Herrold, Esquire, Griest,
Himes, Herrold, Reynosa LLP 129 E.
Market St., York, PA 17401, 11.19-3t

ESTATE OF NED L. THOMAN, DECEASED
Late of West Manchester Twp., York County, PA.
Executor: Jody A. Nicholas, c/o 135 North
George Street, York, PA 17401
Attorney: Jeffrey L. Rehmyer II, Esquire,
CGA Law Firm, PC, 135 North George
Street, York, PA 17401 11.19-3t

ESTATE OF DEBRA L. WINEKA,
DECEASED
Late of Manchester Twp., York County, PA.
Co-Executors: Jeffrey A. Wineka and Jason
M. Wineka, c/o The Family Law Practice
of Leslie S. Arzt, LLC, 2002 South Queen
Street, York, PA 17403
Attorney: Amy S. Loper, Esquire, The Family
Law Practice of Leslie S. Arzt, LLC, 2002
South Queen Street, York, PA 17403
11.19-3t

LIVING TRUST

Robert S. Adams, as Grantor and Trustee, under
the Robert S. Adams Living Trust dated March
21, 1995 (now Irrevocable), as restated by
the Restatement dated April 20, 2015. Notice
is hereby given that Kathleen R. Sholl is the
Successor Trustee of the above named Trust.
All persons indebted to Robert S. Adams a/k/a
Robert Swavely Adams are requested to make
payment and all those having claims against
Robert S. Adams a/k/a Robert Swavely Adams
are directed to present the same to: Kathleen
R. Sholl, Successor Trustee, c/o Daniel D. Hill,
Esquire, Bellomo & Associates, LLC, 3198 East
Market Street, York, PA 17402. 11.19-3t

FAMILY TRUST

Ann L. Clark, Trustee of the Mary Lightner
Family Trust dated September 11, 2018. Notice
is hereby given that Ann L. Clark is the Trustee
of the above named Trust. All persons indebted
to Mary Lightner are requested to make payment
and all those having claims against Mary Lightner

are directed to present the same to: Ann L. Clark,
Trustee c/o Daniel D. Hill, Esquire, Bellomo &
Associates, LLC, 3198 East Market Street, York,
PA 17402. 11.19-3t

FAMILY TRUST

Kathryn Sanders, Trustee of the Sanders Family
Trust dated January 9, 2018. Notice is hereby
given that Karen Swartz and Bonnie Slutzky are
the Successor Trustees of the above named Trust.
All persons indebted to Kathryn Sanders a/k/a
Kathryn Elizabeth Sanders are requested to make
payment and all those having claims against
Kathryn Sanders a/k/a Kathryn Elizabeth Sanders
are directed to present the same to: Karen Swartz
and Bonnie Slutzky, Trustees c/o Daniel D. Hill,
Esquire, Bellomo & Associates, LLC, 3198 East
Market Street, York, PA 17402. 11.19-3t

TRUST

Robert J. Stern, Trustee of the Stern House Trust
dated May 10, 2018. Notice is hereby given that
Robert J. Stern is the Trustee of the above named
Trust. All persons indebted to Betty B. Stern
are requested to make payment and all those
having claims against Betty B. Stern are directed
to present the same to: Robert J. Stern, Trustee
c/o Jeffrey R. Bellomo, Esquire, Bellomo &
Associates, LLC, 3198 East Market Street, York,
PA 17402. 11.19-3t

CIVIL NOTICES

ARTICLES OF AMENDMENT

NOTICE is hereby given that on or about
December 8, 2020, Articles of Amendment
shall be filed with the Department of
State, Commonwealth of Pennsylvania by
WRIGHTSVILLE BOROUGH MUNICIPAL
AUTHORITY, 601 Water Street, Wrightsville,
Pennsylvania 17368, pursuant to the provisions
of 53 Pa. C.S.A. §5605. The amendment to the
Articles of Incorporation shall be to (i) provide
for an additional purpose of the Authority, to
wit: to provide the financing, operation, and
maintenance of a comprehensive Stormwater
Management System within the Borough of
Wrightsville, York County, Pennsylvania.

Peter T. Ruth, Esquire
STOCK AND LEADER

12.03-1t

Solicitor

CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE IS HEREBY GIVEN that on
October 20, 2020, Antonino Covello, through
his counsel, filed a Petition for Change of Name
in the Court of Common Pleas of York County,
Pennsylvania requesting that the name of his
child be changed from "Zara Ray Patterson"
to "Zara Ray Patterson Covello." The court
has fixed Tuesday, December 29, 2020, 1:30
p.m. in Courtroom No. 7002, Seventh Floor,
York County Judicial Center, 45 North George
Street, York, PA 17401, as the time and place
for the hearing on said Petition, when and
where all interested parties may appear and
show cause, if any they have, why the request
of the Petitioner should not be granted.

Stephanie J. Kogut, Esquire
Attorney for Petitioner

12.03-1t

Solicitor

IN THE COURT OF COMMON PLEAS OF
YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on November 9th 2020, a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: Glenn Michael Mazzei to: Zoey Glenn Dixon. The Court has fixed the day of January 28th 2021 at 1:30 p.m. in Courtroom #7002, at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

12.03-1t

Solicitor

IN THE COURT OF COMMON PLEAS OF
YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on October 22, 2020, a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: Maci Ansleigh Wertz to: Maci Aurora Seitz. The Court has fixed the day of January 28, 2021 at 1:30 p.m. in Courtroom #7002, at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

12.03-1t

Solicitor

NOTICE

WEST YORK AREA SCHOOL DISTRICT

**COURT HEARING NOTICE OF
PROPOSED PRIVATE SALE**

The West York Area School District School Board is proposing to sell a tract of land containing approximately .4 acres, more or less, located at 2601 W. Market Street, West Manchester Township, York Pennsylvania (the "Property") to a private purchaser. The property is identified as Parcel I.D. # 510000501790000000 and is the real property and improvements thereon described in the deed recorded in the York County Recorder of Deeds Office, Book # 2082, Page # 4706 (the "Property"). Pennsylvania Public School Code, Section 707, requires that a court hearing be held prior to the sale of unused and unnecessary lands and buildings. A court hearing shall be held on December 22, 2020, commencing at 11:00 a.m., at the York County Judicial Center, 45 North George Street, York, Pennsylvania, in Courtroom #7002 on the 7th Floor. The public hearing shall be for the purpose of considering and receiving public comment on the proposed sale of the Property. Any resident of the West York Area School District may provide comment to the Court regarding the sale at this hearing.

11.19-3t

Solicitor

**PUBLIC NOTICE TO
CHANLER LAMONT KINARD**

**In Re: Adoption of Chanler Lamont
Kinard, Jr., A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Chanler Lamont Kinard, Jr. A Termination of Parental Rights Hearing has been scheduled for January 11, 2021, at 10:00 a.m., in Court Room No. 6005, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Chanler Lamont Kinard, Jr. (DOB: November 1, 2018), whose Father is Chanler Lamont Kinard and whose Mother is Alyssa Renee Walker. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

**ATTORNEY CONNECTION/
YCBA MODEST MEANS
137 East Market Street
York, Pennsylvania 17401
717-854-8755
<http://www.yorkbar.com/?page=YCBAFindEsq>**

If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

**Clerk of the Orphans' Court
York County Judicial Center
45 North George Street
York, Pennsylvania 17401
717-771-9288
<http://yorkcountypa.gov/components/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>**

Martin Miller, Esquire
Solicitor for York County Offices of
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

11.25-3t

Solicitor

**PUBLIC NOTICE TO
NATHAN GRAHAM**

**In Re: Adoption of Brandon Lee Dell,
A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Brandon Lee Dell. A Termination of Parental Rights Hearing has been scheduled for January 8, 2021, at 9:00 a.m., in Court Room No. 6006, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Brandon Lee Dell (DOB: November 19, 2014), whose Father is Nathan Graham and whose Mother is Elizabeth Ann Dell. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

**ATTORNEY CONNECTION/
YCBA MODEST MEANS
137 East Market Street
York, Pennsylvania 17401
717-854-8755
<http://www.yorkbar.com/?page=YCBAFindEsq>**

If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

**Clerk of the Orphans' Court
York County Judicial Center
45 North George Street
York, Pennsylvania 17401
717-771-9288
<http://yorkcountypa.gov/components/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>**

Martin Miller, Esquire
Solicitor for York County Offices of
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

12.03-3t

Solicitor

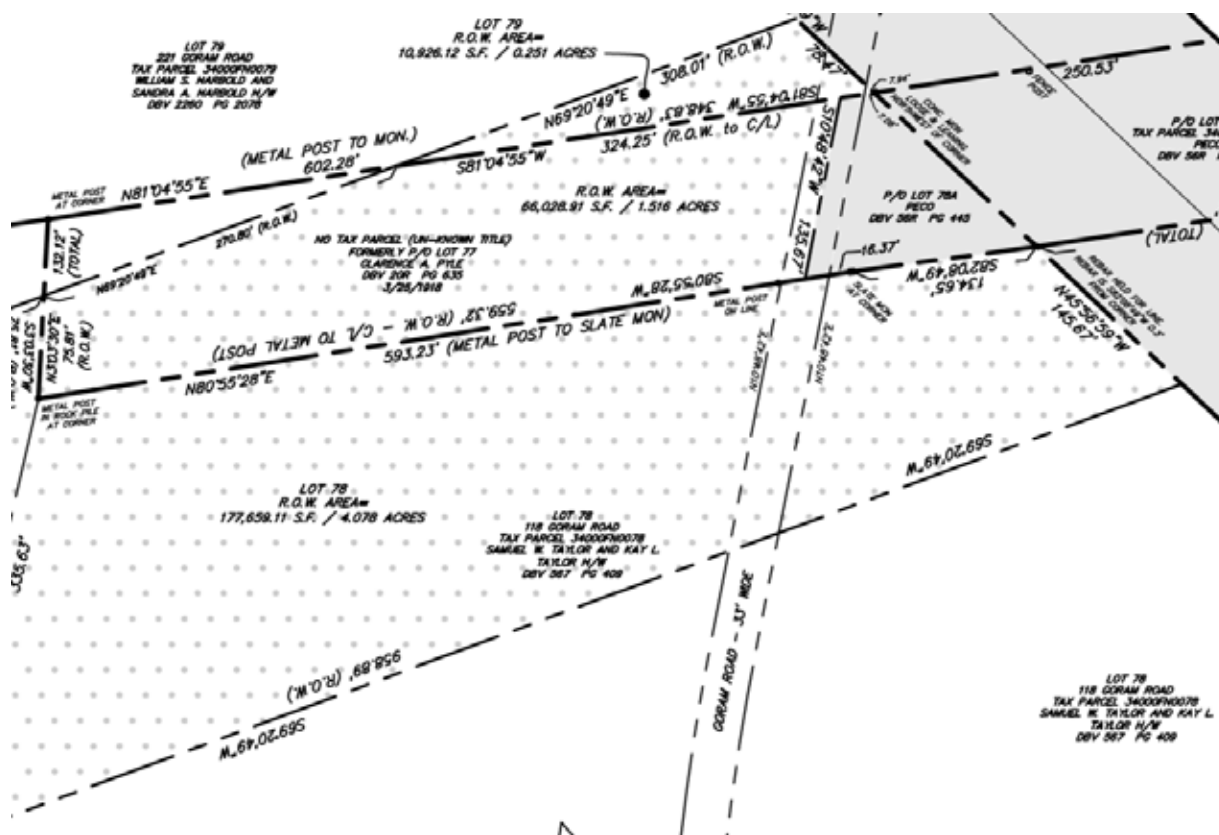
NOTICE TO POTENTIAL CLAIMANTS OF THE ESTATE OF CLARENCE A. PYLE:

PECO Energy Company ("PECO") needs to acquire an easement across the property identified on the below map as "No Tax Parcel (Un-Known Title) Formerly P/O Lot 77 Clarence A. Pyle DBV 20R Pg. 635 3/25/1918" (the "Pyle Parcel"). The Pyle Parcel is located along Goram Road, in York County, Pennsylvania.

PECO has found no evidence that the Pyle Parcel has been conveyed since Mr. Pyle acquired it in 1918. PECO's research shows that Mr. Pyle died intestate (without a will). Under the intestacy laws of Pennsylvania, the Pyle Parcel passed to Mr. Pyle's wife Birdie E.V. Pyle and his daughter, Edna V. Pyle, both of whom are now deceased. PECO has been unable to determine who inherited the Pyle Parcel after the deaths of Edna and Birdie Pyle.

PECO is willing to pay fair market value for an easement across the Pyle Parcel. If you believe you have an interest in the Pyle Parcel, please contact Jim Moylan, Real Estate Specialist at (215) 841-6539 or Jim.Moylan@ExelonCorp.com.

If PECO is unable to conclusively determine who owns the Pyle Parcel, or to reach an agreement as to the purchase price, it will proceed to condemn the necessary easement across the Pyle Parcel. Condemnation will not affect the rights of the owner(s) of the Pyle Parcel to seek just compensation for the easement.



TO: BRIAN KEITH WINDER

In Re: S.N.W.
No. 2020-9078

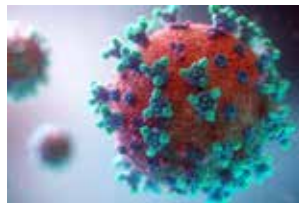
A Petition has been filed by the Bucks County Children and Youth Social Services Agency to Involuntarily Terminate your Parental Rights with respect to the child S.N.W. A Hearing on the Petition has been fixed for **9:30 a.m. January 4, 2021** in **Courtroom 360** of the Bucks County Justice Center, 100 N. Main Street, Doylestown, Pennsylvania. Should you wish to defend the Petition, you should take this Notice to your lawyer at once. If you do not have a lawyer or cannot afford one, call the Bucks County Bar Association at 215-348-9413.

Take notice of an option that may be available to you to have Post-Adoption contact with your birth child pursuant to Act 101 of 2010. Under the law, it is possible for a written agreement for continuing contact entered into voluntarily by a birth parent, birth relative, adoptive parent(s) and children age 12 or older to be enforced by the Court. Such contact may take different forms. To consider this option you must immediately contact Amy Cromer, your caseworker from the Bucks County Children and Youth Social Services Agency at 215-348-6900.

BRAD M. JACKMAN, ESQ.
Attorney for Petitioner
JACKMAN LAW
107 N. Broad Street
Doylestown, PA 18901
215.348.1511

12.03-1t

Solicitor



Coping with COVID-19?

LAWYERS CONCERNED FOR LAWYERS PENNSYLVANIA

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substance use during these stressful times?

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IN A PA LEGAL JOURNAL?

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whether a specific legal notice
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