

YORK TOWNSHIP

190 Oak Road, Dallastown, Pennsylvania 17313

Phone (717)741-3861 Fax (717)741-5009

The October 28, 2025, meeting of the York Township Zoning Hearing Board was called to order by James Barnes, Chairman.

Those in attendance were:

James Barnes, Chairman
John Myers, Vice Chair
Jesse Snyder, Asst. Secretary
Timothy Salvatore, Member
William Buck, Alternate Member
Jeffrey Rehmeier, Esquire, Solicitor
Lisa Frye, Zoning Officer

MINUTES OF AUGUST 26, 2025

The Zoning Hearing Board minutes of the August 26, 2025, meeting were approved.

DECISIONS OF AUGUST 26, 2025

The Zoning Hearing Board decisions of the August 26, 2025, meeting were approved.

SPECIAL EXCEPTIONS/VARIANCES/APPEALS

Appl. 2025-13: Wyndridge Farms, LTD requests a Special Exception to allow an expansion of the existing accessory restaurant at the Winery on property located at 885 South Pleasant Avenue, Dallastown, PA, in a Residential Agricultural (RA) District.

Present: Attorney Stacey MacNeal
Themis Sacarellos

MOTION: On Appl. 2025-13: Wyndridge Farms, LTD requests a Special Exception to allow an expansion of the existing accessory restaurant at the Winery on property located at 885 South Pleasant Avenue, Dallastown, PA, in a Residential Agricultural (RA) District, that the application

be approved.

MOTION MADE BY: John Myers
SECONDED BY: Jesse Snyder
MOTION PASSED UNANOMOUSLY

Appl. 2025-14: Wyndridge Farms, LTD requests a Variance to allow an expansion to an existing accessory restaurant use on property located at 885 South Pleasant Avenue, Dallastown, PA, in a Residential Agricultural (RA) District.

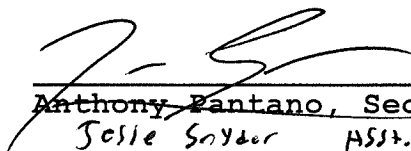
After the Special Exception was granted, the Applicant requested the withdrawal of the Variance, which upon motion by Jesse Snyder that was seconded by William Buck, was granted by unanimous vote.

Susan Smith Appeal:

MOTION: A motion authorizing the Zoning Hearing Board's Solicitor to take such procedural, administrative, and strategic actions as may be necessary and appropriate to represent the Board's interests in the pending litigation of Susan Smith verses the York Township Hearing Board, York Township & the Dallastown Area School [Docket No. 2024-SU-003716 Land Use Appeal] including the filing of responsive pleadings, requests for extensions, briefing, oral argument, and other related matters, provided that the Solicitor shall seek further direction from the Board before taking any action that would resolve, settle, or otherwise dispose of the appeal on its merits

MOTION MADE BY: Timothy Salvatore
SECONDED BY: Jesse Snyder
MOTION PASSED UNANOMOUSLY

ATTEST:



Anthony Pantano, Secretary
Jesse Snyder ASST. Secretary

DECISION OF THE YORK TOWNSHIP ZONING HEARING BOARD

Application Number: 2025-13
Hearing Date: October 28, 2025
Applicant: Wyndridge Farms, LTD
Property Owner: Wyndridge Farms, LTD
Property: 885 South Pleasant Avenue, Dallastown, PA 17313
UPI: 54-000-GJ-0047.00-00000

Existing Zoning District: Residential Agricultural (RA) District

Relief Requested- Special Exception under the York Township Zoning Ordinance of 2012 (the "Ordinance") and pursuant to Section 265-304 thereof.

FINDINGS OF FACT

Based upon the evidence presented, and its evaluation of the credibility of the witnesses, the Board finds as follows:

1. The foregoing information and the Application, including its attachments, are incorporated by reference.
2. The Applicant was represented by Mike Scarborough of NUTEC Design Associates, Jon Seitz of the Transportation Resource Group, Inc., and Attorney Stacey MacNeal of Barley Snyder. Additionally, Themis Sacarellos was present as the Applicant/ Property Owner.
3. Board member John Myers disclosed that he has ownership interests in some local beer distributorships, that sell the Products (as defined below). Mr. Myers indicated that he could adjudicate the matter without any issue. There were no objections to his participation after he made that disclosure.
4. This Property has been the subject of prior Decisions of the Board, including Decisions 2012-15 and 2018-08.
5. Attorney MacNeal presented an overview with regard to the Property and its current utilization to include the following:
 - a. The current uses on the Property are classified collectively as a Winery.
 - b. A Winery is a permitted use of the Residential Agriculture (RA) District.
 - c. However, the Ordinance does not further define specificity with what constitutes a Winery and is included in that use.
 - d. The Winery use on this Property includes facilities that serve as a banquet hall, festival space, and a small restaurant (collectively the "Facility" or the "Use").
 - e. The Applicant is developing language that it intends to propose to the York Township Board of Commissioners to further delineate the Winery use in the Ordinance.

6. The Applicant is seeking a Special Exception pursuant to Section 265-304, for a use not provided for elsewhere in the Ordinance, specifically a Restaurant accessory to a Winery.
7. Attorney MacNeal presented the Board with Exhibits to include the following:
 - a. Applicant's Exhibit 1 consisted of the Restaurant at Wyndridge menu
 - b. Applicant's Exhibit 2A was portions of the website from Buddy Boy Winery and Restaurant, which highlights its food, beverage, and activity offerings.
 - c. Applicant's Exhibit 2B was portions of the website for Folino Estates Winery, which highlights its food and beverage offerings.
 - d. Applicant's Exhibit 2C was portions of the website for Evansburg Vineyards & Bistro which highlights its food, beverage, and activity offerings.
 - e. Applicant's Exhibit 2D was portions of the website Narcisi Winery which highlights food, beverage, and shopping offerings.
 - f. Applicant's Exhibit 2E was portions of the website for Coopers Hawk which highlights food, beverage, and shopping offerings.
 - g. Applicant's Exhibit 2F was portions of the website for Old Westminster which highlights food and beverage offerings.
 - h. Applicant's Exhibit 2G was portions of the website for Glenora Wine Cellars which highlights food and beverage offerings.
 - i. Applicant's Exhibit 2H was portions of the Knapp Winery website which highlights food and beverage offerings.
 - j. Applicant's Exhibit 2I was portions of the website for Three Brothers Winery and Estates which highlights food and beverage offerings
 - k. Applicant's Exhibit 2J was portions of the website for Wagner Vineyards Estate and Winery which highlights food and beverage offerings
 - l. Applicant's Exhibit 3 was a NUTEC Design Associates Inc. plan entitled Wyndridge Additions, which shows the entirety of the Property and the existing and proposed Winery Facility thereon.
 - m. Applicant's Exhibit 4 was a sketch plan of the Wyndridge Additions.
 - n. Applicant's Exhibit 5 was a Thynk Design, LLC first floor expansion plan showing the enlargements of the restaurant space.
 - o. Applicant's Exhibit 6 was the Lease Agreement between M&K Property, LLC and Wyndridge Farm, LTD.
 - p. Applicant's Exhibit 7 was Highway Occupancy Permit number 0805436 for Wyndridge Farm, LTD.
8. Attorney MacNeal called Mr. Sacarellos who testified as follows:
 - a. He is the current owner of Wyndridge Famrs, LTD.
 - b. He purchased all ownership interests on September 3, 2024.
 - c. At that time, Wyndridge Farm, LTD was operating/ serving /providing the following:
 - i. Wedding Venue
 - ii. Cider, beer, and wine production (collectively, the "Products")
 - iii. Canning line
 - iv. Small restaurant
 - v. Some festivals
 - d. Wyndridge Farm, LTD was selling its Products on the Property and exporting some too.
 - e. The production was being done on Monday-Friday from 6 am until 2 pm.
 - f. Special events included weddings
 - g. There was a kitchen in the building for special events and the restaurant.
 - h. The kitchen itself had a limited menu.

- i. There was an outside patio that was utilized primarily as part of the wedding venue but also for the restaurant.
 - j. The hours of operation for the restaurant include the following:
 - i. Monday and Tuesday – Closed
 - ii. Wednesday and Thursday – 11:30 am to 8 pm
 - iii. Friday and Saturday – 11:30 am to 9 pm
 - iv. Sunday – 10 am to 8 pm
9. Additionally, Mr. Sacarellos testified as follows:
- a. Exhibit 1, which was the Restaurant at Wyndridge Menu, is somewhat limited.
 - b. The number of employees at Wyndridge was reduced and is now about 60.
 - c. The restaurant now seats about 80, which is slightly more than the number when he purchased.
 - d. Lunch may be eliminated on Wednesday and Thursdays.
 - e. The financial condition of Wyndridge was challenging.
 - f. When purchased, the pricing reflected the distressed nature of the Facility operations.
 - g. At that time, Wyndridge was overstaffed.
 - h. He owns two restaurants already, both being called Round the Clock Diner, with one located on Route 30 and the other on Memory Lane, both in York.
 - i. Based upon his experience, he noticed certain fundamental problems at Wyndridge.
 - j. The primary operation of the restaurant was on Saturdays.
 - k. One problem that existed was trying to schedule special events with utilization of the restaurant.
 - l. The restaurant is needed to generate sales of the Products.
 - m. Money is not necessarily made when distributing the Products.
 - n. For a winery to survive, it must sell its Products.
10. Attorney MacNeal questioned Mr. Sacarellos regarding certain Exhibits
- a. They talked through Exhibits 2A-2J regarding the scope of food, beverage, and activities offered at those winery facilities.
 - b. Mr. Sacarellos explained that winery facilities, including Wyndridge Farms, LTD, need to be much more than a mere wine production facility to operate profitably.
11. Attorney MacNeal focused Mr. Sacarellos on Exhibits 3 and 4, and he testified as follows:
- a. Additional space is needed to support the wedding venue and the restaurant.
 - b. As shown on Exhibit 4, a new indoor venue, new venue patio, new banquet patio, and new deck (collectively the “Additions”) are being proposed.
 - c. The new indoor venue will include more seating, space for parties, and space for meetings.
 - d. The patio will be expanded to support both the restaurant and banquet uses.
 - e. There will also be additional storage, which has proven to be lacking and is very necessary for efficient operations. Much time is now being spent moving and storing tables and chairs based upon uses that occur in the Facility at different times.
12. Attorney MacNeal then focused Mr. Sacarellos on Exhibit 5, which shows the proposed seating and utilizations of the Additions:
- a. Bathrooms will be added.
 - b. Private dining spaces will be added.
 - c. There will be a new access hallway.
 - d. There will be a stage.

- e. There will be closets and storage.
 - f. There will be 120 additional seats.
13. Further, Attorney MacNeal questioned Mr. Sacarellos about his plans relative to the Facility and the Additions, and he testified as follows:
- a. The hours of operation will not increase but will likely stay the same or decrease.
 - b. The changes are being done now as he took the first year of ownership to understand the business and the Facility.
 - c. A few more servers will need to be hired.
 - d. The seating will allow patrons to stay longer and to better enjoy the Facility.
14. Attorney MacNeal questioned Mr. Sacarellos regarding the general criteria for a Special Exception set forth in Section 265-1009C, and he testified as follows:
- a. The intended purpose of the proposed Use is consistent with the Township's development objectives as established in the Comprehensive Plan.
 - b. The proposed Use is in the best interest of properties in the general area, as well as the community at large, when viewing the proposed Use in relationship to and its potential effects upon surrounding land uses and existing environmental conditions regarding the pollution of air, land and water, noise, potential of hazards and congestion, illumination and glare, restrictions to natural light and circulation.
 - c. The proposed Use is suitable for the Property in question and is designed, constructed and will be operated and maintained suitably for the anticipated activity and population served, numbers of participating population, frequency of use, adequacy of space and generation of traffic.
 - d. There are adequate and available utility services and Facility, such as sanitary and storm sewers, water, fire, police and other public Facility and the ability of the Township to supply such services.
 - e. The proposed Use has adequate ingress, egress, interior circulation of pedestrians and vehicles, off-street parking and accessibility to the existing Township street system.
 - f. The Use shall be in conformance with all applicable requirements of the Ordinance and, where applicable, in accordance with the Township's Subdivision and Land Development Ordinance.
15. Attorney MacNeal questioned Mr. Sacarellos further regarding the Addition and he testified as follows:
- a. He has already tried to reduce expenses.
 - b. The Facility is starting to turn a corner.
 - c. Space is needed, which is why the additions are requested.
 - d. The Additions and changes are necessary to allow the Facility to survive.
16. Focusing on Exhibits 3 and 6, Mr. Sacarellos testified as follows:
- a. Some parking for the Facility exists to the north of it, on property owned by the neighbors.
 - b. That parking lot is subject to a lease, which was signed on January 1, 2025 and has a term of 10 years.
 - c. Parking on the Property and rented from the neighbors is sufficient to support the needs of the Facility, even with the Additions.
 - d. Many times when weddings are on the Property, there is a shuttle bus to and from the hotel for the guests, so onsite parking is not needed.
17. In response to a question, Mr. Sacarellos confirmed that production of the Products is primary function of the Facility.
18. Attorney MacNeal then called Mike Scarborough, who testified as follows:

- a. The Property is seven (7) acres.
 - b. While thirty (30%) percent coverage is allowed, the existing lot coverage is only three (3%) percent. With the Additions, lot coverage will be closer to five (5%) percent.
 - c. With regard to parking, Exhibit 4 confirms that the 180 spaces adjacent to the Facility should be ample for it.
 - d. Based upon his calculations, the individualized parking for the production of the Products, the venue/ dining area, and the banquet is 171.
 - e. The parking calculations contemplate peak capacity, and he believes that the parking is sufficient.
 - f. The outdoor seating is not always in use.
 - g. The banquet facility often has participants inside or outside the building but not necessarily in both spaces at the same time.
 - h. Setbacks for all Facility buildings will be more than fifty (50) feet.
 - i. There is on-lot septic system.
 - j. There were some issues with one of the drain fields.
 - k. Accordingly, a new drain field is being installed.
 - l. Additionally, there will be larger and more grease traps.
 - m. The ability to handle sewage by the on-lot septic was confirmed.
 - n. The Addition will not violate any other Township Ordinances and all provisions of them will be met.
 - o. He has no concerns regarding the Expansion.
19. Attorney MacNeal then called upon Jon Seitz, who testified as follows:
- a. Exhibit 7 shows the highway occupancy permit (the "HOP").
 - b. The HOP contemplates two driveways serving the Property.
 - c. Both driveways are classified as low volume.
 - d. The driveway by the building is permitted for full movement.
 - e. A driveway further to the northwest is right in right out only.
 - f. Both driveways are suitable for 50 to 1500 trips per day.
 - g. Even with the Addition, one driveway should be more than adequate, with traffic expected to be half of the capacity of one of the two driveways.
 - h. Pleasant Avenue itself is a relatively low volume road with only 3,600 trips per day.
20. In response to questions, Mr. Sacarellos answered as follows:
- a. When he purchased the Facility, the income was derived from three sources; production, special events, and the restaurant.
 - b. If the Addition is allowed, the allocation of income sources will likely stay the same.
 - c. The Addition will allow for labor savings and increased efficiency.
 - d. The production will likely increase.
21. The Audience was allowed to ask questions and Elizabeth Cohen Shifflet asked why the Property was not public sewer as her property was downhill. It was explained to her that the Property is beyond the growth boundary and accordingly, no public sewer is there.
22. When asked, there was no testimony for or against the Applicant from the audience.
23. It was confirmed that the Applicant is seeking a Special Exception for a Use Not Provided For, namely a restaurant accessory to a Winery.
24. From the Township perspective, Zoning Officer Lisa Frye explained the following:
- a. The Winery use has evolved over time and now includes those explained in this Decision, which are collectively considered to be the Winery.
 - b. She recognizes challenges with the Property.

- c. She has no added concerns.
25. The following conditions were determined to be applicable to any relief granted:
- a. The production of cider, wine, and beer must continue to be a substantial component of the Winery and the Facility use.
 - b. Parking available to support Wyndridge must not decrease in size.
 - c. The operation of Wyndrige must be in accordance with all factual and operational elements presented to the Board and as highlighted herein. (Collectively the "Conditions")

CONCLUSIONS OF LAW

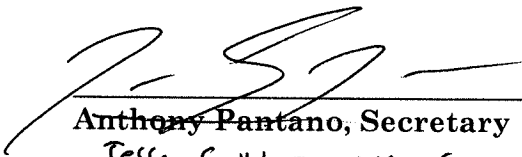
Based upon the Findings of Fact, and pursuant to applicable law, the Board concludes as follows:

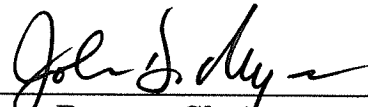
- 1. The Facility is similar to uses that are allowed or permitted by a Special Exception in this zone.
- 2. The Use, as explained in this Decision, does not constitute a public or private nuisance.
- 3. The grant of the Special Exception, in light of the Facts and the Conclusions, appears appropriate, subject to the imposition of the Conditions.

Accordingly, John Myers moved and Jesse Snyder seconded, to grant the Special Exception for a Use Not Provided For in the Ordinance, namely a restaurant accessory to a Winery, to allow for the expansion of the existing accessory restaurant at the Winery on the Property located at 885 South Pleasant Avenue, Dallastown, Pennsylvania in a Residential (RA) Zone. The motion passed unanimously.

WITNESS/ATTEST

**YORK TOWNSHIP
ZONING HEARING BOARD**


 Anthony Pantano, Secretary
 Jesse Snyder Asst. Secretary

By: 
~~James Barnes, Chair~~
 John S. Myers Vice-Chair
 01/27/2026
 Date

The Special Exception granted herein shall expire if the Applicant fails to, where required to do so, obtain a Permit, submit a Land Development Plan or commence work within six (6) months of the date of the authorization of the Special Exception, pursuant to Section 265-1009. E. of the Ordinance.

DECISION OF THE YORK TOWNSHIP ZONING HEARING BOARD

Application Number: 2025-14
Hearing Date: October 28, 2025
Applicant: Wyndridge Farms, LTD
Property Owner: Wyndridge Farms, LTD
Property: 885 South Pleasant Avenue, Dallastown, PA 17313
UPI: 54-000-GJ-0047.00-00000

Existing Zoning District: Residential Agricultural (RA) District

Relief Requested- Variance under the York Township Zoning Ordinance of 2012 (the "Ordinance") and pursuant to Section 265-404.B.14.

FINDINGS OF FACT

Based upon the evidence presented, and its evaluation of the credibility of the witnesses, the Board finds as follows:

1. The foregoing information and the Application, including its attachments, are incorporated by reference.
2. The Applicant was represented by Mike Scarborough of NUTEC Design Associates, Jon Seitz of the Transportation Resource Group, Inc. and Attorney Stacey MacNeal of Barley Snyder. Additionally, Themis Sacarellos was present as the owner of the Applicant.
3. The Applicant is seeking a Variance pursuant to Section 265-404.B.14, for a Use Not Provided for in the Ordinance, specifically a restaurant accessory to a Winery.
5. The Findings of Fact and Conclusions of Law from Decision 2025-13 are incorporated by reference herein.

Attorney MacNeal requested that Application 2025-14 be withdrawn as the Variance is not necessary because of the grant of the Special Exception per Decision 2025-13

CONCLUSIONS OF LAW

Because the Applicant withdrew the Application, the Board made no Conclusions of Law.

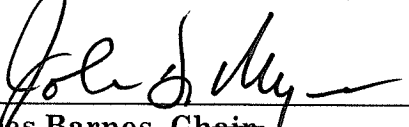
Accordingly, Jesse Snyder moved and William Buck seconded that the Board accept the withdrawal of Application 2025-14. The motion passed unanimously.

WITNESS/ATTEST

YORK TOWNSHIP
ZONING HEARING BOARD



~~Anthony Pantano, Secretary~~
Jesse Snyder ASst Secretary

By: 

~~James Barnes, Chair~~
John S. Myers - Vice Chair

01/27/2026
Date