

Salisbury Township Zoning Hearing Board Minutes from April 23, 2019 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, April 23, 2019, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:04 PM

Members present: Larry Martin, Dennis Eby, and Peter Horvath. Also present was Julie Miller, Solicitor and Damian Clawser, Township Zoning Officer and Allen Blank, Court Reporter.

Members absent: John Wanner

Meeting minutes of March 26, 2019 ZHB meeting were reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Dennis Eby.

Damian Clawser was sworn in and presented three exhibits and requested that they be marked as Township Exhibits 1. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets. A motion was made by Peter Horvath and seconded by Larry Martin to accept the Exhibits. Motion carried unanimously.

APPLICATIONS REVIEWED:

Old Business:

1. 03-19-05 David J. Blank of 5145 Martin Road, Kinzer, PA 17535 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.P to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469 and a Variance from Sections 201.7.C and 302.9.B to exceed maximum permissible height. The subject property is located within the A – Agricultural district

Application Presented By: David Blank and Sam Stoltzfus

Testimony: Would like to build an addition to existing H&C barn, property is 10 acres, proposing 33' to peak on modified, he has kennels all over by his testimony, new addition to be 1320 sf, total accessory structure space to be 3376 sf, ok with condition about removing 12' x 28' shed.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with conditions

New Business:

1. 04-19-01 Elias R and Susanna Glick of 5632 Umbletown Road, Gap, PA 17527 are requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 204.3.I to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469. The subject property is located at 5632/5634 Umbletown Road, Gap, PA 17527 and is within the R2 – Residential district.

Application Presented By: Elias Glick

Testimony: Total residential accessory structure space 2640 sf, applicant submitted site drawings, barn 16' x 24' and 40' x 50' 2384 sf, will be two story, set back at least 29' from property lines.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions. Unanimous motion.

2. 04-19-02 Carl & Esther Martin of 5222 Horseshoe Road, Honey Brook, PA 19344 are requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.M to establish a woodworking shop producing carriage parts as a Rural Occupation and subject to Section 457, a Variance from Section 457.3 to be permitted to construct a structure for the Rural Occupation within the front yard, as well as

any other Special Exceptions and/or Variances required to establish the business. The subject property is located at 6160 Davis Lane, Narvon, PA, 17555 and is within the A – Agricultural district.

Application Presented By: James Haigney, Carl Martin, David Martin

Testimony: 22 acre parcel of land looking to be developed with house, shop to be 2000 sf, business is making carriages body fabrication woodworking, about 100 customers/year, no outdoor storage proposed, no employees only Martin, no retail proposed, front of house to be approx. 175', no painting occurring onsite, will be living on property, uses byproduct for animal bedding, Wed.-Fri. no hours, limited hours on Mon. and Tues., sewage system will be designed for both the business and dwelling to be connected.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied unanimously.

3. 04-19-03 Ryan Figgins of 5209 Dogwood Drive, New Holland, PA 17557 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 202.4 to exceed maximum permissible lot coverage. The subject property is within the R – Rural Residential district.

Application Presented by: Ryan Figgins

Testimony: 8' x 36' porch proposed, existing home has overhang of 2' which was not included as well as 60' stoop, total lot coverage is to be 5585 sf, 14.57%, increase of 216 sf.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Dissent: Larry Martin

Decision: Approved w/ std. conditions

4. 04-19-04 Puddin Town Enterprises of 1505 West Kings Highway, Gap, PA 17527 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 208.3.A to be permitted to reconstruct a building for the purpose of establishing a mini warehouse, subject to Section 446, a Variance from Section 446.6 to alleviate the requirement for an onsite manager, Variance(s) from Section 208.6 regarding setback requirements for buildings, structures, off-street loading areas, dumpsters, parking lots, a Variance from Section 208.13.A and B and subsequently, Section 314 to eliminate the requirement to comply with Section 518 of the Subdivision and Land Development Ordinance (SALDO) as well as location of landscape strips, a Variance from Section 308 to not be required to meet individual lot requirements for each principal use, a Variance from Section 313.2.A to not have to meet minimum requirements for Section 508 of the SALDO as well as any other Special Exceptions and/or Variances needed to complete improvements and establish the proposed uses. The subject properties are located at 4952 and 4954 Lincoln Highway, Kinzer, PA 17535 and are within the I – Industrial district.

Application Presented By: Nicholas Gard, Greg Strausser, Elam Riehl, Christopher Laughlin

Testimony: three warehouse units proposed in new building, dropping impervious coverage 45.7% to 44.9%, proposing to utilize same building footprint for western building, a deed of merger was recorded, setback between motel and western property line is 6.3', portion of home to south of eastern building, 32' x 80' rental building, each unit 26' x 32', no restroom or office space proposed, no HVAC, 27' to peak for proposed structure, looking to rent to contractors etc., no business operations will be allowed, rental office will be on Lincoln Hwy approx. 300 yds in the office of their shed business, rehab of new dwelling and new structures, dumpster to be 10'x 10' it would be available to tenants.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Approved with specific conditions. Unanimous motion.

5. 04-19-05 M&G Realty, Inc. of 2295 Susquehanna Trail, Suite C, York, PA 17404 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinance, Part 2, Section 206.3.U subject to Section 425 to operate a convenience store as well as a Special Exception under Section 206.3.B to establish an Amusement Arcade, subject to Section 405. The subject properties are identified as Lot 3 on a subdivision plan entitled, "Final Subdivision Plan of Lots for Melvin J. Martin" located between east and west-bound lanes of Lincoln Highway (S.R. 30) and east of their intersection with Newport Road (S.R. 772), currently with the addresses of 5261 Lincoln

Highway and 5267 Lincoln Highway, Gap, PA 17527, both being located within the GC – General Commercial district.

Application Presented By: Damon Hall

Testimony: Leona Baker requested party status, applicant requested a continuance.

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: None made; continuance granted. Unanimous motion.

The meeting was adjourned at 10:20 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer