

Salisbury Township Zoning Hearing Board Minutes from April 26, 2022 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Monday and Tuesday, April 25 and 26, 2022 at 6:00 PM.

Chairman Peter Horvath called the meetings to order at 6:00 pm 4/25/22, and 5:59 pm 4/26/22.

Members present: John Wanner, Dennis Eby, Larry Martin and Peter Horvath. Also present was Aaron Marines, ZHB Council and Damian Clawser, Township Zoning Officer and Allen Blank, Stenographers.

Members absent: John Wanner (4/25/22)

Meeting minutes of March 22, 2022 ZHB meeting were reviewed. A motion was made by Dennis Eby to approve the minutes as written. Motion was seconded by Peter Horvath.

Three exhibits were presented and requested that they be marked as Township Exhibits 1. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets.

Hearing 1 – Monday, April 25, 2022, beginning at 6:00 PM

Continued Applications

1. 03-22-08 Ephraim Stoltzfus of 901 Smyrna Road, Kinzer, PA 17535 is requesting a Variance from §340-22.K / §340.22.M(2) to allow a building to be located within the Floodplain (FP) zone. The Subject Property is an unaddressed lot located along Lincoln Highway, east of Newport Avenue, otherwise identified by PIN 560-29684-0-0000 and is located within the GC – General Commercial and R-1 - Residential districts.

Application Presented By:

Testimony: Continuance requested.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Continuance Granted

New Applications:

1. 04-22-01 Melvin Lantz of 114/116 Meetinghouse Road, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-19.C(7) to be permitted to place an ECHO House on the Subject Property, subject to §340-78. The Subject Property is located within the RE – Rural Residential district.

Application Presented by: Doug Lehman, Steve Gergely and Mel Lantz

Testimony: 840 sf is the size of the proposed home, will be on piers, occupied by 1 person, will be connected to existing septic system serving main house SEO indicates existing system is adequate, will provide SWM for Echo house, will be located at least same distance as house, will be removed per ordinance.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with standard conditions

2. 04-22-02 Jonathan Z. Fisher of 542 Mt. Vernon Road, Gap. PA 17527 is requesting a Special Exception under §340-12.C(12) to be permitted to utilize an addition to a single-family dwelling for the purpose of establishing a second (attached) dwelling unit as a Farm House Expansion, subject to §340-80. The Subject Property is located at 243 Hershey Church Road, Kinzer, PA 17535 and is within the A – Agricultural district.

Application Presented By: Jonathan Fisher

Testimony: Father in law is to be living in one dwelling unit, son will be living in original farm dwelling what is to be rebuilt, Mr. Fisher realizes that sewage planning will be needed, dwelling units connected by a breezeway, property is 100 acres.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

4. 04-22-03 Merle R. Ressler of 5192 Paes Road, New Holland, PA 17557 is requesting a Variance from §340-13.D (Attachment 2) to be permitted to exceed maximum permissible lot coverage. The Subject Property is located at 5220 Paes Road, New Holland, PA 17557 and is within the R – Rural Residential district.
Application Presented By: Merle Ressler and Jason Shaner
Testimony: No improvements on site now, everything was removed, decision expired, nothing has changed from prior decision and testimony, aware that additional impervious from what would be applicable.
Motioned by: Dennis Eby
Seconded: Larry Martin
Decision: Approved

5. 04-22-06 Mahlon D. Beiler of 582 Gault Road, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-12.C(13) to establish a business for processing animal bedding as a Rural Occupation, subject to §340-106 and a Variance from §340-106.A to allow proposed building to exceed maximum permissible size as well as a Variances from §340-25 to allow truck(s) exceeding maximum weight limitations to be parked/stored on the Subject Property. The Subject Property is located within the A – Agricultural district.
Application Presented By: Mahlon Beiler and Jason Shaner
Testimony: Work would include only packaging of wood shavings, bailer would compress product on site, it is then bagged and put in storage, would use existing driveway that serves second dwelling, asking for 5000 sf of building space and 3000 sf of outdoor storage, total business activity will not exceed 8000 sf, needs 50 percent of floorplan for raw material storage, lot coverage will be 18 percent, vehicle trips will be less than 20 per day, two part time non resident employees and himself and kids, hours of operation will be 6:30 am to 4 pm, noise from packaging is hydraulic, forklifts and diesel, 1-2 trailer loads expected daily of raw material and one pickup of bails per day, no retail sales, will screen outside storage from neighboring properties, 2 yard dumpster to be emptied once weekly, material that is screened out is put in a bin and sold cheap, building will meet height requirements of 18-29' to peak, will be cut into hill, sketch plan shows truck turning movements all being able to be completed, two types of trailers will be servicing the property.
Motioned by: Dennis Eby
Seconded: Larry Martin
Decision: Approved with Specific Conditions

Hearing 2 – Tuesday, April 26, 2022, beginning at 6:00 PM

5. 04-22-04 John L. Fisher of 780 Mt. Zion Road, Narvon, PA 17555 (Subject Property) is requesting a Special Exception under and subject to §340-12.L to subdivide an agricultural lot from a Parent Tract. The Subject Property is located within the A – Agricultural district.
Application Presented By: John Fisher and Gideon Lapp
Testimony: Lot is 66 acres now, wants to buy 25, put up an horse and carriage barn and house on the newly created lot, eventually would look to operate a business.
Motioned by: Dennis Eby
Seconded: Larry Martin
Decision: Approved with specific conditions

6. 04-22-05 Eli B. Smucker of 317 Springville Road, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-12.C(2) to place an ECHO home on the Subject Property, subject to 340-78 and a Variance from §340-78.A to allow the ECHO home to not be of portable construction. The Subject Property is located within the A – Agricultural district.
Application Presented By: Eli Smucker
Testimony: Eli stated that he wants to establish that existing dwelling is 4 bedrooms, he and his wife would be living in the echo house, daughter would be living in the main home, will remove it when not using it anymore, will connect with as tank and pump to put it to the existing septic system, total 720 sf, wants to circumvent LD and sewage planning that a permanent decision would require.
Motioned by: Larry Martin
Seconded: Dennis Eby
Decision: Denied

7. 04-22-07 Samuel Glick of 5804 Old Philadelphia Pike, Gap, PA 17527 is requesting a Variance from §340-13.B to provide access through residential zoning for a commercial/industrial a use that is proposed within West Sadsbury Township. The Subject Property is a vacant parcel of land located at 5791 W. Lincoln Hwy, Gap, PA 17527 (PIN 360200150000), and is located within both Salisbury and West Sadsbury Townships and is within the RR – Rural Residential zoning district within Salisbury Township.

Application Presented By: Matthew Bush, Samuel Glick and Seth Hiller

Testimony: Wants to put his business solely on the property, currently employs 12, has 8 truck, proposed buildings would be intended to be used for staging storage of his vehicles, and equipment and office space, AVT on rt 30 is 17000/day, there is a center turn lane at countyline rd, lot area within Salisbury is about 2 acres, sale agreement is still valid and has been amended due to delay in proceeding forward, looking for extension of time to be two years.

Motioned by:

Seconded:

Decision: To be made at May meeting

8. 04-22-08 David J. King of 244 Blank Road, Narvon, PA 17555 is requesting a Special Exception under §340-12.C(10) to subdivide a residential lot off of a Parent Tract, subject to §340-12.110 and §340-12.L, a Variance from §340-12.E (Attachment 1) to exceed maximum permissible residential lot size, a Special Exception under §340-12.C(13) to establish a furniture assembly business as a Rural Occupation, subject to §340-106 and a Variance from §340-106.F to allow a sign to exceed maximum permissible size, including any additional Special Exceptions and/or Variances needed to complete the proposed subdivision and establish the business on the subdivided residential lot. The Subject Property is located at 244/248/250 Blank Road, Narvon, PA 17555 and is within the A – Agricultural district.

Application Presented By: David King

Testimony: Remaining lot would be 97.9 acres, new lot would be 2 acres, wood working business is making indoor fine furniture, wholesale only, house is 40' x 50', sheds 20' x 25' and 8' x 16', barn 48' x 60' whole building would be used for business, business on existing property is still operating, finishing would occur varnish and some paint would be putting in a spray booth, would have a 4 yard dumpster, proposing a 9 sf sign easier for customers to find him, shed would be used for business as well, raw material would be delivered once every few weeks, proposing to use forklift to move material and finished goods between floors, product is removed by delivery truck 2-3 times per week, driveway the same for home and business, no outdoor storage proposed, max of 4 non resident employees, about 3-4 trips per day expected for business, 55' between nearest property line, would screen dumpster from street, hours 6:30-4 M-F, would have an external dust collection system in the rear of the barn.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Denied – sign size, Approved with specific conditions

The meetings were adjourned at 7:48 pm 4/25/22 and 8:12 pm 4/26/22

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer