

## **Salisbury Township Zoning Hearing Board Minutes from August 27, 2019 Meeting**

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, August 27, 2019, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:00 PM

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

Members absent: John Wanner

Meeting minutes of July 23, 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 John Wanner and seconded by Larry Martin to accept the Exhibits. Motion carried unanimously.

### **APPLICATIONS REVIEWED:**

#### **Old Business:**

#### **New Business:**

1. 08-19-01 Melvin Petersheim - Withdrawn

2. 08-19-02 Steven Smoker of 394 Old Mill Drive, Gap, PA 17527 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2k Section 201.3.P to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469, as well as a variance from Section 469.3 to allow the propose structure nearer to a property line than required. The subject property is located within the A – Agricultural district.

Application Presented By: Application was called twice; the applicant did not show up

Testimony:

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

3. 08-19-03 Levi E. Glick of 5219 Diem Rd, New Holland, PA 17557 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.M to establish a playground (swingset) manufacturing facility as a Rural Occupation, subject to Section 457. The subject property is located at 5853 Meadville Road, Narvon, PA 17555 and is within the A – Agricultural district.

Application Presented By: Jason Shaner, Levi Glick

Testimony: Levi and 3 sons manufacturing playground equipment, 60'x66' building proposed 3960 sf, 30'x60' outdoor, overall impervious coverage 16%, 13-15 trips per day, 4 full time employees, hours will be 6am to 4:30pm, no retail sells only to dealers, pickup and 24' trailer used to transport, will comply with sewage requirements, play sets are made of treated wood and vinyl casing and poly lumber, business will store materials in existing tobacco barn approx. 44'x56', business space would total 6424 sf, trailer brings materials 2x a month, vinyl dropped off by pickup and trailer.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

4. 08-19-04 L. Stoltzfus Properties, LLC of 1318 W. Kings Highway, Coatesville, PA 19320 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 208.3.H to establish a truck stop/motor freight terminal, subject to Section 465 and a Variance from Section 308 be permitted two principal uses without meeting all lot and yard and other requirements set forth in this Chapter, a Variance from Section 465.2 to allow the truck stop/motor freight terminal to be located on a lot that does not front on an arterial street, a Variance from Section 465.3 to allow the proposed use within 500 feet of the R-1 – Residential district and a Variance from Section 465.5 to allow access drive to exceed maximum permissible width. The Subject Property is Lot 5B as shown on the subdivision plan entitled, "Preliminary/Final Subdivision Plan for Houston Run Lots 1,5 & 6" recorded at the Lancaster County Recorder of Deeds as Instrument Number 2019-0045-J and is located within the I – Industrial district.

Application Presented By: Levi Stoltzfus, Nick Guard, Jason Shaner

Testimony: Closest truck stall is 291' from R1 zoning district must be 500', truck stop and motor freight terminals are not defined, 5 trucks are to be stored on property along with trailers for cranes, primary business is L.S. Steel, onsite activity does not include any manufacturing or fabrication, hours 5a-5p, office for business owner, peak of building 26', welding materials oxygen and acetylene, building is used for storage of trucks and minor maintenance, equipment cranes boom lifts etc., his transport company moves his L.S. Steel equipment, 25% of his transport business is L.S. steel otherwise the remainder of the time they are transporting mostly food, trucks are gone 4-5 days at a time, no fuel service proposed, no pa system proposed, will have a wash stall inside building, working on recycled water, no outdoor storage of equipment, all repairs will be inside an enclosed structure, refrigerated trailers will be kept onsite at times and will run at all times when loaded to keep food cool.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

5. 08-19-05 Andrew's Auto, LLC of 5402 Lincoln Highway, Gap, PA 17527 is requesting a Special Exception under Chapter 26 of the Salisbury Township Code of Ordinances, Part 2, Section 206.3.C to expand an automobile repair facility, subject to Section 407 and Variances from Section 206.6 to be permitted to construct addition within minimum required setbacks, a modification of a prior order to remove a condition regarding inventory reporting as well as any other Special Exceptions and/or Variances required to complete the expansion. The subject properties are adjoining and located at 5402 Lincoln Highway and 791 Chestnut Street, Gap, PA 17527 and are both within the GC – General Commercial district.

Application Presented By: James Frederick and Melvin Newcomer

Testimony: Has executed lease with extension addendum, currently building has 3 garage bays and one light truck bay on rear of building, they plan to complete lot add on after, 7 full time and 1 part time employees, 27 parking spaces provided, fenced impound area will actually decrease in size with construction, min 2 days max 30 days vehicles stored on average, no unlicensed vehicles stored on property, typically vehicles being repaired are on property a few days, no additional impervious will be added to the property, hours of operation 7a-5p, 4707 sf is max building size after addition.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

6. 08-19-06 Levi Z. Fisher of 60 Queen Road, Gordonville, PA 17529 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. The subject property is located at 5559 Meadville Road, Gap, PA, 17527 and is within the OS – Open Space district.

Application Presented By: Levi Fisher

Testimony: Reduced the size of the barn to 1000 sf, wants to relocate two existing sheds, total acc after construction would be 1806, single story structure proposed, would be 20' from western property line, relocated sheds will be approximately 621' from backs of buildings.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved

7. 08-19-07 Linville Hill Christian School of 295 S. Kinzer Road, Paradise, PA 17562 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 208.2 to allow a school for secondary education to occupy portions of an existing building as well as any other special exceptions and/or variances needed to establish the use. The subject property is located at 863 Brackbill Road, Gap, PA 17527 and is within the I – Industrial district.

Application Presented By: Glen Stoltzfus, and Galen Beiler

Testimony: Would be utilizing barn on ground floor, second floor exists but is used for storage, first floor has two usable classrooms that they want to use and possibly an office, remainder of building will be office space, currently barn is occasionally rented out for use, art music and special events during school hours, entire barn would be leased to Linville, 7-12 grades would use structure, unused space would be locked.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved

8. 08-19-08 Elmer L. King of 1579-B Mine Road, Paradise, PA 17562 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 202.2 to establish a Commercial Poultry Operation within a proposed structure. The Subject property is located within the R – Rural Residential district.

Application Presented By: Elmer King

Testimony: Wants to have 20,000 birds, birds would be fryers, 10,200 sf would be area of new barn 63'x173', already has manure management plan and will revise accordingly, would still farm remainder of property, distance to nearest property line would be 175', fans would blow to the east.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved

The meeting was adjourned at 10:15 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer