

Salisbury Township Zoning Hearing Board Minutes from February 27, 2018 Meeting

The monthly meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, February 27, 2018, 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: Dennis Eby, John Wanner, Larry Martin and Peter Horvath. Also present was Julie Miller, Solicitor and Damian Clawser, Township Zoning Officer and Allen Blank, Court Reporter.

Members absent: none

Meeting minutes of January 23, 2018 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 certifications and 3. Property posting certification sheets. A motion was made to accept the Exhibits by Larry Martin and seconded by Dennis Eby. Motion carried unanimously.

APPLICATIONS REVIEWED

Old Business:

New Business:

1. 02-18-01 James & Christine Ferrell of 162 S. Pool Forge Road, Narvon, PA 17555 are requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 211.3.J to establish a truck body/metal fabrication business as a Rural Occupation, subject to Section 457, a Variance from Section 303.1 to be permitted to allow vehicle(s) licensed for in excess of 26,000 lbs. GVW on a property principally used for residential purposes, a Variance from Section 457.5 to allow storage of commercial truck exceeding 11,000 lbs. GVW., as well as any other Special Exceptions and/or Variances required to establish the business. The subject properties are located at 649 and 623 Meeting House Road, Gap, PA 17527 and are within the OS – Open Space district.

Application Presented By: John Mateyak of Brubaker, Connaughton, Goss & Lucarelli, LLC, and Christina and James Ferrell

Testimony: Tractor kept on property to move trailers, custom stainless work and air ride kits, light work, trucks are typically there 4-5 months, no retail sales, up to 3 nonresident employees, 10-12 vehicle trips daily, 8-5:30 M-F, two trailers would be on the property at any given time, no sheet metal bending, tig welding, no painting. Two exhibits (revised building plans and site plans) were presented and entered into evidence. Applicants A-1 (revised building plans) was motioned for approval by Peter Horvath and seconded by Larry Martin, A-2 (revised site plan) as motioned for approval by Peter Horvath and seconded by John Wanner.

Todd Houck of 639 Meetinghouse Rd, Gap, PA 17527 requested party status. Motioned for approval by Peter Horvath and seconded by John Wanner

Decision:

Motioned by: Peter Horvath

Seconded: John Wanner

Decision: Approved with conditions

Motion carried unanimously

2. 02-18-02 Amanda Stoltzfus, of 102 Meetinghouse Road, Gap, PA 17527 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.B to be permitted to install an Echo House, subject to Section 429 and a Variance from Section 429.8 to allow proposed Echo Home within minimum required setbacks. The subject property is located within the A – Agricultural district.

Application Presented By: Samuel Stoltzfus

Testimony: Sam's son is getting married and will live in the house, proposed structure 14' x 48' proposed on piers, will be removable when not being used, asking to be 8' 6" from rear property line, existing 14' x 26' horse barn to be removed for installation.

Decision:

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with standard conditions

Motion carried unanimously

3. 02-18-03 Wilmer F. and Myma J. Stoltzfus of 22 Spring Road, Gap, PA 17527 are requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 206.2 to allow the repair of tools and equipment sold and/or rented on two properties that are planned to be conjoined, a Variance from Section 206.5 to exceed maximum permissible lot coverage for the combined lot, a Variance from Section 206.6.A to allow parking within minimum required setbacks, a Variance from Sections 206.11 and 311 regarding the number of Access Drives serving a property, a Variance from Sections 206.14 and 303.5 to allow dumpster location to remain, a Variance from Section 312.6 for the number of parking spaces provided for the proposed use, a Variance from Section 312.3.A to not meet all parking requirements of the SaLDO, a Variance from Section 313.2.A for the provision of loading spaces compliant with Section 508 of the SaLDO and 313.3 for provision of the minimum number of loading spaces required for the proposed use, a Variance from Section 315.2 to exceed maximum permissible sign requirements and a Special Exception under Section 604.11 to allow additional time to procure permits and complete construction as well as any other Special Exceptions and/or Variances needed to complete implementation of the proposed improvements and expand uses. The subject properties are located at 5399 and 5401 Lincoln Highway, Gap, PA 17527 and are within the GC – General Commercial district.

Application Presented By: John Mateyak of Brubaker, Connaughton, Goss & Lucarelli, LLC, Todd Shoaf, and Wilmer Stoltzfus

Testimony: new warehouse and repair and parts, 18 ft employees are currently employed in current building this would not change, 2 sheds and 2 storage containers will be removed, repair of rental equipment will remain in existing building, repair of customer equipment would be in new building, no retail in new building, equipment is small engines, hand tools, 29 parking stalls provided in combined plan, 69 parking spaces required, 4800 sf footprint 2 story building proposed.

Decision:

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with specific conditions

Motion carried unanimously

4. 02-18-04 Crown Castle, represented by Nicholas A. Cuce, Jr. Esq. of 717 Constitution Dr., Ste. 201, Exton, PA 19341 is requesting modification of a prior decision to allow additional equipment to be installed within an existing cell tower enclosure and to allow for future additions to the tower and within the enclosure, providing such additions meet applicable State and Federal Laws as well as any other Special Exceptions and/or Variances needed to complete renovations for the communications tower, which was established as a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.M and subject to Section 423. The subject property is located at 766 Brackbill Road, Gap, PA 17527 and is within the I – Industrial district.

Application Presented By: Nicholas Cuce of Riley Riper Hollin & Colagreco and Sheri Weber.

Testimony: microwave dish proposed will be at 98' to center, Cellanet is a fiber optic provider, fiber optic can be point to point between dishes.

Motioned by:

Seconded:

Decision:

None made at this time. Board closed testimony.

Testimony closed. Decision will be rendered at following meeting and issue within limit set forth in MPC.

The next Salisbury Township Zoning Hearing Board will be held Tuesday, March 27, 2018 at 7:00 PM in the Township Building, White Horse.

The meeting was adjourned at 10:12 pm.

Respectfully Submitted,

Kara Shoemaker
Assistant Zoning Officer