

Salisbury Township Zoning Hearing Board Minutes from February 23, 2021 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, February 23, 2021, at 6:00 PM.

Chairman Peter Horvath called the meeting to order at 6:04 pm.

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

Members absent: John Wanner

Reorganization: Appointed Dennis Eby as Vice Chairman, and John Wanner as a member.

Meeting minutes of January 26, 2021 ZHB meeting was reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Peter Horvath.

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.

APPLICATIONS REVIEWED:

Old Business

1. 12-20-04 John A. Lapp of 126 Meetinghouse Road, Gap, PA 17527 (Subject Property) is requesting a Variance from §340-19.B and to the extents needed, Variances from §340-93 to be permitted to establish a Kennel. The subject property is located within the RE – Rural Enterprise district.

Application Presented By: John and Martha Lapp

Testimony: Has a non commercial kennel now licensed by the state, wants to go to a CK5 in size, wife and kids will be the ones working in the business, wants to have an office in the house, building is 40'x84' now, existing driveway to be removed and relocated to west side of building, pasture to take place of existing driveway, lot coverage being reduced from 6% to 5.5%, proposing a holding tank for dog wastes (3000 gal), runs to be located on the west of existing structure with a lean to over outside runs, would be breeding Boston Terriers and Bulldogs and would adjust breeds according to demand/market, would have 55 dogs on property at a time but could be more, would not provide stud service, with license this would allow over 500 to be housed/transferred in a year, hours 8-6 M-S, existing is 40' from easter property line, with outdoor runs total area would be 5554 sf, would have an office/receiving room of 800 sf in dwelling, deceased animals will be buried.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

New Business

1. 02-21-01 Bruce Riggs of 6165 Guy Road, Narvon, PA 17555 is requesting a Special Exception under §340-12.C(16) to construct a structure for personal use that will exceed maximum permissible by-right building area, subject to §340-118 and §340-24.I. The Subject Property is located within the A – Agricultural district.

Application Presented By: Bruce Riggs

Testimony: Wants to build a wood kiln, will fire twice a year, changing size of building to 40'x60' rather than what was on plan, total building space is to be 2625 sf when combined, would not be selling any product, would use some of the proposed building for storage of his equipment and vehicles, leftover clay would be recycled, no commercial entity, no advertising.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved specific conditions

2. 02-21-02 M&G Realty, Inc., of 2295 Susquehanna Trail, Suite C, York, PA 17404 is requesting modification of a prior decision and Variances from Article III, §340-37.B (Attachment 8) to be permitted to exceed the quantity of individual business signs allowed, to exceed maximum permissible sign area, a Variance from §340-37.A(8) to allow signs containing red, yellow or green within 300' of a traffic signal as well as any other Special Exceptions and/or Variances required to obtain relief to install proposed signage. The subject property is located at 5267 Lincoln Hwy, Gap, PA 17527 and is within the GC – General Commercial district.
Presented by: Tyler Esheman and Damon Hall
Testimony: Rutters would be limited to southern canopy, logo would be limited to one that would be 3'x8', dispensers are different sizes depending on what is being dispensed, logo would be approximately 253' from center line intersections of Newport and 30, 57 signs total proposed.
Motioned by: Dennis Eby
Seconded: Larry Martin
Decision: Approved
3. 02-21-03 John F. Blank of 173 Hershey Church Road, Kinzer, PA 17535 is requesting a Special Exception under §340-12.C(10) to subdivide a parent tract, subject to §340-110 to complete a lot add-on to a non-conforming size agricultural lot, a Variance from §340-12.B to allow subdivision of a lot containing no subdividable rights to create a residential lot, a Variance from §340-12.E to allow both lots to exceed maximum permissible lot area, and to allow existing structures within minimum required setbacks, a Special Exception under §340-12.C(9) to establish a commercial poultry operation, subject to §340-67, A Variance from §340-67.A to allow commercial poultry operation on a property less than 25-acres, a Variance from 340-67.B to allow structure containing commercial poultry operation within minimum required setbacks, a Variance from §340-12.B to retain agricultural use on a residential lot and/or a Special Exception under §340-12.C(16) to be permitted additional residential accessory structure space, subject to §340-118 and §340-24.I and a variance from §340.F to exceed maximum permissible accessory structure space as well as any other Special Exceptions and/or Variances needed to complete the subdivision/add-on and retain structures. The Subject Properties are located at 173 Hershey Church Road and 5145 Martin Road, Kinzer, PA 17535 and are both located within the A – Agricultural district.
Presented by: Continuance Granted
4. 02-21-04 Elam S. Riehl of 1505 W. Kings Highway, Gap, PA 17527 is requesting a Special Exception under §340-18.C(4) to expand shed manufacturing business a Heavy Industrial Use, subject to §340-87, a Variance from §340-18.M(2) to not be required to provide minimum landscape strip for proposed lot and a Variance from 340-87.A(4) to be relieved from the requirement to provide a traffic study, a Variance from §340-30 to allow multiple principal uses without need to meet all lot requirements and completion of land development planning as well as any other Special Exceptions and/or Variances needed to expand uses through conversion and completion of lot add-on. The Subject Properties are located at 4940 and 4946 Lincoln Hwy and 706 Hoover Road, Kinzer, PA 17535 and are all within the I – Industrial district.
Presented by: Craig Williams, Nick Gard, and Jason Riehl
Testimony: Removing property lines would allow Riehls storage sheds to expand use, hter is no business expansion proposed at this time, will complete a deed merger to combine lots, houses are rented out, total combined lot would be 5.97 ac, combining these properties will effectively allow easier expansion of the heavy industrial use.
Motioned by: Dennis Eby
Seconded by: Larry Martin
Decision: Approved with specific conditions
5. 02-21-05 Puddin' Town Enterprises, LLC / Elam S. Riehl of 1505 W. Kings is requesting modification of a prior decision and a Special Exception under §340-126 to amend and substitute a nonconforming use within a

portion of a building previously granted permission to be converted to mini-warehousing to include manufacture/processing of marble and granite countertops as permitted by §340-18, which is subject to §340-87, or in lieu of this, a Variance from §340-18, a Variance from 340-18.B to include retail sales, a Variance from §340-87.A(4) from the need to provide a traffic study, a Special Exception to convert an existing single dwelling unit into two as an expansion of a non-conforming use, subject to §340-126, a Variance from §340-30 to allow multiple principal uses without need to meet all lot requirements and completion of land development planning as well as any other Special Exceptions and/or Variances needed to establish and expand the new uses. The Subject Properties are located at 4952 and 4954 Lincoln Highway, Kinzer, PA 17535 and are within the I – Industrial district.

Presented by: Craig Williams, Nick Gard, and Jason Riehl

Testimony: four parking spaces provided for dwellings, building would be separated horizontally.

Motioned by: Dennis Eby

Seconded by: Larry Martin

Decision: Approved with standard conditions

The meeting was adjourned at 9:05 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer

