

## **Salisbury Township Zoning Hearing Board Minutes from July 24, 2018 Meeting**

A special meeting of the Salisbury Township Zoning Hearing Board was held on Monday, June 24, 2018, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:03 PM

Members present: Dennis Eby, Larry Martin, 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 June 26, 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 certification and 3. Property posting certification sheets. A motion was made to accept the Exhibits by Peter Horvath and seconded by Larry Martin. Motion carried unanimously.

### **APPLICATIONS REVIEWED:**

#### **Old Business:**

1. 05-18-05 Stoltzfus Welding & Rentals, LLC of 76 South Vintage Rd, Paradise, PA 17562 is requesting Variances from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 206.2 to be permitted to establish a welding/manufacturing business making structural components of buildings and the rental of heavy equipment, as well as any other Special Exception and/or Variances required to establish the uses. The subject property Lot 2 shown on a proposed subdivision plan entitled "Final Subdivision Plan for Houston Run Lot 2" to be separated from an 18.7-acre property located between Martin Drive and Lincoln Highway, otherwise identified by Property Identification Number (PIN) 560-97498-0-0000 located within the GC – General Commercial district.

Application Presented By: Dave Mersky

Testimony: No anticipation of any need for relief for signage. Shown on sketch, requesting modification of application to include variance for rental area only 206.17 as shown on blow up of sketch, items to be stored would be fork lifts, high lifts, etc., Peter Horvath asked why proposed outdoor storage area delineated on plan I not over paving, would this be paved?, structure to be 25' to eave, no objection to screening of storage area for metal fab and finished work.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

Motion carried unanimously

#### **New Business:**

1. 07-18-01 Jacob and Emma Blank of 5306 Amish Road, Gap, PA 17527 are requesting a Variance from Chapter 27, Part 2, Sections 201.2 to be permitted to subdivide a property to create a new residential lot, a Variance from Section 201.5 to allow the subdivided lot to exceed maximum residential lot requirements, to allow remaining land to not comply with residential or agricultural lot size requirements and a Variance from Section 201.12 to allow subdivision of a lot containing no subdividable rights as well as any other Special Exceptions and/or Variances. The subject property is located at 5302/5306 Amish Road, Gap, PA 17527 and is within the A – Agricultural district.

Application Presented By: Jacob Blank

Testimony: Proposed to subdivide 2 acres off his property to live on with his wife and daughter, his other kids would move into existing home, lot would be taken from NE corner of the property, ELS currently rents 51' x 75'

shop and 2/3 of 2<sup>nd</sup> shop, house is currently single, would be able to meet 1.1 acre if Board doesn't approve 2 acre.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

Motion carried unanimously

2. 07-18-02 Levi S. King of 380 Red Hill Road, Narvon, PA 17555 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.E to be permitted to establish a kennel, subject to Section 444 and a Variance from Section 444.6 to allow the kennel to exist on a property not meeting minimum lot size requirement. The subject property is located within the A – Agricultural district.

Application Presented By: Levi King

Testimony: Wants to establish a K2 kennel, up to 100 dogs per year, there are proposed to be 6 resident dogs, 3.5 acres, would provide stud service, would be ok with K1 license if Board doesn't like the idea of a K2, Bernese and Greater Swiss, 120' to property line from proposed kennel – would have another fence for exercise area that would be 10' from property lines, New Bolton would be recipient of dead dogs, puppies approx., 10-12 lbs before sale of dogs

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

Motion carried unanimously

3. 07-18-03 Lothar Hummerich of 3820 Blackhorse Road, Parkesburg, PA 19365 is requesting modification of a prior decision and Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 5, Section 504 to substitute one non-conforming use for another, a Variance from Section 504.3 to be able to carry longer operating hours as well as any other Special Exceptions and/or Variances needed to establish the use. Applicant desires to substitute a company that specializes in printing, assembly, distribution and retail sale of paper products in space previously approved for the assembly and retail sale of kitchen cabinetry. The subject property is located at 935 Chestnut Street, Gap, PA 17527 and is within the R1 – Residential district.

Application Presented By: Bryan Byler of Byler, Goodley & Winkle, P.C. , Lothar Hummerich, David O'Conner

Testimony: Proposes to keep existing dwelling, specialized in napkins, coasters, cup covers, printing on these items, Parkesburg office is limited, operated for 20 years, 6-7 FT employees in manufacturing, 10 total employees, 2000 sf is first floor size, small lamination equipment would be placed where davico had their machinery on second floor, second floor would also have office and ware house space, ship internationally, ground floor would be used for customers and 1 storage closet, would expect 20 customers per day, would expect 1 semi delivery per day and 2 box trucks per day, no lighting proposed, manufacturing hours 8-5 weekdays, retail 8-6 weekdays and sat 8-6, raw material will be stored upstairs, waste ink is disposed of by waste hauler every 1-2 months, water is compressed and taken away by hauler, no outside storage proposed, dumpster to be near the rear of the building, 2 machines are proposed now, printing, laminating, molding and cutting, lading dock and inside, would use existing signage as sign existing, there are 15 parking spaces there now, paper waste is recycled after being compressed.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

Motion carried unanimously

4. 07-18-04 Melvin J. Beiler of 230 Blank Road, Narvon, PA 17555 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.M to establish a pony cart assembly/manufacturing business as a Rural Occupation, subject to Section 457 and a Variance from Section 457.13 to be permitted retail sales as well as any other Variances required to establish the use. The subject property is located within the A – Agricultural district.

Application Presented By: Melvin Beiler

Testimony: business is currently operated on neighboring property which will be, mig welding, bending and cutting machine, wood wheel maker and hand tools, would spray clear coat would use spray booth, scrap metal recycled, 2 employees him and his father, hours 7-5, wholesale mostly, no outside storage, selling pony cars and components of charts produced, retail would consist of an office area within structure proposed to be used for business usually by appointment, 1-2 deliveries per week, dumpster located onsite partially visible to street, no objection to condition about 26' x 44' to be personal uses, 30' 44' ½ personal and business space.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

Motion carried unanimously

The next Salisbury Township Zoning Hearing Board will be held Tuesday, August 28, 2018 at 7:00 PM in the Township Building, White Horse.

The meeting was adjourned at 9:25 pm.

Respectfully Submitted,

Kara Shoemaker  
Assistant Zoning Officer