

Salisbury Township Zoning Hearing Board Minutes from June 26, 2018 Meeting

A special meeting of the Salisbury Township Zoning Hearing Board was held on Monday, June 26, 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:

Meeting minutes of May 22, 2018 ZHB meeting were reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by John Wanner.

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 John Wanner 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 – Mersky Law Group, Elmer Stoltzfus, Ray Stoltzfus

Testimony: Fabricate truck racks, boxes and other metal work like fences, railings, longest is 60', would sell hand tools etc., not sure what would happen with existing dynamic display sign, steel would be stored outside and be on racks approx. 7' high finished products would be stored outside as well, 7 employees currently, expecting to add another 5, a lot of items man are sent out for powder coating. Some painting onsite, would keep manufacturing items on Martin Rd side. Aproximately ½ acre dedicated to this outdoor storage, hours of operation 6:30-5:30 M-F and Sat 7-12, building is approx. 12,000 sf 1 story with mezzanine of 1000 sf, dumpster approx. 40 yds would be placed on site for recycling scrap, roughly 27 employees required based on number of employees and space dedicated to each use, approx. 30 pieces outdoor equipment storage, would be storing equipment for rental within. Due to some questions regarding required parking and building space, Applicant requested continuance to be able to provide additional testimony.

Motioned by: Peter Horvath

Seconded: John Wanner

Decision: Continuance granted

Motion carried unanimously

New Business:

1. 06-18-01 Wawa, Inc. of 260 W. Baltimore Pike, Wawa, PA 19603 is requesting modification of a prior decision and a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 207.17 to be permitted to allow a dumpster for waste products to be located within one-hundred (100) feet of property lines and a Variance from Section 207.7.C to allow installation of a utility shed within minimum required setbacks. The subject property is located at 787 Route 41, Gap, PA 17527 and is within the RC – Regional Commercial district.

Application Presented By: Michael Gill – Buckley, Brion, McGuire & Morris, LLP and Joseph Sparone – Dynamic Engineering

Testimony: Dumpster enclosure will be 34/2' from rear property line, shed would be used for lawn and equipment, shed is 7'x7' prefab, approx. 315 sf will be fenced in, shed about 44' from rear property line.

Applicant's attorney requested premarked exhibits A-1 through A-7 be entered into evidence. Motion to accept made by Peter Horvath and seconded by John Wanner. Motion unanimously carried.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with conditions

Motion carried unanimously

2. 06-18-02 Samuel E. Stoltzfus, Jr. of 5204 Dogwood Drive, New Holland, PA 17557 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 202.4 to be permitted to exceed maximum permissible lot coverage. The subject property is located within the R – Rural Residential district.

Application Presented By: Samuel Stoltzfus

Testimony: Peter Horvath recused himself, would be exceeding lot coverage max by 450 sf, infiltration bed would be approx. 150' from septic drainfield, existing lot coverage 5,762 sf, proposed final lot coverage 6,352 sf, new patio to be 940 sf less 350 sf. Total lot coverage would be 7.3%.

Applicant requested exhibit be entered into evidence. Motion was made by John Wanner and seconded by Larry Martin to accept. Motion unanimously carried.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with specific conditions

Motion carried unanimously

3. 06-18-03 Juana Ward of 6051 Old Philadelphia Pike, Gap, PA 17527 is requesting modification of a prior decision to allow use of another bedroom for a Bed and Breakfast established under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.A and subject to Section 409, and a Variance from Section 201.2 to be permitted to hold special events. The subject property is located within the A – Agricultural district.

Application Presented By: Bill Cassidy – Appel & Yost, LLP, Juana Ward

Testimony: Requesting to be able to hold outdoor events weddings, birthdays, anniversaries, bridal showers, no music or alcohol to be served, currently have 19 full spaces, 20 total, food will be catered, limited to 10 events per year, will provide portable toilets for events, 5 bedrooms in main house will all be used now, parts of structure attached to back of B&B where the "echo house" was located is now the owners residence, hours of events lunch 12-4, dinner 5-10, breakfast 8:30 -10:30, events would be limited to guests and friends of guests registered in the B&B. Leona Baker supported application.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with specific conditions

Motion carried unanimously

The next Salisbury Township Zoning Hearing Board will be held Tuesday, July 24, 2018 at 7:00 PM in the Township Building, White Horse.

The meeting was adjourned at 9:10 pm.

Respectfully Submitted,

Kara Shoemaker
Assistant Zoning Officer