

Salisbury Township Zoning Hearing Board Minutes from June 25, 2019 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, June 25, 2019, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:01 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 May 28, 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 Peter Horvath and seconded by Larry Martin to accept the Exhibits. Motion carried unanimously.

APPLICATIONS REVIEWED:

Old Business:

1. 04-19-05 M&G Realty, Inc. of 2295 Susquehanna Trail, Suite C, York, PA 17404 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinance, Part 2, Section 206.3.U subject to Section 425 to operate a convenience store as well as a Special Exception under Section 206.3.B to establish an Amusement Arcade, subject to Section 405. The subject properties are identified as Lot 3 on a subdivision plan entitled, "Final Subdivision Plan of Lots for Melvin J. Martin" located between east and west-bound lanes of Lincoln Highway (S.R. 30) and east of their intersection with Newport Road (S.R. 772), currently with the addresses of 5261 Lincoln Highway and 5267 Lincoln Highway, Gap, PA 17527, both being located within the GC – General Commercial district. Testimony: Discussed between Larry Martin and Peter Horvath who were present at last months meeting.

Motioned by: Larry Martin

Seconded: Peter Horvath

Decision: Granted

New Business:

1. 06-19-01 Benuel J. Allgyer of 6218 Plank Road, Narvon, PA 17555 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.L to be able to construct an addition for the purpose of establishing a Farm House Expansion, subject to Section 431. The Subject Property is located within the A – Agricultural district.

Application Presented By: Benuel Allgyer

Testimony: Wants to build new end for him and his wife, son would plan on living in the existing dwelling, would like to have 18' x 46' + 36" x 6" wide porch, addition would be >50' to nearest property line, ok with condition compliance with sewage planning module.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with condition

2. 06-19-02 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. 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, Jason Shaner, Nick Gaurd

Testimony: Two access drives, expecting 50 trips per day, 15,000 sf building proposed, lot coverage is proposed at 55% total, main business is construction steel building, has 10 employees, 70% of the building will be used for steel business, no construction work proposed on property, office space and LS transport works as for hire company hauling food part of business, would not serve as a truck stop, lot would store trucks and equipment, 5 trucks, 5 drivers for LS transport, minor service work to trucks on site, hours of operation 5:50-5:30 M-F occasional Saturdays, trucks will hold materials/goods occasionally, property abuts by about 180' to R1 zone on SE corner, there will be refrigerated trailers that will be running, no idling of vehicles overnight, approximately 3000 sf of building will be office space, remainder would be considered warehouse, acetelene tanks stored in locked cage inside the building these would be stored separately, lighting would be minimal and would meet ordinance requirements, no retail sales for truckers available, has been in business for 12 years.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

3. 06-19-03 FB Property Group, LLC of 253 S. Belmont Road, Paradise, PA 17562 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 208.6.D to not be required to provide a Residential Buffer Strip on the eastern and southern property lines of Lot 6A and the southern property line of 6B. The Subject Properties are Lots 6A and 6B 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: Dave Mersky, David Fisher, Jason Shaner

Testimony: Requestng permission to reduce residential buffer zone to meet zone requirements for strips without the residential buffer requirement, railroad property to south of both lots, if had to comply with residential buffer strip, applicant intends to occupy the property, exterior improvement business, 6A 3000 sf of office space, 6B would be build to suit, they may occupy 6A or 6B depending, Board considered variance request as three separate requests, southern setback on lots 6A and 6B approved and variance for setbacks on lot 6A eastern property line was denied, Gordon Diem Requested party status.

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: Approved

4. 06-19-04 Weis Markets, Inc of 1000 S. Second Street, Sunbury, PA 17801 is requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 4, Section 460.9 to be permitted to exceed maximum permissible quantity and area of signage with regard to installation of a proposed sign on an existing anchor tenant store. The Subject Property is located at 5360 Lincoln Highway, Gap, PA 17527 and is within the RC – Regional Commercial district.

Application Presented By: Dave Jones, Tim Snyder

Testimony: requesting de-minimus request for sing face, asking for a new sign advertising beer and wine, located in a manner for onsite patrons to view, greater than lineal store front, 1' 10" h x 17' long, there are two signs that already exist, sign is internally lit.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with conditions

5. 06-19-05 Carl & Esther Martin of 5222 Horseshoe Road, Honey Brook, PA 19344 are requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.M to establish a woodworking shop producing carriage parts as a Rural Occupation and subject to Section 457. The subject property is located at 6160 Davis Lane, Narvon, PA, 17555 otherwise identified as PIN 560-59395-0-0000 and is within the A – Agricultural district.

Application Presented By: Jim Haigney, David Martin

Testimony: Rural occupation woodworking/carriage shop, requesting that Township SWM review letter be entered into evidence, bodies being assembled/manufactured, basic woodworking equipment, shavings used onsite, farm land rented out, 2-3 delivers of wood per year, 38'x56' shop proposed barn, partially to be used for storage, no outside employees only owner, Carl Martin testified in favor of application.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with conditions

The meeting was adjourned at 10:00 pm.

Respectfully Submitted,

Kara Wanner
Assistant Zoning Officer