

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

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

Chairman Peter Horvath called the meeting to order at 5:57 pm.

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

Members absent: John Wanner

Meeting minutes of February 23, 2021 ZHB meeting was 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.

APPLICATIONS REVIEWED:

Old Business

1. 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 two parent tracts, subject to §340-12.L and §340-110 to complete a lot add-on to a non-conforming size agricultural lot, a Variance from §340-12.L(1) to exempt portion of subdivided land from being considered a subdivision right, 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, Kinzer, PA 17535, 5145 Martin Road, Kinzer, PA 17535 and 5158/5160 Old Philadelphia Pike, Kinzer, PA 17535 are all located within the A – Agricultural district.

Application Presented By: Nick Gard, John Blank, Sam Stoltzfus

Testimony: Hog barns originally but now used for poultry, barn to remain on 2 acre lot would be used for personal use, guinea hens 2500 at a time, 7000 a year, Mr. Smucker is present and acknowledge hes ok with the plan, pigeons raised in lower barn has around 800, John Blanks, son would eventually live on the newly created 10 acre lot, wanting to put house up in ne portion of proposed lot, only wants to use a subdivision right to create the 10 acre lot, there are two sf detached dwelling on the 173 ac farm lot, they are trying to not run into clean and green problems, pigeons would be removed from southern barn, would move them to northern barn eventually and that barn would be used for produce, house would be proposed on tact b as it is the least valuable farmland, number of birds would be reduced to under 1000 birds, hog barn 14' h and would be compliant with min required setback for a residential accessory structure space, applicant requested a continuance.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Continuance Granted

New Business

1. 03-21-01 E & J Family, LP c/o John D. Stoltzfus, Jr. of 112 Peters Road, New Holland, PA 17557 is requesting Variances from §340-16.G to exceed maximum permissible building height for a proposed building, a Variance from §340-16.H to allow a loading space between the proposed building and street as well as a Variance from §340-16.N(1) to allow a dumpster to be located within a front yard. The Subject Properties are 5264 Lincoln Hwy, Gap, PA, 17527 (Lot 3) and Lot 4 as shown on a plan identified as "Final Subdivision Plan for Houston Run Lots," identified with PIN 560-07283-0-0000 and recorded at the Lancaster County Recorder of Deeds Office as Instrument No. 2013-0243-J. Both Subject Properties are within the GC – General Commercial district.

Application Presented By: Mike Saxinger

Testimony: Total building height would be 38' based on existing grades, once site is regraded building would actually be 32' and comply with ordinance, 3 story side would face east, would be office space, each floor would be one or two offices, dumpster to be located on east side, there is potential for one tenant to be a bank why plans show a drive through, there will be a vegetive and dumpster enclosure to screen dumpster from residential used properties, one entrance in only, serviced by public water.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved standard conditions

2. 03-21-02 Jonas Stoltzfus of 186/188 Blank Road, Narvon, PA 17555 (Subject Property) is requesting a Special Exception under §340-12.C(16) to allow additional residential accessory structure space, subject to Sections 340-118 and 340-24.I. The Subject Property is located within the A – Agricultural district.

Presented by: Jonas Stoltzfus and Sam Stoltzfus

Testimony: Existing to remain 2394, existing to be removed 336, proposed 1120, would be used for carriage and personal space, 19-20' h 1.5 story, distance to south property line would be >29'.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved

The meeting was adjourned at 7:30 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer