

Salisbury Township Zoning Hearing Board Minutes from March 22, 2022 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Monday and Tuesday, March 21 and 22, 2022 at 6:00 PM.

Chairman Peter Horvath called the meetings to order at 6:01 pm 3/21/22, and 6:00 pm 3/22/22.

Members present: John Wanner, Dennis Eby, and Peter Horvath. Also present was Aaron Marines, ZHB Council and Damian Clawser, Township Zoning Officer and Christy Dellarova (3/21/22): Allen Blank (3/22/22), Stenographers.

Members absent: Larry Martin

Meeting minutes of February 25, 2022 ZHB meeting were reviewed. A motion was made by Dennis Eby to approve the minutes as written. Motion was seconded by Peter Horvath.

Three exhibits were presented and requested that they be marked as Township Exhibits 1. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets.

New Applications:

Hearing 1 – Monday, March 21, 2022, beginning at 6:00 PM

1. 03-22-03 Chester Lee Stoltzfus of 5932 Limeville Rd, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-13.C(7) to be permitted additional residential structure space, subject to §340-118 and §340-24.I and a Variance from §340-13.D (Attachment 2) to exceed maximum permissible lot coverage and a Variance from §340-118.B to be within minimum required setbacks and a Variance from §340-13.E(2) / §340-24.I(2) to exceed maximum height. The Subject Property is located within the RR – Rural Residential district.

Application Presented By: Chester Stoltzfus

Testimony: Wants to remodel and complete an addition to existing barn going to remove roof and build addition, existing barn is 42' x 46', addition will be for horse stalls and carriage space, total residential accessory space will be 2984 sf total, addition to be 828 sf, three foot from property line, barn is currently one story, second floor proposed would be for storage, no business proposed in building, if addition toward house or alongside house would put barn in front of home or over his well pit, did find pins and property line is pretty much as shown on GIS.

Motioned by: Dennis Eby

Seconded: John Wanner

Decision: Denied

2. 03-22-04 Samuel K. King of 5309 Peters Road, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-12.C(5) to be permitted to establish a Kennel, subject to §340-93. The Subject Property is located within the A – Agricultural district.

Application Presented By: Samuel King

Testimony: 14' x 26' 5 run kennel proposed, license for state is in process, thinks a K1 non commercial, kennel building will be 119'

From nearest property line, animal waste in manure pit, would dispose of deceased animals similar to cows, 40 acres crops, 6 adult breeders.

Motioned by: Dennis Eby

Seconded: John Wanner

Decision: Approved with standard conditions

3. 03-22-06 Melvin Beiler of 625 Lime Quarry Road, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-13.C(7) to construct additional residential accessory structure, subject to §340-118 and §340-24.I and a Variance from §340-13.D (Attachment 2) to exceed maximum lot coverage. The Subject Property is located within the RR – Rural Residential district.

Application Presented By: Melvin Beiler

Testimony: Addition is to be 800 sf, existing building is to be added to on the north side, proposed addition will not be any closer to property line than what is there, there is a run in shed 8' x 10' not shown on the site plan, height is to be 28' to peak.

Motioned by: Dennis Eby

Seconded: John Wanner

Decision: Approved with standard conditions

4. 03-22-07 John Mark Zook OF 693 Gault Road, Narvon, PA 17555 (Subject Property) is requesting modification of a prior decision to relocate and expand a business established as a Rural Occupation under §340-21.C(10) and subject to §340-106 and a Special Exception under §340-21.C(17) to be permitted additional residential accessory space, subject to §340-118 and §340-24.I and a Variance from §340-118.B to allow the Rural Occupation building to be located w/in the front yard. The Subject Property is located within the OS – Open Space district.

Application Presented By: John Zook

Testimony: Will be removing a few buildings including barn and two sheds as shown, concession trailer will probably be removed, if he can get business space, there will be no outside storage, there are two no resident employees one day per week, no retail sales, there is a dumpster, total residential accessory space 1912, hours 7-4 on Tuesdays, waste disposed of in dumpster.

Motioned by: Dennis Eby

Seconded: John Wanner

Decision: Approved with specific conditions

Hearing 2 – Tuesday, March 22, 2022, beginning at 6:00 PM

5. 03-22-01 Samuel & Linda Beiler of 590 Lime Quarry Road, Gap, PA 17527 (Subject Property) are requesting a Special Exception under §340-12.C(2) to be permitted to place an ECHO house, subject to §340-78. The Subject Property is located within the A – Agricultural district.

Application Presented By: Sam and Raymond Beiler

Testimony: Echo house is for Sam's mom Fannie Beiler, only one living in echo house, property is 73 acres, size of mobile home is to be 12' x 60' 720 sf, there are two dwellings, Sam's dad built addition that was second dwelling unit, furniture shop that once existed is not operating anymore.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Approved with specific conditions

6. 03-22-02 Michael Patterson of 5021 Lincoln Hwy, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-12.C(2) to be permitted to place an ECHO house, subject to §340-78. The Subject Property is located within the A – Agricultural district.

Application Presented By: Mike Patterson

Testimony: Echo house will be 26.6' x 33', ok with condition regarding amending grinder pump agreement, revised site plan submitted.

Motioned by: Dennis Eby

Seconded: John Wanner

Decision: Approved with specific conditions

7. 03-22-05 Aaron Stoltzfus of 480 Jacobs Road, Narvon, PA 17555 (Subject Property) is requesting modification of a prior decision to relocate a business established as a Rural Occupation under §340-12.C(13) and Subject to §340-106, a Variance from §340-106.B to be within minimum required setbacks with proposed Rural Occupation building as well as Special Exception under §340-12.C(16) to be permitted additional residential accessory structure space, subject to §340-118 and §340-24.I. The Subject Property is located within the A – Agricultural district.

Application Presented By: Aaron Stoltzfus

Testimony: Has shed but now wants to move that space into new barn, will not be using space for any production only storage, existing 14' x 16' lean to and diesel 6' x 8' and 28' x 42' main barn will all be removed, proposed barn will be 100' off of road and 50' min off of side yard property line, no employees besides residents, limited deliveries, 16' x 30' business storage space only on first floor, no outdoor storage, no signage.

Motioned by: Dennis Eby

Seconded: John Wanner

Decision: Approved with standard conditions

8. 03-22-08 Ephraim Stoltzfus of 901 Smyrna Road, Kinzer, PA 17535 is requesting a Variance from §340-22.K / §340.22.M(2) to allow a building to be located within the Floodplain (FP) zone. The Subject Property is an unaddressed lot located along Lincoln Highway, east of Newport Avenue, otherwise identified by PIN 560-29684-0-0000 and is located within the GC – General Commercial district.

Application Presented By: Jason Shaner and Ephraim Stoltzfus

Testimony: Site sits below the road surface of rd 30, flood study doesn't take into account any of the BMP's that discharge to this site from Houston Run, controlling factor is culvert under rt 30, proposed building will be about 1' higher than rt 30, Vortex Environmental walked site and did not conclude that there are any wetlands, would be ok with condition that Township Engineer review and approve flood plain study, calculated 100 year storm event, culvert is 3.5' x 5' that goes under rt 30, can handle up to 180 cfs, continuance requested by applicant.

Motioned by: Peter Horvath

Seconded: Dennis Eby

Decision: Continued

The meetings were adjourned at 7:30 pm 3/21/22 and 7:40 pm 3/22/22

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer