

Salisbury Township Zoning Hearing Board Minutes from May 28, 2019 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, May 28, 2019, 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: Larry Martin, John Wanner, and Peter Horvath. Also present was Aaron Marines, Substitute Council and Damian Clawser, Township Zoning Officer and Christy Dellarova, Court Reporter.

Members absent: Dennis Eby

Meeting minutes of April 23, 2019 ZHB meeting were reviewed. A motion was made by John Wanner to approve the minutes as written. Motion was seconded by Larry Martin.

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 John Wanner 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

Application Presented By: Damon Hall, PE of Rutters

Testimony: Leona Baker requested party status. Board approved party status after hearing testimony regarding one party present at the meeting being within reasonable proximity to the subject properties. Motion made by Peter Horvath and seconded by John Wanner to approve party status for Leona Baker. 107 spaces encapsulates all provided parking spaces, TRG is handling traffic study with PennDOT, there will be someone onsite who will be trained to manage the lounge area where amusement arcades are to be located, <1000 sf of lounge, site is proposed to be served by public water, house rule allows up to 25 oz of alcohol to be consumed onsite.

Motioned by: Peter Horvath

Seconded: John Wanner

Decision: Motion made to conclude testimony and to table decision, which will be rendered within 45 days.

New Business:

1. 05-19-01 Elmer King OF 6054 Mast Road, Narvon, PA 17555 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.1 to be permitted to operate a commercial

poultry operation out of a proposed structure, subject to Section 419. The subject property is located within the A – Agricultural district.

Application Presented By: Elmer King, Amos King

Testimony: Around 12,000 chickens to be housed onsite, 44' x 380' chicken house, 44' x 35' manure room, 44' x 20' egg room, chickens will be free range and layers, there is around 113' between end of chicken house and creek, working with Team Ag with regard to manure management, birds would be composted.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Denied. Motion carried unanimously.

2. 05-19-02 Mahlon Smucker of 5335 Martin Road, Kinzer, PA 17535 is requesting modification of a prior decision and Special Exception under Section 201.3.P to allow an increase in residential accessory structure space, subject to Sections 302.9 and 469 as well as a Variance from Section 469.2 to be permitted to place the proposed accessory structure nearer the right-of-way than 100-feet. The subject property is located within the A – Agricultural district.

Application Presented By: Mahlon Smucker

Testimony: Proposed shed for personal storage will be 10' X 14' and 12-13' high. Would be located near the same position as the previous shed. Would be back slightly further back from road than the prior shed was located (68' according to sketch). Existing H&C barn and proposed shed totals 1936 sf of residential accessory space.

Motioned by: John Wanner

Seconded: Larry Martin

Decision: Approved with standard conditions. Motion carried unanimously.

The meeting was adjourned at 9:10 pm.

Respectfully Submitted,

Kara Wanner
Assistant Zoning Officer