

Salisbury Township Zoning Hearing Board Minutes from May 24, 2022 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Monday and Tuesday, May 23 and 24, 2022 at 6:00 PM.

Chairman Peter Horvath called the meetings to order at 6:08 pm 5/23/22, and 6:02 pm 5/24/22.

Members present: Dennis Eby, Larry Martin and Peter Horvath. Also present was Julie Miller, ZHB Council and Damian Clawser, Township Zoning Officer and Allen Blank, Stenographer.

Members absent: John Wanner

Meeting minutes of April 26, 2022 ZHB meeting were reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Dennis Eby.

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.

Hearing 1 – Monday, May 23, 2022, beginning at 6:00 PM

Continued Application:

1. 04-22-07 Samuel Glick of 5804 Old Philadelphia Pike, Gap, PA 17527 is requesting a Variance from §340-13.B to provide access through residential zoning for a commercial/industrial a use that is proposed within West Sadsbury Township. The Subject Property is a vacant parcel of land located at 5791 W. Lincoln Hwy, Gap, PA 17527 (PIN 360200150000), and is located within both Salisbury and West Sadsbury Townships and is within the RR – Rural Residential zoning district within Salisbury Township.

Application Presented By: Memorandum received from Seth Hiller

Testimony:

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: Approved with standard and specific conditions

New Applications:

1. 05-22-01 Michael Patterson of 5021 Lincoln Hwy, Kinzer, PA 17535 (Subject Property) is requesting for a modification of a prior decision and a Variance from §340-78.G to be permitted to locate an ECHO house within minimum required setbacks. The Subject Property is located within the A – Agricultural district.

Application Presented by: Dorothy Patterson

Testimony: Asking for 20' from Roamers Retreat (north) and 15' from John Zook property (east), nothing has changed since prior decision, wants to relocate within setbacks.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with standard conditions

2. 05-22-02 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. The Subject Property is located within the RR – Rural Residential district.

Application Presented By: Chester Stoltzfus

Testimony: Asking for additional residential accessory structure space, height will be approximately 28.6' to peak, wall height to be 16', will be residential use for storage and horse and carriage barn, total existing residential accessory space after construction will be 2984 sf, read off lot coverages including with application to put in record.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with standard conditions

3. 05-22-05 John & Ashley Cavallo of 863 Brackbill Road, Gap, PA 17527 (Subject Property) are requesting modification of a prior decision and a Variance from §340-18.B to establish a residential use within an existing building as well as a Variance from §340-18.B to establish an office providing chiropractic services and a Variance from §340-34.F to not have to meet minimum parking requirements and a Variance from §340-33 and §340-34 to not meet minimum access drive and parking lot design requirements as well as any other Special Exceptions and/or Variances needed to establish the proposed uses. The Subject Property is located within the I – Industrial district.

Application Presented By: Joseph Turnowehyk and Ashley Cavallo

Testimony: Purchased in September 2022, two other location New Holland and Quarryville, Chiropractic and nutrition services, one patient at a time two at most with physician and Ashley, two rooms would be used for business, total space used would be 680 sf, looking to provide two parking spaces one being handicap, not proposing any additional impervious surfacing, no sign proposed, no drugs or vitamins held or sold here, equipment adjustment tables heating pads etc, only chiropractic, no employees will be onsite, prior use will be abandoned, no scheduled office hours would mostly be weekend and after hours.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved use variances, denied parking requirement

Hearing 2 – Tuesday, May 24, 2022, beginning at 6:00 PM

Continued Application:

2. 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 and R-1 - Residential districts.

Application Presented By: Jason Shaner and Ephraim Stoltzfus

Testimony: There are two cross sections that will experience an increase in flow, proposed building .84' higher than revised flood elevation, existing shed 1.1' above flood elevation.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

New Applications:

4. 05-22-03 Levi Z. Fisher of 5559 Meadville Road, Gap, PA 17527 (Subject Property) is requesting modification of a prior decision and a Special Exception under §340-22.C(17) to be permitted additional residential accessory space, subject to §340-118 & §340-24.I The Subject Property is located within the OS – Open Space district.

Application Presented By: Levi Fisher and Jason Shaner

Testimony: Proposed barn is 60' x 36' with 8' overhang, proposed garage 36' x 54' with 8' overhang, lot coverage would be 12.4%, proposed to be 28' high, both buildings are single story, no business on property now, did have a LLC established and is still, will be located at least 28' from property lines, horse barn will have a hydrant for washing horses etc, garage to have a sink, total residential accessory space now 1974 sf, will be removing a 12' x 26' horse barn.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

5. 05-22-04 John L. Fisher of 780 Mt. Zion Road, Narvon, PA 17555 (Subject Property) is requesting a Variance from §340-12.B to establish a construction business within an existing building, which is proposed to be expanded and a Variance from §340-30 to not be required to meet individual lot requirements, nor be required to complete land development for establishment of a second principal use. The Subject Property is located within the A – Agricultural district.

Application Presented By: John Fisher and Gideon Lapp

Testimony: Gideon would like to use Johns implement shed for his construction business which now operates at 5275 Northeimer Rd, 6-5 hours of operation, no employees will be on site all day just morning and evening, Gideon

would not be living on the property, six work trucks now, which would be parked in the building, occasionally some equipment will be stored onsite, mostly would be on job sites, skid loader, Pettibone, box trailers and flat bed trailers, 14 employees, office would remain at Northeimer Rd property, no customer visits, no working on trucks.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

6. 05-22-06 Puddin Town Property Management, LLC with the address of PO Box 123 Kinzer, PA 17535 is requesting modification of a prior decision along with a Special Exception under §340-18.C(4) to construct a building addition for the purpose of expansion of an existing heavy industrial use. The Subject Property is located at 4940 Lincoln Hwy, Kinzer, PA 17535 and is within the I – Industrial district.

Application Presented By: Laverne and Jason Riehl and Jason Shaner

Testimony: Proposing a 100' x 80' addition, addition would be mostly for storage, also would be used to finish up building, there is a paint booth in existing building, approximately 200-300 sf of building per day, buildings are stored outside on macadam and shipped within a week, 30-32 employees.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

7. 05-22-07 Melvin S. and Lisa M. Stoltzfus of 345 Kauffroth Road, Gap, PA 17527 are requesting a Special Exception under §340-12.C(10), subject to §340-110 and §340-12.L to subdivide and construct a single-family detached dwelling on a proposed residential lot and a Variance from §340-12.E (Attachment 1) to allow the proposed lot to exceed maximum permissible lot size. The Subject Property is located at 330/334 Cambridge Road, Gap, PA 17527 and is within the A – Agricultural district.

Application Presented By: Melvin Stoltzfus, Tim Trostle and Linda Kling

Testimony: Farm is 36 acres, there is a two family dwelling, pole is approximately 440' long, total lot would be 2 acres including the flag pole.

Motioned by: Dennis Eby

Seconded: Larry Martin

Decision: Approved with specific conditions

The meetings were adjourned at 7:06 pm 5/23/22 and 8:31 pm 5/24/22

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer