

## **Salisbury Township Zoning Hearing Board Minutes from November 27, 2018 Meeting**

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, November 27, 2018, at 7:00 PM in the Salisbury Township Municipal Building, White Horse.

Chairman Peter Horvath called the meeting to order at 7:02 PM

Members present: Larry Martin, Dennis Eby, and Peter Horvath. Also present was Julie Miller, Solicitor and Damian Clawser, Township Zoning Officer and Allen Blank, Court Reporter.

Members absent: John Wanner

Meeting minutes of October 23, 2018 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. 10-18-01 M&G Realty, Inc. of 2295 Susquehanna Trail, Suite C, York, PA 17404 is requesting Special Exceptions under Sections 206.3.D, subject to Section 408 and 206.3.U subject to Section 425 to construction of a convenience store with related automobile fuel sales (Automobile Filling Station) as well as a Variance from Section 206.5 to exceed maximum impervious coverage, a Variance from Section 206.6.A to allow reduction of minimum front yard setback requirements related to parking and a Variance from Section 425.2 to reduce the amount of required parking. 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: General Council for Rutters

Testimony: none

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: Denied: request for 425.2 Parking and 206.3.U Special exception. Approved: 206.3.D Auto Filling, 206.5 Lot coverage, 206.6.A Front yard setback

Motions carried unanimously

#### **New Business:**

1. 11-18-01 - Cornerstone Ministry dba "Cornerstone Retreat" of 5275 Lincoln Highway, Gap, PA 17527 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 1, Section 107 to be permitted to establish a use providing medical services and treatments with overnight accommodations (inpatient) as a use not provided for or in the alternative a Variance from Section 206.2 to establish a Medical Clinic that provides inpatient services as well as any other Special Exceptions and/or Variances required to establish the use. The subject property is within the GC – General Commercial district.

Application Presented By: Seth Hiller

Testimony: There is a Dr. onsite, herbs and supplements sold, 12' x 12' area used for retail, 10-12 persons max walk ins on a busy day, bronchitis flue malnutrition are general maladies treated, detox provided, nutritional

person on staff, RN does IV's, 21 employees 6 are full time, house parents clean and feed patients, offices; 6/physician, rooming house 1/bedroom, rehab centers 1/employee and 1/persons anticipated to be handled through facility, staff brought in by taxi, approx. 66 parking spaces provided on site now, costs them about \$600/month to taxi people between the clinic and overnight accommodations, patients supervised at all times, Philhaven and Brandywine are called in the case of an unruly patient, ambulances occasionally visit the property, no patients have died under care in Salisbury Twp, 5 people have died in the past 6 yrs that Joseph Beiler has been on the Board, long term goal is to find another property to operate, contract for removal of medical waste, family members will stay over with patients, could be up to 14 people staying a night, all services overseen by clinical director who is not a physician, would lock doors after hours, house parents are there 24/7 and alternate approx. 3 days, raw food brought in and prepared onsite, detox is natural only no alcohol or drug detox.

Motioned by:

Seconded

Decision: Testimony closed. Decision tabled.

2. 11-18-02 - Leroy M. Fisher of 232 Spring Garden Road, Kinzer, PA 17535 is requesting modification of a prior decision and a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3.P to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469 and a Variance from Sections 201.7.C and 302.9.B to allow the proposed structure to exceed maximum permissible height. The subject property is located at 232/234 Spring Garden Road, Kinzer, PA 17535 and is within the A – Agricultural district.

Application Presented By: Leroy Fisher

Testimony: Property is 3.6 acres, proposing 3916 sf of residential accessory structure space, 27' on low side and 33' 8" on high side.

Motioned by:

Seconded:

Decision: Testimony closed. Decision tabled.

3. 11-18-03 - Paul S. and Fannie Blank of 6281 Meadville Road, Narvon, PA 17555 are requesting a Variance from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.2 to be permitted to subdivide a portion of a Parent Tract to complete a lot add-on to an adjoining lot and a Variance from Section 201.12 to not include this subdivision as a subdividable right against the Parent Tract and a Variance from Section 201.12.D to be permitted to increase a lot used for residential purposes in excess of maximum lot size. The subject properties are located at 719 Churchtown Road and 6281 Meadville Road, Narvon, PA 17555 and are both located within the A – Agricultural district.

Application Presented By: Paul Blank

Testimony: Ok with conditions limiting subdividable rights to remainder (lot 2) on subdivision plan.

Motioned by:

Seconded:

Decision: Testimony closed. Decision tabled.

4. 11-18-04 - Levi S. King of 380 Red Hill Road, Narvon, PA 17555 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.3 to be permitted to construct additional residential accessory structure space, subject to Sections 302.9 and 469. The subject property is within the A – Agricultural district

Application Presented By: Levi and Aaron King

Testimony: Wants to demo existing barn, 3.3 acres, existing barn 1440 sf and shed 120 sf is 1560 sf removed, total of 2904 sf accessory space after new barn built.

Motioned by:

Seconded:

Decision: Testimony closed. Decision tabled.

5. 11-18-05 - DAS Properties LLC, C/O Dan Smucker, Lancaster Log Cabins of 1370 Reading Road, Denver, PA 17517 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2,

Section 208.3.D to establish a mobile cabin production and manufacturing facility as a Heavy Industrial Use, subject to Section 438 as well as Variances from Sections 208.14 and 303.5 to permit dumpster/recycling containers to exist without being completely enclosed by fences and walls as well as any other Special Exceptions and/or Variances needed. The subject property is Proposed Lot 5C as shown on a Subdivision Plan titled, "Houston Run Lots 1, 5&6 Preliminary/Final Subdivision Plan." This plan further subdivides Lot 5 as shown on a subdivision plan, titled "Final Subdivision Plan for Houston Run Lots," recorded at the Lancaster County Recorder of Deeds as Instrument No: 2013-0243-J and is within the I – Industrial district.

Application Presented By: Dan Smucker, Dave, Christian, Mark Stanley

Testimony: Party Status – Gordon Diem; Scott Shrader; Warren Hardy; Dan Stoltzfus, manufacture park model RV's, lumber brought in from VA, would be run through a shaper creates T&G and profiles boards, would have 20 employees to start, 6:30a-5:30p M-F, around 10 trucks per week delivering, around 5 cabins/week sold and moved out, most finished cabins moved out as soon as finished, building height to be 35' for main building, treated lumber minimally used for floor joists, do not use kits anymore, chassis for trailer brought in stacked, stains used on logs paint booth with filtered ventilation directed through roof, all electrical and plumbing items will be kept indoors, 400 sf is max 12'x36' size of units, roll offs would be emptied, no fueling or servicing of trucks on site, dust collection sawdust taken off property approx. 4 times a week.

Motioned by:

Seconded:

Decision:

This hearing will be reconvened on Tuesday, December 12, 2018 at 6:30 PM in the Township Building, White Horse.

The meeting was adjourned at 10:40 pm.

Respectfully Submitted,

Kara Shoemaker  
Assistant Zoning Officer