

## **Salisbury Township Zoning Hearing Board Minutes from October 23, 2018 Meeting**

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, October 23, 2018, 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, 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 September 25, 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 John Wanner to accept the Exhibits. Motion carried unanimously.

### **APPLICATIONS REVIEWED:**

#### **Old Business: None**

#### **New 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: Christopher Reed and Damon Hall of Rutters Companies

Testimony: Two lots under agreement proposed to be combined. Truck stop portion of business does not allow overnight stays/parking. Signage will be provided to direct commercial truck traffic movements to northern side of site to prevent mixing of cars and trucks. 107 parking spaces provided, 37 of those are reserved for commercial vehicles. Property already connected to public sewer and is proposed to be connected to public water. Signage will be considered at a later date.

Leona Baker requested party status. Motion made to approve request by Peter Horvath and seconded by Larry Martin.

Several other residents made statements noting concerns with regard to the use and potential impacts to traffic and safety.

Board called recess at 8:23

Reconvened at: 8:33

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: Testimony closed. Decision tabled.

Motion carried unanimously

2. 10-18-02 Stephen S. King of 144 Cattail Road, Gordonville, PA 17529 is requesting a Special Exception under Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 203.3.H to be permitted additional residential accessory structure space, subject to Sections 302.9 and 469 and a Variance from Section 469.2 to allow the proposed structure within minimum required setback. The subject property is located at 5861 Zook Lane, Gap, PA 17527 and is within the R-1 – Residential district.

Application Presented By: Stephen S. King

Testimony: Proposed barn to be 45' from the road. There would be a total of 1280 sf of proposed residential accessory structure space. Structure to be used for horses. Proposed to be 19' high at peak with no second story. An existing hedgerow/buffer exists between the road and the location of the proposed structure.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with conditions

Motion carried unanimously

3. 10-18-03 Steven F. Stoltzfus of 5577 Old Philadelphia Pike, Gap, PA 17527 is requesting Variances from Chapter 27 of the Salisbury Township Code of Ordinances, Part 2, Section 201.2 to allow subdivision of a lot for the purpose of completing lot add-ons to several adjoining properties, a Variance from Section 201.12 to allow subdivision of a property containing no subdividable rights, a Variance from Section 201.5 with regard to minimum lot area to each of the subject properties and minimum lot width requirements. Applicant also requests a Special Exception under Section 201.3.P to be permitted additional residential accessory structure space on the primary subject property, subject to Sections 302.9 and 469 and a Variance from Sections 201.7 and 302.9.B to exceed maximum permissible heights, as well as any other Special Exceptions and/or Variances required to complete the subdivision/add-on. The primary subject property is a vacant tract of land located at 5615 Old Philadelphia Pike, Gap, PA 17527 and other subject properties are located at 5607, 5611, 5617, 5621 and 5633 Old Philadelphia Pike, Gap, PA 17527 and are all within the A – Agricultural district.

Application Presented By: Ron Hershey from Hershey Surveying and Steven Stoltzfus

Testimony: Proposing to add portions of the primary subject property to adjoining properties between it and the road. The primary and other subject lots will not conform with area and bulk ordinance requirements after subdivision. Add-ons proposed to help with identification of replacement septic systems.

Plan requested to be marked as evidence (A-1). Motion made to approve by Peter Horvath and seconded by Larry Martin. Tim Zook spoke in favor of the application.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Approved with conditions

Motion carried unanimously

The next Salisbury Township Zoning Hearing Board will be held Tuesday, November 27, 2018 at 7:00 PM in the Township Building, White Horse.

The meeting was adjourned at 9:31 pm.

Respectfully Submitted,

Kara Shoemaker  
Assistant Zoning Officer