

## Salisbury Township Zoning Hearing Board Minutes from December 27, 2023 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Wednesday December 27, 2023 at 6:00 PM.

Peter Horvath called the meeting to order at 6:01 PM.

Members present: Peter Horvath, Dennis Eby, Larry Martin. Absent: John Wanner Also present was Julie Miller, ZHB Council, Damian Clawser, Township Zoning Officer and Allen Blank, Stenographer.  
Minutes of the November 28, 2023 ZHB Meeting were read and approved.

Damian S. Clawser, Zoning Officer for Salisbury Township, was sworn in.

Zoning Hearing Board exhibits were presented. 1. Copies of ZHB Applications, 2. Newspaper publication certification and 3. Property posting certification sheets.

Motion to accept: Peter Horvath Seconded: Dennis Eby

### New Applications:

#### 1. 12-23-06

Michael D and Elizabeth L. Beiler of 383 Springville Road, New Holland, PA 17557 are requesting a Special Exception under §340-12.C(3) to establish a Farm Occupation Subject to §340-81, a Variance from §340-81.E to allow the building related to the Farm Occupation to be located within minimum required setbacks and to the extent needed, a Variance from §340-81.J to allow retail sales of products not produced onsite and to exceed retail area size limit. The Subject Property is located within the A – Agricultural district.

Presenting: Ashley Glick, Michael Beiler, Leon Stoltzfus

Testimony: Beilers looking to buy into business or outright buy it. The Beilers currently grow apples, pears, peaches, plums, etc. The bake shop is currently located south of subject property. Exhibit E submitted – Deed. Three fulltime and two parttime employees. All employees will be non resident. 1575 SF attributed to business 35'X45' Retail space = 37% as proposed. Would be disposing of waste/grease/oils in a manner acceptable to twp. Baking would take place in new building. Donuts, bread, pies, sticky buns, coffee. Restroom would be accommodated in the proposed building. There would be 16 total spaces. Proposed building would be a bit greater than 50' from street and 40' from side yard line. Would be two story. Second story would be used for storage. The bakery and Mr. Beiler's business now serve the same and different customers. Their idea is to combine the two spaces into one. His roadside stand is 8-5. Okay with complying with sign requirements in ordinance. Building height 22'4" Expecting 100 customers.

Decision: Approved with standard conditions

Motioned by: Dennis Eby, Seconded by Larry Martin

#### 2. 12-23-07

Melvin E. King of 105 Churchtown Road, Narvon, PA 17555 is requesting a Variance from §340-12.E and §340-12.L(1)(b) to allow a subdivided lot to be under minimum agricultural lot size as well as Variances to allow existing structures to be within minimum required setbacks. The Subject Property is located at 6191 Plank Road, Narvon, PA 17555 and is within the A – Agricultural district.

Presenting: Melvin King, Jason Shaner – Impact Engineering.

Testimony: An agreement of sale has been executed and Melvin is representing all parties on the agreement. Mr. and Mrs. Lindquist in attendance but not sworn in. 90.5 acres will remain after a subdivision of two residential lots are taken care of. There are two dwellings and several AG outbuildings. Subdivision would put one dwelling on each lot. Proposed lots would be 50 and 40.5 acres respectively. Proposed lot line would be 4.3' from a chicken coop to be on the proposed Lot 4. Barn on Lot 1 would be 30' from proposed lot line. A-1 Revised plan set. A-2 Color rendering. A new driveway would be proposed eventually on lot 4. Benue Allgyer wondering why after changing Ag zoning we would allow the farm to be cut up like this? Testimony closed.

EXECUTIVE SESSION WAS CALLED @ 7:00 – 7:10

Decision: Tabled until January ZHB Meeting

3. 12-23-08

Jonathan E. Fisher, Jr. of 379 Snake Lane, Kinzer, PA 17535 (Subject Property) requesting Variances from §340-12.B and §340-12.L(1)(b) to complete a subdivision/add-on and to increase lot area of a Parent Tract as well as a Variance from §340-12.E to allow expanded lot to not comply with either residential or agricultural lot area requirements. The Subject Properties are as noted and also include 305 Snake Lane, Kinzer, PA 17535, both being located within the A – Agricultural district.

Presenting: Jonathan Fisher, Jason Shaner – Impact Engineering

Testimony: A-1 Color plan entered. Jonathan purchased property in which he lives in 2002. Mr. Fisher purchased 305 more recently. Lot to go from 10 to 16.5 acres. New residential lot would be two acres (Lot 3). Jonathan has decided to forgo requesting relief to not use a subdivision right for add-on. This plan would utilize both subdivision rights. Okay with condition vacating subdivision approved by Board under prior property owner.

Conditions: Record Plan. All prior approvals/subdivision

Decision: Approved with specific conditions

Motioned by: Larry Martin, Seconded by Dennis Eby

4. 12-23-11

Spring Garden Amish Mennonite Church located at 5157 Old Philadelphia Pike, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under 340-125 to expand a nonconforming church use and a Variance from §340-125.B to exceed maximum permissible expansion. The Subject Property is located at 5157 Old Philadelphia Pike, Kinzer PA, 17535 (PIN: 560-90302-0-0000) and is located within the A – Agricultural district.

Presenting: Bryan Byler, Elam Lapp, Anthony Petersheim, Matt Ma

Testimony: Basement area is used for SS classes. The basement would be expanded. Parking now exceeds requirements. Would still exceed with proposed addition. There are 86 parking spaces. Existing basement is 50% exposed. There would be no increase in impervious.

Decision: Approved with standard conditions

Motioned by: Dennis Eby, Seconded by Larry Martin

The meeting was adjourned at 7:53 PM

Respectfully Submitted,

Damian Clawser  
Zoning Officer