

Salisbury Township Zoning Hearing Board Minutes from February 28, 2023 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, February 28, 2023 at 6:00 PM.

Peter Horvath called the meeting to order at 6:00 PM.

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

Members absent: John Wanner

Peter Horvath nominated Larry Martin to serve as Secretary. This motion was seconded by Dennis Eby.

Meeting minutes of December 27, 2022 and January 24, 2023 ZHB meetings were reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by Dennis Eby.

Zoning Hearing Board 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.

New Applications:

1. 02.23.01 Levi and Linda Yoder of 5861 Zook Lane, Gap, PA 17527 are requesting a Variance from 340-14.B to allow establishment of a construction business within a proposed building to operate on the Subject Property as well as a Special Exception under 340-14.C(6) to be permitted additional residential accessory structure space, subject to 340-118 and 340-24.I as well as any other Special Exceptions and/or Variances needed to establish the use as well as accessory space. The Subject Property is located at 780 Mt. Vernon Road, Gap, PA 17527 and is within the R-1 – Residential district.

Application presented by: Levi and Linda Yoder

Testimony: Wants to build a building to hold his construction business (residential remodeling and construction). Existing 24'X30' and 12'X24' shed would be removed. Business space would be 33'wide and 26'wide for personal, Height 26'. Business space would be single story and residential space would be two story. There would be three non-resident employees and truck, which would be stored inside. Equipment would be stored inside as well. 6 AM start time and 4-4:30 end time M-F. He has a driver who drops off his employees. The Yoders will be living on the property, moving in around June, dependent on what he is able to build. Having a dumpster onsite is a possibility. No work to be done in the business space, it will be for storage only. No one will occupy the building during business hours and deliveries would be limited. A flat bed truck would be the largest vehicle making deliveries. There would be one garage bay for business use. No sign is proposed. No customer visits to the property and no retail sales proposed. There would be no noise generated by the business that would be heard or seen from the street or adjoining properties.

Motioned by: Larry Martin

Seconded: Dennis Eby

Decision: Denied

2 02.23.02 Samuel J. Zook of 5462 Umbletown Road, Gap, PA 17527 is requesting modification of prior decisions and Variance from 340-12.B to construct a new building to expand a welding/fabrication business on the Subject Property and including a Variance from 340-12.E to allow a proposed building to be located within minimum required setbacks and exceed maximum lot coverage as well as any other Special Exceptions and/or Variances needed to allow modification and expansion of the use. The Subject Property is located at 5509 Lincoln Highway, Gap, PA 17527 and is within the A – Agricultural district.

Application presented by: Seth Hiller and Samuel Zook

Applicant requested Exhibit A to be presented. Motioned by Peter Horvath and seconded by Dennis Eby to be entered into evidence.

Testimony: Existing building is 5400 SF not 5000 as represented before. Proposed building – 10. Business fabricates truck bodies, ladder boxes, etc. Has been operating since 2008. Wants to turn existing manufacturing shop into storage use only. There is a retaining wall that would be removed to place the new building? Lot not viable for agriculture. Steep slopes. Has five employees – three are relatives. The maximum number of employees he could forsee would be ten. The private drive that accesses Hoffmeier Road is restricted to residential use. 1 – 2 tractor trailers and fifteen or so regular vehicle trips per day. Public water. No paint or hazardous waste generated by business.

Applicant requested Exhibit B to be presented: Motioned by Peter Horvath and seconded by Dennis Eby to be entered into evidence.

Testimony: Raw materials would be stored in existing building (sheet rock, bar stock, trailer axles, etc). Overhang on south side of proposed building would be 12.7' and 10' from northern property line. Current sign is 16 SF. Hours are 6 AM – 5 PM M-F. Material used aluminum. No need for paint. Minor retail sales – small parts and aluminum. 20'X40-60' retail sales area. Okay with condition requiring 17 P.S. Trailers that now store materials will be removed once new building is built. Trailers and trucks may not be stored on property for more than thirty days.

Motioned by: Dennis Eby

Seconded by: Larry Martin

Decision: Approved with specific conditions

Conditions: Use of existing building limited to storage. LD generally consistent with exhibits presented and marked. No painting. 69% maximum lot coverage. No outdoor storage of raw materials. Storage trailers must be removed from property. All prior conditions noted in earlier cases and approvals vacated. Retail sales limited to parts and products manufactured and assembled onsite. No outdoor storage of trucks, etc. shall exceed thirty days.

The meeting was adjourned at 7:10 PM

Respectfully Submitted,

Damian Clawser
Zoning Officer