

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

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, March 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 and John Wanner. Also present was Julie Miller, ZHB Council and Damian Clawser, Township Zoning Officer and Allen Blank, Stenographer.

No Meeting minutes were reviewed. February 28, 2023 minutes were reviewed at the Monday, March 27, 2023 ZHB Meeting.

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

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. 03-23-02

Amos E. Fisher of 5269 Paes Road, New Holland, PA 17557 is requesting a Special Exception under §340-13.C(7) to exceed permitted residential accessory space, subject to §340-118 and §340-24.I. The Subject Property is located at 5179 Paes Road, New Holland, PA 17557 and is located within the RR – Rural Residential district.

Application Presented by: Amos Fisher/Sam Stoltzfus, Tall Pines Builders/Jason Shaner, Impact Engineering

Testimony: Property is 6.9 acres. 46 SF Shed is being removed. New structure to be 2947 SF (excluding overhang). Height of building to be 29' to peak and no more than 18' to square, 30' from property line. Will not be used for dwelling or business. Testified that he would comply with 340-24.I. Lot coverage is met. Sharon and Thomas Shelton (granted party status with motion by Peter Horvath and seconded by Dennis Eby) gave statements regarding water runoff and horse flies that were issues when a deer farm was on the property with previous owner. John Byer gave a statement regarding water runoff. Swale at the rear of his property has become a 5' ditch over the years.

Decision: Approved with Standard Conditions

Motioned by Dennis Eby. Seconded by Larry Martin

2. 03-23-03

Reuben Jay Blank of 544 Red Hill Road, Narvon, PA 17555 is requesting a Special Exception under §340-21.C(17) to exceed permitted residential accessory structure space, subject to §340-118 and §340-24.I. The Subject Property is located at 737 Gault Road, Narvon, PA 17555, otherwise identified by PIN 560-98279-0-0000 and is located within the OS – Open Space district.

Application Presented by: Reuben Blank/Jason Shaner, Impact Engineering

Testimony: Property is 1.9 acres. Proposed barn to be 17'8" height to peak. Total residential accessory space between the two structures will be 1824 SF. It will not contain a dwelling or a business. There will be a 6' overhang on the side nearest Wasco property. This would put footprint of building to 28'X36'. Sonya Wasco asked a few questions regarding placement of septic system.

Decision: Approved with Specific Condition

Motioned by Dennis Eby. Seconded by Larry Martin

3. 03-23-07

Samuel L. Stoltzfus of 63 N. Hollander Road, Gordonville, PA 17529 is requesting a Variance from §340-12.E (Attachment 1) to allow a proposed residential accessory structure to be located within required setbacks. The Subject Property is located at 5071 Old Philadelphia Pike, Kinzer, PA 17535 and is within the A – Agricultural district.

Application presented by: Samuel Stoltzfus/Simeon King, Builder

Testimony: Proposed building is to be 2' from east and north property lines. Proposed building is to be 1400 SF.

Decision: Denied

Motioned by Peter Horvath. Seconded by Larry Martin

4. 03-23-08

John Peter and Joan Lindquist of 6195 Plank Road, Narvon, PA 17555 are requesting a Variance from §340-12.B and §340-12.L(4) to add to a non-conforming residential lot, a Variance from §340-12.L(1) to not utilize any subdivision rights in completion of the lot add-on and a Variance from §340-12.E to allow residential lot to exceed maximum lot size as well as any other Special Exceptions and/or Variances needed to complete the subdivision and lot add-on. The Subject Properties are located at 6191 and 6246 Plank Road, Narvon, PA 17555 and are both within the A – Agricultural district.

Application Presented by: Applicant requested a continuance and presented a continuance letter.

Motion to accept continuance request, Peter Horvath and Seconded by Dennis Eby.

5. 03-23-09

Elam M Stoltzfus, Jr. of 5130/5132 Amish Road, Kinzer, PA 17535 (Subject Property) is requesting a Special Exception under §340-12.C(16) to exceed allowed residential accessory structure space subject to §340-118 and §340-24.I and a Variance from §340-118.B to allow proposed barn within required setback. The Subject Property is located within the A – Agricultural district.

Application presented by: Elam Stoltzfus

Testimony: Proposed 22'X40' addition. Proposed barn to be 6' from western property line. Height to be 27'. Has four horses, two ponies and one cow. TBR 10'X10' shed. Applicant requested continuance in order to redesign some things in hopes of building what he needs and getting approval.

Motion for continuance by Peter Horvath and Seconded by Dennis Eby.

6. 03-23-11

897 Properties, LLC / David and Chad Nissley of 354 Springville Road, Kinzer, PA 17535 (Subject Property) are requesting a Variance from §340-12.E (Attachment 1) to allow a structure (solar array) within required setbacks. The Subject Property is located within the A – Agricultural district.

Application presented by Chad Nissley/Darren Devoe, Smucker Energy

Testimony: Asking for the Solar Array to be 15' from southern most property line. Applicants entered GIS image with Solar Array overlaid with dimensions. If electric goes out, panels with shut down with no feed back in to grid. Panels are fixed, no movement proposed. Panels are DC which poses little electrical risk. Fabric and stone will be the underlayment to the panels. Panels are approx. 15', matte finish and are durable enough to be walked on.

Decision: Approved

Motioned by Dennis Eby. Seconded by Larry Martin

The meeting was adjourned at 8:30 PM

Respectfully Submitted,

Damian Clawser
Zoning Officer