

Salisbury Township Zoning Hearing Board Minutes from May 23 , 2023 Meeting

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, May 23, 2023 at 6:00 PM.

Peter Horvath called the meeting to order at 6:04 PM.

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

Minutes of the April 25, 2023 ZHB Meeting were read and approved.

Damian S. Clawser, Zoning Officer 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.

Motion to accept: Peter Horvath Seconded: Dennis Eby

Old Applications:

1. 04-23-01

Amos S. Fisher of 35 Lesal Road, Gordonville, PA 17529 is requesting a Special Exception under §340-12.C(2) to place an ECHO housing unit subject to §340-78 as well as a Variance from §340-12.E (Attachment 1) to locate a residential accessory structure within the front yard and not meeting front yard setbacks as well as a Special Exception under §340-12.C(16) and subject to §340-118 and §340-24.I. The Subject Property is located at 5 Lesal Road, Gordonville, PA 17529 and is within the A – Agricultural district.

Testimony: Letter of Continuance presented.

Decision: Continuance granted

Motioned by Peter Horvath Seconded by Dennis Eby

New Applications:

1. 05-23-01

Donna M. DiPietro of 5860 Zook Lane Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-14.C(6) to be permitted additional residential accessory space, subject to §340-118 and §340-24.I. The Subject Property is located within the R-1 – Residential district.

Testimony: Applicant testified that all sheds that have been permitted and presented still exist on the property and total 1596 SF. The new shed will be used for patio storage and not for business use. With the addition of the new shed accessory space will increase to 1696 SF

Presenting: Donna DiPietro

Decision: Approved with specific conditions

Motioned by Dennis Eby Seconded by Larry Martin

2. 05-23-02

White Horse Relief Center c/o Chris Stoltzfus of 5418 Old Philadelphia Pike, Gap, PA 17527 is requesting a Variances from 340-19.E and §340-35.B.1 to allow location off street loading within required front yard as well as any other Special Exception and/or Variances deemed necessary to establish the use presented. The Subject Property is an unaddressed lot located on the west side of White Horse Road (S.R. 897), south of its intersection with Gap/Newport Pike (S.R. 340), otherwise identified by PIN 560-77504-0-0000, which is located within the RE – Rural Enterprise district.

Presenting: Sheila O'Rourke GK&H, Anthony Petersheim, Lancaster Design Build, Chris Stoltzfus, White Horse Relief
Testimony: Chris Stoltzfus is a member and authorized by the organization to testify on their behalf. Sheila O'Rourke provided standing by presenting a letter from property owner.

White Horse Relief Center creates relief kits for other organizations. There are twelve different kinds of kits i.e. hygiene, baby. No food products. Laundry soap is made on site to put into kits and baby clothing is also sometimes included. Tractor trailers deliver products and kits are sent out via vans/box trucks. Volunteer count is 15 and expected to increase to 25, operating hours from 7 AM – 4 PM. Current parking is 32 spaces with 8 horse and buggy spots. That will increase to 40-46 spaces with construction. Lots 14 & 15 will be merged to be 3.7 acres total. This would make the combined lot a corner lot with two front yards. Grades fall 14'-15' east to west. The building would be built in two phases. Loading docks would be facing proposed street (Ridge View Drive). Site and uses do comply. Applicant requesting modification variance from 340-137 to request additional 12 months to obtain permit.

Decision: Approved

Conditions: Parking numbers must be confirmed prior to construction

Motioned by Dennis Eby Seconded by Larry Martin

3. 05-23-03

Crown Castle USA, Inc. of 2000 Corporate Drive, Canonsburg, PA 15317 is requesting a Special Exception under §340-18.C(13) to locate and construct a communications tower, subject to §340-71, a Variance from §340-71.B to locate the proposed communications tower within minimum required property line setbacks, a Variance from §340-71.F(2) to allow the communications tower nearer to nearest property line of any existing residence, a Variance from 340-18.F(3) to locate structures within minimum rear yard setbacks, and to the extent applicable, a Variance from §340-18.G to allow the communications tower to exceed maximum structure height as well as a Variance from §340-18.M(2) to eliminate the requirement for provision of a landscape strip along the southern property line. The Subject Property is located at 4940 Lincoln Hwy, Kinzer, PA 17535 and is within the I – Industrial district.

Presenting: Shawn Gallagher and Joseph Clement

Exhibits Entered: Township – adjoining property letter/notices and Applicant – documents A1-12 which were submitted with application.

Testimony: Crown Castle owns 40,000 towers and is looking to relocate the existing tower located on land owned by Urban Outfitters. The existing tower height is 120'. Tower is a monopole with no guy wires. Towers with a height of 200' + require FAA approval, this tower is not that high. Break point of the tower is at the mid point (fall zone is 60') and will withstand winds up to 113 MPH. Dwelling on said property is 154' from tower proposed location. Nearest home on adjacent property falls at 470' from proposed tower location. There is no other location on this particular property that can accommodate the tower. Tower will serve fiber optic and wireless communications. All carriers will carry FCC approvals. Tower will have space for police and emergency vehicles.

Decision: Motion made to amend application to include variance from 340-137.B (Continuance to June)

Motioned by Peter Horvath Seconded by Dennis Eby

The meeting was adjourned at 7:55 PM

Respectfully Submitted,

Damian Clawser
Zoning Officer