

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

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

Dennis Eby called the meeting to order at 6:01 PM.

Members present: Dennis Eby, Larry Martin, John Wanner. Absent: Peter Horvath Also present was Julie Miller, ZHB Council, Damian Clawser, Township Zoning Officer and Allen Blank, Stenographer. Minutes of the October 24, 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: Dennis Eby Seconded: Larry Martin

Old Business:

1. 10-23-01

FB Property Group, LLC of 1016 Brackbill Road, Gap, PA 17527 (Subject Property) is requesting a Special Exception under §340-18.C(4) to establish and operate a business manufacturing modular log homes as a Heavy Industrial Use, subject to §340-87, a Variance from §340-30 to allow a second principal use on the Subject Property without being required to complete land development planning, as well as a Variance from §340-18.F to be within minimum setback requirements for the second principal use. The Subject Property is located within the I – Industrial District.

Testimony: Julie Miller read conditions provided by Dwight Yoder into record.

Decision: Granted with conditions as read.

Motioned By: Larry Martin, Seconded by Dennis Eby

New Applications:

1. 11-23-01

John K. Blank of 5921 Plank Rd, Narvon, PA 17555 (Subject Property) is requesting modification of a prior decision and Special Exception under §340-12.C (12) to amend the business type as well as expand the Rural Occupation, subject to §340-106 and including a Variance from §340-106.A to exceed maximum allowed business space. The Subject Property is located within the A – Agricultural district.

Presenting: John Blank

Testimony: Wants to expand and “facelift” business building. Has had a welding business since 2004. Motion to recognize prior decisions. A request was made to continue this hearing to January 23, 2024

Motioned by: Dennis Eby, Seconded by Larry Martin

2. 11-23-02

Colleen Bowden of 5734 Old Philadelphia Pike, Gap, PA 17527 (Subject Property) is requesting modification of a prior decision to allow occupancy of a detached, second dwelling by unrelated individuals. The Subject Property is located within the A – Agricultural district.

Presenting: Colleen Bowden

Testimony: Colleen and her family lived in the garage apartment and now live in the main dwelling. The apartment has now been empty for a few months. Apartment dimensions 80'X28' with 1-2 Bedrooms and 1 Bath. One garage space is allocated to the apartment. There is a septic system serving the apartment/dwelling. Property is 3.2 acres. Rental is supposed to be long term.

Conditions: 1) Applicant shall comply with sewer requirements (Township Act 537 Plan) 2) Occupancy requirement of no less than thirty one days.

Decision: Approved with Specific Conditions

Motioned by: Larry Martin, Seconded by John Wanner

3. 11-23-03

Luke Harkcom of 832 Longview Lane, Gap, PA 17527 (Subject Property) is requesting a Variance from §340-14.E (Attachment 2A) to be permitted to construct an addition to dwelling that will be within minimum front yard setback. The Subject Property is located within the R-1 – Residential district.

Presenting: Luke Harkcom

Testimony: Bought home in 2012. House is 49' from CL of road and 39' from edge of road. Newly constructed entryway (9'X6'6") would place building at 32' from edge of road and 43' from CL

Decision: Granted w/Standard Conditions

Motioned by: Larry Martin, Seconded by John Wanner

4. 11-23-04

Christopher Kaminski (Kaminski Properties) of PO Box 396, Hanover, PA, 17331 is requesting a Special Exception under §340-12.C (13) to establish a fencing company as a Rural Occupation, subject to §340-106 and a Variance from §340-106.E to exceed maximum permissible outdoor storage and a Variance from 340-106.L to allow retail sales. The Subject Property is located at 945 Churchtown Road, Narvon, PA 17555 and is within the A – Agricultural district.

Presenting: Christopher Kaminski

Testimony: Garage (24 X 36) that exists on property is now used as a wood shop/cabinet maker and would be used for the fencing business. Outdoor storage to be 50'X75'. Items stored are approx . 6'4" and would be stacked two high (this would exceed ordinance requirements). Currently has two crews with three employees on each crew. Trips per day = two crews and one delivery (on Thursdays) with operating hours of 6:30 – 5 M-F. No retail store. Proposing 40'X60' building to house business vehicles and equipment. Post rails and boards would be stored outside. Larger job inventory is delivered to jobsite. Proposed business space would be 3264 SF as presented. Applicant during testimony noted he would build out to 4000 SF in building space and therefore would match in outdoor space at 4000 SF. Mr. Kaminski and his wife would occupy the home on the property. A dumpster for scrap and waste would be in the outdoor storage area. No lighting planned for storage area except at doors of proposed building. Mr. Kaminski noted that he would agree to storage within the 6' height limit and the condition that retail would be limited to random.

Requesting Party Status: Jeffrey and Libby Smelser, concerned that business would change the nature of the area and noted site distance /blind hill nearby. Joel Moore, concerned about trees being removed and lighting. Andy Martin, concerned about truck traffic, site distance and that zoning doesn't match nature of proposal.

Decision: Denied

Motioned by: Larry Martin, Seconded by John Wanner

EXECUTIVE SESSION WAS CALLED @ 7:17 – 7:30

The meeting was adjourned at 8:17 PM

Respectfully Submitted,

Damian Clawser
Zoning Officer