

## **Salisbury Township Zoning Hearing Board Minutes from October 25, 2022 Meeting**

A regular meeting of the Salisbury Township Zoning Hearing Board was held on Tuesday, October 25, 2022 at 6:00 PM.

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

Members present: Larry Martin, John Wanner and Peter Horvath. Also present was Julie Miller, ZHB Council and Damian Clawser, Township Zoning Officer and Christy Della Rova, Stenographer.

Members absent: Dennis Eby

Meeting minutes of September 27, 2022 ZHB meetings were reviewed. A motion was made by Larry Martin to approve the minutes as written. Motion was seconded by John Wanner.

Three 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.

### Continued Application:

1. 09-22-04 Alvin F. Beiler of 595 Cambridge Road, Narvon, PA 17555 is requesting a Special Exception under and subject to §340-12.L to subdivide a Parent Tract to create a new agricultural lot including any other necessary Special Exceptions and/or Variances needed to complete the subdivision. The Subject Property is located at 443/447 Jacobs Rd, Narvon, PA 17555 and is located within the A – Agricultural district.

Application Presented By: Ron Hershey and Alvin Beiler

Testimony: Lot 1 contains two dwellings and several other accessory buildings, lot is farmed currently, lot 2 would utilize an access strip on two adjoining properties to get to Buchland Rd, continuance requested.

Motioned by: Peter Horvath

Seconded: Larry Martin

Decision: Continuance granted

### New Applications:

1. 10-22-01 Jonathan Stoltzfus of 546 White Horse Road, Gap, PA 17527 (Subject Property) is requesting modification of a prior decision to allow/retain a second driveway on the Subject Property. The Subject Property is within the A – Agricultural district.

Application Presented By: John Coldiron and Jonathan Stoltzfus

Testimony: John presented that due to complications with PennDot in obtaining a permit as originally planned they had to change where the driveway was to be located, testified that the driveway has been installed already, testified that Jonathan will do what is needed regarding stormwater.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Approved with standard conditions

2. 10-22-02 Daniel Z. Stoltzfus of 649 Churchtown Road, Honey Brook, PA 19344 is requesting a Special Exception under and subject to §340-12.L to subdivide a Parent Tract to create several agricultural tracts and complete a lot add on to an adjoining residential lot as well as a Variances from §340-12.B and §340.12.L(4) perform add-on to lot containing no subdivision rights and to increase the size of a lot of record as well as a variance from §340-12.L(1) to not count add-on against subdivision quota as well as any other Variances and/or Special Exceptions needed to complete the subdivision and lot add-on. The Subject Properties are located at 577 and 649 Churchtown Rd, Honeybrook, PA 19344 and are both located within the A – Agricultural district.

Application Presented by: Bill Rogers and Daniel Stoltzfus.

Testimony: Wants to create a 27 acre property a 25 acre and remainder of 41 acres, land is crop farmed and would continue to be farmed, proposing to add 649 smaller lot to a proposed lot 1 this contains a single family dwelling and echo house, 577 contains a double dwelling and multiple agricultural buildings, Aaron son in law does have an operation that breeds and sells dogs on the 577 Churchtown lot, Dan would like one remaining subdivision to be attached to lot 1, gave an explanation that the 41 acre remaining lands would be difficult to subdivide due to wetland and streams along Ross Rd.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Variance from 340-12.L(1) subdivision right denied, remaining requests Approved with specific conditions

3. 10-22-03 Samuel and Rachel Miller of 5973 Wertztown Rd, Narvon, PA 17555 (Subject Property) are requesting a Special Exception under §340-21.C(17) to be permitted additional residential accessory structure space, subject to §340-118 and §340-24.I. The Subject Property is located within the OS – Open Space district.

Application Presented By: Samuel and Rachel Miller

Testimony: Proposing a 24' x 30' garage, would be about 15' from existing barn, will be 12' h single story, no business there is an 8' x 10' shed that is on the property used for hay, they do breed and sell dogs testified to this when questioned, proposed building would not be used for this.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Approved with standard conditions

4. 10-22-04 Christian E. Blank of 112 Cambridge Rd, Gap, PA 17527 is requesting a Special Exception under and subject to §340-12.L to subdivide a Parent Tract to complete a lot add on to an adjoining residential lot as well as Variances from §340-12.B and §340.12.L(4) perform an add-on, transferring land from an agricultural lot to a lot containing no subdivision rights and to increase the size of a lot of record. The Subject Properties are located at 5599 Old Philadelphia Pike, Gap, PA 17527 and an unaddressed lot identified as Lot 3 Block A on a subdivision plan titled "Final Subdivision plan for Christian E. and Sallie D. Blank" recorded at the Lancaster County Recorder of Deeds as Instrument Number: 2011-0171-J, otherwise identified by PIN 560-00092-0-0000 both being located within the A – Agricultural district.

Application Presented By: Ron Hershey and Christian Blank

Testimony: Subject property is 54 acres, lot 2a would be the residential lot be added to the portion subdivided from the farm, all structures are not on 5599 Old Philadelphia, no improvements on lot 2a at this point.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Approved with standard conditions.

5. 10-22-05 Rough and Tumble Engineers Historic Association with the address of PO Box 9, Kinzer, PA 17535 is requesting a Special Exception under and subject to §340-12.L to be permitted to subdivide a portion of a lot used for agricultural purposes to add to a lot containing a non-conforming use, a Variance from §340-12.L(1) to exclude subdivision from utilizing a subdivision right, a Special Exception under §340-125 to expand a non-conforming use and to the extent needed, a Variance from §340-12.E (Attachment 1) for the expanded lot to exceed maximum lot size as well as any other Special Exceptions and/or Variances needed to complete the subdivision add/on. The Subject Properties are located at 626 Hensel Rd, Kinzer PA 17535 and an adjoining unaddressed lot identified with PIN 560-56858-0-0000, both being located within the A – Agricultural district.

Application Presented By: Ron Hershey

Testimony: Proposed lot line would be 10' from existing access drive, there would be no improvements other than a gate, access drive would only or continue to be used for events, existing lot that is owned by Rough and Tumble is 20.6.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Approved with standard conditions.

6. 10-22-06 Patrick Harple and Kimberly Simmons of 5720 Lincoln Highway, Gap, PA 17527 are requesting a Variance from §340-13.B to construct a residential accessory building on a lot as a principal use as well as a Variance from §340-13.D to allow proposed building to not meet minimum required setbacks. The subject Property is a vacant lot located at 5018 Strasburg Rd, Kinzer, PA 17535 and is located within the RR – Rural Residential district.

Application Presented By: Kimberly Simmons and Patrick Harple

Testimony: wants to build a garage on property, access to the underdeveloped lot would be from 5014, garage would be single story 30' x 60' in size, there is no plan to develop the vacant lot with a house, looking at 16' in height for garage.

Motioned by: Larry Martin

Seconded: John Wanner

Decision: Approved with specific conditions.

The meeting was adjourned at 8:35 pm.

Respectfully Submitted,

Kara Wanner

Assistant Zoning Officer