

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 4, 2018

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, January 4, 2018 at the Penn Township Municipal Building. Present were planning members David Baker, Clayton Black, Wendell Felix, Justin Heiland, and Henry Senatore along with Township Engineer Bortner and Interim Zoning Officer Garrett. Planner Barbara Mahan was absent with notice.

The Planning Commission took action to reorganize. Planners Black/Felix moved to nominate David Baker Chairman. Motion carried. Planners Black/Heiland moved to nominate Barbara Mahan Vice-Chairman. Motion carried.

The planners approved the December 7, 2017 Planning Commission minutes as submitted. Planner Black noted that he was not present at the December meeting and could not confirm the accuracy of the minutes.

The planners received the following zoning appeal and made the following recommendation to the Zoning Hearing Board:

ZHB17-13 – Stateline Canine, Inc., 1446 Baltimore Street, Hanover, PA 17331. Applicant is requesting a variance to Section 209.2 (Use Regulations) and a special exception to Section 201.2 (Uses Not Provided For) in order to operate a business for dog training with overnight stay. The property is located at 581 West Chestnut Street in the Industrial zone.

Interim Zoning Officer Garrett reported that Barley Snyder sent a letter requesting this case be continued until the February 1, 2018 Planning Commission meeting.

The planners reviewed the following waiver or exoneration requests:

GHI on behalf of the equitable owner of Beechwood Way land development plan, requests a waiver to the Penn Township Residential Street Lighting Ordinance No. 792 to be exonerated from the requirement of providing a Residential Street Light Lamp for each dwelling unit.

Scott Barnhart, Burkentine & Sons Builders, represented this request. Mr. Barnhart explained that they have requested, in the past, to install lights at every other residence. This time they are requesting to place the lights on the residence, next to the front door instead of installing a post light. Usually, when placing an individual post light in front of each home, or every other home, they have a thirty-five foot driveway between the front of the house and the curb. In this instance there are no driveways. There will be a light on each house already, placing a post light in addition to this would result in lights that are three feet apart. Mr. Barnhart said they plan to install lights every twenty feet, on the homes. Planner Heiland asked if the lights will be on a dusk to dawn

timer and Mr. Barnhart said they can be. Mr. Barnhart said they will use the same criteria for lightbulbs as required for post lights. He believes this will project light similarly to a post light. Planner Heiland asked if the larger three unit building on the end will have only porch lights and Mr. Barnhart said yes.

Planner Felix said there are no Township Ordinances giving the Township authority to regulate porch lights. The only lights the Township can legally regulate are post lights. If this waiver is granted there will be no legal means for the Township to ensure the lights remain lit. Mr. Barnhart said they can put the lights on a dusk to dawn timer. Planner Felix said that's fine for now but something could break. Mr. Barnhart said these are rental units so Burkentine & Sons Builders will maintain the lights. Planner Felix asked what happens when the property is sold and Mr. Barnhart had no answer. Planner Felix said that allowing the post lights to be placed at every other dwelling is a problem when one of the lights goes out. The distance between lights is too far. Planner Baker asked why they don't eliminate the porch light and just use a post light. Mr. Barnhart said most people prefer to have a light at their door. He pointed out that these are private streets.

Planner Heiland pointed out there is a Beech Lane in the Township already. Interim Zoning Officer Garrett said Beechwood Way is different enough to be acceptable. He also recommended a condition be put in place if a favorable recommendation is given to the Penn Township Board of Commissioners. He suggested the material of the light be non-corrosive or some type of product that won't rust or disintegrate over time and that a dusk to dawn timer be required. Planner Senatore asked if the porch light will have the same lumens and coverage area as a post light. Mr. Barnhart said Capital Tristate is working on a lighting study right now and will have that for the Board of Commissioners meeting.

Planner Senatore made a motion for a favorable recommendation to the Penn Township Board of Commissioners on this request with the condition that it be a dawn to dusk light and a light study be provided. There was no second.

Planners Black/Felix moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-1 vote with Planner Senatore casting the dissenting vote.

Planner Senatore asked that the Township work towards reviewing the Ordinance concerning post lights. He said the current Ordinance doesn't address multi-family units such as the ones being discussed this evening. The Planning Commission has, on several occasions, recommended favorably for this type of waiver and Mr. Senatore would like to see that codified. He believes one light for every two dwellings is adequate and is no longer an exception because it's been approved multiple times. Planner Felix said the last two times the Planning Commission recommended favorably on these types of waivers the Board of Commissioners moved to deny the requests. Planner Heiland said it could be looked at as the Township is reviewing the Zoning Ordinance. Planner Felix said it gets too dark when the lights are placed at every other home and one of the lights goes out. Planner Black said he understands this concern but the distance in between houses is one hundred fifty feet for a single family dwelling. When one of them goes out there is a three hundred foot gap in light. He said he and his wife have gone walking and noticed the street lights that are placed every twenty

feet look goofy, it's over lit. He agrees that the Ordinance should be reviewed to address multi-family dwellings.

Planners Senatore/Black moved to make a recommendation to the Penn Township Board of Commissioners that the Residential Street Lighting Ordinance be reviewed to codify the exception for multi-family dwellings. Motion carried on a 5-0 vote.

Hanover Land Services on behalf of Above & Beyond Christian Child Care Center is requesting a waiver from Section 303 (Submission of Plans) and Section 505.k.1 (Curbs, Gutters, and Sidewalks) of the Penn Township Subdivision and Land Development Ordinance in regards to their submitted plan. The property is located at 701 Black Rock Road.

Kris Raubenstine, Hanover Land Services, represented this request. He explained that he's asking for two waivers on behalf of Above & Beyond Christian Child Care Center. The first is for a waiver of preliminary plan submission. He said this is a minor design with no public improvements so a preliminary plan isn't really necessary. The second request is to waive the requirement for installation of curbs, gutters, and sidewalks. The property fronts Black Rock Road, which is a State road, and there is no existing curb or sidewalk along the front of Black Rock Road from Grandview Road heading south. Engineer Bortner said a preliminary plan is useful with developments where they are installing major roads and public improvements. The builder can get a preliminary plan and begin making public improvements before they are required to bond them. If the Township waives the curb, gutter, and sidewalk they won't be doing any public improvements and wouldn't need a preliminary plan. Engineer Bortner pointed out that Penn DOT would require the Township to maintain these public improvements even though they're on a State road which is why the Township hasn't, in recent past, required public improvements on State roads.

Planner Heiland asked if approving a waiver of sidewalks means the Township can never go back and ask for sidewalk. Engineer Bortner said the Board of Commissioners would waive the requirement for public improvements to be shown on this plan, but they could go back and require them at a later date. Planner Baker asked if the driveway is being paved. Mr. Raubenstine said they are paving the parking area and adding a small stormwater facility at the southern end of the existing parking lot. Planner Heiland asked if there will be a landscape buffer on the residential side. Mr. Raubenstine said they are installing the required landscaping. Planner Black asked if there should be screening around the dumpster pad and Mr. Raubenstine said they can add that.

Planners Felix/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

Hanover Land Services on behalf of Burkentine Plaza Units 7 & 8, requests a waiver from Section 404 (Environmental Impact Studies) of the Penn Township Subdivision and Land Development Ordinance in regards to their submitted plan. The property is located at the Grandview Plaza area.

Scott Barnhart, Burkentine & Sons Builders, represented this request. Mr. Barnhart said this request is for the new office being built next to Grandview Plaza. There are no streams, wetlands, etc on the parcel and a traffic study was previously conducted on behalf of the Grandview Plaza condominium plan. Since there are no environmental impacts and the traffic study was already completed they are requesting a waiver. Engineer Bortner said there was a similar waiver granted to unit sixteen in Grandview Plaza. He said this is similar except that unit sixteen was not included in the original Grandview Plaza plan; half of the Burkentine lot was included in the original plan. He said Burkentine & Sons is still working on Penn Township Staff comments and waiting on outside approvals.

Planners Felix/Heiland moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

The planners reviewed the following plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, Martin Hill, 4219 Hanover Pike, Manchester, MD 21102. A preliminary 227 lot subdivision located on Grandview Road in the R-22 & R-40 zones. (Pending sewer) (South Portion – Robert Sharrah)

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P16-06 – BROOKSIDE HEIGHTS – PHASE 3, Brookside LLC (Paul Burkentine, member), 1500 Baltimore Street, Hanover, PA 17331. A final subdivision plan to create eighty-five (85) residential lots to construct single family attached and multifamily dwellings. The property is located east of South Center Street and west of Meadowbrook Drive in the R-8 zone.

There was no action taken on this plan

SL17-10 – MUSTANG POINTE, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL17-13 – BURKENTINE PLAZA- UNITS 7 & 8, Paul D. Burkentine & Rajean A. Burkentine, 330 Dubs Church Road, Hanover, PA 17331. A final reverse subdivision and land development plan submitted in order to construct an office building. The property is located at Grandview Plaza area in the S/C zone.

There was no action taken on this plan.

SL17-14 – ABOVE & BEYOND CHRISTIAN CHILD CARE CENTER, Ricky L. & Janice N. Bortner, 584 Manheim Road, Glenville, PA 17329. A final subdivision and land development plan submitted in order to construct a child care center. The property is located at 701 Black Rock Road in the R-15 zone.

Kris Raubenstine, Hanover Land Services, represented this plan. He said they've worked through most of the Penn Township Staff comments. They are waiting for the Highway Occupancy Permit from Penn DOT. They will take care of adding a screen around the dumpster pad. He said this is the old Hanover Wesleyan Church property. It will be renovated and a small addition added to the front of the existing structure. The existing gravel driveway will be slightly graded and paved. There is already public water on the sight and they are connecting to public sewer through the back of the property. Planner Black asked where the lighting detail is on the plan. Mr. Raubenstine said it was neglected and will be added. He said it's a typical pole light. Planner Black asked if the proposed sign is in the right-of-way. Interim Zoning Officer Garrett said it's eight feet; signs should be at least ten feet from the right-of-way but the sign is existing. Planner Black asked if it will be illuminated and it will not. Planner Black asked if this is a special exception use and Mr. Raubenstine said it is. Planner Black asked if the neighbors had any concerns when the special exception was approved. Planner Heiland said there were no neighbors present but Planner Senatore had concerns. Engineer Bortner said there is nothing in any Penn Township Ordinance requiring a buffer for the neighbors. He's also not aware of anything in the Subdivision and Land Development Ordinance requiring a dumpster screen. Planner Black said dumpsters in residential areas should always be screened. Planer Felix said this information can be shared with the Joint Zoning Ordinance Committee.

Planners Heiland/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioner on this plan with the condition that the lighting detail and dumpster screen be added to the plan. Motion carried on a 3-2 vote with planners Black and Felix casting the dissenting votes.

SL17-16-1040 BALTIMORE STREET, Philip G & Amy Redding and James D. & Joanne Lee Miller, 230 Stock Street, Hanover, PA 17331. A land development plan submitted in order to construct mini-storage warehouses & single family residential. The property is located at 1040 Baltimore Street in the S/C zone.

There was no action taken on this plan.

SL17-18-MAGNOLIA WAY, Magnolia Way, LLC, 1500 Baltimore Street, Hanover, PA 17331. A land development plan submitted in order to construct thirty-five (35) multi-family dwellings units. The property is located at 22 South Center Street at end of Charles Avenue cul-de-sac in the R-8 zone.

There was no action taken on this plan.

SL17-19-J A MYERS (FORMERLY HANOVER WATER LOT), Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary/final subdivision plat plan submitted to in order to create two (2) residential lots. The property is located at corner of Westminster Road and Baugher Drive in the R-15 zone.

Bob Sharrah, Sharrah Design, represented this request. He said this property is the former Hanover Water Company lot at the corner of Westminster Avenue and Baugher Drive. It was under contract to Joseph Myers when the plan was drawn up and is now in the name of a limited partnership. They have addressed Penn Township Staff comments and York County Planning Commission comments. Engineer Bortner said his comments were addressed and they're waiting on DEP for the sewer module. Planner Heiland asked if there are any safety concerns about turning off of Westminster Ave. Mr. Sharrah said it meets the safe sight distance requirements.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 5-0 vote.

The meeting adjourned at approximately 8:08 p.m.

Respectfully submitted,

Angela M. Hallett, Recording Secretary