

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 6, 2022

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, January 6, 2022. Also present were planning members David Baker, Pamela Berlingo, Justin Heiland, James Lumadue, Adam Selfridge and Zach Smith along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planner Thomas Allison was absent with notice.

All in attendance stood for the Pledge of Allegiance to the Flag, which was followed by a period of silent meditation.

The Planning commission took action to reorganize. Planners Selfridge/Smith moved to nominate David Baker Chairman. Motion carried. Planners Selfridge/Smith moved to nominate James Lumadue Vice-Chairman. Motion carried.

The planners approved the December 2, 2021 Planning Commission minutes as submitted.

The planners received the following zoning appeals and made the following recommendations:

Zoning Officer Smith announced to the applicants in attendance that being there is an even number of planners, if a vote should split evenly, it will be moved as an unfavorable recommendation.

ZHB21-34-Kyle K. Lindsey, 138 Center Street, Hanover, PA 17331. The applicant is requesting a variance to Section 300.2 (Accessory uses and structures) in order to construct a two-car garage on a property without a principal building. The property is located at 138 Center Street Rear in the R-8 zone.

Mr. Kyle Lindsey, property owner represented this request. Zoning Officer Smith reported that the property at 138 Center Street is a corner lot. The lot in question fronts on Spring Avenue. Mr. Lindsey stated he owns the two parcels; the second parcel is too small to build a home on. He researched the process to reverse sub-divide the properties, and stated it is very costly, so he is requested a variance to construct a two-car metal garage to face Spring Avenue. The garage will be placed on a concrete slab, with future plans to install a driveway. Mr. Lindsey reported he removed one of the existing sheds on the property, and will move the remaining shed close to the house. All set backs will be met.

Planners Smith/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-34-Kyle K. Lindsey, requesting a variance to Section 300.2 (Accessory uses and structures) in order to construct a two-car garage on a property without a principal building, as it meets the requirements for a

variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-2 vote with Planners Berlingo and Heiland casting the dissenting votes.

ZHB21-35-Roger Holland, 751 Frederick Street, Hanover, PA 17331. The applicant is requesting a variance to section 206.2 (Use Regulations) in order to construct an industrial building to be used for manufacturing and warehouse. The property is located at 88-198 N. Blettner Avenue in the A/O Zone.

Adam Boyer, attorney with Barley Snyder, and Dennis Hudak, Holland Properties, represented this request. Attorney Boyer reported this request is identical to a request submitted in July of 2017, and at that time was approved. They were on a time constraint and had decided to rent space instead of expanding at the time. He said his client is again proposing to construct an industrial building for manufacturing and warehousing. Of the almost eighteen acres, fourteen are in Conewago Township which are zoned industrial, with the remaining in Penn Township that are zoned Apartment/Office. Planner Berlingo asked about increased traffic. Attorney Boyer stated that it would be a low traffic area.

Planners Smith/Selfridge moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-35-Roger Holland, requesting a variance to Section 206.2 (Use Regulations) in order to construct an industrial building to be used for manufacturing and warehouse as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

ZHB21-36-Water Street Four, LLC, 1315 Hanover Pike, Littlestown, PA 17340. The applicant is requesting a special exception to Section 322 (Uses not provided for) in order to construct a Group Dwelling for a fifty-five and over community. The property is located on Moulstown Road in the R-8 Zone.

Adam Boyer, attorney with Barley-Snyder, Kris Raubenstine, Hanover Land Services, Tim Mummert, and Steve Garvick, Water Street Four, represented this request. Attorney Boyer reported there is no ordinance addressing group dwellings as this is not a nursing facility licensed by the state. Use is defined as condominium community for residents of the age of fifty-five and older. The residents will be responsible for upkeep for the dwelling only. The grass, common areas and roads will be maintained by the HOA. The roads in the development are intended to remain private and not turned over to the Township. The development will be a retirement community with low traffic with the entrance far back on Moulstown Road, away from the intersection with Broadway. PennDot has conducted a traffic study and has approved. The roads are planned to be twenty-eight feet wide, sufficient for emergency vehicles. Mr. Mummert said the planned dwellings are single story, anywhere from eighteen thousand square feet up to thirty-four thousand square feet, with large garages. Sheds will be prohibited. He added there will be a large pond with a fountain to handle the stormwater management. Mr. Raubenstine said the development can meet all Penn Township ordinances such as lighting and landscaping.

Planners Selfridge/Smith moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-36-Water Street Four, LLC, requesting a special exception under Section 322(Uses not provided for) in order to construct a Group Dwelling for a fifty-five and over community as it meets the requirements for special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Review and make recommendations on waiver and exoneration requests:

GHI Engineers and Surveyors, on behalf of Above and Beyond Christian Child Care, are requesting a waiver to Section 505.k (Curbs) and Section 603 (Curbs, Gutters and Sidewalks) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan. The property is located at 701 Black Rock Road.

Kevin Barnes, GHI, and Rick and Janice Bortner represented this request. Mr. Barnes reported this request was also made in 2018, with the original building plan. A temporary waiver was granted at that time. The property fronts Black Rock Road, which is a state road, and there is no existing curb or sidewalk. He reported the past waiver was granted that if at some time in the future the Township could go back and require the installation at a later date. He added that with this plan, there are two existing buildings that will be demolished to construct an addition of 3,000 square feet to expand the child care facility. They will be adding two additional parking spaces to meet the zoning requirements. There will be infiltration bed in the back of the property to handle the storm water. Planner Lumadue asked about the fencing in the area. Mr. Barnes stated there is existing fences around the play areas, and parking areas. Planner Lumadue asked about the parking, Mr. Barnes said that they will be restriping an area and adding an additional ADA space to meet ADA requirements.

Planners Smith/Selfridge moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 505.k (Curbs) and Section 603 (Curbs, Gutters and Sidewalks) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan at 701 Black Rock Road. Motion carried on a 6-0 vote.

The planners reviewed and made recommendations on the following pending subdivision/land development plans:

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.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LANE DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

SL21-05-ELSNER ENGINEERING WORKS, Elsner Engineering Works, 475 Fame Avenue, Hanover, PA 17331. A final subdivision plan was submitted in order to construct an Industrial Building for the expansion of Elsner Engineering. The property is located West of the intersection Barnhart Drive and Industrial Drive, Hanover, PA in the I-Industrial zone. **There was no action taken on this plan.**

SL21-09-PORTER AND WAREHIME PROPERTY, BPR LLC, 150 Airport Drive, Unit 4, Westminster, MD 21157. Final subdivision plan submitted in order to reverse subdivide and add property to an existing parcel. The property is located at 577 High Rock Road in the R/C zone. **There was no action taken on this plan.**

SL21-12- ABOVE & BEYOND CHRISTIAN CHILD CARE CENTER, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A land development plan submitted in order to demolish two existing structures and construct a new 3,000 sq. ft. building to expand the existing childcare facility. The property is located at 701 Black Rock Road in the R-15 zone.

Engineer Bortner reported that his comments all revolved around the waiver request, with the favorable recommendation earlier this evening, all comments have been satisfied.

Planners Selfridge/Lumadue made a favorable recommendation to the Penn Township Board of Commissioner for SL21-12-Above & Beyond Christian Child Care Center. Motion carried on a 6-0 vote.

Public Comments: There were none.

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,

Donna M. Sweeney, Recording Secretary