

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 1, 2018

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, February 1, 2018 at the Penn Township Municipal Building. Present were planning members David Baker, Wendell Felix, Justin Heiland, Barbara Mahan, and Henry Senatore along with Township Engineer Bortner and Interim Zoning Officer Garrett. Planner Clayton Black was absent with notice.

The planners approved the January 4, 2018 Planning Commission minutes as submitted.

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

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 noted this case is an extension from the January 4, 2018 Planning Commission meeting.

Attorney Jeremy Fry, Barley Snyder LLC, represented this request. He said Stateline Canine Inc. currently operates a dog training facility in Grandview Shopping Center. The zoning at that address doesn't allow overnight stays for the dogs. Stateline Canine would like owners outside of the area to leave their dogs overnight, if needed. Dogs that are not training would not be staying overnight, which is the distinction between this and a kennel. A kennel's primary use is to shelter animals, whereas, in this instance the overnight stays are incidental to the dog training. The intended use is neither permitted nor prohibited anywhere in Penn Township. Under Section 201.2 of the Penn Township Zoning Ordinance a special exception can be granted for uses not otherwise permitted. If they aren't approved for a special exception, they would ask to be approved for a variance.

Planner Senatore asked if they are planning to board dogs while training them. Janet Edwards, owner of Stateline Canine, Inc. said that is what they're hoping to do. Planner Senatore asked what size kennels they will have. Ms. Edwards said the sizes would range, possibly four by five or five by seven. Planner Senatore asked how many dogs would be staying overnight. Ms. Edwards said she has averaged five at a time in 2017. She currently boards them at a kennel, when needed. It prevents the owners from having to pick up and drop off daily when they live far away. Planner Senatore asked how long training usually lasts. Ms. Edwards said they offer two, four and six week packages and they start a new class every other week. Planner Mahan asked how many dogs are in a class. Ms. Edwards said they are averaging ten to twelve right now but could have as many as fifteen. Planner Heiland asked what the hours of operation would be and Ms. Edwards said from 7 am to 6:30 pm.

Planner Felix asked what the difference is between dog training and a kennel since dogs will be staying for two or more weeks at a time. Mr. Fry said the primary use of a kennel is sheltering animals. The primary use of this facility is dog training, the overnight stays are incidental to that. When you drop a dog off at a kennel they don't get trained. This business would allow dogs to stay overnight while being trained. Planner Felix asked if she's moving from her current location because dogs can't stay overnight and Mr. Fry said yes. Ms. Edwards, to her knowledge, has never had a complaint at her current location. Mr. Fry believes there is a greater likelihood of complaints at her current location than in the one she's moving to. Planner Heiland asked if she's relocating or opening a second location. Ms. Edwards said she is moving. The current facility doesn't have a lot of inside training space, the new one is larger and would allow for an inside training area. Planner Heiland asked about the area labeled "area for break time/ overnight" on the submitted building sketch. Ms. Edwards said they currently have a training area, one fenced area, and a backroom with crates. They rotate dogs between training, getting socialization and taking breaks. The overnight dogs will remain in the break time area all night but they won't be there during the day. During the day they will be rotating with the rest of the dogs. Planner Mahan asked if someone will be on the premises overnight. Ms. Edwards said, ideally, she'd like that. It is commonly asked that they work on potty-training the dogs and having someone there to walk the dogs overnight would help with that.

Planners Senatore/Mahan moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB17-13 – Stateline Canine, Inc., 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 as it meets the requirements set forth for a variance in Section 502.3 a.) thru f.) and the requirements set forth for a special exception in Section 503.3 a.) thru e.). Motion carried on a 4-1 vote with Planner Felix casting the dissenting vote.

ZHB18-01 – Michael Humbert, 15223 Hanover Pike, Upperco, MD 54488. Applicant is requesting a variance to Section 207.2 (Use Regulations) in order to operate an auto body repair center. The property is located at 777 Baltimore Street in the Shopping/Commercial zone.

Attorney James Yingst with Guthrie, Nonemaker, Yingst & Heart, LLP represented this request along with Michael Humbert, applicant and owner of Ideal Auto Body. Mr. Yingst said Mr. Humbert has an auto body repair shop in Maryland and would like to open one in Hanover. This property was most recently Dave's Tractor World and small engine repairs were performed on the premises. An auto body shop isn't permitted in the shopping/commercial zone, but it is a permitted use across the street in the highway/business zone. He said Mount Olivet Cemetery is to the north of the property and immediately behind there is a very large retaining wall that goes down the southern side of the building. On the other side of the property is a Burger King. There are some houses across the street, but auto body repair is already allowed in that zone. Mr. Yingst said there is a business approximately one block to the south of this

facility that was recently granted Zoning Hearing Board approval for automobile repair and service.

Mr. Humbert said the facility is eleven thousand square feet. The front of the building would be used for office space and the rear would be for repair. They will install two professional paint bays and use only water-based products. This building was not available when Mr. Humbert went into business for himself eight months ago, now that it is, he would like to rent it. He said the building has one small garage door right now and he'd like to install another one on the left rear of the building. The existing garage door faces the cemetery. He said customers would park in the front and employees would park in the rear. Any parts would be dropped off in the rear of the building. No work would be conducted in the front of the building and there would be no dismantled vehicles. All dismantled vehicles will be stored inside the building. Nine to ten thousand square feet of the building will be used for the vehicles. The building has heat and air conditioning and there would be no reason to leave any garage doors open. Noise would be minimal. Mr. Humbert said he is EPA certified at his current location and plans to follow those same guidelines in Hanover even though it's not yet mandated in Pennsylvania. All products are low in volatile organic compounds (VOC) or water-based and he has had no complaints about fumes or odors. He said the paint is similar to what you'd use in your home but it's applied with a sprayer. Filters are regulated to filter 99.1% of contaminants. He has a lease contingent upon Zoning Hearing Board approval.

Mr. Yingst said they are asking for a variance. He doesn't believe the facility has a feasible use outside of automotive. Small engine repairs were already being conducted on the location and South Hanover Automotive has five or six bays for automobile repair and was recently granted a variance. The chance for disturbance is minimal based on the surrounding properties and Mr. Humbert will take all steps possible to minimize any noise or other impact to the surrounding properties.

Planner Felix asked if there will be any outside storage of vehicles and Mr. Humbert said there will not. The vehicles may sit out front for a short time while customers complete paperwork. Planner Felix asked to confirm that there will be no overnight storage of vehicles outside and there will not. Planner Felix asked if spare parts would be stored outside. Mr. Humbert said he keeps his facility very clean and presentable and will not store any parts outside. The back of the building has plenty of storage space upstairs. Mr. Yingst said they are willing to agree to a stipulation that everything must be stored inside. Planner Felix asked if there will be any vehicle sales and there will not, only automotive collision repair. Planner Felix asked if all employees will park in the back and Mr. Humbert said there are twelve to fourteen parking spaces in the rear and they will be used by employees. Only customers will park in the front parking lot.

Planner Senatore asked about vehicles that are transported by wrecker. Mr. Humbert said there is space in the rear for wreckers and he also owns a forklift to help move inoperable vehicles. If a vehicle is dropped off in the parking lot they will move it immediately inside. He said most of the cars he's had so far have been drivable but non-drivable vehicles can be dropped off in the rear of the building. Planner Mahan asked how many bays he will have and Mr. Humbert said there will probably be fifteen, though the shop will easily hold thirty cars. He said his paint company will come into the

building and help make sure it's set up with the best flow to get cars in, fixed and moved out. All repair work and cleaning of cars will be conducted inside. Planner Mahan asked if cars will have to be stored in the back lot. Mr. Humbert said he schedules for the building size and doesn't schedule more than he can get done in a day. Vehicles won't need to be stored outside. Comfortably he probably won't have more than twenty vehicles at a time in the shop. He built his business on keeping his customers happy. He's been in the auto body repair business for nineteen years, though only recently as a shop owner. He said he has also considered a slatted, gated fence in the rear of the property.

Planners Felix/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB18-01 – Michael Humbert, requesting a variance to Section 207.2 (Use Regulations) in order to operate an auto body repair center as it meets the requirements for a variance set forth in Section 502.3 a.) thru f.), with the following stipulations: there be no outside storage of vehicles, there be no outside storage of any new or used parts, there be no vehicle sales, and all employees park in the rear of the building. 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. There was no action taken on this plan.

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. There was no action taken on this plan.

SL18-01 – WELLSPAN MEDICAL ONCOLOGY & HEMATOLOGY – HANOVER, Wellspan Properties, LLC, 2500 S. George Street, York, PA 17403. A land development/lot consolidation plan submitted in order to construct a medical office facility. The property is located at 701 Wilson Avenue primarily in the Hanover Borough in the R-3 and a small portion in Penn Township in the Industrial zone.

Gerry Funke, GHI Engineers and Surveyors, represented this plan. Mr. Funke said this project is an existing facility, formerly Dr. Mohan's office. They're planning to more than double the size of the building. The existing building will be oncology and the addition will be for infusion. When this was previously approved, it was subdivided into two lots, now they want to demolish the house and make it one lot again. Planner Felix asked if the only section in Penn Township is a small corner. Mr. Funke said there is a very small amount of parking and stormwater management in Penn Township. Mr. Funke said they have already addressed York County Planning Commission's comments.

Planners Felix/Mahan moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan.

The meeting was adjourned at approximately 7:40 p.m.

Respectfully submitted,

Angela M. Hallett, Recording Secretary