

PENN TOWNSHIP PLANNING COMMISSION  
MARCH 1, 2018

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

The planners approved the February 1, 2018 Planning Commission minutes as submitted.

The planners received the following zoning appeal and made the following recommendation:

**ZHB18-02 – Apostolic Ministries**, 955 Baltimore Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 322 (Uses Not Provided For) in order to hold a temporary carnival. The property is located at 955 Baltimore Street in the A/O and the R-15 zone.

Zoning Officer Smith noted that the Zoning Hearing Board approved this same request in 2017. Neither the Police Chief nor the Fire Chief reported any problems with the carnival last year. He also noted that in addition to the conditions placed by the Zoning Hearing Board they were also asked to have the rides shut down by 10:00 p.m., not allow entrance to the event off of Baltimore Street, and to provide their own traffic control.

Wayne Hammonds with Apostolic Ministries Church represented this request. He said they would like to do the exact same thing they did last year, and the Zoning Hearing Board's conditions worked out wonderfully. He said they provided fencing for the neighboring properties and fixed the Clover Lane entrance as requested. There was ample parking. He said it was a good fundraising event for the church. Planner Heiland asked if they will follow all the same guidelines as last year and Mr. Hammonds said they would. Planner Felix asked how many days they plan to hold the event. Mr. Hammonds said it will be one day shorter than last year and will run Wednesday thru Saturday, May 16-19, 2018. Planner Felix said the entrance from Clover Lane was well lit and that was appreciated. Mr. Hammonds said they plan to have the same lighting this year.

Planners Senatore/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB18-02 – Apostolic Ministries requesting a special exception to Section 322 (Uses Not Provided For) in order to hold a temporary carnival as it meets the requirements set forth for a special exception in Section 503.3 a.) thru e.) They will be required to meet the same conditions as set forth in 2017. Motion carried on a 6-0 vote.

The planners reviewed the following waiver or exoneration requests and made the following recommendations:

First Capital Engineering are requesting a waiver to Section 605 (Landscaping and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance in regards to a land development plan submitted for 1056 and 1060 Baltimore Street Rear/Aero Energy.

John Luciani, First Capital Engineering, represented this request on behalf of Aero Energy. He said the property is located at 1056 and 1060 Baltimore Street. Mr. Luciani shared pictures of what the property looked like in 1957, 1971, and 1993. The pictures showed the progression of homes being built around what was the Arentz Oil property. The picture from 1993 showed homes under construction in the area. The Commission reviewed pictures of the current survey plan. Mr. Luciani pointed out a fifty-foot alleyway that provides entrance to the property. He showed pictures of a truck using the facility and explained trucks load heating oil from a tank onsite. Under the truck is a concrete pad and trench grate. The EPA and insurance companies require the facility to have safeguards in place to protect against spills. When Aero purchased the property they installed this grate so any spilled oil would run through it to an underground storage tank. This works well but there is no protection from the rain, which fills the tank over a matter of a few months. A waste hauler then has to come out and empty the tank. Aero Energy would like to protect the grate from rainfall by installing a canopy over the area that would be a thirty foot by sixty-foot structure. Mr. Luciani said, according to Penn Township, a building is defined as a structure with columns and a roof which protects persons, equipment or chattel. The canopy meets the definition of a building. He said they are asking for a waiver to the bufferyard requirements. The required bufferyard is very wide and the entrance to the property is such that the full bufferyard would make it nearly impossible for trucks to enter and exit. They would like to plant a single row of trees instead of the required fifteen foot bufferyard. Behind 1060 Baltimore Street there are four large tanks and Aero Energy is proposing to remove these tanks. They will place a note on the plan stating the tanks would be removed within two years which will help make the property more aesthetically pleasing and the residents will be benefited.

Planner Felix asked if trucks use the facility during hours of darkness and Mr. Luciani said they do. Planner Felix said there was a similar problem with vehicles at Saint Joseph's Church. The neighboring residents were disturbed by headlights shining in their windows. He said they planted arborvitae trees in a staggered line and it worked well. He recommended this as an option for Aero Energy to keep the noise down and headlights out. Mr. Luciani said they are willing to plant any species of tree the Township wants. Township Engineer Bortner said it would be very difficult to get trucks in and out with the full width of the required bufferyard. There might be enough room to get a single row in, but it would be really tight. The alley is right up against the property line.

Planner Felix asked to see a picture of what the proposed canopy would look like and Mr. Luciani shared it. It's a rectangle with an offset column and is about eighteen feet high. Planner Felix asked where the big tanks that are being removed are located in relation to the canopy and Mr. Luciana showed him. The canopy will be behind 1056

and the tanks sit behind 1060. Mr. Luciani added that York County Planning Commission declined to perform a formal plan review since it's an accessory structure.

Planner Black asked if the neighbors were notified of this request and they were not. Planner Black said they may have an expectation of a buffer. Engineer Bortner said the neighbors may have been in for a prior request concerning a fence. Planner Black asked if the purpose of the bufferyard is for beautification or screening. If the purpose is screening there are other options such as fencing available. Engineer Bortner said some of the Township's bufferyards include fences. The ordinance was written in 1988 or 1989 and he's not sure what the reasoning was on all of the different bufferyards required. He said there are quite a few waiver requests for bufferyard requirements because, when built to capacity, they are kind of a forest. Planner Black said it might be an appropriate time to change the code if we're constantly granting waivers. Engineer Bortner said the requirements have their purpose and he's glad it's in the ordinance. He said he's the one who recommended this to First Capital Engineering based on a similar situation with another plan.

Planner Senatore asked who owns the fence that's currently built. Mr. Luciani said there are two fences. One is a wood slab fence and the other is a chain-link. Engineer Bortner assumes the wood slab fence belongs to the residential property owner and the other belongs to the oil facility. Planner Black asked if the canopy will increase the truck traffic and Mr. Luciani said it will not.

Planner Felix asked how far back the canopy will be from the property line. Mr. Luciani said about fifty feet from the rear. Planner Felix asked if a building could be put up in the same place and Engineer Bortner said yes. Planner Felix said they could be putting up an entire building and all they want is a canopy and to get rid of some tanks. He thinks it will be a much better view for the neighbors. He agrees with Planner Black that the bufferyard requirements might need to be reviewed at some point. Engineer Bortner said it's similar to what National Pretzel did when they installed a canopy along Blettner Avenue.

Planners Mahan/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the condition that arborvitaes be planted for screening. Motion carried on a 5-1 vote with Planner Black casting the dissenting vote.

First Capital Engineering are requesting a waiver to Section 403 (Feasibility Report on Sewer and Water Facilities) and Section 404 (Environmental Impact Studies) of the Penn Township Subdivision and Land Development Ordinance in regards to a land development plan submitted for South Western School District Turf Fields.

Nate Osborne of South Western School District and John Luciani of First Capital Engineering represented this request. Mr. Osborne said the current School Board has placed an emphasis on improving facilities. Two additional turf fields for field hockey, lacrosse and soccer are going to be added adjacent to the middle school on what is currently the field hockey field. He said the use of fields for athletics has been tremendous recently. The overall site includes three fields at this point and two are being made into turf fields with the third remaining as it is. They'd like the stadium to be used primarily for football games and band competitions so the field hockey, lacrosse

and soccer teams would use the new turf fields as their primary practice and game fields. They will be tearing down an existing storage facility and moving it closer to the middle school. They'll be putting in some additional bleachers as well. Stormwater management is handled underneath the fields. To the best of Mr. Osborn's knowledge they have had no stormwater issues with the existing fields and the subsurface detention basins will serve to protect the neighboring communities even better from water runoff. Because there is no bathroom or plumbing work being done Mr. Osborne doesn't see the need for a feasibility report on sewer and water facilities. The land is already being used for an athletic field and there have been no stormwater issues so they don't see the need for an environmental impact study, especially since the improvements will only serve to better the stormwater on the property. Planner Felix asked where the stormwater is running to. Mr. Luciani said Oil Creek is at the end of the property and catches runoff. Once the subsurface basins are installed the water will flow more slowly and be much cleaner. The runoff from the grass fields may contain weed spray and other maintenance chemicals, the runoff from the turf field wouldn't have any of that.

Planner Heiland asked how many events can be held on the turf fields and Mr. Luciani said the lifetime on the field will be ten to twelve years. Mr. Osborne said they are planning on ten years. The sunlight will eventually break down the turf. Planner Heiland asked how much runoff they've seen from the stadium turf field. Mr. Osborne said he has not seen any yet. The subsurface retention basin has handled all the water and he can't imagine that there will ever be runoff into Oil Creek. He said the water perks very quickly with the turf field. He believes the new fields will have a very similar situation. Mr. Luciani added that another benefit to a turf field is that you can play in the rain. The turf manufacturer says you can play in up to twelve inches of rain per hour.

Planner Heiland asked if the fields will be open to public use, since it's being fenced in. Mr. Osborne said they will have the capability of closing the field but there has been no indication from the School Board that they want to restrict community access. The fence is mostly to protect the organic material in the turf field, it serves as a buffer from weed infiltration.

Zoning Officer Smith asked what the replacement cost will be for the turf fields. Mr. Osborne said he's recommended a resilient pad under the turf that can last two life cycles of the top carpet. The replacement will cost three hundred fifty to four hundred thousand dollars per field. Planner Senatore asked if they are anticipating hosting championship games on the new fields instead of the stadium. Mr. Osborne said they would for the named sports. As of yet they haven't hosted any district type events for these sports but it would be an option. Planner Senatore asked if they are adding new restroom facilities. Mr. Osborne said they are not, they will use port-a-pots in the immediate vicinity and there are still restrooms in the school lobby. Planner Baker asked how access to the restrooms will be affected by the addition of new security guards. Mr. Osborne said the design of the schools is such that the restrooms are in a location that can be isolated from the rest of the school so access wouldn't be restricted.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 6-0 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.

**SL17-16-1040 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- BEECHWOOD 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.

**SL18-02 – AERO ENERGY, BULK PLANT CANOPY, Larry Marshall, East 230 Lincoln Hwy, New Oxford, PA 17350. A land development plan submitted in order to construct a canopy to cover an existing fueling station. The property is located at rear 1056 and 1060 Baltimore Street in the S/C zone.**

There was no action taken on this plan.

**SL18-03 – SOUTH WESTERN TURF FIELDS, South Western School District, 225 Bowman Road, Hanover, PA 17331. A land development plan submitted in order to construct turf fields. The property is located at 225 Bowman Road in the R-8 zone.** There was no action taken on this plan.

The meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

Angela M. Hallett, Recording Secretary