

PENN TOWNSHIP PLANNING COMMISSION MARCH 7, 2019

Chairman Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, March 7, 2019 at the Penn Township Municipal Building. Present were Planning members Justin Heiland, Kathy Gill, Clayton Black, Ronald Fanelli, and Joseph Klunk along with Engineer Bortner, Zoning Officer Smith, and Manager Rodgers.

The planners approved the February 7, 2019 Planning Commission minutes as submitted.

The Penn Township Board of Commissioners received a request to rezone property at Gitts Run Road and Industrial Drive, consisting of five (5) parcels. The property is located in the Industrial zone and the request is to rezone the parcels to R-40,

Planners Klunk/Black moved that the recommendation of the rezoning request be moved to the April Planning Commission meeting at the request of David Wickham, the applicant of the request. The motion carried 6-0.

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

**ZHB19-02 – Bealing Roofing & Exteriors, Inc. 62 Zachary Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.3a (Replacement) in order to operate a roofing and exterior business. The property is located at 440 Black Rock Road in the R-15 zone.**

Andrew Bealing, Bealing Roofing & Exteriors, 62 Zachary Drive, represented this request. They are proposing to turn the existing car lot into an office for their roofing business. The business is currently being run from Mr. Bealing's home on Zachary Drive. This would provide a location for his employees to confer prior to the start of the work day. There would be no product kept on site. They currently have the materials delivered to the job site and would continue this practice. There would be an office person located at the site during regular hours but all the other employees would be at the job site after they mobilized in the morning. He noted that there are about thirty one cars parked on the property and that would be reduced to a maximum of seven during business hours. There are three business trucks that would be parked at the location. They feel this type of business would help improve traffic in the area. They are planning on replacing the roof and the façade. They will have a sign on the property. They want to grow the business.

Planners Black/Fanelli moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB19-02 Bealing Roofing and Exterior, Inc. requesting a special exception to Section 407.3 a (Replacement) in order to operate a

roofing and exterior business, 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.

**ZH19-03-JLM Real Estate Investments, LLC, 950 East Main Street, P.O. Box 472, Schuylkill Haven, PA 179792. Applicant is requesting a variance to Section 207.2 (Use Regulations) and an interpretation to Section 207.2 and definitions in order to operate a retail tire/repair business. The property is located at 865 Baltimore Street in the S/C zone.**

Paul Minnich, attorney and Ed Davis, JML Real Estate, represented this request. JML Real Estate has an agreement of sale to purchase the property located at 865 Baltimore Street, the former Adams County National Bank location. JLM Real Estate Investments would like to demolish the existing bank and construct a new facility on the property. They would then lease the property to Mavis tire store. Mavis sells and installs tires along with other ancillary services such as oil changes, state inspections and adjustments. The property is adjacent to Hanover Tire and Auto which provides similar services to Mavis. Attorney Minnich noted that the adjacent property would have probably needed a variance for their business and this is less intense than that business. JLM Real Estate Investments is requesting a variance to the use but also an interpretation of a retail business since they will be providing more than just the retail sale of tires. Mr. Davis noted that Mavis has over five hundred stores in the United States and are looking to expand their footprint in the Hanover Area. Mr. Davis reviewed the list of services provided by Mavis. He estimated that there would be between seven and eight employees about twenty five customers a day. The Planning Commission members had concerns about the services provided and the number of stores since the information Mr. Davis provided was slightly different than the Mavis website. Michael Cooper, owner of Hanover Tire and Auto, expressed concern about not being aware of the Planning Commission meeting. Zoning Officer Smith noted that adjacent property owners need to be contacted about the Zoning Hearing Board meeting but not the Planning Commission meeting. Mr. Cooper noted he received his notice for the zoning hearing board.

Planners Fanelli/Klunk moved for a favorable recommendation to the Penn Township Zoning Hearing Board on cast Z19-03 – JLM Real Estate Investments LLC requesting a variance to Section 207.2 (Use Regulations) and an interpretation to Section 207.2 and definitions in order to operate a retail tire/repair business located in the S/C zone, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**ZHB19-04 – Schindler Elevator Corporation, P.O. Box 1935, 20 Whippany Road, Morristown, NJ 07962. Applicant is requesting a variance to Section 209.2 and 209.3 (Use Regulations) in order to construct an addition for manufacturing and a separate commercial office. The property is located at 21 & 23 Industrial Drive in the Industrial zone.**

David Tshudy, Pepper Hamilton, attorney, Kevin Noel, Schindler Elevator Corporation plant manager, Ted Decker, Group Hanover Inc., and Andy Feeser, Conewago Enterprise represented this request. Schindler Elevator Corporation owns 21 and 23 Industrial Drive. They are going to expand their manufacturing facility and construct an office on the 23 Industrial Drive property. The applicant purchased the property in 2012 and constructed a 150,000 square foot manufacturing facility. Twenty three Industrial Drive currently remains undeveloped as the applicant rents office space within several miles of the facility to support this location. The applicant is proposing to construct a 71,000 square foot addition to the existing building to expand manufacturing operations. This will add an additional thirty jobs. They also want to construct a 25,600 square foot office building on the undeveloped lot. They are proposing a covered walkway to connect the offices and the manufacturing facility. They will be consolidating all their office space into this facility. There will be about 86 office employees in the new building. The variance they are requesting is for the office use on 23 Industrial drive and a dimensional variance on both lots to construct the walkway that will encroach in both setbacks. The manufacturing addition meets the requirements of the ordinance. The applicant was asked if they considered reverse subdividing the property because they it would eliminate the need for a variance. They stated for financial purposes they wanted to keep the lots separate.

Planners Klunk/Gill moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB19 -04 – Schindler Elevator Corporation requesting a variance to Section 209.2 and 209.3 (Use Regulations in order to construct an addition for a manufacturing and a separate commercial office as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 5-1 vote with Planner Black casting the dissenting vote.

**ZHB19 – 05 – Sign of the Horse Brewery, 500 Sunset Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 303.1 (Off Street Parking) and a special exception to Section 208.2 (Use Regulations) & 201.2 (Uses Not Provided For) in order to operate a brewery/ brew pub. The property is located at 979 York Street in the H/B zone.**

Scott Strausbaugh, attorney, and Brad Wilson, 500 Sunset Avenue, Hanover, PA represented this request. The applicant is requesting a variance to allow for a brew pub that will seat twenty-five to thirty patrons. This would require twelve to fifteen off street parking spaces. There are two other businesses operating at this location. There are twenty parking spaces on the property. The business will operate on Wednesday and Thursday from 3-10, Friday 3-11, Saturday 12-11 and Sunday 12-6. There will be about two hours of overlap with the existing business regarding parking. They will be brewing the beer on site for sale at the facility along with some other retail locations. Mr. Wilson noted that he is working on a lease with Cooper Motors to rent ten parking spaces for the business. The building was built in 1945. There were some concerns expressed by the Planning Commission regarding sprinklers and safety issues. These will all be addressed during the commercial review process. The special exception

request is for the brewery since it is neither allowed nor denied by the ordinance.

Planners Fanelli/Gill moved for a favorable recommendation to the Penn Township Board of Commissioners on case ZHB19-05 – Sign of the Horse Brewery, Inc. requesting a variance to Section 303.1 (Off-Street Parking) and a special exception to Section 208.2 (Use Regulations) and 201.2 (Uses Not Provided For) in order to operate a brewery/ brew pub, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a Special Exception as set forth in Section 503.3 a) thru e) with the stipulation that a lease is secured for an additional ten parking spaces for the brewery. Motion carried on a 5-1 vote with Planner Klunk casting the dissenting vote.

**ZHB19-06 – Brookside Heights LLC, 330 Dubbs Church Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) and to Section 640(c) (Single Family Attached Dwelling) in order to construct decks that encroach into the side setback requirements. The property is located in Brookside Heights Phase 3 & 4 in the R-8 zone.**

Scott Barnhart, Burkentine and Sons, and Paul Minnich, attorney, represented this request. The request is for decks on thirty four homes in phases three and four of the Brookside Heights, LLC development. The request is for between two inches to almost seven feet. They stated a similar request was approved for phase one of the development. The Commission had concerns because they were told when the plan was approved that variances were not going to be needed for the decks.

Planners Klunk/Fanelli moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB 19-06 – Brookside Heights LLC requesting a variance to Section 202.3 (Area and Bulk) and to Section 640 (c) (Single Family Attached Dwelling) in order to construct decks that encroach into the side setback requirements as it does not meet the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

The planners reviewed and made recommendations on the following waiver requests:  
None.

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.

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.

SL18-11 – 670 GITTS RUN ROAD L/D – Gerald Funke c/o GHI Engineers and Surveyors, 213 Carlisle Street, Hanover, PA 17331. A land development submitted in order to construct an addition. The property is located at 670 Gitts Run Road in the Industrial zone. There was no action taken on this plan.

SL18-13-LCBC-HANOVER, Lancaster County Bible Church, 2392 Mount Joy Road, Manheim, PA 17545. A land development submitted in order to construct a parking lot expansion. The property is located at 1504 Broadway in the S/C zone. There was no action taken on this plan.

SL18-18-AMERICAN HOME CONTRACTORS, LLC, 420 Glenville Road, Hanover, PA 17331. A final subdivision plan submitted in order to create two (2) single family attached residential lots. The property is located at 792-794 Baltimore Street in the H/B zone. There was no action taken on this plan.

SL18-19-EMORY H. MARKLE INTERMEDIATE SCHOOL, South Western School District c/o Nathan Osborne, 225 Bowman Road, Hanover, PA 17331. A final land development plan submitted in order to construct an addition and renovations. The property is located at 225 Bowman Road in the R-8 zone. There was no action taken on this plan.

SL18-20 – STONEWICKE V – Clover Lane Development, L.P., 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fourteen (14) single family detached residential lots. The property is located at 310 Clover Lane in the R-15 zone. There was no action taken on this plan.

SL19-01 – P3 PT-1, LLC c/o Kevin Strunk, 2100 Quaker Pointe Drive, Quakertown, PA 18951. A land development submitted in order to construct a communication tower. The property is located at 255 Blettner Avenue in the Industrial Zone. There was no action taken on this plan.

**SL-19-02 – Andrew Y. & Sharon Brough, Casi Brough Murren, Eric A. Brough, 6895 E. Moulstown Road, Hanover, PA 17331. A final subdivision plan submitted in order to create three (3) residential lots. The property is located at 6895 E. Moulstown Road which is located in Heidelberg Township and the R-40 zone in Penn Township.** There was no action taken on this plan.

**SL19-03 – ESAB – Solid Wire Waste Treatment Building, 1500 Karen Lane, Hanover, PA 17331. A land development submitted in order to construct a solid waste treatment building. The property is located at 1500 Karen Lane in the Industrial Zone.**

Vincent Wayne, Buchart Horn, represented this plan. They are proposing a 4,480 square foot building. York County Planning Commission and Township comments have been received.

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

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Kristina J. Rodgers  
Recording Secretary