

PENN TOWNSHIP PLANNING COMMISSION
MARCH 3, 2022

Vice-Chairman James Lumadue called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, March 3, 2022. Also present were planning members Thomas Allison, Pamela Berlingo, and Adam Selfridge along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planners David Baker and Justin Heiland were absent with notice. Planner Zach Smith arrived at 7:11 p.m.

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

The planners approved the February 3, 2022 Planning Commission minutes as submitted.

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

ZHB22-04-Kathleen & Steven Colasuonno, 1120 Pearl Drive, Hanover, PA 17331. The applicant is requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to construct an in-ground pool that extends into the rear setbacks. The property is located at 1120 Pearl Drive in the R-22 zone.

Mr. and Mrs. Colasuonno, property owners represented this request. Mrs. Colasuonno stated that the previous owners constructed a fourteen by fourteen building centered off of the deck at the rear of her home. The building has air conditioning and heat and does not want to relocate the structure. She is requesting to locate the pool fifteen feet from the rear property line. The yard is fenced in, but intends on placing another fence around the pool. Planner Berlingo questioned what the distance would be from the rear of the deck to the pool. Mrs. Colasuonno stated that the plan calls for fifteen feet from the deck to the water's edge with a three-foot cement walk around the pool. The stormwater would be about thirty feet off of the side property line. Planner Berlingo asked if she could move the pool closer to the deck, she stated the pool is eighteen feet wide, and does not want the pool against the deck or against the building. She does not want the building to obstruct her view of the pool. Planner Selfridge asked what the plan was if once they start digging and if they hit the stormwater pit. Mrs. Colasuonno stated, the contractor has discussed this with them and they would have to stop and redirect.

Planners Selfridge/Allison moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB22-04-Kathleen & Steven Colasuonno, requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to construct an in-ground pool approving a twenty-five-foot setback, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

Review and make recommendations on waiver and exoneration requests:

Hanover Land Services, Inc on behalf of Devener Landing, are requesting a waiver to Section 402 (Preliminary Plan Requirements), Section 505(a) (Street Design), Section 505(g) (Curves) and Section 605 (landscaping and bufferyards) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan. The property is located on Moulstown Road.

Kris Raubenstine, Hanover Land Services, Inc., Tim Mummert, and Steve Garvick, Water Street Four, represented this request. Mr. Raubenstine stated the applicant is requesting a waiver to Section 402, so that the plan may be submitted and reviewed as a Preliminary and Final Land Development plan instead of separate plans. They intend to provide all the necessary documents and materials associated with the submission.

Mr. Raubenstine stated that the applicant is requesting a waiver to Section 505(a) (Street design), for the use of a twenty-eight-foot cartway for the proposed roads within the development. The roads will be privately owned and maintained by the HOA, and the smaller cartway would keep the future maintenance costs and other improvements to a minimum for the HOA. Mr. Raubenstine stated the cartway width was designed by implementing design features recommended by the Pennsylvania Housing Research Center located at The Pennsylvania State University. This is a green plan and helps keep the stormwater management to a minimum. The intention is to restrict parking to one side of the street. Mr. Mummert stated that the driveways are planned to be thirty feet deep, enough to park four regularly sized vehicles. Planner Selfridge asked who would be responsible for the enforcement of the no parking, and Mr. Mummert stated enforcement would fall to the HOA. He added that the intent is not to have any parking on the street unless it is for holidays or special occasions. Planner Lumadue stated he feels the road will be too narrow for emergency vehicles. Mr. Mummert stated that if the streets have to be made wider, the driveway length would be shortened which would result in more street parking.

Mr. Raubenstine reported on the waiver request for section 505(g), as the applicant is requesting the use of a horizontal curve of 125 feet after the entrance off of Moulstown Road, on Summerhawk Way. He stated this is necessary in order to cross the stream and wetlands as close to a ninety-degree angle as possible. This is significant to the PADEP in their review as it will reduce the amount of fill in the wetlands. There will not be any dwellings on the inside of the curvature because of the existing stream and wetlands so the sight lines will not be impacted. Engineer Bortner stated that the design speed issue is a matter of length not radius, which can be dealt with by posting signage of a lower speed limit. Mr. Raubenstine stated that the speed limits in the development will be kept to a minimum and the intension around the curves is 20 mph. Planner Berlingo requested Mr. Raubenstine work with Engineer Bortner on the appropriate speed and signage.

Mr. Raubenstine stated the applicant is requesting to eliminate the proposed open wood fence along the north side of the development. There will be a significant amount of landscaping and bufferyards in this area that will ultimately reach maturity and overwhelm the fence. This will result in a lack of maintenance for the fence because it won't be accessible with all of the surrounding and encompassing vegetation landscaping. The fence will likely become neglected and deteriorate.

Planners Selfridge/Berlingo moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 402 (Preliminary Plan Requirements) of the Penn Township Subdivision and Land Development Ordinance in regards to Devener Landing, LLC. Motion carried on a 5-0 vote.

Planners Allison/Selfridge moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 505(a) (Street Design) of the Penn Township Subdivision and Land Development Ordinance in regards to Devener Landing, LLC. Motion carried on a 3-2 vote, with Planners Berlingo and Lumadue casting the dissenting votes.

Planners Smith/Allison moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 505(g) (Curves) of the Penn Township Subdivision and Land Development Ordinance on the condition of no parking on the curve and allows a reduced design speed of 20 MPH in regards to Devener Landing, LLC. Motion carried on a 5-0 vote.

Planners Allison/Selfridge moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 605 (Landscaping and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance in regards to Devener Landing, LLC. Motion carried on a 4-1 vote with Planner Lumadue casted the dissenting vote.

Hanover Land Services, Inc on behalf of Panther Cat, LLC, are requesting a waiver to Section 605 (Landscaping and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan. The property is located at 25 Spring Garden Street.

Mr. Kris Raubenstine, Hanover Land Services, Inc. represented this request. Mr. Raubenstine stated the applicant is proposing the installation of a vinyl fence for screening along the property line that is adjacent to the highway-oriented business zone in lieu of the landscaping and bufferyard requirements. The vinyl fence will provide the necessary visual barrier a more immediate buffer for the residents across the alleyway. With a landscape buffer, there is the possibility of overgrowth into the alleyway, which would require more maintenance. Engineer Bortner expressed concern with sight distance from the alleyway to Spring Garden Street.

Planners Selfridge/Allison moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 605 (Landscaping

and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance on the condition of an approved six-foot solid fence that will not extend into the clear sight triangle for the alley, in regards to Panther Cat, LLC. Motion carried on a 5-0 vote.

Rettew Engineering on behalf of Conewago Enterprise, Inc. are requesting a waiver to Article IV.402 (Preliminary Plan Requirements) and Section 306.B.4.a (Detention and Retention Basins-SWM facility completely surrounded by a four (4) foot fence) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan. The property is located on Ridge Avenue.

Mr. Paul Fish, Rettew Associates, represented this request. Mr. Fish stated that the intended plan is to be submitted as a Final Plan while meeting the standards of the Preliminary plan. He reported the project was review with Township staff on January 26, 2022. He stated that the design of the plan depends on the outcome of the waivers requested this evening. He reported that the plan is the 400,000 square foot warehouse, with employee parking in the front

Mr. Fish is also requesting a waiver to Section 306.B.4.a. He stated a proposed fence of three-foot height with signage is being proposed in place of the four-foot fence. This modification is requested due to Zoning Ordinance requirements not allowing a fence over three feet within the front yard of a property. The proposed fence location would be located, within the front yard of the property. As the front yard for this property is defined by the road frontage, in which Ridge Avenue curves to the north around the property. The intent is to provide as much of a barrier as possible without the additional zoning variance request. He stated the property is zoned industrial, and its proposed use is permitted by right. No sidewalks are proposed, and no pedestrian traffic is anticipated. He reported all stormwater facilities are set back a minimum of fifty feet from the existing Ridge Avenue. The fifty foot setback will include landscaping for buffering of the site and its stormwater facilities. The interior slopes of the stormwater facility are designed at four-foot horizontal to one-foot vertical. Implying that ingress/egress from anywhere with the facility can be obtained. There is a gas line that runs along Ridge Avenue, so the fence would be pushed closer to the road. Engineer Bortner stated that that could cause a sight distance issue. The front yard designation on two sides of the building creates a hardship that does not allow for stormwater management at the three foot height for fences with the front yard. He reported this request provides for the safety of a fence and signage while allowing the uniquely shaped lot and associated front yard requirements. He stated that this request represents the minimum relief necessary, and is willing to work with the Township on material and signage options. Zoning Officer Smith asked the depth of the pond; Mr. Fish stated that it could be about four to four and a half feet deep. Zoning Officer Smith stated that anything over twenty-four inches requires a four-foot fence. Mr. Fish stated that Oil Creek and an unnamed tributary which is almost thirty feet in width runs adjacent to the property and there is no fence which presents more danger than the stormwater basin. He intends to make the pond as small as possible and move back as far as possible from the road.

Planners Selfridge/Allison moved for an unfavorable recommendation to the Penn Township Board of Commissioners for a waiver to Section 402 (Preliminary Plan Requirements) of the Penn Township Subdivision and Land Development Ordinance in regards to Rettew Engineering on behalf of Conewago Enterprise, Inc. Motion carried on a 5-0 vote.

Planners Selfridge/Lumadue moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver to Section 306.B.4.a (Detention and Retention Basins-SWM facility completely surrounded by a four (4) foot fence) of the Penn Township Subdivision and Land Development Ordinance in regards to Rettew Engineering on behalf of Conewago Enterprise, Inc. Motion failed on a 2-3 vote, with Planners Allison, Berlingo and Smith casting the dissenting votes.

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.**

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. **There was no action taken on this plan.**

SL22-01 – WATER STREET FOUR, LLC, Hanover Land Services, Inc, 585 McAllister St, Hanover, PA 17331, A Preliminary/Final Land Development plan submitted in order to create one-hundred twenty-two (122) new residential units. The property is located on Moulstown Road in the R-8 Urban Residential zone. **There was no action taken on this plan.**

SL22-02-ARCLAND SELF STORAGE, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A land development plan submitted in order to construct a new mini storage facility. The property is located at 1049 Baltimore Street in the SC zone.

Mr. Kevin Barns, Group Hanover, Inc., and Mr. Steve Cratin, Arcland represented this plan. Mr. Barns stated that there have been no changes to the plans that were brought before the Planning Commission several months ago and they are present this evening to answer any questions the Commission may have. Planner Smith asked if they plan to open phase one while phase two is under construction. Mr. Cratin stated that is the intention. Zoning Officer Smith stated that they can complete the renovations to the original structure; the land development plan is needed for the construction of phase two. Mr. Barnes stated that the plan is in the early stages, and staff comments have not yet been received.

SL22-03-PANTHER CAT, LLC, Hanover Land Services, 585 McAllister Street, Hanover, PA 17331. A land development plan submitted in order to construct a new heavy storage service facility. The property is located at 25 Spring Garden Street in the Industrial zone. **There was no action taken on this plan.**

Public Comments: There were several Borough of Hanover residents present to discuss the proposed warehouse land development plan on Ridge Avenue. Some of the residents that made comments were Susan Hunt, 694 Cypress Road, Derek and Lisa Brown, 668 Cypress Drive, Audrey Coppersmith, 412 Osage Drive, Darrell Dolain, 672 Cypress Road, and Becky Albright, 684 Cypress Road. The residents attended the meeting to express concerns about the increased truck traffic from the proposed warehouse site. Many stated that the noise and the vibrations of their homes can be felt from the existing truck traffic. Mr. Fish stated they intend on installing bufferyards to help mitigate the situation. There were concerns of the lighting; Mr. Fish stated that screens can be installed on the proposed lighting to direct only at the warehouse site. Ms. Albright requested that they be informed/emailed about upcoming meetings regarding this plan. Zoning Officer Smith provided his contact information to her.

The meeting was adjourned at 9:15 p.m.
Respectfully submitted,
Donna M. Sweeney, Recording Secretary