

PENN TOWNSHIP PLANNING COMMISSION  
JUNE 7, 2018

Chairman Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, June 7 2018 at the Penn Township Municipal Building. Present were planning members David Baker, Clayton Black, Wendell Felix, Kathy Gill, Justin Heiland, Barbara Mahan, and Henry Senatore.

The planners approved the May 3, 2018 Planning Commission minutes as submitted.

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

**ZHB18-08 – George Reiker**, 960 Maple Lane, Hanover, Pa 17331. Applicant is requesting a variance to section 203.3 (Area and Bulk) in order to construct a garage that encroaches into the side setbacks. The property is located at 960 Maple Lane in the R-15 zone.

George Reiker, property owner, represented this request. Mr. Reiker said he and his wife recently sold their business and, with that, lost access to garage storage. They have considered the aesthetics of the neighborhood when designing their proposed garage. Mr. Reiker provided photographs of his property for the Commission to review. He explained that they would like to add a two-car garage with storage. There will be a reverse gable so the roofline is in line with the living area of their bi-level home. They will put siding and architectural shingles that match the roof of the house.

Mr. Reiker showed a photograph of the garage belonging to his neighbor at 950 Maple Lane. The garage is seven feet from the property line. Another neighbor received a variance in 2009 for their garage to be ten feet from the property line. Planner Felix said the submitted plot plan shows the garage four feet from the property line. Mr. Reiker said he's requesting five feet, which was changed from four after a contractor looked at the project. Planner Felix asked why a one-car garage wouldn't work. Mr. Reiker said they have a classic car and would like it stored in a garage.

Planner Heiland asked if there are other two-car garages in the neighborhood. Mr. Reiker said the house across the street, 965 Maple Lane, has a two car garage. Another home had a two-car garage but converted it into a recreation room. Mr. Reiker said extra storage would be beneficial because they have lawn equipment and a snow blower. Planner Heiland asked if Mr. Reiker spoke to his neighbor about the proposed garage. Mr. Reiker spoke with Matt Farner at 970 Maple Lane and was told Mr. Farner's house is nineteen feet from the property line so it would be fine. Planner Black asked what the side setback should be and Zoning Officer Smith said twelve feet. Planner Baker asked if there is a gap between the house and the garage. Mr. Reiker said there is a seven foot walkway, but the chimney protrudes from the house so it's really only five feet. Planner Heiland asked why the garage isn't attached to the house. Mr. Reiker said they would have to cut out part of the driveway to make that work, as it is the garage would sit directly at the end of the driveway. He also said the utilities come into his house at the place the garage would have to attach. Planner Felix asked if the

garage will be even with the existing driveway. Mr. Reiker said it is two feet past the driveway.

Planners Felix/Heiland moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB18-08 – George Reiker, requesting a variance to section 203.3 (Area and Bulk) in order to construct a garage that encroaches into the side setbacks, as it does not meet the requirements for a variance as set forth in section 502.3 a) thru f). Motion carried on a 7-0 vote.

**ZHB18-09 – Burkentine & Sons Builders**, 330 Dubs Church Road, Hanover, PA 17331. Applicant is requesting a special exception to section 202.2 (Use Regulations) in order to construct a multi-family dwelling. The property is located at 221 Woodside Avenue in the R-8 zone.

Scott Barnhart, Burkentine & Sons Builders, represented this request. Mr. Barnhart said they are requesting a special exception to construct a four-plex townhome that's three stories tall. There is currently an old mobile home on the property. A special exception is required to put a multi-family dwelling on a single lot.

Planners Senatore/Black moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB18-09 – Burkentine & Sons Builders, requesting a special exception to section 202.2 (Use Regulations) in order to construct a multi-family dwelling, as it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru f). Motion carried on a 4-3 vote with planners Baker, Heiland, and Mahan casting the dissenting votes. Planner Senatore noted that the request doesn't meet the requirements of Section 503.3 because a multi-family dwelling is not in harmony with the homes in the area. Mr. Barnhart asked if anything could be done and Planner Senatore told him all the other houses on the street are single family and the townhome wouldn't fit in.

The planners reviewed and made a recommendation on the following waiver request:

GHI Engineers & Surveyors, on behalf of Legacy, is requesting waivers to Section 404 (Environmental Impact Study) of the Penn Township Subdivision and Land Development Ordinance and to Section 306.B.4.a (Fencing) of the Penn Township Stormwater Management Ordinance in regards to their land development plan. The property is located at 300 Fame Avenue.

Gerry Funke, GHI Engineers & Surveyors, represented this request. Mr. Funke said the environmental impact study shouldn't be needed because this is an existing business and there is industry surrounding the area. Planner Senatore asked if the topography had anything to do with Oil Creek. Mr. Funke said the majority of the property runs towards Gitts Run. Planner Senatore asked if they are expanding towards the Sheridan side and Mr. Funke said no. He explained that three quarters of the property drains to the rear, then to a swale on the old Pillowtex property, then through

Schindler Elevator's property, ending at Gitts Run. Planner Black asked what the environmental impact study provides for Township Staff. Mr. Funke said it includes a traffic study, water, sewer, historical, and environmental information. Planner Black asked what Staff recommends. Engineer Bortner said, historically, this waiver has been granted in the industrial zone and Staff has no objections to the request.

Mr. Funke said the second waiver is for a fence around the stormwater management basin. He said there is not a single fence on any of the surrounding properties. Planner Felix asked how many of those properties were built prior to the current regulations. Mr. Funke said Schindler Elevator, the Sheridan Press expansion, the McClarin Plastics expansion and Hillside Medical. Engineer Bortner said Planner Felix was referring to the Stormwater Management Ordinance not the Zoning Ordinance. Mr. Funke said that would only exclude Sheridan Press. Planner Felix asked how deep the basin will be. Mr. Funke said six feet and it is fourteen hundred feet to the rear of 300 Fame Avenue. Planner Black asked if the Stormwater Management Ordinance requires a fence around all stormwater basins and it does. Mr. Funke said there are no fences around any stormwater basins in this area. Engineer Bortner said D&R Bean was required to put in a fence and Apio was granted a waiver for their fence in 2013.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on the request for a waiver of environmental impact study. Motion carried on a 6-0 vote with Planner Heiland abstaining.

Planners Black/Senatore moved for an unfavorable recommendation to the Penn Township Board of Commissioners on the request for a waiver of the fencing requirements. Motion carried on a 6-0 vote with Planner Heiland abstaining.

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.

**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.

**SL18-06 – LEGACY BUILDING EXPANSION, Legacy 92, LLC, 300 Fame Avenue, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 300 Fame Avenue in the Industrial zone.**

Gerry Funke, GHI Engineers & Surveyors, represented this plan. Zoning Officer Smith said new plans were just dropped off today and Staff hasn't had a chance to review them. Engineer Bortner said he spoke to Mr. Funke this afternoon and reviewed the plans. Planner Baker said the Planning Commission will wait to make a recommendation until Township Staff has reviewed and made comments on the plan.

**SL18-07 – YOUNGS WOODS, Penn Township, 20 Wayne Avenue, Hanover, PA 17331. A reverse subdivision submitted in order to create one lot to be used for recreational purposes. The property is located at 317 Blooming Grove Road in the R-15 zone.**

Zoning Officer Smith said this is a reverse subdivision plan to combine the parcels at Young's Woods Park. York County Planning Commission (YCPC) indicated they will not review the plan but won't have that to us in writing for another week or two. Planner Felix said this can be reviewed after YCPC comments are complete.

**SL18-08 – WELLSPAN HANOVER URGENT ORTHO, Gerald Funke c/o GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 207 Blooming Grove Road in the R-15 zone.**

Gerry Funke, GHI Engineers & Surveyors, represented this plan. He said this is a simple plan, all Wellspan wants to do is add a vestibule on the east side of the building. The total expansion is one hundred seventy-seven square feet. He believes the reason for the project is that a building and parking expansion were supposed to be completed in 2008 or 2009. The building expansion never happened but the parking did. Now the majority of the parking is on the east side of the building so that entrance is more

heavily used. They would like to enclose the vestibule under the existing roof to offer a wind barrier.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 7-0 vote.

The meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Angela M. Hallett  
Recording Secretary