

PENN TOWNSHIP PLANNING COMMISSION
JULY 7, 2022

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, July 7, 2022. Also present were planning members Ron Arnold, Pamela Berlingo, Ronnie Bull, Justin Heiland, James Lumadue, and Zach Smith along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney.

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 June 2, 2022 Planning Commission minutes as submitted.

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

ZHB22-13- Brian Linka and Shannon Siegel, 445 Maple Grove Road, Hanover, PA 17331. The applicant is requesting a special exception to Section 407.3 (Replacement) in order to convert an existing hair salon into a tattoo shop. The property is located at 567 Baltimore Street, Hanover, PA 17331 in the R-15 zone.

Mr. Brian Linka represented this request. Mr. Linka would like to open a tattoo parlor in a location that was formally a hair salon. There will be four artists on staff. There is more than sufficient amount of parking. No structural changes will be made to the building.

Planners Smith/Bull moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB22-13- Brian Linka and Shannon Siegel, requesting a special exception to Section 407.3 (Replacement) in order to convert an existing hair salon into a tattoo shop as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 7-0 vote.

ZHB22-14- Patrick and Suzanne Klunk, 63 Lion Drive, Hanover, PA 17331. The applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to construct a sunroom that does not meet the current rear setback requirements. The property is located at 63 Lion Drive, Hanover PA 17331 in the R-15 zone.

Mr. Les Hagerty, Structure Perfect Custom Construction, represented this request. Mr. Hagerty stated that at the time of construction the existing deck met the required set-backs, however with the Zoning Ordinance of 2004, the deck now encroaches five feet into the rear set-back. The Klunk's are requesting to replace the deck with a sunroom, encroaching five feet into the rear set-back. Mr. Hagerty reported

that a neighbor of the Klunk's had a similar variance request in the past. Zoning Officer Smith confirmed that the neighbor received a variance in 2015.

Planners Smith/Bull moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB22-14-Patrick and Suzanne Klunk requesting a special exception to Section 407.2 (Expansion and Alteration) in order to construct a sunroom as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-2 vote, with Planners Berlingo and Heiland casting the dissenting votes.

ZHB22-15- Rickards, Christopher and Samantha, 77 Overlook Drive, Hanover, PA 17331. The applicant is requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to add an above ground swimming pool in the side yard which does not meet the current requirements. The property is located at 77 Overlook Drive, Hanover, PA 17331 in the R-8 zone.

Mr. Christopher Rickards represented this request. Mr. Rickards lives in the end residence of a four-unit dwelling. He is requesting to add a fourteen by eight foot, four-foot-deep above ground pool to the side of his residence. His yard is surrounded by a five-foot fence, and the pool would be taken down at the end of the summer. Mr. Richards stated the HOA gave a soft approval of the request, and there are no other pools within the development.

Planners Bull/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB22-15-Rickards, Christopher and Samantha requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to add a above ground swimming pool in the side yard as it meets the requirements of a variance as set forth in Section 502.2 a) thru f). Motion carried on a 4-3 vote, with Planners Berlingo, Heiland and Smith casting the dissenting votes.

ZHB22-16- Ruff, John & Monica, 136 Northview Drive, Hanover, PA 17331. The applicant is requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to construct an inground swimming pool that does not meet the current rear setback requirements. The property is located at 136 Northview Drive, Hanover, PA 17331 in the R-15 zone.

Mr. John Ruff, property owner represented this request. Mr. Ruff stated the water's edge of the pool will be fifteen feet from the rear property line, encroaching fifteen feet into the rear set-back. The pool will also be fifteen feet from the back of the home. Mr. Ruff stated that there are empty fields behind his home, and to his knowledge no planned development at this time. There are three to four similar pools with in the near vicinity. There is a small tool shed on the property that will remain.

Planners Lumadue/Berlingo moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB22-16-Ruff, John & Monica requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to construct an

inground swimming pool as it meets the requirements of a variance as set forth in Section 502.2 a) thru f). Motion carried on a 7-0 vote.

Review and make recommendations on waiver and exoneration requests:

Hanover Land Services, Inc., on behalf of Liberty Restoration & Construction, are requesting a waiver to Section 402 (Preliminary Plan Requirements) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan. The property is located 10 Westminster Avenue.

There was no one in attendance to represent this request. Township Engineer Bortner stated that Hanover Land Services, Inc., submitted this request on June 9, 2022. Zoning Officer Smith reported this plan was presented before the Commission, and Zoning. Zoning approved the plan with the condition of ten additional parking spaces. Planner Heiland asked Engineer Bortner if he had a chance to review the plan, and he responded that he has, and has a list of concerns.

Planners Baker/Bull moved for an unfavorable 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 Liberty Construction. Motion carried 7-0.

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.**

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

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.**

SL22-07-CARROLL COUNTY CHRISTIAN CENTER, Hanover Land Services, 585 McAllister Street, Hanover, PA 17331. A Preliminary/Final plan submitted in order to construct a new house of worship facility. The property is located at 889 Baltimore Street in the SC zone. **There was no action taken on this plan.**

SL22-08-HIGH POINTE AT ROJEN FARMS PENN SOUTH PH S3, Sharrah Design Group, Inc., 20 Chambersburg Street, Gettysburg PA 17325. A Final Subdivision Plan was submitted in order to create twenty-seven (27) new residential lots. The Property is located between Beck Mill Road and Grandview Road in the R-40 zone. **There was no action taken on this plan.**

SL22-09-YORK ROAD INVESTMENTS, LLC, RETTEW Associates, Inc., 5301 Richard Lane, Mechanicsburg, PA 17055. A Preliminary Land Development and Subdivision Plan was submitted in order to construct a warehouse facility. The Property is located at 501 Ridge Avenue in the Industrial (I) zone.

Mr. Paul Fish, Rettew, represented this plan. Engineer Bortner stated that York County Planning Comments and Penn Township Staff comments had been received, a revised plan had been submitted. We are waiting for E&S approval from York County Conservation District and the O&M agreement for Stormwater Management. Mr. Fish stated they have addressed all comments except for the administrative. Mr. Fish stated that a traffic study had been completed, and concerns have been met.

Planners Bull/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners for SL22-09-York Road Investments, LLC. Motion carried on a 7-0 vote.

SL22-10- 934 BALTIMORE STREET – CODY BENTZEL, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A Consolidation/Land Development Plan was

submitted in order consolidate two parcels and convert existing buildings and proposed building into a retail space. The property is located at 934 Baltimore Street in the HB Highway Business Zone. **There was no action taken on this plan.**

SL22-11- LIBERTY RESTORATION & CONSTRUCTION LLC, Hanover Land Services, Inc., 585 McAllister Street, Hanover, PA 17331. A Preliminary/Final Reverse Subdivision and Land Development Plan was submitted in order to consolidate two parcels into a sales office space. The property is located at 10 Westminster Avenue in the R-8 Urban Residential Zone. **There was no action taken on this plan.**

SL22-12- HOLLAND CONSTRUCTION -100 BLETTNER AVE, Site Design Concepts, Inc., 127 W. Market Street, Suite 100, York, PA 17401. A Preliminary/Final Land Development Plan was submitted in order to construct a proposed industrial building. The property is located at 100 Blettner Avenue in the A-O Apartment or Office Zone. **There was no action taken on this plan.**

Public Comments: Attorney John Crabbs, 202 Broadway, Hanover, was in attendance along with his clients, Jodi and Joe Shipley, EB and Ace LLC, owners of the property of Dutch Country Restaurant. Attorney Crabbs reported that the plans submitted by Cody Bentzel, it appears that he intends to combine two lots identified by tax identification number. Attorney Crabbs stated that it appears that he is asking to actually combine three lots, two of which are his, and a portion of the parking lot belonging to his clients. Attorney Crabbs stated on this basis they object to the plan that has been submitted by Mr. Bentzel. Attorney Crabbs reported that he has information available including tax map parcels to prove his clients own the property. Planner Heiland stated that Mr. Bentzel is not in attendance, and no action will be taken on the plan this evening. He also confirmed with Attorney Crabbs that his client recently had their land surveyed. Zoning Officer Smith stated that a plan extension request was received from Mr. Bentzel today at the close of business. Attorney Crabbs stated that the parking lot of Dutch Country has been in exclusive possession of his clients for more than twenty-one years.

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary