

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 2, 2018

Vice-Chairman Barbara Mahan called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, August 2, 2018 at the Penn Township Municipal Building. Present were planning members Clayton Black, Kathy Gill, Justin Heiland, Barbara Mahan, and Henry Senatore, along with Engineer Bortner, Zoning Officer Smith and Recording Secretary Hallett. Planning members David Baker and Wendell Felix were absent with notice.

The planners approved the July 5, 2018 Planning Commission minutes as submitted.

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

ZHB18-11 – The Markets of Hanover, 1649 Broadway, Hanover, PA 17331. Applicant is requesting a variance to Section 303.2.J.1 (Development and Maintenance of Parking Facilities) and a special exception to Section 207.2 (Use Regulations) in order to operate a brew pub. The property is located at 1649 Broadway in the S/C zone.

Gerry Funke, GHI Engineers and Surveyors, represented this request along with Joe Silbaugh, Jr. and Liz Johnides, property owners. Mr. Funke explained that a brew pub is not a use by right or allowed by special exception. He said a similar request was approved for Aldus Brewing in the past. Aldus has been in operation for three or four years. Hanover Markets would like to add a brew pub and brewery to their location at 1649 Broadway. The pub will seat one hundred fifty inside and an additional eighty outside, during the summer months. There is a deck shown on the plan for outside seating. Planner Heiland asked what hours the brew pub would be open. Mr. Funke said 11-8 on Wednesday and Thursday, 11-9 on Friday, and 11-7 on Sunday. They will be closed on Monday and Tuesday. Planner Heiland asked if they are still planning on improving the parking facilities. Mr. Funke pointed out the parking improvements on the submitted plan. They are planning to do all of the parking improvements at once rather than phased, as previously requested. Planner Heiland asked how many parking spaces they will have in total. Planner Black said he didn't see the number shown anywhere on the plan. Planner Heiland said the parking is always an issue on Saturdays. Planner Mahan said getting in and out of the facility is also a challenge. Planner Heiland asked if the brew pub will be open to the Market and it will. Mr. Silbaugh said it will be totally open with no dividing walls, the same as it is now.

Planner Black asked if they need a special exception because this is a brew pub. Mr. Funke said yes. Planner Black asked if a special exception would be required if they were putting in a restaurant and Mr. Funke said the brewery is what requires the special exception. Planner Black asked if the parking would be adequate if it were a restaurant. Mr. Funke said they'd need the same number of parking spaces for a restaurant. Zoning Officer Smith said the parking is fine every day except Saturday and offered to show pictures of the Markets parking lot on a Thursday and a Friday. Planner Black asked if they have enough parking per the ordinance. Zoning Officer Smith said they will have enough parking once they have completed this project. Ms. Johnides said the idea behind

the brewery is to add additional business and the parking will be added as a part of this. Planner Mahan asked if they are adding the parking in phases and Mr. Funke said all the parking will be added at once. Planner Black asked if the additional parking will bring them up to code. Zoning Officer Smith said they are proposing three hundred eighty-two parking spaces and the ordinance requires four hundred seventeen.

That's what the variance is for. Planner Heiland asked if the brewery would be open longer hours than the brew pub and it will. Planner Heiland asked if the water runoff will be affected by the additional parking. Mr. Funke said it will but that will be addressed in land development. Planner Heiland asked if there is any way to get additional parking spaces in. Mr. Funke said they are out of room. He explained that the back of the property slopes up towards the houses. Planner Heiland asked how many parking spaces they have now and Mr. Funke was unsure. Planner Heiland asked if the back will still be used as a warehouse and Mr. Funke said it's being rented by Elsner Engineering right now. Planner Black asked if the parking requirements are the same for everything. Mr. Funke said the parking for the restaurant is based on number of people, for the rest it's based on square footage. Planner Black said they wouldn't be able to expand the retail area at all since they are already maxed out on parking spaces, so the warehouse could never be converted to retail space. Ms. Johnides said they have no plans to expand the retail area into the warehouse area.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Case ZHB18-11 – The Markets of Hanover, requesting a special exception to Section 207.2 (Use Regulations) in order to operate a brew pub as is it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). This recommendation is contingent upon the proposed three hundred eighty-two parking spaces be installed. Motion carried on a 5-0 vote.

Planners Black/Mahan moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB18-11 – The Markets of Hanover, requesting a variance to Section 303.2.J.1 (Development and Maintenance of Parking Facilities) in order to operate a brew pub 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.

ZHB18-13 – Henry J. Hirsch, Jr LPC, 62 Collins Circle, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Use Regulations) in order to operate a counseling office. The property is located at 62 Collins Circle in the R-15 zone.

Henry Hirsch, property owner, represented this request. Mr. Hirsch said he's a full-time counselor at Littlestown High School right now and would like to use his home for a counseling office. He will counsel from home part-time, possibly one to two clients a week. He hopes to eventually transition into online counseling. Mr. Hirsch showed pictures of which room he plans to use for counseling and what his driveway/parking area looks like. He said he will only see one client at a time and they will likely be adolescence. Planner Heiland asked if there are any parking requirements. Mr. Hirsch said he'll be parked in the garage and his clients will have the entire driveway for parking.

Planners Black/Gill moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB18-13 – Henry J. Hirsch Jr LPC, requesting a special exception to Section 203.2 (Use Regulations) in order to operate a counseling office as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote.

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

KPI Technology, on behalf of Mark's Auto Body are requesting a waiver to Section 605 (Landscaping and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance and to Section 306.B.4 (Fencing) of the Stormwater Management Ordinance in regards to their land development plan. The property is located at 35 Barnhart Drive.

Brandon Guiher, KPI Technology, along with David Marks, property owner, represented this request. Mr. Guiher explained that a waiver was granted in 2009 for landscaping and bufferyard and they're making the same request now. They're also requesting a waiver of the fencing requirements around the stormwater basin. Planner Heiland asked if there are two separate requests and Mr. Guiher said they were both included on one letter but they are separate, one from the Subdivision and Land Development Ordinance and one from the Stormwater Management Ordinance. Mr. Guiher believes the bufferyard requirements refer to residential area and all the proposed improvements are taking place on the other side of the property, away from the residential zone. The residential zone is across the street in Heidelberg Township, but the improvements won't be facing that direction.

Engineer Bortner said the fence request is for an existing stormwater basin. The Stormwater Management Ordinance was updated in 2011 and now requires a fence. He said the pond has remained the same since the property was first developed. Nothing in the Industrial Park has a fence because there haven't been any changes since 2011. Planner Heiland asked if the proposed improvement would affect the pond. Engineer Bortner said the pond was built for the entire property so these improvements wouldn't affect it. The required volume control studies were completed and the pond is adequate. Planner Heiland asked if the waiver refers to the Gitts Run Road side of the property and it does.

Planner Heiland asked what the adjoining lot is. Mr. Marks said it's an eyesore owned by Kinsley Construction. He believes it's used as a construction jobsite and has been for twenty years. Mr. Marks said he repeatedly calls Kinsley to get it mowed and have the thistles taken care of. He said it makes a mess of his lot, which is kept in pristine condition. He said Kinsley is a great company but this property makes a mess.

Planners Black/Gill moved for a favorable recommendation to the Penn Township Board of Commissioners on the request for a waiver to Section 605 (Landscaping and Bufferyards). Motion carried on a 5-0 vote.

Planners Black/Senatore moved for an unfavorable recommendation to the Penn Township Board of Commissioners on the request for a waiver to Section 306.B.4. Motion carried on a 5-0 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.

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.

SL18-06 – 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.
There was no action taken on this plan.

SL18-09 – STONEWICKE-PHASE I, Stonewicke LP, 107 Little Bridge Road, Hanover, PA 17331. A final subdivision submitted in order to create fifty-four (54) single-family residential building lots. The property is located between Clover Lane and Grandview Road in the R-15 & S/C zones.

Kris Raubenstine, Hanover Land Services, represented this plan. Mr. Raubenstine said the Penn Township Staff and York County Planning Commission comments have been addressed. The improvement bond has been posted, the recreation fees paid and the Operation and Maintenance Agreement was submitted. He explained the southern end is mostly constructed and the roads and utilities are ready. Planner Heiland asked how many lots are in phase one and Mr. Raubenstine said fifty-four.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 5-0 vote.

SL18-10 – MARKS AUTO BODY – PARKING LOT EXPANSION, David Marks, 35 Barnhart Drive, Hanover, PA 17331. A land development plan submitted in order to construct a parking lot expansion. The property is located at 35 Barnhart Drive in the Industrial Zone.

Brandon Guiher, KPI Technology, represented this plan. Mr. Guiher said they've responded to Penn Township Staff and York County Planning Commission comments. They provided modeling for the stormwater basin and took care of some required paperwork. Planner Mahan asked if the plan is ok and Engineer Bortner said his comments were addressed in the revised plan. The Board of Commissioners will vote on the waivers on August 20 and the waivers will then need to be addressed on the plan.

Planner Heiland asked if the floodplain questions had been answered. Engineer Bortner stated the silt sock touches the floodplain but the Township Floodplain Administrator said that's acceptable. The limit of disturbance was show next to the silt sock rather than right on top of it.

Planners Senatore/Mahan moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 5-0 vote.

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.

SL18-12 – WOODSIDE AVENUE, Burkentine & Sons Builders, 1500 Baltimore Street, Hanover, PA 17331. A land development submitted in order to create a multi-family residential unit. The property is located at 221 Woodside Ave in the R-8 zone.

Ted Decker, GHI, represented this plan. Mr. Decker explained that Burkentine & Sons Builders requested a special exception to place a multi-family dwelling on this lot and it was approved by the Zoning Hearing Board. It's a single lot on Woodside Avenue. The existing mobile home will be removed to construct four units. Burkentine & Sons Builders will own the property and rent it out. They've added the screening, required by the Zoning Hearing Board, to both sides of the property and they limited the driveways to two. Mr. Decker said the revised plans haven't been submitted yet but he wanted the Commission to be familiar with the project. They have submitted a waiver request to waive preliminary plan requirements because it's a small project with no new streets. They will be widening the street and improving curb and sidewalk. Mr. Decker said he's addressed all of the Township Engineer's comments except the improvement bond. A sewage planning module was submitted to WWTP Superintendent Mahone for review. The revised plan shows widening of the street. Planner Heiland asked if the rest of the Staff comments have been addressed. Zoning Officer Smith said he hasn't seen the revised plans yet. Planner Black asked if they are installing sidewalk and they are. Planner Gill asked how many parking spaces there are per unit. Mr. Decker said two per unit. The waiver request for the preliminary plan will be addressed next month.

The meeting was adjourned at 7:59 p.m.

Respectfully submitted,

Angela M. Hallett
Recording Secretary