

PENN TOWNSHIP PLANNING COMMISSION NOVEMBER 7, 2019

Vice-Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:03 p.m. on Thursday, November 7, 2019 at the Penn Township Municipal Building. Present were Planning Members Clayton Black, Ronald Fanelli, Kathy Gill, Chad Yiengst, Justin Heiland and Wendell Felix, along with Engineer Bortner, Zoning Officer Smith, and Township Secretary Sweeney. Planner David Baker was absent.

The October 3, 2019 Planning Commission minutes were approved as submitted.

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

ZHB19-24-American Home Contractors LLC, Ronald Carter, 416 Glenville Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 322 (Uses Not Provided For) in order to operate an Airbnb. The property is located at 792/794 Baltimore Street in the H/B zone.

Zoning Officer Smith stated that this is a duplex and both units would be considered an Airbnb. Commissioner Heiland added that being a duplex this case falls outside the actual Bed and Breakfast rules, and there is no current use covering Airbnbs.

Mr. Ronald Carter represented this case, he stated that for the past thirteen years that he has owned this property, he has rented it out. The reason he is requesting for a special exception for the Airbnb is that he was contacted by a third party that locates temporary housing for local business professionals in the area. Planner Felix questioned how much parking is available, and Mr. Carter replied there are two parking spaces in the rear of the building for each duplex. Planner Fanelli pointed out an article that Cherry Hill, NJ recently passed an ordinance banning Airbnb's, and the Philadelphia Enquirer on Sunday had an article that Airbnb is changing their rules due to so called "party houses", and recent shootings. Planner Fanelli asked Mr. Carter if he has notified the neighbors of his intentions, and he stated that he has spoken with the neighbor to the left, they seem okay with the plan, but has not been able to contact the neighbor on the right. Mr. Carter added that he is within a fifteen minute drive from the property, and does not want to allow for pets. Planner Fanelli questioned Mr. Carter about current construction on the property, and Mr. Carter explained that he is having the utilities separated. The property currently has one sewer line, and is putting in a second line. Planner Heiland questioned if he was currently listing on Airbnb, and Mr. Carter stated that no, he has not, and that he is waiting for approval. Planner Black questioned the amount of bedrooms in each unit. Mr. Carter stated that each unit has three bedrooms, with two and a half baths. Planner Black is concerned that there is only enough parking for two guests per unit. Mr. Carter stated that there is additional legal parking within a block and Planner Black stated that he understands that however

he does not believe that is adequate and it is not the township's responsibility to provide parking. Planner Black also stated that right now Mr. Carter is planning to rent to professionals, but who is to say down the road that will change. Engineer Bortner added that he has stayed at Airbnbs and they have appeared to be a residential property, and has concerns about adding parking for every person staying there, he does not want it to appear to be a hotel or a boarding house. Planner Black expressed concern that there are currently no rules pertaining to Airbnbs in the Township.

Planners Fanelli/Gill moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Case ZHB19-24 American Home Contractors LLC, Ronald Carter for a special exception to Section 322 (Uses Not Provided For) in order to operate an Airbnb. Motion carried on a 5-1 vote, with Planner Yiengst casting the dissenting vote.

Review and make recommendations on waiver and exoneration requests:
There were none.

The planners reviewed and made recommendations on the following pending subdivision/land development plans:

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 residential building lots. The property is located within the southeast intersection of Cooper Road and Westminster Ave 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.

SL18-20-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.**

SL19-07-Markets at Hanover, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A land development plan and lot consolidation for market, brew pub and warehouse. The property is located at 1649 Broadway in the S/C zone.

There was no action taken on this plan.

SL19-08-Mavis Tire-North Hanover, JLM Real Estate Investment, LLC, 950 East Main Street, PO Box 472, Schuylkill Haven, PA 17972. A land development plan submitted to

construct a tire sales and installation business. The property is located at 1324 Carlisle Street with the bulk of the acreage being located in Conewago Township, Adams County and the site frontage in Penn Township in the H/B zone.

There was no action taken on this plan.

SL19-10-Carter Lumber Company, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A land development plan submitted in order to construct a lumber company. The property is located at 8 Barnhart Drive in the Industrial zone.

There was no action taken on this plan.

SL19-13-Brookside Heights Phase IV, Brookside LLC 1454 Baltimore Street Hanover Pa.17331. A final subdivision plan submitted in order to create (78) residential lots for single family attached and multifamily dwellings. The property is located off South Center Street and Overlook Drive in the R-8 zone.

Mr. Ted Decker, GHI represented this case. Phase IV is the last section of Brookside Heights on nine acres of land, the plan consists of 54 townhouses and 1-24 unit condo section. York County Planning Commission and Staff comments have been received, and they are awaiting a bond amount. Engineer Bortner stated that before final plans can be approved the township would need to receive the bond.

Mr. Decker has requested an extension for the plan, and will be in attendance for next month's meeting.

SL19-15-South Hills Golf Course, Maitland Investment, 630 Westminster Avenue, Hanover, PA 17331. A reverse subdivision and land development plan submitted to construct club house and pro shop and expand parking area. The property is located at 925 Westminster Avenue in the R-22 zone.

There was no action taken on this plan.

Public Comments: None.

The meeting was adjourned at 7:46 p.m.
Respectfully submitted,

Donna M. Sweeney,
Recording Secretary