

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 4, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on January 4, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioner Merle Dubbs, Commission Members Charles Sourber, Jr. and Clayton Black. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner. Commissioner Wendell Felix arrived at about 7:40 P.M.

Commissioner Dubbs moved and Commission member Sourber seconded that the minutes of the December 7, 2000 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

The Planning Commission held it's reorganizational meeting at this time. Commissioner Merle Dubbs moved and Commission Member Charles Sourber, Jr. seconded the nomination of Donna Scott as Chairperson of the Commission. The motion carried unanimously.

Chairperson Donna Scott moved and Commissioner Merle Dubbs seconded the nomination of Jeffrey Baxter as Vice Chairperson. The motion carried unanimously.

Chairperson Donna Scott moved and Commission Member Charles Sourber, Jr. seconded the motion to hold the Planning Commission meetings on the first Thursday of each month at 7:00 P.M. The motion carried unanimously.

Chairperson Donna Scott announced that the Planning Commission will be holding a working session on February 22, 2001 at 7:00 P.M. Also, a public hearing for the Comprehensive plan will be held on March 8, 2001.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z00-33-ESTATE OF ISABELLE L. NACE., c/o Allfirst Bank, 13 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use regulations) to construct a single family residential dwelling within the Shopping Commercial Zone. The property is located on Manor Street.

Zoning Officer Menges noted that this property has been before the zoning hearing board two previous times. Previously requested uses included duplex units and townhouses. He also noted that it can not be used for Shopping/Commercial because it is difficult to lay the sewer extensions without them coming out of the ground. The best use of this property, according to Zoning Officer Menges, is a single family dwelling.

There is an agreement of sale.

Allfirst was represented by Joe Erb. The two roads, Manor Street and Norwood Avenue, shown on the tax map do not exist. The parcel is 1.6 acres.

Commissioner Merle Dubbs moved and Commission Member Clayton Black seconded a

favorable recommendation to the Penn Township Zoning Hearing Board on case Z00-33 Estate of Isabelle L. Nace requesting a variance to Section 207.2 (Use Regulations) to construct a single family residential dwelling within the Shopping Commercial Zone, as it meets the requirements for a variance set forth in Section 502.3 A-F. Motion carried on a 4-0 vote.

The Planning Commission received the following waivers and exoneration requests:

Bon Ton Builders requests an exoneration from the sidewalk ordinance for the property located at 12 Magnolia Lane.

Commissioner Merle Dubbs moved and Commission Member Clayton Black seconded a motion to deny the request for an exoneration of sidewalk at 12 Magnolia Lane. Motion carried on a 3-1 vote with Chairperson Donna Scott casting the dissenting vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P98-29 - J.C.P., Inc., 217 Frederick Street, Hanover, PA 17331. A final forty (40) lot single family residential subdivision. The property is located on the west side of Bankert Road approximately 1500' south of Blooming Grove Road in the R-40 zone.

No action was taken on the plan.

P99-16 - Morningstar Development, Warehime Enterprises, Inc., 251 Frederick Street, Hanover, PA 17331. A preliminary plan for sixty-nine (69) single and multi-family residential lots. The property is located at Breezewood Drive and West Timber Lane in the R-8 and R-15 zones.

No action was taken on this plan.

P00-26 - BRUCE L. JONES, 35 Spring Garden Avenue, Hanover, PA 17331. A final land development plan to construct three (3) additions to existing building and add additional paved area for current manufacturing business. The property is located in the HB and Industrial Zone.

This plan was represented by Mr. Pat Buhl of Worley Surveying.

Engineer Eric Bortner noted that since the last meeting signatures and notes have been added to the plan.

Chairperson Donna Scott moved and Commissioner Merle Dubbs seconded a favorable recommendation to the Board of Commissioners on this plan. The motion carried on a 4-0 vote.

P00-27 - MARK & PATRICIA KREBBS, 213 Conestoga Lane, Spring Grove, PA 17362. A final subdivision plan to convey 35,168 square feet of property to Bruce L. Jones. The property is located on Spring Garden Avenue in the HB & Industrial Zones.

This plan was represented by Mr. Pat Buhl of Worley Surveying.

Engineer Eric Bortner noted that since the last meeting signatures have been added.

Commissioner Merle Dubbs moved and Chairperson Donna Scott seconded a favorable recommendation to the Board of Commissioners. The motion carried on a 4-0 vote.

P00 - 28 - Hanover Packaging, 8 Barnhart Drive, Hanover, PA 17331. A final land development and resubdivision plan to construct a 22,080 square foot addition to an existing building. This addition will be used for staging and storage. The property is located in the Industrial Zone.

This plan was represented by Gerry Funke of Conewago Enterprises.

According to Engineer Bortner York County Comments have not been received.

Gerry Funke explained the plan and the variance that they had received from the Zoning Hearing Board.

It was reported that the Township is working on acquiring the Right of Ways for the construction of Industrial Drive.

It was noted that the plans do not contain signatures.

The plan will be held over to the next meeting for York County Comments.

P00-29-Autozone, Inc. c/o David Bently, 60 Madison Avenue, Memphis TN 38103. A final land development plan to convert existing building into an auto parts store. The property is located at 879 Baltimore Street, in the SC zone.

This plan was represented by Jeffrey R. Berneburg of McIlvried, Didiano & Mox, LLC. He explained the plan and the specifics that Autozone is going to provide when they develop this property.

There was some concern by the Committee with regards to the double lights shown on the plan. Mr. Berneburg stated that the intent of the plan was for singular lights but he will check into it since the plan shows double lights. He also noted that the lights will go off within a half hour of the store closing. The light when illuminated will angle down forward towards the building.

The Commission also checked with Zoning Officer Menges to make sure that the sign is placed in the appropriate area.

The Commission will have to wait for York County Comments before making a recommendation to the Board of Commissioners.

P00-30-James R. Danner, 300 Beck Mill Road, Hanover, PA 17331. A sketch plan to construct a forty-four (44) lot residential subdivision on Beck Mill Road. The property is located in the R-15/SC zones.

This plan was represented by Ted Decker from Group Hanover.

There was some discussion by the Commission to eliminate the cul-de-sac and connect the development with the shopping center.

The Commission discussed certain site distances and entrances that would be created on Beck Mill Road.

The Commission would like to see a more detailed plan with all the surrounding properties located around the proposed development.

Engineer Bortner stated that they will have to be concerned with the stormwater management.

The Commission is going to referee the plan back to the Public Works Committee of the Penn Township Board of Commissioners for further discussion with the Township Engineer and the Engineer from Group Hanover.

There were several concerned citizens questioning the plans submitted by Snyder's of Hanover for the construction of five duplex units on West Granger Street and Centennial Avenue. Zoning Officer Menges addressed their questions and concerns.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 1, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on February 1, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission Members Charles Sourber, Jr. and Clayton Black. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Commissioner Dubbs moved and Commission Member Sourber seconded that the minutes of the January 4, 2001 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

Chairperson Donna Scott announced that the next Planning Commission meeting will be held on Tuesday, February 27, 2001 at 7:00 P.M. instead of March 1, 2001 so the members of the Commission may attend a seminar.

Chairperson Donna Scott announced that the Planning Commission will be holding a public meeting for the Comprehensive plan on March 8, 2001.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-01 ROJEN, L.P., c/o Roger Holland, 751 Frederick Street, Hanover, PA 17331. Applicant requests a special exception to Section 207.2 (Use Regulations) to construct a child day care center within the Shopping Commercial zone. The property is located east of the intersection of Grandview and Baltimore Street, beside Nell's Market.

This request was represented by Ted Decker of Group Hanover. Mr. Decker felt that the applicants have meet the requirements for a special exception. There will be a fence around the play area for the children. The site is two acres. The total play area is fifteen thousand six hundred square feet. The ordinance requires sixty five square feet per child and currently the site has enough land for two hundred forty children. The maxim capacity will be one hundred fifty children with about twenty employees. The operator of the day care will be Little People Day School which operates a facility in West Manheim.

There is an agreement of sale.

The Committee was concerned about lighting of the facility. The operating hours will be till about 6:00 P.M. and the only lights lit after closing will be a security light.

Commission Member Clayton Black moved and Chairperson Donna Scott seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z01-01 Rojen, L.P. c/o Roger Holland requesting a special exception to Section 207.2 (Use Regulations) to construct a child day care center within the Shopping Commercial Zone, as it meets the standards set forth in Section 503.6. Motion carried on a 5-0 vote.

Z01-02 - DEBBI KACZYNSKI, 20 Garden Lane, Hanover, PA 17331. Applicant

requests a variance to Section 203.3 (Area and Bulk Regulations) to extend a roof over front porch that would encroach into the front setbacks and to construct a deck over existing cement slab that would encroach into rear yard setbacks. The property is located in the R-15 zone.

This request was represented by Ms. Debbi Kaczynski. Commissioner Felix withdrew himself from discussion and voting because he is a resident of this area. The roof on the front would extend the length of the house. This would encroach four inches into the front setback.

With regards to the deck, it was noted that there are other decks and pools in the area that encroach in the rear yard setbacks.

Commission Member Clayton Black moved and Chairperson Donna Scott seconded a favorable recommendation to the Zoning Hearing Board on case Z01-02 Debbi Kaczynski, requesting a variance to Section 203.3 (Area and Bulk regulations) to extend a roof over front porch that would encroach into the front setbacks and to construct a deck over existing cement slab that would encroach into rear yard setbacks, as meet the requirements set forth in Section 502.3 A-E. Motion carried a 4-0 vote with Commissioner Felix abstaining.

At this time Larry Redding presented changes he has made to his approved plan for 10 Lafayette. According to Mr. Redding, the change is a result of an effort to solve a quiet title action to the paper alley located next to the property. The other property owner involved is Mr. Derrick Higgs. The amended plan provided only one entrance to the home from Lafayette street and eliminates the entrance off the "paper" alley.

After some discussion by the Commission they decided to forward the plan to the Public Safety Committee for their review and comment.

The Planning Commission received the following waivers and exoneration requests:

None.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P98-29 - J.C.P., Inc., 217 Frederick Street, Hanover, PA 17331. A final forty (40) lot single family residential subdivision. The property is located on the west side of Bankert Road approximately 1500' south of Blooming Grove Road in the R-40 zone.

Zoning Officer Menges reported that Robert Ward will be purchasing the property and the Township has received an estimate on the bond for this project. The transfer of this property will occur on March 15, 2001. Approval of plan is scheduled for the February 19, 2001 Board of Commissioners meeting but the applicants will be asking for an extension. It was stated by the Engineer that preliminary approval was given so that they have five years for the plan once it was approved and currently they have a year and a half on the plan. He feels that all plans should be resubmitted with the new owners names on it.

No action was taken on this plan.

P99-16 - Morningstar Development, Warehime Enterprises, Inc., 251 Frederick Street, Hanover, PA 17331. A preliminary plan for sixty-nine (69) single and multi-family residential lots. The property is located at Breezewood Drive and West Timber Lane in the R-8 and R-15 zones.

No action was taken on this plan.

P00 - 28 - Hanover Packaging, 8 Barnhart Drive, Hanover, PA 17331. A final land development and resubdivision plan to construct a 22,080 square foot addition to an existing building. This addition will be used for staging and storage. The property is located in the Industrial Zone.

This plan was represented by Gerry Funke of Conewago Contractors. It was noted that York County Planning Comments have been addressed.

Commissioner Dubbs moved and Commission Member Clayton Black seconded a favorable recommendation to the Board of Commissioners on this plan. The motion carried on a 5-0 vote.

P00-29-Autozone, Inc. c/o David Bently, 60 Madison Avenue, Memphis TN 38103. A final land development plan to convert existing building into an auto parts store. The property is located at 879 Baltimore Street, in the SC zone.

Autozone is going to submit a new plan which includes demolition of the existing building and erecting a new one.

P00-30-James R. Danner, 300 Beck Mill Road, Hanover, PA 17331. A sketch plan to construct a forty-four (44) lot residential subdivision on Beck Mill Road. The property is located in the R-15/SC zones.

This plan is currently on hold because the cemetery is interested in some of the property. Ted Decker from Group Hanover represented the case and showed some of the proposed changes in the plan if it is pursued.

The meeting was adjourned at 8:00 P.M.

Respectfully submitted,



Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 27, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on February 27, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioner Wendell Felix, Commission members Charles Sourber, Jr., Clayton Black, and Fred Marsh. Commissioner Dubbs was excused with notice. Commission Member Jeffrey Baxter was absent without excuse. Also present were staff members Zoning Officer Menges and Engineer Eric Bortner.

Chairperson Donna Scott welcomed Fred Marsh as the newest member of the Planning Commission.

Commission Member Clayton Black moved and Commission Member Charles Sourber, Jr. seconded that the minutes of the February 1, 2001 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

Chairperson Donna Scott announced that the Planning Commission will be holding a workshop session with Gannett Fleming on March 8, 2001 at 7:00 P.M. to discuss amendments to the Penn Township Comprehensive Plan.

She also announced that an open meeting of the Penn Township Planning Commission will be held on March 15, 2001 at 7:00 P.M. Both meetings will be held at the Municipal Building.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-03 - 7th DAY ADVENTIST CHURCH, 3101 Grandview Road, Hanover, PA 17331. Applicant requests a special exception to Section 205.2 (Uses by Special Exception) to allow proposed use of House of Worship. The property is located at the intersection of Gitts Run and Moulstown Road in the R-40 Zone.

This request was represented by Gerry Funke of Conewago Contractors. Mr. Funke explained that the Church had made request before and that plan showed a subdivision of the land into two parcels. The Church is now going to keep the parcel intact and use the land for future expansion. One part of the parcel is located in Penn Township and the other part in Heidelberg Township. Penn Township is the taxing authority.

Commission Member Clayton Black moved and Commission Member Charles Sourber, Jr. seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z01-03 7th Day Adventist Church requesting a special exception to Section 205.2 (Uses by Special Exception) to allow proposed use of House of Worship, as it meets the standards set forth

in Section 503.6 A-E. Motion carried on 5-0 vote.

Z01-04 - THE SHERIDAN PRESS, INC., 450 Fame Avenue, Hanover, PA 17331. Applicant requests a variance to Section 407.2 (Expansion and Alteration) and Section 610 (Expansion of Nonconformity) to allow addition to existing plant. The property is located at 450 Fame Avenue in the Industrial Zone.

This request was represented by Gerry Funke of Conewago Contractors. There was some discussion by the Commission on whether it should be a variance or special exception. The Commission decided that the request should be considered a variance. Mr. Funke explained what Sheridan Press wanted the expansion to look like.

Commission Member Clayton Black moved and Commission Member Fred Marsh seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z01-04 The Sheridan Press, Inc. requesting a variance to Section 407.2 (Expansion and Alteration) and Section 610 (Expansion of a Nonconformity) to allow addition to existing printing plant, as it meets the standards set forth in Section 407.2 and Section 610 A-G. The motion carried on a 3-2 vote with Commissioner Wendell Felix and Chairperson Donna Scott casting the dissenting votes.

The Planning Commission received the following waivers and exoneration requests:

The Penn Township Recreation Board request an exoneration from the land development process to expand the parking area at the Community Park.

This request was represented by Penn Township Administrative Assistant Kristina Rodgers. The Penn Township Recreation Board would like to pave an existing parking area and create a new paved parking area just off the entrance of the Penn Township Community Park. This would provide 177 paved parking spaces at the park.

Chairperson Donna Scott moved and Commission Member Charles Sourber, Jr. seconded a favorable recommendation to this request to the Penn Township Board of Commissioners. The motion carried on a unanimous vote.

The Planning Commission reviewed the following Subdivision/Land Development plan and made the following recommendations.

P98-29 - J.C.P., Inc., 217 Frederick Street, Hanover, PA 17331. A final forty (40) lot single family residential subdivision. The property is located on the west side of Bankert Road approximately 1500' south of Blooming Grove Road in the R-40 zone.

Zoning Officer Menges gave an update on the progress of this plan. A piece of land that was in the initial plan has been pulled. This will result in a design change from the original plan.

There is currently a sixty day extension on this plan that will expire on April 16, 2001.

There was no action taken on this plan.

P99-16 - Morningstar Development, Warehime Enterprises, Inc., 251 Frederick Street, Hanover, PA 17331. A preliminary plan for sixty-nine (69) single and multi-family residential lots. The property is located at Breezewood Drive and West Timber Lane in the R-8 and R-15 zones.

There was no action taken on this plan.

P00-28 - Hanover Packaging, 8 Barnhart Drive, Hanover, PA 17331. A final land development and resubdivision plan to construct a 22,080 sq. ft. addition to existing building. This addition will be used for staging and storage. The property is located in the Industrial zone.

There was no action taken on this plan.

P00-30 - James R. Danner, 300 Beck Mill Road, Hanover, PA 17331. A sketch plan to construct a forty-four (44) lot residential subdivision on Beck Mill Road. The property is located in the R-15 & SC zones. This plan is on hold.

There was no action taken on this plan.

P01-01 - Holland Properties, 751 Frederick Street, Hanover, PA 17331. A land development plan to construct a child day care center in the Grandview Plaza. The property is located in the SC zone.

This plan is represented by Ted Decker of Group Hanover. The Commission made sure that York County Comments were addressed.

The Committee questioned if this plan had to provide a professional landscape plan. The approved Grandview Plaza plan included a design for a buffer yard for the development. According to Chairperson Scott, the Committee reviewed the approved Grandview Plaza Plan and noted that there is a mixed residential buffer yard. The Committee is asking the applicant to comply with the original Grandview Plaza Plan and do a mixed buffer yard in the rear of the property. As they are going to be moving the existing trees to the rear of the property we will grant that but the plants will need to be replaced if they die. The applicant must also provide shrubbery as was shown in the original plan. The applicant needs to reference page 14 of 24 of the approved Grandview Plaza plan.

Commission Member Clayton Black moved and Commission Member Charles Sourber, Jr. seconded a favorable recommendation of the plan to the Penn Township Board of

Commissioners with the notation that plan notes that a buffer yard will be installed to match that of the one in the approved Grandview Plaza Plan. The motion carried on a 4-1 vote with Commissioner Felix casting the dissenting vote.

P01-02 - John H. Schuler, II, 1315 Hanover Pike, Littlestown, PA 17331. A sketch plan to construct a five lot residential subdivision on the NE corner of Rt. 194 and Hickory Lane. The property is located in the R-14 zone.

This plan was represented by Pat Buhl of Worley Surveying. The applicant wants to know what improvements would be required for an approved plan. The Committee decided that it will require sidewalks for all the lots. The only way for an exoneration would be by a letter to the Board of Commissioners prior to the issuance of a building permit.

There was some discussion on the driveways coming onto Route 194. This is a state road so the accesses would be determined by the state. According to Engineer Bortner the zoning ordinance will require these driveways to have an adequate turn around area.

There was some discussion on water and sewer access for these lots. Sewer will not be taken along Route 194.

P01-03 - Bruce L. Jones, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to construct additions to existing building and also add paved areas. The property is located in the HB & Industrial zones.

The plan was represented by Pat Buhl of Worley Surveying. The Township has not received any comments from the County. This plan was previously approved but they would like to increase the size of the building. The Committee will wait for York County comments before taking any action on the plan.

P01-04 - Autozone, Inc., 60 Madison Avenue, Memphis, TN 38103. A final land development to demolish existing building at 879 Baltimore Street and construct a new building for the sale of auto parts. The property is located in the S/C zone. The previous plan P00-29 has been withdrawn.

This plan was represented by Jeffrey Berneburg of McIlvried Didiano & Mox, LLC. This plan shows the demolition of the existing building on the property and the placement of a new building.

It was noted that a certain portion of the Robert's traffic is one way and that type of traffic pattern will be maintained to maintain public safety. The Committee would like to see the shared access between the Roberts and Autozone eliminated to prevent the overflow of Robert's parking from using the parking at Autozone.

Mr. Berneburg wanted to know the status of the waivers. The only waiver that was questioned is that of having a landscape architecture plan. Chairman Scott noted that they Board rarely approves a plan with out a landscape architecture plan and it was noted that they required P0-01 to have a plan. It was also noted that all waivers have to be submitted to the Penn Township Board of Commissioners for approval.

Chairperson Donna Scott noted that this is a review and that the Committee is still waiting for York County comments and the waivers will have to go to the Board of Commissioners.

Zoning Officer Menges noted that this will be the first Autozone plan and the second will be located at the site of the old Boston Market.

At the conclusion of the Subdivision/Land Development plans, Mr. Larry Redding approached the Committee about a decision made by the Public Safety Committee with regards to the approved plan of 10 Lafayette. Chairperson Scott read from the February 1, 2001 minutes that stated, "after some discussion by the Commission they decided to forward the plan (10 Lafayette) to the Public Safety Committee for their review and comment."

Chairperson Donna Scott read a letter from Penn Township Fire Chief Jan Cromer that stated:

" I have reviewed the land development plan for 10 Lafayette Street and also visited the site where the proposed boarding house is to be located. It is my recommendation that the site be completed as shown on the previously approved plans. The entrances should remain as shown so that fire apparatus can make unobstructed entry and exit of the property. If one of the entrances would be eliminated, it would force fire apparatus to become condensed in an area which could hinder a quick exit of apparatus and personnel if needed. If apparatus had to back out of the facility through an obstacle of parked vehicles it becomes a more dangerous situation. There was a discussion on possibly deleting the driveway at Centennial and extending the driveway around the building connecting back to the entrance on Lafayette Street. I reviewed this by scaling the land development plan and because of the turning radius of fire apparatus this would not be an acceptable solution.

The discussion of the quiet title for the extension area of Centennial Avenue could possibly also cause concern with respect to fire service. If the quiet title would be granted to Mr. Higgs he could close the roadway which would eliminate access of an aerial apparatus to a very large area of the proposed boarding home as well as Mr. Higgs property. I would recommend that Penn Township make contest to the proposed quiet title and that the extension to Centennial Avenue remain open for emergency equipment. The fire service needs to maintain what we describe as a safe area between the facilities in question so that if a large fire would develop, we can place aerial devices in strategic locations to stop fire from spreading from one structure to another."

Chairperson Donna Scott informed Mr. Larry Redding that if he would submit any changes to his approved plan for 10 Lafayette that the information from Fire Chief Cromer would be used for any decisions.

The meeting was adjourned at 9:05 P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
APRIL 5, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on April 5, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission members Charles Sourber, Jr., Clayton Black, Jeffrey Baxter, and Fred Marsh. Also present were staff members Zoning Officer Menges and Engineer Eric Bortner.

After a clarification of the minutes, Commissioner Merle Dubbs moved and Commission Member Fred Marsh seconded that the minutes of the February 27, 2001 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

Commissioner Wendell Felix moved and Commission Member Charles Sourber, Jr. seconded that the minutes of the March 15, 2001 Comprehensive Plan Meeting to accepted as submitted. The motion carried unanimously.

Zoning Officer Menges informed the Commission that each of them received a copy of the change of definitions that will be recommended for approval at the May 3, 2001 Planning Commission meeting.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-05 – Randy Hilker, 307 York Street, Hanover, PA 17331. Applicant requests a variance to Section 207.3 (Area and Bulk regulations) to allow installation of a satellite dish that would encroach into the side yard set back. The property is located at 856 Baltimore Street in the S/C zone.

This request was represented by Randy Hilker, 307 York Street, Hanover, PA. Mr. Hilker explained that he is negotiating a contract with an investment firm who trades in securities and that they need the satellite dish to face exactly west for them to conduct business. This is the only place on the property were the dish can be placed and face exactly west. According to Mr. Hilker his neighbors have no problem with the location of the satellite.

Zoning Officer Menges wanted to know if any of the trees were going to be removed to install the dish. Mr. Hilker informed the Committee that they will be removing one tree.

Mr. Andy Cross, Northstar Satellite Company, the company that will be installing the dish stated that this was the only location on the property were the dish could be located and angled to receive the feed. Any other location would cause problems because of they way the dish would have to be mounted.

Commissioner Wendell Felix moved and Commission Member Jeffrey Baxter seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z01-05 – Randy Hilker requesting a variance to Section 207.3 (Area and Bulk Regulations) to allow installation of a satellite dish that would encroach into the side yard set back, as it meets the standards set forth for a variance in section 502.3 A-F. Motion carried unanimously.

Z01-06 – Hanover Moose Lodge #227, 34 Broadway, Hanover, PA 17331. Applicant requests a variance to Section 209.2 (Use Regulations) to operate a social club in the Industrial zone. The property is located at lot #19 Barnhart Drive.

This request was represented by Randy Hilker. Chairperson Scott stated that there is an agreement of sale for this property and it is signed and notarized. Mr. Hilker was representing the Hanover Moose Lodge which is a not for profit organization. The new location will be located at 19 Barnhart Drive and be known as the Hanover Family Moose Center. The center would operate Sunday through Friday 10 A.M. to 1 A.M. and on Saturdays 10 A.M. to 2 A.M. He stated that one of the benefits of this location is that there are no schools, residents, or churches adjoining this tract of land. He stated that they have had no violations of their rules in the last six years. This site will have seventy-four parking space and four handicapped parking spaces. They hope to continue to promote their youth prevention drug program.

Commissioner Wendell Felix asked if they planned on using the outside for activities for picnic or other activities. The President of the Hanover Moose, Mr. Dave Greenaway, stated that they plan on eventually using outside of this facility and that all there activities are family oriented. He stated that most of the activities are held on Sunday because turnout is usually greater.

Chairperson Donna Scott moved and Commissioner Wendell Felix seconded a favorable motion to Z01-06 – Hanover Moose Lodge, #227, requesting a variance to Section 209.2 (Use Regulations) to operate a social club in the Industrial zone, as it meets the standards set forth for a variance in section 502.3 A-F. The motion carried unanimously.

Z01-07 – Gary & Patricia Bowden, 1001 Harris Mill Road, Parkton, MD 21120. Applicant requests a variance to Section 305.6b (Construction) to allow a driveway to remain unpaved. The property is located on Bankert Road in the R-40 zone.

This request was represented by Gary Bowden. His wife, Patricia Bowden, is the daughter of the current property owner Harold Burton and they have power of attorney. They do not want to pave the entire driveway because it is 1425 feet. He presented a spreadsheet with the costs of paving the 1425 feet driveway to Township specifications.

There is an adjacent property owned by Terry Wetzal, 153 Bankert Road, that has an access agreement of fifty feet written into the deed.

Mr. Wetzel expressed concern of maintenance for the cartway. The deed states that he will be granted fifty-foot access to his property.

Commissioner Merle Dubbs moved and Chairperson Donna Scott a favorable recommendation to Z01-07 – Gary & Patricia Bowden, requesting a variance to Section 305.6b (Construction) to allow a driveway to remain unpaved. The property is located on Bankert Road in the R-40 zone, as it meets the standards set forth for a variance in section 502.3 A-F. The motion carried on a 5-2 vote with Commissioner Wendell Felix and Commission Member Clayton Black casting the dissenting votes.

Z01-08- James S. Huntington, 455 Clover Lane, Hanover, PA 17331. Applicant requests a variance to Section 203.2 (Use Regulations) to operate a craft business in the R-15 zone. The property is located at 455 Clover Lane.

This request was represented by James S. Huntington Jr. Mr. Huntington and his father have constructed a pole building on their property to manufacture crafts. Currently they are selling their products through consignment shops and through ebay. The pick up is currently through UPS, which stops at the Angel Shop across the street from 455 Clover Lane.

Hours of operation would cease at 8:00 P.M and there would be no employees other than the owners. They would like to someday use the garage for a showroom. The supplies they would be using include paint and shellac. The materials would be stored in gallon containers similar to those purchased at hardware stores.

Commission Member Clayton Black moved and Commission Member Fred Marsh seconded a favorable recommendation on Z01-08- James S. Huntington, requesting a variance to Section 203.2 (Use Regulations) to operate a craft business in the R-15 zone, as it meets the standards for a variance in section 502.3 A-F. The motion failed on a 3-4 vote with Chairperson Donna Scott, Commission Member Jeffrey Baxter, Commission Member Charles Sourber, Jr. and Commissioner Wendell Felix casting the dissenting votes.

Z01-09 – Zimmerman Homes, 5760 York Road, New Oxford, PA 17350. Applicant requests a variance to Section 305.4 (Slopes, Cuts) to allow a driveway to exceed the maximum slope of 5% within twenty-five (25) feet of the street right-of-way. The property is located at 44 Cornell Drive in the R-22 zone.

This request was represented by Attorney Art Decker representing Zimmerman Homes. Mr. Decker explained that 44 Cornell Drive is listed as lot seven on the subdivision plan. The developer did not include a master grade plan on the subdivision. The builder received a permit to construct the house. They were informed that the slope of the driveway is not in compliance with the ordinance prior to paving. They are petitioning for a dimensional variance because it presents a hardship. Mr. Decker included a copy of the Pennsylvania Supreme Court decision on Hertzburg versus the city of Pittsburgh. It was cited that the PA Supreme Court approves a

dimensional variance based on several factors including the requirements of the MPC, the economical detriment of the applicant, and the characteristics of the surrounding neighborhood. He stated that if they do not receive a variance that they would not receive a use and occupancy permit, it cost them money to tear down part of the building and regrade and a potential lawsuit by the buyer. He also noted that there are several other driveways in the subdivision that are not in compliance with the requirement.

Mr. Charles Walker of Zimmerman Homes explained how the other homes in the area have driveways that are not in compliance.

Mr. Decker cross-examined Mr. Walker who explained what would have to occur in order to make the property comply with the Township requirements and why granting a variance would not be detriment to the surrounding area.

Chairperson Donna Scott moved and Commissioner Merle Dubbs seconded a favorable recommendation to Z01-09 Zimmerman Homes requesting a variance to Section 305.4 (Slope, Cuts) to allow a driveway to exceed the maximum slope of 5% within twenty-five feet of the street right-of-way. The property is located at 44 Cornell Drive in the R-22 zone as it meets the standards for a variance in Section 502.3 A-F. The motion carried on a 6-1 vote with Commissioner Wendell Felix casting the dissenting vote.

Z01-10 – North Hanover Medical Association, 300 Frederick Street, Hanover, PA 17331. Applicant requests a special exception to Section 209.2 (Use regulations) to allow construction of a medical facility in the Industrial Zone. The property is located on Fame Avenue.

This request was represented by Gerry Funke of Conewago Contractors. It was noted that a pharmacy and a bank maybe part of the medical facility but currently has not been approved by the applicants. There was discussion by the Committee on intersections and possible problems that may be created by future road projects.

Commission Member Jeffrey Baxter moved and Chairperson Donna Scott seconded a favorable recommendation on Z01-10 – North Hanover Medical Association requesting a special exception to Section 209.2 (Use Regulations) to allow construction of a medical facility in the Industrial Zone as it meets the requirements for a special exception in Section 503.6 A-E. The motion carried on a 6-1 vote with Commission Member Clayton Black casting the dissenting vote.

The Planning Commission received the following waivers and exoneration requests:

Mark E. Austin is requesting an exoneration from land development plan to add a 3 X 10 addition to Cactus Willies.

PENN TOWNSHIP PLANNING COMMISSION
MAY 3, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on May 3, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission members Charles Sourber, Jr., Clayton Black, Jeffrey Baxter, and Fred Marsh. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Commission Member Clayton Black moved and Commission Member Fred Marsh seconded that the minutes of the April 5, 2001 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-11 – David Marks, R.D. 1, Box 1530-V, Spring Grove, PA 17362. Applicant requests a variance to Section 209.2 (Use Regulations) to allow operation of an auto body repair business in the Industrial zone. The property is located at 35 Barnhart Drive.

This request was represented by Mr. David Marks. There is an agreement of sale for the property. He would like to open an auto body repair shop in the Industrial Zone. The applicant went to vocational school for this trade and is currently a manager of a similar business in York. He stated that his operating hours would be Monday through Friday from 8-5 with possible Saturday hours after the business is established. The property is currently occupied by Flat Work Concrete.

There will be a paint booth that will have to be certified and meet environmental requirements. The expected turn around time is two weeks from the time the automobile is brought in for service. Currently, Mr. Marks will be the only employee but once the business is established he would like to employ a maximum of five employees. The applicant does not want to become a tow yard. The vehicles he will have will be those that are repairable.

Commission Member Jeffrey Baxter moved and Commissioner Felix seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z0-11 – David D. Marks requesting a variance to Section 209.2 (Use Regulations) to allow operation of an auto body repair business in the Industrial Zone, as it meets the standards set forth for a variance in section 502.3 A-F. Motion carried on 7-0 vote.

Z01-12 – Bill Bankert, 29 Allen Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a porch that would encroach into the front yard setback. The property is located at 29 Allen Drive in the R-15 zone.

The request was represented by Mr. Bill Bankert. The applicant would like to put a seven-foot by eighteen-foot porch onto his house that would encroach into the setback by about three feet. He would like to add this porch for protection against the weather, for use, and to increase the value and appearance of his property.

Commission Member Clayton Black moved and Commission Member Fred Marsh seconded a favorable motion to the Penn Township Zoning Hearing Board on case Z01-12 – Bill Bankert requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a porch that would encroach into the front yard setback, as it meets the standards set forth for a variance in section 502.3 A-F. The motion carried on a 5-2 vote with Commissioner Wendell Felix and Commission Member Jeffrey Baxter casting the dissenting votes.

Z01-13 – Ronald & Betsy Bristol, 60 Ruel Avenue, Hanover, PA 17331. Applicants request a variance to Section 202.2 (Use Regulations) to allow operation of a home-based business in the R-8 zone. The property is located at 60 Ruel Avenue.

This request was represented by Ronald and Betsy Bristol. They would like to open a telecommunications business. They would be wiring local area networks for individuals, small businesses, and charitable organizations. According to Pennsylvania State law a partnership business cannot use a post office box for an address, the business must use a street address. The only thing they will be using the house for is as a business office. There will be no customers coming to the property and there will be few supplies stored on the property itself.

Commissioner Merle Dubbs moved and Commission Member Clayton Black seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z01-13 – Ronald and Betsy Bristol requesting a variance to Section 202.2 (Use Regulations) to allow operation of a home based business in the R-8 zone, as meets the standards set forth for a variance in section 502.3 A-F. The motion carried on a 6-1 vote with Commissioner Wendell Felix casting the dissenting vote.

Z01-14 – Smith Family Partnership, 9 Gilbert Street, New Oxford, PA 17350. Applicant requests an interpretation of Section 209.2 (Use Regulations) to allow an on-site (resident) manager at their anticipated mini-storage facility. The property is located at 241 Moulstown Road in the Industrial Zone.

Tom Miller of Miller and Schultz, Hanover, PA representing Smith Family Partnership represented this request. The applicants would like to build a mini-storage facility on lot four in the Industrial Park and have an on site manager reside at the facility. They are requesting an interpretation of the zoning ordinance to see if this would be an acceptable practice. The lot is a nine-acre lot. Mr. Miller stated that they would like to provide a kitchen facility and overnight accommodations in the office. They have reviewed some of the other existing properties to see if any other industries have a similar set up. He stated that Frametone is taxed as an apartment-office from the York County Assessment office so they may have kitchen facilities and overnight

accommodations. The on site manager would live at the office/residence full time. The office/residence would be located just off of Moulstown Road. The proposed residence would be about 20 x 50. It was discussed that the assessment is wrong that Frametone is completely in the industrial zone.

This property is located adjacent to the medical center that has been reviewed. The applicants are intending to use the entire property for mini-storage, which will be conducted in phases.

Several members of the Commission gave their opinions on the aspect of having residents reside in the industrial zone. Zoning Officer Menges referenced section 201.2 uses not provided for as it relates to this case. There was discussion on what constitutes someone living versus someone working at the office/residence.

Commission Member Jeffrey Baxter moved and Commission Member Charles Sourber Jr. seconded that Z01-14 – Smith Family Partnership requesting an interpretation of Section 209.2 (Use Regulations) to allow an on-site (resident) manager at their anticipated mini-storage facility located at 241 Moulstown Road in the Industrial Zone, that we interpret uses by right and uses by special exception not to include an allowance for an on site resident manager for any type of facility in the industrial zone. The motion carried on a 6-1 vote with Commissioner Merle Dubbs casting the dissenting vote.

Z01-15 – Winnemore S. Dubs, 905 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 & 207.3 (Use Regulations/Area & Bulk Regulations) to allow subdivision of an existing duplex. The property is located at 905-907 Baltimore Street in the S/C zone.

The applicant's son Gordon Dubs, who has a notarized power of attorney for Winnemore S. Dubs, represented this request. This lot was two singular lots when it was constructed sixty years ago. The applicant would like to have the property subdivided so that each half has it's own deed.

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded a favorable recommendation to Z01-15 – Winnemore S. Dubs requesting a variance to Section 207.2 and 207.3 (Use Regulations/Area and Bulk Regulations) to allow subdivision of an existing duplex as it meets the standards set forth for a variance in Section 502.3 A-F. The motion carried on 6 to 1 vote with Commission Member Clayton Black casting the dissenting vote.

The Planning Commission received the following waivers and exoneration requests:

Rest Haven Cemetery requests exoneration from a storm water management plan for their anticipated mausoleum addition.

Ed Mort of Group Hanover Inc. represented this request. He stated that there is minimal increase in the runoff that would be created. Engineer Bortner stated that it meets the requirements for exoneration.

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded a favorable recommendation to the Penn Township Board of Commissioners on this request. The motion carried on 7-0 vote.

Parkville Fire Company requests a waiver from permit fees for their anticipated repairs and replacement to the front apron, sidewalks and bell tower.

Commission Member Clayton Black moved and Chairperson Donna Scott seconded a favorable recommendation to the Board of Commissioners on this request. The motion carried on a 7-0 vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P99-16 - Morningstar Development, Warehime Enterprises, Inc., 251 Frederick Street, Hanover, PA 17331. A preliminary plan for sixty-nine (69) single and multi-family residential lots. The property is located at Breezewood Drive and West Timber Lane in the R-8 and R-15 zones.

There was no action taken on this plan.

P00-30 - James R. Danner, 300 Beck Mill Road, Hanover, PA 17331. A sketch plan to construct a forty-four (44) lot residential subdivision on Beck Mill Road. The property is located in the R-15 & SC zones. This plan is on hold.

There was no action taken on this plan.

P01-02 - John H. Schuler, II, 1315 Hanover Pike, Littlestown, PA 17331. A sketch plan to construct a five lot residential subdivision on the NE corner of Rt. 194 and Hickory Lane. The property is located in the R-14 zone.

There was no action taken on this plan.

P01-05 - Roger L. & Jennifer M. Holland., 4435 Grandview Road, Hanover, PA 17331. A sketch plan to construct a 237 lot single-family residential subdivision. The property is located at 4435 Grandview Road in the R-22 and R-40 zones.

There was no action take on this plan.

P01-07 – Jeff Stern, 11 North Baltimore Street, Dillsburg, PA 17019. A sketch plan to construct an outdoor mini golf recreation center at Broadway and Hickory Lane. The property is located in the R-40 zone.

There was no action taken on this plan.

P01-08 – Blettner Avenue Apartments, C & J Associates, 1967 Oxford Road, New Oxford, PA 17350. A final land development plan to construct a multi-family apartment building at 70 Blettner Avenue. The property is located in the A/O zone.

Jack Powell engineer of C and J Associates represented this plan. He stated that that they had just received York County Comments. They have reduced the number of residential units from sixteen to fourteen and have made other adjustments as requested by the Commission. He explained the changes in the recreation area.

The comments from the fire chief with regards to the movement of equipment was addressed.

There was discussion on the type of lighting needed by the apartments in order to provide adequate lighting.

P09-09 – Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-10 – Elwood Hoffman, 223 Baltimore St., Hanover, PA 17331. A final two (2) lot subdivision located on Pigeon Hill Park Road, in the R-40 zone.

This plan was represented by Ed Mort of Group Hanover. This is going to be reconfiguration of two lots. They are going to join two lots and resubdivide the new lot. It was noted that if the property is going to be sold as an add-on there should be a signature block for that individual.

P01-11 – Hanover Areas Industrial Park, Conewago Contractors, P.O. Box 407, Hanover, PA 17331. A final reverse subdivision plan located at 731 Fame Avenue in the Industrial Zone.

There was no action taken on this plan.

P01-12 – North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business

center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

There was no action taken on this plan.

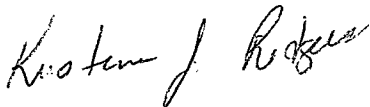
P01-13 – Rest Haven Cemetery, 1929 Allen Parkway, Houston, TX 77019. A final land development plan to construct a mausoleum in the cemetery located on the corner of Westminster Avenue and Granger Street in the R-15 zone.

This plan was represented by Ed Mort of Group Hanover Inc. The Commission reviewed the plan and noted few changes to its layout.

Commissioner Wendell Felix thanked the Board and Staff for the cards and prayers he received during his illness.

The meeting was adjourned at 8:45 P.M.

Respectfully submitted,



Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JUNE 7, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on June 7, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission members Charles Sourber, Jr., and Jeffrey Baxter. Commission Members Clayton Black and Fred Marsh were excused. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Commission Member Jeffrey Baxter moved and Commissioner Merle Dubbs seconded that the minutes of the May 3, 2001 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z0-16 – Robert I. Garman, 8 Charles Avenue, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk Regulations) to construct a garage that would encroach into the side and rear setbacks. The property is located at 8 Charles Avenue in the R-8 zone

Robert Garman represented this request. The garage would be located eleven feet from the rear property line and three feet from the side property lines. The garage will be twenty-four feet wide.

Commissioner Merle Dubbs moved and Commissioner Wendell Felix seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z0-16 Robert I. Garman requesting a variance to Section 202.3 (Area & Bulk Regulations) to construct a garage that would encroach into the side and rear setbacks, as it meets the standards set forth for a variance in section 502.3 A-F. Motion carried on 5-0 vote.

Z0-17 – Arthur C. & Laurie C. Woods, 109 Northview Drive, Hanover, PA 17331. Applicants request a variance to Section 203.3 (Area & Bulk regulations) to construct a deck that would encroach into the rear yard setback. The property is located at 109 Northview Drive in the R-15 zone.

Arthur Woods represented this request. The Zoning Officer presented pictures of the existing property and Mr. Woods explained were he wanted to construct the deck.

Commission Member Jeffrey Baxter moved and Commissioner Wendell Felix seconded a favorable recommendation to the Penn Township Zoning Hearing Board on case Z0-17 Arthur C. & Laurie Woods, requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a deck that would encroach into the rear yard setback, as it meets the standards set forth for a variance in section 502.3 A-F. The motion carried on a 5-0 vote.

Z0-18 – Richard L. Krill, 130 Carlisle Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use Regulations) to construct a ten (10)-unit town home rental complex at 577 and 579 Baltimore Street. The property is located in the S/C zone.

The applicant was not present at the meeting to represent this request so the Planning Commission could not make a recommendation to the Penn Township Zoning Hearing Board.

Z0-19 – Stephen P. Shupe, 56 Little Avenue, New Oxford, PA 17350. Applicant requests a variance to Section 208.3 (Area & Bulk Regulations) to construct an addition to the existing garage that would encroach into the rear yard setback. The property is located at 890 York Street in the H/B zone.

This request was represented by Mr. Shupe who wishes to expand the garage to store his classic cars. The Commission discussed the project and where the garage would be located relative to the setbacks and those types of structures already existing in the area. There was discussion about the amount of impervious area that would be created. Engineer Bortner felt that the addition of the garage would not exceed the limit of impervious area allowed.

Commissioner Wendell Felix moved and Commission Member Charles Sourber, Jr. seconded an unfavorable recommendation to Z01-19 – Stephen P. Shupe requesting a variance to Section 208.3 (Area & Bulk Regulations) to construct an addition to the existing garage that would encroach into the rear yard setback, as it does not meet the standards set forth for a variance in section 502.3 A-F. The motion carried on 4-1 vote with Commissioner Dubbs casting the dissenting vote.

The Planning Commission received the following waivers and exoneration requests:

Burkentine and Sons requests an exoneration from installing sidewalks at 25 Cornell Drive

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded an unfavorable recommendation to the Penn Township Board of Commissioners on this request. The motion carried on a 5-0 vote.

Precision Cut Industries requests an exoneration from a land development plan for an expansion to the existing blacktop at their facility on Barnhart Drive.

Chairperson Donna Scott moved and Commission Member Jeffrey Baxter seconded a favorable recommendation to the Penn Township Board of Commissioners on this request. The motion carried on a 5-0 vote.

Chairperson Donna Scott invited Mark and Philip Slusser to join the Commission to

review the subdivision/land development plans. Mark and Philip are working on merit badges for Boy Scouts.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P99-16 - Morningstar Development, Warehime Enterprises, Inc., 251 Frederick Street, Hanover, PA 17331. A preliminary plan for sixty-nine (69) single and multi-family residential lots. The property is located at Breezewood Drive and West Timber Lane in the R-8 and R-15 zones.

There was no action taken on this plan.

P00-30 - James R. Danner, 300 Beck Mill Road, Hanover, PA 17331. A sketch plan to construct a forty-four (44) lot residential subdivision on Beck Mill Road. The property is located in the R-15 & SC zones. This plan is on hold.

There was no action taken on this plan.

P01-05 – Roger L. & Jennifer M. Holland., 4435 Grandview Road, Hanover, PA 17331. A sketch plan to construct a 237 lot single-family residential subdivision. The property is located at 4435 Grandview Road in the R-22 and R-40 zones.

There was no action take on this plan.

P01-07 – Jeff Stern, 11 North Baltimore Street, Dillsburg, PA 17019. A sketch plan to construct an outdoor mini golf recreation center at Broadway and Hickory Lane. The property is located in the R-40 zone.

There was no action taken on this plan.

P01-08 – Blettner Avenue Apartments, C & J Associates, 1967 Oxford Road, New Oxford, PA 17350. A final land development plan to construct a multi-family apartment building at 70 Blettner Avenue. The property is located in the A/O zone.

Jack Powell the engineer and Tom Miller from Miller and Schultz represented C & J Associates. The Commission reviewed York County Comments dated April 25, 2001 and Township Engineer Comments dated April 11, 2001. There was discussion on the comments that were made by the Penn Township Fire Chief dated April 2, 2001. The Committee was concerned with the fact that the newly revised plan did not provide the twenty-five foot radius in the driveway needed for emergency vehicles to access these apartments. They would like the Fire Chief to review these plans.

Before making a recommendation the Commission would like to have the certification that the method of sewage disposal has been approved by the PA DEP and the erosion and sediment control plan.

P09-09 – Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-10 – Elwood Hoffman, 223 Baltimore St., Hanover, PA 17331. A final two (2) lot subdivision located on Pigeon Hill Park Road, in the R-40 zone.

Ed Mort of Group Hanover represented this plan. This is a reconfiguration of two lots. Planning Commission addressed York County comments.

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded a favorable recommendation to the Penn Township Board of Commissioners on this plan. The motion carried on a 5-0 vote.

P01-11 – Hanover Areas Industrial Park, Conewago Contractors, P.O. Box 407, Hanover, PA 17331. A final reverse subdivision plan located at 731 Fame Avenue in the Industrial Zone.

Gerry Funke of Conewago Contractors represented this plan. This plan will create two lots, one of which is in Penn Township and the other within the Hanover Borough. York County comments were reviewed and addressed by the Planning Commission.

Commissioner Merle Dubbs moved and Commission Member Jeffrey Baxter seconded a favorable recommendation of this plan to the Penn Township Board of Commissioners. The motion carried on a 5-0 vote.

P01-12 – North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

This plan was put on hold until further notice. Commissioner Felix stated that this is the last time he will accept a plan to be put on hold and further plans will have to follow the policy of filing for an extension request. The majority of the Commission was of the same opinion.

P01-13 – Rest Haven Cemetery, 1929 Allen Parkway, Houston, TX 77019. A final land development plan to construct a mausoleum in the cemetery located on the corner of

Westminster Avenue and Granger Street in the R-15 zone.

Ed Mort of Group Hanover represented this plan. The Commission reviewed and addressed York County comments.

Chairperson Donna Scott moved and Commissioner Merle Dubbs seconded a favorable recommendation to the Penn Township Board of Commissioners on this plan. The motion carried on a 5-0 vote.

P01-14 – Autozone, Inc., 60 Madison Avenue, Memphis, TN 38103. A final land development plan to construct an auto parts store at 879 Baltimore Street. The property is located in the S/C zone.

Jeffrey Berneburg of McIlvried Didiano & Mox, LLC, represented this plan. This is a new plan that was submitted after the previously plan was withdrawn. It shows a smaller store than the original plan. There was some concern from the Commission about the width of the entrance to the property. The way the entrance is designed a trailer delivering supplies would only be able to enter the property traveling north on Baltimore Street. This could increase traffic problems because trailers traveling south would have to turn around south of the property and then progress northward toward the facility. Also the turning lane will be crossing traffic, which could prevent further problems. Mr. Berneburg will take these concerns back to Autozone.

The Commission reviewed York County Comments.

P01-15 – Autozone, Inc., 60 Madison Avenue, Memphis, TN 38103. A final land development plan to construct an auto parts store at 1130 Carlisle Street. The property is located in the H/B zone.

Jeffrey Berneburg of McIlvried Didiano & Mox, LLC, represented this plan. This is a new plan that was submitted after the previously plan was withdrawn. This plan also provides a smaller building than the original plan. There will be an entrance from Carlisle Street and one from Radio Road.

York County comments were addressed. Engineer Bortner noted that the sign would have to be reduced to meet Township Ordinances,

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

Bob Sharrar represented this plan. This was the initial review of the plan by the Planning Commission. York County comments have not been received.

P01-17 – Romaine Gardner, 1205 Grandview Road, Hanover, PA 17331. A final subdivision plan to add three (3) lots to the existing Industrial zone. The property is located on Fame Avenue and Gitts Run Road.

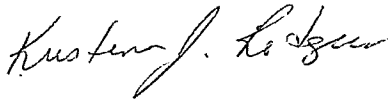
Ed Mort of Group Hanover represented this plan. This was the initial review of this plan by the Commission. York County comments were reviewed.

P01-18 – Homewood, Phase B, Westminster Avenue, Hanover, PA, 17331. A final land development plan to construct Phase B of independent living cottages at Homewood. The property is located on Westminster Avenue.

There was no action taken on this plan.

The meeting was adjourned at 9:15 P.M.

Respectfully submitted,



Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JULY 5, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on July 5, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission Members Jeffrey Baxter, and Fred Marsh. Also present were staff members Administrative Assistant Kristina Rodgers and Engineer Eric Bortner.

Commissioner Merle Dubbs moved and Commission Member Fred Marsh seconded that the minutes of the June 7, 2001 Planning Commission meeting be accepted as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-18 - Richard L. Krill, 130 Carlisle Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use Regulations) to construct a ten (10)-unit town home rental complex at 577&579 Baltimore Street. The property is located in the S/C zone.

This request was represented by Richard L. Krill, III of 130 Carlisle Street. He provided a sketch plan of the proposed ten-unit town house that would be used as rental units and would not be sold as individual units. There was an agreement of sale.

Chairperson Scott informed the Commission that they would only be approving the use of the property and not the plan.

Commissioner Wendell Felix read the standards needed for a variance.

Mr. Craig Bennett, 586 Baltimore Street, stated that he had requested to change his home from a one unit to two units in 1996 and was denied a variance because of the potential for an increase in traffic onto Baltimore Street.

Mr. Joel O'Brien, 575 Baltimore Street stated that he was concerned about the increase in traffic that would be generated with ten additional units. He also wanted to know how the recreation needs were going to be met for the complex. Chairperson Scott informed these gentlemen that this meeting would only determine if the use was acceptable and would not include an approval or denial of the plans. If the use is approved, they can address these concerns when the land development plans were submitted.

Engineer Bortner stated that there is currently a review of the Comprehensive Plan. There has been no indication to change the zoning of this parcel from S-C. If the parcel is not considered S-C for the request what zone would the parcel be considered when the land development plans are reviewed.

Commission Member Jeffrey Baxter moved and Commissioner Merle Dubbs seconded an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z01-18 Richard L. Krill requesting a variance to Section 207.2 (Use Regulations) to allow residential use in the Commercial Zone, as it does not meet the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 5-0 vote.

Z01-20 -Tracey E. Brown, 822 McAllister Street, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Use Regulations) to operate a child day care home at the above address. The property is in the R-8 zone.

This request was represented by Tracey E. Brown who stated that she wishes to operate a day care center at her home. Currently she has applied with all the Township requirements which include a fenced yard and off street parking. She has not been able to contact the Department of Labor and Industry to inspect her home which has prevented her from receiving state certification. She showed the commission that she has complied with all the state requirements but the inspection. Chairperson Scott read all the certifications she has applied for and obtained so far in your quest to obtain your certification for providing day care in your home. Chairperson Scott will refrain from voting or discussion because she has helped the applicant obtain her certification. Chairperson Scott informed the Commission that the Solicitor of the Zoning Hearing Board is aware of the situation.

Commission Member Fred Marsh moved and Commission Member Jeffrey Baxter seconded a favorable recommendation to the Penn Township Zoning Hearing Board on Z01-20 Tracey E. Brown, requesting a special exception to Section 202.2 (Use Regulations) to operate a child day care home on the condition that the applicant provides the Township with the necessary documentation from the State of Pennsylvania after she receives it. The motion carried on a 4-0 vote with Chairperson Donna Scott abstaining.

Z01-21 – Stephen Shupe, 890 York Street, Hanover, PA 17331. Applicant requests a variance to Section 208.3 (Area & Bulk Regulations) to construct an addition to existing garage that would encroach into the rear yard setback. The property is located in the HB zone.

This request was represented by Stephen Shupe who wishes to use the garage to house classic cars. This request was an alteration of the request made at the previous meeting. He explained the changes he made compared to the previous submitted request.

Commissioner Merle Dubbs moved and Commission Member Fred Marsh seconded a favorable recommendation to the Penn Township Zoning Hearing Board on Z01-21 – Stephen Shupe requesting a variance to Section 208.3 (Area & Bulk Regulations) to construct an addition to existing garage that would encroach into the rear yard setbacks as it meets the standards set forth for a variance in Section 502.3 A-F. The motion carried on a 3-2 vote with Chairperson Donna Scott and Commissioner Wendell Felix casting the dissenting vote.

The Planning Commission received the following waivers and exoneration requests:

Tri-City Midway Homes is requesting exoneration from installing sidewalks and curbing at their property on Westminster Road. This parcel is 44-09-05.

Commissioner Wendell Felix moved and Commissioner Merle Dubbs seconded a favorable recommendation to the Board of Commissioners on this request. The motion carried on a 5-0 vote.

South Western School District is requesting a waiver from the land development process for the grading and seeding of several new athletic fields on the corner of Black Rock and Bowman Roads.

Chairperson Scott asked Engineer Bortner about the request that states the runoff from this property may decrease with the seeding and the grading. Engineer Bortner stated when grading is done like this some slopes are increased and some are decreased.

This request was represented by Todd Steger of Civil & Environment Design Group and Tom Hoover of the South Western School District. They explained that the purpose of doing the grading and planting now was to allow two growing seasons for the fields. They also noted that this will create less stormwater runoff than currently exists. The Commission was concerned were the storm water would be going because there is no pond on the site.

Commissioner Wendell Felix moved and Commissioner Merle Dubbs seconded an unfavorable recommendation to the Board of Commissioners on this request. The motion carried on a 4-1 vote with Commission Member Fred Marsh casting the dissenting vote.

South Western School District is requesting a waiver from a storm water management plan for an additional 10 feet of paving around the existing track.

Commissioner Wendell Felix moved and Commission Member Jeffrey Baxter seconded a favorable recommendation to the Board of Commissioners on this request. The motion carried on 5-0 vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P01-08 - Blettner Avenue Apartments, C & J Associates, 1967 Oxford Road, New Oxford, PA 17350. A final land development plan to construct a multi-family apartment building at 70 Blettner Avenue. The property is located in the A/O zone.

Jack Powell engineer of C and J Associates represented this plan. He noted that he had made a request to the Board of Commissioners to decrease the size of the buffer yard by five feet to allow for the extension of the parking area to provide better access for the fire apparatus. It was noted that the public safety committee had discussed the request and found this to be an acceptable solution to how to increase the area to twenty-five feet.

Commissioner Merle Dubbs complimented everyone involved in coming to a compromise on how to handle the public safety issue.

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded a favorable recommendation of this plan to the Board of Commissioners. The motion carried on a 5-0 vote.

P09-09 - Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

There was no action taken on this plan.

P01-14 – Autozone, Inc., 60 Madison Avenue, Memphis, TN 38103. A final land development plan to construct an auto parts store at 879 Baltimore Street. The property is located in the S/C zone.

Jeffrey Berneburg of McIlvried Didiano & Mox, LLC, represented this plan. He noted that AutoZone has addressed the York County Planning Comments. There was discussion by the Commission on the entrance that will be used to access the property. Mr. Berneburg noted that the plan does show a truck traffic pattern that will be used for all deliveries by AutoZone. AutoZone has the ability to schedule all their deliveries. There was discussion about restricting left hand turns onto Baltimore Street from the property. The Commission would like to have the entrance and driveway widened or a traffic study done because they are concerned about the increase of traffic onto Baltimore Street.

Chairperson Donna Scott read a letter from AutoZone that stated that they felt by closing off the access to Robert's Restaurant they are making it a better property because only the traffic from their property will be entering Baltimore Street from that entrance.

Mr. Berneburg informed the Commission that Autozone has invested a great deal of money into the property trying to make the existing facility usable and on getting approval for the plans and this is their last attempt at getting this facility.

Mr. Berneburg will take the Commissions concerns back to Autozone.

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing

residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

This request was represented by Bob Sharrar. The Commission reviewed York County Comments and noted that all of them had been addressed. Engineer Bortner stated he had no concerns with the plans.

Chairperson Donna Scott moved and Commissioner Merle Dübbs seconded a favorable recommendation to the Board of Commissioners on this plan. The motion was passed on a 5-0 vote.

P01-17 – Romaine Gardner, 1205 Grandview Road, Hanover, PA 17331. A final subdivision plan to add three (3) lots to the existing Industrial zone. The property is located on Fame Avenue and Gitts Run Road.

This plan was represented by Ed Mort of Group Hanover. The Commission rereviewd York County Comments.

Commissioner Merle Dubbs moved and Chairperson Donna Scott seconded a favorable recommendation of this plan to the Board of Commissioners. The motion carried on 5-0 vote.

P01-18 – Homewood, Phase B, Westminster Avenue, Hanover, PA, 17331. A final land development plan to construct Phase B of independent living cottages at Homewood. The property is located on Westminster Avenue.

There was no action taken on this plan.

P01-20 – Jeff Stern, 11 N. Baltimore Street, Dillsburg, PA 17019. A final land development plan to construct a mini golf complex on the NE corner of Hickory Lane and Broadway. The property is located in the R-40 zone.

Ted Decker of Group Hanover, Inc, represented this request. There was a landscaping plan provided. There is a piece of the property that does not show any development. The storm water pond is designed for thirty percent lot coverage that is allowed under the Township Ordinance. Currently, the plan is showing 22.6 percent lot coverage and that includes the impervious area in the golf course itself and the parking area. The current property is a corn field.

Engineer Bortner stated that he determined the impervious areas from the right away into the property. Engineer Bortner stated that it is not quite the twenty-percent that the plan shows because of different ways in determining the impervious area.

There was some discussion about improvements on Broadway but since all the access are off of Hickory Road no additional improvements for Broadway are required.

There was some discussion on requiring the grading for sidewalks because the Board of Commissioners can require sidewalks at any time. Some of the current development in that area has internal sidewalks.

Mr. Robert Steirick, President Stierick Golf presented pictures of an existing local golf course to show what the landscaping would look like when the course is constructed. The entire course will be landscaped.

York County Comments have not been received.

The meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 2, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on August 2, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission Members Jeffrey Baxter, Fred Marsh, and Clayton Black. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Commission Member Fred Marsh moved and Commission Member Jeffrey Baxter seconded that the minutes of the July 5, 2001 Planning Commission meeting be accepted as submitted. The motion carried on a 5-0 vote with Commission Member Clayton Black abstaining because he was absent from the July meeting.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-22-Joseph & Annette Flannery, 7 Little Knoll Drive, Hanover, PA 17331. Applicants are requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a pool that would encroach into the rear yard setback. The property is located in the R-15 zone.

Joseph and Annette Flannery represented the request. The couple wishes to install a pool in their backyard. There are no homes directly behind the property. They have owned the property for two years. This will be an in-ground pool. There currently is a twelve-foot deck located behind the house. There will be seven feet between the existing deck and the pool about three feet of that will be concrete surrounding the pool. There currently is a fence around the rear of the property and the waterline of the pool will be fifteen feet from the fence. The neighbors have not expressed any concerns about the pool. There are pools in this area of the Township but most are above ground.

Commission Member Clayton Black moved and Commission Member Fred Marsh seconded a favorable recommendation to Z01-22-Joseph & Annette Flannery requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a pool that would encroach into the rear yard setback, as it does meet the requirements for a variance as set forth in section 502.3 A-F. Motion carried on 4-2 vote with Commissioner Felix and Chairperson Scott casting the dissenting votes.

The Planning Commission received the following waivers and exoneration requests:

Mr. and Mrs. Keith McNutt request exoneration from complete coverage of the driveway area at 145 Pigeon Hill Park Road. There was no one present to represent the request. The Commission discussed the current configuration of the road because it provides access to several adjoining properties.

Commission Member Jeffrey Baxter moved and Chairperson Donna Scott seconded a favorable recommendation to this request with the stipulation that the McNutt's must pave the first fifty feet of the driveway off of Pigeon Hill Park Road and it must be fifteen feet wide. The recommendation carried on a 5-1 vote with Commissioner Felix casting the dissenting vote.

C & J Associates request a modification of the buffer yard width from ten (10) feet to five (5) feet. This request had been presented at the previous Planning Commission meeting and was a response to the public safety concern that fire equipment could not be easily maneuvered in the accesses provided in the plan. This would allow a five-foot increase in the driveway and create better accessibility for all public safety personnel.

Chairperson Scott moved and Commissioner Dubbs seconded a favorable recommendation on this request. The motion carried on 6-0 vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P01-08 - Blettner Avenue Apartments, C & J Associates, 1967 Oxford Road, New Oxford, PA 17350. A final land development plan to construct a multi-family apartment building at 70 Blettner Avenue. The property is located in the A/O zone.

There was no action taken on this plan.

P09-09 - Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

There was no action taken on this plan.

P01-14 - Autozone, Inc., 60 Madison Avenue, Memphis, TN 38103. A final land development plan to construct an auto parts store at 879 Baltimore Street. The property is located in the S/C zone.

Jeffrey Berneburg of McIlvried Didiano & Mox, LLC, represented this plan. He stated that the Planning Commissions requests were taken back to AutoZone and they have added a driveway to the rear of the building to better help the flow of traffic onto Baltimore Street. It was noted that the Highway Occupancy Permit has been applied for but it is not been received. The Township can make a request that there be no left turns onto Baltimore Street. There was an explanation on how the PennDot process works from Township Manager Garvick so the

Commission understands how a Highway Occupancy Permit works. There was some ensuing discussion on what would be needed for a right hand turn only onto Baltimore Street.

Commissioner Dubbs complimented Autozone on their willingness to provide what the Planning Commission requested.

Commissioner Dubbs moved and Commission Member Jeffrey Baxter seconded a favorable recommendation on this plan to the Penn Township Board of Commissioners with a note that the Board of Commissioners considers signage that would require a right hand turn only. The motion carried on a 4-2 vote with Commissioner Felix and Commission Member Clayton Black casting the dissenting vote.

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

There was no action taken on this plan.

P01-18 – Homewood, Phase B, Westminster Avenue, Hanover, PA, 17331. A final land development plan to construct Phase B of independent living cottages at Homewood. The property is located on Westminster Avenue.

There was no action taken on this plan.

P01-20 – Jeff Stern, 11 N. Baltimore Street, Dillsburg, PA 17019. A final land development plan to construct a mini golf complex on the NE corner of Hickory Lane and Broadway. The property is located in the R-40 zone.

Ted Decker of Group Hanover, Inc, represented this request. Mr. Robert Sterrett of Sterrett Golf was present again to present pictures of other outdoor mini golf areas that he has established. Mr. Decker reviewed York County comments and how they were addressed. The Township comments were addressed including the Township Engineer's and those with regards to sewage disposal. Mr. Decker stated that the waiver request that was submitted for the landscaping requirements should be withdrawn.

The Commission wanted to know if the plan was being submitted for approval without sidewalks. The plan that is being submitted is without sidewalks. The Commission noted that they would like to have sidewalks on Hickory Lane. The applicant agreed to place sidewalk from the residential entrance of the property to the entrance of the golf course.

Commissioner Dubbs moved and Commission Member Jeffery Baxter seconded a favorable recommendation of this plan to the Penn Township Board of Commissioners with the addition of sidewalks on Hickory Lane from the entrance of the property east to the Rebert

property. The motion carried on a 4-2 vote with Commissioner Felix and Chairperson Scott casting the dissenting votes.

P01-21- Winnemore S. Dubs, 905 Baltimore Street, Hanover, PA 17331. A final subdivision plan for a duplex located at 905-907 Baltimore Street. The property is located in the S/C zone.

Ted Decker of Group Hanover, Inc, represented this plan. This is an initial review of the plan. The access on the plan is an alley.

The meeting was adjourned at 8:15 P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
SEPTEMBER 6, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on September 6, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission Members Jeffrey Baxter, Fred Marsh, and Clayton Black. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Commission Member Fred Marsh moved and Commission Member Jeffrey Baxter seconded that the minutes of the August 2, 2001 Planning Commission meeting be accepted as submitted. The motion carried on a 6-0 vote.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-23 – Kenneth & Angela Arey, 12 Fair Avenue, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk Regulations) to construct a pool that would encroach into the side yard set back. The property is located in the R-8 zone.

Kenneth and Angela Arey represented this request. The pool would encroach ten feet into the side setback and be located two feet off the property line. They have owned the property for about eleven years. The above ground pool is stakeout so that they can maintain their current sidewalk and play area. There is also a tree located between the proposed pool area and the house. The owners would like to maintain the tree. The lots in this area of the Township are only 30 feet wide. Zoning Officer Menges believes there is only one pool in this area and that it is located between John Street and Baer Avenue. Any new structure over six feet wide would require a variance before construction.

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded an unfavorable recommendation to Z01-23 – Kenneth & Angela Arey requesting a variance to Section 202.3 (Area & Bulk Regulations) to construct a pool that would encroach into the side yard setback, as it does not meet the requirements for a variance as set forth in Section 502.3 A-F. The motion was tied on a 3-3 vote with Commissioner Merle Dubbs, Commission Members Jeffrey Baxter and Clayton Black casting the dissenting votes.

Z01-24 – John H. Woodland, Jr., 909 Baer Avenue, Hanover, PA 17331. Applicant requests a variance to Sections 202.3 (Area & Bulk Regulations), 302.5 (Sheds), and 305.3 (Driveways) to construct a deck, shed, and driveway that would encroach into the setbacks. The property is located in the R-8 zone.

John H. Woodland represented this request. This building is a duplex. He would like to build a deck, a shed and a driveway that would encroach into the setbacks. The applicant has started the project before he came to the Township for a permit. The deck and shed are completed.

He presented a letter of no protest from Carol Stough the neighbor across the public access. Chairperson Scott told the applicant that the letter would not be sufficient for the Zoning Hearing Board and that the neighbor should be in attendance for the meeting.

The deck was extended past the house to create two landings from the deck to the ground. Zoning Officer Menges informed the Commission that the request may create more lot coverage than is allowed in the R-8 zone. The applicant was informed that all the structures but the shed, if constructed according to the request, would be used to calculate lot coverage.

Commission Member Jeffrey Baxter moved and Commissioner Wendell Felix seconded an unfavorable recommendation to Z01-24 John H. Woodland, Jr. requesting a variance to Sections 202.3 (Area & Bulk Regulations), 302.5 (Sheds), and 305.3 (Driveways) to construct a deck, shed and driveway that would encroach into the setbacks, as it does not meet the standards set forth for a variance in Section 502.3 A-F. The motion carried on a 6-0 vote.

Z10-25 – John W. Mathias, 1406 Bowling Green Road, Front Royal, VA 22630.
Applicant requests a variance to Section 202.3 (Area & Bulk Regulations), and an Interpretation of Sections 103-103.3, to subdivide an existing corner lot at 315 Clover Lane. The property is located in the R-15 zone.

Andrew Mathias represented this request. There is letter from John W. Mathias stating that Andrew Mathias and or Patrick Shaffer may act on his behalf.

The applicant would like an interpretation of the section regarding lot frontage for a corner lot. Zoning Officer Menges stated there is no clear interpretation with in the Zoning Ordinance to determine if the lot must have one hundred feet frontage on both sides of the corner lot.

There was some discussion by the Commission on the interpretation of the ordinance.

The applicant explained that the property is being subdivided to sell for health care and medical expenses.

Zoning Officer Menges stated that the initial configuration shows four unmarketable lots. This configuration would create two larger lots.

Commission Member Fred Marsh moved and Commissioner Merle Dubbs seconded a favorable recommendation to case Z01-25 John W. Mathias, requesting a variance to Section 203.3 (Area & Bulk Regulations), and an interpretation of Sections 103-103.3 to subdivide an existing corner lot at 315 Clover Lane, as it does meet the standards set forth for a variance in Section 502.3 A-F. The motion failed on a 3-3 vote with Commissioner Wendell Felix, Chairperson Donna Scott, and Commission Member Jeffrey Baxter casting the dissenting votes.

Z01-26 – Terry & Charles Howard, 2071 Grandview Road, Hanover, PA 17331.
Applicant requests a special exception to Section 621 (Livestock & Poultry) to allow for pigeons and rabbits to be raised in a residential area. The property is located in the R-15 zone.

Terry, Charles, and Krissy Howard represented this request. Terry Howard stated that they are currently raising rabbits and pigeons on this property and have been doing so since they moved there five years ago. The family brought with them two rabbits and obtained the pigeons about four years ago. The animals are being raised for 4-H projects and are shown at the York Fair.

Commission Member Clayton Black will be abstaining from discussion and voting on this case because he lives near the applicants.

It was noted that the Zoning Officer was the person who caught the violation. There was a petition presented from those neighbors bordering the property that they have no objection to the Howard's having the animals. Chairperson Scott informed the applicants to have some of the neighbors present for the Zoning Hearing Board because the petition would not be sufficient.

Commissioner Wendell Felix moved and Chairperson Donna Scott seconded a favorable recommendation to the Zoning Hearing Board on Z01-26 Terry and Charles Howard requesting a special exception to Section 621 (Livestock and Poultry) to allow for pigeons and rabbits to be raised in a residential area. The Zoning Hearing Board should consider limiting the special exception request to twenty pigeons and six rabbits. The motion carried on a 6-0 vote.

Z01-27 – Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a deck that would encroach into the rear yard setback. The property is located on Larch Drive in the R-15 zone.

This request was represented by Art Becker the general counsel for Bon Ton Builders. Mr. Becker explained why Bon Ton Builders feels that they should be given a variance. He explained that the lot in question is a corner lot which reduces the build ability of the lot. He presented a Pennsylvania court case that addressed the same issues for granting a variance. The lot was purchased by Bon Ton Builders knowing that it was a corner lot.

Chairperson Donna Scott moved and Commission Member Jeffrey Baxter seconded an unfavorable recommendation to the Zoning Hearing Board on case Z01-27 Bon Ton Builders requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a deck that would encroach into the rear yard setback, as it does not meet the standards for a variance as set forth in Section 502.3 A-F. The motion carried on a 6-0 vote.

The Planning Commission received the following waivers and exoneration requests:

Jeff Stern is requesting a waiver for landscaping along the northern portion of the future miniature golf site on Broadway.

Bob Nedzel of Group Hanover, Inc, represented this request. They would like exoneration from the buffer yard at the northern end of the property from the landscaping requirements. This area currently borders farm land. There was some discussion about where

the buffer should be located. There is a stormwater management pond located along this section of the property. Commissioner Felix stated that this is an approved land development plan and that if they want to eliminate or change a buffer area they will need to submit a new land development plan without the buffer yard for consideration

Jeff Stern explained that they have a cash flow problem that prevents them from landscaping the area. They would consider putting it in if the area next to the course were a housing development and not a farm.

Chairperson Donna Scott moved and Commissioner Wendell Felix seconded an unfavorable recommendation to the Penn Township Board of Commissioners on Jeff Stern requesting a waiver for landscaping along the northern portion of a future miniature golf site on Broadway. The motion carried on 5-1 vote with Commissioner Dubbs casting the dissenting vote.

Bon Ton Builders requests exoneration from sidewalks at Lot 6 Hillside Road.

Commissioner Felix moved and Chairperson Scott seconded an unfavorable recommendation to the Penn Township Board of Commissioners on Bon Ton Builders requesting exoneration from sidewalks at Lot 6 Hillside Road. The motion carried on a 6-0 vote.

Elwood and Jodi Sterner request exoneration from driveway paving at 595 Bankert Road.

After some discussion on the width of previous requests, Commission Member Jeffrey Baxter moved and Chairperson Donna Scott seconded a recommended to the Penn Township Board of Commissioners that Elwood and Jodi Sterner requesting exoneration of driveway paving at 595 Bankert Road pave the first fifty feet of the eight hundred foot proposed driveway. The motion carried on a 6-0 vote.

Neil Smith Construction requests exoneration from sidewalks at 55 Test Road.

The property is located on the temporary cul de sac in the development. There was some discussion about who would be responsible for installing the sidewalk when the time comes.

Chairperson Donna Scott moved and Commission Member Fred Marsh seconded a favorable recommendation to the Penn Township Board of Commissioners for a temporary exoneration of sidewalk at 55 Test Road. The motion carried on a 5-1 vote with Commission Member Clayton Black casting the dissenting vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P09-09 - Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

There was no action taken on this plan.

P01-14 – Autozone, Inc., 60 Madison Avenue, Memphis, TN 38103. A final land development plan to construct an auto parts store at 879 Baltimore Street. The property is located in the S/C zone.

There was no action taken on this plan.

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

There was no action taken on this plan.

P01-18 – Homewood, Phase B, Westminster Avenue, Hanover, PA, 17331. A final land development plan to construct Phase B of independent living cottages at Homewood. The property is located on Westminster Avenue.

There was no action taken on this plan.

P01-21- Winnemore S. Dubs, 905 Baltimore Street, Hanover, PA 17331. A final subdivision plan for a duplex located at 905-907 Baltimore Street. The property is located in the S/C zone.

Bob Nedzel of Group Hanover, Inc, represented this plan. Engineer Bortner reviewed County comments and which comments should or should not be included on the plan. There was some discussion about the sewer laterals.

There was some discussion by the Commission on the fact this will not create any new non-buildable lots and the only thing that will change with this division is that there will be two deeds instead of one.

Commissioner Merle Dubbs moved and Chairperson Donna Scott seconded a favorable recommendation to the Penn Township Board of Commissioners on case P0-21 – Winnemore S. Dubs with the condition that all requirements for water and septic are satisfied. The motion carried on 5-1 vote with Commission Member Clayton Black casting the dissenting vote.

P01-23 – Hanover Terminal, 201 Center Street, Hanover, PA 17331. A final land development plan to construct a rail siding at 201 Center Street. The property is in the S/C zone.

Gerry Funke of Conewago Contractors represented this plan. The Commission reviewed York County Comments. Mr. Funke stated he could have the changes and corrections requested at next months meeting.

P01-24- Brough, Simpson, Brough, & Haar, Trustees, 6895 E. Moulstown Road, Hanover PA 17331. A final subdivision plan to create two building lots in R-40 zone. This plan is located primarily in Heidelberg Township with only a small portion being located in Penn Township.

Bill Brough speaking for his children represented the plan. This plan was approved by Heidelberg Township. The plan involves a land swap and they have tried to use the Township line as the dividing line.

Chairperson Donna Scott moved and Commission member Fred Marsh seconded a favorable recommendation to the Penn Township Board of Commissioners on P01-24, Brough, Simpson, Brough, & Haar. Trustees. The motion carried on a 6-0 vote.

The meeting was adjourned at 9:10P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
OCTOBER 4, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on October 4, 2001 at the Penn Township Municipal Building by Acting Chairperson Wendell Felix; present were Commissioners Wendell Felix and Merle Dubbs, Commission Members Clayton Black and Ray Van De Castle. Commission Members Donna Scott and Fred Marsh had excused absences. Commission Member Jeffrey Baxter did not attend the meeting. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

The minutes from the September 6, 2001 were corrected to read that case Z01-26 Terry and Charles Howard was approved on a 5-0 vote with Commission Member Clayton Black abstaining. Commissioner Felix then accepted the minutes as revised.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-28 – Daniel & Vera Slagle, 552 Baer Avenue, Hanover, PA 17331. Applicants request a variance to Section 202.3 (Area & Bulk Regulations) to construct a garage that would encroach into the side yard setback. The property is located in the R-8 zone.

Daniel L. Slagle represented this request. He would like to construct a two-car one-story garage at an existing driveway curb cut on his property. Zoning Officer Menges stated that there are several driveway cuts in that area that do not have garages. The lots in this area were developed prior to 1968 and most are thirty-foot lots with the dwellings constructed near or on the property line. There is an existing driveway with the curb cut that the applicant uses on occasion. The proposed garage would be approximately five feet from his house and two feet from his property line.

Commissioner Dubbs moved and Commission Member Clayton Black seconded a favorable recommendation to the Zoning Hearing Board on case Z01-28 Daniel and Vera Slagle requesting a variance to Section 202.3 (Area and Bulk Regulations) to construct a garage that would encroach into the side yard setback as it does meet the standards for a variance as set forth in section 502.3 A-F. The motion carried on a 4-0 vote.

The Planning Commission received the following waivers and exoneration requests:

None.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P0109 - Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

There was no action taken on this plan.

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

There was no action taken on this plan.

P01-18 – Homewood, Phase B, Westminster Avenue, Hanover, PA, 17331. A final land development plan to construct Phase B of independent living cottages at Homewood. The property is located on Westminster Avenue.

Steve Zortich of Frederick, Seibert & Associates represented this plan. York County Comments had been previously addressed and final approval from York County Conservation has been received. Engineer Bortner felt that everything was satisfactory with the plan.

Commissioner Felix moved and Commissioner Dubbs seconded a favorable recommendation of this plan to the Penn Township Board of Commissioners. The motion carried on a 4-0 vote.

P01-23 – Hanover Terminal, 201 Center Street, Hanover, PA 17331. A final land development plan to construct a rail siding at 201 Center Street. The property is in the S/C zone.

Gerry Funke of Conewago Contractors represented this plan. York County Comments have been addressed. The Township is still waiting on answers from CET engineering, the Township engineers with regards to Sewer construction and design, about the placement of a box culvert near the Township sewer line and what effect it may have on the nearby stream and the best way to avoid any problems. Engineer Bortner stated that the contractor has added note number thirteen to the plan to address some of the concerns the Township has with regards to the sewer line. There was discussion by Engineer Bortner about what can and cannot be put within the Township right away. The Committee recommended that they wait till the utility questions are answered before making a recommendation to the Board of Commissioners.

P01-22 – Bon Ton Builders, Martin Ridge, 1060 Baltimore Street, Hanover, PA 17331. A final subdivision plan to create two (2) new building lots. The property is located on the NW corner of Beck Mill and Grandview Road in the R-22 zone.

This was the initial review of this plan. This lot had been dropped from the Martin Ridge Plan that had been previously approved by the Township. Reg Baugher from Worley surveying represented this plan. The Committee discussed the proposed improvements the Township is hoping to make on Beck Mill Road in conjunction with this subdivision. The Township needs the dedicated right of way to complete some of the improvements. The applicant would be responsible for the curbing and the sidewalk. The Township would like to complete at least the intersection of this road. The plan shows one driveway that currently meets the Township Ordinance, once the work on Beck Mill road is completed there maybe a possibility of an entrance of off Beck Mill Road. The Committee noted that this lot can be used for a house but the Commission will not approve variances for structures that do not meet the required setbacks. York County Comments have not been received.

P01-25-S.W. School District, 225 Bowman Road, Hanover, PA 17331. A final land development plan for stadium improvements. The property is located in the R-15 zone

Brian Bingman of EI Associates represented this plan. The school district would like to complete additional work to the stadium and track. This would include a pole building with restrooms. The plan also includes an expanded food facility but that would not be completed immediately. There is also an additional storage facility to an existing barn on the property. The plan will have an underground stormwater system similar to the one the Township constructed at the Penn Township Community Park. They have asked for a waiver of the environmental impact studies. York County Comments have not been received.

P01-26 – GTY Inc., P.O. Box 5166, York, PA 17405. A final subdivision plan to create six (6) new lots on the corner of Fame Avenue & Gitts Run Road. The property is located in the Industrial Zone.

The Committee made an initial review of this plan.

Public Comments

The Commission heard comments from Chris Trone and John Ling about the property they are going to purchase on Baer Avenue. They will be seeking a special exception for the construction of multi-family units. They were asking the Commission if they were aware of any problems they may be facing with regards to the property.

The meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
NOVEMBER 1, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on November 1, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Commissioners Wendell Felix and Merle Dubbs, Commission Members Jeffrey Baxter, Clayton Black, and Ray Van De Castle. Commissioner Wendell Felix and Fred Marsh had excused absences. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Commission Member Clayton Black moved and Commissioner Merle Dubbs seconded that the minutes of the October 4, 2001 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board.

Z01-29 – LAWRENCE S. FREER, M.D., 317 Highland Avenue, Hanover, PA 17331. Applicant requests a special exception to Section 209.2 (Use Regulations) to construct a professional office in the Industrial Zone. The property is located at Lot 11 Barnhart Drive.

Dr. Lawrence S. Freer, M.D., 317 Highland Avenue represented this request. There is an agreement of sale between Mr. Freer and the property owners. This property is located across from Cherry Tree Court and on the property where the Industrial Park sign is located. The proposal shows a ten thousand square foot professional building. It is a single story building and the backside would be a two-story building. There will be grade level entrances on both sides of the building. The building would provide several different professional services not just Dr. Freer's medical practice. There are sixty-two parking spaces with four handicapped spaces drawn on the proposed plan. There is landscaping shown on the plan that is intended to be an extension of the existing properties. There will be a land development plan submitted if the special exception is approved.

Commissioner Merle Dubbs moved and Commission Member Jeffrey Baxter seconded a favorable recommendation to Z01-29 – Lawrence S. Freer, M.D. requesting a special exception to Section 209.2 (Use Regulations) to construct a professional office in the Industrial Zone because it meets the standards for a special exception in section 503.6 A-E. The motion carried on a 5-0 vote.

Z01-30 – RICK & JILL PLACE, 14 Loop Drive, Hanover, PA 17331. Applicant, Bon Ton Builders, requests a special exception to Section 203.2 (Use Regulations) to allow construction of additional living quarters for family members. The property is located in the R-15 zone.

Art Becker counsel for Bon Ton Builders represented the request. The applicants wish to build an additional living quarters above their garage. Mr. Becker presented the affidavit that is

required by section 609.E stating that Rick and Jill Place are the property owners and that a relative will occupy the addition. The addition will be used by Mrs. Place's mother and will contain a kitchen, living room, bathroom and bedroom. The garage will continue to be used as a garage by the Place's. The living quarters will connect to the current utilities of the house. There was discussion about the placement of the staircase to access the addition.

There was some discussion by the Commission that the plot plan shows only a twenty-four feet by twenty-four feet plan above the existing garage. The floor plan shows a twenty four by thirty foot addition. There is an additional problem in that section 609 d states that the unit shall not exceed four hundred fifty square feet. If the applicant builds the twenty-four foot by thirty-foot addition he will exceed the maximum number of square feet allowed by the ordinance. The twenty four by thirty foot plan would also provide other problems that may prevent it from being approved including going into the setbacks.

Commissioner Dubbs moved and Commission Member Jeffrey Baxter seconded a recommendation to table this special exception request at the request of the applicant and that the applicant is aware that the forty-five day period of date of the application to the date of the meeting will be extended by a letter from the applicant and it will be notarized with the fact that he understands that the meeting will not be held to December 11, 2001. The motion carried on a 5-0 vote.

Z01-31 THOMAS W. HELWIG, 1400 Kelly Avenue, Spring Grove, PA 17362. Applicant requests a variance to Section 202.2 (Use Regulations) to allow operation of a business at 552 S. Franklin Street. The property is located in the R-8 zone.

Randy Hilker, an associate broker for Remax Quality Services Incorporated represented this request. There is an agreement of sale for 552 South Franklin Street contingent on the applicants being able to operate a retail business at this location. The items they would sell would be personal property items such as tools and collectables. The business would be run at the rear of the property in a 1,000 square foot block building. The business would have customers but would also operate over e-bay. This is a three-lot tract. Mr. and Mrs. Helwig chose this property because it is handicapped accessible. There would be an occasional UPS truck but most of the time the applicant picks up the merchandise he will be selling. Hours of operation would be Monday through Friday from 10:00 A.M to 4:00 P.M., Saturday 12-4, and he would be closed on Sundays and Wednesdays. There is an alley located near the property. There is a five-car parking lot shown on the plan. The parking area is already designated on the property as a stone area. Mr. Helwig owns the Trading Post and has been operating it for almost twenty-two years. There was discussion among the Commission about the previous requests that the Commission has allowed. He estimates that he has between two to ten customers per business day. There was a discussion about the requirements for parking for the businesses. Mr. Helwig stated that he would have a sign on the building.

Daniel and Victoria Marecki, 570 South Franklin Street which are the neighbors to this property expressed concern about the traffic problems and parking problems this would create. Ms. Marecki explained that previously there was a business at this location that was only

suppose to be a warehouse but the owner conducted business from there. The building that the Helwigs would be using is located on the alleyway itself. They stated that they do not believe that there is adequate parking provided for five vehicles on the lot without parking on the alley. They are also concerned with the other problems that a commercial business brings into a residential neighborhood such as trash and noise. She stated that they already have traffic problems in the alley with just the residents using it for parking.

Mr. Hilker wanted verification on the requirements needed for a parking space. For a Commercial business it requires sufficient room to park the car and be able to turn around without backing onto the right away. The car should have enough room to make a forward approach onto the alley and not a rear approach. There was some discussion about how the land itself is deeded and whether it is one parcel or three separate parcels. This will be a concern if the applicant paves an area for parking because it must remain three feet from the property line. Also, if approved and the applicant paves the lot he will have to either submit a land development plan or ask for an exoneration. By the ordinance he must have off street parking available. Mr. Hilker stated that the Hanover Police would verify that there have not been any complaints against Mr. Helwig in the twenty years he has operated his business.

Mr. Marecki stated that the previous occupants that operated a business on 552 South Franklin Street had no complaints filed against them because the neighbors took care of the trash and the grass.

Commission Member Jeffrey Baxter moved and Commission Member Clayton Black seconded an unfavorable recommendation to Z01-31- Thomas W. Helwig requesting a variance to Section 202.2 (Use Regulations) to allow operation of a retail sales business at 552 S. Franklin Street as it does not meet the requirements for a variance as set forth in Section 502.3 A-F. The motion carried on a 5-0 vote.

The Planning Commission received the following waivers and exoneration requests:

The South Western School District is requesting a waiver from section 404 environmental impact studies and section 405 the York County Planning Commission Comments for their stadium improvements.

Ted Decker from Group Hanover Incorporated represented this request. The Committee reviewed and discussed the land development plan before making a recommendation on the request. There was some discussion on the proposed storm water pond. South West Road is considered a private road and is owned by the School District. If it was a Township road, Engineer Bortner would not allow the storm water pond were it is proposed. The Commission was concerned about the swale and would like to a reconfiguration of the pond.

Commissioner Dubbs moved and Commission Member Clayton Black seconded an unfavorable recommendation on the request from South West School District for a waiver for section 404 and 405 of the Penn Township Subdivision and Land Development Ordinance to the

Penn Township Board of Commissioners. The motion carried on a 4-1 vote with Commission Member Jeffrey Baxter casting the dissenting vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations.

P0109 - Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

There was no action taken on this plan.

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

There was no action taken on this plan.

P01-23 – Hanover Terminal, 201 Center Street, Hanover, PA 17331. A final land development plan to construct a rail siding at 201 Center Street. The property is in the S/C zone.

Gerry Funke of Conewago Contractors represented this request. The design and placement of the culvert has been decided upon. They are going to abandon the existing sewer line and install a new one, which would prevent future problems. The current problems are a result of the stream meandering with the development in Hanover Borough. The Engineer is satisfied with the plan.

Commissioner Merle Dubbs moved and Chairperson Donna Scott seconded a favorable recommendation to the Penn Township Board of Commissioners on P01-23 Hanover Terminal. The motion carried on 5-0 vote.

P01-22 – Bon Ton Builders, Martin Ridge, 1060 Baltimore Street, Hanover, PA 17331. A final subdivision plan to create two (2) new building lots. The property is located on the NW corner of Beck Mill and Grandview Road in the R-22 zone.

This plan was represent by Reg Baugher of Worley Surveying. This is the same plan that had been presented previously but the lot had been dropped because a determination could not be

made about were the right-of-way should be located. Engineer Bortner has resolved this issue. Mr. Baugher has addressed county comments. Engineer Bortner feels that the comments have been satisfied.

Commission Member Clayton Black moved and Commissioner Merle Dubbs seconded a favorable recommendation on P01-22 Bon Ton Builders, Martin Ridge to the Penn Township Board of Commissioners. The motion carried on a 4-0 vote with Chairperson Donna Scott abstaining.

P01-25-S.W. School District, 225 Bowman Road, Hanover, PA 17331. A final land development plan for stadium improvements. The property is located in the R-15 zone

EI Associates represents this plan. Brian Bingman for EI Associates called Zoning Officer Menges on November 1, 2001 about a problem with the new sewer lateral which was discussed with Wastewater Treatment Plant Superintendent and Code Enforcement Officer Darryl Boyd. Mr. Bingman stated that the problem has been corrected and Engineer Bortner explained the correction.

The stone cover on the barn according to the Township Ordinance needs to be changed to bituminous or concrete cover once it is expanded. The ordinance does not address use of the property.

The Commission would like to see dimensions on the plan and the address for Columbia Gas should be corrected to show the accurate address.

Chairperson Donna Scott and Commission Member Ray Van De Castle moved that the plan be tabled to the next meeting depending upon the recommendation of the waiver request, because of the outstanding zoning issues and the storm water management design. Motion carried on a 5-0 vote.

P01-26 – GTY Inc., P.O. Box 5166, York, PA 17405. A final subdivision plan to create six (6) new lots on the corner of Fame Avenue & Gitts Run Road. The property is located in the Industrial Zone.

Doug Stambaugh of Worley Surveying represented this plan. There was note added to the plan that as each land development plan is submitted they recommend doing the wetland studies. This is note number four on the plan. All other York County Comments have been addressed. The flood plain and wetland areas have been studied in the area from Metropolitan Edison down to Karen Lane and the 100-year flood plane is shown on the plan. It was noted that Metropolitan Lane is actually a right of way and note a road.

There was some discussion about were the setbacks were being shown whether it should be the flood plane or the flood way. This will be important when the land development plans come in for each lot.

Commission Member Jeffrey Baxter moved and Chairperson Donna Scott seconded a favorable recommendation on P01-26 GTY, Inc. to the Penn Township Board of Commissioners with a requirement that the terminology for flood plane and flood way be examined. Motion carried on 5-0 vote.

P01-27 – Edward D. Lookenbill, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to construct a duplex a 523 Meade Avenue. The property is located in the R-8 zone.

Reg Baugher of Worley Surveying represented this plan. This was the initial review of the plan. York County Comments have not been received. House numbers will need to be gotten from Penn Township.

The meeting was adjourned at 8:53 P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
DECEMBER 6, 2001

A meeting of the Penn Township Planning Commission was called to order at 7:00 P.M. on December 6, 2001 at the Penn Township Municipal Building by Chairperson Donna Scott; present were Planning Members Wendell Felix, Merle Dubbs, Jeffrey Baxter, Clayton Black, and Ray Van De Castle. Also present were staff members Zoning Officer John Menges and Engineer Eric Bortner.

Chairperson Donna Scott made a presentation to Wendell Felix upon the completion of his term on the Planning Commission. Mr. Felix will also complete his term as a Township Commissioner on December 31, 2001. Wendell thanked everyone on the Commission for their work over the last several years.

Chairperson Scott reminded everyone that the Planning Commission will reorganize at it's meeting on January 3, 2002 at 7:00 P.M. and that 2002 meetings will be held on the first Thursday of each month.

Jeffrey Baxter noted that the minutes should be corrected to read that Planner Felix was not in attendance at the meeting on 11/1/01. Chairperson Scott stated that page two, paragraph three, line five should read, "the zoning meeting will not be held till December 11, 2001." Page three, paragraph six, last sentence should read ". . . and would like to see a reconfiguration of the pond." Planning Members Baxter/Dubbs moved for the minutes as corrected to be approved. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z01-30 – RICK & JILL PLACE, 14 Loop Drive, Hanover, PA 17331. Applicant, Bon Ton Builders, requests a special exception to Section 203.2 (Use Regulations) to allow construction of additional living quarters for family member. The property is located in the R-15 zone.

Art Becker, attorney for Bon Ton Builders represented this request. This case had been held over from November at the request of the applicant. The applicants wish to build additional living quarters above their garage. Mr. Becker presented the affidavit required by section 609.E of the Township's Zoning Ordinance that Rick and Jill Place live in the home, that Betty Barrett, mother of Jill Place will occupy the proposed second story addition, and that Ms. Barrett will be the only occupant that will reside in the proposed second story addition. The garage will continue to be a garage and the addition will connect to the existing utilities.

Planner Felix wanted an explanation from the Zoning Officer on how this property will be marketed when and if it is sold. Zoning Officer Menges stated that it will have to be sold as a single family dwelling and the current owners will have to inform the buyer and the real estate agent that it has to be sold as such.

Planning Members Baxter/Black moved for a favorable recommendation to the Zoning Hearing Board on case Z01-30 – Rick & Jill Place, 14 Loop Drive requesting a special exception to Section 203.2 (Use Regulations) to allow construction of additional living quarters for family members as it meets the requirements for a special exception stated in Section 503.6 A-E. The motion carried on a 7-0 vote.

Z01-32 – GARY & PATRICIA BOWDEN, 155 Bankert Road, Hanover, Pa 17331. Applicant requests a variance to Section 205.2 (Area & Bulk Regulations) to allow construction of a barn that would encroach into the setbacks. The property is located in the R-40 zone.

Gary Bowden represented this request. They wish to build a horse barn within the 200 - foot setback on the east boundary of their property that adjoins to the State Park. He stated that they are going to have an equipment shed on the property for storage. He provided a drawing of the proposed plans. They would like to open up the view of the house while preventing the nuisances that come with barns (odors, etc.) from being directed towards the house. There currently is not a barn on the property. Planner Felix inquired as to how many buildings can be on an R-40 property. Zoning Officer Menges stated that it did not matter as long as they do not infringe on the setback or exceed the lot coverage. Mr. Bowden explained that they could not put the barn on the required area because there is a gas line which bisects their property and they are trying to avoid interfering with the line. Also Lake Wood Court overlooks their property and they would like to prevent obscuring the view of the lake.

There was concern about how many horses can be allowed on the property. The zoning ordinance does not address this issue.

Planning Members Felix /Dubbs moved for an unfavorable recommendation to the Zoning Hearing Board on case Z01-32 – Gary & Patricia Bowden, 155 Bankert Road, Hanover, PA, requesting a variance to Section 205.2 (Area & Bulk Regulations) to allow construction of a barn that would encroach into the setback as it does not meet the requirements set forth for a variance in section 502.3 A-E. The motion carried on a 7-0 vote.

Z01-33 – BAXTER INVESTMENT GROUP, 1108 Baltimore Street, Hanover, PA 17331. Applicant requests a special exception to Section 626 to allow construction of a forty-four unit multi-family complex at 1300 Baer Avenue. The property is located in the R-8 zone.

John Ling, President of Baxter Investment Group represented this request. Planner Scott stated that the Planning Commission is not determining the number of units but the use of the property so the number forty-four that was used in the application will not be used as a final figure. It was noted that the Planners are voting on the use and not the plan as it is presented.

Mr. Ling went over the criteria and how they meet each for a special exception. There were some concerns about who owns the alleys abutting the property. The Baxter Investment Group owns the adjacent twenty-foot alley, which will be used for the main access and egress for the development. The existing pond will be used for storm water management.

Planning Members Dubbs/Felix moved for a favorable recommendation to the Zoning Hearing Board on case Z01-33- Baxter Investment Group, requesting a special exception to section 626 to allow construction of a multi-family complex at 1300 Baer Avenue, as it meets the standards for a special exception as set forth in section 503.6 A-E. Motion carried on 6 -1 vote with Planning Member Clayton Black casting the dissenting vote.

Z01-34 – MARK & LORI WILLIAMS, 730 Beck Mill Road, Hanover, PA 17331. Applicants request a special exception to Sections 203.2 (Use Regulations) and Section 615 to allow a home occupation of seamstress at 730 Beck Mill Road. The property is located in the R-15 zone.

John Mooney, Mooney & Associates represented this case. He explained that Mr. Williams would be making awnings on his property. Currently, there are two residential dwellings on the property in addition to several out-buildings that are used as sheds. Mr. Williams intends to remove one of the dwellings, which is a mobile home, and several of the sheds and replace them with a garage type structure approximately forty feet by forty feet in size. It is in this building that Mr. Williams will be making his awnings and storing some of his materials. There would be no customers coming to the home and most of the business would be conducted over the phone.

There was a variance request filed two years ago making a similar request which was subsequently denied.

There was some concern from the Planners that this is a business and not a home occupation. Attorney Mooney stated that they are replacing a dwelling unit with another structure that would be used for the business. They could leave the mobile home there and repair it but instead they will remove it and replace it with a brand new building. Planning Member Felix felt that the Planners would have less of a problem and more control if they consider it a home occupation instead of a business.

Attorney Mooney stated that the neighbors are aware of the intentions of the applicants and some will be attending the Zoning Hearing Board meeting. Mr. Williams would be doing most of the work with assistance from one other gentleman. They will have a sign on the property.

Planning Member Marsh/ Felix moved for a favorable recommendation to the Zoning Hearing Board on Z01-34 Mark and Lori Williams, requesting a special exception to Sections 203.2 (Use Regulations) and Section 615 to allow a home occupation of seamstress at 730 Beck Mill Road, with the stipulation that the employees will consist of one resident and one part time employee, as it meets the requirements for special exception as set forth in section 503.6 A-E. The motion carried on a 5-2 vote with Planning Members Black and Baxter casting the dissenting votes.

The Planning Commission received the following waivers and exoneration requests:

Burkentine & Sons Inc. requests exoneration from installing sidewalks at Lot 32 Rebecca Lane.

Planning Members Felix/Scott moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. The motion carried on 7-0 vote.

The Planning Commission reviewed the following Subdivision/Land Development plans and made the following recommendations:

P0109 - Higher Ground, Don Worley, 601 McCosh Street, Hanover, PA 17331. A final subdivision plan for lot 10. The property is located on High Rock Road in the R-40 zone.

There was no action taken on this plan.

P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.

Gerry Funke from Conewago Contractors represented this request. This is the first review of this plan. The building has two floors. Fire Chief Cromer has reviewed the plan and the cartway has been widened to allow better access for Township fire equipment. There will be four entrances into this building. A landscape architect will design the landscape and bufferyards. There was some discussion about the other projects that in this area with regards to road construction the Borough of Hanover will undertake.

P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.

There was no action taken on this plan.

P01-25-S.W. School District, 225 Bowman Road, Hanover, PA 17331. A final land development plan for stadium improvements. The property is located in the R-15 zone

EI Associates representative Brian Bingman represented this plan. The Township had previously denied a request for exoneration from the environmental impact study. Mr. Bingman stated that they have submitted the study and most of the area was disturbed when the stadium was constructed and a number of the issues related to an impact study do not apply. The barn area is being controlled with a five-foot wide stone trench along the perimeter of the paved parking area. There was some discussion about the other work that is going on around this area including the grading of the fields.

Planning Members Baxter/Marsh moved for a favorable recommendation the Penn Township Board of Commissioners on P01-25-South Western School District. The motion carried on a 4-3 vote with Commissioners Wendell Felix and Merle Dubbs and Chairperson Donna Scott casting the dissenting votes.

P01-27 – Edward D. Lookenbill, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to construct a duplex a 523 Meade Avenue. The property is located in the R-8 zone.

Reg Baugher of Worley Surveying represented this plan. York County Planning Commission comments have been addressed.

Planning Members Felix/Scott moved for a favorable recommendation to the Penn Township Board of Commissioners on case P01-27 Edward D. Lookenbill. The motion carried on 7-0 vote.

P01-29 – JOHN W. MATHIAS, Jr., 315 Clover Lane, Hanover, PA 17331. A final two (2) lot residential subdivision located at the corner of Clover and Maple Lane. The property is in the R-15 zone.

Reg Baugher of Worley Surveying represented this plan. This was the initial review of the plan by the Planning Commission. There was some concern about the driveway shown on lot #2 because it is located in the clear sight triangle. The Planners recommend that sidewalk and curb be included along both Clover and Maple Lane. Mr. Baugher will also review the easement along the swale.

P01-28 – HIGH POINTE @ ROJEN FARMS, Roger L. Holland, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones.

This plan was represented by Ted Decker of Group Hanover for the subdivision on the north side and Robert A. Sharrah for the subdivision on the south side.

Mr. Sharrah reported that a sketch plan of this development was submitted in April and they tried to incorporate several of the comments from that meeting into these designs.

The Commission began with reviewing the south side plans. There was discussion about connecting Oak Hill Drive to Grandview Road. There was some discussion about eliminating the curve along Grandview Road. There was concern about Garden Lane being designed as a straight thru residential road and that it may be used as a shortcut. The Planners will be requiring a traffic impact study. There was discussion about whether the size of the water main is correct to provide sufficient water and pressure to this and also the surrounding developments. There was

discussion about the current speed limits and how they are going to be affected by a development of this type.

The Planners then reviewed the Northern portion of the development. Commissioner Felix noted that the Recreation Board has expressed concern to the Board of Commissioners that the proposed land for donation is not usable and presents a buffer to the new development. It was stated that York County comments and the Recreation Board would like to see a hiking or biking trail for access into the Community Park from both the Southern and Northern sections of the development. There was discussion about the increase in the daily travel that will occur on Grandview Road.

The current environmental impact study does not meet the Township Ordinance because it was submitted for a smaller area and a different use when they had submitted a previous plan. Engineer Bortner stated that he would like to see a designated area for snow storage and containment within the cul-de-sacs. Also, he stated that they should teardrop the cul-de-sac to the right because it makes them easier to plow.

The meeting was adjourned at 9:09 P.M.

Respectfully submitted,

Kristina Rodgers
Recording Secretary