

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 6, 2005

Vice Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on January 6, 2005 at the Penn Township Municipal Building. Also present were Planning Members Fred Marsh, Michael Johnson, Wendell Felix, Clayton Black and Michael Brown. Donna Scott was absent with notice. Also present were Township Manager Jeffrey Garvick and Township Engineer Eric Bortner.

The Planning Commission took action to reorganize. Planners Marsh/Johnson moved to nominate Clayton Black as Chairperson of the Commission. The motion carried unanimously.

Planners Marsh/Felix moved to nominate Ray Van de Castle as Vice Chairperson. The motion carried unanimously.

The December 2, 2004 Planning Commission minutes were approved as submitted.

Planner Marsh welcomed Wendell Felix back to the Planning Commission.

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

Z04-40 – PATRICIA JOHNSON, 537 S. High Street, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk) to approve an existing deck that encroaches into the side setbacks. The property is located in the R-15 zone.

Manager Garvick stated that this request had been on last month's agenda with a letter from Bon Ton Builders stating that they would correct the situation by the end of the year. The deck as of January 6, 2005 had not been corrected. The Township received a letter from Tony Forbes, Bon Ton Builders, requesting an extension with the intent of correcting the problem in the future. Mr. Garvick stated that the MPC states that the zoning hearing board or officer must here the case within sixty days. He suggested they make a recommendation to the Zoning Hearing Board since they have not heard the case.

There was no one present to represent this request.

Planner Felix, former chairman of the Zoning Hearing Board, requested that the Zoning Solicitor contact the Township that it was putting the Zoning Hearing Board and the Planning Commission in harms way to look at something after it is already complete. They felt that some of the responsibility lies with the Township and the builder. The Zoning Hearing Board approved the other three zoning cases that appeared before them but future requests may be denied.

Planners Felix/Brown moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z04 – 40 Patricia Johnson requesting a variance to Section 202.3

(Area & Bulk) to approve an existing deck that encroaches in the side setbacks as it does not meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z05-01 – REGIONAL HOMES, LLC ERIC LEVITT, 8 Green Springs Valley Road, Suite 200, Owings Mills, MD 21117. Applicant requests a special exception to Section 202.2 (Uses) to allow construction of age restricted multi-family dwellings. The property is located at Moulstown Road in the R-8 zone.

Manager Garvick stated there is currently a rezoning request before the Board of Commissioners with the public hearing scheduled for January 17, 2005 at 6:30 p.m. The parcel is currently zoned shopping commercial, industrial, and residential 22. The applicant is seeking conditional special exception recommendation.

Attorney Chuck Zaleski represented this request. This project has been under consideration for a year and the developers understand that everything is contingent on the Commissioners rezoning the property. They would like to expedite the process because they have received calls from individuals that would be interested in purchasing the units and because of the cost of delay due to contractors not holding bid prices for very long.

He stated there are some minor changes in the application that was presented. The first is in Section 627, the total land area that is being requested for the project is seventy acres and not eighty acres, the paved area in the application notes a minimum of 30% and should be a maximum of 30% which will not be exceeded, the paved area will comply with the ordinance and the maximum density should be 5.17 units not 4.5 as submitted. The changes will be presented in writing to the Zoning Hearing Board.

He stated the project complies with Section 503 of the Zoning Ordinance and Section 627 multifamily dwellings. This is not a retirement village per the Township ordinance. Age restrictions will be deed restricted. There is an agreement between the Township and the landowner that would allow the Township to enforce the age requirements. The agreement has been submitted to the Township Commissioners but they have not taken any action on it.

Mickey Cornelius, traffic engineer, stated that no additional traffic studies have been done for the traffic that would be created by the development. There was no intersection development analysis done. The only traffic study stated that differences between the allowed uses and the proposed use.

Manager Garvick stated this plan would fall under the constraints of the sewer moratorium until the sewer issues are resolved. They provided pictures of the type of units that the developer is proposing to build in this area.

Planners Johnson/Brown moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z05-01 - Regional Home, LLC, Eric Levitt, requesting a special exception to Section 202.2 (Uses) to allow construction of age restricted multi-family

dwellings, as it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

Z05-02 – DENNIS GROVE, 431 Park Heights Boulevard, Hanover, PA 17331.
Applicant requests a special exception to Section 203.2 (Use) to allow construction of a beauty salon/Florida room. The property is located in the R-15 zone.

Dennis Grove represented this case. Mr. Grove's fiancé currently has a beauty salon in New Oxford that she would like to move to Mr. Grove's home when they marry this year. They would like to build a 22' x 26' Florida/beauty room. The only employee would be Mrs. Grove. Mr. Grove has owned the home for about eleven years. He has talked to several of the neighbors. The parking area is about 16' x 30' and is adjacent to the current driveway. The cars can park without impeding other traffic from the building. The business is done by appointment. The applicant has an additional garage at the front of the house. The hours of operation are from about seven to three or four. There may be a motion light installed. There will be no hours of operation Saturdays and Sundays.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing on Z05-02 –Dennis Grove requesting a special exception to Section 203.2 (Use) to allow construction of beauty/salon Florida room, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Z05-03 – JAMES A. MILLER, III, 760 Black Rock Road, Hanover, PA 17331.
Applicant requests a variance to Section 203.3 (Area & Bulk), to enlarge a front porch that will encroach into the front setbacks.

James A. Miller, III represented this request. There was some concern about the utilities. The owner has public water but private sewer which means he would have to meet the requirement of fifty-foot setback. If a public sewer were installed than the setback would change to thirty-five feet. There currently is a porch that encroaches into the front setback. The new porch would encroach about eight feet into the setback. The porch would be an open porch with a roof. Mr. Miller has owned the property for about eight years.

Planners Marsh/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-03 – James A. Miller, III, requesting a variance to Section 203.3 (Area & Bulk), to enlarge a front porch that will encroach into the front setback as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 6-0 vote.

Z05-04 – JEFF STERN, 63 Red Run Church Road, East Berlin, PA 17316.
Applicant requests a variance to Section 303.1 (Off-Street Parking), to allow construction of additional indoor batting cages with inadequate off-street parking spaces. The property is located at 110 Hickory Lane, in the R-C zone.

There is currently a land development plan before the planning commission with regards to this request. Jack Powell, engineer, represented this request. When the plan was before the planning commission it was determined that it did not provide enough parking spaces for the proposed use. The site was built with four additional parking spaces than what was required. After speaking with the Zoning Officer, the applicants were able to increase the number of parking spaces from seventy-four to seventy-eight. The additional building will house three batting cages and it was decided that two spaces were needed for each cage. Manager Garvick stated that the facility was built under the 1995 ordinance, which requires one parking space per 100 feet of gross area, and the 2003 ordinance requires one parking space for fifty feet of gross area. This is why they need the additional parking spaces. The proposed use will not allow a lot of individuals to utilize the facility at one time. The building is used to house the batting cages.

Manager Garvick stated there has been concern about the number of amendments that have been submitted for this plan over the years since the initial plan was approved.

Jeff Stern, owner, stated that since he opened the most he has seen the parking lot utilized is seventy-five percent. The only time it was full was the first weekend they were opened.

Stormwater was designed for thirty percent impervious area.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-04 – Jeff Stern requesting a variance to Section 303.1 (Off-Street Parking), to allow construction of additional indoor batting cages with inadequate off-street parking spaces, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion was tied 3-3 with Planners Felix, Johnson, and Van de Castle casting the dissenting votes on a roll call vote.

The Planners received the following waiver or exoneration requests:

New Horizons Partnership, LLC (old Pillowtex building) requests a waiver to their parking area on the approved plan. They would like to amend their original request for a parking area and walkway on the west side of the building and the amended request is at the northeast corner of the building.

The Pillowtex building is being leased and the renters are requesting these changes. Engineer Bortner is not sure why more parking spaces were not required when this plan was approved. The storm water management requirements should not be affected by this change.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

Frederick E. Fowler, Jr. request exoneration to the sidewalks as shown on the Brookside Heights development on the part of his property located on Charles Avenue.

Carl and Ruth Hanky request exoneration to the sidewalk as shown on the Brookside Heights project on their property located on Charles Avenue.

Manager Garvick stated that Charles Avenue is a paper street. The street will be going through to the new development. There is a fifty-foot right-of-way; the radiuses will not work without some accommodation to the sidewalk. The sidewalk would be regulation width but would not have the grass strip. There were pictures provided that show the existing sidewalk on the other streets. The grass plot would be on the other side of the sidewalk. Mr. Fowler has been maintaining the alley.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

Joel Snyder, RJS Associates and Robert Holweck represented this plan. This plan is located along Beck Mill Road and is adjacent to the South Hills plan. It has been on hold due to the sewer problems. They are asking for direction on the road network that will be proposed for this development and the adjoining property. They presented four different road layouts for consideration by the Township. They received the road alignment as proposed by South Hills. Mr. Snyder stated that one of the options shows a cul de sac at St. Joseph's property but they have not approached them about the idea. They are looking for feed back from the Commission. There was some concern about moving the street because the clear sight triangle cannot be meet. There was concern about moving some of the lots on both plans to make a four-way intersection onto Beck Mill Road. The other subdivision may have problem meeting the required site distance. There was concern about having as many as three intersections that do not meet the requirements of the Township Ordinance or several cul-de-sacs streets. Engineer Bortner stated they wanted confirmation moving the extension to the Danner Farm and moving the one road

over. There is still some concern about how to build the development and satisfy Mr. Danner. The developer will prepare a plan showing the items discussed.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

John Ling represented this request. The plan shows a subdivision to cut a tract of land and add it to the Baxter Investment piece of property. The second thing this does is provide a six foot land swap because the surveying showed that six feet of the adjoining property owners property is owned by Baxter Investment. Engineer Bortner stated that he has no problems with the plan and sewer is not a problem because it is an existing duplex.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners. Motion carried on a 6-0 vote.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-15 – FREDERICK & JOYCE STORM, Stone Ridge Development, 330 Dubs Church Road, Hanover, PA 17331. A final subdivision plan to allow construction of single-family semi-detached dwelling at 162 Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-19 – BOB EVANS FARMS, INC., 3776 South High Street, Columbus, OH 43207. A final subdivision plan to create an add on lot for commercial use. The property is located at 496 Eisenhower Drive and is zoned shopping/commercial.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

Engineer Bortner provided a change to the plan that had been previously reviewed. This plan shows the land that includes the land across Breezewood Drive because the current deed already includes the property. Jim Thiel, Civil Environmental Design Group, represented this request. Zoning Hearing approval has been given for the special exception and variance requests and staff and comments have been addressed. There are seven waiver requests that were submitted with the plan. The first six are for providing survey information outside the limits of the ball fields themselves and the seventh is for the access width for the new parking lot. Mr. Thiel stated that Zoning Officer Menges was reviewing the parking requirements and there were none in the Zoning Ordinance that pertained to this particular use. There are seventy new parking spaces being proposed and additional parking spaces that were there previously.

The first six waiver requests are for Section 402n, Contours, 402p locations and dimensions of any streets or easements shown thereon which abut the land to be developed, 402q existing features, 402r depiction of utilities, buildings and other man made features, 409s depiction of all existing streets within 400 feet of the property, and 409t all existing easements and right-of-ways. The seventh is for a twenty -four feet width driveway entrance.

Planners Brown/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on these requests with the request six being corrected to read outside the proposed development of the plan. Motion carried on a 6-0 vote.

Planners Van de Castle/Marsh moved for a favorable recommendation to the Penn Board of Commissioners on P04-20 South Western School District. Motion carried 6-0.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-22 – HICKORY FALLS FAMILY ENTERTAINMENT CENTER, Jeff Stern, 63 Red Run Church Road, East Berlin, PA 17316. A final land development plan submitted for building additions. The property is located at 110 Hickory Lane, in the R-40 zone.

There was no action taken on this plan.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

The meeting adjourned at 9:26 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 3, 2005

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on February 3, 2005 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Fred Marsh, Wendell Felix, Michael Brown and Donna Scott. Michael Johnson was absent with notice. Also present were Township Manager Jeffrey Garvick and Township Engineer Eric Bortner.

The January 6, 2005 Planning Commission minutes were approved as submitted.

Chairman Black expressed the Planners' hope that Zoning Officer Menges is recovering from his illness and will be back soon.

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

Z05-05 – BOB MORRIS FURNITURE, INC., 777 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 407.4 (Restoration), to replace an existing building which was destroyed by fire that will encroach into the side setback. The property is located in the SC zone.

Manager Garvick suggested that the Board might want to consider Section 303.1 Off Street Parking with this request. He noted that over seventy five percent of the structure was destroyed by fire several weeks ago and the application is to replace the building as well as expand the rear portion of the building. He stated that because destruction is over 75% of the property value the new structure must conform to the ordinance and that is why Mr. Morris is requesting this variance.

Bob Morris represented this request. Manager Garvick stated that Bob Morris Furniture, Inc. was a preexisting nonconformity prior to the first Zoning Ordinance in 1968. The building that was destroyed by fire was 60' wide by 112' long with a small attached 35' x 33' section. Mr. Morris would like to construct a building that is totally rectangular and measures 148 feet long by 60 feet wide. The side setbacks are presently 15' and he is requesting they remain the same, although the Ordinance calls for 20'. The front setback is sixty feet. There is a cemetery on one side of the business and the shopping center on the other. The site improvements will require a land development plan. The current zoning ordinance requires forty-five to forty-nine parking spaces. Mr. Morris currently has fifteen parking spaces. Most of the merchandise is unloaded from a tractor-trailer at the rear of the store. The tractor-trailer turns around behind the existing facility. Mr. Morris has six employees. The total number of required parking spaces is determined by the total square footage plus one parking space for each employee on shift. Mr. Morris stated that he normally has no more than five or six customers at the store at one time. The current spaces are not marked.

Planners Felix/Scott moved that case Z05-05 Bob Morris Furniture, Inc. requesting a variance to Section 407.4 (Restoration), to replace an existing building which was destroyed by fire that will encroach into the side setbacks be denied as it does not meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion failed on a 2-4 vote.

Planners Marsh/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-05 Bob Morris Furniture, Inc, requesting a variance to Section 407.4 (Restoration), to replace an existing building which was destroyed by fire that will encroach into the side setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried.

The Planners made no recommendation on a parking variance.

Z05-05 – TRONE & SEIFERT, L.L.C, 398 York Street, Suite 5, Hanover, PA. 17331. Applicant requests a variance to Section 207.2 (Use Regulations) and Section 407.5 (Abandonment) to operate an existing abandoned motel. The property is located at 1016 Baltimore Street in the SC zone.

Manager Garvick noted that the motel that was previously being operated at 1016 Baltimore Street ceased operation in October 2002. The Township's Zoning Ordinance, Section 407.5 states that a non conforming use shall be adjudged as abandoned when there occurs a cessation of any such use or activity by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within a period of one year from the date of cessation or discontinuance.

There was no one present to represent this request so the Planners took no action.

The Planners received the following waiver or exoneration requests: None

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

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There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

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There was no action taken on this plan.

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There was no action taken on this plan.

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There was no action taken on this plan.

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There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential

development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

Joel Snyder, RJS Associates represented this plan. Mr. Snyder presented a plan showing the revisions made to the street intersections as a result of the comments at the last Planning Commission meeting. They did contact Group Hanover to obtain the street files for the Whispering Run. The centerlines on the map are about a foot off lining up with each other. Mr. Snyder then forwarded the plans back to Group Hanover. Mr. Snyder also contacted Reg Baugher from Worley Surveying about the South Heights development. The alignment will require some land swaps with the developer. There is an intermittent flowing stream on the plan where the new sewer line will be located. They are requesting a variances for the required 500' distance between intersections for Beck Mill Road and Road A and Road A and Road B and the intersection of Road A and B and the intersection of Road B and C. The distance between intersections are proposed at 480 feet and 345 feet respectively. He stated that they have researched the requirements and have not found a standard that is normally applied. York County's requirement is four hundred feet but they stated there is no standard. Traffic studies will be completed by the police department which will determine the speed limits on the streets. Normally they will be about 25 miles per hour.

Planners Scott/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on a waiver to the requirement for street intersection distances. Motion carried on a 6-0 vote.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-22 – HICKORY FALLS FAMILY ENTERTAINMENT CENTER, Jeff Stern, 63 Red Run Church Road, East Berlin, PA 17316. A final land development plan submitted for building additions. The property is located at 110 Hickory Lane, in the R-40 zone.

Jack Powell represented this plan. They have added the four parking spaces and the note on the plan that they have received the appropriate Zoning Hearing Board variance approval. They currently have a changeable reader board for signage.

Planners Scott/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on plan P04-22 – Hickory Falls Family Entertainment Center. Motion carried on a 6-0 vote.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

The meeting adjourned at 7:50 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MARCH 3, 2005

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on March 3, 2005 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Fred Marsh, Wendell Felix, Michael Brown and Michael Johnson. Donna Scott was absent with notice. Also present were Township Zoning Officer Menges and Township Engineer Eric Bortner.

The February 3, 2005 Planning Commission minutes were approved as submitted.

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

Z05-01 – REGIONAL HOMES, LLC ERIC LEVITT, 8 Green SpringsValley Road, Suite 200, Owings Mills, MD 21117. Applicant requests a special exception to Section 202.2 (Uses) to allow construction of age restricted multi-family dwellings. The property is located at Moulstown Road in the R-8 Zone.

James Holly, Holly Associates, and Steve Rosen, Regional Homes, represented this request. Mr. Holly reviewed both the general and specific standards for a special exception. The first, under Section 503.3 of the Penn Township Zoning Ordinance is the location of the use with respect to the existing or future streets, providing access to it. He explained there would not be a through street from the adjacent Hickory Heights housing development. There will be two entrances onto Moulstown road and a dead end street that will terminate at the shopping commercial area. The second item is that the nature and intensity of the operations involved are in harmony with the orderly and appropriate development of the zone in which the use is to be located. He stated that an R-8 zone allows up to ten units per acre but this development only has 5.17 units per acre. There is a section of the property that was previously zoned R-22 that will contain the stormwater management facilities and green space. The third item Mr. Holley addressed was that the grant of the special exception should not materially increase traffic congestion in the roads and highways; neither will it encourage commercial or industrial traffic to use residential streets. He stated that Moulstown Road currently has traffic problems and the traffic study will determine the improvements that will have to be made by the developer. He stated that developing this site residentially would create less traffic than the previously zoned areas. The fourth item he addressed was that the applicant must meet all general and specific requirements as defined in this Article. He further went on to review Section B of the general criteria which states that the proposed use shall be consistent with the purpose and intent of the Zoning Ordinance and shall not be detrimental to the health, safety or welfare of the neighborhood. He stated that the neighbors presented a petition at the public hearing indicating they would prefer this use over the previously zoned use. Mr. Holly stated this use would have less impact on the surrounding area. Mr. Holly proceeded then to reinforce that the proposed use shall not injure or detract from the use or enjoyment or character of adjoining or nearby properties or cause land deterioration or potential decrease of value of surrounding properties.

Mr. Holley stated this would upgrade the property more than the industrial use would have and will result in an increase in the adjacent property values.

He went on to address the next issue, which is that adequate public facilities are available and existing to serve the proposed use (school, fire, police, and ambulance protection, sewer, water, and other utilities, parks, vehicular access, recreation, and etc.). He stated all the facilities are in existence and that they are aware of the current sewer moratorium. He stated there is sewer capacity at the wastewater treatment plant so that once the moratorium is lifted they can proceed. This project will not have an impact on the school district because children under eighteen years of age will not be allowed to reside there for more than sixty days. There has to be one person over fifty-five residing in the unit. There must be a procedure set up to confirm the age of the residents when properties are bought and sold. There is agreement between the Township and the developer, Regional Homes, and C. D. Investors, about the age requirement on each property that was approved by all the parties and was recorded and will be included on each deed.

Mr. Holley further read from the Township's Zoning Ordinance, which states that the proposed use will not impair the integrity of the Township's Comprehensive Plan. The Township will have to revise their Comprehensive Plan in order that the rezoning is compatible with the plan.

Mr. Holly addressed the requirement that the proposed use should not be incompatible with the existing traffic conditions and adjacent uses. One of the outcomes of this project will be a center turning lane on Moulstown Road to access this development.

The next item in the ordinance is the requirement that the use of the site complies with the requirements of any other public agency having jurisdiction over the proposed use. The Federal Fair Housing Code permits the proposed use of aged restricted housing. Age restriction on housing is the only variable that can be used to discriminate for housing. The developers will monitor this while they are involved in the project but then it will become the homeowner's association responsibility to make sure that the age restriction is met.

The final general criteria in the code is that operations in connection with a use shall not be more objectionable to nearby properties by reason of noise, odor, fumes, vibration, glare, smoke, or other potential nuisance or safety hazard than would be the operations of the permitted use. He stated that a residential use would not create any objectionable nuisances for the neighbors. This will be more compatible with the surrounding area than the previously zoned uses.

Planner Felix stated that the only thing the Commission is concerned with this evening is the special exception for the use of the multi-family dwellings. This section goes from Moulstown road to the Hickory Heights subdivision.

Mr. Holley stated that the homeowners will not be allowed to have open fires, or burn trash in their backyards, they will have trash collection, and the streets will be private and

maintained by the home association. The streets will be built to Township specifications. There are ten apartment units in each of the eighteen buildings with a total of one hundred and eighty units. There will be one hundred and eighty-two duplex units.

Mr. Holley then moved on to review the Specific Criteria for special exception, which provides that the parking, traffic and pedestrian access shall be in conformance with those criteria specified in Article III and elsewhere in the Zoning Ordinance. He stated that during the land development process they would all be complied with. The next item in the ordinance is that screening and landscaping and slope of the proposed use from adjacent uses be sufficient to prevent deleterious impact of the proposed use upon another and to comply with Section 307 of this ordinance. He noted that the plan showed plenty of landscaping and green areas to comply with this section.

Mr. Holley then reviewed the additional conditions they will meet which include planting, fencing, or screening, access drive, drainage, site distances, landscaping and buffer yards, loading space requirements, off street parking, and other items as required by the ordinance. The off street parking will be enclosed in the structures. All these details will be addressed during the land development process.

Mr. Holley then addressed the specific requirements under the standards for a multi-family dwelling. The parcel is seventy acres with the portion with the multi-family being about twelve acres. The lot width along Moulstown Road is three thousand feet. The setbacks are fifteen feet. The maximum paved area allowed is thirty percent and the plan is close but under the thirty percent requirement. The density of the residential units for the entire plan is 5.17 units. The ordinance states that the number of dwelling units per gross acre of land permitted for this use is ten.

The Planners questioned why the developer chooses to have the road extend into the shopping area rather than into another residential area. Mr. Holley stated that would allow the residents access to the shopping area without having to access Moulstown Road.

Planner Felix stated that the proposed area may be too dense because the developers are taking into account the entire project when figuring the units. Mr. Holley stated that the interpretation he received from the Township office was that the whole gross area of the project would be used in determining the density of the project. Zoning Officer Menges concurred with the interpretation.

Georgia Simpson, 51 High Rock Road, wrote a letter to the Commission outlining her concerns if the project proceeds. The major concerns addressed in her letter were traffic flow on Moulstown Road, if the bridges will be widened, current sewer problems in the area, how stormwater drainage will be handled, the maintenance of stormwater facilities, the ability of the Township to enforce the age restrictions, and how the Township plans to handle future water shortages. She noted that this use was better than the previous industrial use. She wanted to know why the developer could not just build all duplexes instead of the multifamily units. She wanted to know the total number of individuals that the developers thought would be living

there. She was concerned about the two entrances on Moulstown Road and what affect they would have on the already congested traffic problems. She was also concerned about the flooding that occurs now on the road. She stated that the residents that were in favor of the rezoning do not use Moulstown Road to travel on. She was concerned about the enforcement of the age restriction after the developers returned to Maryland. She was concerned about the layout of the properties and if they would have elevators.

Planner Black stated some of the issues will be addressed during the land development process and the age-restricted requirement has been decided by the Board of Commissioners. The homes will have elevators and a traffic study will be completed that will include all areas impacted by the development. There are no political boundaries when the traffic study is conducted so it may require improvements in the Borough. Engineer Bortner stated that PENNDOT would be involved because Moulstown is a state road. The Planning Commission has brought up the drainage issue. Chairman Black stated that the Planners address all the issues that Ms. Simpson brought up for every subdivision plan, not just this particular one.

Mr. Rosen explained the procedure that the homeowners association will use to enforce the fifty-five year age requirement.

Anna Mae Shaffer, adjoining property owner, expressed concern about the need for increased fire and police protection because of the homes. She is also concerned that lighting will be kept on the property and will not create additional light pollution. She wanted the developer to contact the Codorus Creek Watershed Association and plant native plants and shrubs.

Planner Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-01 Regional Homes, LLC requesting a special exception to Section 202.2 (Uses) to allow construction of age restricted multi-family dwellings as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e).

The motion failed for a lack of a second.

Planners Johnson/Van de Castle moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z05-01 Regional Homes, LLC requesting a special exception to Section 202.2 (Uses) to allow construction of age restricted multi-family dwelling as it does not meet the requirement for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-2 vote with Planners Black and Marsh casting the dissenting votes.

Z05-06 – TRONE & SEIFERT, L.L.C., 398 York Street, Suite 5, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use Regulations) and Section 407.5 (Abandonment) to operate an existing abandoned motel. The property is located at 1016 Baltimore Street in the SC zone.

Chris Trone, managing partner for Trone & Seifert, L.L.C., with the office located at 398 York Street, Suite 5, Hanover, PA, represented this case. Mr. Trone stated that the property is

located at 1016 Baltimore Street and was previously zoned highway business. The motel on the property had terminated business several years ago and the property was rezoned to shopping commercial, which does not allow motels as a use. This is the reason Mr. Trone is requesting a variance. The intent is to reopen the hotel as it was prior to its abandonment. The configuration of the lot is such that once they meet the setback requirements and the land development requirements the land would be nonusable. The partnership feels that a variance would allow the best use of the land as well as a use that has been associated with the property. The use is a pre-existing non-conformance not created by the current owners and would not be a detriment to the surrounding property owners. There were no traffic problems when this was an operating motel. They are asking since the zoning change and the configuration of the lot they would like a variance to continue the use as a motel. They purchased the property about thirty to sixty days ago and the zoning had already been changed.

There are twelve motel rooms and a manager's suite. This will not be run as a franchise. When the property was purchased they had intended to use the facility for a Laundromat but after reviewing the zoning requirements they felt this would not be feasible. The structure can be rehabbed to be usable. The property was purchased with both uses of the Laundromat and the motel in mind. Mr. Trone did not know the zoning when he purchased the property and it was only in passing conversation with Manager Garvick that he learned he could not open the motel without a variance. Mr. Trone stated that they have begun cleaning up the property by removing some of the old furniture.

Planners Brown/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-06 –Trone & Seifert L.L.C requesting a variance to Section 207.2 (Use Regulations) and Section 407.5 (Abandonment) to operate an existing abandoned motel, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

J.F. Rohrbaugh Co., Inc. requests an exoneration from land development plan requirements to construct a 2400 square foot concrete pad on which to place a sterilization machine.

Bill Markel, administrative manager for Rohrbaugh & Co., Inc., represented this request. Mr. Markel stated that about three years ago the International Plant Protection Convention required the treatment of all wood pallets and other wood packaging materials used in exports. This requires the pallets or wood packaging to be heated at a temperature of 130 degrees for 30 minutes to prevent the exportation of pests. This applies to exportation of wood to all countries. They would like to begin as soon as possible. This is the second request in two years for a waiver of a land development plan.

Not every pallet would be going through this process. Some of their customers never export materials out of the country and some only rarely but they want to be protected in case they need to.

Planners Van de Castle/Felix moved for a favorable recommendation on this request to the Penn Township Board of Commissioners. Motion carried on a 6-0 vote.

John K. Zepher requests exoneration from public sidewalks at 947 Centennial Avenue.

This request was not heard because no one was present to represent it.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

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P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

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P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

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There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-01 – ADAMS COUNTY NATIONAL BANK, Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a financial institution. The property is located at 865 Baltimore Street, in the S/C zone.

Gerry Funke, Group Hanover, Inc., represented this request. This is a land development plan for the former Golden Corral restaurant property. They provided an existing plan of the facilities. The contractor wants to remove the existing building and construct a full service Adams County National Bank. There will be drive-thru service with an ATM. The Planners were concerned about the configuration of the drive-thru's and the flow of traffic. There was some discussion about the current configuration of other drive up facilities. There was some discussion about how to reconfigure the property to make the drive-thru flow better including changing the direction of the building and eliminating one of the thru lanes.

Mr. Funke stated that there is a problem with meeting the requirements for a clear sight triangle as set in the ordinance because of the placement of the sign. The Planners felt that the new sign should not be any different that what was previously at the location.

The Committee reviewed the proposed landscaping plan for the area and it was noted that plantings cannot be constructed on the Robert's Restaurant side because the building is almost on the property line.

Engineer Bortner expressed some concern about storm water, particularly that it does not flow across the driveway. The contractor is going to reduce some of the area of blacktop. Engineer Bortner and Mr. Funke will continue to explore the storm water management options.

The meeting adjourned at 8:36 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
APRIL 7, 2005

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on April 7, 2005 at the Penn Township Municipal Building. Chairman Black welcomed James Butt as the newest member to the Commission. Also present were Planning Members Fred Marsh, Wendell Felix, Michael Brown and Michael Johnson. Ray Van de Castle was absent with notice. Also present were Administrative Assistant Kristina Rodgers and Township Engineer Eric Bortner.

The March 3, 2005 Planning Commission minutes were approved as submitted.

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

Z05-08 - Mark & Helen Pernice, 113 Lion Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to allow construction of a garage and breezeway that encroaches into the side setbacks. The property is located in the R-15 zone.

Mark and Helen Pernice represented this request. The applicants would like to construct a garage and breezeway onto their house but did not realize that since they purchased their property the zoning has been changed from a ten-foot side setback to a twelve-foot side setback. They are requesting a variance of three feet because of the pitch of the roof of the proposed garage which requires that the garage be fourteen feet instead of twelve feet; the lay of the land requires an extra step from the garage into the breezeway; they must meet the setbacks from the existing utilities in the front of the house; and finally, if they did not get even lengths of lumber it will increase the cost of the project if the wood has to be cut. The garage will be flush with the house and the breezeway will be flush with the rear of the house. The owners purchased the house in 1990 and thought the side setbacks were ten feet until they went to add the garage. The neighbor is aware of the project but not the extent of what they are doing. The driveway currently ends where the proposed garage exists.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-08 – Mark & Helen Pernice, requesting a variance to Section 203.3 (Area and Bulk) to allow construction of a garage and breezeway that encroaches into the side setbacks, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z05-09 - Philip C. & Penny Servary, 4205 Grandview Road, Hanover, PA 17331. Applicant requests a variance to Section 300.3 (Fences and Walls) to allow a six (6) foot fence in height in the front of home. The property is located in the R-15 zone.

Philip and Penny Servary represented this request. They stated that when they purchased their home in 2003 they were not aware of a proposed plan for 227 houses to be built adjacent to their property. The cedar and stone house sets back off the road. There is currently a fence that

surrounds the property that is fifty-eight inches in height about twenty feet from the road. The applicants stated that they would like to replace the existing fence with a six-foot privacy fence in the front yard. Mrs. Servary stated that they bought this property after they sold their previous farm because of the woods that surrounded it. There are currently two or three neighbors around the property but they are on three-acre lots. Per the Township's Zoning Ordinance the applicant is allowed to have a three foot fence in the front yard but a six foot fence only in the side and rear yard.

Planner Johnson moved for a favorable recommendation to this request. The motion failed for a lack of a second.

Planners Felix/Butt moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Z05-09 – Philip C. & Penny Servary, requesting a variance to Section 300.3 (Fences and Walls) to allow a six (6) high foot fence in the front of their home, as it does not meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-2 vote with Planners Johnson and Black casting the dissenting votes.

Z05-10 - Donald E. Bankert, 571 Blooming Grove Road, Hanover, PA 17331. Applicant requests a variance and special exception to Section 311 (Street Access) to allow construction of a single family structure on an access road that does not meet the minimum requirement of a fifty (50) foot right-of-way. The property is located in the R-40 zone.

Randy Hilker and Donald E. Bankert represented this request. The applicant would like to take an existing 2.3acre parcel of land along Slaughter House road and construct a single-family home on it. Mr. Bankert has owned the property since the late 1950's. The parcel does not have access to a public street but has a twelve-foot right away access to it. There was no clear property owner listed for the access on this deed or on the previously approved plan that uses this access. There is a farmhouse at the end of the lane in addition to the four new lots that were recently created. The Commission suggested that the applicants present proof of a legal access to this lane before they appear before the Zoning Hearing Board. Mr. Bankert currently farms the property. The adjoining property owners provide the current maintenance for the road including applying stone and plowing the snow. The Township does not maintain any part of the road.

Planners Felix/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-10 – Donald E. Bankert, requesting a variance and a special exception to Section 311 (Street Access) to allow construction of a single family structure on an access road that does not meet the minimum requirement of fifty (50) foot right-of-way, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Z05-11 - Mummert Enterprises, c/o Tim Mummert, 8 Stuart Avenue, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Uses by Special Exception) to allow construction of single family attached dwellings. The property is located on Brookside Avenue between Charles Street and Wayne Avenue in the R-8 zone.

Tim Mummert, President of Mummert Enterprises, represented this request. He is requesting a special exception to construct townhouses in the R-8 zone. He stated they meet the standards of section 640 as well as all the criteria listed in paragraphs a-g. They submitted a traffic study for the Mustang Point subdivision, which includes the maximum build out for this area. Mr. Mummert stated they would also be involved in the installation off a traffic signal on York Street. The traffic study was a joint project between Mummert's, Burkentine & Sons, and Ling and Trone. There will be a one-car garage with each of these units and they will have a driveway that will allow for the parking of two cars. There were two tracks of the Morningstar property that were purchased by Mummert Enterprises and this is the smaller of the two tracks. The larger tract has been proposed for Mustang Point. The adjoining parcel of land is the Brookside Development, which is proposed by Paul Burkentine. Chairmen Black asked Mr. Mummert if he was aware of the sewer moratorium currently in place. Mr. Mummert stated they are actively working on a solution to that problem.

Planners Brown/Felix moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-11 – Mummert Enterprises, requesting a special exception to Section 202.2 (Uses by Special Exception) to allow construction of single family attached dwellings, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-2 vote with Planners Johnson and Marsh casting the dissenting votes.

Z05-12 - Deb Lonczynski, 20 Benjamin Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to allow construction of a front porch that encroaches into the front setbacks. The property is located in the R-15 zone.

Deb Lonczynski represented this request. The applicant would like to construct a porch that encroaches into the setback. There is currently a four-foot stoop and she cannot construct a four-foot porch because she has a bow window that would prevent her from putting chairs on the porch. She is requesting to be allowed to construct a six -foot porch so she can sit on the porch. The existing front yard setback is thirty-five feet. There was some concern about the front setback but the Engineer stated that they have to subtract eight feet from the right of way for the curb. She is asking for a four-foot variance, which will make it a thirty-one foot setback. The owner has lived on the property since 1986. The front setback did not change from when the house was built.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05-12 – Deb Lonczynski, requesting a variance to Section 203.3 (Area and Bulk) to allow construction of a front porch that encroaches into the front setbacks, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z05-13 - Sylvia A. Gower, 311 Martin Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) and a special exception to Section 311 (Street Access) to allow construction of a residential lot on an access road that does not meet

minimum requirement of fifty (50) foot right-of-way. The property is located in the R-15 zone.

Sylvia and Nick Gower represented this request. Mr. Gower stated that his mother has given him an acre of land and he would like to build a house that does not meet the requirements for access. There is an existing private driveway that accesses Mrs. Gower's property. After some discussion, the Commission was not able to determine what the need for the area and bulk variance was requested. The land has not been subdivided and will create a flag lot if the plan is approved. There was concern because the property was not subdivided prior to the request. Mr. Gower stated that this was how Mr. Menges told him to submit this request. A subdivision would have to be submitted if the special exception is approved. Mr. Gower currently maintains the private drive adjacent to the property.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05-13 – Sylvia A. Gower, requesting a variance to Section 203.3 (Area and Bulk) and a special exception to Section 311 (Street Access) to allow construction of a residential lot on an access road that does not meet minimum requirement of fifty (50) foot right-of-way, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-2 vote with Planners Black and Felix casting the dissenting votes.

Z05-14 - Hanover Eagles, 105 Park Street, Hanover, PA 17331. Applicant requests a variance to Section 300.3 (Fences and Walls) to allow a fence that exceeds the maximum height in a residential zone. The property is located in the R-8 zone.

Barry Groft, Eagles Softball Team, represented this request. There was a letter submitted from the Eagles requesting a waiver of the zoning requirements because of the installation of a ten foot fence due to a hill that causes them to place the fence closer to home plate. They currently have an eight-foot fence. There will be an additional installation of three hundred feet installed for a total of about five hundred feet. There will be advertisements on the fence. Home plate faces the Eagles parking lot.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-14 – Hanover Eagles requesting a variance to Section 300.3 (Fences and Walls) to allow a fence that exceeds the maximum height in a residential zone, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z05-15 - Bill & Dawn Kephart, Jr., 4 Loop Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Bill and Dawn Kephart represented this request. Mrs. Kephart presented a doctor's note stating that the pool would be used for therapy for her back and neck. There water is about eighteen feet from the rear fence. The property to the rear has a pool also. Engineer Bortner

stated that when this development was created they were allowed to construct pools that took half of the rear setback.

Planners Johnson/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-15 Bill and Dawn Kephart requesting a variance to Section 203.3 (Area and Bulk) to construct a pool that will encroach into the setbacks as it meets the requirements for a variance as Set forth in Section 502.3 a) thru f). Motion carried on 5-1 vote with Planner Felix casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

Gerald Funke, c/o Group Hanover, Inc., requests an exoneration from land development plans for additional parking at The Sheridan Press.

Gerald Funke represented this request and stated that the original parking plan was developed with the parking lot staying away from the Colombia Gas transmission line right of way. They have since received approval from Colombia Gas to encroach into their right of way for parking purposes. Mr. Funke stated that there is sufficient capacity in the storm water management basin for the increased impervious surface. There is currently an approved land development plan for additional parking and buildings that is under construction.

Planners Brown/Marsh moved to deny the request for exoneration for Sheridan Press to the Penn Township Board of Commissioners. Motion carried on a 6-0 vote.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a forty-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

Keith Fraic, Worley Surveying, represented this plan. This is an add-on plan and a subdivision plan for a new lot. The previous comments were addressed that included street addresses for the old and new lots. Mr. Fraic also presented a power of attorney statement for Mary Oaster since her son signed the plans. This plan will be held up by the current sewer moratorium. They have their PENNDOT permit.

Planners Felix/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 6-0 vote.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-01 – ADAMS COUNTY NATIONAL BANK, Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a financial institution. The property is located at 865 Baltimore Street, in the S/C zone.

Gerry Funke, Group Hanover represented this plan. Mr. Funke presented a revised plan that showed the building flipped from his original plan. They removed the parking from the Baltimore Street side of the facility and placed it to the rear of the building. They increased the stacking area for the drive thru. There will be an arrow on the pavement to signal the flow of traffic through the facility. They corrected the storm water problem with the entrance to the property. There will be no problem with the proposed sign and the clear sight triangle.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 6-0 vote.

P05-02- JOSPEH T. & ANGELA R. MARTZ, 595 Bankert Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Bankert Road south of Blooming Grove Road, in the R-40 zone.

There was no action taken on this plan.

P05-03 – BON TON BUILDERS, 950 Baltimore Street, Hanover, PA 17331. A sketch plan of subdivision plan to construct professional offices. The property is located at 950 Baltimore Street, in the H/B zone.

Keith Fraic, Worley Surveying, represented this plan. This is a sketch plan for the old Cramer-Zeigler tire property. They are proposing professional offices and a car wash to the rear of the property. There was some concern about how access will be obtained by the adjoining property owners to the rear of the property. There was some concern about the number of uses proposed for the lot. Double frontage lots in ordinance require access from the minor street, which would be Black Rock Road which could present some problems.

P05 – 04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

Gerry Funke, Group Hanover, and Allen Smith, Conewago, represented this plan. This plan shows two buildings on the property, which will allow two businesses on the property with them sharing the larger building. There are currently no tenants signed up for the building but they are hoping to store L & H Trucking overflow. There is an existing wetland on the plan. There are two stormwater management basins for the property. The height of the building will be about thirty-four feet.

The meeting adjourned at 9:20 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MAY 5, 2005

Vice Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on May 5, 2005 at the Penn Township Municipal Building. Also present were Planning Members Fred Marsh, Wendell Felix, Michael Brown, Michael Johnson and James Butt. Clayton Black was absent with notice. Also present were Zoning Officer John Menges and Township Engineer Eric Bortner.

The April 7, 2005 Planning Commission minutes were approved as submitted.

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

Z05- 16 – Barbara J. Van Buren, 535 Bankert Road, Hanover, PA 17331.
Applicant requests a variance to Section 205.3 (Area and Bulk) to create a single-family residential lot that does not meet the minimum lot area and width requirements. The property is located in the R-40 zone.

Barbara J. Van Buren and Ed Mort, Group Hanover, represented this request. Ms. Van Buren would like to subdivide an existing lot and create two new residential lots. The lot on which her current home sits would not meet the requirements for lot area and width as required in the current Zoning Ordinance. The new lot would be three-fourths of an acre and would meet the current setback requirements. The second lot would meet all current ordinances. Ms. Van Buren stated that the property was purchased in 1984 as one lot but since her husband has died she is not able to take care of the property and wants to subdivide the lot to pay off her mortgage. Zoning Officer Menges stated that there are currently lots in the area that are smaller than what is required by the ordinance. Ms. Van Buren is connected to public water but has on site septic but could connect to public sewer because of Melbourne Manor. There was a sketch plan presented by Ed Mort. There was a question about where the drain fields may be for the septic system but the homeowner was not sure where they are located.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-16 – Barbara J. Van Buren, requesting a variance to Section 205.3 (Area and Bulk) to create a single family residential lot that does not meet the minimum lot area and width requirements, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z05-17 – Donald and Sheila Hildebrand, 13 Quail Ridge Court, Hanover, PA 17331.
Applicant requests a variance to Section 203.3 (Area and Bulk) to construct a two story additional and front porch that encroaches into the front setback. The property is located in the R-15 zone.

Donald and Sheila Hildebrand represented this request. The applicants stated that they have owned the home for thirteen years and have outgrown the existing house. They cannot

afford to move out of the neighborhood and do not want to move. They would like to put a front porch on the existing house that would encroach two feet into the front setback toward Quail Ridge Court. They would also like to build a two-story addition that would encroach into the same front setback by two feet. The proposed front porch would match those in the area. The home is located on the cul de sac and the other front setback on Pheasant Run Lane will be maintained.

Planners Johnson/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05-17 – Donald and Shelia Hildebrand requesting a variance to Section 203.3 (Area and Bulk) to construct a two-story addition and front porch that encroaches into the front setback, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

Z05-18 – Angela R. Miller, 616 Fulton Street, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Uses by Special Exception) to operate a family day care home. The property is located in the R-8 zone.

Angela R. Miller represented this request. Ms. Miller would like to operate a family day care in her home. She has her state permits and a fence has been installed. She will be allowed six children and there will be no additional employees. She has off street parking. Fire Chief Cromer has already conducted the fire inspection.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-18 – Angela R. Miller requesting a special exception to Section 202.2 (Uses by Special Exception) to operate a family day care home, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

The Planners received the following waiver or exoneration requests: **NONE**

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-02- JOSEPH T. & ANGELA R. MARTZ, 595 Bankert Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Bankert Road south of Blooming Grove Road, in the R-40 zone.

Reg Baugher, Worley Surveying, represented this plan. This is a two-lot subdivision on Bankert Road that used to be part of the Elwood Sterner property. They are requesting to subdivide the lot in half to create two ten-acre parcels. York County Planning Commission comments and Township Engineer Bortner comments have been addressed.

Planners Marsh/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-02 – Joseph T. & Angela R. Martz pending sewer approval. Motion carried on a 6-0 vote.

P05-03 – BON TON BUILDERS, 950 Baltimore Street, Hanover, PA 17331. A sketch plan of subdivision plan to construct professional offices. The property is located at 950 Baltimore Street, in the H/B zone.

There was no action taken on this plan.

P05 – 04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-06 – THE SHERIDAN PRESS, Gerald Funke, c/o Group Hanover, 213 Carlisle Street, Hanover, PA. A final land development plan submitted to allow construction of an additional parking lot. The property is located at 450 Fame Avenue in the Industrial Zone.

Gerry Funke, Group Hanover, represented this plan. This plan shows additional paving above what was on a previously approved plan. York County Planning Commission does not comment on parking lots. The Planners recommended adding another handicapped parking space and removing two other spaces, so that the fire equipment can access the building. The lot is at 64% coverage and the stormwater pond was sized at 80% lot coverage.

Planners Butt/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-06 – The Sheridan Press. Motion carried on 6-0 vote.

The meeting adjourned at 7:40 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JUNE 2, 2005

Chairman Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on June 2, 2005 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Fred Marsh, Wendell Felix, Michael Brown, Michael Johnson and James Butt. Also present was Zoning Officer John Menges.

The approval of the minutes from the May 5, 2005 Planning Commission meeting was tabled until July.

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

Z05-19 – MARION BASTA, 47 Cardinal Drive, Hanover, PA 17331. Applicant request a variance to Section 203.3 (Area and Bulk Regulations) to construct a sunroom that encroaches into the rear setbacks. The property is located in the R-15 zone.

Marion Basta, 47 Cardinal Drive, represented this request. Ms. Basta stated that she wants to install a sunroom for her husband who has been housebound with multiple sclerosis since October. This would allow him an opportunity to see outside, get fresh air and help alleviate some of the depression caused by his condition. The sunroom is proposed to be 12' x 15' and there is an existing slab that is 10' x 16'. The rear setback would be encroached by four feet. When this development was constructed decks and pools could encroach half way into the rear yard setback. The house was constructed in 1987 and Ms. Basta has owned it for two years.

Planners Johnson/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-19 – Marion Basta requesting a variance to Section 203.3 (Area and Bulk Regulations) to construct a sunroom that encroaches in the rear setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 7-0 vote.

Z05-20 –WADE A. ECKERT, 786 Blooming Grove Road, Hanover, PA 17331. Applicant requests a variance to Section 300.7 (Decks) to construct a deck on the side of the home. The property is located in the R-15 zone.

Wade A. Eckert, 786 Blooming Grove Road, represented this request. Planner Black noted that the application states the deck would technically be located to the side of the house instead of the rear but it is the rear of the house as it is used. They would like to build the deck on the side because that is where the door and fenced yard are located. There is no door on the back of the house. The deck would be located within the setbacks. According to the Zoning Officer, there are a couple of covered porches on the house. This property is located between Hoff Road and Codorus State Park, just beyond Anthony Drive. It was noted that if the room was enclosed this applicant would not need a variance. The applicant is here because decks are not allowed in the side yards. Zoning Officer Menges noted that three extensions have been

added to this house that has contributed to this situation. Next to the proposed deck would be the neighbor's driveway. The deck would be composed of gray composite decking and white vinyl rails that would match the house. The applicant has owned the property for three years and added the covered porch.

Planners Butt/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05-20 – Wade A. Eckert, requesting a variance to Section 300.7 (Decks) to construct a deck on the side of the home, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-1 vote with Planner Felix casting the dissenting vote

The Planners received the following waiver or exoneration requests:

McClarín Plastics, Inc. is requesting exoneration from the requirement of land development for additional paving. They want to expand truck access at their facility on 15 Industrial Drive by an additional 1700 square foot area.

Planners Johnson/Felix moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote with Planner Van de Castle abstaining.

George M. Wildasin, C.E. Inc. on behalf of Snyder's of Hanover, Inc. is requesting exoneration from the requirement of land development for additional paving. They are proposing an additional parking area of 50 spaces as well as paving three additional grass areas that truck traffic is encroaching on for a total paved area of 21,525 square feet.

Planners Felix/Van de Castle moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote with Planner Butt abstaining.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-02- JOSEPH T. & ANGELA R. MARTZ, 595 Bankert Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Bankert Road south of Blooming Grove Road, in the R-40 zone.

There was no action taken on this plan.

P05-03 – BON TON BUILDERS, 950 Baltimore Street, Hanover, PA 17331. A sketch plan of subdivision plan to construct professional offices. The property is located at 950 Baltimore Street, in the H/B zone.

There was no action taken on this plan.

P05 – 04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

Zoning Officer Menges noted that there has been a rezoning request submitted for a property located off of Baltimore Street and Grandview Road behind Sackett's in the alley behind the Exxon. This property is bound by the properties on Baltimore Street on the west side, by Melodie Lane on the north side, by a property on the east side owned by Baranski, and on the south side by residential lots. It is 3.73 acres and is undeveloped. It has public sewer and water. The applicants are Baker's Dozen c/o of Donald J. Little, Sr. They want to change the zoning to Shopping Commercial to build self-storage units, which is a use by special exception in the S/C zone. This would not be spot zoning because it would be an extension of the current surrounding zoning. There is no street frontage for the property. There is a paved alley (access). Zoning Officer Menges will include information about the rezoning request in the next mailing.

The meeting adjourned at 7:28 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JULY 7, 2005

Chairman Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on July 7, 2005 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Fred Marsh, Wendell Felix, Michael Brown, Michael Johnson and James Butt. Also present was Zoning Officer John Menges and Engineer Eric Bortner.

The May 5, 2005 and June 2, 2005 Planning Commission minutes were approved as submitted.

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

Z05-22 – CHAD SACKETT, 1308 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use) to use an existing house for commercial purposes, which was previously approved as residential use only. The property is located in the S/C zone.

Chad Sackett, 1308 Baltimore Street, represented this request. Mr. Sackett stated that he would like to take the house that is currently on his property at 1308 Baltimore Street and change the use from residential to commercial. The property is currently empty. The parking lot is being used for both 1308 and 1310 Baltimore Streets. 1310 is currently being used for Mr. Sackett's chiropractic business. Zoning Officer Menges stated that in 2002 a zoning case was given approval with the stipulation that if the use changed from residential on the house to commercial that Mr. Sackett would have appear before the Zoning Hearing Board for the change. Earlier this year, Mr. Sackett had allowed a mortgage company to utilize the home for their business and Mr. Menges stated that there was a parking problem and Mr. Sackett would need to come back before the zoning hearing board to approve the use. The mortgage company has since left the property. The previously approved land development plan noted that the home would only be used for residential purposes. Discussion ensued regarding what type of recommendation the Planners needed to make.

Mr. Sackett has not yet decided what he intends to do with the property. He stated that some kind of a store was a possibility but he did not want to be a landlord for residents. There are nine parking spaces at 1308 Baltimore Street and two additional parking spaces along 1310 Baltimore Street. Mr. Sackett indicated that has not reviewed the Township's parking requirements to determine what use the property could support.

The Committee suggested that Mr. Sackett develop a plan showing what he intends to do with the property so that the Planners can make a decision about the parking and the other issues associated with a particular use.

Planners Johnson/Van de Castle moved that that this case be tabled to the next Planning Commission meeting. Motion carried on a 7-0 vote.

Z05-23 – MICHAEL & JILL ALTLAND, 65 Lion Drive, Hanover, PA 17331.
Applicant request a variance to Section 203.3 (Area and Bulk) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Michael and Jill Altland, 65 Lion Drive, represented this request. The applicants would like to construct a 12' x 23' above ground pool that does not meet the rear setback. They are requesting a fifteen-foot variance. They currently have an eight-foot deck off the rear of their house. The applicants purchased the house in 1994 when it was about three years old. There is a problem with the slope of the ground toward the left side of the deck so they are trying to get the pool as close to level as possible. The Planners suggested that the applicants utilize the deck as the poolside to increase the amount of rear setback. There are approximately three other pools in this same area. It was noted that behind the Altland's property is an abandoned alley, which could be quit claimed to pick up about ten feet. The neighbor's fence is on the existing property line.

Planners Johnson/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-23 – Michael and Jill Altland requesting a variance to Section 203.03 (Area and Bulk) to construct a pool that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-1 vote with Planner Felix casting the dissenting vote.

Planners Johnson/Marsh amended the motion for a favorable recommended to the Penn Township Zoning Hearing Board that the pool be approved as long as it is built around the existing deck. The amended motion carried on a 5-2 vote with Planners Felix and Black casting the dissenting votes.

Z05-24 – JUDY CHAMBERLAIN, 222 Moore Drive, Hanover, PA 17331.
Applicant requests a special exception to Section 203.2 (Uses by Special Exception) to operate a home occupation. The property is located in the R-15 zone.

Judy Chamberlain, 222 Moore Drive, represented this request. Ms. Chamberlain would like to conduct group exercise classes in her basement. The groups would be made up of 4-6 individuals with no more than six in any given group. The classes would consist of low impact exercises and yoga. She provided pictures of her driveway that shows she can park about five cars. She provided her seven different Pennsylvania certifications for exercise and liability insurance. She has been state certified for ten years. She would operate her business Monday thru Friday about an hour in the morning and an hour in the evening. Ms. Chamberlain has a double car garage. Most of her clients will be previous students and referrals. She will not have any outside signs.

Planners Brown/Felix moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z05-24 – Judy Chamberlain, requesting a special exception to

Section 203.2 (Uses by Special Exception) to operate a home occupation, as it does not meet the requirements of for a special exception as set forth in Section 503.3 a) thru e). Motion failed on a 3-4 vote with Planners Brown, Black and Felix casting the favorable votes.

Planners Van de Castle/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-24 - Judy Chamberlain requesting a special exception to Section 203.2 (Uses by Special Exception) to operate a home occupation as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-3 vote with Planners Brown, Black and Felix casting the dissenting votes.

Z05-25 – MATTHEW BARNES, 1 Iris Court, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Matthew Barnes, 1 Iris Court, represented this request. Mr. Barnes would like to construct an 18-foot above ground circular pool that does not meet the rear setback. He is requesting a ten feet variance for the rear property line. Mr. Barnes purchased the property in August of 2004 and the house is twelve years old but is a corner property. The deck is about three feet off the ground so he will have to have a gated entrance on the deck.

Planners Butt/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-25 Matthew Barnes, requesting a variance to Section 203.3 (Area and Bulk) to construct a pool that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-1 vote with Planner Felix casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

South Westerns School District is requesting exoneration from land development plans for an additional exit drive. The request was withdrawn prior to the meeting and they will be reviewing alternate possibilities.

Group Hanover, Inc., on behalf of Conewago Contractors, Inc., is requesting a waiver from a Traffic Impact Study as recommended on the York County Planning commission comments.

Allen Smith, Conewago Contractors, Inc., represented this request. They would like a waiver of the traffic impact study for their plan at 21 Industrial Drive because they do not yet have a tenant for the two buildings. Given the nature of manufacturing, it could be one of several business uses so it would be hard to predict the traffic patterns that would be generated. He is requesting a waiver until an end user has been identified. He would prefer not want to provide a study that addresses a worse case scenario when that is most likely not what is going to happen. He is marketing the 221,000 square foot building for long-term storage or repackaging similar to Timbar's building on Moulstown Road. The smaller 50,000 square foot building is targeted for manufacturing. They are seeking the approvals now because of the nature of industrial

development. Someone who needs a building now is not anxious to wait for approvals to follow. Conewago wants to be able to begin construction as soon as possible after a tenant is identified in order to avoid the problems with a speculative building. There was some concern about what guarantee the Township would have for the waived requirement to be completed once a tenant was found. Mr. Smith indicated that Conewago would perform the necessary studies once a tenant is identified. He will also have a note put on the plan to that effect.

Planners Felix/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on the traffic study with a note being placed on the plan that if the Township so desires a traffic study once a client is found that the request be initiated before construction begins. Motion carried on a 5-2 vote with Planners Black and Johnson casting the dissenting votes.

McClarín Plastics, Inc. is requesting exoneration from the requirement of land development for additional paving. They want to expand truck access at their facility on 15 Industrial Drive by an additional 1700 square foot area. This request had been previously denied and since then they have resubmitted a sketch for the area.

Dennis Wyatt, Waggnor Construction, Inc., represented this request. He stated that they have removed some of the existing paving to gain truck access to some of the doors. They will be paving 2200 square feet total with about 1100 square feet being new paving and the rest being repaving of the area that was torn out.

There was some discussion about the precedent being set by the Planning Commission to require a land development plan for these requests because of the multiple requests from the same sites. The concern the Planners had was about the numerous requests submitted for a single property. It was noted that in some previously approved land developments there were improvements proposed that were not completed as approved. Without benefit of LD plans, there is no good way to track all the minor improvements. The Planners discussed developing a policy for submittal requests for waivers of land development plans. It was stated that information should be provided that includes the history of the property such as the date of the last approved land development, the age of the buildings on the property and any other data which affects the site. It was suggested that this report be provided to the Planning Commission as part of any request for waiver. It would be up to the applicant to provide this information.

Planners Butt/Felix moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion failed on a 3-4 vote with Planners Felix, Butt and Marsh casting the favorable votes.

Planners Van de Castle/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-2 vote with Planners Felix and Butt casting the dissenting votes.

At this time there was additional discussion regarding the waiver requests. The Planners proposed that the history of the site be presented when a waiver request is initiated that includes

when the building was constructed, what improvements have been made to that site, what was approved on the site plan, if there was a site plan, square footage of the existing building, and verification of what has been done. It was requested that staff develop an application or checklist that would be included with the request. The size of the existing buildings along with their construction dates should be included and any previous exonerations that have been approved. The request should also include an appropriate drawing or map. The Planners expressed frustration over the numerous requests that have been presented and a lack of useful information provided in order to make a recommendation.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

Reg Baugher, Worley Surveying, represented this plan. Mr. Baugher stated that all the Township Engineer's comments have been addressed. They are proposing to install an office, parking spaces and additional landscaping.

Planners Brown/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-06 – Pine Creek Structures. Motion carried on a 7-0 vote.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-21 – ISAAC’S RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

Doug Littleton, Holland Properties, represented this request. This plan had been previously reviewed and the Planners were waiting on an agreement between Isaac’s and West Manheim Township, which would allow Isaac’s to utilize the Township’s pumping station site for parking. The agreement has now been executed. Isaac’s is allowed to use the lot for parking with the stipulation that Isaac’s would be responsible for the maintenance and any other issues (i.e. curbing and sidewalk) that would arise with the parcel. According to Zoning Officer Menges, the only sign they will be allowed will be on the building. There was some concern about the landscaping. Zoning Officer Menges stated that the original developer of the property was responsible for the landscaping requirements but since then some of the plantings have died and the plan will have to be pulled out and compared to what exists. Some of the plantings had been replanted once. A portion of the plaza is owned by Holland Properties and the remainder owned by Paul Burkentine. Township Engineer Bortner’s comments have been addressed.

Planners Johnson/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-21 – Isaacs Restaurant. Motion carried on a 7-0 vote

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59)

single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-07 – GEORGE H. & ANNA M. SMIH AND KENNETH & JOAN HARTLAUB, 425 Westminster Avenue and 310 Wirt Avenue, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential building lots. The property is located at 310 Wirt Avenue/400 Wirt Avenue, in the R-8 zone.

There was no action taken on this plan

P05-08 – BOB MORRIS FURNITURE, 777 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct a furniture store/warehouse. The property is located in the S/C zone.

Dave Stair and Dean Hempfing, Loss-Stair Civil Engineering, represented this request. This is the initial review of the plan. There was a recent zoning hearing board decision that allowed the rebuilding of the furniture store that had been destroyed by fire, since the furniture store was a registered non-conformance. At the zoning hearing he requested an expansion of the building within the setback area and a variance to the parking requirements. He testified that if the front parking lot was filled that was a good day for him. The zoning hearing board gave him a favorable approval to reduce the amount of parking to 38 spaces and to rebuild the structure as proposed, including a section which he proposes to square off to make the building even in the

rear. There were no additional variances or exceptions given. It was stated that at the previous planning meeting he stated that he was going to leave an area for a truck turn around. There was some confusion about the case that had been presented to the Planning Commission versus what was presented to the Zoning Hearing Board. There were different plans presented at each meeting. The first plan presented at the Planning Commission provided no parking layout but showed the facility, as Mr. Morris wanted to expand it. At the zoning hearing board, Mr. Morris presented a plan that provided 38 parking spaces. In addition the zoning hearing board decision was not clear on the number of parking spaces that were actually approved. There was some concern about stormwater runoff. The applicant is proposing curbing to help alleviate the problem. Mr. Hempfing conceded that some stormwater management would need to be done. Mr. Stair stated that there is a portion of the property they plan to reseed to offset some of extra building to help alleviate some of the stormwater problems. Currently there is little or no stormwater control. Mr. Hempfing stated that Loss-Stair did not become involved in the project until after it was before the zoning hearing board. There was no defined amount of parking spaces listed in the decision by the zoning hearing board. The ZHB solicitor informed the ZHB that they could include the parking issue with the initial request, as it was read from the transcript of the ZHB meeting.

There was some discussion about the actual use and Mr. Stair stated that some of the building is used for warehouse as described by Mr. Morris. The proposed plan shows nineteen parking spaces. The Zoning Officer stated that, in his opinion, 14 spaces were more than adequate for the store. Zoning Officer Menges stated, however, that warehousing is not a use by right in the S/C zone.

The Planners stated that since the Zoning Hearing Board made no clear decision on the number of parking spaces they should be contacted for a clarification. The letter from the Penn Township Zoning Hearing Board Solicitor to Mr. Morris did not mention the variance to the parking requirements. The transcript for the parking was read and there was still no determination made on the number of parking spaces that the zoning hearing board approved.

The Planners recommended that Planner Johnson and Felix contact the Township Solicitor and then discuss the matter with Zoning Hearing Board Solicitor Baranski. Planner Black was concerned with how many parking spaces are required by the ordinance and not what is requested or needed by the applicant.

York County Planning Commission review comments have not yet been received.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB zone.

There was no action taken on this plan.

P05-10 – HANNON HOMES - KROUT FARM, c/o John Burkentine, P.O. Box 98 Glenville, PA 17329. A sketch of a subdivision plan to construct a twenty-seven (27) lot

residential development. The property is located on the south side of Black Rock Road, east side Friar Run in the R-15 zone.

Reg Baugher, Worley Surveying, represented this request. The plan is a sketch and there is a note on the plan that steep slope disturbance is about twelve to thirteen percent above the five percent listed in the ordinance. The applicants will have to go to the Zoning Hearing Board for a variance but wanted to know the wishes of the Planners before proceeding to the ZHB. There was some concern about the off site improvements on Sonny Street since this will be the main access point. They Planners would like to see improvements within the existing right-of-way. There was some concern about steep slopes on some of the lots and how the Planners would like to see it addressed. There was concern about the complete removal of all the trees from the site. The Planners wanted to see trees remaining or replanted but did not offer any recommendation as to what the number should be. There was some concern about the layout of the streets. The roads in adjoining developments should be connected but should not be straight through roads, according to the Planners.

Public Comments

James Quinn, 916 Baltimore Street, requested a waiver of the land development requirements for his property. He intends on opening a car lot at the former Henry's Gifts. He is requesting a wavier to pave an additional 2300 square feet for a parking lot. The property has been vacant since the fall of 2003.

Planner Brown/Van de Castle moved for a favorable recommendation to the Penn Township Commissioners on this request. Motion carried on a 6-1 vote.

Zoning Officer Menges stated that York County Planning Commission heard the request for rezoning of a parcel near Baltimore Street by Baker's Dozen. York County recommended denying the request because it is zoned by residential on three sides. The Planning Commission will need to conduct a public hearing on the request and make a recommendation to the Board of Commissioners.

The meeting adjourned at 10:06 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 4, 2005

Planner Wendell Felix called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on August 4, 2005 at the Penn Township Municipal Building. Also present were Planning Members Fred Marsh, Michael Brown, Michael Johnson and James Butt. Vice-Chairman Ray Van de Castle arrived during roll call and Chairman Clayton Black was absent with notice. Also present was Township Manager Garvick.

The July 7, 2005 Planning Commission minutes were approved as submitted.

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

Z05-22 – CHAD SACKETT, 1308 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use) to use an existing house for commercial purposes, which was previously approved as residential use only. The property is located in the S/C zone.

Dr. Chad Sackett represented this request. Manager Garvick noted that both the Planning Commission and the Zoning Hearing Board had previously tabled action on this case. Dr. Sackett stated that the approved land development plan for the property showed thirteen parking spaces but he had them relined so that there are now eighteen parking spaces for both 1308 and 1310 Baltimore Street. 1308 Baltimore Street is currently empty and considered a residential unit but Dr. Sackett would like to offer the space to a mortgage company that specializes in home refinancing. The new business would have two employees and no customers would come to the facility but there would be deliveries made by UPS, Federal Express and by the facsimile machine. The current parking spaces are 10' x 20' or 9' x 20', Dr. Sackett was not sure about the size. Dr. Sackett was also not sure about how wide the turn around area was. There is an entrance to both 1308 and 1310 by front and back doors. There is a twenty-foot alley located to the rear of the property that is used by some of his patients to avoid the traffic light on Baltimore Street. He would like to have the alley made one-way. Dr. Sackett had appeared before the Zoning Hearing Board in November 2002 for his office and at that time the Zoning Hearing Board stated that if the home's use changed from residential Dr. Sackett would have to request a variance for the use.

Planner Felix noted that once the change is made from residential to commercial use they would be allowed to use property for other commercial uses besides the proposed mortgage company.

Planners Butt/Felix moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z05-22 – Chad Sackett requesting a variance to Section 207.2 (Use) to use an existing house for commercial purposes which was previously approved as residential use only as it does not meet the requirements for a variance as set forth in Section

502.3 a) thru f). Motion carried on a 4-2 vote with Planners Brown and Johnson casting the dissenting votes.

Z05-26 – CHRISTOPHER L. WEAVER, 543 Baltimore Street, 1st Floor, Hanover, PA 17331. Applicant requests a variance to Section 206.3 (Area and Bulk) to construct a two-unit apartment building w/garages that will encroach into side setbacks. The property is located at the rear of 852 York Street in the A/O zone.

Christopher L. Weaver represented this request. The property is located to the rear of the Alvin Street apartments. Manager Garvick provided pictures of the lot. The applicant needs a variance of five feet on each side. There will be two apartments with the applicant residing in one of them. The Alvin Street apartment complex was offered the chance to buy the property but they were not interested. A land development plan will be required. The garages will be located underneath the apartments. The smaller garage will be for the tenant and the larger garage for Mr. Weaver. Mr. Weaver stated that he has talked to Mr. Boyd about sanitary sewer availability to the property. He will have to install a tank and pump on the property and pump the sewer to a nearby manhole in the Township's system. The sewer system will be private up to the point where it enters the manhole.

Planners Brown/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-26 – Christopher L. Weaver requesting a variance to Section 206.3 (Area and Bulk) to construct a two-unit apartment building with garages that will encroach into side setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z05-27 – ROBERT MORRIS, 777 Baltimore Street, Hanover, PA 17331. Applicant requests variances to Sections 207.3, 303.1, 303.2(g), 306.3 (b), and 307 to allow reconstruction of a retail furniture store previously destroyed by fire. The property is located at 777 Baltimore Street in the shopping/commercial zone.

Robert Morris, owner, and David Stair, Loss-Stair Civil Engineering, represented this request. Manager Garvick stated that Mr. Morris was before the Zoning Hearing Board on February 8, 2005 for a variance to replace the existing structure along with a reduction in the number of parking spaces. The parking spaces were reduced from 43 to 38. The furniture store was an existing nonconformity and, since it is more than 75% destroyed, it no longer be considered a nonconformity and must be rebuilt according to the ordinance. A land development plan has been submitted for review. The proposed coverage of the lot is about eighty-percent and if the Zoning Hearing Board requires the South side to be paved they will need a variance because it will exceed the eighty percent coverage allowed by the ordinance by about five percent. The stormwater will be channeled to the street by the use of curbing.

They submitted a new parking plan that requests a reduction from thirty-eight to twenty parking spaces including handicapped spaces. Mr. Morris stated that he has never needed more parking spaces than what is in the front of the building.

There is no loading dock proposed but Mr. Morris will have a roll-up door for unloading the trucks. The number of deliveries varies from zero to five per day with the average being less than one a day. Employee parking will be to the rear of the property and if there is a problem with unloading the truck they can have the vehicles moved. There is no change in the building as proposed from the last meeting but it is slightly larger than what had existed prior to the fire.

Mr. Morris also needs a setback variance for the side property line for the driveway of at least ten feet because it is almost on the property line and will be the same if the other side is paved.

Manager Garvick stated that he only complaint that he is aware of from the cemetery is the water runoff. Mr. Stair stated that he would work with Engineer Bortner on what they can do to help correct the stormwater runoff problem.

Planners Marsh/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-27 – Robert Morris, requesting a variance to Section 207.3, 303.1, 303.2(g), 306.3 (b) and 307 to allow reconstruction of a retail furniture store previously destroyed by fire. The South side will need to be paved even though it will exceed the maximum lot coverage allowed. The motion includes that there will be a minimum of twenty parking spaces. The request meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

The Planners received the following waiver or exoneration requests: None.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

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There was no action taken on this plan.

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There was no action taken on this plan

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There was no action taken on this plan.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB zone.

Reg Baugher, Worley Surveying, represented this request. They are proposing to combine the three existing lots into one lot and Quiet Title the alley that is not being used. There would be one entrance onto the property from Baltimore Street. They are proposing underground holding tanks to hold the stormwater, pipe it down Baer Avenue and tie it into the existing system. There was concern about the single entrance onto Baltimore Street and why there was not an entrance onto Black Rock Road. They are proposing professional offices.

P05-10 – HANNON HOMES - KROUT FARM, c/o John Burkentine, P.O. Box 98 Glenville, PA 17329. A sketch of a subdivision plan to construct a twenty-seven (27) lot residential development. The property is located on the south side of Black Rock Road, east side Friar Run in the R-15 zone.

There was no action taken on this plan.

P05-11 – UNIT 14 GRANDVIEW PLAZA, Holland Properties, P.O. Box 516, Hanover, PA 17331. A final land development submitted to construct retail shops. The property is located at Grandview Plaza on Baltimore Street in the S/C zone.

There was no action taken on this plan.

P05-12 – BAXTER INVESTMETN GROUP, INC., 398 York Street, Suite 5, Hanover, PA 17331. A final add-on subdivision submitted to create (2) residential building lots. The property is located on Woodridge Drive in the R-C zone.

There was no action taken on this plan.

P05-13 – LA CUCINA RESTAURANT, 496 Eisenhower Drive, Hanover, PA 17331. A preliminary land development plan submitted to construct a restaurant/parking lot. The property is located west of intersection of Rt. 194 and Eisenhower Drive in the S/C zone.

There was no action taken on this plan.

P05-14 – HANOVER BRANDS, INC., -SLURRY STORAGE TANK FACILITY, Hanover Foods, 1550 York Street, Hanover, PA 17331. A final reverse subdivision and land development plan to construct a slurry storage tank facility. The property is located on northeast side of Wilson Avenue in the Industrial Zone.

Reg Baugher, Worley Surveying, represented this request. Hanover Brands is rejoining three tracts of land into one tract. They were previously one tract and were subdivided in 1985 to install their own treatment plant. The parcel does go through the Penn Township and Heidelberg line. The land development plan shows a 19' x 101' elevated tank for vegetable waste resulting from the washing of their product. There was a waiver request submitted for stormwater management requirements. The tank is open and the engineering is being done by CET, Inc. out of Harrisburg. Mr. Baugher will obtain additional information on the tank.

York County Planning Commission comments have not been received.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

David Stair, Loss Stair Civil Engineering, represented this request. There was a plan previously submitted for a subdivision by Elaine Taylor. Since then, Stone Ridge Development has purchased the property and wants to develop the entire tract. As a matter of procedure, the original plan will have to be withdrawn before any action occurs on this plan. The proposed lots are one acre and there are three storm water management basins on three different lots. There is one tract that is eight acres that has steep slopes and backs up to Codorus State Park. Between lots seven and eight there is a fifty-foot right of way strip left for a future road to adjoin to the

Martz property and connect to Bankert Road. The existing house and outbuildings on lot four will remain. Comments have not been received from the Township Engineer or York County Planning. The Planners did not like the road that accessed to Route 216 and would like to see it access Bankert Road instead. There was some concern about the grade on Route 216, sight distance, and the speed of the traffic coming over the hill.

Manager Garvick informed the Planners that this property is part of the Blooming Grove water district and there are six payments left on the water tax. The property currently receives only one invoice so the subdivision will affect how the bill is distributed to additional customers.

REZONING REQUEST Z05-21

Manager Garvick reviewed the rezoning request by Donald J. Little, dba Baker's Dozen. The property was owned by Fred and Sandy Harmon and has been sold to Baker's Dozen. The date of the application is May 16, 2005. The parcel is CD/60C, rear Grandview Road and is 3.73 acres in area. The property is undeveloped, relatively open with scattering of plantings. There are no utilities on the property but public sewer and water is in close proximity. There is no street frontage but access is proposed to Grandview Road through a 40' right of way being shown. Current zoning is R-15 and the permitted uses are those allowed in that zone per the zoning ordinance. They are asking to rezone it to Shopping Commercial for self-storage units, although there are other permitted uses in Section 207 of the Township's Zoning Ordinance. The surrounding property uses are commercial, professional, and residential single family. The surrounding zones are R-15 to the north, south, and east, with Shopping Commercial to the west. The future land use map in the Township's comprehensive plan shows the tract being medium density residential. The York County Planning Commission recommended denial of the request because there is adequate shopping commercial area in the Township and because the property is surrounded on three sides by residential.

Lisa Bankert, 3301 Grandview Road, stated that the proposed 40' right-of-way to Grandview Road is part of her property and is her existing driveway. Manager Garvick stated that a title search would need to be done to confirm who owns the property. The land development plan process would need to show who owns what pieces of land along with the access required for the property. Mr. Little stated that the property has been surveyed and two stakes of the right-of-way were placed. According to the tax records the right-of-way is unknown but Mr. Little stated that he has researched the property and knows who owns the right-of-way.

Bakers Dozen is proposing to use the site for storage facilities that will be big enough for motor homes and campers. The sizes of the units will range from 12' x 24 to 13' by 48'. The Little's provided a plan showing how they intend to develop the property and access it. Manager Garvick stated that rezoning the tract will not require the applicant to build the intended storage facilities but would allow them to use the land for whatever use is allowed in the Shopping Commercial zone.

Planning Members Felix and Johnson abstained from voting because they are Board of Commissioner members who will ultimately vote to determine the final outcome of the request.

Planners Butt/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners on case Z05-21 Bakers Dozen requesting a rezoning of parcel CD/60C from R-15 to Shopping Commercial. The motion carried on a 4-0 vote. The public hearing is tentatively scheduled for September 19, 2005.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
SEPTEMBER 1, 2005

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on September 1, 2005 at the Penn Township Municipal Building. Also present were Planning Members Wendell Felix, Fred Marsh, and Michael Brown. Michael Johnson, James Butt and Vice-Chairman Ray Van de Castle were absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The August 4, 2005 Planning Commission minutes were approved as submitted.

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

Z05-26 – CHRISTOPHER L. WEAVER, 543 Baltimore Street, 1st Floor, Hanover, PA 17331. Applicant requests a variance to Section 206.3 (Area and Bulk) and Section 311 (Street Access) to construct a two-unit apartment building with garages that will encroach into side setbacks. The property is located at the rear of 852 York Street in the A/O zone.

Christopher L. Weaver represented this request. The applicant appeared before the Planning Commission last month for the area and bulk variance. However, there was a miscommunication between himself and the zoning officer regarding the need for an additional variance from Section 311 street access. The property has no public street access but fronts an alley. Since the Planners had previously reviewed the plan, there was no additional discussion.

Planners Felix/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05-26 – Christopher L. Weaver requesting a variance to Section 206.3 (Area and Bulk) and Section 311 (Street Access) to construct a two-unit apartment building with garages that will encroach into side the side setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

Z05-28 – ANNA SMITH, 212 Morningstar Court, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area and Bulk) to allow construction of a garage that will encroach into side setbacks. The property is located in the R-8 zone.

Jeffrey Honeycutt represented the request. The applicant would like to build a 16'x 24' garage and widen the driveway. There are four individuals who drive at the home and the driveway would also be used for parking. In addition there are three younger children who have toys that need to be stored. There is an existing 8'x10' shed which will be removed if the garage is approved. The applicant is asking for a variance to place the garage about three and half feet from the property line. Currently the house is nineteen and a half feet from the property line. The garage will be approximately forty-three feet from the rear property line. Ms. Smith has owned the property since the home was constructed about eleven years ago. She is planning to construct an entrance into the house from the garage. The neighbors next door have no problem with the garage, as there are other garages throughout the neighborhood. The house is half of a

duplex. The driveway will be of sufficient area to allow two cars to be parked. The Planners expressed concern that a three-foot side setback was tight.

Planners Felix/Brown moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z05-28 – Anna Smith requesting a variance to Section 202.3 (Area and Bulk) to allow construction of a garage that will encroach into the side setbacks as does not meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

Z05-29 – JEFFREY GARBER & TODD GRIM, 300 Frederick Street, Hanover, PA 17331. Applicant requests a variance to Section 207.2 (Use) and Section 207.3 (Area and Bulk) to allow construction of single-family attached dwellings that will encroach into setbacks. The property is located west of the intersection of Manor Street and Hammond Avenue in the S/C zone.

Todd Grim, Jeffrey Garber and Dave Stair represented this case. The applicants are requesting a variance to allow single-family attached dwellings in the Shopping Commercial zone as well as relief for the setback requirements. They are requesting to change the use because the property does not front Boundary Avenue or any main street. The setback variance is needed because of constructing a cul-de-sac, which will stagger the second set of homes. The cul-de-sac is proposed to be temporary and if the street would go through that would eliminate the change in the setback. There are stormwater problems that they feel they can handle with the way the plan is designed. They also feel that the residential use would have less vehicle traffic than a commercial use. The surrounding area is zoned R-8.

There is an agreement of sale between the current property owner (Fabian) and the developers (Garber & Grim). The units will have a garage with a door into the backyard, which will allow the homeowners to access both the front and back yard.

There is an existing fifty-foot right of way on the property that was Norwood Avenue. There has been a proposal to vacate Norwood Avenue. They are proposing some improvement to the intersection between Manor and Hammond Avenue.

They are also requesting a front yard setback from fifty feet to thirty-five feet, which could be temporary depending on the future of the cul-de-sac. They are also requesting a side yard setback from twenty to fifteen. R-8 properties border the property.

Planners Brown/Felix moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05 – 29 Jeffrey Garber and Todd Grim requesting a variance to Section 207.2 (Use) to allow construction of a single family attached dwelling in the S/C zone, as it meets the requirements for a variance as set forth 502.3 a) thru f). Motion carried on a 4-0 vote.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05 –29 Jeffrey Garber and Todd Grim requesting a variance to

Section 207.3 (Area and Bulk) for the front setback from fifty feet to thirty five feet as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 3-1 vote with Planner Felix casting the dissenting vote.

Planners Brown/Marsh moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Z05-29 Jeffrey Garber and Todd Grim requesting a variance to Section 207.3 (Area and Bulk) for the side setback from twenty feet to fifteen feet as it does not meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 3-1 vote with Planner Black casting the dissenting vote.

Z05-30 – GEORGE H. & ANNA M. SMITH, 425 Westminster Avenue, Hanover, PA 17331. Applicant requests a variance to Section 407.3B (Replacement) in order for a proposed reverse subdivision and add-on plan to be approved due to the existing nonconformity of a garage infringement on lot #2. The property is located at 400 Wirt Avenue in the R-8 zone.

George Smith and George Smith, Jr. represented the request. George Smith, Jr. explained that back in 1981 a Quiet Title was done between Mr. and Mrs. Smith and Mr. and Mrs. Hartlaub to acquire fifty feet of land. When the deed was written it contained all of their names and the property was not split in half. They would like to have the deed divided. The home was sold and when Worley did the survey they discovered the Quiet Title issue. There are currently three lots with the middle lot being proposed to be split in half to the two adjoining property owners. Currently, the garage owned by Mr. Hartlaub is on the middle lot and his property. When the subdivision occurs it will be located on his property but will not meet the setback requirements.

Planners Marsh/Felix moved for a favorable recommendation to Z05-30 – George H. and Anna M. Smith, requesting a variance to Section 407.3B (Replacement) in order for a proposed reverse subdivision and add-on plan to be approved due to the existing nonconformity of a garage infringement on lot #2, with a side yard setback for the garage of 7.12 feet, as it meets the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

The Planners received the following waiver or exoneration requests:

On behalf of Stone Ridge Development Corporation, Loss-Stair Civil Engineering, Inc. requests a variance to Section 506(e), distance between intersections, as required by the Penn Township Subdivision and Land Development Ordinance.

Dave Stair represented this request. Mr. Stair stated that the Planners initially reviewed the plan last month. He had a traffic engineer involved in the layout of the streets and he supports the proposed layout of the intersecting street on Blooming Grove Road as opposed to Bankert Road. Regardless of the intersection location of the proposed road onto either street, a variance will be needed for the distance between intersections. A traffic impact study is to be completed that will support the location of the road. It is being proposed to reduce the required five hundred feet between intersections for a collector with a local street to 465 feet for Cobblestone Lane from the existing Bankert Road intersection with Blooming Grove Road. The

reason for the requested reduction is because the sight distance to the east on Blooming Grove Road dramatically decreases as the intersection moves in that direction due to a horizontal and vertical curve bending downgrade and toward the right. Large trees situated along Blooming Grove Road obstruct the view toward the east. The posted speed limit is 45 miles per hour but it appears that traffic moves quicker through this area and any additional sight distance may be beneficial for motorists entering onto Blooming Grove Road from Cobblestone Lane. There was additional discussion about trying to locate Cobblestone Lane onto Bankert Road rather than Blooming Grove Road.

The Planners are also concerned about the existing Miriam Runkle subdivision plan which was recommended for approval in January of 2004 but which was held up due to the existing sewer moratorium. This plan shows a subdivision of the same property proposed by the Avion subdivision. The five lots on the Miriam Runkle plan are closest to Bankert Road and the attorney for the estate has submitted a request that the Miriam Runkle subdivision plan be extended to the end of the year. The proposed road would run through lot No. 5 on the Miriam Runkle plan.

The Planners were also concerned about reviewing two different plans simultaneously for the same piece of property. Engineer Bortner also expressed some reservations about what could happen when two plans are reviewed at the same time and one would be approved over the other. It was noted that the Township Solicitor should review the situation regarding the review of the two plans.

The Planners discussed the merits of the request and Engineer Bortner stated that he could see the points for putting Cobblestone Lane access on either road.

Planners Marsh/Brown moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 3-0 vote with Planner Felix abstaining.

On behalf of Robert Morris, Loss-Stair Civil Engineering, Inc., requests a waiver to Article IX, Stormwater Management Design Criteria.

Dave Stair, Loss-Stair, and Bob Morris represented this request. Mr. Stair is requesting a waiver of Article IX of the stormwater management design criteria because the existing site is primarily impervious and there is no suitable land to construct a stormwater management facility above or below the surface. The proposed improvements shown on the submitted land development plan increase the impervious coverage only slightly and contributes very little additional stormwater runoff. The most significant increase was in the two-year storm. This is one of the last hurdles for rebuilding this site. The additional stormwater will be directed to Baltimore Street.

Planners Marsh/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 3-0 vote with Planner Felix abstaining.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-07 – GEORGE H. & ANNA M. SMITH AND KENNETH & JOAN HARTLAUB, 425 Westminster Avenue and 310 Wirt Avenue, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential building lots. The property is located at 310 Wirt Avenue/400 Wirt Avenue, in the R-8 zone.

Reg Baugher, Worley Surveying, represented this request. Township Engineer comments and York County Planning comments have been addressed.

Planners Marsh/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-07 – George H. & Anna M. Smith and Kenneth & Joan Hartlaub, contingent on Zoning Hearing Board approval. Motion carried on 4-0 vote.

P05-08 – BOB MORRIS FURNITURE, 777 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct a furniture store/warehouse. The property is located in the S/C zone.

Dave Stair, Loss-Stair Engineering, and Bob Morris represented this plan. The variances approved by the Penn Township Zoning Hearing Board are listed on the plan and they are awaiting the decision of the stormwater ordinance waiver request.

Planners Marsh/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-08 – Bob Morris Furniture contingent upon the approval of the storm water management ordinance waiver request. Motion carried on a 4-0 vote.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB zone.

There was no action taken on this plan.

P05-10 – HANNON HOMES - KROUT FARM, c/o John Burkentine, P.O. Box 98 Glenville, PA 17329. A sketch of a subdivision plan to construct a twenty-seven (27) lot residential development. The property is located on the south side of Black Rock Road, east side Friar Run in the R-15 zone.

Reg Baugher, Worley Surveying, represented this plan. He showed a revised plan for the proposed roads in the development. The street is no longer a straight through street. They are not accessing Black Rock Road. The steep slope is marked on the plan and the ordinance only allows the disturbance of five percent of the steep slope zone. The road shows similar reverse curves that are located along Friar Run. The Planners recommended continuing with the proposed layout of the streets.

P05-11 – UNIT 14 GRANDVIEW PLAZA, Holland Properties, P.O. Box 516, Hanover, PA 17331. A final land development submitted to construct retail shops. The property is located at Grandview Plaza on Baltimore Street in the S/C zone.

Ed Mort, Group Hanover, represented this plan. York County comments have been received but have not been addressed. This plan shows a Dunkin Donuts on the end parcel. There was concern about two-way travel lanes due to the narrow lot and it was suggested that the traffic movement be made one-way. There was also concern about traffic stacking in the drive-through lane. There was some concern about the location of the handicapped parking spaces in proximity to the drive-through.

P05-12 – BAXTER INVESTMETN GROUP, INC., 398 York Street, Suite 5, Hanover, PA 17331. A final add-on subdivision submitted to create (2) residential building lots. The property is located on Woodridge Drive in the R-C zone.

There was no action taken on this plan.

P05-13 – LA CUCINA RESTAURANT, 496 Eisenhower Drive, Hanover, PA 17331. A preliminary land development plan submitted to construct a restaurant/parking lot. The property is located west of intersection of Rt. 194 and Eisenhower Drive in the S/C zone.

Ed Mort, Group Hanover, represented this plan. The majority of the plan is located in the Hanover Borough with the parking lot in Penn Township. Planner Black was concerned because there is no landscaping.

Planners Marsh/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-13 – La Cucina Restaurant. Motion carried on a 3-1 vote with Planner Black casting the dissenting vote.

P05-14 – HANOVER BRANDS, INC., -SLURRY STORAGE TANK FACILITY, Hanover Foods, 1550 York Street, Hanover, PA 17331. A final reverse subdivision and land development plan to construct a slurry storage tank facility. The property is located on northeast side of Wilson Avenue in the Industrial Zone.

Reg Baugher, Worley Surveying, represented this request. They are proposing combining three tracts of land to install a slurry storage tank. This property was previously one parcel but was subdivided in 1985. Mr. Baugher provided a picture of the tank. York County Planning Commission comments and Township Engineer Bortner comments have been addressed.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-04 – Hanover Brands, Inc. –Slurry Storage Tank Facility. Motion carried on a 4-0 vote.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

P05 – 16 – VAN BUREN SUBDIVISION, Barbara Van Buren, 535 Bankert Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Bankert Road in the R-40 zone.

Ed Mort, Group Hanover, represented this plan. York County Planning Commission comments have not been received. The lots do not have public sewer but the existing home does have public water.

P05 – 17 – MCCLARIN PLASTICES, 600 Linden Avenue, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located on Industrial Drive in the Industrial Zone.

Ed Mort, Group Hanover, represented this plan. This shows the proposed office on the property. The parking lot will need to be restriped but no additional paved parking will be provided. A plan was provided that showed the existing layout as it is today. There will be a handicapped entrance added.

P05 – 18 – DONNA SCOTT, 29 Hill Street, Hanover, PA 17331. A final reverse subdivision plan submitted to create one (1) residential lot. The property is located in the R-15 zone.

Zoning Officer Menges represented this plan. It is a simple add-on that will combine two existing lots.

The meeting adjourned at 8:53 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
OCTOBER 6, 2005

Vice-Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on October 6, 2005 at the Penn Township Municipal Building. Present were Planning Members Ray Van de Castle, Wendell Felix, Fred Marsh, Michael Brown, Michael Johnson and James Butt. Planner Clayton Black was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The September 1, 2005 Planning Commission minutes were approved as submitted.

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

Z05-31 – DONALD E. BANKERT, 571 Blooming Grove Road, Hanover, PA 17331. Applicant requests a variance to Section 311 (Street Access), a special exception to Section 311 (Street Access), and an interpretation to Section 311 (Street Access) due to the determination of Zoning Officer that Applicant cannot secure a building permit without obtaining a variance and/or special exception from the Zoning Hearing Board. The property is located on Slaughter House Road in the R-40 zone.

Zoning Officer Menges reported that this case was previously heard in April 2005. Slaughter House road is located off Blooming Grove Road adjacent to the late Miriam Runkle's property.

Attorney Jim Yingst and Donald Bankert represented this case. Attorney Yingst indicated that Randy Hilker also presented information previously to the Planners in April. Mr. Yingst stated that the previous decision by the Zoning Hearing Board is being appealed but before pursuing the appeal they would try the request again. The property is comprised of 2.34 acres and the condition of the property is the same as it was in 1957. Mr. Bankert purchased the property from his parents, who purchased the property from his grandparents.

Mr. Yingst presented other subdivision plans that had been approved abutting Slaughter House road. These plans included the Mark Eaton Subdivision, which was approved in 2003, and the Elaine Taylor Subdivision. The homes that were constructed from these subdivisions use Slaughter House road for access and do not abut a dedicated Township Road. Slaughter House road is not a dedicated Township Road and the clear owner is not apparent from the deeds of the adjoining property owners.

Mr. Yingst argued that Section 311 of the Penn Township Zoning Ordinance, which states that any dwelling hereafter erected shall abut a public street unless otherwise authorized by Special exception, is for any new lots created subsequent to the ordinance but does not apply to nonconforming lots that were present prior to the ordinance. He stated that this comment refers to dwelling units but that any other use would also not have to meet this requirement, including a church.

The Planners were concerned about access because they did not want the Township held liable if a building permit is issued to build a house and access is denied. Mr. Yingst stated that Mr. Bankert has an easement to the property that if challenged in court could be won because he has used and maintained the easement for more than twenty-one years. Mr. Yingst feels that this is an issue among the property owners and not a matter for the Township to be concerned about. Mr. Yingst stated that access issues are usually addressed by lenders and that would be something Mr. Bankert or any future property owner would have to be concerned about.

Zoning Officer Menges stated neither Mr. Eaton nor Mr. Yingst could locate the owner of the property. Mr. Yingst stated that the deeds read "property fronts on a private road or lane". The road was a farm road that connected several farms and terminated on Cannery Road. Mr. Bankert is near the end of the road. Mr. Zumbrum, Mr. Bankert's neighbor, has been living in his home for about thirty years and has only one acre of land.

The Planners expressed concern about the ability of fire equipment to access the unpaved road. Mark Eaton appealed to the State to have the road widened as much as permitted when his plan was approved but could only get about 20 feet. All the approved subdivision plans included notes that when all the property owners reached agreement, the land would be used to widen the road. Mark Eaton would pay for the upgrade of the road at Slaughter House road and Blooming Grove Road. Mr. Yingst stated that Mr. Bankert would have no problem with upgrading the road in front of his property. The road is blocked before it reaches Cannery Road by the last property owner along the road.

Planners Marsh/Felix moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-31 – Donald Bankert requesting a variance to Section 311 (Street Access) and a special exception to Section 311 (Street Access) as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

Z05-32 – WORTHINGTON INVESTMENTS, LLP, 8 Greenspring Valley Road, Suite 200, Owings Mills, MD 21117. Applicant requests a variance to Section 202.3 (Area and Bulk) to construct multi-family condominium structures that will exceed the maximum building height. The property is located on north side of Moulstown Road, west of Gitts Run Road in the R-8 zone.

Steve Rosen, a partner in Worthington Investments, LLP; Jim Varnes, Holley Associates; and Pat Fienney and Mike Irons of K. Hovnanian Homes represented this case. K. Hovnanian Homes is the proposed designer and builder of the homes in the age restricted community. The applicants are requesting a building height variance from thirty-five feet to fifty feet. The height variance is for appearance only. The developer wants to supply a higher peaked roof instead of a flat roof, which would be less esthetically pleasing. The remainder of the development will stay as originally presented. Fire Chief Cromer provided comments on the accessibility to the structures with the proposed height. The Township has fire equipment capable of responding to the additional roof height. Artist renditions of the proposed buildings were also displayed to the

Planners. The prior zoning of the property was Industrial, which allowed a maximum height of fifty feet.

Mr. Varnes, landscape architect and vice-president of Holley Associates, stated the request is a dimensional variance and not a use variance and is the minimum they could ask for. A three-story unit could be built with a flat roof and not exceed the height requirement however, to conform to the character of the adjacent single-family development, they have designed the facility with a peaked roof. The homes would be those closest to Broadway and the remaining commercial zone. The hardship, according to Mr. Varnes, is the fact that the property borders homes with peaked roofs. The multi-family with flat roofs would look like institutional buildings. There would be no living space in this additional area but would include such things as ductwork.

Mike Irons stated that the building would be fifty foot high and seventy feet long. There will be ten units per building with ten integral garages. There will be eighteen of these units as shown on the original plan.

K. Hovnanian Homes was chosen as the builder of the units because of their experience in constructing several other age-restricted communities. They provided a slide presentation and a video outlining their other communities. There was some discussion about a possible community center and a walking trail on the property. The duplex units will be slightly bigger than the multifamily units but both will contain garages.

Planners Butt/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-32 Worthington Investments, LLP, requesting a variance to Section 202.3 (Area and Bulk) to construct multi-family condominium structures that will exceed the maximum building height, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-2 vote with Planners Van de Castle and Felix casting the dissenting votes.

The Planners received the following waiver or exoneration requests:

G.S.B. Asphalt is requesting a waiver to storm water management requirements for additional paving work at the property of Geiman Motors, 937 York Street. No one was present to represent the request.

There was concern expressed by the Planners that there are already water and snow removal concerns on the property that have not been addressed so they would like the applicant present to discuss the request. Planners Van de Castle/Marsh moved that the request be tabled until next month. Motion carried.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential

community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-24 – RONALD A & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

There was no action taken on this plan.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59)

single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB zone.

There was no action taken on this plan.

P05-10 – HANNON HOMES - KROUT FARM, c/o John Burkentine, P.O. Box 98 Glenville, PA 17329. A sketch of a subdivision plan to construct a twenty-seven (27) lot residential development. The property is located on the south side of Black Rock Road, east side Friar Run in the R-15 zone.

There was no action taken on this plan.

P05-11 – UNIT 14 GRANDVIEW PLAZA, Holland Properties, P.O. Box 516, Hanover, PA 17331. A final land development submitted to construct retail shops. The property is located at Grandview Plaza on Baltimore Street in the S/C zone.

There was no action taken on this plan.

P05-12 – BAXTER INVESTMETN GROUP, INC., 398 York Street, Suite 5, Hanover, PA 17331. A final add-on subdivision submitted to create (2) residential building lots. The property is located on Woodridge Drive in the R-C zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P05 – 16 – VAN BUREN SUBDIVISION, Barbara Van Buren, 535 Bankert Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Bankert Road in the R-40 zone.

Gerry Funke, Group Hanover, represented this request. This was previously reviewed by the Planning Commission as a zoning request. It is a two-lot subdivision where the applicant requested to sell some of her land. There was discussion about the availability of sanitary sewer because of the existing moratorium.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-16 – Van Buren Subdivision. Motion carried.

P05 – 17 – MCCLARIN PLASTICES, 600 Linden Avenue, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located on Industrial Drive in the Industrial Zone.

Gerry Funke, Group Hanover, represented this plan for an office addition. York County Planning comments have been received and addressed. The existing storm water pond is large enough to handle the increased run-off that will be created. The runoff from the roof will go underground to the stormwater basin. The driveway is currently blocked off. They are planning to move their main entrance to the new office building, as they are consolidating offices. Township Engineer Comments have been addressed.

Planners Van de Castle/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-17 –McClarín Plastics plan. Motion carried.

P05 – 18 – DONNA SCOTT, 29 Hill Street, Hanover, PA 17331. A final reverse subdivision plan submitted to create one (1) residential lot. The property is located in the R-15 zone.

John Menges, on behalf of Donna Scott, represented this plan. This is an add-on to an existing lot.

Planners Johnson/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-18 Donna Scott. Motion carried on a 6-0 vote.

05 – 19 SNYDER’S OF HANOVER, P.O. Box 6917, Hanover, PA 17331. A final land development plan submitted to construct additional paved areas. The property is located at 1350 York Street in the Industrial Zone.

Frederick H. Altland represented this plan. A previously approved plan showed the scale house at Snyder’s being moved, but it has not yet been moved. Mr. Altland stated that he is not sure if they will be moving it at all. York County Planning declined to review the plan since it was just for a paving project. Mr. Altland stated there is not enough parking for shift changes and that is why they want to increase parking by an additional fifty spaces.

Planners Felix/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on 05-19 Snyder’s of Hanover. Motion carried on a 6-0 vote.

P05-20 – GREEN GLEN PRODUCE, c/o Fame Avenue Partnership, P.O. Box 601, Hanover, PA 17331. A final land development plan submitted to construct a seasonal food processing facility. The property is located at 26 Industrial Drive in the Industrial Zone.

Jim Long, First Capital Engineering, and Warren Debnam, Green Glen Produce, represented this plan. The plan shows a seasonal food processing facility, which will only be used three months during the summer months. There will be crushed stone around the building. The original plan had a zoning variance for the paving, which allowed them to have crushed stone for a period of five years. Mr. Menges stated that they would not need any additional waivers. There will be a sewer connection needed. The plan cannot be forwarded until a sewer connection can be secured. Green Glen must submit a written request for a sewer connection for the facility. Mr. Debnam stated that he spoke with Bill Mahone and Jeffrey Garvick about the sewer moratorium. The facility will be similar to the other building but the process that is used will only be utilized in July, August, and September. There was no recommendation forthcoming from the Planners.

LOT 9 GRANDVIEW PLAZA

Dave Stair, Loss Stair Civil Engineering, and Jamie Sipling, Burkentine and Sons, presented a sketch plan for Lot 9 at Grandview Plaza between McDonalds and the Grandview Car Wash. During this discussion it was noted that the Penn Township Public Works Committee reviewed the Avion Subdivision and suggested a different road configuration than what had been initially presented. The property in Grandview Plaza would be controlled by a one-way drive. They are proposing one building with two uses. One of the buildings will be 1850 square feet and the other will be about 1400 square feet. They are anticipating that at least one will be food service and the other could also be food service. The client is not yet sure what is going to be on the property. There is a fifty-foot landscape buffer shown. There is access off an internal access drive between the soccer fields and Burkentine’s Car Wash. There is two-way in and out of the

one-way access drive. They are speaking with the condo association to see what they would prefer to have. There is a letter sent to the Township Manager stating that 3 EDU's are requested for the facility. The letter they received back from the Township Manager stated they were on a first come, first served basis and when a permit is applied for they would be issued. The only access will be off the internal access drive. The proposed building is set up for forty-two seats. There is enough parking on site for that but the client has also purchased lot 8, which they could use for future parking. There is some concern that the only entrance and exit is from the internal access drive. Mr. Stair stated that they are ready to move into design phase for the project. There is some concern about using another lot to meet the parking requirements of this lot. Mr. Stair stated that they might be willing to discount the parking on lot eight from any other use that may be proposed for that lot. The parking on lot 8 would be totally dedicated to lot nine. There were some concerns about the proposed drive up and the possible stacking problems that may be created. The Planners suggested that they might want to consider changing the drive up location. There is a specific tenant in mind for one of the properties, however, that may not want the location changed.

It was decided by the Planners that they would be keeping their meetings on the first Thursday of every month at 7:00 PM in 2006.

Commissioner Felix announced that there would be an opening on the Zoning Hearing Board at the beginning of the year if anyone is interested.

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION

November 3, 2005

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on November 3, 2005 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Michael Brown, Michael Johnson and James Butt. Planners Wendell Felix and Fred Marsh were absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The October 6, 2005 Planning Commission minutes were approved as submitted.

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

Z05-33 – MMS MANAGEMENT, LLC, 731 Fame Avenue, Hanover, PA 17331. Applicant requests a special exception to Section 209.2 (Uses by Special Exception) to construct a medical center. The property is located at Hillside Medical Center in the Industrial Zone.

Gerry Funke, Group Hanover, and Doctor Sheehan represented this request.

The Applicant wishes to construct a new medical building to the east of the existing medical facility. The new building will straddle two properties necessitating having the existing natural gas transmission line relocated. The gas company has already been notified and an estimate has been submitted for the relocation. The property is deeded to the same owner and when the land development plan is submitted a reverse subdivision will be included which will create one lot. The request is for a special exception for medical use. The facilities will be joined by a two level walkway. The building will have the same configuration as the current building with entrances on either end at different levels. About two thirds of the proposed space has been reserved for York Hospital, Hanover Hospital, and private offices. Most of the services will be patient care. There were special requirements for the existing MRI. The first lot is built out but the second lot will not be so there will be a buffer between them and their neighbors. The plans show numerous utility lines because at one time this was where Progress Avenue was proposed to be constructed. This is also where the gas transmission line may be relocated. The existing medical center received a special exception.

Planners Butt/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-33 – MMS Management, LLC, requesting a special exception to Section 209.2 (Uses by Special Exception) to construct a medical center, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote.

Z05-34 – ELEANOR DECK, Fair Havens Assisted Living Center, 3101 Grandview Road, Hanover, PA 17331. Applicant requests a special exception to Section 407.2a

(Expansion and Alteration) to construct an addition to an assisted living home. The property is located in the R-15 zone.

Eleanor Deck represented this request.

Fair Havens Assisted Living is located at 3101 Grandview Road across from the medical center and is operated by Ms. Deck, who would like permission to add an extension that would provide ten to twelve rooms. The property is zoned R-15. The zoning across the street is R-15 and the medical center was granted a special exception. Ms. Deck currently has twenty clients but could add between twelve to sixteen clients with the addition. There are currently thirty-six parking spaces and the extension would not affect the parking. She stated that she has about 2.5 acres of property. It was asked if she plans on expanding further after this expansion and she stated no. It was noted that this project would require the submittal of a land development plan. There are residential properties on both sides of the facility and there have been no complaints received by the Township. Ms. Deck stated that she currently is overstaffed with seven employees who provide around the clock care but will probably add an additional two or three employees with the expansion. This use is classified as a retirement village and the regulations in the zoning ordinance would have to be considered. These include lot coverage not to exceed 35%, a maximum of 25% of the lot area shall be landscaped with trees and shrubbery, no structure shall be closer than 50 feet to any lot or street line, and minimum lot area of five acres. The property was in operation prior to the adoption of the zoning ordinance. The other issues were discussed in the previous zoning case. There was some concern about the amount of the existing lot coverage and if the site already exceeds it. The existing facility is fifty feet back from the street. The Planners were concerned about the variance issues that may be created if the special exception is granted.

Ms. Deck provided the Planners with a land development plan from the previous special exception request. The plan was reviewed to determine if she is currently exceeding lot coverage. From the plan it appears she cannot exceed 12,800 square feet. According to the plan the lot is less than one acre. There was concern because the Planners cannot confirm the actual area of the parcel.

Planners Butt/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-34 – Eleanor Deck requesting a special exception to Section 407.2a(Expansion and Alteration) to construct an addition to an assisted living home, subject to the requirements of total acreage and lot coverage. Mr. Menges will review the previous zoning case and the mathematical computation of the lot coverage. The request meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote. The Commission suggested that Ms. Deck discuss the situation with Mr. Menges on Friday.

Z05-35 – COLLEEN KRESS, 6840 Cannery Court, Spring Grove, PA 17362.
Applicant requests a special exception to Section 208.2 (Uses by Special Exception) to operate a child care center. The property is located at 719 Frederick Street, in the H/B zone.

Colleen Kress, 6840 Cannery Court, Spring Grove, PA 17362 and William Mathias represented this request. Ms. Kress will not have her state certification until the building is approved. She indicated she has spoken with Darryl Boyd regarding the fire inspection. There was a history clearance from the State of Pennsylvania, a criminal record check from the Pennsylvania State Police, and a certificate from Harrisburg Area Community College for associates arts and education in early childhood. Once the request is approved they will proceed with purchasing the building and make the structural changes they need to operate a day care. They will divide the rooms to the appropriate size for each age group. They will fence in the yard and provide the required square footage of yard space per child. They will upgrade the bathroom facilities for the different age groups. They will add a kitchen facility for food preparation for the children. The Center can handle about forty children.

Mr. Menges stated that the property is the old Mathias repair shop and is currently housing Gallagher's Brokerage. There is access from Frederick Street and the alley can be used to exit the property. The 1991 building is 2,000 square feet. There are two 12' x 20' buildings on the property. The property is located off the street. There will be stacking if all the children are picked up at one time. The parking area is out of the cartway and will hold about twelve cars. Mr. Menges stated that the site has plenty of space, depending on how it is utilized.

Hours of operation will be 6:30 a.m.- 5:30 p.m. with the children having staggered drop off times. The current sign will be utilized as well. There will be five employees and Ms. Kress working at the facility. The employee parking will have to be included in the number of needed parking spaces.

Zoning Officer Menges stated that she meets the minimum of 500 square feet of off street parking for a childcare center.

There was concern if there would be enough parking if parents would want to meet with Ms. Kress or staff. Ms. Kress stated that an additional three of four parking spaces would be created in front of the existing bay doors, which will be closed in. There is a grass play area.

Planners Brown/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-35 Colleen Kress requesting a special exception to Section 208.2 (Uses by Special Exception) to operate a child care center, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-1 vote with Planner Johnson casting the dissenting vote.

Z05-36 – JOHN AND SHEILA KALKBRENNER 117 Little John Court, Hanover, PA, 17331. Applicant requests a special exception to Section 203.2 (Uses by Special Exception) to operate a hair salon. The property is located in the R-15 zone.

John and Sheila Kalkbrenner represented this request. Ms. Kalkbrenner wishes to operate a hair salon out of an existing room in her home. The home is 2,350 square feet and the room she would like to use is 198 square feet. There will be only one chair. She will work part time on an appointment-only basis and there will be no employees. She can park eight cars in her

driveway. The lot is .499 acres. Even though she doesn't want to, she will have to put up a sign because the PA State Board requires it. The maximum is two square feet. The appointments will be scheduled in the morning. Her clientele is older and does not work. She is currently licensed in the State of Maryland and has submitted for her license of reciprocity but there is a three-week waiting period. She will not be offering tanning or manicures.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z05-36 John and Sheila Kalkbrenner requesting a special exception to Section 203.2 (Used by Special Exception) to operate a hair salon, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote.

Z05-37 – SHERON SMITH, 318 N. Franklin Street, Hanover, PA 17331. Applicant requests a special exception to Section 207.2 (Uses by Special Exception) to operate a group day care facility. The property is located at 1020 Baltimore Street, in the S/C zone.

Zoning Officer Menges stated that he received a letter from Sheron Smith to withdraw the request and no longer consider the case. The Planners reviewed the letter and Mr. Menges stated he verified her signature.

The Planners received the following waiver or exoneration requests:

G.S.B. Asphalt is requesting a waiver to storm water management requirements for additional paving work at the property of Geiman Motors, 937 York Street.

Gregory Bankert represented this request. There had been previous discussion about this request. Ray Van de Castle expressed some concern about water and snow on the property. Mrs. Geiman owns the home and rents it out. There will be no grade changes and the paving is being done to prevent people from driving on the grass. This property is located on the same side of the street as the Bank of Hanover. The lot will be repaved because it has some bad areas. Approximately 1,030 square feet of paving will be added.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on 4-1 vote with Planner Brown casting the dissenting vote.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

There was no action taken on this plan.

P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

Pat Buhl, Worley Surveying, represented this request.

Mr. Buhl reported this plan was previously before the Planners for a zoning request. The previous layout showed an l-shaped building, which has been changed to a more face to face layout. They are looking for any comments the Planners may have and will return next month for final approval. There will be a box culvert to handle the stream. There were no architectural elevations provided for the units. The facility will be one story with storage units with a door. Mr. Buhl is familiar with the footprint but does not know what the building will look like. Mr. Krill, Richard Krill's father, thinks the facility will be built to blend into the surrounding residential community. He stated there has been several design changes so he is not sure what his son is proposing for the units. There will be a buffer surrounding the facility. There will be a six-foot high chain link fence with the buffer located in front of the fence. The lighting is proposed to be attached to the building. There is a sealed landscaping plan provided. The facility will be accessible twenty-four hours a day but they are not expecting high volumes of traffic during the night hours. There will be rules for the tenants to follow. There was a question about a wetlands permit. Engineer Bortner stated that it needs a general permit for the box culvert. Engineer Bortner stated that he has not received a storm water management study.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

There was no action taken on this plan.

P04-24 – RONALD A. & KATHLEEN A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create two (2) residential lots. The property is located at Hoff Road and northeast of intersection of Rt. 216, in the R-40 zone.

Pat Buhl, Worley Surveying, represented this request. Mr. Foreman will be subdividing about two acres off his property, which Mr. Neiderer would like to purchase and add on to his existing lot. Township Engineer comments have been addressed.

Planners Brown/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on plan P04 – 24 – Ronald A. and Kathleen A. Foreman. Motion carried on 5-0 vote.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB zone.

There was no action taken on this plan.

**P05-10 – HANNON HOMES - KROUT FARM, c/o John Burkentine, P.O. Box 98
Glenville, PA 17329. A sketch of a subdivision plan to construct a twenty-seven (27) lot
residential development. The property is located on the south side of Black Rock Road,
east side Friar Run in the R-15 zone.**

There was no action taken on this plan.

**P05-11 – UNIT 14 GRANDVIEW PLAZA, Holland Properties, P.O. Box 516, Hanover, PA
17331. A final land development submitted to construct retail shops. The property is
located at Grandview Plaza on Baltimore Street in the S/C zone.**

There was no action taken on this plan.

**P05-12 – BAXTER INVESTMETN GROUP, INC., 398 York Street, Suite 5, Hanover, PA
17331. A final add-on subdivision submitted to create (2) residential building lots. The
property is located on Woodridge Drive in the R-C zone.**

There was no action taken on this plan.

**P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331.
A preliminary subdivision plan submitted to create nineteen (19) single-family residential
building lots. The property is located on the corner of Bankert Road and Blooming Grove
Road in the R-40 zone.**

There was no action taken on this plan.

**P05 – 16 – VAN BUREN SUBDIVISION, Barbara Van Buren, 535 Bankert Road,
Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential
building lots. The property is located on Bankert Road in the R-40 zone.**

There was no action taken on this plan.

**P05-20 – GREEN GLEN PRODUCE, c/o Fame Avenue Partnership, P.O. Box 601,
Hanover, PA 17331. A final land development plan submitted to construct a seasonal food
processing facility. The property is located at 26 Industrial Drive in the Industrial Zone.**

Jim Long, First Capital Engineering, and Warren Debnam represented this plan. The plan will add a new food processing building that will be used only in the summer months. There will be paving and access to their existing driveway. There was a recent request approved for a deferment of the paving requirements for five years. There was a concern about the sewer connection and Mr. Debnam reported that he received a letter from Manager Garvick granting them thirteen EDU's.

The stoned area has csx fabric under it to help maintain the cartway.

Planners Butt/Brown moved for a favorable recommendation of P05-20 Green Glen Produce to the Penn Township Board of Commissioners. Motion carried 5-0 vote.

P05-21 – HILLSIDE MEDICAL CENTER, c/o MMS Management, LLC, 731 Fame Avenue, Hanover, PA 17331. A preliminary re-subdivision and land development plan submitted to construct an addition of medical offices. The property is located on Fame Avenue in the Industrial Zone.

Gerry Funke, Group Hanover, and Dr. May represented this request. This was an initial review for comments. The building will be similar to the existing building. There was some concern about the traffic on Moulstown Road. There will be additional parking and currently there is an empty lot in which very few people park. The one parking lot is used only for laboratory personnel. There was concern that there may be too much parking for the site. If they want to change the parking they will have to ask for a variance. Mr. Funke stated they run into too much parking in numerous places such as home depot. There was some discussion about installing islands in the parking lots.

Previous approved plan resubmitted

P05-14 – HANOVER BRANDS, INC., -SLURRY STORAGE TANK FACILITY, Hanover Foods, 1550 York Street, Hanover, PA 17331. A final reverse subdivision and land development plan to construct a slurry storage tank facility. The property is located on northeast side of Wilson Avenue in the Industrial Zone.

A land development plan for Hanover Foods was approved recently but the property straddled both Penn Township and Heidelberg Township. When the plan went to Heidelberg for approval they had several concerns so the plan was brought back to our Planning Commission to make them aware of the changes. Heidelberg required a drainage easement be added. Engineer Bortner was concerned because the changes were made after the Township's meeting in September. Heidelberg Planning Commission approved the plan but the Planning Solicitor told the Supervisors to deny the plan.

None of the facility is in Heidelberg Township.

Planners Brown/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on Hanover Foods Plan. Motion carried on a 5-0 vote.

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
December 1, 2005

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on December 1, 2005 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Michael Brown, Michael Johnson, Fred Marsh, Wendell Felix and James Butt. Also present were Township Engineer Bortner and Zoning Officer Menges.

The November 3, 2005 Planning Commission minutes were approved as submitted.

Mr. Black thanked Mr. Brown for his service to the Planning Commission for the last two years. Mr. Black noted that Mr. Brown has resigned from the Planning Commission effective December 15, 2005 to pursue a vacancy on the Penn Township Zoning Hearing Board. Mr. Black also wished Mr. Brown good luck on the ZHB if he is appointed.

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

Z05-34 – ELEANOR DECK, Fair Havens Assisted Living Center, 3101 Grandview Road, Hanover, PA 17331. Applicant requests a special exception to Section 407.2a (Expansion and Alteration) to construct an addition to an assisted living home. The property is located in the R-15 zone.

Z05-40-ELEANOR DECK, R.D. #3, Tamarind Drive, Spring Grove, PA 17362. Applicant requests a variance to Section 612 (b) (Expansion of Nonconformity) and to Section 635 (Retirement Village) to construct an addition to an assisted living home that exceeds the maximum area of expansion. The property is located at 3101 Grandview Road in R-15 zone.

Zoning Officer Menges noted that case Z05-34 was previously heard by the Penn Township Planning Commission and the Penn Township Zoning Hearing Board but the Zoning Hearing Board Solicitor felt that a variance to Section 612 (b) Expansion of Nonconformity and Section 635 Retirement Village was also required for the request and the applicants then filed case Z05-40 and both will be presented simultaneously.

Tom Shultis, attorney, and Eleanor Deck, owner of Fair Havens, represented these cases. Mr. Shultis stated that a personal care facility is not provided for in the Township's Ordinance and Section 201.2 references uses not provided for. The R-15 provides uses by special exception for half way houses and retirement villages. Mr. Shultis believes that a personal care home is not a retirement village but a hybrid of a retirement village and a half way house. The Planning Commission sent a favorable recommendation to the Zoning Hearing Board last month for the special exception request. The request is the same as it was last month. The applicant would like to build an addition to her existing facility.

There was concern if this is a nonconforming use. Mr. Shultis stated that it is not because it was created by a request made to the Zoning Hearing Board in 2002. There are several on the Planning Commission who believe it is a nonconforming use or are not sure.

The Planning Commission still had the same questions that it had at its previous meeting. These included how much land was actually owned by the applicant. The applicant's request would double the size of the housing for seniors. Ms. Deck owns 1.17 acres of land and with the current building the property already exceeds the 35% of lot coverage allowed by a retirement village. There was then some discussion if this could be considered a retirement village as described in the Zoning Ordinance. The current facility was approved in 2002 and was converted from a church. The facility is a personal care home where people could be ambulant but at not too great a distance. Ms. Deck testified that of the current residents only one has a vehicle, which is seldom used. There currently are thirty-six parking spaces on the property with only two or three being used per shift for the staff. There are only two or three visitors at any given time.

Mr. Shultis believes that the personal care is more like the convalescent home outlined in the ordinance of definitions and not a retirement village. He stated that personal care homes provide good care for about half the cost when compared to a traditional retirement home.

The Planners were still concerned about whether it should be considered a nonconformity and referenced Section 407.2 a and b and Expansion and Alteration of a Nonconforming Use and Structures and Dimensional Nonconformities. The Planners also referenced Section 612 Expansion of Nonconformity. The new addition will have an additional sixteen rooms for residents.

The Planners asked for clarification from Zoning Officer John Menges who indicated that the Zoning Hearing Board solicitor stated that it is a retirement village.

Planners Butt/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on cases Z05-34 – Eleanor Deck, requesting a special exception to Section 407.2a (Expansion and Alteration) to construct an addition to an assisted living home, and Z05-40 – Eleanor Deck requesting a variance to Section 612 (b) (Expansion of Nonconformity) and Section to 635 (Retirement Village) to construct an addition to an assisted living home that exceeds the maximum area of expansion as they meet the requirements for a special exception as set forth in Section 503.3 a) thru e) and the requirements for a variance as set forth in Section 502.3 a) thru f). Motion failed on 2-5 vote with Planners Black, Van de Castle, Felix, Marsh, and Brown casting the dissenting votes.

Planners Felix/Van de Castle moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on cases Z05-34 – Eleanor Deck, requesting a special exception to Section 407.2a (Expansion and Alteration) to construction an addition to an assisted living home, and Z05-40 – Eleanor Deck requesting a variance to Section 612 (b) (Expansion of Nonconformity) and Section to 635 (Retirement Village) to construct an addition to an assisted living home that exceeds the maximum area of expansion as they do meet the requirements for a

special exception as set forth in Section 503.3 a) thru e) and the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 5-2 vote with Planners Johnson and Butt casting the dissenting votes.

Z05-38 – ADAM BIXLER, 310 Manor Street, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Uses by Special Exception) to construct a duplex. The property is located at 326 Manor Street in the R-8 Zone.

Adam Bixler represented this request. He would like to build a duplex at 326 Manor street where there currently sits a mobile home. He is requesting that the allowable setbacks on each side be nine feet. Current zoning requires the setbacks to be 12 feet. He provided a plot plan and a 1971 subdivision plan showing the division of the lot. The properties on either side of this one have a mobile home and a modular home sitting on them. Mr. Bixler described the area stating that some of the homes currently sit on the property line while some are only ten feet from the property line. The 1971 subdivision showed an 8-foot side setback. This property is located near the Park Hills Elementary School and he is calculating that families with children would be interested in these homes. The existing modular home is about nine feet from the property line so there would be about eighteen feet between the two dwellings.

There was some concern expressed by the Township Zoning Officer and the Township Engineer about the possibility of drainage culverts traversing this property. Mr. Bixler stated he did not see any but had placed a phone call to the former property owner. It was noted that the drainage from a duplex unit on Beck Mill Road comes out on Meade Avenue and the inlets are located on Hammond Avenue. It is believed that the pipe is located on this property somewhere. There was concern expressed by the Township Engineer about building over the drainage culvert and even if he moves it to the side it could cause problems. The building of the duplex will require the approval of a land development plan were these issues would be addressed.

There was some concern by the Planning Commission because a variance was not submitted for the reduction in the side setbacks. There is also no definition in the Township Ordinance of Definitions for a duplex. The definition is for dwelling, two-family detached (duplex).

There was concern that a variance was not asked for and Zoning Officer Menges stated that on occasion the Zoning Hearing Board Solicitor allows those types of request to be included with the special exception.

Planners Brown/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-38- Adam Bixler, requesting a special exception to Section 202.2 (Uses by Special Exception) to construct a duplex, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-2 vote with Planners Black and Felix casting the dissenting votes.

Z05-39 – JILL R. WILLIAMS, 330 Jasmine Drive, Hanover, PA 17331. Applicant requests a special exception to Section 203.2 (Uses by Special Exception) to operate a Family Day Care Home. The property is located in the R-15 zone.

Jill R. Williams represented this request. Ms. Williams would like to operate a small family day care home at her house on Jasmine Drive. She would keep six children in addition to her own child. She does not yet have her license but provided copies of the letter from the Township Fire Chief regarding the fire inspection held on November 9, 2005; letters and certificates from the Department of Welfare; and her Child Abuse and Criminal Record Checks. She is certified in C.P.R. but will need to take a class in First Aid. Zoning Officer Menges stated that she would need to have a four-foot high fence and sixty-five square feet of play space per child. Ms. Williams stated her business would be opened Monday thru Friday from 7 a.m. to 5 p.m. She will have no other employees. She stated that she has side parking for two cars.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z05-39 – Jill Williams, requesting a special exception to Section 203.2 (Uses by Special Exception) to operate a family day care home, pending certification by Department of Welfare and all pickups and drop offs of children be done from the driveway, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru f). Motion carried on a 7-0 vote.

The Planners received the following waiver or exoneration requests:

A waiver of the land development plan requirements for an addition and renovation to the 5 Paradise Court, Paradise Congregation of Jehovah's Witnesses Corporation.

Nathan Dougherty represented the request. The Congregation would like to construct an 18' x 40' addition for a new furnace and offices. There would only be a .6% loss of impervious surface (271 sf/39,202 sf), and the total additional building coverage will be .5%. The addition will be over an area that currently has shrubs and part of the parking lot. The furnace is malfunctioning and the type of unit they want to replace it with requires additional room. The church was built in 1986 and the requestors have submitted a site plan showing where the addition will be. They have not previously asked for a waiver but were given a variance twelve to thirteen years ago to build a stairwell and enclose an overhang. The Church owns almost three acres of land.

Planners Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 7-0 vote.

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

P01-28 – HIGH POINTE @ ROJEN FARMS, 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

There was no action taken on this plan.

P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.

There was no action taken on this plan.

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There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

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P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

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There was no action taken on this plan.

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There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

Pat Buhl, Worley Surveying represented this plan. They have supplied an architecture plan of the buildings as requested previously by the Planning Commission. They have submitted the flood study to the Township Engineer. The site will have wall-mounted lights. Township Engineer comments have been addressed.

Planners Marsh/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-08 – Woodland Development, Inc. Motion carried on a 7-0 vote.

P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.

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P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB zone.

Pat Buhl, Worley Surveying represented this plan. This plan was being presented for input. They are showing two entrances to the property - one from Baltimore Street and the other from Black Rock Road. The entrance onto Black Rock Road will require a PENNDOT permit. Mr. Buhl stated he thought that the buildings will be used for commercial purposes but was not sure. The plan was previously shown as business offices. There are two structures on the plan. The structure facing Baltimore Street will have five tenants and the one to the rear will have one tenant. The property is in the HB zone so that professional services and retail services would be a use by right. The Planners wanted to know what or who is going to occupy the building before making a comment on the design.

P05-10 – HANNON HOMES - KROUT FARM, c/o John Burkentine, P.O. Box 98 Glenville, PA 17329. A sketch of a subdivision plan to construct a twenty-seven (27) lot residential development. The property is located on the south side of Black Rock Road, east side Friar Run in the R-15 zone.

There was no action taken on this plan.

P05-11 – UNIT 14 GRANDVIEW PLAZA, Holland Properties, P.O. Box 516, Hanover, PA 17331. A final land development submitted to construct retail shops. The property is located at Grandview Plaza on Baltimore Street in the S/C zone.

Joe Holland represented this request. Engineer Bortner's comments have been addressed. The dumpster will remain to the rear of the building but will be enclosed utilizing the rear wall of the building and a fenced in area. There will be one window for drive thru pickup and a sign on the building. Most deliveries will be made before business hours.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-11 Unit 14 Grandview Plaza. Motion carried on 7-0 vote.

P05-12 – BAXTER INVESTMETN GROUP, INC., 398 York Street, Suite 5, Hanover, PA 17331. A final add-on subdivision submitted to create (2) residential building lots. The property is located on Woodridge Drive in the R-C zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P05 – 16 – VAN BUREN SUBDIVISION, Barbara Van Buren, 535 Bankert Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Bankert Road in the R-40 zone.

There was no action taken on this plan.

P05-21 – HILLSIDE MEDICAL CENTER, c/o MMS Management, LLC, 731 Fame Avenue, Hanover, PA 17331. A preliminary re-subdivision and land development plan submitted to construct an addition of medical offices. The property is located on Fame Avenue in the Industrial Zone.

There was no action taken on this plan.

P05-22-ABBIE R. BANGE, c/o Rebecca E. Goodermuth, 3121 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create three (3) residential building lots. The property is located at 3121/3141 Grandview Road in the R-15 zone.

Pat Buhl, Worley Surveying, represented this request. This is an initial review of the plan. The plan will create three lots with one new building lot. There is a land swap between the

owners of the Bange and Goodermuth properties. The Goodermuth property will be about 3.6 acres after the subdivision. The Bange home will sit on a smaller lot and there will be a new lot created at Brad Drive and Grandview Road. The new lot and Bange house will be sold to cover medical expenses. York County Planning Commission comments have not been received.

P05-23 – SYLVIA A. GOWER, 311 Martin Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located on Martin Drive in the R-15 zone.

Pat Buhl, Worley Surveying, represented this request. This plan was previously before the Planners as a Zoning Hearing Board case because it does not abut a public street. Ms. Gower does have a right-of-way about fourteen feet wide from her house to Grandview Road for access, which is paved. York County Planning Commission comments have not been received.

P05-24 – GRANDVIEW PLAZA-UNIT 9, c/o Stone Ridge Development Corp., 330 Dubbs Church Road, Hanover, PA, 17331. A preliminary/final subdivision plan submitted to construct food service/retail shops. The property is located in the Grandview Plaza Shopping Center in the S/C zone.

Dave Stair, Loss Stair Civil Engineering, represented the plan. The property is located along the existing one-way-in driveway of Grandview Plaza. It is believed that a Starbucks Coffee Shop will be utilizing one of the buildings, which will require a signboard and a drive up and pick up window. They are proposing a paved patio area. They will be submitting a landscape plan. The facility will have forty-two seats with twenty parking spaces for patrons and five parking spaces for employees. The other facility may be a Quiznos Sub Shop and may have to be smaller depending on the parking requirements it will need. York County Planning Commission comments have not been received.

P05-25 – EL GRECO STREET SUBDIVISION, Michael I. and Christine Small, 820 Hershey Heights Road, Hanover, PA 17331. A preliminary/final subdivision plan submitted to create two (2) single-family residential lots. The property is located at SW end of existing EL Greco Street. Only a small portion is located in Penn Township. The plan is being filed by Berwick Township, Adams County, PA.

Dave Stair, Loss Stair Civil Engineering, represented the plan. This was the initial review of the plan and most of it is within Berwick Township, Adams County. There was some concern expressed by Township Engineer Bortner that the previous subdivision that was done concerning these properties is shown on the plan. Mr. Stair believes they are included. York County Planning Commission comments have not been received.

Chairman Black thanked Mike Brown again for his service to the Board and wished him good luck if the Commissioners appoint him to the Zoning Hearing Board. Mr. Black also stated that in January the Commission will reorganize and he will not accept the position of Chairman and he will not, for personal reasons, be applying for reappointment when his term on the Commission expires.

The meeting adjourned at 9:04 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary