

PENN TOWNSHIP PLANNING COMMISSION

January 5, 2006

Chairman Clayton Black called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on January 5, 2006 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Michael Johnson, Fred Marsh, Wendell Felix and Stede Mummert. James Butt was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

Chairman Clayton Black welcomed Stede Mummert to the Planning Commission.

The Planning Commission took action to reorganize. Planners Felix/Marsh moved to nominate Ray Van de Castle as Chairperson of the Commission. The motion carried unanimously.

Planners Marsh/Felix moved to nominate James Butt as Vice Chairperson of the Commission. The motion carried unanimously.

The December 1, 2005 Planning Commission minutes were approved as submitted with Planner Mummert abstaining.

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

**Z06-01 – JOSEPH A. MYERS, 160 Ram Drive, Hanover, PA 17331. Applicant requests a variance to Section 204.3 (Area and Bulk) to construct single family dwellings that do not meet the minimum lot width. The property is located in the Whispering Run Subdivision, Lots 105 and 106 on Bair Road in the R-22 zone.**

Ted Decker, Group Hanover, and Drew Plunkert, J.A. Myers, represented this request. Mr. Decker stated that they are requesting a variance to Section 204.3, for two lots, 105 and 106 in the Whispering Run Subdivision, which will not have the minimum lot width but will access a public street via a twenty -five foot wide access into each property. The lots do meet Section 311 Street access because they do abut a public street. The ordinance requires that each lot have a minimum of one hundred twenty feet of public street frontage. The layout of the area makes it difficult to build a road that will cross Plum Creek. They originally proposed a road across the creek and wetlands but the US Army Corps of Engineer would not approve it. The developer then proposed a cul de sac for the two lots but Township Staff felt that would be inappropriate. The developer then proposed the two flag lots. The driveways will be twelve feet wide within a twenty-five foot right of way that will be maintained by the property owners. Refuse collection will be curbside. Mr. Decker stated that flag lots appear in other areas of the Township, one of the areas being Hickory Heights. The planners were concerned that the Township's fire equipment will not be able to reach the homes via the driveways. Mr. Decker stated that a turn around could be included on each lot. The cul de sac could be put in but it was on the recommendation of the Township that it be eliminated. The proposed cul de sac was four

hundred feet for two lots. There would be no maintenance by the Township on the private drives. The planners are concerned about the safety of the future residents. Mr. Plunkert stated that the residents would be in no more danger than the owners of the Gitt property, which has a 12' wide access and an 800' driveway. The planners stated that the Gitt home was built prior to any Township requirements for zoning and planning and the planners are here to try to avoid those situations.

Planners Felix/Johnson moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z06-01 – Joseph A. Myers, requesting a variance to Section 204.3 (Area and Bulk) to construct single family dwellings that do not meet the minimum lot width, for lots 105 and 106 in the Whispering Run Subdivision, as it does not meet the requirements for variance as set forth in Section 502.3 A, C, and D. Motion carried on a 6-0 vote.

The Planners received the following waiver or exoneration requests:

RGS Associated, Inc. is requesting additional waivers to land development plans for the Thornbury Hunt project in regards to Section 505g Curves, Section 507b Access Drives, and Section 508 Blocks.

Chris Venarchick, RGS Associates, represented this request. Thornbury Hunt is a thirty-five acre site with forty one proposed single family dwellings. They have met with the Township several times and are working with Robert Holweck on this project. Site Design Concepts originally submitted the project and since then Mr. Holweck and RGS have been working on the project. The property is located in the R-22 zone. They are proposing two crossings over the creek. They are also proposing retaining walls to reduce impact.

They are requesting a waiver to Section 505g curves because they cannot meet the curve requirement in the code because of the layout of the land. They are proposing a vertical curve that would be four hundred eighty eight feet long. They are trying to prevent the need to fill the stream but still will need about eleven feet of fill. They have used this in other areas of York County.

The second request is for Section 507b access drives. They are requesting a driveway slope of eight percent as allowed by the zoning ordinance not the five percent allowed by the subdivision ordinance. The remainder of the driveway will be the twelve percent as allowed in the ordinance. They are trying to alleviate the need to create excessive cuts and fills with earthwork.

The third request is for Section 508 blocks. The proposed street length is 2,040 feet because of the connection to the adjoining developments. The stream crossing provides a visual break in the street because there will not be homes within eighty feet of the stream. The Commission was concerned where the next intersection would be in Martin's Ridge.

About seventy-five percent of the driveways will need to have a slope of about eight percent.

The applicant is still pursuing having the cul de sac on the church property.

Engineer Bortner stated that this is no different than what has been done with other plans except the driveway slope, which was changed when the new zoning ordinance was adopted.

Planners Black/ Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on a request for a waiver of Section 508 block lengths. Motion carried on a 5-1 vote with Commissioner Johnson casting the dissenting vote.

Planners Black/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on a request for a waiver of Section 505g curves. Motion carried on a 6-0 vote.

Planners Black /Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners on a request for a waiver of Section 507b access drives. Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

Worley Surveying on behalf of Stone Ridge Development Corporation/Pinebrooke requests a variance to Article IX, Section C.8 spillways of the Stormwater Management Ordinance in regards to the requirement of providing one (1) foot of freeboard around the entire top of a pond embankment.

Reg Baugher, Worley Surveying, represented this request. Mr. Baugher provided a plan of Pinebrook showing the stormwater pond located to the rear of the development between Breezewood Drive and Ruel Avenue. They are requesting a three-inch waiver of the one foot reserve capacity required by the Township ordinance. They stated that if they raise it three inches they could cause water on the neighbors. They can meet the ordinance by reducing the number of parking spaces for the multi-family units. They are providing fifty-three spaces and are only required thirty-two spaces. Engineer Bortner stated that it could be designed to meet the Township ordinance.

Planners Felix/Black moved for an unfavorable 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.**

Chris Venarchick represented this request. Engineer Bortner stated that he is concerned about the proposed guide rails near the retaining walls which are not shown. Engineer Bortner stated that, along with the retaining wall and a fence, a guide rail will be needed before the sidewalk. It was noted that one of the driveways should be located along the side street of the development.

**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.

**P04-18 – 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.

**P04-25 – 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

**P05-12 – 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.**

There was no action taken on this plan.

**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.**

There was no action taken on this plan.

**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. They have addressed both Engineer Bortner's comments and York County Planning Commission comments. They have added a "do not enter" sign to prohibit a left hand turn. The proposed tenants know what the building is, along the parking situation, and will have to live with it.

Planners Black/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-24 Grandview Plaza Unit 9.

**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.**

There was no action taken on this plan.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

Reg Baugher, Worley Surveying, represented this plan. This is the initial review of the plan and he is requesting comments. Engineer Bortner and York County Planning Commission comments have not been received. There was some concern about where the new road will be located. Engineer Bortner was concerned about the pie shaped lots in the plan.

#### Public Comment

Roger Brooks was concerned about what would be happening on Crest Avenue off Bowman Road. Engineer Bortner stated that P03-20 Baxter Investment/Wallen Tract is the plan that references Crest Avenue. There is an existing 50 right of way known as Crest Avenue. Crest Avenue in some locations is located on the Baxter Investment/Wallen Tract land. The plan

proposes to shift Crest Avenue so that it is within the 50-foot right of way. Mr. Brooks is concerned how this will affect his property. The plan shows no improvements to Crest Avenue. Mr. Brooks is concerned that his yards and his neighbor's yards will be washed out. They could do something that conforms to the Township's stormwater management ordinance. The planners informed them to come to the Penn Township Public Works Committee meeting on February 7, 2007.

Richard Hartlaub was concerned that Mr. Myers would be able to get a variance for more than just the two lots that he requested. Planner Felix stated that the Planning Commission made a recommendation to deny the request but they would have to abide by the decision of the Zoning Hearing Board.

Commissioner Johnson thanked Mr. Black for his year of service as Chairman and wished Mr. Van de Castle good luck.

The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
FEBRUARY 2, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on February 2, 2006 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Michael Johnson, Wendell Felix, James Butt, and Stede Mummert. Fred Marsh was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

Planner Mummert noted that on page 8 of the January 5, 2006 minutes the motion under P05-24 – Grandview Plaza Unit 9 should be changed from P04-24 to P05-24. The January 6, 2006 Planning Commission minutes were then approved as corrected.

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

**Z06-02 – BRIAN & TAMARA EISENHART, 345 High Rock Road West, Hanover, PA 17331. Applicant requests a special exception to Section 407.3b (Replacement) to construct a single-family residential dwelling. The property is located at 3026 Grandview Road in the R-15 zone.**

Brian and Tamara Eisenhart represented this request. They would like to remove the existing single-wide trailer and addition at 3026 Grandview Road and replace it with a stick built rancher that is 26'x 46' with 7/12 pitched roof. Most of the houses in the area have a similar pitched roof. They will utilize the existing garage and driveway. There is no turnaround but with the new home they are proposing one between the house and the driveway. The new home will have the same side and front setbacks as currently exist. The location of the new house will align with that of the existing house home, although it will be closer to the garage than the trailer was. There will also be a three feet walkway between the driveway and the house. The new house does not create any new dimensional nonconformities. Mr. and Mrs. Eisenhart have already purchased the property. There was a question as to whether or not they would be able to relocate the utility pole that is in front of the trailer. They will have to contact Met-Ed about relocating it.

Planners Black/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-02 – Brian and Tamara Eisenhart, requesting a special exception to Section 407.3b (Replacement) to construct a single-family residential dwelling 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.

The Planners received the following waiver or exoneration requests:

Worley Surveying, on behalf of Stone Ridge Development Corporation, Brookside Heights subdivision, is requesting waivers from Article V, Sections 505d, 505e, 508, 509a, and 506e – design standards, of the Subdivision and Land Development Ordinance. Reg Baugher

from Worley Surveying represented this request. He stated that the traffic study suggested the cul-de-sac and most of the other requests were discussed at prior meetings. The waiver requests were as follows:

1. Section 505d: a waiver for the temporary cul-de-sacs at both ends of Park Street, at the end of Center Street at the Mustang Pointe property. They are requesting a waiver from this section, which prohibits dead end streets, except when designed as temporary cul-de-sac streets. Both South Center and Park Street dead end into adjacent properties. These streets connect into the property to the south known as the Mustang Pointe Subdivision, which is currently in the subdivision review process.

Planners Black/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on the waiver request for Section 505d. Motion carried on a 6-0 vote.

2. Section 505e: length of cul-de-sac must be at least 275 feet measured from last intersection. The northern end of Brookside Avenue is proposed to terminate at a cul-de-sac, which measures 198 feet from the intersection of Fair Avenue.

Planners Mummert/Black moved for a favorable recommendation to the Penn Township Board of Commissioners on the waiver request for Section 505e. Motion carried on a 6-0 vote.

3. Section 508: block shall have minimum length of 500'. They do not meet this requirement, but they do provide sufficient depth to accommodate two-tier lots. There are two sections of Park Street and a section of Charles Street that do not meet the ordinance requirements.

Planners Felix/Black moved for a favorable recommendation to the Penn Township Board of Commissioners on the waiver request for Section 508. Motion carried on a 5-1 vote with Planner Johnson casting the dissenting vote.

4. Section 509a: corner lots shall provide for equal setbacks on both streets. They are requesting a waiver from this section for lot 1a. This lot fronts on Center Street with the side yard being an existing alley.

Planners Mummert/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on the waiver request for Section 509a corner lots. Motion tied 3-3 with Planners Black, Butt and Johnson casting the dissenting votes.

Planners Johnson/Van de Castle moved for an unfavorable recommendation to the Penn Township Board of Commissioners on the waiver request for Section

509a corner lots. Motion carried on a 4-2 vote with Planners Felix and Mummert casting the dissenting vote.

5. Section 509a: The lot depth shall be neither less than one nor more than two and one-half times the average width. Due to the configuration of the property, connecting to the existing street pattern and environmental features, such as a stream, regulated channels, a floodplain and wetlands, several lots exceed this requirement. These lots are 29a and 29b and 30a and 30b.

Planners Johnson/Butt moved for an unfavorable recommendation to the Penn Township Board of Commissioners on the waiver request to Section 509a lot depth. Motion carried on a 4-2 vote with Planners Mummert and Felix casting the dissenting votes.

6. Double frontage lots are prohibited. Lots 1a and 1b and 2a and 2b are proposed as double frontage lots. Vehicular access to these lots will be from South Center Street. Access from the cul-de-sac for Brookside Avenue will be prohibited. The plan will state that access will be from South Center Street and vertical curb will be installed.

Planners Felix/Black moved for a favorable recommendation to the Penn Township Board of Commissioner on Lots 1a and 1b and 2a and 2b as double frontage lots. Motion carried on a 4-2 vote with Planners Butt/Johnson casting the dissenting votes.

7. Section 506e: This section requires that the distance between intersections be 500 feet minimum for a collector street with a local street. The site was designed as shown to fit the conditions of the property and the existing site constraints.

Planners Black/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on the waiver request to Section 506.e distance between intersections. Motion carried on a 6-0 vote.

Rich Fogle is requesting exoneration from a land development plan for 1016 Alvin Street in order to construct an addition to an existing garage.

Zoning Officer Menges stated that the property owner, Mrs. Sterner, does not intend to use the proposed contractor but would like a favorable motion to the request. After reviewing the proposed plan, Planners Butt/Johnson moved that a better plan be presented to the Planning Commission before a decision is made. Motion carried on a 6-0 vote. The applicants were told to get with the Zoning Officer about what to present.

Bickel's Snack Foods is requesting an exoneration from a land development plan to install a flour silo at their plant (Wege Pretzel) located on 116 N. Blettner Ave.

No one was present from Bickel's to represent the request so the Planning Commission took no action.

Reg Baugher, Worley Surveying, represented a waiver request of the sidewalk requirements along the Abbie Bange Subdivision.

Planners Mummert/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-1 vote.

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

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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.

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**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.

**P04-25 – 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

**P05-12 – 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.**

Reg Baugher, Worley Surveying, represented this plan, which was discussed in conjunction with the earlier sidewalk waiver request. The plan will create one new residential building lot, create a single lot for the existing home and also an add-on lot to the neighbors property.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-22. Motion carried on a 6-0 vote.

**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.**

There was no action taken on this plan.

**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.**

There was no action taken on this plan.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

The meeting adjourned at 7:58 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
MARCH 2, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on March 2, 2006 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Wendell Felix, James Butt, Fred Marsh and Stede Mummert. Michael Johnson was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The February 2, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-03 – STONE RIDGE DEVELOPMENT CORPORATION, 330 Dubbs Church Road, Hanover, PA 17331. Applicant requests a variance to Section 205.3 (Area and Bulk) to construct single-family dwellings that do not meet the minimum lot width. The property is located in the Avion residential subdivision at the intersection of Blooming Grove Road and Bankert Road in the R-40 zone. The request is for three (3) of the nineteen (19) proposed lots.**

Dave Stair, Loss Stair Civil Engineering, D.J Hart, Guthrie, Nonemaker, Yingst, and Hart, and John Beil, Stone Ridge Development, represented this request. They are requesting a variance to Section 205.3 (Area and Bulk) regarding the minimum requirements for lot width. There are nineteen lots in the subdivision and they are requesting the waiver for lots 6, 9, and 10. These lots are located on a steep slope overlay, which make it difficult to proceed with regular development. The development is located along Bankert Road and Blooming Grove near a problem intersection. The Avion subdivision plan helps to correct some of those problems by creating a new intersection with better sight distance. The layout was created as a result of discussions between the developer and the Township. This layout causes some of the problems with the lots 6,9, and 10 for minimum width. To reconfigure the lots may cause double frontage lots or odd shaped lots. The necessity to maintain the 175-foot lot width would result in the loss of lots or exceed the earth disturbance allowed in the steep slope zone. The situation was not created by the developer but was created when the Township requested the additional intersection. The Planning Commission, Public Works Committee, Township Engineer, Zoning Officer and Manger all expressed concern about alleviating the traffic problems along this road. There is a right of way included in the plan for the future development that may result on the adjoining property. There would be no adverse impact on the surrounding areas. Stone Ridge is asking for minimum variance. Mr. Stair stated that they are proposing a better controlled intersection with the traffic along their property being one way and all the traffic that wants to enter Blooming Grove Road would have to pass through the development. The proposed intersection is thirty-five feet closer to Bankert Road then what is allowed by the ordinance. The new intersection will have a clearer sight distance, a wider road, and larger turning radiuses. It was noted that when the sketch plan was proposed it was the desire of the Planning Commission to correct the Bankert Road and Blooming Grove Road intersection. The proposed lots are all

over an acre. The current access to the Martz property is limited and the fifty-foot right of way that was taken for the future road created some of the problem. The new intersection creates the need for the variance. The proposed Martz subdivision was previously rejected because of access issues.

Planners Butts/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-03 – Stone Ridge Development Corporation requesting a variance to Section 205.3 (Area and Bulk) to construct single family dwellings that do not meet the minimum lot width 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 Marsh/Mummert casting the dissenting votes.

**Z06-04 – DUANE MYERS, 75 McClellan Lane, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to construct a mudroom that encroaches into the front setbacks. The property is located in the R-15 zone.**

Joseph Lachnit, Jayel Builders contractor, and Duane Myers represented this request. Mr. Myers stated that they would like to enclose an existing four foot stoop and add an additional four feet on to it for a room to hang coats, place snow shovels, and for muddy shoes. Mr. Myers stated that he thought that he already has a permit for the project but did not and was asked to stop the project, which he did. The property is a corner lot and therefore has two front yards. It reduces the front setback by about six feet to twenty-nine feet from the curb. The contractor provided pictures of the project and showed that most of the homes in the area do not have the proper setback. The contractor also stated he was not aware that the side yard was considered a front yard or he would not have told Mr. Myers that he could do the project. The house fronts on McClellan Lane and the stoop is on Davis Circle.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z06-04 – Duane Myers, requesting a variance to Section 203.3 (Area and Bulk) to construct a mud room 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 5-1 vote with Planner Felix casting the dissenting vote.

**Z06-05 – MUMMERT ENTERPRISES, c/o Tim Mummert, 8 Stuart Avenue, Hanover, PA 17331. Applicant request a special exception to Section 202.2 (Use) to construct single-family attached dwellings. The property is located on Brookside Avenue between Charles Avenue and Wayne Avenue in the R-8 zone.**

Tim Mummert represented this request. Mr. Mummert stated that several months ago he appeared before the Commission requesting a special exception for the adjoining property and was granted his request to build seventeen townhouses on the property. This plan adds the neighbors property, which would allow him to build an additional seven townhouses and a single-family lot on the remaining property. Mr. Mummert reviewed the criteria for townhouses. He stated that the minimum lot area is 1,800 square feet with their smallest unit having 2,937 square feet. The minimum lot width is 18 feet and they have a minimum lot width of 20 feet. They meet the side setbacks of 15 feet on all the lots. They have eight dwellings in a row, which

is allowed by the ordinance. They have three sets of eight. The density requirement allows ten units per acre and they are at 9.84 per acre. They feel they meet the requirements for a special exception. There will be improvements to Brookside. The right of way will be on Mummert's property and will meet the fifty-foot requirement for the street. Mummert will do the improvements from Wayne Avenue along his property to the existing alley. The homes will have garage parking along with two additional parking spots in the driveway. There was some concern about the density of the building but it was noted that some land was given up for the street right of way and if there is a problem Mr. Mummert owns the property to the rear so the lots could be made longer. The existing building will be removed.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-05 – Mummert Enterprises requesting a special exception to Section 202.2 (Use) to construct single family attached dwellings, provided the area moved back twenty feet to meet the ordinance or the road frontage is included in the gross acreage, 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:

Homewood Retirement Centers @ Hanover is requesting exoneration from land development plans to construct additional parking spaces at their new Community Center.

No one was present to discuss the request.

Brian and Tamara Eisenhart are requesting exoneration from the sidewalk and pole light ordinances at 3026 Grandview Road.

No one was present to discuss the request.

South Western School District is requesting exoneration from land development plans to construct an addition to the existing storage shed on the Park Hills Elementary athletic field.

No one was present to discuss the request.

Rich Fogle is requesting exoneration from a land development plan for 1016 Allen Street in order to construct an addition to an existing garage. This request was carried over from February 2, 2006 meeting requesting a better plan.

Mrs. Pat Sterner represented this request. She provided pictures where she wants to place the building. They want to add a pole building on the existing shop over an existing impervious area. Engineer Bortner stated that he is not aware of any existing stormwater problems but it is a private street. The new building will allow water to be directed instead of sheet flow.

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

Bickel's Snack Foods is requesting exoneration from land development plan to install a flour silo at their plant (Wege Pretzel) located on 116 N. Blettner Avenue.

John Anthony, Bickel's Plant Manger, represented this request. Mr. Anthony stated they have an existing bin inside the facility that is no longer usable and they got the silo from another facility. They will be removing twelve parking spaces but will still have about seventy spaces available for their fifty employees. The silo will be located on West Chestnut Street and not Blettner Avenue. This silo is about the same size as the existing bin. The silo will be out of sight and will be located near the existing bin. Mr. Anthony stated that about 95% of the deliveries are made at six in the morning. Planner Felix expressed concern about the possibility of increased noise. The unloading will occur about ten feet from the existing unloading area.

Planners Marsh/Mummert 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.**

Ted Decker, Group Hanover, and Jim Piet, Masonry Homes represented this plan. Engineer Bortner stated this plan had been previously recommended approval in April 2003. They have made some changes since it was approved. These include reconfiguration of some of the lots at the recommendation of the Army Corp of Engineers who informed the developer they had to save the farm pond in addition to having a stormwater pond. Both ponds will be fenced in. Engineer Bortner wanted to make sure that the Commission was aware of the change. This is for preliminary plan approval and the final plan will still have to be submitted. Mr. Decker stated that the homeowners association would own the pond. The sewer issue to the Hanover Borough has been resolved. The property is adjacent to the Penn Township Community Park. Engineer Bortner stated that an additional motion for approval was not necessary.

**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.**

Reg Baugher, Worley Surveying, represented this plan. Engineer Bortner noted that some changes have been made since it was recommended for approval in December 2002. They have made a small change per the Township Engineer that includes the a change in the layout of Brian Lane which will now go right instead of left to help alleviate steep slope problems in Thornbury Hunt. A motion for approval was not necessary.

**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.**

Ted Decker, Group Hanover, represented this plan. This plan has not been reviewed for a while. Engineer Bortner has been reviewing the plan and expects to have his comments to the developer shortly. The Army Corps of Engineers impacted the plan because of the wetlands in the area. The Thornbury Hunt plan shown on this plan is several years old and the roads have been aligned with the RGS Associates who is working on the Thornbury Hunt plan. This development will connect with the Stonewicke Development on Ripple Drive. Stonewicke will then connect through Lark and Meadow Lane. There was discussion about the traffic pattern that this development has and how it connects to the proposed developments and what impact that will have on current streets. Engineer Bortner stated that he has concerns about the proposed improvements shown on the plan especially Baer Road. He has concerns because there are some areas of the Township where the road improvements were not done by the developer. Engineer Bortner stated that the public works department does not like cul de sacs on streets that have only two lots.

**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.

**P03-11 – 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.

**P03-23 – 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.

**P04-18 – 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.

**P04-25 – 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

**P05-12 – 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.

**P05-21 – 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.**

Reg Baugher, Worley Surveying, represented this plan. This had been recommended approval at the last meeting but the applicant requested a change to one of the lot lines. The plan was withdrawn for approval the day of the Board of Commissioners meeting.

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

**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.**

Reg Baugh, Worley Surveying, represented this plan. This is a review of the plan for a subdivision on Martin Drive that had received approval from the Zoning Hearing Board to build a residence along a road that does not meet the fifty-foot requirement. York County comments and Township Engineer comments have been addressed.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-23 Sylvia Gower. Motion carried on a 5-1 with Planner Black casting the dissenting vote.

**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.**

There was no action taken on this plan.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06- 02 – MCCLARIN PLASTICS, 600 Linden Avenue, Hanover, PA 17331. A final land development plan submitted to construct an office/plant addition. The property is located on Industrial Drive in the Industrial zone.**

Gerry Funke, Group Hanover represented this plan. This is for a plant expansion to the rear of McClarin Plastics. This is the initial review of the plan. This will include some small changes to the office addition. They will be changing the entrance and redoing the parking lot. They received a new contract and need the additional space.

**P06-03-EISENHOWER SHOPPING VILLAGE, c/o Scotto Malvone, LLC, 496 Eisenhower Drive, Hanover, PA 17331. A final land development plan submitted to construct retail stores and a financial institution. The property is located at 496 Eisenhower Drive in the S/C zone.**

Gerry Funke, Group Hanover represented this plan. This is the initial review of the plan. The Commission was concerned that the proposed traffic pattern may present a problem. There was concern about who is taking the lead on reviewing the plan. The Township Fire Chief has concerns as well. The Zoning Officer will call the Hanover Borough to confirm who is taking the lead. There was also concern about public safety and the placement of dumpsters.

**P06-04 – MANOR STREET FINAL SUBDIVISION, c/o Adam Bixler, 310 Manor Street, Hanover, PA 17331. A final subdivision and land development plan submitted to create two (2) single-family residential lots. The property is located at 326 Manor Street in the R-8 zone.**

There was no action taken on this plan.  
The meeting adjourned at 8:51 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
APRIL 6, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on April 6, 2006 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Wendell Felix, James Butt, Michael Johnson, Fred Marsh and Stede Mummert. Clayton Black was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The March 2, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-06 – ED LOOKENBILL, 1108 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area and Bulk) to construct a single family dwelling that encroaches into the setbacks. The property is located at 18 E. Granger Street in the R-8 zone.**

Ed Lookenbill represented this request. Mr. Lookenbill would like to construct a single-family home in the R-8 zone. The side setback requirement is twelve feet but the lot is only thirty-six feet wide, which would only allow him to build a twelve-foot wide house. There is an existing two-car garage on the lot. The existing homes on either side of the lot have side setbacks of four feet. If he receives a side setback variance of five feet on each side he could construct a twenty-six foot wide house. Mr. Lookenbill is requesting that the front setback be the same as the neighboring homes, which is about twelve feet with approximately eight feet to the existing sidewalk. He is proposing a porch on the front of the house. The rear will have a thirty-four foot setback. The neighboring duplex faces McAllister Street. The house will be built closer to the property line of the single family home.

Planner Butts moved for a motion to table to next months meeting until a better drawing of the home was provided. The motion failed for a lack of a second.

Planner Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-06 Ed Lookenbill, with the conditions that the house have a six-foot setback on each side, that it would be no bigger than twenty four feet wide, and that the front of porch of the house would not extend farther than the front of the existing houses, which would provide a greater setback than the existing houses. The motion failed for a lack of a second.

Planners Felix/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-06 – Ed Lookenbill, requesting a variance to Section 202.3 (Area and Bulk) to construct a single family dwelling that encroaches into the setbacks with the condition that the side setbacks be eight feet, 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 Butt and Mummert casting the dissenting votes.

**Z06-07 – ERIC & LAVENDA FISCHBACH, 54 Cardinal Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to construct an addition that encroaches into the back setbacks. The property is located in the R-15 zone.**

Eric and Lavenda Fischbach represented this request. The applicants would like to build an addition to extend the living space of their house. They want to add a garage, a bathroom, and a master bedroom. The home is a single-story rancher and they would like to have a rear setback of twenty-five feet. There is an existing 16' x 16' deck off the kitchen. The house is currently thirty-one feet from the rear property line. The side setback will remain twelve feet. The applicant thought that they would meet the front setback but they did not take into account the right-of-way. The plan they have meets their budget constraints but would encroach into the front setback by about eight feet. The yard is fenced in.

Planners Johnson/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing board on case Z06-07 – Eric and Lavenda Fischbach, requesting a variance to Section 203.3 (Area and Bulk) to construct an addition that encroaches into the back setbacks with the stipulation that the addition be built an additional eight feet in the rear setback giving them a rear setback of seventeen feet, but they must maintain the thirty-five foot front setback. The request meets the standards 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.

**Z06-08 – ROBERT & DARLA RIPLEY, 12 Allen Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to construct a front porch that encroaches into the setbacks. The property is located in the R-15 zone.**

Robert and Darla Ripley represented this request. The applicants would like to put a front porch on their house where the existing stoop is. The stoop is about twelve inches from the ground and their elderly relatives and neighbors cannot step up onto it. The stoop was original with the house. They have owned the home for twelve years. There are several other houses in the area that have porches. The porch will enclose the existing window on the front of their house. The porch will extend to the driveway, where there will be several small steps for people to access the porch.

Planners Butt/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z06-06 – Robert and Darla Ripley, requesting a variance to Section 203.3 (Area and Bulk) to construct a front porch that encroaches in the setbacks, 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.

**Z06-09 – MAITLAND INVESTMENT CORPORATION, 925 Westminster Avenue, Hanover, PA 17331. Applicant requests a special exception to Section 204.2 (Use) and an**

**interpretation of Section 204.2 (Use) to construct a roof over an existing patio area for night social functions. The property is located in the R-22 zone.**

D.J. Hart, of Guthrie, Yingst, Nonemaker, and Hart, represented this request. Maitland Investment Corporation owns the South Hills Golf Club but leases it to a management company. They are requesting to be allowed to install a semi-permanent roof over their existing patio. The structure would be permanent from April through October and removed for cleaning and storage in the winter months. The reason for the request is so that they can host functions such as golf outings, wedding receptions and an outdoor restaurant, in addition to providing a place to socialize in the event of inclement weather. Attorney Hart stated that these types of activities have been occurring at the golf course since the late 1960's and that they are accessory uses to a golf course. He stated that they applied for the special exception because of the accessory use and so that they were on record with the Township as to what was going to be happening. They also wanted an interpretation of an accessory use because they are considering hosting an annual wine festival at this site.

Charles Alter, manager of the golf course, stated that they need the tent in order to secure some of their fundraising functions because most golf courses offer indoor dining. They host the Make-A-Wish outing, the Red Cross outing and this year will host the Fat Chuck golf tournament. They are also hoping to host class reunions. The tent is 40' x 50' canvas and is placed over the existing stone patio deck. The supporting structure will remain in place all year long. The deck with the tent can hold about 200 guests. They will also be regulated by the Pennsylvania Liquor Control Board regarding the hours they can serve liquor. It was noted that the liquor license does not allow them to serve alcohol after 2:00 AM. The golf course has been hosting special events for many years but the leasing company just took over in June. Mr. Hart stated that that the golf course existed prior to the enactment of Township ordinances.

Cindy Kelly, 945 Westminster Road, expressed concern about issues she has had with the golf course over the years. She purchased the house in 1972 and knew that she would be living next to a golf course. She is concerned about the hours of operation and the noise that may be created late at night. Dennis Kelly, 945 Westminster Road, expressed concern about private property and the patrons and the golf course infringing on his rights. The Kelly's also stated that the tent exists and has been up for several weeks.

Lee Harget, restaurant manager, stated that he intends to have food served to about 11:00 each night and can provide a special events calendar to the neighbors. He also stated that with regards to parking they have been allowed to use Patty and John's parking lot and in return have offered them the use of theirs for overflow. The golf course also allows some parking along the driveways approaching the clubhouse.

Planners Butt/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-09 Maitland Investment Corporation, requesting a special exception to Section 204.2 (Use) and an interpretation of Section 204.2 (Use) to construct a roof over an existing patio area for night social functions with the conditions that the tent be a 40' x 50' tent with music and dinner that is served under the tent to be concluded by 11:00 p.m., as it

meets the conditions for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

The Planners received the following waiver or exoneration requests:

Homewood Retirement Centers @ Hanover is requesting exoneration from land development requirements to construct additional parking spaces at their new Community Center.

Conrad Peachy, Vice President of Operations, and Sandy Fair, Executive Director represented this request. They are requesting to be allowed to install forty parking spaces at their community center without submitting a land development plan. The parking spaces will be 10'x20' and there are 240 living units at the retirement center. Some of the residents drive to the community center for functions. Homewood owns about 100 acres of property. When they hold events at the community center the area becomes congested and sometimes there is not enough parking for the residents. If they have events where the public is invited they will shuttle the residents so that those visitors can use the parking lot. They have already proposed an additional eighteen handicapped parking spaces closer to the cottages.

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

Brian and Tamara Eisenhart are requesting exoneration from the sidewalk and pole light ordinances at 3026 Grandview Road.

No one was present to represent this request so the Commission moved and approved to table the request until such time as someone is present.

South Western School District is requesting exoneration from land development plans to construct an addition to the existing storage shed on the Park Hills Elementary athletic field.

Tom Hoover, Director of School Facilities, represented this request. He stated that the Park Hills Athletic Association is willing to donate the labor and material to increase the size of the storage shed at the Park Hills Elementary athletic field for the storage of sports equipment. The shed may also be used as a concession stand. The addition, which is 12'x38' will double the size of the building. The athletic association maintains the building but it is located on school property. District officials will be in charge of getting the appropriate permits.

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

Worley Surveying on behalf of J.A. Myers Building and Development is requesting additional waivers to land development plans for the Stonewicke Subdivision project in regards to Section 505d Dead End Street, Section 505e Cul-de-sac streets, Section 506e distance between intersections and Section 509a Lot layout in development.

Pat Buhl, Worley Surveying, represented this request. On Section 505d dead end streets, they are requesting a waiver to install a temporary cul de sac at the end of South Maple Lane just beyond the intersection with Cantera Way. Mr. Buhl stated that at some future date that road may be extended but it is currently not owned by Mr. Myers. Mr. Buhl stated they would withdrawal the request for 505e cul de sac streets because they have worked out that problem.

Planner Felix stated that he wanted it on the record that he lives in the western section of Grandview Acres and will not be directly affected by the traffic created by this development but he thought that Meadow lane being a through street from Clover Lane to Grandview Road was not a good idea and that it should be reconfigured. The proposed Meadow Lane would connect to existing Meadow Lane in Grandview Acres and run directly to Baltimore Street at the entrance to Grandview Plaza.

The Planners then turned to discussing the proposed entrance into the development. The plan shows only one entrance off of Clover lane and there is concern that if that entrance is blocked, emergency vehicles could not make it into the development. If there were an emergency then they would have to go to Grandview Road to enter the development. The Committee discussed that one of the streets be connected to the Whispering Run subdivision, which would provide an additional access off of Clover Lane. The Committee suggested that Alabaster Street be connected to Pearl Drive. Mr. Buhl stated that he could not make any commitments on the street connection because even though both tracts were owned by the same property owner there are two different engineering firms submitting the land development plans.

The Committee also questioned the status of lot 1, which is shown as a shopping commercial lot. However, under the current Township ordinance most of it is zoned residential.

There was some concern about the traffic impact on Clover Lane, Baltimore Street and Meadow Lane due to this development and the Wal Mart being constructed in West Manheim Township. Some of the traffic from West Manheim may use these streets to avoid the signalized intersections. Also, this may cause a back up from Baltimore Street to Meadow Lane on Grandview Road.

It was noted that the Township is working on installing a signal at the intersection of Clover Lane and Baltimore Street.

The request for Section 506e, distance between intersections, was of some concern to the Planners because it involved about fourteen intersections in the development. Mr. Buhl stated that he might be able to reconfigure Meadow Lane as previously requested and help eliminate some of those distance problems.

They are requesting a variance to Section 509 lot depth for lots number 126, 125 and 36.

The Planners will make a recommendation on the requests once they receive revised plans.

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. (SOUTH)**

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.**

Ted Decker, Group Hanover, and Paul Minnich, counsel for Joseph A. Myers, represented this plan. As per the earlier discussions, the Planners requested that there be a connection from the Whispering Run subdivision to the Stonewicke subdivision. After some discussion about which connection would be best (Alabaster or Cantera) the Committee recommended that it be at Cantera. Mr. Minnich stated that his client had no problem with the connection as long as only a minimum number of lots are lost, preferably only one. After review, it was believed that the connection could be made through lot number 2.

Engineer Bortner stated that the developer has technically addressed his comments for the plan.

The Planners were concerned about other improvements that will be made as a result of the traffic created by the development. Mr. Minnich stated that Mr. Myers has agreed to contribute to the rebuilding of Bair Road to Clover because of the construction equipment that would be utilizing it.

Planners Felix/Marsh moved for a favorable recommendation on P02-22 – Whispering Run to the Penn Township Board of Commissioners with the condition they address a connection street at Cantera Way with the Stonewicke subdivision and that negotiations between Jeffrey Garvick, Township Manager, on the existing Bair Road and Clover Lane improvements are concluded. Motion carried on a 6-0 vote.

**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.

**P03-11 – 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.

**P03-23 – 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.

**P04-18 – 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.

**P04-25 – 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.**

Pat Buhl, Worley Surveying, represented this plan. He presented this plan for a review of the lot layouts because it had been previously reviewed and there had been some concern. This property used to be owned by the golf course. The plan connects to the Thornbury Hunt subdivision and their street layout has been taken into consideration.

**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

**P05-12 – 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.

**P05-21 – 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.

**P05-25 – EL GRECO STREET SUBDIVISION, Michael 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.**

David Stair, Loss Stair Engineering, represented this plan. The plan has been approved by Berwick Township where most of the property is located.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioner on P05-25 –El Greco Subdivision. Motion carried on a 6-0 vote.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06- 02 – MCCLARIN PLASTICS, 600 Linden Avenue, Hanover, PA 17331. A final land development plan submitted to construct an office/plant addition. The property is located on Industrial Drive in the Industrial zone.**

Gerry Funke, Group Hanover, represented this plan. Mr. Funke reviewed the plan that shows employee parking on the west side of the plant or the Sheridan Press side of the plant. There will be a driveway included around the plant for access by the employees for parking and for truck traffic. The plan shows a three phase office and plant addition.

Engineer Bortner's comments have been addressed.

Planners Van de Castle/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-02 – McClarin Plastics. Motion carried on 6-0 vote.

**P06-03-EISENHOWER SHOPPING VILLAGE, c/o Scott Malvone, LLC, 496 Eisenhower Drive, Hanover, PA 17331. A final land development plan submitted to construct retail stores and a financial institution. The property is located at 496 Eisenhower Drive in the S/C zone.**

Gerry Funke, Group Hanover, represented this plan. Mr. Funke noted the changes that had been made based upon York County Planning comments, Engineer Bortner's comments and the Borough of Hanover comments. The plan now shows an internal T-intersection with a three-way stop. There is a connection from the tract to the A.C. Moore parking lot. There will be plantings and shrubs placed around the parking area to help control the light pollution that is caused by the car lights shining onto the street. There has been a fire lane installed to the rear of the facility for fire equipment as per a discussion between both the Township Fire Chief and the Borough's Fire Commissioner. This lane will also be used by the businesses for deliveries. The garbage for the facility will be collected in a dumpster to the rear corner of the lot. The discussion was that since the village is taxed in Hanover Borough, it would be subject to their zoning regulations.

Engineer Bortner stated that the technical comments have been addressed.

Planners Felix/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-03 Eisenhower Shopping Village. Motion carried on 6-0 vote.

**P06-04 – MANOR STREET FINAL SUBDIVISION, c/o Adam Bixler, 310 Manor Street, Hanover, PA 17331. A final subdivision and land development plan submitted to create two (2) single-family residential lots. The property is located at 326 Manor Street in the R-8 zone.**

Dave Stair, Loss Stair Civil Engineering, represented this case. This is a lot where the existing mobile home was removed and they would like to build a 23'x58' duplex. The house will be set back to prevent construction over an existing easement.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-04 – Manor Street Final Subdivision. Motion carried on a 6-0 vote.

The meeting adjourned at 9:57 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
MAY 4, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on May 5, 2006 at the Penn Township Municipal Building. Present were Planning Members Ray Van de Castle, Wendell Felix, James Butt, Michael Johnson, Fred Marsh, Clayton Black and Stede Mummert. Also present were Township Engineer Bortner and Zoning Officer Menges.

Chairman Van de Castle thanked Clayton Black for his years of service to the Planning Commission and Recreation Board. Mr. Black's appointment expires after this meeting and he will not be returning for another term as a Planner.

The April 6, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-10 – TODD & SUZETTE DISTLER, 621 Hammond Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) to construct an addition that encroaches into the side setback. The property is located in the R-15 zone.**

Todd and Suzette Distler represented this request. The Distler's purchased the house in 1994. The house was built around 1975. They would like to put on an addition that would include a garage and several rooms. They believe this will alleviate the rainwater that currently seeps into their basement, garage, bathroom and child's playroom. The only place to put another garage is to the rear of the house and they want a complete addition so it does not look out of place. The existing garage is constructed under the house. The property veers in on the right side and that is why they need a side setback variance. The existing house is 11.7 feet off of the side property line because when the house was built the side setback was ten feet. With the layout of the property, the proposed addition would only be 7.4 feet from the side property line. The driveway will slant onto the property and there will be a small turnaround area where the new garage is located. The driveway will be about twelve feet wide. The house is twenty-five feet from the left side property line where the driveway is located.

Planners Black/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z06-10 – Todd and Suzette Distler requesting a variance to Section 203.3 (Area and Bulk) to construct an addition that encroaches into the side setback 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.

The Planners received the following waiver or exoneration requests:

Brian and Tamara Eisenhart are requesting exoneration from the sidewalk and pole light ordinances at 3026 Grandview Road.

Planners Van de Castle/Butt moved to deny this request because no one has been present at the last three meetings to address this request. Motion carried on a 7-0 vote.

Worley Surveying on behalf of J.A. Myers Building and Development is requesting additional waivers to land development plans for the Stonewicke Subdivision project in regards to Section 505d Dead End Streets, Section 505e Cul-de-sac Streets, Section 506e Distance Between Intersections and Section 509a Lot Layout in Development.

Pat Buhl, Worley Surveying, Paul Minnich, attorney for J. A. Myers, and Joseph A. Myers represented this request. Mr. Buhl presented a revised Stonewicke Subdivision plan based on the comments he received at the last Planning Commission. An additional access was added for the development through the Whispering Run subdivision, which resulted in a lot being lost. Mr. Minnich stated that the Whispering Run plan has been modified to show the additional connection.

Mr. Buhl stated that there would be a temporary cul de sac at the end of Maple Lane just beyond the intersection with Road A between lots 172 and 173. There is only one property that enters this portion of the road and Maple Lane was designed with the intention of a future road connection to existing Maple Lane. The house could be turned allowing access on another road. The developer does not own the property between the two Maple Lanes.

The second request is for reduction of distances between intersections which, according to the Ordinance, shall be a minimum of 500 feet. The reduction request will affect the following intersections:

Maple Lane: Road to Alabaster Run 472.04'  
Maple Lane: Stonewicke Drive to Ripple Drive 413.96'  
Lark Avenue: existing Hillside Road to Kaitlyn Drive 345.44'  
Cantera Way: Ripple Drive to Stonewicke Drive 345.39'  
Cantera Way: Road A to Granbury Crossing 315.61'  
Kaitlyn Drive: Lark Avenue to Fieldstone Drive 451.35'  
Kaitlyn Drive: Fieldstone Drive to Meadow Lane 279.82'  
Ripple Drive: Alabaster Run to Stonewicke Drive 410.24'  
Ripple Drive: Kaitlyn Drive to Cantera Way 461.88'  
Meadow Lane: Hillside Drive to Fieldstone Drive 336.57'  
Ripple Drive: Cantera Way to Clover Lane 260'

There will be a snow easement included in the cul de sac to plow snow through. Some of these intersection distance reduction requests are a result of the Planning Commission requesting the through street from Clover to Grandview being reconfigured.

The third request is to Section 509a the lot depth, which shall be not less than one nor more than two and one-half times the average width. There are three lots that exceed this requirement and they are Lots 184, 126 and 127.

There was some concern about the zoning on lot 1 which is currently zoned residential but because of the existing court case it is still considered commercial.

Planners Felix/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on these requests. Motion carried on a 7-0 vote.

Grace United Methodist Church is requesting exoneration from a land development plan to build a pavilion on the church property located at 55 Albright Drive.

Ted Griffiths, Jr., represented this request. Grace UCC would like to construct a 48' x 21' pavilion next to their existing parking lot. It would be similar the pavilions at Young's Woods. The pavilion would have a concrete floor and one end would be closed in for storage. The pavilion would have electricity but would not have access to water. There are no restrooms because they will use the existing facilities in the church.

Planners Black/Johnson moved for a favorable recommendation on this request to the Penn Township Board of Commissioners. Motion carried on a 7-0 vote.

Group Hanover, Inc. on behalf of Hanover Packaging, Inc. is requesting an exoneration of land development plans to increase parking in the area of their current expansion.

Gerry Funke, Group Hanover, Inc., represented this request. Mr. Funke stated that the increased parking area is adjacent to the proposed parking area on their approved plan on the side adjacent to Industrial Drive. There is a current addition along with parking being constructed on the site. Mr. Funke stated that the stormwater basin is large enough to take the additional runoff that will be created.

Planner Felix wanted clarification on the request because of the storm water runoff. Mr. Funke stated there would be an increase in the storm water runoff into the pond but the release rate will be slower than what it currently is.

There is not additional room for expansion because of the existing gas line.

Planners Butt/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-1 vote with Planner Felix casting the dissenting vote.

Snyder's of Hanover presented a land development Plan for a building expansion. Michael J. Scarborough, RLA, NuTec Design Associates, Inc. presented an architectural rendition of the proposed 31,000 square foot office expansion to their corporate office. It presented an overall site design of the expansion. The building will be thirty-six feet high and it will be similar to the existing facility with a brick façade. They will be in compliance with all ordinances but will be requesting a waiver of the improvements to York Street. They will not need all the parking required by the ordinance but will be installing all of it. There will be a concrete walkway in the parking lot that may contain a heating unit of some type to help melt

snow. There will be a small grass buffer installed between the two parking areas. The stormwater basin will have to be raised by one foot along with some other improvements. There will be pedestrian access between the office building and the manufacturing plant but no traffic access.

There is a high water table in that area that will affect the design. There are no driveway improvements proposed. This expansion will increase the number of employee by 100 over time with only one shift. They are proposing a Fall 2006 construction date. There will be some lighting installed.

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. (SOUTH)**

Bob Sharrah represented this plan. They presented a final land development plan for five-lots on Joshua Court. These five lots are located in Penn Township but the access is from a road in West Manheim Township. The plan is similar to the one that was recommended for approval in July of 2003 as part of the High Pointe @ Rojen Farms South subdivision. The final approval was held up due to sewer issues. The owner would like to complete the lots as part of the West Manheim project. The lots are more physically connected to streets in West Manheim than to the streets proposed in Penn Township. There are slight differences to the plan as it was recommended for approval in 2003. Engineer Bortner provided copies of the plan as it had been recommended. There was some concern about the accessibility to the lots for public safety equipment. Once the entire development is constructed there will not be a problem but until that time it may be difficult for fire apparatus to access the homes.

Planners Black/Marsh moved for a favorable recommendation on the 5-lot High Point @ Rojen Farms Subdivision on Joshua Court to the Penn Township Board of Commissioners. Motion carried on a 7-0 vote.

**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.

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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.

**P03-23 – 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 Brezewood 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.

**P04-18 – 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.

**P04-25 – 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.**

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**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.

**P05-12 – 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.

**P05-21 – 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.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06-06 – PENN TOWNSHIP LOT #7 – HAWK CREEK LABORATORY, Hawk Creek, Inc., 4741 Hawk Hill Lane, Spruce Creek, PA 16683. A final reverse subdivision/add-on plan submitted to add on to existing lot. The property is located at 9 Barnhart Drive in the Industrial Zone.**

There was no action taken on this plan.

**P06-07 – HANOVER PACKAGING CO., 8 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted to create an additional parking area. The property is located at 8 Barnhart Drive in the Industrial Zone.**

There was no action taken on this plan.

**P06-08 – PENN TOWNSHIP LOT #7 – HANOVER PACKAGING CO., 8 Barnhart Drive, Hanover, PA 17331. A final reverse subdivision/add-on plan submitted to add on to existing lot. The property is located at 8 Barnhart Drive in the Industrial Zone.**

There was no action taken on this plan.

Zoning Officer Menges presented a plan for the Halter property on York Street and South Center Street for a garage and turn around that will be constructed with an access that will be created onto South Center Street. There will be a zoning variance request coming for this plan. The Penn Township Public Works Committee reviewed this plan and they recommended this configuration. Paul Burkentine is proposing these changes as part of a land development plan and improvements to South Center Street.

Planners Marsh/Mummert moved for a favorable recommendation of the Halter plan as proposed with the turn around. Motion carried on a 6-1 vote with Planner Black casting the dissenting vote.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
JUNE 1, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on June 1, 2006 at the Penn Township Municipal Building. Present were Planning Members Ray Van de Castle, Wendell Felix, James Butt, Michael Johnson, Fred Marsh, Stede Mummert and Gary LeFevre. Also present were Township Engineer Bortner and Zoning Officer Menges.

Chairman Van de Castle welcomed Gary LeFevre as the newest member to the Planning Commission.

The May 4, 2006 Planning Commission minutes were approved as submitted.

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

**Z06 –11 GLAXO SMITHKLINE, 26 Barnhart Drive, Hanover, PA 17331.**  
**Applicant is requesting a variance to Section 300.3 (Fences and Walls) to erect a fence that exceeds the maximum height. The property is located at 29 Barnhart Drive in the Industrial Zone.**

Dennis Kovacevich, 26 Barnhart Drive, represented this request. He stated that his company conducted a security audit of the facilities at 26 Barnhart Drive, and found that the electrical transformer in front of the building was not sufficiently secure. If the transformer would malfunction it could affect the safety of their product because their production requires exposure to air conditioning. The proposed fence would be a six-foot high chain link fence with 12" of barbed wire around the top. There will be privacy slats through the chain link. The enclosed area would be 10'x10' or 100 square feet and would allow access for repairs. There would be a locked gate in order to access the transformer. The existing building has a total area of 108,000 square feet. The Industrial zone allows a three-foot fence in the front yard.

Planners Marsh/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-11 Glaxo SmithKline requesting a variance to Section 300.3 (Fences and Walls) to erect a fence that exceeds the maximum height because it meets the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried on a 7-0 vote.

**Z06 – 12 GERALD & DIANE WENSEL, 72 Lion Drive, Hanover, PA 17331.**  
**Applicant is requesting a variance to Section 203.3 (Area and Bulk) to construct a deck that encroaches into the back setbacks. The property is located in the R-15 zone.**

Gerald Wensel, owner, and Les Heggarty, contractor, represented this request. The applicant would like to replace his existing eight-foot deck with a twelve-foot deck. He would also like to install a wood patio that would be partially level with the existing grade. The patio would allow him to place several benches in his yard for guests. There would be a railing around the patio. The property slopes downward making most of it unusable for the residents. The deck would encroach into the rear yard setback and the patio would not meet the requirements of being

flush with the existing grade. As there is not much area for entertaining, most of the lots in this neighborhood are having similar problems and the contractor provided pictures that showed other decks closer to the property lines. The neighbors to the rear and to the right of them had to get a variance to build the garage closer to the property line. He provided a document with the neighbor's signatures showing that they have no problem with the request. The applicant is not able to get equipment to the property to grade and install a retaining wall and if they went with that option they will have to do the work by hand. There will be steps from the deck to the patio to prevent guest from having to walk on the grass. Zoning Officer Menges provided the references in the Township ordinance for patio and the requirements for such. Runoff will still be able to drain around the property with this type of patio. There was some discussion about what the neighbors have in their yards and if they meet the required setbacks. The contractor referenced a gazebo, which has a four-foot setback, but a patio is different because it has to be flush with the ground and have a three-foot setback. Zoning Officer Menges stated that they would be better off installing a retaining wall and making the patio flush with the ground. Mr. and Mrs. Wensel have lived in the house for over fifteen years and the home was built in 1989 or 1990. There is currently a shed on the property that is 8' x 10'. The rear of the property cannot be seen from the road.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-12 – Gerald and Diane Wensel requesting a variance to Section 206.3 (Area and Bulk) to construct a deck that encroaches into the back setbacks, but they need to rethink the patio design as proposed, 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.

**Z06-13 – GARLAND W. HALTER, 819-819 ½ York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 206.3 (Area and Bulk) to relocate an existing garage that will not meet the current required setbacks. The relocation of the garage is a result of the future installation of a traffic signal. The property is on the corner of York Street and Center Street in the A/O zone.**

D.J. Hart, attorney, John Beil, Burkentine and Sons, and Bill Halter, son of Garland Halter, represented this request. Attorney Hart stated that the reason for the request to relocate the garage is due to the proposed development by Burkentine and Sons and the accompanying traffic study that requires improvements to Center Street, which will include a signalized intersection. The garage will be moved from its current location which does not meet the setback requirements, and sits in the existing right-of-way, to a location directly behind the house about three feet from the side and rear property lines. The requirement of this zone is twenty-five feet rear and fifteen feet side setback. The current location of the garage was grand fathered when the first zoning regulations were instituted. There were several proposals presented to the Penn Township Public Works Committee and this is the proposal they were most comfortable with. There will be a driveway installed off of Center Street that will allow off street parking. There will be a buffer installed around the driveway. The applicant will also be giving up some of his property for a right-of-way for the widening of the street and for the curb and sidewalk. There is not a proposed grade change for Center Street. Burkentine and Sons will be building the new garage to the same size and material as the existing garage.

Planners Butt/Mummert moved for favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-13 – Garland W. Halter, requesting a variance to Section 206.3 (Area and Bulk) to relocate an existing garage that will not meet the current required setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 7-0 vote.

**Z06-14 CAPITAL PROPERTY INVESTMENT, L.P., 298 M Street, Harrisburg, PA 17112. Applicant is requesting a variance to Section 639 C (Shopping Center/Mall/Plaza) and a special exception to Section 639 (Shopping Center/Mall/Plaza) to construct a stand alone commercial building and shopping plaza that encroaches into the building setback. The property is located at the corner of Broadway and Hickory Lane in the Shopping/Commercial zone.**

Tim Mellot and Gary Gardner represented this request. They are proposing two buildings, a possible bank, and a shopping plaza at the intersection of Hickory Lane and Broadway. They are proposing two uses on the property and that is why they need a special exception and specifically a shopping plaza, which has more stringent rules than a stand-alone building. The proposed shopping plaza would have a setback from Hickory lane of between 67 and 87 feet. It would have a setback from Broadway of 190 feet. They feel they will have a better traffic flow on the lot with the proposed layout. They are proposing access of off Broadway of a right in or a right out of the site. They will have two accesses of off Hickory Lane for truck traffic and deliveries but neither will line up with the miniature golf course access on to Hickory Lane. The property is 5.01 acres so they meet requirement of five acres for a shopping center/mall. If the building had only one use it would only have to be fifty feet back from the street. Mr. Mellot stated that he feels that the intent of the ordinance was to make sure that the building was set back far enough from the main road, which this building is, but not side roads. The stand-alone building is proposed for a Walgreens or possibly a bank. The building is shown at maximum size (10,000 sq. ft.) but if it is something other than a box store it may be smaller. Public utilities are available and they understand that there currently are sewer issues but they are working to resolve them. A traffic study will have to be completed and they will be coordinating with PENNDOT on that study. There will be landscape buffers along the rear of the property near the residential zone. The buffer will be about twenty feet wide. Broadway does have an existing high traffic count of about 1600 trips per day. The rear access is about 160 feet from the intersection of Broadway. This is proposed for truck traffic only. There was concern that the traffic flow from Hickory Lane traverses right in front of the store and may be a hazard to pedestrians because traffic could still be going faster than they should be for a parking lot. There was concern about the trash collection because the dumpsters will be to the rear of the building. This would be to the rear of the residential homes. The Township Fire Chief stated that they needed full access to the building for equipment. The Planners felt that the proposed building along Hickory Lane could be shifted to accommodate the required setbacks. Mr. Mellot stated that this could present an unacceptable situation because one building could be located behind another. There currently is no agreed upon tenant for the stand-alone building. A signalized intersection at Broadway and Hickory may be warranted. Mr. Mellot felt that a signalized intersection would not be necessary but needs the traffic engineer to make that conclusion. Mr. Mellot stated that they will be taking advantage of drive by traffic and they are not creating any new traffic in the area.

Planners Felix/Johnson moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Case Z06-14 Capital Property Investment, L.P. requesting a variance to Section 639C (Shopping Center/Mall/Plaza) and a special exception to Section 639 (Shopping Center/Mall/Plaza) to construct a stand alone commercial building and shopping plaza that encroaches in the building setback as it does not meet the requirements for variance as set forth in Section 502.3 a) thru f) and it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 7-0 vote.

**Z06-15 – ERIC L. FISCHBACH, 54 Cardinal Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) to construct a home addition that encroaches into the building setbacks. The property is located in the R-15 zone.**

Eric Fischbach represented this request. The applicant had previously appeared before the Zoning Hearing Board for a similar request, which was denied. Since that time a change has been made to the design. The applicant now presents a plan that shows two additions: one on the left that is 7' x 18' and one on the right that is 18' x 38'. Both are thirty-three feet from the front setback line. This would encroach into the front setback by two feet. The existing house is forty feet from the front setback line. The right addition would be ten feet from the side property line and would encroach into the setback two feet. The rear setback would be twenty-eight feet for the new part and the existing house is thirty-one feet from the rear setback. This would be a two-foot encroachment into the setback. The left side addition would be used for a bathroom off the master bedroom and the right addition would be used for a garage and bedroom. The rear of the Fischbach's home cannot be seen from the road because of the adjoining neighbor's fence and hedges. Ms. Fischbach stated that the extra room is for her older children who visit occasionally.

Planners Johnson/Felix moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-15 – Eric Fischbach requesting a variance to Section 203.3 (Area and Bulk) to construct a home addition that encroaches into the building 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.

The Planners received the following waiver or exoneration requests:

Kenneth E. Martz, Jr. is requesting exoneration from sidewalks and curbing at 783 Blooming Grove Road.

There was no one present to represent this request, so Planners Van de Caste/Butt moved to table the request to next month's meeting. Motion carried on a 7-0 vote.

Keith Fralic, Worley Surveying, is requesting additional waivers to land development plans for the South Heights Subdivision project in regards to Section 505d Dead End Streets, Section 506e Cul-de-sac streets, and Section 509a Lot Layout on behalf of J.A. Myers Bldg. & Development. They are requesting a waiver from the requirement to install a temporary cul-de-sac at both ends of Bantt Lane, Bantt Court, Bottom Road and Boulder Road. They are proposing the roads to dead end at the adjoining property line. Bantt Court and the northern end of Bantt Lane will not connect to the future Thornbury Hunt plan but the remaining two are

proposed for future road extensions. They are also requesting a waiver of the 500' minimum distance requirement between intersections. The following areas do not meet this requirement: Bottom Road - Westminster Avenue and Bright Lane 472.04'; Bottom Road - Bright Lane to Bright Lane 413.96'; Bottom Road - Bright Lane to Boulder Road 389.40'; and Bentt Lane - Boulder Road to Bentt Court 345.39'. They stated that the configuration shown for the South Heights project is due to the layout of the property and environmental features such as streams, limiting the amount of stream crossing and the future connections to the Thornbury Hunt project. They indicated that layout has been reviewed by both Penn Township staff and the Planning Commission and demonstrates the best configuration of the property. They also are requesting a waiver for the requirement that requires the lot depth to be not less than one or more than two and one half times the average width. Several lots exceed this requirement and these include lot 9, lot 61, lot 62, and lot 63. Engineer Bortner stated that it is beneficial to construct temporary cul de sacs onto the adjoining property whenever possible. He was also concerned that the length of the cul de sac could affect liquid fuels funding. There was some concern about the adjoining neighbors because Mr. Danner has expressed that he is not interested in developing his property and Mr. Schrum, the former Fawcett property owner, has not been to any meeting to express an opinion. It was noted that they should change Bentt Court to something else because it would be confusing to have both a Bentt Court and a Bentt Lane.

Planners Felix/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners for a waiver of Section 505d of the Township's Subdivision and Land Development Ordinance and a favorable recommendation to the Penn Township Board of Commissioners for a waiver of Sections 506e and 509a of the Township's Subdivision Land Development Ordinance. 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. (SOUTH)**

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.**

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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.**

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There was no action taken on this plan.

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**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.**

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There was no action taken on this plan.

**P06-06 – PENN TOWNSHIP LOT #7 – HAWK CREEK LABORATORY, Hawk Creek, Inc., 4741 Hawk Hill Lane, Spruce Creek, PA 16683. A final reverse subdivision/add-on plan submitted to add on to existing lot. The property is located at 9 Barnhart Drive in the Industrial Zone.**

Gerry Funke, Group Hanover, represented this request. This is a subdivision plan for lot seven in the Industrial Park that is owned by Penn Township but which is bisected by Industrial Drive. The Township is subdividing the eastern portion of the lot from the road and proposing to sell it to Hawk Creek to be added as an integral part of their existing lot. The lot by itself does

not meet current regulations. The western half of the lot has not yet been sold but the Township is preparing to open bids shortly.

Planners Felix/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-06 Penn Township Lot #7. Motion carried on a 7-0 vote.

**P06-07 – HANOVER PACKAGING CO., 8 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted to create an additional parking area. The property is located at 8 Barnhart Drive in the Industrial Zone.**

There was no action taken on this plan.

**P06-08 – PENN TOWNSHIP LOT #7 – HANOVER PACKAGING CO., 8 Barnhart Drive, Hanover, PA 17331. A final reverse subdivision/add-on plan submitted to add on to existing lot. The property is located at 8 Barnhart Drive in the Industrial Zone.**

Gerry Funke, Group Hanover, represented this request. This is a subdivision of a piece of land from lot #7 that was remaining from the construction of Industrial Drive. The piece of property is located south of Industrial Drive between Industrial Drive and Barnhart Drive and will become an integral part of Hanover Packaging Company's property.

Planners Felix/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-08 – Penn Township Lot #7 – Hanover Packaging Company. Motion carried on a 7-0 vote.

**P06 – 09 – SNYDERS OF HANOVER OFFICE ADDITION, 1350 York Street, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located at 1350 York Street in the Industrial Zone.**

There was no action taken on this plan.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-11 – LOTS 222 THRU 226 – HIGH POINT @ ROJEN FARMS – SOUTH SECTION, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan submitted to create five (5) lots. The property is located on east end of Grandview Road at Joshua Court in the R-22 zone.**

This plan was previously approved under another case number and since then York County Planning Commission comments have been received and addressed. Robert Sharrah and James Piet represented this plan. Comments four and five on the plan have changed since the

last review. The sewer line on lot 14 has been moved and installed as part of the West Manheim project. Mr. Piet also presented the covenants for the homeowners association, which were recorded on May 1, 2006 and signed on April 24, 2006.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-11 – Lots 222 thru 226 – High Pointe @ Rojen Farms – North.

**P06-12 – FAIR HAVENS, Zimmerman Homes, 5760 York Street, New Oxford, PA 17350.**  
**A final land development plan submitted to construct an addition on an assisted living facility. The property is located on 3101 Grandview Road in the R-15 zone.**

Gary Trim, Zimmerman Homes, contractor for the project and Eleanor Deck, Fair Haven, represented this plan. Mr. Trim stated that he was not involved with the process when Ms. Deck applied for the special exception and Ed Mort from Group Hanover could not be present tonight to discuss the plan. Mr. Trim stated that they received Fire Chief Cromer's comments and will have a no parking area as indicated so that fire apparatus can access the facility. The facility will have sprinklers and the plan has been sent to the fire chief. There will be nine new bathroom facilities in the addition and a letter was sent to the Township requesting the appropriate EDU's. It was suggested that the new lateral be located along Grandview Road. York County Planning Commission comments have not been received.

The meeting adjourned at 9:08 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
JULY 6, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on July 6, 2006 at the Penn Township Municipal Building. Present were Planning Members Ray Van de Castle, Wendell Felix, James Butt, Michael Johnson, Fred Marsh, Stede Mummert and Gary LeFevre. Also present were Township Engineer Bortner and Zoning Officer Menges.

The June 1, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-16 – TODD & ASTRID LOPEZ GOLDBERG, 46 Prince Street, Apartment #1, Littlestown, PA 17340. Applicant is requesting a special exception to Section 211.2 (Use) to construct an in-law quarters. The property is located at 110 Charleton Court in the R/C zone.**

Todd and Astrid Goldberg represented this request. Planner Butts noted that the agenda was wrong because it stated Charleston Court and the street is Charleton Court. The applicants would like to build within their home, which is currently under construction, a residence for Mrs. Goldberg's mother. The area would include a kitchen, bathroom, and bedrooms. There is no time frame for when the mother-in-law would move in but until she does they would like to use the space for entertaining. They are requesting that they be allowed to build these facilities as part of the current, original construction of the home. Planner Butts stated that the covenants of the home association for Thornhill do not allow in-laws quarters to be built into the home but can instead be built as a detached guest home. He stated that the neighbors are concerned because this will make it a multi-family dwelling. It was noted that the Township will not be concerned with the covenants or regulations of the home association and that it would be up to that organization to follow their provisions and enforcement procedures. Zoning Officer Menges stated that the Zoning Hearing Board would not consider testimony about the provisions of the home association when deciding the case. The home was designed and proposed to be built with the intent that the mother-in-law would move in at some future date. Mrs. Goldberg stated that it would be used for Youth Group events, which would keep them from the main part of the house. The Planners inquired if the applicants were familiar with Section 611, subsection f, of the Penn Township Zoning Ordinance, which states that at such time as the owner is no longer in residence or the approved family member is no longer an occupant of the unit, the owner shall immediately notify the Township and the unit shall be returned to use as part of the normal single family residence. She stated she saw it and is a little confused by it and will have to cross that bridge when they come to it. They stated they have no intention of renting the facility out when the relative no longer lives there. There is an entrance through the garage and through sliding glass doors in addition to entering through the main home. The Ordinance also requires a parking space. The applicants stated they have a copy of Section 611 of the Penn Township Zoning Ordinance. The Planners noted that the proposed in-law quarters is over the 450 square feet allowed by the zoning ordinance. Zoning Officer Menges stated that the 450 square feet needed to be livable area and that conceivably the area could be more that 450 square feet.

Dr. Anthony Pirrello, 110 Madara Drive, expressed concern because the only way he found out about the request was because the property was posted. He was also concerned because he was not able to see a plan prior to the meeting and from what he had heard about the home there would be a separate entrance and garage for the in-law quarters. He stated that the homeowners association does not allow the in-law quarters and he has been part of several such associations during his life. In many instances after the in-law no longer resides there it is forgotten that the facility cannot be rented out. He did note that the covenants of the association do address in-law quarters and they must be separate from the main house otherwise it makes it a multi-unit facility. The development was approved as a single-family community. Zoning Officer Menges explained what notification the Township provides with regards to zoning requests. He also informed Dr. Pirrello that the plans would be available for review in the Township office on Friday. Planner Felix explained that the Planning Commission is an advisory board to the Zoning Hearing Board. The Zoning Hearing Board will have an attorney present at the meeting to address legal questions and concerns about the information that is presented. Zoning Officer Menges explained the zoning in this particular area of the Township. Dr. Pirrello stated that the zoning secretary informed him that there was a requirement for landscaping in the area. Zoning Officer Menges attempted to explain the requirements for the landscaping on that particular project.

Planners Johnson/Felix moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-16 – Todd and Astrid Lopez Goldberg requesting a special exception to Section 211.2 (Use) to construct an in-laws quarters, as meets the requirements for a special exception as set forth in Section 502.3 a) thru e). Motion carried on a 6-0-1 vote with Planner Butts abstaining.

**Z06-17 FINCH SERVICES, 515 Frederick Street, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) to erect a fence that exceeds the maximum height. The property is located in the A/O zone.**

A letter was submitted on July 6, 2006 from Brad Finch, Finch Services, Inc., requesting an extension on case number 06-17 and to be rescheduled for Thursday, August 3, 2006.

Planners Mummert/Marsh moved to reschedule the case for August 3, 2006. Motion carried.

The Planners received the following waiver or exoneration requests:

Snyder's of Hanover, Inc. is requesting a waiver on curbing and sidewalk requirements at their new addition at 1250 York Street.

Mike Scarborough, Nutec Facilities Corp., represented this request. He stated that Snyder's wishes to construct an addition to the rear of their existing facility. If they are required to curb and sidewalk along York street it would be necessary for them to get a PENNDOT permit. They will not be increasing the volume of traffic on their existing driveway. There is some internal sidewalk and curbing within the parking lots and along the accesses to the buildings, in addition to some landscaping.

Planner Felix/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners for a temporary waiver of curb and sidewalk. Motion carried on a 6-0-1 vote with Planner Butts 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. (SOUTH)**

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.

**P03-11 – 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.

P03-23 – 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.

P04-18 – 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.

P04-25 – 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

P05-12 – BAXTER INVESTMENT 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.

**P05-21 – 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.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06-07 – HANOVER PACKAGING CO., 8 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted to create an additional parking area. The property is located at 8 Barnhart Drive in the Industrial Zone.**

There was no action taken on this plan.

**P06 – 09 – SNYDER’S OF HANOVER OFFICE ADDITION, 1350 York Street, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located at 1350 York Street in the Industrial Zone.**

Mike Scarborough, Nutec Facilities Corp., represented this plan. York County Planning Commission comments have been received and addressed. Engineer Bortner stated that his comments and York County Planning Commission comments have been addressed to his satisfaction.

Planners Johnson/Mummert moved for a favorable to the Penn Township Board of Commissioners on P06-09 –Snyder’s of Hanover Office Addition. Motion carried on a 6-0-1 vote with Planner Butts abstaining.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

Doug Stambaugh, Group Hanover, Inc., represented this request. Engineer Bortner stated that for final plan approval he needs house numbers and bonding for the improvements. The plan does contain the land that will be dedicated to the Township for recreation purposes. The parcel is about 9.1 acres. There are two storm water ponds on the plan as previously shown on a revised preliminary plan. The homeowners association will maintain the storm water ponds. There was some concern about the existing driveways onto Grandview Road and their removal.

The new plans that were submitted note the driveways will be removed. There are still off site sewer issues that need to be approved before final approval.

Planners Felix/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-10 High Pointe @ Rojen Farms-North pending the delivery of an improvement bond and the address numbering system being approved by the Township along with sufficient sanitary sewer being available. Motion carried on a 7-0 vote.

Planner Johnson excused himself at this time.

**P06-12 – FAIR HAVENS, Zimmerman Homes, 5760 York Street, New Oxford, PA 17350. A final land development plan submitted to construct an addition on an assisted living facility. The property is located on 3101 Grandview Road in the R-15 zone.**

Gary Trimmer, Zimmerman Homes, represented this request. York County Planning Commission and Township Engineer Bortner's comments have been addressed. Mr. Trimmer presented a letter from Township Manager Garvick stating that there currently are 20 edu's available on a first come first serve basis but Mr. Trimmer can not apply for them until he has an approved plan. There was some concern because the driveway and parking area encroach into the neighbor's property. This condition existed when a church previously owned the property. There was some concern about correcting the situation if possible but it is not vitle to the plan.

Planners Felix/Butts moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-12 –Fair Havens pending granting of sewer. Motion carried on a 6-0 vote with Planner Johnson absent.

**P06-13 – CD INVESTORS, A PA General Partnership, 211 Carlisle Street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) commercial /residential lots. The property is located east of Broadway and north of Moulstown Road in the S/C and R-8 zone.**

This is a subdivision of the former Devenor Airport and will create two lots, one residential and the other commercial. The residential portion will be built as an age restricted housing development. There was some concern because part of the one parcel will have about 1.1 acres of shopping commercial and the rest of the parcel will be residential. The parcels will be 36 ½ acres (commercial) and 70 ½ acres (residential) in size. There was concern about the division not being on the zoning boundary but the representative stated that a stormwater pond would be constructed on the extra acre. It was indicated that note number 6 on the plan states that housing is restricted but does not designate which lot.

Commissioner Johnson rejoined the meeting at 8:02.

Planners Marsh/Butts moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-13 – CD Investors. Motion carried on a 7-0 vote.

**P06-14 –CHARLES HARRISON, 1368 Brad Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1368 Brad Drive in the R-15 zone.**

Dave Stair, Loss Stair Civil Engineering, represented this plan. Mr. Harrison would like to subdivide 1368 Brad Drive into two lots. Mr. Harrison intends to live on the first lot while his brother will live on the second lot. Both lots meet the minimum zoning requirements for lot size. They have received comments back from Wastewater Treatment Superintendent Bill Mahone about the sewer hookups. The plan has been amended to reflect two sewer connections. Engineer Bortner just finished his comments and the creation of a lot on a less than fifty-foot public right of way is a problem specifically because of water and sewer issues. There will be several waiver requests for not improving the street (Brad Drive) and creating a lot not abutting a public street. Engineer Bortner stated that there may be other sewer laterals on Brad Drive but he is not sure how many there may be. The proposed laterals for this subdivision are on Mr. Harrison's property. There is a proposed connection to Brad Drive on the Hannon Homes subdivision from the Kraut farm. Some of the plans show a fourteen-foot right of way for Brad Drive and others show it being ten feet. There are several other properties along Brad Drive until it reaches the Kraut Farm. There was some discussion about creating a fifty-foot right of way. Engineer Bortner stated that they will have to start with zoning and once they get their approval then they would have to get additional waivers from the Board of Commissioners.

Under public comment, Russ Brooks, 2149 Youngs Road, and Kelly and Brian Bossom, 103 Crest Avenue, wanted to discuss P03-20 Baxter Investment Wallen Tract because of the proposed improvements to Crest Avenue near Bowman Road and Baer Avenue. It was noted that a Burkentine sign has been placed on the property but the Township has not received revised plans verifying Burkentine's ownership of the property. Engineer Bortner stated that only a portion of Crest is shown being improved for the development. Engineer Bortner explained the proposed provisions of the plan and the impact they will have.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
AUGUST 3, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on July 6, 2006 at the Penn Township Municipal Building. Also present were Planning Members Wendell Felix, Michael Johnson, Fred Marsh, and Stede Mummert. Gary LeFevre arrived at 7:18 p.m. Planner James Butt was absent with notice. Also present were Township Engineer Bortner and Acting Zoning Officer Kristina Rodgers.

The July 6, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-17 – Finch Services, 515 Frederick Street, Hanover, PA 17331. Applicant is requesting variance to Section 300.3 (Fences and Walls) to erect a fence that exceeds the maximum height. The property is located in the A/O zone.**

Brad Finch represented this request. The applicant is requesting to install a six-foot fence in the front yard of his business. Mr. Finch testified that there are two physical structures on the property that will extend past where the fence would go. He presented three police reports, with the most recent being dated July 31, 2006 for equipment that has been stolen from the property. There has been over forty-five thousand dollars worth of equipment stolen in 2006. He presented a letter from his insurance company dated March 18, 2004 suggesting installing a fence or camera system to protect the equipment. The perimeter of the fence will be 53' by 50' and will not be visible from Frederick Street. It will provide protection for his inventory and for his customer's property. The property abuts an alley.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z06-17 – Finch Services requesting a variance to Section 300.3 (Fences and Walls) to erect a fence that exceed the maximum height, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

**Z06-18 – CHR CORP., 2295 Susquehanna Trail, Suite C, York, PA 17404. Applicant is requesting a special exception to Section 208.2 (Use), Section 503 (Special Exceptions), Section 610 (Convenience Store) and Section 643 (Vehicle Washing Facility) in order to construct a convenience store with fuel sales and a vehicle washing facility. The property is located at 1001, 1009, and 1021 York Street in the H/B zone.**

Gavin Markey, attorney for Rutter's, Neal Metzger, and Dan Thorton represented this special exception request. They are requesting to build a Rutter's Convenience Store at 1001, 1009, and 1021 York Street. The proposed location is comprised of four parcels, three of which have street addresses. Mr. Markey stated that the site has been designed to meet the special exception requirements for the ordinance for a convenience store and a vehicle washing facility. They have designed it to eliminate adverse impact on the surrounding residential properties. They have constructed and designed a vegetative buffer yard that meets the ordinance requirements. Neal Metzger, LSC Design, stated that the Rutter's is designed for the fueling of

standard vehicles and smaller trucks but not for tractor-trailers. The pumps will be facing Route 216 and the store will be facing Route 116. The automatic car wash will be located along Hirtland Avenue and is placed to have the least impact on the residential neighbors. They are proposing a landscape buffer along the property that abuts the residential zone along Marietta Avenue. The convenience store, along with the dispensing of fuel and a vehicle washing facility, is a use allowed by special exception. The buffer is in compliance with the ordinance and has a three-foot high earth berm with a five-foot high pvc privacy fence. There would be landscaping on the residential side of the fence. On the facility side there will be planted small shrubs and bushes. There will be a stormwater facility located on the property. The plan shows a "right in" and "right out" for the facility along Route 116 (York Street). There will be a driveway off of Hirtland Avenue and one off of Route 216 (Blooming Grove Road). There was a traffic study done by TRG Engineering, and PENNDOT has been contacted. They also met with Penn Township staff to review the plan. The traffic study did suggest that a traffic signal is warranted at 116 and 216. They provided a proposed highway improvement plan. This plan included widening of the road at the intersection of Hirtland with the addition of turning lanes heading east on 216. There is a proposed traffic signal located at the intersection of 116 and 216 with the inclusion of widening of the street to include turning lanes. Mr. Metzger provided and reviewed a handout for the planners. The following was included in the handout: ZH.1 existing conditions, showing the four separate lots that will need to be combined to create one lot; ZH.2 site plan; ZH.3 grading and drainage plan; ZH.4 landscaping plan; ZH.5 lighting plan; ZH.6 the proposed highway improvements; and ZH.7 a 2003 aerial photo of the area showing the outline of the project. The lighting plan does meet the Township ordinance and provides less lighting than would be required for a Rutter's located in a non-residential area.

There was some concern about the parking shown on site near the intersection of Blooming Grove Road and York Street. Mr. Metzger stated that parking will be primarily employee parking with some used for overflow. Rutter's employs six individuals on a maximum shift. Rutter's is proposing to install a headlight screen along the parking lot. This will not be used for customer in and out movement as employee vehicles will be there for an entire shift. Mr. Metzger stated that the site is not designed for tractor-trailer traffic. There will be a diesel pump for smaller vehicles. The Planners expressed concern about overnight tractor-trailer parking that now occurs at the Rutter's store on Baltimore Street. Mr. Metzger indicated they are not proposing any areas that would allow this type of overnight parking. They do not want tractor-trailers on the property at all, even though the Baltimore Street store does have designated parking spaces for tractor-trailers. The Planners reported that the trucks/trailers at the Baltimore Street location have been left for several days to several weeks and include trucks transporting hazardous material. Mr. Martin stated that Rutter's has been contacted about the situation by Zoning Officer Menges. Mr. Martin stated that Rutter's is aware of the concerns and that the Township will have the right to enforce the regulations. This new site is being designed to discourage tractor-trailer parking. The car wash will be a single bay car wash with a blower. The car wash hours have not been determined but other Rutter's have twenty-four hour service. It was noted that additional information about the noise emitted from the car wash would be obtained before the zoning hearing board meeting.

There was some concern about the location of the entrances of off Route 116 and the distance between them. The entrances serve a purpose and it was stated they could put up signage for the traffic flow. The distance shown may allow a tractor-trailer to park in the spot, according

to the Planners. Mr. Metzger stated that if a tractor-trailer parks in the spot it would prevent the parked cars from exiting the facility. Mr. Van de Castle stated that he has seen tractor-trailers stop in the middle of the road to go to the Rutter's on York Street. There was some discussion that the entrances be moved closer together but the design will have to be approved by PENNDOT. Engineer Bortner stated that flow of traffic would be better served at the location now being proposed. Mr. Metzger stated that traffic flow would improve with the signalized intersection as opposed to the present condition of the intersection.

They will also be improving the intersection at Route 216 and Route 116 by eliminating part of the corner. The queuing traffic should not reach the proposed driveway for Rutter's within the next ten years. Currently the traffic can back up on Route 216 up to the hill.

Donna Folmer, 1005 Marietta Avenue, asked if they considered making the existing Rutter's store on York Street a twenty-four hour store. There is already a car wash on York Street and a gas station, which is closed. She expressed concern about people taking a shortcut through Marietta Avenue.

Dean Shearer, 1004 Marietta Avenue, indicated his family has owned the property since 1973 and that he has seen many backups on Blooming Grove road up the hill and people doing donuts to avoid the traffic at the intersection. He agrees with Ms. Folmer that traffic will use Marietta Avenue as a shortcut to avoid traffic backups. Mr. Shearer stated that every home in the first block of Marietta Avenue has a retired person. He stated that he was almost hit outside the house by traffic on the street. He is also concerned about which version of the plan will be used. Mr. Markey stated that there is a provision in the Township Code that the plan that is presented to the Zoning Hearing Board must be the plan to be used in land development

Mr. Shearer is also concerned because the signal at Grandview Road and York Street does not seem to operate properly.

Mr. Markey stated that lighting plan would be available at the Zoning Hearing Board meeting. Mr. Metzger stated that the proposed lighting does meet the Township ordinance. The light at the store will be straight down and the light under the canopy is proposed to be 250 watts and is reduced from a 400 watt light that would be at a store that is in a non-residential area. There are pole lights proposed for other sections of the lot for safety. The lights are proposed so that they do not reflect light onto the street or into the residential development. The awning on the store only goes around three sides of the building so there will be no lights in the rear of the facility. Mr. Metzger stated that the signalized light at the intersection of Blooming Grove Road and York Street should help alleviate some of the traffic on Marietta Avenue.

Nancy Clegg, 1010 Marietta Avenue, the home right behind the proposed dumpster, was concerned that the vegetative buffer does not match the existing thirty foot buffer; the five foot fence is not high enough because the homes sit high; and the lighting will reflect into the bedrooms at the back of the homes. She is also concerned about what the zoning ordinance states about noise. She stated there is currently a rat problem because of the neighbors and believes the dumpster will increase the problem. Rutter's would be willing to install a six-foot fence and the existing trees will remain there because they are on residential property. The berm will be higher than the existing grade of the property. The noise ordinance regulations from the

Code were read and it was noted that the Township would have to hire someone to measure the sound being emitted from the property.

Mark Corio, friend of 1004 Marietta Avenue, expressed concern about the noise created by the car wash and that noise ordinances are hard to enforce. He stated that the light might create traffic problems that currently do not exist.

Derek Higgs, 1006 Marietta Avenue, stated that the residents are exposed to increase traffic during peak hours because drivers are using Marietta as a bypass and often exceed the posted speed limits. The granting of the special exception should not encourage commercial traffic to use residential streets, and the proposed use should not be incompatible with the existing traffic conditions and the use. He also stated that nuisances, noise, smoke and light, should not be more objectionable than would be created by a permitted use. He stated that the special exception should not detract from the nearby property or decrease the value of the property. He asked that board consider the impact on the adjacent neighborhood when making their decision. Rutter's will be paying for the traffic signal at the intersection. The trees that are planted in the buffer yard will need to meet the ordinance and Mr. Higgs would like having a denser buffer yard.

Mr. Markey explained the zoning is highway business zone and that a convenience store is a use by special exception if they meet all the requirements. PENNDOT will have to approve the improvements to the road. There are \$400,000 worth of road improvements proposed and traffic is not being increased because of the store. The bufferyards will be constructed to Township ordinance, the lighting is being reduced, and they will be complying with the section of the ordinance dealing with noise. Mr. Markey stated they are in compliance with the zoning ordinance and intend to stay in compliance and therefore request the special exception.

It was noted that the truck used by Rutter's to make deliveries would be able to access the site. The fuel tanks are located on the site near the intersection of Blooming Grove Road and York Street. The tanker would have to fuel near the employee parking area.

Matt Deitrich, MEM Auto Sales, stated that he would like to see a light at the intersection, because there is a problem with traffic flow. He stated that there is no diesel fuel at this end of town and this would help him with the diesel he needs for his business.

Ms. Folmer expressed concern about the kids on Marietta Avenue that have to wait for the school bus and the increased traffic may have an adverse impact on the children.

There were some questions about the sign and it is shown to be along Route 116 and is about twenty feet high. There are two pole signs shown on the plan. The one sign will be a fuel price sign, which will be fifty square feet. There will be eight pumps at this store. They are designed so that the store personnel can read the license plates of those using the pumps.

There was some discussion about adding an additional stop sign on Marietta and it was suggested that the residents contact the police department if they would like another one at one of the residential intersections.

Terri Cooper, 116 Hirtland Avenue, expressed concern about the possibility of teenagers congregating at the store and the impact that will have on the neighborhood. Mr. Markey stated that the store would be aware of that and take care of any problems.

Planners Felix/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-18 CHR Corp, requesting a special exception to Section 208.2 (Use), Section 503 (Special Exception), Section 610 (Convenience Store), and Section 643 (Vehicle Washing Facility) in order to construct a convenience store with fuel sales and a vehicle washing facility, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-1 vote with Planner Johnson casting the dissenting vote.

**Z06-18 BAXTER INVESTMENT GROUP, 398 York Street, Suite 5, Hanover, PA 17331. Applicant is requesting a variance to Section 311 (Street Access), a special exception to Section 311 (Street Access) and an interpretation to Section 311 (Street Access) in order to create two residential building lots on an access road that does not meet the minimum right of way of fifty (50) feet. The property is located off Woodridge Drive and Pigeon Hill Park Road in the R/C zone.**

John Lingg, Baxter Investment Group, represented this request and would like to build two residential homes along Woods Road, which is a non-dedicated right of way that is sixteen feet wide. Mr. Lingg presented pictures of the area and noted that the right of way is used to access his lot along with several other lots. He noted that there was a legal issue regarding the property that was worked out last week between himself and adjacent property owner Mr. Clair Bange. Mr. Lingg stated that he will be selling the lots to a developer to build the homes.

Norm Sabaka, 3977 Woodridge Road, stated that currently he and the other owners that abut the property maintain Woodridge Road. Mr. Sabaka and other property owners are located on the Adams County side of Woodridge Drive. Woodridge Drive is a non-dedicated street that is used to access Woods Road where the two properties are located. The name of the street changes from "Woodridge Drive" to "Woodridge Road" somewhere on the Adams County side. Clair Bange, 815 Baer Avenue, stated that he owns 64 acres around this property and that any improvements to the existing right of way may effect his property. Mr. Bange stated that he does not have any problem with the special exception. He testified that both right of ways have a good roadbed and base because he installed them several years ago. Mr. Lingg stated that the right of ways were created in 1910 and were included in the deeds that developed all the tracts from the Rudisill Estate.

The Planners stated they were concerned about emergency vehicles being able to access the homes.

There was some concern about where the York County and Adams County boundary is in relation to the property. The property is located in the Township but some of the accesses may be in Adams County. Mr. Sabaka presented a map that showed a different county line than what the Township has.

Herb Kimmie, 125 Woodridge Drive, stated that he is concerned that what ever is installed for a roadway should last at least twenty years and that the burden should be on the

developer to install the road. He feels that a sixteen foot paved macadam drive would help keep the integrity of the community and allow emergency vehicles to access the property.

There was some concern about the numbers and the names that were assigned to the proposed home. Ms. Rodgers will look into the situation before the zoning hearing board meeting.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-19 – Baxter Investment Group, Inc. requesting a variance to Section 311, (Street Access) in order to create two residential building lots on an access that does not meet the minimum right of way of fifty-feet, as it meets the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried on 4-2 vote with Planners Felix and Van de Castle casting the dissenting votes.

The Planners received the following waiver or exoneration requests:

Kenneth E. Martz, Jr. is requesting exoneration from sidewalks and curbing at 783 Blooming Grove Road.

Planners Van de Castle/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request because the applicant has failed to appear before the Planning Commission for his request. Motion carried on a 6-0 vote.

L.T. Timber is requesting exoneration from a land development plan to construct an addition to an existing building located at 25 Industrial Drive.

Lowell Thomas represented this request. He stated that that they would like to construct a building for storage because they have outgrown their current space. He stated that he also owns National Barn, which is located in Hanover Borough on Juniper Lane. They would be constructing their own building for the L & T Timber project. They purchased the land about five years ago and dismantled some of the existing buildings for a total of 12,000 square feet. What exists right now is 3,700 square feet. With the new building they would be at 11,600 square feet. There are 13.9 acres that are owned by the business. The house has been refurbished and was originally built in the 1700's. The new building would allow them to bring in materials from outside. They currently build about thirty-five barns a month. They do not plan on bringing any of the business on Juniper Lane to this property. It was noted that Mr. Lowell has done work previously that did not include a land development plan. He stated that Mr. Menges informed him that it would be appropriate to ask for a waiver because he was under the square footage that had previously been there. There was a lot of concern about the previous land development waivers that were granted to Mr. Lowell.

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

Planner Felix stated that once something is torn down and something new is constructed the Commission reviews what exists and not anything prior.

Bohler Engineering, Inc. on behalf of McDonalds USA, LLC is requesting exoneration from land development to construct a front building addition including a second menu board and speaker ordering post at 1448 Baltimore Street.

Seth Krull, Bohler Engineering, Scott Ling, and Emmitt Patterson, local franchise holder represented this request.

Mr. Krull stated that McDonalds would like to improve the existing facility at Grandview Plaza. He stated that the rear of the facility is located facing Baltimore Street and the front is facing the plaza. They are proposing a 506 square foot addition to the front of the building. The number of seats will remain the same and the reason for the addition is to increase the efficiency of the drive thru. Currently they are not meeting their required delivery time on the food. The addition will allow a longer period from the time the food is ordered to when it needs to be delivered to the customer. The addition will allow for internal modifications to be made. Mr. Patterson, the owner, stated the facility is ten years old. There is no room for a third cash register to be installed, which prevents adequately waiting on customers. To make room for the additional register they need to move the beverage bar and there is currently nowhere to put it in the store. They would like to relocate it to the new addition where the drive thru will be located. This will allow them to make the counter five or six feet longer. The store is about a seventy percent drive thru facility. The production system cannot produce the food fast enough. The short run of face-to-face ordering does not give them enough time to produce the food. They would place speakers at the beginning of the drive thru, which would give them another ninety seconds to produce the food. They do not need additional seating but they need room to place the beverage bar. The restrooms will also be increased for handicapped accessibility. The current area in front of the building is landscaped. There was some concern about where traffic will stack if the food is not ready. Mr. Patterson stated that they hope to eliminate the need for stacking but they will stack in the one-way driveway of the plaza. The work will be done while the McDonalds is open but certain sections may be blocked off during construction. Some of the existing windows will not be used. There will be two soda towers and a self-making ice machine.

Planners Mummert/Johnson 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. (SOUTH)**

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.

**P03-11 – 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.

**P03-23 – 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.

**P04-18 – 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.

**P04-25 – 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

**P05-12 – BAXTER INVESTMENT 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.

**P05-21 – 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.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06-07 – HANOVER PACKAGING CO., 8 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted to create an additional parking area. The property is located at 8 Barnhart Drive in the Industrial Zone.**

There was no action taken on this plan.

**P06 – 09 – SNYDER’S OF HANOVER OFFICE ADDITION, 1350 York Street, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located at 1350 York Street in the Industrial Zone.**

There was no action taken on this plan.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-14 –CHARLES HARRISON, 1368 Brad Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1368 Brad Drive in the R-15 zone.**

There was no action taken on this plan.

The meeting adjourned at 9:54 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
SEPTEMBER 7, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on September 7, 2006 at the Penn Township Municipal Building. Also present were Planning Members Wendell Felix, Michael Johnson, Fred Marsh, Stede Mummert and Gary LeFevre. Planner James Butt was absent with notice. Also present were Township Engineer Bortner and Acting Zoning Officer Kristina Rodgers.

The August 3, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-20 – GARY & EMILIE SHOEMAKER, 8 Loop Drive, Hanover, PA 17331.**  
**Applicant is requesting a variance to Section 204.3 (Area and Bulk) to construct a porch that encroaches into the front setback. The property is located in the R-15 zone.**

Gary and Emilie Shoemaker represented the request. It was noted that the application should state Section 203.3 not 204.3. The applicant would like to install a covered porch that does not meet the existing setbacks. The porch would be an 8' x 18' and would extend in the front of their house across the existing first level. The house was built on the thirty-five foot setback line. The porch would be thirty-five feet from the curb of the road but only twenty-seven feet from the right of way line. The Shoemakers provided pictures of 27 Allen Drive and 1 Loop Drive showing the type of porch they are looking to construct. Mr. Shoemaker did not know the current setback dimensions of the neighbor's houses. They will also be replacing the roof and shingles when they install the porch. The new roof will be angled off of the old roof. The Shoemakers purchased the house in 1996 and have been living there ten years. They indicated that they have spoken to some of their neighbors who do not have a problem with the proposed porch.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-20 Gary and Emilie Shoemaker requesting a variance to Section 203.3 (Area and Bulk) to construct a 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.

**Z06-21 – DAVID & JENNIE SPECTOR, 700 Wilson Avenue, Hanover, PA 17331.**  
**Applicant is requesting a variance to Section 209.3 (Area and Bulk) and Section 612 (Expansion of Non conformity) to construct a garage that encroaches into the setbacks and the expansion exceeds the maximum area of nonconformity. The property is located in the Industrial Zone.**

David and Jennie Spector represented this request. They would like to remove an existing shed that is not in good condition and build a new garage that is larger than the existing building. The existing garage was rebuilt and is located on the property line. A garage in close proximity does not belong to Mr. Spector. He stated that the property adjacent to them has been

proposed as a medical center and the new road will be close to the property line where the existing garage is. He stated they bought the home twenty-three years ago. The surrounding fields have always been undeveloped. He is trying to maintain his privacy. He would like the corner privatized with a building and a fence for his remodeling contractor business material. He would like to keep these items outside and out of sight. There will be a small compound between the existing garage and the new garage. The new garage will house his two business trucks. He would like to keep his personnel property away from his business property. The garage will allow him to load and unload his vehicles without being exposed to the weather. He stated that he should be entitled to a variance because he has only one acre and the existing house does not meet setbacks. In this zone (Industrial) the setbacks are fifty feet. Anything he would put on the property would require a variance. The buildings were on the property when he purchased it and would like to take advantage of where they are placed. He is asking for the smallest amount of relief that would allow him to use the property for his personal property and his business. He has offered to buy his neighbors building but they are not interested in selling. He is asking for a two-car garage and is looking to pave an area about 26' wide by 35' long. One of his trucks is 22' long and needs that much room to turn it around. The existing drive is stone and will eventually be paved. The area between the existing building and the new building will be fenced in and contain material he will store outside. He is not intending to place a building on the site. He is trying to protect the corner of his property. To the rear of his property is a sanitary sewer easement. Currently, there is no special exception approved for the adjacent property in the Hanover Borough that has been proposed for development. The back corner of the existing shed is on the property line and he is proposing to build the new garage slightly off of the property line. The new building will be thirty-five percent greater than the existing building. Across the street is a four bay garage but it is not in the Township. Multiple buildings are the nature of the neighborhood.

Planners Mummert/LeFevre moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-21 – David and Jennie Spector, requesting a variance to Section 209.3 (Area and Bulk) and Section 612 (Expansion of a Nonconformity) to construct a garage that encroaches into the setbacks and the expansion exceeds maximum area of nonconformity, as it meets the requirements of 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:

Group Hanover Inc., Engineers and Surveyors on behalf of Total Maintenance Solutions, 401 Moulstown Road is requesting exoneration from a land development plan for the construction of additional paving.

Gerry Funke, Group Hanover Incorporated Engineers and Surveyors, represented this request for the former Pillowtex Mfg. facility. There is an existing parking area and this request is an expansion of that parking lot. Mr. Funke stated that he designed the last two additions to Pillowtex and at that time he made sure that the stormwater basins are sized for eighty percent lot coverage. The addition will result in 56.4 percent lot coverage and is .71 percent of the existing coverage.

Planners Felix/Marsh 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. (SOUTH)**

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 Brezewood 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.

**P03-11 – 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.

**P03-23 – 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.

**P04-18 – 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.

**P04-25 – 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.

Gerry Funke, Group Hanover, Inc., Engineer and Surveyors, represented this plan. The plan has been before the planning commission before. They would like to proceed with constructing a spec building because the original proposed tenants are no longer available. Mr. Funke stated that Engineer Bortner's primary concern was the site distance between the two buildings towards McClarin Plastics because there is a slight hill. Engineer Bortner measured off the street and now believes there is enough distance. York County Planning Commission comments have been addressed.

Planners Felix/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-04 – 21 Industrial Drive. Motion carried on a 6-0 vote.

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

P05-12 – BAXTER INVESTMENT 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.

**P05-21 – 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.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06 – 09 – SNYDER’S OF HANOVER OFFICE ADDITION, 1350 York Street, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located at 1350 York Street in the Industrial Zone.**

There was no action taken on this plan.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-14 –CHARLES HARRISON, 1368 Brad Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1368 Brad Drive in the R-15 zone.**

There was no action taken on this plan.

**P06-15 – WHISPERING RUN, Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A final subdivision plan submitted to create one hundred twenty-five (125) residential lots. The property is located on the east side of Beck Mill Road, north of Grandview Road in the R-22 zone.**

There was no action taken on this plan.

**P06-16 – SOUTH WESTERN SCHOOL DISTRICT BUS DEPOT ADDITION, 225 Bowman Road, Hanover, PA 17331. A preliminary add-on subdivision plan submitted to construct a bus depot addition. The property is located at Spring Garden Street in the Industrial Zone.**

Gerry Funke, Group Hanover, Inc. Engineer and Surveyors, represented this plan. This is the initial review of the plan. South Western School District purchased land from A.D. Fry and would like to install additional parking area and a small office and garage addition to the present building. York County Planning Commission comments have not been received. There are several paper streets surrounding the property. There are several streets that were proposed but were never constructed. Storm water issues will have to be addressed on the property. There are no spaces for additional buses. They are thinking about using porous paving for the lot.

**P06-17 - PENN TOWNSHIP INDUSTRIAL PARK LOT #7/TRIPLE S LEASING LOT #5, 115 Newark Street, Littlestown, PA 17340. A final add-on subdivision plan submitted to add on to an existing lot. The property is located on Industrial and Barnhart Drives in the Industrial Zone.**

Gerry Funke, Group Hanover Inc. Engineers and Surveyors, and Penn Township Manger Jeffrey R. Garvick represented this request. This is the initial review of the plan and York County Planning Commissioner comments have not been received. He stated that they have reviewed this plan in conjunction with the two other plans for the same lot. This is the remaining parcel of land owned by Penn Township for the construction of Industrial Drive.

Planners Mummert/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-17 – Penn Township Industrial Park Lot #7/Triple S Leasing Lot #5 contingent upon York County Planning Commission comments being favorable. Motion carried on a 6-0 vote

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
OCTOBER 5, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on October 5, 2006 at the Penn Township Municipal Building. Also present were Planning Members James Butt, Wendell Felix, Michael Johnson, Fred Marsh and Stede Mummert. Planner Gary LeFevre was absent with notice. Also present were Township Engineer Bortner and Zoning Officer John Menges.

The September 7, 2006 Planning Commission minutes were approved as submitted.

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

**Z06-22 COOMBS SASSE REALTY, 115 Ann Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.2 (Use Regulations) to expand parking area for a commercial business on a residential zoned property. The property is located in the R-8 zone.**

Rich Sasse, Coombs Sasse Realty, represented this request. Coombs Sasse is a real estate holding company. The applicants would like to expand the parking area at Ivan Dutterer, Inc., 15 Ann Street. The variance request is for Dutterer property actually located on O'Neil Avenue between Ann and McAllister Streets. They are requesting to pave an area that is 25' x 80' that would allow eight additional off-street parking spaces. Mr. Sasse provided a sketch of the proposed paving. To the left side of the property is a rental unit owned by Coombs Sasse Realty and to the right is an alley. There will be a tree removed from the area. There are thirty existing parking spaces. The company is an architectural millwork business that has been in the area for fifty years. There is also an internal expansion project occurring at this location.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z06-22 Coombs Sasse Realty requesting a variance to Section 202.2 (Use Regulations) to expand parking area for a commercial business on a residential zoned property 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.

The Planners received the following waiver or exoneration requests:

Loss-Stair Civil Engineering, Inc., on behalf of Stone Ridge Development Corporation, Avion Residential Subdivision, is requesting waivers from Sections 505a, 505d, 505g, and 509a of the Penn Township Subdivision and Land Development Ordinance.

The request was represented by Dave Stair, Loss-Stair Civil Engineering, Inc. Mr. Stair stated that the Avion subdivision received Zoning Hearing Board approval for lot width reductions to design the street that goes west to Bankert Road to make Bankert road a partially one way street in order to alleviate the intersection at Bankert and Blooming Grove road. All traffic that goes up Bankert road will go through a four-way intersection up to Blooming Grove Road to an intersection that has a better sight distance than the current intersection. Mr. Stair

stated that he met with Engineer Bortner about the design and that a few waivers would be needed for the plan. The first waiver they are requesting is Section 505 Street Design Requirements along Bankert Road and Blooming Grove Road. They will do the improvements along all the internal roads of the subdivision but wish to be exonerated from the improvements along Bankert & Blooming Grove. They are requesting the waiver from Bankert because the improvements will be along the side of the road where there will be no traffic. They are proposing to do the improvements along the intersection of Rivera and Bankert Road. They do not feel that improvements to Blooming Grove Road for the short section of the road they own would be beneficial because there are no improvements along the existing Blooming Grove Road and it is a state road. They have not filed for a PENNDOT permit for the entrance and if the permit requires the improvements they will put them in. The Planners expressed concern about the proposed driveway on to Blooming Grove Road and if it should be on Bankert Road instead. If the entrance is on Bankert they will have to go through the development to get on Blooming Grove Road. The Planners discussed having curbing along Bankert Road up to the driveway on Bankert Road. The Planners are not aware of any future improvements on Blooming Grove road by the state. All internal streets will have improvements done to them.

When the plan had been previously presented to the Planning Commission, Public Works Committee and the Board of Commissioners it was decided that Bankert Road should be a one-way street and a new intersection created. The driveway on the plan was arbitrarily placed along Blooming Grove Road but it will require a PENNDOT permit. There was some discussion about the Martz property and what has been proposed. It is believed that there are seven lots going to be subdivided off of the property.

Mr. Stair stated that the engineer for the Martz property has contacted him about his development and as a result a dead end street has been included in the Avion plan for a future connection to the Martz subdivision. They would like not to have to install a turn around on Rivera Drive because there will be no driveways and they will terminate the road as a dead end.

Mr. Stair stated that they meet all the distance requirements on the proposed curve but they cannot meet the minimum radius requirements. There is an area of wetlands and steep slopes in this project and they are trying to avoid environmental impact issues. If the radius is changed they may impact the wetlands and the steep slope area. It is currently designed as a 150 foot radius and they are proposing to change some of the driveways so they will be located along the outside of the curve.

Lot number four is proposed as a double frontage lot and is the current homestead. It contains an area of wetlands and steep slopes. It currently fronts Blooming Grove Road and will front the new street when it is created. The current buildings on that property will remain.

After additional comment about the driveway fronting Blooming Grove Road, John Beil from Stone Ridge Development stated that the driveway could be changed from Blooming Grove Road to Bankert Road if that was what the Planners wanted.

Engineer Bortner stated that Bankert Road and the change to one way would only be able to occur when the streets in the development are dedicated to the Township, which will affect other decisions that will need to be made about the intersection.

Engineer Bortner would not like curbing the entire length of Bankert Road unless PENNDOT requires it on Blooming Grove Road. He does not want to see improvements past the existing driveway on Bankert because of the impending one way.

There was more discussion about the driveway on the property that fronts both Blooming Grove and Bankert road and making the driveway match the existing driveway on Bankert. The Planners recommended that the driveway be located on Bankert road and that curbing only go as far as the existing driveway with no curbing and sidewalk located along Blooming Grove Road.

Planners Johnson/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners that the driveway from the corner home access onto Bankert Road with curbing being installed on Bankert from Monoco Drive up to that driveway; a waiver of improvements along Blooming Grove Road, with all improvements being made to the interior streets of the development. Motion carried on a 5-1 vote with Planner Mummert casting the dissenting vote.

Planners Mummert/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on the dead end street. Motion carried on a 6-0 vote.

Planners Butt/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on the curve request on the condition that the driveway on lot 17 corresponds to the driveway on lot 7. Motion carried on a 6-0 vote.

Planners Felix/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on the double frontage lot request. Motion carried on a 6-0 vote.

On another matter, a request for a land development waiver was withdrawn by Mt. Olivet cemetery.

Engineer Bortner asked at this time if any of those present have attended meeting where there was equipment to project the plans on a screen so that everyone can see everything at the same time. This would eliminate developers answering the same set of questions two and three times because people can not see and hear. Engineer Bortner will talk to them each to find something that would work for all of them.

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. (SOUTH)**

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.

John Beil, Burkentine and Sons, stated that they have been working with Eric on the plan. They have received their NPDS permits, they have submitted the application for the creek crossing, worked on getting title to Charles Avenue, meet with PENNDOT about the proposed signal, and have secured easements with Halter, Hoff and also purchased one of the properties for the signal.

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.

John Beil, Burkentine and Sons, has received their LOMAR; their NPDES permit, and have begun working with the adjoining developer for the future alignment of Breezewood Drive.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-23 – 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 Brezewood 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.

P04-18 – 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.

P04-25 – 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.

P05-12 – BAXTER INVESTMENT 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.

P05-21 – 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.

P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.

There was no action taken on this plan.

**P06 – 09 – SNYDER’S OF HANOVER OFFICE ADDITION, 1350 York Street, Hanover, PA 17331. A final land development plan submitted to construct an office addition. The property is located at 1350 York Street in the Industrial Zone.**

There was no action taken on this plan.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-14 –CHARLES HARRISON, 1368 Brad Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1368 Brad Drive in the R-15 zone.**

There was no action taken on this plan.

**P06-15 – WHISPERING RUN, Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A final subdivision plan submitted to create one hundred twenty-five (125) residential lots. The property is located on the east side of Beck Mill Road, north of Grandview Road in the R-22 zone.**

Ted Decker, Group Hanover, Inc., represented this plan. He stated that the plan now shows two phases with the addition of a phase line. York County Planning Commission comments were addressed. There will be deed restrictions supplied to the Township for their review. A note was added about the sediment and erosion control plan. They are waiting for PADEP to act on the permits for the sewer extension. They added a note on the plan as to who delineated the wet lands. A note was added regarding flooding on lot number 84. They added information regarding missed lots and corrected street names that were incorrect. They are waiting for house numbers to be assigned. The Township is still working on the offsite sewer design and the bonding for the final plan approval is being calculated.

Zoning Officer Menges noted that there would be some problems with the house numbers on Pearl Drive and Bair Road because of the current numbers that are assigned.

Planner Felix/Butt moved for a favorable recommend to the Penn Township Board of Commissioners on this plan pending sewer acceptance. Motion carried on a 6-0 vote.

**P06-16 – SOUTH WESTERN SCHOOL DISTRIC BUS DEPOT ADDITION, 225 Bowman Road, Hanover, PA 17331. A preliminary add-on subdivision plan submitted to construct a bus depot addition. The property is located at Spring Garden Street in the Industrial Zone.**

Gerry Funke, Group Hanover, Inc., represented this plan. He stated that design of the property would cause water to flow to the outside of the parking lot. There is no new impervious area being proposed. There are several handicapped spaces near the building. There is no proposed additional lighting on the new parking lot. York County Planning Commission comments have been addressed.

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

**P06-18 – STONEWICKE, LP, 107 Little Bridge Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) lots in order to construct a public safety building. The property is located west of Baltimore Street between Clover Lane and Hillside Road in the R-15 and S/C zone.**

Pat Buhl, Worley Surveying, represented this plan. They are proposing to subdivide a piece of land and sell it to the Penn Township Volunteer Fire Company. This is the initial review of the plan and York County Planning Commission comments have not been addressed. Planner Felix provided some insight into what the property may be used for.

**P06-19 – BOYD W. ARNOLD, (Deceased) & ROLDA E. ARNOLD aka ROLDA E. BECKER, 996 Hill Top Drive, Spring Grove, PA 17362. A final subdivision plan to create two (2) residential lots. The property is located on Earl Street in the R-15 zone.**

Pat Buhl, Worley Surveying, represented this request. Engineer Bortner's comments have been addressed. This is a subdivision of an existing parcel into two building lots. First floor will be eighteen inches above the flood plane. Engineer Bortner stated that the note about building in the flood plane should contain reference to the construction according to the Penn Township Code. York County Planning Commission comments have not been received.

**P06-20 – PROPOSED RUTTER'S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.**

There was no action taken on this plan.

**P06-21 – CLYDE & ANNAMAE J. MARTIN, Penn Township , 20 Wayne Avenue, Hanover, PA 17331. A final subdivision plan to create two (2) lots and add on to an existing lot. The property is located at 1076 Beck Mill Road in the R-22 zone.**

Pat Buhl, Worley Surveying and Engineer Bortner presented a plan that shows a subdivision of a piece of land from the Martin property along Beck Mill Road and adding it to the existing community park on Grandview Road. York County Planning Commission comments have not been received.

**P06-22-601 WEST CHESTNUT STREET, SLW Limited Partnership, 601 West Chestnut Street, Hanover, PA 17331. A final land development plan submitted for paving improvements. The property is located in the Industrial Zone.**

Dave Stair, Loss-Stair Engineering Inc., represented this plan. They are proposing paving on the property to increase parking spaces for their employees. They have submitted a waiver of the stormwater management requirements. Mr. Stair reviewed the request and stated that there will be sixty-six percent lot coverage when the paving is done.

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

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
NOVEMBER 2, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on November 2, 2006 at the Penn Township Municipal Building. Also present were Planning Members Michael Johnson, Fred Marsh, Stede Mummert and Gary LeFevre. Planners Fred Marsh, Wendell Felix, and James Butt were absent with notice. Also present were Township Engineer Bortner and Zoning Officer John Menges.

The October 5, 2006 Planning Commission minutes were approved as submitted.

The Planners received the following zoning appeals and will make recommendations to the Zoning Hearing Board: **None.**

The Planners received the following waiver or exoneration requests:

Ivan C. Dutterer, Inc., Coombs Sasse Realty is requesting exoneration from a land development plan for an addition to their parking lot located on O'Neill Avenue.

Rich Sasse, Coombs Sasse Realty, represented this request. Coombs Sasse Realty is a real estate holding company that owns Ivan C. Dutterer Inc. They are requesting the waiver to install an additional eight parking spaces that would provide thirty-eight off-street parking spaces. The existing parking area represents thirty four percent of impervious area with the addition increasing it five percent to thirty nine percent. The existing parking area was placed on residential property in 1995 and has not been expanded since it was installed. The parking lot sits between the property on Ann Street and McAllister Street. The Penn Township Zoning Hearing Board approved the additional parking spaces at their October 10, 2006 meeting. Zoning Officer Menges stated that York County Planning Commission does not review land development plans for parking areas. There had been a previous waiver request for improvements to the existing home on McAllister Street to modernize it with an addition. Subsequently they were going to demo the house and build new offices but that plan is now defunct and they would have to seek Zoning Hearing Board approval. The previous owner installed three parking spaces behind the owner's house and they installed intertwined woven fence about six feet high.

Planners Van de Castle/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-0 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. (SOUTH)**

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.

P03-11 – 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 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

John Beil, Burkentine and Sons, represented this plan. Mr. Beil stated that Burkentine purchased the plan from Baxter Investment and that Ed Mort, Group Hanover, Inc, did the

engineering on the plan. The previous review comments of the Township Engineer regarding the plan have been addressed. The developer is awaiting approval of the sewer module by DEP. There was some concern about Crest Avenue because several of the residents have requested to know if it will be repaired. The plan shows no improvements to the road but the developer is showing to install a stoned road in the right of way since it appears to have been pushed out. The gas line has been proposed to be moved into the street rather than in the adjoining property owner's front yards. The plan will need to have the sewer capacity issue resolved as well as bonding before it can be approved. House number assignments have been completed. There was some concern about emergency equipment access. Fire Chief Cromer required an access but there is no curb cut for the access and no one was sure how it will be monitored. There is concern about how the garbage and recycling will be collected. There is only one driveway in and out of the development. The number of parking spaces meets the requirements of the ordinance. This will be a condo association.

**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.

**P04-18 – 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.

**P04-25 – 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

P05-12 – BAXTER INVESTMENT 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.

John Ling, Baxter Investment Group, Inc., represented this plan. It was noted that the Penn Township Zoning Hearing Board required a twenty-foot access for the two properties. The access will be stoned and they are proposed to be named Doe and Buck lane. Mr. Ling is awaiting the approved sewer module from DEP. They have addressed York County Planning Commission and Township Engineer comments. Currently the cable company, Ms. Hoffacker and Clair Bange access their properties using the two rights of way, which appear on everyone's deed that is adjacent to the property.

Planners Mummert/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan pending the approval of the sewer module. 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.**

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.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-15 – WHISPERING RUN, Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A final subdivision plan submitted to create one hundred twenty-five (125) residential lots. The property is located on the east side of Beck Mill Road, north of Grandview Road in the R-22 zone.**

There was no action taken on this plan.

**P06-18 – STONEWICKE, LP, 107 Little Bridge Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) lots in order to construct a public safety building. The property is located west of Baltimore Street between Clover Lane and Hillside Road in the R-15 and S/C zone.**

Brandon Brishard, Worley Surveying, represented this plan. York County Planning Commission comments dated October 5, 2006 have been addressed. Engineer Bortner stated that his comments have been addressed.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 4-0 vote.

**P06-19 – BOYD W. ARNOLD, (Deceased) & ROLDA E. ARNOLD aka ROLDA E. BECKER, 996 Hill Top Drive, Spring Grove, PA 17362. A final subdivision plan to create two (2) residential lots. The property is located on Earl Street in the R-15 zone.**

Brandon Brishard, Worley Surveying, represented this plan. He stated that the note on the plan referring to the building in the flood plain as been added to include it must comply with Penn Township Chapter 76 or be 18 inches above the flood plan whichever is greater. Engineer Bortner stated that the structure must also be flood proofed and that would have to be verified by the building inspector. The living space has to be 18 inches above the flood plain. York County Planning Commission comments have not been received.

**P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.**

There was no action taken on this plan.

#### **EISENHOWER VILLAGE SHOPPING CENTER**

The approved plan for the Eisenhower Village Shopping Center was not approved by the Borough of Hanover within ninety days of Penn Township approving the plan and signing it. The developer could not record the plan because the Township signatures were more than ninety days old. Zoning Officer Menges noted that there is no change to the plan since it was approved and recommended making a motion to reapprove the plan so that it can be recorded.

Planners Mummer/Johnson moved for a favorable recommendation on the Eisenhower Village Shopping Center to the Penn Township Board of Commissioners. Motion carried on a 4-0 vote.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
DECEMBER 7, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on December 7, 2006 at the Penn Township Municipal Building. Also present were Planning Members Wendell Felix, Michael Johnson, Stede Mummert, Fred Marsh and Gary LeFevre. Planner James Butt was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

It was noted that Fred Marsh was not in attendance at the November meeting. The November 2, 2006 Planning Commission minutes were approved as corrected.

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

**Z6-23 – BRUCE L. MARTIN, 824 McAllister Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.2 (Use by Right) to operate a wood shop out of their garage. The property is located in the R-8 zone.**

Bruce Martin and Bruce Martin, Jr., 824 McAllister Street, represented the request. Bruce Martin testified that they are using the garage to build furniture, which they sell to a wholesaler. They build between four to six pieces a week. Bruce Martin, Jr. does this as his full time job and his father does this in his spare time to help out. Mr. Martin stated that three or four years ago when they applied for a permit to upgrade the garage to do this they were not told they would have to go before the zoning hearing board. The wood shop was previously in the basement before it was moved to the garage. Mr. Martin purchased the home in 1972. They tore the old one-car garage down except for one wall and built a two-car garage. Mr. Martin, Jr. stated that he was previously a subcontractor and always worked out of the house but choose to make the furniture full time when the opportunity presented itself. The property is located in front of the former McClarin Plastics, which is now Fager Plumbing. Mr. Martin stated that they maintain the alley and do not start construction of the furniture until 8:00 AM. Mr. Martin, Jr. stated that he only uses the noisier equipment during the mid day hours when most residents would not be home. Only the wholesaler comes to the property to pick up the finished furniture and drop off orders. No other customers come to the property. Zoning Officer Menges stated that there have not been any complaints about the business and he only became aware of it when he saw the sign on their truck. He checked if there was an in-home occupation listed for that address and there was not. The Zoning Officer then proceeded to send a notice of violation letter and this is the result of that letter.

Planners Johnson/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-23 – Bruce Martin requesting a variance to Section 202.2 (Use by Right) to operate a wood shop out of their garage, 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.

The Planners received the following waiver or exoneration requests:

Bruce L. Jones is requesting exoneration from land development plan for an additional proposed storage building located at 35 Spring Garden Avenue.

Bruce L. Jones represented this request and they are proposing to build an open-air pavilion to store dry goods to protect them from the weather. The building will be 30'x 70' and over an existing paved area. There will be no power to the building but will have garage doors on it. They will be infringing over the existing black top area to the rear and left side. The existing storm water pond will handle the water because no additional runoff will be created. Mr. Jones also stated that when we had the heavy rains several weeks ago the pond did not run over. They need to store materials that they buy farther out and the building will be a post and beam building with airflow through the bottom. They currently store materials behind the car wash.

Planners Marsh/LeFevre moved for a favorable recommendation on this request to the Penn Township Board of Commissioners. Motion carried on 5-1 vote with Planner Felix casting the dissenting vote.

Staff Music and Amusements is requesting a waiver to the Subdivision and Land Development ordinance to add additional parking to the rear of the building at 581 W. Chestnut Street.

Clyde Laughman, president of Staff Music and Amusements, represented this request. Mr. Laughman stated that he has an approved plan but the vending company renting the building, Canteen, needs additional parking spaces that were not included on the plan. They need an additional fifty-two feet of parking to the rear of the building. The proposed paving would be 52' x 40'. This would be enough parking for three vehicles. The parking space will be used for employee parking and the storage of their delivery trucks. Henson paving is currently performing the work on the approved plan.

Planners Mummert/LeFevre moved for a favorable recommendation on this request to the Penn Township Board of Commissioners. Motion carried on 5-1 vote with Planner Felix casting the dissenting vote.

Kurowski & Wilson, LLC on behalf of South Western School District is requesting a waiver from storm water Management requirements, Article VII and a waiver from an Environmental Impact Study, Article IV, Section 404 Subdivision/Land Development Ordinance for proposed stadium improvements.

Brian Bingeman, K & W Engineers, represented the request. The proposed improvements will not generate more than a 2% increase in the two-year predevelopment peak storm water discharge rate. There are existing storm water provisions on the site. They are requesting a waiver of the environmental impact study because it is not appropriate. The proposed improvements include paving on the South side of the running track, paving of existing stone driveway, and the possibility of installing a restroom facility. The facility is included on the plan but may not be built. The track and the football field are both being renovated. Some of the southeast portion of the track will be eliminated. This existing high jump area will be

reconfigured. The slope of the area where the bleachers are installed is less than five percent. Stormwater is to continue to flow the way it currently flows.

Planners Felix/Mummert 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. (SOUTH)**

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.**

John Beil, Burkentine & Sons, represented this plan. It has been several months since the plan was reviewed. Mr. Beil stated they have been addressing engineering comments and want to have the Planning Commission review for any possible changes. He stated they have received E & S approval and have submitted requests to DEP for stream crossings and a sewer planning module. They have performed a Quit Claim for the access and have done a Quiet Title action for the alley adjacent to the property. There has been a traffic study completed, which calls for a traffic signal at Center and York Street. There was concern about the trash and recycling pick up and if it will be conducted by the Township or by the developer. Township Engineer Bortner stated that he has not reviewed the entire public works aspect of the project. It was noted that

Fire Chief Cromer has not seen the revised plan but did review the original plan when it was submitted.

**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 - SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.**

John Beil, Burkentine & Sons, represented this plan. Mr. Beil stated that he has a letter from Environmental Director Gene Hejmanowski about the trash and recycling pick up to be conducted by the Township. There will be a depression for the fire access and it will be signed with an authorized vehicles only sign. This is noted on the plan. There was concern that it is signed on both the exit and the entrance. There are improvements shown for Baer Ave. and Bowman Road but no curb/sidewalks are shown on the internal roads. Engineer Bortner stated that his comments have been addressed but there is still a sewer connection moratorium. Crest Avenue will be moved within the existing right-of-way. The utilities will be located in the right-of-way in front of the homes.

Planners Van de Castle/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on P03-20 South West Crossing pending sewer connection approval. Motion carried on 6-0 vote.

**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.

**P04-18 – 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.

**P04-25 – 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

**P05-15 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.

**P05-21 – 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.

**P06-01 – BURKENTINE SOUTH, Hannon Homes c/o John Burkentine, P.O. Box 98, Glenville, PA 17329. A preliminary subdivision plan submitted to create twenty-four (24) single-family residential lots. The property is located on South side of Black Rock Road and West of Grandview Road in the R-15 zone.**

There was no action taken on this plan.

**P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred single family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-15 – WHISPERING RUN, Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A final subdivision plan submitted to create one hundred twenty-five (125) residential lots. The property is located on the east side of Beck Mill Road, north of Grandview Road in the R-22 zone.**

There was no action taken on this plan.

**P06-19 – BOYD W. ARNOLD, (Deceased) & ROLDA E. ARNOLD aka ROLDA E. BECKER, 996 Hill Top Drive, Spring Grove, PA 17362. A final subdivision plan to create two (2) residential lots. The property is located on Earl Street in the R-15 zone.**

There was no action taken on this plan.

**P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.**

Neal Metzger, LSC Design, on behalf of Rutter’s represented the plan. He stated that the plan has previously been before the Planners prior to the Zoning Hearing Board approval. There was a right in, right out on Blooming Grove Road added by the Zoning Board and they placed a right turn lane onto Hirtland Avenue. They have addressed York County Planning Commission comments as well as verbal comments made by the Township Engineer. They are awaiting York County Conservation District comments and approval of the resubmitted traffic study. They will add a detailed public works improvement plan once they have PennDot approval. The plan does show a traffic signal at the intersection of Route 116 and Route 216. The Planners were concerned about truck parking since there has been weekend and overnight parking at both the York Street and Baltimore Street facilities. The new facility will be posted no trucks allowed. Several members testified that they have seen vehicles parked overnight at both facilities and that some of the vehicles are leaking materials into the storm water facility. The plan does have no truck signs and the Planners requested that a note be put on the plan that overnight truck parking will not be allowed. There was concern that the handicapped spaces should be moved closer to the store. The Zoning Hearing Board did not place any restrictions on the hours of the operation of the car wash but there are doors that can be shut. Engineer Bortner has not reviewed this plan but he will need to see the plans after the traffic impact study is approved. Zoning Officer Menges stated that they should contact the police about the language that needs to be on the sign so that the police can enforce the sign on private property. It was noted that they’re no parking signs on the plan so that people do not park on Route 116.

**P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.**

There was no action taken on this plan.

**P06-24 – HOMEWOOD RETIREMENT CTR AT PLUM CREEK – PHASE D, P. O. Box 250 Westminster, MD 21795. A final land development plan submitted to construct cottages in a retirement village. The property is located at 425 Westminster Avenue in the R-15 zone.**

Steve Zortich and Sandy Fair represented this plan. The plan shows four additional cottages then what is on the approved plan. The builders can build these when they are building the other ten units currently under construction. Township Engineer comments and York County Planning Comments have been addressed. They requested approval of a DEP planning module and Homewood spoke to both Jeff Garvick and the Borough of Hanover for the sewer connections and both concurred that because Homewood built the sewer line then the property is to be provided the additional four sewer connections. The fire hydrants are with in four hundred

feet of the residences. There is approval from York County Conservation District for soil and erosion plan dated October 19, 2006. There is an easement for utility connections and eight parking spaces are provided.

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

**P06-25 – PETER & PENNY FILUS, 6815 Laurel Summit Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is also located in Heidelberg Township and is zoned conservation.**

There was no action taken on this plan.

**P06-26 – MARTINS RIDGE SUBDIVISION, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted to create twenty-three (23) single-family residential lots. The property is located on Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P06-27 – SOUTH WESTERN SCHOOL DISTRICT STADIUM IMPROVEMENTS, Kurowski & Wilson, LLC 470 Friend Road, Suite 100, Harrisburg, PA 17111. A final land development plan submitted for school athletic stadium improvements. The property is located on South Western Road in the R-15 zone.**

Brian Bingeman and Tom Hoover, South Western School District, represented this plan. The improvements include paving on both the north and south sides of the stadium, some of the paving consists of existing stone driveways, and there is a 20' x 50' restroom facility included on the plan. A letter was received from York County Planning Commission that they do not review plans like these. The stadium will not be as freely accessible as it is now once the renovations are completed.

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

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary