

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 5, 2015

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 PM on Thursday, February 5, 2015 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Joseph, Klunk David Baker, Henry Senatore, and William Woodward along with Township Engineer Eric Bortner and Zoning Officer Swanner.

The planners approved the January 8, 2015 planning commission minutes as submitted.

The planners received the following zoning appeals and made the following recommendations to the zoning hearing board:

Z15-03-Karyn & Douglas Thacker, 319 Azalea Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a hair salon out of their home. The property is located at 319 Azalea Drive in the R-15 zone.

Karyn Thacker represented the request. Mrs. Thacker wants to open a hair salon at the back of her garage. She stated that she meets all the requirements established by the state for a salon. She stated she has ample parking. She would be the only employee and customers would be required to have an appointment. She would not have a lot of deliveries. Mrs. Thacker drives school bus for the South Western School District and would operate the salon when she is not driving. She anticipates being opened Thursday, Friday and Saturday from 9-1 each day. The salon will be handicapped accessible. They will be moving the items in the driveway back further on the property and the entrance to the salon will be located on the side of the garage.

Planners Senatore/Baker moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z15 – 03 Karyn and Douglas Thacker, requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a hair salon out their home, as it meets the requirements for a special exception as set for in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Z15-04-Marcum Dale Jay, 117 Courtland Place, Belair, MD 21014. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) and to Section 618 (Home Occupation) in order to operate a home office for an internet based business. The property is located at 30 Blue Spruce Drive in the R-15 zone.

Marcum Jay represented this request. Jennifer Dorr, the renter, of property at 30 Blue Spruce Drive was represented by her husband. He stated that they are requesting to operate an internet based business to sell hunting equipment including fire arms from the home. They have applied for their FFL license from the ATF. The ATF agent is scheduled to inspect the home and conduct an interview on February 13, 2015. Their web site is not up and running yet. The property is being rented and the land lord was not present. Mr. Jay is the co-owner of the business with the Dorr's. A bedroom will be converted for use as an office.

The only modifications being made to the home is for the placement of the gun safe. Firearms will only be on the premises for twenty four hours before they are shipped to a purchaser. They stated they will be having one delivery a day. The zoning approval would be required to be obtained prior to the ATF permit being issued.

Mr. Dorr stated that the landlord has given his approval for the use of the property. There was some concern by the Planning Commission that a nonresident will be working at the business. It was noted that the property owner may want to be present at the zoning hearing board meeting.

Planners Felix/Klunk moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z15 -04 Marcum Dale Jay, requesting a special exception to Section 203.2 (Uses by Special Exception) and to Section 618 (Home Occupation) in order to operate a home office for an internet bases business as it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 3-3 vote with Planners Baker, Senatore, and Woodward casting the dissenting votes

Z15 – 05 Trone Rental Properties LLC, 350 Third Street, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) to erect a four (4) foot fence in the front yard area. The property is located on 138 Bowman Road.

Chris Trone, property owner, represented this request. Mr. Trone would like to install a four foot high fence in the front yard of his rental property at 138 Bowman Road. He stated that he had the townhouses constructed in 2000. There are nine parking spaces that front Bowman Road. He had installed landscaping along Bowman Road to hide the parking spaces and to prevent the lights from the cars from shining across the road. The landscaping has died and been removed. He would like to install a vinyl enclosed fence around the front yard to hide the parking spaces. The ordinance only allows for a three foot fence in the front yard. Mr. Trone felt that a three foot fence would not prevent light from going onto Bowman Road. He was not able to find a three foot fence that was enclosed.

Planners Baker/Woodward moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z15 -05 Trone Rental Properties LLC requesting a variance to Section 300.3 (Fences and Walls) to erect a four (4) foot fence in the front yard area 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.

Z15-06 South Western School District and York Adams Community Tennis Association, 225 Bowman Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) and a special exception to Section 202.2 (Use Regulations) in order to enclose existing tennis courts and future classrooms. The property is located at 225 Bowman Road in the R-8 zone.

Jeffrey Rebert, York Adams Community Tennis Association, Mike Wildasin, South Western School District, and Ron Orndorff, Engineer represented this request. Mr. Orndorff stated that York Adams Community Tennis Association would like to enhance the tennis courts located behind the Emory Markle Intermediate School. The school district will still own the property but the York Adams Community Tennis Association will be paying for the project and utilizing the facility. They are requesting a variance for the height of the facility. The school has a received a variance for the height of the auditorium. Part of the structure will be over thirty feet. The tennis courts will be enclosed and they will be adding classrooms for instruction. He noted that this is complying with the new comprehensive plan because it is partnering with outside organizations for recreation projects. Phase one will be closing in the tennis courts and other phases will include adding the classrooms.

The South Western School District would be allowed to use of the facility first and the Tennis Association would be allowed to utilize the facility if the school district was not using it.

There may be additional parking required but there will be a land development plan submitted.

Planners Baker/Woodward moved for a favorable recommendation to the Penn Township Zoning Hearing on case Z15 – 06 South Western School District and York Adams Community Tennis Association requesting a variance to Section 202.3 (Area and Bulk) and a special exception to section 202.2 (Use Regulations) in order to enclose existing tennis courts and future classrooms as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for 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: None.

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

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

P04-25 – 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.

P06-23 -BROOKSIDE AVENUE TOWNHOUSES, 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.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone. There was no action taken on this plan.

P08-20 – PARK HILLS MANOR, N.W. corner of Manor Street and Hammond Avenue, Hanover, PA, 17331. A preliminary subdivision/land development for 9 townhouse units in the R-8 zone. There was no action taken on this plan.

P09-10 - AMERICAN HOME CONTRACTORS LLC, Patrick Buhl, P.O. Box #132, Glenville, PA 17329. A final subdivision plan submitted in order to create two (2) residential lots. The property is located at 792-792 Baltimore Street in the Highway/Business Zone. There was no action taken on this plan.

P10 – 12 – YORK VILLAGE APARTMENTS, LCL – York Village Associates, L.P., 199 Baldwin Road, Suite 140, Parsippany, NJ 07054. A preliminary/final reverse subdivision and land development plan submitted in order to construct two (2) multi-family dwellings consisting of 15 units total and office building. The property is located on West Alvin Avenue in the A/O zone. There is no action taken on this plan.

P13-09 - AMISH MARKETS AT HANOVER, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct an Amish retail sales market. The property is located at 1649 Broadway in the Shopping/Commercial zone. There was no action taken on this plan.

P14-08 - BROOKSIDE HEIGHTS - PHASE 2, Brookside LLC (Paul Burkentine, member), 1500 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted in order to create fifty-six (56) lots to construct single - family attached dwellings. The property is located south of York Street and east of Brookside Avenue in the R-8 zone. There was no action taken on this plan.

P14-13 - THORNBURY HUNT, Royal Building, Inc., 160 Ram Drive, Hanover, PA 17331. A final subdivision and land development plan submitted in order to create thirty-six (36) lots to construct single-family residential building lots. The property is located on the west side of Beck Mill Road in the R-22 zone.

Robert Sharrah represented this plan and P15-07 Martins Ridge. Both plans were reviewed together. There is an issue with the approved Martin's Ridge plan that will not allow the street to be dedicated to the Township because the ownership is not able to be determined. P15-07 corrects the ownership issue and allows for the dedication of the street to the Township. Mr. Sharrah has spoken with Township Solicitor Tilley. He recommend the corrective plat be submitted and approved in conjunction or prior to P14-13- Thornbury Hunt being approved. The comments for P14-13 have been addressed except for the road dedication.

P15-07 Martins Ridge has five of the six required signatures and Mr. Sharrah stated that he would have all six prior to the next Board of Commissioners meeting.

Planners Baker/Klunk moved for a favorable recommendation on Plan P14-13 – Thornbury Hunt contingent upon P15-07 having obtained all the property owner signatures and being approved by the Board of Commissioners. Motion carried on 5-1 vote with Planner Felix casting the dissenting vote.

P15-01 – PINEBROOK – PHASE I, Pinebrooke Villas, LLC, 330 Dubbs Church Road, Hanover, PA 17331. A final reverse subdivision submitted in order to combine existing lots. The property is located on Breezewood Drive in the R-15 zone. There was no action taken on this plan.

P15-02 – ADD-ON TO MARBURG GARDENS, Samuel M. & Karen G. Lehigh, 450 Bankert Road, Hanover, PA 17331. A final add-on subdivision submitted in order to add on to an existing lot to the lands of the cemetery. The property is located at 2510 Grandview Road in the R-40 zone. There was no action taken on this plan.

P15-04 – HIGH POINT AT ROJEN FARMS – PARCEL B & C, Woodhaven Building & Development, Inc., 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan submitted to separate parcels B & C for title conveyance. The property is located north of Fairview Drive and east of Beck Mill Road in the R-40 zone.

Robert Sharrah represented this plan. The plan is mostly in West Manheim Township. There are no building lots within Penn Township. York County Planning Commission comments have not been received.

P15 -05 – TIBBS ADD-ON TO BROUGH, Jeremy & Aimee Tibbs and Andrew Brough, 6889 E. Moulstown Road, Hanover, PA 17331. A final add-on subdivision plan submitted for lot consolidation on existing lands. The property is located primarily in Heidelberg Township at 6889 E. Moulstown Road in the R-C zone.

Andy Brough represented this plan. This is an add on plan. Mr. Brough stated that the plan crosses Heidelberg Township and Penn Township with the parent tract being located in Penn Township. The property will be owned by Mr. Brough's daughter. York County Planning Commission comments have been addressed and Heidelberg has approved the plan.

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

P15-06 – EDWIN D. JR. & BRENDA K. KROUT, J.A. MYERS BUIDLING & DEVELOPMENT, INC., 160 Ram Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) single family detached dwelling lots. The property is located at 361-363 Black Rock Road in the R-15 zone. There was no action taken on this plan

P15-07 – MARTINS RIDGE, Royal Building, Inc., 160 Ram Drive, Hanover, PA 17331. A corrective final subdivision plat submitted to amend previously recorded plat. The property is located on Brian Lane in the R-22 zone.

This plan was reviewed along with P14-13 Thornbury Hunt. The Planning Commission questioned when the streets in Martin's Ridge would be dedicated. Mr. Forbes has not approached the Township about dedicating the streets.

Planners Baker/Woodward moved for a favorable recommendation to the Penn Township Board of Commissioners on P15-07 – Martins Ridge contingent on all property owners having signed the plan prior to its approval. Motion carried on a 5-1 vote with Planner Felix casting the dissenting the vote.

The meeting adjourned at approximately 8:38 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary