

PENN TOWNSHIP PLANNING COMMISSION  
MARCH 6, 2014

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 PM on Thursday, March 6, 2014 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Joseph Klunk, Henry Senatore and David Baker along with Zoning Officer Matt Swanner and Township Engineer Eric Bortner. Planners David Quinn and Stephen Roth were absent with notice.

The planners approved the February 6, 2014 planning commission minutes as submitted.

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

**Z14-01 - BENJAMIN E. SIEGRIST, 1770 Oregon Pike, Lancaster, PA 17601. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a mobile home that does not meet side yard setback requirements. The property is located at 60 Bowman Road in the R-8 zone.**

Benjamin E. Siegrist represented the request. The applicant would like to construct a mobile home on 60 Bowman Road with off street parking that does not meet the side yard setbacks. The proposed mobile home is 28' x 80' which is a bigger mobile home. The Township condemned and demolished the structure that was formerly on this site. The lot is about 35' feet wide and 180' deep. Mr. Siegrist would like to resell the property but is anticipating renting the property as a mobile home pad. There was some concern about the width of the driveway. The property slopes right to left. A building permit would need to be obtained prior to construction or placement of the mobile home.

Planners Felix/Baker moved for a favorable recommendation to Z14- 01 - Benjamin E. Siegrist, requesting a variance to Section 202.3 (Area and Bulk) in order to construct a mobile home that does not meet side yard setback requirements, 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.

**Z14-02 - CFR PARTNERS, L.P. 1623 Potsprings Road, Lutherville, MD 21093. Applicant is requesting a variance to Section 207.2 (Use Regulations) in order to construct a professional office building. The property is located at Unit 16 of the Grandview Plaza in the Shopping/Commercial zone.**

James Holley represented the request. The applicant is requesting a variance to construct a professional office building to the rear of the Grandview Plaza next to the day care center in the shopping commercial zone. This building site is approximately 3.6 acres, which is a subsection of the larger parcel. The entrance way would be from the access road that connects to the day care center. There is a residential neighborhood to the rear of the property with the rest surrounded by the shopping center. Mr. Holley provided a plan that showed the slopes on the property are greater than fifteen percent. A previous request had a mini storage unit proposed next to the office building, which has now been removed. Rene DeBrander, owner of the property, was also present. Mr. Holley reviewed the letter that was submitted with the zoning hearing board application. The letter dated February 19, 2014 stated that a precedent has already been set by allowing professional offices such as real estate agency, an investment firm, and a tax preparation firm in the Grandview Plaza shopping center. It also stated that an Edward Jones office is in the South Hanover Shopping Center. The above businesses are permitted as a use by right in the

Highway Business (HB) zone. He then proceeded to read the definition of professional offices. Mr. Holley stated that all three of the above mentioned offices are specifically mentioned in the definition of professional office. Mr. Holley provided a zoning map with red circles showing where the highway business zones are located. There are four areas and only one has any land for new construction. The HB zone is where professional offices are permitted either by right or special exception. He stated that the ability to construct a professional office building is extremely limited. He stated that the professional office as proposed offers a good buffer between the residential area and the shopping center similar to the existing childcare center. He reviewed the parking space requirements.

Mr. Holley reviewed the specific items required to grant a variance, including unique physical circumstances or conditions, irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographic or other physical conditions peculiar to the particular property. Also required is that the hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located. He stated that the site contains steep slopes ranging from 15% to 33%, a drainage swale with defined bed and bank which is regulated by the Corps of Engineers and DEP, and the southern half of the property is narrow and contains the steeper slopes which restrict property use. He stated that because of these circumstances there is no possibility the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property. The building is proposed to be two stories high with six thousand square feet on each floor. He stated that the size of the building is needed to make the project feasible. He stated that the applicant did not create the hardship and the variance if granted would not alter the essential character of the neighborhood. The adjacent property has been developed. The requested variance is the minimum variance that will afford the relief and will represent the least modification possible.

The planners asked questions about the deed configuration of the property. The land is part of the existing shopping center and the applicant constructed the rest of the shopping center. There was some concern about land development issues including access, which will be discussed if the variance is approved by the zoning hearing board. There was concern about parking for the employees and the potential customers that will visit the site. There is concern because it is a professional office building but there is no indication exactly who will occupy the building (dentists, doctors, accountants etc). There is concern that there will not be enough parking provided.

There was some concern about the parcel and its size, which Mr. Holley indicated is 3.6 acres. The parcel is not a separate parcel from the rest of the shopping center. The shopping center units are part of a condominium but the land is one large parcel. There was some discussion about the property and what was still part of the one parcel and what was subdivided.

Planners Klunk/Van de Castle moved for favorable recommendation to the Penn Township Zoning Hearing Board on case Z14-02 - CFR Partners, L.P., requesting a variance to Section 207.2 (Use Regulations) in order to construct a professional office building as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 3-2 vote with Planners Felix and Senatore casting the dissenting votes.

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.

**P12-12 – BREEZEWOOD DRIVE, Crosswinds Associates Development Company Inc., 336 West King Street, Lancaster, PA 17603. A final subdivision plan submitted in order to create twelve (12) lots to construct single-family detached dwellings. The property is located on east side of Breezewood Drive approximately .5 mile south of York Street in the R-8 zone.** There was no action taken on this plan

**P13-05 – AQUAPHOENIX SCIENTIFIC, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct a manufacturing and warehouse building. The property is located at 12 Industrial Drive in the Industrial Zone.** There was 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.

**P14-01 - LEGACY BUILDING EXPANSION, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted in order to construct a building expansion for manufacturing and warehouse. The property is located at 300 Fame Avenue in the Industrial zone.**

Gerry Funke, GHI, represented this plan. The plan was previously before the planners for a variance to the setback, which was approved by the Zoning Hearing Board. The plan provides for an addition to an existing building and parking. The stormwater from both will be diverted to the adjacent property to an existing stormwater basin. The basin is large enough for the current owner of the property to develop his property to the maximum plus the stormwater from Legacy. This is being done because both streams adjacent to the property are impaired and should receive no more additional stormwater pollution. The addition is mainly for warehousing. The existing area used for warehousing will be turned into manufacturing. There are two loading docks proposed. York County Planning Commission comments have been received by the applicant but not by the Township. Mr. Funke reviewed the comments and addressed them. The comments call for a traffic study but he feels that this is not necessary because the facility is located in an industrial zone and will not create much additional traffic. There was some discussion about the traffic and it was noted that the Comprehensive Plan draft document provided tonight would address some of those issues. Page Wingert, owner, was present to discuss the manufacturing of his products and what the new facility will be used for. All of York County Planning Commission comments were addressed and a new plan was provided. Township Bortner stated that he and Mr. Funke could work on the comments and have the plan ready for the next Board of Commissioners meeting.

Planners Klunk/Baker moved for a favorable recommendation to the Penn Township Board of Commissioners on the plan pending Township Engineer Bortner and Mr. Funk having the plan ready for approval by the next Board of Commissioners meeting. Motion carried on a 5-0 vote.

The planners were provided a draft copy of the Comprehensive Plan to review and provide comment back prior to the meeting of March 24, 2014. It was asked that comments be returned by March 21, 2014. The Comprehensive Plan Steering Committee will hold a public meeting at some future date. There was some discussion about the zoning in the Township versus the Borough.

The meeting adjourned at approximately 8:20 PM.

Respectfully submitted,  
Kristina Rodgers, Recording Secretary