

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 6, 2015

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 PM on Thursday, August 6, 2015 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Joseph Klunk, Henry Senatore, William Woodward and David Baker along with Township Engineer Eric Bortner. Planner Barbara Mahan was absent with notice.

The planners approved the July 2, 2015 planning commission minutes as submitted.

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

Z15-14 – SCOTT TAYLOR, 2 Little Knoll Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) and Section 612 (Expansion of Nonconformity) in order to enclose a deck that does not meet rear setback requirements. The property is located at 2 Little Knoll Drive in the R-15 zone.

Scott Taylor represented this plan. Mr. Taylor has a 16 x 16 deck that he would like to install a roof over and screen in. The deck encroaches into the rear setback. When the deck was constructed it was allowed to encroach into half of the rear setback but it could not be enclosed. The deck was constructed prior to Mr. Taylor purchasing the property. The roof will be attached to the house and will be made of wood and have shingles. He will then attach screens to the sides to keep out the bugs. The exiting floor of the deck will remain but he is going to replace the railing.

Planners Baker/Klunk moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z15-14 – Scott Taylor requesting a special exception to Section 407.2 (Expansion and Alteration) and Section 612 (Expansion of Nonconformity) in order to enclose a deck that does not meet rear setback as it meet the requirements of a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Z15-15 – JAMES MILLER, 760 Black Rock Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Use Regulations), Section 503.3 (General Standards for Special Exceptions) and Section 618 (Home Occupation) in order to operate a home based internet business. The property is located at 760 Black Rock Road in R-15 zone.

James Miller represented the request. Mr. Miller currently has a racing tire and wheel business in Maryland. The business was started by his father but he has passed away. Mostly all of the sales are conducted over the internet or by phone. There is very little customer traffic. He would like to move the business to his home. The business is part time and is open during evenings and weekends. Most of his customers are sent to him by the manufacture of the tires. Mr. Miller has a son in a wheel chair and if he moves the business to his home he can get his son involved in the business. He has minimal deliveries via ups. He will be storing a small amount

of inventory in the garage. Most of his inventory is dropped shipped. Less than ten percent of his clients pick up product at the business. There will be no other employees except Mr. Miller and his son. The business will not be open on Sundays and he will only be open in the evenings till 8:00 p.m. Mr. Miller is the sole owner of the business. The garage is detached from the house. Mr. Miller currently has a website but he is working on developing an e commerce site.

Planners Baker/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z15 – 15 – James Miller requesting a special exception to Section 203.2 (Uses Regulations), Section 503.3 (General Standards for Special Exceptions) and Section 618 (Home Occupation) in order to operate a home based internet business, as it meets the requirements of a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

Z15-16 – HANOVER REAL ESTATE PARTNERS, LP, 348/350 Poplar Street, Hanover, PA 17331. Applicant is requesting a variance to Section 303.2 (Development and Maintenance of Parking Facilities) in order to park on an unpaved parking area. The property is located 348 Poplar Street in the Industrial Zone.

Wayne Rice, representing Hanover Real Estate Partners, represented this request. Hanover Real Estate Partners is owned by Kurt Dietrich whom also owns Hanover Terminal which operates as Hanover Logistics. Hanover Real Estate Partners purchased Delia's in April. They have leased out part of the building as well as using part of it for their business. There is an area of the property that contains the debris of a demolished building. They would like to clean up the area and put stone on it and use it to park trailers. They do not want to pave the area because they may want to build on it in the future. The property currently uses Poplar Street for access but they would eventually like to have access from West Chestnut Street. The facility has two addresses 348 and 350 Poplar Street. They do not have a definite time table on when they might construct a new facility. It is estimated that they can get between fifteen to twenty trailers in the proposed area. It appears there maybe some blacktop under the debris.

Planners Felix/Senatore moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z15-16 – Hanover Real Estate Partners, LP requesting a variance to Section 303.2 (Development and Maintenance of Parking Facilities), in order to park on an unpaved parking area. The motion was denied by a 2-4 vote with Planners Klunk, Woodward, Baker and Van de Castle casting the dissenting votes.

Planners Baker/Woodward moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z15-16 – Hanover Real Estate Partners, LP requesting a variance to Section 303.2 (Development and Maintenance of Parking Facilities), in order to park on a unpaved parking area, 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 Felix and Senatore cast the dissenting votes.

Z15-17 – B & D PROPERTY MANAGEMENT, LLC, 878 Baltimore Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 322 (Uses Not Provided For) in order to operate a distillery. The property is located at 878 Baltimore Street in the H/B zone.

Jeremy Fry, attorney, and Matt Smith, renter of property, represented this request. The Commission reviewed a picture of the property from google earth which showed the property in disarray. There are several different types of businesses located around the property. The applicant B & D Property Management is the owner of the property. The building has a house that contains several rental units plus a standalone block building to the rear, which will be used as a distillery.

A distillery is not a use not provided for by the zoning ordinance. Attorney Fry reviewed the requirements for special exception. The Pennsylvania Liquor Board and the Federal Bureau of Alcohol, Tobacco, Tax and Trade will govern the facility. They are anticipating producing one hundred gallons of product per week. There will be two employees at this facility. There is parking provided for on the property. There are roughly eight parking spots and Mr. Smith currently lives at the property. This will not be used for retail sale of the product. It is anticipated if the use is approved the operators of the distillery will clean up the property and improve the alley. The property was formerly used as a slaughter house. It was noted that there use to be a loading dock along the building. The product will be delivered to customers. Mr. Smith explained the production process and they will produce rum and/or vodka. It was noted that the alleys are owned and maintained by the property owners. There will only be one delivery a month to the facility and one out bound delivery a month. Zoning Officer Swanner noted that the applicant may want to make some changes to their application for the additional variances. Attorney Fry stated that they would amend the application for want they need to have the request approved. Mr. Smith stated that he moved here from York to operate the distillery at this property. There was some discussion about the number of parking spaces that will be needed for the business.

Planners Baker/Woodward moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z15 – 17- B & D Property Management, requesting a special exception to Section 322 (Uses Not Provided For) in order to operate a distillery 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 Felix casting the dissenting 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.

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.

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.

P15-03 – AQUAPHOENIX – GHI Engineers and Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct an addition for manufacturing and warehouse. The property is located at 12 Industrial Drive in the Industrial Zone. This plan was previously approved by the Board of Commissioners but not recorded with York County. There was no action taken on this plan.

P15-11 - HANOVER FOODS WWTP IMPROVEMENTS, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to construct a wastewater treatment plant. The property is located at 1550 York Street in the Industrial Zone. There was no action taken on this plan.

ANITA MILLER SKETCH PLAN, GHI Engineers and Surveyors, 213 Carlisle Street, Hanover, PA 17331. A sketch plan submitted for review. The property is located on the east side of Beck Mill Road in the R-22 zone. There was no action taken on this plan.

P15-12 – PENN TOWNSHIP/CATHY J. KWIATKOWSKI, Penn Township, 20 Wayne Avenue, Hanover, PA 17331. A final add-on subdivision submitted to add land to the

Township's Mullertown Pumping Station. The property is located at 1310 Westminster Avenue in the R-22 zone. There was no action taken on this plan.

P15-13 – HANOVER WESLEYAN CHURCH, c/o Dave Hoover, P.O. Box 861, Hanover, PA 17331. A final land development plan submitted in order to construct a house of worship. The property is located at Hickory Lane in the R-22 zone. There was no action taken on this plan.

The meeting adjourned at approximately 7:53 PM.

Respectfully submitted,

Kristina Rodgers, Recording Secretary