

PENN TOWNSHIP PLANNING COMMISSION  
OCTOBER 2, 2014

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 PM on Thursday, October 2, 2014 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Joseph Klunk, Henry Senatore, David Quinn, David Baker, and Stephen Roth along with Township Engineer Eric Bortner and Zoning Officer Matt Swanner.

The Planners approved the September 4, 2014 planning commission minutes as submitted.

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

**Z14-12 – BROOKSIDE LLC, 300 Dubbs Church Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) and 306.2 (f) 3 (Multi-Family dwelling driveway) and a special exception to Section 202.2 (Uses by Special Exception) in order to construct single family attached dwellings. The property is located east of Phase 1 & 2 Brookside Heights in the R-8 zone.**

Paul Minnich, attorney for Brookside LLC, and Scott Barnhart, Brookside LLC, and Ted Decker, Group Hanover, represented this request. The applicant is requesting to build single family attached dwellings in the R-8 zone. They are requesting a variance to the height of the building and the placement of the driveways for the interior lots. These variances and special exception were approved for the previous phases. Mr. Barnhart reviewed the product that is being proposed. He stated that some of the units for phases one and two have been sold and are being lived in. The home is a three story townhouse with a garage. The peaked roof will make the home taller than the thirty five feet allowed by the ordinance. Mr. Barnhart stated that they can not meet the requirements for three feet driveway due to the off set driveways. He referenced several developments in the Township that have driveways that are one foot off of the property line. He provided several photos of those developments. Parking has been limited to one side of the street in phases one and two and they are proposing the same for phase three.

Brookside LLC may sell the lots to someone else to construct the homes. Ryan Homes has purchased forty lots from phases one and two. Mr. Barnhart stated that the lots have been designed to allow for decks if a certain sized home is constructed. If a larger home is built it may not allow for the deck. Mr. Barnhart stated that they were not aware that Ryan Homes applied for a variance for the variance for the decks until after the fact. It was noted that some of the lots that Ryan received variances for they have not purchased yet.

Attorney Minnich reviewed the special exception for single family attached dwellings and how they meet the requirements of the special exception. They do not meet the requirements for the driveway and the building height and are requesting the variances. The plan has been around since 2004.

There was some discussion on Park Street and that the connection has been removed.

Planners Quinn/ Baker moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z14-12 - Brookside LLC, requesting a variance to Section 202.3(Area and Bulk) and 306.2 (f) 3 (Multi Family dwelling driveway) in order to construct single family attached dwellings, as they meet the requirements for a variance as set forth in Section 502.3 a) thru f) with requirement that

parking restrictions be specified and the maximum height of the home not exceed thirty five feet. Motion carried on a 7-0 vote.

Planners Quinn/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z14-12. Brookside LLC requesting a special exception to Section 202.2 (Uses by Special Exception) in order to construct single family attached dwellings as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried 7-0.

**Z14-13 – Jeffrey S. and Donna M. Carroll, 701 York Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 407.2 (a) & (b) (Expansion and Alteration) in order to construct a one car garage and room above. The property is located at 701 York Street in the A/O zone.**

Jeffrey Carroll represented this request. The applicant would like to expand the existing room over his one car garage for storage and enclose the stairwell so that he and his wife can live in the apartment. His wife would be able to go into her hair salon without going outside. A peak roof will be added to cosmetically blend the garage and the main building. The apartment was previously rented out. Donna Carroll is the sole proprietor of the existing hair salon. The enclosed stairwell will cause one parking space to be removed. There are currently nine parking spaces available.

Planners Quinn/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z14-13. Jeffrey S. and Donna M. Carroll requesting a special exception to Section 407.2 (a) & (b) (Expansion and Alteration) in order to construct a one car garage and room above as it meets the requirements for a variance as set forth in Section 503.3 a) thru e). Motion carried 7-0.

The Planners received the following waiver or exoneration requests:

**Jack N. Powell, PE, Inc., on behalf of their client, Hickory Falls Family Entertainment Center is requesting a waiver from the land development process for their proposed addition. The property is located at 110 Hickory Lane.**

D. J. Hart, attorney for Hickory Fall Entertainment Center and Jack N. Powell, PE, were present to represent the request. They would like to add additional space to their kitchen to accommodate storage and a larger freezer and enclose their existing entrance creating foyer space with a double entry to bring it up to code and be more energy efficient. This will result in an additional 370 square feet of impervious area. There will be a temporary sidewalk installed during construction to allow for handicapped access. The sidewalk will be removed following the completion of construction.

Mr. Powell was asked if Hickory Falls Family Entertainment Center ever applied for a land development waiver previously. He stated no. Township records indicate that waivers were granted on May 2003 and December 2003. There was some discussion about the history of the waiver requests and how they are handled by the Township. The history of the land development plans was reviewed.

Planners Quinn/Baker moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Planner Felix recused himself from voting. Motion carried 6-0.

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.

**P13-09 - 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.** There was no action taken on this plan.

**P14-02 - MUSTANG HEIGHTS, J.A. Myers Building and Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision and land development plan submitted in order to create twenty three (23) lots to construct single family detached dwellings. The property is located at 361-363 Black Rock Road in the R-15 zone.** There was no action taken on this plan.

**P14-04 - GRANDVIEW PLAZA - UNIT 16, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct an office building. The property is located at Grandview Plaza in the S/C 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.

**P14-11-877 YORK STREET, LLC, - 311 East Chase Street, Baltimore, MD 21202. A final subdivision plan submitted in order to amend previous plan to combine lots 1A and 1B into a single lot. The property is located at 22 S. Center Street in the R-8 zone.**

Chris Raubenstine, Hanover Land Services, was present to represent the plan. The plan is combining lots 1A and 1B into one lot to be recorded at the York County Courthouse. There is no record of this land being previously combined. York County Planning Commission comments have not been received but Mr. Raubenstine requested conditional approval. Engineer Bortner explained how the property became a single parcel. This was a result of the economy and multiple subdivisions.

Planners Van de Castle/Quinn made a motion to wait for the York County comments before making a recommendation. Motion was approved on a 7-0 vote.

The meeting adjourned at approximately 7:58 PM.

Respectively Submitted,  
Kristina J. Rodgers, Recording Secretary