

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