

PENN TOWNSHIP PLANNING COMMISSION
January 6, 2011

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on January 6, 2011 at the Penn Township Municipal Building. Also present were planning members David Quinn, Fred Marsh, Paul McAndrew, Stede Mummert, and Wendell Felix, along with Township Engineer Eric Bortner and Acting Zoning Officer Kristina Rodgers. Planners Dan Goldsmith and David Quinn were absent with notice.

The Planning Commission then took action to reorganize. Planners McAndrew/Marsh moved to nominate Ray Van de Castle as Chairman. Motion carried unanimously.

Planners Marsh/Van de Castle moved to nominate Paul McAndrew as Vice-Chairman of the Planning Commission. The motion carried unanimously.

The December 2, 2010 Planning Commission minutes were approved as submitted.

The Planners received the following zoning appeals and made the following recommendations to the Zoning Hearing Board:

Z10-17- WRD HANOVER, LLP, 123 Coulter Avenue, Suite 200, Ardmore, PA 19003. Applicant is requesting a special exception to Section 634 (Replacement of Nonconformity by Another Nonconformity) in order to demolish existing structure and replace with another structure. The property is located at the North Point Plaza (Delco Plaza) at intersection of Carlisle Street and West Eisenhower Drive in the H/B zone.

Ted Decker, Group Hanover, Inc., Michael Wildner, owner, and Karen Martin, property manager, represented this request. The applicant would like to remove the existing movie theater and replace it with a restaurant and other businesses. They will be removing a 14,260 square foot structure and replacing it with a 10,174 square foot structure. The new building will remain within the existing setbacks and will not create any new dimensional nonconformity. There will be four additional stores between the pizza hut and the village pet store. Those stores could change depending upon the tenants that are secured. The applicant provided a letter dated December 16, 2010 reviewing the requests for a special exception and how they meet the provisions. Mr. Decker reviewed the letter stating that the signs and lighting would not create a negative effect on the area; the reduction in building coverage of 4,086 square feet will result in a smaller building and have less of a visual impact than the existing building; the change from the existing theater to retail and an eating establishment will result in a reduction of traffic and require less parking than the existing use. The new structure and use will result in a reduction of 278 parking spaces required from the previous use as a movie theater. They will be adding parking spaces along the new Pizza Hut. The loading area has not changed and will continue to be in the rear of the buildings. No approachable change is anticipated for noise, odors, fumes, glare, vibration, smoke, vapors, gases, or wastes. The new structure will not increase the risks of fire, explosion or other hazards. The theater building is an outdated building with no practical use. Mr. Decker noted that the third access on Eisenhower Dr. that was on the originally presented plan has been removed. The projected parking requirement for the proposed tenants is less than what was required for the movie theater. They will need about 270 less parking spaces than what they needed for the movie theater. They are adding more spaces

to the existing property. The area where there is currently bumper curbs will have a landscaped island to help traffic flow. There was also some discussion about the stormwater. York County Planning Commission comments refer to this particular plan and not the original submission.

Planners McAndrew/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z10- 17 – WRD Hanover, LP, 123 Coulter Avenue, Suite 200, Ardmore, PA 19003, requesting a special exception to Section 634 (Replacement of Nonconformity by Another Nonconformity) in order to demolish existing structure and replace with another structure, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e).
Motion carried on 5-0 vote.

The Planners received the following waiver or exoneration requests:

Bohler Engineering, on behalf of Suquehanna Bank, is requesting a waiver from stormwater management requirements in accordance with Article VI, Section C of the Penn Township Stormwater Management Ordinance.

Matthew Allen, Bohler Engineering, represented this request. They have purchased the residential property next to the Susquehanna Bank on Baltimore Street and are exchanging land between the two properties to square up the residential property and expand the bank facility. They received zoning hearing board approval to expand the use into the residential zone. The bank has taken possession of the home and will market it for resale following the lot line adjustment. They are proposing an expansion on the west side of the building plus three additional parking spaces. They will be rerouting the current access drive around the property. The will be disturbing about a fifth of an acre. They are increasing the impervious area by 2,800 square feet. They are requesting a waiver from the storm water management ordinance because they are only increasing the stormwater runoff off by seven percent. The ordinance allows for a waiver of request if the increase stormwater is less than ten percent. The waiver letter provided calculations of the increased stormwater for certain type of storms. They are in a fully developed area and there is a stormwater system around the property. The total water increase for a ten-year storm is .2cfs. The storm drain is designed for a ten-year storm. There is an onsite detention system near the current access drive near Baltimore Street. There were problems with the initial installation but they have since been corrected. Township Engineer Bortner believes that current system will handle the runoff. They are proposing some landscaping along the residential side of the property. This will be reviewed under the land development process.

Planners Felix/McAndrew moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

James Quinn is requesting a waiver from land development plans in regards to this property at 916 Baltimore Street (A2Z Motors) in order to expand driveway and parking area.

James Quinn represented this request. The property is the location of A2Z Motor Sports. Mr. Quinn has been found guilty by the District Magistrate for allowing his tenant to parking vehicles on the grass areas at this property. Mr. Quinn wishes to pave his lot for ten additional parking spaces. He is proposing not to pave any of the area in the front of the office. They are willing to put in an infiltration bed for stormwater management. The business continues to increase and they will stay behind the house

line and continue to meet setback requirements. They have but down road millings to park on but that is not acceptable under the ordinance. They had previously requested land development waivers for a building expansion and were denied. Township Engineer Bortner stated he is concerned because this property began as a residential property and over the years it has developed into a commercial property without benefit of a land development plan. Mr. Quinn stated that he has a permit for the shed that was where the chicken coop was. He stated that Mr. Menges told him as long as it was kept in the existing footprint it would be allowable. They structure use to be Henry's Garden Shop. Where the pole building is, the previous owners had a building that was removed. Planner Felix stated that it is important that a land development be on file since the older homes are turning more commercial. The property is located in the Highway Business zone. They submitted a waiver request in 2009 for a building and were denied. The owner stated that this is the first time he has been in to represent the property for a waiver of the land development requirements.

Planners McAndrew/Mummert moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on 5-0 vote.

Group Hanover, Inc., on behalf of North Point Plaza is requesting waivers to Sections 402.b, 505k-1 and 605 of the Penn Township Subdivision and Land Development Ordinance. In addition, a request for a waiver to Article IX, Section C-13 of the Penn Township Storm Water Management Ordinance.

Ted Decker, Michael Wildner, and Karen Martin represented this request. Township Engineer Bortner reported that these are the same waivers that were requested in 1993 by the developer when the movie theater was expanded. The variance requests were approved in 1993. The ordinance requires that sidewalk be installed along Eisenhower Drive. There is sidewalk on the other side of the street at the car dealer. There was some discussion about the current sidewalks in the area. There is no sidewalk in front of the Kentucky Fried Chicken along Carlisle Street. There is construction on Eisenhower Drive and Carlisle Street that makes it difficult to install the sidewalk and curb. Planner Felix stated that it would be a temporary waiver of sidewalk and curb requirements. There was concern about what lots belong to this property. The Kentucky Fried Chicken is shown as a separate parcel from the shopping center. The property owner purchased Kentucky Fried Chicken around 1995. The Burger King and the Goodyear property are not part of the property. The Beijing Palace along Carlisle Street belongs to the shopping center. There was some discussion about the widening of Carlisle Street.

During the discussion of the waiver requests, the Planners reviewed the plan. They reviewed the entire property and there were changes to the plan since it was last reviewed. The additional access along Eisenhower Drive has been removed. They will be removing the speed bumps and installing an island to direct the traffic. There have been new signs installed along both Carlisle Street and Eisenhower Drive. The entrance to Burger King will remain. They are trying to make the main entrance to be off of Eisenhower Drive. They have put in landscaping and dressed up the entrance to encourage its usage. They will be expanding the infiltration pit where the movie theater is. York County Planning Commission comments and Township Engineer comments have been addressed. The only outstanding issues are the waiver requests and the zoning case decision.

Pending approval of zoning case Z10- 17, Planners McAndrew/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on the waiver requests with the condition of a temporary waiver on the sidewalk waiver requests. Motion carried on 5-0 vote.

Pending approval of zoning case Z10-17, Planners McAndrew/Marsh moved for a favorable recommendation of P10-15 North Point Plaza to the Penn Township Board of Commissioners. Motion carried on a 5-0 vote.

Burkentine and Sons is requesting a waiver to Section 505k (1) of the Penn Township Subdivision and Land Development Ordinance in regards to their South Hanover Crossing land development plan.

Township Engineer Bortner informed the Planners that in October 2010 they recommended approval of P10-09 – Wallen Tract Apartments/South West Crossing. The property has a telephone pole in the area where the sidewalk needs to go. The plan was recommended for approval with the telephone pole not being removed. Burkentine has submitted a request for a waiver of the sidewalk requirements and has already installed the sidewalk that does not meet the Township requirements. The waiver is for the area where the telephone is located.

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.

P03-03 – 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.

P03-30 – 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 TOWNSHOUSES, 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.

P08-14 – NATIONAL BARN COMPANY, 316 Juniper Lane, Hanover, PA 17331. A final land development plan submitted to construct an office building. The property is located at the northwest corner of Industrial Drive and Gitts Run Road in the Industrial 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.

P10-09 – WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, LLC, South West Crossing, LLC, 330 Dubs Church Road, Hanover, PA 17331. A final land development plan for 48 unit multi-family complex. The property is located at Baer Avenue and Bowman Road in the R-8 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 was no action taken on this plan.

P10-15 – NORTH POINT PLAZA, GHI Engineers and Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct a new building for retail use. The property is located at the intersection of Carlisle Street and Eisenhower Drive in the H/B zone. This plan was recommended for approval during the waiver request process.

P10-17- SOUTH WESTERN SCHOOL DISTRICT BREEZEWOOD DRIVE SUBDIVISION, GHI Engineers and Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final subdivision plan submitted in order to create three lots. The property is located at the intersection of Breezewood Drive and Barrett Street in the R-15 zone.

There was no action taken on this plan.

P10-18 – SUSQUEHANNA BANK ADDITION, Susquehanna Bancshares, Inc. Attn.: James Murphy, 206 North Cedar Street, P.O. Box 1000, Towson, MD 21204. A final land development

plan submitted in order to construct a bank addition. The property is located at 1345 Baltimore Street and 4021 Grandview Road in the S/C and R-15 zones. There was no action taken on this plan.

The meeting adjourned at 8:04 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary