

PENN TOWNSHIP PLANNING COMMISSION  
FEBRUARY 7, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on February 7, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Craig Prieber, Dan Goldsmith, Stede Mummert, Fred Marsh and Gary LeFevre. James Butt was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The January 3, 2008 Planning Commission minutes were approved as submitted.

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

**Z08-01 –PENNY MICHELE RINEHART, 3016 Nancy Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses) in order to operate a massage therapy business. The property is located at 3016 Nancy Street in the R-15 zone.**

Penny Rinehart represented this request. Ms. Rinehart would like to operate a massage therapy business from her parent's home on Nancy Street. She has a diploma in massage therapy. There is off street parking available in the existing driveway. She would have a dedicated room for the business with it's own private access separate from the entrance to the home. She would have only one client at a time and most would be by appointment. There is an affidavit on file from her parents, the owners of the home, that they approve of this use. Her hours would vary depending on the clients but she would be looking to have the business open from 9 am to 9 pm Monday thru Saturday. She is not intending on having a sign and will advertise through the newspaper and Internet. She understands that she would be allowed a two square foot sign per the Township Sign Ordinance.

Planners Marsh/LeFevre moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-01 – Penny Michelle Rinehart requesting a special exception to Section 203.2 (Uses) in order to operate a massage therapy business at 3016 Nancy Street, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

**Z08-02 – EDWARD L. ORNDORFF DBA ORNDORFF CONSTRUCTION LLC, 25 Diana Court, Hanover, PA 17331. Applicant is requesting a variance to Section 202.2 (Use Regulations) in order to operate a business. The property is located at 748 Baltimore Street in the R-8 zone.**

Edward Orndorff represented this request. Mr. Orndorff would like to move his existing construction business and office to the property currently owned by the Penn Township Ambulance Club. The garage will be used for storage of his materials and he is planning on renting out the home. At some future time, however, he would like to demolish the home. The property can be accessed from both an alley and from Baltimore Street. Mr. Orndorff stated he has a contract on the property which was executed by the Penn Township Volunteer Emergency Service but which he needs to have reviewed by his attorney. He will be allowing the residents two parking spaces and he is expecting he will need five for his business. Mr. Orndorff and the

fire company have agreed on him taking possession in April but he may take possession sooner if he so chooses.

Planners Mummert/Prieber moved for a favorable recommendation to the Penn Township Zoning Hearing board on case Z08-02 – Edward L. Orndorff dba Orndorff Construction LLC requesting a variance to Section 202.2 (Use Regulations) to operate a business at 748 Baltimore Street as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**Z08-03 – ANTHONY BUBCZYK, 6 Colonial Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) in order to construct a fence in the front yard that exceeds the maximum height requirements. The property is located at 6 Colonial Drive in the R-15 zone.**

Rickard Pyles represented this request. Mr. Pyles moved into the home in April of 2007. At that time the home had a two-row split rail fence and he called the township about replacing it with a three-rail four-foot high fence to protect his children and his dogs. He was told that anything behind the rear wall of his house could be over three feet. Mr. Pyles installed the fence but he is on a corner lot, which gives him two front yards, and the fence exceeds the three feet maximum allowed. The split rail fence is four feet tall with a four feet wire fence on the inside of the split rail. Mr. Pyles states that it stops short of his driveway and there are no site problems to exit his driveway and emergency vehicles can access his property. Zoning Officer Menges stated that the top rail is about four and half feet off the ground. Mr. Pyles had a signed affidavit from Mr. Bubczyk stating that he was unable to attend the meeting and that Mr. Pyles could represent the request.

Planners LeFevre/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-03 Anthony Bubczyk requesting a variance to Section 300.3 (Fences and Walls) in order to construct a fence in the front yard that exceeds the maximum height requirements at 6 Colonial Drive, as it meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**Z08-04 – JAMES BRAITHWAITE, 1108 Cobblestone Court, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses) in order to operate an office. The property is located at 1108 Cobblestone Court in the R-15 zone.**

James Braithwaite represented this request. Mr. Braithwaite has been selling CNC machinery for two years and would like to open his own business and operate it from his house. He would be preparing quotes and orders from his house. Zoning Officer Menges stated that the only reason he asked the applicant to come before the Zoning Hearing Board was because the applicant plans on doing some advertising. If he would not be advertising it would be a no impact home base business, which would exempt him from having to request a special exception. There will be few customers going to the home. Mr. Braithwaite will be conducting most of his business from his vehicle. He will only be storing literature at his house, which will be delivered, by UPS or Fed Ex occasionally.

Planners Mummert/Goldsmith moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-04 James Braithwaite requesting a special

exception to Section 203.2 (Uses) in order to operate an office at 1108 Cobblestone Court as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

**Z08-05 – RICK AND CINDY ELDER, 450 Clover Lane, Hanover, PA 17331.**  
**Applicant is requesting a special exception to Section 203.2 (Uses) in order to operate a beauty salon. The property is located at 450 Clover Lane in the R-15 zone.**

Cindy Elder represented this request. Ms. Elder presented a plan that shows an addition to the home of 225 square feet to be used as a beauty salon. The salon would have a small bathroom. They are proposing to increase the driveway so there is more room for the customers. The lot angles to the rear of the property near the existing tree line but Zoning Officer Menges felt this would not interfere with the setback requirements for the addition. The applicant has lived in the home for seven years. The doctor's office is located next door to the property. There will be a separate entrance for the customers to enter the salon but the homeowner can enter the business through the home. There would be no more than two additional cars in the driveway at one time for the clients. Ms. Elder would be the only employee.

Planners LeFevre/Prieber moved for favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-05 Rick and Cindy Elder requesting a special exception to Section 203.2 (Uses) in order to operate a beauty salon at 450 Clover Lane, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

The Planners received the following waiver or exoneration requests:

Group Hanover, Inc. on behalf of Hanover Foods Corp. is requesting exoneration from submitting a land development plan in order to build a two-story addition. The property is located at the corner of Wilson Avenue and York Street.

Gerry Funke, Group Hanover, Inc., represented this request. The applicant is requesting a waiver of a land development plan to construct a two-story addition over an existing flagstone patio. The increase in impervious area would be 365 square feet. The storm water runoff from the site flows to the rear of the building into an existing storm sewer system. They would also be removing two existing planters in the front of the building and relocating the sidewalk farther from the plant along with redoing the entrance of the facility. Zoning Officer Menges felt the situation does not warrant the applicant to request a variance because there is already paved area where the building is proposed to be constructed.

Planners Marsh/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

George Neiderer Pools, Inc. is requesting exoneration from land development plans in order to construct a paved parking area. The property is located at 1016 York Street.

George Neiderer represented this request. He would like to pave an area near the stone bins on his property so that the trucks can access the bins. The Township Ordinance requires that any parking area be concrete or asphalt. Zoning Officer Menges stated that we are not sure

how much of the parcel is impervious but in this zone there cannot be more than eighty percent impervious.

Planners Van de Castle/Mummert 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. (SOUTH)**

There was no action taken on this plan.

**P02-28 – GATEWAY HANOVER, (formerly Carlisle Crossing) c/o CBL Realty Associates 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.

**P03-11 – 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.**

There was no action taken on this plan.

**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 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

**P03-23 – 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.

**P03-30 – 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.

**P04-18 – 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.

**P04-25 – 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.

**P05-15 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.

**P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B 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.

**P07-10 – 735 FREDERICK STREET LAND DEVELOPMENT PLAN, Bon-Ton Builders, Inc., 1060 Baltimore Street Hanover, PA 17331. A final land development plan submitted to construct a multi-family attached residential dwelling unit. The property is located at 735 Frederick Street in the A/O zone. (Replacement for P03-29).**

There was no action taken on this plan.

**P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.**

There was no action taken on this plan.

**P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**P07-26 – HOSTETTER SUBDIVISION, Group Hanover, 213 Carlisle street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Hickory Lane in the R-22 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.

**P07-30 – M & T BANK – 1275 BALTIMORE STREET, Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a financial institution. The property is located at 1275 Baltimore Street in the S/C zone.**

There was no action taken on this plan.

**P07-31 – SKF USA, INC., 20 Industrial Drive, Hanover, PA 17331. A final land development plan submitted to construct a building expansion for manufacturing.**

Dave Koratich, EIT, LSC Design and Dan Creep, LSC Design, represented this request. There were several employees from SKF present as well. The plan has received four waivers from the Penn Township Board of Commissioners but they did not approve the waiver of curb and sidewalks. The applicants stated that York County Planning Commission comments and Township comments have been addressed. Township Engineer stated that they meet the requirements of the Township's subdivision and land development ordinance. There was still some concern about the temporary structure that was approved in 1993 or 1994 which still remains on the property. Representatives from SKF stated that the facility is used for the storage of components and packaging materials. They stated they have talked with superiors about replacing the structure and may do so in the future. The factory employs over three hundred people and operates twenty-four hours a day, seven days a week. They will be installing a high heat furnace inside the building expansion.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan with a strong recommendation that the tent is removed in the future. Motion carried on a 6-0 vote.

**P08-01 – ROBERT T. HEMLER, SR., 124 West Granger Street, Hanover, PA 17331. A final reverse subdivision plan submitted to create a single-family residential lot. The property is located at 440 Park Heights Blvd. In the R-15 zone.**

Gerry Funke, Group Hanover, Inc, represented this request. This is a reverse subdivision of four lots that currently has a house built on the middle of them. Zoning Officer Menges stated that the property owner was told that when he purchased the properties that the reverse subdivision was completed. York County Planning Commission comments have been addressed.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 6-0 vote.

The meeting adjourned at 8:19 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary