

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 2, 2012

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on February 2, 2012 at the Penn Township Municipal Building. Also present were planning members Joseph Klunk, Fred Marsh and David Quinn along with Township Engineer Eric Bortner and Zoning Officer John Menges.

Planners Marsh/Klunk moved to nominate David Quinn as vice president since Paul McAndrew has taken a position on the Zoning Hearing Board. Motion carried.

The January 5, 2012 Planning Commission minutes were approved as submitted.

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

Z12-03 – SHAI IVGI, 532 Baer Avenue, 2nd Floor, Hanover, PA 17331. Applicant is requesting a variance to Section 206.2 (uses) in order to operate a one-chair hair salon. The property is located at 819 York Street in the A/O zone.

Shai Ivgi represented the case. Mr. Ivgi is interested in purchasing the property at 819 York Street from the Halters. This property is located on the southwestern corner of the intersection of York Street and the proposed Center Street, and opposite the property owned by the Township and to the front of property owned by Paul Burkentine. The location is where a traffic signal is planned for York and Center streets. The alley adjacent to this property is not currently built to Township specifications but will be constructed to a thirty-four foot cart way when the traffic signal is constructed. The garage to the rear of the property could be removed and relocated due the proposed improvements to the street, or it could just be eliminated. The area would be turned into parking after the garage is moved. Mr. Ivgi will live upstairs and operate the salon downstairs. He has spoken to contractors about installing a parking area as the lot currently exists or tearing the garage down and installing a larger parking area. He stated he very seldom has more than one customer at a time. Zoning Officer Menges stated that the minimum number of parking spaces required would be three. Mr. Ivgi is considering the idea of walk-in customers but currently does everything by appointment. There is a lawn area next to the house that he would be willing to turn into parking spaces but some of this area will be taken during the construction of the road. The house to the rear of the property will have the porch removed for the street widening. Mr. Burkentine, who owns the house to the rear, will be responsible for relocating the garage, which can be moved behind the house. Zoning Officer Menges noted that if Mr. Ivgi tears down the garage and wants to expand the parking area it will fall under a commercial development and be subject to land development requirements. Mr. Ivgi is also going to purchase the house next door, which has a two car garage. There is some parking available at the second home that will be eliminated when the street improvements are completed.

Planners Quinn/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z12-03 - Shai Ivgi requesting a variance to Section 206.2 (Uses) in order to operate a one-chair hair salon as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

Z12-04- RITA M. NEIDERER c/o RUSSELL NEIDERER II, 30 Radio Road, Hanover, PA 17331. Applicant is requesting a variance to Sections 203.3 (Area and Bulk), 208.3 (Area and Bulk) and 306.3.b.2 (Non-Residential Access Driveway Setbacks) due to the existing property descriptions which were created prior to the current Penn Township Zoning Ordinance. The applicant is requesting certain modifications in order to subdivide existing business and personal property. The property is located at the southeast corner of High Street and Radio Road in the R-15 and H/B zones.

Russell Neiderer represented this request. Mr. Neiderer stated that his mother, Rita M. Neiderer, currently owns the property where the homes and business are situated. They are proposing to subdivide the property into three lots, two with residential homes and one with the warehouses on for the business. This will not be done until after his mother no longer owns the property. There is only one access to the property from Radio Road. They are proposing to revert back to the original property lines to the rear of the property. They will also have to install a driveway from Radio Road next to the other home close to the intersection of High Street to access the three warehouses that will be located on the new business lot. The sales office will be on the same property as the existing home being occupied by Mrs. Neiderer. The other home on the second residential property is being rented out. The warehouses will not meet the required setbacks. The property is currently landlocked. Neiderer Pools will still operate out of the sales office. The trucks are having difficulty making deliveries into the existing warehouses. There was some discussion about alternate driveways for the lots. Mr. Neiderer stated that he was advised that they could not come in through Savoy Drive in Hanover Borough. They did try a configuration off High Street but it was not feasible. There was some concern about keeping the access drive away from the other home. He stated that trucks only make deliveries during the regular businesses hours.

Planners Klunk/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z12-04- Rita M. Neiderer c/o Russell Neiderer II requesting a variance to Sections 203.3 (Area and Bulk), 208.3 (Area and Bulk) and 306.3.b.2 (Non -Residential Access Driveway-Setbacks) due to the existing property descriptions which were created prior to the current Penn Township Zoning Ordinance, the applicant is requesting certain modifications in order to subdivide existing business and personal property, as it meets the requirements for a variance set forth in Section 502.3 a) thru f) Motion carried on a 4-0 vote.

Z12-05 – WRD HANOVER, LP, 123 Coulter Avenue, Suite 200, Ardmore, PA 19003. Applicant is requesting a variance to Section 306.3a (Non-Residential Access Driveway) in order to construct a new access drive that will exceed the maximum number of drives per lot. The property is located at North Point Plaza on Eisenhower Drive in the H/B zone.

Ted Decker, GHI Engineers and Surveyors, and Karen Ward, WRD Hanover, LP represented the request. Mr. Decker provided a drawing showing the new configuration of the North Point Plaza (old Delco Plaza) with a new entrance off of Eisenhower Drive. PennDOT has limited access to the shopping center by not allowing left hand turns into and out of the Plaza entrance closest to Carlisle Street. PennDOT also will be installing a left turn lane on Eisenhower Drive at the entrance close to the Township line. These changes are a result of the Carlisle Street Improvement Project being done by PennDOT. Ms. Ward stated that the property was purchased and marketed using Eisenhower Drive as the main entrance to the shopping center. The property was purchased about a year and half ago and ever

since they have been trying to improve and upgrade the shopping center. About a year ago they submitted and had approved a land development plan showing the entrance from Eisenhower Drive. They were able to secure Pizza Hut because of this entrance. The pylon sign was also installed at the existing entrance. The properties located along Carlisle Street were also guaranteed this entrance by their lease agreement even though they have entrances along Carlisle Street. There is still 15,000 square feet of space that can be leased. The new entrance was designed as a three-way intersection rather than a four way. The third entrance to the shopping center along Eisenhower Drive is to the rear of the shopping center in Conewago Township. Mr. Decker reviewed the letter he submitted for the variance request. They feel it qualifies for a variance because it was a hardship created by a third party (PennDOT). The site distances were checked and exceed the requirements. The new entrance is almost half way between the two existing entrances. The new entrance will be aligned with the Nissan entrance. There was concern about safety if the first entrance of Carlisle Street was left available. It was the consensus that if this entrance was kept it that once stacking begins in the lanes along Eisenhower it would prevent vehicles from trying to make any illegal turns in and out of the center. The fire lane has been striped and cars can drive in the fire lane but not park there.

Members Quinn/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z12-05 - WRD Hanover, LP, requesting a variance to Section 306.3a (Non-Residential Access Driveway) in order to construct a new access drive that will exceed the maximum number of drives per lot, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 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 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 – 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.

P12-01 – STEPHEN C. & JOAN M. SMITH, 1234 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted in order to create two (2) residential lots. The property is located at 3265 Grandview Drive in the R-15 zone.

Ted Decker, GHI Engineer and Surveyors, represented this plan. This property is located at the intersection of Grandview Road and Melodie Lane. The concern is for the rear setbacks of the newly created lots and the placement of existing sheds in relationship to the new property line. They will not meet the required setbacks. York County Planning Commission comments have not been received. The trailer that was on the lot has been removed. Melodie Lane goes from Grandview Road to Baltimore Street next to Sal's Pizza. It is a road not constructed to Township specifications.

P12-02 – NORTH POINT PLAZA-AMENDED LAND DEVELOPMENT PLAN, GHI Engineers and Surveyors. 213 Carlisle Street, Hanover, PA 17331. An amended final land development plan submitted in order to add a new entrance area. The property is located on the south western corner of the intersection of Eisenhower Drive and Carlisle Street in the Highway/Business zone.

Ted Decker, GHI Engineers and Surveyors, and Karen Ward, WRD Hanover, LLP represented this plan. The Committee reviewed the plan following the review of the zoning case. Mr. Decker reviewed the Township engineer's comments. York County Planning Commission comments included a comment about the existing entrance being a right-out and right-in only. There will be a small landscaped island installed in the parking lot.

Planners Van de Castle/Quinn moved for a favorable recommendation to the Penn Township Board of Commissioners on P12-02 – North Point Plaza Land Development Plan pending approval of zoning hearing board case Z12-05.

P12-03-KENNETH A. AND CINDY L. SHUROCK, 533 Meade Avenue, Hanover, PA 17331. A final add-on subdivision plan submitted in order to create a residential add-on lot. The property is located at 533 Meade Avenue in the R-8 zone. There was no action taken on this plan.

P12-04-BUFFALO WILD WINGS (GATEWAY HANOVER, LOT 5), GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct an eating establishment. The property is located at 81 Wilson Avenue in the Shopping/Commercial zone. There was no action taken on this plan.

The meeting adjourned at approximately 8:19 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary