

PENN TOWNSHIP PLANNING COMMISSION
MARCH 2, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on March 2, 2006 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Wendell Felix, James Butt, Fred Marsh and Stede Mummert. Michael Johnson was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The February 2, 2006 Planning Commission minutes were approved as submitted.

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

Z06-03 – STONE RIDGE DEVELOPMENT CORPORATION, 330 Dubbs Church Road, Hanover, PA 17331. Applicant requests a variance to Section 205.3 (Area and Bulk) to construct single-family dwellings that do not meet the minimum lot width. The property is located in the Avion residential subdivision at the intersection of Blooming Grove Road and Bankert Road in the R-40 zone. The request is for three (3) of the nineteen (19) proposed lots.

Dave Stair, Loss Stair Civil Engineering, D.J Hart, Guthrie, Nonemaker, Yingst, and Hart, and John Beil, Stone Ridge Development, represented this request. They are requesting a variance to Section 205.3 (Area and Bulk) regarding the minimum requirements for lot width. There are nineteen lots in the subdivision and they are requesting the waiver for lots 6, 9, and 10. These lots are located on a steep slope overlay, which make it difficult to proceed with regular development. The development is located along Bankert Road and Blooming Grove near a problem intersection. The Avion subdivision plan helps to correct some of those problems by creating a new intersection with better sight distance. The layout was created as a result of discussions between the developer and the Township. This layout causes some of the problems with the lots 6,9, and 10 for minimum width. To reconfigure the lots may cause double frontage lots or odd shaped lots. The necessity to maintain the 175-foot lot width would result in the loss of lots or exceed the earth disturbance allowed in the steep slope zone. The situation was not created by the developer but was created when the Township requested the additional intersection. The Planning Commission, Public Works Committee, Township Engineer, Zoning Officer and Manger all expressed concern about alleviating the traffic problems along this road. There is a right of way included in the plan for the future development that may result on the adjoining property. There would be no adverse impact on the surrounding areas. Stone Ridge is asking for minimum variance. Mr. Stair stated that they are proposing a better controlled intersection with the traffic along their property being one way and all the traffic that wants to enter Blooming Grove Road would have to pass through the development. The proposed intersection is thirty-five feet closer to Bankert Road then what is allowed by the ordinance. The new intersection will have a clearer sight distance, a wider road, and larger turning radiuses. It was noted that when the sketch plan was proposed it was the desire of the Planning Commission to correct the Bankert Road and Blooming Grove Road intersection. The proposed lots are all over an acre. The current access to the Martz property is limited and the fifty-foot right of way

that was taken for the future road created some of the problem. The new intersection creates the need for the variance. The proposed Martz subdivision was previously rejected because of access issues.

Planners Butts/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-03 – Stone Ridge Development Corporation requesting a variance to Section 205.3 (Area and Bulk) to construct single family dwellings that do not meet the minimum lot width as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-2 vote with Planners Marsh/Mummert casting the dissenting votes.

Z06-04 – DUANE MYERS, 75 McClellan Lane, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk) to construct a mudroom that encroaches into the front setbacks. The property is located in the R-15 zone.

Joseph Lachnit, Jayel Builders contractor, and Duane Myers represented this request. Mr. Myers stated that they would like to enclose an existing four foot stoop and add an additional four feet on to it for a room to hang coats, place snow shovels, and for muddy shoes. Mr. Myers stated that he thought that he already has a permit for the project but did not and was asked to stop the project, which he did. The property is a corner lot and therefore has two front yards. It reduces the front setback by about six feet to twenty-nine feet from the curb. The contractor provided pictures of the project and showed that most of the homes in the area do not have the proper setback. The contractor also stated he was not aware that the side yard was considered a front yard or he would not have told Mr. Myers that he could do the project. The house fronts on McClellan Lane and the stoop is on Davis Circle.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z06-04 – Duane Myers, requesting a variance to Section 203.3 (Area and Bulk) to construct a mud room that encroaches into the front setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

Z06-05 – MUMMERT ENTERPRISES, c/o Tim Mummert, 8 Stuart Avenue, Hanover, PA 17331. Applicant request a special exception to Section 202.2 (Use) to construct single-family attached dwellings. The property is located on Brookside Avenue between Charles Avenue and Wayne Avenue in the R-8 zone.

Tim Mummert represented this request. Mr. Mummert stated that several months ago he appeared before the Commission requesting a special exception for the adjoining property and was granted his request to build seventeen townhouses on the property. This plan adds the neighbors property, which would allow him to build an additional seven townhouses and a single-family lot on the remaining property. Mr. Mummert reviewed the criteria for townhouses. He stated that the minimum lot area is 1,800 square feet with their smallest unit having 2,937 square feet. The minimum lot width is 18 feet and they have a minimum lot width of 20 feet. They meet the side setbacks of 15 feet on all the lots. They have eight dwellings in a row, which is allowed by the ordinance. They have three sets of eight. The density requirement allows ten

units per acre and they are at 9.84 per acre. They feel they meet the requirements for a special exception. There will be improvements to Brookside. The right of way will be on Mummert's property and will meet the fifty-foot requirement for the street. Mummert will do the improvements from Wayne Avenue along his property to the existing alley. The homes will have garage parking along with two additional parking spots in the driveway. There was some concern about the density of the building but it was noted that some land was given up for the street right of way and if there is a problem Mr. Mummert owns the property to the rear so the lots could be made longer. The existing building will be removed.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-05 – Mummert Enterprises requesting a special exception to Section 202.2 (Use) to construct single family attached dwellings, provided the area moved back twenty feet to meet the ordinance or the road frontage is included in the gross acreage, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

The Planners received the following waiver or exoneration requests:

Homewood Retirement Centers @ Hanover is requesting exoneration from land development plans to construct additional parking spaces at their new Community Center.

No one was present to discuss the request.

Brian and Tamara Eisenhart are requesting exoneration from the sidewalk and pole light ordinances at 3026 Grandview Road.

No one was present to discuss the request.

South Western School District is requesting exoneration from land development plans to construct an addition to the existing storage shed on the Park Hills Elementary athletic field.

No one was present to discuss the request.

Rich Fogle is requesting exoneration from a land development plan for 1016 Allen Street in order to construct an addition to an existing garage. This request was carried over from February 2, 2006 meeting requesting a better plan.

Mrs. Pat Sterner represented this request. She provided pictures were she wants to place the building. They want to add a pole building on the existing shop over an existing impervious area. Engineer Bortner stated that he his not aware of any existing stormwater problems but it is a private street. The new building will allow water to be directed instead of sheet flow.

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

Bickel's Snack Foods is requesting exoneration from land development plan to install a flour silo at their plant (Wege Pretzel) located on 116 N. Blettner Avenue.

John Anthony, Bickel's Plant Manger, represented this request. Mr. Anthony stated they have an existing bin inside the facility that is no longer usable and they got the silo from another facility. They will be removing twelve parking spaces but will still have about seventy spaces available for their fifty employees. The silo will be located on West Chestnut Street and not Blettner Avenue. This silo is about the same size as the existing bin. The silo will be out of sight and will be located near the existing bin. Mr. Anthony stated that about 95% of the deliveries are made at six in the morning. Planner Felix expressed concern about the possibility of increased noise. The unloading will occur about ten feet from the existing unloading area.

Planners Marsh/Mummert moved for a favorable 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.

Ted Decker, Group Hanover, and Jim Piet, Masonry Homes represented this plan. Engineer Bortner stated this plan had been previously recommended approval in April 2003. They have made some changes since it was approved. These include reconfiguration of some of the lots at the recommendation of the Army Corp of Engineers who informed the developer they had to save the farm pond in addition to having a stormwater pond. Both ponds will be fenced in. Engineer Bortner wanted to make sure that the Commission was aware of the change. This is for preliminary plan approval and the final plan will still have to be submitted. Mr. Decker stated that the homeowners association would own the pond. The sewer issue to the Hanover Borough has been resolved. The property is adjacent to the Penn Township Community Park. Engineer Bortner stated that an additional motion for approval was not necessary.

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.

Reg Baugher, Worley Surveying, represented this plan. Engineer Bortner noted that some changes have been made since it was recommended for approval in December 2002. They have made a small change per the Township Engineer that includes the a change in the layout of Brian Lane which will now go right instead of left to help alleviate steep slope problems in Thornbury Hunt. A motion for approval was not necessary.

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.

Ted Decker, Group Hanover, represented this plan. This plan has not been reviewed for a while. Engineer Bortner has been reviewing the plan and expects to have his comments to the developer shortly. The Army Corps of Engineers impacted the plan because of the wetlands in the area. The Thornbury Hunt plan shown on this plan is several years old and the roads have been aligned with the RGS Associates who is working on the Thornbury Hunt plan. This development will connect with the Stonewicke Development on Ripple Drive. Stonewicke will then connect through Lark and Meadow Lane. There was discussion about the traffic pattern that this development has and how it connects to the proposed developments and what impact that will have on current streets. Engineer Bortner stated that he has concerns about the proposed improvements shown on the plan especially Baer Road. He has concerns because there are some areas of the Township where the road improvements were not done by the developer. Engineer Bortner stated that the public works department does not like cul de sacs on streets that have only two lots.

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.

P03-11 – 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 - 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.

P03-23 – 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.

P04-25 – 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.

P05-21 – 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.

Reg Baugher, Worley Surveying, represented this plan. This had been recommended approval at the last meeting but the applicant requested a change to one of the lot lines. The plan was withdrawn for approval the day of the Board of Commissioners meeting.

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

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.

Reg Baugh, Worley Surveying, represented this plan. This is a review of the plan for a subdivision on Martin Drive that had received approval from the Zoning Hearing Board to build a residence along a road that does not meet the fifty -foot requirement. York County comments and Township Engineer comments have been addressed.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on P05-23 Sylvia Gower. Motion carried on a 5-1 with Planner Black casting the dissenting vote.

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.

There was no action taken on this plan.

P06- 02 – MCCLARIN PLASTICS, 600 Linden Avenue, Hanover, PA 17331. A final land development plan submitted to construct an office/plant addition. The property is located on Industrial Drive in the Industrial zone.

Gerry Funke, Group Hanover represented this plan. This is for a plant expansion to the rear of McClarin Plastics. This is the initial review of the plan. This will include some small changes to the office addition. They will be changing the entrance and redoing the parking lot. They received a new contract and need the additional space.

P06-03-EISENHOWER SHOPPING VILLAGE, c/o Scott Malvone, LLC, 496 Eisenhower Drive, Hanover, PA 17331. A final land development plan submitted to construct retail stores and a financial institution. The property is located at 496 Eisenhower Drive in the S/C zone.

Gerry Funke, Group Hanover represented this plan. This is the initial review of the plan. The Commission was concerned that the proposed traffic pattern may present a problem. There was concern about who is taking the lead on reviewing the plan. The Township Fire Chief has concerns as well. The Zoning Officer will call the Hanover Borough to confirm who is taking the lead. There was also concern about public safety and the placement of dumpsters.

P06-04 – MANOR STREET FINAL SUBDIVISION, c/o Adam Bixler, 310 Manor Street, Hanover, PA 17331. A final subdivision and land development plan submitted to create two (2) single-family residential lots. The property is located at 326 Manor Street in the R-8 zone.

There was no action taken on this plan.
The meeting adjourned at 8:51 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary