

PENN TOWNSHIP PLANNING COMMISSION
MARCH 3, 2011

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on March 3, 2011 at the Penn Township Municipal Building. Also present were planning members David Quinn, Fred Marsh, Paul McAndrew, Stede Mummert, Daniel Goldsmith, and Wendell Felix, along with Township Engineer Eric Bortner and Zoning Officer John Menges.

The February 3, 2011 Planning Commission minutes were approved as submitted.

The Planners received the following zoning appeals and made the following recommendations to the Zoning Hearing Board: **None.**

The Planners received the following waiver or exoneration requests:

GHI Engineers and Surveyors, on behalf of York/Adams Community Tennis Association, is requesting a waiver from a land development plan for the renovation and enclosure of four tennis courts at South Western School District.

Gerry Funke, GHI Engineers and Surveyors, and Jeff Rebert represented this request. The York/Adams Community Tennis Association has requested to enclose the existing tennis courts and add a lounge and viewing area. These tennis courts are located behind the Emory H. Markle Intermediate School. The viewing area will be enclosed with plexiglass to allow secured viewing of the tennis matches. The new building will be ten feet wider than the existing tennis courts. The tennis courts will have to be spread out from their current configuration to meet playing requirements. The tennis association is a non-profit association and the school district is not funding any part of the project but will benefit from the improvements. There is a storm water management basin already in place. The tennis courts are going to be open to the public. The existing driveway is forty-four feet wide. There will be additional paving added to the area and parking will be created on the existing paving. There will be fifty-five parking spaces created with the project and will include handicapped spaces. The school district will be allowed to use the facility for tennis matches that are rained out. There was some discussion on where buses would park along the driveway area. There will be class rooms installed for after-school instruction and guidance. These programs will run similar to latch key programs.

Planners Felix/Van de Castle moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-3 vote with planners Marsh, Mummert, and McAndrew casting the dissenting 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.

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.

P10-17- 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 subdivision, add-on, 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.

Matthew Allen, Bohler Engineering , represented this plan. The plan was previously before the Planners for zoning waivers and the Board of Commissioners for a storm water management waiver. The plan shows a re-subdivision of the two parcels containing the existing bank and the residential property adjacent to it. Mr. Allen stated that the existing bank is too small to provide all the services they would like to offer. A property swap is necessary in order to make the Susquehanna Bank property more accessible. Susquehanna Bank owns both properties. After the re-subdivision of the property, the Bank is proposing an addition on the rear of the property. The existing access drive will be straightened with the addition of the property. They will be adding three parking spaces along with a row of trees. The residential property will be sold following the subdivision. The zoning hearing board decision was approved September 14 2010. This allows for a commercial use on a residential piece of property. They received a waiver of the storm water management requirements at the February 2011 Board of Commissioners meeting. York County Planning Commission comments were reviewed and addressed. Township Engineer Bortner’s comments have been addressed.

Planners McAndrew/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on 7-0 vote.

P11-02 – FULTON BANK (Gateway Hanover – Lots 4 and 5), GHI Engineers and Surveyors, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct a financial institution. The property is located on the south side of Wilson Avenue in the S/C zone.

Gerry Funke, Group Hanover Inc., represented this plan. The plan shows the re-subdivision of lots 4 and 5 of the approved Gateway Hanover plan. Originally, lot 4 was proposed for a restaurant and now will be a bank with the extra land given to lot 5. There was some concern about the traffic in and out of the parcel. There will be a designated employee parking lot. There is a ten-foot bank on the Wilson Avenue side of the lot which forces the parking to the opposite side. The ATM and drive up windows are required to have enough area for five vehicles as dictated by Target, the anchor store in the development.

York County Planning Commission comments were received. Township Engineer Bortner stated that his comments almost parallel those of York County and are mostly house keeping issues. YCPC suggested that an area be designated for a dumpster. After some discussion most of the existing banks use regular trash service and do not require the services of a dumpster.

Planners Quinn/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on 7-0.

P11-03 – HICKORY FALLS FAMILY ENTERTAINMENT CENTER, c/o Jeff Stern, 110 Hickory Lane, Hanover, PA 17331. A final land development plan submitted in order to construct building additions. The property is located at 110 Hickory Lane in the R-C zone. No action was taken on this plan.

P11-04 – SHEPPARD & MYERS STADIUM, Gerald Funke, c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to renovate and construct athletic field and facilities. The property is located at 590 McAllister Street in the R-8 zone.

Gerry Funke, Group Hanover, Inc., represented this plan. The plan was previously before the Planning Commission for waivers to the Zoning Ordinance, which were approved by the Zoning Hearing Board on February 8, 2011. They also received a waiver of the landscaping requirements from the Board of Commissioners. They are requesting waivers to the sign ordinance, which will go before the Board of Commissioners at their March meeting. There was some discussion about the fence and how it will be constructed. The footprint of the track has been moved slightly. There will be a soccer field in combination with the football field. A visitor's bleacher will be installed. There will be three structures under the stadium that include two locker rooms and a concession stand with public restrooms. There will be a ramp into the stadium. York County Planning Commission comments have not been received.

LERTA REQUEST

The Planners next reviewed a LERTA request from Conewago Contractors on behalf of the Knorr Brake Corporation, which is considering relocating to Penn Township. Township Manager Jeffrey Garvick addressed the Planners regarding the request. Knorr Brake Corporation is currently located in Westminster, MD and manufactures brake systems for high-speed trains. They have out grown their current location and have narrowed down the search for a new location to Penn Township and Westminster, MD. They have asked to have LERTA (Local Economic Revitalization Tax Act) consideration for the property owned by Conewago Contractors at 17 Industrial Drive. The LERTA was developed by the State to improve brown fields, blighted areas, and underutilized parcels. The Township of Penn created a LERTA Zone in 1987 for the development of the Penn Township Industrial Park. They adopted an ordinance for any business that wanted to relocate into the Township. The first five years of that LERTA schedule required no property taxes and added a twenty percent increase for the next five years. LERTA's can be structured in any number of ways by the taxing authorities, which are the school district, township, and the county. The property located at 17 Industrial Drive has an approved land development plan on file that was approved by the Township in 2005. In 2009, another plan was approved for the construction of a Verizon Wireless communications tower on the same property. The property tax relief is only on the improvements made to the property and not the raw land. The school

district appears to be in favor of this request. The company provides 240 jobs and is a desirable manufacturing facility. The Township will conduct a public hearing on March 21st. As part of the hearing a presentation will be made by the Knorr Brake Corporation along with any input from the other taxing authorities. The LERTA regulations allows for the local planning commission to make a recommendation on the request. They are allowed but not required to make a recommendation. Manager Garvick explained what should be considered before making a decision on designating the LERTA area. The first is the schedule, the number of years one is comfortable with the tax relief. The second is the LERTA boundary, which has to be specific for a parcel or parcels. There is no question that the property is underutilized. There are other considerations, such as this benefit was not provided to other companies (because they did not ask) and there is no guarantee that if given the tax break, the company will come. Knorr will be receiving other incentives from the State. The Commissioners will take comments and recommendation under advisement. The LERTA established for the Industrial Park expired after five years and the Township did not take action to extend it. There were previous requests for a LERTA for this lot in 2009 but the school district was not interested.

Conewago Contractors will own the building and lease it to Knorr Brake Corp. The lot could also be sold to Knorr.

The Commissioners would like to have members of the Planning Commission at the public hearing for comments and questions and to provide a recommendation if one is made. The Township Solicitor will be present at the hearing to answer questions regarding the LERTA and what can be considered.

There was concern about what happens if a LERTA zone is approved and the proposed company does not relocate and what position that puts the Township in with regards to other businesses that may want to relocate to the spot. This will have to be answered by the Township Solicitor.

There was some discussion on a proposed schedule that is used for the LERTA. South Western School District will be taking up the matter on Wednesday, March 23, 2011, at which time it is anticipated that they will adopt a Resolution in favor of the LERTA request.

Planners Marsh/Mummert moved that the Planning Commission give a favorable recommendation for LERTA consideration for 17 Industrial Drive pending a favorable review by the Township Solicitor. Planners Felix/Goldsmith abstained for voting. Motion carried on a 5-0 vote.

The meeting adjourned at 8:19 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary