

PENN TOWNSHIP PLANNING COMMISSION
APRIL 7, 2011

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on April 7, 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 March 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:

Z11-04 – Hickory Falls Family Entertainment Center, 110 Hickory Lane, Hanover, PA 17731. Applicant is requesting a special exception to Section 407.2 (Expansion & Alteration) and Section 612 (Expansion of Nonconformity) in order to construct a building addition. The property is located at 110 Hickory Lane in the R/C zone.

Jack Powell, Project Engineer, represented this request. They are requesting a special exception to Section 407.2 (Expansion & Alteration) and Section 612 (Expansion of Nonconformity) for an addition to a building at the existing miniature golf entertainment center. The requirements of the zoning ordinance state that the expansion cannot exceed thirty-five percent of the existing structure. Their addition will increase the building size by thirty-three and one half percent. They do meet the other provisions of Section 612 in the Township's zoning ordinance. The building will be used for laser tag. The building height will be thirty feet high and they meet the impervious and setback requirements. The building will be a pole building structure with the exterior matching the exterior of the existing building. They are going to provide parking spaces for compact cars. There will be three signs, one at either end of the parking lot and one in the middle designating the compact parking spaces. They are adding 23 compact spaces and 18 regular spaces and 1 handicapped space. Zoning Officer Menges stated that they have enough parking for the facility without adding additional parking. There will be an area created with an overhang for people to use as a picnic area. The existing pavilion will be removed. The business operates seven days a week in the summer (Memorial Day to Labor Day) and during non-summer hours they operate three days a week. In the summertime they are open until 9 PM on weekdays and 11 PM on weekends. They open at 11 AM every day but Sunday when they open at 1 PM.

Planners McAndrew/Quinn moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z11-04 – Hickory Falls Family Entertainment Center requesting a special exception to Section 407.2 (Expansion and Alteration) and Section 612 (Expansion of Nonconformity) in order to construct a building addition, as it meets the requirements of special exception as set forth in Section 503.3 a) thru e). Motion carried on a 7-0 vote.

Z11-05- York Beverage, Inc., 6934 Tippetts Drive, Mercersburg, PA 17236. Applicant is requesting a variance to Section 612b, 612d, and 612g (Expansion of Nonconformity) and a special exception to Section 612 (Expansion of Nonconformity) in order to expand an existing beer distributor building. The property is located at 891 York Street in the H/B zone.

Eric Johnston, Johnston and Associates, and Terry Shellenburger, owner of York Beverage represented the request. Mr. Shellenburger recently purchased the property and opened a beer distributor. They are proposing a 19' addition to the facility towards Park Street. The current building already extends into the front setback. After discussions with staff it was their decision to expand towards the side set back line. There is a floodway on the property for Oil Creek, which makes it impossible to expand in any other direction on the property. The floodway goes through part of the existing building. They are proposing to expand an existing nonconformity. They are proposing to exceed the 35% expansion allowed by the zoning ordinance by an additional 18 %. They are encroaching in the setback and will be increasing the encroachment but maintaining a twenty-foot setback line from the edge of the right of way. The exiting commercial properties across the street are located along the right of way. The right of way they will be set back from is a private right of way not currently owned by the Township. There will be no additional increase in storm water because the building will be expanded along the current impervious area. They are proposing to extend the expansion beyond the front of the existing building. The dumpsters will be moved slightly. They will be going through land development and will address the dumpster issue and other issues during that process. The owner stated that business has been very good but there is limited storage space. They would like to increase the refrigeration area and move the office and restrooms to the new addition. There will be some additional retail space with the project. They have limited access due to the floodway. There is enough parking but it has to be relined. There was concern about the entrance coming off of Park Street but at this time it is not a dedicated street. Zoning Officer Menges stated this entrance has not been a problem. There was some discussion about the Eagles sign located on the property.

Planners Quinn/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z11-05- York Beverage, Inc. requesting a variance to Section 612b, 612d, and 612g (Expansion of Nonconformity) and a special to Section 612 (Expansion of Nonconformity) in order to expand an existing beer distributor building as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 5-2 vote with Planners Van de Castle and Felix casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

Group Hanover, Inc., on behalf of High Pointe, LLC is requesting a waiver to Article V, Section 509 (Lots and Lot Sizes) in regards to their subdivision plan of Lot 108 at High Pointe North located on Grandview Road.

Ted Decker, Group Hanover, Inc., and Jim Piat, High Point, LLC, represented this request. They are requesting a waiver to the lot depth/width ratio of the subdivision and land development ordinance. They will be removing the existing pool, pool house and garage to help increase the setbacks on the lot that has the existing house. Two of the proposed lots, Lot 108A and Lot 108B, do meet the requirements of the ordinance but Lots 108 and 108C do not meet the requirements. This will also eliminate the double frontage lot that is in existence now. The High Pointe North plan was amended two years ago for driveway locations on lot 108. The rest of the existing structures will remain on the developed property. There was some concern expressed about the size of lot 108C and if the owner would be able to meet setback requirements for any other improvements. Mr. Piat stated that the developer did not have control of the home when the plan was first submitted and has now taken ownership of the property. They will be

removing the pool, the pool house, the open garage, and renovating the house. They stated that the interior of the house is in good condition but the exterior needs updating.

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

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 Brezewood 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 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.

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. York County Planning Commission comments have been received and addressed. The Planners looked over the plan and asked some additional questions about the fencing and parking, York County Planning Commission comments, lighting, seating, and the surface of the field.

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

P11-05 – LOT 108 – HIGH POINTE NORTH, High Pointe LLC, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan submitted in order to create four (4) single family residential lots. The property is located on Grandview Road, north side in the R-22 zone.

Ted Decker, Group Hanover, Inc., represented the request. York County Planning Commission comments have been received but not addressed. Mr. Decker stated that they are working on the Planning

Module. There will be a design change to Kaitlyn Drive as the result of the additional lots. They are waiting on the approval of a waiver request submitted to the Penn Township Board of Commissioners. The housing numbers have not been placed on the plan.

Planners McAndrew/Quinn moved for a favorable conditional recommendation for this land development plan pending approval of the waiver request for the lot depth/width ratio from the Board of Commissioners. Motion carried on 5-2 vote with Planners Van de Castle/Felix casting the dissenting vote.

HANOVER EAGLES

Kris Raubenstine, Hanover Land Services, asked for a waiver of the land development requirements for the Hanover Eagles to install a parking lot with an additional 64 parking spaces. This would be an impervious area of about half an acre with a disturbance area of about one acre. The club members are currently parking on the grass and they want to help alleviate the problem. Zoning Officer Menges stated that he has copy of the storm water calculations for the property. They are using an underground infiltration system to control the water. They will be looking for a recommendation at next months planning commission meeting. The water currently sheet flows down into the stream. They will be improving the storm water runoff with these improvements. They will not have to present a plan to York County Conservation since the plan is less than one acre. There is wetland and floodplain area on the property. They will be basically placing black top and stone because there is very little grading needed. Vehicles with the South Hanover Little League will also use this parking lot. It was suggested that curb stops or parking blocks needed to be installed. This will help alleviate the mud that is being tracked onto Park Street.

The meeting adjourned at 8:14 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary