

PENN TOWNSHIP PLANNING COMMISSION
MAY 3, 2007

Vice-Chairman James Butt called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on May 3, 2007 at the Penn Township Municipal Building. Also present were Planning Members Wendell Felix, Michael Johnson, Stede Mummert, and Fred Marsh. Chairman Ray Van de Castle and Gary LeFevre were absent with notice. Also present were Township Engineer Bortner and Administrative Assistant Kristina Rodgers.

The April 5, 2007 Planning Commission minutes were approved as submitted.

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

Z07-07 – WILLIAM W. TRUMP, 225 GEORGE STREET, HANOVER, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to subdivide an existing multi-family property. The property is located at 542-542 ½ S. Franklin Street in the R-15 zone.

William Trump represented this request. Mr. Trump is requesting to subdivide an existing duplex home so that it will have two separate deeds. However, if the property is subdivided it will not meet side setbacks or the lot area required in the R-15 zone. The total lot width is only thirty-one feet. He would like to someday sell the properties individually. The sanitary sewer service is the only utility not independent for each half. He would correct that and make other improvements if the subdivision is approved. Mr. Trump stated that he would like to remove the existing single car garage for each property and replace it with parking pads.

Planners Felix/Johnson moved for a favorable recommendation on Z07-07 – William W. Trump requesting a variance to Section 203.3 (Area and Bulk) in order to subdivide the existing multi-family property, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

Z07-08 – R&R FITNESS REAL ESTATE, LLC, 60 SOUTHSIDE DRIVE, NEWVILLE, PA 17241. Applicant is requesting a variance to Section 303 (Off Street Parking) in order to construct a commercial fitness and recreation building that will not meet the minimum off-street parking as required in the ordinance. The property is located at the corner of Route 194 and Hickory Lane in the S/C zone.

D.J. Hart, Guthrie, Nonemaker, Yingst and Hart, and Dr. Scott Rankin represented this case. There is an agreement of sale on the property. R&R Fitness Real Estate, LLC is Dr. Scott Rankin and his wife. R&R Fitness Real Estate is proposing to construct a recreation facility on the Jack Schuler property. The property is located across the street from the miniature golf facility at Hickory Lane and Route 194. The plan shows a 30,000 square foot fitness facility. According to the zoning ordinance, Dr. Rankin would have to install 600 parking spaces for a facility the size of which he is proposing. This would require almost five acres of parking, according to Attorney Hart. They are operating under the definition of a commercial recreation

facility, which includes a diverse number of uses. They are seeking a variance from the 600 spaces to about 225. The plan also shows a bank with twenty-three parking spaces.

Dr. Rankin is the managing partner of R & R Fitness. He stated that they are looking at a Gold's Gym franchise. Their son has a degree in Sports Management and currently works for Gold's Gym. Dr. Rankin works as an emergency room doctor at Harrisburg Hospital. They have researched Gold's and have spoken to them and they highly suggested developing a project in the Hanover area. They are looking to build a stand-alone fitness facility, which will have group exercise, personnel training, cardiovascular equipment and strength training equipment. Gold's Gym recommends between five and eight parking spaces per one thousand square feet of floor space. IHRSA recommends five parking spaces per one thousand square feet of space. Attorney Hart distributed a letter from Gold's Gym with this information, along with information from the International Health, Racquet and Sportsclub Association (IHRSA). Dr. Rankin stated that it is hard to determine the number of people that would utilize certain portions of the facility at any given time. They are expecting to have about twenty employees who will work varying hours. Members will come to the facility during different hours of the day and will remain for about an hour to two hours with the peak hours being 4:30 PM thru 8:30 PM. He stated that, according to IHRSA, within a ten minute drive approximately 12%-15% of the population would utilize a gym. Within the proposed Gold's Hanover area are 60,000 people. If he figures ten percent will join his facility that would be about 6,000 members. During the peak times about ten percent of the members will come to the facility. That would be about 600 people from 4:30 PM to 8:30 PM with about 150 at any one time, which translates back to the numbers for parking. They are proposing more than the 150 parking spaces IHRSA recommends. They want to maximize parking but want to stay below the 80% percent lot coverage. The plan is at 77% lot coverage. There will be three classrooms for yoga, aerobics, and spinning. There will be no water facilities except for showers. Mr. Rankin stated that there are 244 parking spaces for the gym, which would be in line with the eight spaces per thousand square feet of floor space. He stated that classes are usually staggered and that about a third of the members come in the morning, a third in the afternoon, and a third during peak hours. Each member only comes to the gym about eight times a month. Township Manager Garvick asked Dr. Rankin if they were intending to hold spectator events or exhibitions at the facility, which would generate audiences and, therefore, more parking. The short answer would be no and they are trying to build a family fitness center.

Planners Mummert/Felix moved for a favorable recommendation on case Z07-08 – R & R Fitness Real Estate, LLC, requesting a variance to Section 303 (Off Street Parking) in order to construct a commercial fitness and recreation building that will not meet the minimum off-street parking as required in the ordinance, as it meets the requirements for a variance to Section 502.3 a) thru f). Motion carried on 5-0 vote.

The Planners received the following waiver or exoneration requests:

Abbottstown Stamping Company, Inc. 13 Barnhart Drive is requesting an exoneration from a land development plan to install a truck dock at their location.

Daniel Althoff, the owner, represented this plan. He would like to pave an area to the rear of the building for a truck dock. The total impervious area is about forty percent and that is

why he is requesting a waiver of a new land development plan. The area he is requesting to pave is 2,900 square feet. Planner Felix stated that in 2004 the previous owner, Precision Cut Industries, had a building expansion approved for the lot. By law the plan is valid for a period of five years. Taking that into consideration, along with the current paving request, the capacity of the storm water facility will be exceeded. The applicant was not aware that there had been a previously approved plan. The lot can be covered eighty percent but the storm water facility was not designed for that.

Planners Felix/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on 5-0 vote.

At this time Planner Johnson excused himself from the meeting.

Snyder's of Hanover, Inc. is requesting a modification to previously approved parking area expansion plans. The property is located at 1250 York Street.

Michael Stick, Executive Vice-President of Snyder's of Hanover, represented this request. He stated that the current expansion project was fast tracked and began in October of 2006. About that time they realized that there were a few green spaces that needed to be removed from the approved plan. The green space between the new and old parking areas will remain but they would like to remove the small green areas at the end of the rows. There are four green areas proposed for removal. If the green areas are installed it will make the parking lot harder to maintain. There are no other green areas similar to these anywhere else on the property. This removal will not affect the storm water calculations.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-0 vote.

J. F. Rohrbaugh Company, Inc., 1030 Wilson Avenue is requesting exoneration from land development plan requirements to install a 26,400 square foot concrete area. The area is currently stoned and would be used to store road trailers and empty pallets.

William Markel represented this request. He stated that in 2005 they received a waiver to install a 2,400 square foot concrete pad and now is asking for a waiver to add this additional impervious area. The area currently has a stone base saturated with mud. Since they would be using the area to store food grade pallets, which are currently being stored in the front of the facility, they need to create a much cleaner storage area. It was noted that it has been several years since a land development plan had been filed and most of the improvements constructed on the property have been done by waivers.

Planners Marsh/Felix moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-0 vote.

Kurowski & Wilson, LLC on behalf of South Western School District is requesting a waiver to land development plans for South Western School District Stadium Improvements in regards to Article IV Section 404 Environmental Impact Study.

Brian Bingeman, Kurowski & Wilson, represented this request. A land development plan was submitted at the end of the year to upgrade and renovate the stadium. The District has since decided to install a connector from the existing athletic fields to the stadium. It will require the installation of two culverts. Plans have been submitted to the York County Soil Conservation District. Mr. Bingeman has an email approval from YCSC but not an official letter.

Planners Felix/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on 3-0-1 vote with Planner Marsh abstaining.

At this point Planner Johnson rejoined the meeting.

Loss-Stair Civil Engineering, Inc. on behalf of SLW Limited Partnership is requesting a waiver to the Penn Township Storm Water Management Ordinance for the 601 West Chestnut Street Parking Expansion plan in regards to Article IX Storm water Management Design Criteria.

Rachel Dill, Loss-Stair Engineering, Inc., represented this request. She presented the plan, which has two proposed small paved areas. This property received a storm water management waiver on their last land development plan about a month ago. Ms. Dill acknowledged the increased run off and noted that there is no room on the site to install a storm water management system. Engineer Bortner stated that a weir was proposed to be installed along the curb opening in an attempt to control storm water run off , although this does not meet the requirements of the Township Storm Water Management Ordinance. The second plan received also increased the paving area and did not address storm water management issues. There have been three plans submitted for this property since September 2006. This property contains the storm water management facility for the adjacent lot and now they are requesting to make the rest of the lot impervious. Engineer Bortner stated that he felt it was time that they do what the adjacent property owner has done to control storm water. The impervious area has increase by fifty-four percent since September 2006. The water is flowing away from the existing storm water area.

Planners Felix/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

Frederick, Seibert and Associates, Inc. on behalf of Homewood Retirement Centers, Inc. is requesting exoneration from land development plans to construct a 30' x 70' picnic pavilion.

Sandy Fair, Executive Director of Homewood, represented this request. She stated they would like to build a picnic pavilion for their residents and their guests. There will be no additional traffic on the campus because of the pavilion. The pavilion itself would be about 2,100 square feet and the total disturbed area would be 5,000 square feet. The pavilion would be located near the old Stick farmhouse. The pavilion will have a kitchen facility, a restroom facility, and a storage facility with the remaining portion being open for picnics. Most of the residents using the facility will be coming from the independent living portion of the complex.

There is a small amount of parking near the facility. There are wheelchair accessible vans that are available and for group events transportation is provided. There is a paved driveway for pedestrian access.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a vote of 5-0.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS (SOUTH), 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.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 800 South Street, Suite 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, Wolverine Holdings LLC, John Teel, 1060 Baltimore Street, Hanover, PA 17331. 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 - 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.

P04-04 – DAVE HUMBERT & JANANCO, LP, 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.

P05-15 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.

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.

P06-15 – WHISPERING RUN, Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A final subdivision plan submitted to create one hundred twenty-five (125) residential lots. The property is located on the east side of Beck Mill Road, north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P06-19 – BOYD W. ARNOLD, (Deceased) & ROLDA E. ARNOLD aka ROLDA E. BECKER, 996 Hill Top Drive, Spring Grove, PA 17362. A final subdivision plan to create two (2) residential lots. The property is located on Earl Street in the R-15 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.

P06-25 – PETER & PENNY FILUS, 6815 Laurel Summit Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is also located in Heidelberg Township and is zoned conservation.

There was no action taken on this plan.

P06-26 – MARTINS RIDGE SUBDIVISION, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted to create twenty-three (23) single-family residential lots. The property is located on Beck Mill Road in the R-22 zone.

There was no action taken on this plan.

P07-03 – PENN TOWNSHIP FIRE DEPARTMENT, 20 Wayne Avenue, Hanover, PA 17331. A final land development plan to construct a fire station. The property is located on the south side of Clover Lane in the S/C zone.

There was no action taken on this plan.

P07-07 – 150 BROOKSIDE AVENUE FINAL SUBDIVISION, Michael J. and Luann Hufnagle, 1009 York Street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 150 Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-09 – L.T. Timber, Lowell K. and Magen P. Thomas, 25 Industrial Drive, Hanover, PA 17331. A final land development plan submitted to construct a building addition on saw/lumber facility. The property is located on the north side of Fame Avenue in the Industrial 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.

P07-11 – SOUTH HEIGHTS MANOR, L.P., 107 Little Bridge Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create three (3) single-family residential lots. The property is located on the southeast corner of Cooper Road and Westminster Avenue in the R-22 zone.

Reg Baugher, Hanover Land Services, represented the plan. York County Planning Commission comments have been received and addressed. This is a final plan to add two small pieces of land to the adjoining property owners, Mr. David Danner, and Mr. John Bittinger. This is part of the agreement for the construction of the Plum Creek sanitary sewer interceptor to serve the various developments near and around Westminster Avenue. Mr. Danner will receive .9 acres of land and Mr. Bittinger will receive 1.7 acres of land. Engineer Bortner's comments have been addressed.

Planners Mummert/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

P07-12 – AVION – PHASE 1, Burkentine and Sons Contractors, Inc., 1564 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) single-family residential lots. The property is located on the southeast corner of Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P07-13 – 601 WEST CHESTNUT STREET, SLW Limited Partnership, 601 W. Chestnut Street, Hanover, PA 17331. A final land development plan submitted to construct a paved parking area. The property is located in the Industrial Zone.

Rachel Dill, Loss-Stair Engineering, represented this plan. This is the initial review of the plan. The Commission earlier recommended denying a waiver of the storm water management requirements.

P07-14 – SOUTH WESTERN SCHOOL DISTRICT STADIUM IMPROVEMENTS, 200 Bowman Road, Hanover, PA 17331. A final land development plan submitted to construct an access from the South Western School District stadium to the existing multi-purpose fields to the east. The property is located in the R-15 zone.

Brian Bingeman, Kurowski & Wilson, LLC, represented this plan. The plan was flip flopped with regards to the end zone layout as compared to the previous approved plan. They have submitted an amended plan to York County Soil Conservation and are expecting approval of their erosion and sediment plan since they were notified by email that it would be approved.

Planners Mummert/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 5-0-1 vote with Planner Marsh abstaining.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary