

PENN TOWNSHIP PLANNING COMMISSION  
MAY 7, 2009

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on May 7, 2009 at the Penn Township Municipal Building. Also present were planning members Daniel Goldsmith, Stede Mummert, Paul McAndrew and Fred Marsh. Planners James Butt and Wendell Felix were absent with notice. Also present were Township Engineer Bortner and Zoning Officer John Menges.

The April 8, 2009 Planning Commission minutes were approved as submitted.

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

**ZO9-06-NORMAN ECKARD, 2 Benjamin Drive, Hanover, PA 177731. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a deck that encroaches into the rear setback. The property is located at 2 Benjamin Road in the R-15 zone.**

Norman Eckard represented this request. He would like to construct a deck that encroaches in the rear yard setback. Mr. Eckard purchased the home from his father's estate last year. He previously lived at the property in the 1980's. According to Zoning Officer Menges, the zoning ordinance used to allow decks to be constructed in up to 50% of the rear yard setback. This was changed in 1998 or 1997 by an amendment to the ordinance. Decks are now required to meet the full rear yard setback. This property is located on a corner lot with Grandview Road, a state highway. The front setback is fifty feet; the side setback is ten feet; and the setback from Benjamin Drive is thirty-five feet. The deck will be twenty-feet from the property line to the rear of the house. Zoning Officer Menges stated that at the time of the development the side setbacks were about ten feet. The addition will increase the deck by four feet.

Planners Mummert/McAndrew moved for a favorable recommendation to the Penn Township Zoning Hearing Board on ZO9-06 – Norman Eckard requesting a variance to Section 203.3 (Area and Bulk) in order to construct a deck that encroaches into the rear setback 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.

**ZO9-07-GARY E. MARTIN, 503 Blooming Grove Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 311 (Street Access) in order to create a lot that does not abut a public street. The property is located at 503 Blooming Grove Road in the R-15 and R-40 zones.**

Property owner Gary Martin, and Christopher Raubenstine, Hanover Land Services, represented this request. Mr. Martin would like to subdivide his property and give it to his children. His daughter purchased the home from his parents. He would like to give ten and half acres to each son and five acres to his daughter. He his trying to keep the property in Clean And Green and that is why he is trying to keep ten-acre parcels. The Clean And Green tax program requires a minimum of ten acres for inclusion into the program. The five-acre lot would go with

the existing house. There is an existing twenty-foot right-of-way next to the house through the woods off of Grandview Road. There is an access to the property off Blooming Grove Road. Mr. Martin is not sure if the children will build on the lots once they are subdivided. There are sheds on the daughter's property near the right-of-way. The right-of-way is accessible for emergency vehicles.

Planners McAndrew/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z09-07 – Gary Martin requesting a special exception to Section 311 (Street Access) in order to create a lot that does not abut a public street, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 5-0 vote.

The Planners received the following waiver or exoneration requests:

**C.S.Davidson, Inc. on behalf of ESAB Welding & Cutting Products is requesting waivers from Article V, Section 505.k (Curbs) and Article V Section 505.k.1 (Sidewalks) of the Subdivision and Land Development Ordinance.**

Ben Craddock, C.S. Davidson, represented this request. They are requesting a waiver from the curb and sidewalks requirements for the ESAB Welding land development plan because of the size of the lot and because the improvements will not increase the amount of pedestrian traffic on the street. They are not submitting a feasibility study on sewer and water facilities or an environmental impact study. There are some curb radiuses installed on Karen Lane.

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

**A2Z Motor Sports LLC is requesting exoneration from a land development plan to construct a 26'x 32' pole building at their facility located at 916 Baltimore Street.**

Bari Hamed represented the request. He is currently leasing the property with the intent of purchasing the property. Mr. Hamed provided current pictures of the facility. There were roadway millings placed on the property where the shed is going to be located. The current building on the property is being used as a garage. He currently buys cars from auctions and repairs them. He is trying to acquire a license from PennDOT to title and tag vehicles from the existing home. The new building will be used for storage and for photo displaying of vehicles for posting on the Internet. The majority of the business is done via the Internet and he cannot take pictures outside during inclement weather. The building will be attached to the existing building with a continuous roofline. James Quinn still owns the property and the sale is contingent upon the applicant receiving approval for the addition. The building will give him 832 square feet of space. He is thinking about removing the existing shed. There was some discussion about previous requests for waivers and some existing improvements that were not on land development plans.

Planners McAndrew/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that this would be the only exoneration that is given. Motion carried on 5-0 vote.

**McNees Wallace & Nurick LLC on behalf of their client, Cellco Partnership d/b/a Verizon Wireless is requesting a waiver from a land development plan for the proposed construction of communications antennas and equipment on property located at 550 Beck Mill Road.**

Jonathan Andrews, McNees Wallace and Nurick LLC along with Deb Baker and Dave Morgan represented this request. They are requesting a waiver of the land development requirements at 550 Beck Mill Road where they received a zoning variance to install a communications tower on the existing silo on the Walter Danner property. During the installation an equipment shelter will be built along with the extension of the existing access drive. Any sale of the property would be subject to the lease with the current landowners.

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

**South Hanover Partners LP is requesting a waiver to the Giant Land development plan in regards to sidewalks.**

Jonathan Andrew, McNees, Wallace, & Nurick represented this request. They would like to remove the proposed sidewalk along the side of the building to the rear where the employees would be parking. The employees will be entering the facility from the rear rather than the front of the building. The sidewalk will be replaced with landscaping.

Planner Mummert/Van de Castle moved for a variable recommendation to the Penn Township Board of Commissioners on this request. Motion carried 5-0.

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.

**P02-28 – GATEWAY HANOVER, (formerly Carlisle Crossing) c/o CBL Realty Associates 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.

**P03-20 - WALLEN TRACT APARTMENTS/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.

**P03-30 – 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.

**P04-18 – 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.

**P05-15 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.

**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 HILL 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.

**P09-04 – THORNBURY HUNT – FINAL S/D PLAN LOTS 18 & 19, Wolverine Holdings LLC c/o Tony Forbes, 1060 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) single-family residential lots in the R-22 zone.**

There was no action taken on this plan.

**P09-06 – ESAB WELDING AND CUTTING PROJECTIONS – 2009, 801 Wilson Avenue, Hanover, PA 17331. A final land development plan submitted for a proposed concrete pad addition in the Industrial Zone.**

Ben Craddock, C.S. Davidson, represented this request. The plan was previously reviewed for a waiver request to the installation of curb and sidewalks.

Planners McAndrew/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on 5-0 vote.

**P09-07 – VICTORY FREEWILL BAPTIST CHURCH – RESUBMISSION, GHI Engineers and Surveyors c/o Gerald Funke, 213 Carlisle Street, Hanover, PA 17331. A final revised land development plan submitted for construction of a church. The property is located at 25 Breezewood Drive in the R-8zone.**

The Planners waited for someone to appear and represent this plan but no one was forthcoming. Therefore, there was no action taken. York County Planning Commission comments were provided. Township Engineer Bortner reported that he met with Gerry Funke with regards to this plan and Mr. Funke would address the Township Engineer comments.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary