

PENN TOWNSHIP PLANNING COMMISSION
JUNE 6, 2013

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 PM on Thursday, June 6, 2013 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Joseph Klunk, David Baker, David Quinn, Stephen Roth, and Henry Senatore, along with Interim Zoning Officer Matthew Swanner and Township Engineer Eric Bortner.

The planners approved the May 2, 2013 planning commission minutes as submitted.

The planners received the following zoning appeals and made the following recommendations to the zoning hearing board:

Z13-08- Milton E. Smith, 37 Cardinal Drive, Hanover, PA 17331. Applicant is requesting a variance to section 203.3 (Area and Bulk) and to Section 400.3 (Setback on Corner Lots) in order to construct a two-car garage that does not meet the corner lot setback requirements. The property is located at 37 Cardinal Drive in the R-15 zone.

Milton E. Smith, 37 Cardinal Drive, represented this request. Mr. Smith is requesting a variance to section 203.3 (Area and Bulk) and to Section 400.3 (Setback on Corner Lots) to construct a garage that would encroach into the front setback on Windsor Court. The property is at the corner of Cardinal Drive and Windsor Court. Mr. Smith provided a letter of support from the surrounding neighbors and was informed the neighbors would need to be present or testify at the zoning hearing board meeting in order for the letter to be accepted as evidence. There is no existing garage and the driveway would be relocated from Cardinal Drive to Windsor Court. Interim Zoning Officer Swanner noted that there are other driveways as close to the intersection as this one. The drawing shows the setback measured from the curb rather than from the right-of-way line. According to Township Engineer Bortner the 100' clear site triangle would not be affected by the placement of the garage. There would only be twelve feet from the right-of-way line to certain points of the garage with the longest distance from the garage being about fifteen feet. The garage would encroach almost entirely into the setback. The existing driveway will become part of the yard. Some of the existing trees will be removed from the property for the installation of the garage. The lot is 9,000 square feet.

Craig Preiber, 151 Windsor Court, provided support for the project.

Planners Quinn/Klunk moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z13-08 Milton E. Smith requesting a variance to Section 203.3 (Area and Bulk) and to Section 400.3 (Setback on Corner Lots) in order to construct a two-car garage that does not meet corner lot setback requirements as it does meet the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried 7-0.

Z13-09 - George Voll, 72 Gardenia Drive , Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage/laundry room that does not meet front setback requirements. The property is located at 72 Gardenia Drive in the R-15 zone.

George Voll, 72 Gardenia Drive, represented this request. Interim Zoning Officer Matt Swanner stated that there is a storm water swale along the side of the house that has to be maintained which prevents the addition from being constructed farther back on the lot. The proposed garage and laundry room would encroach into the front setback. The structure would comply with the twelve-foot setback requirement, ten feet of it being the right-of-way to the swale. The plan shows the addition thirty-six feet from the curb line although the setback needs to be measured from the right-of-way line. The property owner had the home built twenty-two years ago. There was some discussion about pushing the addition back to meet the front setback but encroaching into the side setback. Mr. Swanner stated that the neighbor's house is also very close to the property line. Mr. Swanner also stated that the applicant had originally submitted a plan for a different sized garage. It was noted that the original setback when the home was built was ten feet.

Planners Klunk/Baker moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z13-09 - George Voll requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage/laundry room that does not meet front setback requirements as it meets the requirements for a variance as set forth in Section 502.3 a) thru f), with the condition that the garage be moved back to a ten foot side set back so that there is the least amount of encroachment into the front setback as possible. Motion carried 7-0.

Z13-10 - NVR, Inc. d/b/a Ryan Homes, 11403 Cronridge Drive, Suite 200, Owings Mills, MD 21117. Applicant is requesting a variance to Section 306.2 (f) (3) (Driveway Location) and Section 202.3 (Building Height) in order to construct single-family attached townhouses that do not meet driveway location requirements and building height requirements. The property is located on the east side of Brookside Avenue in the R-8 zone.

Scott Barnhart, Burkentine & Sons, and Paul Minnich, attorney for NVR, Inc. represented this request. Mr. Minnich stated that variances for driveways and building height were previously before the Planning Commission and Zoning Hearing Board in March of 2013. The applicant was denied on both variances by the zoning hearing board. He stated that the an appeal has been filed in York County Court of Common Pleas but to save time they have re-filed the application with minimal changes to the driveway locations but changed the plan for the height requirement consideration.

Mr. Minnich presented the revised plan and noted that some of the changes came as a result of discussion with Township staff. The zoning hearing board expressed concern about the height of the buildings and the inability of the fire company to be able to set up fire equipment because of parking along both sides of the street. Mr. Minnich stated that parking has been eliminated on one side of each of the streets to allow for fire equipment to be set up and the number of units has been reduced to create interior parking lots. Mr. Barnhart presented a plan, which highlighted those streets that parking would not be allowed on. This will allow the fire equipment to be set up and reach the thirty-five foot building. He showed the off-street parking lots that were created. He stated that on-street parking would not be the easiest on those streets where parking is allowed because of the number of driveways. Mr. Minnich noted that there are other buildings in the Township that are thirty-five feet tall.

There has been nothing new or changed for the driveway configuration. The driveways will be all on one side except for the last unit, which will be on the opposite side and there will be a ten foot green space on each lot. There will be no shared driveways. There will be a garage on each unit, which will give each resident three parking spaces. It is assumed that extensive parking would not be practical even on the side of the street where parking is allowed because it would block the driveways of the property

owners. There may be spaces between the buildings for vehicles to park. They reviewed the interior parking lots that will provide twenty two parking spaces. The fire hydrants are not showed on this plan but are on another plan. The Planners reviewed the fire hydrant plan.

On units 21 and 10, the driveways will enter onto S. Center Street.

Planners Quinn/Roth moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z13-10 - NVR, Inc. d/b/a Ryan Homes, requesting a variance to Section 306.2 (f) (3) (Driveway Location) and Section 202.3 (Building Height) in order to construct single-family attached townhouses that do not meet driveway location requirements and building height requirements with the stipulation that the fire hydrants be located on the “no parking” side of the streets, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 7-0 vote.

The Planners received the following waiver or exoneration requests: None.

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.

P03-30 – 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.

P08-20 – 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 is no action taken on this plan.

P12-12 – BREEZEWOOD DRIVE, Crosswinds Associates Development Company Inc., 336 West King Street, Hanover, PA 17331. A final subdivision plan submitted in order to create twelve (12) lots to construct a single-family detached dwellings. The property is located on east side of Breezewood Drive approximately .5 mile south of York Street in the R-8 zone.
There was no action taken on this plan.

P13-02 – GLADE VILLAGE, Trone Rental Properties, Chris Trone, 350 Third Street, Hanover, PA 17331. A final subdivision, land development and consolidation plan submitted in order to construct residential apartments with thirty-one (31) units. The property is located on Bowman Road in the R-8 zone. There was no action taken on this plan.

P13-03 – BROOKSIDE HEIGHTS – PHASE I, Paul Burkentine, Brookside LLC, 1500 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted in order to create fifty-six (56) lots to construct single-family attached dwellings. The property is located south of York Street and east of Brookside Avenue in the R-8 zone. There was no action taken on this plan.

P13-05 – AQUAPHOENIX SCIENTIFIC, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct a manufacturing and warehouse building. The property is located at 12 Industrial Drive in the Industrial Zone. There was no action taken on this plan.

The meeting adjourned at approximately 7:49 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary