

PENN TOWNSHIP PLANNING COMMISSION  
JULY 2, 2009

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on July 2, 2009 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, David Quinn, Paul McAndrew and Fred Marsh. Planners Goldsmith and Mummert were absent with notice. Also present were Township Engineer Bortner and Administrative Assistant Rodgers.

The June 4, 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:

**Z09-10 – ROXANNE N. HERRICK, 1685 White Hall Road, Littlestown, PA 17340. Applicant is requesting a special exception to Section 202.2 (Uses by Special Exception) in order to operate a one-chair hair salon. The property is located at 37 Brewster Street in the R-8 zone.**

Planners Van de Castle/McAndrew moved for a continuance of this case to next month at the request of the applicant who was unable to attend due to a family emergency. Motion carried on a 5-0 vote.

**Z09-11 – BARBARA ANN SMITH, 136 Pheasant Run Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 300.7a (Decks-Location and Setback) in order to construct a deck in the side yard. The property is located at 136 Pheasant Run Lane in the R-15 zone.**

Barbara Ann Smith represented this request. Ms. Smith had the home built nineteen years ago. She is a single parent of two adopted children. She understands the ordinance allows for decks to be in the rear yard. She stated that most of the homes in the neighborhood have decks on the side to exit through the kitchen door. She would like to construct a deck from the rear corner of the house to her side door. There is a storm door exiting the kitchen, which means that it will open to the deck. Her side yard is sloped and by adding the deck it would allow her more use of the yard. She is asking that the deck be ten feet wide by thirteen feet on the side and larger to the rear. The home was built on the lot so that she had room for a future addition, which she cannot afford. She stated that there is plenty of room on the side of the house for the deck to be ten feet wide and it will be one level from the side to the rear. The fence is on the property line. There would be twenty-seven feet to the property line on the side setback. There would be an entrance from the deck to the dining room. This would all be located behind the existing fence.

Planners McAndrew/Quinn moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z09-11 – Barbara Ann Smith, requesting a variance to Section 300.7a (Decks-Location and Setback) in order to construct a deck in the side yard, as it

meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 4-1 vote with Planner Felix casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

Conewago Enterprises, Inc. on behalf of Hanover Packaging is requesting a waiver from a land development plan in order to construct a concrete pad for a condensing unit. The property is located at 8 Barnhart Drive.

Donald Lynch represented this request. This is the first request for a waiver on this property. They invested five million dollars in a new press scheduled for installation on July 20, 2009. The condensing unit would usually go on the roof. But because of the roof structure, which would be unable to support the unit, it will be located close to the machine. There will be shrubbery planted to help conceal the unit. It will look like an air conditioning unit and may require occasional maintenance and service.

Planners Marsh/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.

Dawood Associates, Inc., on behalf of Anita Miller is requesting a waiver from Article IV, Sections 403 and 404 of the Subdivision and Land Development Ordinance on her final subdivision plan of lot 2 on Lark Avenue.

Ron Stevens, Dawood Associates, represented this request. Ms. Miller would like to subdivide three lots off of lot 2 and is requesting that feasibility studies be waived because water and sewer are available. They are also requesting a waiver of the environmental impact studies because there are no wetlands or steep slopes.

Planners Quinn/ 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.

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.

**P09-09 - VERIZON WIRELESS BITTINGER SITE, Cellco Partnership, d/b/a Verizon Wireless, 4642 Jonestown, Harrisburg, PA 17109. A final land development plan submitted in order to construct a telecommunication tower. The property is located at 17 Industrial Drive in the Industrial Zone.**

David Morgan, Fischbach, Morgan and Associates represented this request. They have discussed the access driveways with the fire chief and he has approved the design for width and turnaround. There will be no lights on the structure and it will be galvanized steel as recommended by the Zoning Hearing Board. Mr. Morgan indicated that there will be no interference to other Township communications as a result of this tower. York County Planning Commission comments have been addressed. Township Engineer comments have been addressed.

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

**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.

**P09-11 FINAL LOT ADDITION PLAT – WOLVERINE, LLC, Wolverine Holdings, LLC., c/o Tony Forbes, 1060 Baltimore Street, Hanover, PA 17331. A final lot addition plat submitted for an add-on to Martins Ridge Project. The property is located at Brian Lane in the R-22 zone.**

**P09-12 FINAL SUBDIVISION PLAT FINAL, PHASE – MARTIN’S RIDGE, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final subdivision submitted to create two (2) residential lots. The property is located at Brain Lane in the R-22 zone.**

Robert Sharrah and Attorney Keith Nonemaker represented these plans. P09-11 Final Lot Addition and P09-12 Final Subdivision Plat were reviewed together. There had been a request for a waiver of the Wolverine Thornbury Hunt Plan for the phasing requirements, which was denied. Plan P09-11 shows parcel D of 1.54 acres being subdivided from the Thornbury Hunt Plan and then being added to the Martin’s Ridge Final Land Development Plan. This would help alleviate the cul-de-sac problem and the water and sewer are already constructed. Parcel D would then become lots number 30 and 31 in the Martin’s Ridge subdivision plan P09-12. Planner Felix stated that Mr. Sharrah appeared before the Public Works Committee meeting and this is what was recommended to Mr. Sharrah by the committee. Engineer Bortner was concerned about the frontage on lot number 31 because it would not meet the Township’s requirements without a portion of the future Brian Lane being included in the Lot. There is a small lot separate from lot 31 that is needed for the extension of Brian Lane. There would not be sufficient lot frontage if it were not included in the current parcel. There was some concern about how to accomplish the dedication of the right of way for Brian Lane for that portion of Brian Lane that will be dedicated to the Township that needs to be part of lot 31. The lot does not meet the zoning requirements for frontage or width requirements. After some discussion, Attorney Nonemaker indicated that he will come up with a plan for how best to handle the lot for future dedication to the Township. Engineer Bortner stated that a bond would be needed for lot 31 for future road improvements. There will be notes on the plan about the future improvements and dedication to the Township.

Planners McAndrew/Quinn moved for a favorable recommendation to the Penn Township Board of Commissioners on P09-11- Final Lot Addition Plat – Wolverine, LLC. Motion carried on a 5-0 vote.

Planners McAndrew/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P09-12 Final Subdivision Plat – Final Phase – Martin’s

Ridge pending York County Planning Commission comments and a bond being in place prior to Commissioners approval. Motion carried on a 5-0 vote.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary