

PENN TOWNSHIP PLANNING COMMISSION  
AUGUST 2, 2007

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on August 2, 2007 at the Penn Township Municipal Building. Also present were Planning Members Wendell Felix, Michael Johnson, Stede Mummert, Fred Marsh, and Gary LeFevre. James Butt was absent with notice. Also present were Township Engineer Bortner and Township Secretary Kristina Rodgers.

The Planning Commission meeting minutes of July 5, 2007 were approved as submitted.

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

**Z07-17 JOHN W. BEIL, 330 Dubbs Church Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 207.2 (Use Regulations) to construct a vet clinic. The property is located at 1446 Unit H Baltimore Street in the S/C zone.**

John Beil, Burkentine and Sons, and Dr. Brian Jenkins represented this request. Township Secretary Kristina Rodgers stated that this case had been a variance request previously heard, and recommended for approval, by the Planning Commission in early 2007 but had been denied by the Penn Township Zoning Hearing Board in June 2007. The denial resulted in a request by the applicant to amend the township's zoning ordinance to include animal hospitals as a Use by Special Exception in the Shopping Commercial zone. The Board of Commissioners favorably adopted this amendment in June 2007. The applicant is still requesting an animal hospital but the application is for a special exception. It was stated that this is an animal hospital and not a kennel. Everything will be contained within the facility and there will not be outdoor fencing for the hospital. Any accidents outside the facility will be cleaned up immediately and there is a segregated station in the facility for the animals to relieve themselves.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z07-17 – John Beil, requesting a special exception to Section 207.2 (Use Regulations) to construct a vet clinic, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

**Z01-14 – WALTER J. & MARY LOIS DANNER C/O DAVID DANNER, 666 Cooper Road, Hanover, PA 17331. Applicant is requesting a variance to Section 204.3 (Area and Bulk) in order to create a residential lot. The property is located at 610 Beck Mill Road in the R-22 zone.**

Reg Baugher, Hanover Land Services, and Walter Danner represented this request. Mr. Baugher stated that the applicant is requesting to subdivide the property to keep the existing buildings on one two-acre lot. There will be a separately taxed parcel between the lots they are creating. The proposed lot lines will go around the existing buildings that include a barn, a silo and shed. The buildings have the same design and architectural appearance as the house. The barn no longer houses any animals. This is being done to keep the family on the farm as long as

possible. Both of the existing homes are on the same water source but public water is close to the property. The property does have public sewer. Mr. Danner's brother lives in one of the houses and operates a lawn care business. The barn is accessible from the rear of the property. The new lot would encompass just the buildings that exist. The remaining six acres are adjoining to the remaining forty acres across the street.

Planners Mummert/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z07-14 Walter J. and Mary Lois Danner, c/o David Danner, requesting a variance to Section 204.3 (Area and Bulk) in order to create a residential lot, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**Z07-16 – DOLORES CARROZZA, 963 York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.3 (Area and Bulk) in order to install a pool that encroaches into the side setbacks. The property is located in the H/B zone.**

Township Secretary Kristina Rodgers read a letter dated August 2, 2007 from Dolores Carrozza requesting that the variance be rescheduled for the September 6, 2007 meeting.

Planners Johnson/Marsh moved that the request be accepted. Motion carried.

The Planners received the following waiver and/or exoneration requests:

SCI Pennsylvania Funeral Services, Inc., owner of Rest Haven Cemetery and Gibraltar Mausoleum Construction Company, is requesting a waiver to the land development plan process to construct a mausoleum. The property is located on Westminster Avenue and West Granger Street.

Larry Justice, Gibraltar Mausoleum, represented this request. The new mausoleum would be placed near the existing one with one more being proposed. Mr. Justice stated that this mausoleum could be filled within five to seven years. Mr. Justice stated he would be glad to expand the existing site plan.

Planners Van de Castle/LeFevre moved for a favorable recommendation on this request to the Penn Township Board of Commissioners with the stipulation that this is the only waiver request that will be granted. Motion carried on a 6-0 vote.

Ms. Rodgers read a letter stating the Mr. Joseph O'Brien had withdrawn the offer to purchase 877 York Street. There was a pending request for a waiver of a land development plan for this property.

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 – GATEWAY HANOVER (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.**

Mark Campbell, HRG represented this plan. He stated that they are slowly receiving and reviewing comments from various agencies. He requested that the Planners consider the waiver requests, which included the waiver of sidewalks on Wilson Avenue and a decrease in the sight distance at some of the intersections. Mr. Campbell stated that he is working on addressing York County Planning Commission and Township Engineer Eric Bortner's comments. The Planners expressed concern about the traffic comments contained in the York County Planning Commission comments. The Planners will continue to review the plan and the waiver requests when some of the comments are addressed.

**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.

**P04-18 – 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.

**P06-20 – 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.

**P06-26 – 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.**

Reg Baugher, Hanover Land Services, represented this request. There was concern last month about the storm water retention pond, which has been addressed. They only thing that needs to be completed is the final sewer inspection. The Township is addressing the issue of road improvements.

Planners Felix/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P06-26 – Martins Ridge Subdivision pending final sewer inspection and approval. Motion carried on a 6-0 vote.

**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.

**P07-10 – 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.**

There was no action taken on this plan.

**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.**

There was no action taken on this plan.

**P07-18 – 877 YORK STREET, LLC, c/o W. Claymore Sieck, 311 East Chase Street, Baltimore, MD 21202. A final add-on subdivision plan submitted to create three (3) residential lots. The property is located at 877 York Street in the R-8 zone.**

Reg Baugher, Hanover Land Services, represented this plan. York County Planning Commission comments have been received and addressed. Township Engineer Bortner's comments have been addressed.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 6-0 vote.

**P07-19-VICTORY FREEWILL BAPTIST CHURCH, 25 Breezewood Drive, Hanover, PA 17331. A final land development plan submitted to construct an addition. The property is located in the R-8 zone.**

Zak Fry, Group Hanover, Inc, and Reverend Jason Myers represented this plan. They are proposing an addition to the church for Sunday school classrooms and a day care facility. They are also proposing a pole barn as a garage for the church along with additional parking. They have received York County Planning Commission comments. Engineer Bortner expressed concern about the wetlands and there are some zoning issues that will have to be addressed. There was some concern about the future use of the facility for a church day care center that would operate other than during Sunday services. They would need to get a special exception in addition to meeting the required parking spaces along with the other requirements listed in the Township's zoning ordinance. They have not decided what they want to do with the facility except that it would be used for Sunday School. They are showing an eight-foot high fence, which will require a variance, for the protection of the children. There was some discussion about the alley and who maintains it because of the water that lays on the property. The Planners tried to explain the requirements for running a church day care facility and that they may want to make sure they address them while they are processing the land development plan.

**Review zoning ordinance amendment to change one parcel (Parcel 13) along Baltimore Street from R-15 to S/C.**

John Beil, Burkentine and Sons, represented the request to have 1403 Baltimore Street rezoned from R-15 to Shopping Commercial. The corner property at 1401 Baltimore Street is zoned Shopping Commercial but all the properties surrounding the property are zoned Suburban Residential. The parcel is too small to construct any business in compliance with the Township zoning ordinance. Burkentine and Sons contacted the surrounding property owners about acquiring property and, as a result, Burkentine and Sons has contracts to purchase both 1401 and 1403 Baltimore Street. Once the properties are combined they can construct a business that

meets the Township ordinances. Mr. Beil stated that York County Planning Commission made a favorable recommendation for the request. The intersection is signalized. There are plans to improve the intersection and by developing the parcel they will help contribute to those improvements. Mr. Beil stated that the proposed business is a bank. The property will be over an acre in size when the two parcels are combined. The property will be a corner lot, which will require a fifty-foot setback on two sides. The additional turning lanes will need to be subtracted from the property area, thus reducing the buildable area of the property. Both property owners were present because they support the change of zoning on the property. There will be buffers to the rear of the property in accordance with Township ordinances. The public hearing by the Penn Township Board of Commissioners will be held on August 20, 2007.

Planners Marsh/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-0 vote with Planners Felix and Johnson abstaining.

The meeting adjourned at 8:26 PM

Respectfully submitted,

Kristina Rodgers, Recording Secretary