

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 7, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on August 7, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, James Butt, Fred Marsh, Stede Mummert and Paul McAndrew. Also present were Zoning Officer Menges and Township Engineer Bortner.

The July 3, 2008 Planning Commission minutes were approved as submitted.

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

Z08-15 – CRAIG WILLIAM MARTIN, 12 Valley Run Circle, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage that encroaches into the setbacks. The property is located at 12 Valley Run Circle in the R-15 zone.

Craig Martin represented this request. He would like to build a 24' x 30' garage, which would be located five feet from his house. He would keep the garage aligned with the existing driveway but away from the house because of the utilities being located at the corner of his house. The garage would be built two feet from the driveway because of the utilities passing in front of it. Mr. Martin stated that if he attached the garage to the house he would encroach more into the rear setback than he currently does. The rear corner of the garage encroaches three and one half feet into the rear setback. The garage meets the twelve-foot side setback. The side setback begins at twelve feet and increases to about twenty feet at the rear of the building. The garage will be twenty-six feet and six inches from the rear property line at its closest point. There is a six foot privacy fenced that was installed over the last several months to the rear of his property. Mr. Martin has lived at the property since 1991. The home closest to the garage is currently being used as a group home for mentally challenged individuals.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-15 Craig William Martin, 12 Valley Run Circle, requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage that encroaches into the setbacks, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 7-0 vote.

ACT 537 PLAN REVIEW

Penn Township Manager Jeffrey Garvick presented the Township's updated Act 537 plan for the planner's review and comment. He stated that Chapters 71 and 74 of the Pennsylvania Department of Environmental Protection (DEP) Code requires that municipalities have a sewage facilities plan that helps determine the planning elements that are necessary to meet the specific needs of a municipality. These include evaluating the adequacy of existing facilities, identifying needs areas, identifying and evaluating alternatives for the continued use of our facilities and to develop plans to provide sewer capacity to those identified needs areas. He stated that the plan update looks at several alternatives pertaining to the collection system, the wastewater treatment

facility and on-lot disposal systems. The last plan the Township prepared was in 1981. In addition to the plan providing a history of wastewater planning in the Township, it also provides an implementation schedule for those tasks that need to be acted upon. The Township is under the restrictions of a Corrective Action Plan. PADEP has determined that a hydraulic overload condition exists in our collection system. The Township will soon be under the dictates of a Consent Order and Agreement, which will commit us to reduce the overload by reducing inflow and infiltration into the system, upgrade the main interceptor, and construct a new parallel interceptor. The Township must also identify alternatives for implementing nutrient reduction processes at our treatment facility to address the impending Chesapeake Bay Tributary Strategy requirements.

The Plan contains a plethora of information but the important issues to the planners are those recommendations and alternatives which will influence and impact future growth. Mr. Garvick stated that an area of concern continues to be the failing on-lot systems located in the Oak Hills/Hershey Heights area. The York County Planning Commission also wants us to include the area of failing systems in the Black Rock/Penn Circle/Water Front Drive sector. We will look at that as well. The major problem in improving these areas is the huge cost for sewer collection for a relatively small number of homes. The Plan will reference timetables for resolution of the sewage concerns. The Commissioners are prepared to adopt and implement the Plan along with the financial commitments that will be necessary. These alternatives and options will be decided upon within the next six months in order to stay in compliance with our implementation schedule. Manager Garvick expects that it will cost the Township between ten and twelve million dollars to upgrade the treatment plant. Manager Garvick explained that the method of treatment process would change and the Township will be utilizing new membrane biological filter technology in lieu of the activated sludge process. The upgrade will take into consideration the build out of Township along with some extra capacity for West Manheim Township. There are about fifteen hundred feet of sewer line the Township will have to replace. The major challenge is the redesign of the headworks, that point where the sewage enters the plant. The elevation of the new headworks has not yet been determined. The state may provide grants to help offset some of the costs but the amount of those have yet to be determined. The Commissioners are going to be considering sewer rate increases within the next several months to help fund the project.

Planners Van de Castle/Butt moved to accept the update Act 537 plan of 2008. 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.

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.

P03-06 – 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.

P03-15 – 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 - 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 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.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C 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.

P08-07 – ARBY’S AND TOM’S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 17405. A final subdivision plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-08 – ARBY’S AND TOM’S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-09 – REDEVELOPMENT OF SOUTH HANOVER SHOPPING CENTER, South Hanover Partners, LP, 120 North Pointe Boulevard, Suite 201, Lancaster, PA 17601. A final land development plan submitted for redevelopment of existing shopping center. The property is located at 743-845 Baltimore Street in the Shopping/Commercial zone.

Doug Gossick, J. Michael Brill Associates, represented this request. He stated that the shopping center plan, which has already received a favorable recommendation for approval from the Planners, assumed some broad sanitary sewer needs. The shopping center currently has 33 EDU’s, which they feel they will not exceed those to develop the shopping center. If they exceed those EDU’s they will not be able to develop that part of the site until they purchase additional EDU’s from the Township. There will be a note on the plan that states the number of available EDU’s and what the developer needs to do if there is additional sewer capacity needed beyond what it currently available. They initially requested 83 EDU’s and after they became aware of the Township’s sewer problems they reevaluated their needs and realized they could develop the center utilizing fewer EDU’s. Restaurants and grocery stores require more than a bank or magazine store. Mr. Gossick explained that one EDU is the equivalent of 227 gallons of sewage. He stated that each individual space is required to have at least one EDU. As the developer has marketed the center they have found they need to combine some of the retail space into larger units to attract certain businesses.

Mr. Gossick stated they received York County Planning Commission comments. There was some confusion regarding this since YCPC initially indicated they would not be reviewing the plan. Consequently, there are now issues that have arisen since the Township’s Planning Commission gave an approval at their July 2008 meeting. York County Conservation District also submitted comments about the plan. Some of the York County Planning traffic comments they are going to ignore because they do not make sense especially comments five and seven. York County suggests a less restrictive access to the shopping center from the fuel island. The plan was designed to limit the access from the shopping center to the fuel islands. Also the comments suggest that speed humps be used instead of speed bumps. Giant has avoided the humps because they are more dangerous than the bumps for shopping carts. They are improving truck access to the site.

York County Conservation District comments will be addressed and they will be meeting with them to discuss the comments. There is some concern about infiltration on the project because of the rock in the area.

P08-11-STONEWICKE, J.A. Myers, Building and Development, 160 Ram Drive, Hanover, PA 17331. A final add-on subdivision submitted to create two (2) residential lots. The property is located at 1025 Baltimore Street in the Shopping/Commercial Zone.

Reg Baugher, Hanover Land Services, represented this request. This plan will create a 15-½ acre lot of which thirteen acres is coming from the Stonewicke Development and 2-½ acres are coming from the existing lot which fronts on Baltimore Street. This will allow access to the thirteen acres that previously did not have road frontage along Baltimore Street. They are adding two conforming lots to make one larger lot. They are both in the Shopping/Commercial zone. The fire company also purchased a piece of ground from the Stonewicke tract. York County Planning Commission comments have been addressed. WellSpan may be the one to develop the property.

Planners Butt/McAndrew moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 7-0 vote.

The meeting adjourned at 8:01 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary