

PENN TOWNSHIP PLANNING COMMISSION  
AUGUST 6, 2009

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on August 6, 2009 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Dan Goldsmith David Quinn, Paul McAndrew, Stede Mummert and Fred Marsh. Also present were Township Engineer Bortner, Zoning Officer Menges and Administrative Assistant Rodgers.

The July 2, 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.**

This case was withdrawn at the request of the applicant.

**Z09-13- WILLIAM E. YINGLING, JR., 2 Hill Street, Hanover, PA 17331. Applicant is requesting a variance to Section 613 e, f, h, i, j, q (Home Occupation) and a special exception to Section 203.2 (Uses) in order to operate an equipment repair and new sales business out of his home. The property is located at 2 Hill Street in the R-15 zone.**

William Yingling, Jr. represented this request. He would like to sell new lawn mowers and small gasoline powered engines along with doing repairs of this equipment in his garage. The home will not be used for the business. He would like to do this from 7 AM to 5 PM weekdays and 7 AM to 12 Noon on Saturdays. Summer hours may be extended on Saturdays depending on the clientele. He is going to purchase an existing business from the owner in West Manheim Township. He indicated he did not inform the neighbors of his intentions but the eight neighbors have been contacted about the zoning hearing board meeting on Tuesday. The small gasoline engines and mowers would only be started during the hours of operation. They will be started and operated outside. He is allowed one sign of two square feet maximum. The property is a corner lot fronting on Hill Street with Daugherty Drive to the rear, which ends in a cul de sac. The property is also bordered by Park Heights Blvd. on a side property line. There will be no storage of any materials on the outside of the garages. Planner Felix read the requirements of a home occupation that the applicant is requesting a variance for and felt that this is more of a business rather than a home occupation. He feels that this business should be located in a different zone. The application would require a variance of over a third of the requirements for a home occupation. There are two attached garages that would be used for the business. The smaller garage would be used for repairs and the larger garage would be used for displays. All displayed equipment will be inside. The one garage is 24' x 24' and the other is 22' x 47'. The applicant stated that he could not afford a full-fledged business but if the business grows he is looking to expand the business to a different site. Zoning Officer Menges directed

everybody to the definition of a home occupation found on page 32 of the ordinance of definitions. There was concern about the gas and chemicals that will be stored in the garages. The applicant has spoken to Fire Chief Cromer about storing gas and chemicals and what would be required to store the materials. He stated that as soon as everything has been approved he will place an order for the storage materials that were recommended by the Fire Chief.

Planners McAndrew/Quinn moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Z09-13 – William E. Yingling, Jr. requesting a variance to Section 618 e, f, h, I, j, q (home occupation) and a special exception to Section 203.2 (Uses) in order to operate an equipment repair and new sales business out of his home as it does not meet the requirements of a variance as set forth in Section 502.3 a) thru f) or a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-1 vote with Planner Van de Castle casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

South Western School District is requesting exoneration from a land development plan in order to construct a 14 ft x 24 ft concrete pad. The property is located on South Western Road.

The request was withdrawn at the request of South Western School District.

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 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.

**P07-27 – 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.

**P09-10 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.

**P09-13 FINAL SUBDIVISION PLAN – ANITA MILLER-LOT NO. 2, Anita Miller, 1391 Lark Avenue, P.O. Box 618, Hanover, PA 17331. A final subdivision plan submitted to create three (3) residential lots. The property is located on Lark Avenue in the R-15 zone.**

There was no action taken on this plan.

**P09-14-670 BAER AVENUE TOWNSHOUESE, Promised Land Investments, LLC, 340 Fleshman Mill Road, New Oxford, PA 17350. A final land development plan submitted to create four (4) single family attached dwellings. The property is located at 670 Baer Avenue in the R-8 zone.**

Robert Sharrah represented this plan, which is an initial review of the plan. York County Planning Commission comments have been received but not reviewed. The property is currently almost totally impervious. There will be a berm to the rear of the parking area that will help control and direct storm water before it reaches the alley. There will only be one access drive to the property. The parking spaces are standard size 10' by 20'. There was some discussion about lighting the parking area. The ownership will be that of a condominium association. There was

some concern about comment one from York County Planning Commission regarding Section 628 and Section 640 of the Township's Zoning Ordinance and the lot lines. Single lot attached homes should show lot lines but this plan does not. Zoning Officer Menges also stated that the plan should show lot lines. The Zoning Hearing Board gave approval for Section 640, which addresses single-family attached dwellings. Zoning Officer Menges stated that what is shown is a multifamily dwelling. A single family attached dwelling shows lot lines and this plan does not. The lot area requirement is 1800 square feet per unit. The gross area would make the minimum requirement. The building itself is an attached dwelling. The condominium association would maintain the common areas. Township Engineer Bortner and Zoning Officer Menges are not sure if this is the same plan that was presented to the Zoning Hearing Board. An opinion from the Zoning Hearing Board Solicitor may be required for the comments made by York County Planning Commission. There was some suggestion about alternating lights to the rear and front of properties so that the area is illuminated.

**P09-15 – HIGH POINTE AT ROJEN FARMS – NORTH, High Pointe, LLC, 4175 Hanover Pike, Manchester, MD 21102. An amended final subdivision plan submitted to create one hundred (100) single-family residential lots. The property is located on the north side of Grandview Road, east of Beck Mill Road in the R-22 zone.**

Jim Piat represented this plan. This is the initial review of the plan, which is a revised plan for the corner lots of High Pointe at Rojen Farms North. The properties showed a fifteen-foot rear setback rather than thirty five foot setback because of the way the property was addressed. The building envelopes were changed by ninety degrees in order to meet the Township's zoning ordinance. The lots will have two front yards, one side yard, and a rear yard. Engineer Bortner suggested that only those lots that are changed should be shown on the amended plan. Zoning Officer Menges stated that the lots should be listed on the front of the plan. A homeowners association will maintain the stormwater pond. Township Engineer Bortner stated that note 22 on page one is what the plan is showing. Lots 108 and 84 are showing driveway changes onto a street that would require a modification of the subdivision and land development plan. Engineer Bortner also stated that there is an additional sign on the plan which does not meet the Township ordinance requirements. There was some discussion about the additional signage and they consented that the additional sign would not be placed on the plan. There needs to be a written request for the modifications of the driveways.

**P09-16 – VERIZON WIRELESS – BLOOMING GROVE ROAD, Cellco Partnership d/b/a Verizon Wireless, 4642 Jonestown Road, Harrisburg, PA 17109. A final land development plan submitted in order to construct a telecommunications antennae and equipment shelter. The property is located at 500 Beck Mill Road in the R-22 zone.**

There was no action taken on this plan.

**Review and make changes or additions to proposed flood plain ordinance and ordinance of definitions.**

Zoning Officer Menges reported that the flood plain ordinance was presented to the York County Planning Commission and they recommended approval. This is for any new projects that come in after the effective date of the ordinance. There are new flood plain maps. The

biggest change in the ordinance is that it references the UCC. There were slight changes in the map showing where the streams are located. The Ordinance of Definitions was also reviewed. Zoning Officer Menges noted that York County Planning Commission declined to review the Ordinance of Definitions.

The meeting adjourned at 8:03 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary