

PENN TOWNSHIP PLANNING COMMISSION  
OCTOBER 4, 2007

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on October 4, 2007 at the Penn Township Municipal Building. Present were Planning Members Wendell Felix, Michael Johnson, Stede Mummert, Fred Marsh, and Gary LeFevre. Planner James Butt was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The Planning Commission meeting minutes of September 6, 2007 were approved as submitted.

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

**Z07-21 – RONALD A. FOREMAN, 1050 Hoff Road, Hanover, PA 17331. Applicant is requesting a variance to Section 407.4a (restoration) in order to replace a previous butcher shop building destroyed by fire with a pole building. The property is located in the R-15 zone.**

Ronald A. Foreman represented this request. Mr. Foreman would like to rebuild a building that was destroyed by fire but would like to construct an additional two feet, closer to the house. The foundation of the previous building will be used but the posts will extend beyond the foundation. The additional area will be used for parking vehicles and the remainder for Mr. Foreman's butchering business. The outside of the building will resemble a colonial type building, which is similar to the building that burned down. Zoning Officer Menges noted that the original farm was approximately twenty-seven acres and was subdivided in the mid 1980's. When the property was subdivided the original owner needed a zoning variance because the buildings on the homestead portion of the property became existing nonconformities. The building that burned down was approved under that variance. The building did not and will not meet the existing side setback. Mr. Foreman did not have the property subdivided. His neighbor's home does meet the twenty-five foot side setback requirement.

Planners Mummert /Johnson moved for a favorable recommendation on Z07-21 – Ronald A. Foreman, requesting a variance to Section 407.4a (restoration) in order to replace a previous butcher shop building destroyed by fire with a pole building, as it meets the requirements for a variance as forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**Z07-22 – SHARON RODKEY, 11 Little Knoll Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) to construct a front porch that encroaches into the front setback. The property is located in the R-15 zone.**

Sharon Rodkey and Robert McGruder represented this request. They are requesting to construct a six-foot front porch that encroaches into the front setback about twenty-four inches. The roof will have an overhang of about twelve inches. Currently there is only a concrete stoop on the house which is 50' x 52'. The porch they will be building will have a roof over it but it

will not be enclosed. There was some concern about the drawing presented by the applicant but it was not intended to be a representation of the current property.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z07-22 Sharon Rodkey requesting a variance to Section 203.3 (Area and Bulk) to construct a front porch that encroaches in the front setback as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

At this point Zoning Officer Menges left the meeting.

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

Shultz Foods is requesting exoneration from land development plans in order to alter an existing flour unloading/pull-off cement pad. The property is located at Blettner Avenue and West Chestnut Street.

Troy Mummert, Plant Manager Shultz Foods, represented this case. He stated that a new company has purchased Shultz Foods and, as part of their safety review, felt that a turn around should be constructed on the property to prevent trucks from parking along the traffic lane of Blettner Avenue. Mr. Mummert stated that he is not aware of any intention to place flour bins in the turn around area. The telephone pole will not be moved. The impervious coverage will be increased but Engineer Bortner stated the last plan he reviewed for Shultz Foods was in 1998 or 1999. Engineer Bortner stated that there are other issues with the property with regards to easements.

Planners Van de Castle/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that this would be the only request for exoneration. Motion carried on a 4-2 vote with Planners Johnson and Felix casting the dissenting votes.

Hanover Land Services, Inc. on behalf of their client, Walter J. and Mary Lois Danner, is requesting a waiver to Section 505.a (Street Design) of the Penn Township Subdivision and Land Development Ordinance on the property located on Beck Mill Road.

Brandon Richard, Hanover Land Services, represented this request. They are requesting a waiver of the sidewalk and curb improvements for Beck Mill Road where they are subdividing a home from the family farm. He stated that the plan contains a note that the Penn Township Board of Commissioners can at anytime require the installation of curbs and sidewalks.

Planners Felix/Marsh moved for a temporary waiver of curbs and sidewalks to the Penn Township Board of Commissioners. Motion carried on a 6-0 vote.

Kenneth E. Martz, Jr. is requesting exoneration from sidewalks and curbing on his property at 783 Blooming Grove Road.

There was no one present to represent this request.

Planners Johnson/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote. Mr. Martz arrived after the recommendation and was informed of the outcome.

Hanover Land Services, Inc. on behalf of their client, Harold H. and Darthea L. Dusman is requesting waivers to Section 505.k (Curbs and Road Widening) and 505.k.1

Brandon Richard, Hanover Land Services, represented this request. There is some curbing in the area of this property that was installed about August 2007 as part of the Martin's Ridge Subdivision improvements. The culvert near the property will be replaced when Thornbury Hunt is constructed.

Planners Felix/Mummert moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

Group Hanover, Inc. on behalf of their client, Frank LeCrone, Jr., President of Hawk Creek Labs is requesting exoneration from land development requirements in order to expand the parking area to the rear of his facility. The property is located at 9 Barnhart Drive.

Frank LeCrone, III, represented this request and stated that he has purchased the business from his father. They are requesting to expand the existing parking lot to the rear of the building. The company has an approved land development plan showing the same area with a future building expansion. Hawk Creek Labs has purchased Lot #7 on Industrial Drive from the Township for future expansion. There were plans provided that showed the original property and the approved addition. They are looking to add an additional twenty-eight parking spaces.

Planners Mummert/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-1 vote with Planner Felix casting the dissenting vote.

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.**

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.

**P03-11 – 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.

**P05-15 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.**

Andy Brough, Conewago Enterprises, represented this plan. He stated that he has addressed all of the York County Planning Commission and Township Engineer Bortner's comments. This plan is for an expansion of the north side of the existing medical center. The plans are at Soil Conservation and their time line for review is about complete. The plan needs ten EDU's and the Township approved the resolution at their September 17, 2007 meeting. The

planning module has been submitted to York County but he does not expect to receive the approved module to till next week. Mr. Brough stated they went straight to DEP for approval of the facility because it is a public needs facility. He is looking for conditional approval until they get the approved module back so that they do not loose another month. The bond request has been submitted and is being reviewed by the Township Engineer. Engineer Bortner noted that some of the other plans on the caseload are pending sewer. One of the concerns for York County comments was the moving of the gas line along with the sewer moratorium.

Planners Mummert/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan with the stipulation that the approved sewer module along with Soil Conservation approval be received prior to the Penn Township Board of Commissioners meeting. Motion carried on a 5-1 vote with Planner Johnson casting the dissenting vote.

**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.**

Neal Metzger, LSC Design, represented this plan. Mr. Metzger stated that they have finally received approval from Penn Dot for their driveway and highway improvements along with County Conservation approval. The zoning approvals for the plan were obtained in August 2006. Penn Dot has removed the right in turn lane because they felt it would confuse drivers but left in the right turn out on the plan on the eastern side of the store. The handicapped parking was relocated closer to the store. No truck parking signs have been added to the plan along with a note on the plan. No left turns from the site will be allowed onto Route 216. Traffic will need to instead exit onto Hirtland Avenue. This was a stipulation set by the Zoning Hearing Board. The site was designed so that delivery trucks and fuel trucks should not have a problem entering and exiting the site. The sewer is available because they are going to be using the existing four connections from the residential properties and will not be creating anything new. The car wash facility will be running on reclaimed water. There was some discussion about the

car wash and the closing of the doors at night. The site will have an intersection signal at the intersection of Routes 216 and 116. and will have to control the driveways that are across from Cooper Motors. There will be two poles that will support the traffic signals and an extra signal to warn motorists coming from the East. The proposed poles near Coopers are out of the existing right-of-way.

Planners Marsh/LeFevre moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan on the condition that the doors of the car wash must be closed between the hours of 9 p.m. and 7 a.m. if the car wash is operating. After some discussion, the motion carried on a 6-0 vote.

**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.

**P07-07 – 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.

**P07-23 – FINAL SUBDIVISION PLAN FOR WALTER J. & MARY LOIS DANNER, 610 Beck Mill Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is locate din the R-22 zone.**

Brandon Richard, Hanover Land Service, represented this plan. The property is tied into the public sewer system. York County Planning Commission comments have been addressed.

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

**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.

Township Engineer Bortner presented a request made by J.A. Myers to allow residential construction on the parcel of land that is currently zoned shopping commercial in the Stonewicke Subdivision. They provided a plan that shows residential homes on the property and a layout of the streets that is different then the filed plan. The letter provided stated they are having difficulty finding vehicular access to the commercial property. There is no direct access from Baltimore Street.

The meeting adjourned at 8:47 PM

Respectfully submitted,

Kristina Rodgers, Recording Secretary