

PENN TOWNSHIP PLANNING COMMISSION
NOVEMBER 1, 2007

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on November 1, 2007 at the Penn Township Municipal Building. Present were Planning Members James Butt, Wendell Felix, Michael Johnson, Stede Mummert, Fred Marsh, and Gary LeFevre. Also present were Township Engineer Bortner and Zoning Officer Menges.

The Planning Commission meeting minutes of October 4, 2007 were approved as submitted.

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

Z07-23 – TOTAL MAINTENANCE SOLUTIONS, 401 Moulstown Road, Hanover, PA 17331. Applicant is requesting a variance to Section 208.2 (Use) in order to use the building for light manufacturing. The property is located at 877 York Street in the H/B zone.

D.J. Hart, Guthrie, Nonemaker, Yingst, and Hart, and Wayne Nace, owner of Total Maintenance Solutions (TMS), represented this request. Mr. Hart stated that Total Maintenance Solutions wishes to purchase the old Hanover Klondike building currently being used by Seick Florist. The applicants have an Agreement of Sale. The zone where the building is located is not for Industrial use but was used for manufacturing for many years when it was occupied by Klondike, which produced product on site. Atty. Hart indicated that the use was curtailed and the zoning that is in place now took over. The building was constructed for manufacturing and TMS is proposing to use the building for light manufacturing. TMS performs preventative maintenance and repair on machinery at the client's businesses as well as at their shop. Their business is currently located at the old Pillowtex building on Moulstown Road in Penn Township. Their current clientele includes J. F Rohrbaugh, Esab, and Tim-Bar and they feel that the location is ideal to service their customers in this area. The majority of their business is preventative maintenance on machines but they do some service of machines which includes fabrication and welding at their current location. They are proposing the same type of work at the York Street building. Mr. Nace stated that about thirty-two percent of their business is preventative on site, sixty percent is service, which is done at the client's location, and about eight percent is fabrication and welding. He stated that he hopes that the business will continue to grow. The new facility will allow him to expand his business, which currently occupies 800 square feet, but the York Street building has 20,000 square feet of space. He sees it as a plus for the community because the building has been empty for a while. The business is a twenty-four hour business with the facility operation from 7 AM to 3:30 PM. The fabrication is done during business hours but they do respond to customers calls twenty-four hours a day, seven days a week. Fabrication may include a rebuild of a machine or the consolidation of two pieces of equipment into one. They do both machining and welding. They have two service vehicles. There may be deliveries that include straight trucks and tractor-trailers along with UPS and Fed Ex. They have no night deliveries at this time. They do not normally do fabricating work during

non-business hours unless circumstances warrant. There is parking around the entire building for six employees. Mr. Hart noted that they are larger parking spaces than what is required so that they could be reconfigured. Frank LeCrone, III noted that he went through the facility for Hawk Creek Labs and was assured that no noise would escape from the existing freezers. They do have ventilation in the existing building. The only welding they do is arc welding. Zoning Officer Menges stated that Mr. Nace has had himself along with Fire Chief Cromer through the building for fire and emergency issues. Attorney Hart noted that this stretch of York Street has several businesses, including convenience stores and car repair shops. Mr. Nace stated that there is a possibility that they could bring a piece of equipment into the building that would require a crane.

Planners Mummert/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z07-23 – Total Maintenance Solutions, requesting a variance to Section 208.2 (Use) in order to use the building for light manufacturing, 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.

Z07-24 – JANICE BORTNER, 25 Colonial Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a home day care. The property is located in the R-15 zone.

Janice Bortner represented this case. She would like to operate a day care out of her house. She is aware of both the Township's and the state's requirements. She needs to install a fence that meets the ordinance. The maximum number of children she could have is six children and she needs sixty-five square feet of space per child. Zoning Officer Menges stated that the Department of Public Welfare (DPW) has required that the property be approved before they will complete the process of certifying an applicant. Mr. Menges stated that they will allow the applicant to appear before the zoning hearing board but before final approvals are given through the building process they will be required to provide the Township with the certifications.

Planners Butt/LeFevre moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z07-24 – Janice Bortner requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a home day care subject to the approval being granted by the Department of Public Welfare. Motion carried on a 6-0-1 vote with Planner Felix abstaining on the vote.

Z07-25 – ANDREW SMITH, 5 Andrew Court, Hanover, PA 17331. Applicant is requesting a variance to Section 611d (Conversion of dwelling for additional family members) and a special exception to Section 204.2 (Uses by Special Exception) in order to construct an in law residence that exceeds the allowable square footage. The property is located in the R-22 zone.

Andrew Smith and Howard Helland represented this case. Mr. Smith would like to construct an in-laws quarters for his father-in-law who is eighty years of age and in good health. There will be 804 square feet of living space with an 8' x 12' foot storage area. The addition would include a living room, den, bedroom, walk in closet, bathroom and kitchen area. Mr. Smith stated that his neighbor has the same type of addition above his garage but this would be a

single story. Mr. Smith has lived at the home for seven years and purchased it in December 2000. He has spoken to his neighbors and those across the street. There is an exception that the facility has to be converted back to a single-family home when the family member no longer lives there. Mr. Smith has to register each year that his father-in-law is still living in the facility. The lot is 2300 square feet with sixty five percent of coverage allowed. There are no existing storage facilities on the property.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case 07-25 Andrew Smith requesting a variance to Section 611d (Conversion of Dwelling for Additional Family Members) and a special exception to Section 204.2 (Uses by Special Exception) in order to construct an in-law residence that exceeds the allowable square footage. Motion carried on a 6-0-1 vote with Planner Felix abstaining.

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

Homewood at Plum Creek is requesting exoneration from land development plans in order to construct a storage garage. The property is located at Plum Tree Lane.

Sandy Fair, Homewood, represented this request. She stated that the building is for the grounds department to store snowplows and trucks and for the safety of the residents. Ms. Fair believes that this is the last development that will occur on the property. Some of the trucks are currently being stored outside. The existing shop on the property is being used as a wood shop for the residents. Some of the equipment is currently being stored offsite. The new building will be 24' x 48' and will have four garage bays and will include salt storage. The building will cost about \$20,000.

Planners Butt/Mummert moved for a favorable recommendation on this request to the Penn Township Board of Commissioners with the understanding that no further waiver requests will come from Homewood. Motion carried on a 7-0 vote.

HRG, Inc. is requesting that the revised plan submitted for Gateway Hanover be reviewed as a final plan.

Zoning Officer Menges stated that all land development plans are final plans and there is no preliminary plan for a land development plan. He is not sure why Gateway Hanover is a preliminary and it is a final plan.

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, Robert Monahan, and Allen Smith represented this plan. Mr. Campbell stated that the developers attended a joint planning meeting with the Borough and the Township along with the review comments from the various organizations and reviewed and revised the plans, which were resubmitted to the Township. They have withdrawn several waiver requests, which included a waiver of sidewalks, clear site distances at intersections and the storm water retention area. They have changed the plan to reflect the modification to the horizontal curb on Wilson Avenue in order to comply with Township and Borough ordinances. The signals and their mast arm poles are shown on the plan and have been submitted to PennDOT for their approval. They have added deceleration lanes at several intersections as a result of the traffic study. There are two unsignalized intersections to the center. There was some discussion about the left turn into the site to help relieve some of the pressure on signalized intersections and with the flow of traffic between them. Mr. Smith stated the intersection is supported by the traffic study. They are proposing to dedicate additional right-of-way for future expansion that may require additional deceleration lanes. They have resolved their storm water issues and will be including sidewalk on Wilson Avenue.

Mr. Monahan stated that it is important that they expedite this plan as soon as possible and if they do not deliver there may not be a project. Planner Felix is concerned about the safety of the proposed intersection on Wilson Avenue as compared to a similar situation that previously occurred on Eisenhower Drive. Mr. Monahan reiterated that the traffic study supported the intersection. Mr. Smith stated that they are trying to encourage a town center approach with the smaller tenant buildings. It was noted that Wal-Mart had problems with this type of proposed intersection and it was closed. They have reconfigured the gas island so that they do not interfere with the traffic flow on the site. Mr. Monahan stated that they would cooperate and do what is in the best interest of the project but he would like approval because of some of their time frames. The tenants are driving some of the issues with regards to access points and the amount of signage allowed on the pylon sign. The discussion continued with the access point that is not signalized and the fact that the traffic study recommends this access and the two tenants choose that location in the site because of the access. The Planners expressed some concern about there not being a traffic light at the intersection. Mr. Monahan stated that he has worked with Hanover Borough to address concerns that have arisen on Eisenhower Drive.

York County Planning Commission comments have been received in July of 2007. There was some discussion if York County Planning Commission will have to review the plan because of the changes in the number of individual parcels. Zoning Officer Menges stated that he would have to contact YCPC to see if they need to review it. Individual plans will be submitted for each lot. York County will have to sign off on the plan before it is submitted to PennDOT. Mr. Smith wanted to know if the Commission recommended a name change for Wilson Drive extended. Zoning Officer Menges stated that if there is a break point (intersection) there has to be a name change and it will have to fit into York County emergency's system. It was noted that there currently are no businesses along that portion of Wilson Avenue that will have to change

their addresses. Both existing businesses have Eisenhower Drive addresses. Mr. Smith stated that they have commitments for most but not all of the stores. There is a provision for truck traffic.

Engineer Bortner would like to speak with their traffic engineer because of the reduction of some of the lanes of traffic.

Mr. Campbell stated that they are not adhering to all the of York County Planning Commission comments especially with a stop sign at the end of each aisle. It was noted that there are stop signs at the end of each aisle at the crosswalks at Home Depot and Staples. Mr. Smith stated that they would comply with the stop bars if necessary. Zoning Officer Menges noted that stop signs are not enforceable if an accident occurs because they are on private property.

Mr. Campbell noted that a letter received from the US Army Corps of Engineers in 2002 regarding the wetlands expired on October 31, 2007. The plan does not show infringement into the wetlands as the previous plans did. York County Planning Commission comments recommended that the letter be renewed. The Army Corps of Engineer would need six months to visit the site and reissue the letter. Zoning Officer Menges stated that perhaps a “no interest” letter could be obtained from the COE, stating it would take several months to extend the original letter.

Access lanes to the main street are marked with stop signs. There will be no designated parking for tour buses.

Planners Butt/LeFevre moved for a favorable recommendation on this plan to the Penn Township Board of Commissioners subject to all York County approvals. Motion carried on a 5-2 vote with Planners Felix and Johnson casting the dissenting votes.

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 forty-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.

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.

P06-20 – 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.

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.

Dave Stair, Loss Stair Civil Engineering, represented this plan. This is a combination of three lots to create two lots with one having an existing home and the other a new buildable lot. The plan was previously reviewed and there was concern about the sewer line extension and the road improvements. They are proposing improvements to a point midway along the existing dwelling lot. There are numerous land development plans submitted for this area that show Brookside Avenue being improved. Mr. Stair felt that there is no need to improve the dead end portion of the street, which is south of the intersection of Brookside with Wayne Avenue. They have suggested a curve radius on the western side of Brookside Avenue and mirror that with a thirty-four foot wide cartway and rounded off intersection. There are three more houses located past the proposed subdivision toward the dead end. The new lot would be just less than 12,000 square feet.

Mr. Stair stated that it is going to be difficult to install a sewer line because of the current placement of the water line. Mr. Stair stated there was some discussion about installing a grinder pump. Mr. Stair does not have an EDU for the property. The existing sewer line is directly in front of the existing driveway. There are plans to install a manhole directly in front of the home. Mr. Stair stated that if the water line was located somewhere else they would be able to install the sewer line. Mr. Stair stated that Dean Hempfing talked to some one at the Township about a grinder pump.

They are showing full improvements on the first lot but not on the second lot, which is the existing house.

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.

P07-24 – 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.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

There was no action taken on this plan.

P07-26 – HOSTETTER SUBDIVISION, Group Hanover, 213 Carlisle street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Hickory Lane in the R-22 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

P07-28– HAWK CREEK LABORATORY, 9 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted to construct a parking lot. The property is located at 9 Barnhart Drive in the Industrial zone.

Frank Le Crone, III, owner of Hawk Creek, represented this plan. The plan shows a parking lot expansion where a previously approved plan had shown the construction of a building. The storm water issues have been addressed and they have additional land that they purchased from the Township to expand on. York County Planning Commission will not review the plan because it is a parking lot.

Planners Van de Castle/ Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on P07-28 Hawk Creek Laboratory. Motion carried on a 7-0 vote.

The meeting adjourned at 9:14 PM

Respectfully submitted,

Kristina Rodgers, Recording Secretary