

PENN TOWNSHIP PLANNING COMMISSION
NOVEMBER 6, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on November 6, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, Fred Marsh, Stede Mummert and James Butt. Paul McAndrew was absent with notice. Also present were Township Manager Garvick and Township Engineer Bortner.

The October 2, 2008 Planning Commission minutes were approved as submitted.

Manager Garvick addressed the Planners regarding the request to rezone parts of Baltimore Street. The Penn Township Board of Commissioners will be holding a public hearing on Monday, November 17, 2008 at 7:00 p.m.

Mr. Garvick stated that on August 15, 2008 the Township received a request from 11 property owners to rezone their parcels from R-15 Residential to SC – Shopping Commercial. The applicants represent 11 of the 13 property owners between 1403 Baltimore Street and 1453 Baltimore Pike. The applicants are:

Clair and Shirley Shorb – 1403 Baltimore Street
William and Judith Piffner – 1407 Baltimore Street
Ki B. Song – 1409 Baltimore Street
Thomas and Patricia McVey – 1411 Baltimore Street
Anthony and Michelle Thomas – 1413 Baltimore Street
Fred and Dixie Brillhart – 1415 Baltimore Street
Nevin and Phyllis Coppersmith – 1417 Baltimore Street
Jacqueline Wentz – 1429 Baltimore Pike
Donald and Sandra Berkheimer – 1435 Baltimore Pike
Robin Wonder – 1441 Baltimore Pike
Peter and Sharon Slusser – 1447 Baltimore Pike

There are two property owners that are not part of the request, but whose parcels occupy area between 1403 Baltimore Street and 1453 Baltimore Pike. These properties will also be considered in any deliberations as being part and parcel to the request. They are Gary and Betty Clouser, 1419 Baltimore Pike and Rita Wells, 1453 Baltimore Pike.

The area of the 13 properties comprises 5.84 acres with the smallest being .258 acres and the largest being .803 acres.

The properties are located on the west side of Route 94 and extend from within one parcel south of the Grandview/Route 94 intersection all the way to the municipal boundary line with West Manheim Township. The current use of the properties is that of single family residential. All of the parcels are serviced by public water and public sewer. There are no unusual or distinguishing physical characteristics other than a row of single family homes.

The area directly to the west of and adjacent to the properties is also zoned R-15 Residential. The area to the east, across Route 94, Baltimore Street/Pike is the Grandview Plaza Shopping Center, which is zoned SC-Shopping Commercial, as are all four corners of the Grandview/Baltimore intersection.

The future land use section of the Township's Comprehensive Plan, adopted on August 20, 2001, recommends that the current zoning remain in effect. Typical examples of allowed uses in the R-15 Residential zone include group homes, Houses of Worship, No-Impact Home Base Businesses and Single Family Detached Dwellings. As a special exception, examples of allowed uses are: Church Day Care Center, Family and Group Day Care Home, Half-Way Houses, Home Occupations, Medical Clinics, Parks and Recreational Facilities and Retirement Villages.

Typical examples of allowed uses in the SC- Shopping Commercial Zone include: Personal and Business Services, Commercial Schools and Recreation, Convenience Stores, Eating Establishments, Parking Lots, Medical Clinics, Financial Institutions and Retail Businesses. As a special exception, examples of allowed uses are: Adult Regulated Facilities, Child Care Center, Church and Group Day Care Centers, Hospitals, Mini-Storage Warehouses, Public Utility Buildings, Shopping Centers and Malls and Transportation Terminals.

The York County Planning Commission reviewed the request at its meeting on October 7, 2008. An unfavorable recommendation was given since the rezoning would not be consistent with the Township's Comprehensive Plan. Further, YCPC noted that the minimum lot area for a lot in the SC zone is 20,000 square feet. The majority of the lots do not meet this requirement. This would result in creating non-conformities as well as hindering any commercial development since the buildable area is so greatly reduced when setbacks are met. Lastly, the County Planners feel there is an adequate amount of Shopping Commercial land already zoned. They don't recommend rezoning these lots.

Mr. Garvick stated that there are four lots that meet the required square footage for the shopping commercial zone. He also stated that in order to develop them it would in most cases take several combined lots. One of the applicants, Fred Brillhart, stated that one property that did not submit an application had recently been sold.

Michael Dows, Dows Commercial Realty, represented the applicants requesting the zoning change. He stated the following:

“There are 14 single, detached residences along the west side of Baltimore Street from Grandview Road south to the boundary line with West Manheim Township. These residences are directly across Baltimore Street (State Route 94) from the Grandview Plaza. These properties lie within the R-15 Suburban Residential Zone with one exception: Recently, the property of Robert Smith, located on the southwest corner of the intersection of Baltimore Street and Grandview Road was rezoned to S/C Shopping Commercial. Eleven of the remaining thirteen property owners are joining in this request to rezone their properties from R-15 to S/C. All of these property owners reside in these homes on Baltimore Street. Of the two property owners not joining in this request, one property only settled after the request was made, and the

remaining property owner did not respond when asked to join. In addition, one property at 1441 Baltimore Street is currently being used commercially as a licensed personal care home”.

“Many of these property owners purchased their homes when the current shopping center across the street was an agricultural field. As the result of additional residential development in Penn Township and nearby municipalities, more area was needed to provide for the day-to-day shopping needs of residents. It was natural to place this new retail space along a major thoroughfare such as Baltimore Street. A zoning change across Baltimore Street allowed the development of the Grandview Plaza. At this time, we are faced with a deluge of additional new residential properties in this area. There are several new housing developments being built or proposed. The traffic count on Baltimore Street already exceed 22,000 cars per day as per Penn DOT traffic surveys. The new South Hanover Walmart and the redevelopment of the South Hanover Shopping Center will only exacerbate the traffic problems. While the high visibility and traffic count on Baltimore Street acts to increase the value of these residential properties as potential commercial properties, these same factors act to reduce their market value as residential properties. These current Baltimore Street residents are plagued by road noise, vehicle exhaust, road dirt, light pollution, and difficulty getting in and out of their driveways. Residents traveling northbound must stop in ongoing traffic to turn left across southbound traffic in order to enter their driveways”.

“The first issue to be dealt with regarding this rezoning is the area and bulk regulations. The S-C zone requires a lot width of 100 feet. All properties meet this requirement except 1409 and 1411, which are 78 feet wide. S-C zoning requires a minimum lot area of 20,000 square feet. Only 1403, 1429, 1441, and 1453 meet this requirement. The non-conforming properties would need to combine with adjacent properties to meet these requirements, or obtain a Special Exception. Their uses may impose a nuisance effect. These properties are 150 feet in depth, or more. They back up to the rear of adjacent residential properties. In order to protect adjacent homeowners from any adverse effects some action may be required. Section 201.4 of the Penn Township Zoning Ordinance can be utilized to require control of lighting, screening, and fencing to alleviate any adverse effects. A landscape architect could be utilized to design an effective, yet attractive barrier between the properties. Current property owners experience difficulty getting in and out of their driveways. Further, re-zoning from R-15 to S-C may even increase the number of times a vehicle exits on to Baltimore Street. As a state road, PENNDOT will dictate the requirements for highway access. Combining adjacent properties may decrease the current number of driveways on Baltimore Street.”

“In conclusion, the market value of the subject residential properties is decreasing due to the increased traffic congestions, noise, dirt, vehicle exhaust and light pollution. Safety is a factor when you consider the difficulty of getting in and out of driveways, and in allowing young children to play in the yards close to the street. Ask yourself, “Would you raise your family on this stretch of Baltimore Street?” The properties are not great for commercial use either. They lack the depth for a larger building. Instead, they lend themselves to use as office space for dentists, chiropractors, insurance companies or realtors. These are commercial uses that won't require large facilities or huge parking lots. But the change in zoning will give these residents an opportunity to sell to someone other than a homebuyer, and likely at a little better price. It is time to recognize that these properties don't make for great homes, but could make nice office

space. With the requested zoning change, these residents can continue to use these properties for their homes, but have more opportunity to sell and at a better price in the future.”

Mr. Dows then provided a list of the residents, the acreage, and the property value for tax assessment purposes. There was some discussion about the lot depths.

Fred Brillhart, 1415 Baltimore Street, expressed concern about the change in zoning for the corner property of 1401 Baltimore Street. He stated that the residents along this area have difficulty accessing their property from Baltimore Street. He reviewed the changes in the area that have occurred since he purchased his home in 1984, including the construction of homes behind his house and the change in zoning for the Grandview Plaza Shopping Center. He stated that the neighbors behind him might feel that this will present a problem for them but they are already suffering through the rezoning of land in front of them. He was extremely concerned about the 1401 Baltimore Street rezoning and how it occurred.

Jennifer Mastervich, 151 Windsor Court, and representing 73 Cardinal Drive, stated she was concerned about the rezoning. She stated that there is a new commercial strip at the South Hanover Shopping Center that has only been open less than two years and is starting to lose some of its tenants, i.e. Quiznos. She wants to know if the Township is planning on utilizing our resources wisely since we have commercial land that is not totally being utilized. She suggested that a buffer be used similar to one that is used on Grandview Road, which is the old Grandview Road. She stated that from personal experience that commercial properties are not selling very quickly. She stated that 73 Cardinal Drive residents just moved in hoping to raise their family and now their property may abut a commercial development. She stated that on portions of Baltimore Street to the north there already is confusion on which lane a driver should be using.

Lindsey Brillhart, 1401 Baltimore Street, stated her experience living and growing up across Grandview Plaza. She stated she felt her parents and the neighbors should have the option of being able to sell their property as commercial. It is a property value issue and explained that her bedroom window faces the Issac’s restaurant.

No one currently has received an offer to sell their house for commercial uses. The Shorb’s had been offered last year to sell their property in conjunction with the corner property. Judy Piffner, 1407 Baltimore Street, stated that she was approached about ten years ago to purchase her property if it was rezoned commercial. She stated she wants the chance to sell her property commercially if the opportunity arises. She stated they have spoken about the fact that some of the lots could be sold commercially and some could stay residential after the rezoning. There was some discussion about how this could increase traffic for those remaining homeowners.

Clair Shorb, 1403 Baltimore Street, stated that he was surprised that the zoning on the property on the corner was rezoned to shopping commercial. Mr. Smith no longer lives in the home and has not been able to sell it.

There was some discussion about installing a buffer road to help make access to the properties easier. The owners stated this would only alleviate the access problems and not the problems caused from noise and light pollution.

Planner Butts moved for a favorable recommendation to the Penn Township Board of Commissioners to rezone these properties from R-15 to S/C. After some discussion, motion died for a failure of a second.

Planners Mummert/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners to rezone these properties from R-15 to S/C. Motion carried on a 5-1 vote with Planner Butts casting the dissenting vote.

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

Z08-21 – Buona Fortuna c/o Anthony Calderone, 648 Frederick Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.2 (Area and Bulk) in order to place seasonal canvas roofing over permanent framing work at his business that does not meet setback requirements. The property is located at 648 Frederick Street in the H/B zone.

Anthony Calderone represented this request. He would like to install a canopy over an existing patio for smokers or for people who would like to eat outside. Mr. Calderone indicated that the roof would be seasonal and could quickly be removed in about 60 minutes at any time. There was some concern expressed about the parking issue that may arise with additional patronage, since parking was removed to make room for the patio. Engineer Bortner provided the approved copy of the land development plan for the parcel. The building itself, per the land development plan, is set back just over fifty feet, which is within the setback requirement of this zone. The patio, which appears to be more of an on-grade deck, infringes into the front setback

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-21 Buona Fortuna c/o Anthony Calderone, requesting a variance to Section 208.3 (Area and Bulk) in order to place a seasonal canvas roofing over permanent framing work at his business that does not meet setbacks as long as it is temporary, as it meets the requirements for a variance as forth in section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z08-22 – Promise Land Investments, LLC 340 Fleshman Mill Road, New Oxford, PA 17350. Applicant is requesting a variance to Sections 202.3 (Area and Bulk) 640.c (Side Setbacks); 640.e (Density Requirements) and a special exception to Section 640 (Single Family Attached Dwelling) in order to construct six single family attached dwelling units. The property is located at 670 Baer Avenue in the R-8 zone.

Robert Sharrah represented this plan. Mr. Sharrah stated that 670 Baer Avenue, the parcel that contains the draft house, is about 98% paved. The existing building sits on the property line in the street right-of-way. They are proposing to construct six town houses on the

site. There would be green space installed and they would be in compliance with the coverage requirements for the zone. The number of homes they are requesting is over the allowable 10 per acre. Mr. Sharrah stated that the developer would not be paving the alley that the residents would be using to access the parking area to the rear of the property. Mr. Sharrah stated that this would be a good transition for the surrounding area. There was some concern that sewer is not currently available for this project. Manager Garvick testified that the 2.25 EDU's that the draft house currently has would not be sufficient to meet the 6 EDU requirement for the town homes.

Planners Butt/Mummert moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Z08-22 – Promise Land Investments LLC requesting a variance to Section 202.3 (Area and Bulk), 640.c (Side Setbacks), 640.e (Density Requirements) and a special exception to Section 640 (Single Family Attached Dwelling) in order to construct six single family attached dwelling units, as it does not meet the requirements of variance as set forth in Section 502.3 a) thru f), and the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

Z08-23 – Stone Ridge Development Corporation, 330 Dubs Church Road, Hanover, PA 17331. Applicant is requesting a variance to Sections 206.3 (Area and Bulk), 206.4 (Density Requirements) and 407.1 (Continuance) and a special exception to Section 407.2 (Expansion and Alteration) in order to modify an existing structure. The property is located at 10 South Center Street in the A/O zone.

Z08-24 – Garland W. Halter, 819/819 ½ York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 206.3 (Area and Bulk) and 407.1 (Continuance) and a special exception to Section 407.3 (Replacement) in order to replace an existing structure. The property is located at 819/819-1/2 York Street in the A/O zone.

Jeremy Fry, Esq., and John Beil, Burkentine and Son Builders, represented both these requests, which the planners agreed to hear simultaneously. Atty. Frey provided the Planners a sketch showing the existing conditions of Center Street; the conditions that would result for the request for Center Street; and the final conditions when Center Street is improved. This request is also related to the next zoning case, Z08-24 Garland W. Halter. These requests are related to the improvements and upgrade of Center Street to a dedicated street. This property is located on the opposite side and to the rear of the Heston property, which was acquired by the Township to help improve the intersection with York Street. Burkentine and Sons has acquired most of the properties and/or rights-of-way for the improvements of the street. They will be doing these improvements with a subdivision plan as suggested by the Township in conjunction with Burkentine and Sons. The removal of portions of the properties along Center Street is going to increase their nonconformity. Mr. Fry provided pictures showing the house at 10 South Center Street along with other properties in the area including the Halter property, which is adjacent to it. The home at 10 South Center Street also abuts an alley. They are requesting numerous variances and special exceptions to this property. The roof on the porch currently encroaches into the Center Street right-of-way line. When the improvements are completed portion of the house will be removed so that it sits along the property line. All the other setbacks will remain same. They feel they are improving the setbacks on the property and that is why they applied for a special exception under section 407.2 (expansion and alteration). They are not increasing the

infringement in the setback but rather reducing the infringement. Mr. Fry provided pictures of other properties in the area that abut the public sidewalk which means they are located right on the property line. The house on Center Street will sit eight feet from the curb when the improvements are completed. Center Street will be much more controlled when the signal at the intersection is installed along with the curb and sidewalk. There was some concern expressed about the control of the intersection of the alley with Center Street because it is a blind intersection. Center Street has not been dedicated to the Township and is a paper street. Mr. Fry stated that they have been involved with Penn Dot on the design of the street along with the Township. Manager Garvick stated the Township's support for both zoning cases because the improvements to the street have been in the Township's comprehensive plan since 1979.

On the Halter request, Mr. Fry stated that Burkentine has an agreement with Garland Halter for the necessary rights-of-way for the proposed improvements along Center Street that abut the Halter property. They will be relocating the existing garage along the property as part of this project. The garage as it currently sits is about four feet from the property line on the east end of the property. When it is moved it will be about three feet from the property line on the west end and the rear property setback will be the same. They are just flipping the garage setback infringement from one side to the other. This request was previously approved by the Zoning Hearing Board but has expired because there was no action taken. The Township has asked Burkentine and Sons to include the remaining portion of the Heston property with the adjacent property as a reverse subdivision. There was some discussion about the cart width of the street and the rights-of-ways associated with it.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-23 Stone Ridge Development Corporation requesting a variance to Sections 206.3 (Area and Bulk), 206.4 (Density Requirements) and 407.1 (Continuance) and a special exception to Section 407.2 (Expansion and Alteration) in order to modify an existing structure as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Planners Marsh/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-24 Garland Halter requesting a variance to Section 206.3 (Area and Bulk) and 407.1 (Continuance) and a special exception to Section 407.3 (Replacement) in order to replace an existing structure, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Z08-25 – Heather Leipold, 28 Hill Street, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to replace existing mobile home with a doublewide unit that will encroach into the side setback. The property is located at 32 Hill Street in the R-15 zone.

Troy and Heather Leipold represented this request. They have removed a mobile home that was located at 32 Hill Street and would like to replace it with a 28' x 60' modular ranch home. There will be a foundation under the house and it will encroach two feet into the setback.

The lot is 50' x 175'. The home next to this one is Ms. Leipold's grandmother. The other property has an abandoned paper alley next to it that they currently maintain but which they would have to go through some kind of legal action to obtain the title to. If they obtain the alley they would then meet the setbacks requirements.

Planners Butt/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-25 – Heather Leipold requesting a variance to Section 203.3 (Area and Bulk) in order to replace existing mobile home with a doublewide unit that will encroach into the side setback, 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.

Z08-26 – Jason Hertz, 44 Allen Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 300.9c (Utility Sheds) in order to maintain shed height that exceeds the maximum height. The property is located at 44 Allen Drive in the R-15 zone.

Luke Stuffle and Joseph Hertz represented Jason Hertz. There was a signed and notarized letter allowing them to represent him. The structure is built but it is one foot higher than what it is allowed by the ordinance. This was detected during construction. The building will be 11' 2" with the roof in place. The existing shed has already been removed. The maximum height allowed for a shed is ten feet.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-26 – Jason Hertz, requesting a variance to Section 300.9c (Utility Sheds) in order to maintain shed height that exceeds the maximum height, as it meets the requirements for a variance as set forth in 502.3 a) thru f). Motion carried on 6-0 vote.

Z8-27 – Kelly Kinion, 158 Forry Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 618 (Home Occupation) in order to operate a tax preparation office at her home. The property is located at 158 Forry Avenue in the R-8 zone.

Kelly Kinion represented this request. She would like to open a tax preparation business at her home that caters to seniors, military and low-income residents. She stated that there is a basketball pad on her property that is not being used for basketball, which she would like to use for parking. There is an alley adjacent to her home that can be used for overflow parking. She has been practicing accounting and tax preparation for about ten years. She has found that there is a need for tax consultants for the low to mid income tax bracket. She does work for Jackson and Hewitt in the Shrewsbury area. She feels that the franchises charge too high a fee for preparing their taxes. She read her proposed mission statement. She would like to open the business out of her home and has about 100 clients that are willing to follow her to Hanover from the Shrewsbury area. She would also establish drop off areas with one being at her home for those 100 clients. When those tax returns are completed she will then meet with the client off site with her laptop to explain their return. Her hours will be from 9:00 AM to 9:00 PM. She feels that she will also be able to get about 100 clients from the Hanover area. Her business will average about fourteen clients a week with about three each day. She feels that it is important to provide tax preparation service that is economically feasible for low to middle income clients. She is hoping within a year or two to be offering these services at a permanent location other

than her home. She will be having a 2' x 2' sign in the front of her house. She will have a dedicated room for her business at a room located at the front of her house near the front door.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-27 Kelly Kinion, requesting a special exception to Section 618 (Home Occupation) in order to operate a tax preparation office at her home, 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.

Z08-28 – Carey & Mary Crumling, 380 Sonny Street, Hanover, PA 17331. Applicants are requesting a variance to Section 203.3 (Area and Bulk) in order to construct a front porch that encroaches into the setbacks. The property is located at 380 Sonny Street in the R-15 zone.

Carey and Mary Crumling represented this request. They would like to build a 6' x 6' front porch that would encroach 3' into the front setback. They have been living in the home for about thirty-one years. Mr. Crumling stated that about four or five years ago he replaced the front door along with a storm door. Two 30' trees to the front of the property had protected and shaded the house but one of them was destroyed about fifteen months ago and had to be removed. With the removal of the tree there is now too much direct sunlight hitting the front of the house. The heat is causing seeping of the glue from the door. The installer recommended that something be done to control the amount of sunlight and heat such as adding a porch. Mr. Crumling stated that within several weeks he would be installing a storm door for the winter, which is going to increase even more the amount of heat. The home is located on a dead end street. He is not sure if there are any plans to extend that street. He would be installing the porch to protect his home. There was some discussion about possible widening of the street and the Crumling's believe that none of the their property would be needed but some would be needed from the neighbor's across the street. He would also be preparing the walkway on his property during this project. He has a two-car garage.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on Z08-28- Carey and Mary Crumling requesting a variance to Section 203.3 (Area and Bulk) in order to construct a front porch 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 6-0 vote.

Z08-29 – George L. & Patricia A. Zimmerman, 27 Glendale Street, Hanover, PA 17331. Applicants are requesting a variance to Section 202.3 (Area and bulk) in order to construct a two car-garage that encroaches into the side setbacks. The property is located at 27 Glendale Street in the R-8 zone.

Robert Sharrah and George and Patricia Zimmerman represented this request. Mr. Zimmerman stated that the existing driveway is a two-car driveway, which will lead into the proposed garage. He also stated that the home was built in 1974 and at that time Glendale Street was a dead end in front of his home. Everything east was built since 1974. The property sits across from Baresville Elementary School. They feel this would not be an infringement upon the

character of the neighborhood, as the two-car driveway was built with the intention of adding a garage. The topography of the land causes the driveway to sit on a bank. The driveway would sit about 3.58 feet from the property line. The neighbor's driveway is paved right to the Zimmerman's property line. Ms. Zimmerman stated she has received positive feedback from the neighbors about the garage. There will be about sixteen feet between the garage and the neighbor's house.

Planners Mummert/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-29 – George L. and Patricia Z. Zimmerman requesting a variance to Section 202.3 (Area and Bulk) in order to construct a two car garage that encroaches into the side setbacks at it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

The Planners received the following waiver/exoneration requests:

Harvest Time Temple is requesting exoneration from a land development plan in order to construct a pole building. The property is located at 700 Black Rock Road.

Fred Mummert represented this request. The church wishes to install a 24' x 32' x 10' pole building at the end of their existing paved area for storing of mowing equipment. The current building will be torn down. The property does slope slightly toward the trees on the neighbors property. The church has been located there for about thirty-five years. The house has been owned about twenty years but is being rented.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that this is the only waiver given without a land development plan. Motion carried on a 6-0 vote.

Robert Thomassy c/o Remax Quality Service, Inc., is requesting a variance to the outdoor sign ordinance, Ordinance #301 for increased sign square footage on real estate signs located at Friendship Fire Company and Parkville Fire Company.

This request was with drawn.

South Hanover Little League is requesting a waiver of the land development requirements to install a building for a concession stand.

Don Hoff represented this request. They would like to install a new 12' x 20' building to sell concessions. This is a replacement of an existing building. The existing building they are replacing is 18' x 28'. The existing building does not have a sewer or water connection. The new building will have water for the preparation of food. The existing bathroom is connected to the Township sewer system. The facility will be used just about every day during the spring and summer months. Currently, they having being using the sinks in the bathroom to wash the equipment used in preparing food. There is some concern that they will not be able to get a sewer connection because none are currently available. There was some discussion about the proposed development located behind the facility and what impact any future streets may have

on the property along with some other problems that have occurred with the existing facilities. There was some concern about parking and utilization of the rest of the lot.

The Planners requested that the request be postponed until next month until some of the outstanding issues are addressed.

Penn Township Volunteer Emergency Services is requesting a waiver of the land development requirements to install a shed to hold maintenance equipment.

Erik Brown, Volunteer from the Penn Township Volunteer Emergency Services, represented this request. They have just completed the construction of a new fire station and would like to install a shed behind the building for the storage of lawnmowers and maintenance equipment. They feel this equipment should be stored outside rather than in the new building. It will be a temporary structure with electric. There is an existing stone bed that was installed during construction where the shed will be placed.

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

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.

Attorney Jeremy Fry and John Beil, Burkentine and Sons, represented this plan. This plan has been around for several years and Mr. Fry feels that all the outstanding issues with the plan have been addressed. Engineer Bortner stated that the traffic signal installation has been separated out of this plan and is part of the zoning cases that were previously discussed. There were some variances and special exceptions granted several years ago that are shown on the plan.

There was some discussion about the fill waste that is being brought into the property. Mr. Beil stated that they are bringing in clean fill from the Giant Shopping Center in anticipation of future construction. There are some debris piles on the property that are from the removal of the greenhouses.

Mr. Beil stated that he is not aware of any water testing for chemicals on the property because there are no on-lot wells.

There are some multi family dwellings on the plan that will be constructed when the traffic signal is installed. This is a preliminary plan and they are awaiting some permits for PENNDOT and other agencies.

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

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 - 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.

Attorney Jeremy Fry and John Beil, Burkentine and Sons, represented this request. This is a preliminary plan. It is anticipated that eventually Bankert Road will be a one-way street. There are some lots that have steep slopes on them. There were some special exceptions and variances that were granted several years ago that appear on the cover sheet. There was some question about the names of the street and why they change name at the intersection.

Planners Van de Castle/Butts moved for a favorable recommendation to the Penn Township Board of Commissioners 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.

P08-08 – 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.

P08-10 – STONE RIDGE DEVELOPMENT CROSSWINDS ASSOCIATES DEVLEOPMENT AND TOWNSHIP OF PENN. Burkentine & Sons, Inc. 330 Dubbs Church Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create seven (7) residential lots. The property is located at Breezewood Drive in the R-15 zone.

Attorney Jeremy Fry and John Beil, Burkentine Sons, represented this request. This is a reverse subdivision plan. They are trying to redesign the road to remove the existing curve. There is a land swap in order to improve Breezewood Drive. York County Planning Commission comments and Township Engineer Bortner comments have been addressed. These changes need to occur before the Pine Brook Subdivision can be approved.

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

P08-13 – HANOVER ORTHOPEDIC ASSOCIATES, INC., GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a medical facility addition. The property is located at 207 Blooming Grove Road in the R-15 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.

Jeff Zeigler, KPI Technology, represented this plan as well as the owner of the National Barn Co., Lowell Thomas. York County Planning Commission comments have not been received. This property is adjacent to L & T Timber, which is also owned by Mr. Thomas. The current business is located on Juniper Lane on the old Lumber Yard and he is intending on moving the business when his lease expires next year. The property is going to consist of offices and storage and warehouse buildings. Nothing will be constructed on this property. Material is shipped from here to the customers and built on location. The property is a corner property. He plans on making improvements to the street. He would like to build a path system between the two businesses so that he does not have to access Industrial Drive to move material between the properties. There would be construction through a flood plain. They have outlined a two-phase improvement plan. They stated they would supply a bond for the improvements. The flood plain and wetlands issues require about a year to get the permitting in place. The main operation is sales and they will pave that area but do not want to pave the area down to the warehouses but rather install gravel. Somewhere down the road that area may be paved. He does have a sewer connection but with the current moratorium this has presented a problem getting additional connection. Manager Garvick stated this has changed and a sewer connection will not be an issue because he is a small business. A portion of the property is located in Heidelberg Township.

The meeting adjourned at 10:42 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary