

PENN TOWNSHIP PLANNING COMMISSION
DECEMBER 7, 2006

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on December 7, 2006 at the Penn Township Municipal Building. Also 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.

It was noted that Fred Marsh was not in attendance at the November meeting. The November 2, 2006 Planning Commission minutes were approved as corrected.

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

Z6-23 – BRUCE L. MARTIN, 824 McAllister Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.2 (Use by Right) to operate a wood shop out of their garage. The property is located in the R-8 zone.

Bruce Martin and Bruce Martin, Jr., 824 McAllister Street, represented the request. Bruce Martin testified that they are using the garage to build furniture, which they sell to a wholesaler. They build between four to six pieces a week. Bruce Martin, Jr. does this as his full time job and his father does this in his spare time to help out. Mr. Martin stated that three or four years ago when they applied for a permit to upgrade the garage to do this they were not told they would have to go before the zoning hearing board. The wood shop was previously in the basement before it was moved to the garage. Mr. Martin purchased the home in 1972. They tore the old one-car garage down except for one wall and built a two-car garage. Mr. Martin, Jr. stated that he was previously a subcontractor and always worked out of the house but choose to make the furniture full time when the opportunity presented itself. The property is located in front of the former McClarin Plastics, which is now Fager Plumbing. Mr. Martin stated that they maintain the alley and do not start construction of the furniture until 8:00 AM. Mr. Martin, Jr. stated that he only uses the noisier equipment during the mid day hours when most residents would not be home. Only the wholesaler comes to the property to pick up the finished furniture and drop off orders. No other customers come to the property. Zoning Officer Menges stated that there have not been any complaints about the business and he only became aware of it when he saw the sign on their truck. He checked if there was an in-home occupation listed for that address and there was not. The Zoning Officer then proceeded to send a notice of violation letter and this is the result of that letter.

Planners Johnson/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z06-23 – Bruce Martin requesting a variance to Section 202.2 (Use by Right) to operate a wood shop out of their garage, 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.

The Planners received the following waiver or exoneration requests:

Bruce L. Jones is requesting exoneration from land development plan for an additional proposed storage building located at 35 Spring Garden Avenue.

Bruce L. Jones represented this request and they are proposing to build an open-air pavilion to store dry goods to protect them from the weather. The building will be 30' x 70' and over an existing paved area. There will be no power to the building but will have garage doors on it. They will be infringing over the existing black top area to the rear and left side. The existing storm water pond will handle the water because no additional runoff will be created. Mr. Jones also stated that when we had the heavy rains several weeks ago the pond did not run over. They need to store materials that they buy farther out and the building will be a post and beam building with airflow through the bottom. They currently store materials behind the car wash.

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

Staff Music and Amusements is requesting a waiver to the Subdivision and Land Development ordinance to add additional parking to the rear of the building at 581 W. Chestnut Street.

Clyde Laughman, president of Staff Music and Amusements, represented this request. Mr. Laughman stated that he has an approved plan but the vending company renting the building, Canteen, needs additional parking spaces that were not included on the plan. They need an additional fifty-two feet of parking to the rear of the building. The proposed paving would be 52' x 40'. This would be enough parking for three vehicles. The parking space will be used for employee parking and the storage of their delivery trucks. Henson paving is currently performing the work on the approved plan.

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

Kurowski & Wilson, LLC on behalf of South Western School District is requesting a waiver from storm water Management requirements, Article VII and a waiver from an Environmental Impact Study, Article IV, Section 404 Subdivision/Land Development Ordinance for proposed stadium improvements.

Brian Bingeman, K & W Engineers, represented the request. The proposed improvements will not generate more than a 2% increase in the two-year predevelopment peak storm water discharge rate. There are existing storm water provisions on the site. They are requesting a waiver of the environmental impact study because it is not appropriate. The proposed improvements include paving on the South side of the running track, paving of existing stone driveway, and the possibility of installing a restroom facility. The facility is included on the plan but may not be built. The track and the football field are both being renovated. Some of the southeast portion of the track will be eliminated. This existing high jump area will be reconfigured. The slope of the area where the bleachers are installed is less than five percent. Stormwater is to continue to flow the way it currently flows.

Planners Felix/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 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 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

John Beil, Burkentine & Sons, represented this plan. It has been several months since the plan was reviewed. Mr. Beil stated they have been addressing engineering comments and want to have the Planning Commission review for any possible changes. He stated they have received E & S approval and have submitted requests to DEP for stream crossings and a sewer planning module. They have performed a Quit Claim for the access and have done a Quiet Title action for the alley adjacent to the property. There has been a traffic study completed, which calls for a traffic signal at Center and York Street. There was concern about the trash and recycling pick up and if it will be conducted by the Township or by the developer. Township Engineer Bortner stated that he has not reviewed the entire public works aspect of the project. It was noted that Fire Chief Cromer has not seen the revised plan but did review the original plan when it was submitted.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. 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.

John Beil, Burkentine & Sons, represented this plan. Mr. Beil stated that he has a letter from Environmental Director Gene Hejmanowski about the trash and recycling pick up to be conducted by the Township. There will be a depression for the fire access and it will be signed with an authorized vehicles only sign. This is noted on the plan. There was concern that it is signed on both the exit and the entrance. There are improvements shown for Baer Ave. and Bowman Road but no curb/sidewalks are shown on the internal roads. Engineer Bortner stated that his comments have been addressed but there is still a sewer connection moratorium. Crest Avenue will be moved within the existing right-of-way. The utilities will be located in the right-of-way in front of the homes.

Planners Van de Castle/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on P03-20 South West Crossing pending sewer connection approval. Motion carried on 6-0 vote.

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.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

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.

P05-04 – 21 INDUSTRIAL DRIVE, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final subdivision and land development plan submitted to allow construction of an office and warehouse. The property is located at 21 Industrial Drive.

There was no action taken on this plan.

P05-05 – DONALD B. SMITH ROOFING, Gerald Funke, c/o Group Hanover, Inc. 213 Carlisle Street, Hanover, PA 17331. A land development plan submitted to allow an extension of West Chestnut Street. The property is located on West Chestnut Street, in the Industrial Zone.

There was no action taken on this plan.

P05-09 – BON TON PLAZA, Bon Ton Builders, Inc., 1060 Baltimore Street, Hanover, PA 17331. A final land development plan submitted to construct a retail business plaza. The property is located on Baltimore Street/Black Rock Road in the HB 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.

P06-10 – HIGH POINTE @ ROJEN FARMS –NORTH, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan to create one hundred 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.

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.

P06-19 – BOYD W. ARNOLD, (Deceased) & ROLDA E. ARNOLD aka ROLDA E. BECKER, 996 Hill Top Drive, Spring Grove, PA 17362. A final subdivision plan to create two (2) residential lots. The property is located on Earl Street 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.

Neal Metzger, LSC Design, on behalf of Rutter’s represented the plan. He stated that the plan has previously been before the Planners prior to the Zoning Hearing Board approval. There was a right in, right out on Blooming Grove Road added by the Zoning Board and they placed a right turn lane onto Hirtland Avenue. They have addressed York County Planning Commission comments as well as verbal comments made by the Township Engineer. They are awaiting York County Conservation District comments and approval of the resubmitted traffic study. They will add a detailed public works improvement plan once they have PennDot approval. The plan does show a traffic signal at the intersection of Route 116 and Route 216. The Planners were concerned about truck parking since there has been weekend and overnight parking at both the York Street and Baltimore Street facilities. The new facility will be posted no trucks allowed. Several members testified that they have seen vehicles parked overnight at both facilities and that some of the vehicles are leaking materials into the storm water facility. The plan does have no truck signs and the Planners requested that a note be put on the plan that overnight truck parking will not be allowed. There was concern that the handicapped spaces should be moved closer to the store. The Zoning Hearing Board did not place any restrictions on the hours of the operation of the car wash but there are doors that can be shut. Engineer Bortner has not reviewed this plan but he will need to see the plans after the traffic impact study is approved. Zoning Officer Menges stated that they should contact the police about the language that needs to be on the sign so that the police can enforce the sign on private property. It was noted that they’re no parking signs on the plan so that people do not park on Route 116.

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.

P06-24 – HOMEWOOD RETIREMENT CTR AT PLUM CREEK – PHASE D, P. O. Box 250 Westminster, MD 21795. A final land development plan submitted to construct cottages in a retirement village. The property is located at 425 Westminster Avenue in the R-15 zone.

Steve Zortich and Sandy Fair represented this plan. The plan shows four additional cottages then what is on the approved plan. The builders can build these when they are building the other ten units currently under construction. Township Engineer comments and York County Planning Comments have been addressed. They requested approval of a DEP planning module and Homewood spoke to both Jeff Garvick and the Borough of Hanover for the sewer connections and both concurred that because Homewood built the sewer line then the property is to be provided the additional four sewer connections. The fire hydrants are within four hundred feet of the residences. There is approval from York County Conservation District for soil and

erosion plan dated October 19, 2006. There is an easement for utility connections and eight parking spaces are provided.

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

P06-25 – PETER & PENNY FILUS, 6815 Laurel Summit Drive, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is also located in Heidelberg Township and is zoned conservation.

There was no action taken on this plan.

P06-26 – MARTINS RIDGE SUBDIVISION, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted to create twenty-three (23) single-family residential lots. The property is located on Beck Mill Road in the R-22 zone.

There was no action taken on this plan.

P06-27 – SOUTH WESTERN SCHOOL DISTRICT STADIUM IMPROVEMENTS, Kurowski & Wilson, LLC 470 Friend Road, Suite 100, Harrisburg, PA 17111. A final land development plan submitted for school athletic stadium improvements. The property is located on South Western Road in the R-15 zone.

Brian Bingeman and Tom Hoover, South Western School District, represented this plan. The improvements include paving on both the north and south sides of the stadium, some of the paving consists of existing stone driveways, and there is a 20' x 50' restroom facility included on the plan. A letter was received from York County Planning Commission that they do not review plans like these. The stadium will not be as freely accessible as it is now once the renovations are completed.

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

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary