

PENN TOWNSHIP PLANNING COMMISSION  
DECEMBER 3, 2009

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on December 3, 2009 at the Penn Township Municipal Building. Also present were planning members Wendell Felix, Paul McAndrew, Fred Marsh and Daniel Goldsmith. Planners Quinn and Mummert were absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The November 5, 2009 Planning Commission minutes were approved as submitted.

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

**Z09-19 LCL MANAGEMENT, LLC, 199 Baldwin Road,, Suite, 140, Parsippany, New Jersey, 07054-2397. Applicant is requesting a variance to Section 206.3 (Area and Bulk) and a special exception to Section 206.2 (Uses) in order to construct a multi-family dwelling that does not meet the front setback. The property is located at West Alvin Avenue and Mumma Avenue in the A/O Zone.**

Peggy Miller, Herbert Rowland and Grubic (HRG) Project Manager, represented the developers of the property. She provided a sketch plan of what is proposed to be constructed at West Alvin Avenue and Mumma Avenue. The Applicant is requesting a special exception to Section 206.2 to construct 15 multi-family dwellings. Ms. Miller stated her belief that the intent of the Township ordinance is to provide reasonable standards for harmonious development. They are also requesting a variance to Section 206.3 for a leasing office that will be placed on the front of the property. The front setback would be twenty-five feet rather than fifty feet. She noted the front setback is greater than the adjoining properties and greater than the property across the street. The Ordinance does have a provision for altering the setback if the setbacks of adjoining properties are different. The leasing office is the only proposed structure that will encroach into the setback. The existing properties that are closest to the leasing office have setbacks that are less than twenty-five feet. Ms. Miller stated that the sketch plan was submitted to the fire chief but he wanted to reserve comments until he saw the land development plan. Engineer Bortner stated that if they called the proposed rear a side setback then they could move the building ten feet to have thirty-five feet setback on the front and 15 feet setback on the side. The units will meet the minimum square footage requirements. There was concern about the traffic flow through the area. The road will be built to Township specifications but will not be offered for dedication. Vehicular traffic will enter the complex and circle around the facility. Planner Van de Castle was concerned about the school traffic on Mumma Avenue and the traffic that will be generated from this development. They are not proposing any changes to the intersection. Planner Van de Castle is concerned about the additional thirty vehicles that may be added to the local streets.

Planner Felix wanted to know why they leasing facility could not be located somewhere else on the property. The developers do not feel that this would be the best use of the property. The existing playground will be relocated. Planner Van de Castle asked if there is any intention

to upgrade the existing units. Zoning Officer Menges stated that there have been interior improvements to the properties and less violations and delinquencies on sewer accounts since the current owners purchased the property. The new units will have two bedrooms.

Joan Houser, 27 Mumma Avenue, stated that she had not seen the plan and was interested in the location of the buildings. She stated that traffic is a main concern. Some of the current residents are parking along Mumma Avenue, which hinders the traffic flow because it causes congestion on the street. She expressed concern about the number of times the police department is in the area and it may increase with additional homes.

Planner Felix suggested that one of the units be used as a leasing office or it be moved somewhere else on the property. Planners Felix/Goldsmith moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z09-19 LCL Management, LLC, requesting a variance to Section 206.3 (Area and Bulk) and a special exception to Section 206.2 (Use) in order to construct a multi-family dwelling that does not meet the front setback, as it does not meet the requirements for a variance as set forth in Section 502.3 a), b), and c, and a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-1 vote with Planner McAndrew casting the dissenting vote.

**Z09-20 - BRIAN AND SANDY BRENNEMAN, 15 Ann Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct an addition that encroaches into the side setbacks. The property is located at 15 Ann Street in the R-8 zone.**

Brian Brenneman represented this request. He stated they would like to construct a one-story addition to the right side of the house. The addition will encompass both the original portion of the home as well as a previous addition on the rear. The two windows will be exposed and the remaining window will be used for a door to access the original portion of the home. The addition is for the homeowner to have a place to put a piano. Pianos require placement along an interior wall. The side setback use to be ten feet and the home was built in 1947. They are proposing an eight -foot setback. When the house was built the setback could have been eight feet. The Applicants access their property from the rear alley. They have lived in the home for twenty years. The one neighbor has no problem with the addition.

Planners McAndrew/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z09-20 Brian and Sandy Brenneman, requesting a variance to Section 202.3 (Area and Bulk) in order to construct an addition that encroaches into the side setbacks, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 5-0.

The Planners received the following waiver or exoneration requests: None

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

**P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH).**

There was no action taken on this plan.

**P02-28 – GATEWAY HANOVER, (formerly Carlisle Crossing) c/o CBL Realty Associates 800 South Street, Ste. 395, Waltham, MA 02453. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.**

There was no action taken on this plan.

**P03-03 – BOWMAN TRACT APARTMENTS, Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331. A final land development plan for thirty (30) unit multi-family complex located at 1300 Baer Avenue in the R-8 zone.**

There was no action taken on this plan.

**P03-05 – BREEZEWOOD DRIVE PROJECT, Wandering Streams, 50 Cambridge Drive, Hershey, PA 17033. A preliminary subdivision plan for twelve duplex units. The property is located on the East side of Breezewood Drive in the R-8 zone.**

There was no action taken on this plan.

**P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, Hanover, PA 17331. A final land development plan to create a forty-eight (48) unit, multi-family complex on the corner of Baer Avenue and Bowman Road. The property is located in the R-8 zone.**

There was no action taken on this plan.

**P03-30 – MUSTANG POINTE, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood and Bowman Road in the R-8 zone.**

There was no action taken on this plan.

**P04-18 – PIGEON HILL PARK, Joan B. McAnall, P.O. Box 234, Hanover, PA 17331. A sketch of a subdivision plan to construct a thirty-six (36) lot residential development. The property is located on Pigeon Hill Park Road to High Rock Road, in the R-40 zone.**

There was no action taken on this plan.

**P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59)**

**single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.**

There was no action taken on this plan

**P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.**

There was no action taken on this plan.

**P06-23 -BROOKSIDE AVENUE TOWNHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.**

There was no action taken on this plan.

**P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.**

There was no action taken on this plan.

**P08-14 – NATIONAL BARN COMPANY, 316 Juniper Lane, Hanover, PA 17331. A final land development plan submitted to construct an office building. The property is located at the northwest corner of Industrial Drive and Gitts Run Road in the Industrial Zone.**

There was no action taken on this plan.

**P08-20 – PARK HILLS MANOR, N.W. corner of Manor Street and Hammond Avenue, Hanover, PA, 17331. A preliminary subdivision/land development for 9 townhouse units in the R-8 zone.**

There was no action taken on this plan.

**P09-10 AMERICAN HOME CONTRACTORS LLC, Patrick Buhl, P.O. Box #132, Glenville, PA 17329. A final subdivision plan submitted in order to create two (2) residential lots. The property is located at 792-792 Baltimore Street in the Highway/Business Zone.**

There was no action taken on this plan.

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

There was no action taken on this plan.

**P09-17 - SOUTH WESTERN SCHOOL DISTRICT MAINTENANCE BUILDING; GHI Engineers and Surveyors, 213 Carlisle Street, Hanover, PA. A final land development plan submitted in order to construct a maintenance building. The property is located at 50 Spring Garden Street in the Industrial Zone.**

There was no action taken on this plan.

The meeting adjourned at 7:34 PM.

Respectfully submitted,

Kristina Rodgers, Recording Secretary