

PENN TOWNSHIP PLANNING COMMISSION
DECEMBER 5, 2013

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 PM on Thursday, December 5, 2013 at the Penn Township Municipal Building. Also present were planning members David Quinn, Wendell Felix and Joseph Klunk along with Zoning Officer Matt Swanner and Township Engineer Eric Bortner. Planners Stephen Roth, David Baker and Henry Senatore were absent with notice.

The planners approved the November 7, 2013 planning commission minutes as submitted.

The planners received the following zoning appeals and made the following recommendations to the zoning hearing board:

Z13-18 DYLAN LISSETTE, 860 Westminster Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 204.3 (Area and Bulk) and Section 300.3 (Fences and Walls) to construct a fence with gates that does not meet setback requirements and exceeds the maximum height restrictions. The property is located at 860 Westminster Avenue in the R-22 zone.

Zoning Officer Swanner stated that the applicant has agreed to meet the setback requirements but still needs a variance for height requirements for the fence. The fence will be placed on the right-of-way line, which is twelve feet back from Westminster Avenue. D. J. Hart, Guthrie, Nonemaker, and Hart, represented the request. Mr. Hart stated that the applicant would meet the required setback of twelve feet as stated by Zoning Officer Swanner. The applicant will only need a variance for the height requirement. Attorney Hart presented pictures showing the type of fence the applicant is requesting. The pictures also showed the neighbor's fence, which is what Mr. Lissette's fence looked like prior to its removal. Attorney Hart stated there are picket fences on both sides of Westminster Avenue. Zoning Officer Swanner provided pictures of what is currently along Westminster Avenue. Mr. Swanner stated that Westminster Avenue has fifty-foot right-of-way but the cartway only measures twenty-six feet and the difference is the twelve feet in the front yard of Mr. Lissette, which is where the fence will be placed. He noted that the fence would be placed behind the tree parallel with Westminster Avenue. The gates will be a separate masonry structure. The fences in the area have a height similar to what Mr. Lissette is requesting. The fence is proposed to be about six feet tall.

Planners Quinn/Klunk moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z13- 18 - Dylan Lissete, requesting a variance to Section 204.3 (Area and Bulk) and Section 300.3 (Fences and Walls) to construct a fence with gates that exceeds the maximum height restrictions, as it meets requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

Z13-19 LEGACY 92, LLC, 300 Fame Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 209.3 (Area and Bulk) in order to construct an addition to their existing building that does not meet the rear setback requirements. The property is located at 300 Fame Avenue in the Industrial Zone.

Jeremy Frey, Barley and Snyder, and Paige Wingert, represented this request. Attorney Frey stated that Legacy is the owner of 300 Fame Avenue located in the Industrial Park but they have outgrown the property since they purchased it several years ago. Attorney Frey stated that this parcel is

considerably smaller than the other tracts of land in the park. The applicant cannot expand due to the size of the existing lot. The adjoining property owner has agreed to sell one acre to Legacy. The building they have designed will encroach about twenty-five feet into the setback. Attorney Frey reviewed the adjacent tracts of land, which are all larger than the Legacy property. He also explained the size and shape of the property owned by the Hanover Real Estate property. He feels that the additional land they are requesting would be in keeping with the intended development of the land and it would be unnoticeable to most people. Attorney Frey presented a letter from the Hanover Real Estate property expressing support for their application. He noted that Gerry Funke, Group Hanover Inc., and John Beil were present to answer questions about the project. Mr. Funke noted that the natural gas line was located on the Legacy property and the line is being relocated but Columbia Gas wishes to maintain the right of way. The curve on the plan was proposed for a road known as Progress Avenue. Engineer Bortner and Zoning Officer Swanner provided the plan that showed the development of the Industrial Park, which showed the curve along with the original lots. The plan showed that several properties had been combined to create larger lots. There was some discussion about the lots and if there was a hardship on the part of the property owner. There was some discussion by Mr. Wingert and Mr. Frey about the adjacent property owner's future plans. Mr. Wingert explained the history of his business and the difficulty he has had in getting a piece of land large enough for his business. He wants to try to keep his business in Penn Township because of its centralized location. Attorney Frey wanted to make sure that the planners understand that this is a dimensional variance rather than a use variance. The addition will be for warehouse space. There was some discussion about land development issues such as parking and the ability of fire trucks to access the site.

Planners Felix/Quinn moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z13-19 - Legacy 92, LLC, requesting a variance to Section 209.3 (Area and Bulk) in order to construct an addition to an existing building that does not meet the rear setback requirements, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 3-1 vote with Planner Klunk casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

The Borough of Hanover Water Company is requesting a waiver from submission of a land development plan in regards to their project at the pumping station located on Black Rock Road at the Parr's Hill Reservoir.

Barb Krebbs, Hanover Borough Manger, and Darren H. Croy, Gannett Fleming, represented this request. Manager Krebbs reported that they would be installing a new pump station to allow additional water to be pumped out of the reservoir. They will also be rehabilitating the current pump station.

Planners Quinn/Klunk moved for a favorable recommendation to the Penn Township Board of Commissioners on this request.

Burkentine & Sons Builders, Inc. is requesting a waiver to the Penn Township Residential Street Lighting Ordinance requirement of providing individual residential lamps at each unit with regards to their Pinebrook-Phase I development.

Scott Barnhart, Burkentine and Sons, represented the request. They wish to construct a residential walkway light on every other property in the development rather than every lot. The thirteen units will be located along Breezewood Drive. The access to the rear of the property is a private road but Burkentine will be installing the Hadco lamps at the intersections of the streets including the rear road to provide

additional light for the development. The entrances to the homes from the driveways are located to the rear of the homes.

Planners Quinn/Klunk moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried 4-0.

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.

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.

P04-25 – 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.

P08-20 – 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.

P10 – 12 – YORK VILLAGE APARTMENTS, LCL – York Village Associates, L.P., 199 Baldwin Road, Suite 140, Parsippany, NJ 07054. A preliminary/final reverse subdivision and land

development plan submitted in order to construct two (2) multi-family dwellings consisting of 15 units total and office building. The property is located on West Alvin Avenue in the A/O zone.
There is no action taken on this plan.

P12-12 – BREEZEWOOD DRIVE, Crosswinds Associates Development Company Inc., 336 West King Street, Lancaster, PA 17603. A final subdivision plan submitted in order to create twelve (12) lots to construct single-family detached dwellings. The property is located on east side of Breezewood Drive approximately .5 mile south of York Street in the R-8 zone. There was no action taken on this plan

P13-03 – BROOKSIDE HEIGHTS – PHASE I, Paul Burkentine, Brookside LLC, 1500 Baltimore Street, Hanover, PA 17331. A final subdivision plan submitted in order to create fifty-six (56) lots to construct single-family attached dwellings. The property is located south of York Street and east of Brookside Avenue in the R-8 zone. There was no action taken on this plan.

P13-05 – AQUAPHOENIX SCIENTIFIC, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct a manufacturing and warehouse building. The property is located at 12 Industrial Drive in the Industrial Zone. There was no action taken on this plan.

P13-09 - AMISH MARKETS AT HANOVER, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted in order to construct an Amish retail sales market. The property is located at 1649 Broadway in the Shopping/Commercial zone. There was no action taken on this plan.

P13-12 - BELCO COMMUNITY CREDIT UNION, 449 Eisenhower Blvd., Harrisburg, PA 17111. A final land development plan submitted in order to construct a bank with drive thru. The property is located on Wilson Avenue at Lot 9 at Gateway Hanover, in the S/C zone.

Brandon Rowe, Bohler Engineering, represented the request. Township Engineer Bortner reported that York County Planning Commission comments have been received and addressed.

Planners Quinn/Klunk moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 4-0 vote.

P13-13 - GATEWAY HANOVER - LOT C, Conewago North Ridge Partners, L.O. P.O. Box 688 Hanover, PA 17331. A final re-subdivision and land development plan submitted in order to revise the building footprint of Lot 1C on previously approved plan. The property is located on Wilson Avenue and Carlisle Pike at Lot 1 at Gateway Hanover in the S/C zone.

Allen Smith, Conewago Contractors, represented this plan. Township Engineer Bortner stated that York County Planning Commission comments have been received and addressed. The previous building was a proposed bank but they are planning for a two-unit building with one being a Chipotle restaurant. The bank was slated to be Members First but they decided not to relocate. The building is slightly smaller than what was previously approved.

Planners Quinn/Klunk moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried 4-0.

P13-15 HIGH POINT AT ROJEN FARMS - NORTH AMENDMENT TO FINAL S/D PLAN DUE TO NPDES, High Point, LLC, 4175 Hanover Pike, Manchester, MD 21102. An amendment to the final subdivision plan submitted for approval of additional storm water easements and PCSM changes due to NPDES permit. The property is located on the north side of Grandview Road, west of Baltimore Pike in the R-22 zone.

Jim Piet, High Point, LLC, represented this plan. Township Engineer Bortner reported that the NPDES permit requirements changed since they had the plan approved but in order to meet the requirements they had to add an additional drainage easement. York County Planning will not review the plan.

Planners Quinn/Felix moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 4-0 vote.

The meeting adjourned at approximately 8:06 PM.

Respectfully submitted,
Kristina Rodgers, Recording Secretary