

PENN TOWNSHIP PLANNING COMMISSION
June 2, 2016

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on Thursday, June 2, 2016 at the Penn Township Municipal Building. Also present were planning members Joseph Klunk, Henry Senatore, Ray Van de Castle along with Township Engineer Bortner and Zoning Officer Swanner. Planner Barbara Mahan was absent with notice.

The planners approved the May 5, 2016 Planning Commission minutes as submitted.

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

Z16-08 – PAUL CLAS, 11035 Old Frederick Road, Thurmont, MD 21788. Applicant is requesting a special exception from Section 407.2 (Expansion and Alteration) in order to expand and/or alter a non-conforming use. The property is located at 831 Blooming Grove Road in the R-40 zone.

Jim Yingst of Guthrie, Nonemaker, Yingst, & Hart, LLP represented this plan. Mr. Yingst introduced Mr. Paul Clas, property owner. Mr. Yingst said the property is a kennel right next to Codorus State Park on Blooming Grove Road. Mr. Clas said the property contains a boarding kennel that has forty runs and an apartment over the kennel, where he and his wife reside. Mr. Yingst noted that kennels are allowed in the R40 zone by special exception. The kennel has been there since at least 1984 and the business has run continuously in that time. Mr. Clas said he did not start the kennel originally but has been the owner since May 1, 2011. The minimum lot size in the R40 zone is one acre and this property is 3.8 acres. Mr. Clas pointed out the shaded areas on the plan which represent a proposed two thousand and five square foot house. The property has public sewer and a private well. Mr. Clas would like to build a three bedroom home with a living room, dining room, and kitchen. The home will be for Mr. Clas and his wife. The kennel operations will continue as they have been. The apartment would be used for a caretaker who works for the kennel. Mr. Clas already has somebody in mind to fill this position, a trustworthy friend. The apartment is approximately seventeen feet deep and forty-eight feet long. The apartment will not be leased out. Mr. Clas explained that he and his wife have a second business showing AKC dogs that takes them away from home about three weekends each month. This business provides enough income to keep the kennel running during the slow months. Presently Mr. Clas is hiring people to come and stay in the apartment while they are out of town showing dogs. The industry standard is for someone to be on site with the dogs twenty-four hours a day in case of emergency. There are liability issues with leaving the dogs unsupervised. The apartment will be retained for a single resident who is employed by the kennel and can care for the dogs while the Clas's are away.

Mr. Yingst pointed out that the home construction will be confined to the current lot. Less than thirty-five percent of the total property is being used for the new home.

The same driveway and parking area will be used and there are no other proposed changes to property. Planner Klunk asked how long Mr. Clas has lived at the kennel because he has a Maryland address. Mr. Clas said he and his wife have lived there for five years. His wife is from Canada and was in the middle of immigration proceedings when the kennel was purchased. Their attorney recommended not changing the address until after the proceedings were completed, which just occurred. Mr. Clas will be permanently living in Pennsylvania with the construction of the house. Planner Van de Castle asked if there's any chance they'll be breeding dogs. Mr. Clas said no. Mr. Yingst pointed out that this is in no way an animal hospital or breeding facility. Planner Klunk asked if they only board dogs and Mr. Clas said they can board cats as well. Mr. Yingst asked Mr. Clas if it has ever been his intention to lease the apartment. Mr. Clas said he couldn't get more than \$300 a month in rent and it would be more useful to gut the building and use it for more kennel space, but he needs someone on location for the dogs, so he'll be housing an employee.

Planners Klunk/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z16-08 – Paul Clas requesting a special exception to Section 407.2 (Expansion and Alteration) in order to expand and/or alter a non-conforming use as it meets the requirements for a special exception set forth in Section 503.3 a) thru e.), with the stipulation that the apartment be used only by an employee/caretaker and the house be used only by the kennel owners. Motion carried on a 4-0 vote.

The Planners reviewed the following waiver or exoneration requests:

GHI Engineers and Surveyors as representative of St. Joseph Catholic Church, are requesting a partial relief from the requirements of Section 605 (Landscaping and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance in regards to their land development plan. Owner agrees to plant trees on the east side of the property as shown on the provided plan.

Gerry Funke, GHI Engineers and Surveyors, represented this request. Mr. Funke said there is a citizen with an adjoining property to the church would like to address the Board and introduced Mr. Victor Sciukas, 1141 Brian Lane. Mr. Sciukas said he lives in the Martins Ridge subdivision and is concerned about the proposed tree line behind his property. He presented the Board with a petition signed by adjacent property owners. Mr. Sciukas said that there is great aesthetic value to the open space. The sunsets are beautiful, the breeze coming off the field is great, and wildlife can be seen running through the field. The open area adds to the community feeling of the neighborhood. Mr. Sciukas joined the bocce ball league this year and enjoys easy access to the bocce ball court behind his house. The three people who signed the petition are all located to the right of the bocce ball court. There are two other houses that will be affected by the landscaping, one was just purchased last week and the other is vacant. Mr. Sciukas showed the planners where his home is located on the plan. Mr. Funke asked Mr. Sciukas if he had been solicited by St. Joseph Catholic Church or GHI Engineers to attend this meeting. Mr. Sciukas said he went to the church office on his own when he first heard rumors about the trees being planted. After not receiving a

response he approached Monsignor Lions who had someone contact him and suggest he share his concerns at the meeting. Planner Baker asked how long he's lived in his home. Mr. Sciukas said all of the people who signed the petition are original owners and have been there around seven years. Planner Klunk said the tree line could be reduced to eight so that the three home owners who signed the petition will not have a tree line. Mr. Sciukas thanked the Board and said he'd appreciate the change.

Planners Klunk/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on the Landscaping and Bufferyards request with partial relief from the landscaping requirement to include the twenty-four Juniperus Virginian trees on the plan and eight of the fourteen Eastern White Pines on the eastern edge of the property to end at the corner of the parking lot. Motion carried on a 4-0 vote.

Robert T. Hemler, Sr. is requesting a waiver from Section 603 (Curb, Gutters, and Sidewalks) of the Penn Township Subdivision and Land Development Ordinance in regards to a new house construction located at 16 Earl Street.

Mr. Hemler was not present. Engineer Bortner read a letter dated May 17, 2016 from Robert T. Hemler, Sr. requesting a waiver of sidewalk requirements. The letter was accompanied by a building permit application. Engineer Bortner said 16 Earl Street is a subdivision plan that was done in 2006. Mr. Hemler is proposing to build what would have originally been in the Park Hills subdivision. The current ordinance states that sidewalks have to be installed where there is curb when building a new home. Since there is no other sidewalk on the street Mr. Hemler is requesting a temporary waiver. Planner Klunk said the advantage to installing sidewalk when you build is that the price goes in to the construction loan. Eric Bortner showed a picture of the street adjacent to Earl and there are newer houses on the adjacent side that have sidewalk installed. He said the sidewalk helps to establish the grading on the property.

Planners Senatore/Van de Castle moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this Curbs, Gutters, and Sidewalks request. Motion carried on a 4-0 vote.

South Western School District is requesting a waiver from Article III, Section 303 of the Penn Township Subdivision and Land Development Ordinance in regards to a proposed restroom facility to be constructed in the immediate vicinity of the previously approved land development plan for proposed improvements to the stadium.

Mr. Nate Osbourne, Director of Facilities for South Western School District, represented this request. Mr. Osbourne said he is new to his position and has been wading through facilities requests since being hired and this one rose to the top. Mr. Osbourne said a large number of people in the community have voiced their support for this. There was a land development plan approved in 2007 that showed a restroom facility and the school would like to proceed with installing this if it can be done within a reasonable budget. The school is proposing a nine hundred square foot facility which is smaller than what was originally approved. It will be in the same general vicinity. Planner Klunk asked if everything on the plan was built except the restroom. To the

best of Mr. Osbourne's knowledge everything else was built. He said the land disturbance will be very moderate for this addition. Engineer Bortner said there was a waiver for an access path over to a shot put and discus area but everything else on the plan should be the same. Mr. Osbourne said they are currently using port-a-potties as well as keeping the high school open for additional restrooms. The school cannot afford to do a full restroom facility to support the stadium at this time but believes this is a step in the right direction. The high school will still be open for additional restrooms.

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

South Western School District is requesting a waiver to Article III Section 303 of the Penn Township Subdivision and Land Development Ordinance in regards to placement of asphalt on existing gravel walking path which was covered on a previously approved land development plan for additional athletic fields.

Mr. Nate Osbourne, Director of Facilities for South Western School District, represented this request. The original plan was approved in 2004 and showed gravel pathways. The school would like to pave the gravel pathways to assist people with mobility challenges. The planners reviewed the plan with proposed changes and discussed where the pathways will tie in. Planner Van de Castle asked if the pathways will be wide enough for emergency vehicles. The pathways will be six feet wide.

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

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.

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.

P15-13 – HANOVER WESLEYAN CHURCH, c/o Dave Hoover, P.O. Box 861, Hanover, PA 17331. A final land development plan submitted in order to construct a house of worship. The property is located at Hickory Lane in the R-22 zone. There was no action taken on this plan.

P15-14 – HANOVER STORAGE, LLC, Hanover Storage, LLC, 330 Dubs Church Road, Hanover, PA 17331. A final land development plan submitted in order to construct mini-storage warehouses. The property is located at 900 Old Ridge Rod in the Industrial Zone. There was no action taken on this plan.

P16-05 – ST. JOSEPH CATHOLIC CHURCH, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development submitted to construct an elementary school. The property is located at 5125 Grandview Road in the R-22 zone.

Gerry Funke, GHI Engineers and Surveyors, represented this plan. Mr. Funke said the traffic study has been completed and was given to Engineer Bortner. St. Joseph is ready to move forward with the bond but was waiting for a decision on the landscaping waiver. A fence around the water basin was added to the plan. Planner Van de Castle asked if the fence will be around the deepest point and it will.

Engineer Bortner said TRG's traffic study shows that the parking is fine as it is and there will be no need to add "No Parking" signs. There are no problems with the crosswalk or the way the school zone is currently assigned. Commissioner Van de Castle asked if York County Planning Commission comments were addressed and they were.

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

P16-06 – BROOKSIDE HEIGHTS – PHASE 3, Brookside LLC (Paul Burkentine, member), 1500 Baltimore Street, Hanover, PA 17331. A final subdivision plan to create eighty-five (85) residential lots to construct single family attached and multifamily dwellings. The property is located east of South Center Street and west of Meadowbrook Drive in the R-8 zone.

Ted Decker, GHI Engineers and Surveyors, represented this plan. Mr. Decker said York County Planning Commission comments have been addressed. He met with Engineer Bortner earlier in the week and went over the plans with him. Engineer Bortner said the plans were reviewed last month and it's at the bonding stage now. There was a minor phasing change to include all of the construction of the adjacent lot. He asked if they have come up with a new name for Park Street. Scott Barnhart, Burkentine & Sons, said they are still working on that. Possible street names were discussed. Planner Van de Castle asked if apartments are being built. Mr. Barnhart said they will be leased condos similar to South West Crossing. Planner Van de Castle

asked if there is enough room for decks and there is. Planner Van de Castle asked if there will be fencing. Mr. Barnhart said there will not but they are planting trees. Planner Van de Castle asked how many units will be built. Mr. Decker said there are a total of eighty-seven lots; seventy-two townhouses, thirteen apartments, and two open lots. Planner Van de Castle asked if the wetlands will remain. Mr. Barnhart said a stormwater basin is going where the wetlands are.

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

P16-07 – PROPOSED MEDICAL OFFICE FACILITY, Wellspan Properties, Inc., 2545 South George Street, Suite 1, York, PA 17405. A preliminary/final land development plan submitted in order to construct a medical office facility. The property is located adjacent to 1275 Baltimore Street (M&T Bank) located to the north and west in the S/C zone.

Bob Heidelbaugh, Wellspan Health, Adam Anderson, Site Design Concepts, and John Sykes, Transportation Resource Group (TRG), represented this plan. Mr. Anderson said the project is fifteen acres located on the west side of Baltimore Street. Mr. Anderson shared a colored rendering of what the final project will look like. The project will be serviced by public water from Hanover Borough and public sewer from Penn Township. There will be two points of access; one on Baltimore street, which is a Penn DOT right-of-way and another at the rear of the property that will tie in to the proposed Stonewicke subdivision. The site is zoned for a shopping center and a medical center is a use by right in this zone. Landscaping will be provided between the facility and neighboring homes.

Bob Heidelbaugh introduced himself as a facility planner for Wellspan Health. He said Wellspan purchased the property in 2008 with the intention of building in the future and they are now ready to begin building an ambulatory care facility. This will enable them to consolidate and, in some cases, expand ten medical practices in the area under one roof. The ten practices can be characterized as primary care, diagnostics (labs and imaging), same day procedures (GI and surgery), and specialists. The gross area of the building is approximately one hundred twenty thousand square feet with three stories. There is a significant slope allowing one side of the building to be day lighted and the other to be in a basement. The basement is desirable for a medical facility that provides imaging services. The current plan is to develop ninety-four thousand square feet, about eighty percent of the total building. There will be twenty-thousand square feet of shell for future growth and six thousand for support services. There are two covered entrances, one at ground level and one at the first floor level. The project budget is \$65 million. He showed photographs of similar existing Wellspan facilities and pointed out that they are willing to spend a lot of money creating a good looking building. Mr. Heidelbaugh said they expect land development to happen in the current calendar year, building design and detailed drawings in the next calendar year, most of the construction in 2018, and occupancy in 2019.

John Sykes said they initially thought a traffic signal would be the best approach but listened to the Township's concerns and are now looking at alternatives. They are looking at a phased traffic analysis where Wellspan doesn't believe the buildout will be

done all at one time. It would be 2022 before the buildout is complete. TRG has done some traffic counts at the Wellspan facility in Gettysburg. They use the ITE Trip Generation Manual to determine how much traffic should be generated at a facility. The Gettysburg facility does not generate as much traffic as the book value suggests and the same can be expected for the Hanover facility. Mr. Sykes said the study is not yet complete and they are still looking at alternatives. Presently they are suggesting a center turn lane on 94. The plan currently shows a single lane exiting the facility on to 94 but there is a large median that can accommodate another lane in the future. The center turn lane will be a positive for the 94 corridor and a natural fit. The same thing was done on North Hills Road in York and it was a good fit. The center turn lane is a safety improvement as well as a capacity improvement. TRG will continue to work on the study and send it to York County Planning Commission and Penn DOT when it's complete. Planner Van de Castle asked what the length of the center lane will be. Mr. Sykes said right now it would run from the vicinity of Willow Court and tie it in to the left turn lane at Grandview Road. Engineer Bortner said there are concerns with a center turn lane such as the parking along Baltimore Street. Mr. Sykes said they will need to take a look at pavement depth to make sure the shoulder is up to suitable depth for Penn DOT's paving requirements. It does appear that a center turn lane would be a logical extension because of the wide shoulders. Engineer Bortner asked if there would be any shoulder left. Mr. Sykes said a portion of the shoulder would be used as travel lane. Engineer Bortner showed a picture of the intersection at Willow Court and said there is a difference in elevation here that could be dangerous with a center turn lane added.

Planner Klunk asked if MRIs, cat scans, or other portable machines will be brought in on trailers. Mr. Heidelbaugh said the portable equipment usually comes the day it's needed and may stay overnight. Planner Van de Castle asked how tall the two sides of the building will be. Mr. Heidelbaugh said the top of the roof is at the zoning ordinance height limit and there is a green covering over top of that. The green covering is essentially a screen to conceal equipment. Zoning Officer Swanner said the green area would be considered a cupola or façade, not a part of the structure. Mr. Heidelbaugh said the north end of the building will have more above ground than the south end. He said the entrance on the west is at basement level and the north entrance is at the first floor. Planner Van de Castle asked if there are speed bumps in the parking lot. Mr. Anders said there are not and Planner Van de Castle suggested they may be useful in discouraging people from cutting through the parking lot.

Planner Klunk asked how trucks will maneuver through the parking lot. Mr. Heidelbaugh said they don't expect a lot of trucks other than deliveries. Their deliveries do not fill an entire truck so they won't be parked there for too long when they do make drop offs. Imaging trucks will be parked on a large pad in the northwest corner of the building. There will also be occasional trucks to deliver gas for the emergency generator.

Mr. Anderson said they have three waiver requests. Planner Klunk explained that waivers need to be submitted in writing and put on the agenda before they are considered. Mr. Anderson listed the three waivers that will be submitted: waiver of preliminary plan, feasibility report, and a reduction to the amount of required plants and

a wooden or metal fence rather than masonry. The planers discussed what the fence would look like.

Shawn and Jamie Garrett, 4120 Grandview Road expressed concern with increased traffic caused by the Wellspan facility. Randy Green, 4115 Grandview Road was also concerned with traffic. Tim Elder, 27 Hillside Road, is worried about his property value being affected. He has a picture window that presently looks out over a field and will eventually look out over the medical center. He is also concerned with the emergency generator making noise. Mr. Elder asked that the buffer be examined more closely.

The meeting was adjourned at approximately 9:00 P.M.

Respectfully submitted,

Angela M. Hallett, Recording Secretary