

PENN TOWNSHIP PLANNING COMMISSION  
JULY 6, 2017

Chairman Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, July 6, 2017 at the Penn Township Municipal Building. Present were members David Baker, Clayton Black, Justin Heiland, Joseph Klunk, and Barbara Mahan, along with Township Manager Rodgers and Interim Zoning Officer Garrett. Planner Henry Senatore arrived at 7:08 p.m. and planner Ray Van de Castle was absent with notice.

The planners approved the June 1, 2017 planning minutes as submitted.

The planners received the following zoning appeals and made the following recommendations:

**ZHB17-05-George W. Sheldon**, 3269 Days Mill Road, York, PA 17408. Applicant is requesting a variance to Section 407.5 (Abandonment) in order to operate a business for hot tub retail. The property is located at 165 McAllister Street in the R-8 zone.

George Sheldon, HTG Inc. and Joe Pecher, Beacon Industries represented this request. Mr. Sheldon said they would like to open a hot tub showroom. The property is owned by Beacon Industries. Interim Zoning Officer Garrett asked how the property is presently being used. Mr. Pecher said he's the landlord and the building currently has a warehouse being rented by Penn-Mar Castings Inc. There is a space for the showroom in the center of the building and a single bedroom apartment in the corner. There is an additional building on the property that is rented out for storage space. He said the Allison Marshall plumbing business previously used the space Mr. Sheldon is planning to rent.

Planner Mahan asked how much parking is available. Mr. Pecher said there are two spaces reserved for the apartment and seven reserved for the showroom. There is also parking on the street. Planner Heiland asked if this will be primarily a showroom with no deliveries. Mr. Sheldon explained that the hot tubs are made to order. They will be shipped directly from the manufacturer to the buyers, so the hot tubs in the showroom will remain. He said this will be a destination shop. Planner Black asked if there will be any outside displays and there will not. Planner Heiland asked what the business hours will be and Mr. Sheldon said they'll be open during regular business hours. They are keeping their current shop and will store their delivery trucks at that location. He said they're not a big operation.

Planners Klunk/Heiland moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Case ZHB17-05 – George W. Sheldon requesting a variance to Section 407.5 (Abandonment) in order to operate a business for hot tub retail as it meets the requirements set forth for a variance in Section 502.3 a.) thru f.). Motion carried on 6-0 vote.

**ZHB17-06-Rojen LP**, 751 Frederick Street, Hanover, PA 17331. Applicant is requesting a variance to Section 206.2 (Use Regulations) in order to construct an industrial building for manufacturing and warehouse. The property is located at 88-198 N. Blettner Avenue in the A/O zone.

Jeremy Frey, attorney with Barley Snyder, represented this request. He said his client is proposing to construct an industrial building for manufacturing and warehousing. The County line cuts through the property and the majority of the property is in Conewago Township. Of the almost eighteen acres, 14.32 are in Conewago Township and 3.64 are in Penn Township. The portion in Conewago Township is zoned Industrial and the part in Penn Township is zoned Apartment/Office. They are seeking a variance to allow the portion in Penn Township to be used for industrial purposes. Of the one hundred forty thousand square feet being built, twenty-nine thousand will be in Penn Township. The majority of the building will be used by Ring Container. They have a very clean operation and manufacture products for the food industry. They will use it primarily for warehousing, but there may eventually be a need for manufacturing. Planner Mahan asked what their hours of operation will be. Mr. Frey said they are currently open twenty-four hours. Manager Rodgers asked if Holland Construction contacted the Township concerning sewer for this property and Mr. Frey wasn't sure. Planner Black asked what the zoning is across the street. Interim Zoning Officer Garrett said it's zoned industrial.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB17-06 – Rojen LP requesting a variance to Section 206.2 (Use Regulations) in order to construct an industrial building for manufacturing and warehouse, as it meets the requirements set forth for a variance in Section 502.3 a.) thru f.) Motion carried on a 6-0 vote.

**ZHB17-07-Scott D. & Jennifer L. Sanders**, 620 W. Middle Street, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to construct a pole building that encroaches into rear setbacks. The property is located at 620 W. Middle Street in the R-8 zone.

Tim Mummert with Gary L. Mummert Builders represented this request. He said the Sanders now have a single car garage sitting five to six feet from the alley. They'd like to replace it with a twenty-four foot by twenty-six foot pole building. The neighbors across the street have a garage that sits fifteen feet off the alley and the Sanders are requesting the same. They will meet the side setbacks but are trying to maintain as much rear yard as possible. Planner Mahan asked if they will be working on or repairing cars in the pole building. Mr. Mummert said they will store collectible cars in it but won't be performing repairs. Interim Zoning Officer Garrett pointed out that other garages in the area are closer to the alleyway than the current ordinance allows.

Planners Mahan/Heiland moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB17-07 – Scott D. & Jennifer L. Sanders requesting a variance to Section 202.3 (Area and Bulk) in order to construct a pole

building that encroaches into rear setbacks as it meets the requirements set forth for a variance in Section 502.3 a.) thru f.) Motion carried on a 6-0 vote.

**ZHB17-08-Scott Haggerty**, 60 Carson Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 407.5 (Abandonment) in order to operate a business for the sale of kitchen and bath cabinets. The property is located at 748 Baltimore Street in the R-8 zone.

Scott Haggerty represented this request. He said his son just got into designing kitchens and they are looking for a location for him. They plan to use the front building as the kitchen business and hope the current renters will remain using the other part of the property. There is a big bay door on the front of the building and they may leave that open so people can see slabs of concrete as they pass by and there will be displays set up inside. There is plenty of parking. Mr. Haggerty said the property was zoned commercial previously but the last company left just over a year ago, making the variance a necessity. Planner Klunk pointed out that in the past this property was used by the Penn Township Ambulance Club and it was a service station prior to that.

Planners Black/Mahan moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB17-08 – Scott Haggerty requesting a variance to section 407.5 (Abandonment) in order to operate a business for the sale of kitchen and bath cabinets as it meets the requirements for a variance set forth in Section 502.3 a.) thru f.) Motion carried on a 6-0 vote.

The planners reviewed the following waiver request:

GHI Engineers and Surveyors, as a representative of Conewago Contractors, Inc., is requesting a waiver to Section 605 (Landscaping and Bufferyards) and Section 404 (Environmental Impact Studies) of the Penn Township Subdivision and Land Development Ordinance in regards to their 401 Moulstown Road Land Development plan submitted for building expansion.

Gerry Funke, GHI Engineers and Surveyors, represented this request. Mr. Funke said the York County Planning Commission comments have been addressed as well as the Penn Township comments. He needs to get a post construction stormwater management plan to Engineer Bortner and is working on that. He addressed WWTP Superintendent Mahone's comments; there are no restrooms being added or operations needing water. Planner Black asked if they will have enough parking since the addition is going over existing parking spaces. Allen Smith with Conewago Contractors said the parking was put in by the previous owner who had a labor intensive operation and needed a lot more parking. The current renter doesn't need that many spaces so it won't be a problem.

Planners Mahan/Senatore 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 plans and made the following recommendations:

**P01-28 – HIGH POINTE @ ROJEN FARMS, Martin Hill, 4219 Hanover Pike, Manchester, MC 21102. A preliminary 227 lot subdivision located on Grandview Road in the R-22 & R-40 zones. (Pending sewer) (South Portion – Robert Sharrah)**  
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.

**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.** There was no action taken on this plan

**SL17-08 – PROPOSED MEDICAL OFFICE FACILITY, Wellspan Properties, Inc., 2545 South George Street, Suite 1, York, PA 17401. A final land development plan submitted in order to construct a medical office facility. The property is located at 1227 Baltimore Street in the S/C zone.** There was no action taken on this plan.

**SL17-10 – MUSTANG POINTE, J.A. Myers, 160 Ram Drive, hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.**

Planner Klunk said this is an older plan but was recently purchased by J.A. Myers and now has a different layout. He explained that years ago the Township thought Breezewood Drive would eventually tie into Timber Lane. The developer has said that won't be possible because of wetlands near Timber Lane. There are currently two pieces of street called Breezewood Drive. Twenty-four years ago the plan was to remove a section of the existing Breezewood Drive and make it a cul-de-sac and rename the portion of Breezewood that remains. Planner Klunk wanted to point this out to the Planning Commission for consideration. Interim Zoning Officer Garrett suggested that Jasmine Drive to Black Rock Road be renamed Hall Drive. The numbers wouldn't change but the street name would. Manager Rodgers said Park Street might need to be named something else as well and Interim Zoning Officer Garrett suggested Pacer.

**SL17-11 – 401 MOULSTOWN ROAD, Conewago Contractors, Inc., 610 Edgegrove Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located 0.5 miles east of the intersection of Moulstown Road and Broadway in the Industrial zone.**

Gerry Funke, GHI Engineers and Surveyors, represented this plan. He said the comments have been addressed. Manager Rodgers asked if they have received information from Engineer Bortner on the improvement bond. They have not, but need to get comments from the York County Conservation District before moving forward, so they can wait.

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

Planner Klunk reported that the Township met with WellSpan last week. They are now planning to phase the construction of their building. They will only build the first two floors and the plan they bring to the Planning Commission for approval will only have parking for the first two floors. Wellspan will complete the infrastructure for stormwater management as if there were three floors. Planner Black asked if they will phase the traffic improvements. Planner Klunk said the road improvements have to be completed before they get an occupancy permit. Planner Black said they may request to phase the traffic. Manager Rodgers said Meadow Lane will be dedicated before they get a use and occupancy permit for the building.

The meeting adjourned at approximately 7:53 p.m.

Respectfully submitted,

Angela M. Hallett, Recording Secretary