

PENN TOWNSHIP PLANNING COMMISSION  
SEPTEMBER 1, 2016

Planner Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on Thursday, September 1, 2016 at the Penn Township Municipal Building. Present were planning members Clayton Black, Joseph Klunk, Henry Senatore, and Ray Van de Castle along with Township Engineer Bortner, Zoning Officer Swanner and Assistant to the Engineer Garrett. Planners David Baker and Barbara Mahan were absent with notice.

The planners approved the August 4, 2016 Planning Commission minutes as submitted.

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

**Z16-10 – HIGH POINTE, LLC, 4175 Hanover Pike, Manchester MD 21102. Applicant is requesting a variance to Section 205.3 (Area and Bulk) and a special exception to Section 205.2 (Uses) and to Section 631 (Public Uses and Buildings) in order to construct a sewage pumping station. The property is located on SE quadrant of Grandview Road at Beck Mill Road in the R-40 zone.**

Bob Sharrah, Site Design Group, represented this plan. Mr. Sharrah showed the plan, emphasizing the sewage pumping station lot. The lot meets the requirements necessary for a pumping station building, but it does not meet the R-40 zone requirements as far as area and frontage. The lot is more or less in the middle of the project at a point where all the waste water can be collected and pushed up to Grandview Road and down over the hill to get to Westminster Avenue. He explained that the forcemain pushes waste up to the intersection of Tyler Drive and Grandview Road. Planner Van de Castle asked if the pumping station will remain the property of High Pointe. Mr. Sharrah said the intent is to convey fee title to Penn Township once constructed and Engineer Bortner confirmed it will be dedicated to Penn Township. Planner Van de Castle asked if it will be constructed to Penn Township's design specifications and it will. Planner Van de Castle asked how big the lot is. Mr. Sharrah said it is .06 acres. Planner Van de Castle asked if the pumping station will be similar to Mullertown. Engineer Bortner said it will be. Planner Van de Castle asked if there will be landscaping and there will. He asked if this is the only way to get the sewage out of the neighborhood. Engineer Bortner said it's the only way to keep it in Penn Township. The other option would be to move it through West Manheim Township and back into Penn Township. He said this is the best option. Planner Senatore asked where the emergency generator will be located. Mr. Sharrah said it's outside the building in the back of the lot and it will have a diesel tank.

Planners Black/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z16-10 – High Pointe, LLC requesting a variance to Section 205.3 (Area and Bulk) as it meets the requirements for a variance

set forth in Section 502.3 a.) thru f.) and a special exception to Section 205.2 (Uses) and to Section 631 (Public Uses and Buildings) as it meets the requirements for a special exception set forth in Section 503.3 a.) thru e.). Motion carried on a 4-0 vote.

**Z16-11 – MARISSA NEAL, 160 Sara Lane, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Use Regulations) in order to operate an in-home family day care. The property is located at 53 Little Knoll Drive in the R-15 zone.**

Marissa Neal, property owner, represented this plan. Ms. Neal said the property is a corner lot in a residential neighborhood and is a detached house with a fenced back yard. Planner Van de Castle asked how many children will be present. Ms. Neal explained that there will be six because that's the regulation for licensing. Planner Van de Castle asked if she's in the process of becoming licensed and she is. The zoning case is part of the licensing process. Planner Van de Castle asked if there is enough square footage in the yard for six children and there is. He asked if Ms. Neal will be the only employee and she will.

Planner Klunk asked what the parking is like, he said it appears to be a single width driveway. Ms. Neal said they have the entire corner lot so people can park on the street. She would like to expand the driveway to make room for more parking. Planner Klunk said it's preferable to have drop off and pick up in a driveway. Ms. Neal said there is also space for people to park in the grass. Zoning Officer Swanner told her that parking in the grass is not permitted in Penn Township. He also discussed setbacks and requirements for a driveway expansion, which can be worked out at a later date.

Planner Van de Castle asked what her business hours will be. She said 6 A.M. to 6 P.M. Monday through Friday. Planner Klunk asked if she is moving to the property. She explained she is relocating because West Manheim Township does not allow daycare facilities in a townhouse. Planner Senatore asked if there are any other home businesses operating in the area. Zoning Officer Swanner said there was an application for an internet-based firearms dealership off of Blue Spruce Drive, but the business was never opened. He is not aware of any other home businesses in the area.

Planners Black/Klunk moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z16-11 – Marissa Neal requesting a special exception to Section 203.2 (Use Regulations) as it meets the requirements for a special exception set forth in Section 503.3 a.) thru e.) Motion carried on a 4-0 vote.

**Z16-12 – WELLSPAN PROPERTIES, INC., 45 Monument Road, Suite 200, York, PA 17403. Applicant is requesting a special exception to Section 624 (Medical Clinics and Facilities) in order to construct a medical clinic and facility. The property is located at 1227 Baltimore Street in the R-15 zone.**

Jeffrey Lobach, Barley Snyder, represented this plan. He introduced Craig Long and Bob Heidelbaugh with WellSpan, Bob Sandmeyer with Site Design Concepts, and John Seitz with TRG. Mr. Lobach described the property and the proposed plan. He said 4.67 acres of the property are in the R-15 zone, and 68% of the proposed building

sits in the commercial/shopping zone. He pointed out that the landscaping complies with the ordinance and supplied pictures of other WellSpan properties with a similar layout.

Mr. Lobach said they are requesting to use the residential portion of the property for commercial purposes. He said there is a specific list of standards that need to be met to qualify for a special exception. He said they meet the minimum lot size, plot width, and setback requirements. Access has to be from an arterial street and 90% of the traffic will be coming off of Baltimore Street so that standard is met. They have all public utilities so that standard is also met. The special exception requires the appearance be harmonious with existing properties. Mr. Lobach said they will be quite similar to the commercial uses in the area. Some features of the building will also conform to the existing homes in the area such as a sloped roof which makes it look less like a commercial building.

Mr. Lobach said the Penn Township Ordinance has specific rules about ancillary services which they are in compliance with. They will not have a separate entrance for a pharmacy or lab. Any ancillary services will operate during the same hours as the healthcare providers. There is also a limitation on signage which will be adhered to.

Mr. Lobach said the general standards are met. The proposed use has to be consistent with the purposes of the Zoning Ordinance and it is. It is consistent with the uses in the area and will not be detrimental to health, safety, or welfare. It will not injure or detract from any of the adjoining properties.

Mr. Lobach said they are not impairing the integrity of the Comprehensive Plan. He said this use fits in nicely with the Comprehensive Plan because the plan talks about the need to maintain and grow manufacturing and healthcare businesses. The Comprehensive Plan states that healthcare facilities must be located close to the population and the proposed plan meets that need. Mr. Lobach said that the Comprehensive Plan divides commercial development into a number of different classifications. One of the classifications is community commercial development and healthcare is a recommended use. It's also recommended as a secondary use in the medium density residential area. Mr. Lobach addressed the remaining requirements of the general standards and detailed how their proposal meets each of those requirements.

Planner Black asked if a medical facility is a principal use in the shopping/commercial zone. Zoning Officer Swanner said it is. Planner Black asked if WellSpan had looked into designing the building so that it is built entirely in the shopping/commercial portion of the property so the special exception wouldn't be needed. Zoning Officer Swanner said they wouldn't meet the parking requirements if they only use the shopping/commercial portion of the property. Planner Black asked if a parking lot is permitted in the R-15 zone. Would a variance be required if the parking were in the R-15 zone and the building in the other? Mr. Lobach said they are asking for a use not a particular building. Planner Klunk explained that WellSpan was originally under the impression that the entire parcel was shopping/commercial and had planned their building accordingly. Mr. Lobach said the planned facilities make the best use of the property. He said there were several misunderstandings throughout the process on how the parcel is zoned. He stated that they are asking for a special exception and they meet the standards so there is no need to reorient the building.

Planner Senatore asked what the operating hours of the facility will be. Mr. Heidelbaugh said they will be busiest during procedure times, around 6 A.M. The hours will be 6 A.M. to 6 P.M. Planner Van de Castle asked if they are still planning to phase the office space. Mr. Long said the ambulatory services will start early and the urgent care will be open later in the evening. The physicians will be open in between those times. There will be phasing as more services are added over time.

Penn Township Police Lieutenant Guy Hettinger cited the traffic study performed by TRG and asked them to confirm that there will be a little over one thousand four hundred trips per day initially and closer to four thousand seven hundred per day when the facility is full. Lt. Hettinger also cited the traffic study stating that in 2022 a southbound right turn lane into the property will be needed; however he believes this cannot be facilitated because of Willow Court. Mr. Seitz said the traffic volume is generated from the ITE Trip Generation Manual and is based on a straight line calculation. Many times in traffic it is not a straight line, as seen in similar WellSpan facilities like the one in Gettysburg. He anticipates it will only be two thirds of what is listed in the study. They spoke with PennDOT about this and PennDOT concurs. Mr. Seitz said the southbound right turn lane will be further discussed during the land development process. They would like a right turn lane or wider shoulder for vehicles traveling southbound and they are aware of the constraints with Willow Court. Mr. Seitz pointed out that the current plan shows two lanes coming out of the facility and they've spoken with PennDOT about making that one lane and PennDOT was agreeable. There will be one lane heading east. Planner Senatore is not comfortable with this. Mr. Seitz said PennDOT was not comfortable with two lanes. Lt. Hettinger said one lane would be difficult and Planner Senatore agreed. Lt. Hettinger said there can be a substantial wait for traffic when turning left. Mr. Seitz said the plan is not finalized and they are still working on things with PennDOT. Planner Senatore asked if they will extend the left hand turn at Baltimore on to Grandview by fifty feet. He said this is the length of a trailer and will not help with traffic backing up. It already backs up without the medical facility. Lt. Hettinger asked if the timing of the traffic lights at Grandview Road and Baltimore Street will be adjusted. Mr. Seitz said they will meet PennDOT's criteria for levels of service as well as all other PennDOT guidelines and specifications.

Penn Township Commissioner Wendell Felix asked if the traffic implementations will be in place for the finished building or will it be phased. Mr. Seitz said PennDOT requires all changes at once without phasing. Commissioner Felix asked if Grandview Road will be looked at and Mr. Seitz said it will.

Planners Klunk/Senatore moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z16-12 – Wellspan Properties, Inc. requesting a special exception to Section 624 (Medical Clinics and Facilities) as it meets the requirements for a special exception set forth in Section 503.3 a.) thru e.) Motion carried on a 4-0 vote.

The planners reviewed the following waiver or exoneration requests:

Hanover Land Services Inc., on behalf of Michael and Christine Cooper, owners of South Hanover Automotive are requesting a modification from Article IV, Section 605

(Landscaping and Bufferyards) of the Penn Township Subdivision and Land Development Ordinance in regards to their Land Development Plan. The property is located at 871 Baltimore Street.

Kris Raubenstine, Hanover Land Services, represented this plan. Mr. Raubenstine said they would like to move the landscaping associated with the front of the property to the back of the property. The front of the property is traverse with driveway, sewer lateral and clear sight triangle. He said there is currently no stormwater functioning on the property and it will be a benefit to the area to add this to the back of the property. Engineer Bortner said the existing infiltration facilities are failing. The plan is proposing to try retention to see if it dries up better than the pits. Mr. Raubenstine explained how water will flow off of the building. Planner Senatore said the landscaping done at the Giant gas station would look nice on this property. Planner Klunk said it would have to be closer to the building to keep the clear sight triangle. Planner Van de Castle asked if the York County Planning Commission comments have been addressed and they have.

Planners Senatore/Klunk moved for a favorable recommendation to the Penn Township Board of Commissioners on a modification from Article IV, Section 605 of the Penn Township Subdivision and Land Development Ordinance in regards to their land development plan. Motion carried on a 3-1 vote with Planner Black casting the dissenting vote.

Engineer Bortner wanted to further discuss the WellSpan plan. He said there is a substantial amount of cars parking across from Willow Court; he counted seven during lunch time today. Putting a center turn lane in will push the through lane into where the cars are parking. PennDOT mentioned widening the road to make room for this but that would put the road right on the front porch of some of the properties. Planner Van de Castle asked if PennDOT will address this. Engineer Bortner said PennDOT is referring this to Penn Township. He said the easiest solution is to remove the parking but he doesn't see another place for the people to park. Some of the properties have a driveway but half of them have a rear alley. Commissioner Felix said half of them park on the street and half park on their lawn. Planner Klunk asked if PennDOT requires TRG to prove that their traffic study will work and Engineer Bortner said yes. Planner Van de Castle said the cars were not there during the blizzard so they must have another place to park. It will be discussed when WellSpan comes back in for land development.

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.** 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.

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

**P16-08 – ROBERT T & CHERYL M HEMLER, 41 Colonial Drive, Hanover, PA 17331. A final subdivision to create two (2) residential lots. The property is located on Earl Street in the R-15 zone.**

Robert Hemler, Jr. represented this plan. Commissioner Klunk asked if York County Planning Commission and Township staff comments were addressed. Engineer Bortner said the comments were addressed.

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

**P16-09 – TRUENORTH WELLNESS SERVICES, 1161 Westminster Avenue, TrueNorth wellness Services, 625 West Elm Avenue, Hanover, PA 17331. A land development plan submitted in order to construct a medical clinic and facility. The property is located at 1161 Westminster Avenue in the R-22 zone.** There was no action taken on this plan.

**P16-10 – MICHAEL S. AND CHRISTINE L. COOPER for South Hanover Automotive, 848 Baltimore Street, Hanover, PA 17331. A final land development plan submitted in order to construct an automotive repair garage and tire sales. The property is located at 871 Baltimore Street in the S/C zone.**

Kris Raubenstine, Hanover Land Services, represented this plan. Engineer Bortner said the plan is prepared assuming they will receive their requested waiver. Planner Klunk asked if York County Planning Commission and Township staff comments have been addressed and they have. Zoning Officer Swanner said that there were a few revisions to the plan in response to the comments.

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

**P16-11 – MUSTANG HEIGHTS, J.A. Myers Building & Development Inc., 160 Ram Drive, Hanover, PA 17331. A final subdivision and land development plan submitted in order to create twenty-three (23) single family residential lots and two (2) open space lots. The property is located at 361-363 Black Rock Road in the R-15 zone.**

Jeff Stough, J.A. Myers, represented this plan. Engineer Bortner said there is an approved preliminary plan and some improvements were made. The Planners reviewed the plan.

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

Planner Senatore asked what's being done about parking in Brookside Heights. Zoning Officer Swanner said he believes there will be no parking requirements in Phase

1. Assistant to the Engineer Garrett performed a traffic study and it showed no changes to the current parking.

The meeting was adjourned at approximately 8:16 P.M.

Respectfully submitted,

Angela M. Hallett, Recording Secretary