

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 8, 2004

Chairperson Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on January 8, 2004 at the Penn Township Municipal Building. In addition to Ms. Scott, present were Planning Members Merle Dubbs, Michael Johnson, Ray Van de Castle, Fred Marsh and Clayton Black. Also present were staff members Administrative Assistant Kristina Rodgers and Township Engineer Eric Bortner.

The Planning Commission took action to reorganize. Planners Van de Castle/Marsh moved to nominate Donna Scott as Chairperson of the Commission. The motion carried unanimously.

Planners Marsh/Black moved to nominate Ray Van de Castle as Vice Chairperson. The motion carried unanimously.

Planning Members Dubbs/Van de Castle moved that the minutes of the December 4, 2003 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z04-01 – Mark Kehr, 145 Sherman Street, Hanover, PA 17331. Applicant requests a variance to Section 203.2 (Use Regulations) to allow operation of a cleaning service out of his home. The property is located in the R-15 zone.

Mark Kehr represented this request, submitted on December 5, 2003 under the previous zoning ordinance. He stated that he would be running a cleaning service out of his home that would include the cleaning of offices, residents, windows and maybe some pressure washing. He would store the cleaning supplies in his basement or garage depending on the weather. He would have one vehicle for the business and would schedule most of his work over the telephone. He does not intend to have any employees at this time but may have some in the future. This is intended to be a part time business. He will store mostly biodegradable, non-flammable concentrated chemicals that will be delivered bimonthly by UPS. These would include standard cleaning supplies, window cleaners, floor cleaners, carpet extractions, and shampoos. He would operate his business mostly on the weekends but there may be cleaning jobs during the week. The vehicle for the business will be parked either in the driveway or garage. He has lived at 145 Sherman Street for about four years and would only have a magnetic sign on the vehicle that he uses for the business. He will keep on file all the MSDS sheets for the chemicals.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-01 – Mark Kehr, requesting a variance to Section 203.2 (Use Regulations) to allow operation of a cleaning service out of his home, as meets the requirements for a variance as set forth in Section 502.3 a) thru f) with the stipulation that if the business expands Mr. Kehr will have to come before the Planning Commission again. Motion carried on 6-0 vote.

Z4-02 – Burkentine & Sons Contractors, 330 Dubbs Church Road, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Use) to allow single-family attached and multi-family dwellings along Breezewood Drive. The property is located in the R-8 zone.

Paul Burkentine, Burkentine & Sons Contractors, and David Stair, Worley Surveying, represented this request, which was submitted on December 12, 2003 under the former zoning ordinance. Mr. Burkentine stated that this request had previously been before the Planning Commission and the Zoning Hearing Board and had been denied by the Zoning Hearing Board. The Planning Commission also recommended denial of the previous request on a 2-2 vote. He stated that the duplexes meet the requirements of the ordinance but they are asking for special exception for the townhouse design. Mr. Burkentine stated that he made changes to the request based upon the comments he had received from the Planning Commission, Zoning Hearing Board and Fire Chief Cromer for access of fire vehicles. They changed the angles of entry for the fire vehicles and installed additional fire hydrants. He stated that they meet all the criteria for the ordinance and there do exist duplexes in the area and there is a development up the road that has a mixture of duplexes and single-family homes. They have eliminated eight units from the initial plan. Mr. Burkentine presented the traffic study that had been presented in June and explained the different proposed developments that were considered when the study was prepared. The Engineer that performed the traffic study will be attending the Zoning Hearing Board meeting. He stated they are working with the Township to install a traffic signal at York and Center streets. There was some discussion about the number of plans that are proposed in this area of the Township. He stated that the traffic generated from his development has minimal impact on the adjoining road. All improvements on York Street would have to be approved by PennDot. Mr. Burkentine stated that they meet all the criteria established by Penn Township for development. The land development plan will address the issues of building in the flood way and flood plain.

Planners Dubbs/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-02 – Burkentine & Sons Contractors requesting a special exception to Section 202.2 (Use) to allow a single-family attached and multi-family dwellings along Breezewood Drive as it meets the requirements for a special exception as set forth in Section 503.6 a) thru e) and the standard for a special exception in Section 626 Multi-family dwelling (old ordinance) pending review by the Penn Township Zoning Hearing Board Solicitor. Motion failed on a 3-3 vote with Planners Scott, Johnson, and Van de Castle casting the dissenting votes.

Z04-03 – Debra K. Gass, 210 Squire Way, Hanover, PA 17331. Applicant requests a special exception to Section 203.2 (Use Regulations) to allow operation of a home occupation at 210 Squire Way. The property is located in the R-15 zone.

Debra K. Gass represented this request. She stated that she would like to bake cakes and design flower arrangements for weddings out of her home. She would be doing this by herself and all her clients would require appointments. Hours of operation will vary because baking the cakes will occur just before the wedding. She previously had done this when she lived in West Manheim Township. She would have a small sign to advertise her business.

Planners Marsh/Scott moved for a favorable recommendation to Z04-03 Debra K. Gass requesting a special exception to Section 203.2 (Use Regulations) to allow operation of a home occupation at 210 Squire Way as it meets the requirements for a special exception as set forth in Section 503.3 a) thru c). Motion carried on a 6-0 vote.

Z04-04 – Jeanna M. Harper, 14 Scenic Drive, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Use Regulations) to operate a family daycare at 14 Scenic Drive. The property is located in the R-8 zone.

Jeanna M. Harper represented this request. Ms. Harper would like to operate a family daycare center at her home on 14 Scenic Drive. She has some of her state certifications but not all of them at this time. She was also unaware that she is required to have a minimum four-foot high fence, in addition to a certain amount of square feet of property for each child. The children must be dropped off in the driveway. She previously was employed as a director of a daycare center in Baltimore County for seventeen years. Chairperson Scott made sure that the applicant was aware that she has to bring a copy of her renewal application for a daycare so that the Township knows that she is still operating a family day care at that address.

Planners Scott/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-04 – Jeanna M. Harper, requesting a special exception to Section 202.2 (Use Regulations) to operate a family daycare at 14 Scenic Drive as it meets the requirements for a special exception as set forth in Section 503.3 a) thru c) with the stipulation that there is a permit picked up and a fence erected at the establishment prior to her operating a day care and all of her credentials including her day care registration from the Department of Welfare be brought into the Township prior to her operating her daycare. Motion carried on a 6-0 vote.

The Planning Commission received the following waiver or exoneration requests:

Rohrbaugh & Co. requesting a waiver of land development requirements to allow paving of two areas at 1030 Wilson Avenue.

William A. Markel, Administrative Manager, Rohrbaugh & Company, Inc. represented this request.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

Bon Ton Builders requests exoneration from public sidewalks on Squire Way.

Dave Stair, Worley Surveying, represented this request.

Planners Van de Castle/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request at this time. Motion carried on a 6-0 vote.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

David Stair, Worley Surveying, represented this plan. The plan has been reviewed by the Planning Commission and is being held up because of the current sewer problem. The PennDot permit has been obtained and is reflected on the plan.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan pending the availability of sewer. Motion carried on a 6-0 vote.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-14 – KEITH & ELAINE TAYLOR, 1030 Hoff Road, Hanover, PA 17331. A final subdivision plan to create three (3) new residential lots between Hoff Road and Sterner's Slaughter Road. The property is located in the R-40 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-18 – MAITLAND INVESTMENT CORP., c/o J.A. Myers, 121 York Street, Hanover, PA 17331. A final subdivision plan to separate sixty acres from existing plot for proposed residential use. The property is located on the corner of Westminster and Cooper Road in the R-22 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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 Brezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-31 STONEWICKE, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 196 new residential building lots. The property is located between Clover Lane and Grandview Road in the S/C zone.

There was no action taken on this plan.

The meeting adjourned at 8:25 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 5, 2004

Vice-Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on February 5, 2004 at the Penn Township Municipal Building. In addition to Mr. Van de Castle, present were Planning Members Merle Dubbs, Fred Marsh and Clayton Black. Planners Donna Scott and Michael Johnson had excused absences. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Black/Dubbs moved that the minutes of the January 8, 2004 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z03-43 – FRANK BUCKLEY, JR. 460 White Church Road, York Springs, PA 17372. Applicant requests a special exception to Section 407.2 (Expansion & Alteration), a variance to Section 612 (Expansion of Nonconformity), Section 303 (Off-Street Parking) and Section 306 (Access Drives) for a rooming house located at 736 Baltimore Street in the R-8 zone.

Jay Kalasnik and Frank Buckley represented this case. A clarification was made that the variance was to Section 610.b and a special exception to Section 407.2. There is nothing in the application for Sections 303 or 306. They would like the application to reflect this if it does not already. There was a letter submitted on November 18, 2003 attorney Kalasnik reflecting these changes. These requests were made under the 1995 Zoning Ordinance because the application was filed prior to the December 15, 2003 adoption of the new Ordinance.

Applicants purchased the building in November 1997 for use as a rooming house. At that time, there were seven rooms for use as a rooming house with the first floor being used as a residence. The applicants, in the spring of 1998, added three rooms in the attic and one room in the basement to be used as part of the rooming house. The applicants lived on the first floor until about April 2002 at which time they moved to another municipality and converted the first floor into four additional rooms. The second floor has a kitchen, washer and dryer, two baths, and there are stairs between the floors but access is prohibited. They are requesting a special exception to expand the existing non-conforming use and are requesting a variance because they will be expanding it by more than thirty-five percent of the previously approved non-conformity. They believe the off street parking is grand fathered because it was there prior to their purchase. He also expanded the parking area by paving over an existing garden. The rooming house has been in operation for about twenty-six years. The access driveways were existing when Mr. Buckley purchased the property. They presented several photographs of the existing conditions of the rooming house. They claimed that it is well maintained and taken care of and it is an asset to the neighborhood. They have a strict set of rules that are printed out and given to all the residents. They rent rooms to both men and women but each are housed on a different floor and have different facilities. All visitors are required to leave by 9:30 at PM.

There was some concern about why this is coming to the Planners now and not prior to its construction. The situation was discovered when the code enforcement officer and fire chief were invited into the building to investigate a fire code violation. The fire chief was notified by one of the tenants because of a non-compliant smoke detector. Mr. Buckley stated that he received a letter from Code Enforcement Officer Boyd with all the corrections that he would like to see made to the structure and to contact him when it was completed. There were several items that would have to be discussed after the ZHB meeting takes place. There was some discussion about additional egress that would be needed to meet requirements. There was also some concern about the electrical inspection and if it had been conducted. Mr. Buckley stated that he had an additional inspector come in and some small items were taken care of. Neither Fire Chief Cromer nor Darryl Boyd has been back to inspect the property.

There was concern about the number of parking space because there are sixteen tenants with thirteen parking spaces. Mr. Buckley stated that most of his tenants are walkers and there has never been a problem with parking. There is currently no manager on the site and the applicant does not live there but frequently visits the building.

Planners Marsh/Dubbs moved that they delay action on this request until another inspection is conducted by the code enforcement officer and the fire chief. Motion carried on a 4-0 vote.

Z04-06 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk Regulations) to relocate an existing house that will encroach into the setbacks. The property is located on South High Street in the R-8 zone.

Dave Stair, Worley Surveying, represented this case. This request had previously been approved by the Zoning Hearing Board for a four-foot side setback for a house that was moved from the intersection of Beck Mill Road and Granger Street to South High Street. When the house was set on the new location it was placed in a different spot, which resulted in the setback being less than what was approved. The setback is about 2.7 feet on the right side and 3.5 feet on the left side.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-06 – Bon Ton Builders requesting a variance to Section 202.3 (Area & Bulk Regulations) to relocate an existing house that will encroach into the setbacks as it meets the requirements for a variance as set forth Section 502.3 a) thru f). Motion carried on a 4-0 vote.

Z04-07 – WADE RINEHART, 873 York Street, Hanover, PA 17331. Applicant requests a variance to Section 306 (Access Drives) to construct a driveway that will exceed the maximum driveway width. The property is located in the H/B zone.

Wade Rinehart represented this request. The property is located next to the Hanover Klondike property, which was recently purchased by Sieck Florist. There is an alley adjacent to the property and he would like to pave over the alley. They used to be allowed to use Klondike for parking but since it was sold they are not allowed to use it and he does not have parking for his tenants. The alley ends at the Klondike building. If he were allowed to pave he would be

paving a parking lot in addition to the alley. The water traverses the property and washes the alley out and ponds in front of the garage. The applicant was also told that he would have to look into an infiltration system.

Planners Marsh/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-07 – Wade Rinehart requesting a variance to Section 306 (Access Drives) to construct a driveway that will exceed the maximum driveway width as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) pending review of stormwater management requirements. Motion carried on a 4-0 vote.

Z04-09 – CHARLES WHITMAN, 7 Valley Run Circle, Hanover, PA 17331.
Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Charles Whitman represented this request. He stated that he purchased the property in August and has contacted Buckmeyer pools about installing an above ground pool. Mr. Whitman indicated that the neighbors at 5 and 9 Valley Run have no problem with the pool. There was some discussion about the previous stormwater problems that have been experienced in the area, which may have been corrected by the neighbors. It was noted that if the problem has been corrected then they should make sure that when the pool is installed they do not disturb what was done. The required setback is thirty feet but with the pool they will have a fifteen-foot setback. There is a pool on the corner of Valley Run and Little Knoll and there is one in the cul-de-sac.

Planners Black/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-09 Charles Whitman requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a pool that will encroach into the setback as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

Z04-10 – RONALD & LISA GROSS, 301 Jasmine Drive, Hanover, PA 17331.
Applicants are requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that will encroach into the setbacks. The property is located in the R-15 zone.

Ronald Gross represented this request. He stated that he and his wife have lived there about six years. He presented an alternative to the original plan. The house next door is about ten feet away from the proposed garage. There is a farm to the rear of the property that is separated by a tree line.

Planners Dubbs/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-10 Ronald & Lisa Gross requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that will encroach into the setbacks, the initial plan, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

The Planning Commission received the following waiver or exoneration requests:

Miriam Runkle requests exoneration from public sidewalks at her subdivision on Bankert Road and Route 216.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request.

C.D. Investors requests a waiver from stormwater management storage requirements for the subdivision known as Ginger Tree.

Ed Mort, Group Hanover, represented this request. The Planners conducted their initial review of the plan. The property is surrounded by two flood plains. There was also some discussion about the current flooding situation since PennDot improved the road and how best to alleviate storm water which crosses Moulstown Road and floods the property. Engineer Bortner does not have a problem with granting the request as written. There was concern about building in this area since it is in a flood prone area.

Planners Black/Van de Castle moved that the Commission agree to consider a waiver at a future time. Motion carried.

Mummert Enterprises requests waivers to Article IV, Section 402, Article V, Section 506e and Article III, Section 303 to the Subdivision and Land Development Ordinance for Mustang Pointe.

Dave Stair, Worley Surveying, represented this request. Engineer Bortner and Zoning Officer Menges stated that they are against a waiver of the size of the paper plan itself because it is too large for the Township's file drawers. It was noted that another plan that was submitted by Worley on the same day conforms to the current ordinance. Engineer Bortner does not have a problem with short street sections but is not in favor of the cul-de-sac.

Planners Black/Van de Castle moved for an unfavorable recommendation to the Penn Township Board of Commissioners on the waiver of sheet size for the plans for Mustang Pointe. Motion carried on a 4-0 vote.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on the request for a waiver to the minimum distance between centerlines of local-to-local intersections if Saddle Court is removed. Motion carried on a 4-0 vote.

Planners Black/Dubbs moved for a favorable recommendation to the Penn Township Board of Commissioners on the request for a waiver of the plans plotted on mylar until the project is in the later stages of review. Motion carried on a 4-0 vote.

Homewood Retirement Center is requesting to construct slanted curbing in lieu of vertical curbing as shown on the approved plan.

Engineer Bortner stated that the rest of the development has vertical curb. Zoning Officer Menges stated that they would not be saving anything if they change the type of curb. Planner Dubbs stated that it is more of a safety issue that vertical curb be installed instead of slant curb.

Planners Van de Castle/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

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There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-18 – MAITLAND INVESTMENT CORP., c/o J.A. Myers, 121 York Street, Hanover, PA 17331. A final subdivision plan to separate sixty acres from existing plot for proposed residential use. The property is located on the corner of Westminster and Cooper Road in the R-22 zone.

Dave Stair, Worley Surveying, represented this request. This plan had been previously reviewed and the Township was requesting additional right of way on the north side of Cooper Road. The Maitland's do not wish to give up additional right of way. They did give up twenty-five feet on the South side of the road. Mr. Stair stated they are requesting a recommendation to move one way or another on the plan. There had been some discussion about exchanging land to accommodate some of the requests.

Planners Black/Van de Castle moved for an unfavorable recommendation to this plan to the Penn Township Board of Commission because they have not addressed the Township Engineer's comments with regards to the Penn Township Subdivision and Land Development Ordinance Section 505.C. Motion carried on a 4-0 vote.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O Zone.

Dave Stair, Worley Surveying, represented this request. Some of the comments have been addressed but they are still addressing others. The number of units has decreased from five to four. They have changed the parking areas and have begun work on preparing a recreation area. There are no flood elevations given on the plan and Engineer Bortner stated that these should be the same as the Plum Creek development. Mr. Stair wanted to provide the Commission an update of where they are with the comments.

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.

Dave Stair, Worley Surveying, represented this request. This is the initial review of the plan. The plan was reviewed in conjunction with the waiver request. Comments from the Township have not been received.

P03-31 - STONEWICKE, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 196 new residential building lots. The property is located between Clover Lane and Grandview Road in the S/C zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

Ed Mort, Group Hanover, represented this plan. This was the initial review of the plan and Mr. Mort had just received Engineer Bortner's comments. This was discussed in context with the stormwater waiver request. There was explanation by Engineer Bortner about how water traverses the area versus how it was designed to flow.

The meeting adjourned at 9:03 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MARCH 4, 2004

Chairman Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on March 4, 2004 at the Penn Township Municipal Building. In addition to Ms. Scott, present were Planning Members Merle Dubbs, Fred Marsh, Ray Van de Castle, and Michael Brown. Planners Michael Johnson and Clayton Black had excused absences. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Chairman Donna Scott welcomed new member Michael Brown to the Commission.

Planning Members Marsh/Van de Castle moved that the minutes of the February 5, 2004 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z03-43 – FRANK BUCKLEY, JR. 460 White Church Road, York Springs, PA 17372. Applicant requests a special exception to Section 407.2 (Expansion & Alteration), a variance to Section 612 (Expansion of Nonconformity), Section 303 (Off-Street Parking) and Section 306 (Access Drives) for a rooming house located at 736 Baltimore Street in the R-8 zone.

Zoning Officer Menges read a letter from Attorney Jay Kalasnik asking for extension to case Z03-43 Frank Buckley, Jr.

Planners Dubbs/Scott moved to approve the extension request until the next Planning Commission. Motion carried on a 5-0 vote.

The Planning Commission received the following waiver or exoneration requests:

Mark & Diane Walker are requesting exoneration from public sidewalks and the required residential street light at their property located at 107 and 109 Center Street.

The Commission received a request dated February 20, 2004 from Mark and Diane Walker requesting a waiver of the sidewalk requirements and the pole light requirements at 107 and 109 Center Street. There are currently no sidewalks along this block of Center Street. Planner Dubbs stated that the Commissioners will more than likely require that the pole light meet the lighting requirements but not necessary the required light source.

Planner Dubbs/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on the request for a waiver of the light source with all other standards being met and for a temporary waiver of the sidewalk requirements at 107 and 109 Center Street. Motion carried on a 5-0 vote

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential

community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-18 – MAITLAND INVESTMENT CORP., c/o J.A. Myers, 121 York Street, Hanover, PA 17331. A final subdivision plan to separate sixty acres from existing plot for proposed residential use. The property is located on the corner of Westminster and Cooper Road in the R-22 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P03-31 - STONEWICKE, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 196 new residential building lots. The property is located between Clover Lane and Grandview Road in the S/C zone.

Paul Minnick, representing J.A. Myers and representing case Z04-08 and P03-31 Stonewicke. They are here in case the Planning Commission would like to make a recommendation to the Zoning Hearing Board on the zoning case. Chairperson Scott stated that since it is not on the agenda she would not hear the case. Engineer Bortner presented the P03-31 Stonewicke plan because they have not submitted a request for extension of the plan which will expire March 15, 2004. Engineer Bortner reviewed some of his comments, which included the lack of a sketch plan. The plan does show a road that would line up from Whispering Run into Stonewicke. There was some concern about the Columbia Gas transmission line. Bortner was concerned that the Zoning Boundary was not depicted accurately. The roads are proposed to be connected to the previously submitted proposed developments. There was some concern about what rights they have to certain rights-of-way near the Anita Stein property, which would affect the accessibility of the development. There is minimal access to the shopping commercial area. There are four detention ponds proposed for the development. There are some issues with the storm water discharge and where it is going to be directed. The traffic and environmental impact studies have not been completed and the wetlands have not been addressed.

Planners Dubbs/Scott moved for an unfavorable recommendation to the Penn Township Board of Commissioners on P03-31 Stonewicke as it does not meet the Subdivision and Land Development Ordinance. Motion carried on a 5-0 vote.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

Reg Baugher, Worley Surveying, represented this plan. The land development plan shows the existing dwellings and access drives which the developer is proposing to remove and construct one central building with parking. There was some concern by the Planners because the developer expressed to the Zoning Hearing Board that the existing house and garage would stay and they wished to be allowed to add on to them. Zoning Officer Menges stated that he spoke with the Solicitor of the Zoning Hearing Board about the fact that they wanted to remove the house and build a structure that would be less than what was originally proposed. The Solicitor stated that this was not a significant change. They would like to remove the house at 730 McAllister, which is a 1930's or 40's house because it does not have any outstanding architectural characteristics and they cannot design something that would look appropriate. The addition would require compliance with the Americans With Disabilities Act (ADA). It was the developer's opinion that this would be difficult and they cannot justify the cost associated with such compliance. The Planning Commission requested a letter from the Zoning Hearing Board Solicitor stating his position about the removal of the existing house. The new structure would meet all the setback requirements of the zone and be in harmony with the surrounding area. Engineer Bortner has not reviewed the plan because of the concern with the Zoning issue.

The meeting adjourned at 7:49 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
APRIL 1, 2004

Vice Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on April 1, 2004 at the Penn Township Municipal Building. In addition to Mr. Van de Castle, present were Planning Members Merle Dubbs, Michael Johnson, Clayton Black, Fred Marsh, and Michael Brown. Planner Donna Scott had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Dubbs/Marsh moved that the minutes of the March 4, 2004 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z04-12 – Randy E. Howe, 561 Black Rock Road, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations), to construct a concrete pad that will encroach into the setbacks. The property is located in the R-15 zone.

Randy E. Howe represented this request. Mr. Howe is requesting to install a concrete slab on his property in order to park a recreational vehicle. He would like to install the slab within one foot of the property line. The distance between his house and side property line is thirteen feet. There is a steep embankment with a storm drain located on the opposite side of the house. The neighbor also has a carport on his property, which abuts the same property line. According to Mr. Howe, there is twenty feet (???) between his house and the neighbor's house. The zoning regulations require that a parking pad be a minimum of three feet from the property line. There are no restrictions in this area for parking an RV and it would be located behind the front of the house. The grade of the neighbor's house is slightly higher than Mr. Howe's and he is at the lowest part of the basin. The slab would be tapered to direct runoff from the driveway towards the stormwater basin.

Planners Marsh/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-12 Randy E. Howe, requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a concrete pad that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-13 – Jack J. & Cindy L. Freet, 25 Sheridan Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that will encroach into the setbacks. The property is located in the R-15 zone.

Jack J. Freet represented this request. Mr. Freet displayed pictures of his property as well as the neighbor's property at 15 Sheridan Drive who has a garage similar to what he wants to construct. Mr. Freet has owned the property for ten years but the home was built in 1976. The garage on the neighbor's house was constructed as an addition. Zoning Officer Menges stated that this was one of the first subdivisions done in the Township under the modern standards. He believes that it may have been an R-8 or an R-10 zone when it was developed in the late sixties

and early seventies. According to Mr. Freet, the neighbor does not have a problem with the garage. Mr. Freet is not building the garage as wide as the existing driveway.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-13 Jack J. & Cindy L. Freet, requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-14 – Ryan D. & Kimberly A. Heist, 14 Marie Drive, Hanover, PA 17331.
Applicant requests a special exception to Section 611 (Conversion of Dwelling for Additional Family Members). The property is located in the R-15 zone.

Ryan D. & Kimberly A. Heist represented this request. Mr. Heist stated that they would like to construct a living unit above the garage, which was built in 2000, for his mother-in-law. The entrance to the unit would be from the current kitchen and there will be no outside entrance. The peak of the roof will match the roof on the other side. The living area will be 450 square feet. The applicants are aware that they are required to submit an affidavit each year documenting who the owner is and listing any relatives living in the same house. The Township requires that if there is not a family member living in the space that the space is incorporated into the existing home, eliminating any landlord/tenant relationship.

Planners Dubbs/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-14 Ryan D & Kimberly A. Heist, requesting a special exception to Section 611 (Conversion of Dwelling for Additional Family Members) and grant him a variance to Section 611 D, which allows him to exceed 450 square foot living space shown on the drawing, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

At this time Planner Michael Johnson excused himself from the meeting.

Z04-15-Joseph T. & Angela R. Martz, 595 Bankert Road, Hanover, PA 17331.
Applicant requests special exception to Section 311 (Street Access), to subdivide two (2) residential building lots. The property is located in the R-40 zone.

Joseph T. Martz represented this request. Mr. Martz would like to subdivide two lots off his existing property to create two new conforming lots but will be left with 18.5 acres of his original lot that would now be a flag lot because it will not have sufficient road frontage. He stated that he is not interested in creating any more additional lots.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-15 – Joseph T. & Angele R. Martz, requesting a special exception to Section 311 (Street Access), to subdivide two (2) residential building lots as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote.

At this time Planner Michael Johnson returned to the meeting.

Z04-16 – Joseph B. & Tanya M. Tumminello, 17 Gladys Court, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

Joseph B. Tumminello represented this request. Mr. Tumminello presented both diagrams and pictures of his property. The original setback was 15 feet and was changed to 30 feet. The home encroaches into the rear setback by about four feet. The applicant is not concerned about the shape or size of the future pool, but is only concerned about having a functional pool. The house was built in 1988 but the applicant purchased the home about three years ago. There is a house on Loop Drive that has an above ground pool and that is why when they bought the house they thought they would be allowed to put in a pool. This property borders West Manheim Township. He would be willing to place an in-ground pool as close to the home as possible. He provided signatures from his neighbors stating they did not have a problem with him installing the pool. They are willing to work with the Board for the placement of the pool but want to return to the original setbacks of the property. They are willing to change to an above ground pool if it would mean the Board would look favorably on the request. Zoning Officer Menges stated that there are above ground pools in this area that meet the 15-foot setback.

Planners Johnson/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-16 Joseph B. & Tanya M. Tumminello, requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a pool that will encroach into the setbacks as it meet the requirements for a variance as set forth in Section 502.3 a) thru f). They want to leave the option open for them to choose between an above or in ground pool. Motion carried on a 6-0 vote.

The Planning Commission received the following waiver or exoneration requests:

None.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-18 – MAITLAND INVESTMENT CORP., c/o J.A. Myers, 121 York Street, Hanover, PA 17331. A final subdivision plan to separate sixty acres from existing plot for proposed residential use. The property is located on the corner of Westminster and Cooper Road in the R-22 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P03-31 - STONEWICKE, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 196 new residential building lots. The property is located between Clover Lane and Grandview Road in the S/C zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-03 SUTTON INDUSTRIES CORP., 198 Pennsylvania Avenue, Westminster, MD 21157. A final subdivision plan to separate an existing duplex at 14 & 16 Mt. Royal Avenue. The property lies in the Hanover Borough with only a small portion in Penn Township.

Michael Johnson, Sutton Industries Corporation, represented this plan. This plan is located in both the Township and Hanover Borough, however the only portion in Penn Township is the driveway. The Planning Commission will wait until York County Planning comments are received before making a recommendation.

The meeting adjourned at 8:00 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MAY 6, 2004

Chairman Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on May 6, 2004 at the Penn Township Municipal Building. In addition to Ms. Scott, present were Planning Members Merle Dubbs, Michael Johnson, Ray Van de Castle, Clayton Black, Fred Marsh, and Michael Brown. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Marsh/Johnson moved that the minutes of the April 1, 2004 meeting be approved as submitted. The motion carried unanimously.

Planner Michael Johnson informed the Commission that Penn Township received a planning award in conjunction with the Borough of Hanover and the York County Economic Development Corporation. The award recognizes the efforts of all three parties to develop an inter-municipal understanding to develop a Regional Land Use and Economic Development Plan for the Greater Hanover Area. The award was given on May 5, 2004 by the York County Planning Commission at the Local Government Advisory Committee Meeting. He stated that during his acceptance at the awards presentation, he gave the Township Planning Commission the credit for making it possible.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z03-43- FRANK BUCKLEY, JR., 460 White Church Road, York Springs, PA 17372. Applicant requests a special exception to Section 407.2 (Expansions & Alteration), a variance to Section 612 (Expansion of Nonconformity), Section 303 (Off-Street Parking) and Section 306 (Access Drives) for a rooming house located at 736 Baltimore Street in the R-8 zone.

Frank Buckley and Jay Kalasnik represented this request. This case had previously been before the Planning Commission but there was no decision rendered per the request of the Commission until the Township inspectors had reviewed the property again for compliance with Township codes. Mr. Kalasnik stated that after the last meeting he attempted to have the property reinspected by the Township but per the Township Manager the property was not going to be inspected for anything but the seven permitted units that were approved in the 1970's until such time as the Zoning Hearing Board made a decision on the case. Mr. Kalasnik stated that Mr. Buckley has continued to make improvements to the property since he received the letter from the Township and they would like to have the Committee conditionally approve the request. It was determined that the original approval was for seven units and the applicant now has sixteen residents living on the property. The seven-unit approval requires that the owners live in the home. There were questions posed about the corrections that Mr. Buckley has taken about correcting the deficiencies that were noted on the code and fire inspection reports. It was stated that sixteen units would require different codes to be enforced than a seven-unit rooming house. Several of the members of the committee were concerned because there was no plan provided that showed the original building along with the changes and the additional parking that would be required with additional units. Mr. Black was concerned with the applicant meeting the ordinances of the Township such as traffic, parking, etc. Some of the members were concerned

about having an architectural plan to show how the home was going to be expanded and that the expansion has already occurred by more than the thirty five percent allowed by the ordinance. There was also concern about the general welfare and safety of those people who are currently living in the facility and why nothing has been done to correct the situation. Many of the members stated there had to be some kind of confirmation that the corrections have been made. The applicant stated that some of the construction that has been completed in the home includes converting the first floor a single family home to residential space for tenants and construction was done in the attic to create three additional units. Mr. Buckley stated he was given two lists by Darryl Boyd, one list that listed the requirements for sixteen-unit residence and the other with immediate safety issues.

Planners Van de Castle/Marsh moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z03-43, Frank Buckley requesting a special exception to the Ordinance Section 407.2, a variance to section 610(b) (the alteration of the rooming house exceeding an additional 35% of the area devoted to the nonconforming use); a variance to the Zoning Ordinance, Section 610 (c) and a variance to permitted uses in Section 303.2, Section 303.4(b), Section 303.3 (c), Section 305.1, Section 305.3 (a), and Section 305.5 as they do not meet the requirements for a variance as set forth in Section 502.3 a) thru f) and requirements for a special exception as set forth in Section 503.6 a) thru e) of the Zoning Ordinance valid prior to December 15, 2003. Motion carried on a 7-0 vote.

Z04-17 – KIM SOISTMAN, 6 South Vail Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk), to construct a garage that will encroach into the setbacks. The property is located in the R-15 zone.

Kim and Anthony Soistman represented this request. They would like to build a two-car garage that will encroach about four feet into the side setback. They have owned the house about ten years and this was originally in the R-12 zone. The lot next to them is a corner lot and faces the other street. They stated they informed their neighbors of the project. Ms. Soistman stated there are several homes in the area that have two car garages.

Planners Dubbs/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-17 – Kim Soistman requesting a variance Section 203.3 (Area & Bulk), to construct a garage that will encroach into the setbacks as it meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 7-0 vote.

Z04-18 – RICHARD KRILL, III, 130 Carlisle Street, Hanover, PA 17331. Applicant requests a special exception to Section 201.2 (Uses Not Provided For), to construct a garage rental space at Boundary Avenue Lot 1. The property is zoned shopping commercial.

Richard Krill and D. J Hart represented this request. This is a resubmission of a prior approved request that had expired before any permits had been issued. The only difference between this request and the previous request is the location of the building and that is being changed at the request of the Zoning Hearing Board. The property will be fenced in with an automatic gate. Mr. Krill stated that he would have certain hours of operation when deliveries can be made and those will be built into the lease agreement. He stated that he will not prevent the tenant from going to the building after those hours but no deliveries will be allowed after a

certain hour. It was noted that the last time this was before the Planners there were people who were opposed to the request but they are not present at this meeting. It was noted that the residents who opposed the request did not live in close proximity to the property. Mr. Hart stated that the property would mostly be used for large-scale storage especially for such things as Winnebago's or for individuals who have home based businesses and have grown too large for their homes. There would not be as many trips each day in/out of the facility as there are at the day care center next to this property. They stated they are currently stockpiling dirt at the facility and they now own the property. They will also be submitting a land development plan for the facility that will address other issues.

Planners Marsh/Brown moved for a favorable recommendation to the Zoning Hearing Board on Z04-18 Richard Krill, III requesting a special exception to Section 201.2 (Uses Not Provided For), to construct a garage rental space at Boundary Avenue Lot #1, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 7-0 vote.

The Planners received the following waiver or exoneration requests:

Tony Forbes, Bon Ton Builders, is requesting an exoneration of land development for their office located at 1060 Baltimore Street.

Engineer Bortner stated that the stormwater is acceptable and this would give them the 80% of lot coverage allowed in the zone.

Planners Johnson/Scott moved for a denial of this request to the Penn.Township Board of Commissioners. Motion carried on a 7-0 vote.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

Reg Baugher, Worley surveying, gave an update on the status of the project. They have conducted the flood study and have spoken to Engineer Bortner about Brookside Avenue improvements and the York Center Street tie in. Mr. Baugher reported that Township Manager Garvick, Engineer Bortner, and himself met with PENNDOT in Harrisburg several months ago to get everybody's input on the project. They have some sewer issues to work out as well.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

Reg Baugher, Worley Surveying, provided an update on this plan. They are trying to get the FEMA flood map changed. They have conducted a study that shows the flood area is smaller than it was. They expect the change to take six to eight months.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-03 SUTTON INDUSTRIES CORP., 198 Pennsylvania Avenue, Westminster, MD 21157. A final subdivision plan to separate an existing duplex at 14 & 16 Mt. Royal Avenue. The property lies in the Hanover Borough with only a small portion in Penn Township.

Planner Black recused himself from discussion of this plan. Michael Johnson, Sutton Industries Corporation, represented this request. York County and Township comments have been addressed. Hanover Borough has already approved the plan. The plan needs to be sealed with a Pennsylvania surveyor seal instead of a Maryland surveyor seal.

Planners Dubbs/Johnson moved for a favorable recommendation of this plan to the Penn Township Board of Commissioners. Motion carried on a 6-0 vote with Planner Black abstaining.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

Reg Baugher, Worley Surveying, represented this request. They want to take a six-acre parcel off of the existing twenty-four acre parcel and create two lots. York County comments have been addressed. They will add Township zoning areas to the Plan.

Planners Dubbs/Scott moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 7-0 vote.

P04-05 - PENN TOWNSHIP, 20 Wayne Avenue, Hanover, PA 17331. A final land development plan to create a public facility on the north side of the intersection at Wilson Avenue and Ridge Avenue. The property is zoned industrial.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

Reg Baugher, Worley Surveying, represented this request. This is an initial review of the plan. They have not received comments from York County Planning or the Township. They will be selling storage sheds and constructing an office building.

The meeting adjourned at 8:35 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JUNE 3, 2004

Chairman Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on June 3, 2004 at the Penn Township Municipal Building. Present, in addition to Ms. Scott, were Planning Members Merle Dubbs, Ray Van de Castle, Clayton Black, Fred Marsh, and Michael Brown. Planner Michael Johnson was excused with notice. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Marsh/Scott moved that the minutes of the May 6, 2004 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z04-19 – STEVEN S. GEIS, 109 Gardenia Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area and Bulk), to construct a covered porch that will encroach into the setbacks. The property is located in the R-15 zone.

Steven S. Geis represented this case. The applicant would like to construct a covered porch that will encroach four feet into the front setback.

Planners Marsh/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-19 –Steven S. Geis, requesting a variance to Section 203.3 (Area and Bulk Regulations) to construct a covered porch that will encroach into the setbacks, as it meets the requirements for a variance as set forth in section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-20 – STEPHEN R. & LISA N. BUDNER, 433 S. Center Street, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area and Bulk), to construct a garage that will encroach into the setbacks. The property is located in the R-8 zone.

Stephen R. and Lisa N. Budner represented this case. The applicants would like to build a two-car garage that will encroach into the setbacks. There was presented a letter of concern from the neighbor at 429 S. Center Street who was unable to attend the meeting.

The applicants have owned the property for one month. They indicated that they were told prior to purchasing the property there would not be a problem in building a garage on the property. Zoning Officer Menges stated that the topography affects the ability to build a garage on the lot next to the house. The neighbor's property is higher than the applicants and stormwater would not flow from the applicants to the neighbors. The garage would be two-story with space for storage. Zoning Officer Menges stated that the motion would also have to include a request for a variance to the driveway which will be located on the property line but according to the ordinance it needs to be three feet off the property line. There is more room on the other side but the driveway would have to go through the front yard.

There was some concern about whether or not a drainage pipe traverses their property. Zoning Officer Menges stated that the pipe does not go through this property.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-20 – Stephen R. & Lisa N. Budner requesting a variance to Section 202.3 (Area and Bulk Regulations) to construct a garage that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) and an unfavorable recommendation for a variance to the driveway setbacks as it does not meet the requirements for a variance. Motion carried on a 6-0 vote.

Z04-21 – CHRISTOPHER W. HEILMAN, 44 Lexington Drive, Hanover, PA 17331.
Applicant requests a variance to Section 202.3 (Area and Bulk) to construct a deck that will encroach into the setbacks. The property is located in the R-8 zone.

Zoning Officer Menges noted for the record that this deck has already been constructed.

Christopher W. and Philip Heilman represented this case. Philip Heilman explained that Christopher Heilman purchased the property in December of 2003 with the deck already built onto the house. Christopher Heilman had looked at the property and house, built by Mummert Enterprises, twice before purchasing and on both visits the deck already existed. Some of these visits were prior to Thanksgiving. He purchased the house in January 2004 in good faith believing that all the appropriate permits and regulations had been met by the builder. In April 2004 Mr. Heilman received a notice of violation about the deck. He then came to the Township Office and spoke to the Zoning Officer about what could be done. The building permit application revealed that the builder secured a permit for the house and deck. However, the permit application called for a smaller deck than was actually constructed. The piers are already in and there is a cement slab underneath that would allow an exposed concrete area if the deck is removed.

Planners Marsh/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-21 – Christopher W. Heilman requesting a variance to Section 202.3 (Area and Bulk Regulations) to keep a deck that encroaches into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-22 – SCOTT & LISA MEHRING, 34 Mumma Avenue, Hanover, PA 17331.
Applicant request a variance to Section 300.9c (Utility Sheds), to construct a shed that exceeds the size provisions. The property is located in the R-8 zone.

Scott and Lisa Mehring represented this request. Planning Member Dubbs abstained from discussion and voting on this case. Mr. Mehring stated that when he purchased the property there were a 10' x 12' shed and a 6' x 12' alcove behind it. One was metal and one was wood for a total of 192 square feet. Mr. Mehring removed both the shed and alcove and replaced them with a new shed of the same square footage. The new shed is located four feet off the side and rear property line. He presented a petition signed by all the neighbors, including the one who had complained about the mess Mr. Mehring created when he installed a fence. The new shed has vinyl siding that matches the house and is also used to house a motorcycle. The applicants built the deck and patio, along with the shed, without securing a building permit.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-22 Scott and Lisa Mehring requesting a variance to Section 300.9c (Utility Sheds) to construct a shed that exceeds the size provisions as it meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 5-0 vote with Planner Dubbs abstaining.

Z04-23 – DAVID FUNK, 91 Lion Drive, Hanover, PA 17331. Applicant requests a variance to Section 300.8a (Swimming Pools/Garden Pools), to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

David Funk represented this request. A similar variance request had been approved by the ZHB in 1996 but the applicant did not install the pool at that time because he was unable to finance the project. That application would have no bearing on this request. He stated he can meet the side setback but the depth of the property is only thirty-five feet and the rear adjoins Beck Mill Road. He stated that he would be installing a six-foot privacy fence. The pool would be nine and half feet away from the property line. He would be removing the existing fence. He has owned the property for fifteen years and was the fourth or fifth house built in the Picket Ridge Development.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-23 – David Funk requesting a variance to Section 300.8a (Swimming Pools/Garden Pools) to construct a pool that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-24 – CBL & ASSOCIATES PROPERTIES, INC., 800 South Street, Suite 395, Waltham, MA 02453. Applicant requests a variance to Section 301 (Outdoor Signs), to erect a sign that exceeds the maximum height provisions. The property is located at the northeast corner of Carlisle Pike/Eisenhower Drive in the S/C zone.

Mark Campbell, Herbert Rowland and Grubic, and John Mitchell, CBL Associates Properties, Inc. represented this case. Mr. Campbell briefly discussed a plan, which had previously been submitted by Interstate Development Corp. He then offered discussion on a new plan proposed by CBL and Associates Properties, Inc. for the same property. He referenced the different variances and special exceptions that had already been granted to the project. He stated that they have spent time with Penn Township and Hanover Borough staff in addition to other government agencies to develop an adequate, alternative plan. He stated that they previously proposed a total of three signs for the project and the one located within Penn Township met the previous sign ordinance. The new plan shows Home Depot and Sam's Club as the major tenants along with several smaller businesses that would be located between those two. They have made street 'A' a through street and the Eichelberger St. Extension has been eliminated. The number of signs on the property is down to one at the intersection of Street 'A' and Rt. 94. This is the same sign that had been proposed for Hanover Borough. They are requesting a sign height of twenty-five feet as opposed to the current ordinance allowing for a maximum of twenty feet. They are planning on having only one pylon sign for the site with smaller individual signs for the two major players located at the top. They stated it will be similar to those already located along Eisenhower Drive.

Planners Dubbs/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-24-CBL & Associates Properties, Inc. requesting a variance to Section 301 (Outdoor signs), to erect a sign that exceeds the maximum height provisions as it meets the requirements for variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

The Planners received the following waiver or exoneration requests:

Todd G. Sager, General Contractor, is requesting exoneration from a land development plan for the proposed deck located at the Moose.

This deck would be less than ten percent of the impervious property. The property size is 77,000 square feet and the deck is 16'x 44' and would be less than one and half percent of the impervious lot area. This site had been the location of the PA unemployment office and then was purchased by the L.O.O.M.

Planners Scott/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

Mark Campbell, Herbert, Rowland, and Grubic, and John Mitchell, CBL Associates Properties, Inc. represented this plan. Mr. Campbell reviewed the plan as presented by Interstate Development last year along with the variances and special exceptions that had been granted to the plan. The only additional variance that is need is for the sign height, which has been asked for and will be heard by the Zoning Hearing Board on Tuesday. They have been meeting with all the review agencies over the last eight to nine months. They explained the process of Street 'A' being extended through to Wilson and the Eichelberger extension being eliminated. Route 94 will be widened from the development to Hanover Road (Mines Road) as a result of the traffic study conducted for this project. The gas kiosk has been moved and will be associated with the Sam's club and be located along street 'A'. The development south of Street 'A' is conceptual and may change depending on the tenants. There is still open space and they are not touching the wetlands. The footprint of the smaller stores may change depending on the tenants but the two anchor stores are locked in. Street 'A' is currently proposed to be private. They hope to start in August and be completed by the fall of 2005.

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 Brezewood Drive in the R-8 zone.

There was no action taken on this plan.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

P04-05 - PENN TOWNSHIP, 20 Wayne Avenue, Hanover, PA 17331. A final land development plan to create a public facility on the north side of the intersection at Wilson Avenue and Ridge Avenue. The property is zoned industrial.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION

JULY 1, 2004

Chairman Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on July 1, 2004 at the Penn Township Municipal Building. Present, in addition to Ms. Scott, were Planning Members Merle Dubbs, Ray Van de Castle, Fred Marsh, and Michael Johnson. Planners Clayton Black and Michael Brown were excused with notice. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Marsh/Dubbs moved that the minutes of the June 3, 2004 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z04-25 – LORI QUIAMBAO, 627 West Middle Street, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk Regulations) to construct a front porch that will encroach into the front setbacks. The property is located in the R-8 zone.

Lori Quiambao and Gary Mummert represented the request. This is a single-family dwelling that was built by the applicant's grandparents in 1959. She inherited the property after their deaths and has lived there for several years. There is a stoop in front of the house that is about five and half feet by six feet. There is a bow window with an attached flower box that is rotting out. They want to remove the flower box and extend the stoop and make a porch across the window. All the other windows in the home were replaced when Miss Quiambao took over the property. There are other properties in the area that have porches that encroach into the front setback.

Planners Dubbs/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-25 – Lori Quiambao requesting a variance to Section 202.3, Area & Bulk Regulations, to construct a front porch that will encroach into the front setbacks, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

Z04-26 – ELIZABETH SABATINO, 30 Allen Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that will encroach into the setbacks. The property is located in the R-15 zone.

Elizabeth Sabatino represented this request. She has owned the property for twelve years and would like to build a garage, the same width as the existing driveway. Her house currently encroaches into the side setback about one and half feet on the opposite side because of the change in the Zoning Ordinance since this home was built. It was believed that this property was an R-10 when it was built. The new garage will set almost three feet into the side setback. There is a gas meter on one side of her house and an electric meter on the other. Most of the homes in the neighborhood have attached garages.

Planners Johnson/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-26 Elizabeth Sabatino requesting a variance to Section 203.3,

Area & Bulk Regulations, as it meets requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

Z04-27 – STONE RIDGE DEVELOPMENT, Brookside Heights, 330 Dubbs Church Road, Hanover, PA 17331. Applicant requests a special exception to Section 202.2 (Use), to allow construction of multi-family dwellings. The property is located on the east side of Brookside Avenue, in the R-8 zone.

D.J. Hart, attorney for Stone Ridge Development, represented this request. He stated that they are presenting a plan that is much different than the plan that was presented a year ago. They are requesting a special exception for two specific areas to allow for multi-family dwellings in the development. These areas are close to the Morelock Hills Development and compatible with the housing in that development. They also have removed some units from the plan, not to maximize the usage, but to minimize density and allow some aesthetic beauty to the area. The traffic study has been submitted to the Township for review. This use would have a minimal impact on the traffic already in the area and Mr. Paul Burkentine has been working with PENNDOT and Penn Township on the intersection design and a proposed traffic signal. There is a thirty to forty percent decrease in the total number of units in the revised plan. There is also more green area and most units are duplexes that are allowed in an R-8 zone. There was some concern about runoff and buffer zones and that will be addressed at the land development stage.

Fred Fowler, 900 Baer Avenue, expressed concern about the increase traffic problems that would be caused by the development. He felt that the Township should have a traffic solution set up before the plan is approved and built. He lives at the intersection of Baer Avenue and Charles Avenue and realizes that traffic from this development may pass through this intersection and create more problems. Planner Dubbs explained that the Commissioners have been working with Mr. Burkentine to develop a solution to this problem and within five years there maybe as many as three traffic signals on York Street.

Mr. Hart stated that a special exception couldn't be denied if a current problem exists but only if it creates a new problem.

Planners Scott/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-27 – Stone Ridge requesting a special exception to Section 202.2 (Use) to allow construction of multi-family dwellings on the east side of Brookside Avenue as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion failed on a 2-3 vote with Planners Van de Castle, Johnson, and Marsh casting the dissenting votes.

Planners Johnson/Van de Castle moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z04-27 – Stone Ridge requesting a special exception to Section 202.2 (Use) to allow construction of multi-family dwellings on the east side of Brookside Avenue as it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 3-2 vote with Planners Scott and Dubbs casting the dissenting votes.

Z04-28 – DAVID FUNK, 91 Lion Drive, Hanover, PA 17331. Applicant requests a variance to Section 300.8a (Swimming Pools), to construct a pool that will encroach into the setbacks. The property is located in the R-15 zone.

David Funk represented this request. The applicant received a recommended denial on a similar request at last months planning meeting. The applicant has reapplied using the same application information on a request that was approved approximately six years ago. The pool will be located 17 feet from the rear property line, 12 feet from the side property line, 4 feet from the house, and ten feet from the deck.

Planners Van de Castle/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-28 – David Funk, requesting a variance to Section 300.8a (Swimming Pools), to construct a pool that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

The Planners received the following waiver or exoneration requests:

Burkentine & Sons Contractors, Inc. requests exoneration from public sidewalks at 120 Peter Street. There are no sidewalks at present on Peter Street.

Planners Scott/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-1 vote.

Plum Creek Auto Sales requests exoneration from a land development plan for a 30' x 60' pole building. According to the Township Engineer, the property lies within the flood plain.

Planners Scott/Van de Castle moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan:

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-05 - PENN TOWNSHIP, 20 Wayne Avenue, Hanover, PA 17331. A final land development plan to create a public facility on the north side of the intersection at Wilson Avenue and Ridge Avenue. The property is zoned industrial.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-07 – PRECISION CUT INDUSTRIES, 13 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted for a building expansion. The property is zoned industrial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

The meeting adjourned at 7:49 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 5, 2004

Vice -Chairman Ray Van De Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on August 5, 2004 at the Penn Township Municipal Building. Also present were Planning Members Fred Marsh, Michael Johnson, Michael Brown, and Clayton Black. Planners Merle Dubbs and Donna Scott were excused with notice. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Marsh/Van de Castle moved that the minutes of the July 1, 2004 meeting be approved as submitted. The motion carried unanimously.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z04-29 – SYLVIA A. STRUSS-BOTTS, 38 Frock Drive, Hanover, PA 17331.
Applicant requests a special exception to Section 611 (Conversion of Dwelling for Additional Family Members). The property is located in the R-15 zone.

Sylvia A. Struss-Botts represented this request. She wants to put an addition on her house for her mother. The home sets back 140 feet from Frock Drive. The property has public water and sewer. She has a long, steep driveway that enters Black Rock Road. She is planning on incorporating a turnaround in the design of the driveway for the addition. Ms. Struss-Botts has tried to get access to Black Rock Road but was unable due to the steep slope of her home to the street. There will be two garages added; one will replace the existing garage that will be utilized in the addition. The addition will include a bedroom, bathroom, and two garages. The existing garage will be used for a kitchenette and living room.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-29 Sylvia A. Struss-Botts requesting a special exception to Section 611 (Conversion of Dwelling for Additional Family Members) as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote.

The Planners received the following waiver or exoneration requests:

J. F Rohrbaugh Co., Inc. requests exoneration to concrete two (2) lumber storage areas on their property on Wilson Avenue.

There was a previously approved land development plan that expired prior to these areas being concreted. William Markel, Administrative Manager, Rohrbaugh & Co., Inc., represented this request. Zoning Officer Menges stated that when an addition was added several years ago Conewago Contractors created a stormwater management pond for 80% coverage of the lot. The two areas they want to concrete are already stoned and will be used for raw material storage and will total about 68,000 square feet. The existing areas of stone will have to be dressed up in order for them to be paved. The stone that is referenced on the plan was new stone when the plan was approved in 1999. There was some concern how the areas will drain into the existing pond and what effect the current rains we have been experiencing will have on the pond. The Planners

asked why the request had to be made since the stormwater pond had already been designed with the intent of the land being used at maximum lot coverage. Zoning Officer Menges stated that the plan had to be presented because there was a change in land coverage that required them to ask for a waiver.

Planners Van de Castle/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN’S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-05 - PENN TOWNSHIP, 20 Wayne Avenue, Hanover, PA 17331. A final land development plan to create a public facility on the north side of the intersection at Wilson Avenue and Ridge Avenue. The property is zoned industrial.

Township Engineer Eric Bortner represented this plan. As part of the Ridge/Wilson construction project the Township purchased fifteen acres of land from Warehime Enterprises and added it on to the sewer plant property. The Township, in the future, is proposing to build several recreational fields including soccer and baseball in addition to a public works facility. The only phasing that Mr. Bortner is aware of is the salt storage facility and the fuel island system, which has not found funding to date and will be added in the future. There was concern about the number of parking spaces with regards to the recreation facilities. Engineer Bortner stated that the wetlands contributed to the loss of some of the originally proposed parking. Currently he feels that the parking is adequate but at some future time there may be a parking issue. There is an area that will be reserved for future sewer plant expansion. Engineer Bortner showed the previous plan that he had considered prior to making adjustments for the existing wetlands. He explained that the Public Works Department currently has equipment stored at the existing highway shed, the sewer plant and the community park. It was noted that this facility will tap directly into the existing sewer plant.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-07 – PRECISION CUT INDUSTRIES, 13 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted for a building expansion. The property is zoned industrial.

Doug Stambaugh, Group Hanover, Inc., represented this request. They are proposing a 50' x 100' addition to their existing building. Everything else shown on the plan already exists. The original land development plan from 1999 shows this proposed expansion because it was being anticipated. The building setbacks and stormwater management were planned for at that time also. Engineer Bortner stated that it just missed the five-year dead line for plans being constructed. There was a revised plan that added the looped driveway in the rear and this plan shows what was on the previous two land development plans. Bortner asked them to show everything on this plan that was on the previous two submitted plans. On the initial plan the landscaping requirements were waived. The Planners were concerned whether or not that waiver binds them since the plan had expired. Engineer Bortner stated that he only reviewed the plan to make sure that everything that was required on the previous plans was included on this one and was not sure if the previous landscaping waiver bound the Planners. There was concern about the entrance and whether or not it was the Township standard when the plan was approved. Engineer Bortner stated that fourteen feet of width for the entrance was the standard on the old ordinance. Zoning Officer Menges stated that the new ordinance states that a one-way lane should be eighteen feet. The Planners would like to see the driveway be widened and questioned whether the addition was substantial enough to require the width of the drive to be changed. Mr. Stambaugh stated that the drive that is currently being used has not caused any problems. Mr. Stambaugh stated that they have approval from the conservation district.

There are no loading docks on the outside of the building because the trucks go through the building to unload the cargo.

The Committee suggested that the meeting minutes regarding the previous plan be reviewed to see what the requirements of the landscaping waiver were and to ask for the driveway to be widened to meet the current ordinance. There was concern because this is a thirty-three percent increase in the facility size and they are not sure what percentage of expansion requires them to meet the ordinance.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-09 – SOUTH HILLS, c/o Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A sketch plan of a subdivision to create fifty-nine (59) new residential building lots with 2 (two) add-on lots. The property is located at Westminster and Cooper Roads, in the R-22 zone.

Reg Baugher, Worley Surveying, represented this plan. Mr. Baugher stated that this plan was submitted to the Planning Commission and the Public Works Committee about a year ago for review. They have changed some of the lot sizes and added the fifteen percent slopes per the new ordinance. He stated that the street lay out is what Public Works had requested. Engineer Bortner stated that in June 2003 the adjacent property owner was sent a letter from the Township Manager stating that the road layout was not acceptable. That road layout connects to the adjacent property owner, which is the Hanover Shoe property. He thinks the Manager was looking for a more direct access to Beck Mill Road. There has been no response to the letter. There are several double frontage lots and one triple frontage lot that would have to be addressed. There is access to Mr. Bittinger's property that is a result of negotiating the sewer rights-of-way. Engineer Bortner was concerned about the lots that were going through the environmental areas. The plan shows three stream crossings. Reg Baugher stated that their environmental person felt that they would not have a problem being able to obtain the stream crossings. Engineer Bortner was concerned with the street layouts because of the length between intersections is too close, the length of some segments is too long, and the curves do not appear to be designed correctly.

Reg Baugher stated that he would be willing to meet with the other developer and the Township to discuss the layout of the streets. Engineer Bortner stated that he felt the environmental concerns are going to dictate the street layout. There was some concern about the streets in Martin's Ridge Development, especially Brian Lane. The Committee suggested that they all meet and discuss removing traffic stress from Grandview Road. The streets of the Whispering Run development may also connect into this development but they may also be attempting to connect to Baltimore Street or Clover Lane.

Susan Ellison, 820 Westminster Avenue, stated that she has concerns about safety because her driveway is adjacent to the development and is sometimes mistaken for a road. She is afraid that visitors to the development will do the same. She is also concerned about the runoff onto her property because of the slopes. She has noticed a difference since Bon Ton Builders did

the development. She feels that the fact that the entire area is a steep slope contributes to the run-off problems. The new ordinance does state that steep slopes cannot be disturbed more than five percent.

P04-10 – FCI USA, INC., 825 Old Trail Road, Etters, PA 17319. A final two (2) lot subdivision plan located on Fame Avenue. The property is zoned industrial.

Doug Stambaugh, Group Hanover, Inc., represented this request. There was an add-on plan approved in 1990 that combined two lots along Fame Avenue. This subdivision was done by FCI who purchased thirty acres of land from Charles & Romaine Gardner. The plan was recorded but there was never a new deed created that made the two lots into one integral parcel. The smaller lot is only ten acres in size. The lots are still shown on the York County tax maps as being two separate parcels. They are asking for approval to re-subdivide the lots back to the way they were originally. York County comments have been received. Engineer Bortner stated he did not see any reason for land development purposes why they needed the additional land.

Planners Marsh/Black moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 5-0 vote.

P04-11 –SIECK FLORAL PRODUCTS, INC., 15 S. Center Street, Hanover, PA 17331. A final subdivision plan and add-on located off of Brookside Avenue and S. Center Street. The property is located in the R-8 zone.

Reg Baugher, Worley Surveying Inc., represented this request. The owner is to combine three of their existing lots into one. He stated that they are intending to remove all the existing greenhouses on the property. There will be a note on the plan that a right-of-way will be granted to Burkentine & Sons for the temporary cul-de-sac that will be constructed with the Brookside Development. There was comment made that the grading and easements for the Center Street upgrade need to be included on the plan. York County Comments have not been received

P04-12 –ENOS M. & MARIE G. SHANK, 285 Hershey Heights Road, Hanover, PA 17331. A final subdivision plan for an add-on to Hanover Cold Storage. The property is located at the intersection of Flickinger Road and Hershey Heights Road and is zoned S/C.

Reg Baugher, Worley Surveying, Inc., represented this plan. This is a 4.6-acre add-on to the Hanover Cold Storage property in anticipation of future commercial development. This plan will also have to be presented to Berwick Township. York County Comments have not yet been received and the property is currently in the state Clean and Green Program.

The meeting adjourned at 8:50 P.M.
Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
SEPTEMBER 2, 2004

Chairman Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on September 2, 2004 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Fred Marsh, Michael Johnson, Michael Brown, and Clayton Black. Planner Merle Dubbs were excused with notice. Also present was Zoning Officer John Menges.

The August 5, 2004 Planning Commission minutes were approved as submitted.

The Planning Commission received the following zoning appeals and will make the following recommendations to the Zoning Hearing Board:

Z04-030 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 203.2 (Use) and Section 203.3 (Area and Bulk), to allow construction of single-family semi detached dwellings that will encroach into the front setbacks. The property is located at 103 Beck Mill Road, in the R-15 zone.

Tony Forbes, Bon Ton Builders, and Reg Baugher, Worley Surveying represented this request. This house is located at the intersection of Beck Mill Road and Granger Street. The current house has been condemned and has been vacant for two to three years. Mr. Forbes is proposing a two-unit rancher similar to those that have been constructed across the street from this property. He will remove the existing house and sheds but will have to encroach into the front setback to allow for construction. This used to be an R-8 zone but was changed to an R-15 with the new zoning ordinance. The driveways will access onto Beck Mill Road.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-030 Bon Ton Builders requesting a variance to Section 203.2 (Use) and Section 203.3 (Area and Bulk) to allow construction of a single family semi detached dwelling that will encroach into the front setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-31 MICHELE LOFGREN, 29A Pinewood Circle, Hanover, PA 17331. Applicant requests a variance to Section 613f (Family Day Care Home) and a special exception to Section 202.2 (Use) for registered family day care home. The property is located in the R-15 zone.

Michele Lofgren represented this request. She would like to run a family day care home at her residence on 29A Pinewood Circle. She does not have the required 500 square feet of off-street parking required by the Zoning Ordinance. Chairperson Scott stated that since the Township has allowed Day Care they have required the children to be dropped off in the driveway. Ms. Lofgren has received her medical clearances and criminal background checks but she is waiting on her child abuse clearances. She stated she would have her entire yard fenced to meet the requirements of sixty-five feet of outside play space per child. She will be allowed to keep up six unrelated children at one time. Fire Chief Cromer has inspected the property as per the requirements of the Uniform Construction Code. He sent a letter dated September 1, 2004 stating that his inspection of August 31, 2004 found no deficiencies to the home and that it

conforms to the 2003 International Fire Code and Lifesafety Code for daycare. Zoning Officer Menges stated that the current driveway is about 350 square feet. There have been several other requests from people conducting day care to have a variance for driveways. Ms. Lofgren currently works full time and is the only one residing at the property and has only one car. She will primarily keep children whose parents work first shift because she will be open from 6 to 6 each day and will not be open weekends.

Planners Brown/Johnson moved for favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-31, Michele Lofgren requesting a variance to Section 613f (Family Day Care Home) and special exception to Section 202.2 (Use) for a registered family day care home as it meets requirements for a variance as set forth in Section 502.3 a) thru f) and the requirements for a Special Exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote

The Planners received the following waiver or exoneration requests: None

The Planning Commission 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-07 – PRECISION CUT INDUSTRIES, 13 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted for a building expansion. The property is zoned industrial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

Reg Baugher, Worley Surveying, represented this plan. This was the initial review of this plan and has not received the Township Engineer comments. They have been working on the stormwater management requirements but have had some problems. Mr. Baugher discussed briefly the type of system they are proposing to install.

P04-09 – SOUTH HILLS, c/o Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A sketch plan of a subdivision to create fifty-nine (59) new residential building lots with 2 (two) add-on lots. The property is located at Westminster and Cooper Roads, in the R-22 zone.

There was no action taken on this plan.

P04-11 –SIECK FLORAL PRODUCTS, INC., 15 S. Center Street, Hanover, PA 17331. A final subdivision plan and add-on located off of Brookside Avenue and S. Center Street. The property is located in the R-8 zone.

Reg Baugher, Worley Surveying represented this plan. York County comments have been received and the easements that were requested by the Engineer have been included. Township comments have been addressed.

Planners Black/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 4-2 vote with Planners Scott and Johnson casting the dissenting votes.

P04-12 –ENOS M. & MARIE G. SHANK, 285 Hershey Heights Road, Hanover, PA 17331. A final subdivision plan for an add-on to Hanover Cold Storage. The property is located at the intersection of Flickinger Road and Hershey Heights Road and is zoned S/C.

Reg Baugher, Worley Surveying represented this plan. This plan had been previously reviewed and now York County Planning comments have been received and addressed. Mr. Baugher reported that it was conditionally approved at the Berwick Township meeting. This takes about a four-acre parcel from the Enos and Marie Shank property and adds it to the Hanover Cold Storage property.

Planners Black/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on case P04-12- Enos & Marie G. Shank. Motion carried on a 6-0 vote.

P04-14 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A revised final land development plan submitted to change grass areas to landscape stone at existing six (6) townhouses located at Beck Mill Road and Granger Street. The property is located in the R-8 zone.

There was no action taken on this plan.

The meeting adjourned at 7:38 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
OCTOBER 7, 2004

Chairman Donna Scott called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on October 7, 2004 at the Penn Township Municipal Building. Also present were Planning Members Ray Van de Castle, Merle Dubbs, Fred Marsh, Michael Johnson, and Michael Brown. Planner Clayton Black was excused with notice. Also present were Zoning Officer John Menges and Township Engineer Eric Bortner.

The September 2, 2004 Planning Commission minutes were approved as submitted.

The Planning Commission received the following zoning appeals and will make recommendations to the Zoning Hearing Board:

Z04-32 – WHITNEY COOMBS D/B/A IVAN DUTTERER, 115 Ann Street, Hanover, PA 17331. Applicant requests a variance to Section 612 (Expansion of Nonconformity) and Section 303.3 (Development & Maintenance of Parking Facilities), a special exception to Section 612 (Expansion of Nonconformity) and Section 407.2 (Expansion & Alteration), also an interpretation of Section 612 (Expansion of Nonconformity) and Section 407.2 (Expansion & Alteration), to allow the existing house to be used as an office and to change the parking pattern of area. The property is located at 730 McAllister Street, in the R-8 Zone.

D.J. Hart, Gutherie, Nonemaker, Yingst, and Hart, represented this request. Mr. Hart presented a sketch to the Planners showing what the applicant intends to do with the property. A previous zoning case approved a similar plan for this property. The Ivan Dutterer millwork business has been in the Township since prior to the first zoning ordinance. They are proposing to remove the existing home and the other out-buildings and replace with a new 5800 square foot ranch-style building. The square footage would not exceed what is currently on the property. The building would be one story and not as high as the existing building. The setback will be about thirty-five feet as compared to the fifteen feet setback of the current building. There are two one-story buildings near this facility. They are also requesting parking along the adjacent alley for the employees. The driveway will not come through the lot but will be used for visitors. There are adjoining parking lots that will be utilized by the company for parking of employees. There will be about twenty employees moved from the old facility to the new facility. The only expansion of employees will be in the production facility. The parking of employees on Ann Street will be eliminated with this expansion. There is additional land on O'Neil Avenue that is owned by the company that could eventually be turned into parking if needed by the company.

Planners Dubbs/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-32- Whitney Coombs d/b/a Ivan Dutterer requesting a variance to Section 612 (Expansion of Nonconformity) as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Planners Scott/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-32 – Whitney Coombs d/b/a Ivan Dutterer requesting a variance to Section 303.3 (Development and Maintenance of Parking Facilities) as it

meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Planners Scott/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-32 – Whitney Coombs d/b/a Ivan Dutterer requesting a special exception to Section 612 (Expansion of Nonconformity) as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Planners Dubbs/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-32 – Whitney Coombs d/b/a Ivan Dutterer requesting a special exception to Section 407.2 (Expansion and Alteration) as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Due to the approvals of all the sections set forth in this request, the Planners felt there was no need for an interpretation to the Zoning Hearing Board on Section 612 (Expansion of Nonconformity) and Section 407.2 (Expansion and Alteration) because they will have the final determination in this matter.

It was noted that the current business owners are Coombs and Sasse.

Z04-34 – DANIEL A. MANION, 57 Arlene Drive, Hanover, PA 17331. Applicant requests a variance to Section 300.3 (Fences & Walls), to allow a four (4) feet high fence in the front yard. The property is located in the R-15 zone.

Daniel A. Manion represented this request. The applicant would like to be allowed to install an extension to his front yard fence to make it four feet high to prevent his dog from jumping over the fence. The lot is a corner lot and the existing fence was built in 1985. He has already constructed an extension to the fence to increase the height to four feet on a small section along Allen Drive. There was some discussion about the use of electric fences to secure the dog. Mr. Manion stated that he tried the electric fence but the dog became subdued he believes because of the electrical charge. The extended fence has been up since March and the Township has not received any complaints.

Planners Dubbs/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-34 Daniel A. Manion requesting a variance to Section 300.3 (Fences and Walls) to allow the applicant to replace the present three foot fence which has a one foot extension on with a new four foot section. This is applicable to the front yard since there are two front yards. This request is recommended for approval because it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-35 – SCOTT T. TAYLOR, 2 Little Knoll Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk), to construct a garage that will encroach into the setbacks. The property is located in the R-15 zone.

Scott Taylor represented this request. The applicant is requesting to construct an attached garage that will encroach two feet into the side setback. The applicant has a corner lot. The applicant purchased the house in 1993. The garage will be a single story and be twenty-four feet by twenty-four feet. The house is approximately twenty-four feet by forty-five feet. The driveway

will be extended to match the garage. There is currently no garage on the house and the applicant believes there never was a garage.

Planners Marsh/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-35 Scott T. Taylor requesting a variance to Section 203.3 (Area and Bulk) to construct a garage that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

The Planners received the following waiver or exoneration requests:

There was a request received after the agenda was prepared for a waiver of a land development plan from SKF.

The Committee decided it would review the request at next month's meeting.

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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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 Brezewood and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-07 – PRECISION CUT INDUSTRIES, 13 Barnhart Drive, Hanover, PA 17331. A final land development plan submitted for a building expansion. The property is zoned industrial.

Gerry Funke, Group Hanover represented this request. He presented a landscape plan for consideration.

Planners Scott/Brown moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-07 – Precision Cut Industries. Motion carried on a 6-0 vote.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-09 – SOUTH HILLS, c/o Joseph A. Myers, 160 Ram Drive, Hanover, PA 17331. A sketch plan of a subdivision to create fifty-nine (59) new residential building lots with 2 (two) add-on lots. The property is located at Westminster and Cooper Roads, in the R-22 zone.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

Reg Baugher, Worley Surveying, represented this request. He stated that York County comments and Township Engineer comments have been addressed. House numbers have been added and the grading plan for the lot was included.

Planners Scott/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-13 Bon Ton Builders pending sewer approval.

P04-15 – FREDERICK & JOYCE STORM, Stone Ridge Development, 330 Dubs Church Road, Hanover, PA 17331. A final subdivision plan to allow construction of single-family semi-detached dwelling at 162 Bowman Road. The property is located in the R-8 zone.

Reg Baugher, Worley Surveying represented this request. There is an existing trailer and several out-buildings on this property. They are proposing to remove them and build a duplex

home. York County comments and Township Engineer comments have been addressed. The sewer line will have to be televised to know where to connect to the new home. House numbers have been assigned.

Planners Scott/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-15 – Frederick and Joyce Storm. Motion carried on a 6-0 vote.

P04-16 – SHERIDAN PRESS, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted for warehouse and office addition. The property is located at 450 Fame Avenue and is zoned industrial.

Gerry Funke, Group Hanover, and Richard Moody, Sheridan press, represented this request. This is the initial review of the plan. Sheridan Press purchased the former Hanover Tennis Club and plans on removing everything on the lot. They are planning to build a warehouse addition and a parking lot. The applicant is aware that they cannot build over the existing gas line that traverses the property. There is going to be a two-story office addition on the front of the building. The stormwater management system will be in the front of the lot. York County comments have not been received. There is a landscaping plan for this site. They will be using down lights to prevent light pollution. They would like to have everything approved by January and permits issued by February to begin construction in the spring.

P04-17 – HANOVER HONDA, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final re-subdivision and land development plan submitted to allow construction of car dealership. The property is located at 1226 Carlisle Street and is zoned highway oriented business.

Gerry Funke, Group Hanover, represented this request. This plan is for the former Brother Pizza property. The existing building will be demolished. They will combine two lots for the car dealership and leave one lot separate with the possibility of the car dealership using it at some future date. Mr. Funke stated that he is aware of the state's intention to widen Carlisle Street from Eisenhower Drive to and through parts of Adams County. They just began the feasibility study. It was noted that the display area might be in the proposed street expansion.

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.

Mr. Brown was excused at 8:30 p.m.

CITIZEN COMMENTS: Mark Lubeau, 203 C West Clearview Road, Hanover, PA, questioned the process of issuing building permits due to the sewer moratorium. He purchased a lot in Menlena about two weeks ago. Planner Johnson explained that the Department of Environmental Protection has restricted the Township from issuing building permits until the current sewer problem is corrected. The Township keeps the updates posted on the Internet but to date the Township does not know when the moratorium will be lifted.

ZONING ORDINANCE: The Commission received a revised copy of the current Zoning Ordinance to review and make comment to the Township Zoning Officer prior to October 21, 2004. Some of the changes that were suggested included the day care section to comply with the new laws. Zoning Officer Menges stated that the sale of agricultural products is not listed in Section 600 but is listed in Section 200 so that will have to be added. Outdoor sales is different than the sale of agricultural products. This ordinance dropped livestock and poultry for personal use but it needs to be added back to the ordinance. Vehicular sales service and repairs needs to be added. There is no Section 303.2. There will be additional items to add to the ordinance of definitions.

The meeting adjourned at 8:42 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
NOVEMBER 4, 2004

Vice Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on November 4, 2004 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Fred Marsh, Michael Johnson, Clayton Black and Michael Brown. Donna Scott was absent with notice. Also present were Zoning Officer John Menges and Township Engineer Eric Bortner.

The October 7, 2004 Planning Commission minutes were approved as submitted.

The Planning Commission received the following zoning appeals and will make recommendations to the Zoning Hearing Board:

Z04-37 – JOHN M. POWELL, 218 Fair Avenue, Hanover, PA 17331. Applicant request a special exception to Section 407.3b (Replacement) to replace an existing garage with another garage that further increases existing dimensional nonconformities. The property is located in the R-8 zone.

John M. Powell represented this request. Mr. Powell would like to remove a 40' by 23' two-story barn and replace it with a 40' by 28' one-story garage. The Planners questioned the wisdom of replacing of one nonconformity with another. Zoning Officer Menges stated that the new garage would be larger than the barn but would not infringe on the existing side and rear setbacks and would be closer to the existing home. There currently is 116' between the house and the barn but there would only be 111' between the house and the new garage.

Planning members Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-37 – John M. Powell requesting a special exception to Section 407.3b (replacement) to replace an existing garage with another garage that further increases existing dimensional nonconformities as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 6-0 vote.

Z04-38 – HOLLAND PROPERTIES, INC., c/o Joe Holland, P.O. Box 516, Hanover, PA 17331. Applicant requests a variance to Section 303.1 (Off-Street Parking), Section 303.3 (Development/Maintenance of Parking Facilities) and Section 306.3 (Non-Residential Access Driveway) to construct parking spaces for an eating establishment that will not meet the minimum requirement number for use and the parking areas and driveways will encroach into the setbacks. The property is located at 1412 Baltimore Street, in the S/C zone.

Joe Holland, Holland Properties, represented this request. The applicant is requesting that the Isaac's restaurant proposed for Grandview Plaza be allowed to utilize some of the existing parking at the Grandview Plaza to meet the seventy-five parking spaces required by the Penn Township Zoning Ordinance. The proposed plan is short eleven or twelve spaces. There are problems with the setbacks for the parking area and the access drive. The property borders several other properties that are considered part of the Grandview Plaza Shopping Center and a parcel owned by West Manheim Township that contains the water pumping station which prevents it from being able to meet the setback requirements of the ordinance. Mr. Holland

stated that they are working with West Manheim to arrive at a suitable agreement to utilize West Manheim's property for parking spaces. There is a problem with the drive aisle next to the Bank of Hanover which does not meet the required setback. Access will be from the existing entrance to Grandview Plaza. Mr. Holland stated that currently there are times when the parking spaces are not filled to capacity and that includes times when the soccer fields are being utilized. The parking area would be across an access drive to the rest of the shopping center. It was noted that the Isaac's across from the Galleria Mall in York uses a similar parking setup. Planner Black noted that the motion should include that handicapped parking spaces should be based on the maximum amount of spaces required for the use not the approved amount. Mr. Holland stated that the other Isaac's usually serve lunch and dinner and close around nine or ten o'clock. As far as he is aware, they do not have and will not be applying for a liquor license. Mr. Holland also stated that all of the Grandview Plaza except for the Nell's Shurfine Store is under a condo association of which he is the manager and if there are problems with cross parking he will be able to work it out among the tenants. The Committee noted that a cross parking reference should be in the deeds or agreements. Zoning Officer Menges stated there is a provision in the Township Ordinance for a commercial business to utilize the land adjacent to it for parking.

Planners Black/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-38 Holland properties requesting a variance to Section 303.1 (Off-Street Parking) to construct parking spaces for an eating establishment that will not meet the minimum requirement number for this use as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-38 Holland properties requesting a variance to Section 303.3 (Development/Maintenance of Parking Facilities) to construct parking spaces for an eating establishment that will not meet the minimum requirement number for use and the parking areas and driveways that will encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f), with the stipulation that handicapped parking spaces be calculated based on the required number of parking spaces for the use. Motion carried on a 6-0 vote.

Planners Black/Brown moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-38 Holland Properties requesting a variance to Section 306.3 (Non-Residential Access Driveway) for the driveways that will encroach into the setbacks for an eating establishment as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z04-39 – SCOTT & THERESA HAGGERTY, 60 Carson Avenue, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk) to expand an existing carport that encroaches into the front setbacks. The property is located in the R-8 zone.

Scott Haggerty represented the request. The applicant would like to close in the existing carport to make an addition to his house, which would allow him to enlarge his existing kitchen. He would then like to add on an additional five feet to create a new carport. There are two other properties on the street that have porches the same length as the proposed carport. They are proposing removing two of the existing pads and leaving the other two remain for now. They

have off-street parking with a two-car garage to the rear of the property. There is access to the garage from the adjacent alley. The applicant has a lot and half of property.

Planners Dubbs/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-39 – Scott & Theresa Haggerty requesting a variance to Section 202.3 (Area & Bulk Regulations) to expand an existing carport that encroaches into the front setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-1 vote with Planner Brown casting the dissenting vote.

The Planners received the following waiver or exoneration requests:

SKF USA Inc. requests to relocate an overhead door and for a driveway to be added at this new location to access the door.

Daniel O'Connell, Alliance Environmental Service, Gerald Halbedl, and Gary Palance, SKF USA, Inc., represented this request. They are requesting an exemption from a land development plan to install a new overhead door and access drive at their facility on Industrial Drive. The Hanover plant is absorbing some of the jobs that are being eliminated at the Altoona plant which is closing down. There is an existing overhead door that will be moved about one hundred feet with the current door being closed off and that section of the building will be used for storage. The new access drive will allow the trucks to back into the door and pull straight out to Industrial Drive to leave the property. The total of the new impervious area will be 7,200 square feet. There will be an inside door where the overhead door is located to prevent the release of heat from the building. There will be a new catch basin installed in the roadway that will tie into an existing stormwater management system. The new road will only be one lane wide. This will add about thirty new jobs to the plant. They are trying to gain back business that was taken by Sweden and make the products here in the states.

Planners Dubbs/Marsh 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 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

Ted Decker, Group Hanover, represented this request. He stated that revised plans have been submitted that shows the redesign of the street layout as requested by the Township. They have relocated the sanitary sewer at the request of the army corps of engineers. There is only one permit needed for crossing the wetlands. There was some discussion on the proposed recreation land dedication and how it will match up to the existing park and other proposed land dedications. They have revised the plan to keep lots from the steep slope areas.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

There was no action taken on this plan.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-15 – FREDERICK & JOYCE STORM, Stone Ridge Development, 330 Dubs Church Road, Hanover, PA 17331. A final subdivision plan to allow construction of single-family semi-detached dwelling at 162 Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

P04-16 – SHERIDAN PRESS, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted for warehouse and office addition. The property is located at 450 Fame Avenue and is zoned industrial.

There was no action taken on this plan.

P04-17 – HANOVER HONDA, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final re-subdivision and land development plan submitted to allow construction of car dealership. The property is located at 1226 Carlisle Street and is zoned highway oriented business.

Gerry Funke, Group Hanover represented this plan. York County and Township comments have been received and addressed. The storm water calculations have been forwarded to the Township Engineer. There is a resubdivision of lots 22 and 23. Lot 24 will remain as an out parcel but with the possibility that at some future date it may be included. There is an existing cross easement agreement with Community Bank to access their facility that will be amended to facilitate the development of this lot. Mr. Funke stated that he spoke with PENNDOT and they are expecting to need about sixteen feet behind the existing right-of-way line. He adjusted the plan to compensate for this possible request and included five feet for the sidewalk.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-17 Hanover Honda. Motion carried on a 6-0 vote.

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.

P04-19 – BOB EVANS FARMS, INC., 3776 South High Street, Columbus, OH 43207. A final subdivision plan to create an add on lot for commercial use. The property is located at 496 Eisenhower Drive and is zoned shopping/commercial.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

Jim Thiele, Civil and Environmental Design Group, represented this plan. This plan proposes to unify all the parcels on the main campus owned by the South Western School District exception of the environmental area. There were four base deeds with seven tracts that presented a problem with proposed development to meet the required setbacks of the Township's ordinance. The District had previously been given a waiver of the land development requirements to grade the playing fields. The new plan will include some grading that had not previously been completed as well as the addition of a concession building, maintenance

building, parking for about seventy vehicles, an asphalt trail, and basketball and tennis courts. There will also be four storage sheds – one to be located at each field to provide storage of athletic equipment for the school district and others who utilize the fields. There have been seven modification requests submitted for consideration. There will be lights located at the football and soccer fields in anticipation of the District securing PIAA playoff games. The District is aware that they will have to request a special exception for the buildings. The current sedimentation basin will be converted into a stormwater basin for the development. There was some concern about the parking that will occur when special tournaments or games are held at the field. Currently a similar situation exists at the football field.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-22 – HICKORY FALLS FAMILY ENTERTAINMENT CENTER, Jeff Stern, 63 Red Run Church Road, East Berlin, PA 17316. A final land development plan submitted for building additions. The property is located at 110 Hickory Lane, in the R-40 zone.

There was no action taken on this plan.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

There was no action taken on this plan.

REZONING APPLICATION

Regional Homes, LLC 8 Springs Valley Road, Owings Mills, MD 21117. Applicant requests a rezoning to construct senior housing with duplexes and multi-family dwellings. The property is located on Moulstown Road and presently zoned industrial, R-22, and Shopping/Commercial. The proposed rezoning classification is R-8.

Jim Holly, Steve Rosen, Regional Homes, Wes Guckert, President, Traffic Group Inc., represented this request. They are requesting that the former airport property that is currently zoned industrial, R-22, and shopping commercial, be rezoned to R-8 to allow them to build an adult community. The project would entail about 110 acres of land. The farthest section of shopping commercial they are not asking to rezone because it may be used as commercial development after the homes are constructed. They stated this would be a prime area for an adult community because there is a medical facility across from this development. This would be a private development with none of the streets being dedicated to the Township. Mr. Guckert stated that this type of development would have about an eighth of the traffic generated as the other uses currently allowed by our ordinance. There has not been a complete traffic analysis done but only a comparison of what is allowed by the ordinance and the proposed project. In addition it would present a nice buffer to the surrounding area. The homes that have three floors

will be equipped with an elevator with the living space on the first floor. There will also be two-story homes. There will be a section of the parcel that will not have homes on it but will have the stormwater maintenance facility. In addition, there will be two common areas for the residents. They stated by making it an over-55 community so as not to make an impact on the schools. Regional Homes stated that they are aware that York County is not in favor of the rezoning but they are working with their Solicitor as well as the Township Solicitor to come up with language that would allow the Township to rezone the parcel with the guarantee that an adult community will be built on the site. Regional Homes is not the owner but has an agreement with the property owners. There was some concern about public safety and if the fire and emergency equipment will be able to access all areas of the development. The applicants stated that this may not be the final design but will be changed as comments dictate.

There was some concern expressed by the Planners about the ability to sell two and three story houses to adults 55 and over. It was stated that in other projects completed by Regional Homes the complaints have been that there is not adequate space for visitors to stay when they come in a one-story house, so they are providing extra stories with extra bedrooms with the intent that the homeowner will live on the first floor.

Planner Black wanted the Community to be aware that the request is for R-8 and not for an adult residential community.

Planners Dubbs/Johnson moved that the Commission table the request to the next meeting. Motion carried on a 6-0 vote.

ZONING ORDINANCE

Zoning Officer Menges presented a zoning ordinance draft that will be reviewed and discussed at the public hearing being held on November 11, 2004 at 7:00 p.m. He reviewed the changes that have been made and asked the Planners to provide any comments and or changes.

The meeting adjourned at 9:26 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
DECEMBER 2, 2004

Vice Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on December 2, 2004 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Fred Marsh, Michael Johnson, Clayton Black and Michael Brown. Donna Scott was absent with notice. Also present were Zoning Officer John Menges and Township Engineer Eric Bortner.

The November 4, 2004 Planning Commission minutes were approved as submitted.

The Planning Commission received the following zoning appeals and will make recommendations to the Zoning Hearing Board:

Z04-36- BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk) to approve an existing deck that encroaches into the rear setbacks. The property is located at 80 Janet Street in the R-15 zone.

John McNally, property owner, represented this request. Zoning Officer Menges stated that a use and occupancy permit was issued with the deck that encroached into the setback. Mr. Menges stated that he became involved when he was called to the property on another matter and was informed by the homeowner that the building inspector informed him that they could not put a roof over their existing deck because it encroached in the setbacks. The building permit does not have a deck. Mr. McNally stated that in March of 2003 they signed a contract with Bon Ton Builders for a home with a deck at 80 Janet Street. They purchased the house with the deck September 2003 and lived there for about a year before the violation was noted. The deck violates the rear setback by six and half feet. Mr. Menges stated a letter was sent by Jeffrey Parks, President of Parkville Fire Company, the adjoining property owners, stating the Fire Company does not have a problem with the deck. This fire company's band shell is located to the rear of the McNally's property. The alley adjacent to the property has not been dedicated. Mr. McNally stated they have enjoyed the deck the year they have lived there.

Planners Brown/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z04-36-Bon Ton Builders, requesting a variance to Section 203.3 (Area and Bulk) to approve an existing deck that encroaches into the rear setbacks, as it meets the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried on 6-0 vote.

Z04-40 – PATRICIA JOHNSON, 537 S. High Street, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk) to approve an existing deck that encroaches into the side setbacks. The property is located in the R-15 zone.

Zoning Officer Menges stated this is the exact same circumstance as the previous case except that the lot used to have a mobile home on it. The building permit was approved without

a deck. Zoning Officer Menges declared that he has received a letter from Bon Ton Builders stating they will correct the problem by December 31, 2004. Doug Gent, attorney for Bon Ton Builders, stated that he had no problem with the Commission extending the sixty-day requirement for action on this request. The Committee will review again at the next meeting to see if Bon Ton Builders has complied with the letter.

Z04-41 – JOHN & PATTI DENIS, 39 Arbor Lane, Hanover, PA 17331. Applicant requests a variance to Section 300.7 (Decks) to approve an existing deck that is located on a side instead of a rear yard and encroaches into the side setbacks. The property is located in the R-15 zone.

Doug Gent, attorney for Bon Ton Builders, represented this request. This case is similar to the previous two. The use and occupancy permit was issued with the deck being in the side yard. Decks are only allowed in the rear yard. There are two decks on this property and the one in violation is the 10' x 19.5' deck. Mr. Gent quoted several cases that the slope of the land is seen has a hardship and the slope of this lot prevents a larger deck to the rear.

Planners Dubbs/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-41 – John and Patti Dennis, requesting a variance to Section 300.7 (Decks) to approve an existing deck that is located on a side instead of a rear yard and 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 on a 4-2 vote with Planners Black and Brown casting the dissenting votes.

Z04-42 – PEGGY R. SENFT, 4123 Grandview Road, Hanover, PA 17331. Applicant requests a special exception to Section 203.2 (Use) to allow construction of a dwelling for additional family members. The property is located in the R-15 zone.

Peggy R. Senft represented this request. She had a finished basement in which she enclosed a bathroom and installed a sink. There is a separate entrance and there is a total of three individuals living in the house.

Planners Marsh/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-42 –Peggy R. Senft, requesting a special exception to Section 203.2 (Use) to allow construction of a dwelling for additional family members, as it meets the requirements for a variance as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

Z04-43 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. Applicant requests a variance to Section 300.3 (Fences and Walls) to construct a fence for soccer fields that exceeds six (6) feet in height and a special exception to Section 203.2 (Use) to construct a public school facility. The property is located northeast corner Black Rock Road and Bowman Road, in the R-15 zone.

Tom Hoover, property manager South Western School District, and Jim Thiel, Civil Environmental Design Group, represented this request. Mr. Hoover stated that the fence would

be ten foot high to accommodate the soccer goals that are eight feet high. These will be similar to those located at the Tri-Township Park. The fence will be about thirty feet from the soccer lines and about one hundred fifty feet from Black Rock Road. They will be utilizing the existing pine trees as a backdrop. The walking trail will be outside the fence. They are requesting an expansion of special exception for the use of the fields and concession stands.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-43 South Western School District requesting a variance to Section 300.3 (Fences and Walls) to construct a fence for soccer fields that exceeds six (6) feet in height, as it meets the requirements for a variance as set for in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Planner Black/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-43 South Western School District requesting a special exception to Section 203.2 (Uses) to construct a public school facility, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 6-0 vote.

Z04-44 – YI YANG, 721 Spruce Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.2 (Uses) and Section 203.3 (Area & Bulk) to construct a two-car garage and a hair and nail salon that encroaches into the side setbacks. The property is located at 535 Baltimore Street, in the R-15 zone.

Dirk Wildasin, B & D Development, represented this request. Mr. Yang would like to construct a building at the end of his long narrow lot. The lot used to be commercial (site of Roberts Restaurant) until the building was destroyed by fire and a house was constructed on it. The setback used to be one foot. Mr. Yang also owns the adjacent property on the other side of the alley, which could be used for parking for the business. The lot is paved but the parking spaces are not marked. The garage will be a two-car garage with a hair and nail salon. This is a variance because it is not an extension of existing nonconformity. The property was shopping commercial when it was purchased by Mr. Yang about five years ago.

Planners Black/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-44 – Yi Yang, requesting a variance to Section 203.2 (Uses) and Section 203.3 (Area and Bulk) to construct a two-car garage and a hair and nail salon 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 on a 6-0 vote.

Z04-45 – GARY L. MUMMERT BUILDER, INC., 8 Stuart Avenue, Hanover, PA 17331. Applicant requests a variance to Section 300.4 (Walkways) to approve an existing concrete pad that encroaches into the side setbacks. The property is located at 17 Lexington Drive, in the R-8 zone.

Gary Mummert represented this case. This is an existing concrete pad that may or may not have been there when the use and occupancy permit was issued. Mr. Mummert stated that

the building permit was issued for the home about November 2002 and the request for the pad was on October 2004. The pad was not on the original permit. The pad encroaches about four inches into the side setback. Mr. Mummert stated that he is not sure when the pad was installed. Mr. Mummert stated that he has asked Mr. Boyd, the building inspector, how to build and install the pad. Neither Mr. Boyd nor Mr. Mummert realized there was not a building permit issued.

Planners Dubbs/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-45 –Gary Mummert Builder, Inc. requesting a variance to Section 300.4 (Walkways) to approve an existing concrete pad 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 on a 5-1 vote with Planner Johnson casting the dissenting vote.

Z04-46 – LESILE K. GROTE A.K.A. LESLIE K. KERCHER, 171 Bowman Road, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk) to construct a garage that will encroach into the side setback. The property is located in the R-8 zone.

Lesile K. Grote represented this case. She wants to build a garage next to the alley adjacent to her property and at the end of her driveway, which is used by two neighbors to access their property. She needs the space for storage rather than for use as a garage. The garage would be one story and would be angled to be aligned with her house. This would cause a varying variance for the setbacks. The shed will be remaining. She presented a letter signed by the neighbors stating they have no objection to the garage. The alley is a paper alley which means it is not recognized as an existing private alley, according to Penn Township. Ms. Grote has owned the home for about six years.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z04-46 Leslie K. Grote requesting a variance to Section 202.3 (Area & Bulk) to construct a garage that will encroach into the side setback as it meets the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried 6-0.

The Planners received the following waiver or exoneration requests:

George M. Wildasin, on behalf of Snyder's of Hanover, Inc. is requesting an exoneration to land development plans for additional parking.

The request is for a parking lot 20' x 24'. This would be about 1/100 of the paved area.

Planners Van de Castle/Johnson 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 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.

There was no action taken on this plan.

P02-18 – MARTIN'S RIDGE, BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mill and Grandview Roads. The property is located in the R-22 zone.

There was no action taken on this plan.

P02-22 – WHISPERING RUN, J.A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary one hundred thirty (130) lot residential subdivision. The property is located north of Grandview and Beck Mill intersection in the R-22 zone.

There was no action taken on this plan.

P02-23 – ANITA M. STEIN, c/o Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A final four (4)-lot subdivision located at Lark Avenue in the R-15 zone.

There was no action taken on this plan.

P02-28 – CARLISE CROSSING, c/o CBL Associates Properties, Inc., 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.

P03-06 – BROOKSIDE HEIGHTS, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan for a 233 unit residential

community. The plan consists of duplex lots, condominiums, and townhouses. It is located on the East side of Brookside Avenue, in the R-8 zone.

There was no action taken on this plan.

P03-07 – MIRIAM M. RUNKLE, 1030 Hoff Road, Hanover, PA 17331. A final five (5) lot subdivision plan located on the corner of Bankert and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P03-11 – THORNBURY HUNT, Robert Holweck, 118 Teila Drive, Dallastown, PA 17313. A preliminary subdivision plan to construct a fifty-three (53) lot residential development. The property is located on the west side of Beck Mill Road, just north of Grandview Road in the R-22 zone.

There was no action taken on this plan.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a fort-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Breezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-19 – BAXTER INVESTMENT/GOEHRIG & LAIRD SUBDIVISION c/o Baxter Investment, 1108 Baltimore Street, Hanover, PA 17331. A final subdivision plan to add two (2) small tracts of land, one to Baxter Investment and one to Goehrig & Laird existing properties. The property is located on the corner of Baer Avenue and Bowman Road in the R-8 zone.

There was no action taken on this plan.

P03-20 - BAXTER INVESTMENT/WALLEN TRACT, c/o Baxter Investment, 1108 Baltimore Street, 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.

P03-21 – COLUMBIA COTTAGE, c/o Horst Senior Care, 320 Granite Run Drive, Lancaster, PA 17604. A final land development plan to construct a 42 unit assisted living facility. The property is located at 2288 Grandview Road in the R-15 zone.

There was no action taken on this plan.

P03-23 – JOHN & MARTHA HALTER, Fairview & Westminster Road, Hanover, PA 17331. A final subdivision to create four residential building lots. Only a small portion lies in Penn Township. The plan was filed by West Manheim Township.

There was no action taken on this plan.

P03-29 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of a multi-family unit on the corner of Frederick Street and Orchard Lane. The property is located in the A/O 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.

P04-01 – GINGER TREE, C.D. Investors, 211 Carlisle Street, Hanover, PA 17331. A preliminary plan to create 12 new residential lots. The property is located on Moulstown Road in the R-22 zone.

There was no action taken on this plan.

P04-02 – IVAN C. DUTTERER, INC., 115 Ann Street, Hanover, PA. A final land development plan to construct a new office building after the removal of existing house, garage and out buildings at 730 McAllister Street. The property is located in the R-8 zone.

Patrick Buhl, Worley Surveying, represented this request. The applicants have received several zoning variances from the Township Zoning Hearing board. They are going to remove the existing house and build a new single story structure to utilize as an office. Engineer Bortner reviewed the plan earlier in the day and noted some small changes that need to be done. York County comments have been received and reviewed. Storm water management issues have been addressed. There will be no additional signage to the property. The property will blend in with the surrounding residential area, according to Mr. Buhl.

Planners Van de Castle/Dubbs moved for a favorable recommendation to the Penn Township Board of Commisisoners on P04-02 –Ivan C. Dutterer, Inc. Motion carried on a 6-0 vote.

P04-04 – DAVE HUMBERT & JACK COOK, 680 Chestnut Street, Hanover, PA 17331. A final subdivision plan to create 2 commercial/industrial lots. The property is located on Blettner Avenue. It lies in Conewago Township with a small portion in Penn Township.

There was no action taken on this plan.

P04-06 – PINE CREEK STRUCTURES, c/o Amos K. Stoltzfus, 34 Quaker Drive, Harris, PA 17938. A preliminary land development plan to create 2 retail business lots. The property is located at Clover Lane and Route 94 and is zoned shopping/commercial.

There was no action taken on this plan.

P04-08 – WOODLAND DEVELOPMENT, INC., 130 Carlisle Street, Hanover, PA 17331. A final land development plan to create a mini storage facility. The property is located at Boundary Avenue and Manor Street and is zoned shopping/commercial.

Pat Buhl, Worley Surveying, represented this plan. Mr. Buhl stated that they have not addressed Engineer Bortner's comments but are asking for an initial review by the Planners for the purpose of seeking comments. This plan has received the appropriate zoning approvals from the Zoning Hearing Board. The applicants have applied for Quiet Title for Norwood Avenue which is currently a paper street. All the lighting will be internal. Zoning Officer Menges stated that they would have to meet the current lighting ordinance. Engineer Bortner stated that the developer has a lot to work to do on the storm water management.

P04-13 BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to allow construction of single-family semi-detached dwelling at 103 Beck Mill Road. The property is located in the R-15 zone.

There was no action taken on this plan.

P04-15 – FREDERICK & JOYCE STORIM, Stone Ridge Development, 330 Dubs Church Road, Hanover, PA 17331. A final subdivision plan to allow construction of single-family semi-detached dwelling at 162 Bowman Road. The property is located in the R-8 zone.

There was no action taken on this plan.

Planning Member Johnson excused himself at this point.

P04-16 – SHERIDAN PRESS, Group Hanover, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted for warehouse and office addition. The property is located at 450 Fame Avenue and is zoned Industrial.

Gerry Funke, Group Hanover represented this request. York County comments have been received and addressed. Sheridan Press has a contractor and a demolition permit to remove the tennis courts. There is a warehouse and office addition proposed with new parking and a storm water management basin in the front. Engineer Bortner is satisfied with the storm water management plans.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P04-016 Sheridan Press. Motion carried on a 5-0 vote.

Planning Member Johnson returned to the meeting.

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.

P04-19 – BOB EVANS FARMS, INC., 3776 South High Street, Columbus, OH 43207. A final subdivision plan to create an add on lot for commercial use. The property is located at 496 Eisenhower Drive and is zoned shopping/commercial.

There was no action taken on this plan.

P04-20 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. A reverse subdivision and land development plan submitted to create ball fields. The property is located at the northeast corner of Bowman Road and Black Rock Road, in the R-15 zone.

P04-21 – ISSACS RESTAURANT, Holland Properties, Inc., 751 Frederick Street, Hanover, PA 17331. A final land development plan submitted to allow construction of a restaurant. The property is located at Grandview Plaza Shopping Center and is zoned shopping/commercial.

There was no action taken on this plan.

P04-22 – HICKORY FALLS FAMILY ENTERTAINMENT CENTER, Jeff Stern, 63 Red Run Church Road, East Berlin, PA 17316. A final land development plan submitted for building additions. The property is located at 110 Hickory Lane, in the R-40 zone.

Jack Powell, Engineer on the project, represented this plan. The Family Entertainment Center on Hickory Lane is proposing to install enclosed batting cages for use in the winter. The storm water management was sized for full build out and the property is not completely built out. Zoning Officer Menges stated that this property was previously R-40 but has been changed to an RC, Rural Conservation, so that recreation is no longer a use by right. It is now a use by special exception but if they were going to increase the impervious area with recreation then the parking would need to be increased. They will need to appear before the Zoning Hearing Board for a special exception for the use and a decrease in the number of parking spaces. York County comments also requested a loading space. Zoning Officer Menges stated that they would need to follow the recommendation of York County and appear before the Zoning Hearing Board. They

stated they exceeded the requirement for parking by four spaces when the Center was constructed.

P04-23 – MARY OASTER, 1290 Westminster Avenue, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential building lots. The property is located at 1290 Westminster Avenue and is zoned R-22.

There was no action taken on this plan.

REZONING APPLICATION

Regional Homes, LLC 8 Springs Valley Road, Owings Mills, MD 21117. Applicant requests a rezoning to construct senior housing with duplexes and multi-family dwellings. The property is located on Moulstown Road and presently zoned industrial, R-22, and Shopping/Commercial. The proposed rezoning classification is R-8.

Attorney Chuck Zaleski, Owners Darryl Noble and Atty. Keith Nonemaker, Designer Jim Holly, and Traffic Engineer Mitch Cornelius, represented this request.

The applicants would like to provide senior housing on the former Hanover Airport tract. The Township is looking for assurance that once the land is rezoned it is built according to the proposal. Mr. Zaleski provided the Commission with a copy of the draft that has been presented to the Solicitor and the Township for their review. The Commissioners have not yet reviewed the agreement. The agreement states that senior housing will be provided and restrictions will be by deed, which will be filed within five days of the property being rezoned. The plan proposes about 372 units of senior housing, which will probably be less after the review process begins on the plan. Zoning Officer Menges stated the zoning history of the property and the current zoning of the surrounding properties. The last change was made during the comprehensive plan and zoning ordinance adoption.

Mr. Nonemaker reviewed the zoning history of the property since he purchased it. He stated they would prefer to have a residential zoning than its current zoning. The property is surrounded by housing developments on several sides and a medical center across the road. It was testified to that there would be less traffic with this type of development as opposed to an industrial use. They never intended to develop the property industrial.

The use is for age restricted (over fifty-five) but it is not considered a retirement village. The multi-family use would require a special exception from the Penn Township Zoning Hearing Board.

The plan does not show the maximum units allowed by the current zoning ordinance but was developed using a combination of housing units and what the developer wanted included in the plan.

The proposed agreement has a provision that the Township could get injunctive relief against the developer if they do not follow the agreement.

There will be a portion of the tract that will remain shopping commercial.

The Planners received an explanation on the traffic study and the difference between senior housing and industrial trips as presented. Light industrial would be mostly automobile but would involve some tractor-trailer vehicles.

President of the Hickory Hills Home Association, Herb Bartell, presented a petition signed by the residents endorsing the change in the zoning for this parcel. There was also a petition from those who border the property that endorsed the petition. Twelve of the thirteen property owners signed the form. The resident who did not sign borders the temporary cul de sac and development of the shopping commercial parcel may prevent the cul de sac from being extended.

There was some concern about the ability of the emergency services being able to respond adequately to the scene. Manager Garvick stated that it is the Township and the emergency services organizations responsibility to provide adequate emergency care to all residents.

The Commission still expressed concern about giving a blanket R-8 rezoning to the area without the Board having an agreement. Manager Garvick stated that the Commissioners are just as concerned as the Board and are working to get an agreement.

Planners Dubbs/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request providing that the applicants successfully reaches an agreement with the Commissioners concerning the intended use of this property after rezoning. Motion carried on a 5-1 vote with Planner Black casting the dissenting vote.

The meeting adjourned at 9:43 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary