

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 3, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on January 3, 2008 at the Penn Township Municipal Building. Present were planning members James Butt, Stede Mummert, Fred Marsh and Gary LeFevre. Also present were Township Engineer Bortner and Zoning Officer Menges.

The Planning Commission then took action to reorganize. Planners Mummert/Marsh moved to nominate Ray Van de Castle as Chairperson. Motion carried unanimously.

Planners Marsh/Mummert moved to nominate James Butt as Vice President of the Planning Commission. The motion carried unanimously.

The December 6, 2007 Planning Commission minutes were approved as submitted.

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

Z07-28 – JEFFREY GARBER & TODD GRIM, 1147 Eichelberger Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 202.2 (Uses by Right) in order to construct single-family attached dwellings. The property is located west of intersection at Manor Street and Hammond Avenue in the R-8 zone.

Jeffrey Garber and Todd Grim represented this request. This request had previously been before the planners for rezoning of the property, which has been granted by the Penn Township Board of Commissioners. They would like to build two units of four attached single-family homes on the property. These would be comparable to what is currently on Hammond Avenue. These homes would be thirty-two feet wide and built on a slab. The homes will each have a one-car garage that will be located at the front of the home as it faces Manor Street. Manor Street will be extended past the current turn in front of the homes. The elevations of the homes will be the same as those built by Mummert Enterprises in Logan's Landing. There is a small drainage stream located to the rear of the homes and behind the day care center. There will be a storm water retention facility that will be maintained by one of the homeowners rather than by any type of association. The Township has vacated the alley on the side where the day care facility is located. According to Zoning Officer Menges the developers will need to look at the existing street and alley adjacent to the homes and address storm water issues. The developers stated they have thought of installing a cul de sac at the end of the new street and installing a drain that would control storm water. The garages will be located underneath the home and will have a man door to the rear, which will allow the residents to access the rear of the property without walking around the unit. The applicants testified that they built similar homes on Front Street in McSherrystown. The plan shows them using the vacated Norwood Avenue, which is currently being used by Richard Krill in the building of his storage units. They do have a design for the storm water that will be created by the construction. Engineer Bortner stated the design would have to prevent flooding onto the day care facility, which already has problems with flooding. This property went through several special exception and variance requests that were denied prior to the rezoning request. There is channeling now at the storage facility, which was installed to help prevent additional run off in the area. There was some concern about the stream to the

rear and the bending in the stream because it accepts the runoff from as far away as Granger Street.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z07-28 Jeffrey Garber and Todd Grimm requesting a special exception to Section 202.2 (Uses by Right) in order to construct single-family attached dwellings. The property is located west of intersection at Manor Street and Hammond Avenue as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on 5-0 vote.

The Planners received the following waiver or exoneration requests:

Group Hanover, Inc., on behalf of the Elizabeth Hostetter Subdivision is requesting a waiver from installing sidewalks. The property is located on Hickory Lane.

Gerry Funke, Group Hanover, Inc. represented this request. He is requesting a waiver of the sidewalk installation on the subdivision plan with the stipulation that if Lot #1 were ever developed sidewalk would be installed. There was some concern about the right-of-way in front of the existing home and if there would be enough room to install sidewalks and curbs. The existing sidewalk stops at the end of the Hickory Hills and Thornhill developments. Gold's Gym will be installing curb and sidewalk on their property at the corner of Hickory Lane and Broadway. The total lot area is 15.9 acres with a one-acre lot containing the home being subdivided. This will leave a parcel of 14.9 acres. There was some concern that a new owner may not be aware that they will be responsible for installing the sidewalk at such time as it is developed. The existing home does have a historic seal on it so it would be difficult to have it removed.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation documented on the plan that when the property changes hands and is developed the sidewalk will need to be installed. Motion carried on a 5-0 vote.

Planner Marsh left the meeting at 7:30 p.m.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-11 – 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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-23 – 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-07 – 150 BROOKSIDE AVENUE FINAL SUBDIVISION, Michael J. and Luann Hufnagle, 1009 York Street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 150 Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-10 – 735 FREDERICK STREET LAND DEVELOPMENT PLAN, Bon-Ton Builders, Inc., 1060 Baltimore Street Hanover, PA 17331. A final land development plan submitted to construct a multi-family attached residential dwelling unit. The property is located at 735 Frederick Street in the A/O zone. (Replacement for P03-29).

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

There was no action taken on this plan.

P07-26 – HOSTETTER SUBDIVISION, Group Hanover, 213 Carlisle street, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Hickory Lane in the R-22 zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P07-29 – NHM CONSTRUCTION, LLC, Samuel Lehigh, 2392 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) agricultural add-on lots. The property is located in the R-15 and R-40 zones.

Reg Baugher, Hanover Land Services, represented this plan. York County Planning comments have been addressed. Engineer Bortner had recommended maintaining the curbing recommendations that had been on a previously approved plan. This is subdividing a small portion of land and adding it to the Lehigh property for future access to the farm. Engineer

Bortner's comments have been addressed and included a note being added to the plan. This note states the 1996 approved subdivision plan has to be built they way the plan was approved.

Planners Butt/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P07-29 NHM Construction LLC. Motion carried on a 4-0 vote.

P07-30 – M & T BANK – 1275 BALTIMORE STREET, Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a financial institution. The property is located at 1275 Baltimore Street in the S/C zone.

Gerry Funke, Group Hanover, Inc., represented this request. He stated that York County Planning Commission comments have been addressed. Mr. Funke stated that comment #4 of the comments stated that the driveway is eighteen feet and not twenty-four feet. Mr. Funke made the drive a one-way going out of the property and installed a no left turn sign that was requested by the Planning Commission the last time around. York County Planning Commission is concerned about Carol Lane, which in the Engineer's best judgment does not exist anymore. The ATM machine will be located on the building. The existing partitions will be removed. There is some concern about the fire equipment getting by the new structures. They will be adding office spaces to the building. There was still some question as to whether or not sidewalk would be required. The closest sidewalk is at Hardee's but the beer distributor graded for sidewalk in 1996 but did not install it. There is not sidewalk across the street but the bank and Rutters on the corners of Grandview Road and Baltimore Street have it. Penn Plaza also installed sidewalk. The Planners wants a one-way around the rear of the facility and exiting the building. Zoning Officer Menges stated that the building might need to be sprinklered.

Planners Butt/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan if traffic flow around the building, curb and sidewalk, and sprinklers and fire truck accessibility is addressed. Motion carried on a 4-0 vote.

P07-31 – SKF USA, INC., 20 Industrial Drive, Hanover, PA 17331. A final land development plan submitted to construct a building expansion for manufacturing.

There was no action taken on this plan.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 7, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on February 7, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Craig Prieber, Dan Goldsmith, Stede Mummert, Fred Marsh and Gary LeFevre. James Butt was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The January 3, 2008 Planning Commission minutes were approved as submitted.

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

Z08-01 –PENNY MICHELE RINEHART, 3016 Nancy Street, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses) in order to operate a massage therapy business. The property is located at 3016 Nancy Street in the R-15 zone.

Penny Rinehart represented this request. Ms. Rinehart would like to operate a massage therapy business from her parent's home on Nancy Street. She has a diploma in massage therapy. There is off street parking available in the existing driveway. She would have a dedicated room for the business with it's own private access separate from the entrance to the home. She would have only one client at a time and most would be by appointment. There is an affidavit on file from her parents, the owners of the home, that they approve of this use. Her hours would vary depending on the clients but she would be looking to have the business open from 9 am to 9 pm Monday thru Saturday. She is not intending on having a sign and will advertise through the newspaper and Internet. She understands that she would be allowed a two square foot sign per the Township Sign Ordinance.

Planners Marsh/LeFevre moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-01 – Penny Michelle Rinehart requesting a special exception to Section 203.2 (Uses) in order to operate a massage therapy business at 3016 Nancy Street, 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.

Z08-02 – EDWARD L. ORNDORFF DBA ORNDORFF CONSTRUCTION LLC, 25 Diana Court, Hanover, PA 17331. Applicant is requesting a variance to Section 202.2 (Use Regulations) in order to operate a business. The property is located at 748 Baltimore Street in the R-8 zone.

Edward Orndorff represented this request. Mr. Orndorff would like to move his existing construction business and office to the property currently owned by the Penn Township Ambulance Club. The garage will be used for storage of his materials and he is planning on renting out the home. At some future time, however, he would like to demolish the home. The property can be accessed from both an alley and from Baltimore Street. Mr. Orndorff stated he has a contract on the property which was executed by the Penn Township Volunteer Emergency Service but which he needs to have reviewed by his attorney. He will be allowing the residents two parking spaces and he is expecting he will need five for his business. Mr. Orndorff and the

fire company have agreed on him taking possession in April but he may take possession sooner if he so chooses.

Planners Mummert/Prieber moved for a favorable recommendation to the Penn Township Zoning Hearing board on case Z08-02 – Edward L. Orndorff dba Orndorff Construction LLC requesting a variance to Section 202.2 (Use Regulations) to operate a business at 748 Baltimore Street 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.

Z08-03 – ANTHONY BUBCZYK, 6 Colonial Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 300.3 (Fences and Walls) in order to construct a fence in the front yard that exceeds the maximum height requirements. The property is located at 6 Colonial Drive in the R-15 zone.

Rickard Pyles represented this request. Mr. Pyles moved into the home in April of 2007. At that time the home had a two-row split rail fence and he called the township about replacing it with a three-rail four-foot high fence to protect his children and his dogs. He was told that anything behind the rear wall of his house could be over three feet. Mr. Pyles installed the fence but he is on a corner lot, which gives him two front yards, and the fence exceeds the three feet maximum allowed. The split rail fence is four feet tall with a four feet wire fence on the inside of the split rail. Mr. Pyles states that it stops short of his driveway and there are no site problems to exit his driveway and emergency vehicles can access his property. Zoning Officer Menges stated that the top rail is about four and half feet off the ground. Mr. Pyles had a signed affidavit from Mr. Bubczyk stating that he was unable to attend the meeting and that Mr. Pyles could represent the request.

Planners LeFevre/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-03 Anthony Bubczyk requesting a variance to Section 300.3 (Fences and Walls) in order to construct a fence in the front yard that exceeds the maximum height requirements at 6 Colonial Drive, as it meet the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z08-04 – JAMES BRAITHWAITE, 1108 Cobblestone Court, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses) in order to operate an office. The property is located at 1108 Cobblestone Court in the R-15 zone.

James Braithwaite represented this request. Mr. Braithwaite has been selling CNC machinery for two years and would like to open his own business and operate it from his house. He would be preparing quotes and orders from his house. Zoning Officer Menges stated that the only reason he asked the applicant to come before the Zoning Hearing Board was because the applicant plans on doing some advertising. If he would not be advertising it would be a no impact home base business, which would exempt him from having to request a special exception. There will be few customers going to the home. Mr. Braithwaite will be conducting most of his business from his vehicle. He will only be storing literature at his house, which will be delivered, by UPS or Fed Ex occasionally.

Planners Mummert/Goldsmith moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-04 James Braithwaite requesting a special

exception to Section 203.2 (Uses) in order to operate an office at 1108 Cobblestone Court 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.

Z08-05 – RICK AND CINDY ELDER, 450 Clover Lane, Hanover, PA 17331.
Applicant is requesting a special exception to Section 203.2 (Uses) in order to operate a beauty salon. The property is located at 450 Clover Lane in the R-15 zone.

Cindy Elder represented this request. Ms. Elder presented a plan that shows an addition to the home of 225 square feet to be used as a beauty salon. The salon would have a small bathroom. They are proposing to increase the driveway so there is more room for the customers. The lot angles to the rear of the property near the existing tree line but Zoning Officer Menges felt this would not interfere with the setback requirements for the addition. The applicant has lived in the home for seven years. The doctor's office is located next door to the property. There will be a separate entrance for the customers to enter the salon but the homeowner can enter the business through the home. There would be no more than two additional cars in the driveway at one time for the clients. Ms. Elder would be the only employee.

Planners LeFevre/Prieber moved for favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-05 Rick and Cindy Elder requesting a special exception to Section 203.2 (Uses) in order to operate a beauty salon at 450 Clover Lane, 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.

The Planners received the following waiver or exoneration requests:

Group Hanover, Inc. on behalf of Hanover Foods Corp. is requesting exoneration from submitting a land development plan in order to build a two-story addition. The property is located at the corner of Wilson Avenue and York Street.

Gerry Funke, Group Hanover, Inc., represented this request. The applicant is requesting a waiver of a land development plan to construct a two-story addition over an existing flagstone patio. The increase in impervious area would be 365 square feet. The storm water runoff from the site flows to the rear of the building into an existing storm sewer system. They would also be removing two existing planters in the front of the building and relocating the sidewalk farther from the plant along with redoing the entrance of the facility. Zoning Officer Menges felt the situation does not warrant the applicant to request a variance because there is already paved area where the building is proposed to be constructed.

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

George Neiderer Pools, Inc. is requesting exoneration from land development plans in order to construct a paved parking area. The property is located at 1016 York Street.

George Neiderer represented this request. He would like to pave an area near the stone bins on his property so that the trucks can access the bins. The Township Ordinance requires that any parking area be concrete or asphalt. Zoning Officer Menges stated that we are not sure how

much of the parcel is impervious but in this zone there cannot be more than eighty percent impervious.

Planners Van de Castle/Mummert moved for an unfavorable 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:

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There was no action taken on this plan.

P07-31 – SKF USA, INC., 20 Industrial Drive, Hanover, PA 17331. A final land development plan submitted to construct a building expansion for manufacturing.

Dave Koratich, EIT, LSC Design and Dan Creep, LSC Design, represented this request. There were several employees from SKF present as well. The plan has received four waivers from the Penn Township Board of Commissioners but they did not approve the waiver of curb and sidewalks. The applicants stated that York County Planning Commission comments and Township comments have been addressed. Township Engineer stated that they meet the requirements of the Township's subdivision and land development ordinance. There was still some concern about the temporary structure that was approved in 1993 or 1994 which still remains on the property. Representatives from SKF stated that the facility is used for the storage of components and packaging materials. They stated they have talked with superiors about replacing the structure and may do so in the future. The factory employs over three hundred people and operates twenty-four hours a day, seven days a week. They will be installing a high heat furnace inside the building expansion.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan with a strong recommendation that the tent is removed in the future. Motion carried on a 6-0 vote.

P08-01 – ROBERT T. HEMLER, SR., 124 West Granger Street, Hanover, PA 17331. A final reverse subdivision plan submitted to create a single-family residential lot. The property is located at 440 Park Heights Blvd. In the R-15 zone.

Gerry Funke, Group Hanover, Inc, represented this request. This is a reverse subdivision of four lots that currently has a house built on the middle of them. Zoning Officer Menges stated that the property owner was told that when he purchased the properties that the reverse subdivision was completed. York County Planning Commission comments have been addressed.

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

The meeting adjourned at 8:19 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MARCH 6, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on March 6, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Craig Prieber, Dan Goldsmith and Fred Marsh. James Butt, Gary LeFevre, and Stede Mummert were absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The February 7, 2008 Planning Commission minutes were approved as submitted.

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

Z08-06 – SOUTH WESTERN SCHOOL DISTRICT, 225 Bowman Road, Hanover, PA 17331. Applicant is requesting a variance to Section 209.3 (Area and Bulk) in order to construct a transportation facility expansion that encroaches into the side setbacks. The property is located at 50 Spring Garden Street in the Industrial Zone.

Zack Fry, Group Hanover Incorporated and Chuck Baumgardner, South Western Transportation Director, represented this request. South Western is proposing two additions to their existing transportation facility with the addition closest to the Bruce L. Jones property encroaching into the fifty-foot setback by twelve feet. The addition will be used to house their computers, which are currently being stored in the garage. Zoning Officer Menges was concerned about the vehicles currently being parked in this location. He feels that once the addition is constructed this area should be a no parking zone with parking being provided to the rear of the facility. Zoning Officer Menges suggested that the area from where it states existing steel pin (Ex. Sp) back to the building be designated as no parking to allow access for emergency vehicles. The Committee reviewed the current pictometry pictures available for this property. Zoning Officer Menges suggested that the parking that occurs in the front of the current building be eliminated also. The Committee made some suggestions regarding land development issues that included adding guardrails and making the traffic flow one way around the building.

Planners Prieber/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-06 – South Western School District requesting a variance to Section 209.3 (Area and Bulk) in order to construct a transportation facility expansion that encroaches into the side setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f) with the condition that guard rails are placed around the corners of the building near the garage and meeting rooms. Motion carried on a 4-0 vote.

Z08-07 – GLENN RENFRO, 205 Bankert Road, Hanover, PA 17331. Applicant is requesting a variance to Section 205.3 (Area and Bulk) in order to construct a garage that encroaches into the side setbacks. The property is located in the R-40 zone.

Glenn Renfro represented this request. Zoning Officer Menges stated that Mr. Renfro had been before the Zoning Hearing Board on June 7, 2007 for the same request and had received approval. Mr. Renfro stated that he had received approval for a variance of five feet but when he tried to locate the property pins where he was told they were they were not in that location. The

side property pin along the neighbor's driveway is at an angle and results in him needing more than the five feet variance he was given. He is requesting an additional three feet. Mr. Renfro's property extends from Bankert road to a non-dedicated right of way which the property owner will not give Mr. Renfro access to. The garage will be similar in construction and style to the existing house. The problem is the way the neighbor's driveway is constructed with reference to where the property pins are located. He stated he wanted to put the garage in the field but because he cannot get the access from the neighbor, Mr. Wetzel, it does not make the construction of the garage at that location feasible. The property is a double frontage L-shaped lot. The current home is part of a homestead farm that was subdivided into several lots.

Planners Marsh/Goldsmith moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-07 – Glenn Renfro, requesting a variance to Section 205.3 (Area and Bulk) in order to construct a garage 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 4-0 vote.

The Planners received the following waiver or exoneration requests:

C.S. Davidson, Inc., on behalf of ESAB Welding & Cutting Products, is requesting waivers from Article V, Sections 505.k and 505.k.1 of the Subdivision and Land Development Ordinance for their final land development plan. The property is located at 801 Wilson Avenue in the Industrial Zone.

Benjamin Craddock, C.S. Davidson, Inc., represented this request. Mr. Craddock stated that ESAB is proposing a concrete pad for some outdoor dust collection equipment. They had been previously denied a request for a waiver of land development requirements. Mr. Craddock stated that they would only need a waiver for the curbing because, according to our ordinance, sidewalk is not required in the Industrial Zone. ESAB faces onto Wilson Avenue, which is curbed although Karen Lane is not. Engineer Bortner reported that Karen Lane was paved two to four years ago. Engineer Bortner reported that the radiuses have been installed along Wilson Avenue at the intersection of Karen Lane. The ordinance would require curb along Karen Lane for the length of their entire property. There are no other manufacturing facilities along Karen Lane and the other properties are used for farming.

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

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-11 – 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.

Robert Sharrah represented this plan. This plan has changed developers several times and is currently being worked on by Mr. Sharrah and his client. The plan now shows the development with thirty-eight homes rather than the originally proposed fifty-three. In addition, Mr. Sharrah stated that he is requesting several modifications to the Township's subdivision and land development ordinance. They include a waiver to the section that states that a street should not be ended without a cul de sac. He is proposing three dead end streets that would eventually connect to the next development, South Heights. These streets would have one or two driveways along them. There will be one street with a cul de sac that will also connect to the South Heights subdivision. Engineer Bortner provided examples of other areas in the Township where this has occurred. One of these is Brian Lane in the Martins Ridge Development, which did not have a cul de sac when the first phase was completed, but which is now being extended with the second phase. The second request is for a waiver of the section of the ordinance that states that a lot shall not be more than 2.5 times nor less than one time deep as it is wide. Mr. Sharrah has about six lots that do not meet this requirement because of the topography of the land and the stream through the property. There is adequate buildable area on these lots. Mr. Sharrah reviewed some of the changes that he has made to the plan as compared to when it was originally presented to the Township. Engineer Bortner stated that in the past they have not installed a cul de sac when there have been less than three driveways on the street.

Planners Marsh/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on these requests. The streets known as Boulder, Bent, and Brian Lane will not end in a cul de sac. Motion carried on a 4-0 vote.

The Planners continued the review. Mr. Sharrah again explained that there are thirty-eight lots as compared to the fifty-three and forty-three lots that were previously shown by other developers. Previous plans showed the storm water from Thornbury and South Heights being handled collectively because of the topography. Under the new plan, both developments are going to be controlling their own storm water. The streets in this development will line up with the developments adjacent on either side of the property. Engineer Bortner provided the pictometry picture of the current property and the Martins Ridge Development that is to the south of it. Mr. Sharrah stated that there would also be improvements to Beck Mill Road with this project. Engineer Bortner stated that these improvements would be conducted similarly to how those for the Martins Ridge Development were constructed. Engineer Bortner stated that Mr. Sharrah is the fourth person to work on the plan. York County Planning Commission comments were from 2003 and it is believed that York County Planning Commission does not need to review the plan again. Engineer Bortner stated that there are a few things that need to be completed before the plan can be approved. The planning module was completed last month. The sewer for the property will go through the new interceptor constructed by the developers and by Homewood.

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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-23 – 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-03 – ESAB WELDING AND CUTTING PRODUCTS, c/o Matt Tumillo, 801 Wilson Avenue, Hanover, PA 17331. A final land development plan submitted to construct a concrete pad addition. The property is located at 801 Wilson Avenue in the Industrial Zone.

Benjamin Craddock represented this plan. Engineer Bortner stated that York County Planning Commission sent a letter that they would not review the plan.

Planners Van de Castle/Marsh moved for a favorable recommendation on P08-03 – Esab Welding and Cutting Products. Motion carried on a 4-0 vote.

P08-04 – DONALD B. SMITH, INC., Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a business. The property is located at 450 West Chestnut Street in the Industrial Zone.

Zack Fry, Group Hanover, represented this plan. This is a plan to construct a building to house the Donald B. Smith Company. Mr. Fry stated they are not intending on increasing the number of employees but rather provide a new home for the business. Zoning Officer Menges is concerned about the area on the plan that is being considered for equipment storage. Any parking for vehicles will have to be concrete or asphalt. If the area is for pallet storage then it can be stoned. The maximum lot coverage allowed is 80%. There was some concern about where a dumpster would be located. Zoning Officer Menges stated that as long as it is located to the rear of the property there would not be a concern. Zoning Officer Menges also stated that they most likely would use a roll off. There should be an area designated for the pad. Zoning Officer Menges stated there is more access and egress than allowed. The ordinance allows two per street frontage and the plan is showing three. He stated this would be a concern for the County Planners. Zoning Officer Menges was concerned if Hanover Borough was contacted about the West Chestnut Street extension. York County Planning Commission comments have not been received.

The meeting adjourned at 8:19 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
APRIL 3, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on April 3, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, James Butt and Stede Mummert. Planner Craig Prieber arrived at 7:06 p.m. Planner Fred Marsh was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The March 6, 2008 Planning Commission minutes were approved as submitted.

The Planners received the following zoning appeals and will make recommendations to the Zoning Hearing Board: None.

The Planners received the following waiver or exoneration requests:

Group Hanover, Inc. on behalf of South Western School District is requesting exoneration from submitting a land development plan for revisions they wish to make on a previously approved land development plan. The property is located at 50 Spring Garden Street.

Tom Hoover represented this plan. The South Western School District land development plan for the service center located at 50 Spring Garden Street was approved in 2006. They received a variance to construct a portion of an addition into the side setback. They are requesting exoneration from submitting a land development plan because the expansion of the garage and office will be on an impervious surface and will cause no increase in runoff. The Planners previously made a favorable recommendation to the Penn Township Zoning Hearing Board on the variance with some conditions that would be incorporated into the construction. This included the one-way traffic movement around the building and the elimination of certain parking. The storm water will now be direct-flow, which will be channeled into the existing storm water pond. Zoning Officer Menges stated there would not be an increase in impervious area.

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

Bon Ton Builders Inc. is requesting exoneration from installing public sidewalks at Lot 145A, 145B, and 146 on Centennial Avenue.

Bon Ton Builders is requesting a waiver of the construction of sidewalks at Lot 145A, 145B and 146 on Centennial Avenue, which were formerly owned by the Parkville Fire Company. Centennial and Janet Streets do not have sidewalks but do have concrete curbing. The waiver would be temporary because the Commissioners can require sidewalk at anytime.

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

Hanover Land Services, Inc. on behalf of Gold's Gym is requesting a waiver from Section 505.k (Curbs). The property is located along Broadway (Rt. 194) to the intersection of Hickory Lane.

Zoning Officer Menges noted that the project has not received approval of the sewer module for the as it has been suggested from outside sources. The Township has not received notification of Department of Environmental Protection (DEP) approval on this project. Reg Baugher, Hanover Land Services, and Dr. Scott Rankin represented this request. The issue with this project is that if curb is installed along Broadway PennDOT will not accept the storm water system and will require the Township to take responsibility for it. This will necessitate the Township signing the highway occupancy permit application. The applicant can install the intersection improvements without installing the curbing and there would not be a problem. Engineer Bortner suggested that curb returns be installed similar to those installed by PennDOT on Moulstown Road. PennDOT is requiring improvements made below or along their roads be maintained by the municipality in which the road is located. Their position is that anything from curb to curb above ground is theirs but anything below the ground is the municipality's responsibility. There are other situations similar to this throughout the township and state where highway occupancy permits are not being issued until the municipality takes responsibility for any improvements beyond the existing paving and inlet/piping systems. Mr. Baugher stated that Mr. Rankin's attorney contacted PennDOT's attorney about Mr. Ranking taking responsibility for the improvements but they told him it had to be the municipality. There is an existing swale on the property, which channels some of the water runoff. It was noted that there do exist water problems on Broadway that need to be addressed. Engineer Bortner stated that PennDOT does not intend to widen the road. Proposed development would be the only way the road would be improved. It was noted that this small project may not be a problem but other larger projects such as Gateway Hanover will require improvements to state roads including Carlisle Street. The plan is proposing on site storm water control located outside of the right of way.

The Planners made no recommendation on this case pending review of the case by the Township Solicitor.

Andy Angel is requesting exoneration from a land development plan in order to use an existing house for retail sales. The property is located at 868 Baltimore Street.

Andy Angel represented this request. He is requesting exoneration from a land development plan to add an additional 200 square feet of gravel to the already 600 square feet of gravel that is used for off street parking at 868 Baltimore Street. The existing house will be used for the retail sales of lacrosse gear, coach's gifts, outdoor protective merchandise and specialized training for youth. The property is located in the Highway Business zone. Zoning Officer Menges stated that the homes in this area of Baltimore Street are being bought up and are being used as businesses according to the zoning. The storm water will have to be controlled. The alley to the rear of the property is used heavily because there is no parking along Baltimore Street. It was noted there would be room for five parking spaces so he should be able to meet the parking requirement in the Township's zoning ordinance. Handicapped parking spaces will be determined by ADA regulations and will be reviewed by the Township's building inspector.

Planners Van de Castle/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that they have at least

three parking spaces; meet the requirements for ADA compliance, and control storm water runoff. Motion carried on a 5-0 vote.

T.L. Wetzel and Sons, Inc. is requesting exoneration from a land development plan in order to construct a small addition at their 918 York Street location.

Attorney Scott Kelly represented this request on behalf of Mr. Wetzel. They are going to expand the existing facility at the old Getty building on York Street. They are not increasing the impervious area but simply constructing over existing concrete. The addition would be 30' x 40'. They have removed some existing concrete and stone that was to the rear of the property. They will be storing their trucks along with their plumbing equipment at this location. They will be repaving the front and the sides of the building where the concrete was torn up. There will be two large garage doors on the side of the building for vehicle access. Ninety percent of the storm water flows to the rear of the property. The storm water from the car wash flows to this property but the existing grass area contains the water. There was concern about the size of the building addition. The addition will not have a second story to it. Township Engineer Bortner believes that the new addition will be about seventy percent of the existing facility. This is based on measurements from the pictometry pictures. Zoning Officer Menges noted that the car wash property was paved past their property line onto this property.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that the dimensions of the addition be supplied prior to the Board of Commissioners meeting. Motion carried on a 5-0 vote.

FVC Building and Development, LLC requested exoneration of sidewalk and curbing for Lot 1 Park Heights Boulevard due to the house being over 100 feet from the street at front set back.

Zoning Officer Menges represented this request on behalf of the applicant. There is very little curb and sidewalk in this area. The Commissioners can require sidewalk to be installed at any time. The property is located at 339 Park Heights Boulevard.

Planners Mummert/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-1 vote with Planner Van de Castle casting the dissenting vote.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-11 – THORNBURY HUNT, c/o Wolverine Holdings LLC, John Teel, 1060 Baltimore Street. A preliminary subdivision plan to construct a thirty-eight (38) 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.

Robert Sharrah, Sharrah Design Group, represented this plan. He stated that he has submitted two waiver requests, which have been recommended for approval to the Board of Commissioners. The Board will review them at their next meeting. These are for dead end streets and lot depths.

Planners Butt/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan pending sewer approval. Motion carried on a 5-0 vote.

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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-23 – 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car

wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-04 – DONALD B. SMITH, INC., Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a business. The property is located at 450 West Chestnut Street in the Industrial Zone.

Bill Heap, Conewago Enterprises, represented this plan. York County comments have been received and addressed. They have eliminated one of the accesses. The landscaping plan is found on page five of the plan and loading spaces have been added.

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

P08-05 – HANOVER FOODS CORPORATION, 1550 York Road, Hanover, PA 17331. A final land development plan submitted to construct a slurry tank facility. The property is located at York Road, north of Cannery Road in the Industrial Zone.

Reg Baugher, Hanover Land Services, represented this plan. Hanover Foods has previously presented plans for slurry facilities that were not constructed because of access issues.

The facility will store the waste products from vegetables only. This was the initial review of the plan. The project is located along the border of Penn Township and Heidelberg Township so both municipalities will be reviewing the plan. There will be a storage tank along with the facility that will be large enough to hold the material that is in the building in case of a failure. There will be a storm water facility on the property. There is a proposed buffer yard towards York Street.

P08-06- SWSD SCHOOL BUS DEPOT, Gerald Funke, c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a bus depot expansion. The property is located at 50 Spring Garden Street in the Industrial Zone.

There was no action taken on this plan.

Doug Gossik, representing the South Hanover Shopping Center property, was present to provide up-to-date sketches on what they are proposing to do with the property. They are proposing that the existing Giant building remain but that Giant will renovate the old Ames building and move into that store. They will allow some room for future expansion towards the current Giant building. The current Giant building will be rented to another tenant. The existing building fronting on Baltimore Street will be demolished and the pad spaces leased/sold to a restaurant. There will be a pad space in the middle of the parking lot between the restaurant and gas station that will be leased/sold to a bank. The existing strip that housed the former Domestications store will be torn down and rebuilt smaller, in effect reducing the retail space that is available. A plan will be submitted shortly.

The meeting adjourned at 8:51 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MAY 1, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on May 1, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, Fred Marsh and Stede Mummert. Planner James Butt was absent with notice. Also present were Township Engineer Bortner and Zoning Officer Menges.

The April 3, 2008 Planning Commission minutes were corrected on page four on case P03-11 Thornbury Hunt, the motion was made by Planners Butt/Mummert. The minutes were also corrected on page six on case P08-04 Donald B. Smith, the motion was made by Planners Butt/Mummert. The minutes were approved as corrected.

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

Z08-08 – BARBARA HARTLAUB, 227 Baltimore Pike, Hanover, PA 17331.
Applicant is requesting a variance to Section 202.3 (Area and Bulk) in order to replace an existing mobile home with another mobile home that does not meet the setbacks. The property is located at 112 Fair Avenue in the R-8 zone.

Barbara Hartlaub and Harry Harrington, contractor, represented this request. Ms. Hartlaub wants to replace the existing mobile home with a newer model mobile home. The current home is 10 feet by 25 feet and the new one could be 14 feet x 70 feet, which would encroach into the side setbacks. The lot is very deep so there is not a problem with the rear setback. The smallest mobile homes that are manufactured now are fourteen feet wide. Most of the lots on this street are between thirty and fifty feet wide. The lot in question is thirty feet wide in the front and thirty-five feet wide to the rear. Zoning Officer Menges stated that on prior replacements of trailers they have tried to keep the front setback where it is currently located. This allows for continuity with the rest of the homes. The side setback on the one side is seven feet from the property line. This side setback will be maintained. The trailer that currently is in place has a cement slab with a roof that is not attached to the ground. The new mobile home will be placed in the same footprint as the existing mobile home. An awning can be placed on the new mobile home as long as it is attached to the mobile home like a canopy. The new mobile home could be between fifty feet and seventy feet long.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-08 – Barbara Hartlaub, requesting a variance to Section 202.3 (Area and Bulk) in order to replace an existing mobile home with another mobile home that does not meet the setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f), with the stipulation that the seven foot side setback on the right side be maintained along with the thirty foot front setback. Motion carried on a 5-0 vote.

Z08-09 – ELLISE AND DENNIS MOYNAHAN, 27 Pigeon Hill Park Road,
Hanover, PA 17331. Applicant is requesting a variance to Section 611a and d (Conversion of Dwelling for Additional Family Members) and a special exception to Section 211.2 (Uses)

in order to construct a father living quarters. The property is located at 27 Pigeon Hill Park Road in the R/C zone.

Ellise and Dennis Moynahan represented this request. Mrs. Moynahan stated that they have built a house and garage on the property. The house is a solar home, which is five feet below grade. The garage is built above grade, which makes it much higher than the house. They want to pour two connecting walls from the side door of the house to the garage. They want to build an in-laws quarters above the garage. The connection from the garage to the house would allow the father to get from his apartment to the home. The garage is not completely constructed yet. The variance is needed because the garage is considered a separate building and a variance to section 611d should not exceed 450 square feet. The in-laws quarters will be 600 square feet. There will be no traditional kitchen in the addition. There will be a living room area, hallway, full bath, and a small kitchen area but no stove. Zoning Officer Menges stated that once the father leaves it cannot be rented out and that each year they must certify with the Township that the father is still living there. The applicants stated that it would be converted to an art studio when her father no longer lives there. The applicants own four and half acres of property that was part of the Elwood Hoffman farm. The new addition will utilize some of the solar power generated by the existing home.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-09 – Ellise and Dennis Moynahan requesting a variance to Section 611a and d (Conversion of Dwelling for Additional Family Members) and a special exception to Section 211.2 (Uses) in order to construct a father living quarters, as it meets the 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 5-0 vote.

Z08-10 – RICHARD AND LISA KOONS, 5 Garden Lane, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a sunroom/patio that encroaches into the rear setback. The property is located at 5 Garden Lane in the R-15 zone.

Richard and Lisa Koons represented this request. Zoning Officer Menges stated that this house had damage from a tornado several years ago. Zoning Officer Menges then pointed out the homes that also had damage from the same tornado. He then indicated the properties that had previously been to the Zoning Hearing Board with regards to encroachments in the rear setback. One of the properties on Cardinal Drive placed an addition on their home within the last two years. The Koons's stated that they would like to construct a sunroom/patio. The outdoor patio would not have a roof. The rear corner of the sun room would be five feet into the setback but it will gradually decrease to the front of the room where it will only two feet. The neighbor's fence is currently down but there are plans to replace it. There was some discussion about some of the neighbor's deck encroaching into the rear setback. Zoning Officer Menges stated that at one time the Zoning Ordinance allowed for a deck or an above ground swimming pool to be placed in half the rear yard setback. This was changed in the 1990's. The property owners had the house built in 1989. The development was built with the thirty-foot rear setback.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-10 – Richard and Lisa Koons requesting a variance to Section 203.3 (Area and Bulk) in order to construct a sunroom/patio that encroaches into the rear

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:

Hanover Land Services, Inc., on behalf of J.A. Myers Building and Development is requesting a waiver from Article V, Section 505.k (Curbs) of the Penn Township Subdivision and Land Development Ordinance in regards to the South Heights Subdivision. The property is located at Westminster Avenue and Cooper Road.

Reg Baugher, Hanover Land Services, represented this request. Township Engineer Bortner stated that as he understands it PennDOT has sent a memo to the local districts that the department is no longer allowed to spend money on the maintenance of storm sewer. The department is asking the municipalities to do the maintenance. As part of the permitting process PennDOT is having the municipalities sign off so they are aware that they will be asked to maintain these improvements. Mr. Baugher stated that he has a meeting with PennDOT regarding this issue and will be meeting with the Township Engineer in the future to see if there can be some kind of understanding. The Planners indicated they are not making a recommendation on the request at this time.

The Fraternal Order of Eagles #1406 is requesting a waiver from land development plans in order to construct an addition to their clubhouse. The property is located at 105 Park Street.

Nevin Baumgardner, chairman of the Eagles Board of Trustees, represented this request. The purpose of this addition is to expand their kitchen and storage area. They would like to move their three-compartment sink to the outside wall and use the rest of the addition for storage. They are amending their original letter to make the addition ten feet by forty -eight feet rather than eight feet by forty-eight feet. They would like to reduce some of their expense by not having to do a land development plan. Proceeds from the club go to several different charitable organizations, including the Penn Township Police Department's Child Abuse fund and, nationally, to a cancer fund, a heart fund and an Alzheimer's fund. They are a non-profit organization. The storm water runoff from the roof goes into an infiltration stone bed to the rear of the property. The last time a land development plan was submitted was in the late 1980's. The developer of the adjoining lot would have to provide a buffer from their property and this property. Seick Florist previously owned the property. The Eagles no longer own the ball field, as it was sold to the South Hanover Little League.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that any future requests would require a land development plan. Motion carried on a 5-0 vote.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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 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.

P03-11 – THORNBURY HUNT, c/o Wolverine Holdings LLC, John Teel, 1060 Baltimore Street. A preliminary subdivision plan to construct a thirty-eight (38) 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 forty-seven (47) unit subdivision, consisting of 10 duplex, 17 single family attached and 20 multi-family dwellings along Brezewood Drive and Ruel Avenue. The property is located in the R-8 zone.

There was no action taken on this plan.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-20 – PROPOSED RUTTER’S FARM STORE #6, CHR Corporation, Tim Rutter, 2295 Susquehanna Trail, Suite C, York, PA 17403. A final reverse subdivision and land development plan submitted to construct a convenience store dispensing fuel and a car wash. The property is located south of York Street (SR 116) between Blooming Grove Road (SR216) and Hirtland Avenue in the H/B zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

Reg Baugher, Hanover Land Services, represented this plan, which was previously before the Planners as a Zoning Case to create a two lots each with one home. Currently there are two homes existing on one lot. York County Planning Commission comments and Township Engineer comments have been addressed. They applicant has been trying to work out the connections for public sewer. They believe they have an agreement with the developers of Martins Ridge to connect to their sewer line, which has not yet been dedicated to the Township. The Township had a situation similar to this in Melbourne Manor where some of the Bankert Road residents wanted to subdivide but did not have access to public sewer but worked with the developer to obtain access. The sewer and water laterals have been installed but not connected.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan, on the condition an acceptable sewer agreement is reached for the property. Motion carried on a 5-0 vote.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-04 – DONALD B. SMITH, INC., Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a business. The property is located at 450 West Chestnut Street in the Industrial Zone.

There was no action taken on this plan.

P08-05 – HANOVER FOODS CORPORATION, 1550 York Road, Hanover, PA 17331. A final land development plan submitted to construct a slurry tank facility. The property is located at York Road, north of Cannery Road in the Industrial Zone.

Reg Baugher, Hanover Land Services, represented this plan. York County Planning Commission, Penn Township Engineer and Heidelberg Township comments have all been addressed. The property is located in both Penn Township and Heidelberg Township. The storm water pond is constructed so that not only will it hold the storm water it will hold the entire contents of the tank if it would fail. The tank is for the temporary storage of food wastes. The

waste will only be held for a maximum period of five months (December through April). Doug Kohlmer, Hanover Land Services, is an environmental engineer and was present to answer questions. The tank does have a lid on it and the property will be graded so that in case of a failure the material will flow right to the pond. Mr. Baugher stated they are trying to save the pine trees that are in the area. The property is located on York Road near Oil Creek. The owner is concerned about covering the site from public view. The product will be generated by the property owner and will not be from outside sources. The current facility has never been filled to capacity. CET Engineering is handling compliance with the Department of Environment Protection regulations.

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

P08-06- SWSD SCHOOL BUS DEPOT, Gerald Funke, c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a bus depot expansion. The property is located at 50 Spring Garden Street in the Industrial Zone.

There was no action taken on this plan.

The meeting adjourned at 8:09 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JUNE 5, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on June 5, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, James Butt, Fred Marsh, Stede Mummert and Paul McAndrew. Also present were Township Engineer Bortner and Zoning Officer Menges. Chairman Van de Castle welcomed Paul McAndrew to the Planning Commission.

The May 1, 2008 Planning Commission minutes were approved as submitted.

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

Z08-11 – BENTLEY AND SHARON WOLF, 24 Tyoka Drive, Littlestown, PA 17340. Applicant is requesting a variance to Section 204.3 (Area and Bulk) to allow subdivision of the existing house from the restaurant property that does not comply with setbacks and lot width. The property is located at 1181 Westminster Avenue in the R-22 zone.

Zoning Officer Menges stated that he has spoken to Bentley Wolf who would like to withdraw the request but has not submitted anything in writing. There was no one present to represent the request.

Planners Van de Castle/Mummert moved to postpone the case until a Letter of Withdraw is submitted. Motion carried on 7-0 vote.

Z08-12 – JESSICA SALTZGIVER, 3255 Grandview Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a home occupation. The property is located at 3225 Grandview Road in the R-15 zone.

Jessica Saltzgiver represented the request. Zoning Officer Menges stated that the property is not located along the dedicated portion of existing Grandview Road but rather adjacent to a section of road, which was the former Grandview Road before PennDOT constructed the present Grandview Road. She stated that she would like to operate a dog and cat grooming business from her basement. The business hours would be Saturday 8 AM – 1 PM, and Monday thru Friday from 5 PM – 8 PM. Once the business is established the Monday thru Friday hours would be changed to 7:30 AM to 6 PM. This would be similar to a doggy day spa. She has a six-foot privacy fence around her backyard. She will not be boarding any animals. The driveway is 22' wide. Zoning Officer Menges felt that the driveway was at least 60' long and provided off street parking. The customers will enter through a separate entrance that goes straight to the basement. She is anticipating about three animals a day to start and when her business takes off she is hoping for between six to eight animals a day. All the animals that will be let out will be on a leash. She has owned the property about a year. She has spoken to some of the neighbors and they do not have a problem with the request. Zoning Officer Menges stated

that the neighbors would have an opportunity to comment on the case at the Zoning Hearing Board meeting.

She intends on having the signage allowed by the ordinance, which is two square foot sign. Ms. Saltzgeber stated that she does have outside lighting, which includes two motion lights and a porch light. She stated that she would prefer to have the animals when the facility opens but if it were more convenient for the client to drop them off later she would accept them during any regular business hour. She would be the only employee.

Albert Jochen, 13 Rebecca Lane, questioned Ms. Saltzgeber about what she would be doing with the waste material. She intends on cleaning up and throwing it away.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-12 – Jessica Saltzgeber requesting a special exception to Section 203.2 (Uses by Special Exception) in order to operate a home occupation, as it meets the needs 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:

Hanover Land Services, Inc. on behalf of Gold's Gym is requesting a waiver from Section 505.k (Curbs). The property is located along Broadway (Rt. 194) to the intersection of Hickory Lane.

Reg Baugher, Hanover Land Services, represented this request. Zoning Officer Menges noted that this request was previously discussed by the planners and a copy of the April 3, 2008 minutes from that discussion are attached. This was tabled because of issues between PennDOT and the Township with regards to who maintains the improvements in the right-of-way. These issues have been resolved through a compromise. Storm water systems will not be maintained within the PennDOT right-of-way. Engineer Bortner and Reg Baugher provided a compromise on the plan that shows curbing on the north side of the development to Hickory Lane. The south side from the entrance for a distance of about 82' will not have curb. Runoff will be directed to the parking lot and controlled by the storm water system on the property. Previously, PennDOT was not going to allow any curb in their right-of-way but has agreed to this compromise. There is an existing inlet at Hickory Lane that will be used for some of the water runoff. PennDOT has dropped the requirement that the permit be in the Township's name and now indicates that it can be in the name of R & R Fitness. If the Township and the State at some future date can agree on stormwater management issues than the Township can require the curb be installed at that time. The Public Works Committee reviewed the request but made no recommendation.

There was some concern about whether the number of parking spaces shown will eliminate the possibility of parking on Hickory Lane. While parking on any public street is not prohibited unless properly signed, R & R indicated that they would have enough parking to accommodate their clients. The only time there could be a shortage of parking would be if the gym would have a special event and include non-members, which they testified they would not do. If parking were to become a problem, then the Township could enforce the provisions of the special exception or variance. Zoning Officer Menges stated that the facility and use would be for members only as per the Zoning Hearing Board case.

There was some concern expressed by the planners on how this will affect other land development plans including Gateway Hanover.

The curb line has not changed and will tie into the existing curb. There was some concern about the state widening the road. Engineer Bortner stated that PennDOT intends to pave the road in about a month and they have not given any indication of widening the road.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 7-0 vote.

First Capital Engineering on behalf of Greenline Industries is requesting a waiver from a land development plan in order to expand their parking area. The property is located at 26 Industrial Drive.

Brita Raubenstine and John Luciani, First Capital Engineering, represented this request. They are requesting a waiver of Section 405 of the Township's Subdivision and Land Development Ordinance, which requires a land development plan.

They would like to add an additional twenty parking spaces to their facility. The property consists of 15.28 acres and has twenty-five parking spaces. The business is growing and they need additional spaces. They are going to expand their existing parking by 11,530.46 square feet. If they need additional parking, the plan does show another expansion of 5,579.97 square feet consisting of twelve parking spaces. The access to the parking areas would be from the driveway currently used by Greenline Industries and not Industrial Drive. This would be only 2.7% of the tract area and the existing coverage is at 23% of the area.

Mr. Luciani stated that this used to be known as Green Glenn and the owner sold out to Greenline Industries while maintaining ownership in the warehouse portion of the property. They are still operating the green bean production in the warehouse and eventually that will be sold to Greenline Industries. Mr. Luciani stated that eventually additional parking may be needed as the business continues to expand. The parking lot will be paved. Zoning Officer Menges stated that porous paving has been discussed with the developer.

Engineer Bortner stated that land development plans were submitted in 2005 and 2006. Mr. Luciani stated they are still working on storm water management issues. Engineer Bortner stated he has some concern about tracking the storm water reports.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request, pending satisfying the conditions of the stormwater requirements with the Township Engineer. Motion carried on a 7-0 vote.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-11 – THORNBURY HUNT, c/o Wolverine Holdings LLC, John Teel, 1060 Baltimore Street. A preliminary subdivision plan to construct a thirty-eight (38) 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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

There was no action taken on this plan

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-04 – DONALD B. SMITH, INC., Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a business. The property is located at 450 West Chestnut Street in the Industrial Zone.

There was no action taken on this plan.

P08-06- SWSD SCHOOL BUS DEPOT, Gerald Funke, c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a bus depot expansion. The property is located at 50 Spring Garden Street in the Industrial 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
JULY 3, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on July 3, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, Fred Marsh, and Stede Mummert. Planner Paul McAndrew was absent with notice. Planer James Butt was absent without notice. Also present was Zoning Officer Menges.

The June 5, 2008 Planning Commission minutes were approved as submitted.

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

Z08-13 – GORDON WAREHIME, JR., 560 Blooming Grove Road, Hanover, PA 17331. Applicant is requesting a variance to Section 205.3 (Area and Bulk) in order to construct a garage that encroaches into the side setbacks. The property is located at 560 Blooming Grove Road in the R-40 zone.

Gordon Warehime, Jr. represented this request. He would like to build a garage at the end of his existing driveway but will not meet the side setback by 11 ½ feet. If he relocates the garage any further away from the property line it will be over his septic area. Mr. Menges described the layout of the property, where the septic and drain field are located, and the minimum space he would need to access the area to make repairs. Menges noted that there is a sight distance problem at his driveway when Mr. Warehime pulls onto Blooming Grove Road. It is difficult to see in a southerly direction unless the vehicle practically pulls out onto the street. Mr. Menges stated it did not matter what type of vehicle one drove, the sight distance was still a problem. This means that vehicles cannot back out onto Blooming Grove Road but must pull out on to the street. The garage will be eighty feet from Blooming Grove Road and about fifty-one feet from the house. There is a fence around the property. The garage will be 32'x 24'. The existing driveway has enough room to park three cars.

Planners Mummert/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-13 Gordon Warehime, Jr., requesting a variance to Section 205.3 (Area and Bulk) in order to construct a garage that encroaches into the side setback, 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.

Z08-14 – DAVID W. BARNHOUSE, 564 Blooming Grove Road, Hanover, PA 17331. Applicant is requesting a variance to Section 205.3 (Area and Bulk) in order to construct a garage that encroaches into the setbacks. The property is located at 564 Blooming Grove Road in the R-40 zone.

David Barnhouse represented this request. He would like to build a garage to the rear of his property which measures 24'x 24'. His rear and side setbacks would only be 12 feet and not the 30 and 25 feet respectively that are required by the Ordinance. Mr. Barnhouse accesses his property from a driveway located off of Slaughter House Road. He stated that he could come forward with the garage about six feet but because of the location of the drain field he cannot

come any farther forward. There is also a shed on the property. Zoning Officer Menges recommended an 18-foot rear setback as opposed to a 12-foot rear setback. This would allow Mr. Barnhouse 10 feet in which to access his drain fields.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-14 – David Barnhouse, requesting a variance to section 205.3 (Area and Bulk) in order to construct a garage that encroaches into the setbacks, with the stipulation that the rear setback be eighteen feet and not twelve, 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:

Vincent P. Pisula, III is requesting exoneration from development of South Franklin Street as a proposed public street and requests a private access or private street owned by a homeowners association. The property is located at the rear of 955 Baltimore Street.

Paul Pisula and Attorney Matthew Guthrie represented this request for the undeveloped property located to the rear of Parkville Fire Company on Baltimore Street. There is a street between the parcel and the fire hall that already has some of the radiuses needed for improvement. There is a potential for five lots with four being on the undeveloped side of the existing street and the other being on the same side as the fire hall. The property, if subdivided, would go straight to a final land development plan. There is sufficient area to construct a dedicated street until the end of the property is reached. There was some discussion about an alley that used to be there but is no longer being used. The existing street through the property was Quit Claimed by the fire department by two different actions. There is a portion of the “street” that is not a dedicated public street and whose ownership is in question. The portion owned by the fire company is what Mr. Pisula would like to make a private street owned by a homeowners association. There is a property that has access from Clover by two alleys that enter onto Centennial Avenue and Clover Lane. Mr. Pisula stated that if he would be required to install a road that meets township specifications the proposed development would be cost prohibitive. The Planners were concerned about fire equipment being able to access the new development because the current access from Baltimore Street may become private when the firehouse is sold. The Planners suggested that the street be constructed to Township specifications but requested additional information about the small portion of the alley that does not belong to the fire company.

Planners Van de Castle/Mummert moved to table this request. Motion carried on a 5-0 vote.

J. Michael Brill and Associates, Inc., on behalf of South Hanover Partners LP is requesting waivers from the following: Article IX-13 (Existing Impervious Surfaces) of the Stormwater Management Ordinance and Article IV Section 402, 403, 404, and 405 of the Penn Township Subdivision and Land Development Ordinance on their Land Development Plan for Redevelopment of South Hanover Shopping Center.

Doug Gossick, J. Michael Brill and Associates represented this request. They are first requesting a waiver regarding the existing impervious surfaces of the Township’s storm water management ordinance. They stated the site is already developed and has existing storm water

management facilities. They are proposing modifications to the existing storm water management basin along with a reduction of impervious area on the site, which will result in reduced post development flows. They are proposing to remove all the old buildings except for the current Giant Foods facility. The new Giant Foods building will be an 87,000 sq. ft. two-story facility with room for expansion. The existing 60,000 square foot strip will be replaced with a 30,000 square foot facility with the possible expansion of 4,800 square feet. The existing 13,000 square foot building will be replaced with a bank pad and restaurant that will be a maximum 7,000 square foot building. The net loss will be between 5,200 and 7,000 square feet of building depending upon the size of restaurant pad. It is intended to reduce the impervious coverage on the lot by 2.7%. They will be increasing the number of parking spaces by four. There is parking proposed to the rear of the new Giant Foods and between the two new buildings but it is less parking than what is currently there. Mr. Gossick stated that the original plan showed five additional parking spaces but, in response to comments from the Fire Chief, they eliminated one of those spaces. They are increasing the total parking from one parking space for every 240 square feet of floor area to one parking space for every 229 to 232 square feet of floor area.

Mr. Gossick stated they are also requesting a waiver of Article IV, 403 Feasibility Report on Sewer and Water Facilities of the Subdivision and Land Development Ordinance. The lot is currently developed and is serviced by both public water and public sewer.

The third request is for a waiver of Article IV, 404 Environmental Impact Studies of the Subdivision and Land Development Ordinance. The site is an existing shopping center. There are numerous studies in this section they would like to be exonerated from. They are providing a traffic study as a result of a commitment made during the approval process for the fuel island. A Sensitive Natural Resources map has been submitted as part of the soil erosion and sediment pollution control application to the York County Conservation District. The redevelopment of the shopping center remains fairly consistent with existing conditions, slightly relocating out parcel tenant buildings within the parking field. Mr. Gossick covered the numerous studies that are in the section. They will be going through PHMC as part of their NPDES permit application process. Mr. Gossick reviewed the five drainage areas that are currently on the parcel. Four of the sites are direct discharge sites and do not have storm water management as the site exists. With the regrading of the site and the reconfiguration of the storm water management system, all four sites will either maintain the same or see substantial reductions in runoff. The more critical area is the Baltimore Street area, which is going to be reduced because of the increase of green space. There was some concern about where the run-off water to rear of the facility goes. They are increasing the basin in this area. They provided a grading utility plan that showed the increases in the basin areas and other improvements to the retention areas. Zoning Officer Menges noted that there is a drainage flow problem from this site down Baltimore Street to Baer Avenue across Bowman Road. The improvements being shown will reduce the water flow down the inlet by forty percent. Zoning Officer Menges stated there have been no complaints about the rear storm water basin.

The final request is for the final plan requirements and the sheet size. They are requesting to submit the plan on sheet size 30" x 42" which will provide more clarity when reviewing the plan. They are using a fifty-scale plan. Zoning Officer Menges stated that he does not like larger plans but does like being able to see the plan without a large number of match lines.

There was some discussion about the Giant Foods gas station that has been opened and how the vehicles are accessing the property.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on the requests made by J. Michael Brill Associates, Inc. Motion carried on a 5-0 vote.

Baummer Sawmill is requesting exoneration from a land development in order to construct a stamped concrete area. The property is located at 34 Industrial Drive.

Tony Baummer represented this request. Mr. Baummer would like to install a stamped concrete area that is currently partly impervious. He has spoken to Loss Stair Civil Engineering about a land development plan but it will take a while to develop the plan. He has constructed a new shop area where this pad is located. Zoning Officer Menges stated that the land development plan must be completed and presented to the Township before any other work is completed. Some of the out buildings were removed and replaced with newer buildings. Mr. Baummer does not live in the house. The area of the property is about five and one half acres. Zoning Officer Menges stated that the addition would not create any storm water problems. Zoning Officer Menges stated there is a wetland area where the storm water runoff terminates.

Planners Van de Castle/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the condition that no additional improvements are constructed without a land development plan. Motion carried on a 5-0 vote.

Nutec Design Associates, Inc., on behalf of Shipley Fuels, LTD and Shipley Family Limited Partnership is requesting waivers from Article IV-Section 402 (Preliminary Plans), Section 505K-1 (Sidewalks) and Section 605 (Landscaping) of the Penn Township Subdivision and Land Development Plan for Arby's and Tom's Convenience Store.

Joe Lichtenger represented this request. He stated they would like to withdrawal the request for a waiver of the sidewalk. The project is located at the northeast corner of the intersection of Grandview Road and Baltimore Street. It currently is a Tom's convenience store. They will be demolishing two single-family residences and the existing store. They will construct a new Arby's restaurant and Tom's convenience store with fuel pumps. They are requesting a waiver of the preliminary plan and landscape buffer requirements. Sixty percent of their buffer is able to meet the requirements of the ordinance but about forty percent will not because they only have an eight-foot buffer. They have a retaining wall with a six-foot fence on top of that and a six-foot strip of plantings. Baltimore Street is zoned Shopping Commercial while the property adjacent to this one along Grandview Road is zoned Residential R-15. Zoning Officer Menges stated that the plan has been revised to help the traffic situation. He stated that the police department does have a problem with the proposed plan regarding traffic flow along Grandview Road but the plan helps the traffic movement along Baltimore Street. The adjacent alley is not long enough to move the traffic farther down on Grandview. They are reducing the number of access drives along Baltimore Street. They have designed the driveway to be thirty-five feet farther from the intersection of Baltimore and Grandview and have raised it by two feet. There will be one-way traffic around the area of the drive through. Zoning Officer Menges stated that the proposed buffer is much better than what is along the eastern portion of the lot. There is only a six-foot wooden fence there now. They will need to get a Highway Occupancy Permit

from PennDOT for the change of entrance. Township Engineer Bortner has not reviewed the plan.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on these requests pending review of the Township Engineer's comments and approval. Motion carried on a 5-0 vote.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-15 – 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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-25 – HAROLD H. & DARTHEA L. DUSMAN, c/o Alan Dusman, 4204 Grandview Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located at 1050 Beck Mill Road in the R-22 zone.

There was no action taken on this plan

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-04 – DONALD B. SMITH, INC., Gerald Funke c/o Group Hanover, Inc., 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a business. The property is located at 450 West Chestnut Street in the Industrial Zone.

There was no action taken on this plan.

P08-07 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 17405. A final subdivision plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-08 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-09 – REDEVELOPMENT OF SOUTH HANOVER SHOPPING CENTER, South Hanover Partners, LP, 120 North Pointe Boulevard, Suite 201, Lancaster, PA 17601. A final land development plan submitted for redevelopment of existing shopping center. The property is located at 743-845 Baltimore Street in the Shopping/Commercial zone.

Doug Gossick, J Michael Brill Associates, represented this plan. They reviewed the items covered with the waiver requests. He also reviewed the change in accesses within the development and to Baltimore Street. The main access drive is signalized and they have increased the access drive to two hundred feet before there is an internal intersection. This

segregates the entrance from internal parking areas. The driveway will maintain the current width and they will stripe the lanes for turning. There will be one-way traffic around the proposed restaurant pad. The layout will allow a right hand or left hand turn for truck deliveries rather than the current figuration. There will only be access points to the restaurant and bank from the secondary access drives. John Sites, TRG, was present to discuss the traffic patterns. He recommends keeping the current access points. He conducted the traffic study based upon the square footage of the current buildings and the proposed clients coming to the site. The study supported maintaining the four access points and reconfiguring the traffic signal timing based upon use. The safety at the intersection has been very good, overall. They reviewed the intersections that are used to access the gas station and there has not been an accident at those intersections. He stated that the current configuration of the gasoline station area for access should be maintained because it is working. If they reconfigure the accesses they feel the safety of the site will be compromised. Mr. Sites provided a plan showing proposed changes in the accesses, which would compromise the flexibility of the traffic through the site. By restricting lanes it creates choke points in the site. Zoning Officer Menges stated he saw no reason to change the access points at the gas station.

There was some discussion that any excavation of the area may result in artifacts from Forest Park being found.

It was noted that York County Planning Commission would not review the plan because it is a demolition and rebuild.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan pending a favorable review by the Township Engineer. Motion carried a 5-0 vote.

The meeting adjourned at 8:51 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 7, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on August 7, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, James Butt, Fred Marsh, Stede Mummert and Paul McAndrew. Also present were Zoning Officer Menges and Township Engineer Bortner.

The July 3, 2008 Planning Commission minutes were approved as submitted.

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

Z08-15 – CRAIG WILLIAM MARTIN, 12 Valley Run Circle, Hanover, PA 17331.
Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage that encroaches into the setbacks. The property is located at 12 Valley Run Circle in the R-15 zone.

Craig Martin represented this request. He would like to build a 24' x 30' garage, which would be located five feet from his house. He would keep the garage aligned with the existing driveway but away from the house because of the utilities being located at the corner of his house. The garage would be built two feet from the driveway because of the utilities passing in front of it. Mr. Martin stated that if he attached the garage to the house he would encroach more into the rear setback than he currently does. The rear corner of the garage encroaches three and one half feet into the rear setback. The garage meets the twelve-foot side setback. The side setback begins at twelve feet and increases to about twenty feet at the rear of the building. The garage will be twenty-six feet and six inches from the rear property line at its closest point. There is a six foot privacy fenced that was installed over the last several months to the rear of his property. Mr. Martin has lived at the property since 1991. The home closest to the garage is currently being used as a group home for mentally challenged individuals.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-15 Craig William Martin, 12 Valley Run Circle, requesting a variance to Section 203.3 (Area and Bulk) in order to construct a garage 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 7-0 vote.

ACT 537 PLAN REVIEW

Penn Township Manager Jeffrey Garvick presented the Township's updated Act 537 plan for the planner's review and comment. He stated that Chapters 71 and 74 of the Pennsylvania Department of Environmental Protection (DEP) Code requires that municipalities have a sewage facilities plan that helps determine the planning elements that are necessary to meet the specific needs of a municipality. These include evaluating the adequacy of existing facilities, identifying needs areas, identifying and evaluating alternatives for the continued use of our facilities and to develop plans to provide sewer capacity to those identified needs areas. He stated that the plan update looks at several alternatives pertaining to the collection system, the wastewater treatment

facility and on-lot disposal systems. The last plan the Township prepared was in 1981. In addition to the plan providing a history of wastewater planning in the Township, it also provides an implementation schedule for those tasks that need to be acted upon. The Township is under the restrictions of a Corrective Action Plan. PADEP has determined that a hydraulic overload condition exists in our collection system. The Township will soon be under the dictates of a Consent Order and Agreement, which will commit us to reduce the overload by reducing inflow and infiltration into the system, upgrade the main interceptor, and construct a new parallel interceptor. The Township must also identify alternatives for implementing nutrient reduction processes at our treatment facility to address the impending Chesapeake Bay Tributary Strategy requirements.

The Plan contains a plethora of information but the important issues to the planners are those recommendations and alternatives which will influence and impact future growth. Mr. Garvick stated that an area of concern continues to be the failing on-lot systems located in the Oak Hills/Hershey Heights area. The York County Planning Commission also wants us to include the area of failing systems in the Black Rock/Penn Circle/Water Front Drive sector. We will look at that as well. The major problem in improving these areas is the huge cost for sewer collection for a relatively small number of homes. The Plan will reference timetables for resolution of the sewage concerns. The Commissioners are prepared to adopt and implement the Plan along with the financial commitments that will be necessary. These alternatives and options will be decided upon within the next six months in order to stay in compliance with our implementation schedule. Manager Garvick expects that it will cost the Township between ten and twelve million dollars to upgrade the treatment plant. Manager Garvick explained that the method of treatment process would change and the Township will be utilizing new membrane biological filter technology in lieu of the activated sludge process. The upgrade will take into consideration the build out of Township along with some extra capacity for West Manheim Township. There are about fifteen hundred feet of sewer line the Township will have to replace. The major challenge is the redesign of the headworks, that point where the sewage enters the plant. The elevation of the new headworks has not yet been determined. The state may provide grants to help offset some of the costs but the amount of those have yet to be determined. The Commissioners are going to be considering sewer rate increases within the next several months to help fund the project.

Planners Van de Castle/Butt moved to accept the update Act 537 plan of 2008. Motion carried on 7-0 vote.

The Planners received the following waiver or exoneration requests: None.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

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There was no action taken on this plan.

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P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

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P04-26 – STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-07 – ARBY’S AND TOM’S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 17405. A final subdivision plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-08 – ARBY’S AND TOM’S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-09 – REDEVELOPMENT OF SOUTH HANOVER SHOPPING CENTER, South Hanover Partners, LP, 120 North Pointe Boulevard, Suite 201, Lancaster, PA 17601. A final land development plan submitted for redevelopment of existing shopping center. The property is located at 743-845 Baltimore Street in the Shopping/Commercial zone.

Doug Gossick, J. Michael Brill Associates, represented this request. He stated that the shopping center plan, which has already received a favorable recommendation for approval from the Planners, assumed some broad sanitary sewer needs. The shopping center currently has 33 EDU’s, which they feel they will not exceed those to develop the shopping center. If they exceed those EDU’s they will not be able to develop that part of the site until they purchase additional EDU’s from the Township. There will be a note on the plan that states the number of available EDU’s and what the developer needs to do if there is additional sewer capacity needed beyond what it currently available. They initially requested 83 EDU’s and after they became aware of the Township’s sewer problems they reevaluated their needs and realized they could develop the center utilizing fewer EDU’s. Restaurants and grocery stores require more than a bank or magazine store. Mr. Gossick explained that one EDU is the equivalent of 227 gallons of sewage. He stated that each individual space is required to have at least one EDU. As the developer has marketed the center they have found they need to combine some of the retail space into larger units to attract certain businesses.

Mr. Gossick stated they received York County Planning Commission comments. There was some confusion regarding this since YCPC initially indicated they would not be reviewing the plan. Consequently, there are now issues that have arisen since the Township’s Planning Commission gave an approval at their July 2008 meeting. York County Conservation District also submitted comments about the plan. Some of the York County Planning traffic comments they are going to ignore because they do not make sense especially comments five and seven. York County suggests a less restrictive access to the shopping center from the fuel island. The plan was designed to limit the access from the shopping center to the fuel islands. Also the comments suggest that speed humps be used instead of speed bumps. Giant has avoided the humps because they are more dangerous than the bumps for shopping carts. They are improving truck access to the site.

York County Conservation District comments will be addressed and they will be meeting with them to discuss the comments. There is some concern about infiltration on the project because of the rock in the area.

P08-11-STONEWICKE, J.A. Myers, Building and Development, 160 Ram Drive, Hanover, PA 17331. A final add-on subdivision submitted to create two (2) residential lots. The property is located at 1025 Baltimore Street in the Shopping/Commercial Zone.

Reg Baugher, Hanover Land Services, represented this request. This plan will create a 15-½ acre lot of which thirteen acres is coming from the Stonewicke Development and 2-½ acres are coming from the existing lot which fronts on Baltimore Street. This will allow access to the thirteen acres that previously did not have road frontage along Baltimore Street. They are adding two conforming lots to make one larger lot. They are both in the Shopping/Commercial zone. The fire company also purchased a piece of ground from the Stonewicke tract. York County Planning Commission comments have been addressed. WellSpan may be the one to develop the property.

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

The meeting adjourned at 8:01 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
SEPTEMBER 4, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on September 4, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, James Butt, Fred Marsh, Stede Mummert and Paul McAndrew. Craig Prieber was absent with notice. Also present were Zoning Officer Menges and Township Engineer Bortner.

The August 7, 2008 Planning Commission minutes were approved as submitted.

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

Z08-17 – MATTHEW S. DIETRICH, 936 York Street, Hanover, PA 17331.
Applicant is requesting a variance to Section 208.2 (Uses by Right) in order to operate a car recycling business. The property is located at 936 York Street rear in the H/B zone.

Matthew S. Dietrich and Attorney Jeremy Frey represented this request. Mr. Dietrich owns MEM Automotive, an auto sales and service station headquartered at 937 York Street. The actual location of the service station is 936 York Street, a property, which he has owned for five years. The property requesting the variance is to the rear of 936 York St. and has been owned by Mr. Dietrich for three years. He purchased the property for storage and customer parking. The property was previously owned by A.D. Frye for their trucking business. About a year and one half ago Mr. Dietrich decided it would be more advantageous to sell parts from certain vehicles for scrap or on ebay. He became aware that this is a violation of the zoning ordinance and applied for a variance. He would like to use the property as a recycling center where he stores vehicles until he ships them somewhere else. In most cases he his hoping to sell the vehicles or parts within thirty days. If Mr. Dietrich is unable to use the property as he intends he will have to vacate the entire site (both properties) and move his business somewhere else. The neighboring properties to the north are zoned Industrial. The ones adjacent to his business on York Street are zoned Highway Business and there are several homes near the property. The proposed use is allowed in the Industrial zone by special exception. The automotive repair use is a permitted use. There is a fence along the alley and if the variance is approved he would install a fence along the entire perimeter of the property. He would be allowed an eight-foot fence. There are several trailers along the fence where parts are stored. Zoning Officer Menges stated that the Zoning Hearing Board could set the parameters for the variance. The property is .66 acres. Once the vehicles became inoperable that is when the violations begins. Also some of these vehicles are auctioned at local auction services depending on the perceived value of the vehicle. There was some discussion on the differences between a Junkyard, Junked Motor Vehicle, and Recycling Yard. Zoning Officer Menges stated this is a hybrid of the three. It was noted under Junkyard that no unlicensed vehicle could sit for more than thirty days.

Mr. Dietrich stated that all the vehicles will have titles but sometimes it takes awhile to get them. There is a private alley between the properties. Mr. Dietrich's properties are separate from each other. Only Mr. Dietrich and his employees will have access to the recycling yard.

Planners Butt/Mummert moved for a favorable recommendation to the Zoning Hearing Board on case Z08-17 – Matthew S. Dietrich, requesting a variance to Section 208.2 (Uses by Right) in order to operate a car recycling business, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on 4-2 vote with Planners Marsh and Goldsmith casting the dissenting votes.

Z08-18 –MARTIN CLARK, 10 Quail Ridge Court, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to construct a three-season sunroom that encroaches into the rear setbacks. The property is located at 10 Quail Ridge Court in the R-15 zone.

Attorney James Yingst, representing Torrence Construction, represented this request. Mr. Yingst stated that he is requesting to change the application from a variance to a special exception because there is a preexisting deck that is going to be converted to a three-season room. Mr. Yingst stated that the deck was built when the home was constructed in the 1990's and that the Ordinance states that decks must meet current setback requirements. He stated that the three-season room will be smaller than the existing deck and he feels that it is a change of a nonconformity, which would make it a special exception. He stated it does meet the requirements for a variance but he would rather pursue it as a special exception. Mr. Yingst stated that this special exception would change the appearance of the structure. There is one property owner that may be affected by this change. The current deck does encroach into the rear yard setback. The deck is 14'x 16' and the enclosed room will be 14' x 12'. Zoning Officer Menges stated that the rear yard setbacks have not been changed but the encroachment for decks and above ground pools was, at one time, half of the rear yard setback. This provision was only in effect for two or three years. Mr. Yingst stated that because of the change in the Ordinance there is now a nonconforming structure. The contractor for Torrence Construction informed the Planners that a portion of the existing deck would have to be removed because of the way it was constructed. It was noted that the contractor began construction on the project prior to securing a building permit. The zoning officer was informed of the construction and work was stopped while the contractor submitted a building permit application. The pictures presented show the work that has been completed without a permit. There is at least one other three-season room in this area. The Township Code Officer must inspect the structure. The front of this home and roof were previously destroyed by fire and this is the contractor that helped rebuild it. The rear of the home was spared.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-18–Martin Clark requesting a special exception to Section 203.3 (Area and Bulk) in order to construct a three-season sunroom that encroaches into the rear setbacks, 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.

The Planners received the following waiver or exoneration requests:

The Missionary Bible Baptist Church is requesting exoneration from a land development plan in order to construct a parking pad for church buses. The property is located at 920 Beck Mill Road.

Pastor Mark Rohnke represented this request. He stated that in 2001 the church redid the on-lot sewer system on the property since there is no public sewer available. The sewer lateral is located to the right of where the two buses currently park. There was a shed located on the bus parking area that was moved in 2001 during the construction of the sewer tanks. The front of the church was paved with stamped asphalt and they used crush and run for the base which was stored on the property where the shed used to be. Over time the buses were parked there because they are diesel and electric is there for the sewer system, which can also be used to plug in the busses over the winter. Recently, Mr. Rohnke became aware that the church was in violation of the Township's Subdivision and Land Development Ordinance because there was never a land development plan submitted for this improvement. They are waiting for public sewer to the area, which will be available when the current developments are constructed. They are also preparing a land development plan for the entire property. Eventually the crushed stone area will have to be paved. Chairman Van de Castle noted that a waiver is usually a one-time deal, and that any future requests should be a land development plan showing all future improvements.

Planners Butt/Marsh moved for a favorable recommended to the Penn Township Board of Commissioners on this request. Motion carried on a 6-0 vote.

Michael Cooper owner of South Hanover Automotive, LLC is requesting exoneration from a land development plan in order to make improvements at his commercial property at 848 Baltimore Street.

No one was present to represent this request. Planners Van de Castle/Mummert moved to postpone the request until someone is present to represent the request. Motion carried on a 6-0 vote.

Conewago North Ridge Partners, L.P. developer of Gateway Hanover is requesting waivers to Articles 1 and 3 of the Penn Township Sign Ordinance in regards to signs to be placed at the shopping center located at Carlisle Pike and Eisenhower Drive.

Allen Smith and Gary LeFevre, Conewago Contractors, and Vicki Marbut, Philadelphia Sign Company, represented this request. Zoning Officer Menges explained how sign sizes are calculated based upon the Township Ordinance. He stated he calculates based on the name of the business. Ms. Marbut described the signs they are proposing for the project. They are proposing a pylon sign, which will be thirty feet high and not twenty feet as allowed by the Township Ordinance. They cannot move the sign back from the intersection because of the proposed travel lanes and the elevation grades of the project. There was some discussion on the other pylon signs within the Township and it is believed that the Grandview Plaza pylon is about twenty-five

feet in height. The Borough of Hanover has already approved two other pylon signs in the same shopping center, which are thirty feet. The other two signs are located on Eisenhower Drive and the entrance to Wilson Avenue. It was noted that the signs shown on the exhibits were for illustrative purposes only. Engineer Bortner stated that Hanover Honda pylon sign is about twenty-five feet high.

Planners Mummert/Butt moved for a favorable recommendation to the Penn Township Board of Commissioners on the request that Conewago be allowed to increase the size of the pylon size to thirty feet, which is ten feet above what is allowed by the ordinance. Motion carried on 4-2 vote with Planners Goldsmith and McAndrew casting the dissenting votes.

J.A. Myers Homes, Inc is requesting a waiver to post light requirements in regards to installation of two driveway entrance columns at Lot 102 in the Whispering Run Development.

Jeff Stough, J.A. Myers, represented this request. The home at Lot 102 in Whispering Run is currently under construction and they are requesting to install driveway column lights that will not meet the height requirements of the Township's Lighting Ordinance. Planner Goldsmith expressed concern about the Township's liability when snow is being plowed. The columns and lights could be damaged by snow and ice coming from the plows. He doesn't feel that the Township should bear any repair costs. Zoning Officer Menges stated that there is curb and sidewalk in these areas and there will be no problem with the clear sight triangle. The lights are the exact same lights that are required by the Township's ordinance. They will also be using the same posts only they are two-feet shorter than what is required by the Ordinance. Zoning Officer Menges stated that there is one instance in the Township on Youngs Road where the homeowner does not have another residential light besides the driveway columns. In other instances the homeowners have both the driveway columns and the required residential light. Per the Township Zoning Officer, Hadco Lighting Company established the specifications for the residential lights. Township Engineer Bortner stated that this development would be similar to the Morelock Hills Development.

Planners Van de Castle/McAndrew moved for a favorable recommendation to the Penn Township Board of Commissioners on this request for this house only with a minimum of six feet for the pole to the base of the lamp and a foot for the light. Motion carried on a 5-1 vote with Planner Mummert casting the dissenting vote.

Bon Ton Builders, Inc. is requesting a waiver to post light requirements at the four-unit town homes at 735 Frederick Street.

There was no one present to represent this request so it was tabled.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a forty-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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-07 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 17405. A final subdivision plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

Bill Gross, Nutec Design, and Steve Wolf, Shipley, represented this plan. Mr. Gross stated that he has addressed all the York County Planning Commission comments and Township Engineer Bortner's comments.

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

P08-08 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

Bill Gross, Nutec Design, and Steve Wolf, Shipley, represented this request. The plan will create an Arby's/Tom's convenience store on the property where the current Tom's is located along with the two properties located directly to the north. Shipley has moved the driveway entrance along Baltimore Street to the north on the apex of the existing hill. The entrance is right-in and right-out only. They have eliminated two other existing driveways that were along Baltimore Street. The convenience store will provide gas and the restaurant will have a drive thru. The existing driveway on Grandview will remain. The underground tanks will remain in their current location. They then reviewed the parking lot layout. Tom's has restrictions on when deliveries are made and can control the hours such as not being at five in the morning or five in the evening. The York County Conservation adequacy letter has been received. The Arby's is the smallest configuration that can be designed. It will have twenty tables.

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

P08-09 – REDEVELOPMENT OF SOUTH HANOVER SHOPPING CENTER, South Hanover Partners, LP, 120 North Pointe Boulevard, Suite 201, Lancaster, PA 17601. A

final land development plan submitted for redevelopment of existing shopping center. The property is located at 743-845 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

**P08-10 – STONE RIDGE DEVELOPMENT CROSSWINDS ASSOCIATES
DEVLEOPMENT AND TOWNSHIP OF PENN. Burkentine & Sons, Inc. 330 Dubbs
Church Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create
seven (7) residential lots. The property is located at Breezewood Drive in the R-15 zone.**

There was no action taken on this plan.

**P08-12 – AQUAPHOENIX, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA
17331. A final land development plan submitted to construct a warehouse addition. The
property is located at 9 Barnhart Drive in the Industrial Zone.**

Gerry Funke, Group Hanover Inc., and Steve Lecrone represented this plan. This is an initial review of the plan. They are proposing an addition to the existing building and moving the current parking to another area. The building is for warehouse storage. Gerry Funke reviewed the different projects that have been undertaken by Aquaphoenix. The area on which they are requesting to build the addition was just approved last year for a parking lot. Township Engineer Bortner was concerned about the stormwater management and the proposed expansion shown on the plan. He would like the details of that expansion shown.

The meeting adjourned at 9:13 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
OCTOBER 2, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on October 2, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, Fred Marsh, Stede Mummert and Paul McAndrew. James Butt was absent with notice. Also present were Township Manager Garvick and Township Engineer Bortner.

The September 4, 2008 Planning Commission minutes were approved as submitted.

Manager Garvick discussed a packet of information that was mailed on September 18, 2008 to each of the planners regarding a request to rezone the properties from 1403 to 1453 Baltimore Street from R-15 Suburban Residential to Shopping/Commercial. He stated that the township has received rezoning applications from ten of the twelve property owners. The two properties that have not made application for rezoning are 1419 and 1453 Baltimore Street. The Township Solicitor has suggested that the Township consider those two properties along with the other ten. Manager Garvick stated that the request was forwarded to the York County Planning Commission on September 10, 2008 but they will not address the request until their October 7, 2008 meeting. Their comments will be sent to the Township following that meeting. The Penn Township Board of Commissioners has scheduled a public hearing for the request on November 17, 2008 at 7:00 PM. The Penn Township Planners should make a recommendation on the request at their meeting in November. Manager Garvick is available to discuss any concerns or questions that the Planners might have about the request. There is no traffic study currently being planned for the request but there were studies done when the shopping center was planned. Also, traffic studies would be required for the commercial development of the sites should the rezoning be approved. The properties on the four corners of Grandview and Baltimore Street are currently zoned Shopping Commercial. Most of the properties that are requesting the change are relatively small with residential homes that abut another residential development to the west. York County Planning Commission comments will be forwarded to the Penn Township Planners as soon as they are available. There was some discussion about the existing "retirement facility" located along Baltimore Street but they are only one of the property owners making the request. It is unclear as to why the owners of 1419 and 1453 Baltimore Street did not make application for the change along with the rest. Manager Garvick thanked the Planners for their time and will be present at their November meeting if additional questions and concerns arise.

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

Z08-19 – MARTIN J. CLARK, 10 Quail Ridge Court, Hanover, PA 17331.
Applicant is requesting a variance to Section 203.3 (Area and Bulk) and a special exception to Section 407.2 (Expansion and Alteration) and Section 407.3 (Replacement) in order to enclose an existing deck. The property is located at 10 Quail Ridge Court in the R-15 zone.

Acting Zoning Officer Rodgers noted that this was the same case that had been presented at the September meeting and was under the impression that the Zoning Hearing Board Solicitor requested that the request be heard as a variance and that is why they are applying for both a variance and a special exception. Attorney James Yingst represented this case and stated that last month Mr. Clark had applied for a variance but the application was amended during the meeting to a special exception at the request of Mr. Yingst and the applicant. He believes that the request should be a special exception because of the provision in the ordinance that allows an existing nonconformity to be expanded, altered, or replaced by another nonconformity. The owner had a deck that did not meet the rear setback that he wants to convert to a three-season room. The Planners, at last month's meeting, made a favorable recommendation for a special exception. Mr. Yingst and the applicant presented the same change at the Zoning Hearing Board. Mr. Yingst stated that the Zoning Hearing Board Solicitor noted that since it was a lesser relief he did not have a problem with the change. Mr. Yingst stated that the Zoning Hearing Board, however, would not hear the case since it was not advertised as a special exception. Mr. Yingst stated he caucused with his client and asked that the Zoning Hearing Board table the request and they would refile an application asking for a variance and special exception. Mr. Yingst asked that the Planners reaffirm what they favorably recommended at the previous meeting as far as a special exception because Mr. Yingst felt that a variance was not needed. Acting Zoning Officer Rodgers noted at last month's meeting the motion approved by the Planning Commission was for a special exception. Ms. Rodgers stated that the Planners would need to act on both the variance and special exception requests. Mr. Yingst insisted that the Planners only act on the Special Exception request because that was all that was needed. Ms. Rodgers stated that if only the special exception is acted upon the Zoning Hearing Board might choose not to hear the case as a variance because there was no recommendation made by the Planning Commission. Ms. Rodgers stated that the Township Zoning Officer, John Menges, informed her that a recommendation would need to be made on both the variance and the special exception. It was noted that some of the deck has been replaced in order to accommodate the enclosure. Mr. Yingst stated that the room would be smaller than what was applied for on the building permit application for the deck.

Planners McAndrew/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-19 – Martin Clark, requesting a variance to Section 203.3 (Area and Bulk) and a special exception to Section 407.2 (Expansion and Alteration) and Section 407.3 (Replacement) in order to enclose an existing deck, as it meets the 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 5-0 vote with Planner Prieber abstained because he was not present at the September meeting.

Z08-20 – HANOVER ORTHOPEDIC ASSOCIATES, INC., 207 Blooming Grove Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 203.2 (Uses by Special Exception) in order to construct a medical facility addition. The property is located at 207 Blooming Grove Road in the R-15 zone.

Gerry Funke, Group Hanover Inc., and Dr. James Ellison represented this request. They are requesting an expansion of the existing facility along Blooming Grove Road to add an additional physician. Mr. Funke stated that they are within the coverage requirements for the

property. It will require some engineering because of the addition of parking over an existing storm water management area. There will also be additional landscaping to buffer the surrounding homes from the facility. Ms. Rodgers noted that the existing facility was constructed under a special exception. The walking track was removed during the previous renovation project.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-20 Hanover Orthopedic Associates requesting a special exception to Section 203.2 (Uses by Special Exception) in order to construct a medical facility addition 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.

The Planners received the following waiver/exoneration requests:

Bon Ton Builders Inc. is requesting a waiver to post light requirements at the four-unit townhouses at 735 Frederick Street.

Bob Sharrah represented this request on behalf of Bon Ton. He noted that several months ago the land development plan was approved for the 735 Frederick Street with four townhouse units parallel to Orchard Street. He stated that there are wall-mounted lights at the front doors of each unit. They would like to reduce the number of walkway post lights because they feel that there would be excessive light that will spill over onto the neighboring property. Mr. Sharrah noted that there are no post lights in the Plum Creek condominiums. Township Engineer Bortner stated that he is not familiar with pole lights in Plum Creek. He noted that there are some instances in the Township including along John Street where this has occurred. Manager Garvick noted that the four town homes at Granger/Beck Mill have lights put in at each unit that, in his opinion, has resulted in too much light. Engineer Bortner noted that if they alternate the posts the light is owned by the person whose property it is situated on. The Planners discussed several alternatives.

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

Michael Cooper, owner of South Hanover Automotive, LLC is requesting exoneration from a land development plan in order to make improvements at his commercial property at 848 Baltimore Street.

Michael Cooper represented this request. He presented his views on what he wants to do to the existing property at 848 Baltimore Street. He noted some buildings have already been removed. He would like to remove others and add on to some of the existing buildings. He will be removing more square footage that he is adding and will be removing the building situated along the alley. He would be adding flower gardens or stone parking in some areas. He stated that the property has been a car dealership since 1947 and has switched hands several times. He noted that almost the entire property has had stone and or concrete on it at some time. There was only a small strip of property that was not paved or concrete. Mr. Cooper also owns 852

Baltimore Street, which is a house. Mr. Cooper stated that he is interested in putting in drain fields to control storm water. He has already made improvements to the alley to help alleviate some of the water problems.

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

ESAB Welding & Cutting Products is requesting exoneration from land development in order to construct a new concrete pad to support a dust collector. The property is located at 801 Wilson Avenue.

Zak Fisher represented this request. He noted that ESAB just recently had a land development plan approved and would like to add an additional 22' x 15' concrete pad that was not on the plan. It was noted that they had requested a waiver from the previous land development plan and were denied.

Planners McAndrew/Mummert 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. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-15 – 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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is

located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-08 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-09 – REDEVELOPMENT OF SOUTH HANOVER SHOPPING CENTER, South Hanover Partners, LP, 120 North Pointe Boulevard, Suite 201, Lancaster, PA 17601. A final land development plan submitted for redevelopment of existing shopping center. The property is located at 743-845 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

**P08-10 – STONE RIDGE DEVELOPMENT CROSSWINDS ASSOCIATES
DEVLEOPMENT AND TOWNSHIP OF PENN. Burkentine & Sons, Inc. 330 Dubbs
Church Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create
seven (7) residential lots. The property is located at Breezewood Drive in the R-15 zone.**

There was no action taken on this plan.

**P08-12 – AQUAPHOENIX, GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA
17331. A final land development plan submitted to construct a warehouse addition. The
property is located at 9 Barnhart Drive in the Industrial Zone.**

Gerry Funke, Group Hanover Inc., represented this plan. There are showing both a warehouse addition and a future addition. The warehouse addition they want to see now. The future addition may require them to hire additional employees. Mr. Funke indicated that he put the future expansion on a separate sheet with a note that they will not begin construction on the future addition until such time as sanitary sewer becomes available. It was Mr. Funke's position that the warehouse addition will not increase sanitary sewer flow at all. The facility produces water-testing kits. Township Engineer Bortner's comments and York County Planning Commission comments have been addressed.

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

The meeting adjourned at 8:07 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
NOVEMBER 6, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on November 6, 2008 at the Penn Township Municipal Building. Present were planning members Ray Van de Castle, Dan Goldsmith, Craig Prieber, Fred Marsh, Stede Mummert and James Butt. Paul McAndrew was absent with notice. Also present were Township Manager Garvick and Township Engineer Bortner.

The October 2, 2008 Planning Commission minutes were approved as submitted.

Manager Garvick addressed the Planners regarding the request to rezone parts of Baltimore Street. The Penn Township Board of Commissioners will be holding a public hearing on Monday, November 17, 2008 at 7:00 p.m.

Mr. Garvick stated that on August 15, 2008 the Township received a request from 11 property owners to rezone their parcels from R-15 Residential to SC – Shopping Commercial. The applicants represent 11 of the 13 property owners between 1403 Baltimore Street and 1453 Baltimore Pike. The applicants are:

Clair and Shirley Shorb – 1403 Baltimore Street
William and Judith Piffner – 1407 Baltimore Street
Ki B. Song – 1409 Baltimore Street
Thomas and Patricia McVey – 1411 Baltimore Street
Anthony and Michelle Thomas – 1413 Baltimore Street
Fred and Dixie Brillhart – 1415 Baltimore Street
Nevin and Phyllis Coppersmith – 1417 Baltimore Street
Jacqueline Wentz – 1429 Baltimore Pike
Donald and Sandra Berkheimer – 1435 Baltimore Pike
Robin Wonder – 1441 Baltimore Pike
Peter and Sharon Slusser – 1447 Baltimore Pike

There are two property owners that are not part of the request, but whose parcels occupy area between 1403 Baltimore Street and 1453 Baltimore Pike. These properties will also be considered in any deliberations as being part and parcel to the request. They are Gary and Betty Clouser, 1419 Baltimore Pike and Rita Wells, 1453 Baltimore Pike.

The area of the 13 properties comprises 5.84 acres with the smallest being .258 acres and the largest being .803 acres.

The properties are located on the west side of Route 94 and extend from within one parcel south of the Grandview/Route 94 intersection all the way to the municipal boundary line with West Manheim Township. The current use of the properties is that of single family residential. All of the parcels are serviced by public water and public sewer. There are no unusual or distinguishing physical characteristics other than a row of single family homes.

The area directly to the west of and adjacent to the properties is also zoned R-15 Residential. The area to the east, across Route 94, Baltimore Street/Pike is the Grandview Plaza Shopping Center, which is zoned SC-Shopping Commercial, as are all four corners of the Grandview/Baltimore intersection.

The future land use section of the Township's Comprehensive Plan, adopted on August 20, 2001, recommends that the current zoning remain in effect. Typical examples of allowed uses in the R-15 Residential zone include group homes, Houses of Worship, No-Impact Home Base Businesses and Single Family Detached Dwellings. As a special exception, examples of allowed uses are: Church Day Care Center, Family and Group Day Care Home, Half-Way Houses, Home Occupations, Medical Clinics, Parks and Recreational Facilities and Retirement Villages.

Typical examples of allowed uses in the SC- Shopping Commercial Zone include: Personal and Business Services, Commercial Schools and Recreation, Convenience Stores, Eating Establishments, Parking Lots, Medical Clinics, Financial Institutions and Retail Businesses. As a special exception, examples of allowed uses are: Adult Regulated Facilities, Child Care Center, Church and Group Day Care Centers, Hospitals, Mini-Storage Warehouses, Public Utility Buildings, Shopping Centers and Malls and Transportation Terminals.

The York County Planning Commission reviewed the request at its meeting on October 7, 2008. An unfavorable recommendation was given since the rezoning would not be consistent with the Township's Comprehensive Plan. Further, YCPC noted that the minimum lot area for a lot in the SC zone is 20,000 square feet. The majority of the lots do not meet this requirement. This would result in creating non-conformities as well as hindering any commercial development since the buildable area is so greatly reduced when setbacks are met. Lastly, the County Planners feel there is an adequate amount of Shopping Commercial land already zoned. They don't recommend rezoning these lots.

Mr. Garvick stated that there are four lots that meet the required square footage for the shopping commercial zone. He also stated that in order to develop them it would in most cases take several combined lots. One of the applicants, Fred Brillhart, stated that one property that did not submit an application had recently been sold.

Michael Dows, Dows Commercial Realty, represented the applicants requesting the zoning change. He stated the following:

"There are 14 single, detached residences along the west side of Baltimore Street from Grandview Road south to the boundary line with West Manheim Township. These residences are directly across Baltimore Street (State Route 94) from the Grandview Plaza. These properties lie within the R-15 Suburban Residential Zone with one exception: Recently, the property of Robert Smith, located on the southwest corner of the intersection of Baltimore Street and Grandview Road was rezoned to S/C Shopping Commercial. Eleven of the remaining thirteen property owners are joining in this request to rezone their properties from R-15 to S/C. All of

these property owners reside in these homes on Baltimore Street. Of the two property owners not joining in this request, one property only settled after the request was made, and the remaining property owner did not respond when asked to join. In addition, one property at 1441 Baltimore Street is currently being used commercially as a licensed personal care home”.

“Many of these property owners purchased their homes when the current shopping center across the street was an agricultural field. As the result of additional residential development in Penn Township and nearby municipalities, more area was needed to provide for the day-to-day shopping needs of residents. It was natural to place this new retail space along a major thoroughfare such as Baltimore Street. A zoning change across Baltimore Street allowed the development of the Grandview Plaza. At this time, we are faced with a deluge of additional new residential properties in this area. There are several new housing developments being built or proposed. The traffic count on Baltimore Street already exceed 22,000 cars per day as per Penn DOT traffic surveys. The new South Hanover Walmart and the redevelopment of the South Hanover Shopping Center will only exacerbate the traffic problems. While the high visibility and traffic count on Baltimore Street acts to increase the value of these residential properties as potential commercial properties, these same factors act to reduce their market value as residential properties. These current Baltimore Street residents are plagued by road noise, vehicle exhaust, road dirt, light pollution, and difficulty getting in and out of their driveways. Residents traveling northbound must stop in ongoing traffic to turn left across southbound traffic in order to enter their driveways”.

“The first issue to be dealt with regarding this rezoning is the area and bulk regulations. The S-C zone requires a lot width of 100 feet. All properties meet this requirement except 1409 and 1411, which are 78 feet wide. S-C zoning requires a minimum lot area of 20,000 square feet. Only 1403, 1429, 1441, and 1453 meet this requirement. The non-conforming properties would need to combine with adjacent properties to meet these requirements, or obtain a Special Exception. Their uses may impose a nuisance effect. These properties are 150 feet in depth, or more. They back up to the rear of adjacent residential properties. In order to protect adjacent homeowners from any adverse effects some action may be required. Section 201.4 of the Penn Township Zoning Ordinance can be utilized to require control of lighting, screening, and fencing to alleviate any adverse effects. A landscape architect could be utilized to design an effective, yet attractive barrier between the properties. Current property owners experience difficulty getting in and out of their driveways. Further, re-zoning from R-15 to S-C may even increase the number of times a vehicle exits on to Baltimore Street. As a state road, PENNDOT will dictate the requirements for highway access. Combining adjacent properties may decrease the current number of driveways on Baltimore Street.”

“In conclusion, the market value of the subject residential properties is decreasing due to the increased traffic congestions, noise, dirt, vehicle exhaust and light pollution. Safety is a factor when you consider the difficulty of getting in and out of driveways, and in allowing young children to play in the yards close to the street. Ask yourself, “Would you raise your family on this stretch of Baltimore Street?” The properties are not great for commercial use either. They lack the depth for a larger building. Instead, they lend themselves to use as office space for dentists, chiropractors, insurance companies or realtors. These are commercial uses that won’t

require large facilities or huge parking lots. But the change in zoning will give these residents an opportunity to sell to someone other than a homebuyer, and likely at a little better price. It is time to recognize that these properties don't make for great homes, but could make nice office space. With the requested zoning change, these residents can continue to use these properties for their homes, but have more opportunity to sell and at a better price in the future."

Mr. Dows then provided a list of the residents, the acreage, and the property value for tax assessment purposes. There was some discussion about the lot depths.

Fred Brillhart, 1415 Baltimore Street, expressed concern about the change in zoning for the corner property of 1401 Baltimore Street. He stated that the residents along this area have difficulty accessing their property from Baltimore Street. He reviewed the changes in the area that have occurred since he purchased his home in 1984, including the construction of homes behind his house and the change in zoning for the Grandview Plaza Shopping Center. He stated that the neighbors behind him might feel that this will present a problem for them but they are already suffering through the rezoning of land in front of them. He was extremely concerned about the 1401 Baltimore Street rezoning and how it occurred.

Jennifer Mastervich, 151 Windsor Court, and representing 73 Cardinal Drive, stated she was concerned about the rezoning. She stated that there is a new commercial strip at the South Hanover Shopping Center that has only been open less than two years and is starting to lose some of its tenants, i.e. Quiznos. She wants to know if the Township is planning on utilizing our resources wisely since we have commercial land that is not totally being utilized. She suggested that a buffer be used similar to one that is used on Grandview Road, which is the old Grandview Road. She stated that from personal experience that commercial properties are not selling very quickly. She stated that 73 Cardinal Drive residents just moved in hoping to raise their family and now their property may abut a commercial development. She stated that on portions of Baltimore Street to the north there already is confusion on which lane a driver should be using.

Lindsey Brillhart, 1401 Baltimore Street, stated her experience living and growing up across Grandview Plaza. She stated she felt her parents and the neighbors should have the option of being able to sell their property as commercial. It is a property value issue and explained that her bedroom window faces the Issac's restaurant.

No one currently has received an offer to sell their house for commercial uses. The Shorb's had been offered last year to sell their property in conjunction with the corner property. Judy Piffner, 1407 Baltimore Street, stated that she was approached about ten years ago to purchase her property if it was rezoned commercial. She stated she wants the chance to sell her property commercially if the opportunity arises. She stated they have spoken about the fact that some of the lots could be sold commercially and some could stay residential after the rezoning. There was some discussion about how this could increase traffic for those remaining homeowners.

Clair Shorb, 1403 Baltimore Street, stated that he was surprised that the zoning on the property on the corner was rezoned to shopping commercial. Mr. Smith no longer lives in the home and has not been able to sell it.

There was some discussion about installing a buffer road to help make access to the properties easier. The owners stated this would only alleviate the access problems and not the problems caused from noise and light pollution.

Planner Butts moved for a favorable recommendation to the Penn Township Board of Commissioners to rezone these properties from R-15 to S/C. After some discussion, motion died for a failure of a second.

Planners Mummert/Marsh moved for an unfavorable recommendation to the Penn Township Board of Commissioners to rezone these properties from R-15 to S/C. Motion carried on a 5-1 vote with Planner Butts casting the dissenting vote.

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

Z08-21 – Buona Fortuna c/o Anthony Calderone, 648 Frederick Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.2 (Area and Bulk) in order to place seasonal canvas roofing over permanent framing work at his business that does not meet setback requirements. The property is located at 648 Frederick Street in the H/B zone.

Anthony Calderone represented this request. He would like to install a canopy over an existing patio for smokers or for people who would like to eat outside. Mr. Calderone indicated that the roof would be seasonal and could quickly be removed in about 60 minutes at any time. There was some concern expressed about the parking issue that may arise with additional patronage, since parking was removed to make room for the patio. Engineer Bortner provided the approved copy of the land development plan for the parcel. The building itself, per the land development plan, is set back just over fifty feet, which is within the setback requirement of this zone. The patio, which appears to be more of an on-grade deck, infringes into the front setback

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-21 Buona Fortuna c/o Anthony Calderone, requesting a variance to Section 208.3 (Area and Bulk) in order to place a seasonal canvas roofing over permanent framing work at his business that does not meet setbacks as long as it is temporary, as it meets the requirements for a variance as forth in section 502.3 a) thru f). Motion carried on a 6-0 vote.

Z08-22 – Promise Land Investments, LLC 340 Fleshman Mill Road, New Oxford, PA 17350. Applicant is requesting a variance to Sections 202.3 (Area and Bulk) 640.c (Side Setbacks); 640.e (Density Requirements) and a special exception to Section 640 (Single

Family Attached Dwelling) in order to construct six single family attached dwelling units. The property is located at 670 Baer Avenue in the R-8 zone.

Robert Sharrah represented this plan. Mr. Sharrah stated that 670 Baer Avenue, the parcel that contains the draft house, is about 98% paved. The existing building sits on the property line in the street right-of-way. They are proposing to construct six town houses on the site. There would be green space installed and they would be in compliance with the coverage requirements for the zone. The number of homes they are requesting is over the allowable 10 per acre. Mr. Sharrah stated that the developer would not be paving the alley that the residents would be using to access the parking area to the rear of the property. Mr. Sharrah stated that this would be a good transition for the surrounding area. There was some concern that sewer is not currently available for this project. Manager Garvick testified that the 2.25 EDU's that the draft house currently has would not be sufficient to meet the 6 EDU requirement for the town homes.

Planners Butt/Mummert moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Z08-22 – Promise Land Investments LLC requesting a variance to Section 202.3 (Area and Bulk), 640.c (Side Setbacks), 640.e (Density Requirements) and a special exception to Section 640 (Single Family Attached Dwelling) in order to construct six single family attached dwelling units, as it does not meet the requirements of 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 6-0 vote.

Z08-23 – Stone Ridge Development Corporation, 330 Dubs Church Road, Hanover, PA 17331. Applicant is requesting a variance to Sections 206.3 (Area and Bulk), 206.4 (Density Requirements) and 407.1 (Continuance) and a special exception to Section 407.2 (Expansion and Alteration) in order to modify an existing structure. The property is located at 10 South Center Street in the A/O zone.

Z08-24 – Garland W. Halter, 819/819 ½ York Street, Hanover, PA 17331. Applicant is requesting a variance to Section 206.3 (Area and Bulk) and 407.1 (Continuance) and a special exception to Section 407.3 (Replacement) in order to replace an existing structure. The property is located at 819/819-1/2 York Street in the A/O zone.

Jeremy Fry, Esq., and John Beil, Burkentine and Son Builders, represented both these requests, which the planners agreed to hear simultaneously. Atty. Frey provided the Planners a sketch showing the existing conditions of Center Street; the conditions that would result for the request for Center Street; and the final conditions when Center Street is improved. This request is also related to the next zoning case, Z08-24 Garland W. Halter. These requests are related to the improvements and upgrade of Center Street to a dedicated street. This property is located on the opposite side and to the rear of the Heston property, which was acquired by the Township to help improve the intersection with York Street. Burkentine and Sons has acquired most of the properties and/or rights-of-way for the improvements of the street. They will be doing these improvements with a subdivision plan as suggested by the Township in conjunction with Burkentine and Sons. The removal of portions of the properties along Center Street is going to increase their nonconformity. Mr. Fry provided pictures showing the house at 10 South Center

Street along with other properties in the area including the Halter property, which is adjacent to it. The home at 10 South Center Street also abuts an alley. They are requesting numerous variances and special exceptions to this property. The roof on the porch currently encroaches into the Center Street right-of-way line. When the improvements are completed portion of the house will be removed so that it sits along the property line. All the other setbacks will remain same. They feel they are improving the setbacks on the property and that is why they applied for a special exception under section 407.2 (expansion and alteration). They are not increasing the infringement in the setback but rather reducing the infringement. Mr. Fry provided pictures of other properties in the area that abut the public sidewalk which means they are located right on the property line. The house on Center Street will sit eight feet from the curb when the improvements are completed. Center Street will be much more controlled when the signal at the intersection is installed along with the curb and sidewalk. There was some concern expressed about the control of the intersection of the alley with Center Street because it is a blind intersection. Center Street has not been dedicated to the Township and is a paper street. Mr. Fry stated that they have been involved with Penn Dot on the design of the street along with the Township. Manager Garvick stated the Township's support for both zoning cases because the improvements to the street have been in the Township's comprehensive plan since 1979.

On the Halter request, Mr. Fry stated that Burkentine has an agreement with Garland Halter for the necessary rights-of-way for the proposed improvements along Center Street that abut the Halter property. They will be relocating the existing garage along the property as part of this project. The garage as it currently sits is about four feet from the property line on the east end of the property. When it is moved it will be about three feet from the property line on the west end and the rear property setback will be the same. They are just flipping the garage setback infringement from one side to the other. This request was previously approved by the Zoning Hearing Board but has expired because there was no action taken. The Township has asked Burkentine and Sons to include the remaining portion of the Heston property with the adjacent property as a reverse subdivision. There was some discussion about the cart width of the street and the rights-of-ways associated with it.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-23 Stone Ridge Development Corporation requesting a variance to Sections 206.3 (Area and Bulk), 206.4 (Density Requirements) and 407.1 (Continuance) and a special exception to Section 407.2 (Expansion and Alteration) in order to modify an existing structure as it meets the 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.

Planners Marsh/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-24 Garland Halter requesting a variance to Section 206.3 (Area and Bulk) and 407.1 (Continuance) and a special exception to Section 407.3 (Replacement) in order to replace an existing structure, as it meets the 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.

Z08-25 – Heather Leipold, 28 Hill Street, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk) in order to replace existing mobile home with a doublewide unit that will encroach into the side setback. The property is located at 32 Hill Street in the R-15 zone.

Troy and Heather Leipold represented this request. They have removed a mobile home that was located at 32 Hill Street and would like to replace it with a 28' x 60' modular ranch home. There will be a foundation under the house and it will encroach two feet into the setback. The lot is 50' x 175'. The home next to this one is Ms. Leipold's grandmother. The other property has an abandoned paper alley next to it that they currently maintain but which they would have to go through some kind of legal action to obtain the title to. If they obtain the alley they would then meet the setbacks requirements.

Planners Butt/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-25 – Heather Leipold requesting a variance to Section 203.3 (Area and Bulk) in order to replace existing mobile home with a doublewide unit that will encroach into the side setback, 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.

Z08-26 – Jason Hertz, 44 Allen Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 300.9c (Utility Sheds) in order to maintain shed height that exceeds the maximum height. The property is located at 44 Allen Drive in the R-15 zone.

Luke Stuffle and Joseph Hertz represented Jason Hertz. There was a signed and notarized letter allowing them to represent him. The structure is built but it is one foot higher than what it is allowed by the ordinance. This was detected during construction. The building will be 11' 2" with the roof in place. The existing shed has already been removed. The maximum height allowed for a shed is ten feet.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-26 – Jason Hertz, requesting a variance to Section 300.9c (Utility Sheds) in order to maintain shed height that exceeds the maximum height, as it meets the requirements for a variance as set forth in 502.3 a) thru f). Motion carried on 6-0 vote.

Z8-27 – Kelly Kinion, 158 Forry Drive, Hanover, PA 17331. Applicant is requesting a special exception to Section 618 (Home Occupation) in order to operate a tax preparation office at her home. The property is located at 158 Forry Avenue in the R-8 zone.

Kelly Kinion represented this request. She would like to open a tax preparation business at her home that caters to seniors, military and low-income residents. She stated that there is a basketball pad on her property that is not being used for basketball, which she would like to use for parking. There is an alley adjacent to her home that can be used for overflow parking. She has been practicing accounting and tax preparation for about ten years. She has found that there is a need for tax consultants for the low to mid income tax bracket. She does work for Jackson and Hewitt in the Shrewsbury area. She feels that the franchises charge too high a fee for

preparing their taxes. She read her proposed mission statement. She would like to open the business out of her home and has about 100 clients that are willing to follow her to Hanover from the Shrewsbury area. She would also establish drop off areas with one being at her home for those 100 clients. When those tax returns are completed she will then meet with the client off site with her laptop to explain their return. Her hours will be from 9:00 AM to 9:00 PM. She feels that she will also be able to get about 100 clients from the Hanover area. Her business will average about fourteen clients a week with about three each day. She feels that it is important to provide tax preparation service that is economically feasible for low to middle income clients. She is hoping within a year or two to be offering these services at a permanent location other than her home. She will be having a 2' x 2' sign in the front of her house. She will have a dedicated room for her business at a room located at the front of her house near the front door.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-27 Kelly Kinion, requesting a special exception to Section 618 (Home Occupation) in order to operate a tax preparation office at her home, 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.

Z08-28 – Carey & Mary Crumling, 380 Sonny Street, Hanover, PA 17331.
Applicants are requesting a variance to Section 203.3 (Area and Bulk) in order to construct a front porch that encroaches into the setbacks. The property is located at 380 Sonny Street in the R-15 zone.

Carey and Mary Crumling represented this request. They would like to build a 6' x 6' front porch that would encroach 3' into the front setback. They have been living in the home for about thirty-one years. Mr. Crumling stated that about four or five years ago he replaced the front door along with a storm door. Two 30' trees to the front of the property had protected and shaded the house but one of them was destroyed about fifteen months ago and had to be removed. With the removal of the tree there is now too much direct sunlight hitting the front of the house. The heat is causing seeping of the glue from the door. The installer recommended that something be done to control the amount of sunlight and heat such as adding a porch. Mr. Crumling stated that within several weeks he would be installing a storm door for the winter, which is going to increase even more the amount of heat. The home is located on a dead end street. He is not sure if there are any plans to extend that street. He would be installing the porch to protect his home. There was some discussion about possible widening of the street and the Crumling's believe that none of the their property would be needed but some would be needed from the neighbor's across the street. He would also be preparing the walkway on his property during this project. He has a two-car garage.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on Z08-28- Carey and Mary Crumling requesting a variance to Section 203.3 (Area and Bulk) in order to construct a front porch 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 6-0 vote.

Z08-29 – George L. & Patricia A. Zimmerman, 27 Glendale Street, Hanover, PA 17331. Applicants are requesting a variance to Section 202.3 (Area and bulk) in order to construct a two car-garage that encroaches into the side setbacks. The property is located at 27 Glendale Street in the R-8 zone.

Robert Sharrah and George and Patricia Zimmerman represented this request. Mr. Zimmerman stated that the existing driveway is a two-car driveway, which will lead into the proposed garage. He also stated that the home was built in 1974 and at that time Glendale Street was a dead end in front of his home. Everything east was built since 1974. The property sits across from Baresville Elementary School. They feel this would not be an infringement upon the character of the neighborhood, as the two-car driveway was built with the intention of adding a garage. The topography of the land causes the driveway to sit on a bank. The driveway would sit about 3.58 feet from the property line. The neighbor's driveway is paved right to the Zimmerman's property line. Ms. Zimmerman stated she has received positive feedback from the neighbors about the garage. There will be about sixteen feet between the garage and the neighbor's house.

Planners Mummert/Butt moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z08-29 – George L. and Patricia Z. Zimmerman requesting a variance to Section 202.3 (Area and Bulk) in order to construct a two car garage that encroaches into the side setbacks at 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/exoneration requests:

Harvest Time Temple is requesting exoneration from a land development plan in order to construct a pole building. The property is located at 700 Black Rock Road.

Fred Mummert represented this request. The church wishes to install a 24' x 32' x 10' pole building at the end of their existing paved area for storing of mowing equipment. The current building will be torn down. The property does slope slightly toward the trees on the neighbors property. The church has been located there for about thirty-five years. The house has been owned about twenty years but is being rented.

Planners Van de Castle/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that this is the only waiver given without a land development plan. Motion carried on a 6-0 vote.

Robert Thomassy c/o Remax Quality Service, Inc., is requesting a variance to the outdoor sign ordinance, Ordinance #301 for increased sign square footage on real estate signs located at Friendship Fire Company and Parkville Fire Company.

This request was with drawn.

South Hanover Little League is requesting a waiver of the land development requirements to install a building for a concession stand.

Don Hoff represented this request. They would like to install a new 12' x 20' building to sell concessions. This is a replacement of an existing building. The existing building they are replacing is 18' x 28'. The existing building does not have a sewer or water connection. The new building will have water for the preparation of food. The existing bathroom is connected to the Township sewer system. The facility will be used just about every day during the spring and summer months. Currently, they have been using the sinks in the bathroom to wash the equipment used in preparing food. There is some concern that they will not be able to get a sewer connection because none are currently available. There was some discussion about the proposed development located behind the facility and what impact any future streets may have on the property along with some other problems that have occurred with the existing facilities. There was some concern about parking and utilization of the rest of the lot.

The Planners requested that the request be postponed until next month until some of the outstanding issues are addressed.

Penn Township Volunteer Emergency Services is requesting a waiver of the land development requirements to install a shed to hold maintenance equipment.

Erik Brown, Volunteer from the Penn Township Volunteer Emergency Services, represented this request. They have just completed the construction of a new fire station and would like to install a shed behind the building for the storage of lawnmowers and maintenance equipment. They feel this equipment should be stored outside rather than in the new building. It will be a temporary structure with electric. There is an existing stone bed that was installed during construction where the shed will be placed.

Planners Van de Castle/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on 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. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

Attorney Jeremy Fry and John Beil, Burkentine and Sons, represented this plan. This plan has been around for several years and Mr. Fry feels that all the outstanding issues with the plan have been addressed. Engineer Bortner stated that the traffic signal installation has been separated out of this plan and is part of the zoning cases that were previously discussed. There were some variances and special exceptions granted several years ago that are shown on the plan.

There was some discussion about the fill waste that is being brought into the property. Mr. Beil stated that they are bringing in clean fill from the Giant Shopping Center in anticipation of future construction. There are some debris piles on the property that are from the removal of the greenhouses.

Mr. Beil stated that he is not aware of any water testing for chemicals on the property because there are no on-lot wells.

There are some multi family dwellings on the plan that will be constructed when the traffic signal is installed. This is a preliminary plan and they are awaiting some permits for PENNDOT and other agencies.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan pending the resolution of all outstanding issues. Motion carried on a 6-0 vote.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a forty-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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan.

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

Attorney Jeremy Fry and John Beil, Burkentine and Sons, represented this request. This is a preliminary plan. It is anticipated that eventually Bankert Road will be a one-way street. There are some lots that have steep slopes on them. There were some special exceptions and

variances that were granted several years ago that appear on the cover sheet. There was some question about the names of the street and why they change name at the intersection.

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

P06-23 -BROOKSIDE AVENUE TOWNHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

There was no action taken on this plan.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-08 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-10 – STONE RIDGE DEVELOPMENT CROSSWINDS ASSOCIATES DEVLEOPMENT AND TOWNSHIP OF PENN. Burkentine & Sons, Inc. 330 Dubbs Church Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create seven (7) residential lots. The property is located at Breezewood Drive in the R-15 zone.

Attorney Jeremy Fry and John Beil, Burkentine Sons, represented this request. This is a reverse subdivision plan. They are trying to redesign the road to remove the existing curve. There is a land swap in order to improve Breezewood Drive. York County Planning Commission comments and Township Engineer Bortner comments have been addressed. These changes need to occur before the Pine Brook Subdivision can be approved.

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

P08-13 – HANOVER ORTHOPEDIC ASSOCIATES, INC., GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a medical facility addition. The property is located at 207 Blooming Grove Road in the R-15 zone.

There was no action taken on this plan.

P08-14 – NATIONAL BARN COMPANY, 316 Juniper Lane, Hanover, PA 17331. A final land development plan submitted to construct an office building. The property is located at the northwest corner of Industrial Drive and Gitts Run Road in the Industrial Zone.

Jeff Zeigler, KPI Technology, represented this plan as well as the owner of the National Barn Co., Lowell Thomas. York County Planning Commission comments have not been received. This property is adjacent to L & T Timber, which is also owned by Mr. Thomas. The current business is located on Juniper Lane on the old Lumber Yard and he is intending on moving the business when his lease expires next year. The property is going to consist of offices and storage and warehouse buildings. Nothing will be constructed on this property. Material is shipped from here to the customers and built on location. The property is a corner property. He plans on making improvements to the street. He would like to build a path system between the two businesses so that he does not have to access Industrial Drive to move material between the properties. There would be construction through a flood plain. They have outlined a two-phase improvement plan. They stated they would supply a bond for the improvements. The flood plain and wetlands issues require about a year to get the permitting in place. The main operation is sales and they will pave that area but do not want to pave the area down to the warehouses but rather install gravel. Somewhere down the road that area may be paved. He does have a sewer connection but with the current moratorium this has presented a problem getting additional connection. Manager Garvick stated this has changed and a sewer connection will not be an issue because he is a small business. A portion of the property is located in Heidelberg Township.

The meeting adjourned at 10:42 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
DECEMBER 4, 2008

Chairman Ray Van de Castle called to order a meeting of the Penn Township Planning Commission at 7:00 P.M. on December 4, 2008 at the Penn Township Municipal Building. Also present were planning members Dan Goldsmith, Fred Marsh, Stede Mummert, James Butt and Paul McAndrew. Craig Prieber was absent with notice. Also present were Township Zoning Officer Menges and Township Engineer Bortner.

There were no meeting minutes provided to the Committee members so the November minutes will be approved at the January meeting.

Because of the New Year's holiday, the Planners decided to reschedule their January 1, 2009 meeting to Thursday, January 8, 2009.

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

Z08-030 – PROMISE LAND INVESTMENTS, LLC, - 340 Fleshman Mill Road, New Oxford, PA 17350. Applicant is requesting a variance to Sections 202.3 (Area and Bulk), 640.C (Side Setbacks), and 640.E (Density Requirements) and a special exception to Section 640 (Single Family Attached Dwelling) in order to construct four (4) single family attached dwelling units. The property is located at 670 Baer Avenue in the R-8 zone.

Robert Sharrah, Sharrah Design Group, Inc., represented this request. Zoning Officer Menges noted that this case was before the Planners last month. The request was for six units with discussion of reducing the number to five. The Zoning Hearing Board denied the request for six or five units but recommended applying for four residential units. The applicant has submitted an application to rehear the request. This request is for the side setback, which will be 14.62 feet on one place rather than the required fifteen feet. The front setback will be five feet instead of thirty-five feet. The density is still greater than allowed by the Ordinance. This plan shows 12.5 units per acre and the Zoning Ordinance allows 10 units per acre. According to Zoning Officer Menges, the current property deeds do not specify who owns the alleys but each resident along the alley is entitled access to it. The Township will not repair or maintain the alleys. The former business known as the Draft House sits on the sidewalk. If the homes are setback any further it starts to skew the other setbacks. The homes will be 20' by 30' and two stories tall. A land development plan will be required. The entrance to the parking lot will be from the adjacent alley. The lot currently has ninety-eight percent coverage but they will be creating additional green space. They are proposing fifty-three and half percent lot coverage with the homes. This will help alleviate some of the storm water runoff.

Planners Butts/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z08-30 Promise Land Investments, LLC requesting a variance to Sections 202.3 (Area and Bulk), 640.C (Side Setbacks), and 640.E (Density Requirements) and a special exception to Section 640 (Single Family Attached Dwelling) in order to construct four (4)

single family attached units, as it meets the 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 5-1 vote with Planner Mummert casting the dissenting vote.

The Planners received the following waiver/exoneration requests:

Paradise Congregation of Jehovah's Witnesses, Variance for fence reduction around retention pond – location is 5 Paradise Court in the R-15 Zone.

Robert Ruhlman represented this request. He testified that there are no plans for additional improvements to the property. They currently have two congregations at the church and as the congregations grow they split them creating new congregations so that no additional parking will be required. Engineer Bortner stated that the pond was installed in 1985 and was in existent prior to the Township's stormwater management ordinance. The pond has not overflowed in twenty-three years. Mr. Ruhlman provided photos of the pond to the Planners. Engineer Bortner cited the Ordinance and stated that the requirements for a fence have changed over the last fifteen years. Engineer Bortner stated that he visited the site and the pictures are an accurate reflection of the site. Zoning Officer Menges stated that requirements for a fence for a pool have changed several times over the years. The church plans to maintain the fence along the tree-lined area to keep trespassers out. The Planners discussed, in conjunction with the property owner and the Township Engineer, what size the fence should be in order to provide some protection to the area and the stormwater pond.

Planners Butt/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that the fence be built 20' x 80'. Motion carried on a 6-0 vote.

Homewood at Plum Creed, Exoneration from land development for an 11' x 13' x 14' structure for storage usage – location at 531 Westminster Avenue in the R-15 zone.

James Craig represented the request. Homewood is asking for a waiver of the land development requirements for an 11'x13'x14' addition to an existing building. The building is a combination wood shop and maintenance building. The wood shop has a dust collection system, which they are going to move into the addition. Homewood had previously received a land development waiver for an unenclosed pavilion to be used as a picnic area. The addition will be offset with the existing building. There will be an outside entrance door.

Planners Marsh/Mummert moved for a favorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on a 4-2 vote.

The Planners reviewed the following Subdivision/Land Development plans and made the following recommendations:

P01-28 – HIGH POINTE @ ROJEN FARMS, 751 Frederick Street, Hanover, PA 17331. A preliminary two hundred twenty-seven (227) lot subdivision located on Grandview Road in the R-22 and R-40 zones. (SOUTH)

There was no action taken on this plan.

P02-28 – GATEWAY HANOVER, (formerly Carlisle 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.

P03-15 – PINE BROOK DEVELOPMENT, Paul Burkentine, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary land development plan to construct a forty-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.

P03-20 - WALLEN TRACT APARTMENTS/SOUTH WEST CROSSING, c/o Paul Burkentine, 330 Dubs Church Road, 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.

P03-30 – 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.

P04-18 – 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.

P04-25 – SOUTH HEIGHTS, J. A. Myers Building & Development, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fifty-nine (59) single-family building lots. The property is located within the southeast intersection of Cooper Road and Westminster Avenue, in the R-22 zone.

There was no action taken on this plan

P04-26 –STONEWICKE, J.A. Myers Building Development, 160 Ram Drive Hanover, PA 17331. A preliminary subdivision plan submitted to create one hundred ninety-five (195) single-family residential building lots and one (1) shopping/commercial lot. The property is located west of Baltimore Street between Clover Lane and Grandview Road, in the R-15 zone.

There was no action taken on this plan.

P05-15 AVION, Stone Ridge Development, 330 Dubbs Church Road, Hanover, PA 17331. A preliminary subdivision plan submitted to create nineteen (19) single-family residential building lots. The property is located on the corner of Bankert Road and Blooming Grove Road in the R-40 zone.

There was no action taken on this plan.

P06-23 -BROOKSIDE AVENUE TOWNSHOUSES, Mummert Enterprises, Inc. 8 Stuart Avenue, Hanover, PA 17331. A preliminary land development plan submitted to construct a seventeen (17) single family attached townhouse unit. The property is located on Brookside Avenue in the R-8 zone.

There was no action taken on this plan.

P07-24 – R & R FITNESS REAL ESTATE LLC, 60 Southside Drive, Newville, PA 17241. A final land development plan submitted to construct a health club and bank. The property is located on the corner of Broadway and Hickory Lane in the S/C zone.

Chris Raubenstine and Scott Rankin represented this plan. Engineer Bortner reviewed the changes to the plan that have been made since it was last before the Planners. The proposed curbing and sidewalk along Broadway has been removed at the request of PennDOT. This was located on the south side of the property at the entrance. Water runoff will now be directed from the street towards the property. Engineer Bortner stated that Fire Chief Cromer has reviewed the parking lot and changes have been made in response to his comments. The plan calls for some additional widening of the streets by the developer. PennDOT made some comments on the plan that have not yet been addressed. There was some concern about traffic exiting from Hickory Lane onto Broadway. Engineer Bortner believes that the traffic impact study shows the driveway being a right in and a right out. There was some concern about traffic in the deceleration /acceleration lane. Engineer Bortner stated that it is not a dedicated lane. There is some concern that drivers will make a lane on the opposite side of the white line, which has happened on Baltimore Street. Mr. Raubenstine stated PennDOT has reviewed the traffic studies and the plan complies with PennDOT. The intersection will be constructed according to PennDOT comments and specifications. The applicants reiterated that they have received comments from PennDOT and this what they require. Zoning Officer Menges noted that all comments from outside agencies have to be addressed and included on the plan before the Board of Commissioners will approve the plan. The Township has executed the Consent Order and Agreement and they are waiting for a response from the Department of Environmental Protection (DEP). Mr. Rankin stated that he talked to DEP and they told him to go ahead and submit the sewer module.

Planners Mummert/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan pending sewer module and Penn Dot approval. Motion carried on a 6-0 vote.

P07-27 – STERLING BROWN, 200 High Rock Road, Hanover, PA 17331. A final subdivision plan submitted to create two (2) residential lots. The property is located on Youngs Road in the R/C zone.

There was no action taken on this plan.

P08-08 – ARBY'S AND TOM'S CONVENIENCE STORE, Shipley Fuels LTD, 415 Norway Street, York, PA 1405. A final land development plan submitted to construct a fast food restaurant. The property is located at 1340 Baltimore Street in the Shopping/Commercial zone.

There was no action taken on this plan.

P08-10 – STONE RIDGE DEVELOPMENT CROSSWINDS ASSOCIATES DEVLEOPMENT AND TOWNSHIP OF PENN. Burkentine & Sons, Inc. 330 Dubbs Church Road, Hanover, PA 17331. A final add-on subdivision plan submitted to create seven (7) residential lots. The property is located at Breezewood Drive in the R-15 zone.

There was no action taken on this plan

P08-13 – HANOVER ORTHOPEDIC ASSOCIATES, INC., GHI Engineers & Surveyors, 213 Carlisle Street, Hanover, PA 17331. A final land development plan submitted to construct a medical facility addition. The property is located at 207 Blooming Grove Road in the R-15 zone.

Gerry Funke, Group Hanover, Inc., represented this request. Mr. Funke noted that this had previously been before the Planners for a special exception. He stated that York County Planning Commission comments and Township Engineer Bortner 's comments have been addressed. There is a note on the front of the plan stating that the Penn Township Zoning Hearing Board granted a special exception on October 14, 2008. There is going to be fencing for the buffer as per the Township Ordinance. The original plan showed two separate parking lots but the fire chief asked that they be connected for fire protection purposes. The back parking lot is for the employees.

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

P08-14 – NATIONAL BARN COMPANY, 316 Juniper Lane, Hanover, PA 17331. A final land development plan submitted to construct an office building. The property is located at the northwest corner of Industrial Drive and Gitts Run Road in the Industrial Zone.

Jeff Zeigler, KPI Technologies, represented this request. He noted that York County Planning Commission comments and Township Engineer Bortner's comments have been addressed. He noted that phase two that was shown on the plan that included a cart path to connect the two properties and the road improvements to the existing culvert has been removed. Those improvements and the permitting process will be dealt with at a later date because the property owner would like to begin construction as soon as possible. He noted that there is a request on the plan for a waiver of the buffer yard requirements next to the residential property. The residential property is in Heidelberg Township and the improvements on the property are not near the residential property. The Township will not be providing sewer to Heidelberg Township to develop these lots. Heidelberg has the plan but has offered no comment. They will be required to sign off on the plan. Township Engineer Bortner stated that all comments have been addressed with the exception of the buffer yard. Accommodations have been made for truck traffic. Mr. Thomas is moving his operation from Juniper Lane to this property. Mr. Thomas owns both National Barn Company and LT Timber.

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

P08-18 – DICKERSON AND KLUNK, 28 Bragg Street, Hanover, PA 17331. A final land development subdivision and add-on plan for residential purposes in the R-15 zone.

Dean Hempfing represented this request. Mr. Hempfing stated that there are three lots with one being subdivided and added to the two improved lots. Mr. Dickerson owns two of the

lots, one that is improved and one that is not improved. Ms. Klunk will be purchasing fifteen feet from Mr. Dickerson to build a single car garage. The non-improved lot is a non-conforming lot. There is an existing driveway on Ms. Klunk's property where the garage will be built. Mr. Dickerson is only willing to sell fifteen feet and will have to remove three sections of existing fence to accommodate the subdivision.

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

The meeting adjourned at 8:27 p.m.

Respectfully submitted,
Kristina Rodgers, Recording Secretary