

**PENN TOWNSHIP PLANNING COMMISSION**  
**JANUARY 4, 2024**

Chairman Zach Smith called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, January 4, 2024. Also, present were planning members Ronald Arnold, Ronnie Bull, Michael Brown, Jeremy Shry, Michael Hoover, and Matthew Baile along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney.

All in attendance stood for the Pledge of Allegiance to the Flag, which was followed by a period of silent meditation.

The Planning Commission took action to reorganize. A motion was made and second to nominate Zach Smith Chairman. Motion carried. A motion was made and second to nominate Ronnie Bull Vice-Chairman. Motion carried.

The planners approved the December 7, 2023, Planning Commission minutes as submitted.

**The planners received the following zoning appeal and made the following recommendations:**

**ZHB23-21- Homewood at Hanover, PA Inc.**, 425 Westminster Avenue, Hanover, PA 17331. The applicant is requesting a special exception to Sections 201.2 (Use Not Provided For), 203.2 (Use Regulations), 204.2 (Retirement Village), 203.2 (Model Home/Sales office), 627 (Model Home/Sales Office), and 635 (Retirement Village); a variance to Sections 203.2 (Use Regulations), 203.3 (Area and Bulk Regulations), 204.2 (Use Regulations), 204.3 (Building Height), 303.1 (Parking Requirements), 204.3 (Lot Coverage), 635(d) (Lot Coverage), and 635(h)(Proximity of Structures to Lot or Street Lines); and an interpretation of Sections 201.3 (Accessory Uses and Structures), 203.2 (Area and Bulk Regulations), 204.2 (Use Regulations), 635 (Retirement Village), 635(h) (Proximity of Structures to Lot or Street Lines), and 627 (Model Home and/or Sales Office) of the zoning ordinance, in order to develop the properties into a Retirement Village. The properties are located at 425 Westminster Avenue and 770 Frederick Street in the Highway Business zone, R-15 zone, and R-22 zone.

Attorneys Paul Minnich and Christopher Naylor were in attendance to present the request. Zoning Officer Smith provided the Board in addition to the application, zoning regulations and the definition of retirement village, and to pay attention to Section 635. He suggested to begin with the special exception requests, hear public comment and render a decision to approve/deny before proceeding to the variances.

Attorney Minnich made an opening statement and presented a notebook with exhibits. Karen Haines, executive director, gave some history of Homewood. She began employment 33 years ago when Homewood was built and was aware of the special exception granted at that

time. The mission is to provide multiple levels of continuum care and compassion to our seniors. The first exhibit was a plan detailing the buildings and layout of the Homewood complex. The second exhibit had an array of photographs depicting Homewood as it exists now with an on-site bank, library, pharmacy, aquatics room, wellness gym, dining area, convenient store, beauty salon, craft/sewing room, recreation area, cottages, duplex and triplex villas. There is a church on the campus. Residents raised the money and approved the church. It is a 55 and over campus. The average age is 83. More single occupancy than double.

Exhibit 3 is a heat map shows servicing primarily South Central Pennsylvania. Three facilities in PA and two in MD. All are Nonprofit. For the local community they have fundraised \$180,000 for the Greater PA Alzheimer's Association and those funds stay locally to help families in need to keep loved ones at home. Partner with churches to give unused medical supplies that is then delivered on mission trips outside the country. Homewood does provide subsidies to those who exhaust their finances, so they are not told they have to vacate when their funds are depleted. They fundraise yearly approximately \$200,000 benevolent funds. There are 35% to 40% of the residents only have Medicaid.

The new addition is needed because in this area approximately 25% are in the Silver Tsunami or Baby Boomer Era and will be turning 65 or older in the next couple of years. There are plans to take care of Plum Creek and storm water management. Talked about the need for more duplexes and plans to have carriage houses, which is new to Plum Creek. They would have garages and one or two floors. More villas to be added. A larger building with a common space for all of the residents to have entertainment and large gatherings and other amenities. With the new additions, it will remain one facility and focus on the retirement community.

Karen also testified the special exception 33 years ago aligns with the request today. The facility has been a good neighbor in the area. Karen is in touch with Chief of Police to ensure she is aware of issues, which is very few. The fire department also ensures safety to all residents, and this expansion will not detract from the neighborhood. Safety is a priority. The fire department would be able to service 69 feet building height and they have a letter from the fire chief. More single residents than double and some do not drive and, therefore, the need for parking is less. The current variance with buildings closer to the street line does not cause issues or concerns and would like to have the same for the new addition.

The community center is the highest building presently. Questions from the board were about the special exceptions requested 33 years ago, the height of the current and proposed buildings and are they and will they have sprinklers? Yes.

Justin Doty, project civil engineer, testified 69 feet is the maximum height. Carriage house have proposed height of 50 feet. A little more than half of the units will be over 35 feet high.

Zoning Officer Smith asked about salon and convenient store is a use not permitted in either zone, why should they be allowed? Attorney Minnich addressed the question stating

because most of the residents have limited mobility, and the allowance of these amenities are very common in a retirement village. These are an accessory to the retirement community. These are not general services for people in the general community. A commercial use permitted within the community.

Zoning Officer Smith asked about parking. Not only parking for the residents, but also visitors.

Zoning Officer Smith asked if this eventually was going to be one big lot or remain separate lots. Attorney Minnich indicated a decision has not been made. May go with a reverse subdivision, but unsure.

Zoning Officer Smith asked about the dwelling types proposed, multi-story independent units. However, carriage homes, villas and single detached homes are not permitted, but you are not asking for variance. They are not mentioned in retirement definition.

There was discussion involving the height variance request. If that is not granted, there would be a reduction in the proposed number of units and profitability. The facility is unable to go out further on land and hence to achieve the density desired, the proposal consists of buildings higher than the ordinance allows. Homewood does own 150 acres in Penn Township and Conewago Township, Adams County. A rezoning application and use variance would be required and those discussions have not been very receptive by those boards. In Penn Township a special exception/dimensional variances are needed and more density to maximize the opportunity. If Conewago does not provide relief, then the road stops at that point on the plans.

Attorney Naylor questioned Justin Doty. Justin began by highlighting his education and qualifications in civil engineering and land development. Also, his familiarity with Penn Townships ordinances and the land development plans.

The present campus access is on Westminster Avenue exclusively and has internal roads. The entire project is comprised of four parcels. Some of which is in Penn Township, some in Conewago. There will be additional privately maintained roads, meeting the township's road requirements. A proposed access would be on Frederick Street. There was a scoping meeting with PennDOT to determine traffic impact. There is an agreement to a traffic impact study at the proposed intersection and several other intersections nearby to be studied. Project will be served by public water and sewer as it is today. The buildings will have a sprinkler system.

Project density is driven by the limited amount of space in the triangular-shaped lots, proximity to floodplains and the need for storm water management. There is a small section of cottages on the right-hand side. Retirement village is a mixed of cottages and villas or different labels for dwelling units. Villas, slightly higher density, rows of 5 or 6. Cottages are higher

density located with the current cottages. Carriage house or condo, some common space within it, but not large like the larger community.

635 -lot coverage shall not exceed 35%. Variance request would be 37 one-half%. Triangular lot shape, streets, floodplain, and limited lot space. Comparable to the existing facility.

Required Parking – One and one-half spaces per dwelling unit. Variance request for 1.25 spaces per dwelling unit. Exhibit 8 – ITE manual with traffic data for trip generation analysis. This factors in all parking related to the retirement campus and not just for residents. After collection of all the data, an average of 1.09 parking space per dwelling unit is recommended in this type of facility.

The question was presented about where is the parking spaces currently at in the retirement community? Does the facility meet the current parking requirements? Ms. Haines stated that each resident has a parking space identified for them in front of their living unit. They can have another in another area.

Zoning Officer Smith commented that residents of the villas added to their driveways to have more parking. Ms. Haines was not aware of those requests. The current villas have garages and driveways. The proposed villas have parking in front.

Zoning officer Smith asked for clarification 25% lot coverage with shrubbery, the applicant said they would meet that and possibly exceed 25%.

The question was presented why are we viewing this as one when there are two triangular lots? Zoning Officer Smith discussed this with the solicitor, who clarified it can be on one application. Lot coverage is based on overall and not by each parcel. The lot coverage is to be viewed how they are presenting it.

No structure shall be closer than 50 feet to any lot or street line. Existing community is closer to maintain the village feel. A dimensional variance request. Also, easier for fire apparatus if it is closer to the street. Planners wanted the engineer to point out each building where the request is intended and he wasn't able to at first, but most of the villas are within 12 feet or so of the main road.

Traffic impacts on the proposed projects. Scoping mechanism with PennDOT. Other connecting intersections are involved. One house will be torn down to provide access to Frederick Street.

Exhibit 6 is a letter from the Fire Chief and picture of the fire truck depicting the ladder to access up to 69 feet high building, which is at the top of the pitched roof (peak). Although there was an oversight with 40 feet in depth and 20 feet would be sufficient.

The recreational building or multipurpose space containing all the amenities is for the residents and is considered accessory use and is very common among retirement communities. The marketing suite is on campus now and will be moved to a new building and is available for potential clients and their families to be informed about Homewood. It is akin to the director's office.

Zoning Officer Smith asked about multipurpose? Is that a use not provided for? What happens or functions in this space? Ms. Haines testified there would be different things such as yoga, devotions, crafting program, speaker, a show, two rooms or one room or several rooms for several events simultaneously.

Ultimate relief, common space is a use not provided for. Is it compatible or similar with anything in the zone? Applicant is indicating it is an accessory use. Is residential multipurpose space and common space the same? They are similar. They want to have concerts free to residents, picnics, a dance night, putting puzzles together, movie night, and such.

Commissioner Brown mentioned a possible precedent for the building height. Do not want high-rise apartment buildings in the township. Also made a recommendation to vote on the special exception criteria first.

**Public Comment:** Patricia Miller, Morning Glory Drive, lives at Homewood and said it is a great community. They are going to take the home attached to her home down. The concept plan said they were going to eliminate sidewalks and very concerned about the roadway up against her house. Residents walk the campus and ride bicycles. With no sidewalks people would be walking the street and they do not look back for traffic. Also concerned about water runoff. Retention ponds take care of the water runoff and the water is moving and not just standing, which causes mosquitoes. The only parking concern is continued care and maybe cottages. Fire safety concerns to have a slide for safety. Most residents have one vehicle and a golf cart. Some have two vehicles in the villas. Visitors park in driveways or along the road.

Civil engineer stated there is no roads at the cottages. It is just a big parking lot. There is a lot of storm water management because they do not want flooding in these facilities. Only one area where there is not a sidewalk because they thought it was redundant.

Planners Hoover/Brown moved for an unfavorable recommendation to the applicant's request to the Penn Township Zoning Hearing Board on case ZHB23-21- Homewood at Hanover, PA Inc., 425 Westminster Avenue, Hanover, PA 17331. The applicant is requesting a special exception to Section 635 (Retirement Village) as it does not meet density, lot coverage, parking and design. Motion carried on a 7-0 vote.

The following were not address by the Planning Commission:

201.2 (Use Not Provided For), 203.2 (Use Regulations), 204.2 (Retirement Village), 203.2 (Model Home/Sales office), 627 (Model Home/Sales Office), and a variance to Sections 203.2 (Use

Regulations), 203.3 (Area and Bulk Regulations), 204.2 (Use Regulations), 204.3 (Building Height), 303.1 (Parking Requirements), 204.3 (Lot Coverage), 635(d) (Lot Coverage), and 635(h)(Proximity of Structures to Lot or Street Lines);and an interpretation of Sections 201.3 (Accessory Uses and Structures), 203.2 (Area and Bulk Regulations), 204.2 (Use Regulations), 635 (Retirement Village), 635(h) (Proximity of Structures to Lot or Street Lines), and 627 (Model Home and/or Sales Office)

**Review and make recommendations on waiver and exoneration requests:**

Hanover Land Services, Inc. on behalf of Jason L. & Diana E. Shoe, are requesting a waiver to Section 509(a) Lots and Lot Sizes of the Penn Township Subdivision and Land Development in regard to their land development plan. The property is located at 1750 Youngs Road.

This matter was tabled until next month.

**The planners reviewed and made recommendations on the following pending subdivision/land development plans:**

**SL17-10-MUSTANG POINTE, J. A. Myers**, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone. **There was no action taken on this plan.**

**SL21-05-ELSNER ENGINEERING WORKS**, Elsnor Engineering Works, 475 Fame Avenue, Hanover, PA 17331. A final subdivision plan was submitted in order to construct an Industrial Building for the expansion of Elsnor Engineering. The property is located West of the intersection Barnhart Drive and Industrial Drive, Hanover, PA in the I-Industrial zone. **There was no action taken on this plan.**

**SL22-01 – WATER STREET FOUR, LLC**, Hanover Land Services, Inc, 585 McAllister St, Hanover, PA 17331, A Preliminary/Final Land Development plan submitted in order to create one-hundred twenty-two (122) new residential units. The property is located on Moulstown Road in the R-8 Urban Residential zone. **There was no action taken on this plan.**

**SL22-10- 934 BALTIMORE STREET – CODY BENTZEL**, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A Consolidation/Land Development Plan was submitted in order consolidate two parcels, convert existing buildings and proposed building into a retail space. The property is located at 934 Baltimore Street in the HB Highway Business Zone. **There was no action taken on this plan.**

**SL22-11- LIBERTY RESTORATION & CONSTRUCTION LLC**, Hanover Land Services, Inc., 585 McAllister Street, Hanover, PA 17331. A Preliminary/Final Reverse Subdivision and Land Development Plan was submitted in order to consolidate two parcels into a sales office space. The property is located at 10 Westminster Avenue in the R-8 Urban Residential Zone. **There was no action taken on this plan.**

**SL22-12- HOLLAND CONSTRUCTION -100 BLETTNER AVE**, Site Design Concepts, Inc., 127 W. Market Street, Suite 100, York, PA 17401. A Preliminary/Final Land Development Plan was submitted in order to construct a proposed industrial building. The property is located at 100 Blettner Avenue in the A-O Apartment or Office Zone. **There was no action taken on this plan.**

**SL23-04- 820 HERSHEY HEIGHTS ROAD – SMALL & RINKER**, Hanover Land Services, Inc., 585 McAllister Street, Hanover, PA 17331. A Final Add-On Subdivision Plan was submitted in order to reverse subdivide two parcels. The property is located at 820 Hershey Heights Road in the R/C zone. **There was no action taken on this plan.**

**SL23-05- MAITLAND INVESTMENT CORPORATION- 630 WESTMINSTER AVENUE**, Hanover Land Services, Inc. PO Box 471, Hanover, PA 17331. A Preliminary/Final Subdivision Plan was submitted in order to subdivide to create five new lots off of the existing parcel. The property is located at 630 Westminster Avenue in the R-15 and R-22 zones. **There was no action taken on this plan.**

**SL23-06- 50 BAUGHER DRIVE- RITA MARTIN**, SLS & Geomatics, 108 Longstreet Drive, Gettysburg, PA 17325. A Final Subdivision Plan, Lot Consolidation, was submitted in order to consolidate two lots. The property is located at 50 Baugher Drive in the R-15 zone. **There was no action taken on this plan.**

**SL23-07- WAWA FOOD MARKET AND FUELING STATION**, Dynamic Engineering Consultants, PC/Dynamic Survey LLC, 1904 Main Street, Lake Como, NJ 07719. A Resubdivision/Final Land Development Plan was submitted in order to construct a Wawa Food Market & Fueling Station. The property is located at 1007 Baltimore Street in the S/C zone. **There was no action taken on this plan.**

**SL23-08- 1750 YOUNGS ROAD – JASON L & DIANA E. SHOE**, Hanover Land Services, Inc., PO Box 471, Hanover, PA 17331. A Preliminary-Final Subdivision Plan was submitted in order to subdivide an existing lot into two lots. The property is located at 1750 Youngs Road in the R-40 zone. **There was no action taken on this plan.**

The meeting was adjourned at 9:34 p.m.

Respectfully submitted,

Christine M. Myers, RPR