

PENN TOWNSHIP PLANNING COMMISSION
MAY 4, 2023

Chairman Zach Smith called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, May 4, 2023. Also present were planning members Ronald Arnold, Pamela Berlingo, Ronnie Bull, Justin Heiland and Michael Hoover 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 planners approved the April 6, 2023, Planning Commission minutes as submitted.

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

ZHB23-05- Richard E. Plesic III, 865 Westminster Avenue, Hanover, PA 17331. The applicant is requesting a variance to Section 300.9 (Utility Sheds and Gazebos) in order to have two sheds in the side yard. The property is located at 865 Westminster Avenue, Hanover PA 17331 in the R-22 zone.

Zoning Officer Smith stated Mr. Plesic has two sheds located in the side yard. Per the ordinance the location is not permitted, he can move the sheds to the rear of his driveway to be in compliance. He is seeking a variance for the sheds to remain where they are.

Mr. Richard Plesic, the property owner, represented this request. Mr. Plesic stated the sheds are placed on platforms on the side of the driveway because the back of the property is wooded and sloped. He added the current location provides adequate lighting.

Planners Hoover/Bull moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB23-05 Richard E. Plesic III, requesting a variance to Section 300.9 (Utility Sheds and Gazebos) in order to have two sheds in the side yard as set forth in Section 502.3 a) thru f). Motion failed on a 2-3 vote with Planners Arnold, Berlingo and Heiland dissenting and Planner Smith abstaining.

ZHB23-06- John Ruff, 136 Northview Drive, Hanover, PA 17331. The applicant is requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) in order to construct a semi inground pool that does not meet the rear setback requirements. The property is located at 136 Northview Drive, Hanover, PA 17331 in the R-15 zone.

Mr. John Ruff, the property owner, represented this request. Mr. Ruff stated that he was before the board a year ago with a similar request for a fully inground pool, and the Commission gave a favorable recommendation. Due to unforeseen circumstances

the installation never occurred. He is now requesting a variance to install a semi-inground pool in the same location which would encroach fifteen feet into the rear set-back. The yard is completely fenced. There are empty fields behind his home and to his knowledge no planned development at this time.

Planners Bull/Arnold moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB23-06 John Ruff requesting a variance to Section 300.8 (Swimming Pools/Garden Pools) to construct a semi inground pool 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.

ZHB23-07- Brett Waite, 3280 Grandview Road, Hanover, PA 17331. The applicant is requesting a special exception under Section 407.2 (Expansion and alteration) and a variance to Section 612 G (Dimensional Nonconformities) in order to enlarge a deck which does not meet the rear setback requirements. The property is located at 3280 Grandview Road, Hanover, PA 17331 in the R-15 zone.

Zoning Officer Smith presented the Commission with photos of the property. He reported that the house is twenty-seven feet from the rear property line creating a non-conformity. He reported the applicant is requesting to expand the deck an additional four feet into the rear set-back which is non-existent on this property.

Mr. Brett Waite, the property owner, represented this request. Mr. Waite stated that the existing deck is not usable. The current deck is eight feet wide, and he would like to expand to make it twelve by twenty-seven feet. He reported there are several neighbors with similar deck size as he is requesting.

Planners Bull/Hoover moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB23-07 Brett Waite, requesting a special exception to Section 407.2 (Expansion and alteration) and a variance to Section 612 G (Dimensional Nonconformities) in order to enlarge a deck as it meets the requirements for special exception as set forth in Section 503.3 a) thru e) and a variance as set forth in Section 502.3 a) thru f). Motion carried on a 5-1 vote, with Planner Heiland dissenting.

ZHB23-08- Jason Shoe, 1750 Youngs Road, Hanover, PA 17331. The applicant is requesting a special exception under Section 322 (Uses Not Provided For) in order to construct a proposed shared driveway. The property is located at 1750 Youngs Road, Hanover, PA 17331 in the R-40 zone.

Zoning Officer Smith stated that there are no provisions in the ordinance for shared driveways.

Mr. Kris Raubenstine, Hanover Land Services, represented this plan. Mr. Raubenstine stated that there is a long driveway that goes back to the existing farmhouse on the property. Mr. Raubenstine presented a plan to the Commission that is ultimately a subdivision and shows the intent to build a house on the northern side of

the driveway. There is an existing farm access and culvert over a creek that is currently used by farm equipment which will be converted into a driveway. He stated converting the access into a driveway will save a years' time, by eliminating the process of DEP Chapter 105 permitting. The Shoe's will move into the new home and the existing farmhouse will be used as a residence for visiting family members. Planner Heiland expressed concern that in the future when the property is subdivided and sold that the shared driveway would cause an issue. Mr. Raubenstine stated that the property does provide ample space to install an additional driveway, but the shared driveway provides considerable cost savings, and time process of going through the permitting process.

Planners Hoover/Bull moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB23-08 Jason Shoe requesting a special exception under Section 322 (Uses Not Provided For) in order to construct a proposed shared driveway as it meets the requirements for special exception as set forth in Section 503.3 a) thru e) with the condition that on the two deeded properties there is a maintenance covenant specified on the deeds for the shared driveway. Motion carried on a 6-0 vote.

Review and make recommendations on waiver and exoneration requests:

There were none.

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, Elsner 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 Elsner 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.**

SL22-07-CARROLL COUNTY CHRISTIAN CENTER, Hanover Land Services, 585 McAllister Street, Hanover, PA 17331. A Preliminary/Final plan submitted in order to construct a new house of worship facility. The property is located at 889 Baltimore Street in the SC 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 to 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.**

SL22-13- STONEWICKE IV – 1025 BALTIMORE STREET, Stonewicke LP, 107 Little Bridge Road, Hanover, PA 17331. A Final subdivision plan was submitted in order to create twenty-six (26) new residential lots. The property is located at 1025 Baltimore Street in the R-15 zone. **There was no action taken on this plan.**

SL22-15- WAWA FOOD MARKET & FUELING STATION, Dynamic Engineering Consultants, PC/Dynamic Survey LLC, 1007 Baltimore Street, Hanover, PA 17331. A Preliminary Subdivision/Land Development Plan was submitted proposing the construction of 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.**

SL23-1- SOUTH WESTERN SCHOOL DISTRICT, Hanover Land Services, Inc., 585 McAllister Street, Hanover, PA 17331. A Final Land Development Plan was submitted in order to construct high school building additions. The property is located at 200 Bowman Road in the R-15 zone. **There was no action taken on this plan.**

SL23-02-YORK ROAD INVESTMENTS, LLC, RETTEW Associates, Inc., 5301 Richard Lane, Mechanicsburg, PA 17055. A Final Land Development and Subdivision Plan was submitted in order to construct a warehouse facility. The Property is located at 501 Ridge Avenue in the Industrial (I) zone. **There was no action taken on this plan.**

SL23-03-HANOVER TERMINAL INC., 201 CENTER STREET, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A Final Land Development Plan was submitted in order to construct a warehouse facility. The Property is located at 201 Center Street in the Industrial (I) zone.

Mr. Kevin Barnes, Group Hanover, Inc., Kurt Dietrick, President, and Wayne Rice, Operations Manager Hanover Terminal represented this plan. Mr. Barnes stated the plan was presented last spring for a variance to the number of parking spaces. He reported they are currently working through the process of the NPDES permit and is before the Commission to address any questions. He reported there are no major changes to this final plan. They have completed the stormwater design and added the landscaping and bufferyards as per the ordinance. Mr. Barnes reported they received their letter of completeness from the York County Conservation District, and they are moving into the technical phase focusing on Erosion and Sediment control and waiting for the bond review.

Ms. Carol Spangler-Soloman, 4 Newberry Street, and Ms. Natalie Parks, 141 Center St., were present to express concern about the truck traffic on Center Street due to the warehouse addition. Mr. Dietrick and Mr. Rice addressed their concerns. Ms. Spangler-Soloman stated that she has a concern with the traffic at the intersection of Ridge Avenue and Center Street. Planner Berlingo stated that the intersection is in Hanover Borough and suggested that she attend one of their meetings to express the concern.

Draft Zoning Ordinance: Zoning Officer Smith reported he addressed York County comments. The Commission decided the newest member, Planner Hoover, should have time to review a copy of the ordinance before making a recommendation.

Public Comments: There were none.

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary