

PENN TOWNSHIP PLANNING COMMISSION  
JANUARY 3, 2002

Chairperson Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on January 3, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Jeffrey Baxter, Clayton Black, Fred Marsh and Ray Van De Castle. Chairperson Scott announced that the board would be short one member until the new commissioners were installed and one was appointed as a planner. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

The Planning Commission held it's reorganizational meeting at this time. Planning Members Baxter/Dubbs moved to nominate Donna Scott as Chairperson of the Commission. The motion carried unanimously.

Planning Members Scott/Marsh moved to nominate Jeffrey Baxter as Vice Chairperson. The motion carried unanimously.

Planning Members Scott/Baxter moved that the minutes of the December 6, 2001 meeting be approved as submitted. The motion carried unanimously.

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

No cases were submitted for review.

The Planning Commission received the following waiver and exoneration requests:

None

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

**P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.**

There was no action taken on this plan.

**P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.**

There was no action taken on this plan.

**P01-25-S.W. School District, 225 Bowman Road, Hanover, PA 17331. A final land development plan for stadium improvements. The property is located in the R-15 zone**

There was no action taken on this plan.

**P01-29 – JOHN W. MATHIAS, Jr., 315 Clover Lane, Hanover, PA 17331. A final two (2) lot residential subdivision located at the corner of Clover and Maple Lane. The property is in the R-15 zone.**

There was no action taken on this plan.

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

There was no action taken on this plan.

**P01-30 – GOWER PROPERTY SUBDIVISION, Paul Pisula, 217 Frederick Street, Hanover, PA 17331. A preliminary nine (9) lot residential subdivision located north of Arbor and East of Regal. The property is in the R-15 zone.**

Reg Baugher of Worley Surveying represented this plan. This is the initial review of the plan and York County Planning Comments have not been received. The property is located adjacent to the Township's recreational area on Arbor Lane between Timber Lane and Hall Estates. There was discussion that the stormwater should be diverted to the Timber Lane stormwater management pond instead of constructing one specifically for this development. There was also discussion about the size of the proposed lots and the effect that will have on setback lines. It was noted that the home on lot #3 was located outside of the setback.

**P01-31 – MORNINGSTAR DEVELOPMENT, Mummert Enterprises, 1945 Hanover, Pike, Littlestown, PA 17340. A final residential subdivision to construct twenty-three (23) single family and fifty-two duplex lots on the east side of Breezewood Drive. The property is located in the R-8 and the R-15 zones.**

Reg Baugher of Worley Surveying represented this plan. This is the initial review of the plan and York County Planning Comments have not been received. This development is located near the environmental area of the South Western School District. There was discussion about the existing wetlands and where they are located within the site. There is a plan for the repaving of Breezewood Drive. The Township will address the existing road and the developer will widen and curb their side of the road. There was some discussion about the proposed design and what it will look like when it is completed. There was also discussion about Violet Court connecting to the new development. It was the recommendation of the planners at the preliminary plan

stage, however, that the street not be connected. It was indicated that there would be two stormwater ponds for this development.

The meeting was adjourned at 7:49 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
FEBRUARY 7, 2002

Chairperson Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on February 7, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Jeffrey Baxter, Clayton Black, Fred Marsh and Ray Van De Castle. Chairperson Scott welcomed Michael Johnson to the Commission. Also present were staff members Administrative Assistant Kristina Rodgers and Township Engineer Eric Bortner.

Planning Members Marsh/Dubbs moved that the minutes of the January 3, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-01 – Baxter Investment Group, 1108 Baltimore Street, Hanover, PA 17331.**  
**Applicant requests a special exception to Section 626 (Use) to allow construction of a forty-seven (47) unit multi-family complex at 1500 Baer Avenue. The property is located in the R-8 zone.**

John Ling and Christopher Trone, President and Vice-President respectively of Baxter Investment Group, represented this request. The applicants are requesting to develop the land for multi-family dwelling units. There is an agreement of sale. Chairperson Scott informed the audience that the Commission was only determining if the use is acceptable and not discussing land development issues. She proceeded, article by article, through Section 626 Multi-Family Dwellings of the Township's Zoning Ordinance. It was stated for the record that Crest Avenue is an unimproved alley and not a macadamized access. There were several residents who spoke about why they felt there would be devaluation of property values and an increase in traffic congestion to the area if this use were granted. The residents who commented were Larry Showers, 60 Wilmar Avenue; Frank Perrin, 1460 Baer Avenue; Sunny Blouse, 45 Wilmar Avenue; James Keller, 107 Crest Avenue; Tom Miller, 65 Wilmar Avenue; Kelly Bossom, 103 Crest Avenue; and Douglas Lear, 1508 Baer Avenue. These residents also felt that this type of development would be out of character with the surrounding homes because most are now single-family residences. There was some concern about the existing water situation and whether or not that would be taken into consideration. Cynthia Sparacino, a non-resident, wanted to make sure that the merits of the special exception were addressed at this meeting.

Chairperson Scott explained to the audience that the Planners would only make a recommendation to the Zoning Hearing Board on the use of the land and specifics such as traffic studies, the number of residential units and public safety issues would be addressed at the land development stage. Chairperson Scott stated that the impact in the area is not limited to Crest and Baer Avenue but to the entire area and neighborhood.

Mr. Trone attempted to answer some of the concerns that the citizens had about the development of this site into multifamily units. He stated their intent is to build condominiums.

Mr. Lear, the owner of half of the existing duplex, stated that the Planning Commission and the Zoning Hearing Board had denied previous plans. Mr. Lear will present the Township a copy of a plan that he received when he purchased his home.

Planning Members Dubbs/Johnson moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z02-01 – Baxter Investment Group requesting a special exception to Section 626(Use) to allow construction of a forty –seven (47) unit multi-family complex at 1500 Baer Avenue because it does not meet the requirements for a special exception stated in Section 503.6 A-E. Motion carried on 7-0 vote.

**Z02-02 – Estate of M. Grace Young, c/o Buchen, Wise & Dorr, 126 Carlisle Street, Hanover, PA 17331. Applicant requests a variance to Sections 206.3 (Area & Bulk Regulations), 303 (Off Street Parking), 305 (driveways) 314 (Clear sight triangles) to allow subdivision of an existing duplex located at 861 and 861 ½ York Street. The property is in the A/O zone.**

Attorney Donald Dorr represented this request. This is an older duplex and the applicant is requesting permission to subdivide the home so that the units could be deeded separately. The Board was concerned about the existing access of the alley to the rear of the property. Mr. Dorr stated that all four duplexes were built at the same time but the other two were previously subdivided. There was some discussion about the existing garages and where they are placed in reference to the alley. There will be no physical changes to the property.

Planning Members Marsh/Van De Castle moved for a favorable recommendation to Z02-02 – Estate of M. Grace Young, requesting a variance to Sections 206.03 (Area & Bulk regulations), 303 (Off Street Parking), 305 (Driveways) and 314 (Clear Sight Triangles) to allow a subdivision of an existing duplex, to the Penn Township Zoning Hearing Board as it meets the requirements set forth for a variance in section 502.3 A-F. Motion carried on 7-0 vote.

**Z02-03 – Andrew Krentler, 2 Narrow Road, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a front porch with a roof that would encroach into the front yard setbacks. The property is located in the R-15 zone.**

Andrew Krentler represented this request. Planning Member Scott asked if it was accurate that all the houses in the area had some sort of roof protecting the front porch. Mr. Krentler indicated that this was correct. He then presented a plan that showing that he intends to provide covering across the front of his house to the driveway. There was some discussion about where the property lines are located within respect to the sidewalk.

Planning Members Black/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-03, Andrew Krentler requesting a variance to

Section 203.3 (Area & Bulk Regulations) to allow construction of a front porch with a roof that would encroach into the front yard setbacks as it meets the standards set forth for a variance in Section 502.3 A-F. Motion carried on 6-1 vote with Planning Member Dubbs casting the dissenting vote.

**Z02-04 – Jeffrey R. Stern, 110 Hickory Lane, Hanover, PA 17331. Applicant requests a variance to Section 301 (Signs) to allow additional square footage of signs at his business located in the R-40 zone.**

Jeffrey Stern represented this case. He presented a color composite showing the maximum amount of signage that he was requesting. There was some discussion as to what type of signage would be included in the total. The Planners concluded that all the proposed signage should be included in the allowable total square footage.

Marion Rebert, the adjacent farm owner, requested that the Planners not allow additional signage. She also presented a letter from her sister, the co-owner of the adjacent property expressing the same opinion. She felt that the site was easily recognizable from the street and the surrounding area is in an agricultural zone.

Mr. Stern stated that he would like to have several different signs that total one hundred square feet. The Planners suggested that when he presents his case to the Zoning Hearing Board he should have a definite plan for what type of signs he wants.

Planning Members Baxter/Marsh moved for an unfavorable recommendation to the Zoning Hearing Board on case Z02-04 Jeffrey R. Stern requesting a variance to Section 301 (Signs) to allow additional square footage of signs at his business located in the R-40 zone, as it does not meet the requirements set forth for a variance in Section 502.3 A-F. Motion carried on 6-1 vote with Planning Member Dubbs casting the dissenting vote.

The Planning Commission received the following waiver and exoneration requests:

South Western School District requests exoneration from land development requirements to install an additional paved parking area at Baresville Elementary. According to Engineer Bortner, storm water management requirements were submitted when the site was expanded. He feels that this project would be insignificant compared to the rest of the complex. There was some discussion by the Planners as to what should be submitted for review if the applicant received the exoneration. The consensus was that the only thing that would need to be submitted would be a plan showing the size of the area to be paved along with a layout of the parking spaces. The Planners would prefer the Township to also review a grading plan before the Planners recommend exoneration.

Planning Member Baxter/Scott moved that the request be tabled as the Planning Commission does not have enough information at this time to grant exoneration to South Western School District from a land development plan. Motion carried on a 7-0 vote.

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

**P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.**

There was no action taken on this plan.

**P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.**

There was no action taken on this plan.

**P01-28 – HIGH POINTE @ ROJEN FARMS, Roger L. Holland, 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.**

Robert Sharrah and Joseph Holland represented this plan. They stated that there have been some changes to the plan due to speaking with the various Penn Township Committees as well as representatives from West Manheim Township. Mr. Sharrah stated that most of the lots are about one acre in size to comply with the Township Ordinances. They will also be asking the Board of Commissioner for a time extension on the plan. Mr. Sharrah explained the changes to the plan that include flattening and super elevating the curve on Grandview Road. They are working on the traffic studies and the reconfiguration of the recreation area. Planning Member Dubbs stated that the developers have attended most of the meetings the Township conducts and the plan is a compromise between what the Committees and the developers want.

There was some discussion about where the storm water will be directed and the proposed access drives onto Grandview Road.

Henry Buschinski, 30 Garden Lane, was concerned about the number of children in the Grandview Acres development. He would prefer that the traffic from the proposed developments not go through the existing development. Planning Member Johnson suggested that perhaps the current cul-de-sac could be maintained to prevent more traffic into the area. Planning Member Baxter stated that the Planning Commission tries to provide multiple accesses to developments in cases of emergencies. He also stated that he lives in Colonial Acres where a similar situation has occurred. Planning Member Scott stated that a similar situation also occurred in Countryside Estates where two developments were joined together by eliminating an existing cul-de-sac.

**P01-30 – GOWER PROPERTY SUBDIVISION, Paul Pisula, 217 Frederick Street, Hanover, PA 17331. A preliminary nine (9) lot residential subdivision located north of Arbor and East of Regal. The property is in the R-15 zone.**

Reg Baugher of Worley Surveying and Paul Pisula represented this plan. There is an agreement with LBS to accept the storm water runoff from the development. They will provide a copy of the agreement to the Township. The traffic control devices would not be installed until traffic studies are conducted. The Township would like an easement for a sewer line that is adjacent to this project. Mr. Pisula stated that Ms. Gower's agent Pat Stambaugh should be contacted since that property is separate from this project. There is a grading plan for the roads and the lots. There was some discussion about a mass-grading plan so that all the homes are at a similar height level when they are built.

Mr. Pisula was concerned about the length of the cul-de-sac because it does not meet the Township Ordinance. The developer has the option of asking for a waiver of this requirement from the Board of Commissioners.

**P01-31 – MORNINGSTAR DEVELOPMENT, Mummert Enterprises, 1945 Hanover, Pike, Littlestown, PA 17340. A final residential subdivision to construct twenty-three (23) single family and fifty-two duplex lots on the east side of Breezewood Drive. The property is located in the R-8 and the R-15 zones.**

Reg Baugher of Worley Surveying represented this plan. York County Planning Comments have been received. There was some question about which lots are double frontage lots and these are the ones located along Breezewood Drive. Mr. Baugher stated that they do have the landscape architect plan. There was some discussion about the lots that are divided by two zones. There are several lots that are divided by R-8 and R-15 and the Planners wanted to prevent creating lots that would cause zoning problems.

Planning Members Scott/Marsh moved for a favorable recommendation to the Penn Township Board of Commissioners on P01-31 – Morningstar Development. Motion carried on 7-0 vote.

**P02-32 – COOPER MOTORS, INC., 985 York Street, Hanover, PA 17331. A final reverse subdivision to combine existing small tracts into two (2) lots and a final land development plan to show where macadam was installed to replace demolished building.**

Reg Baugher of Worley Surveying represented this plan. York County comments have been received. Cooper Motors presented a plan to replace a building that was destroyed during the tornado and combine two smaller lots into one. The construction has been completed. There was some concern about the buildings and relation to the property line and the alley line and which is considered for the setback line.



Planning Members Dubbs/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P01-032 –Cooper Motors, Inc. Motion carried on 7-0 vote.

**P02-01- CODORUS STATE PARK, 435 Schellsburg, PA 15559. A final land development plan to construct an office, environmental center and new parking area. The property is located on the corner of Blooming Grove and Smith Station Road in the R-40 zone.**

Kimberly A. Murray, Dawood Engineering, Inc. represented this plan. She explained what currently exists at the location and what changes the park would like to make. York County comments have not been received. Engineer Bortner stated that there is a separate parcel located along Smith Station Road that may need to be crossed for the sewer line. There was some discussion that this may have been part of the original parcel when the park was created. Ms. Murray will return next month when comments have been received.

**P02-02 –GRACE YOUNG, ESTATE, c/o Donald Dorr, 126 Carlisle Street, Hanover, PA 17331. A final subdivision plan to separate an existing duplex at 861 – 861 ½ York Street. The property is located in the A/O zone.**

There was no action taken on this plan.

The meeting was adjourned at 9:30 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
MARCH 7, 2002

Vice Chairman Jeffrey Baxter called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on March 7, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Clayton Black, Fred Marsh and Ray Van De Castle. Donna Scott had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Acting Chairman Baxter stated that the minutes of the February 7, 2002 meeting should be corrected so that the last line of case Z02-03 reads "Motion carried on 6-1 vote with Planning Member Baxter casting the dissenting vote." Planning Members Marsh/Black moved that the minutes of the February 7, 2002 meeting be approved as corrected. The motion carried unanimously.

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

**Z02-06-MICHAEL F. PULLIFRONE, 5 Tudor Court, Littlestown, PA 17340.**  
**Applicant requests a variance to Section 203.2 (Use) to subdivide an existing duplex located at 361 and 365 Clover Lane. The property is located in the R-15 zone.**

Ed Mort of Group Hanover, Inc. and Ronald Carter represented this request. The applicant would like to subdivide an existing duplex so they can be sold as separate units. It was noted that any additional modifications would have to be completed before the subdivision is final including additional utility hookups and driveway requirements.

Planners Black/Marsh moved for a favorable recommendation to the Zoning Hearing Board on case Z02-06 Michael F. Pullifrone requesting a variance to Section 203.2 (Use) to subdivide an existing duplex located at 361 and 365 Clover Lane as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 6-0 vote.

**Z02-07 COMMONWEALTH OF PA, DCNR, 400 Market Street, Harrisburg, PA 17101.**  
**Applicant requests a special exception to Section 205.2 (Use) to expand existing Environmental Education Center. The property is located on the Corner of Blooming Grove and Smith Station Road in the R-40 zone.**

Kimberly A. Murray, Dawood Engineering, Inc. and Ed Kautz, Manager Codorus State Park represented this request. Ms. Murray explained that they are making this request because the existing structure is being expanded for an environmental education center and this is a use by special exception in the R-40 conservation district. The current building was converted to an education center in 1993 and was previously a residence that was built in the 1950's. Mr. Kautz stated that he was unable to find documentation that all the parcels that were acquired to complete this project were resubdivided into one parcel.

Planners Dubbs/Black moved for a favorable recommendation to the Zoning Hearing Board on case Z02-07 Commonwealth of PA, DCNR requesting a special exception to Section 205.2 (Use) to expand an existing Environmental Education Center, as it meets the requirements for a special exception set forth in Section 503.6 A-E. Motion carried on 6-0 vote.

**Z02-08 RUSSELL & MELANIE BERWAGER, 5246 Rockery Road, Spring Grove, PA 17362. Applicant requests a variance to Section 206.2 (Use) and 206.3 (Area & Bulk Regulations) to allow operation of a hair salon at 404 and 406 Frederick Street. The property is located in the A/O zone.**

D.J. Hart of Guthrie, Nonemaker, Guthrie, and Yingst represented this request. The property is located along Frederick Street and has been in the Berwager family for about three generations. He stated that on the existing property is a body shop that was built across both properties in the 1960's prior to the existing ordinance. Russell Berwager currently operates the body shop and would like to purchase the building and property it sits on and continue to operate his business while having his wife, Melanie Berwager, operate a hair salon on the property. Personal services are not mentioned as a use by right or a use by special exception in the A/O zone. There is a small grass area on the property that they would like to blacktop to provide additional parking for customers. The garage crossing both properties makes it difficult for the land to be used for anything else. Mr. Hart explained that there are several types of businesses within two or three parcels of this property. He felt that this use would be compatible with those of an A/O zone. Mr. Berwager stated that he currently owns the business but does not own the property. The property belongs to his mother. He stated that his wife currently rents space in the Borough of Hanover for her shop. It would be more economical for them if she could use the rent money for the purchase of this property. Mr. Berwager named those businesses that surround the property, which include a car lot, a plumbing business, and Sterner's Hardware. If they were not allowed to have the hair salon, he would still purchase the body shop property and then ask the Township to approve the subdivision of the business from the houses. He explained his hours of business and what type of business hours his wife would maintain. He explained the existing lighting arrangement on the property. Atty. Hart passed around pictures that showed the lot and the surrounding area. Mr. Berwager stated that they are adding the additional blacktop to allow customers the ability to turn around and pull out onto Frederick Street and as well as provide additional parking. Zoning Officer Menges stated that two uses for a lot are allowed in the A/O zone.

Zoning Officer Menges stated that if the applicant does not purchase the land there will be another trip to the Zoning Hearing Board for the subdivision of the land and for a lot that would be a nonconformity. If the lot were sold to someone else it would require a reverse subdivision to correct. Engineer Bortner stated that he felt there would not be any stormwater issues with the additional paving.

Mr. Berwager stated that his neighbor has lived there since the garage was built and does not anticipate any problems with the hair salon. There was some discussion about the necessary size for parking spaces. The hair salon would have to be Labor and Industry approved but the

planning commission does not have to have the approval to make a recommendation. Labor and Industry approval will be needed for the building permit application.

Planners Marsh/ Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-08 Russell and Melanie Berwager, requesting a variance to Section 206.2 (Use) to allow operation of a hair salon at 404 & 406 Frederick Street, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 6-0 vote.

Planners Marsh/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-08 Russell and Melanie Berwager requesting a variance to Section 206.3 (Area and Bulk Regulations) to allow operation of a hair salon at 404 and 406 Frederick Street, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on 4-2 vote with Planning Members Baxter and Dubbs casting the dissenting votes.

**Z02-09 BRUCE & JEANNETTE NOEL, 694 Blooming Grove Road, Hanover, PA 17331. Applicant requests a variance to Section 205.2 (Use) and 205.3 (Area & Bulk Regulations) to allow construction of a secondary residence that would encroach into the side setbacks. The property is located in the R-40 zone.**

Bruce Noel represented this request. The applicant wants to build an additional residence on his property that would encroach into the setbacks. Mr. Noel stated that he would be building the residence for his son. The residence would be a 24' x 30' with a 24' x 30' garage. Mr. Noel stated that future buildings are planned for this property. Zoning Officer Menges provided a copy of the subdivision of the property. The subdivision provides that there is only one driveway on the lot. This is a double frontage lot that fronts both Blooming Grove Road and Hoff Road. The access to the property is off of Blooming Grove Road. The lot is about 1.3 acres. Planning Member Baxter explained the requirements necessary to meet a variance and asked the Zoning Officer to provide the applicant with a copy of the requirements. Zoning Officer Menges stated that in a residential zone there is only one principal use per lot unless they apply for a special exception.

Planners Dubbs/Van De Castle moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z01-09 – Bruce and Jeannette Noel requesting a variance to Section 205.2 (Use) and 205.3 (Area & Bulk Regulations) to allow construction of a secondary residence that would encroach into the side setbacks as it does not meet the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on 5-1 vote with Planning Member Johnson casting the dissenting vote.

**Z02-10-BILL HIGGINS, JR. 78 Lion Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the side yard setbacks. The property is located in the R-15 zone.**

Bill Higgins represented this request. Mr. Higgins stated that he would like to build a two-car garage on a property with a house that he purchased in 1990. There currently is no garage on the property but there does exist a small driveway. There was a question concerning the nine-foot door at the rear of the garage. This will be used if he wants to do work in the rear yard. The house was built when the side yard setbacks were ten feet. The Commission asked Zoning Officer Menges if there had been any variances granted for driveways on Lion Drive. He recalled that there had been two driveway variances granted but could not recall the amount of the variance. He stated that the development was put in prior to 1995.

Planners Johnson/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-10 – Bill Higgins, Jr. requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the side yard setbacks, as it meets the requirements for a variance set forth in Section 502.3 A-F. Motion carried on 4-2 vote with Planners Black and Baxter casting the dissenting votes.

**Z02-05 – 7<sup>th</sup> DAY ADVENTIST, 3101 Grandview Road, Hanover, PA 17331.**  
**Applicant requests a special exception to Section 205.2 (Use) to construct a house of worship in the R-40 zone.**

This case was heard last because the applicant was late arriving to the meeting.

Don Smith of Conewago Contractors represented this request. This special exception had been granted previously but it has since expired because no action was ever taken. Mr. Smith stated that the church had purchased the property several years ago and has in the last year decided to do something with the land. There is an existing church on the parcel across the street from this parcel.

Planners Marsh/Black moved for a favorable recommendation to the Zoning Hearing Board on case Z02-05 – 7<sup>th</sup> Day Adventist, requesting a special exception to Section 205.2 (Use) to construct a house of worship in the R-40 zone, as it meets the requirements for a special exception in Section 503.6 A-E. Motion carried on 6-0 vote.

The Planning Commission received the following waiver and exoneration requests:

Paul Pisula is requesting a waiver from Section 505.E (Cul-de-sac Streets) for the Gower Property Subdivision. The Township Subdivision Ordinance requires the cul-de-sac to be 275 feet but because of the request of the Commission to align the developments roads with the existing roads the cul-de-sac is only 235 feet.

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

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

**P01-12 - North Hanover Medical & Professional Business Center, 300 Frederick Street, Hanover, PA 17331. A final land development plan to construct a business center/medical service building in the Industrial zone. The property is located at 731 Fame Avenue.**

Don Smith, president of Conewago Contractors, represented this request. He supplied the Planners with a rendering of what is being proposed. Engineer Bortner stated that this plan has been around for about a year. He stated that both York County comments and his comments were addressed. Mr. Smith stated that the building has been downsized slightly and eighty-five percent of the building has been committed for. There is a landscaping plan. There was some discussion about Hanover Borough's and Penn Dot's improvements to the adjoining roadways.

Planners Dubbs/Johnson moved for a favorable recommendation on P01-12 North Hanover Medical Center & Professional Center to the Penn Township Board of Commissioners. Motion carried on 6-0 vote.

**P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.**

There was no action taken on this plan.

**P01-28 – HIGH POINTE @ ROJEN FARMS, Roger L. Holland, 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.**

Joe Holland, representing this plan, wanted to inform the Commission about the changes they have been working on. He stated that he has submitted the revised plan for the recreation board and will be attending their next meeting for their comments. The traffic study has been completed and should be submitted within the next week. This study will go to York County for comments. Mr. Holland stated that they have met with West Manheim Township officials and have worked out the problem with the Oak Hill Drive extension. There should be a letter coming to the Township about this issue from West Manheim.

**P01-30 – GOWER PROPERTY SUBDIVISION, Paul Pisula, 217 Frederick Street, Hanover, PA 17331. A preliminary nine (9) lot residential subdivision located north of Arbor and East of Regal. The property is in the R-15 zone.**

Reg Baugher of Worley Surveying and Paul Pisula represented this plan. Mr. Baugher stated that the sewer easements will be added and the Planning Commission recommended approval of the variance to the length of the cul-de-sac. Township and York County Planning comments have been addressed.

Planners Baxter/Marsh moved for a favorable recommendation on P01-30 – Gower Property Subdivision to the Penn Township Board of Commissioners with the note that the owner's signatures need to be added prior to approval. Motion carried on a 6-0 vote.

**P01-31 – MORNINGSTAR DEVELOPMENT, Mummert Enterprises, 1945 Hanover, Pike, Littlestown, PA 17340. A final residential subdivision to construct twenty-three (23) single family and fifty-two duplex lots on the east side of Breezewood Drive. The property is located in the R-8 and the R-15 zones.**

There was no action taken on this plan.

**P02-01- CODORUS STATE PARK, 435 Schellsburg, PA 15559. A final land development plan to construct an office, environmental center and new parking area. The property is located on the corner of Blooming Grove and Smith Station Road in the R-40 zone.**

Kimberly A. Murray, Dawood Engineering, Inc. and Edward Kautz, Manager of Codorus State Park represented this plan. Ms. Murray reported that they have not made any changes to the plan but they are still researching the parcel that is shown on the tax map as a separate parcel. She stated that they have the documents for condemnation of the parcels but are not sure if these can be used for the resubdivision of the property. There is currently no change in the signage planned. Engineer Bortner was only concerned about the lot that was listed separately.

**P02-02 –GRACE YOUNG, ESTATE, c/o Donald Dorr, 126 Carlisle Street, Hanover, PA 17331. A final subdivision plan to separate an existing duplex at 861 – 861 ½ York Street. The property is located in the A/O zone.**

Ed Mort of Group Hanover represented this plan. This has received a variance from the Zoning Hearing Board for a subdivision. York County comments have been received and addressed. There is some concern about the County comment regarding the destruction of the existing building and Engineer Bortner stated that the Township has not been requiring that this be included on subdivision plans.

Planners Black/Baxter moved for a favorable recommendation to the Penn Township Board of Commissioners on case P02-02 – Grace Young Estate to the Penn Township Board of Commissioners. Motion carried on 6-0 vote.

**P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.**

Reg Baugher of Worley Surveying represented this request. Mr. Jones would like to put a small addition onto this property. He stated that the existing storm water pond will cover the proposed area. Engineer Bortner stated that the pond was built to assume eighty percent impervious area that is allowed within this zone. Zoning Officer Menges stated that he would

not issue a building permit till Mr. Jones asphalts the area. This expansion will not increase the number of employees but will expand Mr. Jones's office. Mr. Menges stated that he will review the prior plans to see if the have been complied with. York County comments have not been received.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

Reg Baugher of Group Hanover represented this plan. This is the initial review of the plan. There was some concern about the closeness of the intersections because it does not meet the distance required. The Committee was very concerned about the proposed street intersection being too close to the existing intersection of Grandview/Timber Lane. The Committee provided Mr. Baugher with some options to accessing the lot that may meet the approval of the Commission and Penn Dot. Mr. Baugher will take the Commissions comments back to the proposed developers.

**P02-05 – 7<sup>TH</sup> DAY ADVENTIST CHURCH, Conewago Enterprises, 660 Edgegrove Road, Hanover, PA 17331. A final land development plan to construct a house of worship on the corner of Gitts Run Road and Moulstown Road. The property is located in the R-40 zone.**

There was no action taken on this plan.

**P02-06 – GARY L. WOLFE, 553 McAllister Street, Hanover, PA 17331, a final reverse subdivision to combine two (2) parcels of land into one parcel. The properties are located at 508 and 510 Meade Avenue in the R-8 zone.**

Ed Mort of Group Hanover represented this request. This is an initial review of the plan and York County comments have not been received.

The meeting was adjourned at 9:08 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary



PENN TOWNSHIP PLANNING COMMISSION  
APRIL 4, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on April 4, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Clayton Black, Fred Marsh and Ray Van De Castle. Jeffrey Baxter had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Marsh/Dubbs moved that the minutes of the March 7, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-11 – 7<sup>TH</sup> DAY ADVENTIST CHURCH, 3101 Grandview Road, Hanover, PA 17331. Applicant requests a variance to Section 205.3 (Area & Bulk Regulations) to allow the proposed building height to exceed the maximum limit. The property is located on the corner of Gitts Run and Moulstown Road in the R-40 zone.**

Glen Vaughn of Conewago Enterprises represented this request. Also present were Reverend Dave Woodruff and Tony Smith of Conewago Contractors. They presented an artists rendering of how the building will look when it is completed. Mr. Vaughn stated that the parcel sits both in Penn Township and Heidelberg Township. The building will sit in Penn Township. The parcel is zoned R-40 in Penn Township which means the maximum height the building can have is thirty feet. The parcel across the street is zoned Industrial which allows it to have a maximum building height of fifty feet. In Heidelberg the zoning allows a fifty-foot high building. They are asking to construct a thirty-nine foot high building in an area where mostly fifty-foot high buildings are allowed. The church would be to the center of the lot. This land is currently all farmland. They presented several pictures that showed the different views of the lot. If they did not have thirty-nine foot building it would create a flat-pitched roof and lose the affect of being a church. The higher roof will allow them to build a gymnasium/fellowship hall that they will be able to play sports in. They feel that this will not have a negative impact in the area.

Zoning Officer Menges stated that the proposed Zoning Ordinance Amendment changes the building height from thirty to thirty-five feet. An additional foot of height up to forty feet can be added to the building for each foot of circumference the building is placed from the setback line. Zoning Officer stated that the earliest this ordinance would be changed is June.

There were some questions about the bell tower and if they would need a variance for its height. From the picture it appears to be the same height as the building. The total height of the building will be thirty-nine feet and four inches. Zoning Officer Menges stated that the bell towers are exempt. The property is located near the current Jehovah Witness facility.

Planners Dubbs/Van De Castle moved for a favorable recommendation to the Zoning Hearing Board on case Z02-11 – 7<sup>th</sup> Day Adventist Church, requesting a variance to Section 205.3 (Area & Bulk Regulations) to allow the proposed building height to exceed the maximum height, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 6-0 vote.

**Z02-12 – JEFFREY R. STERN, 67 Red Run Church Road, East Berlin, PA 17316.**  
**Applicant requests a variance to Section 301 (Signs) to allow installation of a sign 10' x 7'1" at the recreation center located on Hickory Lane in the R-40 zone.**

Jeffrey Stern and Ray Wenger, Strickler Signs represented this request. They presented a layout of an allowable sign in the district. The sign was created using a seven-inch letter but does not allow enough time for the driver to view the sign, safely signal and turn into the recreation center. The speed limit on this road is forty-five miles an hour. In order for a driver to comply with the Pennsylvania driving code and signal for the turn the letters would have to be sixteen inches high. The PA drivers manual explains that a turn should be signaled at least three hundred feet before turning. The sign also has to be located out of the clear site triangle. Engineer Bortner stated that the Township is now required to have a six-inch letter on street name signs and he is not sure how that compares with the information being presented.

This sign will be internally lit. There were some suggestions for what they could do to eliminate some of the wording on the sign to help allow a sign that would be approved under the ordinance. The applicant was not receptive to changing the name because he has already incorporated the business.

Marian Rebert, the adjoining landowner, was concerned about how high it was going to be located off the ground. She was informed that it would be eight foot of the ground. The sign will be on till about 12:30 or 1:00 in the morning. Ms. Rebert stated that this sign was an improvement over the originally presented sign. Mr. Wenger quoted several other studies that stated that smaller signs are a danger to motorists.

Planner Dubbs stated that we should be trying to encourage business in the Township and with this being the second time hearing this case we are not doing that. He stated they should not continue hassling about the sign. The Planning Commission only makes a recommendation on the case and the Zoning Hearing Board will hear the case and make the final decision.

Planners Scott/Dubbs moved for a favorable recommendation to the Zoning Hearing Board on case Z02-12-Jeffrey Stern, requesting a variance to Section 301 (Signs) to allow installation of a sign 10'x7'1" at the recreation center located on Hickory Lane in the R-40 zone, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 4-2 vote with Planners Marsh and Black casting the dissenting votes.

**Z02-13 – EDWARD D. LOOKENBILL, JR., 221 York Street, Hanover, PA 17331**  
**Applicant requests a variance to Section 207.2 (Use) and challenges the definitions of**

**certain words and phrases of the Zoning Ordinance. This is to allow auto sales, shop and inspection station at 577-579 Baltimore Street in the S/C zone.**

Edward D. Lookenbill Jr. and Edward D. Lookenbill, Sr. represented this case. There is an agreement of sale condition on the approval of this variance. The property is located along Baltimore Street adjacent to Martha Street. There is an existing billboard on the parcel that will remain. Ed Lookenbill, Jr. would like to open a retail car shop on the property. He would like to make Martha Street a two-way street limited to right hand turns only when exiting onto Baltimore Street. This would entail him having to give up six feet of his property to install sidewalk and curbing and to make the street two way. He will be transferring an existing business on York Street to this property. He is expecting about twenty customers per day. This will include a body shop and all chemicals used will be biodegradable. The decision the Commission needs to make is it retail. Most of the business is selling cars. There will be about twenty to twenty-five cars for sale at one given time. Cars that he will be detailing will be parked in the back of the garage.

Planners Marsh/Johnson moved for a favorable recommendation to the Zoning Hearing Board on case Z02-13-Edward D. Lookenbill, Jr. requesting a variance to section 207.2 (Use) and challenges the definitions of certain words and phrases of the Zoning Ordinance to allow an auto sales, shop, and inspection station at 577-579 Baltimore Street, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 6-0 vote.

**Z02-14 – KENNETH E. MARTZ, JR., 5209 Blooming Grove Road, Glenville, PA 17329. Applicant requests a variance to Section 202.3 (Area & Bulk Regulations) to allow construction of a duplex that would encroach into the setbacks. The property is located at 537 S. High Street in the R-8 zone.**

Kenneth Martz, Jr. represented this request. This property is located at the intersection of Beck Mill Road and South High Street and is currently a nonconforming lot. There is an agreement of sale. Zoning Officer Menges reported that there used to be a mobile home on the property but the property has been vacant for nearly a year and a half. The duplex will encroach on the front setback because it has two front setbacks. If this variance is approved a land development plan will have to be submitted.

John McWilliams, 128 Beck Mill Road, expressed concern about the one-way traffic on the adjoining street. He admits that a duplex would be an improvement over what has been there. He is concerned about the number of individuals that would be living in a duplex unit because the lot is not big enough for a single-family unit without a variance. There was concern about where the location of driveways would be located in relation to the one-way street and where children would play. The previous children would play on the properties of the adjoining property owners and in the cemetery. Mr. Martz stated that he would incorporate a turn around area for the residents so that they will not have to back out onto the one-way street.

Planners Dubbs/Van De Castle moved for an unfavorable recommendation to the Zoning Hearing Board on case Z02-14, Kenneth E. Martz, requesting a variance to Section 202.3 (Area

& Bulk Regulations) to allow construction of a duplex that would encroach into the setbacks, as does not meet the requirements for a variance as set forth in section 502.3 D. The motion carried on a 6-0 vote.

**Z02-15 – BILL HIGGINS, 78 Lion Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the setbacks. The property is located in the R-15 zone.**

Bill Higgins represented this request. He had previously made a similar request and has provided two options for consideration. The first option is for a twenty-two by twenty-eight foot garage. The second is for a twenty by twenty-eight foot garage. He would prefer to have option one because it will allow him room for two full sized cars and still have room to safely enter and exit each vehicle. He stated he purchased the house in 1989 and provided a copy of his deed. At the time he purchased the house the Pickett Ridge development had ten-foot setbacks. This was changed in 1995 to twelve foot. He presented pictures of existing garages that encroach on the side setbacks. Zoning Officer Menges presented similar pictures. His neighbors are not intending to build a garage because currently the utility meters would be in the way. He presented pictures of garages that have received variances.

Planners Scott/Marsh moved for a favorable recommendation to the Zoning Hearing Board on case Z02-15, Bill Higgins, requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the setbacks, on option one, as it meets the requirements for a variance as set forth in section 502.3 A-F. Planner Scott stated that it should be noted that the homeowner purchased this house in 1989 prior to the Zoning Ordinance change of 1995. Motion carried on 6-0 vote.

The Planning Commission received the following waiver and exoneration requests:

Hanover Bible Baptist Church requests exoneration from land development plans to replace a storage building and erect a pavilion.

Pastor Gene Woodhouse represented this request. They would like to construct a storage shed and pavilion for picnics and social functions. The church has seven acres of property at their location off of Baltimore Street. They will not be moving any ground when they construct these buildings. They are replacing a garage that was removed when the AutoZone was constructed. The building will be located close to the existing church. The pavilion will be 16'x 32' and the shed will be 20'x 30' feet. Engineer Bortner stated that in the Stormwater Management Ordinance there is an exception requirement for developments that do not disturb over 1000 square feet of land. Engineer Bortner stated that they might be disturbing that much if it is two buildings. The pavilion will not be enclosed.

Planners Black/Scott moved for a favorable recommendation to the Board of Commissioner on this request. The motion carried on 6-0 vote.

Pennsylvania Department of Conservation and Natural Resources is requesting exoneration from submitting a reverse subdivision for a parcel of land that is deeded separately from the entire Codorus State Park.

Kimberly Murray, Dawood Engineering, represented this request. There is a parcel of land within the Codorus State Park that is listed separately from the entire park on which the park is intending to construct an environmental center. This parcel is not the adequate size for the work that the park wishes to do. She stated they are having problems locating the parcel in the overall records of condemnation of land for the project and that is why they are asking to not have a to do a reverse subdivision.

Planners Dubbs/Scott moved for a favorable recommendation to the Board of Commissioners on this request. Motion carried on a 6-0 vote.

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

**P01-16 – Thornhill, Phase II, Joseph Delozier, Jr., 1051 Frogtown Road, Hanover, PA 17331. A final subdivision plan to add twenty-two (22) building lots to an existing residential development. The property is located on Hickory and Kidd Lane in the R-40 zone.**

There was no action taken on this plan.

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

There was no action taken on this plan.

**P01-31 – MORNINGSTAR DEVELOPMENT, Mummert Enterprises, 1945 Hanover, Pike, Littlestown, PA 17340. A final residential subdivision to construct twenty-three (23) single family and fifty-two duplex lots on the east side of Breezewood Drive. The property is located in the R-8 and the R-15 zones.**

There was no action taken on this plan.

**P02-01- CODORUS STATE PARK, 435 Schellsburg, PA 15559. A final land development plan to construct an office, environmental center and new parking area. The property is located on the corner of Blooming Grove and Smith Station Road in the R-40 zone.**

Kimberly Murray, Dawood Engineering, represented this request. She noted that no revisions have been made to this plan and a time extension request has been submitted to the

Board of Commissioners. She intends to bring a revised plan to the next planning commission meeting.

**P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.**

There was no action taken on this plan.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

**P02-05 – 7<sup>TH</sup> DAY ADVENTIST CHURCH, Conewago Enterprises, 660 Edgegrove Road, Hanover, PA 17331. A final land development plan to construct a house of worship on the corner of Gitts Run Road and Moulstown Road. The property is located in the R-40 zone.**

There was no action taken on this plan.

**P02-06 – GARY L. WOLFE, 553 McAllister Street, Hanover, PA 17331, a final reverse subdivision to combine two (2) parcels of land into one parcel. The properties are located at 508 and 510 Meade Avenue in the R-8 zone.**

Ed Mort, Group Hanover, represented this request. York County comments have been addressed.

Planners Scott/Johnson moved for a favorable recommendation to the Board of Commissioners on Z02-06 – Gary L. Wolfe. Motion carried on a 6-0 vote.

**P02-07 – BERTRAM, JOYCE, FRANK, JR. & ELEANOR ELSNER, 241 Charles Avenue, Hanover, PA 17331. A final land subdivision plan to convey land to Elsner Engineering. The property is located on Fame Avenue in the Industrial zone.**

Reg Baugher, Worley Surveying represented this request. This is a simple subdivision of land to another party. York County Planning Comments have not been received.

Planners Black/Scott moved for a favorable recommendation to the Board of Commissioners on P02-07 – Bertram, Joyce, Frank, Jr. & Eleanor Elsner, as long as the Township Engineer's comments are satisfied. Motion carried on 6-0 vote.

**P02-08 – ANDREW & SHARON BROUGH, 6895 E. Moulstown Road, Hanover, PA 17331. A preliminary subdivision plan to convey three (3) unimproved lots to adjoining property owners for silviculture use. The property is located on High Rock Road in the R-40 zone. Two proposed lots are in Heidelberg Township.**

Andrew Brough represented this request. The property is all part of the clean and green program and will remain in it. One of the parcels in Heidelberg is being sold to Mr. Brough's sister and the lot in Penn Township is being put in a trust for Mr. Brough's niece and nephew. The one in Penn Township is being shown not for building purposes. York County Planning Comments have not been received. The Planning Commission cannot make a recommendation until the plan is submitted as a final plan.

**CITIZEN COMMENTS:** Boyd and Mona Callender, 43 Timber Lane expressed concern with the South View Estates plan that has been submitted by Bon Ton Builders. They border on the development and are the owners of the fifty-foot access to the rear of the property. The Planning Commission had recommended not approving the plan because of the distances between the intersections. The land is located in the R-15. The Callender's were concerned about the possibility of Bon Ton rezoning the property. The Planning Commission told them that the applicants are not intending to rezone the area.

The meeting was adjourned at 9:29 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
MAY 2, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on May 2, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Clayton Black, Fred Marsh, Ray Van De Castle and Jeffrey Baxter. Michael Johnson had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner. Chairman Scott announced that Brandi Runk a student from Spring Grove would be observing this evening for a class assignment.

Planning Members Marsh/Black moved that the minutes of the April 4, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-16 – RODNEY & KATHLEEN ORNDORFF, 1079 Friar Run, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the setbacks. The property is located in the R-15 zone.**

Rodney and Kathleen Orndorff represented this request. The applicants would like to build a garage that would encroach into the side setbacks. The house was built prior to the zoning changes of 1995. The house is about eight or nine years old. It appears that the side setback when the house was built was ten feet. The new garage will be located ten feet nine inches from the side property line.

Planners Black/Scott moved for a favorable recommendation to the Zoning Hearing Board on case Z02-16, Rodney and Kathleen Orndorff, requesting a variance to Section 203.3 (Area and Bulk Regulations) to allow construction of a garage that would encroach into the setbacks, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on 6-0 vote.

**Z02-18 – WILLIAM L. HESTON, 823 York Street, Hanover, PA 17331. Applicant requests a variance to Section 206.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the setbacks. The property is located in the A/O zone.**

William L. Heston represented this case. The applicant would like to construct a garage on his property. The previous owners had removed a town barn that was located adjacent to the alley. There was some concern about the sight distance and the intersection of the two alleys.

Planners Baxter/Dubbs moved for a favorable recommendation to the Zoning Hearing Board on case Z02-18 – William L. Heston, requesting a variance to Section 206.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the setbacks, for a variance to the side setback noting that the plan requests a rear setback variance but the owner has agreed to move the garage to eliminate the need for a variance to the rear, as it meets the requirements for a variance as set forth in sections 502.3 A-F. Motion carried on 6-0 vote.



**Z02-17-INTERSTATE DEVELOPMENT COMPANY, 2137 Volunteer Parkway, Bristol Tennessee, 37625. Applicant requests rezoning of a parcel on Carlisle Street from R-15 to S/C.**

Christine Shwamburger, Reager & Adler, attorney for the applicants, represented this case. Interstate Development is asking for the Hanover Cold Storage property and several adjacent properties to be rezoned from R-15, Industrial and Highway Business to Shopping/Commercial. The total area of the land is about fifty-nine acres. They want to build a high-end retail shopping center. There would be an access to the center from Eisenhower Drive and from State Route 94. Mark Campbell from HRG is the engineer for the project. The developer does have options on several adjacent properties located in the Borough of Hanover.

The Committee has not received York County comments.

Planning Members Black/Scott moved that the request be tabled until York County Comments are received. Motion carried on 6-0 vote.

The Planning Commission received the following waiver and exoneration requests:

Conewago Enterprises requests exoneration from a land development plan for additional paving at Pillowtex.

Gerry Funke represented this request.

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

Conewago Enterprises requests exoneration from a land development plan for a driveway along Wetzell Drive.

Gerry Funke represented this request for Peoples State Bank, which is now Community Bank. This property straddles the Conewago Township line and that is where the building will be located. The intended use is a bank operation center. Mr. Funke will provide a detailed plan for the driveway to the Township Engineer prior to the Board of Commissioners meeting.

Planners Dubbs/Scott moved for a favorable recommendation to the Penn Township Board of Commissioners on this request with the stipulation that the Township Engineer is satisfied with the drainage around the driveway. Motion carried on a 6-0 vote.

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

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

There was no action taken on this plan.

**P02-01- CODORUS STATE PARK, 435 Schellsburg, PA 15559. A final land development plan to construct an office, environmental center and new parking area. The property is located on the corner of Blooming Grove and Smith Station Road in the R-40 zone.**

Kimberly Murray, Dawood Engineering, represented this request. Ms. Murray reviewed the changes in the plan that were made because of York County comments. She explained that the site lighting would not affect traffic on the main road. The light intensity at the maximum will be a two-foot candle. The overall height of the light standards will be sixteen feet. They have made some revisions to the ramp to the building.

Planners Marsh/Van De Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-01 – Codorus State Park. Motion carried on a 6-0 vote.

**P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.**

Reg Baugher from Worley Surveying represented this request. The Planners were concerned if the site was graded to a previously approved plan. Zoning Officer Menges was not sure if it had been completed as approved. The Planners reviewed the photos Zoning Officer Menges took of the area. The U& O permit issued by the Township Code Officer states the current building is the size as presented on the plan.

Planners Dubbs/Scott moved to extend P02-03 – Bruce L. Jones plan for thirty days and hold up the final land development plan till he meets all the criteria that was approved on a previous plan to the satisfaction of the Township Engineer and Zoning Officer. Motion carried on a 6-0 vote.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

**P02-05 – 7<sup>TH</sup> DAY ADVENTIST CHURCH, Conewago Enterprises, 660 Edgegrove Road, Hanover, PA 17331. A final land development plan to construct a house of worship on the corner of Gitts Run Road and Moulstown Road. The property is located in the R-40 zone.**

Gerry Funke, Conewago Enterprises, represented this request. York County Comments have been addressed and the applicant has received a variance from the Penn Township Zoning Hearing Board. The Township Engineer will review the plan prior to the Board of Commissioners meeting but did not have a problem with the previously submitted plan.

Planners Scott/Van De Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-05 – 7<sup>th</sup> Day Adventist Church. Motion carried on a 6-0 vote.

**P02-08 – ANDREW & SHARON BROUGH, 6895 E. Moulstown Road, Hanover, PA 17331. A final subdivision plan to convey three (3) unimproved lots to adjoining property owners for silviculture use. The property is located on High Rock Road in the R-40 zone. Two proposed lots are in Heidelberg Township.**

Andrew Brough represented this request. This plan had been previously reviewed as a preliminary.

Planners Black/Van De Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-08 – Andrew & Sharon Brough. Motion carried on a 6-0 vote.

**P02-09 – Michael Pullifrone Subdivision, 5 Tudor Court, Littlestown, PA 17340. A final subdivision to separate an existing duplex located at 361-365 Clover Lane. The property is located in the R-15 zone.**

There was no action taken on this plan.

**P02-10 – Gower Property Subdivision, Paul Pisula, 217 Frederick Street, Hanover, PA 17331. A final subdivision plan to create nine (9) new building lots on Regal and Arbor Lane. The property is located in the R-15 zone.**

Reg Baugher, Worley Surveying, represented this request. York County comments have been addressed. Zoning Officer Menges stated the street addresses on Regal Dr. would have to be changed.

Planners Scott/Baxter moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-10 –Gower Property Subdivision. Motion carried on a 6-0 vote.

The meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
JUNE 6, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on June 6, 2002 at the Penn Township Municipal Building. Also present were Planning Members Michael Johnson, Clayton Black, Fred Marsh, Ray Van de Castle and Jeffrey Baxter. Merle Dubbs had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

The July 4, 2002 meeting has been rescheduled for July 3, 2002 at 7:00 P.M.

Planning Members Marsh/Baxter moved that the minutes of the May 2, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-20 – Scott Haggerty, 60 Carson Avenue, Hanover, PA 17331. Applicant requests a variance to Section 202.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the setbacks. The property is located in the R-8 zone.**

Scott Haggerty and Rich Fogle, contractor, represented this request. The garage will be located off of the alley and the existing shed will be removed. Access to the garage will be from the alley. They are trying to locate the garage away from the bank that is in the yard. There are several existing garages that are approximately ten feet from the alley in this area. The garage will be used to house tools and they will continue to park their vehicles in the driveway.

Planners Baxter/Johnson moved for a favorable recommendation to the Zoning Hearing Board on case Z02-20, Scott Haggerty, requesting a variance to Section 202.3 (Area and Bulk Regulations) to allow construction of a garage that would encroach into the setbacks, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on 6-0 vote.

**Z02-21 – Edward & Margaret Tracey, 1 Larch Drive, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a patio roof that would encroach into the setbacks. The property is located in the R-15 zone.**

Edward and Margaret Tracey represented this request. The applicants presented a note from Dr. Kalaria that stated that Mr. Tracey could not sit in the direct sunlight. Zoning Officer Menges noted that about eight to ten feet of the backyard is useless because it is sloped. Mrs. Tracey presented a contract with Bon-Ton Builders that showed that Bon-Ton was supposed to have constructed a deck with a roof but instead they installed a concrete pad. There is an existing tree line on the edge of the property, which is partly owned by the applicants. It was suggested that an awning could be installed but the applicant stated that would not be practical because his house is located on a hill where the winds are higher than acceptable in order to avoid damage to the awning.

Planners Black/Marsh moved for a favorable recommendation to the Zoning Hearing Board on case Z02-21 – Edward and Margaret Tracey, requesting a variance to Section 203.3

(Area and Bulk regulations) to allow construction of a patio roof that would encroach into the setbacks, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 4-2 vote with Planners Scott and Baxter casting the dissenting votes.

**Z02-22 –Robert Wildasin, 250 Clover Lane, Hanover, PA 17331. Applicant requests a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a front porch that would encroach into the front setbacks.**

Robert Wildasin represented this request. There is an existing porch that is going to be replaced and the new porch will be extended across the addition that was added in 1986. The home was built within the setbacks in 1884. There was a block addition added in the 1940's but it does not have any windows for access out of the building in case of an emergency. The porch will allow the small children that occupy these rooms a chance to escape the building in case of fire or other emergency. The porch will be in the setback but will not extend out as far as the existing porch. The homeowner has owned the home for about ten years.

Planners Baxter/Van de Castle moved for a favorable recommendation to the Zoning Hearing Board on case Z02-22 Robert Wildasin requesting a variance to Section 203.3 (Area & Bulk Regulations) to allow construction of a front porch that would encroach into the front setbacks, as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on 6-0 vote.

**Z02-17-INTERSTATE DEVELOPMENT COMPANY, 2137 Volunteer Parkway, Bristol Tennessee, 37625. Applicant requests rezoning of a parcel on Carlisle Street from R-15 to S/C.**

Christine Shwamburger, Reager & Adler, attorney for the applicants, represented this case for Interstate Development Company. They are requesting the rezoning of the Hanover Cold Storage property to Shopping/Commercial. She stated that they have removed two parcels for consideration because one is not within the Township and the other is still being negotiated. Bob Shank, HRG and Mike Niedeffler, Interstate Development Company, were present to answer questions. Atty. Shwamburger gave an overview of the plan. There are approximately fifty-eight acres within Penn Township they are asking to be rezoned. York County comments were received and their recommendation was favorable.

Warren Debnam, tenant of Hanover Cold Storage, was concerned about the location of the Met-Ed power lines on the property. Mr. Shank stated that issue would be addressed during the land development phase of this project. Planner Van de Castle expressed concern about the storm water management requirements for the area. Chairman Scott stated that all these concerns would be addressed under land development. The current request is for the use only. Engineer Bortner stated that the flood plain boundaries were attached to York County comments.

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

The Planning Commission received the following waiver and exoneration requests:

Dave and Alice Myers request exoneration from installing public sidewalks on Maple Lane. This is an older subdivision with no existing sidewalks in the area.

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

Eisenhart Wallcoverings request a waiver of land development requirements to install a parking lot expansion at their property on Broadway. Engineer Bortner presented a sketch of what Eisenhart is proposing for the area. Zoning Officer Menges stated that the lot is in the process of being sold. It currently is being used by Crown Cork and Seal. Mr. Menges stated that he has received information from Blue Marlin Realty that part of the property is being leased back. There is still square footage available for other businesses and part of the reason for the request is to accommodate potential renters.

Planners Scott/Baxter moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this request. Motion carried on 6-0 vote.

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

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

There was no action taken on this plan.

**P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.**

There was no action taken on this plan.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

**P02-09 – Michael Pullifrone Subdivision, 5 Tudor Court, Littlestown, PA 17340. A final subdivision to separate an existing duplex located at 361-365 Clover Lane. The property is located in the R-15 zone.**

There was no action taken on this plan.

**P02-11 – Penn Township/Cornell Drive to Lot 112, 20 Wayne Avenue, Hanover, PA 17331. A final subdivision plan to convey a portion of cul-de-sac to lot 112 Countryside Estates. The property is located in the R-22 zone.**

Ted Decker, Group Hanover, Incorporated, represented this request. This plan is a reverse subdivision of a temporary cul-de-sac at the end of Cornell Drive to connect the new Cornell Drive in Grandview Heights.

Planners Baxter/Black moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-11 Penn Township/Cornell Drive to Lot 112. Motion carried on a 6-0 vote.

**P02-13 – Dale D. Dull, 839 W. Alvin Street, Hanover, PA 17331. A final reverse subdivision to combine two lots into one single family building lot. The property is located on Blooming Grove Road and Albright Drive in the R-15 zone.**

Reg Baugher, Worley Surveying, represented this request. York County comments were just received.

Planners Marsh/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on case P02-13 Dale D. Dull pending modification of the plan based on York County comments. Motion carried on a 6-0 vote.

**P02-14 – Cherry Tree Professional Center, Glenn Hartman, 300 Frederick Street, Hanover, PA 17331. A final land development plan for a new professional building located on Cherry Tree Court. The majority of the development is located in the Borough of Hanover with only paving being located in the Penn Township Industrial Zone.**

Ted Decker, Group Hanover Incorporated, represented this request. Hanover Borough is the taxing authority and only the parking lot will be located in the Township. The plan will go for final approval in the Borough on Wednesday.

Planners Black/Scott moved for a favorable recommendation to P02-14 - Cherry Tree Professional Center to the Penn Township Board of Commissioners. Motion carried on a 6-0 vote.

**P02-15 – Green Glen Produce Corp., Warren Debnam, P.O. Box 601, Hanover, PA 17331. A final land development plan for a warehouse facility located on Fame Avenue in the Industrial zone.**

Jim Long, First Capital Engineering, and Warren Debnam, applicant, represented this request. This is the initial review of this plan. Mr. Debnam has to move his current business because of the possible rezoning that will be taking place at his current location. The applicant will be asking for a five-year variance on paving the driveway to the lot because of the length of the driveway. The type of business he is conducting does not allow him to stock enough inventory to handle a temporary shut down. He presented pictures that showed existing parcels with the relief he is requesting for the driveway. The existing drive is not macadam. He will pave the employee parking area. There was some concern by the committee about the drive not being macadam because of the accessibility of emergency equipment. This request will have to be taken to the Zoning Hearing Board for a variance. The Commission would like Fire Chief Cromer to review the driveway to make sure emergency equipment can access the facility. York County comments have not been received.

**P02-16 – Wetzel Drive Subdivision, Conewago Enterprises, 660 Edgegrove Road, Hanover, PA 17331. A final resubdivision of four (4) existing lots located on the corner of Carlisle Street and Wetzel Drive in the H/B zone.**

Alan and Susanne Smith, Conewago Contractors, represented this request. There are five parcels that they wish to resubdivide into four parcels. The reason for some irregular shaped lots is because of proposed plans that the company has for the lots. They are trying to configure the lots so that they will be usable for these plans. The lots will be able to be sold to individual property owners. York County comments have not been received.

The meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary



PENN TOWNSHIP PLANNING COMMISSION  
JULY 3, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on July 3, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Clayton Black, Fred Marsh, Ray Van de Castle and Jeffrey Baxter. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Scott/Baxter moved that the minutes of the June 6, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-23 – Charles R. Nell, Jr., 2928 Hanover, Pike, Hanover, PA 17331. Applicant requests a variance to Section 207.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the side and rear setbacks. The property is located at 592 Baltimore Street in the S/C zone.**

Charles R. Nell, Jr. represented this request. Zoning Officer Menges stated that most of the garages in this area are on the property line or are within one to three feet of the rear and/or side property line. The applicant will have off street parking for the residents of his rental units but the garage will be used for storage.

Planners Scott/Marsh moved for a favorable recommendation to the Zoning Hearing Board on case Z02-23 Charles R. Nell, requesting a variance to Section 207.3 (Area & Bulk Regulations) to allow construction of a garage that would encroach into the side and rear setbacks as it meets the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 7-0 vote.

**Z02-24 – Tim & Susan McKercher, 375 Park Heights Boulevard, Hanover, PA 17331. Applicants are requesting a special exception to Section 203.2 (Use) to operate a child day care in their home. The property is located in the R-15 zone.**

The applicant requested that this case be put on hold because of a death in the family.

The Planning Commission received the following waiver and exoneration requests:

Eisenhart Wallcoverings requests a waiver of land development requirements to install a parking lot expansion at their property on Broadway and the Board of Commissioners previously denied this request. Joshua George, C.S. Davidson, explained the reason for the request and detailed what the applicants want to do. They asked the Planning Commission to reconsider their recommendation to the Board of Commissioners. He explained the previously approved 1994 land development plan and how it affects what they are requesting. Mr. George stated that

he has worked with Engineer Bortner to correct stormwater management concerns. Engineer Bortner stated that he was comfortable with the stormwater management plan they had submitted.

Planners Baxter/Black moved for a favorable recommendation to the Penn Township Board of Commissioners to exonerate C.S. Davidson from a land development plan for Eisenhart Wallcoverings. Motion carried on 7-0 vote.

Mummert Enterprises is requesting waivers to the sidewalk requirements and naturalization area on the approved Morningstar Development Plan.

Tim and Gary Mummert of Mummert Enterprises represented this request. They would like a waiver from installing sidewalk along Breezewood Drive because it would create a hardship to maintain. Tim Mummert explained that these properties are duplexes and most likely will be owned by older citizens who will have difficulty getting to the sidewalk area because of the slope of the hill. He also is concerned about the safety of school children who will proceed in the areas where there are sidewalks but the Morningstar sidewalk will end and there is no continuation into Hall Estates. The property is already graded for sidewalks in the area.

Planners Black/Van de Castle moved for an unfavorable recommendation to the Board of Commissioners on a waiver to the sidewalk on the approved Morningstar Plan. Motion carried on a 7-0 vote.

Tim and Gary Mummert also represented the naturalization waiver request. The current plan requires bushes and trees to be planted in the area. Tim Mummert stated that this area is basically unmowable. There was some discussion on why this was made a naturalization area. Zoning Officer Menges stated that it was probably done to match up with the Environmental Center that the South Western School District owns on the other side of the street. Engineer Bortner stated that something needs to be planted there that does not require maintenance.

Planners Dubbs/Scott moved for a favorable recommendation on this request to the Board of Commissioners once Mummerts provide a satisfactory plan for vegetation growth in this area with the Township Engineer. Zoning Officer Menges noted that the agreement should state that the items should be planted during a growing season since the current area is stabilized with grass. Motion carried on a 7-0 vote.

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

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

There was no action taken on this plan.

**P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.**

There was no action taken on this plan.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

**P02-09 – Michael Pullifrone Subdivision, 5 Tudor Court, Littlestown, PA 17340. A final subdivision to separate an existing duplex located at 361-365 Clover Lane. The property is located in the R-15 zone.**

Zoning Officer Menges stated that this plan has been changed to Maria Prusakowski because she bought out Michael Pullifrone. The Township has a copy of the deed. Ronald Carter represented this request. York County Comments were reviewed and addressed. There will be two separate water and sewer services brought into the property.

Planner Marsh/Johnson moved for a favorable recommendation to the Board of Commissioners on this plan. Motion carried on a

**P02-15 – Green Glen Produce Corp., Warren Debnam, P.O. Box 601, Hanover, PA 17331. A final land development plan for a warehouse facility located on Fame Avenue in the Industrial zone.**

There was no action taken on this plan.

**P02-16 – Wetzel Drive Subdivision, Conewago Enterprises, 660 Edgegrove Road, Hanover, PA 17331. A final resubdivision of four (4) existing lots located on the corner of Carlisle Street and Wetzel Drive in the H/B zone.**

Susanne Smith, Conewago Contractors, represented this request. York County Comments were just received and have not been addressed. Zoning Officer Menges noted that Engineer Bortner has talked to Gerry Funke at Conewago about the storm water calculations and a copy of Adams County Planning comments were provided.

Planners Dubbs/Marsh moved for a favorable recommendation to the Board of Commissioners on this plan pending final approval by Engineer Bortner or Zoning Officer Menges addressing all the concerns on County comments. Motion carried on a 6-1 vote with Member Black casting the dissenting vote.

**P02-17 – Bookspan, 501 Ridge Avenue, Hanover, PA 17331. A final land development plan for truck parking and loading area expansion on Center Street. The property is located in the Industrial Zone.**

Pat Buhl, Worley Surveying, represented this request. York County comments have been received. Mr. Buhl stated that they are proposing two small building additions and three parking areas for Bookspan. The existing storm water management pond can handle the increased runoff created by this project. Engineer Bortner is satisfied with the plan. Current impervious lot coverage is about twelve percent.

Planners Black/Van de Castle moved for a favorable recommendation to the Board of Commissioners on this plan. Motion carried on a 7-0 vote.

**P02-18 – Martin’s Ridge, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary subdivision plan for a twenty-three (23) lot residential development on the corner of Beck Mil and Grandview Road. The property is located in the R-22 zone.**

Pat Buhl, Worley Surveying, represented this request. This is an initial review of the plan. Chairperson Donna Scott removed herself from discussion on this plan and turned the meeting over to Vice-Chairman Baxter. There was some discussion that the proposed lot sizes because they do not meet current Township requirements. Engineer Bortner stated that he would prefer that this development not have a cul de sac street but the proposed grading on the street prevents it from being joinable to a future street. There was some discussion about the site distances of the proposed driveways and their location in relation to the driveways that are across the street. The Recreation Board is requesting land adjacent to the Community Park in lieu of fees. There was concern about the note on the plan that was not removed from a previous plan.

The meeting was adjourned at 8:29 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
AUGUST 1, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on August 1, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Clayton Black, Fred Marsh, and Ray Van de Castle. Planners Jeffrey Baxter and Michael Johnson had excused absences. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planner Black stated that the minutes on page three under the Michael Pullifrone Subdivision should read "motion carried."

Planning Members Scott/Marsh moved that the minutes of the July 3, 2002 meeting be approved as corrected. The motion carried unanimously.

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

**Z02-24-TIM & SUSAN MCKERCHER, 375 Park Heights, Boulevard, Hanover, PA 17331. Applicants are requesting a special exception to Section 203.2 (Use) to operate a child day care in their home. The property is located in the R-15 zone.**

Tim and Susan McKercher represented this request. The applicants are requesting a special exception to operate a group day care home with one employee. They will have up to twelve unrelated children at the facility. Ms. McKercher has Labor and Industry approval and criminal and child abuse clearances. Planner Scott informed the McKercher's that they are required to have a fenced-in yard that will provide sixty-five square feet of play space for each child, have two off-street parking spaces for picking up and dropping off children and the facility will have to be inspected by the Department of Welfare prior to opening. The facility will be open from 6:30 A.M. to 6:00 P.M. Monday thru Friday. The applicants will not have a sign.

Planners Black/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-24 Tim & Susan McKercher, requesting a special exception to Section 203.2 (Use) to operate a child day care in their home, providing they install a fence and comply to all state laws, as the request meets the requirements for a special exception set forth in Section 503.6 A-E. Motion carried on a 4-1 vote with Planner Van de Castle casting the dissenting vote.

Planner Scott informed the applicants that they will have to provide the Township a copy of their annual license so that the Township knows that the facility is operating.

**Z02-25 – ELEANOR DECK, R.D. #3, Tamarind Drive, Spring Grove, PA 17362. Applicant is requesting a special exception to Section 203.2 (use) to operate a personal care facility in the R-15 zone. The property is located at 3101 Grandview Road.**

Debbie Scheffler represented this request because Ms. Deck had been called out of town due to a family emergency. The applicant is requesting to operate a personal care facility and there is an agreement of sale for the property. Ms. Scheffler explained that a personal care facility is similar to a group home/assisted living home since all activities, including spiritual, are provided to the residents. The residents, however, do not require skilled care and will be removed and taken to a skilled care facility if they need such service. There is twenty-four hour care provided but all the residents are ambulatory and can come and go if they choose and are able. There are state guidelines that regulate how many individuals will reside in the home and what and how many activities are provided. The fellowship hall will be used for dining and group activities. There are several agencies that govern the way the facility is operated and these include the Department of Welfare and the Office of Aging.

Zoning Officer Menges stated that this could be a use by right and needs to check with York County Planning.

Planners Marsh/Scott moved for a favorable recommendation on case Z02-25 – Eleanor Deck, requesting a special exception to Section 203.2 (Use) to operate a personal care facility in the R-15 zone, as it meets the requirements for a special exception set forth in Section 503.6 A-E. Motion carried on a 4-0 vote with Planner Black abstaining.

**Z02-26 – FAME AVENUE PARTNERSHIP, P. O. Box 601, Hanover, PA 17331. Applicant is requesting a variance to Section 306.6 (Access Drives) to delay paving of specified areas for five (5) years. The property is located on Fame Avenue in the Industrial Zone.**

Warren Debnam one of the partners of the Fame Avenue Partnership represented this request. Mr. Debnam is asking for a five-year waiver from paving the access drive for his property on Fame Avenue. He stated that he is being forced to relocate because of the proposed commercial adventure occurring on the Hanover Cold Storage property. He projects that an expansion may occur in the five-year period and the partnership would address paving the facility at that time. It was noted that the Fire Chief prefers to have accesses paved to better accommodate emergency equipment.

Planner Dubbs was willing to present a compromise to this situation. Mr. Dubbs stated that he would be in favor of paving the employee parking lot and allowing a waiver of five years for the rest of the paving.

Planners Marsh/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-26 – Fame Avenue Partnership requesting a delay to pave the access drives and employee parking areas. The Board recommends a delay of no more than five years and that the applicant post a bond with the Township to guarantee the completion of the work. Motion carried on a 3-2 vote with Planners Dubbs and Scott casting the dissenting votes.

**Z02-27 – RONALD BARRICK, 405 ½ Frederick Street, Hanover, PA 17331.**

**Applicant is requesting a variance to Section 206.3 (Area & Bulk Regulations) to separate an existing duplex that does not meet required setbacks. The property is located in the A/O zone.**

Ronald Barrick represented this request. The applicant wishes to subdivide an existing duplex that does not meet the current setbacks and when subdivided it will not meet the front and side setbacks. Mr. Barrick has owned the property about ten years.

The applicant will have to create two unique deeds when the property is subdivided because of the layout of the existing house. He showed the current plan of the house and explained how he intends to subdivide it.

The applicant provided an explanation of all the requirements that need to be satisfied in the Township Zoning Ordinance section 502.3 A-F.

Planners Dubbs/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing on Z02-27 – Ronald Barrick, requesting a variance to Section 206.3 (Area & Bulk Regulations) to separate an existing duplex that does not meet required setbacks as it meets the requirements for variance as set forth in section 502.3 A-F. Motion carried on a 5-0 vote.

**Z02-28 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331.**

**Applicant is requesting a variance to Sections 203.2 (Use) and 203.3 (Area & Bulk Regulations) to construct a six (6) unit townhouse on Squire Way. The property is located in the R-15 zone.**

Reg Baugher of Worley Surveying and Tom Miller of Miller and Shultis represented this request. Zoning Officer Menges explained that similar plans had been presented several times to the Zoning Hearing Board.

Reg Baugher stated that the majority of the lot is in the R-15 zone while the remainder is in the HB zone. The applicant is proposing one-story town house units with a garage. The homes will be designated for people fifty-five and over and will be in a price range of \$130,000. These are similar to the existing homes in Hanover Borough on Randolph Street. The property is 1.3 acres and was initially designated for commercial use.

Planners Black/Dubbs moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z02-28 – Bon Ton Builders, requesting a variance to Sections 203.2 (Use) and 203.3 (Area & Bulk Regulations) to construct a six (6) unit town house on Squire Way, as it does not meet the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 4-1 vote with Planner Marsh casting the dissenting vote.

The Planning Commission did not receive any waiver and exoneration requests.

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

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

There was no action taken on this plan.

**P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.**

There was no action taken on this plan.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

**P02-15 – GREEN GLEN PRODUCE CORP., Warren Debnam, P.O. Box 601, Hanover, PA 17331. A final land development plan for a warehouse facility located on Fame Avenue in the Industrial zone.**

There was no action taken on this plan.

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

There was no action taken on this plan.

**P02-19 –GTY, INC., P.O. Box 5166, York, PA. A final resubdivision of lot #4 for Industrial use. The property is located on Fame Avenue in the Industrial Zone.**

Sean Schuman represented this request. This property had been previously subdivided but they are resubdividing another lot off the property.

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



**P02-20 – WETZEL DRIVE LAND DEVELOPMENT, Conewago Enterprises, 660 Edgegrove, Road, Hanover, PA 17331. A preliminary/final land development plan for a proposed shopping center on the corner of Wetzel Drive and Carlisle Street. The property is located in the H/B zone.**

There was no action taken on this plan.

Mary Minor, 1250 Westminster Avenue, addressed the Commission about the level of development within the Township and the effect on the local water supply. She explained the need for watershed protection in the area. She stressed that the Township should pursue low impact development. She also expressed concern about the proposed Rojen Plan and the effect it will have on traffic in the area. Chairman Scott informed Ms. Minor that this is just an advisory board and she should address her concerns to the Commissioners at their public meeting. Ms. Scott also informed her that comments can be made during the review of plans but the Commission may limit the amount of time each individual is allowed to speak.

Zoning Officer Menges informed Ms. Minor of the process used by the Township in approving plans and indicated that we are governed by the regulations of the PA Municipalities Planning Code.

The meeting was adjourned at 8:29 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
SEPTEMBER 5, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on September 5, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Jeffrey Baxter, Clayton Black, Fred Marsh, and Ray Van de Castle. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Black/Marsh moved that the minutes of the August 1, 2002 meeting be approved as submitted. The motion carried unanimously.

Chairperson Scott stated that each of the members have been provided copies of the proposed ordinance changes that will be discussed at future meeting. On October 3, 2002 they will discuss the changes to the Subdivision/Land Development Ordinance. At the conclusion of this meeting they will set the date for the public hearing for the Zoning Ordinance and map.

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

**Z02-29 – IVAN C. DUTTERER, INC. 115 Ann Street, Hanover, PA 17731. The applicant is requesting a variance to Section 610 (Expansion of a Nonconformity) and a special exception to Section 407.2 (Expansion & Alteration) to construct an addition to a residential structure for office use. The property is located at 730 McAllister Street in the R-8 zone.**

Whitney Coombs and Rick Sass, owners of Ivan C. Dutterer, Inc. represented this request. There is an agreement of sale contingent upon zoning approval. The applicants would like to take the existing residential property at 730 McAllister Street and use the home for business offices for the company. Mr. Coombs stated that the business originated at the residence but was later moved to its existing location on Ann Street but it is land locked which would prevent expansion. There is an alley way between the business and the existing house. They will use both the house and the garage but will remove the existing carport. They plan on removing the exterior rear wall to extend the home and plan to maintain the residential look of the home. The current driveway will be used for visitor parking and employees will park at the current parking lot on O'Neill Avenue. There would be no on street parking for employees. They want to maintain the environment of the community. There are existing fruit trees on the property that will not be removed. They will be acquiring three lots. This may allow them to add three to five employees.

Planners Black/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-29 Ivan C. Dutterer, Inc. requesting a variance to Section 610 (Expansion of a Nonconformity) and a special exception to Section 407-2 (Expansion & Alteration ) to construct an addition to a residential structure for office use as it meets the

requirements for a variance as set forth in Section 502.3 A-F. It also meets the requirements for a special exception as set forth in Section 503.6 A-E. Motion carried on 7-0 vote.

**Z02-31-RONALD B. BARRICK, 405 ½ Frederick Street, Hanover, PA 17331. Applicant requests a variance to Section 206.3 (Area & Bulk Regulations) to separate an existing duplex that does not meet the required setbacks. The property is located in the A/O Zone.**

Ronald Barrick represented this request. The Planning Commission reviewed this case at its August 2002 meeting. Subsequent to the Planning meeting the applicant failed to appear before the Zoning Hearing Board. He resubmitted his application. Chairperson Scott reviewed the facts that had been presented at the August meeting for the benefit of those members that had been absent.

Planners Marsh/Scott moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-30 – Ronald B. Barrick requesting a variance to Section 206.3 (Area & Bulk Regulations) to separate an existing duplex that does not meet required setbacks at it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on 7-0 vote.

**Z02-31-ROBERT HARRINGTON, 719 Pumping Station Road, Hanover, PA 17331. The applicant is requesting a variance to Section 208.2 (Use) to operate an auction house at 877 York Street. The property is located in the H/B zone.**

There was no one present to represent this request.

Planners Scott/Van de Castle moved that the applicant be required to submit a new application and present his case before the Planning Commission before they make a recommendation to the Zoning Hearing Board. Motion carried on a 7-0 vote.

**Z02-32-MARK EATON, 574 Blooming Grove Road, Hanover, PA 17331. The applicant is requesting a special exception and a variance to Section 311 (Street Access) to allow for a three (3) lot subdivision at 574 Blooming Grove Road. The property is located in the R-40 zone.**

Mark Eaton represented this case. He would like to create three new building lots to construct a new home. The case had previously been submitted to the Zoning Hearing Board. Parcel 90A is a 1.13 acre lot that is currently land locked. Parcel 90 is also owned by Mr. Eaton and there is a right-of- away given that he would like to extend to include lot 90A. Mr. Eaton is living in the existing home but he would like to subdivide that lot to .67 acres because it has public utilities. He will be using the existing well for the new home. He has an approved plan for two lots but would like to change it to three. If approved there would be four lots. The one new lot would be less than an acre of land that is required in the R-40 zone. There are several other properties in the area that do not meet the one-acre requirement. The existing twelve-foot alley would be widened to fifteen feet. The property owner of the 1.3 acre lot would be

responsible for maintaining the access as is currently stated in the deed. Mr. Eaton explained that currently he has one deed for these properties but it has five tracts and he is trying to eliminate some of the confusion of the deed.

Planners Black/Johnson moved for a favorable recommendation the Penn Township Zoning Hearing Board on case Z02-32 –Mark Eaton requesting a special exception and a variance to Section 311 (Street Access) to allow for a three (3) lot subdivision as it meets the requirements for a special exception as set forth in Section 503.6 A-E. It also meets requirements for a variance as set forth in Section 502.3 A-F. Motion carried on 7-0 vote.

The Planning Commission received the following waiver and exoneration requests:

Miller & Shultis on behalf of Bon Ton Builders are requesting a waiver from Section 506 of the Subdivision and Land/Development Ordinance requiring a specific distance between intersections for their plan known as South View Estates.

Tom Miller, Miller & Shultis, and Reg Baugher, Worley Surveying represented this request. Mr. Miller explained that there are special exception uses that would generate more traffic than the residential uses that would generate 110 vehicle trips. He explained Bon Ton Builders did attempt to acquire additional property to create an acceptable access. The plan conforms to all other ordinances. The Planning Commission expressed concern about the traffic that would be generated from an eleven home subdivision on this lot with this type of intersection.

Planners Dubbs/Scott moved for an unfavorable recommendation to the Penn Township Board of Commission on Miller & Shultis requesting a waiver from Section 506 of the subdivision and land development ordinance requiring a specific distance between intersections for South View Estates. Motion carried on a 7-0 vote.

Conewago Enterprises is requesting exoneration from a land development plan for the additional paving at Liberty Nissan, Inc.

Dave Donharl, Conewago Enterprises represented this request. The majority of this lot is within Conewago Township and the storm water is designed to enter into the stormwater pond in Conewago Township.

Planners Baxter/Scott moved for a favorable recommendation to the Penn Township Board of Commissioners on Conewago Enterprises requesting exoneration from land development plan for additional paving at Liberty Nissan, Inc. Motion carried on a 7-0 vote.

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

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

There was no action taken on this plan.

P02-03 – BRUCE L. JONES, 35 Spring Garden Street, Hanover, PA 17331. A final land development plan to show a 14' x 35' building addition. The property is located in the H/B & Industrial Zone.

Reg Baugher, Worley Surveying, represented this request. Mr. Baugher stated that grading on the previous plan has been completed to the Engineer's satisfaction.

Planners Scott/Dubbs moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-03 – Bruce L. Jones. Motion carried on a 7-0 vote.

P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.

There was no action taken on this plan.

P02-15 – GREEN GLEN PRODUCE CORP., Warren Debnam, P.O. Box 601, Hanover, PA 17331. A final land development plan for a warehouse facility located on Fame Avenue in the Industrial zone.

Warren Debnam, and Jim Long, First Capital Engineering, represented this request. Mr. Long stated that a Zoning Hearing Board has granted a variance to the paving of the access drives.

Planners Scott/Black moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-15 – Green Glen Produce Corporation.

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

There was no action taken on this plan.

P02-20 – WETZEL DRIVE LAND DEVELOPMENT, Conewago Enterprises, 660 Edgegrove, Road, Hanover, PA 17331. A preliminary/final land development plan for a

proposed shopping center on the corner of Wetzel Drive and Carlisle Street. The property is located in the H/B zone.

There was no action taken on this plan.

P02-21 – HAWK CREEK LABORATORY, Conewago Enterprises, Inc. 660 Edgegrove Road, Hanover, PA 17331. A final land development plan for a manufacturing facility located at 9 Barnhart Drive in the Industrial Zone.

Dave Donharl, Conewago Enterprises, and Franklin Crone, co-owner Hawk Creek Laboratory represented this request. The facility will be about 10,000 square feet with the possibility of future expansion. There is a fifty-foot natural gas right of way on the property. The company manufactures testing kits and has been operating in West Manheim since the early eighties. They currently have 16 employees. There are no waste products but they do store chemicals on the property. Stormwater management requirements have been meet assuming eighty percent lot coverage. There is currently twenty parking spaces on the plan.

York County comments have been addressed.

Planners Dubbs/Scott moved for a favorable recommendation to the Penn Township Board of Commissioners on case P02-21 Hawk Creek Laboratory. Motion carried on a 7-0 vote.

Planning Commission set the Public Hearing for the proposed Zoning Ordinance and Map on October 23, 2002 at 7:00 P.M.

The meeting was adjourned at 8:47 P.M.

Respectfully submitted,

Kristina Rodgers  
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
OCTOBER 3, 2002

Chairman Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on October 3, 2002 at the Penn Township Municipal Building. Also present were Planning Members Michael Johnson, Jeffrey Baxter, Clayton Black, Fred Marsh, and Ray Van de Castle. Planner Merle Dubbs had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Marsh/Baxter moved that the minutes of the September 5, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-32-MARK EATON, 574 Blooming Grove Road, Hanover, PA 17331. The applicant is requesting a special exception and a variance to Section 311 (Street Access) to allow for a three (3) lot subdivision at 574 Blooming Grove Road. The property is located in the R-40 zone.**

Mr. Eaton had requested that the Zoning Hearing Board hold his case for an additional month because he was unable to attend the September Zoning Hearing Board meeting. The Planning Commission took no action on this case because they already made a recommendation in September.

**Z02-33 – ELISE FOX, 591 Spring Avenue, Hanover, PA 17331. The applicant is requesting a variance to Section 202.3 (Area & Bulk Regulations) to allow a roof over an existing cement slab that would encroach into the setbacks. The property is located in the R-8 zone.**

Elise Fox represented this request. She is requesting to put a roof over an existing concrete slab in her front yard so that it is protected from the weather and allows her better access in the winter months. The roof will create a small porch on the front of her house.

These homes were built in the late eighties and had a thirty-foot setback requirement. The house is thirty feet back from the rear of the sidewalk. Zoning Officer Menges stated that there are other roofs over their slabs in this development. Ms. Fox has owned the property for almost two years.

Planners Johnson/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-23 Elise Fox requesting a variance to Section 202.3 (Area & Bulk Regulations) to allow a roof over an existing cement slab that would encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on 6-0 vote.

**Z02-34 – HAROLD R. SHULER, 923 S. Franklin Street, Hanover, PA 17331. The applicant is requesting a variance to Section 202.3 (Area & Bulk Regulations) to construct a garage that would encroach into the setbacks. The property is located in the R-15 zone.**

Harold R. Shuler represented this request. Mr. Shuler would like to construct a carport that would encroach into his front and side setbacks. The carport would extend past his existing house into the front yard and will be located about six feet from his side property line. The carport will be even with the existing trees in Mr. Shuler's front yard. There is a garage attached to his house. There is no other property in the neighborhood with this configuration.

Planners Black/Scott moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z02-34 – Harold R. Shuler requesting a variance to Section 202.3 (Area & Bulk Regulations) to construct a garage that would encroach into the setbacks as it does not meet the requirements for a variance as set forth in section 502.3 A-F. Motion carried on a 5-1 vote with Planner Johnson casting the dissenting vote.

**Z02-35 – STEVE & MELISSA SCHEIVERT, 1674 Taylor Drive, Hanover, PA 17331. Applicants are requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that would encroach into the setbacks. The property is located in the R-15 zone.**

Steve Scheivert represented this request. The applicants would like to construct a two-car garage next to their home. They would need to encroach into the side setback by three feet. The other side yard is fifteen feet from the property line. The garage would be even with the existing house. Mr. and Mrs. Scheivert are the original owners of the house. They had informed the builder that they intended to add a garage in the future but the house was not ultimately positioned so that it could be done. There is an existing driveway that is eighteen feet wide.

Planner Scott/Johnson moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-35 – Steve & Melissa Scheivert requesting a variance to Section 203.3 (Area & Bulk Regulations) to construct a garage that would encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on a 6-0 vote.

The Planning Commission received the following waiver and exoneration requests: None

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

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

There was no action taken on this plan.



**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

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

There was no action taken on this plan.

**P02-20 – WETZEL DRIVE LAND DEVELOPMENT, Conewago Enterprises, 660 Edgegrove, Road, Hanover, PA 17331. A preliminary/final land development plan for a proposed shopping center on the corner of Wetzel Drive and Carlisle Street. The property is located in the H/B zone.**

Allen and Suzanne Smith represented this request. York County comments have been received. It was noted that this plan has been seen several times including the subdivision of the lots. The Commission also saw the plan for the bank and the access road. Mr. Smith stated that the reason the plans were broken out was because the bank was on a tight timeline and they will be opening about the first of December.

Planners Baxter/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-20 – Wetzel Drive Land Development.

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

Ted Decker of Group Hanover represented this request. This was the initial review of the plan. The Commission addressed York County Comments and Engineer Bortner’s comments. This development is adjacent to the Penn Township Community Park and the proposed High Pointe at Rojen and Martin’s Ridge development. The Recreation Board will be interested in obtaining land to extend the existing Community Park.

There are several roads within the proposed development that will connect to existing or proposed road and they include Pearl Drive, Bair Road and Tyler Drive. The developers plan to widen Bair road along their lot frontage. Engineer Bortner had some concern about lots 90 and 92. He was concerned about the bends in the road around these lots, about sight distance and future development on the adjoining tracts of land. Mr. Bortner expressed some concern about lots 119 and 120 and suggested that they be reconfigured to match more closely to lots 54 and 55.

There was some concern about the wetlands in this area especially lot 111 and there is a plan that shows the effect of the wetlands on this lot. There is a spring on lot 76.

There is concern about the traffic that will be generated on Bair Road because it is the main road in and out of the development. It was suggested that the developers talk to Fire Chief Cromer about the street name "Tyler Drive" because there is already a "Taylor Drive" within the Township.

There was some concern about a possible "sinkhole" on the plan. It is not believed to be an actual sinkhole but there was some concern about what it represented.

There was some discussion on proposed grinder pumps on Pearl Drive because it is not easy to tie into public sewer. Engineer Bortner stated that there could be a redesign of the cul-de-sac and change in the grade that might facilitate getting public sewer to the area.

There was some discussion about the possibility of a traffic study and that the Rojen study did not take into account the effect of this proposed development on the surrounding roads. There was discussion by the Commission that they would rather see the developer use the money to fix Bair Road than to conduct a traffic study that will tell them that the road will need improvements.

There was some discussion about the existing gas line and how it passes through the proposed development.

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

Reg Baugher, Worley Surveying, represented this request. This is the initial review of the plan. York County Comments have been received. There was some discussion about where the sewer will be located for the four lots. The lots will have sidewalk and curbing. There was some discussion about moving the house that is immediately in front of the t-intersection.

#### **SUBDIVISION LAND DEVELOPMENT UPDATE**

Planners Scott/Marsh moved for a favorable recommendation to York County Planning on the proposed changes to the Penn Township Subdivision and Land Development Ordinance.

The Planning Commission will be holding a public hearing on October 23, 2002 at 7:00 P.M. to discuss the proposed Zoning Ordinance changes.

The meeting was adjourned at 8:26 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
PUBLIC HEARING  
OCTOBER 23, 2002

Chairman Donna Scott called a Public Hearing of the Penn Township Planning Commission to order at 7:00 P.M. on October 23, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Clayton Black, Fred Marsh, and Ray Van de Castle. Planner Jeffrey Baxter had an excused absence. Also present were staff members Zoning Officer John Menges, Township Engineer Eric Bortner and Manager Jeffrey Garvick.

Chairman Scott stated that the purpose of the meeting is to review and consider the proposed Zoning Ordinance and Map. The public hearing was properly advertised in the Hanover Evening Sun.

Chairman Scott turned the meeting over to Matthew Sauers, Gannett Fleming, consulting engineer, to review the changes in the proposed ordinance compared to the current ordinance. The following changes have been made to the proposed ordinance.

Section 103

Removing definitions from Zoning Ordinance – adopting separate “Ordinance of Definitions”

Section 200

Added three (3) zones:

Institutional (INS): A zone to accommodate institutional development such as public buildings, churches, libraries, schools, etc.

Steep Slope Protection Overlay (SPP): A zone to conserve and protect those areas having slopes and steep terrains.

Rural Conservation (R-C): A zone to encourage conservation of natural features such as watersheds, forests, watercourses and open spaces.

Section 301

Will be adopting a separate Lighting Ordinance. Removed Outdoor Lighting from Zoning Ordinance except by reference.

Section 319

Adopting Performance Standards regarding noise, air pollution, heat, vibration, etc.

Section 320

Adopting regulations governing Parking of Commercial Vehicles in Residential Districts.

Section 321

Adopting regulations regarding Timber Harvesting.

Adopting Standards for Special Exception for:

Section 608: Communication Towers

Section 609: Confined Livestock Operations

Section 614: Golf Course

Section 629: Power Generation Facilities/Generators

#### Summary of Changes on Proposed Zoning Map

The zoning map has been modified to reflect zones delineated by using actual property lines in lieu of estimated or arbitrary lines across panels.

- (1) Increase SC, I at old airport property between Broadway & Moulstown
- (2) Rezone Homewood from R-8, R-15 to A-O
- (3) Increase SC at Hanover Hospital property west of Baltimore Street
- (4) Churches, schools, cemeteries, public buildings, etc. are now zoned Institutional
- (5) The east side of Baltimore Street from Baer Avenue to Grace Street is proposed Highway-Business
- (6) The A-O on the east side of Route 116 between Littleton and Grandview Road is now proposed Industrial.
- (7) The new R/C zones located at the far north and east will replace much of the existing R-40.
- (8) The current R-40 along Indian Run is now proposed R-22.
- (9) HB has now replaced much of the A-O along Frederick Street from Adams County Line to Westminster Avenue.
- (10) The R-15 and R-22 between the Hanover Borough Line and Flickinger Road is now proposed R-40.
- (11) The R-15 and R-40 from Taylor Drive east to the Heidelberg Township Line is now proposed R-22.

Manager Garvick stated that once the Commission made its recommendation to the Penn Township Board of Commissioners the plan would be sent to York County for their review and comments. Once comments are received which will take about forty-five days then the Commissioners would hold a public hearing on the ordinance and map.

Clare Bange, 815 Broadway, expressed concern about the limitations being set on the properties in the northern portion of the Township. These properties are being changed from R-40 to R/C, Rural Conservation, and that means there will be restrictions on the number of lots that can be created. Mr. Bange wanted to know if this would be profitable to the Township because it will create homes that are farther apart. Manager Garvick stated that the purpose of the zone was to limit growth in the area.

Chairman Scott then asked for questions and comments from the Planning Commission.

Planner Black expressed several concerns. The first was he wanted to know the goal of the Institutional zone. He expressed concern about why a hospital was not included in the zone. Manager Garvick stated that an institutional zone was included in the plan for existing uses such

as churches and schools which would provide them with their own zoning requirements. This would make it easier for them if they want to expand or do alterations because they would have to conform to the requirements of the institutional zone and not the surrounding zone.

Mr. Black expressed some concern about what was the point of the steep slope protection zone. He was concerned about the fifteen percent slope which would not allow mass grading. Manager Garvick stated that in most cases those areas are not workable and the goal is not to cram something into an area that would not work. Planner Black was concerned that in certain instances an area could be graded to allow the plan to work. Manager Garvick stated they would have the same avenues of relief as anyone else that wants a change to something in the ordinance.

Mr. Black was concerned because the new ordinance provides for an increase in almost all the types of parking spaces. Manger Garvick stated that Gannett Fleming provided that Township with the standard for parking for all the defined uses. It was noted that the size of the parking space was set at 200 square feet. That is standard among most municipalities. There was some discussion that some businesses now only use their parking lot to the maximum on special occasions such as the holiday season. Other businesses use part of their parking spaces for seasonal displays such as flowers or fireworks that prevent them from being used as parking spaces and in some instances cause problems with ingress and egress. Zoning Officer Menges stated that he has had problems with displays that he has to watch on a regular basis. The Planners requested that any use must have the required minimum parking at all times. They also would like it any variations to the parking requirements to be noted on the plan.

Mr. Black also wanted an explanation as to why there was an increase in the minimum habitable floor area. Zoning Officer Menges stated that was now required by the state's Municipalities Planning Code.

Mr. Black was concerned about the section pertaining to performance standards. He wanted to know who would measure the standards. Manager Garvick reported that if it would come to requiring the measurement of sound, heat, vibration, etc. the Township would have to contract with someone to come in and perform the measurements. The numbers are industry standards for each application. Matt Sauers, Gannett Fleming, stated that each one is referenced as to where the standard was taken from.

Mr. Black asked for an explanation of what was meant by the heat standard. He was concerned about overzealous neighbors pursuing certain issues. Planner Dubbs recollected that there was a situation where a convenience store was installed and a freezer unit was positioned in the direction of a residential neighborhood.

Mr. Black was concerned about the ordinance stating that all nonconforming lights would have ten years to conform. He felt that such lights should be replaced upon notification. The other planners agreed.

Mr. Black wanted to know if heliports were subject to the noise ordinance. Zoning Officer Menges stated that they would be.

Bed and Breakfasts have been limited to the R-40 zone. The ordinance states that it would require both public water and public sewer but this is not available in the R-40. The reference to public sewer/water will be stricken.

Mr. Black expressed concern that there were no parking regulations for Golf Courses. Zoning Officer Menges stated that it would be included as other recreational establishments because it has employee on maximum shift. The Planners recommended that it be at least eight parking spaces per hole.

Mr. Black also wanted to know if the communication tower regulations followed the FCC guidelines. Those guidelines were taken into consideration when the ordinance was written.

Planner Dubbs wanted to make sure that zoning districts would follow lot lines and do not bisect lots.

Mr. Dubbs requested an explanation of an overlaying zoning district. Manager Garvick explained that where these zones existed the requirements of that zone would include the requirements of both zones. The Zoning Officer will make the determination with the help of a professional.

Mr. Dubbs had questions concerning the asphalt material requirement. Manager Garvick stated that they wanted to prevent driveways that are tar and chipped. There have been some requests lately for driveways with concrete pavers. Manager Garvick stated that the Township wants to prevent driveways from breaking up prematurely.

Mr. Dubbs was concerned about driveways for single family homes since there has been some interest in sharing driveways for homes that front certain streets.

Commissioner Dubbs expressed concern about underground storage tanks. He would like to require that they would be double lined to protect ground water. Zoning Officer Menges stated that the Township couldn't mandate this because the State Department of Environment of Protection controls it. The Township staff will look into what is required.

David Zinn, 31 Cornell Drive, objected to the idea of shared driveways because it may cause animosity among neighbors. He also would like to see a bike path in the area of the Township Community Park.

The Planners were concerned about adequate parking for certain businesses within the Township. Manager Garvick and Zoning Officer Menges stated that the Township has to be careful how they limit certain activities because several non-profit activities use the parking lots in these areas. Engineer Bortner stated that he would recommend that the Township could require the minimum and any extra space could be used for other activities.

There was some discussion about storage containers being utilized at businesses. Zoning Officer Menges stated that he does not allow these containers except for at Value City, which is allowed two. Currently the Township does not have that much retail business but there is a

provision in the ordinance that would be applied when and if retail develops to need these controls. Storage boxes they add must conform to these regulations.

Planners Scott/Marsh moved that the proposed Zoning Ordinance and Map be forwarded to York County Planning for their forty-five day review period with the amendments that were discussed. Motion carried on a 6-0 vote.

Chairperson Scott thanked those that were involved in preparing the Ordinance.

The meeting adjourned at 8:14 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
NOVEMBER 7, 2002

Vice -Chairman Jeffrey Baxter called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on November 7, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Michael Johnson, Clayton Black, and Ray Van de Castle. Planners Donna Scott and Fred Marsh had excused absences. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Baxter/Dubbs moved that the minutes of the October 3, 2002 meeting be approved as submitted. The motion carried unanimously.

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

**Z02-36-CHAD SACKETT, 1055 Baltimore Street, Hanover, PA 17331. Applicant is requesting a variance to Section 208.2 (Use) to allow operation of a chiropractic office in the H/B zone. The property is located at 1308 Baltimore Street.**

Chad Sackett represented this request. He would like to open a chiropractic office in the garage and side building at 1308 Baltimore Street. His intention is to rent the existing home for a residence or small business. Property can be mixed-use in the Highway/Business zone. The only concern would be that another use might require more parking than is currently available. The home has been vacant and was previously owned by Samuel Bankert. There is an adjacent alley that is stoned.

Planners Black/Johnson moved for a favorable recommendation to the Zoning Hearing Board on case Z02-36 – Chad Sackett requesting a variance to Section 208.2 (Use) to allow operation of a chiropractic office in the H/B zone as it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on a 5-0 vote.

**Z02-37 – LINDA & FREDERICK SMITH, 111 S. Blettner Avenue, Hanover, PA 17331. Applicants are requesting a special exception to Section 202.2 (Use) to allow operation of a home occupation in the R-8 zone.**

Linda and Frederick Smith represented this request. Mrs. Smith would like to run a bookkeeping and payroll service from her home on 111 South Blettner Avenue. She would pick-up and deliver most of the work in addition to using the fax and internet to receive work. She would be the only employee and hours of operation would be Monday thru Friday 8:30 A.M to 4:30 P.M. There will be no signs.

Planners Johnson/Van de Castle moved for a favorable recommendation to the Zoning Hearing Board on case Z02-37 – Linda and Fredrick Smith requesting a special exception to Section 202.2 (Use) to allow operation of a home occupation in the R-8 zone as it meets the requirements of a special exception as set forth in Section 503.6 A-E. Motion carried on a 5-0 vote.



**Z02-38 – TAMMY ECKERT, 786 Blooming Grove Road, Hanover, PA 17331. Applicant is requesting a special exception to Section 205.2 (Use) to allow operation of a group home daycare in the R-40 zone.**

Tammy Eckert represented this request. She would like to run a group home daycare out of her residence at 786 Blooming Grove Road. She has Labor and Industry approval. Her home is a farmhouse with an addition on the rear. She would like to use the addition for the day care. She has fenced in her yard. The state requirements govern a group daycare so depending on the number and age of children she will have to meet certain state requirements. She may have one employee. There is a horseshoe driveway that will provide ample parking and turnaround for customers. She will be open Monday thru Friday, 7:00A.M.to 4:00P.M.

Planners Dubbs/Van de Castle moved for a favorable recommendation to the Zoning Hearing Board on case Z02-38 – Tammy Eckert, requesting a special exception to Section 205.2 (Use) to allow operation of a group home daycare in the R-40 zone as meets the requirements for a special exception as set forth in Section 503.6 A-E. Motion carried on a 5-0 vote.

**Z02-39-MARK EATON, 574 Blooming Grove Road, Hanover, PA 17331. The applicant is a variance to Section 205.3 (Area & Bulk Regulations) and appealing a previous decision that required a 34-foot cartway for access/egress to a proposed (4) lot subdivision at 574 Blooming Grove Road. The property is located in the R-40 zone.**

This case was resubmitted per the Zoning Hearing Board and a recommendation was made by the Planning Commission to this case at the September 2002 meeting.

**Z02-40 – BOOKSPAN, INC., 501Ridge Avenue, Hanover, PA 17331. The applicant is requesting a special exception to Section 306.2 (Access Drives) to allow for additional access drives. The property is located in the Industrial Zone.**

Bookspan submitted a letter of withdrawal for their special exception request.

**Z02-41 – KEVIN DONALD COREY, 1225 Hoff Road, Hanover, PA 17331. The applicant is requesting a variance to Section 205.3 (Area & Bulk Regulations) and 302.5 (Sheds) to allow for more than one shed and a garage that would encroach into the setbacks. The property is located in the R-40 zone.**

Kevin Corey represented this request. The applicant would like to build a garage that would encroach in both the side and rear setbacks. He wants to build it five feet off the property lines so he can maintain access to the septic system in the backyard. If he places it to meet the setbacks it would be close to the septic system and require him to go around his garage to access it if there is a problem. He stated that when he purchased the property it contained two storage sheds. They were 8x8 and 10x8. He tore the 8x8 down and turned the 10x8 to an 8x8. He has owned the property for four years. He would like to increase the parking space and storage areas. There is an existing parking area/driveway on the property. It is forty-feet away from the

proposed driveway. The Commission asked if he would be willing to modify his sheds and add it the garage. Vice-Chairman Baxter stated that he might have a lot coverage problem if both sheds are constructed. The applicant withdrew the request for a special exception for the sheds.

Planners Baxter/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-41 – Kevin Donald Carey, requesting a variance to Section 205.3 (Area & Bulk Regulations) to allow a garage that would encroach into the setbacks as it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on a 5-0 vote.

**Z02-42 – INTERSTATE DEVELOPMENT COMPANY, P.O. Box 3142, Bristol, TN 37625. Applicants are requesting variances to Sections 303.1 (Size of Parking Spaces), 635e (Number of Parking Spaces), 314.1 (Clear Sight Triangles), 207.3 (Area & Bulk Regulations) and special exceptions to Sections 407.3b (Replacement), 207.2 (Use) and 306.2 (Access Drives) to allow construction of a shopping center on the Northeast corner of Carlisle Street and Eisenhower Drive. The property is located in the S/C zone.**

Mark Campbell, HRG, Mike Niedeffer, Interstate Development Company, and Susan Smith, Reagler & Adler, represented this request.

Mr. Campbell explained that Interstate is interested in developing the Hanover Cold Storage property which is approximately sixty-six acres. Interstate had the property rezoned to SC, Shopping Commercial in June of 2002 and since then they have met with Penn Township and Hanover Borough staff for recommendations on how to develop the property for a shopping center that meets both municipalities' requirements for development.

They are requesting several variances and exceptions in order to develop the property and that all need to be reviewed as a group. Mr. Campbell started with the special exceptions. The first item they were requesting is Section 207.2 (Use) of the property for a shopping center. The second special exception they are requesting in Section 407.3b (Replacement) of nonconformity. They are requesting this for a proposed grocery store because a future expansion would require them to encroach in the front setback. The current building is also encroaching into the front setback and they would like to continue that nonconformity but would reduce the frontage of the existing building. The third item they requested is the number of access drives. The current ordinance allows two separate access drives per public street frontage in this zone. They are planning on developing a road through the project that would meet the Township specification and may someday be offered for dedication to the Township. If this occurs they are requesting five street accesses for that road. If the street is dedicated, each lot will function as a separate unit.

Mr. Campbell then addressed the variance requests. The first section he addressed was Section 303.1 (SIZES of Parking Spaces). The proposed tenants have different requirements than those in the Township Ordinance. The Township currently requires a 10' x 20' parking space with a 20' aisle. They are requesting for a minimum 9.25'x18' parking space with a twenty five-foot aisle. They are also requesting a variance to Section 635e (Number of Parking Spaces). The ordinance has two requirements for the number of parking spaces and the one for retail is one per

three hundred square feet plus the number of employees. The shopping center use requires the doubling of the number of spaces of a retail facility. They are requesting a target ratio of 5.21 spaces per thousand square feet. He stated that they have found the national and local standard to be five parking spaces per thousand square feet. The businesses interested in participating in this adventure require five parking spaces per thousand square feet.

Reduction in the number of spaces also reduces the amount of runoff in the area. Mr. Campbell stated that Grandview Plaza uses a parking ratio of five spaces per thousand square feet.

The other variances they are requesting are for Section 314.1 (Clear Sight Triangles). They cannot meet the current standards and believe that this intersection will be signalized and might alleviate any problems because they do not meet the standards.

The final request is for the Section 207.3 (Area & Bulk Regulations) because of the signs that may be attached to some of the buildings that may or may not increase the building height. He believes that the sign is not part of the building and may not have to be addressed.

There was extensive discussion on how much parking is used throughout the Hanover Area and the size of parking lots and spaces. Engineer Bortner stated that the proposed Zoning Ordinance has been reviewed over the last month and most of the suggestions in the Ordinance call for an increase in the number of parking spaces.

Planners Dubbs/Baxter moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z02-42- Interstate Development Corporation requesting a special exception to Section 207.2 (Use) as it meets the requirements for a special exception as set forth in Section 503.6 A-E. Motion carried on a 5-0 vote.

Planners Baxter/Dubbs moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z02-42 – Interstate Development Corporation requesting a special exception to Section 407.3b (Replacement of a non-conforming structure) as it meets the requirements for a special exception as set forth in Section 503.6 A-E. Motion failed on 2-3 vote with Planners Johnson, Black, and Van de Castle casting the dissenting votes.

Planners Dubbs/Baxter moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z02-42 – Interstate Development Corporation requesting a variance to Section 303.1 (Size of Parking Spaces) for a minimum parking space of 9.25'x18' with a twenty-five foot aisle as it meets the standards for a variance as set forth in Section 502.3 A-F. Motion carried on 3-2 with Planners Johnson and Van de Castle casting the dissenting votes.

Planners Baxter/Van de Castle moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case Z02-42 – Interstate Development Corporation requesting a variance to Section 635e (Number of Parking Spaces) as it does not meet the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on 4-1 vote with Planner Dubbs casting the dissenting vote.

Planners Baxter/Van de Castle moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z02-42 – Interstate Development Corporation requesting a variance to Section 314.1 (Clear Sight Triangles) assuming the intersection meets PADOT requirements and is signalized, as it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on a 5-0 vote.

Planners Dubbs/Johnson moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on Z02-42 – Interstate Development Corporation requesting a special exception to Section 306.2 (Access Drives) as it does not meet the requirements for a special exception as set forth in Section 503.6 A-E. Motion carried on a 4-1 vote with Planner Black casting the dissenting the vote.

Planners Dubbs/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Z02-42 – Interstate Development Corporation requesting a variance to Section 207.3 (Area & Bulk Regulations) to allow the building height including the attached sign to be forty-two feet high as it meets the requirements for a variance as set forth in Section 502.3 A-F. Motion carried on a 3-2 vote with Planners Baxter and Johnson casting the dissenting votes.

The Planning Commission received the following waiver and exoneration requests:

Bookspan is requesting a waiver of land development requirements for a proposed temporary parking area.

Dave Brillhart and Walter Gross, Sr., Vice President Bookspan, represented this request. They would like to construct a temporary parking lot along the south side of their building. They would need this parking lot until their new one is completed. They would then remove the stone, replace the topsoil and re-seed the temporary parking area. Currently there are cars that park along Ridge Avenue. The plan for the parking lot has not been formally filed with the Township. Zoning Officer Menges suggested that the Planning Commission review and make a recommendation to the Board of Commissioners because of the current parking situation and because York County Planning will, more than likely, not review the plan.

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

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

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

There was no action taken on this plan.

**P02-04 – SOUTH VIEW ESTATES, Bon Ton Builders, 1060 Baltimore Street, Hanover, PA 17331. A preliminary land development plan to construct an eleven (11)-lot subdivision on the corner of Grandview Road and Timber Lane. The property is located in R-15 zone.**

There was no action taken on this plan.

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

Reg Baugher, Worley Surveying represented this request. There was some discussion on specifics of the layout. Mr. Baugher stated that they are working with the other developers in the area to develop the sewer.

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

There was no action taken on this plan.

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

Reg Baugher, Worley Surveying, represented this request. There was some discussion that sidewalks should be included along Lark and Grandview.

**P02-24 – SIECK FLORIST, Sketch plan to construct 90 duplex units and two single-family units.**

Reg Baugher represented this request. This is a development for ninety duplex units and two single-family units near Brookside Avenue. This was the initial review of the plan. There were some concerns expressed by Engineer Bortner about the distance between intersections. There was also concern about a land locked parcel that would be created. There will be a traffic study conducted. The Commission reviewed several options on how to deal with traffic problems on the streets that are adjacent to the project while considering what future development may occur on the adjacent properties. Engineer Bortner presented several options that could be considered that may help traffic problems. There was extensive discussion by the Planners on where traffic should be moved to and what intersections near the project should be signalized at York Street. There was some discussion on what properties may be developed in the future and what effects that would have on this development along with traffic in the area.

**P02-25 – BOOKSPAN, 501 Ridge Avenue, Hanover, PA. A final land development plan to construct a parking lot.**

Dave Brillhart represented this plan. This is the initial review of the plan. There was some discussion about where the parking lot would be constructed. The parking lot can be constructed in the flood plain as long as they do not change the existing grade. The Planners expressed concern about preserving the existing trees when they construct the project. The erosion and sedimentation plan will need to be submitted for review.

Planners Dubbs/Johnson moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-25-Bookspan as long as the landscaping is maintained and they satisfy any recommendations made by the Township Engineer. Motion carried on a 4-1 vote with Planner Baxter casting the dissenting vote.

The Commission received a request from Worley Surveying requesting exoneration from the land development requirements to construct a Chiropractic office at 1308 Baltimore Street.

Reg Baugher, Worley Surveying, represented this request.

Planners Baxter/Black moved for an unfavorable recommendation of this request to the Penn Township Board of Commissioners. Motion carried on a 4-1 vote with Planner Johnson casting the dissenting vote.

The meeting was adjourned at 9:53 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION  
DECEMBER 9, 2002

Chairperson Donna Scott called a meeting of the Penn Township Planning Commission to order at 7:00 P.M. on December 9, 2002 at the Penn Township Municipal Building. Also present were Planning Members Merle Dubbs, Jeffrey Baxter, Clayton Black, Fred Marsh and Ray Van de Castle. Planner Michael Johnson had an excused absence. Also present were staff members Zoning Officer John Menges and Township Engineer Eric Bortner.

Planning Members Scott/Dubbs moved that the minutes of the November 7, 2002 meeting be approved as submitted. The motion carried unanimously.

Planning Members Marsh/Scott moved that the minutes of the October 23, 2002 meeting be approved as submitted. The motion carried unanimously.

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

Z02-43 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. The applicant is requesting a variance to Section 305.3 d (Driveway Offset) and a special exception to Section 202.2 (Use) to allow construction of townhouses on the SE corner of West Granger and Beck Mill Road. The property is located in the R-8 zone.

Art Becker, attorney for Bon Ton Builders, and Reg Baugher, Worley Surveying, represented this request. There is an agreement of sale contingent upon the approval of the variance and special exception. Mr. Becker provided an existing condition plan, which shows that there are eleven trailers and a home on the lot. Bon Ton is proposing to remove the trailers and tear down the house and replace them with six townhouses. They are asking for a dimensional variance to allow the construction of driveways on lots two through five because the driveways will not be three feet from the property line. There will be a garage provided for each unit. Mr. Becker provided pictures of the existing area and pictures of the existing townhouses located on the same street. All traffic will enter from Granger Street. Zoning Officer Menges noted that Alton Fogle owns two lots that border High Street and Bon Ton is not able to purchase them to provide a through access for the townhouses.

Planners Baxter/Marsh moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case Z02-43 – Bon Ton Builders, requesting a variance to Section 305.3d (Driveway Offset) and a special exception to Section 202. (Use) to allow construction of townhouses on the SE corner of West Granger Street and Beck Mill Road as it meets the requirements for a variance as set forth in Section 502.3 A-F and the requirements for a special exception as set forth in Section 503.6 A-E. Motion carried on a 6-0 vote.

The Planning Commission received the following waiver and exoneration requests:

Snyder's of Hanover is requesting the following exonerations for their land development plan: Section 404 – Environmental Impact Study, Section 604 – Curbs, Gutters, and Sidewalks, and Section 605 – Landscaping and Buffer yard.

Frederick Altland, Project Engineer for Snyder's of Hanover, represented this plan. Mr. Altland stated that they are waiting for the results of the PNDI study, which studies the wildlife in the area. They have completed previous land development plans that addressed the other issues in Section 404 Environmental Impact Studies. He stated that currently there are no curbs and sidewalks in this area. There is existing landscaping and buffer yard around the property that had been approved on previous land development plans.

Planners Dubbs/Black moved for a favorable recommendation to the Penn Township Board of Commissioners on Snyder's of Hanover requests for exoneration of Section 404 – Environmental Impact Study, Section 604 – Curbs, Gutters, and Sidewalks, and Section 605 – Landscaping and Buffer yard. Motion carried on a 6-0 vote.

Bon Ton Builders is requesting a waiver to the Preliminary Plan requirement for their Subdivision plan.

Reg Baugher, Worley Surveying, represented this request. There are no public improvements required for this project.

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

Rich Fogle is requesting an exoneration from a land development plan for a building addition at 390 Frederick Street.

Zoning Officer Menges stated that this is a used auto lot at the intersection of Frederick and Kilpatrick Streets. The lot is a hundred percent impervious. The building will be at the back of the lot facing Kilpatrick Street. The building will double the amount of building space they currently have. The mobile building will be removed.

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

Bon Ton Builders requested exoneration of the sidewalk requirements at 4 Ivy Circle.

Zoning Officer Menges stated that currently there are some homes that have sidewalk and some homes that do not have sidewalk on Ivy Circle. This property abuts properties that do not have sidewalk.

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



Precision Cut Industries requested exoneration of a land development plan for an additional concrete slab.

Al Barnes, H& H Contractors represented this request. There was some discussion on the fence requirement and it was assumed that if the site is not fenced it would have to be. Engineer Bortner stated that there is not a stormwater management pond and the property across the street receives the stormwater for this site.

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

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

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

There was no action taken on this plan.

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

Reg Baugher, Worley Surveying represented this request. Chairperson Donna Scott turned the meeting over to Vice-Chairman Baxter and abstained from all discussion on this plan. There was a request made by Worley Surveying for a waiver of the landscaping plan requirement to have a professional landscape architect prepare the plan. The Township will want land from the developer for the adjacent Community Park and is willing to negotiate with the developers to purchase additional land.

Planners Dubbs/Baxter moved for a favorable recommendation to plan P02-18 –Martin's Ridge preliminary plan to the Penn Township Board of Commissioners with an unfavorable recommendation to the request for a waiver of Section 605 that requires a licensed landscape architect and a favorable recommendation for Section 5.506e Distance Between Intersections and Section 5.505e Cul De Sacs. Motion carried on a 4-2 vote with Planners Scott and Marsh abstaining.

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

There was no action taken on this plan.

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

Reg Baugher, Worley Surveying, represented this request. The sidewalks have been included on this plan.

Planners Black/Van de Castle moved for a favorable recommendation to the Penn Township Board of Commissioners on P02-23 – Anita M. Stein final subdivision plan. Motion carried on a 6-0 vote.

P02-24 – SIECK FLORIST, Sketch plan to construct 90 duplex units and two single-family units.

Reg Baugher, Worley Surveying, represented this plan. The Planners had previously reviewed this plan but there have been changes made based upon their previous comments. Mr. Baugher was concerned if this plan reflected what the Planners wanted so he could proceed with the Traffic Study. The Planners seemed to favor the design and Mr. Baugher will proceed with the traffic study based upon this plan.

P02-26 SNYDER'S OF HANOVER, 1350 York Street, Hanover, PA 17331. A final land development plan for a 74,625 square foot plant addition, treatment tank, blower building addition, basketball court, additional employee and trailer parking, relocated van parking and scales, and additional paving at docks. The property is located in the Industrial Zone.

Frederick Altland, project engineer, represented this plan. This is the initial review of the plan and York County comments have not been received. Mr. Altland explained what Snyder's intends to do. The Commission will make a recommendation after York County comments have been received and reviewed.

P02-27 – BON TON BUILDERS, 1060 Baltimore Street, Hanover, PA 17331. A final land development plan to construct (6) unit townhouses on the corner of Beck Mill and West Granger Street. The property is located in the R-8 zone.

There was no action taken on this plan.

P02-28 – INTERSTATE DEVELOPMENT CO., P.O. Box 3142, Bristol, TN 37625. A final land development plan to construct a shopping center on Carlisle Street, North of Eisenhower Drive. The property is located in the S/C zone.

Mark Campbell, Herbert Rowland, & Grubic, Suzanne Smith, Reagler and Adler represented the request on behalf of Interstate Development.

Mr. Campbell reviewed the facts that support the plan which includes the rezoning of the parcel to shopping commercial and the zoning special exceptions and variances that were granted. The only request that was not granted by the Penn Township Zoning Hearing Board

was a clear sight triangle variance. Mr. Campbell explained the proposed buildings and parking areas around the shopping center. He stated that the traffic study and the storm water management study have been submitted. York County Comments have not been received. Mr. Campbell has met with Engineer Bortner to get his comments and HRG will be addressing these shortly. Engineer Bortner reviewed some of the comments he made to Mr. Campbell which included requesting a buffer yard along Carlisle Street, requesting sidewalk along the proposed street if it its to be dedicated, changing the specifications of the street to resemble a street and the storm water management calculations. There was some concern expressed about the proposed street and the traffic study. Engineer Bortner stated that the proposed street should not be adopted if it does not go through the property. Mr. Campbell explained the proposed traffic signals that will be installed at two intersections. There was a lot of discussion about the proposed street and how the Planners should review the plan. It was assumed that the street will be offered for dedication even though there will be actions taken by others that will ultimately affect this decision.

The property will be developed in condominium type relationship. There was some discussion about the traffic flow within the parking lot and the gas kiosk.

Zoning Officer Menges stated that it might be a week before county comments are received.

P02-29 – MORNIGNSTAR DEVELOPMENT, Mummert Enterprises, 8 Stuart Avenue, Hanover, PA. Plan resubmitted for correction of street names.

Zoning Officer Menges stated that this plan had previously been approved and recorded but the name Astoria Avenue instead of Astoria Drive was on the recorded plan.

Planners Dubbs/Baxter moved for a favorable recommendation to the Board of Commissioners on this plan.

Chairman Scott announced that next month's meeting will be January 2, 2003 and there is a vacancy on the Commission because Jeffrey Baxter will be resigning effective January 3, 2003.

The meeting was adjourned at 8:36 P.M.

Respectfully submitted,

Kristina Rodgers, Recording Secretary