

PENN TOWNSHIP PLANNING COMMISSION
JANUARY 7, 2021

Chairman Baker called to order a meeting of the Penn Township Planning Commission at 7:05 p.m. via an online meeting on Thursday, January 7, 2021. Also present were planning members Mark Elksnis, Kathy Gill, James Lumadue, Adam Selfridge and Ray Van de Castle, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner and Township Manager Kristina Rodgers. Planner Zach Smith was absent.

The Planning Commission took action to reorganize. Planners Elksnis/Van de Castle moved to nominate David Baker Chairman. Motion carried. Planners Elksnis/Van de Castle moved to nominate James Lumadue Vice-Chairman. Motion carried.

Chairman Baker read a summary of the Public Meeting Guidelines.

The planners approved the December 3, 2020 Planning Commission minutes as submitted.

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

ZHB20-16-Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to create a subdivision plan that does not meet the lot width requirements. The property is located at 310 Clover Lane in the R-15 zone.

Bob Sharrah, Sharrah Design Group, Inc. represented this request. Mr. Sharrah reported that the lot is a flag lot, therefore it does not meet the lot width requirement. Mr. Sharrah stated that this is a redesign from a previous subdivision plan where the driveway was placed over an old gas line. Engineer Bortner stated that there are several similar lots within the township.

Planners Elksnis/Selfridge moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB20-16-Clover Lane Development, requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to create a subdivision plan as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motions carried 6-0.

ZHB20-17-Charles A. Thompson, Jr., 165 Windsor Court, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a deck that encroaches into the rear setback requirements. The property is located at 165 Windsor Court in the R-15 zone.

Mr. Charles A. Thompson, Jr., property owner, represented this request. The applicant would like to build a sixteen by twenty-foot deck to the rear of his house that would encroach nine feet into the rear setback. The neighborhood is well established and Mr. Thompson has resided there for twenty-eight years. The Commission reviewed several pictures of the neighbor's decks.

Planners Lumadue/Selfridge moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB20-17-Charles A. Thompson, Jr., requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a deck as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 6-0

Review and make recommendations on waiver and exoneration requests:

GHI Engineers and Surveyors, as a representative for Pero Farms Hanover Facility, LLC, are requesting a waiver to Section 404 (Environmental Impact Studies) of the Penn Township Subdivision and Land Development Ordinance in regards to the land development plan. The property fronts Industrial Drive in the Industrial zone.

Gerry Funke, GHI Engineers and Surveyors represented this request. Mr Funke is requesting a variance to Environmental Impact Studies in regards to the traffic study. The property is located in the industrial zone, the streets are wide enough and designed for truck traffic. Mr. James Watson, Pero Foods was in attendance he reported that they are a fresh cut vegetable company that started processing about four months ago. Mr. Watson gave an overview of the company and its operations. There is a large pavilion on the property which will eventually be torn down and a cold storage facility will be constructed. Planner Elksnis inquired about the addition of staff. Mr. Watson confirmed that they intend on expending the current first shift, and hope to run first, and second shift, with a third for sanitation. Mr. Watson stated that there is more than the required amount of parking spaces for further expansion in the future.

Planners Lumadue/Elksnis moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 404 (Environmental Impact Studies) of the Penn Township Subdivision & Land Development Ordinance in regards to Pero Farms Hanover Facility. Motion carried 6-0.

GHI Engineers and Surveyors, as representative for AquaPhoenix Scientific, are requesting waiver to the following sections of the Penn Township Subdivision and Land Development Ordinance-Section 404 (Environmental Impact Studies) and Section 605 (Landscaping and Bufferyards). They are also requesting a waiver to Section 303 (Volume Controls) of the Stormwater Management Ordinance in regards to their land development plan at 860 Gitts Run Road.

Gerry Funke, GHI Engineers and Surveyors represented this request. Mr. Funke stated the waiver request to Section 404 is similar to the previous request for a waiver of the traffic study due to Gitts Run Road and Moulstown Road are designed for truck traffic. Mr. Funke explained the waiver request to Section 606, they intend on planting the required amount of trees and bushes, however due to the power lines, Met-Ed does not permit them to plant the trees in their right-of-way. Mr. Funke stated the trees will be spread out more along Moulstown Road. Mr. Funke stated that the waiver request for Section 303, DEP has required they take the difference between the post two year storm and the pre-two year storm and infiltrate it. The difficulty is the ground under the surface is clay. Perk tests have resulted no infiltration. On the western side of the property is wetlands and a stream, and at the southern portion of the building is a water basin. Mr. Funke stated the plan has less impervious surface as what is currently there. The land development plan is to construct a building addition that would be positioned along Moulstown Road on the existing black top by eighty-eight thousand square feet. A portion of the existing blacktop will be decreased. Parking will be in the lot along Moulstown Road and also to the south of the building, entrance will be to the east and south off of Gitts Run Road. The plan has recently been submitted to York County Planning Commission and currently awaiting comments. Mr. Funke stated that modifications can be made to use the existing water basin for Stormwater management control. The commission agreed to address the waiver request to Section 303 (Volume Controls) of the Stormwater Management Ordinance after York County Comments have been received.

Planners Elksnis/Selfridge moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 404 (Environmental Impact Studies) of the Penn Township Subdivision & Land Development Ordinance in regards to AquaPhoenix Scientific. Motions carried 6-0.

Planners Lumadue/Gill moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 605 (landscaping and Bufferyards) of the Penn Township Subdivision & Land Development Ordinance in regards to AquaPhoenix Scientific. Motions carried 6-0.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL18-20-STONEWICKE V, Clover Lane Development, L.P., 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fourteen (14) single family detached residential lots. The property is located at 310 Clover Lane in the R-15 zone.

There was no action taken on this plan.

SL20-07-HANOVER FOODS FREEZER EXPANSION, Hanover Foods Corporation, 1486 York Street, Hanover, PA 17331. A land development plan submitted in order to construct an industrial freezer. The property is located at 1175 Wilson Avenue in the Industrial zone.

Paul Fish with Rettew Associates, Inc, Randy Culp and James Osborne, VP Operations, Hanover Foods Corp. were in attendance to represent this plan. Mr. Fish stated the plan was introduced at the Planning Commission Meeting last month. York County Planning Commission and Penn Township Staff Comments have been received and currently being addressed. There will be a waiver request for the preliminary plan submitted as the final plan. Engineer Bortner stated this is a common request. Zoning Officer Smith explained this would need to be a written request addressed to the Board of Commissioners.

SL20-08-APPLE HONDA OF HANOVER PARKING LOT EXPANSION, 1226 Carlisle Street LLC, 950 Smile Way, York, PA 17404. A land development plan submitted in order to construct a parking lot expansion. The property is located at 1226 Carlisle Street in the H/B zone.

Tom Englerth, Site Design Concepts, Inc. represented this plan. Engineer Bortner reported this plan is to pave a grassed area located to the right of the building currently used to park cars. Mr. Englerth stated the majority portion of the project and stormwater management is located in Conewago Township. The impervious area will be less than twenty-five thousand feet. Penn Township comments have been received and are in the process of being addressed. No additional lighting is being proposed at this time. Mr. Englerth spoke of the staff comment regarding stormwater management. He asked if this could be handled solely through Conewago Township, as this is where it is located. Engineer Bortner stated that it would be addressed once it gets approved by Conewago Township. Mr. Englerth stated he would like to request a waiver for the requirement of the installation of a sidewalk. They would hold off on installation once there is sidewalk and development on the other side of the creek. He stated that a Penn Dot permit is required for a sidewalk by the bridge. Zoning Officer Smith stated that the request would need to be made in writing addressed to the Board of Commissioners.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone.

Gerry Funke, GHI Engineers and Surveyors, Inc. represented this plan. Mr. Funke stated they did not have anything to add after the discussion earlier in the

meeting. Mr. Funke stated that are awaiting comments from the York County Planning Commission.

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone.

Gerry Funke, GHI Engineers and Surveyors, Inc. represented this plan. Mr. Funke reported a large portion of the new portion will be warehousing. Chemicals are all handled in the existing main building. They are awaiting York County Planning Commission Comments.

Public Comments: There were none.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
FEBRUARY 4, 2021

Chairman Baker called to order a meeting of the Penn Township Planning Commission at 7:05 p.m. via an online meeting on Thursday, February 4, 2021. Also present were planning members Mark Elksnis, Kathy Gill, and Zach Smith, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner and Township Manager Kristina Rodgers. Planners James Lumadue, and Adam Selfridge were absent, and Planner Ray Van de Castle was absent with notice.

Chairman Baker read a summary of the Public Meeting Guidelines.

The planners approved the January 7, 2021 Planning Commission minutes as submitted.

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

ZHB21-01-Don & Sherri Breach, 112 Hirtland Avenue, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a carport that does not meet the setback requirements. The property is located at 112 Hirtland Avenue in the R-15 zone.

Mr. Don Breach, 112 Hirtland Avenue, property owner represented the request. Mr. Breach stated that he would like to construct a twelve by thirty-two-foot carport on an existing driveway encroaching twelve and a half feet from the rear property line. The driveway already exists, and the carport will be professionally installed. Mr. Breach stated that there are several neighboring properties that have similar structures within the encroachment area. Engineer Bortner was out to inspect the area for Stormwater management, and Mr. Breach stated he will follow Engineer Bortner's suggestions.

Planners Elksnis/Smith moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-01-Don & Sherri Breach, requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a carport, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motions carried 4-0.

Review and make recommendations on waiver and exoneration requests:

GHI Engineers and Surveyors, as a representative for **Aquaphoenix Scientific** are requesting a waiver to Section 303 (Volume Controls) of the Stormwater Management Ordinance in regards to their land development plan at 860 Gitts Run Road. This request was tabled from January meeting.

Gerry Funke, GHI Engineers and Surveyors represented this request. Mr. Funke requested this request be tabled until the March Planning Commission meeting.

Rettew, as a representative for Hanover Foods Corporation are requesting a modification and/or waiver to Section 402 (Submission of a Preliminary Plan) of the Penn Township Subdivision and Land Development Ordinance in regards to their freezer expansion land development plan.

Paul Fish, Rettew Associates, Inc., represented this request. Mr. Fish stated that all requirements of the preliminary and final plan, have been met, and therefore making this request. This is the only modification and /or waiver that will be requested under this land development plan.

Planners Elksnis/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 402 (Submission of a Preliminary Plan) of the Penn Township Subdivision & Land Development Ordinance in regards to their freezer expansion land development plan. Motion carried 4-0.

Site Design Concepts, Inc., as representative for 1226 Carlisle St., LLC, are requesting a waiver to Section 301. E (Volume Control) of the Stormwater Ordinance and a waiver to Sections 505.a and 505.K.1 (Sidewalks) of Penn Township Subdivision and Land Development Ordinance in regards to the Apple Honda of Hanover parking lot land development plan. The property is located at 1226 Carlisle Street.

Tom Englerth, Site Design Concepts, Inc., represented this request. Mr. Englerth stated that the Stormwater basin is located in Conewago Township. Mr. Englerth has been working with Engineer Bortner to have the Stormwater Management handled through Conewago Township. Mr. Englerth added that Conewago Township Planning Commission approved the same waiver request, as well as the land development plan at their meeting held earlier this evening. The basin was installed with the original land development plan that had accounted for future additional impervious area. Mr. Englerth stated they are also requesting a waiver for the installation of sidewalk at this time. There is substantial design due to right of way connecting with the adjacent bridge, and requires a permit from PennDot. They are willing to install sidewalk if/when the adjacent property is developed.

Planners Elksnis/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 301.E (Volume Control) of the Stormwater Ordinance in regards to Apple Honda of Hanover parking lot land development plan. Motion carried 4-0.

Planners Baker/Elksnis moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 505.a and 505.K.1 (Sidewalks) of the Penn Township Subdivision & Land Development Ordinance in

regards to the Apple Honda of Hanover parking lot land development plan, with the understanding that when the time comes sidewalks will be installed. Motion carried 4-0.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL18-20-STONEWICKE V, Clover Lane Development, L.P., 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan submitted to create fourteen (14) single family detached residential lots. The property is located at 310 Clover Lane in the R-15 zone.

Scott Felch, J.A. Myers, in attendance for Robert Sharrah, Sharrah Design, Inc. Engineer Bortner reported all requirements have been met for this plan.

Planners Smith/Gill moved for a favorable recommendation for SL18-20-Stonewicke V Land Development Plan to the Penn Township Board of Commissioners. Motion carried 4-0.

SL20-07-HANOVER FOODS FREEZER EXPANSION, Hanover Foods Corporation, 1486 York Street, Hanover, PA 17331. A land development plan submitted in order to construct an industrial freezer. The property is located at 1175 Wilson Avenue in the Industrial zone.

Paul Fish with Rettew Associates, Inc, represented this plan. Mr. Fish stated there were two administrative comments left to be addressed. First, an agreement from the fire department between neighboring Snyder-Lance, Inc, and Hanover Foods, the agreement is in the hands of Hanover Foods to be signed. Second, the bond for the stormwater management. Hanover is in possession of the bond and will submit with in the required five days prior to the Board of Commissioners meeting. The NPDES permit application has been reviewed to completeness and approved, it will move to technical review. Mr. Fish expressed he would like to get approval on the plan, while waiting for comments from DEP. Engineer Bortner stated they are waiting the technical comments regarding the erosion and sediment control plan. He foresees no substantial changes that would be required, if there were, he would bring forth to the commission. Chairman Baker stated that he does not have an issue with moving forward as long as all the comments will be addressed.

Planners Smith/Gill moved for a favorable recommendation for SL20-07-Hanover Foods Freezer Expansion Land Development Plan to the Penn Township Board of Commissioners. Motion carried 4-0.

SL20-08-APPLE HONDA OF HANOVER PARKING LOT EXPANSION, 1226 Carlisle Street LLC, 950 Smile Way, York, PA 17404. A land development plan submitted in order to construct a parking lot expansion. The property is located at 1226 Carlisle Street in the H/B zone.

Tom Englerth, Site Design Concepts, Inc. represented this plan. Engineer Bortner stated that with the waivers being addressed, all requirements will have been met.

Planner Elksnis/Smith moved for a favorable recommendation to SL20-08-Apple Honda of Hanover parking lot expansion land development plan to the Penn Township Board of Commissioners. Motion carried 4-0.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone.

Gerry Funke, GHI Engineers and Surveyors, Inc. represented this plan. Mr. Funke stated York County Planning Commission comments have been addressed, as well as comments from Penn Township. The erosion and sediment control plan is currently with York County Conservation District, the plan has been reviewed to completeness and approved, and has been moved for technical review. The bond will also need to be submitted. Engineer Bortner is satisfied with all the comments being addressed.

Planners Elksnis/Smith moved for a favorable recommendation to SL20-09-Pero Farms Hanover Facility, LLC. Land Development Plan to the Penn Township Board of Commissioners. Motion carried 4-0.

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone.

There was no action taken on this plan.

Public Comments: There were none.

The meeting was adjourned at 7:38 p.m.
Respectfully submitted,
Donna M. Sweeney, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MARCH 4, 2021

Chairman Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. via an online meeting on Thursday, March 4, 2021. Also present were planning members Mark Elksnis, Kathy Gill, Adams Selfridge and Zach Smith, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner and Township Manager Kristina Rodgers. Planner James Lumadue was absent.

Chairman Baker read a summary of the Public Meeting Guidelines.

The planners approved the February 4, 2021 Planning Commission minutes as submitted.

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

ZHB21-02-Robert Higgs, 612 Bankert Road, Hanover, PA 17331. Applicant is requesting a variance to Section 205.3 (Area and Bulk Regulations) in order to construct a garage addition that does not meet the setback requirements. The property is located at 612 Bankert Road in the R-40 zone.

Mr. Robert Higgs, property owner represented this request. Mr. Higgs is requesting a variance to construct a one story, twelve by twenty-one-foot garage bay onto the existing garage which will encroach three feet into the required twenty-five feet side setback. His intent is to use the additional bay area as storage. Mr. Higgs stated that there are several other homes in the neighborhood with three garage bays and feels this option would be more aesthetically pleasing. Mr. Higgs added the driveway access will not change at the street entrance, but will gradually widen to the additional bay area. Zoning Officer Smith stated that a new drawing of the plan will need to be submitted on the permit application showing the intended driveway, as stormwater management will need to be addressed.

Planners Selfridge/Elksnis moved for a favorable recommendation with the condition a new drawing be submitted with the permit application, to the Penn Township Zoning Hearing Board on case ZHB21-02-Robert Higgs, requesting a variance to Section 205.3 (Area and Bulk Regulations) in order to construct a garage addition, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 5-0.

Review and make recommendations on waiver and exoneration requests:

- a) GHI Engineers and Surveyors, as a representative for Aquaphoenix Scientific are requesting a waiver to Section 303 (Volume Controls) of the Stormwater

Management Ordinance in regards to their land development plan at 860 Gitts Run Road. This request was tabled from the February meeting.

- b) GHI Engineer and Surveyors, as a representative for Aquaphoenix Scientific are requesting a waiver to Sections 306.B.3 (Maximum Permitted Side Slopes) of the Stormwater Management Ordinance in regards to their land development plan at 860 Gitts Run Road.

Ms. Jessica Allen, GHI Engineers and Surveyors represented this request. Ms. Allen stated that the site is predominantly impervious coverage with a large paved parking lot, and warehousing buildings. The plan is to add a large warehousing addition, along with re-paving and re-striping of the parking lot, ultimately reducing the impervious area by almost 7,000 square feet. Ms. Allen stated that infiltration tests have been completed and the soil does not allow for infiltration. With reducing the impervious area along with taking volume credits for the street scape buffer which is to be planted along Moulstown Road and Gitts Run Road, the plan remains shy of approximately 4,300 cubic feet of volume control. Ms. Allen stated that the current pond is not graded correctly, they will be expanding, and reconstructing and will slope the bottom of the basin so it will not hold standing water. Ms. Allen stated that an additional discharge area will be into an unnamed tributary that runs along Gitts Run Road, but ultimately the amount will be less do to directing the flow into the current basin. Ms. Allen added that the York County Conservation District is on board with the plan. Engineer Bortner stated that additional volume would be absorbed with the additional trees that will be planted. Planner Elksnis inquired about the plan to add vegetation to the bottom of the basin, and if this is an effective method. Engineer Bortner reported that this is what is recommended in the Best Management Planning Manual. Ms. Allen reported the NPDES permit is in process and this waiver request is not contingent on obtaining permit approval.

Planners Selfridge/Gill moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver request to Section 303 (Volume Controls), and 306.B.3 (Maximum Permitted Side Slopes) of the Stormwater Management Ordinance in regards to their land development plan at 860 Gitts Run Road. Motion carried 4-1, with Planner Mark Elksnis casting the dissenting vote.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL20-07-HANOVER FOODS FREEZER EXPANSION, Hanover Foods Corporation, 1486 York Street, Hanover, PA 17331. A land development plan submitted in order to

construct an industrial freezer. The property is located at 1175 Wilson Avenue in the Industrial zone. There was no action taken on this plan.

SL20-08-APPLE HONDA OF HANOVER PARKING LOT EXPANSION, 1226 Carlisle Street LLC, 950 Smile Way, York, PA 17404. A land development plan submitted in order to construct a parking lot expansion. The property is located at 1226 Carlisle Street in the H/B zone. There was no action taken on this plan.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. There was no action taken on this plan.

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. There was no action taken on this plan.

Public Comments: There were none.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
APRIL 1, 2021

Vice Chairman James Lumadue called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. via an online meeting on Thursday, April 1, 2021. Also present were planning members David Baker, Clayton Black, Mark Elksnis, and Zach Smith, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner and Township Manager Kristina Rodgers. Planner Adam Selfridge joined the meeting at 7:38 p.m. and Planner Kathy Gill was absent with notice.

Chairman Baker read a summary of the Public Meeting Guidelines.

The planners approved the March 4, 2021 Planning Commission minutes as submitted.

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

ZHB21-03-Lance Frederick, 114 Little John Court, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct an inground swimming pool that encroaches into the rear setback requirements. The property is located at 114 Little John Court in the R-15 zone.

Mr. and Mrs. Frederick, property owner represented this request. Mr. Frederick stated they would like to install an inground swimming pool, due to the narrowness of the lot, the pool's water edge will be twenty-six feet from the rear property line, encroaching into the rear setback. Mr. Frederick stated they have spoken to the surrounding neighbors, and there are no objections to the plan. Two of the neighboring properties have above ground pools. The pool will be professionally installed by George Neiderer Pools, of Hanover, PA. Planner Elksnis stated that a variance would not be needed if the pool was moved closer to the rear of the home. Mrs. Frederick stated that there is an existing deck and they wish to have some distance from the steps to the pool. Planner Elksnis inquired about the stormwater plan. Logan Neiderer, representing George Neiderer Pools, stated that there is a plan for a trench filled with stones around the existing deck, as well as a drain out further up on the property for the water to filter down through and be absorbed by the yard. Engineer Bortner was satisfied with the plan.

Planners Smith/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-03-Lance Frederick, requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct an inground swimming pool, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 5-0.

Review and make recommendations on waiver and exoneration requests:

There were none.

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

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

SL20-07-HANOVER FOODS FREEZER EXPANSION, Hanover Foods Corporation, 1486 York Street, Hanover, PA 17331. A land development plan submitted in order to construct an industrial freezer. The property is located at 1175 Wilson Avenue in the Industrial zone. **There was no action taken on this plan.**

SL20-08-APPLE HONDA OF HANOVER PARKING LOT EXPANSION, 1226 Carlisle Street LLC, 950 Smile Way, York, PA 17404. A land development plan submitted in order to construct a parking lot expansion. The property is located at 1226 Carlisle Street in the H/B zone. **There was no action taken on this plan.**

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-Final Subdivision Plans for Stonewicke V, Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

SL21-02-Campbell's Snacks Flouring Receiving project- Campbell's Snacks, 1250 York Road, Hanover, PA 17331. A land development final plan submitted in order to construct an Industrial building addition. The property is located at 1250 York Road in Penn Township in the Industrial zone.

Mr. Mike Scarborough, NuTec Design Associates, Inc., represented this plan. Mr. Scarborough stated the plan is to add a nineteen thousand square foot; fifty-four-foot by thirty-five-foot addition to serve as a flour receiving and storage facility. The building will house two tanks as well as other equipment to transport flour into the facility. The building will encroach upon an existing driveway, which will be shifted out

slightly to allow for a twenty-eight-foot passing isle. There will be two stacking spaces for trucks to be unloaded directly into the building. The existing fire line will be relocated beyond the new paving limit of the new structure. The existing stormwater inlet will be relocated. The existing pond will not handle the water quality for this project, therefore an additional raingarden/pond will be created directly off the existing paving by the truck loading area to the north of the facility to capture all the water and infiltrate the water system, any overflow will go into an existing basin. Zoning Officer Smith stated that the Fire Chief would like to be notified when the existing fire service line is taken down. Mr. Scarborough will add the Fire Chief's contact information to the plan. York County Planning Comments have been addressed, an Operations and Maintenance agreement is in the process and should be submitted shortly, Engineer Bortner added the improvement bond will go before the Board of Commissioners this month.

Planners Lumadue/Smith made a favorable recommendation for SL21-02-Campbell's Snacks Flouring Receiving project land development plan to the Penn Township Board of Commissioners. Motion carried 6-0.

SL21-03-Yazoo Mills- Yazoo Mills, 305 Commerce St, New Oxford, PA 17350. A land development final plan submitted in order to construct a new Manufacturing building in the Industrial zone. The property is located at 800 Gitts Run Road, Hanover, PA 17331.

Mr. Gerald Funke, Group Hanover, Inc., represented this plan. Mr. Funke stated this is the third and final stage of this plan. The addition will be sixty thousand square feet used for manufacturing and warehousing. The plan is to add twelve employees. They currently have four EDU's for sewer, currently using a little over one, with addition, usage will rise to slightly over two. The stormwater was accounted for when overall plan was submitted with the first phase in 2010, with run off into existing basin located on the west side of the property, however since then, DEP changed the requirements for stormwater to address both volume control as well as quality. Mr. Funke stated that there will need to be discussion regarding infiltration due to the clay soil. York County Comments have not been received, and this is just an introduction to the project. Approval from the Conservation District and the NPDES permit have been received.

SL21-04 -Jennifer Swartz & Russ Rill, 4655 Grandview Rd, Hanover, PA 17331. A subdivision plan was submitted in order to construct a minor add-on subdivision in the R-22 zone. The property is located at 4655 Grandview Rd, Hanover, PA 17331. **There was no action taken on this plan.**

Public Comments: There were none.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,
Donna M. Sweeney, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
MAY 6, 2021

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:07 p.m. on Thursday, May 6, 2021. Also present were planning members David Baker, Clayton Black, Mark Elksnis, James Lumadue, Adam Selfridge and Zach Smith, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planner Kathy Gill was absent with notice.

The planners approved the April 1, 2021 Planning Commission minutes as submitted.

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

ZHB21-04 Anthony Clouser, 361 Jasmine Drive, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to replace existing shed that encroaches into the rear setback requirements. The property is located at 361 Jasmine Drive in the R-15 zone.

Mr. Anthony Clouser represented this request. Mr. Clouser stated that he would like to replace an existing 8'x12' shed with a 12'x20' shed. The shed would exceed the 144 sq. ft, making it an accessory use building, using the required setbacks the building would be located too close to the existing swimming pool, and would limit the use of the yard. He would like to place the shed using the existing side and rear footprint of the existing shed. The length of the shed would be placed perpendicular to the side property line and would not be placed any closer to the side or rear property line.

Planners Selfridge/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-04-Anthony Clouser, requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to replace an existing shed, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 6-0.

ZHB21-05 Wesley Sensenig, 6999 Cannery Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations) to convert a building to a single-family semi-detached dwelling that does not meet minimum setback requirements. The property is located at 10 Westminster Avenue in the R-8 zone.
Applicant was not in attendance. No action was taken on this request.

ZHB21-06 Nathan & Shawna Kinard, 305 Fulton Street, Hanover, PA 17331. Applicant is requesting a Special Exception under section 634 (Replacement of nonconformity by another nonconformity) in order to construct and operate a Personal Training Facility. The property is located at 503 Meade Ave in the R-8 zone.

Attorney Joseph Erb, Barley Snyder LLC, represented this request. Attorney Erb reported Mr. and Mrs. Kinard would like to operate a personal training facility at the property. Mr. Erb is a licensed personal trainer and would receive a maximum of four clients at a time by appointment only. This would be a private business, limited clientele, and limited operating hours. The property previously housed a motorcycle repair shop. Planner Elksnis expressed concern of parking. There are four bay areas, in front as well as two bays on the side of the building, providing enough parking for six vehicles. Mr. and Mrs. Kinard would reside in the second level of the building. There will be no additions to the building.

Planners Smith/Selfridge moved for a favorable recommendation to the Penn Township Zoning Hearing Board on ZHB21-06-Nathan & Shawna Kinard, requesting a special exception to Section 634 (Replacement of nonconformity by another nonconformity), as it meets the requirements as set forth in Section 503.3 a) thru e), in order to operate a Personal Training Facility. Motion carried on a 6-0 vote.

ZHB21-07 Mildred Homa, 2520 Brookfield Avenue, Baltimore, MD 21217. Applicant is requesting a Special Exception under Section 322 (Uses not provided for) in order to operate an Air BNB Rental. The property is located at 2 Partridge Court in the R-15 zone.

The applicant was not in attendance. Zoning Officer Smith reported that he has received many emails and phone calls from the surrounding neighbors not in favor of this request. Zoning Officer Smith also commented that it does not meet the development's HOA rules and regulations.

Planners Baker/Selfridge moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on ZHB21-07-Mildred Homa, requesting a special exception to Section 322 (Uses Not Provided For); as it does not meet the requirements as set forth in Section 503.3 a) thru e), in order to operate an Air BNB Rental. Unfavorable motion carried on a 6-0 vote.

ZHB21-09 Anita Ritter, 1221 Brian Lane, Hanover, PA 17331. Applicant is requesting a Special Exception under Section 611 (Conversion of dwelling for additional family members) to construct an In-law Suite. The property is located at 1221 Brian Lane in the R-22 zone.

Mrs. Anita Ritter represented this request. Mrs. Ritter would like to build an addition of a 12'x18' in-law suite on the Andrew Court side of the existing home. The addition would consist of a kitchen, walk-in closet, and bath. The current dining room would eventually be converted to a first-floor bedroom. The addition is in the boundaries, and does not encroach into any setbacks, and would match the existing exterior décor.

Planners Smith/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board on ZHB21-09-Anita Ritter, requesting a special

exception to Section 611 (conversion of dwelling for additional family members), as it meets the requirements as set forth in Section 503.3 a) thru e), in order to construct an In-law Suite. Motion carried on a 6-0 vote.

ZHB21-10 Kenneth Todd Warner, 1059 Friar Run, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a deck that would encroach into the rear setback. The property is located at 1059 Friar Run in the R-15 zone.

Applicant was not in attendance. The plan is to replace an 8'x8' existing deck, and with a 16'x16' deck that would encroach into the rear setback eight feet.

Planners Selfridge/Black moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-10-Kenneth Todd Warner, requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a deck, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried 6-0.

Review and make recommendations on waiver and exoneration requests:

There were none.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL20-07-HANOVER FOODS FREEZER EXPANSION, Hanover Foods Corporation, 1486 York Street, Hanover, PA 17331. A land development plan submitted in order to construct an industrial freezer. The property is located at 1175 Wilson Avenue in the Industrial zone. **There was no action taken on this plan.**

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone.

Mr. Gerald Funke, Group Hanover, Inc., represented this plan. Mr. Funke stated that the outstanding requirement of infiltration has been met by turning over an acre of land into meadow by adding compost, and seeded for grass to allow for more infiltration of stormwater. The pond has been enlarged, the bottom has been regraded and the two areas of erosion have been addressed.

Planners Selfridge/Lumadue moved for a favorable recommendation with the condition that the calculations Engineer Bortner received are correct to the Penn Township Board of Commissioners on SL20-10-Aquaphoenix Scientific Building Addition. Motion carried on a 6-0 vote.

SL21-01-FINAL SUBDIVISION PLANS FOR STONEWICKE V. Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone.

Mr. Robert Sharrah, Sharrah Design Inc., represented this plan. Mr. Sharrah stated that the NPDES permit has been received and the bond has been approved.

Planners Smith/Elksnis moved for a favorable recommendation to the Penn Township Board of Commissioners on SL21-01-Final Subdivision Plans for Stonewicke V. Motion carried on a 6-0 vote.

SL21-03-YAZOO MILLS- Yazoo Mills, 305 Commerce St, New Oxford, PA 17350. A land development final plan submitted in order to construct a new Manufacturing building in the Industrial zone. The property is located at 800 Gitts Run Road, Hanover, PA 17331.

Mr. Gerald Funke, Group Hanover, Inc., represented this plan. Mr. Funke stated this is the final stage of the addition. NPDES permit has been received, York County Planning Comments have been addressed, and bond has been submitted.

Planners Selfridge/Lumadue moved for a favorable recommendation to the Penn Township Board of Commissioners on SL21-03-Yazoo Mills. Motion carried on a 6-0 vote.

SL21-04-JENNIFER SWARTZ & RUSS RILL, 4655 Grandview Rd, Hanover, PA 17331. A subdivision plan was submitted in order to construct a minor add-on subdivision in the R-22 zone. The property is located at 4655 Grandview Rd, Hanover, PA 17331. **There was no action taken on this plan.**

Public Comments: There were none.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Donna M. Sweeney, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JUNE 3, 2021

Vice-Chairman James Lumadue called to order a meeting of the Penn Township Planning Commission at 7:03 p.m. on Thursday, June 3, 2021. Also present were planning members Clayton Black, Mark Elksnis, and Zach Smith, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planner Adam Selfridge was absent with notice, and Planner David Baker was absent.

The planners approved the May 6, 2021 Planning Commission minutes as submitted.

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

ZHB21-05 Wesley Sensenig, 6999 Cannery Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations) to convert a building to a single-family semi-detached dwelling that does not meet minimum setback requirements. The property is located at 10 Westminster Avenue in the R-8 zone.

Mr. Wesley Sensenig, represented this request. This requested was held over from the May Planning Commission Meeting, due to the absence of Mr. Sensenig. Zoning Officer Smith stated this request involves two parcels of land, one which has an existing building, and the other is vacant and currently used for parking. He also stated that Mr. Sensenig cannot meet the setbacks, nor the off-street parking requirements, and will need to go through the process of reverse subdivision to meet the required off street parking. Mr. Sensenig is looking for approval to the plan before going through the process. The building will be converted into two single family dwelling units. Zoning Officer Smith stated that there is an issue with the property owner of the corner parcel currently using the empty lot which is behind his property for off-street parking, and to access his driveway. Zoning Officer Smith stated he is unaware if there is a right-of-way issue. Mr. Sensenig stated that it is his understanding that they are just using the lot. He referred to Mr. Jeff Homan, the architect of the plan regarding the parking. Mr. Homan stated that the plan currently has four parking spaces, and the lot is five thousand five hundred fifty-five square feet. He stated he can make access for the corner lot to pull into his driveway and add additional parking spaces. Planner Black is concerned with not knowing if the corner lot property owner has the right of way, because if does, then he can decide how to control said right of way on the property. Mr. Sensenig will contact his attorney to look into the issue.

Planners Elksnis/Black moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-05-Wesley Sensenig, 6999 Cannery Road, Hanover, PA 17331, requesting a variance to Section 202.3 (Area and Bulk Regulations) to convert a building to a single-family semi-detached dwelling due to the lack of information regarding a possible right of way on the property. Motion carried on a 4-0 vote.

ZHB21-011 Douglas B. Klunk, 45 Northview Drive, Hanover, PA 1731. Applicant is requesting a variance to Section 300.9 (Utility sheds/gazebos) in order to put a second utility shed on the rear of the property. The property is located at 45 Northview Drive in the R-15 zone. **The applicant requested to table until Planning Commission meeting in July.**

ZHB21-012 John T. & Darlene L. Ruhlman, 8017 Gnatstown Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations), 303.1 (Off Street Parking), Section 303.2 (Parking Space Dimensions) in order to create Residential lots that do not comply with the current standards set forth in these sections of the zoning ordinance. The property is located at 1593 Baer Avenue in the R-8 zone. **The applicant requested an extension.**

ZHB21-013 Connie McNeil, 1112 Cobblestone Court, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) to construct a garage that encroaches into the side setback regulations. The property is located at 1112 Cobblestone Court in the R-15 zone.

Ms. Connie McNeil represented this request. She is planning to construct a garage on an existing driveway that will encroach two feet into the side setback. Ms. McNeil stated there is a pipeline along the property line, and the proposed plan has the garage ten feet from the pipe and the property line. She added the additional space is needed to enable for wheelchair access to/from the vehicle in the proposed garage.

Planners Elksnis/Smith moved for a favorable recommendation to the Penn Township Zoning Hearing Board on ZHB21-013-Connie McNeil, 1112 Cobblestone Court, Hanover, PA 17331. Applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) to construct a garage as it meets the requirements as set forth in Section 503.3 a) thru e). Motion carried on a 4-0 vote.

Review and make recommendations on waiver and exoneration requests:

There were none.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a

manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

SL21-04-JENNIFER SWARTZ & RUSS RILL, 4655 Grandview Rd, Hanover, PA 17331. A subdivision plan was submitted in order to construct a minor add-on subdivision in the R-22 zone. The property is located at 4655 Grandview Rd, Hanover, PA 17331. **There was no action taken on this plan.**

SL21-05-ELSNER ENGINEERING WORKS, Elsner Engineering Works, 475 Fame Avenue, Hanover, PA 17331. A final subdivision plan was submitted in order to construct an Industrial Building for the expansion of Elsner Engineering. The property is located West of the intersection Barnhart Drive and Industrial Drive, Hanover, PA in the I-Industrial zone.

Mr. Bill Pompeii, K&W Engineering, and Mr. Bert Elsner, Elsner Engineering Works, represented this plan. Zoning Officer Smith stated the Township just received York County Comments. Mr. Pompeii stated they have not received to date. He stated Stormwater Management plans have been submitted to the Township and to York County Conservation District for review. The building will contain warehousing and offices. Mr. Elsner stated the parcel was purchased yesterday.

SL21-06-HIGH POINTE LLC, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan was submitted in order to create 31 new residential building lots and 1 Utility lot. The property is located between Beck Mill Road & Grandview Road in the R/C zone. **There was no action taken on this plan.**

Public Comments: There were none.

The meeting was adjourned at 7:38 p.m.

Respectfully submitted,
Donna M. Sweeney, Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
JULY 1, 2021

Vice-Chairman James Lumadue called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, July 1, 2021. Also present were planning members Clayton Black, Mark Elksnis, and Zach Smith, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planners Thomas Allison, David Baker and Adam Selfridge were absent with notice.

The planners approved the June 3, 2021 Planning Commission minutes as submitted.

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

ZHB21-011 Douglas B. Klunk, 45 Northview Drive, Hanover, PA 1731. Applicant is requesting a variance to Section 300.9 (Utility sheds/gazebos) in order to put a second utility shed on the rear of the property. The property is located at 45 Northview Drive in the R-15 zone.

Mr. Douglas Klunk represented this request. Mr. Klunk is requesting to install a second, eight by twelve-foot utility shed along a fence that is thirteen and a half feet from the rear, and nine feet from the side property lines. The shed will be placed adjacent to an existing shed, on an existing concrete slab and will be similar in color, shape and size. Mr. Klunk stated that a variance is needed to add the second utility shed in lieu of a larger shed, which then would be defined as an accessory structure, requiring a thirty-foot rear and twelve-foot side setback, limiting the use of his back yard. Mr. Klunk added that allowing the placement as requested it would enhance the visual harmony of the rear landscape along with the existing trees and shed.

Planners Black/Smith moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-011 Douglas B. Klunk requesting a variance to Section 300.09 (Utility sheds/gazebos) in order to put a second utility shed on the rear of the property as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

ZHB21-012 John T. & Darlene L. Ruhlman, 8017 Gnatstown Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations), 303.1 (Off Street Parking), Section 303.2 (Parking Space Dimensions) in order to create Residential lots that do not comply with the current standards set forth in these sections of the zoning ordinance. The property is located at 1593 Baer Avenue in the R-8 zone. **The applicant requested an extension.**

ZHB21-14-Paul & Megan Blevins, 220 Oak Hill Circle, Hanover, PA 17331. Applicant is requesting a Special Exception under Section 623 (Livestock kept for personal use) and a variance to Section 623(e) (Livestock and Poultry kept for personal use) in order

to have livestock on lot area that does not meet the lot area requirements of five (5) acres minimum. The property is located at 220 Oak Hill Circle in the R/C zone.

Mr. Paul Blevins represented this request. Mr. Blevins stated that they have an odd shaped lot backing up to a wooded area. His family are members of the Maryland 4H Club, and currently keeping a small amount of chickens and three sheep. He reported three of his four daughters will be of 4H age, and added that they moved to Penn Township because two of his children have autism, and the animals have become therapy animals. Planner Smith inquired if the animals were registered as therapy animals. Mr. Blevins stated they are not, he was not aware of the process and will be looking into it. He reported the animals are kept for 4H show purposes for four to five months a year, then sold at a 4H fair. There is a temporary barn to the rear of the property. Mr. Blevins submitted letters of support from a few of his neighbors, he also addressed the letter from a neighbor that Zoning Officer Smith received regarding his dogs. He said that his dogs sometime get out of the house and that it is sometimes unavoidable, and having these animals teaches the children responsibility and control. Planner Elksnis stated that the township has had several complaints in regards to their dogs getting lose and pinning neighbors on their porch and chasing smaller dogs, this issue needs to be addressed. Planner Elksnis asked if a permit was obtained for the chickens and if he was aware that rosters are not permitted. Mr. Blevins stated he was not aware and his wife had filled out the paperwork. Planner Elksnis informed Mr. Blevins he needs a permit for the chicken coop as well. Planner Elksnis asked about the disposal of the chicken waste. Mr. Blevins reported that they clean the coop every couple of days, and donate the waste to his father in law for his garden. Planner Elksnis asked if a permit was obtained for the barn used for the sheep, Mr. Blevins replied no, that he is from Carroll County where you can do anything you want in your back yard, and was unaware of the regulations in Penn Township. Zoning Officer Smith asked if he could meet the requirements of keeping the structures 200 feet from the property line, and Mr. Blevins replied he could not, Zoning Officer Smith advised him a variance would also be needed for a barn structure and the manure storage as it would not meet the required setbacks. Planner Elksnis stated he has no problems with the chickens and the coop as long as the proper permits are obtained.

Planners Elksnis/Smith moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-14-Paul & Megan Blevins requesting a Special Exception under Section 623 (Livestock kept for personal use) and a variance to Section 623(e) (Livestock and Poultry kept for personal use) in order to have livestock on lot area that does not meet the lot area requirements of five (5) acres minimum as it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru e) and a variance as set forth in Section 502.3 a) thru f). Unfavorable motion carried on a 4-0 vote.

ZHB21-15-Tom Reeves, 1066 Beck Mill Road, Hanover, PA 17331. Applicant is requesting a variance to Section 310 (Number of Principal uses on a Lot) in order to construct a new manufactured home that exceeds the number of Principal Uses on a lot. The property is located at 1066 Beck Mill Road in the R-22 zone.

Mr. Tom Reeves represented this request. Zoning Officer Smith stated that the ordinance requires that in-law quarters must be attached to the existing home. Mr. Reeves is requesting to place a twenty-eight by forty-eight manufactured home to the rear of his property for an In-Law quarters. The home would tie into the existing city water and sewer line on the property. Mr. Reeves stated that this is intended to be temporary as his in-laws are aging and the people he would purchase the home from intend to buy it back. Planner Smith asked if the property could be subdivided, Zoning Officer Smith stated that is an option. The commission was concerned with the long-term impacts of having two homes on the property.

Planners Black/Lumadue moved for an unfavorable recommendation to the Penn Township Zoning hearing board on case ZHB21-15-Tom Reeves requesting a variance to Section 310 (Number of Principal uses on a Lot) in order to construct a new manufactured home that exceeds the number of Principal Uses as it does not meet the requirements for a variance as set forth in Section 502.3 a) thru f). Unfavorable motion carried on a 4-0 vote.

ZHB21-16-Rene Rodgers, 54 Red Rock Run, Hanover, PA 17331. Applicant is requesting a variance to Section 204.3 (Area and Bulk Regulations) in order to construct a pool that encroaches into the rear setback requirements and Section 300.9 (d) (Utility Sheds and Gazebos) in order to construct a second shed on the rear property that exceeds the number of utility sheds permitted. The property is located at 54 Red Rock Run in the R-22 zone.

Ms. Rene Rodgers represented this case. Ms. Rodgers stated that prior to the construction of her home the land was flat, then after the home was built there was a hill to the rear of her property. The property is fully fenced and she is requesting to place an above ground pool into the hill ten feet from the rear property line due to the narrowness of the parcel. She is also requesting to install a second twelve by twelve utility shed beside an existing shed for additional storage. Zoning Officer Smith reported that she can meet the required setback for the additional shed.

Planners Black/Elksnis moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-16-Rene Rodgers requesting a variance to section 204.3 (Area and Bulk Regulations) in order to construct a pool that encroaches into the rear setback requirements and section 300.9(d)(Utility Sheds and Gazebos) in order to construct a second shed on the rear property that exceeds the number of utility sheds permitted as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

ZHB21-17-Cody Bentzel, 1045 Bair Road, Hanover, PA 17331. Applicant is requesting a Special Exception to Section 407.2 (Expansion and Alteration) in order to expand existing nonconforming building. The property is located at 934 Baltimore Street in the HB zone.

Mr. Cody Bentzel and Mr. Jeff Homan, Architect represented this request. Zoning Officer Smith stated this is the old Gulf Station located on the corner of Black Rock Road and Baltimore Street. Mr. Bentzel plans to expand the existing building and add a second story. This is two separate parcels and will have to go through reverse subdivision. He plans to open a retail store for every day household items. Zoning Officer Smith stated that once the plan goes for commercial review the foundation and walls will have to be certified. Planner Elksnis asked if the gas tanks have been removed. Mr. Bentzel stated that they were, Zoning Officer Smith requested a copy of the report to be forwarded to his office. Zoning Officer Smith stated the special exception is needed because structure cannot meet the required lot set backs of fifty feet off of Black Rock Road and fifty feet off Baltimore Street.

Planners Elksnis/Smith moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-17-Cody Bentzel requesting a special exception to section 407.2 (Expansion and Alteration) in order to expand and existing nonconforming building as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 4-0 vote.

Review and make recommendations on waiver and exoneration requests:

Entech Engineering on behalf of Campbell Snack's, is requesting a waiver to Section 405 (Sheet Size) of the Subdivision and Land Development Ordinance and Section 303.B (Volume Controls) of the Stormwater Management Ordinance in regards to the Hanover Plant Locker Room Addition. This property is located at 1250 York Street.

Mr. Kerry Good, Enteck Engineering represented this request. Engineer Bortner stated that Engineering Department does not have flat files large enough for storage of plans this size. Engineer Bortner reported Campbell Snack's was previously before the Planning Commission with a plan for a flour-room addition and had requested waivers to the Stormwater Management Ordinance, and there is concern with several ongoing projects and the Stormwater waiver requests keeps compounding.

Planners Black/Smith moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this waiver request. Motion carried on a 4-0 vote.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a

manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

SL21-04-JENNIFER SWARTZ & RUSS RILL, 4655 Grandview Rd, Hanover, PA 17331. A subdivision plan was submitted in order to construct a minor add-on subdivision in the R-22 zone. The property is located at 4655 Grandview Rd, Hanover, PA 17331.

Ms. Jennifer Swartz represented this plan. Ms. Swartz stated her property is oddly shaped. When she moved in two years ago, the Neiderer's that live directly behind her expressed interest in purchasing a portion of her property that is directly behind their property.

Planners Black/Elksnis moved for a favorable recommendation to the Penn Township Board of Commissioners on this plan. Motion carried on a 4-0 vote.

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

SL21-06-HIGH POINTE LLC, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan was submitted in order to create 31 new residential building lots and 1 Utility lot. The property is located between Beck Mill Road & Grandview Road in the R/C zone.

Engineer Bortner stated that this is for Phase South S2, Hight Pointe at Rojen Farms. Mr. Robert Sharrah, Sharrah Design Group, Inc. represented this plan. Mr. Sharrah stated that this project started in 2002, the Planning commission recommended preliminary approval on 2005, in 2016 the Board of Commissioners granted preliminary approval for the plan south of Grandview Road. Mr. Sharrah spoke about the Zoning Ordinance of a four-foot fence in the front yard. He referenced the landscaping plan of

the two small basins on the corner of Cornell Drive and Beck Mill Road, they are utilized at retention facilities. There is a grade issue with the existing contour going down in the corner, they are obligated to level with the existing corner on the other side of the intersection. In order to manage the water at the low point, there is a raingarden in place. The Stormwater Ordinance requires a four-foot fence around the area. In late 2015, early 2016 they proposed an alternate fence style, split rail with wire backing. On a letter dated August 16, 2016, the Board of Commissioners denied the request, and required the installation of a four-foot chain-link fence. Mr. Sharrah quoted section 306.B.4(a, of the Stormwater Ordinance, "the facility must be completely surrounded by a chain line fence of not less than four (4) feet in height. Alternative fences and barriers may be permitted upon request to and approval by the Township". He is requesting for a three-foot chain-link fence in lieu of four to get around the Zoning Ordinance issue and keeps him away from requesting a variance from the Zoning Hearing Board. He is stuck between the conflicting requirements between the Stormwater Ordinance and the Zoning Ordinance. Planner Elksnis asked what the reason was for the denial of the split rail fence, Zoning Officer Smith stated the reason is because of the depth of the water, anytime you have two feet of water, the state requires the four-foot fence, even if the water level will go up and down. Planner Elksnis asked why not the split rail fence, Engineer Bortner replied that it is the Township policy for the chain-link fence, requests for other styles have always been denied. Planner Elksnis stated that being a corner of a street, the chain-link is not very appealing. Engineer Bortner stated the only instance he can recall is that the previous ordinance did not require fencing in a shopping zone, so the township could not require the type of fence that was installed. He stated that a chain link fence has been required in residential zones. Mr. Sharrah stated this is a corner lot, therefore considered two front yards, so his question is does he ask to wave the Stormwater Management requirement, or does the Zoning Hearing Board waive the restriction of a four-foot fence. Engineer Bortner used the example of the shopping area at Wilson Avenue there was a four-foot fence erected on top of the retention pond, and the fence had to moved, it was still a four-foot fence, but was lowered to three feet to avoid obstructing the visibility of traffic. Planner Black stated that assuming that the Zoning Hearing Board denies the four-foot fence in the front yard, then he would have to go before the Board of Commissioners on the Stormwater Ordinance. Mr. Sharrah stated that could take months going back and forth between the two boards on the conflicting requirements. Mr. Sharrah would rather ask for the relief to go to the three-foot chain-link fence. Engineer Bortner stated that since the area is not buildable area, what is the definition of a front yard. Zoning Officer Smith stated that there is a lot on the area of the plan. Mr. Sharrah stated that the set backs are placed before that easement area. Planner Smith stated he has problems going against the Stormwater Ordinance requiring the four-foot fence. Planner Elksnis added it would be nice to have something more appealing that a chain link fence. Planner Black stated he struggles with recommending going against the four-foot Stormwater Ordinance requirement. Planner Smith agreed.

SL21-07-STONEWICKE -PHASE III, Stonewicke, LP, 107 Little Bridge Road, Hanover, PA 17331. Final subdivision plan submitted to create Eighty-five (85) new single-family residential building lots. The property is located between Clover Lane & Grandview Road in the R-15 zone. **There was no action taken on this plan.**

SL21-08-CAMPBELL SNACKS HANOVER PLANT-LOCKER ROOM EXPANSION, Campbell Snacks, 1250 York Street, Hanover, PA 17331. A land development plan submitted in order to construct a new addition for locker room facilities. The property is located at 1250 York Street in the I-Industrial zone. **There was no action taken on the plan.**

Public Comments: There were none.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
AUGUST 5, 2021

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, August 5, 2021. Also present were planning members Thomas Allison, Clayton Black, and Mark Elksnis, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planner James Lumadue was absent, and Planners Adam Selfridge and Zach Smith were absent with notice.

The planners approved the July 1, 2021 Planning Commission minutes as submitted.

Chairman Baker announced that there is a quorum, however if a split vote would occur, an unfavorable recommendation would carry. There were no objections from the applicants.

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

ZHB21-012 John T. & Darlene L. Ruhlman, 8017 Gnatstown Road, Hanover, PA 17331. Applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations), 303.1 (Off Street Parking), Section 303.2 (Parking Space Dimensions) in order to create Residential lots that do not comply with the current standards set forth in these sections of the zoning ordinance. The property is located at 1593 Baer Avenue in the R-8 zone. **The applicant withdrew the current zoning application on July 23, 2021.**

ZHB21-18 High Pointe LLC, 4175 Hanover Pike, Manchester, MD 21102. The applicant is requesting a variance under Section 300.3 (Fences and Walls) in order to construct a fence on two building lots that extends into the front yard area. The property is located at 45 and 50 Cornell Drive in the R-C zone.

Mr. Robert Sharrah, Sharrah Design Group, Inc., represented this request. Zoning Officer Smith asked Mr. Sharrah if he was going to pursue section 708 (Interpretation). Mr. Sharrah stated that at this point, he is here requesting the variance, and wishes to continue. Zoning Officer Smith stated he received a statement from the Township attorney and Mr. Sharrah stated that he did receive a copy. Zoning Officer Smith read section 708 (Interpretation) for the Commission. Mr. Sharrah referenced the Stormwater Ordinance, chapter 268, 15B-4, which requires the stormwater retention area to be completely surrounded by a chain link fence, no less than four feet in height, with alternative fences and barriers may be permitted with approval by the township. Mr. Sharrah stated that they had submitted a request for a split rail fence, with wire backing in 2016 as an alternative to the chain-link fence and the request was denied. His interpretation is, that if there is a requirement more stringent than the Zoning Ordinance, which would be Chapter 268 of the Stormwater Ordinance, the Stormwater Ordinance should prevail. Planner Elksnis expressed concern that the area is a mess, and added that the area has three to four hundred thousand-dollar homes, and would like see

something more attractive than a chain link fence. Planner Baker expressed concern that someone may fall into the retention pond, and added there needs to be a fence around the area. Planner Black summarized that Mr. Sharrah is requesting to place a four-foot fence around the basin, he further stated that because it is two corner lots, in the front yard, the Zoning Ordinance limits three foot in height. Planner Black further stated that he is requesting a variance to place a four-foot fence in the front yard to comply with the Stormwater Ordinance. Mr. Sharrah confirmed that is correct.

Planner Elksnis moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-18-High Pointe LLC, requesting a variance to section 300.3 (Fences and Walls) in order to construct a fence on two building lots that extends into the front yard area. Motion died as there was a lack of a second motion.

Planner Black asked Planner Elksnis why he moved for an unfavorable recommendation. Planner Elksnis expressed that the Planning Commission should not make a recommendation against the Stormwater Ordinance. After some discussion, Planner Elksnis stated that he misunderstood, referencing to the discussion from last months meeting of a three-foot fence. Planner Elksnis stated he is in favor of a four foot fence, however would prefer a fence more appealing than the chain-link.

Planners Baker/Elksnis moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-18-High Pointe LLC, requesting a variance to section 300.3 (Fences and Walls) in order to construct a fence on two building lots that extends into the front yard area, with the condition that it is a four-foot fence, and further stated the fence can be a more aesthetically appealing then a chain link fence, as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

ZHB21-19 Orbis & Alexandria Lopez, 519 Meade Avenue, Hanover, PA 17331. The applicant is requesting a special exception under Section 202.2 (Uses by Special Exceptions) in order to operate a hair salon and a variance under Section 618F (No sale of goods or merchandise shall occur on the premises, other than those goods or merchandise that are produced on the premises). The property is located at 519 Meade Avenue in the R-8 zone.

Mr. & Mrs. Lopez represented this request. Mr. Lopez reported the existing area is formally a garage, and they would like to install a shower if the salon does not work. Mrs. Lopez stated they are requesting to utilize the space to operate a one-chair hair salon. They are not making any exterior changes to the house. She would operate by appointment only, with hours Monday through Friday 9 A.M. to 5 P.M. There is ample off-street parking and the neighbors are aware of their intentions. Zoning Officer Smith requested that she forward a copy of her license.

Planners Black/Elksnis moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-19-Orbis & Alexandria Lopez

requesting a special exception under Section 202.2 (Uses by Special Exceptions) in order to operate a hair salon and a variance under Section 618F (No sale of goods or merchandise shall occur on the premises, other than those goods or merchandise that are produced on the premises) as it meets the requirements for special exception as set forth in Section 503.3 a) thru e) and a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

ZHB21-20 Judy Chamberlain, 222 Moore Drive, Hanover, PA 17331. The applicant is appealing the conditions of special exceptions under Section 618 (Home Occupation) to extend the days allowed to operate business. The property is located at 222 Moore Drive in the R-15 zone.

Ms. Chamberlain represented this request. Zoning Officer Smith reported that he has had several complaints regarding weekend business and parking on the street. Ms. Chamberlain was granted a special exception in 2005 to operate her fitness classes out of her home on Tuesday, Wednesday and Thursdays, with the condition that there would be no parking on the street. Ms. Chamberlain stated that she currently offers one class on Tuesday, two on Wednesday, and one on Thursday, with limited hours. She is requesting to operate Monday through Sunday, offering training classes on Saturdays from 8 a.m. to 11 a.m. six weeks out of the year, and on Sundays 8 a.m. to 4 p.m. January through April. She has widened her driveway to accommodate seven vehicles, and her and her husband are able to park in the neighbor's driveway. Planner Elksnis reported that her website offers a class on Monday. Ms. Chamberlain clarified that is a class conducted on-line. Planner Black expressed his concern that she has defied the 2005 stipulation that no parking was to be on the street, as well as the weekend hours.

Planner Baker moved for a favorable recommendation to the Penn Township Zoning Hearing Board on Case ZHB21-20-Judy Chamberlain appealing the conditions of special exceptions under Section 618 (Home Occupation) to extend the days allowed to operate business as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion died as there was a lack of a second motion.

Planners Black/Elksnis moved for an unfavorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-20-Judy Chamberlain appealing the conditions of special exceptions under Section 618 (Home Occupation) to extend the days allowed to operate business as it does not meet the requirements for a special exception as set forth in Section 503.3 a) thru e). Unfavorable motion carried 3-1 with Planner Baker casting the dissenting vote.

ZHB21-21 Richard Payne, P.O. Box 845, Manchester, MD 21102. The applicant is requesting a variance to Section 202.3 (Area and Bulk Regulations) in order to add an addition to the existing residence that will extend into the front setbacks. The property is located at 126 Fair Avenue in the R-8 zone.

Zoning Officer Smith stated that this lot falls under section 406, "where the setback requirements conform with the average established by existing uses in the

neighborhood, excepting, however, those lots covered under Section 405 hereof.” Zoning Officer Smith stated that average setback of the area is thirteen feet, and Mr. Payne is requesting a variance to encroach three feet into the setback. Mr. Payne stated that this is a corner, double lot, and he would like to add an addition to the side of the existing house towards Peter Street. The addition would not hinder the visibility of traffic at the corner stop sign.

Planners Allison/Elksnis moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-21-Richard Payne requesting a variance to Section 202.3 (Area and Bulk Regulations) in order to add an addition to the existing residence that will extend into the front setbacks, as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

ZHB21-22 Stryten Manufacturing, 3700 Mansell Road, Suite 400, Alpharetta, Georgia 30022. The applicant is requesting a variance to Section 209.3 (Area and Bulk Regulations) in order to install two silos that exceed the maximum height restrictions. The property is located at 14 Barnhart Drive in the Industrial zone.

Joseph Little, and Juan Dejesus, of Stryten Manufacturing represented this request. Mr. Little stated that there will be a total of five silos, one forty foot, two fifty foot, and two fifty-three-foot-tall located by the loading docks. Planner Elksnis asked if the two fifty-three-foot silos could be placed further down into the ground, Mr. Dejesus stated that they could not, there is a pre-set access door, and it would make transference of the stored materials very difficult.

Planners Black/Elksnis moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-22-Stryten Manufacturing requesting a variance to Section 209.3 (Area and Bulk Regulations) in order to install two silos that exceed the maximum height restrictions as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 4-0 vote.

ZHB21-23 Dean & Lori Garrett, 300 Park Heights Boulevard, Hanover, PA 17331. The applicant is requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a roof over an existing patio that extends into the rear setbacks. The property is located at 300 Park Heights Boulevard, Hanover, PA 17331 in the R-15 zone.

Mr. & Mrs. Garrett represented this request. Planner Elksnis reported that he drove by the area and it appears that the building of the roof had already begun. Zoning Officer Smith stated that the plan was approved by the third-party inspector, but when he reviewed the plan, he found that it was too close to the property line. He added that he was in contact with the contractor, and a hold was placed on the project. Mr. Garrett stated they have resided at the home for twenty-eight years, and own the parcel behind them. Planner Elksnis asked why he didn't have the two parcels combined into one deed, then there would be no need to request a variance. Mr. Garrett stated that if he had known he would have to go through this process he would have had the deeds

combined. Zoning Officer Smith stated the existing patio is in compliance at three and a half feet from the property line, but to add the roof, there is a required thirty foot set back. Planners Black and Elksnis expressed concern that as two separate parcels and if/when the property would be sold, the structure is not compliant.

Planners Allison/Baker moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-23-Dean & Lori Garrett requesting a variance to Section 203.3 (Area and Bulk Regulations) in order to construct a roof over an existing patio that extends into the rear setbacks. Vote was 2-2 with Planners Black/Elksnis casting the dissenting votes, therefore an unfavorable motion carried.

Review and make recommendations on waiver and exoneration requests: There were none.

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

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

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

SL21-04-JENNIFER SWARTZ & RUSS RILL, 4655 Grandview Rd, Hanover, PA 17331. A subdivision plan was submitted in order to construct a minor add-on subdivision in the R-22 zone. The property is located at 4655 Grandview Rd, Hanover, PA 17331. **There was no action taken on this plan.**

SL21-05-ELSNER ENGINEERING WORKS, Elsner Engineering Works, 475 Fame Avenue, Hanover, PA 17331. A final subdivision plan was submitted in order to

construct an Industrial Building for the expansion of Elsner Engineering. The property is located West of the intersection Barnhart Drive and Industrial Drive, Hanover, PA in the I-Industrial zone.

Mr. Bill Pompeii, K&W Engineering represented this plan. Engineer Bortner reported that all York County Planning Commission and Penn Township Staff comments have been addressed. Mr. Pompeii stated that they are waiting for the NPDES permit which is under technical review, and is requesting for plan approval. Zoning Officer Smith stated that the Land Development plan is missing a box for the Planning Commission to add their signature for approval. Mr. Pompeii stated he would deliver plans with the added space.

Planners Black/Elksnis moved for a favorable recommendation to the Penn Township Board of Commissioners for SL21-05-Elsner Engineering Works Land Development Plan. Motion carried on a 4-0 vote.

SL21-06-HIGH POINTE LLC, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan was submitted in order to create 31 new residential building lots and 1 Utility lot. The property is located between Beck Mill Road & Grandview Road in the R/C zone. **There was no action taken on this plan.**

SL21-07-STONEWICKE-PHASE III, Stonewicke, LP, 107 Little Bridge Road, Hanover, PA 17331. Final subdivision plan submitted to create Eighty-five (85) new single-family residential building lots. The property is located between Clover Lane & Grandview Road in the R-15 zone. **There was no action taken on this plan.**

SL21-08-CAMPBELL SNACKS HANOVER PLANT-LOCKER ROOM EXPANSION, Campbell Snacks, 1250 York Street, Hanover, PA 17331. A land development plan submitted in order to construct a new addition for locker room facilities. The property is located at 1250 York Street in the I-Industrial zone.

Mr. Kerry Good, Entech Engineering represented this plan. Mr. Good stated that he received notice of the denied waiver request for Section 303.B (Volume Controls) of the Stormwater Management Ordinance from last month's meeting. He reported the flour building is currently under construction and it was discovered that the stormwater basin on that plan has enough depth to accommodate this plan, therefore meeting the requirements of the Stormwater Ordinance.

Public Comments: There were none.

The meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
SEPTEMBER 2, 2021

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, September 2, 2021. Also present were planning members Thomas Allison, Clayton Black, Mark Elksnis, James Lumadue, and Zach Smith along with Zoning Officer Robert Smith; via cell-phone, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planner Adam Selfridge was absent with notice.

The planners approved the August 5, 2021 Planning Commission minutes as submitted.

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

ZHB21-24 Bret Horn, 177 Pheasant Run Lane, Hanover, PA 17331. The applicant is requesting a variance under Section 300.8 (Swimming Pools/Garden Pools) in order to place a swimming pool that extends into the rear setbacks. The property is located at 177 Pheasant Run Lane in the R-15 zone.

Mr. Horn, property owner represented this request. Zoning Officer Smith reported the property has approximately forty-nine feet from the back of the house to the rear property line. The pool is twenty-one feet wide, and Mr. Horn would like to place the pool to the left rear of his property twelve feet from the rear property line and twelve feet from the side. The pool meets the side setback, but would not meet the rear set back of thirty feet regardless of placement. There is a shed that will be moved and rebuilt. The yard is completely enclosed with a privacy fence, with gates latching from the inside.

Planners Black/Elksnis moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-24-Bret Horn, requesting a variance to section 300.8 (Swimming Pools/Garden Pools) in order to place a swimming pool that extends into the rear setbacks, as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

ZHB21-25 Lana and Lois Bittle, 131 Hufnagle Drive, Hanover, PA 17331. The applicant is requesting a variance under Section 300.9 (Utility Sheds and Gazebos) in order to construct a second shed on the rear property that exceeds the number of utility sheds permitted. The property is located at 131 Hufnagle Drive in the R-8 zone.

Ms. Lana Bittle, 131 Hufnagle Drive, and Ms. Lois Bittle, 133 Hufnagle Drive, represented this request. The dwelling on this parcel is a duplex. Ms. Lois Bittle, has an existing 10'X10' shed and wishes to replace. Both residents are requesting to place 10'x14' matching sheds, one for each side of the duplex. All required set backs will be met.

Planners Elksnis/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-25-Lana and Lois Bittle, requesting a variance to section 300.9 (Utility Sheds and Gazebos) in order to construct a second shed on the rear property that exceeds the number of utility sheds permitted, as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

ZHB21-26 Carroll County Christian Center, P.O. Box 127, Upperco, MD 21155. The applicant is requesting a variance under Section 207.3 (Area and Bulk Regulations) because the existing lot width does not meet the minimum regulations of 100 ft. The property is located at 889 Baltimore Street, Hanover, PA 17331 in the S/C zone.

Mr. Kris Raubenstine, Hanover Land Services, represented this request. This is an older building which sits in the path of a proposed access to the future building for the Youth for Christ. The existing lot width at the right of way of Baltimore Street is 69.14 feet, and tapers to a width of 20.93 feet. He is requesting a variance to reconstruct a non-conformity by 9.14 feet. The property is odd shaped, and proposes a land swap with the existing neighbor, Mr. & Mrs. John Lucabaugh, in order to straighten the two properties and eliminate an ingress/egress right-of-way and separate access drive for the subject lot. Mr. Art Smith, Chairman of the Board for the Youth for Christ, was in attendance and gave a brief overview of the use of the current building, and its future replacement.

Planners Lumadue/Allison moved for a favorable recommendation to the Penn Township Zoning Hearing Board on case ZHB21-26-Carroll County Christian Center, requesting a variance to section 207.3 (Area and Bulk Regulations) because the existing lot width does not meet the minimum regulations of 100 ft., as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

Review and make recommendations on waiver and exoneration requests:

- a) Sharrah Design Group, Inc., on behalf of High Pointe, LLC, is requesting a waiver to Section 306.B.4 (Detention and Retention Basins) of the Penn Township Subdivision & Land Development in regards to the High Pointe at Rojen Farms Penn South PH S2. The property is located between Beck Mill Road & Grandview Road.

Mr. Robert Sharrah Design Group, Inc. represented this request. Mr. Sharrah reported that the Zoning Hearing Board voted unanimously to grant variance relief to allow a four-foot-high fence in the front yards of the two stated lots. The Stormwater Ordinance calls for a four-foot chain link fence, upon the recommendation of various Penn Township committees and the residents across the street from the development, Mr. Sharrah was requested to present a fence more esthetically appealing than a chain link fence, he presented a plan for a four-foot split rail fence backed by wire. Planner Elksnis asked the commission and Mr. Sharrah to consider using a black aluminized

fence similar to those used around a swimming pool. Engineer Bortner reported the aluminized fence would be more than adequate, he expressed concern with split rail fence with wire backing not meeting the requirements, because it is easily climbable.

Planners Elksnis/Lumadue moved for an unfavorable recommendation to the Penn Township Board of Commissioners on this waiver request as presented as a split rail fence with wire backing, however moved for a favorable recommendation on a black aluminized swimming pool type fencing. Motion carried on a 6-0 vote.

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

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

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

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

SL21-06-HIGH POINTE LLC, 4175 Hanover Pike, Manchester, MD 21102. A final subdivision plan was submitted in order to create 31 new residential building lots and 1 Utility lot. The property is located between Beck Mill Road & Grandview Road in the R/C zone.

Mr. Robert Sharrah, Sharrah Design Group, Inc., represented this plan. Engineer Bortner reported York County Planning Commission and Penn Township comments have been addressed. The bond has been approved, and prepared by Woodhaven along with the recreation fees. This is a joint plan with West Manheim, which has approved the plan. Engineer Bortner reported the only outstanding item is the waiver request of the fence surrounding the two basins.

Planners Black/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners for plan SL21-06-High Pointe LLC. on the condition the waiver request for the fence is addressed. Motion carried on a 6-0 vote.

SL21-07-STONEWICKE-PHASE III, Stonewicke, LP, 107 Little Bridge Road, Hanover, PA 17331. Final subdivision plan submitted to create Eighty-five (85) new single-family residential building lots. The property is located between Clover Lane & Grandview Road in the R-15 zone. **There was no action taken on this plan.**

SL21-08-CAMPBELL SNACKS HANOVER PLANT-LOCKER ROOM EXPANSION, Campbell Snacks, 1250 York Street, Hanover, PA 17331. A land development plan submitted in order to construct a new addition for locker room facilities. The property is located at 1250 York Street in the I-Industrial zone.

Kerry Good, Entech Engineering represented this plan. Engineer Bortner stated that this revised plan complies with the Subdivision and Land Development Ordinance as well as the Stormwater Management Ordinance. Penn Township staff and York County Planning Commission comments have been addressed. Mr. Good reported the plan addresses the several denied waivers for stormwater management by utilizing the rain garden constructed for the flour room addition. Engineer Bortner reported that Campbell's is conducting several projects at the facility, the plans shows all the current projects, and addresses the stormwater management requirements for all the combined projects. Engineer Bortner added the township has all documentation that is required for this plan.

Planners Elksnis/Lumadue moved for a favorable recommendation to the Penn Township Board of Commissioners for plan SL21-08-Campbell Snacks Hanover Plant-Locker Room Expansion. Motion carried on a 6-0 vote.

Public Comments: There were none.

The meeting was adjourned at 7:52 p.m.

Respectfully submitted,
Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
OCTOBER 7, 2021

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, October 7, 2021. Also present were planning members Thomas Allison, Mark Elksnis, James Lumadue, and Zach Smith along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planners Clayton Black and Adam Selfridge were absent with notice.

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

The planners approved the September 2, 2021 Planning Commission minutes as submitted.

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

ZHB21-27 Richard & Vickie Monsell, 615 Black Rock Road, Hanover, PA 17331. The applicant is requesting a variance under Section 300.8 (Swimming Pools/Garden Pools) in order to construct an above ground swimming pool that encroaches into the rear setbacks. The property is located at 615 Black Rock Road in the R-15 zone.

Mr. Richard Monsell, property owner represented this request. Mr. Monsell reported the above ground pool is twenty-four feet in diameter, they've had the pool for ten years, and were unaware the pool may be out of compliance. Zoning Officer Smith stated that on the application the property owner reported he has eighteen feet to the rear, and twelve feet to the side of the existing pool's location. He added that there is some discrepancy to the location of the property lines. Planner Elksnis suggested they have the property surveyed to find the correct property lines. Zoning Officer Smith stated that the property is sixty-three feet wide, by one hundred seventy-seven long, the property owner does meet the rear set back of thirty feet, however the side set-back is in question. Planner Baker stated it with a property width of sixty-three feet a variance may not be needed and encouraged Mr. Monsell to have the property lines researched.

Planners Baker/Smith moved for an extension to allow for time for the property owner to research the property and locate the property pins before moving forward to the Penn Township Zoning Hearing Board on case ZHB21-27-Richard & Vickie Monsell, requesting a variance to section 300.8 (Swimming Pools/Garden Pools) in order to construct a swimming pool that extends into the rear setbacks. Motion carried on a 5-0 vote.

Review and make recommendations on waiver and exoneration requests: None.

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

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

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

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

SL21-07-STONEWICKE-PHASE III, Stonewicke, LP, 107 Little Bridge Road, Hanover, PA 17331. Final subdivision plan submitted to create Eighty-five (85) new single-family residential building lots. The property is located between Clover Lane & Grandview Road in the R-15 zone. **There was no action taken on this plan.**

SL21-09-PORTER AND WAREHIME PROPERTY, BPR LLC, 150 Airport Drive, Unit 4, Westminster, MD 21157. Final subdivision plan submitted in order to reverse subdivide and add property to an existing parcel. The property is located at 577 High Rock Road in the R/C zone. **There was no action taken on this plan.**

SL21-10-CONEWAGO NORTH RIDGE PARTNERS, L.P., Conewago North Ridge Partners, L.P., 610 Edgegrove Road, Hanover, PA 17331. A final land development plan submitted to amend Lot 3 of the previously approved plan. Change store site 13 and 14 from two 17,500 square sites to one 40,0029 square foot site. The property is located at Lot 3 in Gateway Hanover on Wilson Ave in the SC zone.

Allen Smith, Conewago Contractors and Dennis Reichel, HRG, Inc. represented this plan. Mr. Reichel stated they are proposing to combine store sites 13 & 14 to form one store site of about 40,000 square foot on lot 3, as well as expand store site 10 to about 35,000 square foot. With this modification they are reducing the total building footprint by a little under 10,000 square feet. The previous plan store site lines will be realigned, as well as the utility lines. The impervious area will be reduced about 17,000 square feet, there is public sewer and water. Stormwater is currently in place with the previous construction. Comments have been received from both York County Planning Commission and Penn Township Staff, which are administrative in order and will be addressed. Mr. Smith stated essentially, they are adding 5,000 square feet to store site 13 and 14, and voluntarily reducing store site 17 by 16,000 square feet to ensure all parking and coverage ratios are maintained. Mr. Reichel stated they are requesting a modification to the application fee to pay the fee on the acreage of disturbance, not the entire plan, this would be a difference of \$400 versus \$4,400. Planner Elksnis stated this modification request must go before the Board of Commissioners.

Planners Elksnis/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners for plan SL21-10-Conewago North Ridge Partners, L.P. Motion carried on a 5-0 vote.

SL21-11-BROOKSIDE, LLC & MEADOW SPRINGS, LLC, Brookside Heights, LLC & Meadow Springs, LLC, 1454 Baltimore St, Hanover, PA 17331. An amended final subdivision plan to Brookside Height Phase III & IV lots 61A thru D lots 62 and 64. The property is located at Overlook Drive & Pacer Drive in the R-8 Urban Residential zone.

Kyle Gillespie, Burkentine Builders, and Douglas Stambaugh, GHI represented this plan. Engineer Bortner stated they are proposing a modification to the approved plan of a three unit building and a two-unit building, and changing to a five unit building in order to meet the required set backs due to increasing the size of the unit throughout phases 3 and 4. With the larger units they must modify their storm water basin, and must also widen the emergency spill way of the erosion and settlement control basin they are proposing to install a seven-foot retaining wall. Mr. Stambaugh, stated to comply with the stormwater requirement, the retaining wall is proposed to form a wedge, and give the depth needed to meet the volume, this would be in lieu of a slow gradual slope. The Planners expressed concern with the safety of the of the retaining wall, even with the required chain link fence surrounding. Zoning Officer Smith expressed concern with residents requesting to add patios, and if the developer is informing the purchaser of the restrictions due to the post construction stormwater management. Mr. Gillespie stated that they have done their best to educate the HOA on the stormwater management. Planner Elksnis asked what could be done instead of the seven-foot retaining wall, Engineer Bortner stated that they could eliminate building lots to use the previously approved plan of a sloped water basin. Planner Baker stated he would rather see a non-climbable fence surrounding a retaining wall, he fears that kids would use the retaining wall as a play area.

Planners Allison/Smith moved for an unfavorable recommendation to the Penn Township Board of Commissioners for plan SL21-11-Brookside, LLC & Meadow Springs, LLC. Motion carried on a 5-0 vote.

Public Comments: There were none.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
NOVEMBER 4, 2021

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, November 4, 2021. Also present were planning members Thomas Allison, Clayton Black, James Lumadue, and Zach Smith along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney. Planners Mark Elksnis and Adam Selfridge were absent with notice.

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

The planners approved the October 7, 2021 Planning Commission minutes as submitted.

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

ZHB21-27 Richard & Vickie Monsell, 615 Black Rock Road, Hanover, PA 17331. The applicant is requesting a variance under Section 300.8 (Swimming Pools/Garden Pools) in order to construct an above ground swimming pool that encroaches into the rear setbacks. The property is located at 615 Black Rock Road in the R-15 zone.

APPROVED SIXTY DAY EXTENSION.

ZHB21-28 William M. Shupe, 11 Valley View Road, Hanover, PA 17331. The applicant is requesting a variance to the definition of an accessory structure in order to construct an additional accessory structure on a property without a principle use. The property is located at 11 Valley View Road in the R-15 zone.

Mr. William Shupe, property owner represented this request. Mr. Shupe owns two parcels, the parcel at 11 Valley View contains the home, the rear adjacent parcel contains a swimming pool, he would like to construct a forty-foot by sixty-foot garage/pool building on the property line, the building will be thirty feet from Bowman Road. Mr. Shupe intends on installing a driveway off of Bowman Road leading into the structure. He explained that this is only layout feasible due to a large California Redwood tree on his property. He reported the front forty by forty feet would be utilized as a garage, and the rear twenty by forty feet would be a pool/entertainment room. The sewer lateral goes through the property into Bowman Road. He currently has a deduct meter for the pool, and would eliminate the meter if permitted to connect to the sewer to construct a bathroom/shower in the pool house. Mr. Shupe stated the property is surrounded by an aluminum fence, in which a portion would be removed to place the building directly on the property line. Mr. DeLong, owner of the adjacent property was present and expressed he has no issue with the building being placed on the property line. Planner Black expressed his concern of the building being on the property line, stating he is leaving no room for future maintenance, and there is no guarantee the neighbor, or future neighbor would be okay with the placement. Mr. Shupe stated he

would abide by the twenty-four-foot-wide driveway entrance requirement from Bowman Road, and would install lights at each side, and eliminate the line of large trees to make the driveway more visible.

Planners Baker/Lumadue moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-28 William M. Shupe, requesting a variance to the definition of an accessory structure in order to construct an additional accessory structure on a property without a principle use, as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 4-1 vote, with Planner Black casting the dissenting vote.

ZHB21-29 Jeff Warehime, 6840 Laurel Summit Drive, Hanover, PA 17331. The applicant is requesting a variance to Section 300.3 (Fences and Walls) to erect a fence in the front yard that exceeds the permitted height of three (3) feet. The applicant is also appealing the determination of the Zoning Officer of the front yard area. The property is located at 382 High Rock Road in the RC zone.

Mr. Cameron Renbold, and Brian May of Waggoner Construction represented this request. Zoning Officer Smith presented the Commission with several photos, first; the outline of the property, the second photo shows a small section of the property that abuts on High Rock Road, and the third shows the gate along the road, and fourth shows the fence, which is forty-two inches from the grade to the top of the rail. He stated the first thing that needs to be addressed is the determination of the front yard. Section 311 of the Zoning Ordinance states that a property must abut a public street. The address is Hickory Lane, which is not a public street, however the property does abut on High Rock Road, which is a public Road. He stated he is calling this the front yard. Mr. Renbold presented the Commission with a copy of the tax map which lists the address of Hickory Lane, and does not come up as 382 High Rock Road. He stated 382 High Rock Road contains a house. Mr. Renbold stated that the property in question is void of any buildings. Zoning Officer Smith stated that the parcel did not have an address, and he recently submitted the address with York County and the tax map he presented is not current. Mr. Renbold reported the fence was constructed a year ago, without a permit. The fence was installed on ninety-four acres of property to restrict the access of ATV's and four-wheelers from entering the property.

Planners Black/Smith moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-29 Jeff Warehime, requesting a variance to Section 300.3 (Fences and Walls) to erect a fence in the front yard that exceeds the permitted height of three feet, as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 5-0 vote.

ZHB21-30 Erik & Mary Zaleskiewicz, 1185 Pearl Drive, Hanover, PA 17331. The applicant is requesting a variance in Section 300.3 (Fences and Walls) in order to erect a fence in the front yard area that exceeds the permitted height of three (3) feet. The property is located at 1185 Pearl Drive in the R-22 zone.

Zoning Officer Smith stated that the applicants were unable to attend due to a family matter, and gave permission to discuss. Zoning Officer Smith reported this is a unique situation; the house is on a corner lot, and the side of the house sits on top of a hill due to a very steep slope, with a setback of about sixty feet. The neighboring house is set back thirty-five feet, and their fence does meet the requirements of the front yard setback from the house to the right of way line. The applicant does not meet the required front yard set-back, and is requesting to place a four-foot fence in line with the neighboring fence.

Planners Black/Lumadue moved for a favorable recommendation in case ZHB21-30 Erik & Mary Zaleskiewicz requesting a variance to Section 300.3 (Fences and Walls) in order to erect a fence in the front yard area that exceeds the permitted height of three (3) feet, as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried 5-0.

ZHB21-31 GHI Engineers and Surveyors (Representing Arcland Acquisition Company, LLC), 213 Carlisle Street, Hanover, PA 17331. The applicant is requesting a special exception under Section 207.2 (Use by Special Exception) in order to convert an existing building and add an additional building for mini storage warehouses. The property is located at 1049 Baltimore Street in the SC zone.

Attorney Paul Minnich, Barley Snyder, Mr. Gerald Funke, GHI, and Mr. Anthony Piscitelli, Arcland Acquisition Company, LLC represented this request. Attorney Minnich stated this is the old Weis building that has been vacant for several years, and sits back along Baltimore Street, and is not visible from the street. The mini-storage use is a special exception use as it sits within the shopping commercial zone. Mr. Anthony Piscitelli, presented a power point slide of the proposed business. Mr. Piscitelli stated the company is based out of the Washington DC area, with businesses in North of Baltimore down to Richmond, Virginia. This is the first project in Pennsylvania. They propose to add an additional building in line with the current structure. They provide atheistically pleasing, climate controlled, drive up self-storage facilities. The property will be surrounded by a fence, with keypad entrance control. This would be a high security facility with cameras surrounding all perimeters. The office would be maned from 9:30 a.m. to 6:30 p.m. daily. Hours of operation would be from dusk to dawn, 8 a.m. to 8 p.m.

Planners Smith/Allison moved for a favorable recommendation in case ZHG21-31, GHI Engineers and Surveyors (Representing Arcland Acquisition Company, LLC) requesting a special exception under Section 207.2 (Use by Special Exception) in order to convert an existing building and add an additional building for mini storage warehouses, as it meets the requirements for special exception as set forth in Section 503.3 a) thru e). Motion carried on a 5-0 vote.

Review and make recommendations on waiver and exoneration requests: None.

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

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

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

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

SL21-07-STONEWICKE-PHASE III, Stonewicke, LP, 107 Little Bridge Road, Hanover, PA 17331. Final subdivision plan submitted to create Eighty-five (85) new single-family residential building lots. The property is located between Clover Lane & Grandview Road in the R-15 zone. **There was no action taken on this plan.**

SL21-09-PORTER AND WAREHIME PROPERTY, BPR LLC, 150 Airport Drive, Unit 4, Westminster, MD 21157. Final subdivision plan submitted in order to reverse subdivide and add property to an existing parcel. The property is located at 577 High Rock Road in the R/C zone. **There was no action taken on this plan.**

SL21-10-CONEWAGO NORTH RIDGE PARTNERS, L.P., Conewago North Ridge Partners, L.P., 610 Edgegrove Road, Hanover, PA 17331. A final land development plan submitted to amend Lot 3 of the previously approved plan. Change store site 13 and 14 from two 17,500 square sites to one 40,0029 square foot site. The property is

located at Lot 3 in Gateway Hanover on Wilson Ave in the SC zone. **There was no action taken on this plan.**

SL21-11-BROOKSIDE, LLC & MEADOW SPRINGS, LLC, Brookside Heights, LLC & Meadow Springs, LLC, 1454 Baltimore St, Hanover, PA 17331. An amended final subdivision plan to Brookside Height Phase III & IV lots 61A thru D lots 62 and 64. The property is located at Overlook Drive & Pacer Drive in the R-8 Urban Residential zone.

Attorney Paul Minnich, Barley-Snyder and Kyle Gillespie, Burkentine Builders represented this plan. Attorney Minnich stated they believe they are in full compliance of the Subdivision and Land Development Plan Ordinance. They are in attendance to better understand what the commission is looking for in regards to the retaining wall and surrounding fence. Planner Baker stated the issue from the last meeting was the seven-foot-high retaining wall for the storm water management, and the chain-link four-foot fence surrounding it. He expressed deep concern of the allure it will have to children to climb the fence, and walk the top of the retaining wall. He has a fear of children falling, and/or drowning. Planner Baker suggested making the fence non-climbable, or lose two lots and slope in place of the retaining wall for the management of the stormwater. Planner Black asked Zoning Officer Smith if retaining walls require set-backs, Zoning Officer Smith stated it depends on the definition of retaining wall, Planner Black added it is defined as a structure. Planner Black also asked if there are easements on the property line to keep things out from that close of the property line. Zoning Officer Smith reported it would be stated on the front of the plan, Engineer Bortner reported that there is a fifteen-foot easement for the maintenance of the retaining wall on the adjacent property. He asked if there is a blanket easement for on side lot lines. Engineer Bortner stated there is probably a ten-foot easement, Planner Black asked then how can the structure even be placed there and added he would like this explored for the future. Attorney Minnich stated that the condition of the requested fencing is something they can accommodate.

Planners Allison/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners with the condition of the placement of a six-foot unclimbable solid fence completely surrounding the entire stormwater management pond for plan SL21-11-Brookside, LLC & Meadow Springs, LLC. Motion carried on a 4-0 vote, with Planner Black abstaining.

Public Comments: There were none.

The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary

PENN TOWNSHIP PLANNING COMMISSION
DECEMBER 2, 2021

Chairman David Baker called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, December 2, 2021. Also present were planning members Thomas Allison, Clayton Black, Mark Elksnis, James Lumadue, Adam Selfridge and Zach Smith along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney.

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

The planners approved the November 4, 2021 Planning Commission minutes as submitted.

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

ZHB21-32-Garcia, Martin & Barajas, Blanca- 299 Wirt Avenue, Rear, Hanover, PA 17331. The applicant is requesting a special exception under section 407.2 (Expansion and Alteration) in order to demolish the existing dealership and construct a new building with a residence above. The property is located at 299 Wirt Avenue, Hanover, PA 17331 in the R-8 zone

Mr. Martin Garcia and Ms. Blanca Barajas represented this case. Zoning Officer Smith stated that the applicants received a variance in 2013 for the auto shop, they rented the building until they purchased in 2018. Ms. Barajas reported they wish to demolish the existing building, and remove the mobile home and construct a forty by fifty-foot, two-story structure further back on the property. They plan to utilize the second story as their private residence. She stated this is a rough plan and professional plans will be drawn up. After some discussion regarding the setbacks, and proposed building size, it was stated that the applicant would be better off staying with the current setbacks that are five feet from side, and rear property lines. Planner Elksnis inquired if they plan to move the car display line in the auto lot back as there are cars currently parked on the sidewalk, Ms. Barajas stated she will get that corrected.

Planners Selfridge/Allison moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB21-32-Garcia, Martin & Barajas, Blanca requesting a special exception under section 407.2 (Expansion and Alteration) in order to demolish the existing dealership and construct a new building with a residence above, as it meets the requirements for a special exception as set forth in Section 503.3 a) thru e). Motion carried on a 7-0 vote.

ZHB21-33-DuPhily, Robert- 534 Laurence Drive, Hanover, PA 17331. The applicant is requesting a special exception under Section 407.3 (Replacement) in order to convert an existing TV repair shop & music store into a construction company sales office. The

applicant is also requesting a variance under Section 303 (Off-Street Parking requirements). The property is located at 10 Westminster Avenue, Hanover, PA 17331 in the R-8 zone.

Mr. DuPhily represented this request. Zoning Officer Smith stated the property is listed as a commercial building, Mr. DuPhily will have to reverse sub-divide the property. He is requesting a variance for off-street office parking, as it would require twenty-seven parking spaces, there is not enough room and the business will not need that amount of spaces. The entrance to the parking area would come off of West Middle Street, currently parking comes off the alley, this will be addressed in the reverse subdivision plan. Planner Zach Smith stated that currently the house on the corner drives through the property to access their driveway. Planner Elksnis expressed concern of the parking area not being secure to business vehicles, and added that the parking area should be surrounded by a fence. Ms. DuPhily questioned what type would be required, she stated it is her understanding that the previous owner and the house on the corner had a mutual understanding that they could park on the property. Ms. Connie Long, executor of the estate, for the property stated that there is no agreement allowing the residents of the property on the corner to park there. She added there is plenty of off-street parking, and the residential parking should not be an issue. Planner Elksnis stated that it is not his concern, he wants to make sure that the business has an established parking lot and is suggesting the fence to surround designated parking area for the business.

Planners Elksnis/Selfridge moved for a favorable recommendation with the conditions that a fence is installed surrounding the parking area in case ZHB21-33-DuPhily, requesting a special exception under Section 407.3 (Replacement) in order to convert an existing TV repair shop & music store into a construction company sales office as it meets the requirements for special exception as set forth in Section 503.3 a) thru e), and a variance under Section 303 (Off-Street Parking requirements) as it meets the requirements for a variance set forth in Section 502.3 a) thru f). Motion carried on a 7-0 vote.

Review and make recommendations on waiver and exoneration requests: None.

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

SL17-10-MUSTANG POINTE, J. A. Myers, 160 Ram Drive, Hanover, PA 17331. A preliminary subdivision plan to create 190 new residential building lots. The property is located between Breezewood Drive and Bowman Road in the R-8 zone.

There was no action taken on this plan.

SL20-09-PERO FARMS HANOVER FACILITY LLC, Pero Farms, 26 Industrial Drive, Hanover, PA 17331. A land development plan submitted in order to construct a

manufacturing addition. The property is located at 26 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

SL20-10-AQUAPHOENIX SCIENTIFIC BUILDING ADDITION, Aquaphoenix Scientific, c/o Frank Lecrone, 860 Gitts Run Road, Hanover, PA 17331. A land development plan submitted in order to construct a building addition. The property is located at 860 Gitts Run Road in the Industrial zone. **There was no action taken on this plan.**

SL21-01-CLOVER LAND DEVELOPMENT (STONEWICKE V), Clover Lane Development, LP, 160 Ram Drive, Hanover, PA 17331. Final subdivision plan submitted to create fourteen (14) new residential lots. The property is located at Maple Lane (310 Clover Lane) in the R-15 zone. **There was no action taken on this plan.**

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

SL21-07-STONEWICKE-PHASE III, Stonewicke, LP, 107 Little Bridge Road, Hanover, PA 17331. Final subdivision plan submitted to create Eighty-five (85) new single-family residential building lots. The property is located between Clover Lane & Grandview Road in the R-15 zone.

Mr. Kris Raubenstine, Hanover Land Services, Inc., represented this plan. He stated this is the third phase in this plan, and is in attendance to answer any questions. He stated that the roads, infrastructure and utilities have been completed, he is looking for approval so they can establish the lots for sale. Planner Baker questioned that the stormwater basin currently does not have a surrounding fence. Mr. Raubenstine stated that there is water in the basin now, it is structured as a sediment basin during the construction period. When the construction is completed the site will be converted to the stormwater basin, at which time the fence will be installed. Zoning Officer Smith asked the current depth of the basin. Mr. Raubenstine stated currently it is at eighteen to twenty-four inches, once converted it should be dry. Zoning Officer Smith stated he received several calls in the past with concern of the depth of the basin being higher, but the developer was quick to bring pumps in to bring the depth down.

Planners Selfridge/Smith moved for a favorable recommendation to the Penn Township Board of Commissioners on plan SL21-07-Stonewicke-Phase III. Motion carried on a 7-0 vote.

SL21-09-PORTER AND WAREHIME PROPERTY, BPR LLC, 150 Airport Drive, Unit 4, Westminster, MD 21157. Final subdivision plan submitted in order to reverse subdivide

and add property to an existing parcel. The property is located at 577 High Rock Road in the R/C zone. **There was no action taken on this plan.**

SL21-11-BROOKSIDE, LLC & MEADOW SPRINGS, LLC, Brookside Heights, LLC & Meadow Springs, LLC, 1454 Baltimore St, Hanover, PA 17331. An amended final subdivision plan to Brookside Height Phase III & IV lots 61A thru D lots 62 and 64. The property is located at Overlook Drive & Pacer Drive in the R-8 Urban Residential zone.

Zoning Officer Smith reported that a favorable recommendation was made to the Penn Township Board of Commissioners with the condition of the placement of a six-foot unclimbable solid fence completely surround the entire stormwater management pond at the November 4, 2021 Planning Commission meeting. He reported that revised plans containing two choices of fencing were submitted for review. Option one being an eight to ten-foot non-climbable wire mesh type fence, and option two was a six-foot non-climbable solid vinyl fence. After some discussion the Commission recommended option two as the best choice.

SL21-12- ABOVE & BEYOND CHRISTIAN CHILD CARE CENTER, GHI Engineers & Surveyors, 213 Carlisle St, Hanover, PA 17331. A land development plan submitted in order to demolish two existing structures and construct a new 3,000 sq. ft. building to expand the existing childcare facility. The property is located at 701 Black Rock Road in the R-15 zone. **There was no action taken on this plan.**

Public Comments: There were none.

The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Donna M. Sweeney,
Recording Secretary