

**PENN TOWNSHIP PLANNING COMMISSION**  
**JUNE 6, 2024**

Chairman Zach Smith called to order a meeting of the Penn Township Planning Commission at 7:00 p.m. on Thursday, June 6, 2024. Also present were planning members Ron Arnold, Matthew Baile, Michael Brown, Ronnie Bull, and Michael Hoover, along with Zoning Officer Robert Smith, Township Engineer Eric Bortner, and Township Secretary Sweeney.

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

The planners approved the May 2, 2024, Planning Commission minutes as submitted.

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

**ZHB24-06- Silbaugh Investors LP #5 represented by Barley Snyder**, 100 East Market Street, York, PA 17401. The applicant is requesting a variance to Section 207.2 (Use Regulations), special exception to Section 322 (Uses Not Provided For) and interpretation to Section 103 (Definitions) in order to construct a market master office and quarters within an existing building. The property is located at 1649 Broadway, Hanover, PA 17331 in the S/C Zone.

Zoning Officer Smith reported an email was received requesting an extension until the next meeting.

Planners Hoover/Brown moved for a favorable recommendation to Penn Township Zoning Hearing Board for an extension for ZHB24-06-Silbaugh Investors LP #5 represented by Barley Snyder. Motion carried 6-0.

**ZHB24-08 Fleck, Bridget**, 132 Ruel Avenue, Hanover, PA 17331. The applicant is requesting a variance to Section 300.2 (Accessory Structure Nonattached) in order to permit an accessory structure in the side setbacks. The property is located at 132 Ruel Avenue in the R-15 Zone.

Zoning Officer Smith stated Bridget Fleck wishes to install an additional shed, which would require the existing building to be considered an accessory building. The current building is situated 11 feet from the property line, whereas the required setback is 12 feet. Only one shed is permitted, if the one-foot variance is granted to classify this structure as an accessory building, they would be permitted to install the shed. It was noted that a permit for a shed was granted in 2005.

Ms. Fleck, the property owner, presented this request. She explained that she needs the additional building to store her son's woodworking equipment, which is currently taking up space in her basement. The proposed new shed would be located towards the rear of the property, 11 feet from the left side, and would be a 12 by 12 structure, adhering to the 144 square feet limit.

Planners Bull/Hoover moved for a favorable recommendation to the Penn Township Zoning Hearing Board in case ZHB24-08, Fleck, Bridget, for a variance to Section 300.2 (Accessory structure Nonattached) in order to permit an accessory building within the side setbacks as it meets the requirements for a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**ZHB24-09 Mosier, DVM, Jennifer, represented by Barley Snyder**, 100 East Market Street, York, PA 17401. The applicant is requesting a variance to Section 207.2 (Use Regulations) in order to allow an animal hospital in the Shopping Commercial Zone. The property is located at 1139 Baltimore Street in the S/C Zone.

Attorney Charmaine Nyman, Barley Snyder, reported they have an agreement of sale contingent of the decision of the Zoning Hearing Board regarding this case.

Dr. Mosier clarified the terminology used in the application, specifically the use of the terms "urgent care," "clinic," and "hospital." It was explained that in the veterinary world, the terms "clinic" and "hospital" are interchangeable and do not imply 24-hour service as they do in human medicine. She apologized for any confusion caused by the terminology and clarified that their intent is to provide urgent care services, filling the gap between routine 9-5 clinic visits and emergency hospital visits. They emphasized that they do not intend to perform surgeries at this location but aim to reduce the need for pet owners to travel long distances for urgent care. The urgent care facility would cater to dogs, cats, and small animals, not large animals. This facility would supplement, not replace, their existing Broadway clinic. Planned improvements include installing a fence in the back grass area for safe pet walks.

Operating hours for the urgent care are proposed to be from 6 PM to 10 PM on weekdays and from 10 AM to 6 PM on weekends. The applicant discussed the current zoning and noted that the Aloha Animal Hospital is already operating in a commercial zone, while another nearby animal hospital is in a residential zone (R15).

Planner Hoover noted that as part of a comprehensive zoning update, the Planning Commission has recommended including animal hospitals in the shopping and commercial zone.

Planners Hoover/Bull moved for a favorable recommendation in case ZHB24-09 Mosier, DMV, Jennifer, represented by Barley Snyder for a variance to Section 207.2 (Use Regulations) in order to allow an animal hospital in the Shopping Commercial Zone as it meets the requirements of a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**ZHB24-10- Frederick Street Properties, LLC**, 148 Penn Street, Hanover, PA 17331. The applicant is requesting a variance to Sections 404 (Division of Built-On Lots), 206.3 (Area and Bulk Regulations) and 303.1 (Off-Street Parking) in order to subdivide existing properties to create single family residences. The properties are located at 500, 502 and 506-518 Frederick Street, Hanover, PA 17331 in the A/O Zone.

Jayne Katherman, an attorney with Barley Snyder, and Kris Raubenstine, Hanover Land Services, Inc., represented the applicant. Ms. Katherman clarified that 520 and 522 Frederick Street were previously part of the properties now containing 506-518 Frederick Street and were subdivided off around 2007. The current subdivision plan aims to separate residential units from the commercial property, reflecting their separate uses and making the properties more sellable in the future.

Presently, 500 and 502 Frederick Street are on separate parcels with their own parcel numbers, while 506-518 are combined on another lot with both commercial and residential uses. The proposed subdivision would result in non-conformity to minimum lot coverage, lot area, lot width, and off-street parking. There would be no discernible change to the properties' appearance if the subdivision and variances were approved.

The discussion addressed the conversion of single-family homes into apartments and whether they met township approval and parking requirements. Currently, some properties are single-family homes while others are rental units. Concerns were raised about off-street parking, with the requirement being 16 spaces for the residential units, but only 12 spaces available, including two spaces in a detached garage.

The parking variance also includes the commercial area, but specific numbers for the commercial parking requirement were not provided. The commercial property currently uses on-street parking and a small lot for employee parking. There is an existing easement from 2018 allowing access to the parking lot for 506, 508, and 510 Frederick Street.

The board expressed concerns about the adequacy of parking for both residential and commercial uses and the need for variances to address these issues. The commercial building, requiring one space per 200 square feet, would significantly exceed available parking, making it non-conforming. The applicant acknowledged the need for two variances: one for residential parking and one for commercial parking, to comply with current regulations.

Planners Hoover/Brown moved for an unfavorable recommendation to the Zoning Hearing Board in case ZHB24-10-Frederick Street Properties, LLC for a variance to Sections 404 (Division of Built-On Lots), 206.3 (Area and Bulk Regulations) and 303.1 (Off-Street Parking) in order to subdivide existing properties to create single family residences as it does not meet the requirements as set forth in of a variance as set forth in Section 502.3 a) thru f). Motion carried on a 6-0 vote.

**ZHB24-11- CAC Property LLC**, 1035 High Street, Hanover, PA 17331. The applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) in order to expand an existing animal hospital. The property is located at 1035 High Street, Hanover, PA 17331 in the R-15 Zone.

Michael LaFavre, the owner of CAC Property, LLC, presented this request. He reported current facility, Clearview Animal Hospital, has not been updated since its establishment in 1974 when Dr. Gilmore received a special exception to build and operate the hospital. Mr. LaFaver and his wife, who have been involved with the hospital since 1999, purchased the building and property in 2021. The hospital now employs five and a half veterinarians and twenty veterinary technicians and assistants.

He explained their plan to purchase an additional 0.4 acres of land directly behind their property from Joanne Weaver, who had a signed letter of intent. This expansion would not extend into the sides or the borough's property line. A recent parking lot expansion, adding 3,700 square feet, included stormwater management upgrades to support future building expansions.

The request includes a continuation of the original special use, which has not been renewed since its initial approval. They propose to add a new 3,000 square foot building to the rear of the existing structure, stating the expansion would only extend the building backward, without altering the front or sides, while maintaining the same use without adding grooming or kenneling services.

Zoning Officer Smith confirmed the request involves extending a non-conforming use and clarified the need for a five-year renewal period, which is common for such exceptions. The expansion plan meets current setback, parking, and block coverage requirements, and will be detailed in the building permit and land development plans.

Planners Arnold/Hoover moved for a favorable recommendation in case ZHB24-11 CAC Property LLC for a special exception to Section 407.2 (Expansion and Alteration) in order to expand an existing animal hospital as it meets the requirements for a special exception as set forth in requirements in Section 503.3 a.) thru e.). Motion carried on a 6-0 vote.

**ZHB24-12- Keel, LP**, Spring Garden Street, Hanover, PA 17331. The applicant is requesting a special exception to Section 407.2 (Expansion and Alteration) and a variance to Sections 612(f) and 612(g) (Expansion of Nonconformity) in order to construct an expansion on an existing nonconforming building. The property is located at Spring Garden Street, Hanover, PA 17331 in the I Zone.

Zoning Officer Smith described the area, noting it is an industrial zone with no residential properties except one on the corner of York and Spring Garden. The street is a cul-de-sac mainly used by industrial entities, including a storage yard, and a bus storage facility.

Mr. Kris Raubenstine reported the applicant seeks zoning relief to add onto the southern side of the non-conforming building, which sits on a lot already below the minimum required size of two acres, being only one acre. Expansion is necessary to store equipment and facilitate daily operations. The proposed addition encroaches slightly into the side setback by 3 to 11 inches. The buildable area is limited and emphasized that the existing conditions are challenging due to the small lot size and the property's long-term vacancy. The area is 94% impervious, covered in gravel, buildings, and pavement, necessitating relief to expand the building slightly for operational efficiency.

He reported the site plan includes 10 parking spaces and a designated loading space as required for industrial use. The loading space is necessary for unloading activities and must meet specific dimensions.

Planners Arnold/Brown moved for a favorable recommendation to the Zoning Hearing Board in case ZHB24-12 Keel, LP for a special exception to Section 407.2 (Expansion and Alteration) and a variance to Sections 612(f) and 612(g) (Expansion of Nonconformity) in order to construct an expansion on an existing nonconforming building as it meets the requirements

for a special exception as set forth in requirements in Section 503.3 a.) thru e.). Motion carried on a 6-0 vote.

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

**DC Gohn Associates, Inc., on behalf of Sheridan Press**, are requesting a waiver to Section 405 (Plan Scale), Section 306.B.2 (Embankment Top Width) and Section 306.B.3 (Side Slopes) of the Penn Township Subdivision and Development Ordinance and Stormwater Management Ordinance in regards to their Preliminary Land Development Plan. The property is located at 450 Fame Avenue and 15 Industrial Drive.

Township Engineer Bortner noted that although the waiver requests were reviewed last month, the plan wasn't formally filed at that time. Therefore, the same request, dated April 15, 2024, was presented for consideration.

Mr. Brian Cooley from DC Gohn Associates presented the request. Sheridan Press proposes a 92,000 square foot building addition for warehouse space, with no new employees anticipated. The plan also involves altering the subdivision line between two separate lots, transferring about three acres from McClarin Plastics to Sheridan Press to accommodate the building expansion. This adjustment will not affect zoning requirements related to setbacks or impervious coverage.

The modifications requested include:

1. Plan scale: One sheet is at a 60 scale instead of the required 50 scale to fit everything on one sheet.
2. Embankment top width: The proposed stormwater basin in the back will have a five-foot top width instead of the required eight feet. The basin is designed for both the two-year volume and the hundred-year rate, with a hundred-year storm depth just over two feet, making the reduced width non-impactful on storage.
3. Side slopes: While the ordinance requires four to one slope, the plan proposes three to one slope along the southern and eastern sides of the building and two to one on the northern part of the basin, due to the significant fill needed to match the existing and proposed building grades. These slopes will be planted with a low-maintenance grass seed mix and fenced in for safety.

Township Engineer Borter indicated a few administrative comments, mostly notes to be added to the plan. The project also requires a NPDES permit, and the conservation district has provided an administratively completeness letter, initiating the technical review of the Erosion and Sediment design. He confirmed satisfaction from an administrative standpoint, noting that the comments were straightforward and had been addressed.

Planners Baile/Hoover moved for a favorable recommendation to the Penn Township Board of Commissioners requesting a waiver to Section 405 (Plan Scale), Section 306.B.2 (Embankment Top Width) and Section 306.B.3 (Side Slopes) of the Penn Township Subdivision and Development Ordinance and Stormwater Management Ordinance in regards to their

Preliminary Land Development Plan, including Preliminary Land Development Plan approval for SL24-07-SHERIDAN PRESS – 450 FAME AVE & 15 INDUSTRIAL DR. Motion carried on a 6-0 vote.

**RGS Associates, on behalf of LCBC Hanover**, is requesting a waiver to Section 605 (Bufferyard Along Arterial Street) (request amended) and Section 268-15.B(4)(a) (Additional Stormwater Management Design Standards) (request amended) of the Penn Township Subdivision and Land Development Ordinance and Stormwater Management Ordinance in regards to their Final Land Development Plan. The property is located at 1504 Broadway.

Township Engineer Bortner reported this request was amended from last month's meeting. Waiver requests one, two, and three were approved, but request four was denied. Eric clarified that the denial pertained to buffer yard requirements and safety concerns, specifically related to a fence.

Mr. Craig Smith from RGS Associates represented this request. He explained the updated waiver request letter, changes in requests four and seven. For waiver request four, RGS proposed moving a surface stormwater facility to an underground facility to accommodate a 30-foot type 2 buffer required along Broadway. However, they request a waiver to not provide screening directly in front of the church due to sight line requirements for safety and wayfinding. Most of the buffer yards would comply with ordinance requirements, except for the area in front of the church.

He stated waiver request seven, which involved fencing surrounding the stormwater basin. The updated request was to enclose the stormwater basin, including a portion along the fill slope, which is not typically permitted by the ordinance. The fence would ensure safety without obstructing the basin's functionality, they are also proposing aluminum fencing in lieu of chain link as it's more aesthetically appealing.

Township Engineer Bortner confirmed there were no major concerns with the amendments. He further reported that only administrative items remained, such as agreements, financial securities, and the NPDES permit are outstanding for the Final Land Development Plan.

Planners Baile/Arnold moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver to Section 605 (Bufferyard Along Arterial Street) (request amended) of the Penn Township Subdivision and Development Ordinance in regards to their Final Land Development Plan. Motion carried on a 6-0 vote.

Planners Brown/Baile moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver to Section 268-15.B(4)(a) (Additional Stormwater Management -Design Standards) (request amended) of the Penn Township Stormwater Management Ordinance in regards to their Final Land Development Plan. Motion carried on a 5-1 vote with Planner Hoover dissenting.

Planners Brown/Hoover moved for a favorable recommendation to the Penn Township Board of Commissioners for Final Plan Approval for SL24-05- LCBC HANOVER – 1504 BROADWAY.

**Hanover Land Services, on behalf of Snyder's-Lance, Inc.**, is requesting a waiver to Section 505.k (Curbs) and 603 (Curbs, Gutters and Sidewalks) of the Penn Township Subdivision and Development Ordinance in regards to their Preliminary-Final Subdivision Plan. The property is located at 1401 York Street and York Street (unaddressed).

Mr. Charles Suhr, an attorney with Stevens & Lee in Harrisburg, and Mr. Kris Raubenstine represented Snyder's Lance. Mr. Suhr reported the subdivision involves two existing lots on the south side of Route 116, totaling about 90 acres. The plan is to rearrange the lot lines, placing the existing solar field on one lot, the research and development (R&D) building on another, and leaving the residual land on a third lot. The R&D lot will cover about 7 acres, the solar field approximately 34 acres, and the residual land about 49 acres. No new development is proposed; the adjustments are merely to redefine the lot lines.

The request for waivers pertains to curbs, gutters, and sidewalks, as there are no new streets or developments within the subdivision. Mr. Suhr introduced their engineer, Mr. Kris Raubenstine, to address any questions. A discussion ensued regarding the zoning of the new lot configurations, particularly between industrial and residential zones, and the need for buffers between these zones. Clarifications were provided about the breakdown of lot sizes and their respective uses.

The discussion highlighted the need for buffers between industrial and residential zones when creating new lots. Concerns were raised about the current buffer only extending partially along the boundary, with suggestions to extend it fully between the two zones. The future of the remaining 50 acres, currently used for farming, was questioned, with no immediate plans for development or sale.

Mr. Jason Duvall, Snyder's Lance reported the solar field primarily powers the grid for MedEd, and not directly the plant, though it does support the R&D building. Mr. Suhr indicated the R&D building might be sold independently, with no current plans to use the solar field's power for manufacturing across the street.

Planners Brown/Hoover moved for a favorable recommendation to the Penn Township Board of Commissioners for a waiver to Section 505.k (Curbs) and 603 (Curbs, Gutters and Sidewalks) of the Penn Township Subdivision and Development Ordinance and Preliminary-Final Plan approval for SL24-06- SNYDERS-LANCE – 1401 YORK STREET & YORK STREET (UN-ADDRESSED).

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

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

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

Drive and Industrial Drive, Hanover, PA in the I-Industrial zone. **There was no action taken on this plan.**

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

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

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

**SL24-02- 37 INDUSTRIAL DRIVE- YAZOO MILLS**, DC Gohn Associates, 32 Mount Joy Street, Mount Joy, PA 17552. A Preliminary Land Development Plan was submitted in order to construct a proposed industrial building. The property is located at 37 Industrial Drive in the Industrial zone. **There was no action taken on this plan.**

**SL24-03- HOLLAND CONSTRUCTION -100 BLETTNER AVE**, Site Design Concepts, Inc., 127 W. Market Street, Suite 100, York, PA 17401. A Final Land Development Plan was submitted in order to construct a proposed industrial building. The property is located at 100 Blettner Avenue in the A-O Apartment or Office Zone. **There was no action taken on this plan.**

**SL24-04- SOUTH HEIGHTS MANOR, LP - 116 ONYX DRIVE**, Hanover Land Services, Inc., 555 Centennial Avenue, Suite 125, Hanover, PA 17331. A Final Subdivision Plan was submitted in order to subdivide an existing lot into two lots. The property is located at 116 Onyx Drive in the R-22 zone. **There was no action taken on this plan.**

**SL24-05- LCBC HANOVER – 1504 BROADWAY**, RGS Associates, Inc., 53 W. James Street, Ste 101, Lancaster, PA 17603. A Final Land Development Plan was submitted in order to construct an addition to an existing house of worship. The property is located at 1504 Broadway.

**Refer to action taken under “Review and make recommendations on waiver and exoneration requests: RGS Associates, on behalf of LCBC Hanover.”**



**SL24-06- SNYDERS-LANCE – 1401 YORK STREET & YORK STREET (UN-ADDRESSED)**, Hanover Land Services, 555 Centennial Avenue, Suite 125, Hanover, PA 17331. A Preliminary-Final Subdivision Plan was submitted in order to subdivide two existing lots into three lots. The property is located at 1401 York Street & York Street (un-addressed) in the R-15 and I Zones.

**Refer to action taken under “Review and make recommendations on waiver and exoneration requests: Hanover Land Services, on behalf of Snyder’s-Lance, Inc.”**

**SL24-07-SHERIDAN PRESS – 450 FAME AVE & 15 INDUSTRIAL DR**, DC Gohn Associates, 32 Mount Joy Street, Mount Joy, PA 17552. A Preliminary Land Development and Subdivision Plan was submitted in order to subdivide the property at 15 Industrial Drive and add on to the property at 450 Fame Avenue in order to construct a proposed warehouse building expansion. The property is located at 450 Fame Avenue & 15 Industrial Drive in the I Zone.

**Refer to action taken under “Review and make recommendations on waiver and exoneration requests: DC Gohn Associates, Inc., on behalf of Sheridan Press”**

**Draft Zoning Ordinance** – There was no discussion.

**Public Comments:**

Mr. Steve Hammond, a realtor representing Shane Hall, presented a proposal for the sale and potential development of a 14-acre parcel at 3304 Grandview Road. He highlighted efforts to gauge interest from retail and residential developers. Despite feedback indicating retail development might not be viable, Hammond explored residential options. Concerns were raised about access, zoning, and potential impacts on the school district. Commissioners suggested contacting Zoning Officer Smith to be placed on the agenda to discuss the matter further in an upcoming meeting.

The meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Donna M. Sweeney,  
Recording Secretary