

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
April 17, 2007**

The meeting of the East Hanover Township Board of Supervisors was called to order with the pledge to the Flag by Chairman Marie Beudet at 7:02 P.M. Present were Supervisors Keith Espenshade, and Dave Marshall. George Rish and Tom Shutt were absent.

Myles Kauffman, legal counsel; Roger Phillips, Engineer; Charles Longreen, Director of Public Works; David Smith, Codes and Zoning; and Deborah Casey, Secretary-Treasurer were also present.

This meeting was audio taped. The tapes are strictly for the use of the Secretary-Treasurer for clarification during preparation of the minutes.

There was an Executive Session held at 6:00 PM to discuss personnel and legal issues.

APPROVAL OF THE MINUTES FROM APRIL 3, 2007

Mr. Marshall made a motion to approve the April 3, 2007 minutes as written. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 3 in favor, 0 opposed.

Expenditures:

General Fund	\$ 28,800.72
Operations and Maintenance	\$ 29,593.24
Street Light	\$ 192.05
State Fund	\$ 1,370.46
Park and Rec	\$ 409.15
Total	\$ 60,365.62

Mr. Marshall made a motion to approve the expenditures as presented. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 3 in favor, 0 opposed.

Receipts

General Fund	\$ 32,121.40
Operations & Maintenance	\$ 18,729.00
State Fund	\$187,628.42
Park & Recreation Fund	\$ 866.42

Available Funds

General Fund	\$ 631,020.97
Operations & Maintenance	\$ 364,745.35
Street Light	\$ 4,638.89

State Fund	\$ 518,803.03
Public Sewer Fund	\$ 578,617.63
Park and Rec Fund	<u>\$ 112,671.74</u>
TOTAL	\$2,210,497.61

SIGNIFICANT CORRESPONDENCE

The Correspondence is available for review during normal office hours.

REPORTS

PUBLIC WORKS – CHARLES LONGREEN

Mr. Longreen noted that the Rt. 743/Rt. 39 Study Group would like to know if East Hanover Township is willing to participate in the study. A new study is being considered for Rt. 743 and the group is going to investigate corporate and private funding the study and engineering.

- Mr. Espenshade noted that studies have been done but there appears to be no results or any action taken. If the group comes up with recommendations, then those need to be pursued.
- Mr. Longreen noted that if East Hanover is willing to proceed, the group would like to go to HATS to see that action can be taken in the future. The majority of Rt. 743 is in East Hanover Township which is why the group would like to have some direction from the Township. Derry, South Hanover and West Hanover Townships are also participating in the group since a study of Rt. 743 will benefit all the townships.
- Chairman Beaudet noted that typically, the purpose of a study is provided before it begins. Mr. Longreen commented that the group wants to know how far East Hanover wants to be involved in the study before proceeding further.
- Mr. Marshall indicated that he would like to be involved in the group but would like to know what the purpose of the study is.
- Mr. Longreen commented that the group indicated that it would like to know of any land use changes along Rt. 743. It also wants to look at the future development of the road going possibly from 2 lanes to 4 lanes from I81 to the Turnpike. The group realizes that Rt. 39 is out of the question with the recent development. Either a new road is put in or Rt. 743 would be considered for expansion. The bridge over the Swatara Creek would have to be elevated because of the flooding problems. If members of the Board would like to sit down with the group, a meeting can be arranged.
- Mr. Espenshade felt that Rt. 743 already has a volume of traffic that should not be on the road and does not see how it can be improved to handle the traffic. Mr. Longreen noted that the group would like to investigate solutions. Mr. Espenshade indicated that the group needs to look at the road realistically and not put a band aide on it, and is in favor of the Township participating in the group if results are provided.
- Mr. Longreen noted that he would contact the group and indicated that the Township is willing to participate in the group.

CODES AND ZONING – DAVID SMITH

Mr. Smith noted that SEO, Zoning, and UCC reports were provided to the Board at the April 3rd meeting.

ENGINEERS REPORT – ROGER PHILLIPS

- Mr. Phillips noted that the contracts for the S. Meadow Lane Bridge have been executed. Shop drawings have been received for the main bridge beams and are being reviewed. After the review is received by the contractor, a schedule will be provided. There is a 4-6 week lead time on the construction of the beams.
- Samples of Noise Ordinances have been provided to the Board for review.

ACT 537 PLAN

Mr. Phillips noted that a letter was received from DEP regarding the Consent Order and the 3M 537 Update reminding the Township of the expiration date. Mr. Phillips responded to the letter and also spoke with a representative of DEP and he indicated that since the Township was in the Public Comment period, he was not concerned about the closing date of the Consent Order. A copy of the report was provided to DEP. The expiration date of the Consent Order is April 26th.

- Chairman Beaudet asked if DEP would approve of the SEO inspecting each home in the designated areas of the 3M plan. Mr. Phillips did not feel that DEP would object.
- Chairman Beaudet asked what would be involved in an inspection. Mr. Smith noted that there would be a door to door survey to inspect the properties for any indication of surface discharges. The properties would also be look at under DEP guideline requirements for a 537 Plan. Other studies and records would also be reviewed.
- Discussion continued on the subject and on funding for any projects.
- **Mr. Marshall made a motion to have the SEO to do site inspections of the areas indicated in the 3M module of the 537 Plan and do water testing as needed. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 3 in favor, 0 opposed.**
- Mr. Phillips noted that he will notify DEP about the additional testing.
- It was noted that public hearing was not needed for the 3M part of a 537 Plan.
- Mr. Espenshade suggested that a public meeting be held after the testing is done and the results are received.
- Mr. Smith suggested that it would be appropriate to submit the test results to the property owners.

UNFINISHED BUSINESS

STORMWATER MANAGEMENT - THOMPSON

No update.

DEFINITION OF FRONT YARD IN ZONING ORDINANCE

It was noted that DCPC's comments were received. Mr. Phillips noted that he would follow up with the County to clarify the comments.

CURATIVE AMENDMENT – ORDINANCE 2007-02

No action.

VILLA ROSA

A letter was sent to PennDOT requesting a study of the area and recommendations.

ACT 209

No action.

BLIND PERSON WALKING SIGNS

Mr. Longreen noted that the individual is still out of the area. When she returns, a meeting will be held to go over the route and discuss the signs.

SOUDER SUBDIVISION PLAN

The purpose of the plan is to attach Lot #8B, existing lands of David Bimler, to Lot #4, existing lands of Christopher & Katrina Souder, for the purpose of extending their rear yard.

- **Mr. Espenshade made a motion to grant the waiver requests Section 402 Preliminary Plan, Section 403.3 Existing contours. Mr. Marshall seconded the motion. The Chairman Asked for public comment; there were none. The motion was approved 3 in favor, 0 opposed.**
- Outstanding items: correction of general notes, payment of reviewing engineering fees, and signatures and notarization.
- **Mr. Marshall made a motion to approve the plan contingent upon the outstanding items. Mr. Espenshade seconded the motion. The Chairman asked for public comments; there were none. The motion was approved 3 in favor, 0 opposed.**

ROTHGABER SUBDIVISION PLAN

This plans creates a lot annexation. Lot #2 cannot be represented as, or conveyed as, a separate buildable lot, nor can Lot #2 be used by itself by any part for any construction or other land. The property transfer will result in the recording of a deed with the Dauphin County Recorder of Deeds. A copy of the recorded deed will be provided to the Township within 7 days of its recording.

- The Engineer and Zoning Officer concerns were addressed. There are no waivers.
- Mr. Smith noted that there is one outstanding DEP item. A letter was received from DEP indicating that a planning module exemption request was received by the department. DEP is requiring that either Lot #2 be tested for a primary and alternate system, or a planning module be submitted. Discussion was held on the subject regarding the fact that the lot was only an annexation. Mr. Smith noted that DEP is still requiring either the testing or the planning module.
- **Mr. Espenshade made a motion to approve the plan contingent on DEP's approval, payment of reviewing engineering fees, signatures and notarization and the completion of parking per the Zoning Officers request. Mr. Marshall seconded the motion. The Chairman asked for public**

comments; there were none. The motion was approved 3 in favor, 0 opposed.

ERWIN SUBDIVISION PLAN

The purpose of the plan is to subdivide Lot #2 around the existing dwelling from the parent 11.980 acre tract to obtain a mortgage. No building or construction is being proposed with the plan.

- Mr. Smith noted that the Planning Commission asked for a determination from the Zoning Hearing Board Attorney for the requirement of the utilization of the street as to whether it is dedicated or not dedicated. Solicitor Wass indicated that the area is used for dedication and therefore the lot would be less than 10 acres and would not be appropriate for an agriculture lot. A variance would be required from the Zoning Hearing Board.

TRIPLE DIAMOND LAND DEVELOPMENT PLAN

The purpose of the plan is for the development of a 67 room hotel with indoor pool. Illustrated on the plan is the proposed parking layout, storm drainage system to a proposed stormwater detention facility. The site will be served by an on-lot well with sewage disposal pumped to an existing municipal manhole near the intersection of Laudermilch Rd. and Jonestown Rd. The land is zoned Highway Commercial.

- **Mr. Espenshade made a motion to grant the waiver for Section 303, Preliminary Plan. Mr. Marshall seconded the motion. The Chairman asked for public comments; there were none. The motion was approved 3 in favor, 0 opposed.**
- Outstanding items – DEP approval of DEP Part II Construction Permit, payment of reviewing engineering fees and signatures and notarization.
- **Mr. Marshall made a motion to approve the plan contingent upon DEP approval of DEP Part II Construction Permit, payment of reviewing engineering fees, and signatures and notarizations. Mr. Espenshade seconded the motion. The Chairman asked for public comments; there were none. The motion was approved 3 in favor, 0 opposed.**
- Pete Freschetti an associate of Krupal Desai and Triple Diamond presented Mrs. Casey with a letter for the minutes. He thanked Mrs. Casey for taking numerous phone calls from Mr. Desai. He also thanked Board members Ms. Beaudet, Mr. Marshall and Mr. Shutt; Mr. Phillips, Mr. Smith and the Planning Commission for the fair treatment of the plan. Mr. Freschetti noted that there was inadequate treatment of the plan in the past and compared it with the treatment of another plan. His letter is available for review at the Municipal Building. It was noted that a former member of the Planning Commission had made a comment at the last meeting regarding Mr. Desai.
- Krupal Desai thanked the Board for approval of the plan not based on race, gender or favoritism. He noted that a comment was made at the last meeting by a former member of the Planning Commission. He expected that comment from a member of the old Planning Commission.

NOISE ORDINANCE

Copies of sample ordinances will be provided to the Board.

- Mr. Marshall noted that he had concerns about a noise ordinance. He sympathized with what was happening in the one neighborhood, but felt that a true noise ordinance can get abused and is difficult to enforce. A nuisance ordinance might better serve the Township. There are things that the neighbor is doing that might not comply to the current ordinances. Discussion was held on the noise ordinance and enforcement.

NEW BUSINESS

RESOLUTION FOR HEROES GROVE – 2007-10

Wayne Isett noted that he is on the Heroes Grove Committee. A brochure was provided to the Board.

- Mr. Isett noted that there will be a show at Central Dauphin High School on June 28th and 29th. The school is preparing a Patriotic Freedom Play and it would like to have a Dauphin County picture show of all ages and all different events.
- Resolution 2007-10 relates to East Hanover Township supporting Heroes Grove which is a memorial park that will be located in Lower Paxton Township. There will be a amphitheater and the grove will be in honor of Veterans, Fire Fighters, and Policemen.
- **Mr. Marshall made a motion to adopt Resolution 2007-10. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 3 in favor, 0 opposed.**

GRANTVILLE VOLUNTEER FIRE CO – WAYNE ISETT

Mr. Isett noted that the Fire Co. is working on getting the rough excavating done for the new fire hall by the Air National Guard. He requested approval to allow the National Guard to do the work.

- Mr. Marshall asked if the National Guard's services could be utilized from time to time. Mr. Isett noted that was possible and all it required was to complete the appropriate paperwork.
- **Mr. Marshall made a motion to grant permission to the National Guard to use its services for the Fire Co. Mr. Espenshade seconded the motion. The Chairman asked for public comments; there were none. The motion was approved, 3 in favor, 0 opposed.**

Mr. Isett noted that the Fire Co. has the opportunity to purchase a Fire Police truck. It is from Colonial Park's Fire Co. The truck can also be used for Emergency management. It hauls a crew of 7, comes with all the equipment and only has 16,000 miles on it. The cost will be \$25,000.00. The Fire Co. has offered \$21,000.00.

SUBDIVISION/LAND DEVELOPMENT PLAN SUBMISSION DATE CHANGE

The ordinance will be prepared and forwarded to the appropriate Planning Commissions.

RON LUCAS – HILTON GARDEN INN – SANITARY SEWER

Ron Lucas of Stevens and Lee represented the Hilton Garden Inn. Mr. Lucas noted that the Land Development for the Hilton Garden Inn was withdrawn and a new plan will be submitted in the near future. This will be a stand alone plan as to what can currently be done with the property.

- Mr. Lucas presented a sketch plan of what his client would like to do with the remaining property. He explained the sketch plan and the existing surrounding features. It was noted that traffic engineers informed his client that with the improvements being made at the I81 interchange, Station Rd. will unlikely be able to get a traffic signal approved. The concept being presented for the Township's consideration would involve the relocation of Station Rd. to make it eligible for a traffic signal. The existing Station Rd. intersection will not be a safe intersection once the slots are opened at Penn National. Future development in the Hilton Garden Inn area would contain a bank, a convenience store with gasoline and restaurants. Also shown on the sketch plan for future development are town homes, and his client would be asking for a text amendment to the Zoning Ordinance to suggest that the cluster development provision, which is a conditional use in the RA district, be changed to increase the density. The current ordinance provides 1 unit per acre. The request would be for 3 units per acre if public sewer and public water are available. The sketch plan shows a density of fewer than 3 units per acre and has around 70% of open space. However, without public water and public sewer, the plan would not be possible. The text amendment and road relocation would be brought to the Planning Commission for discussion and then the Board of Supervisors.
- Mr. Lucas noted that in order to proceed with the Hilton Garden Inn, the sanitary sewer needs to be resolved. His client would like to connect to the Township's sewer system. In order to do that, the first step would be to have the township's engineer do a special study under the Act 537 plan to see if this area of the Interchange Commercial district can be connected to the Township's plant, how much capacity would be required and when it could be done. Mr. Lucas has spoken with Mr. Phillips and he indicated that such a study could be done. Mr. Lucas is proposing that the study be done by the Township engineer, on behalf of the Township with Mr. Lucas's client paying for the cost. Mr. Phillips would need the Boards approval to do a proposal and the study. This would provide the Township with a study for the area for planning purposes in the future.
- Mr. Phillips noted that study would involve anything in the area that the Township chooses to be in the plan. This would include a portion of what would have to be done for an overall 537 Plan update. The study would include the logical drainage basins in the area.
- Discussion was held on the subject. It was noted that the area to be included in the study would be north of I81 in the Interchange Commercial area. Mr. Phillips noted that the study would be done for the Township and Mr. Lucas's client would reimburse the Township for the cost.
- Mr. Espenshade asked for clarification that if the study is done, then there is no commitment from the Township to provide sewer. Mr. Lucas noted that his client would have to come back to the Township after the study was done. Mr. Phillips

noted that there is currently no capacity available for the Hilton Garden Inn at this time. The study would look at how service could be provided to the area and how the capacity could be made available. Mr. Espenshade noted that approving the study makes no commitment on the Board's behalf to the Hilton Garden Inn. It was noted that the study does not guarantee sewage capacity for the project.

- **Mr. Espenshade made a motion to allow Mr. Phillips to do the study with the Hilton Garden Inn reimbursing the Township for the study. Mr. Marshall seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 3 in favor, 0 opposed.**
- David Craig asked if a copy of the sketch plan could be provided to the Township. Mr. Lucas noted that he would provide a copy to the Township.

TEXT AMENDMENT TO ZONING – KAIROS DESIGN GROUP

Craig Bachik and Renee Riegel of Kairos Design Group, Drew Williams of AP Williams and Williams Holding Group were present to represent the proposal.

- Mr. Bachik noted that they are working on a project that is primarily in West Hanover Township. The group was at the Planning Commission meeting and discussed the concept that is being presented. The project is located along Rt. 39 in West Hanover Township. Approximately 5 acres of the project is located in East Hanover Township and is zoned RA. The remaining acreage located in West Hanover is zoned Commercial Neighborhood which is significantly different than the RA piece located in East Hanover. Comments have been provided by the Township's Engineer and Zoning Officer.
- A primary entrance is proposed for the complex. The use of the land will be mixed; 2 buildings scaled towards residential with the 1st floor retail and residential and office on the 2nd floor. At the end of the 1st complex will be a civic building and then town homes clustered around that area. Further description of the plan was provided. Comments from West Hanover Township have been favorable.
- The cluster option for RA in East Hanover is provided for in the ordinance as 1 unit per acre regardless of whether there is private water and sewer or public water and sewer. Mr. Bachik is requesting consideration of a modification of only the bottom classification in the zoning ordinance. If there is public sewer and public water he is asking to increase the density to 4 units per acre so that the portion of the project that is in East Hanover Township would permit 4 units per acre. The Townships Residential Medium classification currently permits 4 to 5 units per acre depending on the availability of public water and public sewer. Mr. Bachik requested feedback from the Board as to making a formal submission to have the ordinance changed. He noted that the West Hanover ordinance would permit 8 units per acre and the project is only requesting fewer than 4 units per acre.
- David Smith, Zoning Officer asked how many acres are in East Hanover Township and how many units are being proposed for that acreage. Mr. Bachik noted the acreage is around 5 acres and the number of units proposed is around 10 to 12. Mr. Smith asked why the request is being made for 4 while the density

is less than 3. Mr. Bachik noted that the request seemed to be logical to fall into suit with some of the other classifications and consistent with the zoning in West Hanover Township.

- Discussion was held on the project. Mr. Espenshade asked if a red light would be provided at the intersection. Mr. Bachik noted that it would be a PennDOT determination, but it was anticipated that a signal would be required. A traffic impact scope has been provided to PennDOT.
- Chairman Beaudet asked about the water, fire hydrants and sewage. Mr. Bachik noted that there would be a hydrant in the East Hanover Township part of the project. The Townships would need to develop an intermunicipal agreement for the sewage which would go to West Hanover Township. A pump station will be constructed at the location. A draft of an intermunicipal agreement is being prepared by the West Hanover Sewer Authority for review and comment.
- Access to the project and roads were discussed as to who would be responsible for the roads. Annexation of the parcel to West Hanover Township was suggested as a possibility.
- A smaller version of the sketch plan along with the Township border line will be provided to the Township. Discussion continued on the subject. It was noted that Mr. Bachik should go through the proper channels to request the zoning change.
- Mr. Phillips noted that the option is available to change the zoning requirements for just this project and not the rest of the RA zone.

OTHER BUSINESS FROM THE BOARD

There was no other business from the Board

BUSINESS FROM THE PUBLIC

David Craig asked if the Rt. 743 Study Group could make a presentation to the Township. Mr. Longreen noted that once further plans have been discussed by the Group that he is sure they would be willing to do so.

Mr. Espenshade made a motion to adjourn the meeting, Mr. Marshall seconded the motion. The meeting was adjourned at 8:31 P.M.

Respectfully submitted,

Deborah A. Casey

cc: Marie Beaudet
David Marshall
Keith Espenshade
George Rish
Thomas Shutt
Myles Kauffman
Curt Cassel

Charles Longreen
Planning Commission
Light-Heigel & Associates
Posted
Zoning Hearing Board
Pickering, Corts & Summerson