

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
March 16, 2010**

The meeting of the East Hanover Township Board of Supervisors was called to order with the pledge to the Flag by Chairman Keith Espenshade at 7:00 P.M. Present were Supervisors Dave Marshall, John Nelligan and Tom Shutt. George Rish arrived at 7:02 PM.

Katherine Lovette, Solicitor; Norman Ulrich, Engineer; David Smith, Codes and Zoning; Charles Longreen, Director of Public Works; and Deborah Casey Secretary/Treasurer were also present.

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

The Public Hearing for the Conditional Use for SVSC – Bow Creek Mall will be held at 7:30 PM.

APPROVAL OF THE MEETING MINUTES FROM MARCH 2, 2010

Mr. Marshall made a motion to approve the minutes as written. Mr. Shutt seconded the motion. Mr. Nelligan noted he would abstain from voting since he was not present at the meeting. **The motion was approved 3 in favor, Chairman Espenshade, Mr. Marshall, and Mr. Shutt; 0 opposed; 1 abstention, Mr. Nelligan.**

TREASURER'S REPORT

Expenditures:

General Fund	\$116,070.48
Operations and Maintenance	\$ 3,635.14
State Fund	\$ 1,897.22
Street Light	\$ 329.97
Park and Rec	\$ 710.00
Escrow Fund	<u>\$ 1,849.90</u>
Total	\$124,492.71

Mr. Shutt made a motion to pay the bills as submitted. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.

Receipts

General Fund	\$523,029.75	Grant reimbursements	\$511,543.59
WWTP	\$ 990.00		
Street Light	\$ 161.99		
Park and Rec	\$ 119.00		

Available Funds

General Fund	\$1,065,828.18
Operations & Maintenance	\$ 247,511.61
Street Light	\$ 4,383.12
State Fund	\$ 466,000.01
Public Sewer Fund	\$ 3,485.47
Park and Rec Fund	<u>\$ 81,966.88</u>
TOTAL	\$1,869,175.27

CORRESPONDENCE

The correspondence is listed as a handout and is available for review during normal office hours.

REPORTS**PARK AND RECREATION – STEVE ESPENSHADE**

- The Bunny Breakfast is March 27th.
- Mr. Espenshade noted the Park and Rec Board is planning on filling in the holes and reseeding on the large soccer field. The field needs to be closed from late April until the fall. The area would be fenced off.
- **Chairman Espenshade made a motion to close the large soccer field and allow the Public Works Department to close it with a fence. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- The Summer Rec program will begin in May. The Park and Rec Board is asking that the Park be closed from 9:00 AM until 12:00 noon during the program. This would be everything south of the gully before the ball fields.
- **Mr. Marshall made a motion to close the Park during the times of the Summer Rec Program for the year 2010. Mr. Nelligan seconded the motion.** Mr. Rish noted he had a complaint from someone since they didn't feel it was appropriate to close the Park during Summer Rec. Mr. Espenshade noted it is for the safety for the children since they use the different areas during the program. They do have supervision with the counselors. In the past there have been problems with strangers coming into the Park. If it is closed, then they can regulate who comes into the Park. **The motion was approved 4 in favor, Chairman Espenshade, Mr. Marshall, Mr. Nelligan and Mr. Shutt; 1 opposed, Mr. Rish.**
- Mr. Espenshade noted 4 quotes have been received for the well drilling. The Park and Rec Board would like to continue with the project. Myers Bros. was the lowest proposal.
- **Mr. Nelligan made a motion to authorize the acceptance of the proposal from Myers Bros. in the amount of \$1,772.00 (\$6.50 per foot).** It was noted the cost was up to 200 feet. If they have to go deeper the cost would go up per foot. **Mr. Nelligan continued his motion to include an additional \$7.00 per foot from 400 to 500 feet and \$7.50 above 500 feet. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- The well locations will be discussed with Mr. Longreen before the drilling begins.

- Mr. Espenshade noted a request has been received from the Harrisburg Pioneers Baseball Club which is a non-resident team. Last year they used the large baseball field with East Hanover teams taking precedent for use of the field. He is requesting they be permitted to use the field again this year with EH teams taking precedence again. There were no problems last year with the use of the field. Contracts will be provided at the next Board meeting for signature.

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

- There are conditions for the Highway Occupancy Permit (HOP) for the sewer lines along Rt. 743. LTL has indicated that everything looks fine. Solicitor Wyland was to review the conditions. Mr. Longreen noted Board approval is needed on the conditions before the HOP can proceed. The Board will wait until Solicitor Wyland provides comments before approving the conditions.
- Mr. Longreen noted a follow up letter was received from PennDOT on the Allentown Blvd. corridor. A copy has been placed in correspondence.

CODES AND ZONING – DAVID SMITH

The Zoning, UCC and SEO reports were provided to the Board on March 2nd.

PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN

- The first meeting for 2010 will be on March 22nd at 7:00 PM at the Municipal Building. The meeting is open to the public.

EMERGENCY MANAGEMENT – JOHN NELLIGAN

- There were 2 snow storms during February and the possibility of a flood, which did not occur.
- There was a disaster emergency declared during the 2nd snow storm and is in place and now part of the package sent to PEMA. The Governor did issue a statement requesting assistance from the Federal Government. If that assistance is approved, we may receive some reimbursement for our cost.

ENGINEERS REPORT – NORMAN ULRICH

- A report was prepared and distributed to the Board at the March 2nd meeting.

EFMR MONITORING GROUP – ERIC EPSTEIN

- Mr. Epstein did not have anything to report at this time.
- Grant Cycle – Mr. Stein has requested approval for putting the 2010 Grant cycle and application information on the website. The write up is the same as 2009 but the dates have been changed.
- **Mr. Marshall made a motion to adopt the 2010 Grant cycle. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

WATER AND SEWER COMMITTEE – DAVE MARSHALL

- Mr. Marshall reported the committee met on March 4th. Discussion was held on where the bulk of the ground water is lying in the Township and what type of water production there might be.

- The automatic dialer was discussed for the pump at Funck's EXXON. That is up and running and the long distance service has been taken care of. DEP has been notified of the installation and operation of the dialer.
- The right-of-way on Rt. 743 for the lines was also discussed.

UNFINISHED BUSINESS

SHELLS CHURCH – RELOCATION OF DRY RUN ROAD

- Mr. Longreen noted he, Mr. Nelligan, Rick Hoover and Al Germann visited the site on March 8th. Discussion was held and concerns were addressed. Mr. Longreen recommended the Board allow Shells Church to move forward with the relocation of the road. Mr. Nelligan agreed with Mr. Longreen.
- Mr. Rish asked what the next step was. It was noted the next step would be to do the research and engineering required to see if it was cost effective.
- **Mr. Nelligan made a motion to advise Shells Church that the Board concurs with their relocation of the road and to move to the next level and put their concept on paper and come back to the Board. Mr. Shutt seconded the motion.** Keith Oellig asked if they will be required to pave the relocated road. Mr. Longreen noted they will not; they are just relocating the existing road. Mr. Rish asked if the one property located on the road will become non-conforming if the road is changed. It was noted the property was discussed and it would not be made non-conforming. **The motion was approved 5 in favor, 0 opposed.**

7:30 PM – CONDITIONAL USE HEARING – SVSC – BOW CREEK MALL

Solicitor Lovette noted it was 7:30 PM on March 16, 2010 and is the time and place that has been advertised for a Conditional Use Hearing for the application for the Bow Creek Mall project. Solicitor Lovette opened the record for the hearing and noted the project has also requested a variance from the Zoning Hearing Board. The Conditional Use hearing will be held this evening and the record will be closed with no vote so the Board can consider the decision of the Zoning Hearing Board on the variance which has not occurred yet. The Board will have 45 days after the closing of this hearing to make a decision on the Conditional Use Application.

- Charlie Courtney of McNees, Wallace and Nurick was present on behalf of the applicant SVSC. SVSC proposes to construct a fairly small shopping center. The site is located about 1,000 feet to the south of the I81 interchange on the eastern side of Bow Creek Rd. Shopping centers are permitted under the ordinance by Conditional Use. The Planning Commission has recommended approval subject to conditions.
- The shopping center consists of 2 buildings, one is a free standing building that will be in the area of 4,000 to 6,000 square feet. It is anticipated that space will be used as a restaurant, fast food or sit-down. The 2nd building is an in-line building of around 19,250 square feet and will have multiple tenants such as dry cleaners, restaurant, retail, and offices. There are companion zoning applications that are pending before the Zoning Hearing Board. One is a Special Exception and the other a Variance. The Special Exception relates to fast food. In the ordinance, fast foods are only permitted by Special Exception. We are

seeking permission to use the free standing building as fast food with the maximum area of 4,000 square feet and also a portion of the in-line building, a maximum of 4,000 square feet as a fast food that doesn't have drive through facilities. The 2nd application is a Variance. One of the requirements for a shopping center is that they be served by public sewer and public water. We are proposing that the shopping center be served by public sewer; public water is an issue since there is no municipal system serving the Township and no public utility service available. The nearest source is about 5 miles away. That application was supposed to be heard a week ago on the 10th, but there was an advertising issue so as was indicated they are asking that the hearing be held and closed and continued to another date at the Boards leisure. There are 3 witnesses, David Kee who is the project engineer who will walk the Board through the site; the 2nd is Eric Mountz of Traffic Planning and Design who will walk you through the traffic study; and Tim Higgins of GeoServices and he will provide information on the water availability at the site.

- Mr. Courtney noted the original application is marked as Exhibit 1A, the narrative is Exhibit 1B. The balance of the exhibits will be noted as the witnesses come up.
- The site plan was provided for the public and Board to see.
- David Kee, a professional engineer with Cowan Associates. Mr. Courtney noted he is the project engineer for the project. He asked that Mr. Kee walk the Board through the site plan. Mr. Courtney noted there were some changes on the site plan that was submitted with the original application and the one being presented. One is there is one access drive instead of two and we will identify some of the other minor changes as we go through the plan. He asked that Mr. Kee orient the Board to the site and walk them through the site plan.
- Mr. Kee noted the site is located about 1,200 feet south of the intersection of Bow Creek Rd. and I81 and is located on the east side of Bow Creek Rd. and is around 5.8 acres. Adjacent to the site there are 2 hotels on the northern side and farmland to the south, west and east. What is being proposed is a shopping center. The inline shopping center is about 19,000 square feet located to the rear of the property. There is a proposed restaurant on the western side of the property which is about 4,000 square feet if it's a fast food and 6,000 if it is a sit down restaurant. We are proposing one access to the site off Bow Creek Rd. with a couple parking areas for the site and loading to the rear of the shopping center. For stormwater, we are proposing 2 underground basins and 3 rain gardens for the site. There is a drive through lane shown on the plans and we have shown a location for the menu board and microphone. There is internal landscaping shown on the plan for the shopping center and the impervious and we meet/exceed the 10% required for internal landscaping.
- Mr. Courtney asked if Mr. Kee could identify the anticipated circulation of trucks and drive through traffic. Mr. Kee noted the trucks will access the site from one entrance and go around the outside of the site, behind the one building and then back out. The drive through circulation will also use the one entrance and then turn, go around the internal parking lot and leave from the exit.

- Mr. Courtney asked if in terms of required parking spaces and loading spaces does the site plan comply with the ordinance. Mr. Kee noted there is adequate parking and there are 6 loading spots. The ordinance requires 156 parking spaces and 156 are proposed; 2 loading spaces are required, 6 are proposed.
- Mr. Courtney walked through the requirements for shopping centers.
- 442.2 of the ordinance requires frontage along the collector road. Bow Creek is the collector road. Mr. Courtney asked if the access drive is set back more than 200 feet from the nearest intersection of the street right-of-way lines. Mr. Kee noted they were.
- 442.3 require public water and public sewer. Mr. Courtney asked if it was Mr. Kee understanding that public sewer is available. Mr. Kee noted public sewer runs along Bow Creek Rd. in front of the property. Mr. Courtney noted public water is not available and they have requested a variance.
- Mr. Courtney noted they have handed out Exhibit A4. This is an excerpt of the Dauphin County Comprehensive Plan and includes a water service area map. Mr. Courtney asked Mr. Kee what the maps indicates. Mr. Kee noted the map indicates the site and the distance to the nearest public water. Mr. Courtney noted the site is indicated on the map with an arrow and the nearest water service area is the blue area. Mr. Courtney asked Mr. Kee how far away was the nearest service area. Mr. Kee noted it was approximately 5 miles. Mr. Courtney asked Mr. Kee if water areas were extended that distance, what the approximate cost would be. Mr. Kee noted it would be around \$2.6 million dollars and would be prohibitive for the project.
- 442.4 Off street parking, loading and interior landscaping have already been addressed.
- 442.5 requires pedestrian linkages. Mr. Courtney asked if there are any sidewalks in the area of the site. Mr. Kee noted there were none. Mr. Courtney asked if Mr. Kee could identify what sidewalks and linkages are being proposed. Mr. Kee noted they are proposing sidewalks along the property frontage and sidewalks all the way back to the shopping center.
- 442.6 requires a bus stop and some other related features to the bus stop. Mr. Courtney asked Mr. Kee to identify those on the site plan. Mr. Kee indicated where the bus stop was on the plan and it indicates there is a trash receptacle, a bench, and a shade tree shown on the plan. The bus stop is a sheltered bus stop.
- Mr. Courtney noted 442.7 is a traffic impact report and that will be discussed later.
- 442.8 relates to signage. Mr. Courtney asked Mr. Kee to identify approximately the location of a free standing or pylon sign that is anticipated for the project. Mr. Kee noted a proposed sign is located along the south side of the access drive. Mr. Courtney asked what would be the maximum size and area of the free standing sign. Mr. Kee noted it would be 5 x 5 which is what is allowed for by the ordinance. Mr. Courtney asked if it would identify the tenants of the shopping center. Mr. Kee noted it would. Mr. Courtney asked if the tenants would have wall signs. Mr. Kee noted they would and would not exceed the ordinance at this time. Mr. Courtney asked if the wall signs would be internally eliminated. Mr.

Kee imagined they would be. Mr. Courtney asked if this is typical of shopping centers. Mr. Kee noted it is.

- 442.9 are lot standards. Minimum lot area, lot width, lot depth, lot coverage, building heights, setbacks for buildings, parking, loading, and dumpsters. Mr. Courtney asked if all of those features are identified on the site plan. Mr. Kee noted they were. Mr. Courtney asked if the site plan complies with all the lot standards. Mr. Kee noted it did.
- Mr. Courtney noted he would walk through the requirements for fast food restaurants even though it is an ending before the Zoning Hearing Board, but it is a part of the shopping center.
- 421.2 – Mr. Courtney noted this section of the ordinance requires the property front to be on a collector road which includes a fast food or drive through restaurants and those would be on a collector road or within a shopping center and the proposed restaurants would comply with those criteria. Mr. Kee noted the proposed plan would comply with the ordinance. Mr. Courtney asked if the exterior trash receptacles are shown on the site plan. Mr. Kee noted there are several shown on the plan. There are 3 along the front of the fast food restaurant and one on the opposite side. Also beyond the trash receptacle at the bus stop there are 2 shown at the shopping center. Mr. Courtney asked if there are dumpster identified on the site plan. Mr. Kee indicated on the site plan where the dumpsters are located . Mr. Courtney noted the fast food restaurants and both buildings would use those receptacles. Mr. Kee noted that was correct.
- Mr. Courtney asked that as far as a working plan for clean up, is it the intention of the shopping center to be managed by a property manager. Mr. Kee noted it would be. Mr. Courtney asked if it would be a requirement of the property manager and the tenants to regularly clean up litter. Mr. Kee noted it would be.
- Mr. Courtney noted 421.4 relates to drive through lanes. We have identified the drive through lanes. Mr. Courtney asked if there is a current separation as required by the ordinance. Mr. Kee noted there is a separation on both sides. Mr. Courtney noted just to confirm, there is no drive through proposed for the in-line building. Mr. Kee noted that was correct.
- Mr. Courtney noted 421.5 relates to speaker/microphone and asked if Mr. Kee could identify the location and anticipated location of a speaker/microphone for the drive through. Mr. Kee pointed out the location on the proposed plan. Mr. Courtney asked if screening is proposed to screen the speaker/microphone from adjoining properties. Mr. Kee noted there is proposed screening located along the northern lot line.
- Mr. Courtney noted 421.6 is exterior seating and play areas. He asked if any exterior seating and play areas proposed. Mr. Kee noted at this time no. Mr. Courtney asked if there were any, would they be enclosed by a 3 foot high fence as required by the ordinance. Mr. Kee noted they would be.
- 421.7. Mr. Courtney asked if the site is located more than 200 feet from the residentially zoned land. Mr. Kee noted that it is about 600 to 800 feet away.
- Mr. Courtney asked that in terms of the general criteria for conditional uses is the proposed use consistent with the purpose and intent of the Zoning Ordinance. Mr. Kee noted it was. Mr. Courtney asked if the use is permitted by a conditional

use. Mr. Kee noted that was correct. Mr. Courtney asked if the use will detract from the use and enjoyment of the adjoining or nearby properties. Mr. Kee said no. Mr. Courtney asked if the use will substantially change the character of the neighborhood. Mr. Kee said no. The use is consistent with the area. This side of Bow Creek Rd. is the highway commercial district and the other side is the interstate commercial. As I said before, there is a hotel on the northern side of the site and there is another hotel on the opposite side of the street. Mr. Courtney asked if there are adequate public facilities available. Mr. Kee noted they are, except for water.

- Mr. Courtney asked if the property is located in the floodplain overlay. Mr. Kee noted it was not.
- Mr. Courtney asked if the proposed use complies with the requirements in Article 4 which has been gone over before. Mr. Kee noted it does.
- Mr. Courtney asked if the use will substantially impair the integrity of the Township's comp plan. Mr. Kee note it would not.
- Mr. Nelligan asked if the plan designates the location of luminers in the parking areas. Mr. Kee noted that it does not at this time. It will be taken care of in the land development stage.
- Mr. Rish commented they said there are 7 loading spaces. Mr. Kee noted there are 6 loading spaces. Mr. Rish noted he only saw 1 loading space. Mr. Kee commented they are all located behind the shopping center.
- Eric Mountz of Traffic Planning and Design of Harrisburg. Mr. Courtney asked if he is a registered PA registered engineer. Mr. Mountz noted he was. Mr. Courtney asked if he was traffic engineer. Mr. Mountz noted he was. Mr. Courtney asked if he prepared the traffic impact study. Mr. Mountz noted he did. Mr. Courtney noted the traffic impact study has been submitted as Exhibit A-6. Mr. Courtney asked Mr. Mountz to walk the Board through the traffic study, the scope of the study, trip generation and recommended improvements.
- Mr. Mountz noted to begin the traffic study; the first step was to reach out to the Township's traffic engineer who is McMahon Associates to identify the scope of the traffic study. For this particular site, the scope that was identified included 3 intersections; both I81 intersections with Bow Creek Rd, and Bow Creek Rd./Rt. 743 intersection with Jonestown Rd. and the site access. We looked at the weekday afternoon time period which is the commuter rush and the Saturday mid-day time period which would be highest anticipated time for the overall shopping center. As far as conditions, we looked at the existing conditions as well as future conditions, with and without the development. In this case we looked at a future year 2013 which would represent full occupancy of the site. We completed the traffic counts this past January and moved forward with developing the future conditions. As part of future conditions, we applied a background growth factor to account for unknowns as well as included traffic from 3 other developments in the area that are anticipated to be built out by 2013. With respect to the site and estimating the traffic that would be generated, we looked at a few different ways in doing so in some correspondence with McMahon Associates. As Mr. Courtney alluded to, there are basically 2 separate buildings. The in-line retail building as well as the restaurant out-parcel. In

estimating traffic, what we typically do is rely on the trip generation manual which basically has data related to all kind of uses, be it residential, commercial, office space, etc. In this case there is a lane use code particularly for a shopping center. That includes the in-line uses but also provides the flexibility to include out-parcels for such things as a restaurant or drive-in bank, things of that nature. In this case, another alternative is to use the shopping center lane use for the in-line use, but then also generate separately, there is separate data related to restaurants be it a fast food restaurant or sit down restaurant. As we indicated, the pad site for the restaurant is unknown at this point as the particular use be it fast food or a sit-down restaurant. Through coordination with McMahon, we utilized the most conservative approach which was generating separately for the in-line building as well as using a fast food restaurant, which typically generates 2 to 3 times as much traffic as a sit-down restaurant during peak hours. The traffic estimates were conservative for the site in the fact that we used a shopping center as well as generated separately for an assumed fast food out parcel. Based upon all the traffic lines that were developed, we completed analysis and compared. They grade the overall operations of the intersections, and we compared those letter grades which are called level of service to the requirements of the ordinances. What we found was that all the intersections will meet the requirements of the ordinance with respect to those operations upon development of the site even under the conservative estimate for the site traffic. In conclusion, as far as recommendations, we found that all the off-site intersections will operate in accordance with the ordinances as well as the site access. The traffic study that we did analyzed 2 separate accesses. We have taken a look at just a single access and we found the single access does still operate accordingly and we will be making some revisions, but essentially what we found is the access will be un-signalized, there will be a stop sign on the exiting approach and we are looking at potentially providing turn lanes, a left turn lane in and a right turn lane in based upon the traffic generated by the out parcel. There were no additional conclusions or recommendations with respect to the traffic study.

- Mr. Courtney noted included as part of the exhibits, McMahon's comments as Exhibit A-7. Mr. Courtney asked if Mr. Mountz had a chance to look at the comments, he noted he did. Mr. Courtney asked if any of the comments were of material. Mr. Mountz noted the most substantial comment had to do with the need to consolidate to a single access was driven by the review letter as well as some other correspondence with the Township. We have already looked at it and it is not an issue to consolidate to a single access as shown on the plan that was described.
- Mr. Courtney commented the design of the improvements of the turning lanes on Bow Creek would occur with the land development. Mr. Mountz noted that was correct.
- Mr. Rish noted Mr. Mountz had said he looked at 3 future developments and their potential traffic. He asked what 3. Mr. Mountz noted we looked at the remainder of the Preserve at Bow Creek, which still has a portion of the residential units to be built out, we looked at the Hilton Garden Inn, which is going through the

approval process, and we looked at the potential expansion at Penn National Racecourse.

- Solicitor Lovette felt the Township Engineer would like to recommend that the Board ask some questions on some specific areas.
- Mr. Ulrich noted there is a review letter from McMahon based on the traffic study Mr. Mountz prepared. While there are a number of different comments on the letter, he noticed one of them was about redoing the layout for the single access coming off of Bow Creek. That was done. As far as the seasonal adjustments for the traffic counts, was all that type of stuff taken into account and can you assure the Board that those adjustments will not impact the layout or what you are asking from the Board.
- Mr. Mountz noted there were 7 comments in the letter received from McMahon. One of which related to consolidating the access. Two of the of the other comments had to do with in the future with land development doing such things as cost estimates and concept plans to show the improvements. The remaining comments had to do with the specifics of the traffic study. In particular, the seasonal adjustment factor. Basically what that is, we did our traffic counts in January of this year. Upon receipt of the letter, he reached out to Jodi Evans at McMahon Associates to talk about that in detail. What we discussed was the information she had asked us to use, through some correspondence with PennDOT recently, isn't necessarily appropriate; so actually as late as 5:00 today, Jodi and I were corresponding and trading some data back and forth to see if it was appropriate to seasonally adjust. What we ended up doing is we were trying to figure out how do we ensure that the lines we counted in January were appropriate. What we did is we obtained some data from the recent Act 209 Study that was done for the Township which looked at some of the same intersections during the afternoon time period. Those counts were completed in 2008 during August and September which would be, in Jodi's mind, typical conditions. We compared those counts to the January traffic counts we just did and we found that our recent counts were about 10% higher than what the previous counts were. Jodi indicated that if we provide that in a formal response, she would be comfortable with that. She just wanted to ensure that our counts from January were reflective of typical conditions. Through the data she gave him this evening, it appears that it is. There are 2 other comments in the letter relating to additional data to be provided and we have no problem providing that. Mr. Courtney asked if addressing those comments would affect the layout of single access, including the anticipated turn lanes. Mr. Mountz noted that was correct. Outside of the seasonal adjustment, which he is pretty confident we have resolved at this point, none of the traffic vines or analyses so it wouldn't affect the layout or the findings of the traffic study. The remainder is just additional information to be provided for review in the future.
- Mr. Rish asked when you are talking about seasonally adjusted, are you talking about traffic from HersheyPark. Mr. Mountz commented essentially yes. Mr. Rish noted he is saying that the current values that you got in January are 10% higher than what they were in 2008. Mr. Mountz noted the counts that were conducted for the Township's Act 209 Study were done in late August, early

September, 2008. Our counts were done the 2nd week in January of this year. Based on the data that was used in that study and the comparison, the January counts of this year were higher. On top of that there is data available from PennDOT where you look at not only peaks but for a 24 hour period. The PennDOT data was looked at and it was collected in 2009 under what they consider normal conditions and for Bow Creek, the typical week day volume was about 9200. We completed similar counts in January and in conjunction with our counts, we found about a little over 10,000 cars on a daily basis so we're finding our January numbers are generally consistent with what would be deemed a typical day. Mr. Rish noted if you have the numbers, you have the numbers, but he has a hard time believing that HersheyPark traffic.

- Chairman Espenshade noted that means this summer there will be more than 10,000.
- Mr. Mountz noted you need to keep in mind that over the course of a day, at some points it may be higher for a particular day for HersheyPark. If it is a particularly nice day, there may be more people out and it may be higher, but for the cases of a traffic study, we typically look at your commuter rushes when it may be the busiest, from 4:00 to 6:00 in the afternoon. For HersheyPark that may not be the peak. We typically look at a Tuesday through Thursday time period. For that particular time period, when he was referencing the 10%, it was for that particular time period; over the course of a different hour of the day or a Sunday or Saturday, it may be a little big bigger difference, but for the purpose of a traffic study and what we looked at, those were the numbers we found.
- Mr. Marshall asked if he ever looked at a Friday afternoon. Mr. Mountz commented typically no. That was one of the items we covered with McMahon in the beginning as to which day would be covered and in line with the Act 209 Study and the fee that is paid, typically those counts are conducted on a Tuesday through Thursday which are your typical weekdays, where Friday's can be higher. Through that correspondence and the scoping process, we actually agreed on doing it Thursday. Mr. Marshall noted on this particular road, Friday's are not an issue that they can be higher, they are. Mr. Mountz noted that was correct.
- Mr. Ulrich noted with the new layout, the last time it was discussed with the dual layout, Mr. Kean indicated that he did run turning templates here for access throughout the site for the anticipated vehicles that will service the facility from the loading spaces. Mr. Ulrich asked if this was done for the new layout. Mr. Kee noted it has. Mr. Ulrich noted he did not see a loading space for the proposed fast food restaurant and asked if it is not required. Mr. Kee noted it was not required.
- Mr. Ulrich noted if the Board was inclined to move forward with this layout, are there any other waivers that you see that might be necessary to have this layout work. One of them might be stormwater since there are underground facilities for it. You have run your stormwater enough to say you got freeboard requirements, volume infiltration, etc. If this would move forward do you feel confident you can get your stormwater to work. Mr. Kee felt confident he could get the storm sewer to work, we have done the infiltration testing and the 2 underground basins will

be installed and 3 rain gardens. On site there are some sediment basins that exist from a previous subdivision and we are trying to utilize those as the rain garden locations to the maximum extent as possible. He felt confident they could address the stormwater.

- Mr. Courtney noted that is not to say there will be no waiver requests. We can't promise that.
- Mr. Ulrich noted what he was getting at is there anything here you see from a waiver standpoint that if it were to be laid out differently, we could avoid the waiver, but by going through with the Conditional Use, a waiver is going to be necessary.
- Mr. Courtney noted if during the land development process, we discovered that we misread the ordinance or there was some stormwater problem, obviously that is going to effect the site because we can't get a whole lot more impervious coverage so maybe buildings might have to shrink to get it to work. We understand that.
- Mr. Ulrich noted there is an existing Met-Ed easement shown and the end of the shopping center is not within the easement. Have you checked into the Met-Ed easement that allows pavement, dumpsters, etc. to be located within the easement. Mr. Courtney noted not at this point.
- Mr. Ulrich noted there is what looks like retaining walls and they are pretty close to the property line. Can those go in and still have the landscaping go in and the retaining walls will work. Mr. Kee noted there is adequate room there for it to work.
- Mr. Marshall asked about the turning radius. What size truck is it being laid out for? He has been to fast food restaurants and has seen a semi come in to make a delivery and that would be difficult to get into there. Mr. Kee noted they took a tractor trailer around the site and an aerial fire truck around the site to make sure we had adequate turning radiuses. A tractor trailer can go all around the site and they can pull in and back out of an area if necessary. We did look at 55 foot tractor trailers. Mr. Marshall asked if it was the tractor and trailer. Mr. Kee noted it was.
- Tim Higgins, a hydrogeologist with GeoServices. Mr. Courtney noted Mr. Higgins looked into the availability of the water supply for the site and prepared a report dated March 16, 2010. This report is Exhibit A-8. Mr. Courtney asked Mr. Higgins to walk the Board through the report.
- Mr. Higgins noted the first thing they did was do a basic ground water budget to determine how much ground water would be available looking at recharge and looking at the existing withdrawals in the basin. There is a map of the topographic basin attached to the report that shows the topographic basin that would provide water to the down gradient portion of the property that includes a little bit along Jonestown Rd. and all the houses along there were included as withdrawal, and extending to the road to the east. We looked at the typical and drought recharge to that basin to the down gradient edge of the property. For what it's worth, there is a well and it is near the front of the property which is down gradient in the basin towards the northwest corner of the site. The typical recharge to that basin is about 165,000 gallons per day. In drought conditions

which is about 1 in 10 drought years it is about 99,000 gallons per day. The residential withdrawals, there approximately 60 houses which fall within that, would equate to about 15,750 gallons of residential withdrawals. We are assuming that everyone is sewered and that water is taken out of the basin. We've also looked at Days Inn which is in that basin and it is about 10,100 gallons per day and we have attributed to that. So assuming that drought recharge of 99,000 gallons we have about 73,150 gallons per day left available in the basin in a drought year. The proposed need is not to exceed 4800 gallons per day. Over a 24 hour day, that is about 3.3 gallons per minute pumping continuously. It would not exceed 4800 gallons in a 24 hour period. There is plenty of water based on the initial look. What we did then is look at a few places that are close, Hampton Inn, down gradient further closer to where the streams come across 743, there is the LukOil gas station/mini market and then right at the edge is Manheim which has a car lot on 81. We added those to the additional withdraws if they were to impact us even though we consider them to be outside the ground water basin. That comes out about 12,000 gallons per day additional, which still leaves about 60,000 gallons in the ground water basin shown on the map. We felt that, all things considered, there was more than adequate water to offset the 4800 gallons per day that is the maximum for this site. We drilled a well in the front northwest corner of the property at a location that was discussed with the sanitary and DEP to make sure everyone would be ok with that spot. We constructed it as you would a public water supply well. It has heavy wall casings, a drive shoe, its cased, its grouted, it's a 10 inch hole down a 60 feet and 6 inch casing so there is 2 inch annular grout in place and it was drilled to 300 feet and there was a blow needle of between 60 and 65 gallons per minute which is a reasonably good yield figuring we need an average of 3.35 gallon a minute we are getting 60 to 65. There were 2 zones primarily at 104 to 108, they got about 25 gallons per minute and 127 to 129 about 35 more. They were measuring between 60 to 65 so they may have picked up a few gallons in discrete fractures below that. We drilled to 300 feet and stopped. The water level is about 35 feet and that is after blowing 60 gallons per minute while they were drilling. He feels pretty comfortable about the ability of that well to meet the needs that have been proposed. It is a kind of a greywacke, it is a sandy, shale stuff, there is a little bit of lime shale in there but mostly it is a greywacke, a sandstone shale combination. Looking at the water available in the basin and the needs of the project, we are pretty comfortable that they have a good well that is more than adequate for what they need and the basin can support it.

- Solicitor Lovette asked for comments from the public.
- Eric Epstein noted he had not yet looked at the plans but commented he was involved with a couple projects where you had adequate parking until people started parking. He does not know what is anticipated as to what is going to be in the parking lot. It seems to him 743 off 81, given where we're at, it's likely you may have a recreational vehicle or 2, a hay truck, a horse truck, things of that nature. He questioned if you could turn around if there was something in the parking lot. There is a generic foot print for the plan and we do have Hershey and the Casino. Traffic isn't static between Tuesday and Thursday. Friday,

Saturday and Sunday we have more traffic at the Casino and at Hershey if there a concert. What he is trying to anticipate is not at best possible times what traffic is going to look like but at worse possible times. His questions is has that been considered. It's July, it's Saturday, there is something going on at the Casino, there's something going on at Hershey, the parking lot is full, is there adequate turning radius. Do we have the capacity for people to come and go would be his concern. The other concern he would have is he doesn't know what the baseline traffic study that was used, but he knows when the Casino first came, that traffic study was flawed and was based on a Charles Town model. He would be interested to see what the baseline is and if it anticipated and projected for future growth not only from slots but for table games. In addition, do we factor into things like Fort Indiantown Gap.

- Mr. Courtney noted in terms of adequate parking, assuming that every space in that parking lot was filled, he felt with the truck turning templates that are done it assumes that the trucks can make those turns without encroaching into parking spaces. He thinks we have been somewhat conservative in calculating the parking. The 2 buildings comprise a whole shopping center even though they are separate buildings. Shopping centers have parking requirements; he thinks 5.5 per 1,000 square feet. We used that calculated for the in-line space and for the free standing building we used the restaurant which is more restrictive with requiring more parking. We have taken a somewhat conservative approach in determining what the required parking would be. We believe we will have more than adequate parking. That is not saying that a big event happens and everyone wants to go to whatever restaurant that is there, but we think we have been conservative in our approach. In terms of the traffic study, Traffic Planning and Design has done both studies, Penn National and this one and he is assuming that the most recent study, that information in the Penn National, and based on rather extension discussions held with McMahon on the trip generation aspect of Penn National traffic study, that the most up to date information has already been factored in.
- Charlie Longreen commented that on the entrance, there is no delineation between in and out. That is being let wide open. Mr. Courtney noted that is something that can be adjusted as part of the land development process. As part of the land development, we will be designing both the right turn lane in and left turn lane in and if it's determined that something closer to a boulevard entrance is necessary that is something they can consider.
- Eric Epstein would like to see what the reference point was for the most recent Casino traffic study that would be helpful for us. He is curious as to what the background data was for the traffic study, if it is a generic footprint or if it factors in specific conditions.
- Mr. Mountz noted with respect to the background growth, there is a factor that is basically used for unknowns. He mentioned that we included the traffic from the known's we know of, the 3 developments in the area. The background growth factor is somewhat broken down based on PennDOT data that they gather every year. What they do is break it down by County and then road types. So for this particular use, we go by the road types in the area and then Dauphin County and

there's a yearly growth factor that is applied to account for that. It is somewhat generic but it is related to Dauphin County and the road types.

- Mr. Epstein asked if it would consider Hershey, Casino, hotel capacity or not. Mr. Mountz noted the Casino traffic is accounted for since we did the traffic counts when it was typical operation for the Casino. You questioned about the future traffic volumes and the baselines. We are not using Charles Town at this stage. There is current data related to the existing facility and we feel we are conservative on the estimates for the future expansion there as well. As we estimated traffic for this site in that we estimated separately for the fast food restaurant and he is relatively certain that the vines that are estimated for the future are relatively conservative. Mr. Epstein asked if they factored hotel capacity and Hershey. Mr. Mountz noted it is taken into account whatever conditions are in this area were like in January when we did the counts that is the baseline for this as a typical day for the area. There was concern from McMahon if this is representative of seasonal for this area, and based on information we received from the Township's traffic engineer, it appears it is consistent with the other data from August/September which would be towards the end but during the peak of HersheyPark.
- Mr. Shutt asked if they considered once the table games opened up. Mr. Mountz noted they did. Mr. Shutt asked what the numbers were. Mr. Mountz noted we have estimates and it is consistent with the information that has been coming into the Township and recently approved in regards to the trips. We did counts at the existing driveway for the facility to come up with an anticipated rate based on the existing volumes basically trips per gaming position, based on what is out there today and using that we have a relatively conservative estimate on the proposed expansion. If you take the proposed table games, there a certain amount seats that are available and we took and assumed that everyone of those tables is 100% full and there is an additional 820 game positions that are available after the expansion. We applied the rate that we're seeing from the existing driveways and applied that to the expansion. The reason that is conservative is that the existing rate includes everything that is going on right now at the Casino. It includes the gaming, horse racing, restaurants, employees, etc. For the expansion it's just for an expansion of gaming, no additional racing, restaurants, etc. so we feel our estimates for the expansion are definitely realistic and if anything conservative.
- Mr. Shutt asked what number was used. Mr. Mountz noted he did not have the exact number with him. Mr. Shutt noted when you go back there now vs. when it first opened, there is a lot more now. Mr. Mountz noted he has a whole file with the information but doesn't have the information with him. The counts we developed the rates on are from October of 2009 so they are very recent counts. They are not from when it opened.
- Chairman Espenshade asked if anyone else had comments.
- Tom Gordon a resident of the Township only had one comment. We are talking about 156 parking spaces. He is concern is that you have one entrance and one exit. Heaven forbid you have an accident in that intersection and someone who is in the shopping mall has a heart attack or any other emergency. One

exit/entrance is not suitable for anything. His only comment is that it is a dangerous plan to have one entrance/exit for anything that is going to have that volume of traffic or possible vehicular traffic back and forth.

- Chairman Espenshade did not know what the size of the entrance is or if they are planning 4 lanes.
- Mr. Courtney noted they originally proposed 2 access points. The entrance would be addressed at the land development stage. There is the theory that if there is an accident there no one could get out, but by reducing it to one access, you are reducing the number of opportunities where there is turning movements and someone could rear end someone because they are not paying attention. The message we got from the Township's traffic engineer and from the Planning Commission is that one entrance is preferred.
- Chairman Espenshade noted they are talking about putting in turning lanes so that would widen things out. Mr. Courtney noted that is correct.
- Solicitor Lovette noted the time is 8:33 PM and she closed the record.
- Mr. Marshall noted that the public hearing is being closed for the public to speak, we are not closing what the Board might find out from the Zoning Hearing Board.
- **Mr. Marshall made a motion to table a vote until April 6th at 7:30 PM and this would be a continuation of the hearing so the Board can consider what the actions are from the Zoning Hearing Board. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

CONTINUATION OF UNFINISHED BUSINESS

DEVONSHIRE HEIGHTS RD. – SPEED LIMIT ORDINANCE 2010-02

The ordinance has been prepared and a public hearing needs to be held.

- **Mr. Nelligan made a motion to advertise the speed limit ordinance for Devonshire Heights Rd. for April 6th after the conditional use hearing. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

COMPREHENSIVE PLAN WORKSHOP MEETING SCHEDULED FOR MARCH 17TH

Chairman Espenshade noted that a workshop meeting for public input was to be held for the Comprehensive Plan on March 17th. That meeting has been postponed.

- **Mr. Marshall made a motion to postpone the joint public workshop meeting on the Comprehensive Plan until a time unknown to retrieve other data. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

NEW BUSINESS

VILLA ROSA – REQUEST FOR LIQUOR LICENSE – JEFFREY ARNOLD

Mr. Arnold noted he is representing Giovanni and Angela Cali. They are here along with Peter Cali.

- Mr. Arnold noted this is a request for a transfer of a liquor license into East Hanover Township from Hummelstown Borough. East Hanover has exceeded its quota.

- Mr. Cali noted he would like to place the liquor license at Villa Rosa located at 9916 Allentown Blvd. It will just be used for the purpose of serving wine for their guests. We have been in business for 3 years. There will be no changes made to the restaurant. The hours of operation will remain the same.
- **Mr. Marshall made a motion to advertise for a public hearing for a liquor license request for Villa Rosa Restaurant for April 6th immediately following the public hearing for speed limit ordinance for Devonshire Heights. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

BOARD OF SUPERVISORS/FIRE COMPANY MEETING

This will be discussed at a future meeting.

CLOSING OF OFFICES – APRIL 2ND – GOOD FRIDAY

Mrs. Casey noted all staff would like to take a vacation day on April 2nd to be off for Good Friday.

- **Mr. Nelligan made a motion to authorize the closing of the offices on April 2nd in recognition of Good Friday. Mr. Shutt seconded the motion. Mr. Marshall asked if the Road Crew would also be taking off, it was noted they would be. The motion was approved 5 in favor, 0 opposed.**

OTHER BUSINESS FROM THE BOARD

There was no other business from the Board.

BUSINESS FROM THE PUBLIC

There was no business from the public.

Mr. Nelligan made a motion to adjourn the meeting. The meeting was adjourned at 8:42 PM.

Respectfully submitted,

Deborah A. Casey

cc: Keith Espenshade
John Nelligan
Dave Marshall
Thomas Shutt
George Rish
Hawke, McKeon & Sniscak
Curt Cassel

Charles Longreen
Planning Commission
Light-Heigel & Associates
Posted
Zoning Hearing Board
LTL Consultants
Eric Epstein