

**PLANNING COMMISSION MEETING MINUTES
EAST HANOVER TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA
8848 JONESTOWN ROAD, GRANTVILLE, PA 17028**

June 23, 2009

Members Present:

David Craig, Chairman; Michael Webb, Vice Chairman
Glenn Moyer, Member, Michael Kovach, Member

Also Present:

Norman Ulrich, Township Engineer
David Smith, Township Zoning Officer

Absent:

Dawn Eppinger, Administrative Assistant to the Planning Commission
Scott Wyland, Hawke, McKeon & Sniscak, Township Solicitor
Karen Green, Dauphin County Planning Commission

This meeting was audio taped. The tapes are strictly for the use of the Administrative Assistant for clarification during preparation of the minutes.

The meeting was called to order by Chairman Craig at 7:00 p.m.

APPROVAL OF MINUTES

- **Mr. Kovach made a motion to recommend approval of the meeting minutes of May 26, 2009. The motion was seconded by Mr. Moyer. Being no further discussion, the motion was approved 4 in favor, 0 opposed.**

PLANS TO BE DISCUSSED

1. Reichelderfer (expires 7/18/2009). This is a final subdivision plan at 665 Laudermilch Road/644 Shady Lane for an annexation.
 - Chairman Craig noted the request for the waiver was granted by the Board of Supervisors.
 - There was discussion regarding the 2-2 vote on the request for the waiver which was subsequently taken to the Board of Supervisors.
 - There was discussion regarding the plan being revised with the new waivers and bringing it back before the Planning Commission for a vote.
 - There was discussion regarding the waiver being added to the revision along with miscellaneous items that need to be corrected on the plan and have not be resubmitted to this point.
 - **Mr. Kovach made a motion to recommend rejection of the plan unless an extension is granted by the applicant. Mr. Moyer seconded the motion.**

During further discussion, Chairman Craig noted the reason for rejection would need to be based on LTL's letter of May 19, 2009. The Commission members recognized Mr. Kovach agreed to amend his motion to include the reference to the engineer's letter dated May 19, 2009. Being no further discussion, the motion was approved, 4 in favor, 0 opposed.

2. Halbleib (expires 8/02/09) – This is a land development plan located at 8685 Devonshire Heights Road in Hummelstown. No representatives for the plan were present.

- Chairman Craig noted because of the expiration date, a recommendation will need to be made to the Board of Supervisors.
- **Mr. Webb made a motion to recommend rejection of the plan based on LTL's comment letter of March 19, 2009 unless a grant of extension of time is received by the Board of Supervisors. Mr. Kovach seconded the motion. Being no further discussion, the motion was approved, 4 in favor, 0 opposed.**

3. Shutt (expires 7/06/09) – this is a final two-lot subdivision plan at 484 Manada Gap Road.

- Chairman Craig noted no revisions were submitted for the plan, and requires no action. He noted this item will be carried on the agenda until the next meeting.

OTHER BUSINESS

1. Hilton Garden Inn Sewage Planning Module

- Chairman Craig noted no additional information has been received since the May meeting and the item will be carried to the July meeting.
- Mr. Ulrich noted there is a 60-day time limit on the planning module and it will need to be acted upon.
- Mr. Ulrich noted LTL prepared a letter May 5, 2009 and noted it would serve as a comment/review letter that looks at the Planning Module which was submitted. There were a number of deficiencies in the letter, especially the alternatives analysis report.
- Mr. Ulrich noted his recommendation was the module was not completed to the point where the Planning Commission could recommend approval of the module.
- Mr. Ulrich noted the Planning Commission could use the letter of May 5, 2009 or use their own wording for a recommendation.
- Chairman Craig asked for clarification that there is not enough information for the Planning Commission to make an informed decision.
- Mr. Ulrich clarified for the Planning Commission to approve the planning module as submitted.
- There was discussion regarding the additional information that would be required by the applicant.
- Mr. Ulrich added there would be additional information needed before LTL would give a recommendation to the Board of Supervisors to accept the planning module. It would also need to be submitted to DEP after approvals.

- **Mr. Kovach made a motion that no recommendation for approval or disapproval be made for the Hilton Garden Inn Sewage Planning Module as the Planning Commission is still awaiting some revisions and deficiencies to be cleared up and submitted to the Township's engineer. Mr. Moyer seconded the motion.** Upon further discussion, Mr. Webb mentioned the 60-day time limit and noted he does not know how a motion of anything other than rejection could be made so the clock can be reset when the deficiencies are corrected and resubmitted.
- There was further discussion regarding the time-line. Mr. Ulrich further noted he did not feel it would be a denial because the additional information that is needed can be obtained from the applicant.
- Mr. Webb noted he would like to add to the motion wording about due to incompleteness for the applicant's failure to respond from the previous meeting and items outlined in the May 5, 2009 LTL letter and it cannot be moved forward at this point.
- There was discussion from Mr. Smith regarding when an application is received by DEP and if it is incomplete, it is returned to the applicant and the 60-day time line would start over.
- There was further discussion regarding Mr. Ulrich understanding the viewpoint of the Planning Commission to be able to explain it to the Board of Supervisors.
- Chairman Craig noted Mr. Wyland will be able to advise the Planning Commission in the future and that he felt it was clarified that the Planning Commission is unable to move forward with the process until the applicant can provide additional information.
- Mr. Ulrich also noted the information Mr. Smith brought up regarding DEP was important also and that it was not denied but just an incomplete submission.
- **Being no further discussion, the motion was approved, 4 in favor, 0 opposed.**

The Planning Commission moved to agenda item C) Rob Gabriel first before B) Street Cleaning Ordinance, citing that the ordinance may take more time.

2. Rob Gabriel

- Mr. Gabriel is from Gabriel Associates, noting he represents Bob Kettering of Ketterline Builders. He noted Mr. Kettering would like to subdivide a one-acre lot off of a 34-acre parcel. This is on the south side of Devonshire Heights Road very close to the Township Line.
- At the suggestion of Mr. Ulrich, Mr. Gabriel is presenting his questions to the Planning Commission.
- He noted there is one house without buildings on it; there is a small drainage-way moving through the center of the site. It has a watershed of about 24 acres. There is also a larger stream that comes in from the west along the southern property line; that has a drainage area of about seven hundred and thirty-some acres.
- He noted the main question is what survey information they needed to provide; noting they needed to do a total boundary survey around the perimeter. He noted

the ordinance says GIS contours can be used unless street or public improvements are being made, which are not in this case. It will only be a single family dwelling.

- He noted the biggest question would be existing features, adding the ordinance is not very clear on that. He questioned if all existing features on the entire 34 acres needed to be shown or just on the area that will be involved.
- Chairman Craig suggested the Township engineer perform a field visit of the area and he can make a recommendation as to whether or not the existing features in the area warrant documentation. General speaking, it is required; however, the only thing that is potentially allowed waivers for is the 200 feet from the property line if the engineers says he does not think there are significant items within 200 feet of the boundary.
- Mr. Webb noted it appears as though there are a number of structures within the 200 feet of the boundary.
- Mr. Gabriel answered the adjoining features would be picked up right around where they are working. The remainder of it that will remain open is the area they are questioning.
- He noted he would be fine with meeting Mr. Ulrich on site. He noted he does not think a study has been done on the floodplain from the stream but he can get a FEMA mapping and do a rough calculation. They are approximately 30 to 40 feet above the stream by USGS contours. He noted again a site visit would be helpful.
- Mr. Smith asked if the entire tract was all in East Hanover Township.
- Mr. Gabriel answered to his knowledge it is.
- There was discussion regarding trees planted on the lot which was not entirely picked up by the recorder because the individuals did not speak into the microphone.
- Mr. Gabriel noted they would intend for stormwater to do infiltration for the house. He also noted the SEO already performed the probes and will be performing the perc testing in the near future.
- Mr. Gabriel talked about site distancing and asked for clarification as to the speed limit in the area, noting it is posted as 35 in West Hanover.
- During discussion it was noted feeder roads have an assumed speed limit of 55 unless otherwise posted.
- Mr. Gabriel noted the location of the proposed driveway will be at the top of the hill and asked if there were any plans for posting it in the future.
- Mr. Ulrich asked if Mr. Gabriel measured it yet or took a look at it.
- Mr. Gabriel answered he looked but in both directions, there is vegetation in the way. He noted he believes the vegetation may be in the right-of-way.
- There was a discussion regarding the vegetation in the area and an embankment.
- Mr. Ulrich noted there seems like there is a possibility to improve the site distance to comply, even if it were 55.
- There was further discussion regarding the 35 mile speed limit sign in West Hanover, noting the speed would be good for one mile.

- Mr. Gabriel added he believes they would be within one mile of the sign.
 - Chairman Craig suggested to Mr. Gabriel to check the information.
 - Mr. Ulrich suggested along with checking the site distance, and as far as the applicability of the existing features (Section 402.3.1), coming up with a list as far as what the concerns are. He noted when the field visit is set up, he will contact the Planning Commission members to see if they are interested in attending.
 - Mr. Gabriel added one of the main questions is whether this is the project area or the whole 34 acres.
 - Mr. Webb added it would be the whole 34 acres because it is a subdivision.
 - Mr. Gabriel noted they are doing anything outside of the project area; besides the flood plain, he does not know what the information would be good for.
 - There was further discussion regarding addressing concerns before the field visit.
 - Chairman Craig asked, in order to give Mr. Gabriel a better feel, if the other Commission members felt the project included all 34 acres.
 - Mr. Webb answered the reason why he questioned it is because he is starting with one parcel and ending up with two parcels which are going to have to have two deeds.
 - Mr. Gabriel noted they are going to do the whole boundary around the entire thing but they are not proposing any physical improvements to anywhere but within the proposed subdivision.
 - Mr. Smith added both lots would require primary and alternate systems.
 - Mr. Webb added location of wells would also be important. He also noted they will be bringing a property that may not be in compliance with the current ordinance requirements into compliance which may mean changes that will impact the second parcel even though nothing will be building on it.
 - There was further discussion regarding the need for a septic system and back up system in both parcels.
 - Mr. Ulrich added if there are any additional plans down the road, if natural features are provided, it is something that can be used in the future.
 - There was discussion regarding the adequacy of USGS contours for the parcel soil types being shown, slopes and riparian buffers.
 - Mr. Ulrich referred to Section 402.3.4 of the SALDO for a listing of existing features that will be required to be shown.
 - Mr. Gabriel noted he will follow up with a letter with a list of concerns after the site distance is performed.
 - There was discussion regarding keeping a plan to use it in conjunction with questions that may be brought to the Planning Commission.
 - Chairman Craig reiterated for Mr. Gabriel with it being a sketch plan for the one-acre parcel, is provided the criteria will need to be met.
 - Mr. Ulrich noted it would be a net one acre.
3. Street Cleaning Ordinance 2009-6
- Chairman Craig asked if there were any questions from the Commission or if Mr. Ulrich wanted to give any type of presentation regarding the ordinance.

- Mr. Ulrich noted they are updates that he will be reviewing. He noted the concern for the Township was mud on the road. The idea was not negatively impacting a property owner downstream.
- He noted what is put before the Planning Commission are clarifications and little changes, grading, E&S.
- Mr. Ulrich passed out a packet of information of the proposed changes. It was clarified Dauphin County's changes were included.
- There was discussion noting the first draft from LTL are the changes in black, notations from Mr. Wyland are in red and Dauphin County's comments are in yellow.
- Mr. Ulrich reviewed the changes and held a discussion on the proposed changes with the Planning Commission.
- Mr. Ulrich noted there were no major changes, noting they were clarifications and addressed the concerns of the Planning Commission
- Chairman Craig discussed making a recommendation to the Board of Supervisors.
- There was further discussion regarding the recommended changes made by the Planning Commission being forwarded to Mr. Wyland for his opinion and incorporating the changes into the recommendation.
- Mr. Ulrich reviewed the recommended changes from the proposed ordinance as the following:
 - Page 9, the question is "or similarly stable" can it be removed or go with a grade equivalent or greater – will consult with Mr. Wyland.
 - Page 11, there was a change regarding the rock construction entrance/exit – no need to consult with Mr. Wyland but can be added.
 - Page 12, there was the ASTM issue that just needs to be verified to ensure it is current – no need to consult with Mr. Wyland.
 - Page 13, notification of violation. Mr. Wyland will be consulted. The Planning Commission's thought was to remove it.
- **Mr. Webb made a motion to recommend approval of the Street Cleaning Ordinance 2009-06 to the Board of Supervisors pending clarifications of four specific items. First on Page 9, Section P2 that the words "or similarly stable" either be removed or replaced with equal or greater or wording that applies the same; on Page 11, Section 310.H., the word "exit" shall be added as "/exit" after entrance to incorporate both exit and entrance; on Page 12 at the top of the Section E, that the engineer verify the ASTMS specific test schedules sited are the most current and that wording be added to include that the most current shall be used in the future; and finally Page 13, Section 803A2, be removed unless the Solicitor determines that is necessary in order to stand legal challenge. Mr. Moyer seconded the motion. Being no further discussion, the motion was approved, 4 in favor, 0 opposed.**
- Chairman Craig reviewed the upcoming events that were listed on the agenda.

4. Comprehensive Plan Update

- Mr. Webb noted he talked to Mrs. Casey regarding notification on public participation for the September 16 meeting. Her recommendation was a special mailing be done, multiple week ads in Hummelstown Sun, Paxton Herald and the Harrisburg Patriot News as well as putting up notices and signage at the Township Building.
- Mr. Webb also indicated Mrs. Casey noted the fall newsletter will be out and it can be put in there as well. It was her impression the Supervisors were interested in public participation.

5. Planning Commission Workshop

- There is another workshop scheduled for June 30, 2009. At this point, is there a need for it to be held.
- There was discussion regarding making a decision at the June 25 meeting as to whether or not the meeting will be cancelled.

ADJOURNMENT

Mr. Moyer made a motion to adjourn the meeting at 9:53 p.m.

Respectfully submitted,

Transcribed by Dawn E. Eppinger

Cc: Board of Supervisors
Marie Beaudet
Keith Espenshade
Dave Marshall
Tom Shutt
John Nelligan
Scott Wyland, Township Solicitor
Norman Ulrich, Township Engineer
David Smith, Township Zoning Officer
Deborah Casey, Secretary-Treasurer
Karen Green, Dauphin County Planning Commission
Zoning Hearing Board

Planning Commission
David Craig
Glenn Moyer
Mike Kovach
Mike Webb