

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

**February 23, 2010**

Members Present: David Craig, Michael Webb, Glenn Moyer  
Members Absent: Michael Kovach, Marie Beaudet

Also Present:

Norman Ulrich, Township Engineer; David Smith, Township Zoning Officer  
Scott Wyland, Hawke, Township Solicitor; Dawn Eppinger, Administrative Assistant  
Leah Rowand, 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**

- **There was a consensus from the present Planning Commission members that the meeting minutes from the January 26, 2010, meeting were approved.**

**PLANS TO BE DISCUSSED**

1. Penn National Casino Expansion (expires 04/25/10) – This is a land development plan located at 777 Hollywood Boulevard, Grantville.
  - Mr. Charlie Courtney, Mr. Jason Shaner and Mr. Terry Souders were present on behalf of the applicant
  - Mr. Courtney noted they were in receipt of Mr. Ulrich's comments dated February 17, 2010 and they intend to resubmit the plans the week of March 1<sup>st</sup>.
  - He noted the Board of Supervisors authorized submitted the plans 21 days in advance of the Planning Commission meeting to give Mr. Ulrich the opportunity to immediately review them.
  - He noted they would like to come back in March with a predominantly clean plan.
  - He also noted they have Mr. Smith's comments which will also be addressed as part of the resubmission.
  - He noted they would like to recap the waivers to ensure they are "on the same page". There will be additional waivers identified by Mr. Ulrich which have not yet been put into writing.
  - There was discussion noting the waivers will be put into proper format for the next meeting. Mr. Courtney noted they wanted to get the proper wording for the

waivers.

- Mr. Courtney distributed an outlines of the waivers with the proposed wording.
- He reviewed the following:
- Section 303 - Mr. Courtney noted this was approved by the Board of Supervisors
- Section 609.1 - Mr. Courtney read from his report. He noted two sidewalk locations were requested by Mr. Ulrich and one has already been installed.
- There was discussion pointing out the two sidewalk locations which will be installed and the landscaping being “beefed up” to discourage pedestrians from cutting through the area.
- Mr. Ulrich discussed sidewalk along the parking garage; he asked how far it should be taken down. He pointed out the area on the plan. There was discussion regarding the length of the sidewalk.
- There was discussion regarding wordsmithing the request
- Mr. Courtney noted the justification will be added.
- Section 610.1 - Mr. Courtney read from his report. It was noted the wording and justification was appropriate.
- Section 618.1.5 and Section 618.1.6 - Mr. Courtney read from his report and noted the trees have been located on the plan for the disturbance plan. A note was added pursuant to this plan, trees cannot be removed outside the disturbance area, which will be note 26. It was noted the wording was acceptable.
- Section 602.3.4 - Mr. Courtney read from his report and he noted Mr. Longreen and Mr. Ulrich performed a site inspection Mr. Longreen submitted a letter nothing he did not feel there were any improvements that needed to be made to the existing roads.
- Mr. Ulrich noted there was curbing Mr. Longreen didn’t want to deal with and there were some signs. Mr. Courtney noted the signs will be on the revised plan.
- Sections 618.7 and 618.8 - Mr. Courtney noted they are requesting a modification of this section so as to require the following additional landscaping.
- Mr. Souders passed out suggested changes to the plantings in the SALDO.
- Mr. Souders discussed Fox Run Road and the landscaping changes that will be made. He discussed the buffer. He noted they met all the requirements as far as the number of trees with evergreen, canopy and flowering. Twenty-eight street trees, 14 canopy trees and 28 evergreens is the requirement.
- He noted the trees will never be overcrowded. The plants need to grow and mature in a short period of time without being overcrowded. The street trees are all maple.
- He discussed the different types of maple trees for the street trees.
- He discussed the type of evergreens that will be planted.
- He noted eventually it will be a nice buffer.
- Chairman Craig brought up planting at the bus area.
- Mr. Webb asked about the time line for benefits of the screening from the plantings.
- Mr. Souders answered it would be approximately four to five years.
- There was discussion regarding the maturity size of the trees.

- Mr. Ulrich noted the ordinance calls for a visual screen and asked about how long it will take to provide for that.
- Mr. Souders answered it will be within five years with the deciduous trees because they grow the fastest.
- There was further discussion from Mr. Ulrich regarding the visual screen and the ordinance.
- Mr. Souders noted what the ordinance calls for and pointed out they are meeting the requirements of the ordinance.
- There was discussion regarding the fossil fuels of trees
- Chairman Craig noted it sounds as though it meets the intent of the ordinance to give the proper screening.
- There was discussion regarding plantings in the bus parking area and using white pines or spruce.
- Chairman Craig suggested using a variety of the spruce trees for the parking area.
- Detention Basins - Mr. Souders noted they are meeting the requirements of the ordinance for so many lineal feet. He discussed the use of red cedars.
- There was discussion noting the basin landscaping will be covered under the O&M agreement.
- There was discussion regarding the plantings around the walkway area and creating a hedge.
- Infiltration basin- landscaping was discussed
- Detention basins 2 and 3 – located off the main entrance – there was discussion the proposal for the landscaping.
- It was noted 11 trees which were shown as existing along the entrance further up are proposed.
- Planting around the building – they discussed replacing the ones in the parking lot which were taken out and adding plantings around the building
- Section 307.A.1 – Mr. Courtney noted this waiver was previously discussed. He read from the proposed waiver request.
- Chairman Craig noted the second paragraph could be extended to note that by doing that swale, it will in effect make their 10 year storm, a portion of the parking lot, somewhat coming in line with the current ordinance. It will ensure the overflow will get to the basin from a peak standpoint.
- Mr. Ulrich noted he would still like the opportunity to sit down with Mr. Shaner and go over some other issues with Mr. Shaner regarding the basin; freeboard, etc. There was additional discussion.
- Section 614.1 – Mr. Courtney noted the site, while it is bounded by Mountain Road, Bow Creek, Firehouse and Fox Run, a portion of the site extends on the opposite side of Mountain Road. He noted there are woodlands and there is no construction proposed. Although it is part of the deed, they proposed a waiver so they will not have to put in property line markers.
- Mr. Wyland noted there would be an expense and it is an arm of the property that seems to be unrelated to the site. He noted he would be ok with it.
- Mr. Ulrich also noted it would be fine.

- There was further discussion regarding providing the justification.
- Sections 602.3.1.1, 602.3.1.2 and 602.3.1.3 – Mr. Courtney noted these are SALDO requirements for the right-of-way. He read from his justification and discussed Mr. Longreen’s review letter. They are requesting a modification of the requirement. There are no improvements required.
- There was discussion regarding the right-of-way and Mr. Longreen not being concerned. Mr. Ulrich noted he and Mr. Longreen discussed that all of the roads that surround the property from a width standpoint were undersized. He noted Mr. Longreen noted he did not see it as an issue now.
- There was discussion regarding if Penn National would agree to widen the roads if the need arose before additional construction and no fee would be charged to the Township for additional fees.
- Mr. Courtney noted he would speak to his client.
- Mr. Smith noted any future land development in the future would require a determination of road widths.
- There was discussion regarding adding a note to the plan.
- There was discussion regarding right-of-ways for Bow Creek, Fox Run and Firehouse
- Sections 308.J.5 – fencing for the detention basin. There was a brief discussion regarding the planting structure in lieu of the fencing.
- Sections 618.12,
- Section 617.6 – Mr. Courtney read from his justification. Mr. Shaner noted they are not within 15 feet of the wetlands.
- Mr. Ulrich noted the Planning Commission may suggested to allow a disturbance but in lieu of planting grass to plant something more of a bioscrubber.
- Section 618.12 – landscaping within the detention basin – Mr. Courtney asked if it applies to the infiltration basin. He noted a waiver would not be necessary and would not be necessary for basins 1 and 2 because they are not being modified.
- Mr. Ulrich noted for clarification they will comply with basin 3 and the infiltration basin but does not feel they need to comply for basins 1 and 2.
- After discussion, it was noted the waiver would not be required.
- Section 308.B – Mr. Courtney read the section and noted they are requesting a waiver as to not require the architectural finish on basin 3 to allow the 100 and 25 year storm events to over top the top of the outlet structure.
- Mr. Ulrich noted bullet numbers under Section 308.B are in the ordinance for a good reason and he would like to see the plan comply.
- He also noted for Mr. Shaner there is a sliding scale for the freeboard requirement.
- Mr. Shaner noted they would analyze the basin to ensure it performs for the 100 year storm. They feel confident the berm will be fine with the hundred year storm the way it was modeled.
- He also noted they are trying to retro-fit the basin.
- Chairman Craig suggested the conversation be held with Norm
- Mr. Ulrich explained on the freeboard with the 100 year water surface elevation it is the first line of defense. There was discussion regarding debris clogging up

- the hole, hitting the principal spillway and then going to the emergency spillway.
- There was discussion regarding creating additional volume. Mr. Ulrich noted the berm would not have to be built up because there an area to create the volume needed and have it routed.
  - Mr. Webb confirmed with Mr. Ulrich he was suggesting excavation on the uphill side to provide with more storage capacity.
  - Mr. Ulrich noted the reason for the freeboard, is a safety factor.
  - He noted if outlet structures are not anchored they can float.
  - After discussion he noted outlet structure can be off and putting a new one in place. He noted plating may need to be done.
  - Mr. Courtney asked if expanding the basin and providing the additional volume address the bullet points on page 5.
  - Mr. Ulrich answered by providing additional volume, it would not need to be routed over top the principal spillway.
  - Section 308.E – there was discussion regarding reviewing the plans for this section.

### **NEW PLANS TO BE DISCUSSED**

1. Shirk Subdivision Plan (expires 5/23/10) – This is a seven-lot subdivision plan located at 113 North Crawford Road, Grantville
  - David Morgan of Fischbach, Morgan & Associates was present on behalf of the applicant
  - Chairman Craig indicated this was the first time the plan is before the Commission and asked for a recommendation
  - **Mr. Moyer made a motion to recommend acceptance of the plan for review. Mr. Webb seconded the motion. Being no further discussion, the motion was approved, 3 in favor, 0 opposed.**
  - Mr. Morgan noted they received Dauphin County and Light-Heigel's comments. He noted when they received the Engineer's comments they will make revisions and resubmit the plan for action at the next meeting.
  - There was discussion regarding the cul-de-sac. Chairman Craig asked if there was a way to eliminate it.
  - Mr. Morgan responded not to accomplished the landowner's objective as far as the number of lots that are being created. Alternatives were looked at. The client is looking to create 8 lots total and there is one existing home. Without building a considerable amount of road that would create a loop road and have additional impact on the wetlands on the site, the cul-de-sac is the way to go.
  - Chairman Craig asked if they are looking to dedicate it to the Township
  - Mr. Morgan answered it would be. There was discussion regarding where to store the snow for ease of plowing.
  - There was discussion regarding providing a snow easement. Mr. Morgan noted the County also made the same comment.

- Mr. Ulrich also mentioned the other alternative would be a grassed center island for snow to be placed there
  - Mr. Morgan noted he would like to look through the ordinance with the sections noted, contact the County or Light-Heigel and Engineer to ensure the plan is revised accordingly.
  - Mr. Smith noted he would like to verify what is across the street with the road so there is a T intersection instead of offsetting intersections.
  - Mr. Webb noted if the plans would have covered the 200 feet around the tract, they would have shown it.
  - During discussion Mr. Smith the alignment was done as best they could.
  - Mr. Ulrich went over his cursory review comments for the plan. He noted there are the major items. He noted if the Mr. Morgan was interested, he could forward it by e-mail. He noted it is done because he is already in the process and the fees-wise, he is covered.
  - He noted the following Zoning Ordinance Sections: 201.7, 230.3.1 through 230.3.4, 230.7.3, 230.7.4, 309.3, 309.5, 309.9, 316, 327.2, 327.3 and 327.4
  - He noted the following SALDO Ordinance Sections: 402.4.5, 602.3.4.1, 62.3.4.2 609.1, 610.1, 619.4 and 619.5
  - Mr. Morgan noted due to the type of site and project, where there are 65 acres noting they are not impacting the entire area, he asked if the Township would consider waivers for steep slope reports, where the data is provided for the data they are working but the areas that are untouched will remain in their natural state
  - Mr. Ulrich noted it would be waiveable. Chairman Craig noted it would be considered and there may need to be a note applied such as they are indicating it will remain in its natural state with no activity to occur there so there would be a comfort level with all members.
  - Mr. Morgan noted he would like to receive a copy of the comments from the Township Engineer and go through the ordinance, review everything and coordinating the revisions with the Township Zoning Officer and Engineer.
  - Chairman Craig thanked him for his time
2. Devonshire Heights Road (expires 5/23/10) – This is a one-lot subdivision plan located at 8685 Devonshire Heights Road, Hummelstown
- David Bitner of Robert Gabriel & Associates was present on behalf of the applicant
  - Chairman Craig noted this is the first time this plan is before the Commission.
  - There was a consensus to accept the plan for review.
  - Mr. Bitner noted this plan was before the Commission previously as a sketch plan. He added he received comments from Dauphin County and the Zoning Officer and noted he had no questions for the County.
  - He commented he may have to go to the Supervisors regarding a comment from the Zoning Officer regarding the speed study.

- He noted with the speed study, Mr. Smith's comment was whether the Township would like it posted at 35 or if the study is enough for the driveway site distance without posting the road.
- Mr. Wyland commented the point of the study was to show the driveway entrance would only be safe if it was below 55 mph; at 35 and not 55. He noted Mr. Bitner may need to approach the Supervisors about changing the speed limit and posting it following a PennDOT requirements for doing this. Maybe a first step would be to send the study to the traffic engineer. If the traffic engineer agrees, he would need to get on the agenda to follow through with the next step.
- There was additional discussion regarding the study and posting the road.
- Chairman Craig noted he would like the recommendation to come from the Supervisors.
- Mr. Bitner asked if he should go to the Supervisors before they get conditional approval on the plan.
- There was additional discussion regarding the plan not moving forward with the posting with the driveway in that location.
- There was discussion regarding Mr. Bitner getting on the agenda for their next meeting.
- Chairman Craig noted they follow the recommendation of Solicitor and forward it on to the traffic engineer to give the Supervisors adequate information for them to make their decision.
- Mr. Wyland noted even with the recommendations, the Supervisors may decide not to post the speed limit and you may need to look for another alternative.
- Mrs. Eppinger asked Mr. Bitner to contact her on Wednesday
- Mr. Ulrich noted it is his understand that Mr. Longreen actually does the studies and is permitted by PennDOT. If he approaches the Board, they may ask Mr. Longreen to perform it.
- There was additional discussion regarding the speed study.
- Mr. Ulrich read from his cursory review.
- He read from Zoning Ordinance Sections 201.6, 201.7, 230.2, 230.3.3, 230.3.4, 309.3, 309.9, 316, 327.2, 327.3 and 327.4
- He read from SALDO Sections 402.2.8, 402.3.4, 402.4.2, 402.4.5, 402.4.6, 602.3.4.1, 602.3.4.2, 604, 609.1, 610.1, 618.7.1, 619.4, 619.5
- Mr. Bitner asked about a possible waiver for road improvements because it is a small section
- There was discussion regarding a deferral for the street trees
- Chairman Craig noted it was recommended to the Board to take the traffic study and have it reviewed by agency they would choose and give a copy to Mr. Longreen for his input.

## **OTHER BUSINESS**

1. Bow Creek Mall - Conditional Use
  - Chairman Craig noted the Conditional Use Hearing is scheduled for Tuesday,

March 16, the Special Exception and Zoning Variance Hearing is scheduled for Wednesday, March 10 and there needs to be recommendation on the conditional use.

- Mr. Courtney was present as a representative and briefly described the site. He noted it will consist of two buildings. He noted shopping centers are permitted only by conditional use in this zoning district.
- He noted the Zoning Hearing Board will be hearing for a Special Exception for a fast food restaurant.
- Shopping centers are required to be served by public sewer and public water. There is no public water supply in the Township. Mr. Courtney noted a variance has been requested from the Zoning Hearing Board from this requirement.
- Mr. Courtney noted the site consists of 6 acres.
- There was discussion regarding the potential tenants.
- Mr. Courtney noted the plan proposes 8,000 square feet. He pointed out where the restaurant will be
- He discussed where the access points were located on the plan and truck circulation.
- There was discussion regarding depth for tractor-trailers and the pattern they would take upon entering the property.
- Mr. Ulrich confirmed both accesses are full movement both left and right
- There was further discussion regarding access to and from the site
- Ms. Cheryleen Strothers noted there are physical constraints on the property.
- Mr. Courtney asked if there was an ordinance regarding access.
- Mr. Ulrich noted McMahon Associates will review the study and offer comments and suggestions.
- Mr. Courtney showed photographs of existing structures and the owner was thinking of hiring the same contractor.
- Mr. Courtney noted the traffic study was prepared and submitted to the Township and to McMahon Associates for review.
- There was a discussion regarding the traffic study in relation to the criteria under Section 442
- Mr. Courtney noted the synopsis of the study is based on two access points. If that free standing building is a fast food restaurant then the improvements that would be required on Bow Creek Road would a left hand and two right turn lanes. If it is a sit down restaurant, the improvement requirements would be one left hand turn lane. It was verified it would be a dedicated left.
- He noted they are here for the conditional use. The details will be taken care of when they submit for the land development plan.
- Mr. Courtney commented the Zoning Ordinance has specific requirements for a shopping center.
- He read from Sections 442.1, 442.2. He noted the setback is exceeded and the property is located along Bow Creek Road.
- Section 442.3 – he noted they are proposing public sewer and had discussions with the Township engineer. Public water is what the variance is requested for.
- Section 442.4 – parking spaces. They are providing more than what is required

in the ordinance. Anterior landscaping of 10% is required; the minimum required exceeds 10%.

- Minimum required loading spaces is 1 for 25,000 square feet; (at this point, there was a discussion that took place but was not picked up by the speakers because it was out of range)
- Section 442.5 – pedestrian linkages – he noted there are no adjoining residential or industrial zones – that requirement falls in not applicable.
- There was discussion regarding the requirement; the nearest residential district is down at Jonestown Road; there are not proposing sidewalks.
- Section 442.6 – bus stop – he noted it must include a shelter, waste receptacle; a seat; a shade tree will be added on the plan
- Section 442.7 – traffic report – has been submitted
- Section 442.8; Signage – will comply with the ordinance because they do not have a signage package yet because there are no set retailers lined up
- 442.9 – dimensional standards – will comply
- Mr. Webb noted even though the application was not a plan, he noted there were no storm water features proposed
- There was a lengthy discussion regarding the plans for storm water.
- There was discussion regarding Section 442.3
- **Chairman Craig made a motion to recommend conditional approval to the Board of Supervisors provided they take into account any conditions that are placed upon this plan upon the review of the Zoning Hearing Board, along with Section 442.3; that landscape information needs to be augmented so that the Township can be assured the applicant is meeting the requirements under Section 442.4; the shade tree needs to be added under Section 442.6 for the bus stop area; and it is recommended the traffic study should be made available to the Township's advisory committee, McMahon & Associates, to review the traffic study for compliance and have it be made available to the Zoning Officer for review and comments and to get sufficient information in regards to signage from the applicant to be able to deem they will be in compliance with the requirements of this ordinance. Mr. Moyer seconded the motion. Being no further discussion, the motion was approved, 3 in favor 0 opposed.**

2. Hilton Garden Inn Sewage Planning Module – Component 4A

- There was discussion regarding whether or not the Hilton Garden will at any point move forward. It was noted it may eventually.
- It was noted the preliminary plan is good for five years.
- Mr. Wyland noted he spoke to their counsel and they do remain interested; however it is a matter of market conditions. As soon as it is viable, they will be back.

3. Zoning Ordinance Immediate

- Mr. Ulrich the next thing is to receive a draft final versions based on their discussions via e-mail and they will have it out by the end of the week.

- There was discussion regarding adding comments made by Judge Turgeon and having them added to the ordinances changes.
  - Mr. Wyland explained there was an enforcement action brought by the Zoning Officer brought by a resident, who appealed the action. It was taken before the Zoning Hearing Board, who sustained the appeal.
  - He added the Township appealed the decision and noted the judge ruled in favor of the landowner on two grounds and in favor of the Township with respect to soil in the back yard. The judge suggested cleaning up some ambiguities in the language of the ordinance.
  - It was noted Mr. Smith will draft the language for Mr. Wyland to review and forward on to Mr. Ulrich. Mr. Smith added it has to do with the definition of heavy equipment.
4. SALDO Revisions, Long Term
- Chairman Craig noted discussion on the SALDO revisions have been temporarily put on hold until the Zoning Ordinance, Immediate revisions have been completed.

#### **NEW BUSINESS**

1. Leah Rowand, Dauphin County Planning Commission
  - They are holding a round table for the Regional Growth Management Plan on March 9 7:30 a.m. to noon at HACC in coordination with RETTEW. She invited everyone to attend.
2. Comprehensive Plan Workshop
  - It was noted the workshop of February 24, 2010, at 7:00 p.m. will still be held. Mr. Ulrich delivered the maps for the meeting.

#### **ADJOURNMENT**

**Mr. Webb made a motion to adjourn the meeting at 10:05 p.m. Mr. Moyer seconded the motion.**

Respectfully submitted,

Transcribed by Dawn E. Eppinger

Cc: Board of Supervisors  
Keith Espenshade  
John Nelligan

Planning Commission  
David Craig  
Mike Webb

Dave Marshall	Mike Kovach
Tom Shutt	Glenn Moyer
George Rish	Marie Beaudet
Deb Casey, Secretary-Treasurer	Scott Wyland, Township Solicitor
David Smith, Township Zoning Officer	Norm Ulrich, Township Engineer
Zoning Hearing Board	
Leah Rowand, Dauphin County Planning Commission	