

DRAFT – SUBJECT TO CHANGE

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

August 31, 2010

Members Present: Michael Webb, Vice Chairman;
Glenn Moyer, Member; Michael Kovach, Member
Member Absent: Marie Beaudet

Also Present: Dawn Eppinger, Administrative Assistant to the Planning Commission
Heather Sloniger, Planning Commission Candidate

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 Vice Chair Mike Webb at 7:10 p.m. .

AGENDA ITEMS

1. Approval of the July 27, 2010 Meeting Minutes
 - Vice Chair Mike Webb asked for a motion for the meeting minutes.
 - **Mr. Moyer made a motion to recommend approval of the meeting minutes of July 27, 2010. The motion was seconded by Mr. Kovach. Being no further discussion, the motion was approved 3 in favor, 0 opposed.**

2. Zoning Ordinance, Immediate
 - Mr. Webb asked if there was a time limit on making a recommendation.
 - Mrs. Eppinger noted it was her understanding it was discussed at the July meeting about the Dauphin County comments being the last piece before it goes before the Board of Supervisors.
 - Mr. Webb asked if LTL made any changes to the draft which was submitted.
 - There was discussion regarding the submission of changes to the ordinance
 - Mr. Webb noted he didn't believe there was any deadline
 - Mr. Kovach and Mr. Webb noted they have not seen any changes come through yet
 - Mrs. Eppinger noted Ms. Beaudet spoke at an earlier meeting being concerned with the deadline because reimbursements for grant monies
 - Mr. Webb noted the comprehensive plan was also part of a grant which was put on indefinite hold
 - There was discussion regarding the determination of stock piling
 - Mr. Webb noted it was his understanding there was going to be additional changes; his noted it should be a single ordinance and not a series of ordinances

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- There was discussion regarding making a recommendation would be premature, especially if there are changes coming
- Mr. Kovach added maybe the recommendation should be to table this item until everything is received that was promised.
- Mr. Kovach also noted they cannot recommend to reject it because there is no deadline
- Mr. Webb added it is not a plan; there is no legal requirement to move any faster.
- Mr. Webb noted the recommendation should be that both Mr. Smith and Mr. Wyland be contacted to find out when they are going to have their modifications to the ordinance available for review
- It was agreed upon to do this by consensus to table the item

2. Act 537 Plan

- Mr. Webb apologized for not having sent his changes out earlier. He noted he found some wording that needs to be re-worked.
- He noted the first item was on Page 10, Item #2, the Sanitary Survey, Tier 1, first paragraph. The second sentence reads, “the final number of usable returned surveys was 1,594; 546 surveys were returned. He noted he feels an error was made and the first figure would be the number of surveys they sent out with a return rate of 34%. He noted he feels they misspoke on the first sentence and should have been the number of surveys sent out.
- Mrs. Eppinger noted she had Ms. Lisa Sweigert’s cell phone number and offered to call her for clarification.
- Mr. Webb answered if Mrs. Eppinger sends her a copy of the comments or he could provide something. Mrs. Eppinger read the note which was provided to her from Mrs. Casey
- Mr. Webb brought up population projections for 2010. He thought at this point they may be able to get real population numbers from the census and noted no projections were done beyond 2010.
- He noted if they were going to make an estimate on 2010, they would be doing four projections for 2020 and 2030 or 2010 and 2015; considering usually 537’s are not re-done more than 10 years or so. If they are planning for a 10-year time window, he noted they might want to do the projections a little past that.
- On page 39, he noted there is a serious typo. Under the funding analysis on the second chapter it says, “to accomplish this, the Township will have to initially raise rates to \$640 per quarter from \$640 per quarter to \$700 per quarter.”
- Mr. Webb noted \$640 not currently not charged per quarter. It is \$640 per year. He noted it is a typo, but should have gotten picked up when they did their proof.
- He noted the projections at the end of 10 years with a 7% increase, the rate will be \$350 per quarter, which does not include inflation which will be tacked on top of it.
- He did a map based on information on Page 44, option 4F, selected alternative and financing plan is based on the data. He noted if you take a look at the cost, which is \$8+ million and the number of people that is serving, the cost per person

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is approximately \$50,000 per household. He added he found it difficult to believe this was the least expensive alternative.

- Mr. Webb also noted on one of the other thing he noticed reading the analytical for the data, they made a statement that a 10% quality control was performed but nowhere either in the appendices or anywhere did it show or give any data as to how good the quality control was.
- Mr. Webb noted a number of years ago the laboratory that they used gave up significant portions of their certification in order to avoid losing it; he added there is no indication as to what the quality of the data is at this point they are using to make their determination.
- He added the last comment he would make is when he read it, and got to the end of it, he had some real concerns in that it looked like someone had a pre-determined decision as to what the outcome was going to be and then they went hunting for proof that they needed to come to that point. That to him was not the way the process was supposed to work. From that point, he feels it is an extremely flawed area.
- He noted there was a statement in the report that said the soils of the Township were not suitable for on-lot septic systems. If you look at the examples of failures that they have in the report, all of them were able to be replaced with a standard or a sand lot system. There was not a single one that required an alternative system.
- Mr. Webb also noted another thing that had him concerned was they had a fairly high number of coli forms but a very low number of fecals showing up. His concern is the data they were using is nowhere in there was there any indications that they had gone back to determine well construction on any of the failures to try to determine whether or not the failure was due to poor well construction in getting surface water in it or whether or not it due to ground water contamination, which would seriously change the percentage of failing systems.
- Mr. Webb commented he argued early on that what they should have been doing was selecting systems that had modern cased appropriately constructed wells for their test.
- Mr. Kovach noted that would come back to the idea that they came up with the idea and then finding the data to back it up.
- Mr. Webb also commented that looking at nitrate contamination is not necessarily in an agricultural area a result of failing on-lot septic systems. It can be more likely due to manure and/or fertilizer application in the agricultural fields abutting the areas where the wells are. Particularly since ammonium nitrate is not well retained by soil matrices and it will spread significantly from wherever the application is if it is overdone.
- Mr. Webb noted we had a very low percentage of wells that triggered the 10 milligram per liter range for having a serious problem with nitrates.
- Mr. Kovach noted they could recommend rejecting it.
- Mr. Webb answered he is really unhappy with what he perceives to be the use of the way the data was used and the supporting data for making the decision.

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- He commented the Planning Commission had sent back the Hilton Garden's sewage plan because they hadn't done a good alternatives analysis. He asked Mr. Kovach if he saw any alternatives analysis and Mr. Kovach answered no.
- Mr. Kovach asked what the implications are if the Planning Commission votes to reject.
- Mr. Webb answered the Township Supervisors can do whatever they please.
- Mr. Kovach commented, "let's assume they go with our recommendation".
- Mr. Webb answered the Planning Commission would need to indicate why they feel that it is not well presented. Then they either decide to take another look at the data or do some supplemental work on the existing data to see if it still supports where it's at or takes a look at other alternatives for what they are doing.
- He noted they made some statements in there about not building a plant closer to where they felt the need was going to be because they were making the statement they would need another employee, but they don't use full-time employees at the existing plant. It might require somebody to have to commute but he didn't think it necessarily translated to, particularly since Partridge Hills and Englewood are going to be going there. 4F was not either of those, it was another area they were going to try and pipe all the way across and it was a necessity for the additional pump stations that were part and parcel of that to get it to the existing system.
- Mr. Kovach noted the need or lack thereof for an additional employee should not drive this.
- Mr. Webb answered the Township should be looking at capital costs, not necessarily at the operational costs because the operational costs truthfully are small "potatoes" relative to whatever. He added he is not even sure they provided enough data to demonstrate that sewage was absolutely necessary in the areas that they were claiming. He added he was underwhelmed by the quality of the data.
- Mr. Moyer noted it was basically a southwest corner that they would have to tie into where Partridge Hills and Englewood is now.
- Mr. Webb answered he thought there was at least one more if not two more pump stations they would have to use to get to it.
- He also noted it was very difficult to read the maps, which were placed at the very end of the document.
- Mr. Webb added for the future growth potential map, a lot of the parcels that they picked are Hershey parcels.
- He noted Map 318, Future Sewer Areas, they show sewage on Ridge Road, they show Partridge Hills and then all the way over on the western edge of the Township, they have a whole bunch of them that are tied together and then they have a line that goes all the way across basically from one side to the other down to the plant and it doesn't tie into either Englewood or Partridge feeds.
- Mr. Kovach noted he could not read the map very well either.
- Mr. Webb noted he can increase the size for viewing on his computer, but when he looked at it what he can up with was they are very close to the West Hanover

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area and it may actually be cheaper for both the Township as well for them to develop a collaborative agreement with West Hanover and pump it to them. Rather than using the capacity of the Dairy Lane plant, it would still allow the Dairy Lane plant to continue to feed the other areas that are on the one side of the plant.

- Both he and Mr. Kovach added it is a long run. Mr. Kovach added they were serving very few.
- Mr. Webb pointed on the map and showed the members where there were 3 pump stations. He noted he didn't see any type of a situation where they were looking at possibly tying into a neighboring sewer system.
- Mr. Kovach pointed out that is something that may already be in existence.
- Mr. Kovach and Mr. Webb looked at the run on Ridge Road on the map and Mr. Kovach noted it is almost up to station because it's the high point.
- Mr. Webb added he looked for but didn't see a real understanding of where their data points were because they simply identified where there were coli forms picked up not where the fecals were and the fecals are a much better indicator that you actually have a failing septic system.
- Mr. Kovach asked if the members read the attachment. He noted there are a lot of general statements in it.
- Mr. Kovach read from the statement page of the waivers which were being submitted.
- Mr. Webb pointed out that would be for the SALDO waiver because they want to avoid having to do any planning whatsoever for the pump stations. He noted that is down further in the agenda.
- Mr. Kovach asked where all the failures are at.
- It was noted by Mrs. Eppinger that the information he read from goes with the waiver packet.
- Mr. Kovach noted that it ties into the Act 537. He asked where they are getting all the data.
- Mr. Webb answered the number of failing systems they found were not that high. He noted he was surprised. They had the ones that were a potential to fail.
- Mrs. Eppinger noted Englewood and Partridge Hills is being mandated by DEP
- Mr. Webb answered it is only being mandated because one of the Board of Supervisors at one point signed a consent order of decree. The moment they signed that, they committed to sewerage it whether or not they needed it or not. That was part of the agreement having to do with the main sewer plant. DEP used the leverage of the sewer plant and what they could have assessed in fines for the ongoing continual failures to get them to agree with it.
- Mr. Moyer noted it was back in Phase I about 10 years ago.
- Mr. Webb continued at the time they probably made the assessment that it was cheaper to say yes they would do it than try to put it off which is what they did. He noted it would have been cheaper to connect them then instead of waiting for 10 years.
- Mr. Webb noted a the background information took up a lot of space, a lot of

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which was not necessarily pertinent. He asked Mr. Kovach and Mr. Moyer if they made their case for having to sewer all those other areas.

- Mr. Kovach answered no.
- Mr. Moyer said absolutely not. He does not think they did. He added they don't have any proof of what data that they have to really substantiate saying what they said.
- Mr. Webb answered not in the document and it was not provided as an appendix.
- Mr. Kovach asked why not recommend delaying approval of the plan pending citing of data sources.
- Mr. Webb answered he thinks is making a case that there are a significant number of failures or that there is reasonably expected to be a significant number of failures that cannot be corrected onsite. He added if you look at the table where they show all the failures that occurred at this point, they were all correctable on the existing lots.
- Mr. Kovach noted he would like to see the number of actual failures and how many of the failures are correctable on site.
- Mr. Moyer noted almost all the properties, other than in the developments have enough property to move their systems. He added the developments have no place to go so they could not correct the problem.
- Mr. Webb answered even on some of the other properties, even if the septic system was not moved, even though it would be expensive, you could go in and remove and rebuilding with a sand mound and effectively replace a failing system with a sand mound.
- He added he has two problems with the report at this point. One is there is no economic determination on what the alternative cost would be and looking at it, he noted he feels there has to be a cheaper way of doing this than spending \$50,000 per house in an area, that as far as he could tell, they weren't indicating had large significant or had any failures at this point that he was aware of that had not been corrected. There is no indication in here that in this area there were five failing systems that cannot be corrected or 10 out of the 180.
- Mr. Webb noted there are some advantages to setting up an authority, but that has more to do with being able to get funding. An Authority would remove control from the Supervisors on price increasing.
- He add that on the flip side one of the problems with having it Township controlled and owned is that the Township are reluctant to raise rates, no monies are put aside and then when something happens, there is a huge sticker shock to the entire system.
- Mr. Webb noted he has a real problem with 7% a year, which is what they are proposing. If indeed this is a Township initiative, he believes the Township should be looking for finding ways to fund it without basically hammering just the people that are on the septic system.
- He added there are two ways. Either the people that get the system pay for the new system because they need it or the Township needs to find a way to cough up a percentage of it as opposed to just spreading it among the limited amount of

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people that are on the septic system.

- Mr. Kovach answered that is a tough sell. How will you sell that to the individuals who have a perfectly functioning sand mound that they spent \$10,000 to \$15,000 to build
- Mr. Webb added it is a no-win situation. He noted what people have to appreciate is that the cost of sewers when people start looking at doing development for individuals that have vacant property will find the value of the property will be less if the cost of sewerage is high. All of a sudden sewers are no longer a benefit, but become a liability; particularly at the direction this is going.
- He added the other thing is they will cram as many properties in as they can on the development process in order to maximize their return..
- His noted a concern of his is if a sewer line is run all the way across half the Township on the southern tier, you have effectively opened up an area for much more dense housing than what we currently have in those areas. People will argue along the sewer line that you change the zoning to medium or high density.
- He also noted that if it is approved, it should be zoned like that because that is where the infrastructure is..
- Mr. Kovach commented when working on the comprehensive plan, all the comments received were to avoid that very situation.
- Mr. Webb answered it goes back to, if indeed you can prove to him they really need sewage over there, we need to consider how we can do that, what the costs associated are with doing that without necessarily running a line halfway across the Township. He added that was a personal view, but in an effort to try and keep the Township as rural as possible.
- Mr. Kovach commented they all pretty much agree they don't like it a presented.
- Mrs. Eppinger asked for a formal recommendation for the Board of Supervisors.
- **Mr. Webb made a motion to recommend to the Board of Supervisors that the plan as presented not be accepted; that the plan needs additional documentation of need of additional sewerage based on actual failures that have occurred that cannot be corrected on lot and that their alternatives other than the ones that have been chosen need to have more detail indicating why they were not acceptable and the economics behind it, specific justifications.** Mr. Webb commented for the amount of money that they spent to do the plan, he was appalled at the lack of data. **Mr. Kovach seconded the motion. Being no further discussion, the motion was approved, 3 in favor 0 opposed.**

3. Preserve at Bow Creek (Keystone Custom Homes)

- Mr. Webb asked what the item on the agenda was.
- Mrs. Eppinger answered Mr. Smith brought this up at the July meeting where he was talking about the number of issues that people are having with setbacks.
- There was discussion regarding the plan being approved under one set of ordinances and then when the owner buys the property they are bound to the new set of ordinances.

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- Mr. Webb noted the only time anything will come up is when someone tries to make a modification to the existing structure.
- Mrs. Eppinger noted Ms. Beaudet asked her to add it to the agenda and it can be carried to the September meeting.
- Mr. Webb commented when setting up ordinances, they should be based on what the Township wants for the Township to look like and you base your zoning and ordinances on that.
- Mr. Kovach noted during work on the comprehensive plan, the map was so fragmented and it was his understanding everyone wanted to try and reduce the fragmentation.
- Mr. Webb added he can be very sympathetic to people that get caught in it, but it is no different than somebody that wants to do an annexation on a long-standing property that suddenly finds out he has to do a perc and probe to set up a second alternate septic site because he has gotten in on a septic system that was there for a long time
- Mr. Kovach asked Ms. Sloniger what she thought of the issues at Bow Creek
- Ms. Sloniger noted when her patio was put in because of the setbacks, they put in a patio but had to place it 3 feet away from their structure.
- Mr. Webb noted when zoning long term is looked at, they need to look at trying to rationalize detached items and their setback requirements. The detached items were originally intended for things such as a garden shed that can be set much closer to the line. Those are things that a determination is made to fix them based on how many problems it actually causes.
- Mr. Sloniger also spoke of well failures in the subdivision.
- Mrs. Eppinger noted she will put this item on September's agenda. Mrs. Eppinger said she would try to find out more information to the Planning Commission
- Mr. Webb noted going to the Zoning Hearing Board is the appropriate mechanism for getting relief.
- There was discussion regarding the zoning being changed in Chesapeake.
- There was discussion regarding the fees associated with a zoning variance.
- Mrs. Eppinger noted the application along was \$250.00

4. SALDO Waiver

- Mr. Webb noted it is his understanding the waiver request from the Township is to waive their requirement to do any of the necessary planning and produce the necessary documents to have a reviewed plan for the two pump stations.
- He added as he read it and his view was the only justification on there was it was going to cost money and he is not quite sure why that is because the type of plans needed to generate the SALDO requirements are basically the same type of plans needed to do construction. He noted if LTL is doing the design work on this, it should not be a lengthy process.
- He also added he feels the Township should be setting the standard for doing it right.
- Mr. Kovach noted LTL has done good work for the Township, but the original work

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on the sewage system that was put in here some years ago and they tried to save money they ended up in litigation.

- Mr. Webb noted he personally feels it is a bad precedent to set that the Township does not have to follow its own ordinances.
- Mr. Moyer noted he agreed with Mr. Webb.
- Mrs. Eppinger noted a recommendation is needed for the Board of Supervisors.
- **Mr. Kovach made a motion that the waiver requested by East Hanover Township to not have to submit a Subdivision and Land Development Process for the pump stations on the Englewood and Partridge Hills sewer project be denied. Mr. Moyer seconded the motion. Being no further discussion, the motion was approved 3 in favor 0 opposed.**

5. PC Candidate – Heather Sloniger

- Mr. Kovach asked Ms. Sloniger to give them a synopsis of her work history.
- Mrs. Sloniger did a brief overview of her work history and education background which was provided on her resume
- Mr. Webb asked how she would handle a plan that came into the Township if her firm was involved in it
- Ms. Sloniger answered she would either recuse herself but she would not have a problem making a recommendation for what was best for the Township
- She noted she has lived in the Township for 2 years and has plans to stay and would like to see smart development
- Mr. Kovach asked if she feels she would have ample time to devote to the Planning Commission. She answered she would.
- There was discussion regarding the role of the Planning Commission
- **Mr. Kovach made a motion to recommend to the Board of Supervisors the appointment of the Planning Commission candidate, Heather Sloniger to fill in for David Craig's term. Mr. Moyer seconded the motion. Being no further discussion, the motion was approved. 3 in favor, 0 opposed.**

ADJOURNMENT

Mr. Webb moved to adjourn the meeting at 8:22 p.m. Mr. Kovach seconded the motion

Respectfully submitted,

Transcribed by Dawn E. Eppinger

Cc: Board of Supervisors
Keith Espenshade

Planning Commission
Marie Beaudet

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