

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
March 5, 2013**

CALL TO ORDER

The Tuesday, March 5, 2013 Derry Township Planning Commission meeting was called to order at 6:10 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Chairman Matt Tunnell.

ROLL CALL

Commission Members Present: Matt Tunnell, Chairman; Ned Wehler; Glenn Rowe

Commission Members Absent: Joyce St. John, Vice Chairwoman; Gregg Mangione, Secretary

Also Present: Chuck Emerick, Director of Community Development; Brandon Williams, Assistant Director of Community Development; Matt Bonanno, HRG, Inc.; Diane Krug, Dauphin County Planning Commission representative; Jenelle Stumpf, Community Development Secretary

Public Registering Attendance: Michael Kushner, M&M at Oak Springs; William M. Hess, CAMA SDIRA; Jim Rafferty, Tana Properties, LLC; Brian T. Evans, Evans Engineering, Inc.; Randy Wright, Hanover Engineering Associates; Ed Kaylor, Reiber Associates; Joe A. Burget, Jr., Burget and Associates, Inc.

APPROVAL OF MINUTES

On a motion made by Member Rowe, seconded by Member Wehler, and a unanimous vote, the Planning Commission approved the minutes of February 5, 2013 as written.

OLD BUSINESS

A. Review and recommendation of additional waiver requests for the Preliminary/Final Land Development and Stormwater Management Site Plan for the Select Medical Building Expansion, Plat #1222

Mr. Emerick reported that the Planning Commission reviewed this plan at their January 8, 2013 meeting and recommended that it be approved, and that waivers be granted regarding plan scale; metes and bounds for rights-of-way and easements; profiles for existing stormwater, sanitary, and utility lines; curbing and sidewalk installation; providing a detailed traffic study; and volume controls. Since the January meeting, the applicant has been designing the agreed-upon sidewalk system, and in doing so now desires to have two additional waivers be considered as follows:

- a. From Section 185-34 regarding sidewalks, specifically standard location, width, material, and timeframe for installation. Mr. Emerick recommended that the waiver be granted.
- b. From Section 174-27.B regarding the required width of stormwater easements. Mr. Emerick recommended that the waiver be granted, but that the applicant amend their request to instead cite Section 185-27.B, Section 174-20.A.(18), and Section 174-27.D.

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Mr. Emerick and Matt Bonanno of HRG went over their plan review comments.

One of Mr. Emerick's review comments involves the applicant providing mid-block crossings at 800' intervals, or adding 1 additional crossing at the western driveway intersection and requesting a waiver of the 800' requirement. Member Rowe commented that PennDOT discourages mid-block crossings for safety reasons, but if they are installed, additional signage and paving markings are required.

Brian Evans, Evans Engineering, stated that the walkway plan has not been submitted to PennDOT yet. Part of the waiver request is for a deferral of the installation of sidewalk so that any PennDOT permitting can be accomplished. The applicant is agreeing to install the sidewalk and it is depicted on the plan as required. In order to allow the building to proceed, the applicant will work through separate permitting with PennDOT on any sidewalk and sidewalk crossings. The sidewalk will be located partially within the PennDOT right-of-way (as required by Township regulations) and partially within the private property to avoid issues relative to grading, drainage ditches, and stormwater. Mr. Evans stated that the applicant will provide additional signage if required for the one additional mid-block crossing requested by staff.

Chairman Tunnell asked if there is a chance that PennDOT will not approve the mid-block crossing and if so, whether that will prevail over the Township's request. Mr. Emerick stated that this could happen, but the Township will still have the easement if at some point there is a reason to have that mid-block crossing.

Mr. Evans verbally amended the section references for the stormwater easement waiver request, as pointed out by Mr. Emerick. Mr. Evans also requested a waiver from Section 185-34.B.(2) regarding providing mid-block crossings at 800' intervals.

Regarding Mr. Emerick's review comment that the applicant is to provide walkway grading to demonstrate compliance with ADA requirements, Mr. Evans stated that the grading has been adjusted and will be reflected on the revised land development plan.

Member Wehler asked Mr. Evans to explain what was changed on the walkway plan since the January meeting. Mr. Evans stated that the sidewalk is now a consistent 5' width as opposed to the original plan, which showed it at a 4' width at some spots and an 8' width at other spots. A portion of the sidewalk is to be located on The Hershey Company property, mostly because of the steep slopes. The prior plan depicted a portion of sidewalk as being concrete, and it is now proposed to be 5'-wide pervious pavement for uniformity. Member Wehler asked if The Hershey Company will own the segment of sidewalk located on their property and Select Medical will maintain it. Mr. Evans answered yes.

In response to a question from Member Wehler, Mr. Evans explained that the stormwater easement waiver request is to allow the easement to be centered on the sidewalk, not to reduce the required width of 20 feet.

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MOTION ON WAIVERS

On a motion made by Member Wehler, seconded by Member Rowe, and a unanimous vote, the Planning Commission recommended that waivers be granted as requested from Section 185-34; Sections 185-27.B, 174-20.A.(18), and 174-27.D; and Section 185-34.B.(2).

MOTION ON PLAT #1222

On a motion made by Member Wehler, seconded by Member Rowe, and a unanimous vote, the Planning Commission continued to recommend approval of Plat #1222, subject to outstanding comments of staff, HRG, DTMA, and the Dauphin County Planning Commission that were part of the Commission's January 8, 2013 recommendation; and also subject to the comments noted by staff in their February 27, 2013 report, and those noted by HRG in their February 7, 2013 letter being satisfactorily addressed.

B. Review and recommendation of the Preliminary/Final Subdivision/Land Development Plan for Curry Mill, Plat #1223

Mr. Emerick stated that this plan depicts the development of the former Curry Mill located on Old West Chocolate Avenue, in the vicinity of the intersection of Old West Chocolate Avenue and North Hockersville Road. A full-service restaurant with a nightclub element is proposed. The plan also depicts the combination of existing lots owned by Tana Properties; a land swap with the adjacent property of E.W. Properties, LLC; and vacation of a portion of Hockersville Road right-of-way. Mr. Emerick noted that the applicant has not yet submitted a formal request for the right-of-way vacation. A traffic statement was included with this revised submission.

The Planning Commission initially reviewed this plan at their January 8, 2013 meeting and recommended that waivers be granted as requested from the Subdivision and Land Development regulations regarding storm sewer profile scale; plan scale; additional right-of-way for West Chocolate Avenue; street cartway widening for West Chocolate Avenue; and curbing along West Chocolate Avenue. The applicant had requested that the Commission table taking action on the overall plan because of the number of outstanding items that needed to be addressed.

The Commission also has yet to make a recommendation on the following waiver requests:

- a. From Section 185-25.B – Driveway grade within 20' edge paving. Mr. Emerick recommended that the waiver be granted.
- b. From Section 185-42 – providing a traffic study. Mr. Emerick recommended that the waiver be granted. Based on the traffic information provided, it is anticipated that the Saturday peak hour will produce the most trips to and from the facility. It is anticipated that 110 trips will be generated during the Saturday peak hour, with 58 vehicles entering the site and 52 vehicles exiting the site, not meeting the Township's standard warrants for a required study. However, Mr. Emerick thinks it would be appropriate for the developer to make a contribution towards the traffic signal proposed at the intersection of Hersheypark Drive and West Chocolate Avenue, since the traffic report shows that this establishment will produce about 1,000 daily

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trips and the PennDOT 2011 traffic volume maps indicate that there are currently 1,200 daily trips on West Chocolate Avenue.

- c. From Section 185-13.E.(3) – Plan sheet scale. Mr. Emerick recommended that this waiver be granted. Although the applicant asked for a waiver to show the plan at a scale of 1" = 50', Mr. Emerick believes it is meant that they are requesting to show the plan at a scale of 1" = 60'. The applicant had previously submitted a waiver request for the companion preliminary plan citation of this requirement [Section 185-12.D.(2)], and the Planning Commission made a recommendation at the January 8th meeting to grant that waiver.

Mr. Emerick; Matt Bonanno, HRG; and Diane Krug, Dauphin County Planning Commission, went over their plan review comments.

Joe Burget, Burget & Associates, stated that the applicant has no issues with any of the comments; however, he thought they had submitted a road vacation agreement. Mr. Emerick said he will double-check the file.

Mr. Burget explained how the entrance to the site was modified to keep water from flowing onto West Chocolate Avenue. He stated that there is very little water discharging there, but the applicant intends to divert as much as possible so it does not run out onto the road.

Member Wehler asked what is being done about sidewalk across the driveway. Mr. Burget responded that there will be a pedestrian access. The driveway in question will only be used a couple of times a day for deliveries or trash collection.

In response to a question from Member Wehler, Mr. Burget explained the site constraints that led to their waiver request from the requirement that driveway grades shall not exceed a 7% slope within 20 feet of the cartway. He stated that they are trying to reduce the slope as much as possible.

Member Rowe asked what the sight distance is at that driveway. Mr. Burget commented that it meets PennDOT's requirements.

Member Rowe asked how the traffic contribution amount was determined. Mr. Emerick stated that despite what the PennDOT 2011 traffic volume maps show, he thinks there is less traffic on West Chocolate Avenue because of the reorientation of The Hershey Company's West Plant driveway. He added that the developer has committed to installing sidewalks along the frontage of the property, and based on that and other investments the developer is making, Mr. Emerick and the developer agreed on an \$800 contribution toward the traffic signal.

Member Rowe stated that he supports Mr. Emerick's comment about researching the re-opening of the pedestrian underpass from the Curry Mill site to the former railroad station to the south. If the underpass is not open, people will likely end up walking in the street. Mr. Emerick stated that he hopes the re-opening happens, but he is not optimistic that Norfolk Southern will agree to it.

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MOTION ON WAIVERS

On a motion made by Member Rowe, seconded by Member Wehler, and a unanimous vote, the Planning Commission recommended that waivers from Sections 185-25.B (driveway grade), 185-42 (traffic study), and 185-13.E.(3) (plan sheet scale) be granted as recommended by Township staff.

Member Wehler stated that some of outstanding comments, such as approval from Norfolk Southern, might take awhile to resolve. Mr. Burget stated that they have a meeting with Norfolk Southern on March 13, 2013.

MOTION ON PLAT #1223

On a motion made by Member Wehler, seconded by Member Rowe, and a unanimous vote, the Planning Commission recommended approval of Plat #1223, subject to the outstanding comments of Township staff, HRG, DTMA, and the Dauphin County Planning Commission being satisfactorily addressed.

NEW BUSINESS

A. Review and recommendation of the Sketch Plan for Plebani Property, Plat #1225

Mr. Emerick stated that the subject of this sketch plan is an 11.02-acre parcel of property located along the east side of Stauffers Church Road. The property is approximately 700 feet west of the Lebanon County line and about 900 feet north of the Conewago Township/Derry Township boundary. The applicant is proposing to subdivide his property to create an additional 5-acre lot. The property is landlocked and is accessible by way of a 20'-wide private easement from Stauffers Church Road.

Mr. Emerick noted that the applicant will be required to provide a fee in-lieu of dedication of land for park, recreation, and open space. The lots will be required to utilize private wells and septic areas. For planning purposes, Mr. Emerick recommended that a larger home and longer driveway be proposed on Lot 1 to be consistent with the development in the neighborhood. Stormwater design should be coordinated with the septic areas and should be proposed on the final subdivision plan. The steep slopes shown on the sketch plan need to be refined to determine the net developable area.

The Derry Township Police Department reviewed the plan and provided commentary that the homes accessed by a private lane should be well-marked so that in the event of an emergency, the property can be found quickly. The Hershey Volunteer Fire Company reviewed the plan and also commented that the homes should be well marked. In addition, they stressed the importance of homeowners maintaining a clear path to their homes so that apparatus can reach the structure during a fire emergency.

The Derry Township Municipal Authority and Dauphin County Planning Commission also reviewed the plan, and they had no comments.

Mr. Emerick stated that this plan was filed as a sketch plan due to the unique development along a private driveway. It also requires relief from the Zoning Hearing Board regarding the requirement that all lots front on a public road. A hearing on this variance was held on February 20, 2013, and although

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the written decision has not yet been signed, it appears that the relief will be granted. The applicant will be seeking a waiver during the final plan submission to create this lot on a private access and without contact with a public road.

Randy Wright, Hanover Engineering, stated that the private driveway is in excellent condition and was built to Township standards. The owners of the properties served by the driveway contribute to its maintenance. Mr. Wright stated that it is the intention to provide a detailed stormwater design with the formal subdivision plan submission, otherwise it will be deferred to the building permit phase when the specifics of the square footage of the house and other impervious surfaces are known.

Mr. Wright commented that all of the other lots accessed by the private driveway contain a minimum of 10 acres and are restricted in that they cannot be further subdivided. Mr. Plebani's deed allows one more lot to be created.

Member Rowe asked if there is a formal maintenance agreement for the private driveway. Mr. Wright responded that if there is not an agreement, the requirement is in the property deeds. He expects that the Zoning Hearing Board's decision will include the condition that these two lots will also have to contribute to the maintenance of the private driveway. Member Rowe asked if the other property owners are aware of the proposal. Mr. Wright thinks they are because of the Zoning Hearing Board notification. He added that there was no opposition to the proposal at the hearing.

Member Wehler commented that he has no objection to the concept, but he thinks a formal subdivision plan should be submitted before the Planning Commission makes a recommendation.

Chairman Tunnell agreed with Member Wehler. He asked if a precedent would be set by granting the waiver. Mr. Emerick responded that the Township has allowed this before. There was a lot of careful consideration given to the private driveway agreement when the original subdivision plan was approved. He thinks the Board of Supervisors might have had a say in the deed restriction that the other lots cannot be further subdivided. The Plebani lot was subdivided just prior to the establishment of Subdivision and Land Development regulations.

Member Rowe commented that he also supports the waiver. He was initially concerned about setting a precedent, but it seems as though that will not be an issue.

B. Review and recommendation of the Sketch Plan for CAMA SDIRA, LLC, Plat #1226

Mr. Emerick reported that the subject 0.728-acre property is located at the southwest corner of Mae Street and Ethel Avenue, adjacent to the Hershey Square shopping center, nearest the Weis Markets building. CAMA SDIRA, LLC is the owner of a 0.598-acre lot, improved with a one-story dwelling. The Hershey Trust Company owns the adjacent 0.130-acre lot, which is currently unimproved.

Mr. Emerick stated that the tract owned by The Hershey Trust Company is barely developable, consisting of a building pocket of approximately 12 feet by 23 feet, or 276 square feet. The applicant is proposing to join 2 nonconforming lots and then subdivide them to create 2 nonconforming,

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developable lots. The subdivision will require at least 4 dimensional variances from the Zoning Hearing Board.

The applicant should propose complete features on both lots necessary to bring it into compliance with the regulations. These features would include driveways and parking areas as well as any walkways connecting the proposed entrance of the structure to the parking area. This should be done to demonstrate that the lots can be improved without the need for impervious cover relief.

The site will be served by public water and sewer facilities. The applicant will be required to provide stormwater management on Lot 2 and possibly on Lot 1 to accommodate the off-street parking improvement. The applicant will also be required to provide a fee in lieu of dedication of land for park, recreation, and open space.

Mr. Emerick stated that when a formal subdivision plan is submitted, the applicant will be seeking waivers from the following Subdivision and Land Development Ordinance requirements:

- a. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] – Plans and profiles of storm sewers, sanitary sewers, and gas and water lines.
Mr. Emerick stated that he would recommend granting a partial waiver of the profiles for the sewer, gas, storm, and water facilities, but would not support a complete waiver of showing the planimetric features or a waiver of showing any profiles of affected facilities or utilities.
- b. From Section 185-22.D.(3) – Required cartway and right-of-way width.
Mr. Emerick stated that he would recommend granting this waiver.
- c. From Section 185-22.E.(5) – Installation of curbing.
Mr. Emerick stated that he would recommend granting this waiver, with the exception of any necessary curbing to properly deflect the Hershey Square sidewalk to the proposed alignment with Mae Street dedicated right-of-way.
- d. From Section 185-34.A.(1) – Installation of sidewalks.
Mr. Emerick would recommend granting a deferment for the installation of sidewalks along Ethel Avenue, given that any continuation may require either the taking of public right-of-way or the granting of a pedestrian easement. If a sidewalk network is desired through this neighborhood, it would be appropriate for the Board of Supervisors to require it throughout since there appears to be very little opportunity for subdivision or land development to build upon this 200' piece of sidewalk.

Mr. Emerick stated that he would recommend denial of a deferment for sidewalk installation along Mae Street. The sidewalk on the opposite side of the street spans the entire length of the development. It may not only be appropriate to extend the sidewalk along this side but also to install a pedestrian crossing from the south side of Mae Street to the north sidewalk network.

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- e. From Section 185-49 – Wetland certification.
Mr. Emerick would recommend granting this waiver.

DTMA reviewed the plan and provided commentary that they will not consent to a waiver of showing a plan view of the sanitary sewers. In addition, a profile view must be shown of the sewer mains serving the existing and proposed houses. The service lateral to serve the proposed house must be shown in plan view and the connection point to the main must be shown on the profile.

The Dauphin County Planning Commission also reviewed the plan, and they had no comments.

Ed Kaylor, Reiber and Associates, commented that the applicant would like to know the Planning Commission's opinions regarding the waivers. Essentially, all the applicant wants to do is move the lot line 60'. There is limited pedestrian traffic in this area and Mr. Kaylor thinks it is appropriate to grant the sidewalk waiver request.

Bill Hess of CAMA SDIRA, LLC, stated that the existing house on proposed Lot 1 was built in approximately 1950. He plans to refurbish the interior and exterior of the house. The new home proposed for Lot 2 would probably be in the \$150,000-\$160,000 range. Mr. Hess hopes to not have to incur unnecessary expenses that would keep the project from being economically feasible.

Chairman Tunnell asked if the applicant is the current owner. Mr. Kaylor answered yes. Mr. Hess added that the Hershey Trust Company lot is under contract, subject to approval of a subdivision plan.

Member Rowe asked if there has been a recent subdivision in this area because a new dwelling was constructed. Mr. Emerick responded that the property in question was an existing lot, so the Township could not require the installation of sidewalk under the Subdivision and Land Development Ordinance.

Member Wehler asked when the sidewalk on the opposite side of Mae Street was installed. Mr. Emerick stated that it was done as part of the Hershey Square and Goodyear building projects. Member Wehler asked if the sidewalks were constructed to enable pedestrian traffic from homes in the area of the subject property. Mr. Emerick responded that the sidewalks were installed because a waiver was not granted, and the intent was to facilitate pedestrian movement.

Chairman Tunnell commented that he does not think there are any issues with the waivers other than the sidewalk question that Member Wehler had. Regarding the sidewalk waiver, Chairman Tunnell thinks it makes sense to grant the waiver for Ethel Avenue, but he is undecided about Mae Street. Since there is sidewalk on one side of Mae Street, he thinks it would be acceptable to not require the installation on the other side. However, he noted that only 3 members of the 5-member Planning Commission are present for the review of this sketch plan, and from a policy perspective the Commission has generally not waived sidewalk requirements.

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C. Review and recommendation of the Preliminary/Final Land Development and Stormwater Management Site Plan for Oak Springs Phase III Building Expansion, Plat #1227

Mr. Williams reported that this plan proposes the construction of a new residential building containing 6 attached single-family dwelling units (townhouses) on a 2.71-acre lot located on Berne Court, which is accessed from Heiden Drive in the Village of Innsbruck neighborhood. The site is presently improved with 2 buildings, each containing 6 attached single-family dwelling units; parking areas, including a detached carport structure; and a driveway (Berne Court) that provides access to the buildings and parking areas. Each dwelling unit will contain approximately 1,500 square feet of floor area. Berne Court will be extended to provide access to the new building. The extension will include space for 12 new parking spaces and will terminate in a proposed cul-de-sac. Berne Court will continue to serve as a driveway and will not be proposed for dedication as a public street.

The following waivers have been requested from the Subdivision and Land Development Ordinance:

- a. From Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7] – Metes and bounds of street rights-of-way, centerlines, and easements. Mr. Williams recommended the waiver be granted, with the exception of utility and other easements within the boundaries of the property, and provided that the applicant correct the notation reference on sheet C.1 in the Design Waivers box to reference the correct General Note on sheet C.2 that references the previously-approved and recorded plans.
- b. From Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] – Stormwater plan and profiles. Mr. Williams recommended that the waiver be granted, provided that the applicant correct the notation reference on sheet C.1 in the Design Waivers box to reference the correct General Note on sheet C.2 that references the previously-approved and recorded plans.
- c. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] – Sanitary plan and profiles. Mr. Williams recommended that the waiver be granted, with the same stipulation noted in waiver ‘b’.
- d. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] – Utility plan and profiles. Mr. Williams recommended that the waiver be granted, with the same stipulation noted in waiver ‘b’.

Mr. Williams; Matt Bonanno of HRG; and Diane Krug of the Dauphin County Planning Commission went over their plan review comments.

Brian Evans, Evans Engineering, stated that the existing walkways are 3 feet wide, and since this is not a sidewalk that is located within a public right-of-way, he asked if it is still required to have a width of 4 feet. Mr. Williams responded that he is looking for consistency with the 1999 plan, which indicates that 4-foot wide sidewalks were provided along Berne Court. Mr. Evans will verify the width of existing sidewalks.

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Regarding Mr. Williams' comment that a fee in-lieu of dedication of land for use as park, recreation, and open space, Mr. Evans stated that the land might have already been dedicated or an in-lieu fee paid in conjunction with a prior subdivision plan. He asked if the fee has to be paid again. Mr. Emerick requested that Mr. Evans first research whether or not the initial dedication took place. Jenelle Stumpf commented that the Subdivision and Land Development Ordinance regulations regarding land dedication/in-lieu fee were not adopted at the time of the previous plans' approvals.

Mr. Williams stated that a waiver for curbing installation along Berne Court would not be required since it is a private driveway. He indicated that sidewalk and curbing would be required along the public street frontage of Heiden Drive. Mr. Evans indicated that the applicant would be willing to construct sidewalk and curbing at that location, but expressed some concern over steep slopes to the south of Berne Court making construction of the improvements difficult. Mr. Emerick indicated that the Zoning Ordinance would permit disturbance of steep slopes for access purposes, which would include sidewalk construction.

With regard to the Dauphin County Planning Commission's comments, Mr. Evans confirmed that the variances granted under the Zoning Hearing Board's June 15, 2011 decision are still in effect. Mr. Evans stated that grading was done to allow emergency access to Innsbruck Drive if needed.

Member Wehler asked if the increase in stormwater is being handled through infiltration. Mr. Evans answered yes. The original plan proposed a lot more impervious surface area, and the current plan proposes the replacement of much of the impervious area with porous pavement.

Member Wehler asked if the townhouses are separately deeded. Mike Kushner of M&M at Oak Springs responded that they will be rental units and then could potentially be sold as condominium units. Member Wehler asked if the Township has any concerns regarding condominium association agreements related to maintenance. Mr. Emerick answered no.

MOTION ON WAIVERS

On a motion made by Member Rowe, seconded by Member Wehler, and a unanimous vote, the Planning Commission recommended that waivers 'a' through 'd' be granted as recommended by staff.

MOTION ON PLAT #1227

On a motion made by Member Wehler, seconded by Member Rowe, and a unanimous vote, the Planning Commission recommended approval of Plat #1227, subject to the outstanding comments of staff, HRG, DTMA, and the Dauphin County Planning Commission being satisfactorily addressed, and that the applicant address and resolve the sidewalk issue in consultation with staff.

D. Review and recommendation of proposed Ordinance No. 629 amending Chapter 225 (Zoning) of the Code of the Township of Derry regarding outdoor storage of junk and vehicles

Mr. Emerick stated that this amendment is being proposed to modernize and clarify the requirements for outdoor storage of junk and vehicles, and to enhance enforcement capabilities. The amendment is also coordinated with other sections of the Code of the Township, including Chapter 85 (Uniform

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Construction Codes); Chapter 143 (Property Maintenance); and Chapter 217 (Storage of Vehicles). The intent is to make all chapters uniform in definition and to incorporate Act 90 of 2010, the Neighborhood Blight Reclamation and Revitalization Act. The only chapter being presented to the Planning Commission is Chapter 225 (Zoning), as required by the Pennsylvania Municipalities Planning Code.

The draft March 4, 2013 Dauphin County Planning Commission letter (which is prepared by staff and approved by the Commission at their meeting) indicated that they support the proposed amendment. However, at their meeting the Commissioners had a split vote about whether or not a property owner should be prohibited from parking their RV in their driveway. Mr. Emerick stated that the present Zoning Ordinance already prohibits the parking of RVs in the driveway in front of the house. It is not the intention of the proposed amendment to change that, but to make the language more easily interpreted. Mr. Emerick recommended that Section 6 of proposed ordinance be revised to read: "...if such vehicle is placed behind *the front face of the principal building...*"

Mr. Emerick noted that the Dauphin County Planning Commission also had a concern with the proposed incorporation of the Neighborhood Blight Reclamation and Revitalization Act. Diane Krug commented that Dauphin County staff has been instructed to revise the Commission's letter to state that the Commission is deadlocked in its support of the proposed ordinance, specifically concerning the restriction on parking of recreational vehicles. Ms. Krug does not think there was any discussion about incorporating the Neighborhood Blight Reclamation and Revitalization Act provisions into the Zoning Ordinance. The revised letter will be submitted to the Township.

Member Wehler asked what influenced the restrictions for outdoor storage of recreational activity vehicles and utility vehicles – was the language developed by Township staff? Mr. Emerick responded that the restrictions date back to the 1993 Zoning Ordinance. Staff only reworded the language to make it easier to understand, and to permit the vehicle to be screened by a fence.

Member Rowe stated that he initially thought the restrictions for outdoor storage of recreational activity vehicles and utility vehicles were excessive, but he supports Mr. Emerick's proposed revised language that the vehicle is to be placed behind the front face of the principal building.

Member Wehler questioned if a hedge qualifies as a fence. Mr. Emerick does not think so, but maybe the question is if a hedge counts as a screen. Chairman Tunnell asked if another form of screening (other than a fence) could be permitted. Mr. Emerick stated that for enforcement purposes, it would be clearer to state that the vehicle is to be screened by a fence so there is no disagreement about the opaqueness of a hedge. Chairman Tunnell asked if there are any screening requirements for dumpsters. Mr. Emerick said there are not.

Chairman Tunnell thinks vegetative screening is better than a fence, but he understands Mr. Emerick's concern regarding enforcement. Mr. Emerick commented that the proposed ordinance can be altered to allow a mix of vegetation and fencing to provide an opaque screen. Member Wehler suggested that the term "completely screened" can be included and if a hedge cannot accomplish that, then the screening would have to be a fence. Chairman Tunnell agreed.

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Member Wehler asked if enforcement comes under existing language in the Zoning Ordinance. Mr. Emerick answered yes.

MOTION

On a motion made by Member Wehler, seconded by Member Rowe, and a unanimous vote, the Planning Commission recommended that Ordinance No. 629 be adopted with the revisions to Section 6 (§225-190 – outdoor storage of recreational activity vehicles and utility vehicles) as discussed.

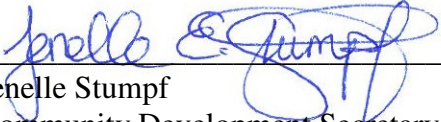
ADJOURNMENT

On a motion made by Member Wehler, seconded by Member Rowe, and a unanimous vote, the meeting adjourned at 8:38 p.m.

Respectfully submitted,

Gregg Mangione
Secretary

Submitted by:



Jenelle Stumpf
Community Development Secretary