

## DAUPHIN COUNTY PLANNING COMMISSION

### Minutes of the Meeting

August 3, 2009

The regular monthly meeting of the Dauphin County Planning Commission was held Monday, August 3, 2009 in the Commission's Second Floor Conference Room of the Dauphin County Administration Building, Harrisburg, PA. Chairman Dan Tunnell called the meeting to order at 4:00 p.m.

### ROLL CALL

Those members present were: Mr. Edward Carney, Mr. Paul Clark, Mr. Tom Clark, Mr. John Kerschner, Mr. Skip Memmi, Mr. Keith Oellig, Mr. Tom Shaffer and Mr. Dan Tunnell. Also present were Messrs. Reardon and Sundara and Ms. Park of the staff. Ms. Candace Stowell, Mr. Craig Peiffer, Brian Bendigo, Brandon Bendigo, Paul Bendigo, Richard Lemonowicz, Dennis Shomper, Ann Shomper, John Kasputis, Deborah Swartz, Ron Koppenhaver, Dan Galbraith, Steve Kandybowski were in attendance as a guests.

### MINUTES APPROVAL

On a motion by Mr. Paul Clark, seconded by Mr. Kerschner, the Commission approved the minutes of the July 6, 2009 meeting.

### COMMUNICATIONS AND BILLS

#### 1. Communications

Mr. Reardon indicated receipt of a letter of notification from the PUC indicating information received involving the sale of the HUB property and the request for removal of an order to install an 18" CMP pipe in Milroy Road under the Norfolk Southern railroad underpass. No response was required by the commission to this communication.

The Federal Energy Regulatory Commission is preparing an environmental assessment of the re-licensing of the York Haven Power Company located in the Susquehanna River. The Commission was invited to participate in the scoping process.

The Harrisburg Authority issued a letter of appreciation for the Commission's comments during it Act 537 plan update. The plan has been submitted to PA DEP.

Tri-County Regional Planning Commission will be sponsoring a training opportunity for local municipalities on transportation impact fees. The workshop will be held September 16, 2009 at the PSATS facility from 1:30 to 4:30 pm.

Mr. Reardon distributed a handout showing the Dauphin County projects which received H2O PA grant awards.

2. Payment of Expenses

On a motion by Mr. Tom Clark, seconded by Mr. Carney, the Commission approved transfer of funds for the following expenses:

To TCRPC for July Subdivision & Sewage Module Fees  
Transfer..... \$3,239.00

REPORTS

1. Treasurer's Report

On a motion by Mr. Paul Clark, seconded by Mr. Shaffer, the Treasurer's Report in the form of a Financial Statement for the month ending July 31, 2009 was accepted for filing and audit. A copy of the Treasurer's Report is attached to the file copy of these minutes.

UNFINISHED BUSINESS

A. Progress: Regional Transportation Planning Project, 2008-2009.

Mr. Reardon indicated there would be a HATS Technical Committee meeting on August 14 which would involve TIP amendments and presentation of the CAT Service Study report.

B. Local Planning Assistance Report.

The Local Planning Assistance report for the month of July was distributed to those members present. A copy of the report is attached to the file copy of these minutes.

NEW BUSINESS

A. Subdivision/Land Development Matters

1. Approval/Disapproval

**North Lloyd's Lane Cell Tower – Rush Township**

**Bendigo Airport Cell Tower – Rush Township**

Mr. John Kasputis, Chairman of the Rush Township supervisors, read into the record, a statement of opposition for these plans which is attached to the file copy of these minutes.

Mr. Gene Bendigo presented information related to the Bendigo Airport site.

Deborah Swartz from Representative Helms office questioned why the towers could not be moved to a more acceptable location. Mr. Lemanowicz indicated two additional sites were examined, but Liberty Towers has decided to move forward with these locations.

Mr. Shaffer asked why work was started without a building permit. Mr. Lemanowicz indicated it was a case of miscommunication and work was stopped and the process followed.

Mr. Memmi relayed a telephone call he received from Congressman Holden's office supporting the alternate locations on Harrisburg Water Company land. He recognized the limitations placed on the situation with the County Subdivision & Land Development Ordinance. Mr. Memmi indicated it was unfortunate there are no local tools to manage this request, but understands the Township is moving in that direction. These particular applications would be difficult to deny and most likely overturned if it went to court.

A motion was made by Mr. Carney to disapprove the plan. The motion died for lack of a second.

On a motion by Mr. Paul Clark, seconded by Mr. Kerschner, the plans were approved with conditions on a 6-1-1 voted. Mr. Carney voted no and Mr. Oellig abstained from the action.

Mr. Tunnell thanked everyone for their patience with the process and the staff and township for the material presented. He suggested better communication between applicant and municipality might be more beneficial if there are additional towers planned.

## 2. Review/Comment

On a motion by Mr. Tom Clark, seconded by Mr. Paul Clark, a motion was passed to ratify staff reviews of the 15 plan applications listed and attached to the file copy of these minutes. It should be noted; Mr. Memmi abstained from plan #09-100, Mr. Tom Clark from plan #09-102 and Mr. Oellig from plan #09-109.

Mr. Reardon presented a waiver request from subdivision/land development fees from Light-Heigel & Associates on behalf of David Bowser and Rosemont Integrated Services, LLC. The staff did not require a review for the

submission since it involved only a type of ownership change. On a motion by Mr. Shaffer, seconded by Mr. Carney, the commission voted 5-2-1 with Messrs. Kerschner and Paul Clark voting no and Mr. Memmi abstaining to waive the fees.

B. Zoning Ordinance Amendment Reviews

1. Harrisburg City – Map Amendment – create the Academy Manor Historic district

Mr. Peiffer made a comprehensive presentation on the specific proposal as well as how the overall City's Historic District ordinance procedure works.

On a motion by Mr. Carney, seconded by Mr. Oellig, the Commission voted to table the request to allow additional information to be obtained.

*(At this time, Mr. Tunnell moved to agenda item 6.d. to accommodate guests at the meeting.)*

2. West Hanover Township – Text Amendment – Manure Storage definition and provisions.

On a motion by Mr. Clark, seconded by Mr. Carney, the Commission recommended approval of the proposal with consideration given to staff comments.

*It should be noted – Mr. Carney left the meeting at 5:25 pm.*

3. Swatara Township – Map Amendment – rezone portion of Summit View from Apartment Office to Commercial General

On a motion by Mr. Shaffer, seconded by Mr. Tom Clark, by a vote of 5-2, with Messrs Kerschner and Oellig voting no, the Commission recommended approval of the proposal with consideration given to staff comments.

4. Swatara Township – Map Amendment – rezone 8375 Paxton Street from R-S Residential Single to Commercial General

On a motion by Mr. Paul Clark, seconded by Mr. Tom Clark, by a vote of 4-2, with Messrs Kerschner and Oellig voting no, the Commission recommended approval of the proposal contingent upon to staff comments. One member stepped out of the room during the vote.

C. Lower Paxton Township - Stormwater Management Ordinance Review

On a motion by Mr. Kerschner, seconded by Mr. Tom Clark, the Commission concurred with staff comments regarding the review.

D. Harrisburg City – Street Vacation/Official Map Review – Sutliff property at Paxton/Cameron Street intersection

On a motion by Mr. Paul Clark, seconded by Mr. Carney, recommended approval of the proposal with consideration given to staff comments.

*(At this time, Mr. Tunnell returned to agenda item 6.b.3.)*

E. Conewago Township Comprehensive Plan

On a motion by Mr. Paul Clark, seconded by Mr. Oellig, recommended approval of the proposal with consideration given to staff comments.

F. Sewage Module Review

On a motion by Mr. Tom Clark, seconded by Mr. Kerschner, the Commission ratified the staff review of Sewage Modules # 2009-17 and #2009-18.

On a motion by Mr. Tom Clark, seconded by Mr. Oellig, the Commission disapproved a fee waiver request from Susquehanna Township Municipal Authority reaffirming the need to maintain the fee structure, to support staff reimbursement for such reviews.

G. Intergovernmental Reviews

On a motion by Mr. Paul Clark, seconded by Mr. Kerschner, the Commission ratified a letter of support for the PA Farm Show Stormwater Bioretention project.

On a motion by Mr. Kerschner, seconded by Mr. Shaffer, the Commission ratified a letter of support for the Berrysburg Sanitary Treatment System project.

ADJOURNMENT

There being no further business, on a motion by Mr. Paul Clark, seconded by Mr. Shaffer, the meeting adjourned at 6:00 p.m. The next meeting of the Commission is scheduled for **4:00 p.m. on Tuesday, September 8, 2009** in the Dauphin County Veteran's Memorial Office Building's Second Floor Conference Room.

Respectfully submitted,  
*Paul D. Clark*  
Secretary