

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING**  
**8848 Jonestown Road, Grantville, PA 17028**  
**April 18, 2017**

The regular meeting of the East Hanover Township Board of Supervisors was called to order with the pledge to the Flag by Chairman Mike Yingling at 7:00 P.M. Present were Supervisors George Rish, Glenn Moyer, Rob Hess and Rick Smith.

Lee Stinnett, Solicitor; Norm Ulrich, Engineer; Paul Cornell, Manager; Jackie Wilbern, Assistant Manager; Charles Longreen, Director of Public Works; and Deborah Casey, Secretary/Treasurer were also present.

There will be a Conditional Use Hearing at 7:30 PM for Fleet Repair.

The meeting was audio taped. The tapes are strictly for the use of the Secretary-Treasurer for clarification during preparation of the minutes. The Public Guidelines of Decorum require all individuals wishing to make public comment do so at the microphone and state their name and address.

**APPROVAL OF THE MEETING MINUTES FROM THE APRIL 4, 2017 BOARD OF SUPERVISORS MEETING**

- **Mr. Hess made a motion to approve the April 4, 2017, Board of Supervisors meeting minutes. Mr. Moyer seconded the motion. The motion was approved 5 in favor, 0 opposed.**

**TREASURER'S REPORT**

|                          |             |              |
|--------------------------|-------------|--------------|
| Receipts -               | \$97,130.91 |              |
| General Fund             |             | \$ 78,418.47 |
| Street Light Fund        |             | \$ 1,503.06  |
| Fire Co. Fund            |             | \$ 16,370.38 |
| Park and Recreation Fund |             | \$ 839.00    |

|                        |               |              |
|------------------------|---------------|--------------|
| Expenditures -         | \$ 121,861.55 |              |
| General Fund           |               | \$ 67,932.12 |
| Gaming Fund            |               | \$ 22,539.07 |
| Fire Co. Fund          |               | \$ 1,141.00  |
| Park & Recreation Fund |               | \$ 30,249.36 |

- **Mr. Rish made a motion to pay the bills as presented. Mr. Hess seconded the motion. The motion was approved 5 in favor, 0 opposed.**

Available Funds - \$6,534,699.94

## **CONSIDERATION OF INVOICES FOR THE PUBLIC WORKS BUILDING**

### **PAUL D. CLARK - \$560.63**

- **Mr. Hess made a motion to pay the invoice from Paul D. Clark in the amount of \$560.63. Mr. Moyer seconded the motion. The motion was approved 5 in favor, 0 opposed.**

## **CORRESPONDENCE**

The correspondence is listed as a handout and may be reviewed during regular office hours.

## **REPORTS**

### **PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN**

Mr. Longreen presented his report for March 21<sup>st</sup> through April 18<sup>th</sup>. He noted the Municipal Building is now empty as far as Public Works material and equipment. The salt shed is empty. The big equipment is out of all the buildings.

### **MUNICIPAL AUTHORITY – PAUL CORNELL**

Mr. Cornell reported they are moving forward with the 2020 project and in the process of trying to get the collections caught up.

### **MANAGER REPORT – PAUL CORNELL**

Mr. Cornell provided the Board with a written report. There are a couple things we are working on. The Volunteer Banquet which will be on Thursday, June 22<sup>nd</sup>; Goals and Objectives are being processed and adjusted and job descriptions.

### **SOLICITOR'S REPORT – LEE STINNETT**

No report.

### **EMERGENCY MANAGEMENT – RON JOHNSON**

Mr. Johnson reported that they have completed the annual update for the County Resource Manual. There was a partial activation of the EOC during the March snow storm. An Emergency Declaration was submitted to Dauphin County. It was also at a heightened level of awareness during the first week of April due to the heavy rains, but there were no issues or events. He spoke with the Pennsylvania State Police acting patrol supervisor and discussed some upcoming meetings and some information we were looking for the Municipality, and a couple citizen issues. They are expecting an announcement for a Public Information Officer for Troop H so we are hoping to be able to provide some information for upcoming Township Newsletters. A Public Safety Advisory Council meeting was held and the PSP report was very comprehensive. Some Fire and EMS updates were provided and there was discussion on the cardiac arrest citizen notification program. We are still working on that and recommendations will be provided to the Board in the future.

### **PARK AND RECREATION – ANTHEA STEBBINS**

A written report was provided to the Board. Mr. Cornell noted the Bunny Breakfast was a success.

### **CODES AND ZONING – JACKIE WILBERN**

Mrs. Wilbern provided the Board with a report of activity over the past month. There is now a monthly activity report from Light-Heigel & Associates for all UCC permits that were issued and also permits that were closed during the month. Mr. Cornell noted Mrs. Wilbern is also pursuing the Safety Committee and all staff are now actively involved.

### **ENGINEERS REPORT – NORM ULRICH**

Mr. Ulrich provided the Board with an updated report. He is still monitoring the inactive projects but they are not in the report. Sheetz is moving forward. The Preserve at Bow Creek – there is some discussion about the as-built. Manheim met with their engineer to discuss some of the comments issued. It is not a top priority project from them at this time. The Moyer Rd. Subdivision is complete and has been recorded. Chairman Yingling asked if the physical work at The Preserve at Bow is done. Mr. Ulrich noted we are in the paper work stage, but the physical work will need to be discussed with the Solicitor. The as-builts have revealed some differences between the approved plans vs. what was built.

### **GRANTVILLE FIRE CO. – WAYNE ISETT**

Mr. Isett noted the audit was conducted on both the Fire Co. and the Fireman's Relief. It was flawless. The Fire Co. applied to Centric Bank for \$425,000.00 towards the new engine. The total cost of the engine will be \$601,195.00. When the apparatus chassis comes they will have to pay \$293,833.00, \$176,195.00 of that will be paid out of savings. The finished engine will be here by November/December. He worked with the State Comptroller to transfer the \$15,000.00 grant award to pay towards the truck. We are in the process of doing Child Protective Services and are writing up new regulations in the by-laws. The Carnival Grounds electric upgrade has been completed. The business ads will be going out for the Fire Co. Book, and we are working on the 39er. We signed a contract for \$6,500.00 to seal the Allentown Blvd. building concrete block. On May 27<sup>th</sup> is the Yard Sale and Barbeques. Chairman Yingling asked if the seal for the concrete block has a warranty. Mr. Isett didn't have that information with him but would check into it.

### **UNFINISHED BUSINESS**

#### **REQUEST TO AUTHORIZE THE DRAFT POLICY MANUAL TO BE SENT TO THE SOLICITOR FOR REVIEW**

Mr. Cornell commented the Board had received a draft of the Policy Manual for review. It has been through the Staff for review and he would like to forward it to the Solicitor for review. Once that is complete, then it will be brought back to the Board for adoption.

- **Mr. Hess made a motion to send the draft Policy Manual to the Solicitor for review. Mr. Smith seconded the motion. The Motion was approved 5 in favor, 0 opposed.**

#### **DISCUSSION REGARDING ADVERTISING THE SIDEWALK ORDINANCE**

Mr. Cornell noted there has been discussion on the ordinance and adjustments. The latest draft has been provided to the Board. Solicitor Stinnett felt the latest draft is relatively innocuous. It provides for clearing of snow, keeping clear of overhanging branches and it leans on the non-aggressive end. Mr. Smith noted we've come back off of new construction and is that covered somewhere else. Solicitor Stinnett noted new construction would be covered under the SALDO plan. This covers existing sidewalks to the extent they become unsafe, but more so it's about snow removal and encroachment. Chairman Yingling commented it would cover the existing sidewalks, and once any new sidewalks are built, they would fall under the proposed ordinance. Mr. Hess asked if there is anything in the ordinance that is a concern to Mrs. Wilbern. Mrs. Wilbern noted she had no concerns. Discussion continued.

- **Mr. Smith made a motion to authorize advertisement of the proposed sidewalk ordinance. Mr. Hess seconded the motion. The motion was approved 5 in favor, 0 opposed.**

#### **NEW BUSINESS**

##### **REQUEST TO WIAVE PERMIT FEE FOR THE GRANTVILLE VOLUNTEER FIRE CO.**

Mrs. Wilbern commented the Board has a memo with a letter attached from the Grantville Volunteer Fire Co. They are requesting to submit a zoning permit application to construct a pavilion at the Carnival property and they are asking that the application fee be waived.

- **Mr. Hess made a motion to waive the zoning application fee in the amount of \$60.00 for the Grantville Volunteer Fire Co. Mr. Moyer seconded the motion. The motion was approved 5 in favor, 0 opposed.**

#### **7:30 PM CONDITIONAL USE HEARING FOR FLEET REPAIR**

Solicitor Stinnett – this is the time and place for the duly advertised public hearing for the Conditional Use application 2017-1 submitted by Fleet Repair Solutions, LLC. The property is located at 550 Firehouse Rd. in Grantville, Pennsylvania. Mrs. Wilbern if you could kindly put on the record the advertisement dates, as well as the posting of the property and provide those documentations. Mrs. Wilbern – The application noted as Exhibit 1 was received on March 13, 2017, it was advertised in the Patriot News on April 4<sup>th</sup> and April 11<sup>th</sup> and I have the proof of publication as exhibit No. 2, the property was posted on April 3<sup>rd</sup> of 2017, and I have a picture of that which will be exhibit No. 3, and then the adjoiner and owner notifications were mailed on March 31<sup>st</sup> of 2017, and I received the green registered receipts back from that which will be exhibit No. 4, the Township building was posted on March 31<sup>st</sup> of 2017. Solicitor Stinnett – If the applicant is ready to proceed please have the witnesses sworn in. Paula Leicht – Before we begin our presentation would you mind asking the members of the audience if there is anyone here of interest to Fleet Repair Solutions. Solicitor Stinnett – Are there any members of

the public here to offer comments or questions regarding the Fleet Repairs Conditional Use application, if so, come and state your name and address for the record. I see no potential witnesses. Ms. Leicht - My witnesses are Dan Melot who is president of Fleet Repairs LLC and Rob Shaffer who is with Act One Associates who is our project engineer. Scott Melot and Lorie both employees of Fleet. Solicitor Stinnett - swearing in of witnesses - Could you step to the mic and state your full name and address. Melot - Daniel Scott Melot my address in Grantville? Solicitor Stinnett - We'll do mailing address. Melot - My mailing address is 550 Firehouse Rd. P.O. Box 459, Grantville, Pennsylvania. Solicitor Stinnett - Will you please raise your right hand? Do you swear and affirm the testimony you are about to give to be the truth, whole truth, nothing but the truth. Melot - Yes I do. Good evening, thank you Mr. Chairman and thank you members of the Board. Mrs. Casey - Solicitor what is your name please - Ms. Leicht - Paula Leicht representing Fleet Repair Solutions. When we were last before you, I believe on March 7<sup>th</sup>, we discussed some of the background of the project and you recommended we should file an application for Conditional Use which we did on March 13<sup>th</sup>. The application is for a Conditional Use on Section 220.3 (3) heavy equipment sales, service, and repair, and Section 426 of your Zoning Ordinance which are the specific criteria applicable to that use heavy equipment service and repair. The property use is currently for service and repair of truck trailers and truck tractors. So that is the category under your Zoning ordinance that we filed this application. With respect to the name of your business could you state that in full? Mr. Melot - Fleet Repairs Solutions, LLC. - Ms. Leicht - And what, for the Board is the nature of the business. Mr. Melot - Tractor trailer repair and maintenance. Ms. Leicht - We are here tonight to represent the company in connection with the Conditional Use application, for the use that you are currently making of the property is that correct? Mr. Melot - Yes it is. Ms. Leicht - You own the property currently? Mr. Melot - Yes I do. Ms. Leicht - And when did you purchase it. Mr. Melot - 2013. Ms. Leicht - And you own the business that is on the property is that correct. Mr. Melot - Yes it is. Ms. Leicht - And when did you purchase the business. Mr. Melot - 2012. Ms. Leicht - With respect to the business on the property that you purchased, was it existing before you bought the property. Mr. Melot - Yes it was. Ms. Leicht - And prior to you purchasing, did you work as an employee at the business. Mr. Melot - Yes I did. Ms. Leicht - What year. Mr. Melot - 2010 to 2012. Ms. Leicht - Prior to your purchase of the business did you work as an employee. Mr. Melot - I became an employee in 2010 so two and a half years. Ms. Leicht - Was the property used for similar purposes to what it is being used for today and when you purchased it. Mr. Melot - So far as I am aware since 2008. Ms. Leicht - And you have remained an employee. Mr. Melot - Yes. Ms. Leicht - So since about 2008 the property has been used for what you are using it for today. Mr. Melot - Yes, that's correct. Ms. Leicht - When you purchased the property and business did anyone suggest to you that you needed a Zoning Permit to continue to operate the business on the property. Mr. Melot - No. Ms. Leicht - Did you file for a building permit on the property in 2016 March to build a 9,600 square foot new building. Mr. Melot - Yes I did. Ms. Leicht - Would you tell the Board about how much that cost you to construct. Mr. Melot - Approximately 1.3 million dollars. Ms. Leicht - At the time you filed for the building permit for this new building, did anyone at the Township suggest to you that you needed a Zoning Permit to operate this business on the

property. Mr. Melot – No. Ms. Leicht - I'm going now to the general criteria that are applicable to the use and to all Conditional Uses in the Zoning Ordinance, Section 704.2 and 2 in parens. Will the existing use of the property detract from the surrounding neighborhood and their enjoyment of their property? Mr. Melot – No, I do not believe so. Ms. Leicht – Could you describe in detail what is going on around your property that the neighbors are not going to be effected by this continued use. Mr. Melot – A lot of that part of Grantville is busy. So if you are exiting our property to the west to the left you'll have H&S Towing. They currently use the property for storage and for both vehicles that have been in wrecks and their own vehicles, and then they also perform maintenance out of that facility. If you continue down the road on Firehouse Toy Tech is there and they have a successful business for both repairing vehicles, and good competition to Supervisor Moyer. I do believe they get along pretty well. There is also a motorcycle shop there. Directly across from that property is the Manheim Auto Auction, which we get quite a few customers actually. If we go to the opposite side continuing out from our driveway to the right, you have Walters that is now adjacent to us, their environmental service and they store porta potties adjacent to our property. Then there is a storage facility that has gases, oxygen and the like, and then also repair storage areas that you could operate a small shop out of. Ms. Leicht – Going on to Section 704.2 3 paren, will the use and nature of your property effect a change in the character of the neighborhood. Mr. Melot – No, I don't believe so. Ms. Leicht – Is your property surround by other properties that are zoned industrial. Mr. Melot – Yes they are. Ms. Leicht – And is your property in the center of that section zoned industrial commercial. Mr. Melot – Yes it is. Ms. Leicht – is the property directly across Firehouse Rd. zoned for Mobile Home Park. Mr. Melot – Yes it is. Ms. Leicht – What is the current use of that property directly across the road from you. Mr. Melot – Agricultural. Ms. Leicht – Are the mobile homes on the mobile home park zoned property, what kind of distance is there from your use to the actual trailers on that property. Mr. Melot – About a quarter mile. Ms. Leicht – Now I'm referring to Exhibit A2. This is just for your information to show you where the property is located. Is this is an aerial photograph of the tax parcels in the vicinity of your property. Mr. Melot – Yes it is. Ms. Leicht – And is the Mobile Home Park shown across Firehouse Rd. and up to the left of the A2 Exhibit. Mr. Melot – Yes it is. Ms. Leicht - and that's the property, the use you are saying is approximately a quarter mile from your driveway. Mr. Melot – Yes. Ms. Leicht – Section 704.2 paren 4, does your property have adequate on-site sewer and water facilities and also vehicular access Mr. Melot – Yes it does. Ms. Leicht – Is the Firehouse reasonably close to your property. Mr. Melot – Yes, about two and a half miles. Ms. Leicht – Is there a fire hydrant closer than that. Mr. Melot – There is, to pull for tankers; about a quarter mile. Ms. Leicht – Section 704.1.3 in the Zoning Ordinance requires a description of the use again. Does the Fleet Repairs business currently involve a pickup service and repairs of commercial truck tractors and trailers? Mr. Melot – Yes it does. Ms. Leicht – Regarding the new 9,600 square foot building, is this building built to allow inside work for your employees. Mr. Melot – Yes it does. Ms. Leicht – How many trailers fit inside this building. Mr. Melot – Six. Ms. Leicht – Now going on to the specific criteria that is found in Section 426 of your Zoning Ordinance Heavy Equipment Sales, Service, and Repairs Facilities. Under 426.2, that section provides that all service and repair activities shall be conducted within a completely

enclosed building. Is it your current practice that all work of trucks tractors occurs in a completely enclosed building? Mr. Melot – Yes it is. Ms. Leicht – With respect to the new building with 11 tractors will you do repairs in the new building. Mr. Melot – Never. Ms. Leicht – And do you currently do minor repairs on truck trailers outside the building. Mr. Melot – Yes. Ms. Leicht – We have provided the Township with a list of repairs that are done outside, Exhibit A-3. Is this a current copy of what we have submitted to the Township of these activities? Mr. Mello9t – Yes, yes it is. Ms. Leicht – Do any of these activities involve the exchange of fluids or hazardous substances or generate noise which extends beyond the property line. Mr. Melot – No. Ms. Leicht – Because of the nature of your business and the volume of trailers which are brought to the property for repair, is it necessary for you to perform these minor repairs outside. Mr. Melot – Yes, absolutely. Ms. Leicht - Is this in part due to the size of the trailers that you are repairing currently and plan to continue to repair. Mr. Melot – Yes it is. Ms. Leicht – What are their size typically. Mr. Melot – About eight and a half feet wide, thirteen and a half feet tall and fifty three feet long. Ms. Leicht – With respect to the work that is performed outside on these trailers you consider minor because of their low impact does the work take place behind the property fence. Mr. Melot – Yes it does. Ms. Leicht – Is that fence shown on our Exhibit A5. Mr. Melot – Yes it is. Ms. Leicht – And is it about a third of the way, maybe a quarter of the way towards the center of this drawing from the road. Mr. Melot – Yes it is. Ms. Leicht - Is that delineation also shown on our Applicants Exhibit A2, which is the aerial map. Chairman Yingling – I have a quick question for you to make sure we are following. On your Exhibit A2 does that show the new structure that you built? Ms. Leicht – No. Chairman Yingling – Where is the new structure in orientation to the - Mr. Melot – It does just a little bit if you don't mind you'll see almost in the center of the property where the trailers adjoin you see a gray pad, that is the foundation, well the first foundation. Chairman Yingling – And then the fence you are talking about is a six foot high fence? Mr. Melot – The one we are currently driving through is six feet. The one to the rear of the buildings is eight feet. Chairman Yingling – I just wanted to make sure I was looking at the right thing. Ms. Leicht – How many employees do you currently employ with your company. Mr. Melot – 50. Ms. Leicht – At this location how many employees. Mr. Melot – 44. Ms. Leicht - Are your employees mostly from around this community. Mr. Melot – Yes they are. Ms. Leicht – Under Section 426.3 that section asks whether your business involves any drive through services. Mr. Melot – We do not. Ms. Leicht – And in Section 426.4 screening of exterior storage areas from residentially-zoned properties is required. Is the only residentially zoned properties to the west of the property? Mr. Melot – Yes it is. Ms. Leicht – The work on the tractors and trailers, the tractors are inside the trailers take place towards the rear of the property at least 500 feet from the road and from the adjoining Mobile Home Park. Mr. Melot – Yes it is. Ms. Leicht – Did you previously plant trees along Firehouse Rd. (inaudible). Mr. Melot – Yes we did. Ms. Leicht – Does the distance to the Mobile Home Park district from your property and the existing trees and the existing fencing serve as an effective screen from any adjoining residential property. Mr. Melot - I believe it does. Ms. Leicht – Under 426.4 are any storage vehicles are any vehicle storage areas located on the gravel surface. Mr. Melot – Yes. Ms. Leicht – Are they all gravel surface. Mr. Melot – Yes they are. Ms. Leicht – And are these storage areas set back at least fifty feet from the tree line and covered in an all

weather dust free surface. Mr. Melot – Yes they are. Ms. Leicht – (Inaudible) - Mr. Melot – Yes. Ms. Leicht – Section 426.5 is there any storage of junk vehicles, trucks, trailers, and heavy equipment on your property. Mr. Melot – No. Ms. Leicht – Section 426.6 do you have a ventilation equipment outlets directed towards residentially zoned property. Mr. Melot – No. Ms. Leicht – 426.7 requires removal of storage expeditiously. Do you have a policy for requiring your customers (inaudible) for claiming their property? Mr. Melot – Yes we do. Ms. Leicht – The Planning Commission is recommending approval of the Conditional Use application and asked that you provide them with information on the disposal of any hazardous materials from your company. . Did you provide Ms. Wilbern with a copy of a contract with a hazardous materials removal company prior to tonight's hearing. Mr. Melot - Yes we did. Ms. Leicht – And is the contract with the hazardous removal company is what we have identified as Exhibit A4. Mr. Melot – Yes that's correct. Ms. Leicht – and is the company Safety Kleen. Mr. Melot – Yes it is. Ms. Leicht – And they do this work for many clients. Mr. Melot – Yes they do. Ms. Leicht – And what do they sell, what services have you retained them to do. Mr. Melot – Three different services, waste oil pickup, coolant pickup and then comingled that wouldn't fall under the first two categories. Ms. Leicht – Did the Planning Commission at their March 28<sup>th</sup> meeting did they recommend approval of our application for Conditional Use subject to us supplying the Township with the information and also subject to providing the Township with a list of possible activities that would be conducted on the property and that you wish to continue. Mr. Melot - Yes. Ms. Leicht – And that's what you have provided. Mr. Melot – That is correct. Ms. Leicht – does that complete your testimony. Mr. Melot – It does. Ms. Leicht – Thank you we are available for questions. Solicitor Stinnett - Do you have any questions? Jackie? Mrs. Wilbern – Yes I wanted to say thank you for getting me that information from Safety Kleen. I did receive that this afternoon at 12:09 today and I would ask that it is supplied to us yearly. Mr. Melot – Absolutely. Mrs. Wilbern - so that we can keep it with your permit that you do have that contract ongoing that was a recommendation from the Planning Commission. In regards to the labor list that you have supplied, and I apologize, I just received this evening so I did not have an opportunity to go through each thing and research some things. What the Planning Commission was primarily concerned about were things like noise and fluids getting onto the ground outside. In your testimony you stated that there would not be any leakage of any fuel or oil or liquids outside is that correct? Mr. Melot – That is correct. Mrs. Wilbern – OK so no concerns in regards to brake cleaner, you note on here, that you'd be working on brake chambers, removing and replacing. Mr. Melot – That's correct. Mrs. Wilbern – Forgive me but I'm not in this line of work I'm just sort of winging it. Mr. Melot – That's why I'm here. Ms. Leicht – That is why Mr. Melot is here to make sure exactly what work is done. Mr. Melot – I went around and asked the technicians. Mrs. Wilbern – Glenn might actually have better questions than I do because he works on this sort of thing, but tires for example, changing wheels and such, what type of torque wrenches, the loudness of those to the surrounding area being done outside. I think that would address the concerns in regards to the Planning Commission, and then I noted on here about welding, removing and replacing things that are welded, if you are going to be do welding outside that was one of the Planning Commission's concern in regards to outside production and being able to screen that from anybody and even that one house



that is on the corner that is being able to see over that way. Just from the list that was provided tonight those are just a couple of concerns that I had as far as things outside, if you could just address those. Mr. Melot – Sure. I am going to go in the reverse order. The first with the welding concern that is a concern not just for the Township but also for our employees or visitors. It's possible they could be walking by or driving by, or they could be flying by and the welding flash can be seen for miles away. We are required to have OSHA approved safety screens. We did bring a picture if you would like to see, but these screens are used whenever there could be welding flash. They're tinted blue and it helps with sparks from acetylene torches, oxygen acetylene torches, mig welders, stick welders, and these are used both inside the shop and outside the shop, it's an OSHA requirement. The mechanical labor items that we listed are specifically picked that don't use chemicals like Rayclean, for example the replacement of a brake chamber, it's a piece of equipment that is air controlled and with a mechanical output so when a driver would hit the brakes, air is compressed in the truck pushes back through the trailer and then it pushes a push rod. So this is bolted on. There are instances where it may have to be heated up that would be an oxyacetylene torch and in that situation, we would have the screen up, but chemicals aren't used for that. In the event of something like a teardown where it happens to be a system that is hydraulically controlled, which we don't see a lot of, that would then go into the tractor shop because it has fluids. So although we say tractor, truck tractor and trailer to distinguish for simplicity, if it has fluids or concerns that goes to the tractor shop. It wouldn't be allowed to go into the trailer shop because there is not a floor drain. Torque wrenches – the torque wrenches we use are all hand controlled so they go click but, there are things we use that are loud that produce decibels that are up to 90 and that's equivalent to a car back firing. The work that would be done outside would be on the opposite side of the building so not to the west where the road is, but on the backside, and behind that is woodlands and a steep slope, and right next to that is Interstate 81, with hills actually going up to Interstate 81. I believe that's enough, I tested this out, for what's it worth, and stood at the road and I knew I was going to be asked this question, and I assumed one of the Supervisors, at one point, would have due diligence and check this out. Just standing at the road and where the parking area would be if the development were approved, you cannot hear that, but as a whisper, so normal talking. If it were to be measured, I would say 30 to 40 decibels; you would know that it was going on but it wouldn't be a disturbance or a nuisance. Chairman Yingling – What's your typical hours of operation and days. Mr. Melot – We are 24/7. Holidays, weekends, if the hours exist for working. If there's a possibility, and I think it's important to consider that, even during Christmas Mass, we would be making that noise. Mr. Smith – And your expectation is that you would be working outside 24 hours? Mr. Melot – Yes. Chairman Yingling – In your industry is it standard to have a lot of tractor or trailer repairs done outdoors? Mr. Melot – Yes, I do not know of another shop that is exclusively inside. Chairman Yingling – How do you deal with weather related issues, do you work in any type of weather? Mr. Melot – We put the inexperienced techs outside. Truth be told, a good majority of our business is done from service vehicles and so they're often done on our customer lots, next door, or at a competitor's lots, just as competitors come into our lot, and we go where the customer's vehicle is, and that is often not at our shop. There are many times where we have to get it repaired enough that it is road legal to

bring back to our shop. Sometimes that's on our lot. There would be times where if we were totally prohibited from working, it would be impossible to get that vehicle to get into our shop. A good example is the brake chamber. If the brake chamber locks the axils so that it can't move, I could say to you that we we're never going do work outside, but truth be told, I couldn't get it inside the building without that and we'd be calling Jackie if we really wanted to get it inside. So some of these things are common sense things that we would have to. Chairman Yingling – I know you mentioned 24/7, is your lighting consistent 24/7 or is it on as needed basis? Mr. Melot - The lighting was prescribed on the new building to be downward and not to be a nuisance to neighbors. The forward part of the building does not have lighting, in fact it's pretty dark and it's one of the complaints, it's just that we know we are not allow to put lighting out there yet. If there's a parking lot and the land development were to be approved, there would additional lighting and that would be a concern, but again it would be LED downward and trying to minimize any light pollution or disturbance. Chairman Yingling – Would you be using cutoff style fixtures to not let the light bleed. Mr. Melot – Yes. Chairman Yingling – That's all that I have. Norm Ulrich – You mentioned before, I guess at the Planning Commission meeting that when it came to your coolant, in your trucks that they are contracted out. Mr. Melot – Yes. Mr. Ulrich – Obviously accidents can happen and spills can happen what plan do you have in place, and again aside even from AC, that the coolants that would be a concern, and junk yards deal this a lot, spills from brake fluids, coolant, refrigerant, oils things like that, what plans do you have in place and what are your requirements to deal with that if it happens even if it was something you were not servicing. Mr. Melot – Sure, well that's especially true because even if a normally serviceable vehicle tractor driving onto the property just as a delivery vehicle, we're required by DEP EPA and OSHA to have a spill containment kit and a spill procedure in place. Those, it's a cookie cutter from this is what OSHA says to do and this is what you are required to have, so we have pig mats, we have saw dust, and then over a certain volume we're required to call DEP or EPA. We've done that before on other's properties, we were working at Hershey and there was a tractor that spilled about 10 gallons of hydraulic fluid and so we assisted in the process of that cleanup. But at that point, it's step by step, this is the procedure, it's out of our hands, we must call. But short of that, we have a spill containment system. Chairman Yingling – Are the trailers that are brought in have the freight removed, are there any hazardous materials in any of the trucks from time to time. Mr. Melot – The vast majority, I would say maybe 1 in a hundred, has freight that comes into us. It's a requirement for us to be able to weld that there can't be any product in there. The same is true if we're changing any structures, obviously those structures are made to bear that load, it's just a safety hazard, so it's a condition for our customers that they have to offload that product. There are times that it's an emergency situation and a customer brings it to us and we, what's called in the industry transload, we transfer the load from one trailer to another and that trailer then leaves. We have not come across a hazardous material load before whether it be gasoline, any placarded materials, generally we're dealing with candy or beer, and honestly even if it is beer or wine we usually have the Pennsylvania Liquor Control Board on dial just in case there was a spill. I know that sounds silly, but has to be documented. So in the event that it would be a hazardous material, frankly and we have been called for this, we turn that work away. We have enough without

dealing with that. I can certainly make the promise that we just won't work with placarded materials inside the building or on the property. Mr. Cornell – At any given time, how many trailers are on site? Mr. Melot – On a good day? Mr. Cornell – Let's go with an average and a maximum you would expect on site. Mr. Melot – The average is about 30. Because we can get a maximum of 50, but then it becomes a concern of turning around. You can turn around in front of the new building, but you have to have a skilled driver, and frankly if they're leaving, we don't want that vehicle to be damaged then. And so we will hook to it with our yard tractor and pull it around for the customer. That's if the lot is at the 50 capacity. Generally it's about 30, at its lowest point we would expect about a dozen. At a dozen with having 44 employees, we're out doing sales. Mr. Cornell – How many tractors would you expect at any given time on your property. Mr. Melot – The lowest amount of tractors would be approximately 2, the most we would be looking at, approximately a dozen. Again because they have to be gone in a certain amount of time, and frankly, the majority of the customers we deal with, each day down costs them a significant amount of money. And generally to put into perspective, they value each day down at approximately \$800.00 per tractor and \$600.00 for a trailer. So if it's there for 10 days \$600.00 turns into \$6,000.00 and all of a sudden the cost of the repair is nothing compared to the cost of storage and so usually it moves pretty quickly. In the event that it doesn't, then storage becomes an issue and we either call the customer and tell them that it can no longer stay here or we simply take the vehicle and take it to their property. Mr. Cornell – As a follow up, I'm looking at Exhibit A2 that you have provided and it looks like there are quite a few more than 30 trailers there, even more than 50, I just brought up Google Earth to take a look and I'm sure I'm under counting, there's at least 70 trailers that are on the lot in the picture here. Of course, this isn't showing your new building, so does that mean after the new building was built, you have less space on the property. Mr. Melot – That's absolutely true especially because of the turnaround effect, but secondly, I did not count the vehicle, the trailers we use for storage. So there are storage containers that are not on the ground, or rather they don't have wheels, the boxes themselves are sitting down, so that would be directly behind the current building. Mr. Melot explained the layout of the property directly to Mr. Cornell. Mr. Cornell – So in addition to the trailers that are actually being worked on, you have approximately 10 that are storage of spare parts and replacement parts. Mr. Melot – That's correct. Mr. Smith – And that's planned to continue. Mr. Melot – That is correct. As we move into our new building we will have additional storage space, but not the length we need to store the structural rails. It takes a lot of space and the trailers, frankly for us, are usually inexpensive because there're customers who haven't paid their bills or they are so wrecked that we have to do minimal repairs and then we can use them as storage. Mr. Smith – I was just curious, is that in our standards to have storage containers sitting around on property. Mrs. Wilbern – They can have the trailers sitting on the property as long as they are not renting that service out to other entities such as CR England or something like that. It would have to be their own. Mr. Melot – Additionally we did go one step further to make sure that wasn't an issue. The VIN plates and license plates have been removed so they are no longer a vehicle. Just like a mobile home is a vehicle while it has the wheels on it, then the license plate and the wheels are removed and now it is a home. Much the same we're reading into the law there that they are storage containers. They

do themselves have to be completely enclosed. We worked with Jackie a little bit to make sure that was OK. Mrs. Wilbern – It cannot be in a state of disrepair, things like that. Chairman Yingling – Have your coordinated what your operations is with our local Fire Department should they have to respond to an emergency. Mr. Melot – Yes we have, in fact they often go for drills and training over to H&S, so it's an adjacent property and they often come over and talk to us. Additionally they have asked us to voluntarily put in knox boxes and we are working with them to do just that. Chairman Yingling – Do you have any additional testimony. Mr. Melot – No other than thank you for your patience and I appreciate your concentration with us. Ms. Leicht – I would like to have our Engineer make a few comments. Chairman Yingling – I believe you have to be sworn in. Solicitor Stinnett – Can you state your name and address for the record please. Robert Shaffer with Act One Associates, address is 200 S. 41<sup>st</sup> Street in Harrisburg, Pennsylvania. Solicitor Stinnett – Do you affirm the testimony you are about to give to be the truth, whole truth, and nothing but the truth. Mr. Shaffer – I do. Ms. Leicht – Mr. Shaffer are you registered as a professional engineer in the Commonwealth of Pennsylvania. Mr. Shaffer – Yes I am. Ms. Leicht – And in performing the work as a professional engineer have you worked with subdivision and local ordinances. Mr. Shaffer – Yes I do. Ms. Leicht – Are you familiar with the property that is the subject of this application. Mr. Shaffer – Yes. Ms. Leicht – You provided a final subdivision and land development plan for the property that is dated February 10, 2017. Mr. Shaffer – Yes. Ms. Leicht – And is this plan pending with the Township. Mr. Shaffer – Yes. Ms. Leicht – You've been to one Planning Commission Meeting. Mr. Shaffer – Yes. Ms. Leicht – Are you familiar with Section 426 of the East Hanover Township Zoning Ordinance heavy equipment repairs and services. Mr. Shaffer – Yes I am. Ms. Leicht – In your professional opinion having interpreted municipal ordinances, is the Fleet Repair property use consistent with the definition of heavy equipment sales, service and repairs that is covered by 426 in the Zoning Ordinance. Mr. Shaffer – Yes I believe the work that occurs there definitely falls within that section. Ms. Leicht – With respect to Section 704.2, subsection 5, General Criteria the question came up in the Planning Commission meeting about whether the property affected the flood plain on the property and have you shown the flood plain on this property on Exhibit A5. Mr. Shaffer – No, there is no FEMA delineated flood plain so in that case, the assumption is 50 foot from top of bed and bank. There is a portion of this stream that does have a defined bed and bank, and basically nowhere along that does that extend into the fence. If you go up 50 feet from top of bank you barely get to, there is an existing chain link fence down over there, and that's pretty much where they did push fill out, that was the extent of the fill and that 50 foot barely gets to that, some places it's close, so at this point, as of the latest this survey was done, it was last summer now, there was no encroachment into that assumed 50 foot. Ms. Leicht – Well that is what the criteria was in the Zoning Ordinance. Does that conclude your testimony? Mr. Shaffer – Sure. Ms. Leicht – Do have any questions for the project engineer. Chairman Yingling – Any questions anyone? Ms. Leicht – Well we are here to request that the Board approve our Conditional Use Application for the Heavy Equipment Repair and Service category under your Zoning Ordinance under Section 426. Mr. Hess – I got one question, and this is probably not pertinent but I will ask since I don't know what it means. Cannibalized tires, what does cannibalized tires mean. Mr. Melot – Cannibalized is a

term when you take any part off of one vehicle to its deficit and put that good part onto another vehicle. For example converting a road worthy vehicle into a storage bin, PennDOT allows for a one-way transfer of that vehicle but it has to be done at a repair facility. So you can put bad parts on a vehicle for it to be road worthy. Chairman Yingling – So conclude the public hearing. Solicitor Stinnett – Now you have heard the testimony, the Board needs to consider whether or not the applicant has satisfied the Conditional Use requirements found in the ordinance when deciding whether to approve or deny the Conditional Use application. You can attach reasonable conditions to your approval. I think that there have been a couple of conditions proposed by Ms. Wilbern, and in addition, I believe that the applicant suggested a condition that there is an agreement that they would not undertake work involving hazardous materials on the property which you may want to consider being an additional condition. **The Public Hearing closed at 8:12 PM.** Mrs. Wilbern noted if the Board choses to authorize repairs to be done on the exterior of the 2 buildings to delineate what those repairs are to permitted to be so that we can have that for our file. The 2 page exhibit that was provided to you, it can be everything that is on that, or you can pick and choose the items you want, it was the Planning Commission's recommendation that we have some type of a list so we can at least have an idea of what is going on out back; and also that yearly report from Fleet Repairs showing that they do have a contract with a firm to dispose of all hazardous and residual materials. Solicitor Stinnett asked if those conditions are acceptable to the applicant. Mr. Melot noted they were. Solicitor Stinnett asked the 3 meaning, the agreement not to conduct repairs involving hazardous materials on the property, any repairs conducted on exterior of the building shall be limited to the Labor List which was given as Exhibit A3, and that the applicant provide evidence yearly of a proof of hazardous or residual material removal contract. Mr. Melot noted for hazardous materials, many materials can be considered hazardous or residual. It is important to note that we're talking about quantities that would be carried in a trailer, so large quantities that would constitute for a placarded situation. Chairman Yingling commented his thought was anything that was brought in a trailer that was placard, hazardous material could not be moved onto the property. As long as it's conditioned by the Commonwealth of Pennsylvania as a placard vehicle with contents in it, those contents should be removed before the trailer is brought onto the property.

- **Mr. Rish made a motion to grant the Conditional Use with the following conditions attached; one that no hazardous placarded materials freight would be brought onto the property; two any exterior work is limited to the Labor Standards as provided in Exhibit A3; and that a yearly contract be kept in force, and the report provided to the Township, of a contract to remove residual and hazardous waste. Mr. Hess seconded the motion. The motion was approved 5 in favor, 0 opposed.**

**Mr. Rish had to leave the meeting at 8:18 PM**

## RETURN TO NEW BUSINESS

### CONSIDERATION OF TALLEY PETROLEUM LAND DEVELOPMENT

Josh Hoffman with Snyder Secary Associates, civil engineer for the project. He is present to represent Mr. Allen Talley. Talley Petroleum Enterprises currently has a business at 10046 Allentown Blvd. He has an existing maintenance and storage facility for a petroleum business. He described the existing buildings on the property and noted Mr. Talley is proposing to provide an office expansion, provide a new building which is approximately 4,500 square feet, two story building and provide adequate parking facilities, allow for truck storage on the upper portion of the property. We are also providing a one way in, one way out access driveway on Allentown Blvd. We just received the HOP permits for both those driveways. We are providing stormwater management for the impervious areas we are adding to the property. We have received all the outside agency approvals and NPDES permits. It was recommended for approval with all the waivers by the Planning Commission. Chairman Yingling had a question regarding the waiver for section 402.5.4, Traffic Impact report. How does that effect our 209 Plan, are they asking for relief from that. Solicitor Stinnett indicated it was his understanding is that's a common waiver request here. He didn't know if we actually accepted any traffic impact fees yet. Mr. Hoffman noted the fact that we are accessing a major PennDOT roadway, we're talking about probably minor trips as to what is already on the roadway. The ordinance requires something like anything over 50 trips. It's a little over 50 trips, but it is not a tremendous amount of trips, probably a couple hundred at the most. You're talking about the employees and trucks arriving and then leaving for the day. PennDOT did not require a traffic study for the HOP permits since both of them are low volume driveways. There is currently traffic entering and exiting the roadway. Chairman Yingling commented that you are increasing the traffic going in and out of the facility. Mr. Hoffman noted that was correct. Chairman Yingling asked if they are going to be storing petroleum in the trucks on the property. It was noted there would be no storage on site. Chairman Yingling asked if there are peak times the traffic would be going in and out of the facility. It was noted most of the guys are leaving between 6:00 and 7:00 AM. The office opens at 8:00 AM. We are not increasing any truck traffic, we're just putting the office in. Mr. Moyer didn't think that would impact our 209. Solicitor Stinnett asked what the actual peak hourly is. Mr. Hoffman commented it doesn't even come close to meeting the threshold for PennDOT, so he doesn't know the peak or trips since they didn't have to perform a study. Allen Talley noted they have 15 trucks, one way in and one way out. We aren't loading anything at that facility since the trucks go out and go to the loading rack, make all their deliveries and then come back at the end of the day; the employees, most of them are on site all day. Mr. Hess asked if the waivers would be granted this evening. Solicitor Stinnett commented if you are planning to approve the plan, the waivers would need to be acted on. Mrs. Wilbern noted if the Board would decide to approve the plan it would need to be conditioned on the engineer's letter. Mr. Hoffman noted a lot of the items on Mr. Ulrich's March 20<sup>th</sup> letter have already been taken care of. Discussion was held on the Sidewalk waiver and sidewalks.

- **Mr. Hess made a motion to provide a waiver for SALDO Section 303, Preliminary Plan application. Mr. Hess amended his motion to grant the**

waivers for the list of 16 provided SALDO Section 303 – Preliminary Plan Application; SALDO Section 402.1.5 – Showing horizontal alignment for utility and storm sewer profiles; SALDO Section 402.3.4 – Depicting existing features within 200' of subject property; SALDO Section 609.1 – Sidewalks; SALDO Section 618.7 – Street Trees; SALDO Section 618.8 – Property line buffer requirements; Stormwater Ordinance Section 304.J.7 – Infiltration volume; Stormwater Ordinance Section 307.F – Pipe Material; Stormwater Ordinance Section 308.A.2 – Detention Basin setback; Stormwater Ordinance Section 308.J.1 – Basin cuts; Stormwater Ordinance Section 308.J.2 – Basin fills; Stormwater Ordinance Section 308.J.5 – Fencing or screening of basin; SALDO Section 402.5.4 – Traffic Impact Report; SALDO Section 618.9 – Site element screen requirements; Stormwater Ordinance Section 307.j – Minimum pipe cover; and Stormwater Ordinance Section 308.F – Freeboard. Mr. Smith seconded the motion. The motion was approved 4 in favor, 0 opposed.

- Mr. Hess made a motion that we conditionally approve the plan for Talley Petroleum's land development plan, providing all comments to LTL engineer's March 20, 2017 letter are met, including PennDOT highway occupancy approval. Mr. Hess amended his motion to include completion of the Developer's Agreement, Financial Security Agreement, the Stormwater Operations and Maintenance Agreement, and approval of the Letter of Credit to be reviewed by the Solicitor. Mr. Smith seconded the motion. The motion was approved 4 in favor, 0 opposed.

#### **CONSIDERATION OF LONG TERM PLANNING COMMITTEE RECOMMENDATIONS**

Mrs. Wilbern commented the Long Term Planning Committee has met twice per month since January through March. We had great dialog and it was a learning experience for both myself and the members of the committee. The two recommendations they were tasked with making were concerning the existing Comprehensive Plan and determine the need for an Official Map. The Long Term Planning Committee recommends to keep the existing Comprehensive Plan as is and revisit it in 3 to 5 years. The Township staff shall implement the existing plan while keeping an eye on sections pertaining to land use, transportation and housing to ensure they meet the Township's goals as time progresses. It was determined that there were many recommendations in the current Comp Plan that were never implemented. It was general consensus to try to implement the plan first before trying to rewrite it. They also recommended moving forward with adopting an Official Map; however the content of the map will be established at later time. The next step would be to redo the Zoning Ordinance and then the SALDO. Mr. Hess asked if we submitted for grant money for the Zoning rewrite. Mrs. Wilbern indicated the grant application is due on June 1st, and right now what I am trying to work out with County is the timing. For example we are in the middle of trying to determine some things if we were to be given the grant. No work can begin for 60 days after the grant is issued. Andy Stein and she are working on that. If it can't be used for these 2 things, it can be used for the SALDO and the Stormwater. Mr. Smith asked what the process was for an official map. Mrs. Wilbern noted a consultant would be

hired to do both the Zoning and Official Map congruently. It is ideal that those both can be done at the same time. There is a period for public review and then an ordinance is written by the Solicitor, and that also is subject to public review and surrounding entities. Chairman Yingling commented the only thing he would add is in the rewriting of the Zoning Ordinance and the Official Map, if we elect to make a motion, is to reference carrying out the tasks in the existing Comprehensive Plan that never came to fruition. Mr. Hess asked if the tasks in the existing Comp Plan are things that we could act on at any time. Chairman Yingling noted you could, but he is looking for more concrete direction to the staff. We need to make a plan with the staff as to the most important things.

- **Mr. Smith made a motion to authorize the Assistant Manager to develop and issue a RFP for the Zoning Ordinance rewrite and the adoption of an Official Map to be done congruent.** A resident spoke from his seat.

Discussion was held. **The motion was approved 4 in favor, 0 opposed.**

Mr. Hess felt that we would not be able to even address all the items in the Comp Plan that weren't addressed. He felt we should direct staff to analyze what items should be implemented.

- **Mr. Hess made a motion to direct Township staff to analyze components of the existing Comprehensive Plan that have not been addressed previously and decide which items should be addressed in the future. Mr. Smith seconded the motion. The motion was approved 4 in favor, 0 opposed.**

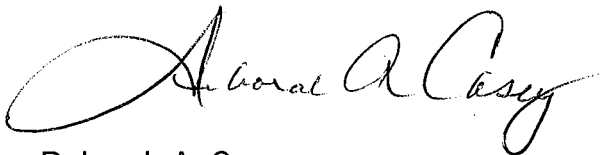
#### **BUSINESS FROM THE PUBLIC**

There was no business from the public.

Chairman Yingling thanked the staff and the Road Crew for their hard work.

**Mr. Smith made a motion to adjourn. The meeting was adjourned at 8:44 PM.**

Respectfully submitted,

A handwritten signature in cursive script, reading "Deborah A. Casey".

Deborah A. Casey  
Secretary/Treasurer