

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held December 3, 2013

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:29 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Pam Fisher, Land Design and Division; Brent Sapen, Skelly and Loy; Pastor Vern Bosserman, New Hope Brethren in Christ Church; and Watson Fisher, SWAN.

**Pledge of Allegiance**

Mr. Blain led in recitation of the Pledge of Allegiance.

**Approval of Minutes**

Mr. Blain made a motion to approve the minutes from the November 4, 2013 and November 19, 2014 business meetings. Mr. Crissman seconded the motion, and a unanimous vote followed.

**Public Comment**

No comments were provided.

**Chairman and Board Member's Comments**

No comments were provided.

**Manager's Report**

Mr. Wolfe noted that Exelon will be conducting a full siren test for Three Mile Island on Thursday, December 5<sup>th</sup> at 12:15 p.m.

Representative Ronald Marsico will be hosting a breakfast on Thursday, December 19<sup>th</sup> at 10 a.m. to honor local veterans. The breakfast will be held at the Linglestown American Legion and all attendees are required to pre-register for this event by calling 652-3721. Seating is limited.

Mr. Wolfe noted that the Annual Holiday Tree Lighting Ceremony will take place on Friday, December 6<sup>th</sup> at 7 p.m. at the Friendship Center. He noted that there will be free refreshments, a community sing-along, and Santa Claus will arrive by fire truck to greet the children in attendance.

Mr. Wolfe noted that the Village of Linglestown will also conduct a Christmas Tree lighting at the square on Saturday, December 7<sup>th</sup> at 6 p.m. He noted that the Merchants Association and Civic Association will conduct a New Year's Eve party beginning on December 31, 2013 at 10 p.m. and continue into New Year's Day.

#### **OLD BUSINESS**

There was no old business

#### **NEW BUSINESS**

##### Action on bids for tree cutting services for the PC5D, 5E, BC-6B(N) sanitary sewer mini-basin

Mr. Hawk noted that this bid would cover the removal of approximately 48 trees.

Mr. Wolfe noted that it would include the removal of that number of trees in the Paxton Creek and Beaver Creek Sanitary Sewer Mini-Basin. He noted that the low bid for this work was submitted by Pro-Mark Landscaping, Inc. in the amount of \$15,250. He noted that there was a wide range of bids submitted for this work by seven vendors. He noted that the bid submitted by Pro-Mark Landscaping, Inc. was less than the engineer's estimate, and it was found to be complete. He noted that Pro-Mark has done work for the Authority in the past and their work has

been found to be acceptable. He noted that it is staff's recommendation to award the bid to Pro-Mark Landscaping, Inc. in the amount of \$15,250.

Mr. Crissman made a motion to approve action on the bid for tree cutting services for the PC5D, 5E, BC-6B(N) sanitary sewer mini-basin to Pro-Mark Landscaping in the amount of \$15,250 as recommended by staff and also the Shade Tree Commission. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final land development plan and stormwater management plan  
for the Arlington Group. Lot No. 5-E, Sir Thomas Court

Mr. Wolfe noted that the Township has received a plan for the development of Lot 5E of Sir Thomas Court (Olde English Gap Professional Park). He noted that a twenty-three thousand three hundred twenty-three (23,323) square foot two-story medical office building is proposed, and the property consists of 2.88 acres and is located at the northwest corner of the intersection of Londonderry Road and Sir Thomas Court. He noted that the property is zoned BC, Business Campus Zoning District and will be served by public sewer and public water.

Mr. Wolfe noted that the Planning Commission recommended approval of the plan subject to addressing the comments at its October 2, 2013 meeting.

Mr. Wolfe noted that the applicant has requested a waiver of the requirement to provide a preliminary plan submission which staff supports. He noted that there are three site specific conditions, six general conditions and two staff comments. Mr. Wolfe noted that Pam Fisher of Land Design and Division is present to represent the plan.

Ms. Pam Fisher noted that Mr. Wolfe had covered her request quite nicely.

Mr. Blain questioned Ms. Fisher if she had anything more to add. She noted that she has 131 parking spaces and public water and sewer and it is located at the corner of Londonderry Road and Sir Thomas Court. She noted that they have developed an innovative stormwater system to meet the infiltration requirements that has been approved by Steve Fleming from

HRG. She noted that she will be applying for her NPDES permit tomorrow once she receives approval from the Board.

Mr. Wolfe noted that it is an extremely clean plan.

Mr. Seeds noted that there was a mention of a site distance problem from the south. Ms. Fisher noted that she will be requiring a right turn only sign to be installed at the lower parking lot entrance to prevent any issues from cueing from the other buildings. Mr. Seeds questioned if that driveway was across from 805 Sir Thomas Court. Ms. Fisher showed on the map that it was south of that driveway.

Mr. Hawk noted that the entire section of that development is not heavily traveled.

Mr. Crissman questioned Ms. Fisher if she could speak for the applicant. Ms. Fisher answered yes. Mr. Crissman noted that the engineer and staff support the one waiver request.

Mr. Crissman questioned if Ms. Fisher could meet the three site specific conditions listed on the memo from Ms. Dianne Moran dated November 21, 2013 within a 30-day period. Ms. Fisher answered yes.

Mr. Crissman questioned if Ms. Fisher could meet the six general conditions listed within the next 30 day period. He noted that special attention would be made to item six which addresses the comments from HRG listed in their November 25, 2013 memo. Ms. Fisher answered that she could with the exception of number four as the Conservation District has 40 days after a 15-day administrative review to provide approval. She noted that the Improvement Guarantee is generally established after the NPDES Permit is issued. Mr. Crissman noted that he understood the issue with those two requirements.

Mr. Crissman questioned if Ms. Fisher could meet the comments found in the HRG memo. Ms. Fisher noted that she does not have any problems noting that the NPDES Permit will

take more than 30 days as well as the financial agreement; however the O&M Agreement is signed prior to the recording of the plan. She noted that she can meet those requirements.

Mr. Crissman questioned if Ms. Fisher can meet the requirements for the two staff. Ms. Fisher answered yes.

Mr. Crissman made a motion to approve the Preliminary/final land development and stormwater management plans for the Arlington Group. Lot No. 5-E, Sir Thomas Court with the following waivers and conditions: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Omit the Olde English Gap from the plan name to avoid confusion. The lot is part of Sir Thomas Court and Olde English Gap has been omitted; 3) Consideration should be given to providing pedestrian routes such as crushed stone paths in areas that are along a public street and outdoor lunch areas with picnic tables and trees for the use of employees of businesses within the subdivision; 4) A signed O & M Agreement shall be recorded at the Dauphin County Courthouse by the applicant; 5) Plan approval shall be subject to providing original seals and signatures; 6) Plan approval shall be subject to the payment of engineering review fees; 7) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 8) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 9) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 10) Plan approval shall be subject to addressing all comments found in the HRG's memorandum dated November 25, 2013; 11) A street/storm sewer construction permit is required and is to be obtained prior to earthmoving activities. A pre-construction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held on conjunction with the Conservation District meeting; and 12) Sign permit review and approval is necessary prior to the erection of any new signage on this

site. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/Final Land Development Plan for New Hope Brethren in  
Christ Church, 584 Colonial Club Drive

Mr. Wolfe noted that the Township has received a plan for a building addition to the existing facility at 584 Colonial Club Drive. The addition will consist of a 6,264 square foot building addition to the rear of the existing church, a patio with roof, and two sidewalks. He noted that the addition will house six classrooms, a small multi-purpose meeting room, and an office. He noted that the property is located north of Interstate 81 and west of Lockwillow Avenue. He explained that the property is zoned R-1, Low Density Residential District and is served by public sewer and public water.

Mr. Wolfe noted that the Planning Commission recommended approval of the plan as submitted at its November 6, 2013 meeting.

Mr. Wolfe noted that the applicant submitted a special exception application for the church use in the R-1, Low Density Residential District. This special exception was approved by the Zoning Hearing Board at its November 7, 2013 meeting. He noted that the Special Exception was necessary because the church was built prior to the existing Zoning Ordinance and it was a non-conforming use but the church decided to go through this process which is required under the current Zoning Ordinance to become totally compliant as opposed to continuing the non-conformity.

Mr. Wolfe noted that the plan has a request for four waivers: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Waiver of the requirement to provide sidewalks; 3) Waiver of the requirement to provide curbing; 4) Waiver of the requirement to provide a stormwater management plan. He noted that staff supports all four waivers, and there are the typical general conditions, and staff comments.

Mr. Wolfe noted that Brent Sapen of Skelly and Loy is present to represent the plan.

Mr. Sapen noted that Pastor Vern Bosserman is also in attendance from the church. He noted that he is proposing a 6,254 square foot facility to the rear of the church, providing additional classroom space, office and a small multi-purpose room. He noted that he also has a drawing of the floor plan if the Board needs to view it. He noted that there is a 1,624 square foot patio that is adjacent to the addition and the roof will extend over the patio but it will be open on three sides.

Mr. Sapen noted that stormwater management was established on the site when the church was built and it was designed to handle what is currently on site plus future expansions. He noted that he met with Mr. Steve Fleming of HRG and Ms. Moran, in September and since the basin was oversized, there is no need for additions for the stormwater management plan. He noted that the plan can accommodate an additional five acres of impervious space and he is well under this with the proposed addition.

Mr. Sapen noted that he has the comments dated November 21, 2013 and wanted to clarify three items from that memo. He noted that he also received the HRG memorandum of November 26, 2013, noting that he has no problem with those three comments.

Mr. Sapen noted that item three under the general conditions, to establish an improvement guarantee, was also on the HRG comments previously and working with Mr. Fleming, since he is not proposing any public improvements, it was determined that it would not be a requirement. He noted that Mr. Fleming agreed and removed it from his comments but it was not removed from the Township comments. He noted that item four is the same thing, approval of the plan by the Dauphin County Conservation District approval, noted that Mr. Fleming stated that it was not necessary to submit this plan to the District and removed it from their comments. He noted again it was not struck from the Township comments. He noted for

staff comment one, no street-storm sewer construction permit is required as he is not proposing any new streets, driveways, utilities, or street cuts. He questioned why it was still included in the comments.

Mr. Crissman noted that he needs a clarification if these items should be struck from the record. Mr. Wolfe noted that given his understanding of erosion and control plans and the fact that there is nothing to improve, it would make sense to strike these from the comments.

Mr. Crissman questioned if comment one from staff comments should be struck as well. Mr. Wolfe noted that staff comments are only comments. Mr. Blain noted that Mr. Sapen's issue is that the plan does not propose any street or storm sewer construction therefore a permit is not required. Mr. Wolfe noted that a permit would not be required. Mr. Crissman noted that we can strike the first staff comment as well.

Mr. Sapen noted that he is not installing any signs and questioned if that should be struck from the record. Mr. Wolfe noted that staff applies these standard comments to all plans partly because in many cases, the plan may all of a sudden need a sign and the developer would say that they have never been notified that a sign permit is needed. Mr. Crissman noted that we will keep this comment.

Mr. Crissman questioned if Mr. Sapen could speak for the applicant. Mr. Sapen answered that it depends on what the question is as he has Pastor Bosserman in the audience to answer any questions specific to the church. Mr. Crissman noted that he is asking about the planning document. Mr. Sapen answered that he can speak as the applicant for these documents.

Mr. Crissman noted that Mr. Sapen has no issues with the four listed waivers as staff is in support of those.

Mr. Crissman questioned Mr. Sapen if he can meet the three general conditions, 1, 3, and 5 within the next month. Mr. Sapen answered yes. He noted that he has not received the invoice

from the Township yet. Mr. Crissman questioned if Mr. Sopen can meet the HRG comments dated November 26, 2013. Mr. Sopen answered yes.

Mr. Crissman questioned if Mr. Sopen can meet staff comments 2 and 3 within the next 30 days. Mr. Sopen answered yes.

Mr. Crissman made a motion to approve the Preliminary/Final Land Development Plan for New Hope Brethren in Christ Church, 584 Colonial Club Drive with the following waivers and conditions: 1) Waiver of the requirement to provide a preliminary plan submission; 2) Waiver of the requirement to provide sidewalks; 3) Waiver of the requirement to provide curbing; 4) Waiver of the requirement to provide a stormwater management plan; 5) Plan approval shall be subject to providing original seals and signatures; 6) Plan approval shall be subject to the payment of engineering review fees; 7) Plan approval shall be subject to addressing the comments of HRG's memorandum dated November 26, 2013; 8) All signage must meet the requirements of the Lower Paxton Township Zoning Ordinance. Sign permit review and approval is required prior to the erection of any signage; and 9) When submitting revised plans, please respond in writing to all comments of Dauphin County Planning Commission, Township staff and Township Engineer. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 13-45; Planning Module for Shadebrook

Mr. Wolfe noted that this Resolution allocates sanitary sewer capacity for the Shadebrook plan that was previously approved by this Board.

Mr. Crissman made a motion to adopt Resolution 13-45; the Planning Module for the Shadebrook development. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

### **Improvement Guarantees**

Mr. Hawk noted that there was one Stormwater Guarantee.

#### Stormwater Management Plan for 1532 Crums Mill Road

A new escrow with Lower Paxton Township, in the amount of \$6,000, with an expiration date of December 3, 2014.

Mr. Crissman made a motion to approve the one stormwater guarantee. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

### **Payment of Bills**

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous vote followed.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary