

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held September 3, 2013

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:31 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., William L. Hornung, David B. Blain, and Gary A. Crissman.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Ron Lucas, Stevens and Lee; Chris Spoonmaker, S&A Homes; Greg Creasy, Grove Miller, Engineering; Jeff Staub, Dauphin Engineering; Eric Epstein, Watson Fisher and Ted Robertson, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the August 6, 2013 and August 20, 2013 business meetings and the August 27, 2013 special meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Mr. Eric Epstein, 4100 Hillsdale Road, explained that the Habitat for Humanity is having a resource donation drive at the Epiphany Church located on Colonial Road in the parking lot from 8 a.m. to 3 p.m. He noted that he has a list of items that can be accepted. He explained that it is a great opportunity for people to donate to the Habitat for Humanity Drive.

Chairman and Board Member's Comments

No comments were provided.

Manager's Report

Mr. Wolfe noted that Trick or Treat will be observed on Thursday, October 31, 2013 from 6 p.m. to 8 p.m. He noted that a full compliment of Police Officers, firefighters and South Central EMS will be driving around with their equipment to provide a physical presence for the safety of the children.

Mr. Wolfe noted that the Lower Paxton Community Cats will be sponsoring three Trap and Release seminars in regard to feral and free roaming cats with the community. He noted that the purpose of the programs is to instruct residents how to trap free roaming cats to be neutered or spayed, and then after appropriate care release back into the wilds of the community. He noted that the seminars will be held at the Municipal Center on September 11, 2013, October 9, 2013 and November 7, 2013. He explained that they will be held at 7 p.m. until 9 p.m.

OLD BUSINESS

Resolution 13-12; amending the Comprehensive Plan, Future Land Use and Transportation Map, to change the land use designation of a 44-acre parcel of land on the north side of Union Deposit Road, west of Page Road extended, from Institutional Campus to Low/Medium Density Residential

Mr. Wolfe noted that this resolution is up for adoption as a housekeeping measure to compliment the next item on the agenda which is an ordinance that will amend the Township's zoning regulations regarding a proposed development known as the Montrail Development. He noted that this resolution will address the Comprehensive Plan to amend the future land use designation of the 44-acre tract of land that is north of Union Deposit Road, west of Page Road and was previously knows as the Leisure Tract. He noted that it changes the designation from Institutional to Low/Medium Density Residential.

Mr. Wolfe explained, when the Comprehensive Plan was last prepared, the Leisure Tract was owned by the Central Dauphin School District and was appropriately designated as Institutional as part of the School campus. He noted since that time, the School District sold the

property and the land has an approved subdivision land development plan for residential use. He noted as such it would be appropriate at this time to take action on Resolution 13-12 to change the Comprehensive Plan Future Land Use designation from Institutional to Residential. He noted that the Lower Paxton Township Planning Commission and Dauphin County Planning Commission have reviewed the change in land use designation and found it to be appropriate.

Mr. Wolfe noted that Attorney Ron Lucas who represents S&A Homes for the proposed Montrail Development, which is the next item on the agenda, would like to speak to this request.

Mr. Ron Lucas, attorney with Stevens and Lee, explained that he is representing the applicant of First Line Development Two Inc. which is the applicant for the property and S&A Homes Inc. who is the current legal owner. Mr. Lucas introduced Mr. Chris Spoonmaker, who is present representing First Line Development Two Inc. also. He noted that Mr. Wolfe covered everything involved, noting that the Comprehensive Plan was adopted in January 2004 and the School District sold the land in June 2004, about five months after the adoption of the Comprehensive Plan. He noted that the change would be consistent with the Dauphin County Comprehensive Plan adopted in 2008 which also designated this land as residential. He noted that he was the applicant that brought that to attention of the Township and he would be happy to answer any questions the Board may have.

Mr. Hawk noted that it is simply changing the map from Institutional to Low/Medium Residential District in compliance with the recommendation of the Dauphin County Planning Commission and the Lower Paxton Township Planning Commission. He noted that it is not a land development plan. Mr. Lucas noted that it is not a rezoning.

Mr. John Gephart questioned if the change is to low/medium residential zoning. Mr. Wolfe noted that the Comprehensive Plan is a little more general in terms in regard to land uses as compared to the zoning ordinance which is far more specific. He noted that it refers to

low/medium as one generic category of land use and does not differentiate between single family uses and a townhouse use like the zoning ordinance.

Mr. Crissman made a motion to approve Resolution 13-12; amending the Comprehensive Plan, Future Land Use and Transportation Map, to change the land use designation of a 44-acre parcel of land on the north side of Union Deposit Road, west of Page Road extended, from Institutional Campus to Low/Medium Density Residential. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Ordinance 13-02; amending the Zoning Ordinance designation of a 44-acre parcel of land on the north side of Union Deposit Road, west of Page Road extended, from R-1 to R-2, and also amending the zoning district requirements

Mr. Hawk explained that this concerns the adoption of an ordinance and a public hearing.

Mr. Wolfe noted that this would amend the Zoning Ordinance and the Zoning Map. He noted that the Zoning Map amendment proposes to change the zoning designation of the Leisure Tract, the 44-acre parcel of ground, north of Union Deposit Road and west of Page Road from Low Density Residential R-1 to Residential R-2. He noted that it further proposes to amend the zoning district resolutions in the R-2 zone. He noted that those zoning district amendments have been detailed within the resolution document itself. He noted that Mr. Stine is prepared to conduct the public hearing on this matter. He noted that the applicant will provide a detail presentation on this request in that the zoning and text amendments are applicant driven. He noted that these are not amendments proposed by staff.

Mr. Stine noted that this is the time and date set for a public hearing on Ordinance 13-02; amending the Zoning Ordinance designation of a 44-acre parcel of land on the north side of Union Deposit Road, west of Page Road extended, from R-1 to R-2, and also amending the zoning district requirements.

Mr. Ron Lucas thanked the Board for allowing him to continue this from the last meeting. He explained that he met with representatives from the Stay Winds Area Neighbors (SWAN) last week, and it was a very productive meeting.

Mr. Lucas noted that this application for rezoning is different as everyone has explained. He noted the applicant appeared at two Board workshops, in October 2012 and February 2013 to discuss this with the Board. He noted that he also appeared at the April 3, 2013 Planning Commission Meeting and revised the plan and answered some questions. He noted on June 3, 2013, the Dauphin County Planning Commission approved the plan with a 9-0 vote; and on June 5, 2013 the Lower Paxton Township Planning Commission recommended approval of the ordinance with a 6-0 vote.

Mr. Lucas noted that the rezoning request is as Mr. Wolfe explained and he displayed an aerial photograph that shows Union Deposit Road and Rutherford Road, with Union Deposit Road along the right corner to the upper left corner. He showed the Central Dauphin School District Campus as located on the map, and explained that the property in question has the red hash marks, the 44-acre property that he is requesting the rezoning to R-2. He noted the map shows that the school campus is Institutional; the properties to the northwest are R-3. He noted that there is property that fronts the right-of-way for Union Deposit Road, and he explained that he secured a highway occupancy permit in 2009 and installed a turning lane on Union Deposit Road to the proposed boulevard entrance. He noted that there is a small section of R-1 to the front and to the east of the property. He noted that the far majority of the land across Union Deposit Road is zoned R-3. He noted that there are some little changes in the detail of the map as he had determined that part of the S&A property would be rezoned from R-3 to R-2 to make it all consistent, noting that there was part of a gap that the School District owned and he suggested that the Township consider rezoning that R-2, R-1, or R-3 to Institutional to be consistent.

A request was made from the audience to explain the difference in R-1, R-2, and R-3 zoning. Mr. Lucas answered that R-1 is single family detached houses; R-2 includes single family detached houses and townhouses; and R-3 includes those plus apartments. He noted that they provide for different residential uses.

Mr. Lucas noted that he has looked at the zoning map for the Township and he is proposing that R-2 would be a transition district between the R-3 to the northwest, Institutional to the west and the R-3 across Union Deposit Road, to the R-1 primarily to the northeast and R-1 fronting Union Deposit Road

Mr. Lucas noted that R-2 is the closest district to R-1. He noted that every R-2 in the Township either abuts an R-1 or is across the street from R-1. He noted that it is normal on the Township zoning map to two districts close together as they are transitions from R-1 to R-2 and then perhaps to R-3 or another commercial district.

Mr. Lucas noted that is the specific request for the rezoning and at this time he would ask Mr. Spoonmaker to explain what the reason is and why he has asked for the rezoning.

Mr. Chris Spoonmaker, First Line Development Two, S&A Homes, explained, as he looked at the project, noting that there is an approved plan under the R-1, TRND overlay, in terms of the needs of the Township from a housing perspective. He proposed Sketch Plan J that would be a combination of a mixed used community with single-family detached and single family attached units with townhouses. He noted that the proposal includes 44 single family and 77 townhouses providing for 121 units. He suggested what is missing in the Township for new construction and first-time home buyer is a price point that he can obtain. He noted that his intent is to have attached units starting at \$185,000 and detached units starting at \$240,000. He noted that the average home in the Township is about 20 years old and he believes that he can build a new energy efficient product, something that his company strives for, noting that the

company has won many awards and was picked as the only developer in the northeast building a zero energy home in the Pittsburgh market. He stated that he found that many of the people buying homes in this price point are buying 20 year old homes with high utility bills. He explained that he tried to avoid that by having energy efficient new homes that people can purchase to provide a product with low maintenance.

Mr. Spoonmaker noted that his intention for the single family is to hit a price line of \$240,000 having a mix between two-story and ranch homes. He explained, that across the state, he has found it is better having mixed uses for large and small homes together so that the first-time home buyer can afford a smaller single-family home on a smaller lot as many people can't afford to maintain a one-acre property. He noted that he would get into the specifics for the amendment for the project but he wanted to provide an overview first. He explained that he feels there is a real need for this in the Township and in order to do it he has to be able to have smaller lots and setbacks.

Mr. Lucas explained that the text amendment proposes changes to the R-2 regulations. He proposed specific changes that would put some limitations and allow some things to occur. He noted for single family detached lots, he proposed a reduction from what is permitted today, from 10,000 square feet to 6,000 square feet. He noted that it would reduce the minimum lot width from 80 feet to 60 feet and reduce the minimum side yard from the 5 foot minimum on one side, 15 feet total to five feet on each side with a ten foot total requirement.

Mr. Lucas requested Mr. Spoonmaker to explain what the buyers are requesting for first time home buyers and for moved-on buyers for single-family detached. Mr. Spoonmaker answered, in regards to the price line that he spoke about earlier; it has continued to be more and more difficult due to the cost of construction. He noted that the width of the lot, the same amount of road and the ability to make the lots a little narrower to make it more affordable at a

price that more buyers can afford, especially a first time buyer who is looking for something new. He noted that he continues to find that people are not speeding time in their side yards, and the extra five feet is an area that is somewhat non-usable. He noted that he is trying to focus on the streetscape to ensure that the people have an area in the backyard where they will be able to spend time with their family, kids can play, or build a garden, to do those types of things. He noted that people typically don't do those types of things in the side yard, halfway from the front yard to the back yard. He explained that he wanted to focus on spending more time in the front or back yards as he has found that is the need that his customers were asking for. He noted that it also provides less infrastructure to be more economical for the customers.

Mr. Spoonmaker noticed that the sidewalks are proposed for all home sites, for single family and the attached townhomes as well.

Mr. Lucas noted that the cost of paving a street or constructing one has gone up considerably in the past ten years. He noted that you could have the same cost for linear feet to put in the pavements, utilities, curbs, sidewalks, but if you have fewer lots per linear feet it would be more expensive per lot. He noted that he could provide more lots for the same distance that reduces the price of the lot. He noted that is the goal here to have smaller lots to meet the price range that the buyers want and not necessarily want a larger lot to maintain. He noted that is the change proposed for the single family detached.

Mr. Lucas noted that the other change is for townhouses and what he is proposing is a comprehensive proposal that included many factors. He noted that he would have to have central water, central sewer and a minimum lot area of the total area being 30% being open space. He noted that he would have to have the minimum number of single family attached dwelling units within the development of 30%. He explained if he was doing a development in R-2 he could do all townhouses but he couldn't get all the other changes that he is requesting. He noted that he

would have to have the minimum of 30% of single family homes, and the rear yards of townhouses abutting a single family detached dwelling must have a minimum of 55 feet of area that is impervious free coverage. He noted that it shows a 25 foot setback but another 30 feet in that area abutting a single family detached dwelling; and no impervious coverage would be allowed. He explained that the property owners could not have a shed, concrete patio, slab, larger back patio or anything like that. He noted that the house could not extend to the setback and the townhouses would be restricted for impervious coverage. He noted that it provides for a transition from a townhouse and a single family detached dwelling abutting it.

Mr. Lucas noted that he is asking to reduce the minimum end units on the townhouse to a 30 foot minimum lot width as it allows not requiring the larger lot width that is required today.

Mr. Lucas noted that another area is a current R-2 requirement that if you have a townhouse, the area in between the front of the townhouse and the property line, the inside of the sidewalk, that area today must be no more than 50% driveway or parking for vehicles. He noted that the property owner ends up with a 24-foot wide townhouse, which most of them are, and a 12 foot driveway, limiting it to a one-car garage. He noted in order to have adequate parking, it would be better to have a two car garage. He noted that the builder wants to build two-car garages, and a driveway in front that is wide enough to providing four parking spaces, two in the garage and two in the driveway. He noted that he did not want to have a situation where some townhouses communities have a separate parking lot for excess parking to occur that has to be maintained by the Home Owner's Association. He noted that the 18 foot driveway which allows a two-car garage makes up 75% of the area and that is why he requested a change to the requirement. He noted they are the provisions that he is asking for.

Mr. Lucas noted in order to get these changes to have the townhouses with the smaller width at the end and two-car driveway in the front he has to have the minimum of 30% of the

total area in open space, single family dwelling at 30% within the number of dwelling units, 55 feet limitation of impervious cover, and have a further limitation for this ordinance only that applies to tracks that are under 50 acres as of the effective date of this ordinance. He noted if a track is under 50 acres today, it could request this type of amendment, however, if this ordinance was adopted tonight, it would be effective in five days, and no one could come in today and get a subdivision plan to subdivide it off or come in a month from now and request a subdivision to divide, say 80 acres into two forty acre lots. He noted that it is only for lots that are less than 50 acres as of the effective date of this ordinance.

Mr. Lucas noted that there are tracks in the Township that are less than 50 acres and the Planning Commission was concerned about this, as they did not want it to apply to larger tracks. He noted that the Planning Commission recommended approval with that in the ordinance during their June meeting.

Mr. Lucas explained that ask Mr. Jeff Staub identify in the Township other areas that are R-1 that are in the 20 to 50 acre range. He noted that it is very difficult to get a smaller track and provide 30% open space, noting that 15% of an area goes to street development for internal circulation so you are very limited on a track of ten acres or something like that as you do not have much development area. He noted that he asked Mr. Staub to identify tracks that are in the range and undeveloped today.

Mr. Jeff Staub, Dauphin Engineering, explained that he did find ten parcels in the Township that are not zoned R-2 at this time but are zoned R-1 and in that 20 to 50 acre range that could possibly be rezoned to R-2 to meet all the criteria that Mr. Lucas spoke to, to include the 30% open space, 15% for streets and still be able to do some sort of a reasonable development. He noted that they are shown on the map in the hatched areas. He noted as a practical matter, only 7 of the ten are almost completely surrounded by R-1, so if the developer

applied to the Township to request the rezoning for the parcel north of Linglestown Road, it would be a very difficult task to convince the planning commissions and supervisors to rezone it as it would become an island in R-1.

Mr. Lucas noted that the Montrail track is abutting R-3, Institutional, and is across the road from R-3. He noted that it does abut R-1, but every R-2 track abuts an R-1 somewhere.

Mr. Lucas explained those are the text changes to the R-2 district. He noted that that the Lower Paxton Planning Commission and Dauphin County Planning Commission reviewed it and recommended approval after he had made all the changes that the Planning Commission requested from the April meeting. He explained that he asked to table the plan to come back to find solutions to their questions and this is what he came back with for their June meeting, at which time they approved the proposal.

Mr. Spoonmaker noted for Sketch Plan J, he has met with the School District and the cross country coach regarding their use of the area adjacent to the school. He noted that he would keep it as a natural trail and there could be a community garden, a gazebo, two access points, about a mile long trail that would go around the area, providing for an emergency access point. He noted that it would include a recreational area to play ball as well.

Mr. Lucas noted that S&A Homes did contact the abutting property owners to the front by certified letter and scheduled two different meetings. He explained that he sent out letters twice to meet with them. Mr. Spoonmaker noted that he sent out a letter and had a meeting on January 31, 2013, and he thanked the Township for its hospitality for using the building, and then he had a second meeting on April 2, 2013 at the Friendship Center. He explained that he sent notices to the property owners along Union Deposit Road and some other people attended the meeting and that was great. He noted that he reviewed the plans with them.

Mr. Lucas noted even though this is only a sketch plan, if the Board were to adopt the ordinance Mr. Spoonmaker would have to come in with a full subdivision and land development plan and at that time he would have the final design to show all the details to meet the zoning. He noted that he would have to follow the SALDO; therefore, this is only a sketch plan that shows how they think the land could be utilized. He noted that he would like to have Mr. Staub compare the approved plan from 2006 to what is being proposed at this time.

Mr. Jeff Staub noted that the plan was submitted in 2004 and approved in 2006. He noted that the original plan was for a single family development and the street system for that development is the same one that is shown on the new sketch plan with the exception of a small cul-de-sac. He noted that the infrastructures for both are almost the same. He explained, regarding the stormwater, the stormwater ordinance at the time the original plan was approved was much less strict than the one that is in effect today. He noted that Dauphin County amended the Act 167 Plan in 2010 and the Township amended its stormwater ordinance to be current with that Act 167 Plan. He noted if a new subdivision plan would come before the Board at this time, based upon rezoning, it would have to comply with the new Act 167 Plan.

Mr. Lucas questioned what the difference is for stormwater detention for the two plans. Mr. Staub answered that the original plan did not require any stormwater detention at all; it was in a provisional no detention district at the time. He noted that he was providing some stormwater management in the form of infiltration, but there was no detention whatsoever under the old Act 167 Ordinance. He noted that the new ordinance and new Act 167 Plan requires him to do infiltration and stormwater detention, and in addition to that he must address stormwater quality and to a lesser extent, thermal impacts to the streams. Mr. Lucas questioned if that is new with this plan. Mr. Staub answered that it would be under the new ordinance. Mr. Lucas questioned if that is because the NPDES permit was issued for the original development and it

has been extended for 4.5 years from now. Mr. Staub answered that he has a current NPDES permit in place that if the developer were to build tomorrow under the old plan it would be in effect. He noted that he is not sure what the life of that permit is, but if it was reviewed two years ago, the permits should be good for five years.

Mr. Lucas questioned if there is a significant difference in stormwater management from the old plan to what would be done if the zoning was adopted and there was a new plan. Mr. Staub answered correct.

Mr. Greg Creasy, Grove Miller Engineering explained that he has prepared a trip generation and site access assessment. He noted, as had been previously indicated, there was an approved plan back in 2006 and a Highway Occupancy Permit (HOP) that was issued from PennDOT. He noted that the HOP was for the construction of the local road connection to Union Deposit Road and the construction of a 75 foot eastbound left turn lane for traffic entering the site from Union Deposit Road.

Mr. Creasy noted for the first part of his assessment, he looked at the difference in the trip generation between the approved plan and what is currently proposed. He noted that it was based upon the Institute of Transportation Engineers Trip General Manual for residential uses with the study showing 35 additional AM peak hour trips and 35 additional PM peak hour trips from the existing approved plan. He noted that you are looking at an extra car every two minutes going in or out of the development. He noted that he also did a traffic count on Union Deposit Road after Bishop McDevitt High School opened to get the current traffic volumes in the area to evaluate the levels of service that would be projected at the site driveway. He noted that those levels of service for Union Deposit Road would be service level A which is the best level service and the side street for the Montrail driveway would be service level C which is an acceptable level of service as well. He noted as part of the analysis, he also looked to evaluate the turning

lane that was constructed to ensure that it was the appropriate length, and based on the analysis using PennDOT's publication 46 for left turning lanes, the 75 feet is still appropriate. He noted that his analysis showed that it would be sufficient to accommodate the expected queue in that lane during the peak hours and that is where he stands at this point. He noted that this assessment was submitted to the Township and reviewed by HRG and they concurred with it. He explained that he has met with HRG to determine what would need to be studied with the land development phase for a full blown Traffic Impact Study and they indicated at this point they were looking at the site driveway as well as the off-site intersections at Union Deposit Road, Newside and Rutherford Roads, and the next traffic signal to the east which is East High School Driveway as well as the access from Four Seasons, and lastly, site access and the intersection of Union Deposit and Page Roads. He noted that more information will be supplied during the land development phase.

Mr. Lucas noted that Mr. Creasy mentioned a TIS, is that a full traffic impact study. Mr. Creasy answered yes. Mr. Lucas questioned if it would be done, with the subdivision land development plan if this proceeds forward in this manner. Mr. Creasy answered yes.

Mr. Lucas noted if the Board has any questions of Mr. Spoonmaker, Mr. Staub, Mr. Creasy or himself, they would be happy to answer those questions at this time.

Mr. Stine questioned if the Board had any questions for the applicant.

Mr. Hornung noted for the proposed amendment in regards to the five foot distance between lot lines, where will you put the air conditioner units. Mr. Lucas answered for the single family detached... Mr. Spoonmaker answered that it would depend on the house layout. He noted that it would be in the side yard, within that area, dependant on the building code for what would be allowed. Mr. Hornung noted if you put it in the back it makes the back area unusable sometimes when it is running due to the noise. He noted if you put it on the side where most

people like it, next to each other, you may not be able to walk from the front yard to the back yard. He noted that it may be a problem and he is not sure how to resolve it. Mr. Spoonmaker noted that it is fairly common in terms of lot designs of 60 foot or less, that he typically has not run into that. He noted sometimes it must be place in the rear yard, noting that it is typically placed on something that is not bolted down. He noted that he will lay out the houses in terms of energy efficiency; if there is a crawl space or a full basement; but it is typically not a situation in terms of putting it on the side where people would not be able to walk through from the front yard to back yard. He noted that it is similar to some of the plans that he has done throughout the state.

Mr. Spoonmaker showed a picture of a single family two story home, a streetscape, noting at the end of the picture you will see a couple of two story homes mixed in with ranch homes, noting that there is ten feet between each home. He then showed a picture of a ranch home from an attached perspective with a two car garage noting that this is a development that is located in the Pittsburgh area. He noted that it would be on a much flatter area for this development. He noted that you have the two-car garage and a 18-foot wide driveway noting that a two car garage is very important in terms of having people park four cars. He noted that it makes the community a little nicer and more appealing for everyone. He noted that the single family detached would also have a two car garage and two cars in the driveway as well and sidewalks for everyone.

Mr. John Gephart questioned if the roads would be turned over to the Township or the responsibility of the Home Owners Association (HOA). Mr. Spoonmaker answered that they would be public roads. Mr. Gephart questioned if the width of the roads would be 24 feet. Mr. Spoonmaker answered that he did not speak about the width of the roads.

Mr. Hornung noted that the impervious coverage area that is to the rear of the house that is to be restricted, how would you do that. Mr. Spoonmaker answered that it would be part of the ordinance in terms of where it backs up to a single family that they can't go back any further than 55 feet from the single family home. He noted that he wanted to provide enough of a buffer between... Mr. Hornung answered that he understood the reason why, but the problem the Board always has is, noting that he does not want it to become a police state looking for people who are violating the policy, but what will happen is some people will build a shed or do something and then the Township has to resolve it. He noted that it is uncomfortable to tell the resident to tear the shed down. He noted that they go for a zoning variance and it goes on. He questioned if there is a way to make it more restrictive or visible to the homeowner that these restrictions are in place. He questioned if there would be a HOA and would it be included in their documents. Mr. Spoonmaker answered yes. He noted that it was discussed with the Planning Commission, and it would be included in the HOA. He noted that it would be a restriction and it becomes a recorded document and handled that way as well. Mr. Hornung questioned how he can make sure it will happen. Mr. Spoonmaker answered that it is normally submitted as part of the development plan. Mr. Lucas noted that it would be a restrictive conveyance that would have to be recorded immediately after the subdivision plan is recorded. Mr. Hornung questioned if it could be put in the amendment. Mr. Lucas answered that it is already in the amendment. Mr. Hornung questioned if it is required to be a part of the HOA. Mr. Lucas noted that he would have to submit it during the land development process. Mr. Wolfe noted that the Board has always received the restrictive conveyance as part of the subdivision land development plan. Mr. Hornung noted that he has not always read them. Mr. Wolfe noted that Mr. Stine reads them.

Mr. Hornung questioned if the HOA would be responsible for the 30% open space. Mr. Spoonmaker questioned in terms of the open space within the community. He noted that the HOA would be responsible for it. Mr. Hornung noted that the drainage area would be... Mr. Spoonmaker noted that the stormwater detention basin would be the HOA's responsibility.

Mr. Hornung noted that this is really premature for the discussion but with the density he would be looking very closely on the slope of the detention basin.

Mr. Hornung questioned why the higher density in the front of the development as opposed to the rear. Mr. Spoonmaker noted that he looked at it in terms of using the road layout and by using the multifamily, in terms of the 55 feet, noting that you can't do anything in that areas, it gives the plan the most distance; therefore, he looked at doing the multifamily with the 55 feet, and on average most of the houses have at least 55 feet in the back. He noted that this plan provides the most buffer that he can get. He noted that he did a very natural buffer between pine trees and red buds thinking that it would be a more ascetically pleasing buffer versus putting up a fence that would need maintenance. He noted that there is a natural buffer plus the distance between, and having multifamily townhouses provides for a greater buffer than if you built a single family home. He noted that he is trying to have as much transitional area as possible.

Mr. Crissman noted for the single family homes on the west side, the closest to the red rectangle, is that a building that is currently located on that site. Mr. Spoonmaker noted that it is a community garden that he is proposing as he is trying to use the natural topography of the ground.

Mr. Crissman noted having prior experience in his previous life with that piece of property, on the west side of the street where the single family homes are located, it borders on some very low wetlands. He questioned what preparations are being made as the Board doesn't want to get into a discussion later on about retention ponds and fences similar to what we have

had with other developers. He wanted to make sure that the developer was well aware of that and questioned how you would address it. Mr. Staub answered that the wetland area is the hatched area, noting that the rear lot line for all the single family lots provides some distance between the wetland and where the improved lots would be. Mr. Staub noted that the issue will be addressed. Mr. Crissman suggested that it will be a major issue for whoever lives there. Mr. Staub noted that it will be a challenge regarding stormwater detention. He noted that he did not have to do that on the other plan so he will have to do additional grading to allow for those detention basins to be sited properly.

Mr. Blain noted that this is only the rezoning for the property and we should restrict and be cautious in regards to any comments about the actual land development plan in of itself because the rezoning has to happen first before it would happen and it hasn't happened yet. He noted that it is just about rezoning property from R-1 to R-2 so when we talk about things like the actual design of the home or wetlands, really that is a little premature, noting that we have to allow the rezoning to occur first.

Mr. Hawk noted that Mr. Blain is correct and what the developer is doing as part of the rezoning presentation is to give a sneak preview of where they are going but for an actual land development it would come before the Board at a later time.

Mr. Lucas noted that the key that he wanted to present was the difference upon what was approved in 2006 as opposed to what would be acquired with the new plan. He noted that it is significant, no detention, new detention; NPDES did not require the extent of the quality controls and the thermal impacts that are required today. He noted that is the main thing he wanted to point out.

Mr. John Gephart, 1064 Country Hill Drive, explained that he is the Vice President of the Board of Directors for the Hidden Lake Community Association, 254 homeowner in the Hidden

Lake Complex. He noted that extensive studies have been done, but what he is concerned about is the increase in density. He noted back in 2007, it was announced in the Township Newsletter that a subdivision plan had been approved for Montrail that would consist of 50 some homes. He noted that he looked at it and it seemed to make sense and it did not seem to be any major impact for a traffic standpoint; and we as neighbors continued to live our lives. He noted that it wasn't until the posting that was required for tonight's proceedings that it drew his attention to the fact that the developer had requested the land be rezoned to R-2 and that the density would more than double going from 50 some to 121. He noted at the same time, we have seen an increase in traffic as a result of Bishop McDevitt High School. He noted that there were a series of highway studies that were done prior to construction and everyone was assured that the schools' placement and the road infrastructure was more than adequate for that project. He noted that a good example from a practical standpoint was this past weekend at a football game, in talking to one of the traffic officers with the Township who worked the detail, who stated that traffic was backed up all the way down to the Sheetz Store on Derry Street and up to Union Deposit Road and that a number of people had abandoned their vehicles in Chatham Glen and hoofed it over to the school in order to get to the game. He noted that his point is that traffic studies are fine but in real life situations that is what have all of who live in the neighborhood are concerned about. He noted that the drivers who were landlocked this past weekend, had a warm up of what to expect every time there is a football game. He noted that one of the reasons that the people were not too concerned was that a study was done but as far as traffic and transportation, it was done before the most recent announcement which is the Shadebrook development down on the other side of his development. He explained that we have problems getting out onto Union Deposit Road. He noted that the rubber hoses were put out and there was a traffic count that was used to determine

the amount of flow, but he does not believe that traffic study indicates how long he has to sit at a stop sign in the morning to turn left onto Union Deposit Road.

Mr. Gephart noted that the amount of land that was being utilized in Shadebrook, when you look at the number of residences being built on that land, it seems to be a much more practical approach than the approach that is being discussed tonight. He noted, we as citizens, and you might hear from a couple of other association presidents or board members, have a unique problem in our area in that we have an awful lot of multi density housing there now. He noted if you look at all the apartments that are in the immediate area and all of the townhomes and single family residences and he would like to go on record with the Board that he is not anti-growth and not-anti-townhome; he lives in a townhome; all he is asking is that if we really look carefully at the fact that we are being asked to, the Supervisors are being asked to rezone land to increase the density which is going to increase the traffic and combine it with what we are already seeing on 61st Street where it comes out on Page Road Extended, and also what we are going to be seeing when Shadebrook gets developed. He noted that he wants to go on record that the people for the history of this land were originally agricultural and the School Board bought the land to extend its playing and practice fields. He noted that is how it went to Institutional. He noted that the School Board wanted to sell the land because they had no use for it. He noted that it was to go to residential and all the folks that own the single family homes on Union Deposit Road are basically going from agricultural to multifamily higher density than what was originally discussed when the plan was proposed. He noted that we have Hidden Lake and we have had problems with erosion and sedimentation. He noted that the creek that feeds our lake comes down from Union Deposit Road and we have started to see a lot of sedimentation in that lake as a result of construction that has occurred nearby. He noted that we have some concerns for stormwater management and certainly the increase of pervious surface areas that will result

from this high density development that is being proposed. He noted that there have been a lot of sophisticated studies done, but a good example occurred this past weekend. He noted that the Police Department representative that he spoke with said that we will see a lot more of it. He explained, all he is asking of the Supervisors is to please don't make Union Deposit Road another Route 22 on Saturday which is absolutely gridlock.

Mr. Terrance James, 5520 Union Deposit Road, and also owning the property at 5524 Union Deposit Road, which is adjacent to the entrance to Montrail, noted that he had several questions, the first in regards to the panhandle that is the only area that is adjacent to R-3, what will happen to the panhandle once it is rezoned to R-2. Mr. Lucas explained that at all the public meetings he indicated that the 30% open space could be accomplished in that area and the rest of that is over the 30%. He stated that there is no proposal to develop that area. He noted if the School District wanted it back, we would give it to them. He noted that he did not think they wanted it back, so at this point it would be part of the open space development. Mr. Spoonmaker noted that it is unfeasible to be developed in terms of the lay of the land; however, there is no public access to the land other than through the community and there are stormwater issues as it abuts the Pennswood Development. He noted, at this point, it would be used as passive land, providing a walking path along that way; however, there is no public access to get to it. He noted that it was previously mentioned that apartments are not allowed in the R-2, but there is not access in that area.

Mr. James questioned Mr. Spoonmaker if in the future he would request to have that land changed to R-3. He noted in 2005, when the land was zoned R-1, and in 2006, you wanted to change it to traditional housing, which is the traditional residential neighborhood district. He questioned, what is to keep you four years from now, making a request to rezone it to R-3. He suggested that the Township has overstepped already with changing to make it possible for

profitability for this property. He noted as Mr. Gephart had stated previously, he had no problem to change it to traditional and change the setbacks and put 54 houses in there, he had no problem with that, but now he does have a problem with another 70 dwellings more than you had before.

Mr. James noted that the other problem that he has is the little part that abuts his property, what is to keep the townhome owners from coming into the area you called a buffer zone, will there be a fence there. He noted that the people from the townhouses can come back all the way to his property line. He questioned if they can have barbeques there, or play football or take their dogs back there. Mr. Spoonmaker noted that there is nothing to say that people can't walk back there, it would be part of the property but nothing could be built back there. He noted that it is an area where someone can walk back just like you can walk in your backyard. Mr. James noted that he has a problem with people walking along there with their dogs thinking it is a dog park as he chases dogs out of his yard every day. Mr. Spoonmaker noted according to the terms of the HOA, there are restrictions on having free roaming pets but it is an area that someone would be able to walk in. Mr. James noted that they could play ball up into my backyard. Mr. Spoonmaker answered that is correct, just like you can play ball in your backyard up to their property.

Mr. James questioned if there will be off street parking in the development. Mr. Spoonmaker answered that there will be off street parking on the street and that will be part of the final design but he believes that the majority of the way the streets were laid out previously, there was off street parking as well as the two car garages and two car driveway parking. Mr. James noted that Mr. Gephart mentioned run off, but the question concerns the run off into Beaver Creek. He questioned if the development will have onsite detention ponds, just in the wet areas. Mr. Lucas noted that Mr. Staub stated that he will have to meet the current ordinance that is required for detention and the current NPDES permit that would be in the open space. Mr.

Spoonmaker explained that he has not gotten into those details in terms of the plan, he is just requesting a rezoning at this point. Mr. James questioned with this buffer area who will maintain it or will it be a growth area. Mr. Spoonmaker answered that the HOA would maintain it.

Ms. Carol Powley, 5520 Union Deposit Road and also 5524 Union Deposit Road questioned how the traffic study for 44 single family homes and 77 townhomes only increases the traffic flow by 35 more people each day. She noted that most homes have two working people in a family and if you do that she could come up with almost an additional 300 cars. She stated that she can't get out of her driveway now and when this is put at 5524, she will not come out onto Union Deposit Road. She noted that she has to exit onto the Montrail driveway and then out into Union Deposit Road. She questioned why there is only one entrance, and wondered why they could not come up with an egress on Londonderry Road, or to Locust Lane using an other entrance, or up through the panhandle or the emergency entrance so that everything does not spill out onto Union Deposit Road. She noted that there is a rumor that the developer was working with Pennswood Apartments to open another driveway to connect there, and then we would get all the traffic from Pennswood Apartments onto Union Deposit Road to that entrance also. She noted that her concern is with all the traffic; of more than 35 people going to work in the morning out of a possible 242 cars if you count two cars for each home. She noted that they have teenage kids with a car that come in and out at multiple times, going to school or whatever, so you are increasing the 35 cars up to at least 100 homes that only have one car. She noted that her problem is with the traffic and the increase of only 35 cars for 121 homes.

Mr. Spoonmaker noted in terms of the rumor concerning the Pennswood Apartments, he is not sure where that came from. He explained that he never spoke to the owners of Pennswood regarding any type of access going through there. He noted that they have private roads and he would not be able to access those private roads but he would let Mr. Creasy speak to the

boulevard access, noting that there is access to both sides of it and there would be an emergency access to the west. He noted that he could speak to the science of the number of units and that it meets the requirements.

Mr. Crissman noted that there is access from that property to Embassy Drive off of Locust Lane. Mr. Jeff Staub noted that there is frontage on the public street but as a practical matter with the steep slopes and wetlands, it would be very difficult to get a permit. Mr. Crissman noted that he was not discussing the development of it but simply stating that there is access to Locust Lane via Embassy Drive. He noted that the land is contiguous with Embassy Drive and Kay Street. Mr. Staub noted that the Department of Environmental Protection (DEP) denied a permit to allow an access to Embassy Drive as he tried to do that early on with the approved plan. He noted that DEP denied the permit application.

Mr. Creasy noted to speak to the 35 additional cars, the additional cars are for the AM peak hour is 35 more than what was studied for the previous proposal. He noted that it is not the total amount; it is the addition to the traffic study that was conducted for the original 57 units. Ms. Powley question what the total number is. Mr. Creasy answered that the total peak hours flow for the AM is 85 vehicles and the PM is 102 vehicles. He noted that it is based on the IT Trip Generation Maintenance standard that is used for the traffic study for the Township as well. He noted that it is only for the one hour busiest time period in the morning and one in the afternoon.

Mr. John Trish, 600 Prince Street, noted that he has a lot of problems with the plan noting that he doesn't appreciate Mr. Blain trying to restrict the comments to the plan from R-1 to R-2 when the developer is submitting a R-2 plan. He noted that we can't comment on it. He noted that we can only comment on the change from R-1 to R-2. He noted this is Lower Paxton Township, not Lower Paxton City, we bought our homes in this township because we like the

little bit of property that we have that we can call our own. He noted that we have a nice police force, they do an excellent job. He noted that they don't need to worry about looking ten feet, noting that it is hard enough to look down 30 feet between dwellings. He noted as far as this plan is concerned, it is R-1. He noted that everyone in this room except for the developer and a couple of people who are making change off of it are satisfied with it being R-1. He noted as a resident and taxpayer for over 22 years he can see where the traffic on Prince Street alone has increased 100% and you moved Bishop McDevitt over off of Union Deposit Road. You have that traffic. He noted that you have the little town that is going in the next couple of years and you have that traffic, now these residents who live right next to it will have additional traffic. And in addition to that, they will come back Central Dauphin East and come right past his house, which means that he will have traffic. He noted that it is R-1, the Comprehensive Plan called it R-1 and he does not have a problem with it being R-1, but when the density was reached in 2006, which Mr. Staub did not address, and he can address it, what was the density in 2006 when they studied it and what is it going to be after you change it. He noted that the bottom line is that it is Lower Paxton Township and you guys are supposed to do what is best for all of us, not the developer, the man making the money, but all of us citizens of this town.

Steve Rosenberg, 5447 Autumn Drive, Four Season, noted that he has a lot of problems with traffic like everyone else. He noted that it is very hard getting in and out of Hidden Lake, whether he is taking a woman to the doctors or the Meals on Wheels Program every two or three days, trying to make a left out of there it is pretty dangerous and the additional traffic will not make it any easier. He noted that there are children, high school kids, crossing at the Four Seasons Boulevard and High School and you are trying to get through and traffic lines with 100's of cars in the morning and afternoon and if you know kids they don't look as well as they should and it is pretty dangerous.

Mr. Rosenberg noted that you have the Turkey Hill cars trying to make a left onto Union Deposit Road, you have cars coming out onto Rutherford Road making a right turn, the whole schematic is more intense as it increases. He noted that coming from East Park Drive where Union Deposit Road merges into one, you will have all these cars coming home from work, some coming from the city in that direction, and that merge today is pretty dangerous. He noted that you will be adding more cars to that situation and it is going to make it that much more unbearable. He noted that you have the Meadowbrook Community; cars trying to come out of there, mostly the elderly, most of the residents are 55 and older to deal with more traffic. He noted that you have more traffic on Rutherford Road and now you have kids that are coming out of that school's entrance, either walking across the crosswalks or coming out with their cars. He noted that there is no traffic light there and they will have to deal with a more dangerous situation and kids don't drive very well nowadays. He noted that we didn't when we were kids either, but it is not getting any better. He noted that trying to get into the Twelve Trees Apartment, anyone that might live there or visit someone in there, trying to make a left out of Twelve Trees Apartments, almost anytime, day or night, it is nearly impossible and you are adding more traffic coming in either direction, he noted that he does not know how people live there but it will make it even worse. He noted that the people who have lived here, noting that he has lived in this community for 25 years and he deserves the right to have a decent community as well. He noted that he deserves the right to have decent roads, noting when you come down Newside Road onto Rutherford Lane, there is no turning lane. He noted we will add more traffic and if you are coming from Locust Lane to Union Deposit Road, trying to make a left, you will have more traffic from Bishop McDevitt and everything else, the left turn is getting to be a hazard and if you are coming from Newside Road, trying to make left onto Union Deposit at the Turkey Hill, there is no turning light there as well and again we are just adding more and more

traffic. He noted for the residents who live around here, we deserve as much of your decision as anybody else in these developments.

Ms. Arlene Stottlemeyer, 96 Eric Drive, Meadowview Village, noted that her husband is the President of the Meadowview Village Condo Association and she is here for herself and not the Association. She explained that she has lived there for four years and has noticed how the traffic has increased. She noted when Bishop McDevitt had the game on Saturday morning, she is okay with that as she is a football fan, but the traffic was backed up on Newside Road for an hour. She noted on the other side, 61st Street was even worse from what she was told. She noted that her biggest concern is what is going to happen when this new development goes in and there is more traffic. She noted that you can't get in our development or out of it making a left or right, we are all over 55, some drive better than others, and some shouldn't maybe drive at all, but there is going to be an accident there. She noted that there have been several coming out of the Turkey Hill; some of the cars are getting hit, not recently. She noted that traffic is her big concern at Meadowview Village as she thinks progress is great but maybe we need to do something about traffic. She noted that the road will have to be widened but she did not know how to do that either.

Mike Brook explained that he was asked to represent the Willow Brook Development on Page Road Extended. He noted that it is made up of 94 townhomes and he won't be repetitious, noting that he agrees with everyone who is concerned about their property and the points that Mr. Gephart brought up. He did think a full blown property study would be done after the rezoning if he understood that correctly. He noted that he is not sure of the hierarchy of the plan set but he can't understand why that would not be done prior to rezoning to make some better sense out of the rezoning. He noted that the prior traffic study concerning Bishop McDevitt did state that there would be no noticeable impact to Page Road Extended, and as you heard tonight,

that has not happened for whatever reasons. He noted that the thing to be concerned about is as you are coming up Page Road Extended taking a left onto Union Deposit Road, in the peak hours, you have to plan your time. He noted that you would be competing with another entrance on the opposite side of the street, 50 feet down where he comes out; it doesn't look like a good situation right there. He noted that the 94 townhomes of Willow Brook are just as concerned as the other associations.

Mr. Ken Olsen, 5439 Autumn Drive, noted that he lives in the Four Season Development, and he wanted to add his comments as far as the concern with the density issue and the traffic. He noted that we had a list of items that we talked about and trying to get out of Four Seasons Boulevard in the morning and afternoon, even though we have a light at Union Deposit Road with the number of school buses coming out and the students leaving, it is a major issue, even trying to make a left turn, trying to go to work in the morning as it is right now. He noted that he could mention more but it would only duplicate what was already said. He wanted to share his concern as well for the density. He stated that he agrees that while we are trying to take a look at the change in the zoning not knowing what the full impacts would be; but as far as a traffic count, that is a concern with him. He noted that he would like to have that information ahead of time so that we are all looking at an informed decision.

Mr. Hawk noted that he has listened to everyone and he wants to clarify his own thinking. He noted that the football situation is not going to be a year round thing, even though there was an impact from this past weekend. He noted that he is hearing the people say that they are against the volume of the density. He noted if it stays zoned R-1, there will be still be traffic, but if it goes to R-2 there will be more traffic. Mr. Olsen noted that the concern is not as much at least in his case with the R-1 zoning, when you take the original development for what the original density was going to be and double it, plus that is where the concern is starting to see the

number as being significant for us. Mr. Hawk noted that part of the point that he is driving at is, whatever land is zoned, R-1, R-2, or R-3, as long as the developer meets those zoning requirements, the Board is bound by law to approve it. Mr. Olsen agreed. He noted that the issue before us now is the rezoning to R-2. Mr. Olson noted that he can't speak for the other people as far as the density but everyone is talking about the traffic issue, and his concern is with the Board making its decision as a supervisor, taking into consideration what the impact will be between the R-1 and R-2.

Sandra Bloom, 1029 Wooded Pond Drive, President of the Wooded Pond Homeowners Association, noted that her comments are in regards to traffic. She noted that we have Country Lake Drive which is a racetrack all on its own, bordering her community and we have Page Road. She noted that we will have more traffic, noting that the 90 some homeowners are very concerned about what is going to happen with this new development.

Ms. Carol Powley, 5520 Union Deposit Road, suggested if the public was asked to have everyone stand up that is in agreement with keeping the land R-1, you will get your consensus for what they think from all of us here, from all of the developments, from all the single family homes that are in the area, and you will get your answer for how to deal with this issue. Mr. Hawk questioned Ms. Powley if she was asking the audience that. Mrs. Powley asked the people who were in agreement for keeping the land R-1 to stand up. The majority of the people in the audience stood up. Ms. Powley asked the Board if that helped them.

Mr. Eric Epstein, 4100 Hillsdale Road, noted that he is the chairman of the Stray Winds Area Neighbors (SWAN). He questioned Mr. Wolfe if he had a printout of the properties that were impacted. He noted that he would like to change the flow of the dialogue because there is a macro to this proposal.

Mr. Epstein noted that he would like to thank the Board of Supervisors and staff as well as S&A Homes. He explained that he asked that this item be tabled from the last meeting to provide more times for people to speak to the issue. He noted that his primary function is to give people an opportunity to have some sense of where we are at and he communicated with the Planning Commission, since they had played a role in modifying the plan, as they created some buffers and space. He noted that he can only speak for the membership of SWAN and he has concerns that are more macro looking around the Township. He noted that it was important to listen to all the stakeholders and that is why he requested that the hearing be postponed for two weeks to provide time for additional comments.

Mr. Epstein noted that there are ten other neighborhoods that are potentially impacted by the rezoning, and where SWAN is active there are between three to four neighborhoods. He noted what is going on for this plan is a micro impact for the neighbors but also a macro impact for folks down the road. He noted that he met with Mr. Lucas and Mr. Spoonmaker to set up a parameter for the meeting as he entered testimony two weeks ago at the previous public hearing. He explained that he had a meeting with the SWAN Board with the entire group and it was very helpful. He noted that he recognized that an anomaly exists for the future land use map and he and Mr. Crissman had some back and forth conversation on that as it was something that needed to be caught and rectified. He noted that the one difference that he has for the entire Township is that he wants to be clear that he views the Comprehensive Plan as the guiding plan document and hope that text amendments would be a limited option for extraordinary circumstances. He noted that SWAN does not want text amendments to become a common tool dealing with the Comprehensive Plan.

Mr. Epstein noted that there are ten parcels that have the potential to be impacted by this change in the text amendment, noting that Mr. Staub suggested that only 70% could do it. He

noted that it would require 30% open space that is contiguous and other limitations. He noted that the plan is not perfect, but if the plan goes forward and hopefully we can do this for all land in the Township, the developer would have to operate under more stringent and contemporary land use, water, sewage treatment, and especially the new Act 167 Plan. He noted that we should not have to rezone to get there. He noted that he hopes to have uniformity in the Township noting that they would have to do this with a new plan as it would be an improvement but it is something that we should have. He noted that the buffers are attractive and environmental protection, open space, making sure that there is enough turning space for emergency vehicles because in the past that has not occurred. He noted that SWAN has withdrawn its opposition to the plan, he has concerns that mirror what some of the people stated but are slightly different too. He noted when it comes to traffic; the issue that was raised is that the Transportation Center which has about 118 routes coming from that location and it is a potential issue. He suggested that it could be coordinated with the School District by visiting their website to see where their bus routes are located.

Mr. Epstein noted when you look at the panhandle, noting that steep slopes and wetland, maybe not for this project but in the future, should not be credited as open space. He noted if the land can't be developed then he is not thrilled with giving people credit for the land that cannot be developed. He noted that he has a concern that he voiced to the developer about the fee-in-lieu contributions. He noted that he will be back when there is a land development plan as he does not know if the panhandle will be sold to supplant the fee-in-lieu contributions. He noted the traffic patterns, that is the issue that is the main concern for this meeting. He noted that there are ways to deal with traffic, noting that there are age-restricted programs, and he is not saying that it would be for this development, but at the end of the day, he noted that the vote must take for how it would impact other tracks of land. He noted that these people have legitimate concerns for the

traffic impact and SWAN's main role is not to support or oppose but to give folks the opportunity to speak and SWAN has achieved that. He wanted to give credit to Mr. Lucas and Mr. Spoonmaker as they meet with SWAN and agreed to postpone the vote from that last meeting. He noted that the tough question goes back to the Board members but they deserve the credit for extending the hearing and providing an additional opportunity for people to speak to the issues.

Mr. Ron Lucas noted that the aerial drawing shows that the tract does border R-3 and the plan is not to develop the area of the panhandle, noting that it does not have wetlands on it, but it will be restricted as far as development, not that it couldn't be developed, but we are not developing it. He noted that it could be used by the school district and we would give it back to them if they wanted it. He noted that they have not indicated that they want that piece of land back. He noted that he is not getting credit for the wetlands or steep slopes, the panhandle is an area that could be used but it will be restricted in the plan. He noted that he has attending five meetings plus the Township Planning Commission meeting and this is not the first time this plan was discussed in a public meeting at the Township. He noted that he does not know what happened with Bishop McDevitt or if the traffic was backed up because they didn't have enough parking or what their issue was.

Mr. Lucas noted that the traffic analysis is typical and not unusual to be done for a rezoning, noting that the detailed traffic impact study is typically done and required as part of the land development and subdivision plan, and the Traffic Analysis that was done was reviewed by the Township Engineer and found to be adequate, noting that any additional traffic that would be added by the additional units would not cause a problem. He noted in looking at the level of service for Union Deposit Road, the level of service on the boulevard driveway from Montrail, Mr. Creasy indicated with a land development subdivision plan, a more detailed traffic impact

study would be done, and at that time, the study determines the appropriate intersections and what should be done as part of that. He noted that there is adequate site clearance noting that you have to have that to get the HOP from PennDOT. He noted that it was dealt with already. He noted that the road was widened at this location to provide a left turn lane into this development and it met PennDOT's standard for a left turn lane. He noted that he looked at the area as an infill area project as it is bordered by R-3, Institutional and most of the land on the south side of Union Deposit Road where a number of these property owners that represent homeowners association that have come forward with is R-3. He noted that it is not multi-family, R-2, or R-3. He noted that most of the people who spoke are from R-3 zoned land, a more dense land.

Mr. Lucas noted that the Township does not regulate density, it regulates the minimum size of lots and it is not a density criterion. He noted in the R-2, the minimum size lot is 10,000 square feet and he is proposing it to be reduced to 6,000 square feet for single family detached, so that market which is not being served today in the Township can be met with a single family detached dwelling that is on a smaller lot that is priced in a range that is not available in the Township today. He noted that he is asking for some changes for the townhouses by putting in restrictions of 30% open space, not having all townhouses to gain these, requiring that 30% of the units be single family detached. He noted that there are restrictions in regards to the area behind the townhomes from impervious cover. He noted that S&A has experience with other townhouse developments, noting that it will be a zoning issue to get a permit from the Township, and anything not following the requirements will be in violation of the plan and zoning regulations. He noted that the HOA would have to approve any exterior construction and if a neighbor starts to do something then everyone will see what is going on behind the townhomes. He noted the way S&A has written their HOA documents, every property owner has a right of

passage on the end unit's back yard to get to their back yard. He noted that the end unit could not put up a fence to block it and the HOA would know if someone was constructing something as they would have to receive approval to do anything. He noted that it is not something that could be done in the dark of night.

Mr. Lucas noted that the streets will be public noting that this plan would follow the original plan for streets as approved by the Township. He noted that he looked at the area that abuts one street to the west, but it does not abut any other streets, he noted that there is a gap there and the property does not abut at that location to the east. He noted that due to the topography and the amount of wetlands, DEP refused a permit for access to that street at Embassy Drive. He noted that he never discussed trying to make connections to any of the private driveways and never discussed trying to connect at the Pennswood Apartments. He noted that the land does not border public roads and by itself it could become a lot to be developed separately but he would restrict it as a private plan. He noted that the land it borders is all R-3. He noted that the traffic has increased in the area but if he came in with a subdivision and land development plan if this was adopted, there would have to be detailed traffic impact study completed and he would have to deal with the issue at that time. He noted that the traffic analysis deals with an approved traffic study with the first plan, having an HOP from PennDOT but if he adds the additional units, he would need to determine the impact. Mr. Lucas noted that Mr. Creasy stated, during the peak AM hour there would be 35 additional cars. He noted that is not the total trips during that time period. He noted that these are smaller houses and you may have 1, 2, 3 people having cars but they are smaller houses than the larger houses that would be the 57 lot development. He noted when he approached the last public hearing, he found that SWAN had some concerns and he reached out to them to meet before the last public hearing two weeks ago but they were unable to; therefore he arranged to have a meeting between the last meeting

and this one and they met last Tuesday. He noted that he met with SWAN's Board and if any of the other HOA's had reached out to him, as it was advertised and posted for the hearing two weeks ago, he could have reached out to them and he could have had discussions with them. He noted that no one else reached out to S&A Homes and he did not know there were others who had concerns. He noted that they lived in areas of R-3 and didn't want to see R-2 development; but that was never communicated to him. He noted that he did not have the opportunity to speak to anyone and had no reason to know there were concerns from the other developments.

Mr. Spoonmaker noted that Mr. Lucas did a good job summarizing the request, noting that he worked with the Planning Commission in regards to different price points, noting that some people can only afford \$185,000 or \$210,000 home would have the opportunity to have a brand new home and not a 20-year old home. He noted from a density perspective, it becomes much less of a grievance breaker from some of the other plans discussed that are in R-2. He stated that he believes that it is the right piece of property to be rezoned, being in the right location, noting that he can meet the requirements. He noted that a traffic study would need to be done and it must be satisfied by the Township Engineer. He thanked the Board for having the opportunity to speak to the rezoning.

Mr. Lucas noted that it was mentioned that there are ten parcels that could be affected by the text amendment, but as Mr. Staub indicated, a number of the parcels are totally surrounded by R-1; they are not infill properties that are abutted by R-3, Institutional and other R-2. He noted that they are totally surrounded by R-1. He noted that seven would not be rezoned as they would be islands within the R-1. He suggested that it is less than ten and more like seven that have a possibility that could be rezoned. He noted that SWAN had a concern that had been expressed by the Planning Commission that if this ordinance was adopted it could be utilized by large tracts of undeveloped land in the Township, and he explained to SWAN what was

written at the request of the Planning Commission to address that issue was that it is only applicable to tracts under 50 acres. He noted that the Planning Commission and members of the Board understood and appreciated that it was not open ended for large tracts. He noted that there are ten potential tracts in the Township that could be impacted but it is very unlikely that the Board would rezone an island in the middle of R-1 to R-2. He noted that this is an infill tract and would be appropriate because of the abutting R-3, R-1 and Institutional and across the street from other R-3, and a large area of R-3 on the southern side of Union Deposit Road. He asked for a positive vote from the Board.

Mr. Eric Epstein noted for the ten parcels, noting that we are discussing the specific impact to the people who live next to this land that is to be rezoned; he does not know what the impact would be to the other parcels. He noted that you can't have it both ways because if you are saying that most of this land is not in play, suggesting for those ten parcels it would be spot zoning. He noted if you look at where our communities live, there are three properties there, noting that he has a stake in it, because down the road, there are three potential properties. He noted that he does not do predictions. He noted that there is a macro and micro part to this and he was not alleging that they were getting credit for letting it be developed, but he was bringing out that he knows the three properties off of Earl Drive and Colonial Road have steep slopes and a lot of wetlands, so he can't speak to the concerns that those folks would have there, he is only speaking to the concerns that may happen as a result of this rezoning. He noted that Mr. Lucas is not getting credit for the steep slopes and wetlands but someone else could.

Mr. John Gephart, 1064 County Hill Drive noted that he had some concerns for the panhandle land. He stated that he met with the zoning officer about a week ago and asked a million questions and reviewed the packet information that the Board was given. He noted that originally there was a discussion with one of the Committees in regards to the possibility of

joining a road from the Pennswood Apartments and putting apartments in the panhandle section, noting that those from the Township did not want that to happen. He noted that it is not happening. He noted in his particular development, the builder at the time, told the people who bought the townhomes, that there were no plans to build on a tract of land and he kept that promise. He noted once he built the townhome association, the land was sold off and two more townhome associations were added. He noted that he is a little cautious when he hears an attorney and developer stated that we have no plans at this time to develop the land. He noted that it will be zoned R-2 and who knows what the future holds as far as Pennswood's is concerned. He noted that they could provide access to the land in the future for more development. He asked the Board to look at the plan more carefully.

Mr. Gephart noted that Mr. Epstein brought up something that he was not aware of, that the developer is looking for a text amendment and he is concerned about the additional tracts of land and he indicated that he hopes that it will not become the rule for development in the Township, but more the exception. He noted that he would be present tonight even if the developer was building 121 single family homes because he feels that the developer is trying to jam too much into a small area and we are all going to have to deal with the repercussions. He noted that the people were comfortable with the original plan of 54 homes, all of which was done prior to the Bishop McDevitt High School development process and the new Shadebrook that is coming on line as well. He noted that there is no plan to do anything with the land today, but he knows, first hand from his development, that things can change.

Mr. Spoonmaker noted the first time he discussed the proposal with the Supervisors during a workshop session, one of the things that he looked at was the R-3 zoning due to the size of the lots, noting that he never had any intention of doing apartments and that is why he requested the R-2 zoning and text amendment as the R-3 allows lots similar to what he is looking

for. He noted that based upon conversations with the Township he switch from the R-3 request to the R-2 request and made the text amendment to get what he was looking for in terms of the smaller single family lots and townhouses but his intent was never to build apartments. He explained that he had spoken to the School District in terms of their using the panhandle area.

Mr. Hornung questioned Mr. Creasy to explain, from the approved development to the proposed development how it only adds 35 cars during the peak hours. Mr. Creasy answered that it is a comparison of the trip generation that was done in the original traffic study in 2006 using the Institute of Transportation Engineers Trip General Manual which is a nation-wide standard that collects data on trip generation... Mr. Hornung noted that he understands that but he requested the thoughts behind it having 122 homes, typically you have two people who are working or at least 1.5 people, noting that not all people work at 7 a.m.; working at different times of the day, what is the background for this. He questioned if this was his area of expertise and questioned what rationale goes into this. He noted that traffic is the main issue but what amazes him is as soon as anyone moves into the Township they don't want anymore development, but how do you get there. He noted that he needs to understand the rationale behind the traffic counts. Mr. Blain noted that we are going from the original plan of 54 single family homes to 121 homes and during the peak hours Mr. Creasy is saying that the peak hour trips will increase by 35 vehicles. He noted that he understood that Mr. Creasy used national manuals and looked at the national data analysis but there also has to be an engineer's expertise in regards to the trips noting that the national manuals do not report by region or area, certain dynamics as some areas in the country there may be more people walking versus this area where people are more dependent on vehicles transportation. He noted that he wants to hear more about that as well.

Mr. Creasy noted that we are going from 57 single-family homes in the existing approved plan to 121 total units. He noted as a rule of thumb, single-family detached dwelling generates on average about ten trips per day. He noted that a townhome is eight trips per day. He noted that is part of the difference in the trip generation. He noted when you look at the peak hours, townhouses will not generate as much as single-family detached house. He noted that you are taking away 13 single-family detached homes and adding 77 townhomes. He noted that it is not just a one-to-one increase when looking at the numbers when switching out one use for another. He explained that he studied the busiest hour of the day and not everyone leaves their home at the same time of the day. He noted as far as the schools being close by, the elementary school start later, over an hour later than the high schools so it spreads out the school traffic some, and not everyone goes to work at the same time so that is why it is not specific 1.5 cars per dwelling unit for the peak hours. He noted that factors come into it and that is part of the study collecting the data for the trip generation. He noted that it is a function of the difference types of uses, for instance, an over 55 community has a different trip generation rate than a single family detached or single family attached. He noted that apartments have a different rate; generally it is a little bit less than a townhouse. He noted if you double the units it does not double the projected traffic that will be using peak hours.

Mr. Hornung questioned what the daily traffic count is for Union Deposit Road. Mr. Creasy answered that he did a count after Bishop McDevitt High School opened in 2013; the average daily trip on an average week day for Union Deposit Road was 8,600 cars. He noted that this information was included in his assessment. He noted that was the total for both directions. Mr. Blain questioned if you added 120 units with an average trip count of 8, per household; would it add another 1,000 cars. Mr. Creasy answered from his assessment the project use would be slightly over 1,000.

Mr. Seeds noted that the estimate is ten trips per single family home. Mr. Creasy noted that is the rule of thumb. Mr. Seeds noted that he has been on the Board for 20 years and he has heard so many different figures from different developers over the years, but he never heard a number that high, noting that they normally come in with lower numbers.

Mr. Crissman noted that the elementary schools start later than the high school therefore the buses do not run in two separate groups. He noted that you have buses going from 5:30 a.m. or 6 a.m. to until 9:30 in the morning. He noted that there are private schools that must be picked up and Kindergarten runs, and multiple runs. He noted that there are numerous runs afterschool for extra curricular activities. He questioned that information. Mr. Creasy noted that he was referring to those parents who drive their kids to school as they would be going at different times of the morning. Mr. Crissman noted that the buses run continuously during the day.

Mr. Stine noted that it would be proper at this time to close the public hearing on Ordinance 2013-02 and the Board may take action if it so desires.

Mr. Hawk noted that the Board will make a motion on the floor and then vote and many times after the vote is taken; everyone rushes out of the meeting room like they are late for an appointment. He noted at quarter to ten he can't imagine that there is anything more important than finding the closest place to take a nap. He requested everyone to stay for two or three minutes after the vote, instead of rushing out.

Mr. Hawk thanked Mr. Stine for conducting the hearing and all those who participated on behalf of the applicant.

Mr. Seeds wanted to thank everyone for coming to the meeting. He noted that this is what democracy is all about. He wanted to give credit to SWAN as it started this. He noted that we want people to come to meetings and he is glad that all the other HOA's came to the meeting.

He wanted to thank everyone for getting involved. He noted that the Board listens to what everyone says. He noted that it was a good presentation on behalf of the applicant and they did a great job. He noted that he likes the plan, just not where they want to put it.

Mr. Lucas questioned if anyone wanted to take a five minute break. The audience was not receptive to that.

Mr. Seeds made a motion in opposition to Ordinance 13-02. Mr. Crissman seconded the motion to get it on the floor.

Mr. Hornung noted that it is very important that the citizens come to the meeting and voice its opinion. He noted what is upsetting to him is that people only come when it affects the individuals. He noted that there are two men in the audience that attend every meeting and they are to be commended because they are what keeps government honest. He noted that they provide input and they are helpful. He noted that as soon as anyone moves into the Township they want development to stop. He noted that the question is how they got to live in the Township as someone had to approve their plan. He noted that many of the people in attendance live in townhomes with higher densities. He explained that he wanted the people to think about that because his issue, having children in their 30's and it is very difficult for them to buy a house today, especially a house that does not require major renovations. He noted that he just got into the real estate business and the houses that you can buy for \$150,000 need major rehabilitation. He noted that they need another \$30,000 to \$40,000 worth of work and most kids today are really good on a computer but are not really good with a hammer. He noted if you fix up the property, it isn't like when we grew up, where dad taught us how to cut a board and how to hammer a nail and how to fix things. He noted that the kids coming in today are clueless and that is the state of our nation now. He questioned what we do to provide kids that are in their 30's a decent place to live. He noted that this developer is not making a killing on this project,

probably making less than what he normally would make and he believes him. He noted that he tried to do a development once and he knows what it takes and there is very little profit; noting that the developer is taking a risk trying to get the house into the \$185,000 range. He noted that is about as cheap as you can build a house today. He noted that the government regulations for water runoff have escalated the prices for construction and someone has to pay that. He noted if we can provide lower prices for housing in the range of \$185,000 for the next generation, it is incumbent on this generation to help provide that. He noted that it might make your life a little more uncomfortable and sometimes it may, but you made someone's life uncomfortable when you moved to the Township because the people that lived in the Township before you did not have high traffic patterns either. He noted at some point the people from the other developments added to the traffic issue as well. He explained that he wanted the people in the audience to consider that because the days of developers making a lot of money have been lost. He specifically asked this developer to come in with a price for a home that is as close to \$150,000 that he could get and still make some money and he did that. He noted that he is sometimes embarrassed at our lack of care for the next generation who is trying to make a living.

Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, nay; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Hornung noted that he did not realize that the motion was to deny the motion and not approve it, but at this point in time he can't change his vote.

Mr. Gephart question if the motion was to deny the plan to go from R-1 to R-2. He noted that he heard four ayes and one nay and this denied the rezoning. Mr. Hornung noted that he voted no to deny it but the reason he voted to deny it, even though he voted incorrectly, was because of the implications that Mr. Epstein brought up about the other ten areas. He noted that

he didn't want to carte blanche the other ten, seven, three or one areas because you never know the specifics of those areas. He noted that he did not have time to research that tonight.

Mr. Seeds noted that the proposed plan is better than the previously proposed plan for rezoning to R-2, but he doesn't think it is a good fit for the traffic and infrastructure problems, especially along Union Deposit Road.

Mr. Hawk noted that it was a decent plan but what he wanted to explain that he is very privilege to be involved with the Pennsylvania State Association Townships Supervisors and travels around the State. He noted that he gets into a lot of Counties and Townships; Lower Paxton is a Township of the Second Class, noting that there are 1,454 Townships of the Second Class, and that Lower Paxton is looked upon as the cream of the crop. He noted that we have a well run Township, and the citizens do not always make the job easy for the Supervisors but you have entrusted the Board members to make decisions and the Board has to think in terms of what is best for the Township overall, not only the citizens. He noted that it is important for the citizens to get involved early in the process, noting when we did the Comprehensive Plan in 2003, we had community planning units and the citizens were asked to provide their input and very few people showed up; however, when the Board brought it forward to have it approved all the people came out. He noted that it is important to get involved early so that when we start to plan these types of things it makes it easy on everyone. He noted that sometimes our decisions are pleasant for many citizens and at other times it is not pleasant for others but he appreciates the people coming out as it is your Township and the Board need to look at it from the citizen's viewpoint, and also from a judiciary standpoint.

Mr. Hawk noted two years ago, the Township had 174 home starts and this past year we had 48. He noted that this impacts the tax income so you can't look at development in a totally

negative way as it helps the financial strength of the Township. He thanked the citizens for coming to the meeting and challenged them to get involved.

Mr. John Gephart stated, on behalf of 254 homeowners in the Hidden Lake Community Association, he thanked the Board for providing the opportunity to participate in the process.

Resolution 13-35; establishing contributions for health care benefits for Administrative employees beginning January 1, 2014

Mr. Wolfe noted that this resolution will establish administrative employee contributions for health care benefits in a fashion similar to being provided for the American Federal, State, County, and Municipal Employees (AFSCME) Public Works collective bargaining unit this year and the other two units beginning January 1, 2014. He requested that the Board act favorably on this resolution.

Mr. Crissman noted that the resolution is consistent with what the Board has done with the employees therefore he would make a motion to approve Resolution 2013-35; establishing contributions for health care benefits for Administrative employees beginning January 1, 2014. Mr. Hawk noted that it would be at the rate of 1.5 % with a not to exceed total contribution of \$850.00. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Action on an amendment of the agreement with Modern Recovery Solutions in regard to fees charged for collection of delinquent sanitary sewer accounts

Mr. Wolfe noted, as part of the Lower Paxton Township Authority meeting held last Tuesday night, the Board received information in regards to potential amendments to the agreement between Lower Paxton Township and Modern Recovery for the collection of delinquent sanitary sewer accounts. He noted that the amendments relates to the fees that are charged for out of pocket expenditures by Modern Recovery in the filing before a Magisterial

Judge. Mr. Stine noted that it would also include the Prothonotary and Sherriff's Office as well as the water shut offs. Mr. Wolfe explained that these fees were not included in the original documents and he asked that these fees be added by adopting this amendment.

Mr. Wolfe noted that the Board also requested information in regard to the total outstanding delinquency, noted that currently there are 562 accounts that are delinquent for a total amount of \$615,485.73. He noted that Modern Recovery has collected, in the last four months, \$141,049.29. Mr. Blain noted that they have collected roughly 20% of the amount in the past four months.

Mr. Crissman made a motion to approve the amendment to the agreement with Modern Recovery Solution in regard to the language and the fees charged for the collection of delinquent sanitary sewer funds. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Mr. Hornung noted that he received a phone call from a resident noting that they were confused as to how the system works as he was trying to set up a payment plan and didn't know where to send the funds. He questioned how do we get more information out to the residents as to what happens when this occurs. Mr. Wolfe answered that they need to contact Modern Recovery, noting that they have provided written information on how to do that or the front page of the Township website has information for how to contact Modern Recovery. Mr. Hornung questioned if they are to send the money to the Township. Mr. Blain explained, if they are in collection they must send the money to Modern Recovery, but if they are just paying their bill it would come to the Township. Mr. Hornung noted that the woman was in collection and she told him that she was told to send her money to the Township which he didn't think was correct.

Mr. Wolfe noted that Modern Recovery instructions are very detailed and very specific and there should be no confusion as they have adequate information available for how to reach

them. Mr. Hornung questioned if the Township tries to work out a payment plan before it goes to Modern Recovery. Mr. Wolfe noted, for the past collections efforts we have, but those that are turned over to Modern Recovery are beyond that point. Mr. Hornung questioned if the past problems have been turned over to Modern Recovery. Mr. Wolfe answered we have provided Modern Recovery chunks of delinquents at a time. He noted if they are under a payment plan that was processed before Modern Recovery and are living up to the terms of the payment plan they are okay.

Action on a recommendation from the Public Safety
Committee in regard to extraordinary repairs of Engine 33 and 33-1

Mr. Wolfe noted that the Board has invoices for repairs to two of Colonial Park's Engines that are owned by Lower Paxton Township. He noted by the resolution establishing the duties of the Public Safety Committee, that Committee has reviewed the invoices and determined that they represent extraordinary repairs to Township-owned equipment and requested the Board of Supervisors to authorize payment of the invoices in accordance with the Fire Equipment Capital Plan.

Mr. Hornung questioned if it was the result of some damage to the vehicles. Mr. Wolfe answered no as that damage would be covered under the insurance plan.

Mr. Seeds noted that Public Safety Director Johnson and Chief Payne were in opposition to this because Ordinance 2009-11 that the Board passed allowed them to include repairs but it had to be extraordinary or unanticipated repairs. He noted that oil changes and some other items are ongoing maintenance. He noted that we all support the three fire companies but he does not think that it fits into this category. He noted if you look at the invoice the oil filters, oil changes are ordinary maintenance. He suggested that the intent was to cover extraordinary unanticipated occurrences like a problem with a transmission or something like that.

Mr. Hornung noted because it is related to engine work, they would automatically change the oil and filter, noting that they did camshaft work and rocker arm work. He noted that it would not be part of the maintenance procedures. Mr. Seeds noted that they would change the oil if they tore the engine down so it would be required if that occurred.

Mr. Hornung questioned why there were two dissenting votes. Mr. Wolfe noted that PSD Johnson did not think it was an extraordinary repair. Mr. Seeds noted that we are all in support of the fire companies but we only have one capital fund and are due for the fourth round of purchasing new equipment in the next couple of years. He noted if the Board continues to spend money out of that fund for ordinary things it will not have any money to replace the equipment. Mr. Wolfe noted if you have any questions he would recommend that the Board address the questions to the Public Safety Committee in a workshop session. Mr. Hornung suggested that would be a good idea so the next time something like this comes along we should have a reason why this is an extraordinary repair.

Mr. Blain questioned if the Board is going to take action on the request. Mr. Crissman noted that the bills need to be paid. He suggested that we should pay this bill but schedule this topic at a workshop session to come up with a clear understanding for what an extraordinary expense would be. Mr. Seeds noted that the bill was for \$1,407, he was not sure the work was done yet. Mr. Hawk noted that he is not a mechanic but if you are working on the camshaft, you would need to drain the oil and it would need to be replaced as part of the specific job. Mr. Hornung noted that he does not know enough about the repairs so it is tough to make a decision but he agrees that some of the work was done in May so they should get paid. Mr. Crissman noted that the recommendation came from the Public Safety Committee itself. He suggested that the Board needs to talk with the Public Safety Committee.

Mr. Crissman made a motion to approve the financial repair costs for Engine 33 and 33-1. Mr. Blain seconded the motion. Mr. Seeds noted that he will support it but we need to sit down with the Committee to discuss this more. Mr. Crissman agreed. Mr. Wolfe noted that he would schedule this for the next workshop. Mr. Hawk called for a voice vote and a unanimous vote followed.

Vote of Police Grievance

Mr. Stine noted that the Board must vote on the police grievance that it heard prior to the start of this meeting.

Mr. Hawk explained that a grievance was brought before the Board of Supervisors earlier this evening and the Board must vote to sustain or deny the grievance. Mr. Blain noted that we must be clear on what it means to deny or sustain the grievance. He noted if we deny the grievance, it means that we are saying that we are not supporting the grievance. Mr. Stine noted that was correct. Mr. Crissman noted that the person has filed a grievance and we have a choice to deny it or sustain the grievance.

Mr. Crissman made a motion to deny the grievance as presented. Mr. Hornung seconded the motion.

Mr. Wolfe noted that publically, the grievance has not been announced or identified. Mr. Stine noted that you can only disclose so much information. Mr. Wolfe questioned if there should be some type of identifier for the grievance for the minutes. Mr. Stine noted that we cannot state names. Mr. Hornung questioned if we could state to deny a grievance that the Board heard earlier this date. Mr. Stine noted that you could state that it was provided by the Police if you want to, but he would not go any further than that.

Mr. Hawk called for a voice vote and he received two ayes and two nays. Mr. Blain noted that Mr. Seeds and Mr. Blain voted nay and Mr. Hawk, Mr. Crissman and Mr. Hornung voted aye.

Mr. Hawk called for a roll call vote: Mr. Blain, nay; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, nay; and Mr. Hawk, aye. Mr. Hawk noted that the denial of the grievance stands.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Blain 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, and the meeting adjourned at 10:18 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary