

LOWER PAXTON TOWNSHIP/  
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 12, 2008

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:02 p.m. by Vice-Chairman William C. Seeds, Sr., on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Seeds were: William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Lori Wissler, Community Development Manager; Dianne Moran, Planning and Zoning Officer; Brian Luetchford, Parks and Recreation Director; Robert McIntyre, Parks and Recreation Board; Sam Robbins, Public Works Director; Matt Miller, Public Works Engineering Field Technician; Mike Roerty and Andy Shaw, eRoadInfo; John DiSanto, Roman Catholic Diocese of Harrisburg; P. Michael O'Rourke, KCB, Architects; Justin Kuhn, K&W Engineering; Paul J. Navarro, Navarro and Wright Consulting Engineers; Tom Scott, Killian and Gephart; Robert Grubic, Herbert, Rowland and Grubic, Inc.; Dave Weihbrecht, Alpha Consulting Engineers, Inc.; Dr. Augustus Papandrea; Mark R. Koakley, Triple Crown Corporation, and Walter Shatto and John Bennett, Koons Memorial Park Pool.

Pledge of Allegiance

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

Public Comment

No public comment was provided.

Presentation by eRoadInfo on development of  
pavement management program

Mr. Robbins noted that it is very important to keep in mind, for a pavement management program, how the data is collected, the efficiency of the manner of collection, what the end product is, and how useful it is. He noted that he viewed a presentation by eRoadInfo while attending a conference last fall in Las Vegas, and was very impressed with their product.

Mr. Robbins noted that Mike Roerty and Andy Shaw from eRoadInfo are in attendance to make a presentation to the Board members.

Mr. Roerty explained that Mr. Shaw's power point presentation is very informal, and questions would be welcome at anytime during the presentation.

Mr. Shaw explained that the Power Point solution is called eRoadInfo, and it has been developed by Enterprise Information Solutions (EIS). He noted that EIS is a leading GIS consulting firm, with 60 employees focusing on pavement management. He noted that eRoadInfo is a pavement and inventory system for roads.

Mr. Shaw explained that an eRoadInfo van has the capability to take digital pictures of the roadway and surrounding area, as well as the ability to tell the thickness of the pavement. He noted that the van, equipped with camera, routing scanners, and crack scanners, collects images of the road. He noted that pavement scanning devices collect the pavement images, and that the application is able to detect cracks, including longitudinal cracking, transverse cracking, or alligator cracking. He noted that this information is entered into a rating system, and after the rating is completed, an analysis is completed and a budget is prepared for the road forecast, based upon the available funding. He noted that the van uses four or five cameras to capture the road conditions and pavement images. Mr. Roerty noted that eRoadInfo has made great strides in the advancement of the camera system for their vans.

Mr. Shaw noted that the cameras take pictures off signs, trees, manhole covers, curbs, and the coordinate information is included in the GIS map. He noted that anything you can see, you can collect the data for. He noted that the software contains a MUTCB data base for all signs. He noted that the detail will also show guide rails, and curbs on the map. He noted that you can click on every symbol on the map, and it will detail the object. He noted that there is no need to import or export items, and all the data collected is available on the GIS software.

Mr. Shaw noted that eRoadInfo has 60 professional GIS engineers, with a total of 150 years of pavement experience. He explained that he completed six projects in Pennsylvania, and many others in New Jersey. He noted, in the past three months, eRoadInfo has completed six projects, and a recent 150-road mile project was completed in days.

Mr. Shaw noted that the program uses a micro-paver interface which allows the input of pavement distressed conditions, both in the field or in the office, by his personnel or Township personnel. He noted that the program contains 19 types of distress options for extent and severity of flexible pavements. He explained that the goal is not to allow the pavement to reach a point of severity that it would need reconstruction. He noted that once the standard micro-paver Pavement Condition Index (PCI) ratings are recorded for the pavements, Township personnel can determine the highest needs of repair.

Mr. Shaw noted that the Township would establish the repair tree to determine what repairs would be made for each individual type of problem. He noted that based on the local conditions, the Township could control the strategy for pavement repair and maintenance for each different stress condition. He noted that the Township could also enter its own unit costs for repair, based on local repair methods and costs, and the program would instantly calculate the costs for repair for the preparation of budget items.

Mr. Shaw noted that the program has ten pre-defined pavement repair reports included in the software. He noted that the program can determine the priority for road repairs, the costs, and the type of repair needed. Mr. Roerty noted that the model shows a \$2,000 repair at the top of the list, based on the average daily traffic for that particular road. He noted that it would be higher on the PCI due to the amount of traffic that uses that road.

Mr. Shaw noted that the reports could be color coded to show the road work needed according to the different attributes. He noted that budget planning is a major concern for the Township, and the software provides a tool to enter the pavement budget for each year, noting that it would calculate the best way to distribute the funding for each year. He noted that it could break down the budget amounts by the percentages budgeted for the different types of repairs, such as crack seal or new construction. He noted that this would help the Township roads meet the highest micro-paver standard, and provide a trend for future spending, to show road conditions for the next ten years. He noted that it could provide a prediction for future spending for a budget to cover the amount of work needed.

Mr. Shaw explained that after the first year's image capturing is completed, then Township personnel could use the roaming function to enter updated information to the data base. He noted that the software provides for updates, other than those provided by the image captured with the cameras.

Mr. Shaw noted that Township personnel would be able to review the image of a road from the computer in the office. He noted that a dual screen could show the images and the data at the same time. He noted that multiple images could be shown at the same time, and the software has the capability to measure the width of the road, or the distance from one object to another, as well as many other applications.

Mr. Roerty explained that the in-hours training for the software would take roughly two days, and it could include the Information Technology Manager. He noted that the program is very simple to run and staff with GIS familiarity should have no problems.

Mr. Shaw noted that the software would list the number of images available for each particular street or area. He noted that it would also list the images made from one year to the next to provide before and after images. He noted that the pavement condition of the road image could also be displayed. He explained that manual updates could be entered into the data base to provide for a more accurate distress condition and PCI index. Mr. Roerty noted that the updates are entered in the system from the office without having to visit the site.

Mr. Seeds questioned how often the images would be updated. Mr. Roerty suggested that the images be updated every two to three years, but it would be up to the Township to make that decision. Mr. Shaw noted that staff would update the road conditions in the computer as they are completed.

Mr. Shaw noted that a report could be made for any camera image, which would list the road name and location, and a manual entry could be made to list a pothole or needed repair.

Mr. Roerty suggested that the van could run the roads to collect the new data every two or three years to update the database. He noted that the contents of the database would be up to the Township. He noted that the built-in library for signs would match the object with the sign and its coordinates to show it within sub-meter accuracy. He noted that this is the standard for non-surveyed areas. He noted that the information could be downloaded from the cameras into the GIS system by staff; however, they would need the eRoadInfo's van to run the streets to capture the images. He noted that Dallas, Texas, actually bought a van, but normally, places smaller than Dallas, would have eRoadInfo capture the pictures for them.

Mr. Shaw noted that the application could show road cuts for ADA ramps, or road conditions. He noted that the application would show the changes in rating for cross streets as one travels down a road. He noted that anything the camera views, could be captured as an image.

Mr. Robbins questioned if the condition rating is completed at the time the image is captured, or would it be done at the eRoadInfo office before the data is delivered to the Township. Mr. Shaw answered that it is an option, but the pavement division would rather do this in the office as it would provide more time to thoroughly review the images. He noted that technicians could bookmark individual sections of road that they know would need further review.

Mr. Robbins questioned what the initial costs would be to set up the program. Mr. Shaw answered that the Township has roughly 200 miles of roads, and the cost to finish the image capturing and deliver a viewing of the application with the image, plus the finish of the pavement

rating is roughly \$250 per mile. He noted that this would include a license for the software to view the pavement condition, and to finish the pavement rating. He noted that the pavement analysis inserts a PCI rating to explain what the condition value is. He noted that it could be used as a customer service tool to provide service to the community.

Mr. Robins questioned if it was an excel data base driven application. Mr. Roerty answered that it was an access data base application.

Mr. Shaw explained that the diagram within the application could assist with controlling the repair methods by budget or other criteria. He noted that the software would calculate the repair methods costs, and generate a report as well.

Mr. Hornung questioned if the \$50,000 cost for 200 miles of Township roadway includes the application that is being presented with the full analysis, rating of all the roads, and the PCI Index. Mr. Roerty noted that the correct cost for the application would be \$63,200 to include a pavement analysis rating, and training on the software. Mr. Crissman questioned why the cost increased \$13,000. Mr. Shaw noted that he was presenting a budgetary number and not the quote for the entire application. Mr. Roerty noted that he provided an itemized bill, listing all the items included in the packet.

Mr. Hornung questioned if he requested Mr. Roerty to recapture the pictures for the roads in three years, what would it cost, assuming today's prices. Mr. Roerty answered that it would cost \$190 per mile as the Township would have already paid for the software, and training. He noted that he would be available to answer questions for the customers. Mr. Hornung questioned, if Mr. Robbins had a question on the software, noting that it did not seem to be working properly, would that phone call cost the Township money. Mr. Roerty answered that it would not. Mr. Crissman questioned if tech support would be available at no costs. Mr. Roerty answered, if he could explain how to do something over the phone, there would be no charge, however, if a technician had to come to the Township to fix something that was Township error, then there would be a charge to fix the problem. Mr. Roerty noted that there would be a charge of roughly \$2,400 each year for the software system and support. Mr. Hornung noted that the initials costs for the program would be \$63,000, and in the second year the costs would be \$2,400. Mr. Roerty noted if the Township chose to capture the images again in the third year it would cost \$190 per mile. Mr. Seeds suggested that a written proposal should be made to Mr. Robbins for future budget discussions.

Review of the recommendation of the Parks and Recreation Board  
on the potential to develop a dog park

Mr. Luetchford explained that the Board members received a memorandum from the Parks and Recreation Board regarding a future dog park. He noted that people interested in creating a dog park presented a petition to the Board of Supervisors with 700 names. He noted that the Board directed staff and the Parks and Recreation Board to entertain further discussion with the concerned citizens to determine possible locations for a dog park. He explained that this has been accomplished and it was determined that Kohl/Lingle Park was the best place for a dog park. He noted that the best location for a dog park would be between the two ball fields at Kohl/Lingle Parks. He noted that the plan shows a small dog park area, 110 feet by 100 feet, and a L-shaped area that would be a little larger for larger dogs. He noted that this is the best location since it is close to bathrooms and parking, and is an area not used by ball fields or competing with other sports organizations

Mr. Luetchford noted that a future location could be the Koons Park Pool area as it is already fenced in.

Mr. Seeds questioned if there was a good distance from the proposed dog park to the adjacent apartment complex. Mr. Luetchford answered that the area between the two locations would be 200 feet through a ravine with a good tree buffer. Mr. Seeds questioned if the people playing sand volleyball or softball would distract the dogs and cause them to bark. Mr. Luetchford answered that he did not think the dogs would generate anymore noise than the softball players. He noted that it is not the ideal place, but the best location available at this time. He noted that the dog park would take up an acre of land, and for the population size for the Township; it would be small, as there should be a consideration of a larger park or a second park in the future. Mr. Crissman noted that it would be a good starting point.

Mr. Luetchford suggested that the sand volleyball could be moved, and the area could be extended beyond the volleyball park and possibly into the trees to the east. He noted that the cost to take out and rebuild a tennis court is roughly \$100,000.

Mr. Seeds questioned Mr. Luetchford if other dog parks are located adjacent to ball fields. Mr. Luetchford answered that there are locations where ball fields are close by, but they are all fenced off. He explained that most dogs bark at each other when they can't get to each other. He suggested that there may be some barking between the two locations for the smaller

and larger dogs, however, he noted that the proposed sites are located on a higher plain, and the infield for the softball park is 200 feet away. He noted that the trees provide a visual buffer.

Mr. Crissman thanked the Parks and Recreation Board for their time and effort, but he noted that it was their suggestion to establish the park now and possibly move or enlarge it later. He noted, if the dog park group is raising funds for the fencing for the dog park, would the fencing be able to be moved if the park was moved in the future. Mr. Luetchford noted that that fencing could be incorporated into the new added land for the dog park.

Mr. Seeds noted that there is a grade up to the dog park and he questioned if there had been any consideration for steps or a terrace to provide better access. He noted that the pet owners would not have to walk their dogs through the other areas, and suggested that it would make a good Boy Scout project. Mr. Luetchford noted, if the dog park was extended, it would cut off the traffic between the two parks, and a new pathway would need to be established.

Mr. Blain noted that the dog park is a good location, and some thought has been put into the future expansion through the volleyball court, and he suggested that the Parks and Recreation Board should move forward with the project, in conjunction with the dog park group. Mr. Crissman noted that the Board needed to provide approval for the site in order for the dog park group to start raising money for the location. Mr. Seeds questioned if there would be a conflict with the two softball fields. Mr. Luetchford suggested that not more than at any other location. He noted that it is not an ideal area, but would work best with what is available.

Mr. Hornung questioned if the dog park group would be willing to raise funds if the Township could come up with a second location. A spokesperson responded that it would be nice to have a dog park north of Route 22, for instance in Koons Park. She noted that the Wolfersberger land could also be a future possibility. Mr. Blain suggested that it would be good to build one park and see how it works out.

Review of the recommendation of the Parks and Recreation Board  
on sponsor signage for the proposed skate park

Mr. Luetchford noted that he provided the Board members a memorandum from the Parks and Recreation Board regarding the Freedom Group's need to recognize sponsors in the skate park. He noted that this would deal with sponsor walls containing permanent plaques. He noted that sponsors could be recognized at the entrance to the park, on the rails or ramps, using painted logos at the outside of the lip of the cup, or a stand alone sign for someone who donates a huge amount of money. He noted that the Parks and Recreation Board was in agreement with the

sponsor locations, but suggested that the reserve process of 30 years might be a bit too excessive, noting that the range of five to 15 years would be more sensible, and if a company changed its name, it would be their responsibility to change the logo. He suggested that single-color lettering would be encouraged, and Parks and Recreation Board would approve all sponsors and signage for the park. He noted that the Freedom Group noted that it wanted to move forward with the fundraising efforts, and securing sponsors for the skate park.

Mr. Seeds questioned if there would be sign regulations for the sponsors to follow. He questioned if the signs would have to follow the Township's sign regulations. Mr. Luetchford answered that the signs would have to follow the Township's ordinances. Mr. McIntyre suggested if someone donated a large chunk of money, they should be able to erect a sign with the assistance of the Arts Committee, to help bring something artistic to the parks. He suggested that it would be a good joint project for the two groups to work together. Mr. Crissman noted that he liked having the two groups work together.

Mr. Seeds noted that there is a section on exclusions in the proposal, noting that the Central Pennsylvania Freedom Group would use its discretion on deciding which sponsor to accept and which ones to reject. He questioned if this should also be approved by the Parks and Recreation Board as well. Mr. Luetchford questioned Mr. Stine if the Freedom Group would be permitted to decide who to accept sponsorships from. Mr. Stine answered, if these are groups giving money to the Township to build the park, there would be no requirement to accept funds from a certain group. Mr. Wolfe noted that the Freedom Group could not accept the funds and deny someone the same privileges that they would to another sponsor. Mr. Wolfe noted that you would have an issue if an Anheuser-Busch or Phillip Morris type firm decided to donate a large sum of funds. Mr. McIntyre noted that the Parks and Recreation Board previously discussed precluding cigarette or alcohol advertising in the ball parks. Mr. Wolfe noted that there is nothing in the zoning ordinance to cover this. Mr. Stine noted that the sign ordinances must be content neutral, and can only regulate time, place, and manner. Mr. Seeds questioned if the Township could refuse to advertise beer. Mr. Stine noted that it could do this in a Township park. Mr. Wolfe noted that one of the largest contributors to the Friendship Center was Frank Sourbeer. He noted, if the FC was doing an advertisement program back then, it would have had to allow him to advertise, even though alcohol is something the municipality does not promote. He noted that the exclusions include alcohol, tobacco, and groups associated with violence or prejudice. He explained, if you don't accept the money, then it is not an issue. Mr. Luetchford noted that the Freedom Group has the right to accept or reject a donation. Mr. Wolfe noted that

that was correct, but the Township would not share that same right. He noted that the Township would approve the signage on the property. Mr. Hornung noted, if the Freedom Group was confronted with something questionable, they would ask the Parks and Recreation Board for their opinion. He noted that he would not want the Freedom Group to accept funds, only to be denied by the Parks and Recreation Board. He noted that any large donations would be discussed with the Parks and Recreation Board members.

Review of the recommendation of the Parks and Recreation Board  
on appointments to a Greenway Committee

Mr. Luetchford noted that there is yet another memorandum from the Parks and Recreation Board concerning the creation of a Greenway Committee. He noted that part of the effort to implement the Greenway Plan was to create a Greenway Committee, and according to the Resolution, the Greenway Committee would consist of five members, one each from the Parks and Recreation Board, Shade Tree Commission, and the Planning Commission. In addition, a fourth member would be designated by the Board of Supervisors, as well as a member-at-large. He noted that the Board has the option to appoint one of its members or another person to represent them on the Greenway Committee.

Mr. Blain stated that he is in agreement with the five persons recommended by the Parks and Recreation Board. Mr. Crissman questioned if all five members are willing to accept a position if appointed. Mr. Luetchford answered yes. Mr. Seeds noted that Ms. Sibert resigned from the Planning Commission. Mr. Blain noted that she indicated that she was very interested in the Greenway Committee, and stated that her experience from being on the Planning Commission would be very helpful. Mr. Blain noted that he was in agreement with the recommendation for the appointed members to the Greenway Committee. Mr. Crissman agreed.

Presentation of a Safe Routes to Schools grant application  
submitted by the Township for development of a greenway

Mr. Luetchford explained that he included a memorandum from himself to Mr. Wolfe indicating that he became aware in July of a new grant program, a federal cost reimbursement program that he was able to submit for before the August 1, 2008 deadline. He explained that the federal government has provided over \$12 million dollars to Pennsylvania for Safe Routes to Schools. He noted that this would include bike paths, and sidewalks from residential areas to schools. He noted that \$12 million is available and only a couple of applications have been

submitted. He explained that it was suggested to his staff, by the people running the grant program, to apply for a significant amount for the grant program. He explained that 100% of the costs are reimbursed to the Township through PENNDOT. He explained that he used the Greenway Plan to identify schools in the Colonial Park area, Phillips and Southside Elementary Schools, as well as Central Dauphin East Middle School. He noted that the costs for the walkways identified in the plan would add up to \$880,000 to include the engineering and oversight of the construction. He noted that the grant application was submitted, and at this point, it looks very good for a reward to be made to the Township.

Mr. Seeds questioned if the Township has the cooperation of the Central Dauphin School District. Mr. Luetchford answered that he spoke to someone in Doctor Scola's office, and since Dr. Scola has left the School District, he would continue to be in touch with their personnel. Mr. Seeds questioned who was taking Dr. Scola's place. Mr. Blain answered that Mr. Brad Miller is the acting superintendent. Mr. Luetchford explained that he would work directly with the schools in developing this program.

Mr. Hornung questioned if the project would involve the widening of roads. Mr. Luetchford answered that, in some cases, it would, or it may mandate building new sidewalks, but for Union Deposit and Rutherford Roads, it would involve striping the roadway as they already have nice wide shoulders. He noted that the grant application was very general in nature, and many of the specifics need to be worked out.

Mr. Crissman questioned if everything would need to be completed by June 30, 2009. Mr. Luetchford answered that he would get word on the grant status in October, and would be permitted to phase the expenditures over multiple years. Mr. Crissman suggested that Mr. Luetchford should check out the details on the spending deadline.

Mr. Crissman thanked Mr. McIntyre for the Parks and Recreation Board's efforts in all they do. Mr. McIntyre noted that staff provides much support to the Board in their work. He noted, at some time in the future, the Parks and Recreation Board would like to discuss their visions for the parks with the Board members.

Mr. Luetchford noted that the Wolfersberger Park will be paid off in January 2010.

Discussion regarding the floodplain designation affecting  
property identified as 4220 Linglestown Road

Mr. Wolfe noted that Mr. Paul Navarro is present to discuss the floodplain designation for the property identified as 4220 Linglestown Road.

Mr. Paul Navarro noted that the property is located at the intersection of Colonial and Linglestown Roads behind the Sheetz. He noted that in 1988, the site was altered with fill from the development of the Post Office site on Elmerton Avenue under the appropriate permits. He noted, as a result of the fill activity, the floodplain was altered to a significant degree. He explained that in the late 1990's, when the Sheetz store was built, a hydraulic analysis was submitted that changed the culvert that goes under Colonial Road from the shopping center to the east branch of the Paxton Creek. He noted that the Board approved the plan subject to an amendment to the floodplain for part of the site. He noted that that was recorded on the Sheetz plan May 22, 1998.

Mr. Navarro noted that there is some confusion as to what is the correct floodplain, noting that the floodplain of record that is shown in blue is currently on the zoning map, and the Federal Emergency Management Agency (FEMA) panels. He noted that the existing floodplain is shown in red, noting that two ten-foot diameter culverts were installed as part of the grading for the west branch of the Paxton Creek, and both come together before crossing Linglestown Road. He noted that the red line is what should be considered the floodplain now, and that part of the problem is that the FEMA maps have not been updated.

Mr. Navarro explained that he would like to subdivide two acres at the northwest part of the site. He noted that one of the staff comments received was to show the floodplain. He noted that he showed both floodplains to show the great difference that now exists. He suggested that the Township needs to move forward with filing the appropriate documents with FEMA, a letter of map revision. Mr. Seeds questioned Mr. Navarro if he wanted the Township to fund the floodplain study, and if he was under the impression that the Township agreed to do this. Mr. Navarro answered that there was some discussion on the matter. Mr. Seeds questioned if there was anything in writing that stated that the Township agreed to this, and questioned why the Township should pay for it since it does not own the land. He questioned if the necessary permits were acquired when the fill was placed many years ago in the late 1980's. Mr. Navarro answered that the permit identifies the tract as 12.7 acres at 4220 Linglestown Road. He noted that Akens Engineering had prepared the permit documents, and he understood that the fill was placed in the appropriate place.

Mr. Seeds questioned who owned the 12.7 acres. Mr. Navarro answered that it was owned by Kimbob Inc. He noted that when Sheetz was permitted to construct its building, the Township agreed to move the floodplain, and it affected the adjoining property. He noted that nothing was filed through FEMA at that time; therefore, he suggested that it would be

appropriate to do it at this time. Mr. Seeds noted that Sheetz paid to relocate the wetlands. Ms. Wissler explained that Sheetz went through the variance process.

Mr. Tom Scott, attorney for the applicant, explained that there are two issues; the first is a subdivision issue with no land development plan attached to it. He noted that for a subdivision, the floodplain is non-existent as long as you have two acres, which is what the Conservation zone calls for. He noted that before the land development plan could be approved, the floodplain issue would need to be appropriately delineated. He noted that his review of the Planning Commission comments were that they wanted both floodplains shown on the plan, and before a land development plan is completed, the floodplain would have to be delineated.

Mr. Seeds questioned if the plan was before the Planning Commission. Ms. Wissler explained that it was, and one of the outstanding comments was that Mr. Navarro had to do a letter of map revision. Mr. Scott questioned when this needs to be done, as he did not feel that it was necessary to do a letter of map revision in order to get the subdivision approved, however, it would be necessary to have this done before the land development plan could be approved. He noted that, at that time, it could involve different land owners. He explained that he is only seeking the subdivision approval at this time, and he could not find anything in the ordinance that precludes the subdivision of the parcel irrespective of what the flood plain is.

Mr. Seeds questioned Mr. Stine regarding this issue. Mr. Stine explained that he has not looked at the ordinance since he did not know what the issue was. He suggested that there would be no problem subdividing land that is in a floodplain; however, you cannot build anything in the floodplain, so that is where the land development plan would come in. He noted that it would preclude building or parking planning. He noted that the subdivision only sets property lines. Mr. Scott explained that that is what this plan does, as the note on the plan states that the purpose is to subdivide lot two from the land, and land development is not proposed with this plan. He noted that lot two is only affected by the floodplain in a minor way, and he is only seeking a subdivision at this time, but at some point someone would submit a land development plan.

Mr. Seeds questioned Ms. Moran if she was present during the Planning Commission meeting. Ms. Moran answered that she was. She noted that HRG, Inc. put a condition on the plan that the LOMR be completed prior to this plan moving forward. Mr. Grubic, HRG, Inc., explained that this was a comment made during the Planning Commission meeting in June. He noted that there is a long history with this piece of ground, and he explained that he spoke with Mr. Navarro, earlier today, concerning possible alternatives that would be available. He noted that he is concerned that there are three separate notes on the plan, all of which identifies

different parts of the floodplain. He noted that one note states, amended 100-year floodplain. Mr. Scott noted that that is what he thought the Planning Commission wanted his client to do, to have both lines clearly shown and that both lines were appropriately delineated so there would be no confusion as to which line was which.

Mr. Grubic noted that Mr. Navarro sent him an email earlier in the day related to a possible note that could be added to the plan that would state that no land development plan would be approved. He noted that he responded that he would not recommend placing that note on the plan, rather it would state that no land development plan would be submitted until the letter of map revision is issued. He noted that until you get the letter of map revision, you don't know where the 100-year floodplain is. He noted that the blue line represents the floodplain and it has a significant impact on the property. He noted that the letter of map revision would identify the 100-year floodplain based on the fact that the western channel was relocated along Forest Lane years ago, Sheetz was built on the property, and there were two culverts installed north of Linglestown Road, in addition to the filed that was placed in the area.

Mr. Navarro stated that the red line would more accurately reflect the floodplain. He noted that he is looking to subdivide the lot. Mr. Seeds questioned if Mr. Navarro was asking for help from the Township to pay for the revision of the map. Mr. Crissman noted that he is very supportive of Mr. Grubic's recommendation. Mr. Scott noted that he might choose to go the route of the line of least resistance. Mr. Crissman noted that he would have to agree with the expert who represents the Board. Mr. Scott noted that the letter of map revision would have to be completed sooner or later, but the question is whether it has to be done in conjunction with the subdivision process or the land development process. Mr. Crissman noted that Mr. Grubic stated that it should be done before the subdivision process. Mr. Scott stated that the ordinance states that the floodplain issues are to be adjudicated by the zoning officer when a building permit is requested, and he is not at that point. He noted that if the plan for lot one would be submitted first, it would clearly be a major issue that would need to be addressed, however, if the next plan is for lot two, the change is far less significant and it is conceivable that lot two could be developed with the existing floodplain line in place, without changing it at all. He noted, if that is the case, to require the LOMR prior to anything with respect to lot two is premature which is why he suggested that before it could be approved, the LOMR would need to be secured, but not necessarily before it was submitted. He noted, if all the development on lot two does not affect the blue or red lines, then it would not be

necessary to do the LOMR at this point. But he noted that a plan for lot one would be a different story. He explained that he agreed with Mr. Grubic that a floodplain map would be needed for the land development plan, but as long as lot two has two acres, it would not be needed.

Mr. Grubic explained that there should be a note on the subdivision plan that states the floodplain boundaries that are shown on the subdivision were based on the FEMA map of 1975, and then followed by what is shown as the approximate zone which was delineated subsequent to that via the fact that the channel was relocated on both ends, the two culverts were placed, and fill was placed in the middle. He noted that there are two separate floodplain delineations, neither of which are current related to the floodplain ordinances and FEMA regulations. He noted that the note sets the stage for the land development plan as no one knows what the limits of the floodplain are right now until the letter of map revision is issued. He noted that it would be prudent for the Township and developer to be able to identify the 100-year floodplain and the letter of revision before the land development plan was submitted. He noted that there could be some other issues that may make either of the lines ineffective. He noted that the notes guide what is going to happen with the submission of the land development.

Mr. Hornung questioned if the floodplain could be any worse than what is shown using the blue line. Mr. Grubic answered that it would not be any worse than the blue line, and suggested that the red line is probably closer to the actual current floodplain. Mr. Hornung noted, if the Township used the blue line, and the owner submitted a land development plan, and it did not impact the floodplain, would the Township be safe in approving it. Mr. Grubic noted that the subdivision could be approved, but the developer would have to stay in the buildable area. Mr. Hornung questioned, if the owner had a plan that built on the buildable area, would it be safe to approve the plan. Mr. Grubic answered that it could; however, the blue line is not what the current floodplain is. He noted that it would be the worst case, but not an accurate representation of the 100-year floodplain.

Mr. Hornung questioned Mr. Scott if he was willing to build outside the floodplain, noting that that would be the worse case. Mr. Hornung questioned if the note could state that development for lot two would be okay, but, the other lot would have to have a floodplain revision. Mr. Scott noted that he would be acceptable to that requirement, in addition to requiring it if anyone wanted to invade the difference between the blue line and the red line. He noted, if you don't have to invade that line, then you should not have to revise the floodplain.

Mr. Hornung questioned Mr. Scott if he had a buyer for lot two. Mr. Scott answered that there is a lot of interest in lot two. Mr. Scott noted that there are costs associated with changing the floodplain line, and since the Township does not want to share in the costs, he questioned if the timing for changing the line could either be the responsibility of someone who buys lot two or put off until later until someone wants to develop lot two. Mr. Crissman noted that it would have to be incorporated into the costs of buying that lot.

Mr. Grubic explained that the access for lot two would be off of Colonial Road adjacent to the entrance to the Weis Markets, therefore, the entrance road would have to cross over the floodplain, and so lot two would have floodplain issues in the future. He noted that it would be his recommendation to clean up the property, once and for all, so that development in the future can proceed in an orderly fashion consistent with floodplain regulations. Mr. Crissman agreed. Mr. Scott questioned Mr. Grubic if he would be okay with a note that states that the subdivision could move forward, but, prior to the approval of a land development plan, the floodplain must be submitted. Mr. Grubic stated that he could recommend to the Board that that note would be fine, and suggested that it was a reasonable request because it would then allow the floodplain to be identified on the overall track of ground. He noted that neither of the lines are representative of the 100-year floodplain. Mr. Scott noted, if the Supervisors were to approve the subdivision plan if the note was added, then his client would have to decide whether to accept the condition. Mr. Grubic noted that it would be a reasonable note to allow the subdivision to move forward, without any land development, until the floodplain issue is resolved.

Mr. Navarro questioned if the Board would be willing to advance the letter of application. Mr. Wolfe noted that the Township has done this in the past, but he questioned the statement that the Township had previously agreed to fund portions of the floodplain study, as this has never been done in the past. He questioned if there was any documentation with the plan to state that the Township would be willing to help fund the study. Ms. Moran answered no. Mr. Grubic noted that the Township would submit a letter that would essentially state that they are requesting that the floodplain map be revised, attach the documentation, calculations, and all the hydraulic information that supports it, and that it would be done by the developer's engineer. Mr. Navarro noted that this has been done and is ready to go, but he needs the Board members signatures. Mr. Wolfe noted that the Board has done this in the past.

Discussion with representatives of Bishop McDevitt High School  
regarding Spring Creek Road as it abuts the site of a proposed school

Mr. DiSanto explained that he is present to represent, Bishop Kevin Rhoades, and the Diocese of Harrisburg, and not the Triple Crown Corporation. He explained that he has been appointed to chair the Building Committee for the new Bishop McDevitt High School. He noted that the Diocese has a parcel of land under contract at Page and Spring Creek Roads, and introduced Michael O'Rourke, from KCB Architects, who has been hired by the Diocese to design the entire project. He noted that Justin Kuhn of K&W Engineers, is also present, and he would be responsible for the site engineering work.

Mr. DiSanto explained that the plan is in the design sketch stage, and he wanted to share some sketches with the Board members to receive their input.

Mr. O'Rourke noted that it is very early in the planning process and he wanted to show some initial ideas to the Board members. He noted that Spring Creek Road bisects the parcel with 60 acres on the uphill side and 26 acres on the lower side. He noted that there is a ridge on the upper side with an approximate 40 foot drop from the ridge to the road. He noted that the dimensions are roughly 700 feet from the ridge to Spring Creek Road. He noted that there are tree lines that run along Spring Creek Road, with an open zone, and the floodplain, to include the creek, is shown in blue. He noted that K&W had put together an early sketch plan to show how the site would be laid out with the building and sports fields. He noted that the fields would be located in the western direction of the tract as it is more shielded and flat.

Mr. O'Rourke requested to discuss how the two parcels could be knitted together and how to set the building in the right spot to develop a single-secure entry point, as well as good traffic flow for the buses, vehicles, and pedestrians.

Mr. O'Rourke noted that one consideration was to place the parking in the front and have the building located on the slope, but it would require building retaining walls to terrace the parking up the slope in the front area to reach the same level as the building. He noted that the second idea was to put the parking between the stadium and the building with a different building layout, but he found that the driveways were too short to make up the slope to place the building in the zone, noting that it is only a 700-foot distance. He noted, if the parking was put in between the building and the stadium, he could break the floors to drop some of the instructional floors down to work the slope. He noted that this would be down a level or two from the main entrance, but it would required that the building become a retaining wall coming up the slope to get into the entry level. He noted that another option was to work with the slope and the building

to put the parking in the upper area rather than the lower area, and to use the driveway to get up the slope, noting that the instructional wing could work with the topography.

Mr. O'Rourke noted that if the upper parcel could be knit with the lower parcel it would make a big difference in the design. He noted that one idea was to use Spring Creek Road from Page Road as the primary access for the complex, and close the western end of Spring Creek Road, providing a gate for the property so that the day-to-day use would be by way of Page Road.

Mr. O'Rourke noted that another option would be to have the building work with the topography to terrace down the slope, with the parking areas located at various locations, as well as close to the football field. He noted that the building entry level would be at midlevel having the appearance of a two-story building.

Mr. O'Rourke explained that he would like to speak to the Board members regarding the treatment of Spring Creek Road and the knitting of the upper and lower parcels.

Mr. Wolfe questioned if Spring Creek Road would remain open with the last concept. Mr. Koons answered that the western part of Spring Creek Road could have a cul-de-sac and a gate installed, and essentially Spring Creek Road would be vacated from that point eastward. Mr. Wolfe questioned why he would not want to connect the terminus parking lot to the west with Spring Creek Road to the east. Mr. O'Rourke answered that he did not want to do that because the school might want to find a way to utilize the lower parcels for fields to knit the properties together. He noted that you cannot utilize the entire dimension along Spring Creek Road. Mr. Wolfe noted that he was not suggesting to maintain the road, but to maintain the access. Mr. DiSanto noted that most of the road may be able to be maintained as an emergency access for the other side of the building. Mr. Crissman noted that you would need emergency access for the playing fields. Mr. O'Rourke noted that he was thinking of lowering the stadium and having the northern section built into the ground to build in bleachers into the upper side to accommodate the 40-foot slope.

Mr. Hornung noted that the parking is very remote from the football stadium, noting that an earlier drawing had the parking between the building and the stadium. He noted, as people get used to Spring Creek Road being closed, they would stop coming in to use it, but they would go through the property to get to Page Road. Mr. DiSanto noted that the road would be closed. Mr. Kuhm noted that a cul-de-sac would be built for vehicles to turn around, but leaving a depression in front of the gate for emergency access or opening the gate for traffic after a football game. He

noted that he would not want traffic traveling through the property all the time. Mr. Wolfe noted that a sign would have to be posted.

Mr. Blain questioned how much of a parking area would be built. Mr. O'Rourke answered that it would accommodate between 500 and 600 cars, but in the beginning phase there may be less. He noted that the parking to the east of the school would be overflow parking since it is quite a distance from the school.

Mr. Seeds stated that he did not mind that Spring Creek Road would be relocated as he was not sure what further development would occur in that area. Mr. Wolfe noted, if more development would occur that would provide more traffic for Spring Creek Road, he did not think the Township would be able to maintain the road as it currently is. Mr. Seeds noted that the road in that area is not in good shape. Mr. Kuhn noted that all bus and student traffic would enter the site from Page Road as the western entrance of Spring Creek Road would remain gated. He noted that significant improvement would be made to the intersection of Spring Creek and Page Roads.

Mr. Seeds questioned how much land is developable north and south of the property. Mr. DiSanto noted that the land is made up of steep slopes. Mr. Wolfe noted that the Township would not be closing access to anyone, only vacating the road that would be in front of the school property. Mr. Kuhn noted that it would eliminate people using Spring Creek Road as a shortcut. Mr. Hornung noted that Spring Creek Road would need major upgrades if the Township continued to keep it open, so the school would be doing the Township a favor, and it would make the other communities turn into communities as people wouldn't be using their roads as shortcuts. He noted that he would like to deter the traffic from using them as shortcuts as it affects the quality of life for people who live in those areas.

Mr. Crissman questioned where the main entrance to the school would be located. Mr. O'Rourke answered that it would be located on the eastern side of the building, to include a bus loop and a separate parent loop for traffic. Mr. Crissman questioned what the flow of traffic would be for parents, students and buses. Mr. O'Rourke explained that the buses would have their own loop with some visitor parking inside the loop, noting that the buses would have the right of way. He noted, parents would use a different loop to drop off students, and the students and faculty parking would be separate. He noted that in the morning, all the students would be held in the cafeteria area prior to the bell ringing for the start of school. He noted that there would be one main entrance area for visitors in the day that would be secured and locked. Mr. Crissman suggested that it would be a good idea to put the visitor parking outside the bus loop as

the visitors would be parking there when the buses use the loop. He noted that he likes the concept of the bus loop to control the flow of traffic.

Mr. Blain questioned if the project is still on track for a five-year plan. Mr. DiSanto noted that the Diocese plans to open the school in September 2012. He explained that he wanted to meet with the Board members early in the concept stage to seek their input, and that he anticipates coming back in September or October with a submission. Mr. Seeds questioned if a pool is shown on the plan. Mr. DiSanto noted that the plan would include everything that is wanted, but the pool would not be a part of the Phase I construction.

Mr. Wolfe noted, if the Township was willing to vacate a part of Spring Creek Road, would the Diocese be willing to provide a right-of-way, in some general location, as a greenway right-of-way to connect pedestrian access along Spring Creek Road, and some day turn it into a Greenway from Page Road to East Park Drive. Mr. DiSanto suggested that the Diocese would be open to this, but the paramount concern would be the security for the students. Mr. Crissman noted that security protection would be essential.

Mr. DiSanto noted that the reason the architect was chosen is due to their past experience in building catholic high schools. Mr. DiSanto noted that he would continue to refine the project, especially to get a determination on the Spring Creek Road issue.

Mr. Crissman suggested that Mr. DiSanto should discuss the plans with the transportation personnel at the Central Dauphin School District. Mr. DiSanto noted that it was a good suggestion, and that he would be coming back regularly to discuss issues with the Township.

Discussion regarding a request to rezone the Village of Laurel Ridge from R-2 to R-3

Ms. Wissler noted that Mr. Dave Weihbrecht was present to discuss the Laurel Ride plan.

Mr. Weihbrecht, Alpha Consulting Engineers, explained that he is present to make a request from Multi-Penn Properties, who owns and maintains the Laurel Ridge Development, located off of Linglestown Road. He distributed to the Board members an exhibit that requests rezoning from R-2 to R-3. He noted that the current property uses are apartments, and townhouses.

Mr. Weihbrecht explained that the request for rezoning was made to the Planning Commission and they did not support the request. He noted that the Dauphin County Planning Commission also rejected the request for rezoning. He noted that the main objection for granting the rezoning was the traffic volumes for Linglestown Road. He noted that as a result of the denial from the Planning Commission at its February meeting, Multi-Penn Properties hired a traffic

engineer to conduct a traffic study. He explained that the purpose of the traffic study was to show what could be done by-right in the current zone. He noted that it was found that 92 townhouses could be built, but if the R-3 rezoning was granted, the maximum combination of 142 townhouses and apartments could be built. He noted that a copy of the traffic study was provided to the Township, and Mr. Grubic concurred that the traffic study was correct and reasonable assumptions were used.

Mr. Weihbrecht questioned if there was a specific concern that he needed to address, and he requested that a date for a public hearing be set to present all the testimony in support of the rezoning.

Ms. Wissler noted that Mr. Weihbrecht has been working with the Stray Winds Area Neighbors (SWAN) as well.

Mr. Weihbrecht noted that the main issue is the traffic concerns with Linglestown Road.

Mr. Seeds questioned what advantage there would be for the Township to grant the rezoning, other than taxes. Mr. Weihbrecht questioned if it is a reasonable use of the property. He noted that traffic is a problem, but the development's only access is a signalized intersection. He noted that the traffic study would support the rezoning of the property to R-3, noting that the only impact would equate to 15 vehicles per peak hour, as opposed to leaving the tract zoned R-2 and submitting a plan with a use by-right.

Mr. Seeds noted that it has always been a nice development. Mr. Weihbrecht explained that when Mid-Penn purchased the property, they cleaned it up. He noted that the 2006 Comprehensive Plan prohibits the development of apartments that were permitted prior to the new plan. Mr. Weihbrecht noted that there are apartments in the development now, and he was looking for the Board's response to his request for rezoning and request to set a date for a public hearing. Mr. Seeds explained that Mr. Weihbrecht would be entitled to a public hearing whenever it could be scheduled.

Mr. Seeds noted that he likes the development the way it is now. Mr. Crissman and Mr. Hornung agreed. Mr. Blain noted that he is not in favor of changing the zoning for that area at this time.

Mr. Weihbrecht noted that he would change the Supervisors mind during the public hearing.

Mr. Stine questioned if the Planning Commission raised the issue of spot zoning. He noted that there is R-2 zone adjacent to the development that is similar. Mr. Weihbrecht noted that Dauphin County noted that the high-density residential would follow the Comprehensive

Plan. He noted that there is Business Campus (BC) to the front of the development, and part of the purpose of the BC was to encourage residential-pedestrian traffic to visit these sites in place of driving. He noted that the biggest factor that would support the rezoning as it relates to traffic is the fact that the only access to this property is a signalized intersection. He noted that none of the R-1 zones on either side have access to a signalized intersection. He noted that those residents must go through other streets to access Linglestown Road. He noted that the property was previously located in the RC zone.

Mr. Blain questioned what R-2 zoning would be west or east of this property, noting to the east, there is a golf course and Stauffer's of Kissel Hill. Ms. Wissler noted that Kings Point is to the west of the development, and north of Colonial Road is Victoria Abbey, and Kensington Place. Mr. Blain noted that the initial traffic study that he conducted would provide for an additional 50 residential units with an average of eight to ten trips a day. Ms. Wissler noted that it would be ten for single-family and R-2 and R-3 is a little less. Mr. Weihbrecht noted that apartments generate less average trips per day per unit, and noted that he did not have the benefit of the traffic study when this was presented to the Planning Commission. He questioned, if the reason Mr. Seeds stated that he likes the development the way it is, was due to traffic issues. Mr. Seeds answered that it was one of the reasons, noting that there is no shortage of apartments in the Township. Mr. Blain explained the he based his decision on the entire scope of Linglestown Road and adjacent developments and not solely on this tract of land. He noted that adding 50 more units, at six daily trips, would add up to 300 more trips for this small area. He questioned how many other undeveloped R-2 developments could add more daily trips to this strip of road that is already congested. He noted that that is the reason why the land was zoned the way it was in the Comprehensive Plan. Mr. Weihbrecht noted that he would investigate this issue prior to the public hearing.

Discussion regarding the potential to rezone a parcel of land at the southeast corner of Devonshire and Colonial Roads from R-1 to Commercial

Ms. Wissler noted that this property currently is owned by Dr. Augustus Papandrea, is zoned R-1, and he would like to discuss rezoning the property to some type of commercial zoning.

Dr. Papandrea explained that he is a lifelong resident of the Township and he started his medical practice in 1978 with Dr. John Bennett. He noted that the building was owned by Doctors Keating and Bennett at the time he started his practice. He explained that in 1980 the

doctors offered to sell the building to him as they both planned to retire. He noted that he bought the building.

Dr. Papandrea explained, that in 1979, prior to his purchasing the building, the prior owners had provided an easement to the Township to provide a turning lane at the intersection. He explained that as a result of that easement, he lost eight to ten parking spaces when the lane was added.

Dr. Papandrea noted that the basement level has two barn doors and spaces for two cars to park, so he dug out the basement, waterproofed it, and remodeled it, with the intention of renting the area to his brother who is a physical therapist. He noted that the Township would not approve the second business due to the lack of parking. He noted that he finally received a variance from the required 40 parking spaces to 32 parking spaces. He noted that they staggered their working hours, noting that the downstairs business had mostly evening hours, and he had daytime hours.

Dr. Papandrea noted that as his practice grew, the location became burdensome for his patients to get to. In addition, he joined the Holy Spirit Hospital staff ten years ago, and took on two additional doctors. He noted that the corner intersection became very busy, and since he had many older patients pulling out on Devonshire Road he decided to build a new office on Crums Mill Road.

Dr. Papandrea noted that his problem is the zoning for the building. He explained that the building has been vacant for a year, and he had it appraised three times, and there are no doctors or dentists looking for office space. He noted that Stepping Stone was interested in buying the building for a day care center. He noted that the Zoning Hearing Board turned down the special exception due to the busy nature of the intersection. He noted that he can't do anything with the building and it is a real hardship for him to sell it as it is currently zoned. He questioned what he could do to sell the building.

Dr. Papandrea questioned how the doctors were able to build their office in an R-1 zone. Ms. Wissler explained that at one time, doctor's offices were a permitted use in the R-1 zone. Mr. Seeds questioned what the other three corners are zoned. Ms. Wissler answered that the north west corner is zoned BC, the south west corner is zoned R-3 having the church and apartments, and the south east corner is zoned R-1.

Dr. Papandrea noted that there has never been a major traffic accident caused by anyone leaving his office. He noted that it is a highly visible corner, and he can't figure out why the place is not selling. He suggested that it is because it is restricted for a medical office only. Mr.

Seeds suggested that it should not be zoned R-1, since it would not be appropriate to have a residence at that busy intersection.

Mr. Blain questioned if the Route 83 Master Plan includes the intersection of Crums Mill Road and Devonshire Road. Mr. Wolfe answered that it only includes up to the Integrity Bank, past the entrance to the mall. Mr. Blain questioned if the intersection would be redesigned in the future. Mr. Wolfe answered that there is no plan to do work to that intersection with the I-83 Master Plan. Mr. Wolfe noted that PENNDOT does not have this intersection on a list of upcoming projects. He noted that the Board has talked about improving the intersection, possibly in conjunction with the redesign of Valley Road. He noted that the church provided a right-of-way at Valley Road, but there are no plans to make any improvements at this time. He noted that both intersections are in need of improvement, and an additional lane is needed on the Devonshire Road section of the intersection.

Mr. Wolfe noted that the Board could view the property on its next road tour and do some brainstorming for the land. Mr. Hornung suggested that he needs an answer now. Dr. Papandrea noted that it is costing him \$30,000 a year with the mortgage and taxes. Mr. Wolfe explained that Dr. Papandrea is in a position to apply for rezoning. Dr. Papandrea noted that he is attached to the property and would not want it to be converted to an unsavory use, but he noted that a day care would be a natural for that location. He noted that it is a licensed use.

Mr. Seeds suggested that Dr. Papandrea should try to get the land rezoned to something more capable. Mr. Hornung questioned what the BC zoning would permit. Ms. Wissler noted that BC would permit a day care center. Mr. Wolfe noted that there is a minimum lot size for BC zoning. Mr. Hornung noted that there is BC zoning across the street. Dr. Papandrea noted that his property is a 75,000 square foot lot. Mr. Stine noted that it is .48 acre in size. Mr. Crissman noted that he would not want the land rezoned to a commercial use. Mr. Wolfe questioned if Neighborhood Commercial would be acceptable. Mr. Blain noted that an adult book store could not be built at that location as they are limited to certain areas in the Township. Mr. Wolfe noted that rezoning that parcel, anything but residential, would create a non-conforming lot.

Ms. Wissler questioned if a single-family dwelling was to the east of the property. Mr. Hornung answered yes. Dr. Papandrea explained that he had the opportunity to purchase that home a few years ago, but he didn't. He noted that the neighbor uses his parking lot as well as the members of the Devon Manor Swim Pool. Mr. Seeds noted that the tract is no longer suited for a single-family residence. Mr. Hornung noted that east of the two houses is the Devon Manor Pool, therefore, the domino affect would only go so far. Mr. Seeds questioned what would

happen to the properties to the south of the intersection as they are zoned R-1. Mr. Wolfe noted that the logical progression would be to rezone north on Colonial Road first. Mr. Crissman noted that he would not want to see that, as the strip mall on Colonial Road was a mistake.

Mr. Seeds noted that there is a consensus that something needs to be done and he suggested that Dr. Papandrea should work with staff to try to come up with a solution. Dr. Papandrea noted that Stepping Stone is still interested in the property and their lease is up in January 2009. Mr. Crissman suggested that it would be an ideal location for a young physician starting a practice. Mr. Hornung noted that most physicians want to be with a group and not in practice by themselves. Dr. Papandrea noted that the parking situation is a turn-off to most prospective buyers.

Dr. Papandrea questioned if there was a limited commercial use subject to approval. He noted that his first offer was for a Chinese restaurant, but he thought that a day care would be a good idea, or an engineering office. Mr. Seeds noted that Dr. Papandrea could do more if he owns both parcels on the north side of the road.

Mr. Wolfe noted, from a non-conforming use status, a doctor's office would be a continuation of a non-conforming use, but he questioned if a lawyer, engineer, accounting office, or activity of a different profession would be acceptable. Mr. Stine questioned if all those offices would be permitted in the same zoning district. Ms. Wissler answered that medical is included as a regular office. Mr. Stine noted that it could be used as another office under the non-conforming use. Mr. Wolfe questioned what other offices were mentioned in the general office category other than medical. Ms. Wissler answered that the use list for office includes, in parenthesis, that a medical lab may be permitted. Mr. Stine questioned if there was a category for professional office. Mr. Wolfe noted that Mr. Stine is trying to define how specific, as opposed to how general, Dr. Papandrea has to be to maintain the non-conforming use. Ms. Wissler noted that the definition for office states that it must be a use that involves administrative, clerical, financial, governmental, professional, operations, and operations that include business, medical, laboratory, photographic studios, television, radio, broadcasting studios. Mr. Wolfe noted that staff would be in a position to permit any general office activity of a similar nature to the medical office.

Dr. Papandrea questioned why day care was considered more commercial than professional if it is a licensed operation. Mr. Stine noted that the ordinance defines it as doctors, lawyers, public accountants, and other recognized professionals. He noted that day cares are

licensed, but they are not considered professional. Mr. Wolfe noted that any professional office activity would be appropriate.

Mr. Hornung questioned if the land was rezoned to BC, and it was non-conforming, what uses that would permit. Mr. Wolfe answered that Dr. Papandrea would have to appear before the Zoning Hearing Board to get a variance since the lot is non-conforming. He noted that there would be parking and setback issues, as it is already a non-conforming lot size. Mr. Stine suggested that parking is the only issue that he could visualize, noting the building would be allowed to remain, and the lot size is what it is. He noted that someone could occupy it as long as it meets the parking requirements. Ms. Wissler noted that a daycare is permitted in BC.

Dr. Papandrea noted if he wanted to sell it to a daycare provider, he would have to apply for a rezoning to BC to the Planning Commission.

Discussion with Triple Crown Corporation regarding the potential to build a carwash at the former Exxon Service Station located on Mountain Road

Mr. Wolfe explained that he spoke earlier in the day to Mark DiSanto who would like to discuss the possibility of installing a carwash facility at the former Exxon Gas Station on Mountain Road. Ms. Wissler noted that the prior use was a gasoline station, and she included the requirements for a carwash.

Mr. John DiSanto introduced Marc Koakley, Triple Crown's new acquisition manager. He displayed a sketch of what he would like to do with the property on Mountain Road. He noted that the property has been an eyesore for over five years since it was put up for sale. He stated that he acquired the land, and since it is only .7 acre, there are limited uses for the property. He explained that he envisioned a four to six bay carwash, and suggested that there is a need for that type of small business in that area of the Township. He noted that the property is zoned Neighborhood Commercial (NC), and a carwash is permitted in Commercial General. He noted that a carwash requires a one-acre minimum lot size with reclamation.

Mr. DiSanto explained that the new carwash off of Union Deposit Road has the reclamation of water, and dryers that are much different from the old carwashes. He suggested that one option would be to rezone the property to Commercial General, but he would have a problem meeting the minimum lot size. He noted that it could be construed as spot zoning as well. He stated that he could ask for a variance from the Zoning Hearing Board, or if possible, he would request a text amendment to allow the use on a .5 acre with reclamation. He noted that a third option could be a conditional use.

Mr. DiSanto noted that he tried to purchase the adjoining bank property, but he was unable to do so. He noted that the lot is not large enough to house a building. He explained that he is in the process of removing the underground gasoline tanks and cleaning up the property.

Mr. Wolfe noted that the Township could do a text amendment and allow this as a permitted or conditional use in the Neighborhood Commercial and allow it on a reduced lot size of .5 acre. Mr. Seeds questioned if there was public water on the tract. Mr. DiSanto answered that there was. Mr. Seeds questioned if the water line would be large enough. Mr. DiSanto answered that it was. He noted that carwashes do not use as much water as you would think, especially since they reclaim a large amount of the water.

Mr. Seeds questioned if the lot was large enough for a four-bay carwash and vacuum machines. Mr. DiSanto answered that he sketched a layout for this, and was told that he could put six-bays, but he thought that it would be too much, and instead is planning for only four bays. He noted that he watched the process at the Union Deposit carwash, and he noted that the customer never gets out of the car, pays with a credit card, remains in the car, and within five minutes the car is washed.

Mr. Seeds questioned what the reason was for the one-acre requirement. Ms. Wissler answered that she did not know, but suggested that it was Mr. Schmehl's minimum lot requirement.

Mr. Hornung noted that for the area on the west side of Mountain Road, the carwash would not fit in well with the other uses, and aesthetically, it is not the most appealing use. He noted that everything along that part of the road is nice, but on the right side of the road, it is just the opposite. He stated that he would like to see the east side of the road fixed up sometime. He suggested that it would not be in the same nature as the other uses for that side of the road, but agreed that Mr. DiSanto is limited with what he could do with the lot. Mr. DiSanto noted that the property across the street is Carl's Auto Body Shop, and a bank is adjacent to the lot. Mr. Hornung noted that it would not fit in with the bank use. Mr. Blain suggested that it could be designed to appear pleasant, as he noted that the carwash by the Capital City Mall is nice. He stated that you would not know that it was a carwash until you got to the back side of the building. He noted that it is nicely landscaped with trees and a brick façade. Mr. Hornung noted that he would be more amenable with the idea if he turned the building sideways. Mr. DiSanto noted that he would be open to suggestions, and that is why he came to the meeting. He noted that he could address some architectural treatments to make the building appear nice. Mr. Hornung noted that it would have to match the rest of the area. Mr. Wolfe noted that you could

make it a conditional use or a special exception, and add architectural standards to review as part of the conditional use. Mr. Hornung noted that he liked that idea.

Mr. Seeds questioned if there would be a problem with people turning left coming out of the carwash. Mr. DiSanto noted that he did not think there would be an issue with that sight distance. He noted that the challenge is that it is a small lot, and in today's world with building setbacks and parking requirements, it is impossible to construct a building on the lot.

Mr. Wolfe noted that Mr. DiSanto could apply for a conditional use or special exception. Mr. Seeds questioned how much traffic the carwash would generate. Mr. DiSanto noted that he could supply that staff with that data.

#### Discussion with Mr. Shatto on the Koons Park Pool funding

Mr. Wolfe noted that Mr. Walter Shatto would like to address the Board members regarding the Koons Memorial Park Pool.

Mr. Shatto explained that he is a Board member of the Koons Memorial Park Pool, and is representing the current Board of Directors. He explained that a few members from the pool were responsible for the start up and operations of the pool this year, and it actually worked out well. He noted that many residents used the pool over the course of the summer, and a number of people established memberships with the pool. He noted, that as a result of the late start, the pool is experiencing a deficit. He noted that the Township, in the past, has supported funding for the pool and he is present to request funding to offset the deficit.

Mr. Shatto explained that he would also discuss the anticipated repairs that would accommodate a reasonable opening for the pool next year.

Mr. Shatto noted that the facilities have functioned very well, and he has not seen any evidence why the physical plant is at critical risk for operations.

Mr. Shatto distributed a spreadsheet for the operations of the pool.

Mr. Blain questioned what drove the deficit for the year. Mr. Shatto answered that the pool opened late, and as a result, many members moved their memberships to other pools. He explained that he had approximately \$9,300 of operating income, in addition to a balance from the prior year of \$4,200 for a total of \$13,500. He accumulated operating expenses of \$17,700 that results in a \$4,200 debt. He noted that this includes payroll for staff and chemicals for the pool.

Mr. Blain questioned how those numbers compared with the prior year's numbers. Mr. Shatto answered that the pool did not approach the membership levels of the previous years, however, he was unable to provide an answer as he had not reviewed the previous year's budget.

Mr. Seeds questioned if Charles Barto is still involved with the pool. Mr. Shatto answered that the three operating members are John Bennett, Charles Barto and himself.

Mr. Seeds noted that, in the past, the Township expended funds for the opening and closing of the pool, but he was told last year that the pumps need a lot of work. He explained that the Township expended extra funds last year to pay for a new well pump. He noted that the Board had to cut the 2008 budget in many areas and nothing was budgeted for the pool due to the uncertainty of its opening. Mr. Crissman explained that Mr. Barto addressed the Board members earlier in the summer requesting funds, and he was asked to come back to the Board members with estimates and budget numbers, but the Board had not heard anything more from him.

Mr. Blain noted that Mr. Shatto attributes the deficit to the late opening of the pool and members moving on to other pools. Mr. Shatto noted that the image portrayed by the pool organization in June had a significant impact on the members returning. He noted that the pool has had over 125 memberships in the past, and for this year, the pool gained 20% of the membership back. He noted, if the image would prevail that the pool would remain open, then many members would return. Mr. Seeds questioned how many memberships he had this year. Mr. Shatto answered that it was between 20 to 25 memberships and the costs for a membership was \$235. He noted that the membership rates were not increased from last year, and that he did not have time to anticipate what a reasonable operations budget would be until he went through the process.

Mr. Shatto noted that Mr. Barto approached him in regards to purchasing a piece of equipment to mow the grass, but he questioned Mr. Barto if it would be good to use the funds to purchase a mower. He noted that Mr. Barto asked him if he would be willing to serve on the Board for the pool. He noted that he agreed to help cut the grass and maintain the pool area, and is also operating the main parts of the facility to include the pumps and chemicals. He noted that the pools were full of algae and had a duck family living in it, but he was able to clean it up. He noted that he provided a Board of Health review to open the pool, and have provided the samples to the Board of Health on a weekly basis. He noted that staffing has been an issue with regards to life guards and working with the younger members of the workforce. He noted that his daughter-in-law has been the pool manager, and she does the staff scheduling.

Mr. Blain noted that the pool is a great thing, but if it is going to run at a deficit, it would be real difficult to consider leaving the pool open long-term. He questioned Mr. Shatto if he had a plan in mind to raise revenues and how to bring the former members back. He noted that he would not want to be in the same position next year at this time with a \$5,000 deficit. Mr. Shatto noted that he was pleased that the pool only had a \$4,000 debt with the way the pool year started. He suggested if the membership sees leadership and administrative action, many people will return. He noted that the people who came back were appreciative of the pool opening. He noted that he also had many guest passes this year. He noted that there would be a good source of revenue generation next year using proper registration procedures between now and then. He noted that he became involved in the pool three weeks after Memorial Day, and that no membership registrations had been sent out. He noted that he mildly broadcasted the memberships for the pool and tried to encourage memberships to those who were using the pool on a day-to-day basis.

Mr. Seeds requested Mr. Shatto to submit a business plan for the next season and provide it to Mr. Wolfe to review. He questioned if Mr. Shatto had a plan to get memberships up to the point that it would be self-supporting. Mr. Blain suggested that Mr. Shatto's issue is more of an immediate need to fund the gap. Mr. Shatto noted that the deficit would be \$5,000 by the end of August. Mr. Blain questioned if the money is owed to vendors. Mr. Shatto answered yes. Mr. Blain questioned who would ultimately be responsible to pay the bill. Mr. Wolfe answered that the Township has no legal responsibility for the pool, and that the association would be responsible for the payment of bills. He noted, at one time, there was personal liability for the association as they financed the construction of the pool using their homes as equity.

Mr. Blain questioned if the Township should provide a loan to the pool for \$5,000 to pay the bills, noting that the pool would have to have a bottom line income of \$5,000 to pay off the loan on top of the operating expenses. He noted that this would drive the Pool Board to get memberships to increase its revenues. Mr. Wolfe noted that there would be no collateral for the loan.

Mr. Crissman questioned what the total expenditures for next year would be. Mr. Shatto answered that it would be \$19,000. Mr. Crissman noted that the pool would have to raise \$19,000 next year to operate the pool in addition to \$5,000 to pay the loan back. Mr. Blain noted that the loan repayment could be extended.

Mr. Shatto noted that there are lagging repairs that need to be done to put the pool in reasonable shape for next year. He noted that the pool wall needs repaired and painted, and that

the pool would need to be in a serious state of readiness for next summer season. He noted that there is a broken toilet in the ladies room, and an issue with the rainwater down the center of the locker room areas. Mr. Wolfe questioned if it was safe to say that Mr. Shatto was looking for \$5,000 for operations for this year, and \$5,000 for next year and \$10,000 for improvements to start up next year.

Mr. Blain questioned how much is charged for memberships. Mr. Shatto answered that the membership rate is \$235 for a family membership and \$7 per day for a guest pass. He noted that there would have to be an anticipated raise in the membership fees. Mr. Blain noted that the pool needs roughly 80 memberships to break even. Mr. Shatto noted, to break even to start next year, he would need the \$4,200 deficit for finances for July 30<sup>th</sup>, plus the anticipated closing costs for the weekend prior to the opening of school. He noted that he would not resume the evening hours as was done in the past as it does not make sense to keep the waters chlorinated for evening use only. Mr. Shatto noted that he thought 80 family memberships are doable.

Mr. Blain noted that the Township's funding in the past has been for capital improvements and not operations. Mr. Seeds noted that the Township paid for the opening and closing costs. Mr. Blain noted that the operating costs are over \$17,000 and they would need roughly 80 memberships to break even.

Mr. Hornung noted that the key to this year is that the original board has problems and dissolved away to nothing, and the pool opened three weeks late, and it has been problematic, with a lack of clear direction and teamwork. He noted, to invest a minimum of \$20,000, the Board would need assurance that there is something driving the pool and that things don't flow like it did this year. He questioned if Mr. Shatto would continue to remain a Board member, and if he would bring others into the Board to help drive the pool. He noted that the key to him is that he would not want to put more money after bad money, but if there is someone who would organize the pool, drive it forward, provide leadership, he would be willing to help out, but if no one is going to do it, then he would have a hard time putting any more money into the pool.

Mr. Seeds noted that he would like to see a good business plan. Mr. Hornung noted that he wants to know that someone would be responsible to follow through. Mr. Shatto noted that he plans to be a part of the process next year. He noted that it is in his best interest to see the pool in operation next year. He noted that it is part of the community, his life, his children's life, and his grandchildren's life. He noted that Vicki Koppenheffer is the Financial Secretary for the pool. He stated that he would have to get more information from her. He agreed that there needs to be a couple of key persons to take responsibility for the pool, and he agreed to step forward to take

responsibility for the pool's physical plant, to see how significant the costs would be to continue the pool's operations into next year.

Mr. Hornung noted that someone needs to be driving the marketing side of the pool, and if the plane is going down, let it crash and burn, but on the other hand, if you can turn it around, and its starting to go up, then they need to drive the marketing for the pool. He noted that mailers need to be sent for next year's membership. He noted that if he receives assurance that this will occur, then he would be more willing to invest in the pool. Mr. Blain noted that the pool should be advertising memberships now for the 2009 year with a 10% discount. He noted, if people are willing to pay now, it would provide some additional cash flow.

Mr. Crissman noted that the Board needs to determine what it is going to do, if anything, with the current \$5,000 deficit. Mr. Blain noted that the Board must determine if it would alleviate the debt for this year. He noted that this would not include any capital improvements to the pool. Mr. Shatto noted that the improvements could wait until next spring. He noted that it would be good to work on the membership drives, using a discount rate, or maintaining the current rates, anticipating that the membership would increase in the 2009 season.

Mr. Blain suggested that the pool should have an open house for the community before the pool closes, and then solicit memberships.

Mr. Seeds questioned if the Board wanted to take any action tonight. Mr. Blain questioned Mr. Shatto if he could wait for two weeks until the Board meets again. Mr. Shatto noted that he does not have the creditors at the door at this point.

Mr. Hornung noted that he needs to know that someone would be developing a marketing plan to sell pool memberships, as he thinks it's a viable recreation center. He noted that it takes many people to run the pool, and many talented people who can take charge of certain areas of the pool facilities.

Mr. Blain suggested that the Board could provide the means to finalize their debt during the next meeting within the next 30 days.

Mr. Bennett noted that there are some daycare centers who are interested in joining the pool next year, and he and others took over the pool as a blind project, and it was a little late in the season as well. He suggested that the three board members did a great job for what resources they had, and the neighborhood appreciates the efforts. He noted that the three board members are on board to keep the pool running and he suggested that he could come up with a business plan without much work. Mr. Blain noted that it would be simple to determine what it would cost

to run the program next year, with the fixed expenses. Mr. Seeds noted that the Board would like to help the pool but it needs assurance that there would be a future with the pool.

Mr. Bennett noted that when they opened the pool, they did not have access to the membership list and none of the applications were sent out last year. He stated that they started from ground zero. Mr. Hornung noted that he wants to make sure that it doesn't happen again. Mr. Bennett noted that it would not happen again. He noted that the pool has been an icon in Linglestown for as long as he can remember, and a lot of people did a lot of hard work to make it happen. Mr. Crissman noted that there has been much individual work to build and maintain the pool over the years.

Mr. Seeds noted that he would be waiting to hear from Mr. Barto and Mr. Bennett on the information that the Board members requested.

### **Adjournment**

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary