

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held October 14, 2008

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:27 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, Gary A. Crissman, and David B. Blain.

Also in attendance were Steve Stine, Township Solicitor; Lori Wissler, Community Development Manager; and Dianne Moran, Planning and Zoning Officer.

Also in attendance were the following members of the Planning Commission: Fred Lighty, Chairman, Ernest Gingrich, Dennis Guise, Richard Beverly, and Doug Grove.

Also in attendance were: Watson Fisher and Eric Epstein, SWAN; Jim and Cindy Storm; Dr. Jeff Keiser; Dan Natirhoff; Greg Allen; Rich Pleasants; Sam Cooper; Ken Parmer; Bill Bostic; Peter Halvorsen; Justin Kuhn, K&W Engineers; John DiSanto, Diocese of Harrisburg; Mike O'Rourke, KCBA Architects; Dan Schauble, CMX; Francis and Joel McNaughton, McNaughton Company; and Tim Mellott, Mellott Engineering.

Pledge of Allegiance

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

Board Members' Comments

Mr. Hawk apologized for the late start of the meeting, but the Board members were tied up with a picture session with Senator Jeff Piccola.

Mr. Hawk noted that Mr. Wolfe was unable to attend the meeting due to a medical condition.

Public Comment

No public comment was provided.

Discussion with the Planning Commission on the following items:

Presentation of information regarding a Business Improvement District

Mr. Hawk noted that there are many Business Improvement Districts (BID) in the area, noting that the City of Harrisburg and Hummelstown Borough both have BID's. He noted that

Mr. Lighty, Chairman of the Planning Commission, would be presenting a Power Point Presentation on BID's.

Mr. Lighty explained that the Board of Supervisors asked the Planning Commission to research BID's, specifically to identify areas that might be suitable to have one, to promote the economic welfare of the district and the Township, and to identify improvements a BID could assist in developing that are not currently happening. He noted that major improvement districts can be found in Harrisburg, Reading and State College.

Mr. Lighty explained that BID's are created and governed by the "Neighborhood Improvement District Act" 73 P.S. §832 et.seq. He noted that a Neighborhood Improvement District (NID) is defined as a limited geographic area within a municipality in which a special assessment is levied on all designated property for the purpose of promoting the economic and general welfare of the district and the municipality. He noted that the NID is a generic term and it includes subsets of districts such as: Business Improvement Districts, BID; Residential Improvement Districts, RID; Industrial Improvement Districts, IID; Institutional Improvement District, INID; or Mixed-Use Improvement District, MID.

Mr. Lighty explained that the Planning Commission reviewed maps, drove around the Township taking pictures, studied various areas, and had lengthy discussions on what area to choose that would be suitable, such as: Paxtonia, Linglestown, Colonial Park, Union Deposit Road (west), and the Route 22 Corridor. He noted that the Planning Commission determined that the Route 22 corridor was the best location for a BID since it is the Township's main street and it has a sufficient size for minimal assessments to fund significant improvements.

Mr. Lighty noted the Planning Commission reviewed an aerial map and identified, in red, where a BID could be located. He noted that they picked out parcel maps, and the area chosen for the BID was a long skinny stretch along Route 22. He noted that only businesses of a commercial area were chosen.

Mr. Guise noted that the definition states, that a BID "shall mean limited geographical area comprised of real property which is used for any for-profit activity, trade and traffic, or commerce in general." He noted that when the Planning Commission encountered a parcel that did not meet the definition, it had to be excluded from the map. Mr. Lighty described the boundaries as the Colonial Park Mall, Colonial Commons, and Paxton Towne Centre, all the businesses between the major shopping along Route 22 were included from Mountain Road to the Ollie's and the Sheetz and the Harley Davidson Dealership.

Mr. Lighty noted that the discussion then turned to the goals for the BID. He noted that the goals are for traffic management improvements, marketing and beautification of the area. He noted that an example of marketing could be putting up a welcome sign at the east end of Route 22. He noted that an example of beautification would be what the City of Harrisburg did with the planting of beautiful hanging baskets during the summer months. He noted that the City of Harrisburg's BID takes responsibility for the maintenance of the plants.

Mr. Lighty noted that the next steps for the Planning Commission to do are to receive approval from the Board of Supervisors to proceed, noting that it would be good to get expert advice, and solicit key stakeholder's opinions. He noted that a preliminary plan would need to be drafted, and a public hearing scheduled; after receiving the feedback from the public hearing, a final plan would be drafted, and a second public hearing would be scheduled. He noted that the Planning Commission would have to administer what is called a 45-day objection period, noting that 40% of the property owners within the BID must file written objections within this period to defeat the BID. He noted, if the BID reaches this stage, then the Board would enact the district, by ordinance, and after that, a required district management association would be formed.

Mr. Hawk questioned if anyone has any questions for Mr. Lighty. Mr. Blain noted that Mr. Lighty did a very good job on the presentation.

Mr. Seeds noted that he envisioned Paxtonia as the area for the BID since it would be a beautiful area to enhance since it has a wide street that could be shortened, and possibly add a green space area in the middle, in order for the area to remain a viable area. He suggested that certain areas of Route 22 may need some help, especially west of I-83. He noted that he was not sure why the Planning Commission selected Route 22. He noted that the Walnut Street Corridor Study, which was completed, not too long ago, had certain aspects of the final study that he was and still is opposed to. He noted that one recommendation was to have the Township change the zoning to allow multi-level apartments, and residential mix, above the commercial uses all along Route 22 to make it more viable. He noted that he was not in favor of that at this time. He questioned how the Planning Commission would fit that into their plan for the BID.

Mr. Seeds noted that he was not happy with the news that Boscov's may be closing. He noted that it is important to keep viable stores at the Colonial Park Mall, and not to allow that mall to become like many stores in the City that closed. He suggested that the BID may be ahead of its time, but the Township must deal with the recommendations of the residential uses from the Walnut Street Corridor Study.

Mr. Seeds again questioned why the Planning Commission picked Route 22 over the Paxtonia area, and how does it feel about the Walnut Street Corridor Study.

Mr. Lighty explained that the Planning Commission looked at the Paxtonia area, and felt that those types of improvements would be very nice for the area, but, when it noted that a BID is allowed to levy an assessment on the businesses, it felt that there would not be enough of a revenue source to raise enough money, given the small amount of businesses that Paxtonia has to pay for the improvements. He noted that all the Planning Commission members have received and read the Walnut Study Corridor Study, but the Committee did not look at the BID in view of future zoning or what impacts it would have. He noted that the area was studied for what is there now in order to pick the parcels that could be included in the BID. He noted, if a parcel is changed from a commercial use to a residential use, it could no longer be included in the BID. Mr. Seeds noted that the Study recommended a mix of commercial and residential which is good for some place like Linglestown and maybe Paxtonia, but he did not know if it would be good for a location like Route 22.

Mr. Lighty noted that the Planning Commission had discussions in that there are other mechanisms for small areas like Paxtonia, such as zoning it as a Village, or a Redevelopment Authority. He noted that a Redevelopment Authority would have the ability to finance the improvements the Township is looking for.

Mr. Seeds noted, in these economic times, it may be difficult to get businesses to pay an assessment every year for a BID. Mr. Lighty noted that in hard economic times, the Township's main street will be competing with the new development in Swatara Township. He questioned if it would be a benefit to secure the shoppers limited dollars to be used in Lower Paxton Township and not Swatara Township. Mr. Seeds noted that the loss of commercial revenue would hurt the Township and affect its ability to provide services to the residents. He noted that the Township needs to keep the businesses viable on Route 22.

Mr. Hawk noted that Route 22 is the obvious place that people drive coming into the Township, and they use that roadway to access the various retail establishments. He suggested that it would be good to start at the center of trade and commerce.

Mr. Hornung noted that there is a great surplus of retail space in the Township, and once the plague starts, it contaminates the other businesses, and makes it more difficult for them to stay viable. He noted that the program is not to re-vitalize as much as to take a group who is doing fairly well, and enhance it. He suggested that the Township may be a year or two late in trying to accomplish this, but he thinks it is a good idea to pursue the BID. He stated that he

could be convinced to pay an additional fee if he knew he would get a return for it. He noted that a business is always looking for a return for its investments. He noted that when times get tough, he even looks more so for those types of investments that will pay out. He noted that he had to layoff two employees and he needs to take that money and invest it into other types of improvements that would bring in more business. He noted that the Planning Commission may be able to capitalize on the BID, but the key would be to look at what could be done to drive more businesses into the Township.

Mr. Hornung noted that Route 22 is the main street for the Township, and it is an area that needs some upgrading. He suggested that it would be a good way to go, and if the Township can withstand the hard times ahead and grow, he thinks that this is a good tool for that.

Mr. Hawk noted that a BID provides a plan for the Township, and the public hearing would flush out the positives and the negatives.

Mr. Lighty noted that the businesses in Carlisle did not want a BID, but the key is how you write your preliminary plan. He noted, if it is well thought out, and can demonstrate a return on an investment to the business owners, they will be for it. But if you don't provide a good plan, they will be against it. He noted that it would be their choice; therefore, it is incumbent on the Township to come up with something that will demonstrate a return on the business owner's investments.

Mr. Guise noted that the statute requires that every property that pays an assessment has to be able to have a direct or indirect benefit from being in the district. He noted that the plan has to be designed to benefit every property. He noted that you could use your imagination to come up with neat things for the Route 22 corridor to attract people to shop in the Township. He noted that business owners would base their decisions on whether the BID would benefit them.

Mr. Hornung noted that the BID should not just look at bringing in businesses, but at other issues, such as, how important it is to have a bus stop close to a store to hire people who are willing to come from the lower economic areas to work. He noted that retail pays on the lower end of the wage scale, noting that it is tough to make a living on \$10 to \$12 an hour. He noted that providing a bus stop for employees who can't drive or don't have a car is a great enhancement for businesses.

Mr. Hornung noted that the Township is also looking into workforce housing that could be incorporated into the BID as well.

Mr. Hawk requested the Planning Commission to continue its work and keep the Board members apprised of what it is doing.

Presentation of a sketch plan for the proposed Bishop McDevitt High School

Mr. Hawk noted that Mr. John DiSanto is present on behalf of the Diocese of Harrisburg, to present the latest sketch plan for the proposed Bishop McDevitt High School. Mr. DiSanto noted that he is present with Mr. Mike O'Rourke, KCBA Architects, from Hatfield, Pennsylvania; who is the principal in charge of the project performing the design work on the architectural structural work, and Justin Kuhn, with K&W Engineers.

Mr. DiSanto noted that he would provide a brief introduction, and Mr. Kuhn will provide slides to show the site layout for the project, with Mr. O'Rourke providing the elevations, architectural, and floor plans to receive input from the Board, prior to making its submission to the Township next month.

Mr. DiSanto noted that the underlying mission is to create a legacy building that will be as stunning and spectacular as the old building, but yet bring it into the 21st century. He noted that one thing that Bishop McDevitt has lacked over the years is the ability to interact with the community on a full scale based on the current location and the lack of parking. He noted that the purpose is to answer the Catholic community's goals, but that it can also become a focal point for the community.

Mr. DiSanto noted that Mr. Alex Szeles is also in attendance at the meeting, and is in charge of the Real Estate Committee for the Diocese of Harrisburg.

Mr. Kuhn noted that the proposed site is located along the north and south side of Spring Creek Road, west of Page Road. He noted that the site consists of 87 acres with the majority of the property located on the north side of Spring Creek Road, and one third located on the south side. He noted that the site is currently zoned RC, Residential Cluster, and a school is a permitted use, with the underlying district being R-1. He noted that a small parcel to the west would be combined with the tract.

Mr. Kuhn noted that the current enrollment at Bishop McDevitt is between 700 and 740 students, and the new school will be designed for 900 students. He noted that a traffic impact study has been completed and will include improvements to the Page Road, Spring Creek Road, and Chatham Glenn Way intersection. He noted that the improvements would include the following: a signalized intersection; the current concrete medium would be changed to accommodate a full turn movement to include a left turn lane. He explained that traveling south on Page Road, there would be a left and right turn lane, and also a left turn lane from Spring Creek to Page Road. He noted that he has been in preliminary discussions with adjacent property owners to secure a right-of-way for roadway improvements. He noted that the sidewalk would be

extended on Spring Creek Road and line up with the sidewalk at Chatham Glenn for the students who walk to school. He noted that a key component to the site is the vacating of Spring Creek Road. He noted that a cul-de-sac has been designed to provide access for PPL, and a second cul-de-sac would represent the end point from Spring Creek Road, traveling west to east. He noted that the intent is to provide for an emergency access gate at that location. A question was asked why the Diocese wanted to have the Township vacate the road. Mr. Kuhn answered that the road is in very bad shape, and to widen the road would be a significant impact for fill, embankment, streams, floodplain, etc., and also from the safety aspect. He explained that all traffic would enter the site by way of Page and Spring Creek Road. He noted that the gate at the western end of Spring Creek Road would be used only for emergency situations, or large events, to release cars from both entrances. He noted, by vacating the road, it would bring both sides of the property together, to create a campus feel for Bishop McDevitt. He noted that it would become an exclusive area for Bishop McDevitt, to place them in a secure pocket away from everyone. He noted that the entrance driveway would form a circle up to the cul-de-sac.

Mr. O'Rourke explained that the ordinance requires 204 spaces for students and staff, but the plan provides for 481 spaces, noting that it includes a dedicated bus loop with staff parking in the middle, noting that staff would start and end their stay before and after the buses are finished unloading and loading the students.

Mr. Seeds noted that Mr. Crissman mentioned that there is handicapped parking within the bus loop, and other parking, and it was mentioned that it might be a problem with the buses that would be sitting in the loop for a period of time waiting to load students. He noted that cars would not be able to leave while the buses are in that loop. Mr. Kuhn noted that the original plan had dedicated visitor parking, and he agreed that it would create a conflict with bus travel, but he has changed to dedicated staff parking. He noted that the handicapped parking spaces are located close to the entrance of the building, and moving them to another area greatly increases the access to the front of the building. Mr. DiSanto noted that he has not completed discussions with the personnel from the Central Dauphin Transportation Office. Mr. Seeds questioned how many buses come to the school daily. Mr. DiSanto suggested that it would be close to 30 buses. Mr. Crissman noted that of the 30 buses, 25 would be from the Central Dauphin School District, and that is why he suggested checking with their office to make the buses flow smoothly in a timely fashion.

Mr. Seeds questioned if there are plans to add on to the school in the future if needed. He suggested that once the school opens, he envisioned a 50% increase in enrollment in a couple of

years. Mr. DiSanto answered that the reason for building for 900 students was based on information from the Dioceses of Allentown and Philadelphia. He noted that when these types of schools open, the enrollment has increased, and suggested that an increase from 740 to 900 students would be a significant increase. He noted that it is not a huge school by public school standards.

Mr. Seeds noted that the traffic goes in all directions after football games from Central Dauphin's Landis Field, but he noted that the current plan for Bishop McDevitt would only provide for one way to exit the traffic. Mr. Kuhn noted that the intent is to open the gated cul-de-sac only during special need events. Mr. Seeds noted that it would defeat the purpose of staying away from the narrow road. Mr. DiSanto noted that it would only be a maximum of eight times a year that this would be done and for a narrow window of time. He noted, if the road is vacated, there would be no traffic traveling east on Spring Creek Road, but traffic would have to be well regulated as the people leave the site.

Mr. Hawk noted that people who generally travel Spring Creek Road to Page Road would have to be notified. Mr. Kuhn noted that there would be an adjustment to be made.

Mr. Kuhn noted that the traffic impact study ran two scenarios, one for the vacating of Spring Creek Road and the other for keeping it open, and it is known that the proposed traffic improvements work for both scenarios. He noted that the Diocese of Harrisburg would prefer vacating Spring Creek Road.

Mr. Seeds questioned if the Diocese of Harrisburg would be providing a traffic signal. Mr. Kuhn answered yes.

Mr. Szeles noted that it would be good to mention that the road improvements would also include the site deficit that is currently on Page Road. Mr. Kuhn noted that there is a vertical hump in the road on Page Road, and it would be lowered six feet which would bring the road into compliance with current safe stopping distance standards in advance of the traffic light.

Mr. Seeds questioned if Page Road is a state road. Mr. Kuhn answered that it is. He noted that the visitor, staff and maintenance parking are located at other areas outside of the bus loop. He noted that the loop road, for the perimeter of the site, that has the stadium located inside, includes overflow parking of 750 spaces for a stadium of 3,000 seats. He noted that the total parking for the site would be roughly 976 parking spaces.

Mr. Seeds questioned if Bishop McDevitt ever discussed using Landis Field for football games, noting that it has artificial turf. He noted that Bishop McDevitt plays their home games on Saturdays, and the same people who support the school are also paying taxes to support

Central Dauphin School District. Mr. DiSanto noted that the Catholic community is very aware of that. Mr. Seeds noted that once artificial turf is placed, it can be utilized heavily. It can also accommodate other uses, such as soccer. Mr. DiSanto noted, to his knowledge, there has never been any discussions regarding Bishop McDevitt using Landis Field.

Mr. Kuhn explained that tennis courts are planned to the east, with baseball and softball fields overlapping with soccer and field hockey, noting that some soccer fields could be located on the lower level. He noted that the intent would not be to develop the lower portion at this time, but reserve it for future overflow parking, athletic fields and any future need for the school.

Mr. Kuhn noted that stormwater management would be located at two locations to meet the Act 167 requirements, and public sewer would be extended to the site by way of Pine Hill Road. He noted that the sewer planning has been secured through DEP for 20,000 gallons per day. He noted that public water ends at Harvest Drive, and he is awaiting feedback from United Water PA for flow testing to determine how they would access the property, from the east or the west.

Mr. Mike O'Rourke noted that K&W and KCBA Architects have worked very closely to plan the site and the building. He noted that Mr. Kuhn already addressed the site circulation, but he would like to address the issue of the topography for the site. He noted that there is a 40-foot drop from the ridge area to Spring Creek Road. He explained that the building is projected to have a three-story level for classrooms, and the main entrance would be located at the mid level which would house the main core functions of the building, to include the gymnasium, cafeteria, auditorium, athletic areas, music areas, and part of the three-story instructional wing. He noted that the classrooms would be located up or down from this level. He noted that the chapel and library have been included as part of the instructional wing.

Mr. O'Rourke explained that the cafeteria is used in the morning as a collection area for students coming into the school in the morning, who are then released into the school at the proper time. He noted that there are many functions that would serve as dual uses and sustainable ideas in the building design.

Mr. O'Rourke noted that the building flows into the landscape area, noting that for the lower level of the instruction wing, there is an indoor and outdoor space for the art room. He noted that the south side would accommodate a sunscreen that would reflect the light upwards which would allow the turning off of lights during the day when it is not necessary to have them on. He noted that the original building housed twin towers, and the new building would have dual towers next to each other.

Mr. O'Rourke noted that the grade is made up for the bus loop, noting that the building terraces down the slope. He noted that he is looking to use very durable masonry materials and simple structures and systems in the building to keep the costs under control. He explained that he provided an overhang for the art rooms as you do not want direct light into that room, and it would also accommodate access to the outside if needed.

Mr. Crissman questioned where the administrative offices would be. Mr. O'Rourke answered that the feature built into the plan is that the entrance sequence for visitors is that they would enter through the front door directly into the office area, and would not have access to the main lobby without entering the office area first.

Mr. Seeds questioned if there were federal regulations for the construction of schools and security. Mr. O'Rourke noted that there are only guidelines, and security is the main issue for all new school design.

Mr. DiSanto noted that the instructional wing is completely separate from the rest of the public spaces, so, if there are public events after hours, there would be no access to the classroom wing. He noted that the auditorium and gymnasium have access to bathrooms that are in close proximity to it. Mr. Seeds noted that there could be events scheduled for the chapel. Mr. DiSanto explained that it would not be in conjunction with a school play or basketball game. He noted that there could be events in the chapel during the day that the public would be invited, and visitors would access the chapel through the main hallway. He noted that there are clear lines of site for EMS personnel provided for the plan.

Mr. O'Rourke noted that Bishop Rhodes requested that the chapel be a part of the student's daily experience in school, having to pass by it and use it often.

Mr. Hornung noted that the Township provides for School Resource Officers (SRO), and he noted that this has been done at the Dauphin County Technical School and Central Dauphin East High School. He noted that the Pennsylvania State Police (PSP) provides a SRO for the Central Dauphin High School. He noted that it is a well received program by the School District, and it has a huge impact on the school. He noted that the SRO's like to place their office near the front of the school. He noted that the teachers like the extra protection that it affords them as well, and suggested that a small area, eight feet by eight feet would be needed to house a computer, desk and a window. Mr. O'Rourke noted that he has a spot that could be used for that in the area of the attendance office, expanding that area to provide an additional office. Mr. Seeds noted that the Township shares the cost with the school. Mr. DiSanto suggested that it would be an interesting addition for the school and he would mention this to the Bishop. He

suggested that there would be more community action in this school than what is happening at the existing School due to the availability of parking and access. Mr. Hawk noted that it provides for a great relationship between the students and the police officers.

Mr. DiSanto noted that the Committee refined comments received from the earlier presentation, but the architectural aspect is not further ahead than this sketch plan. He noted that Mr. Kuhn is working on the site plans, and he hopes to make a formal submission to the Township next month. He noted that there is plenty of time to refine what would happen with the building and such issues as a SRO. He explained that he was looking for some level of comfort with the various Boards for such issues as vacating Spring Creek Road.

Mr. Hawk noted that the vacating of Spring Creek Road may cause some consternation with the residents and signage would have to be installed. Mr. DiSanto noted that there would be an impact of this building to the community, noting that when there is a football game at Landis Field, vehicles are parked all over the place. He noted that the Diocese would formally request the vacating of Spring Creek Road, noting that signage would have to be put in place. He noted that Mr. Kuhn has the traffic counts for all of this. Mr. Seeds suggested that the volunteer fire police could be contracted for traffic control.

Ms. Cynthia Storm, noted that Mr. DiSanto mentioned using Spring Creek Road as an exit for football games, and she questioned if the roadway is lit. Mr. DiSanto answered that Spring Creek Road is a windy country road located along the edge of a stream. She noted that teenage drivers leaving the game would be using the road and it may be dangerous. Mr. DiSanto noted that Spring Creek Road intersects with Dowhower Road, but the majority of the traffic would use the signalized intersection at Page Road that would lead to Union Deposit Road or Derry Street, both of which have traffic signals. He noted that there would only be an impact, eight times a year, when the football games leave out. Ms. Storm questioned if the football games are held during the day. Mr. DiSanto answered that all of McDevitt's home games are day games, but half the community wants to keep them as day games and the other half wants to have Friday night games.

Mr. Lighty noted that Mr. DiSanto has planned for a maximum student body of 925 students, but he questioned if the building is being designed to accommodate more students if needed. Mr. DiSanto answered that there are additional areas for overflow parking and an area that could potentially be used for an addition, but the fact is that it is not a public school and the population would not explode since people have to pay, in addition to their taxes, to send their kids to the school. He noted that the school could be enlarged. Mr. Lighty questioned if the

auditorium was large enough to hold graduation ceremonies. Mr. DiSanto answered that the auditorium could hold 1,200 students. Mr. Lighty questioned if the traffic study also reviewed the impact north and south of Page Road to include Swatara Township. Mr. DiSanto answered that it is included in the traffic study, noting that there are issues with Swatara Township that the Diocese is handling with them separately. He noted that there is a minor impact on Union Deposit Road, but that is a substandard intersection. Mr. Lighty questioned if the Diocese has had discussions with the land owner to the north of the property. Mr. DiSanto answered that the Diocese asked him if he wanted to sell his land and his reply was no. He noted that the facilities would be much lower than his property, and the land owner has an operating farm and landscape business. He noted that the Diocese has acquired the necessary right-of-way from the property owners to the east.

*Continued review of the proposed SALDO, including the fee-in-lieu of
Recreation and traffic calming*

Ms. Wissler noted that there are two outstanding issues with the Subdivision and Land Development Ordinance (SALDO), traffic calming and the fee-in-lieu for recreation. She noted that Mr. Fleming from HRG, Inc. is present to answer any questions regarding traffic calming.

Mr. Seeds questioned if the fee-in-lieu is recommended by the Parks and Recreation Board. Ms. Wissler suggested that it must go back to that Board for one final approval. Mr. Seeds questioned if Mr. Luetchford would be at the meeting. Ms. Wissler answered that he would not. Ms. Wissler noted that this is the latest version as per discussions between her and Mr. Luetchford.

Mr. Seeds noted that the minimum area per dwelling unit shall be provided as a contiguous usable area was changed to 1,841 square feet. He noted that the land to be dedicated should be at least two acres. Mr. Seeds noted that he had more questions for Mr. Luetchford to answer. Mr. Hawk noted that the Board could table this item as Mr. Seeds has more questions for Mr. Luetchford. Mr. Seeds noted that Mr. Luetchford is not present to answer his questions. Ms. Wissler noted that she and Mr. Luetchford could meet with Mr. Seeds to discuss his concerns. Mr. Seeds stated that it was not necessary as he only wanted to make some comments.

Mr. Seeds noted that the amount for the set fee was previously discussed, noting that the draft based it upon the appraised fair market value, noting that he was under the impression that this was dropped so that each developer would not have to have a separate appraisal. He suggested that the Township would take an average appraisal from the year before. He suggested

that there are conflicts in the current draft copy. He noted in section “G” it states, “that funds from such accounts shall be expended only to acquire lands, design and construct new recreation facilities within the Township.” He questioned if the Township could no longer use the funds to replace existing playground equipment, noting that the money should only be for new items, and not replacement or improvement items. He questioned if that is what that meant. Ms. Wissler noted that she would have to check with Mr. Luetchford.

Mr. Seeds noted that the last paragraph of Mr. Luetchford’s memo states that the Township could no longer require developers to develop the land that it dedicates for recreation. Mr. Seeds questioned if the developer could still offer, in place of the fee-in-lieu, more land to develop a park, noting that the Township could not require it. Mr. Stine noted that under the Municipalities Planning Code (MPC), the only thing the Township can require is dedication of land, however, if a developer and the Township can agree on something else, you can have dedication of land, plus some improvements, plus money, or just money, or just improvements, but there would have to be an agreement for those things. He noted that the Township can only require the dedication of land.

Mr. Seeds noted that for recreational land dedicated for a private organization, the area may remain available for general public use without charge, noting that if the public is permitted free and unrestricted use of the land, then no fee-in-lieu is needed. He noted, if the land is solely private, then it would count as 50% of the fee-in-lieu.

Mr. Seeds noted that the Parks and Recreation Board suggested a huge increase in the fee-in-lieu and he suggested that it is too much of an increase at one time, and that he would be more inclined to increase the fees gradually. Mr. Crissman suggested that the Parks and Recreation Board recommended an incremental increase in the fees. Mr. Hawk requested Ms. Wissler to get a clarification from Mr. Luetchford on this.

Mr. Hawk suggested that Mr. Luetchford could make comments to the Board for Mr. Seeds’ comments.

Mr. Hawk questioned if anyone had any comments for the traffic calming section. Mr. Blain noted that he was fine with this section. Mr. Seeds noted that he had no problems with this section.

*Continued review of the preliminary subdivision plan for
the Estates of Autumn Oaks*

Mr. Hawk noted that this plan was discussed at a previous Board meeting, and he has met with several residents, as well as Mr. McNaughton, and Mr. Epstein from SWAN. He noted that he has had an opportunity to review some of the revisions and he would like to have Mr. McNaughton make his presentation.

Mr. Joel McNaughton noted that he appreciates the involvement of the residents, noting that some are in attendance at this meeting. He explained that the residents have shown a willingness to put forth an effort to become educated and involved in the process. He noted that the Board of Supervisors has taken a proactive approach to bring the two parties together and some good cooperative talks have been held. He noted that staff, as well as the Planning Commission, have been very involved in the project, and he suggested that he could provide a plan that everyone would be proud of.

Mr. McNaughton noted that as a result of the numerous meetings, he has identified the main issues to be the buffering of the proposed development from the existing Centennial Acres, and the stormwater management issues.

Mr. McNaughton displayed the latest version of the plan, showing the basin and swale for the Estates of Autumn Oaks, noting that the lower plan displays the changes made to the buffers. He explained that he redesigned public street “J” and the associated lots, and was able to provide a minimum 50-foot buffer between the rear and side lot lines of Centennial Acres, and the extent of the grading of storm water basin E-1. Ms. Cindy Storm questioned if a buffer would be created for basin D-1 and D-2. Mr. Hawk requested that Mr. McNaughton be allowed to finish his presentation before any questions are asked.

Mr. McNaughton noted that the September 8, 2008 memo from SWAN asked for a minimum 30-foot buffer, but he has provided a 50-foot buffer.

Mr. McNaughton noted that the second concern is for stormwater management, and he noted that the project meets the requirements of the Act 167 Plan, the Dauphin County Conservation District, and Department of Environmental Protection (DEP) requirements. He noted that he has received an approved post-construction stormwater management plan as well. He noted that there was a whole host of concerns made by the residents with regards to infiltration and geological testing. He noted that during the last meeting, a representative from The ARM Group provided his comments for the geologic features on the site.

Mr. Blain questioned if Mr. McNaughton retained an engineer to do the geological studies. Mr. McNaughton answered that he retained CMX, noting that Mr. Dan Schauble is present to answer any questions that the Board may have. He noted that CMX completed

geotechnical engineering studies to include subsurface investigations, soil analysis, slope stability analysis, basin berm stability analysis, and laboratory soil testing. He noted that the proposed pond berms are stable against global failure, which means, when the ponds are full, they would not blow out. Mr. Blain questioned if global failure is the same as catastrophic failure. Mr. McNaughton answered that that was correct.

Mr. McNaughton noted that another concern with the basins is what happens to the water that sits in the basins until it drains out the orifice. He noted that a question was raised if the water would infiltrate out of the basins into the ground. He explained that they are detention ponds, and not retention ponds, so the water would eventually drain out the basins within a two day period of time. He noted that CMX had conducted soil studies, and found some low permeability clay soils. He explained that he proposes to construct the basin bottoms with the low permeability clay material and also a core within the basin berm would be constructed with the same materials so when the water reaches the storm water basin, it would have no way to leave except through the engineered and designed outfall structure. He noted that, if for some reason, the water would remain in the basin longer, the materials would be adequate to prevent the water from infiltrating through the bottom of the basins. He noted that this is the construction method that would be used for all the basins on site.

Mr. Seeds noted that the water should permeate through the bottom to some degree. Mr. McNaughton noted, because the basins are upstream of the existing residents, they have been designed not to infiltrate, but to drain completely, therefore, he overcompensated for infiltration in the RC section of the plan. Mr. Seeds suggested that the water should be returned to the soil, noting that the residents are concerned since the basins are located at a higher elevation to their homes. Mr. Hornung noted that the residents are concerned that the water would permeate laterally and end up in the resident's basements; therefore, you must make the water not permeate at all. Mr. Hawk noted that the water would drain within a two-day time period, going out through the normal flow.

Mr. McNaughton noted that the buffer has been increased to a minimum of 50-feet for basin E-1, noting that it was the basin of primary concern. He noted that it is the largest in size, and has the largest berm. He noted that the other basins located near the residents have relatively minor berms, and some of the areas are already cleared. He noted that for basin E-1, the buffer does not serve as a stormwater protection, only a visual buffer zone. Mr. Hawk noted that the significant change is to increase the buffer area from 30-foot to a 50-foot, and the addition of the low permeability soil.

Mr. McNaughton noted that he completed a substantial survey of the site to determine where the groundwater was, what kind of rocks and soils were located on the site. He noted that, in addition to the liner material, he wanted to confirm that the pond berms would be stable in all situations to avoid catastrophic failure.

Mr. Dan Schauble, CMX, explained that he was retained as a geotechnical consultant, and his work on the site was in response to The ARM Group's report regarding the stability of the storm basin, primarily the stability of the berms as shown on the plan, as well as the means to eliminate the potential for any impact to the adjacent properties. He noted that he excavated several test pits across the property, the majority in the basins, and took site specific samples in order to evaluate the engineering characteristic specific to those soils to analyze the stability of the embankments against global failure. He noted that his analysis indicated that, all the berms on the property, provided they are constructed properly using industry standards, would not fail. He noted with regards to the potential impact to storm water, he looked to see how to impact the storm water infiltration, by lining the basins, using a manufactured liner, or by using the soils on site. He noted that he took samples of soils that are almost entirely comprised of clay material, and he performed laboratory permeability testing in-house impacting the samples with what he would expect to represent a post construction condition, and found that the soils rendered themselves nearly impervious. He noted that based on those conclusions, he was able to come up with the concept of lining the perimeter of the basins, as well as a clay core within the berms, to effectively cut off any infiltration or additional ground water recharge towards the adjacent properties.

Mr. McNaughton noted that The ARM Group, who conducted the original investigation, has reviewed the report, noting that no final memorandum has been issued, but he would expect them to be satisfied with the findings.

Mr. Eric Epstein, SWAN, echoes the cooperation of the residents, Township, and the amount of time Mr. Hawk spent on this issue. He suggested that the groups are close to some type of resolution. He noted that he met with Mr. McNaughton earlier today, and the only concern raised by The Arm Group, was at the bottom of the basin. He thanked the McNaughton Company for conducting the study. He noted that there are three significant issues: the buffer, noting that some neighbors got what they wanted, and others did not; the stormwater issues; and a third issue that may involve the construction of a fence. He suggested that the third issue may go away.

Mr. Epstein explained that he would be conducting a general SWAN meeting on Monday, and would have an engineer from The Arm Group to answer questions. He noted that it is a good process, and he thanked the McNaughton's for their cooperation.

Mr. Ken Parmer, 4292 South Carolina Drive, questioned if the 50-foot buffer would mean that for a distance of 50 feet, behind the resident's property line, no equipment would be running over the roots of the trees and pushing dirt around. Mr. McNaughton answered that the extent of the basin grading states, a minimum of 50-feet from the property.

Ms. Cynthia Storm, 2749 Keystone Drive, noted that basins D-1 and D-2 are adjacent to backyards of property owners. She noted if a buffer would be provided for one basin, she did not understand why it would not be provided for the others. Ms. Storm noted that she has lived in her home since 1980, and would appreciate a proper buffer zone for her property as well. Mr. Hawk noted that Ms. Storms' house was built in a floodplain. Mr. Storm noted that a part of the lot is located in a floodplain. Mr. Hawk noted that Ms. Storm could not make Mr. McNaughton responsible for problems that are occurring since she built in a floodplain. Ms. Storm noted that she is not trying to make him responsible, but she noted that she does not want a basin close to her home. Mr. Hawk noted that the basins would be made of impervious soil materials. Mr. Seeds questioned if this is the only item of concern remaining, could Mr. McNaughton fix the problem. Mr. Mellott answered that he could provide a 30-foot buffer in the area.

A general discussion was held at this time.

Mr. Zlatko Jurisic , 4280 South Carolina Drive, noted that he appreciates the proposal for the additional 50-foot buffer, however, it still leaves open the buffer between basins "D-1 and D-2". He noted that the basins were to empty water within two to three days without any geological analysis. He questioned how long would it take for the basins to empty using the new soils. He questioned what the impact of the low permeable liner on the two-day time calculation would be. He questioned what the out-flow structure would be that would drain the basins. He questioned if the engineer plans to use the existing mature tree line, and not cut it down to plant a new tree line, whenever possible for the buffer. Mr. McNaughton answered that he would use the existing tree line in the buffer. Mr. Jurisic noted that the existing tree line would be the best buffer to use.

Mr. McNaughton noted that the basins were designed to be flat bottomed and assumed to drain. He noted that the assumption did not have the water permeating through the basin bottoms, and adding the new materials would not change any of those calculations. He noted that

the water that enters the basin would exit through an engineered outlet structure. Mr. Mellott noted that it would be a concrete box with orifices to allow the water to exit to the creek.

Mr. Ken Parmer questioned what the capacities of the basins are. Mr. Mellott noted that he did not have the figures, but they were included in the report. He noted that the basins are designed to retain the rates for each basin.

Mr. Mellott noted that they would try to provide a large buffer for basin D-2, possibly a 30-foot buffer, but D-1 is already a clear area and the basin would be constructed into the ground to provide a berm that is only one to two feet above the ground, therefore, there is no need for a buffer.

Discussion regarding the proposed rezoning of the Sportsmen's Golf Course

Mr. Hawk noted, at the end of the Board meeting when the Ordinance was voted down, it was suggested by another Board member to rezone the area in question to R-1. He noted that it was generally accepted by those in attendance at that meeting. Ms. Wissler noted that Mr. Hornung suggested that the area be rezoned to R-1, and he asked Mr. Pleasants how he felt about it. He noted that further discussion was held during a workshop session.

Ms. Wissler explained that the Board members decided to deny the application, and thus the reason for further discussion on the rezoning. She noted that the Forest Hills residents are in the process of forming an Association, and they have requested a meeting with staff and Board members.

Mr. Dennis Guise noted that the Planning Commission voted, six to one, to deny the request, at their meeting held last week. He noted, if there has been an agreement made with the Board; the Planning Commission would have gone along with it. He noted that it fell back on reviewing the request based on the most logical zoning from a planning view point and from the history of the lots. He noted that the Comprehensive Plan identified these lots as rural-residential, but that is not a Township zoning classification. He noted that zones similar to a rural-residential zoning are Agricultural Residential (AR) and Conservation, (CO), but the Township received a request to zone the tract Institutional (IN), part of which is in R-1 and R-2 zones. He noted that the area in question is currently zoned AR and adjacent to an area in Forest Hills and Susquehanna Township that is close to a conservation district. He noted that the district in Forest Hills was formerly P-1, which the Township no longer has. He noted that the restrictions were for a one-acre lot, with infrastructure constraints on the lots above Continental Drive due to water supply and other issues. He suggested that the area should be some type of residential

zoning, and his thinking was that the most logical residential category would be the AR, which is a good step down from the CO to the IN. He noted that the Planning Commission supported moving the CO boundary south, and in return, moving the IN further north. He explained that the request for rezoning did not pass; therefore, the most logical thing to do is to keep the land AR. He noted that the Dauphin County Planning Commission's view was that it was too premature to rezone the land to R-1. He noted that that is why he made the motion, and he understood why Mr. Lighty was against the motion. He noted, if you take out the agreement, it is the most logical thing to do. Mr. Hawk questioned if the AR tract was suggested to be rezoned to R-1. Mr. Guise noted that only the AR zone was to be rezoned to R-1 and the IN zone was to remain as is.

Mr. Guise noted that the AR zone provides for open space development. Mr. Lighty noted that the AR zone is the closet zone to the P-1 zone, whereas, R-1 allows two units per acre. Mr. Guise noted that AR allows for one house per 1.5 acre. Mr. Hawk noted that adjacent to the tract the land is zone R-1. Mr. Guise noted that it is zoned R-1 now, but was formerly P-1 with a one acre minimum lot size. Ms. Wissler noted if the lots do not have public sewer and water, in the AR, the lot size would be required to be 39,000 square feet.

Mr. Guise noted that the homes above Continental Drive have wells and no public water. He noted that he did not know if this would apply for the Sportsmen's tract.

Mr. Seeds stated that he agreed with Mr. Guise.

Mr. Hawk questioned if Mr. Guise would suggest moving zoning lines. Mr. Guise noted that that was not the request put before the Planning Commission. He noted that some of the neighbors would like to see a reconsideration of the IN zoning line. He noted that the Planning Commission was only asked to consider if the AR should become R-1.

Mr. Seeds suggested that there are too many problems in Forest Hills now, with too much density, and the result is mud problems. Mr. Gingrich noted that, to the west, in Susquehanna Township, the zoning is CO, and he suggested that the AR matches better with that zoning than the R-1.

Mr. Hawk noted that Mr. Guise's suggestion is to keep the tract zoned AR, as it is consistent with the size of the lots in the neighborhoods for both Susquehanna and Lower Paxton Township.

Dr. Keiser agreed, but he did not understand the open space in the AR zone. Mr. Guise answered that the developer could reduce the lot size and have up to 40% open space. He noted that it is an overlay zone. Mr. Hawk noted, with the infrastructure, it would amount to roughly 65% of a non-buildable area. Dr. Keiser questioned if this would change if there was a certain

amount of residential retirement. Ms. Wissler noted that the R-R is only permitted in the IN. Ms. Wissler noted, in the A-R, the developer would be able to use 20,000 square foot lots as long as they provided 40% open space. Mr. Guise suggested that there is a 39,000 square foot requirement for wells. Ms. Wissler noted that age-restricted could be permitted in the AR, but the density would not change.

Mr. Guise questioned what the density was in the IN zone. Ms. Wissler answered that it is ten units per acre.

Mr. Hawk noted that the Planning Commission recommended to leave the land as it is. Mr. Seeds noted that Dauphin County also had the same recommendation.

Mr. Hawk noted that Blue Ridge County Club is zoned IN, and he questioned what would happen if someone suggested moving the IN line down into the AR. Mr. Guise noted that the Blue Ridge County Club is AR, and the IN is the Sportsman's Golf Course. Mr. Lighty noted, if the idea is to match what is currently built, then north of Continental Drive should remain A-R on the west side, but the IN could be changed to R-1.

Mr. Sam Cooper, 4078 Rosewall Court, noted that he did not know what overlay districts pertain to the specific zoning. He noted that that information would help him come to an informed decision. He noted that the increased density and different kinds of development may not be compatible with the area. He noted that the age-restricted does allow an increase in density. Mr. Lighty noted that an overlay must be applied, and there is a process for that as well.

Mr. Cooper noted that the R-1 idea was brought up at the time the zoning was rejected, but the residents stated that they would like to work along with the Township to see if that would make sense, and that was the understanding that he walked away with from that meeting, and not that there was an agreement for a change to R-1. He noted that he would like to continue to work with the Township on this issue. He noted that he would like to see a reasonable transition from where he lives in Forest Hills to the public development of the area with some kind of reasonable transition to a higher density further away.

Ms. Wissler noted that a Traditional Neighborhood District (TND) is only permitted in a TND overlay that is shown on the zoning map currently. She noted that any other area that would be considered for a TND overlay would be required to be rezoned to a TND. Mr. Guise noted that the area is not suitable for a TND. Ms. Wissler noted that a TND needs a minimum of 80 acres, and the tract only has 50 acres. Mr. Cooper noted that a TND is suitable for certain areas, noting that it would have increase density, allowing for a town concept, but it would provide a major impact on traffic and the environment.

Mr. Hawk noted that a TND is generally designed not to increase traffic, but to keep as much traffic self-contained within the development as possible. Mr. Cooper noted if you would build a development of 2,000 to 3,000 residents it would have an impact on the area. He noted that it would depend of what type of TND you are talking about. Mr. Hawk noted that a general trend across the country is to build TND's to keep residents within the TND to do their shopping. He explained that a TND has narrower cartways that tends to reduce and calm traffic as opposed to 36-foot cartways for a standard development that increases traffic speeds.

Mr. Cooper noted that the people in the TND would use Linglestown Road as a through street. He noted that the residents may stay in their area for most of the time, but eventually they would drive out of their area.

Mr. Lighty noted that a TND has not been proposed for this tract of land. Mr. Seeds noted that the Township is building a TND in the Township, off of Fairmont Drive, between Union Deposit Road and Locust Lane.

Mr. Hornung questioned what the objection is to the R-1 zoning since Forest Hills is now zoned R-1, questioning if it is the overlay. He noted that since the R-1 surrounds the area, he did not understand the objection to the R-1 zoning. Mr. Richard Pleasants noted that it is the issue of the R-1 versus the P-1 history. He noted that the Forest Hills neighborhood had a meeting, and they are now becoming involved, and they have many questions surrounding the tract and the adjoining IN tract.

Dr. Keiser explained that he actually lives in a P-1, although it is called an R-1. He questioned what would happen if the same density was continued in the AR zone. Mr. Cooper suggested that there are certain uses that may not be totally compatible. Mr. Guise noted that the objection boils down to the density. He noted, in theory, depending on the well water line, you could have twice the density in R-1 as permitted in AR. Mr. Hornung questioned what was the density for Forest Hills. Mr. Pleasants answered that it is one and a half acre per unit. Mr. Guise noted that there is a minimum one-acre lot requirement. Mr. Pleasants noted that there is a dedicated parcel of open space that is close to ten to 12 acres that belongs to the Township.

Mr. Cooper stated that the R-1 does not permit age restricted residential which would allow for 15% decrease in the side yard. Ms. Wissler noted that there would be an increase in density of seven units for the 50-acre tract. Mr. Guise noted that the P-1 area requires a one-acre minimum, with most of the lots being larger than one acre, but in theory, the R-1 would allow two lots per acre, and the 1.5 acre requirement is the closest to what is found in Forest Hills.

Mr. Hawk noted that no decision would be made tonight.

Review of the proposed LOSAP ordinance and program

Mr. Hawk suggested that this item be tabled since no members from the fire company were present.

“Otta Know” Presentation: New L&I determination on Prevailing Wage application
And the Pennsylvania Appalachian Trail Act.

Mr. Hawk tabled this agenda item to another meeting

Improvement Guarantees

Mr. Hawk noted that there were four improvement guarantees for consideration.

Deaven Woods

A new bond with Developers Surety and Indemnity Company, in the amount of \$1,040,000.00 with an expiration date of September 26, 2009.

Sir Thomas Court, Lot 5-D, New Medical Office Building

A reduction in a letter of credit with Fulton Bank, in the amount of \$25,075.60 with an expiration date of October 7, 2009.

Wyndhurst Manor, Phase 3

A reduction in a bond with Developers Surety and Indemnity Company, in the amount of \$133,341.45 with an expiration date of July 17, 2009.

Kendale Oaks, Phase V

A reduction in a letter of credit with Peoples Bank, in the amount of \$140,231.30 with an expiration date of June 15, 2009.

Mr. Crissman made a motion to approve the four listed improvement guarantees as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantees were unanimously approved.

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 8:48 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary