

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held February 15, 2011

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:31 p.m. by William B. Hawk, Chairman, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present were: William C. Seeds, Sr., Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; Robert J. Fisher and Mark McNaughton, Home Builders Association; Robert E. Shaffer, Jr., P.E., Act One Consultants, Inc.; and Ted Robertson and Watson Fisher, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the December 21, 2010, January 18, 2011, and February 1, 2011 business meetings, and February 1, 2011 workshop meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was provided.

Chairman & Board Members' Comments

No Board member comments were provided.

Presentation to the Board of Supervisors

Mr. Robert J. Fisher, Chairman of the State and Local Government Committee of the Home Builders Association noted that he is present with Mr. Mark McNaughton, President of the Home Builders Association to make a presentation to the Board of Supervisors thanking them for their efforts in removing Paxton Creek from the Total Maximum Daily Load (TMDL) listing.

Mr. Fisher explained that it is a very difficult subject to understand and it provided a time for builders, developers, and municipalities to work together on a joint cause to fight the State and Federal government from imposing additional regulations that would have cost millions of dollars. He noted that the Township is spending millions of dollars on sewer improvements to help support future growth and the TMDL regulations would have stopped all future growth. He noted that it would not have cleaned up the environment as the problem with Paxton Creek occurs in the City of Harrisburg where it provides for a sewer overflow into concrete lined channel.

Mr. Hawk thanked Mr. Fisher and Mr. McNaughton for coming to make the presentation.

Mr. McNaughton wanted to express his thanks to Mr. Wolfe for his efforts in making the Home Builders Association aware of the problem and working with them to help resolve the issue.

Boy Scout Recognition

Mr. Hawk noted that Andrew O’Gorman is present at the meeting as part of his efforts to work on his “Citizenship in the Community” badge. He noted that he is a member of Boy Scout Troop 23, sponsored by St. Catherine Laboure Church.

Mr. Hawk also introduced Andrew Resek and Cory Tschachler who are working on their “Citizenship in the Community” badges. He noted that they are from Boy Scout Troop 42, located in Lawnton. Mr. Hawk thanked the Boy Scouts for attending the meeting and wished them well in their endeavors to work towards the rank of Eagle Scout.

Manager’s Report

Mr. Wolfe noted that the Board of Supervisors’ business meetings will be rebroadcast on Verizon Channel 22 on Thursdays at 6 p.m. and Saturdays at noon. He explained that the

business meetings are held the 1st and 3rd Tuesday of the month and the rebroadcasts will occur the week after each meeting.

Mr. Wolfe explained that the Police Department is sponsoring a Citizens Police Academy and the deadline for submitting applications is February 18, 2011. He noted that the Academy will start Tuesday, March 1st at 7 p.m. and continue until May 3rd. He noted that each class will run until approximately 9:30 p.m. He explained that the curriculum for the classes includes the following: police training, hiring process; patrol and traffic safety operations, computer and crime investigations, drug enforcement, and interview techniques. He noted that tours of the Dauphin County Prison, Magisterial Judges office, and Public Safety Training Center at Harrisburg Area Community College are planned. He noted that class size is limited and applications are available at the Township Municipal Center and on the Township website.

OLD BUSINESS

There was no old business to present.

NEW BUSINESS

Preliminary/final subdivision and land development plan for Colonial Park Animal Clinic

Mr. Wolfe explained that the purpose of this plan is to combine parcel 35-053-116 (Lot #1) and parcel 35-053-117 (Lot #2) into one lot. The applicant proposes to construct an approximately 2,000 square foot addition to the clinic located at 4905 Jonestown Road and five additional parking spaces will be added. The property is zoned CG, Commercial General District, and is located between Earl Avenue and Byron Avenue on Jonestown Road. The property is served by public sewer and public water and consists of 21,640.16 square feet.

Mr. Wolfe noted on November 4, 2010 the Zoning Hearing Board granted variances via Docket #1288 for lot size, required buffer, and paved area setbacks, contingent upon the

applicant installing a four-foot privacy fence along the south side of the parking lot for the length of the alleyway.

Mr. Wolfe noted on November 10, 2010 the Planning Commission recommended approval of the plan and the four waiver requests subject to addressing the comments. He noted that the applicant requested the following waivers: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide sidewalk; 3) Waiver of the requirement to provide a complete Stormwater Management Report; and 4) Waiver of the requirement to provide a complete Erosion and Sedimentation Control Plan. He noted that staff supports all waivers except for the waiver to provide sidewalks. He noted that there are five general conditions and three staff comments.

Mr. Wolfe noted that the Township Engineer, in his memorandum dated January 24, 2011, does not support the waiver for sidewalks; however, he did support the other three waivers. He noted that the engineer had a comment in regards to fee-in-lieu but it is not applicable to the plan. He noted if the Board chooses to waive the sidewalk requirement then the Township Engineer recommended getting an easement for future sidewalk installation.

Mr. Wolfe noted that Mr. Robert Shaffer, Act One Consultants, Inc., is present on behalf of the plan.

Mr. Hawk noted that the Board does not support the waiver for sidewalks. He noted since this would require consideration by the applicant, Mr. Shaffer might want to table the plan to discuss this item with the applicant. Mr. Shaffer answered that this issue would not be a problem. He noted that the Planning Commission supported this waiver only after hearing that there was a large bank, trees, and a wall in the area of the proposed sidewalk. Mr. Hawk noted that the Board wants to see sidewalks from Bryon Avenue to the dry cleaners along Route 22. He noted that the sidewalk could be tailored around the traffic signal. Mr. Fisher noted that there is a bank that is four feet from the edge of Route 22, and at that top of that bank is a large sycamore tree. He

further explained that there is a four foot high wall at the location of the dry cleaners. He noted that it would require a substantial amount of work, to include building a wall, if the sidewalk is to be installed at the Route 22 street level. He noted that it would require removing a 36-inch diameter sycamore tree.

Mr. Hawk noted that the deadline for the plan is May 9, 2011, and it provides for more time to make changes to the plan.

Mr. Crissman questioned Mr. Shaffer is he was authorized to speak on behalf of the applicant. Mr. Shaffer answered yes.

Mr. Crissman noted that the dry cleaner is on the property owned by the applicant and it is one parcel. Mr. Shaffer answered that was correct. Mr. Crissman noted that is the reason why the Board wants the dry cleaning property included in the installation of the sidewalk. He noted that that the Board required owners of tracts beyond the Animal Clinic to install sidewalks. He suggested that Mr. Shaffer must resolve this issue prior to getting an approval for the plan.

Mr. Shaffer noted that the area in front of the dry cleaners is paved with asphalt, and he questioned if sidewalk would be required in front of that area as well. Mr. Crissman answered yes. Mr. Hawk noted that the area in front of the tattoo parlor does not have sidewalks, however, if changes are made to that property in the future, they will be required to add sidewalks. He noted that the Board would like to have a continuous sidewalk along Route 22 for pedestrian mobility and safety.

Mr. Shaffer questioned if the Board approved the plan with the condition, could he go back and add sidewalks to the plan prior to recording the plan. Mr. Hawk answered that staff would need to know what Mr. Shaffer would be adding to the plan. Mr. Shaffer noted that he would work with Township staff and the engineer before the plan is finalized with signatures. He explained if he agrees to add the sidewalk to the plan, then he could move the process along and would not have to come back for a positive vote. Mr. Crissman noted that the Board could

approve the plan with the three waiver requests, resolving the issue by not approving the waiver from sidewalks which would require the installation of the sidewalks. Mr. Stine noted that an additional condition should be listed to provide sidewalks along Route 22. Mr. Blain noted that the Board has done this many times in the past. Mr. Shaffer noted that it would save him a second trip to a Board meeting. Mr. Hawk noted that Mr. Shaffer would still have to make the changes to the plan.

Mr. Seeds noted that the Board approved a new Zoning Ordinance and Subdivision and Land Development Ordinance (SALDO) with increased setbacks, and new mandates that require street trees. He noted that the Board is trying to make Route 22 appear much nicer. He noted that as redevelopment occurs, these requirements make the properties more pedestrian friendly. He noted that he knows that it is costly to the developer.

Mr. Crissman questioned Mr. Shaffer if he was authorized to speak for the applicant for this plan. Mr. Shaffer answered yes.

Mr. Crissman questioned Mr. Shaffer if he is in agreement with waivers 1, 3, and 4. Mr. Shaffer answered yes.

Mr. Crissman noted that he would be adding a sixth general condition to state, "Sidewalks will be provided on the property affronting Route 22, including the dry cleaner's property". He noted general comments # 5, the memo from HRG, Inc.; comment number four should be eliminated. Mr. Crissman questioned if Mr. Shaffer was in agreement with these two changes and the other five general conditions. Mr. Shaffer answered yes.

Mr. Seeds noted since the developer is required to install the sidewalks, then the Township won't need to secure the easements for the sidewalk. Mr. Wolfe noted that the developer still needs to provide the easement for the sidewalk.

Mr. Crissman questioned if Mr. Shaffer was in agreement with the three staff comments. Mr. Shaffer answered yes.

Mr. Crissman made a motion to approve the preliminary/final subdivision and land development plan for Colonial Park Animal Clinic, 2010-14 to include the following waivers and conditions: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide a complete Stormwater Management Report; 3) Waiver of the requirement to provide a complete Erosion and Sedimentation Control Plan; 4) Plan approval shall be subject to providing original seals and signatures; 5) Plan approval shall be subject to the payment of engineering review fees; 6) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 7) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 8) Plan approval shall be subject to addressing the seven comments of HRG's memo dated January 24, 2011, deleting comment number four; 9) Sidewalks will be provided on the property affronting Route 22 including the dry cleaners property; 10) A street/storm sewer construction permit is required and is to be obtained prior to earthmoving activities. A pre-construction meeting is to be held prior to starting the project. Contact Matt Miller at 657-5615 to schedule the meeting. This may be held on conjunction with the Conservation District meeting; 11) When submitting revised plans, please respond in writing to all individual comments including Township, HRG and Dauphin County; and 12) All signage must meet the requirements of the Lower Paxton Township Zoning Ordinance Article 7. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote; Mr. Blain, aye; Mr. Crissman, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were no improvement guarantees to approve.

Payment of Bills

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

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary