

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 21, 2012

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:32 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 George Wolfe, Township Manager; Stephen Fleming, HRG, Inc. Mark Romeo, Romeo Land Surveying, Inc.; Brian Evans, Evans Engineering, 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 from the July 10, 2012 workshop meeting and August 7, 2012 business meetings. Mr. Blain seconded the motion, and a unanimous vote followed.

**Public Comment**

Mr. John Rice, 6291 Stable Court, requested a definition of the Township's Storm Water Management Ordinance. He explained that he recently applied for a permit to install a swimming pool in his backyard and since it is over 1,000 square feet, he has had to hire an engineer. He questioned, since he lives in an approved subdivision why does this ordinance apply to him since his lot already has a recorded Storm Water Management Plan. He explained that he is very

familiar with the ordinance since reading it and he noted that Mr. Wolfe emailed him today explaining that he is not the only person who has to go through this process. He explained that he had to regroup his argument after finding that out.

Mr. Steve Fleming, Township Engineer, explained if the disturbance is under 1,000 square feet, nothing is required; however for 1,000 to 5,000 square feet of disturbance there is one level of a requirement and yet another for anything over 5,000 square feet.

Mr. Hawk noted that this ordinance was implemented as a mandate by the Environmental Protection Agency (EPA). He noted, if the Township did not do this it would be subject to fines and penalties.

Mr. Rice questioned if his lot already has a Storm Water Management Plan through the Hunt Club Development. He noted if you have a vacant lot and build a single-family home, would that not be considered to be over 1,000 square feet of disturbance. Mr. Wolfe answered that infill lots in subdivisions that do not have a current storm water management plan must submit a storm water management plan in accordance with the ordinance. He explained that there is one on the agenda for tonight's meeting.

Mr. Fleming noted that the EPA under the Clean Water Act enacted legislation that required the State to have storm water management regulations, and the State through its Department of Environmental Protection (DEP) and Chapter 102 of its MS4 Program required each county and municipality to have something in place. He noted that Dauphin County, through its Conservation District and Act 167 Plan provided the Township with a model ordinance. He noted that the Township was required to adopt some version of that plan. He noted that Dauphin and Cumberland Counties are subject to the Act 167 Plan and were required to have this completed by the end of 2011. He noted that the Township approved Chapter 170 of its ordinance, which is its version of the model ordinance, as well as the MS4 Program which is

the annual reporting program that they must submit to DEP to comply with EPA. He noted that the EPA audits these programs and the Township passed its audit; however there were some municipalities that did not meet the criteria.

Mr. Rice questioned if they were to audit him would he not fall under the land development plan. He explained when he built his home, he did not have to do a stormwater management plan and currently there is a house under construction and they don't have a record of a storm water management plan. Mr. Fleming answered that there are subdivisions that are not completed that have a storm water management report that was submitted and approved as part of the application. He noted that there are pieces of that that are still applicable. He explained that depending on where they are in the approval status, the person building a home would have to submit a supplement to the storm water management ordinance to apply for the new requirements. He noted that the new storm water management ordinance not only requires rate control, but volume control as well, and it is the volume control that is new, as the rate control has been in place for years. He noted that storm water is handled on a case-by-case basis, as research is needed for each subdivision and land development plan and it must be determined if the property is protected under the statutes that are in place.

Mr. Rice questioned if it is his responsibility to do this when he applied for a permit or does the Township do that. He noted if he has a storm water management plan through an association, would that count. Mr. Fleming noted that staff can research the plan or your engineer could do it. Mr. Rice noted that he has come this far and he believes that the Board will be voting on his improvement guarantee this evening.

Mr. Rice suggested that every time someone seals their driveway that is over 1,000 square feet or puts a shovel in the ground, they will be required to do this. Mr. Fleming noted that paving a driveway that was not previously paved or adding to a driveway... Mr. Rice noted

that every time someone seals a driveway it is adding impervious coverage. Mr. Fleming noted if you sealcoat an existing driveway it would not fall under this. Mr. Rice questioned if a person wants to install a garden that is over 1,000 square feet, would they be required to... Mr. Wolfe noted that it is considered to be an agricultural activity and is exempt.

Mr. Hawk noted that it will cost Mr. Rice more money... Mr. Rice stated that he has to post a financial guarantee on his own property... Mr. Hawk noted that the sad part is that the EPA is not done with some of the things that it wants to inflict on us as unfunded mandates with regards to stormwater management. Mr. Hawk noted that he had a copy of Act 167 if Mr. Rice needs to view it. He stated that he constantly keeps hammering to the legislature in Congress that these kinds of mandates that are incorporated into legislation can affect a Township's budget without the legislature taking the blame.

Mr. Rice questioned when the plan became effective, suggesting that it was December 21, 2010. Mr. Wolfe noted that there was an amendment to that document in November 2011. Mr. Hawk noted that it was enacted 180 days after verification by DEP. Mr. Wolfe noted that staff is implementing it and the information that is put out to those doing construction is not as good as it should be. He noted that staff is trying to understand it as well since it is a completely different way to undertake development business than what occurred prior to the ordinance. He noted that someone who wants to install a swimming pool must incur \$5,000 to \$10,000 additional costs for engineering and improvements that are not necessarily supported by staff.

Mr. Wolfe noted that recently Swatara Township went through an EPA audit and several violations were imposed on them with fines and penalties in excess of \$150,000. He explained that they spent several months negotiating the fine down to \$48,000. He noted that Swatara Township was not doing anything different than Lower Paxton Township and if it had been us,

we would have been in the same situation. He noted that staff is being forced to enforce these requirements upon development in the community.

Mr. Rice questioned if this is regardless if there was a storm water management plan on record. Mr. Wolfe answered, as Mr. Fleming stated, it depends upon the plan in effect for the development and how it was constructed at the time of development. He noted if it is a new development from the last couple years, with a new facility, you are probably okay. He noted that we are discussing a plan from the 1950's tonight and they don't comply with any requirements and have to do what Mr. Rice is doing this evening.

Mr. Seeds suggested that it ties into the Chesapeake Bay and the Paxton Creek Total Maximum Daily Load. He noted that we are mandated by law to do this work, and we don't like it any better than you but we have to live with it too. He noted that the Township is spending very large sums of money on its sanitary sewer projects.

Mr. Hawk noted that he has heard that the EPA has stated that they have items in planning stages that will become game changers in the future.

Mr. Fleming noted that we are sensitive to the scale of these projects, and time frames and once he was notified of this, he went over this with Mr. Rice's engineer for what was required for the application, noting that there were several minor comments and the entire review process lasted less than two weeks. He noted that he is trying to help the residents and staff to work through this transitional stage.

#### **Chairman and Board Members's Comments**

Mr. Hawk noted that the School Districts filed a lawsuit to the Commonwealth Court to reduce the compensation to the local tax collectors and even have the opportunity to out source the collection process. He stated, that today, the State Supreme Court overturned that decision

and the School Districts can not longer reduce the compensation or out source the work of the local tax collector.

### **Manager's Report**

Mr. Wolfe noted that the Friendship Center will close on Saturday, August 25, 2012 and reopen on Saturday, September 1, 2012. He noted that significant house keeping and repairs for the facility will occur during the closing, and in the past, many energy efficient items have been done to provide a cost savings for the facility.

Mr. Wolfe noted on Saturday September 8<sup>th</sup> from 9 a.m. to noon, the Friendship Center will conduct a community yard and craft sale for all ages. He explained that it has become a very well attended event and it is conducted in the front parking lot of the facility.

Mr. Wolfe noted that the Friendship Center will conduct a "Shoot for the Moon" event, a fitness challenge. He explained that the goal is to travel to the moon over a ten-week time in a space ship by exercising using cardio-vascular or strength equipment on average three hours per week. He noted more information is available by contacting the facility at 657-5635.

### **OLD BUSINESS**

#### Resolution 12-26; authorizing the submission of application for Dauphin County Local Share Grant funds for the Colonial Park Fire Company

Mr. Wolfe noted that the Colonial Park Fire Company is requesting permission to submit a grant application for debt reduction to the Dauphin County Local Share Program in the amount of \$160,553.61. He noted that the Fire Company cannot submit this grant application without Board authorization. He explained that the Board has reviewed the request during its workshop session last week and is on the agenda for official authorization.

Mr. Crissman made a motion to approve Resolution 12-26; authorizing the submission of application for Dauphin County Local Share Grant funds for the Colonial Park Fire Company in

the amount of \$160,553.61. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action to ranking priority order Dauphin County Local Share Grant Applications being submitted by entities in Lower Paxton Township

Mr. Wolfe noted that it was uncertain how many requests would be received by the Township prior to the deadline; therefore he did not prepare a memorandum. He noted at this time, the Board has acted upon the Colonial Park Fire Company request of \$165,000 and previously it acted upon the Police Department request for in-car video equipment for about \$95,000. He explained that Dauphin County requires that the Board put these requests in priority order.

Mr. Seeds questioned when this was due by. Mr. Wolfe answered the end of the month. Mr. Seeds suggested that we could still receive more requests. Mr. Wolfe answered that, at this time, the Board does not have another meeting prior to the deadline. Mr. Seeds noted if another application came in, the Board would have to call a special meeting to approve it. Mr. Wolfe noted that you have to have 24 hours in advance to advertise a special meeting. He noted that he would need to have it by Thursday of this week in order to advertise the meeting. He noted that there are others that have talked about submitting applications, but at this point he has not received anything. Mr. Crissman noted that everyone has known the deadline dates and the Board should not delay action.

Mr. Wolfe explained that he understood that the Heroes Grove Community Group was going to apply for another grant and he also heard that the Linglestown Fire Company was also going to submit an application. He noted that he has not heard anything from either of those organizations in the last week.

Mr. Crissman made a motion to rank the Police Department first and the Colonial Park Fire Company second. The motion died for lack of a second motion.

Mr. Crissman made a motion to rank the Colonial Park Fire Company first and the Police Department second. Mr. Blain seconded the motion. Mr. Hornung noted that he preferred to do it this way with the understanding that if we get the money for the Fire Department to pay back the mortgage to the Township, that the Township could take those funds to pay for the in-car videos. Mr. Crissman noted that there is no guarantee that both applications will be funded by Dauphin County Local Share Grants. Mr. Hornung noted that he can't mandate that to Dauphin County. Mr. Hawk requested a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Resolution 12-27; adopting the PennDOT Policy and Procedure for Consultant Selection to be used for the Jonestown Road Bridge replacement project

Mr. Hawk noted that the bridge between Lower Paxton and West Hanover Townships on Jonestown Road needs to be replaced and the Township must pick a consultant to be used for the process.

Mr. Wolfe explained that it is a joint project between Lower Paxton Township and the Pennsylvania Department of Transportation. He noted that the Township is the partial owner of the Jonestown Road Bridge along with West Hanover Township and this project would be conducted with West Hanover Township and PennDOT. He noted, to use PennDOT's federal funds to replace the bridge, the Township is required to select a consultant for bridge replacement in accordance with the Department's policies for consultant selection. He noted to begin the process, the Board of Supervisors must adopt the policy and procedure for consultant selection. He noted that he has reduced this to a resolution format for the Board's action this evening. He noted that the Board previously reviewed the policy and procedures in a workshop session this past week.

Mr. Hawk noted that the Board must do this to move the process along.

Mr. Crissman made a motion to approve Resolution 12-27; adopting the PennDOT policy and procedures for consultant selection for the Jonestown Road Bridge replacement project. Mr. Blain seconded the motion.

Mr. Hornung noted that he has a difficult time approving a procedure that awards the work and then discusses the price. Mr. Hawk suggested that all the Board members have an issue with the process. Mr. Hornung noted that he will not vote for this resolution. Mr. Crissman suggested that he would like to vote nay, but he has no choice if the Township wants the funding. Mr. Seeds noted that after the Board selects the consultant then it can discuss what they will charge the Township to do the work. He suggested that it must be within certain guidelines. Mr. Hawk noted that normally, you determine the compensation prior to making a selection but in this situation you make the selection for the consultant and then discuss the compensation. He noted that is not the way most people do business. Mr. Wolfe noted that it is mandated by the Federal Highway Administration

Mr. Hornung questioned why would they do it this way, what is he missing. Mr. Wolfe questioned why are we doing storm water plans for pools.

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

## **NEW BUSINESS**

### Action to authorize the Chairman and Secretary to execute closing documents in the sale of the Township's cell tower lease to AP Wireless

Mr. Wolfe explained that the Board approved the bid for the sale of the Township's cell tower lease to AP Wireless in the amount of \$303,018. He noted that the closing documents have been prepared between attorneys for AP Wireless and the Township and Mr. Stine feels it is

important to have proper authorization to sign the closing documents; therefore he has asked that this motion be approved this evening.

Mr. Blain made a motion to authorize the Chairman and Secretary to execute the closing documents for the sale of the Township's cell tower lease to AP Wireless. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 12-25; authorizing the Township Manager and Sewer Department Director to sign certain documents on behalf of the Board of Supervisors

Mr. Wolfe explained that the documents that were referenced in this resolution would be those that have been previously awarded or approved by the Board of Supervisors or the Lower Paxton Township Authority. He noted that this would allow the Township Manager and or the Sewer Department Director to sign the documents in lieu of the Board. He noted that it is easier on the Board members if staff signs the documents, however, if the Board would prefer not to do this, we can continue to operate in the current practice.

Mr. Crissman noted that he did not see any issue with this in that they are only permitted to sign the documents if the bid was awarded during a public meeting of the Board of Supervisors.

Mr. Crissman made a motion to approve Resolution 12-25; authorizing the Township Manager and or Sewer Department Director as a designated representative to execute sewer replacement contracts that have been awarded and approve by the Board of Supervisors. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Preliminary/final subdivision plan for Givens

Mr. Wolfe noted that the Township has received a plan for lands of Frederick T. and Linda Givens. He noted that the purpose of the plan is to subdivide tax parcel #35-038-005 into

three lots. Lot #1 will contain 1.994 acres, Lot #2 will contain .501 acres and Lot #3 will contain .502 acres. He noted that the total property consists of 2.997 acres is located south of Valley Road and east of Interstate Highway I-83, the property is zoned R-1, Low Density Residential District and all lots will be served by public sewer and public water.

Mr. Wolfe noted that the owner has requested the following four waivers: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide sidewalks; 3) Waiver of the requirement to provide a hydrogeologic study; and 4) Waiver of the requirement to provide a traffic impact study

Mr. Wolfe noted on June 8, 2011, the Planning Commission recommended approval of the plan and the following waiver requests: preliminary plan, hydrogeologic study and traffic impact study. The Planning Commission did not recommend approval of the sidewalk waiver.

Mr. Wolfe noted that that staff supports the waivers and there is a memorandum from the Shade Tree Commission in regards to the sidewalk waiver request. He noted that there are two site specific conditions, eight general comments, and one staff comment. He explained that the Board viewed this plan on road tour, and Mr. Fleming is present to answer any questions it may have for the plan.

Mr. Wolfe noted that Mark Romeo, the land surveyor for the plan is present to answer any questions.

Mr. Romeo stated that he is in receipt of the Township's memo for the plan and the HRG comments, and he has reviewed them and is ready to address all those comments, hopefully, to the satisfaction of the Board of Supervisors.

Mr. Hawk noted that the obvious question would be in regard to the waiver for sidewalks for the plan. He noted that the Shade Tree Commission provided a letter to the Board dated July 15, 2012, in regards to the damage that would be done to the two trees if a sidewalk was

installed. Mr. Romeo noted that he modified his waiver request to include only Lot 1 and to place sidewalks on Lots 2 and 3. Mr. Hawk noted that the Copper Beech and Cypress trees are located very close to the roadway and the Shade Tree determined that it would be tremendously injurious to the two trees to try to put in a sidewalk due to the shallow roots. He noted that the other issue is that the sidewalk would lead to a bridge abutment. Mr. Romeo noted that there is a small swale at that location at the northwest corner. He suggested that it would be a sidewalk to nowhere along Lot 1 and include an extra 200 feet of sidewalk.

Mr. Seeds noted that Mr. Romeo is only asking for a waiver of sidewalks in the area of the Copper Beech and the Cyprus trees. Mr. Romeo noted that it would be for the entire frontage of Lot 1. He noted that he would place sidewalks on the two new lots, Lots 2 and 3 that would be a continuation of the existing sidewalk from the east. He noted that it would cover the frontages of Lots 2 and 3. Mr. Seeds noted that it would end east of the Cyprus tree and the waiver would only be for about 200 feet of sidewalk.

Mr. Romeo noted that he would like to get together with Mr. Fleming to review the storm water form that he submitted. He explained that there were some missing components and he wanted to get together with him to get him what he needs. Mr. Crissman questioned if it was in regards to one of the 13 comments from HRG. Mr. Romeo explained that he reviewed all of the items on the comment list and he will double check with the client on some of them but he does not think there will be any issue. Mr. Crissman explained that he would ask Mr. Romeo if he would be able to meet those requirements. He noted if Mr. Romeo still needs time to clarify these issues with his client he would not be in a position to approve the plan. Mr. Romeo noted that he can say with confidence that he met with the client today... Mr. Crissman noted that you will have to say yes without any doubt, the plan needs to be clean. Mr. Romeo stated if he can't comply with the comments then he would not have an approval. Mr. Crissman noted that he

needs the assurance that Mr. Romeo can meet the comments for the plan and if he can't do that then he is not prepared to make a motion for approval.

Mr. Crissman noted if Mr. Romeo needs to have additional meetings with HRG to resolve some issues, then it needs to be accomplished before he comes to the Board seeking its approval. Mr. Romeo noted that he does not think... Mr. Crissman noted that he does not think will not cut it. He stated that he would not want Mr. Romeo to come back later to state that certain items could not be resolved. He noted that either you need to make a commitment on behalf of the applicant tonight or we need to revisit this plan at another meeting. Mr. Romeo stated affirmately that he would be able to meet all of the 13 comments from HRG and the staff comments as well.

Mr. Romeo questioned Mr. Fleming if he felt that the plan would have any trouble meeting the comments. Mr. Fleming answered no.

Mr. Crissman questioned Mr. Romeo if he was able to speak for the applicant. Mr. Romeo answered yes.

Mr. Crissman noted that Mr. Romeo is in agreement of the four waiver requests. He questioned if he could comply with the two site specific comments. Mr. Romeo answered yes.

Mr. Crissman questioned Mr. Romeo if he was in agreement that he can or will meet the eight general conditions including Item 8, the HRG memo dated August 7<sup>th</sup> which includes 13 comments that must also be addressed. Mr. Romeo answered that he reviewed all eight general conditions and he is ready to comply with those. He noted that he is not sure if he has done any of them yet, but he will comply with them. Mr. Crissman questioned if that was for all 8 comments to include the 13 HRG comments. Mr. Romeo answered correct.

Mr. Crissman questioned if Mr. Romeo is in agreement with the one staff comment. Mr. Romeo answered yes, that he would comply with that.

Mr. Seeds noted that we need to clarify the sidewalk issue. He noted that it is not a total waiver for the frontage; it is only for Lot 1. Mr. Seeds noted that he would be willing to grant the waiver for Lot 1 where the two trees are located. He noted that this could be stated in the motion. Mr. Romeo questioned if the Board was in receipt of a modified waiver request for sidewalks. Mr. Crissman questioned if staff was unaware of this before tonight. Mr. Wolfe answered that staff's is aware that this has been in discussion and flux for some period of time and it was not sure what the proposal was and what the Board was willing to accept. He noted what the Board agrees upon this evening is acceptable to staff.

Mr. Hawk noted that the sidewalk would not be constructed in the area of the Copper Beech and Cyprus trees. Mr. Romeo noted that the requested waiver for sidewalk covers the frontage of Lot 1 only, noting that sidewalks would be installed for Lots 2 and 3. Mr. Crissman noted that this should have been reduced to writing prior to tonight to make it easier for the Board to make a decision. Mr. Seeds questioned if Lots 2 and 3 are to the west of the Cyprus tree. Mr. Romeo answered that they are to the east of the Cyprus tree. Mr. Hawk noted that he can see the two trees on the map but he doesn't know which lot they are on. Mr. Seeds noted that they are located on Lot 1 and the waiver would be for the lot west of the Cyprus tree.

Mr. Crissman suggested that the Board not take action on this plan until this point is clarified and reduced to writing so that everyone knows what is going on. Mr. Hornung noted that they need to put sidewalk on Lots 2 and 3 and Lot 1 would be waived. He noted that there is no confusion for this point.

Mr. Romeo noted that the actual Cyprus tree trunk is very close to the property but it is mostly on Lot 1. Mr. Hawk questioned Mr. Romeo if he would install sidewalks on Lots 2 and 3 and none on Lot 1. Mr. Romeo answered that was correct.

Mr. Seeds made a motion to approve the preliminary/final subdivision plan for Givens 2011-05, with the following waivers and conditions: 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide sidewalk for Lot 1; 3) Waiver of the requirement to provide a hydrogeologic study; 4) Waiver of the requirement to provide a traffic impact study; 5) Upon approval, the Dauphin County Tax Assessment office will need to be notified of the subdivision in order to acquire parcel numbers for the new lots. The new parcel numbers shall be identified on the cover sheet of the plan to comply with plan recording procedures; 6) Street trees shall be provided; 7) Plan approval shall be subject to providing original seals and signatures; 8) Plan approval shall be subject to the payment of engineering review fees; 9) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 10) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 11) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 12) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 13) Plan approval shall be subject to the recreational fee-in-lieu payment of \$2,300.00 per lot for the creation of two new building lots; 14) Plan approval shall be subject to addressing the comments of HRG's memo dated August 17, 2012; and 15) A street/storm sewer construction permit is required and is to be obtained prior to earthmoving activities. A pre-construction meeting shall be coordinated with Township staff and the Conservation District prior to the start of work. Mr. Blain seconded the motion. Mr. Hawk requested a roll call vote: Mr. Blain, aye; Mr. Crissman, nay; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Waiver request for the Lemar Manor subdivision plan

Mr. Wolfe noted Brian Evans from Evans Engineering is present to represent this plan. He noted that it is a subdivision plan that was approved in the 1950's with the requirement that sidewalks be installed on the lots in the subdivision. He noted that sidewalk was never installed on those lots and all but one of the lots is built out. He noted that the owner of that lot has come to the Township to apply for a building permit, and in the course of the review of the storm water management plan for the lot, since in the 1950's there was no storm water management for a subdivision plan, and this lot had to comply with the Township's newly adopted Storm Water regulations, it was noticed that the plan required sidewalks. He noted if staff would allow development to occur on this lot without the Board taking action to waive the sidewalk then the property owner would be in violation of the plan as it exists. He noted that it is staff's recommendation to waive the requirement for sidewalks for Lot 601 Lamar Avenue as part of the Lamar Manor subdivision plan.

Mr. Evans noted that the original subdivision was in 1957 and this is only a formality as all the other lots have been developed without sidewalks. Mr. Hawk questioned if it was a large lot. Mr. Evans answered that it was a quarter acre lot.

Mr. Crissman questioned Mr. Evans if he could speak on behalf of the applicant. Mr. Evans answered yes, noting that the applicants are present. He noted that Lisa and Doug Colson are building a house for Mrs. Colson's parents who are moving from New York to be close by.

Mr. Crissman noted since Mr. Evans has no objection to the waiver request for sidewalks; he made a motion to approve the waiver of sidewalk for Lot 601, for the Lemar Manor subdivision as presented by Mr. Evans. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

### **Improvement Guarantee**

Mr. Hawk noted that there was one improvement guarantees.

#### 6009 Jonestown Road

A release in a letter of credit with Metro Bank, in the amount of \$58,839.99

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

### **Storm Sewer Improvement Guarantee**

Mr. Wolfe explained that staff will be bringing storm sewer improvement guarantees to the Board for their approval from this time forward. He noted that both of these are required by the Storm Water requirements to be approved in the same manner as an improvement guarantee as per the Municipalities Planning Code.

#### Stormwater Management Plan for 6291 Stable Court

A new escrow with Lower Paxton Township, in the amount of \$3,200.00, with an expiration date of August 21, 2013.

#### Stormwater Management Plan for 601 Lemar Avenue

A new escrow with Lower Paxton Township, in the amount of \$8,300.60, with an expiration date of August 21, 2013.

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

### **Payment of Bills**

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

## **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting.

Mr. Blain seconded the motion and the meeting adjourned at 8:35 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary