

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held August 6, 2013

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; R. J. Fisher, R. J. Fisher and Associates; Jeff Staub, Dauphin Engineering; Watson Fisher and Ted Robertson, SWAN.

Pledge of Allegiance

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

Approval of Minutes

Mr. Crissman made a motion to approve the minutes from the July 2, 2013 and July 16, 2013 business meetings. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

Mr. Matthew Seibert, 1520 Parkway West, explained that he owns a seven-acre parcel of land for which he recently received a citation for not maintaining the setbacks for his property. He explained that he called the code office to explain that he was not aware of any additional amendments to the setback requirements. He noted that the Codes Enforcement Officer sent him a copy of the setbacks for an R-1 residential lot, stating the he was exempt for mowing the grass on his lot except for the setback area. He noted that he cut the grass and the complaint was to have been file during the week of the very hot weather; he explained that the grass could not have grown more than an inch.

Mr. Seibert was looking for clarification for what is going on. He questioned if there have been any changes to the Property Maintenance Code. He noted that the minutes from the July 17, 2012 meeting states that he must cut the grass for a ten foot perimeter area. He noted that is what he has done. He stated that the minutes from the August 14, 2012 meeting had a lot of information in regards to setbacks. He explained that he was puzzled why the Codes Enforcement Officer told him that he only had to mow the one side, suggesting that the ordinance would be uniform for mowing all sides the same.

Mr. Wolfe noted that he would research the situation to provide an answer for the Board members as he knows nothing about this.

Mr. Seibert noted that his neighbor approached him and asked him what he was doing and he stated that it would cause him some issues with the other neighbors noting that they will see what he is doing and will also want it too.

Mr. Wolfe noted that he has Mr. Seibert's address and he will get the information that he needs.

Ms. Jennifer Eby, 2739 Colonial Road, noted that her husband spoke during the last business meeting and she wanted to address the response letter that was sent to her home from Mr. Wolfe. She thanked the Board for the quick response to the questions that were mentioned from various residents during the last public meeting. She noted that she wanted to follow up on concerns that she and her husband have.

Mr. Wolfe noted that she was not the first one who contacted him in regards to the letter. He explained that he told the other person who has other issues that it works out much better if the comments could be put in writing and he would respond. He noted that he would not be able to respond to the comments without additional research.

Ms. Eby noted that the issue that concerns her is the water that is lying very close to her house. She noted that it effects more people than her family as she is not the only person who has a sedimentation pond to the back of her property. She noted that she has learned a lot about sedimentation and detention ponds over the last month and it is very important that the sedimentation pond is functioning properly as she does not want her home to flood or anyone else have water issues.

Mrs. Eby noted that Mr. Wolfe stated in his letter that until 70% of the site is stabilized, she will have to deal with standing water in the sedimentation pond. She noted that it is a great concern to husband and her as the pond could be filled with water for years. Mr. Wolfe noted that the erosion and sedimentation control and the function of that future detention as a sedimentation pond is a requirement of Dauphin County Conservation District and their Erosion and Sedimentation Program. He noted that the Township must pass those regulations on to developers, noting that it is not a Township mandate nor is it one that the Township enforces. He noted that it is the next level of government up, and there is nothing that the Township can do to change that regulation.

Mrs. Eby noted that she wants the pond to work in the correct manner, but there is an open body of water within 15 feet of her property. She noted that short of fencing in her yard which would protect her children as long as they don't go out the front door, there is no barrier to preventing anyone from accidentally falling in the water. She noted that there is no current ordinance to require that the pond be fenced and that blows her mind. She noted that they passed up purchasing another home because it had a pool even though it had a locked fence but they still didn't want to buy it because of their children and the liability of someone else's children. She noted that they ended up buying a house next to a detention pond. She questioned why there is no ordinance to protect children from the water in the pond. Mr. Wolfe noted this is the first time

the question was ever raised, and he did not know of any safety issues from a sedimentation pond in the past. He noted that Mrs. Eby raises a valid concern and since there is no ordinance the Township can't require the developer to do anything. He noted that he could ask the developer to see if he would install some fencing in the time period that it sits as a sedimentation pond. Ms. Eby noted that she would be happy with that, noting that a fence could impede children from falling into the pond. She noted that vegetation has been used to keep someone from falling in a pond as well. She questioned if that could be a possibility as well. She noted that it is a concern to her and her husband as they have small children and they want to know that they have done everything possible to make it a safer place. She noted that there is a no trespassing sign but it does not prevent the kids from playing in the area of the pond. Mr. Wolfe noted that he would be happy to ask the developer if he could put up a fence.

Chairman and Board Member's Comments

Mr. Blain noted that the Lower Paxton and West Hanover Townships All Star team finished 3rd in the Haps Boyer Central Penn Midget Tournament. He wanted to recognize the children who came from the associations representing Lower Paxton Township. He noted that the children from the Pleasant Hills/Ridgeview Association were Nick Fisher, Troy Schreffler, and Tanner Fackler. He noted that seven children came from the Paxtonia Athletic Association: Eli Cargis, Adam Burkhart, Jared Matte, Brady Straub, Danny King, Jake Anderson, and Peyton Blain. He noted that they finished 3rd out of 20 teams in a tournament that has been running for 60 years.

Mr. Hornung questioned if the previously mention detention pond is designed to keep water in it. Mr. Wolfe answered no; it is functioning as a sedimentation basin which is its purpose during the initial phase of the development up until 70% of the site is developed. Mr. Hornung questioned if it is designed to hold water. Mr. Wolfe answered no. Mr. Hornung

questioned how much water is typically in the basin. Mr. Wolfe answered that it is not easily answered since it was designed to drain at a very slow rate allow water to infiltrate into the soil around it and then deposit sediment at the bottom of the basin. He noted the site has been cleared for development purposes and a detention pond will dewater in 24 to 48 hours, whereas a sedimentation basin will take a week or so. He noted with the continued summer rains the pond has not had time to dry out and probably has two feet of water in the basin for most of the summer. Mr. Hornung questioned if the Board has the ability to enact an ordinance to force a developer to put a fence around it. Mr. Wolfe answered that the Board does, but it won't affect this development. He noted that it could be part of the land development regulations; noting that there is a fencing requirement in the SALDO at the option of the Board, but it has never employed it for sedimentation basins, only for detention basins. He noted for detention basins, this pond does not have excessively steep banks in the water area and if it would dewater in a short period of time he thinks the residents would find it less problematic. He noted that it has been holding water all summer.

Mr. Seeds noted that fencing was required in the past for basins that had a slope greater than 3 to 1.

Mr. Hornung suggested that we should put this on a road tour event. Mr. Seeds noted that there was pond next to a sidewalk in Heatherfield with a steep bank and the Board required the developer to put up a fence. Mr. Hornung questioned if it was a sedimentation or retention pond. Mr. Seeds answered that it was a retention pond and there was a fear that children could fall into it. Mr. Crissman noted that the Board knows how he feels about retention ponds as the Board required one and then reversed it decision and he was not very happy with that. He noted that there are children's issues around retention ponds.

Manager's Report

Mr. Wolfe noted that Lower Paxton Township is now hosting the National Night Out for Safety event at George Park. He noted that the event is coordinated by the Police Department in conjunction with Parks and Recreation, Public Works, and Sewer Departments. He noted that the Shade Tree Commission and Arts Council are also in attendance as well as members from all three fire companies and SCEMS and private sector vendors. He noted that the weather is a little problematic for the event tonight but it has not interfered with the various scheduled events. He explained that there is a large tent with community service providers and a pavilion with free pizza and Italian Ice and drinks.

Mr. Wolfe noted that the event is open to the entire community and he invited the community to come out and have a good time.

Mr. Hawk noted that he had a chance to visit Fort Indiantown Gap last week and he was able to fly a simulated helicopter with a copilot. He noted that he made it through the fog without any incident but the copilot crashed the helicopter three times. He noted that the pilots of helicopters must be very talented.

Mr. Crissman wanted to thank Township staff as well as the fire companies and EMS who put in a lot of work and time preparing for the Night Out event. He noted that it is a fantastic way for our Departments to showcase what we do for our community. He noted that the response from the community is its support of the various services.

Mr. Hornung noted when he was at the event he was talking to a fire fighter who has been a member for almost 50 years and he was explaining what it takes for a new volunteer to train before he can go to a fire event. He noted that they must train for 160 hours before a volunteer can get on the fire engine and they don't get paid to provide this service. He suggested the next time you see a firefighter, to thank them for what they do as they donate so much time to

provide this service. He noted that it is a struggle to get people to volunteer to provide this service.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Appointment to the Greenway Committee

Mr. Hawk explained that he would like to appoint Tom Thomas to fill the term for the vacant seat as a result of Mike Smith's resignation from the Greenway Committee. He noted that the Parks and Recreation Board have recommended that Mr. Thomas fill the vacant seat.

Mr. Crissman made a motion to appoint Tom Thomas to fill the term for the Greenway Committee. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Resolution 13-31; authorizing the submission of a grant application to Commonwealth Financing Authority in support of the Heroes Grove Amphitheater project

Mr. Hawk noted that the Heroes Grove Committee wants to apply for a grant to the Commonwealth Financing Authority for an amphitheater to be built in the proposed Heroes Grove Park.

Mr. Wolfe explained that the resolution will authorize the submission of the grant application to the Commonwealth Financing Authority in the amount of \$230,000. He noted that the Board must authorize the submission of the grant.

Mr. Crissman made a motion to authorize Resolution 2013-31 for the submission of a grant application to the Commonwealth Financing Authority in the amount of \$230,000 in support of the Heroes Grove Amphitheater project. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on proposals for engineering services in regard to
Replacement of the Friendship Center natatorium HVAC units

Mr. Wolfe noted that the Board borrowed funds to replace the Pool Pac air handling units for the natatorium at the Friendship Center. He explained that these are large, heavy duty HVAC units that provide heating and cooling for the building space but also for the pool water itself. He noted that the units are technically challenging and very expensive with the replacement cost estimated at \$600,000. He noted that staff desires to enter into an engineering agreement with a consultant that specifically provides for HVAC natatorium engineering. He noted that staff researched those firms and issued Request for Proposals (RFP) to numerous firms and received three responses. He explained that the lowest priced response from a qualified responder was received from Barton Associates in the amount of \$31,100. He noted that staff requests that the Board authorize the execution of an agreement with Barton Associates to do the engineering work to include the preparation of a bid package and construction supervision for replacement of the natatorium HVAC units.

Mr. John Trish, 600 Prince Street noted when the Friendship Center was introduced to the Township; it was initially to provide for the Senior Citizens. He noted that we are well past the time when it was to be self sufficient, but it has had a deficient for the past couple of years. He questioned if this money is coming out of the general fund for the Township or is it being paid by those who use the Friendship Center. Mr. Wolfe answered that it is a bond issue to be repaid by the operating cost of the Friendship Center. He noted that currently the Friendship Center is running a deficit.

Mr. Trish noted that this is only for engineering services but when it comes for the units to be replaced, it would be a lot of money. Mr. Wolfe noted that the estimated price is \$600,000 for replacement costs. Mr. Trish questioned if someone is looking to find a better way to run the

Friendship Center so it is not running a deficit because if it continues to do that, it will come back on the Township and taxpayers. Mr. Wolfe answered yes.

Mr. Seeds thanked Mr. Trish for his comments, noting that the Friendship Center was built for all residents and not just the senior citizens. Mr. Trish noted that Mr. Seeds is absolutely correct and if you are not a member you cannot use it and if you recall when his son was sent to Iraq to fight for this country he received a notice from the Friendship Center saying that he needed to pay his dues. He explained that he called the Friendship Center and told the staff that his son was in Iraq fighting for his country and questioned if he could get a refund for the time that he was unable to use his membership. He noted that he was told no and then he was told when he comes back he would have to pay a reinstatement fee. He noted that Mr. Seeds was right in that it is for everybody if you buy a membership.

Mr. Crissman made a motion to accept the proposal from Baron Associates in the amount of \$31,100 for engineering services in regards to the replacement of the Friendship Center pool pac for the HVAC units. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on bids for the PC-1GD A/B sanitary sewer mini-basin replacement project

Mr. Wolfe noted that this bid and the following bid are for projects in the Gale Drive sanitary sewer mini basin subdivided as mini basin A and mini basin B. He noted that there is a construction project for a sanitary sewer replacement project as well as a minor tree cutting and stump grinding contract. He noted that the first item is the award of a bid for construction work. He noted that the Authority received seven bids and the lowest responsible bid was provided by PACT Construction with a base bid amount of \$3,436,905 and an alternate bid of \$279,220, providing for a total bid of \$3,716,125. He noted that PACT Construction is the lowest responsible bid on the base bid and also the alternate bid, so selecting an alternate does not

change the bid results. He noted that the Township has never worked with PACT Construction; however there has been a review of references conducted with a memorandum attached indicating the positive findings of that review. He noted that PACT Construction's bid is complete for action this evening and it is staff's recommendation that the Board award the bid to PACT Construction for the base and alternate work at a total bid amount of \$3,716,125. He noted that the bid award should be conditioned upon the proper submission of the insurance documents and construction bonds.

Mr. Seeds questioned if a decision has been made to go with the alternate work. Mr. Wolfe answered that staff has recommended to include that work as well.

Mr. Crissman wanted to thank Mr. Weaver for checking the references for this company since staff has not had any prior experience with them.

Mr. Seeds noted that it is good that the Township is receiving bids from companies other than the normal three or four companies who have done the work in the past.

Mr. Crissman made a motion to approve the bid for PC-1GD A/B sanitary sewer mini-basin replacement project to PACT Construction in the amount of \$3,716,125 for both the base and alternative bid work. Mr. Blain seconded the motion.

Mr. Hornung questioned Mr. Wolfe if he knew what the engineer's estimate was. Mr. Wolfe answered that it was not included with the documents but he would get that information for Mr. Hornung.

Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on bids for tree cutting and stump grinding in the
PC-1GD A/B sanitary sewer mini-basin

Mr. Wolfe noted that this is a small project entailing the removal of nine trees in the public right-of-way and 71 trees on private property. He noted that staff received three bids with the lowest responsible bid submitted by Arney Brothers Incorporated, in the amount of \$35,645.

He noted that staff has reviewed the bid and found it to be complete and recommends Board action to approve the bid.

Mr. Blain made a motion to approve the bid to Arney Brothers Inc. in the amount of \$35,645 as recommended by staff for tree cutting and stump removal in the PC-1GD A/B sanitary sewer mini basin. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Final resubdivision plan for lots 93 through 96 of Quail Hollow, Phase V

Mr. Wolfe noted that the Township received a plan for the resubdivision of Lots 93 through 96 of Quail Hollow, Phase V. The intent of the plan is to re-subdivide and consolidate Lots 93 through 96 from the original subdivision plan. He noted that Lots 93 and 94 will become Lot 93A and Lots 95 and 96 will become 95A. He explained that Lot 93A will contain .56 acres and Lot 95A will contain .56 acres. He noted that the property is zoned R-1, Low Density Residential District, contains 1.123 acres, is located east of Crums Mill Road, and is served by public sewer and public water.

Mr. Wolfe noted on July 3, 2013 the Planning Commission recommended approval of the plan subject to addressing the comments. He noted that the plan has no waivers for the Board to consider. He explained that there are two site specific comments: 1) 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; and 2) An Operations and Maintenance Agreement (O&M) must be provided prior to recording the plan. He noted that there are two engineer's comments as well that relate to stormwater management facilities and the fact that a letter of map revision is needed for the FEMA designated floodplain as well as design specific calculations for the retaining water indicated on the plan.

Mr. Wolfe noted that the plan is complete for action this evening and Mr. R.J. Fisher is present to represent the plan.

Mr. Fisher noted that the developer is converting four lots into two lots and in the process he is eliminating a 24 foot retaining wall which went across the four lots. He noted that it would have cost about \$150,000 to install the retaining wall. He noted that it does not make sense to do that for two additional lots. He noted when the Federal Emergency Management Agency, (FEMA) remapped the area, they moved the boundary line up the hill and if you are familiar with the area, there is a steep bank that comes through the area so he has completed the FEMA analysis for a Letter of Map Revision (LOMR) and has the paperwork to be submitted to the Township for its signature. He noted that he will submit the LOMR to FEMA to officially modify the floodplain elevation.

Mr. Seeds noted that HRG made two comments, he questioned if they have been completed. He noted that they are not listed as a condition of approval. Mr. Crissman noted that he would make those two comments his third site specific condition.

Mr. Crissman questioned if Mr. Fisher was able to speak for the plan. Mr. Fisher answered yes.

Mr. Crissman questioned if Mr. Fisher was able to meet the two site specific conditions. Mr. Fisher answered yes.

Mr. Crissman questioned if Mr. Fisher was able to address the two comments from HRG's memorandum dated July 25, 2013. Mr. Fisher answered yes.

Mr. Crissman made a motion to approve the final resubdivision plan for lots 93 through 96 of Quail Hollow, Phase V to include the following site specific conditions: 1) 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; 2) An Operations and Maintenance Agreement (O&M) must be provided prior to recording the plan; and 3) the two conditions from the HRG memorandum dated July 25, 2013. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Revised preliminary subdivision and land development plan for Shadebrook

Mr. Wolfe noted that the Board has seen this plan before and approved a version of it in the past. He noted that this is a revised preliminary subdivision and land development plan for the Shadebrook Development. He noted that this is the Township's first Traditional Neighborhood Development (TND) in accordance with the Townships Ordinance that was adopted in 2007. He noted that the plan was approved in a different form several years ago and the developer is now requesting the Board to approve a different version of the plan.

Mr. Wolfe noted that the Shadebrook Traditional Neighborhood Development is located at the intersection of Fairmont Drive and Cider Press Road. He noted that the original project site was known as the Kocevar Farm and consists of approximately 108.828 acres that was originally zoned R-1, Low Density Residential District with a (TND) Traditional Neighborhood Development Overlay.

Mr. Wolfe noted that the area to be developed is 84.373 acres and will consist of two hundred sixty one (261) residential building lots, two (2) commercial lots, nine (9) open space lots and one (1) residual lot that is located on the south side of Union Deposit Road. He noted that the site will be served by public sewer and public water and two hundred twenty-nine (229) single family residential units and thirty-two (32) twin dwelling units are proposed.

Mr. Wolfe noted that the Township's Planning Commission, at its July 3, 2013 meeting recommended approval of the plan and waiver requests conditioned on the applicant providing architectural design guidelines for its review and that the density be explained in a plan note for a

density bonus up to 318 residential units (allowing additional units to be located over the commercial units). Mr. Wolfe noted that the architectural design guidelines are not part of the subdivision approval process itself; it is part of the zoning process for the TND zoning regulations.

Mr. Wolfe noted that the plan has 17 waiver requests, noting that it is a very large plan and being designed under new regulations. He noted that staff supports all the requests or asked for additional information to be provided. He noted that there are five site specific conditions, eight general conditions, and three staff comments. He noted that the HRG engineer's review is attached and parallels most of staff comments. He noted that Jeff Staub from Dauphin Engineering will be representing the plan and he spoke with him earlier in the day and indicated that he has no significant issues with any of the HRG comments.

Mr. Wolfe noted what was approved previously for the first Shadebrook Plan was 340 lots; however this plan will have 274. He noted that the original number of commercial lots was four and this one will have two; number of residential lots was 311 and this plan will have 261 lots. He noted that the total number of dwelling units has been decreased from 318 to 283; and the overall commercial space has been reduced from 145,000 square feet to 66,500 square feet. He explained that this will reduce the overall density of the plan from what was previously approved by the Board for the original plan.

Mr. Hawk noted that staff supports the waivers with qualifying comments for waiver five and six.

Mr. Seeds questioned how staff would handle the note from the Planning Commission about the density bonus. Mr. Wolfe answered that he would let Mr. Staub explain that. He noted for the total number of 318 allowable units, the note on the plan would state that the difference between the 283 units that are proposed on the plan and the 318 lot or additional 35 units,

allowing the developer the option to do apartment condos over the commercial buildings on the second floor. He explained that the developer has no idea if that will occur and if the condo apartments are not built, then the second floor space will remain office space. He noted that the conversion will be from office space to apartment condos.

Mr. Seeds questioned if the developer has to put a note on the plan to show this. Mr. Staub noted that during the July Planning Commission meeting, it was determined that was the best way to handle it. He noted that the Township Engineer, Ms. Moran, and the Planning Commission members felt it was the best way to handle it.

Mr. Seeds questioned how you would handle the architectural design. Mr. Staub noted that he had to amend the architectural design document to reflect the changes in the commercial space and architectural features. He noted that the original architectural guidelines had information on townhomes and this plan has no townhomes. He noted that those details are being removed from the guidelines.

Mr. Crissman noted with regard to wavier number five, staff supports it since pervious paving is proposed, but he questioned where that is occurring. Mr. Staub answered that most of the impervious paving is in the alleys.

Mr. Seeds questioned what the yellow indicates on the plan. Mr. Staub answered that it is the twin units. He noted that the other yellow indicates the two commercial buildings.

Mr. Seeds noted that the number of waivers is due to the TND and he thinks the pervious paving will be much better as it will put the water back in the ground. Mr. Staub noted that the parking areas for the commercial space are pervious parking as well.

Mr. Crissman noted that staff supports waiver number six; however, the plan has been revised to provide a paved temporary cul-de-sac at the end of Road C near Lots 82 and 83. He noted that temporary to him means that it will only be there for a short period of time. Mr. Staub

answered that he hopes that it will disappear in a short period of time, noting until Road C is expanded into the adjoining property to the east there will be a temporary cul-de-sac at the end of it. He explained that Unit 83 will not be able to construct until the road is built.

Mr. Staub noted that the waiver requests are almost identical to the previous Shadebrook Plan.

Mr. Seeds noted that he was disappointed that he did not have the previous plan to look at. He noted that everyone was looking forward to that plan. He noted that it still looks like a nice place to live. Mr. Hawk noted that the footprint is the same but the density is less. Mr. Staub noted that the Department of Environmental Protection (DEP) did not agree. He noted that they told the developer that they would not issue a permit to affect the wetlands and they wanted it redesigned.

Mr. Crissman questioned Mr. Staub if he was able to speak for the plan. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if he was in agreement with the 17 waivers. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if he was in agreement with the five site specific conditions, that they have or will be met. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if he was in agreement with the eight general conditions, that they have or will be met, to include number eight, HRG's memo dated July 25, 2013 which has 17 comments in the first section and 31 comments in the second section. Mr. Staub answered that he can address all the outstanding comments.

Mr. Crissman questioned if Mr. Staub could meet the three staff comments. Mr. Staub answered yes.

Mr. Crissman made a motion to approve the revised preliminary subdivision and land development plan for Shadebrook 2013 -09 with the following waivers and conditions: 1) Waiver of the requirement that side lot lines shall run perpendicular or radial from the street right of way line; 2) Waiver of the street right-of-way and cart way widths requirement for minor and collector streets; 3) Waiver from the minimum horizontal radius for collection and minor street requirements; 4) Waiver from the maximum street grade requirement for collector and minor streets; 5) Waiver from the minimum paving requirements for off-street parking lots and alleyways. Staff supports since pervious paving is proposed. 6) Waiver of the requirement that dead end street (alleys) is prohibited unless designed as cul-de-sac streets, waiver of the maximum length of a dead end street and number of units to be served by same. The plan has been revised to provide a paved temporary cul-de-sac at the east end of Road C near Lots 82 and 83; 7) Waiver of the requirement to provide clear sight triangles of collector (150 feet), minor, private or driveway, 75' (each leg); 8) Waiver of the requirement to provide intersection sight distance and clear sight triangles and for driveways intersection a street; 9) Waiver from the requirement that intersections shall have a leveling area of 4% within 60' of the intersection of right-of-way lines; 10) Waiver of the requirement that corner lots driveways shall not be located less than 40' from an intersection; 11) Waiver of the requirement that driveways shall not be located closer than 5' from an inlet or a fire hydrant; 12) Waiver of the requirement for providing vertical curves and natural grades exceeding 105; 13) Waiver of the requirement from the minimum separation distance for intersections due to existing conditions; 14) Waiver of the requirement that block lengths shall have a maximum length of 1,600 square feet, minimum 300'; 15) Waiver of the requirement to provide sidewalks along Union Deposit Road and along Fairmont Drive; 16) Waiver of the requirement to provide curbing along Union Deposit Road and along Fairmont Drive; 17) Waiver of the requirement to allow storm water conveyances to

accommodate flows with less than 2.5 FPS velocity; 18) Provide a letter withdrawing the original Shadebrook submission as well as the Final, Phase I; 19) Homeowner association documents shall be reviewed by the Township Solicitor prior to approval of this plan; 20) Street lights shall be provided in accordance with design, color and height requirements; 21) A signed Operations and Maintenance Agreement must be provided prior to recording the plan; 22) 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; 23) Plan approval shall be subject to original seals and signatures on the plan; 24) Plan approval shall be subject to payment of engineering review fees; 25) Plan approval shall be subject to Dauphin County Conservation District's review and approval of the Erosion and Sedimentation Control Plan; 26) Plan approval shall be subject to review and approval of sanitary sewer construction drawings by Lower Paxton Township Authority; 27) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 28) Plan approval shall be subject to obtaining any necessary permits required by Federal and State agencies; 29) Final plan approval shall be subject to the fee-in-lieu payment; 30) Plan approval shall be subject to addressing the comments of HRG's memorandum dated July 25, 2013; 31) 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 in conjunction with the Conservation District meeting; 32) All proposed site signage, including construction signs, must meet the requirements of the Lower Paxton Township Zoning Ordinance. Sign permit review and approval is required prior to the erection of any signage; and 33) When resubmitting plans, please respond in writing to comments of HRG, Planning and Zoning Officer and County. Mr. Blain seconded the motion.

Mr. Hornung noted that many times he will be asked why the Board approves so many waivers and he wanted to remind people that this is a new program that the Board worked to implement for a different type of development. He suggested that the intent of this project will be a great asset to the Township to provide a small town type atmosphere which is so badly needed in today's world. He noted that he is excited about this project even though it has a lot of waivers. He noted that staff has looked over every waiver and scrutinized the plan to make sure that it has no negative impact on the safety of the people living there. He noted that the Board members reviewed each plan for their own merit and purpose.

Mr. Seeds noted that some of the waivers are a plus, for instance, the waiver of the paving for pervious is a huge plus for all concerned.

Mr. Hawk noted that it may keep people on site for getting a hair cut, or a cup of coffee or for whatever type of commercial comes into the project to make it a livable community.

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

Improvement Guarantee

CGOH Parking Expansion

A new letter of credit with Wells Fargo, in the amount of \$172,504.20, with an expiration date of August 6, 2014.

Amber Fields, Phase V

A new letter of credit with Mid Penn Bank, in the amount of \$98,241.00, with an expiration date of August 6, 2014.

Mr. Crissman made a motion to approve the two 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, and the meeting adjourned at 8:35 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

Gary A. Crissman
Township Secretary