

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held March 18, 2014

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, Gary A. Crissman, and Robin L. Lindsey.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Eileen Hoover, Koons Pool; Joseph Rebarchak, Centric Bank; Jeff Staub, Dauphin Engineering, Richard Yingst and John Zervanos; Yingst Homes; and Watson Fisher, 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 December 10, 2013 workshop meeting and the February 18, 2014 business meeting. Mr. Seeds seconded the motion, and a unanimous vote followed.

Public Comment

Gerry Dougherty explained that he is the President of Harrisburg Hunters and Angler's, and asked the Board to look at the crossovers on Hunters Run Road noting that he brought photographs that show the deterioration of the three crossover pipes. He explained that he is concerned that the weight of a school bus could collapse the roadway. He noted that there are no bottoms to the pipes and the edges close to the road are eroding away.

Mr. Wolfe explained that staff is aware of what Mr. Dougherty is talking about as Mr. Robbins has mentioned it to the Board during previous workshop sessions. He noted, if the Board desires, he will add it to the Road Tour agenda.

Mr. Hawk noted that the Road Tour will be conducted on April 22nd.

Mr. Crissman noted that the Board shares the same concerns for the school buses and the safety of the children.

Mr. Dougherty questioned if it would be necessary for him to be present during this road tour. Mr. Wolfe responded that it is not necessary but if he wants to, the Board could arrange to meet with him. Mr. Wolfe noted that he would call Mr. Dougherty to provide a time to meet him on-site.

Chairman and Board Member's Comments

No comments were provided.

Manager's Report

Mr. Wolfe noted that the Leaf Waste Collection Program will start with Waste Management's collection starting the week of April 7th. He noted that the Compost Facility will reopen on Tuesday, April 1, 2014, and it will be open on Tuesdays, Thursdays, and Saturdays from 7:30 a.m. to 5 p.m. He noted that residents must purchase a permit to bring items to the Compost Facility; the rates are unchanged from last year. He explained that the rate for an annual pass is \$35; a day pass is \$10; a commercial annual rate is \$500; and a day pass is \$50. He noted the permits can be bought at the Municipal Center or Hornung's Hardware Store; however, permits are not available for purchase at the Compost Facility.

Mr. Wolfe noted that curb side collection of leaf waste by Waste Management will start the week of April 7th. He noted that it is collected twice a month from April through December as well as January for the collection of holiday trees.

Mr. Wolfe noted that the Easter Egg–Stravaganza will be held on Saturday, April 12, starting at 1 p.m. at Brightbill Park. He explained that the egg hunt is for children ages two to ten and all are invited to come and watch.

OLD BUSINESS

Request from Koons Pool Association to modify Promissory Notes with Centric Bank

Ms. Eileen Hoover, Treasurer of Koons Pool, explained when the current group of people first took over the Pool Board it was very much in debt. She noted that the Pool Board requested the Township to co-sign loans for the organization, and over the years she has been making payments on those three loans. She explained that she started to pay ahead of schedule only to find out that she should not do that as the organization may need the money for improvements. She noted that she was instructed only to pay the invoices that she received, mostly for the payment of interest.

Ms. Hoover noted on February 21st she received a notice from Centric Bank that the first loan for \$11,000 that was down to around \$4,000 and payable by February 28th. She explained that she did not have enough funds to pay off the loan. She noted that the second line of credit loan for \$8,000 that was paid down to almost \$4,000 was due April 28, 2014. She explained that it meant that she needed to come up with \$8,000 to pay off both line of credits.

Ms. Hoover explained that she went to Centric Bank to determine her options, and worked with Joe Rebarchak, the Branch Manager. She explained that he suggested to her that the line of credits be converted to loans that would be paid monthly, to include the interest and principal throughout the year. She noted that she is seeking the Board's signature for the new loans since the Township is the guarantee for these loans in the event the organization would default. She noted that the pool does not plan on doing that and explained that she is not asking for more money, only the ability to convert the line of credits to loans with a monthly payment.

Mrs. Lindsey questioned Ms. Hoover if the organization would have any trouble meeting the payments. Ms. Hoover answered no as all the day cares are returning with one exception and all the employees are returning. She noted, last year, the pool incurred roughly \$4,000 in miscellaneous expenses. She noted that would free up \$4,000 for this year to use for payments. She noted that she feels confident that it is doable.

Mr. Hawk noted if you count all three loans, the payments would be roughly \$500 a month. Ms. Hoover answered that was correct. She noted since the Township co-signed the original loans, it must co-sign the new ones as well. She noted that she has always made the payments on time to the point of paying ahead. She noted that the pool is in great shape and does not anticipate any major repairs for this year. She explained that the only major maintenance item for this year is to paint the baby pool and tear down the sliding board. She explained that all the pumps have been replaced, and the well was dug up and the motor and pipes have been replaced. She noted that there's not too much left that could go wrong. She reported that the Pool has ten families that have signed up and the one day care has paid their full amount of \$4,000 in advance.

Mr. Hawk questioned if she was able to make her payments. Ms. Hoover answered yes.

Mr. Crissman noted that Ms. Hoover is doing a good job and he commended her but he questioned Mr. Rebarchak, since this is a community service organization, is there anything that could be done with the interest rates. He noted that the interest rate jumps from 5.5% to 6.75% and he was hoping that the bank might be more community spirited. Mr. Rebarchak answered that each loan is considered to be an unsecured loan. He noted that the rates for loans with collateral are in the range of 3.5 to 4%. He noted that the only collateral that he has for the notes is the guarantee of the Township at this point. He explained that they are unsecured loans and these are favorable rates given at the inception of the loans. He noted that he is only modifying

the loans in terming them out. He stated that two of the older obligations are termed out at 30 months a piece, and the third is termed out at 60 months. He noted that there are no other modifications other than the term of the payment for these obligations.

Mr. Crissman suggested that the Township's financial stability would far exceed a lien on the property. Mr. Rebarchak agreed. Mr. Crissman requested Mr. Rebarchak to reconsider a lower rate. Mr. Seeds noted that he was thinking the same thing. Mr. Rebarchak noted that a guarantee is credit worthy and these are considered to be unsecured loans. Mr. Crissman suggested that the Township is more fiscally sound than the United States Government. He noted that the Township is backing the loan, and the bank needs to reconsider the rate. He questioned Mr. Rebarchak if he would do something for these people. Mr. Rebarchak answered that he would go back and look at it but even a reduction of 1/2 % is not going to change the obligations. Mr. Crissman noted that the interest rate jumps from 5.5% to 6.75% and the bank needs to be sharing in the community efforts, and he would ask him to reconsider this and provide another presentation to the Board.

Mr. Hornung questioned if there were points for the negotiations. Mr. Rebarchak answered no; it is simply a modification of terms. Mr. Hornung questioned why they are not combined into one loan. Mr. Rebarchak noted that it would create a new obligation that would have to be under written and he would have to ask for a guarantee on that note as opposed to terming the three loans out. Mr. Hornung noted that the shorter loans typically are at lower rate but these are at a higher rate. Mr. Rebarchak noted that the rates were not reviewed; he only modified the term. He noted that the original notes have a rate of 5.5% and 6.75% respectively and at this point he termed it out, he did not change the rates. He noted to look at the financials for the pool, looking at their cash flow, these rates stand firm on the merits of the organization. He noted as unsecured debt these are very favorable rates. He noted that they pay more interest

than what these obligations are and he did not change the rates to lower or increase them at this time. He noted that he looked for a payment obligation that would serve the pools needs and take care of the obligations in a timely and suitable manner to all. Mr. Crissman noted that he understands the modifications but the larger issue is that it is a community issue and he hoped that the bank would join the Township, noting that you have the financial stability with the Township backing the loans. He requested Mr. Rebarchak to reconsider the rates. Mr. Rebarchak answered that he would take it back for reconsideration. Mr. Crissman questioned if he would respond back to the Township for this. Mr. Rebarchak answered that he will respond back to Koons Pool, to Ms. Hoover.

Mr. Seeds noted that time is of the essence as they need to have action this evening so they are not in the rears. He noted that the Board needs to take action this evening hoping that the bank will come back to the Township with a lower rate.

Mr. Seeds made a motion that the Board of Supervisors guarantees the three loans for Koons Pool with Centric Bank. Mr. Crissman seconded the motion with the caveat that there will be a review of the interest rates. Mr. Hawk called for a voice vote resulting in a four to one vote for the motion. Mr. Hornung cast the sole negative vote.

Action on the scope of work and proposal for the preliminary and final design of the Jonestown Road Bridge replacement project

Mr. Wolfe noted that Lower Paxton and West Hanover Townships jointly own the bridge on Jonestown Road at their joint municipal boundary that traverses Beaver Creek. He noted that the bridge is slated to be replaced as it is nearly one hundred years old. He noted that the two Townships have joined together in accordance with an inter-municipal agreement to provide for the replacement of the bridge. He explained that they have obtained grant funds for the project construction and the PennDOT process has been navigated to insure that construction can occur. He noted that process includes the advertisement for the selection of a consulting firm to

undertake the preliminary and final design that was submitted as a scope of work to PennDOT who reviewed and negotiated and approved the work. He noted that the Department accepted a price proposal from the engineer that was also reviewed, negotiated and approved. He noted that PennDOT is now requesting the two municipalities accept the scope of work and the price proposal submitted by HRG to replace the bridge. He noted that the price proposal for preliminary and final engineering as well as construction consultation would be \$378,011.25. He noted that the Board's packet contains the entire scope of work.

Mr. Seeds questioned if that is the total engineering price. Mr. Wolfe answered yes. Mr. Seeds questioned what the projected contract price for the job is. Mr. Wolfe suggested, two years ago it was \$1.6 million.

Mr. Seeds questioned if West Hanover Township will have to approve this. Mr. Wolfe answered yes. Mr. Seeds questioned if there is an engineer's estimate. Mr. Wolfe answered that there would not be one, as the process provides for the two Township's to select a project consultant engineer and for PennDOT to negotiate the cost for services. He noted that this is the acceptable engineering cost as determined by PennDOT.

Mr. Crissman questioned if West Hanover Township has approved this yet. Mr. Wolfe suggested that their Board does not meet this late in the month.

Mr. Seeds suggested that PennDOT feels this must be a fair price. Mr. Wolfe answered yes.

Mr. Hornung noted that the percentage seems a little high, 20% of the construction costs. Mr. Wolfe explained that he knows very little about bridge design, but PennDOT would not accept a price they believe to be excessive. He noted that the engineering involved significant environmental analysis that is not typical of most engineering projects.

Mr. Seeds noted that the Board has been working on this for 12 years.

Mr. Crissman made a motion to approve the scope of work and proposal for the preliminary and final design of the Jonestown Road Bridge replacement project. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a four to one vote for the motion followed with Mr. Hornung casting the lone negative vote.

Resolution 14-11; establishing a Sestercentennial Anniversary Committee

Mr. Wolfe noted that this resolution would establish a 250th Anniversary Committee for Lower Paxton Township with the event to be held in 2017. He noted that the Township was erected in 1767. He noted that the Committee would be composed of 9 individuals, six at large members, plus a member from the Board of Supervisors, Parks and Recreation Board and one from the Community Engagement Committee. He noted that the responsibilities of the Committee include; conducting public meetings on a monthly basis, and at its first meeting, organize to include the election of officers and later develop goals and a mission statement that would need Board approval. He noted that the Committee shall participate in the development, implementation, and management of the programs, events, and activities, to celebrate the Township's Sestercentennial. He noted that there are other duties, the most important of which is the last, the Committee shall work and mobilize the appropriate resources and expertise that exists within the community to plan and implement the celebration.

Mr. Wolfe noted that the resolution is complete for the Board's action this evening.

Mrs. Lindsey made a motion to approve Resolution 14-11; establishing a Sestercentennial Anniversary Committee. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on a proposal from the Township Engineer to provide services in support of the General NPDES Permit for the Wolfersberger Tract

Mr. Wolfe noted that the Board met in workshop session last week with Mr. Fleming of HRG to discuss the continued development of the Wolfersberger Tract as a fill site for Township sanitary sewer projects. He noted that permitting is necessary to implement the activity and the Township has been approved for a General NPDES Permit to accept the fill however supplemental work needs to be done by HRG to implement the permit. He noted that the total cost for services is \$6,500.00 plus expenses. He recommended that the Board approve this proposal as presented.

Mr. Crissman made a motion to approve action on a proposal from the Township Engineer to provide services in support of the General NPDES Permit for the Wolfersberger Tract. Mr. Hornung seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Action on a lease with HP Financial Services for 64 computers

Mr. Wolfe noted that this lease is for 62 desk top computers and 2 lap top computers that are included in the 2014 budget. He noted that the Township has a situation that necessitates the replacement of a large number of computers as most of the current computers are currently operating the Windows XP system. He noted that it is an old operating system and has met the Township's needs however, Microsoft, as of April of this year, will no longer support Windows XP. He noted that any glitches that occur in the operating system will not be fixed and patches for security will not be issue, resulting in a system that will be more vulnerable for attacks from the outside. He noted that the Township's only recourse is to migrate to a Windows 7 or 8 environments and to operate that system, new desktop machines are needed.

Mr. Wolfe noted on several occasions, the Township has bought used leased machines that would operate in the Window 7 or 8 environments and it has experience failures with those machines. He noted that staff has investigated the State contract price for local governments and found that Hewlett-Packard has just been awarded a government contract for a four year lease through Costars that would provide for an annual payment of \$10,685.79. He noted that it is a four-year lease at \$10,685.79 that is approved by the State Costars program. He explained, at the end of the lease the Township has the option of releasing new equipment, renegotiating a successive term of the existing lease or giving the equipment back and moving on in another direction. He noted that it is staff's recommendation to approve the lease with HP.

Mrs. Lindsey questioned who would be getting these computers. Mr. Wolfe answered that the Township has 80 to 90 computers and of those being replaced 20 to 25 would go to the Police Department; five to ten for the Parks and Recreation Department; Public Works and Sewer would get about five and the rest would be for Administration and Community Development.

Mr. Crissman noted that this purchase was an approved item in the 2014 budget.

Mr. Seeds questioned how long it would take to get these computers. Mr. Wolfe answered as soon as possible as the Windows XP would not be supporting XP starting next month. Mr. Seeds questioned what would happen with the current computers. Mr. Wolfe answered that they would be recycled. He noted that the vast majority of computers that staff is using are second-hand much like the Board uses for its meetings that were purchased from State Surplus. He noted that they are many years old.

Mr. Hornung questioned why we are using HP. Mr. Wolfe answered that they are the vendor for the State contract. Mr. Hornung noted that he avoided using HP due to their serviceability. Mr. Wolfe explained that according to the terms of the lease, the computers will

be maintained by the vendor. He noted that the machines are brand new and come with a warranty.

Mr. Crissman made a motion to approve action on a lease with HP Financial Services for 62 computers and two laptop computers for a four-year contract with an annual payment of \$10,685.79. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Action on a request for waiver of penalties and interest in regard to real estate taxes owed on three properties by Robyn and Erik Chotiner

Mr. Hawk noted that the Township received a request from Robyn and Erick Chotiner to waiver the penalties and interest in regards to real estate taxes that they misplaced or did not receive. Mr. Wolfe noted that this concerns three properties owned by the Chotiner's.

Mr. Seeds questioned if this has to do with the County and Township taxes. Mr. Wolfe noted that this request is only for the Township taxes. Mr. Seeds questioned if the Chotiner's would have to make a separate request to Dauphin County. Mr. Wolfe answered yes.

Mr. Hornung questioned Mr. Wolfe if he knew how much the penalty was for. Mr. Wolfe answered no but suggested that it would not be significant.

Mrs. Lindsey noted that she had a problem with this as it is the homeowner's responsibility to know that taxes are due and that they are always mailed in February. Mr. Seed noted that by law it is the taxpayer's responsibility even if they don't come in the mail. Mrs. Lindsey noted that you know that the taxes are mailed in February. She noted that it is the responsibility of the homeowner.

Mr. Crissman made a motion to deny the request for a waiver of penalties and interest in regard to real estate taxes owned on three properties by Robyn and Erick Chotiner. Mrs. Lindsey seconded the motion. Mr. Hawk called for a voice vote and a unanimous vote followed.

Revised final subdivision and land development plan for Shadebrook

Mr. Wolfe noted that the Shadebrook Development proposes an 84.373 acre area to be developed consisting of two hundred sixty-one (261) residential building lots, two (2) commercial lots, twenty-two (22) (condominium) apartment units to be located above the commercial space with an option of thirty-five (35) additional (condominium) apartment units that would also be located above the commercial space, nine open space lots and one residual lot that is located on the south side of Union Deposit Road. The tract is zoned R-1 Low Density Residential District and Floodplain Conservation District with a TND – Traditional Neighborhood Development Overlay.

Mr. Wolfe noted that Phase I lists sixty-five (65) lots, 39 single family dwellings, 24 duplex dwellings and 42,414 square feet of commercial. The property will be served by public sewer and public water. The property is located at the intersection of Fairmont Drive and Cider Press Road.

Mr. Wolfe noted on August 6, 2013 the Board of Supervisors approved the Revised Preliminary Subdivision and Land Development Plan for Shadebrook #13-09.

Mr. Wolfe noted on January 8, 2014 the Planning Commission recommended approval of the Shadebrook Phase I plan and waiver requests subject to addressing the outstanding comments regarding additions to the developer's agreement regarding architectural guidelines for garage-in-law suites, the issue of fee-in-lieu, and revise commercial areas within the phasing schedule. He noted that the Planning Commission recommended that with regard to Waiver 6 the road be designed as permanent roadway with curbing.

Mr. Wolfe noted that the following waivers were reviewed by the Board with the developer during its workshop session held March 11th: 1) Waiver of the requirement that all side property lines are radial/perpendicular to public right-of-way; 2) Waiver of the requirement to

provide the minimum cartway widths for collector and minor streets within the development; 3) Waiver of the requirement to provide the minimum horizontal centerline radius for collector and minor streets within the development; 4) Waiver of the requirement that the maximum street grade shall be 8% for a collector and 10% for a minor; 5) Waiver of the requirement to provide the paving standards specified for off street parking lots. Staff Supports because as the applicant is proposing to use pervious paving; 6) Waiver of the requirement that dead end streets are prohibited unless designed as a cul-de-sac street or for future access to adjoining property. Any dead end street for access to an adjoining street shall be providing with a temporary cul-de-sac. The maximum length of dead end streets shall be no more than 600 feet and shall not furnish access to more than 20 residential units. He noted that this waiver is supported with the exception of the termination of Road C near Lots 82 and 83; 7) Waiver of the requirement that clear sight triangles for a collector must maintain 150' each leg and for a minor must maintain 75' each leg; 8) Waiver of the requirement to provide the minimum intersection stopping sight distance and clear sight triangles at all intersections of streets and for driveways intersecting a street in accordance with Exhibit 8; 9) Waiver of the requirement that an intersection shall have a leveling area of 4% within 60' of the intersection of the intersection right-of-way lines; 10) Waiver of the requirement that private driveways on all corner lots 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 that vertical sag curves must have a minimum K value of 26 for safe stopping distances; 13) Waiver of the requirement for providing the minimum separation distances between street intersections for Roads A, B, E, and Cider Press Road; 14) Waiver of the requirement that the minimum and maximum block lengths are 500' and 1,600' respectively; 15) Waiver of the requirement to provide sidewalk along Union Deposit Road and along Fairmont Drive from a point beginning

100' north of the Fairmont Drive intersection with Hillsborough Court and continuing along the north side of Fairmont Drive to the west side of proposed Lot 272; 16) Waiver of the requirement to providing curbing along Union Deposit Road and along Fairmont Drive for the 35' from the intersection with Union Deposit Road to a point of the eastern side of Fairmont Drive intersection with Hillsborough Court; and 17) Waiver of the requirement to provide a minimum velocity of 2.5 f/s in all stormwater conveyance pipes; and four site specific conditions; eight general conditions and one staff comment.

Mr. Jeff Staub, Dauphin Engineering noted that he is requesting approval of Phase I, the first of four phases. He stated that he received comments from Ms. Moran dated March 12, 2014, and HRG's Memo dated February 20, 2014, and responded to Ms. Moran with their memo dated March 14, 2014. He explained that he was asked to meet with Fire Marshall Needham, Chief Swank and Public Safety Director David Johnson in regards to the comments concerning the alleys and the paving for the curbing. He noted that he met with the above mentioned personnel and it proved to be a successful meeting with Fire Marshall Needham providing a memo in support of the plan. He noted that he would be happy to answer any questions the Board may have in concern to the alleys and Fire Marshall Needham's memo.

Mr. Hawk explained that he attended the meeting and Fire Marshall Needham indicated that he would provide a letter of support for the plan. Mr. Wolfe noted that staff has received that letter.

Mr. Seeds thanked Mr. Staub, Mr. Zervanos and Mr. Yingst for their cooperation for this project. He explained that Mr. Zervanos took him to visit a similar project in Silver Springs Township and he also spoke with representatives from Silver Springs Township. He noted that he was happy that the meeting occurred today with the Emergency Responders.

Mrs. Lindsey noted that this will be an asset to the Township.

Mr. Hawk noted that the meeting went extremely well as Fire Marshall Needham had some concerns but they were worked out.

Mr. Hornung noted that one of the waivers concerns a leveling area of 45 within 60 feet of an intersection. He requested Mr. Staub to point to where this occurs on this plan. Mr. Staub answered for Phase I there are none. He explained that they occur in Phase III and IV. He noted that it is not shown on this map but they all are located on Fairmont Drive. Mr. Hornung questioned if the site distance is for a main road then maybe something could be done. Mr. Staub noted that most site distance issues occur along Fairmont Drive and Cider Press Road. He noted that five of the seven or eight intersections are issues due to the parallel parking which is a TND feature. He explained that the site distance line cuts across the parked car. Mr. Hornung questioned if we should remove that parking space. Mr. Staub noted that the TND encourages street parking but the tradeoff is an issue with site distance. Mr. Hornung stated that he struggles with some of the issues that make a convenience for someone to park near their home versus the safety of a person not being able to see far enough for a proper site distance at an intersection. He noted that the figures make no sense to him, but he needs an assurance that it will be a safe intersection or should we remove one parking spot. Mr. Staub noted that he would not be able to offer an opinion for that question. He stated that it has been designed in such a fashion that traffic would proceed on Fairmont Drive at a fairly low rate of speed due to the way the intersection was designed. He noted that the road chokes at each intersection. Mr. Hornung questioned what the speed limit was for that road. Mr. Staub answered that it is 25 mph; however, he suggested that they will travel less than that. He noted that there will be one three way stop and another four way stop on Fairmont Drive. He noted now you can travel that road for the entire length without any stop signs. He explained that it will add two stop signs within Shadebrook and will slow the traffic.

Mr. Hornung noted that it is much easier to pull a parking space out than to add one, and if a parking space creates a problem for someone accessing the main road from the side street, Mr. Yingst should be willing to look at it and remove the parking space. Mr. Yingst stated that he agrees with Mr. Hornung that taking it out is much easier than adding it later. Mr. Hornung noted that you can put stripe lines for no parking and it would allow easier movement to pull from the side streets. Mr. Staub noted that the old plan had the same type of parking arrangement along Fairmont Drive, fairly close to the intersections, with an identical waiver request.

Mr. Hornung requested Mr. Staub to explain the waiver for vertical sag curbs that must have a minimum K value of 26 for safe stopping distances. Mr. Staub answered that it is a ratio of the length of the vertical curb versus the difference of grade that makes the curb. He noted that it only happens on Alley A which is a private street in Phase III. He noted that street B comes up on Cider Press Road, the first street at the east end of the project and it has a K value of less than 26. Mr. Hornung questioned how much less. Mr. Staub answered that it is 19. Mr. Hornung questioned what the speed limit is at that location. Mr. Staub answered that it is 25 mph. Mr. Hornung questioned if there are any driveways at that location. Mr. Staub noted at the crest there is an intersection with another side street but it is in the middle of a vertical curb and there are no issues with site distances.

Mr. Hornung noted in regards to the waiver that private driveways on all corner lots shall not be located less than 40 feet from an intersection, how close are they. Mr. Staub noted that some of the driveways are directly opposite the intersection, and he did not think there were any driveways that are adjacent to an intersection; they are all on the opposite side of the street.

Mr. Crissman noted that since the developer has accommodated the Fire Marshall's concerns for the needs for the fire equipment access, he questioned how the school buses will maneuver the areas for picking up students. Mr. Staub answered that the School District has

determined that they will not venture from Fairmont Drive or Cider Press Road with their buses. He noted that the students will have to walk to those two roads to be picked up by the buses.

Mr. Seeds questioned how many phases the waivers cover. Mr. Staub answered that there are four phases.

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

Mr. Crissman questioned if Mr. Staub was okay with the notes as staff supports the 17 waivers. Mr. Staub answered yes but waiver six was resolved by the addition of a cul-de-sac with curbing. He noted that the Township has the revised drawings. Mr. Crissman noted if that has been done then staff must support the waiver.

Mr. Crissman questioned if Mr. Staub would be able to meet the four site specific comments. Mr. Staub answered yes.

Mr. Crissman questioned if Mr. Staub will be able to meet the eight general conditions to include the memo from HRG dated February 20, 2014 which includes the 17 waivers and six general conditions. Mr. Staub answered yes.

Mr. Crissman noted that he would add item number nine that would include the letter from the Fire Marshall dated March 18, 2014. Mr. Staub answered that he would have no objection if that was included.

Mr. Crissman questioned if Mr. Staub would be able to meet the one staff comment. Mr. Staub answered yes. He answered that he would put a note to that effect on the plan.

Mr. Crissman made a motion to approve the revised final subdivision and land development plan for Shadebrook Phase I, with the following waivers and comments: 1) Waiver of the requirement that all side property lines are radial/perpendicular to public right-of-way; 2) Waiver of the requirement to provide the minimum cartway widths for collector and minor

streets within the development; 3) Waiver of the requirement to provide the minimum horizontal centerline radius for collector and minor streets within the development; 4) Waiver of the requirement that the maximum street grade shall be 8% for a collector and 10% for a minor; 5) Waiver of the requirement to provide the paving standards specified for off street parking lots. Staff Supports because as the applicant is proposing to use pervious paving; 6) Waiver of the requirement that dead end streets are prohibited unless designed as a cul-de-sac street or for future access to adjoining property. Any dead end street for access to an adjoining street shall be provided with a temporary cul-de-sac. The maximum length of dead end streets shall be no more than 600 feet and shall not furnish access to more than 20 residential units. He noted that this waiver is supported with the exception of the termination of Road C near Lots 82 and 83; 7) Waiver of the requirement that clear sight triangles for a collector must maintain 150' each leg and for a minor must maintain 75' each leg; 8) Waiver of the requirement to provide the minimum intersection stopping sight distance and clear sight triangles at all intersections of streets and for driveways intersecting a street in accordance with Exhibit 8; 9) Waiver of the requirement that intersections shall have a leveling area of 4% within 60' of the intersection of the intersection right-of-way lines; 10) Waiver of the requirement that private driveways on all corner lots 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 that vertical sag curves must have a minimum K value of 26 for safe stopping distances; 13) Waiver of the requirement for providing the minimum separation distances between street intersections for Roads A, B, E, and cider Press Road; 14) Waiver of the requirement that the minimum and maximum block lengths are 500' and 1,600' respectively; 15) Waiver of the requirement to provide sidewalk along Union Deposit Road and along Fairmont Drive from a point beginning 100' north of the Fairmont Drive intersection with Hillsborough

Court and continuing along the north side of Fairmont Drive to the west side of proposed Lot 272; 16) Waiver of the requirement to providing curbing along Union Deposit Road and along Fairmont Drive for the 35' from the intersection with Union Deposit Road to a point of the eastern side of Fairmont Drive intersection with Hillsborough Court; 17) Waiver of the requirement to provide a minimum velocity of 2.5 f/s in all stormwater conveyance pipes; and four site specific conditions; eight general conditions and one staff comment; 18) Plan approval shall be subject to addressing any outstanding comments from the Revised Preliminary Subdivision and Land Development Plan for Shadebrook #13-09; 19) 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; 20) Provide a developer's agreement for township solicitor review; 21) Provide any homeowner's association agreement for township solicitor review; 22) Plan approval shall be subject to providing original seals and signature; 23) Plan approval shall be subject to the payment of engineering review fees; 24) Provide an automatically renewable improvement guarantee; 25) Plan approval shall be subject to any/all required outside agency review approvals; 26) Plan approval shall be subject to the Dauphin County Conservation District's review of the Erosion and Sedimentation Control Plan; 27) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 28) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 29) Plan approval shall be subject to addressing all comments of HRG's memorandum dated February 20, 2014; 30) 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; and 31) Memo from Fire Marshall Needham dated March 18, 2014 showing his support of the plan for Phase I for public safety concerns.

Mr. Seeds suggested that the memo from Officer Needham should not be a condition, rather a staff comment. Mr. Crissman noted that he did not care where it was placed as long as it is included in the motion. Mr. Stine noted that it could be put under staff comments. Mr. Crissman questioned Mr. Staub if he had any objections to adding the memo from Fire Marshall Needham to a staff comment. Mr. Staub answered no. Mr. Crissman noted that it would be changed to a staff comment.

Mrs. Lindsey questioned Mr. Hawk what changed during the course of the meeting with the Public Safety Officials. Mr. Crissman noted that there is a motion on the floor and there is a need to second the motion prior to having more discussions. Mrs. Lindsey seconded the motion.

Mr. Staub noted that it was less a matter of convincing the Fire Marshall for what we were proposing to do noting that they did not have a good grasp of what it was. He noted that they did not understand some of the design criteria and once he walked though all those concerns they were much more comfortable with it. He explained the turning templates showed that Truck 35, which is the largest piece of equipment the Township has, was used in the turning templates. He noted that we talked about the outriggers and they were comfortable that there was enough room. He noted that they made several suggestions for improvements which will entail some widening in the alleys and they were comfortable with what he was proposing.

Mr. Hawk noted that Mr. Staub was flexible and that Yingst Homes had agreed with the fire hydrants noting that some may be moved for easier access for the fire companies. He noted that the boulevard section will be shortened. Mr. Staub noted that the boulevard, medium planted area would be shortened to make the turning movements much easier. Mr. Yingst noted that the width for the alleys that was 16 foot was extended to 18 foot.

Mr. Seeds noted that you used Truck 35, but was there any discussion about Paxtonia's ladder truck. Mr. Staub noted that the design called to accommodate Truck 35 and Truck 33. He noted that the turning radius for the ladder truck is less than the larger trucks. Mr. Wolfe noted that it is a tiller truck.

Mr. Hawk noted that parking will only be allowed on one side of the street so the cars won't block traffic. Mr. Seeds questioned if signs will be installed on the one side or would it be covered by the Home Owner's agreement.

Mrs. Lindsey questioned if "No Parking" signs will be installed. Mr. Staub answered, only on the public street. He noted that there will be no signs in the alleys but there will be signage in the Homeowners documents that will notify members that no parking is permitted in the alley roadway.

Mr. Hawk noted that the TND overlay has some significant design developments that are different from the traditional R-1 development.

Mr. Crissman called for a question on the motion.

Mr. Hawk called for a roll call vote: Mrs. Lindsey, yes; Mr. Crissman, yes; Mr. Hornung, yes; Mr. Seeds, yes; and Mr. Hawk, yes.

Mr. Crissman thanked both Mr. Yingst and Mr. Staub for their hard work, time and energy in developing this project as it has been a long time in the making. He noted that the concept shows that the Township is very progressive.

Mrs. Lindsey questioned when the project will start. Mr. Yingst answered that he hopes to start the project by fall.

Mr. Hornung explained that this is one of the major decisions the Board has made in a long time and it will have an incredible impact on the community and will attract a lot of excitement providing for a down-home feeling that we are all looking for. He questioned what

the price range will be for the homes. Mr. Zervanos suggested that the duplexes would be around \$275,000 and for single family homes it would range from \$300,000 to \$350,000. Mr. Crissman questioned what the price will be for the condominiums. Mr. Zervanos answered that they have not determined that yet.

Improvement Guarantee

Mr. Hawk noted that there were six Improvement Guarantees.

Kings Crossing, Phase C

A change in financial institution from a letter of credit with Fulton Bank to an escrow with Lower Paxton Township.

Laurel Ridge

An extension in a letter of credit with PNC Bank, in the amount of \$48,334.65, with an expiration date of March 18, 2015.

The Estates of Autumn Oaks, Phase IIA

A reduction and extension in a letter of credit with Farmers and Merchants Truck Company, in the amount of \$118,697.43, with an expiration date of March 18, 2015.

Sheetz Store #523 – Briarsdale Road

A reduction in a bond with Liberty Mutual Insurance Company, in the amount of \$59,844.79, with an expiration date of May 7, 2014.

Hawthorne Suites

An extension and 10% increase in a letter of credit with M&T Bank, in the amount of \$174,306.61, with an expiration date of March 18, 2105.

Mindy Meadows, Phase 2

An extension and 10% increase in a bond with Eastern Atlantic Insurance Company, in the amount of \$1,136,102.06, with an expiration date of March 18, 2105.

Mr. Hornung questioned what is going on with Mindy Meadows. Mr. Wolfe answered that nothing is going on and the delay is probably due to the economy. Mr. Crissman made a motion to approve the six improvement guarantees. Mr. Seeds 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 8:47 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary