

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held June 21, 2016

The business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:30 p.m. by Chairman William L. Hornung, on the above date, in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

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

Also in attendance was George Wolfe, Township Manager; Steve Stine, Township Solicitor; Christine Hunter, H. Edward Black; Josh Erb, Giant Foods; Ellen Freeman, Flaherty & O'Hara; Jeff Staub, Dauphin Engineering; 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 May 17, 2016 business meeting, the June 7, 2016 special workshop session, and June 7, 2016 business meeting. Ms. Lindsey seconded the motion, and a unanimous vote followed.

Public Comment

Mr. Chris Chianos, 4227 Williamsburg Drive noted that he owns the property off of Oak Park Road that he has been trying to negotiate with the Township to take off his hands to use it as a greenway property. He noted that some members looked at the property and he wanted to know what they thought.

Mr. Hornung noted that you came up with an offer to the Township and at this point for that price we are not interested. Mr. Chianos noted that is the starting price. He noted that he is willing to go higher. Mr. Hornung noted that the Township is willing to go lower. He explained that he appreciates what Mr. Chianos is trying to do for the public, however even after we acquire property the costs begin to ante up. He noted not only to take care of it, but to improve it as a recreation area. He suggested that we would have to put \$300,000 to \$400,000 into the property to make it something that is safe and a nice feature for Lower Paxton Township. He noted, when we look at a project we just don't look at acquiring land because if we just acquire the land and let it sit then we have to pay taxes on it. Mr. Chianos noted that he is paying taxes on it. Mr. Hornung noted that we don't want to pay taxes on it. He noted if we upgrade the land and make into recreation then we don't have to pay taxes. He noted that it becomes a liability for the Township until we do something with it.

Mr. Hornung explained that we have Wolfersberger Park that we just purchased and we haven't finished George Park. He suggested that we have about \$300,000 to \$400,000 to put into George Park to finish it off. He noted to get another property that we don't have the funds to improve to make it a viable recreational facility for the Township does not make sense unless we are acquiring the property at such a good price that we can't refuse. He noted that is where we are at.

Mr. Chianos questioned who I could negotiate with. Mr. Wolfe answered that it would have to be with Board of Supervisors as only the Board can actually purchase land. He suggested if the Board wanted to appoint two representatives to meet with Mr. Chianos to negotiate the sale, it would be acceptable.

Mr. Seeds noted that he walked the land with members of the Greenway Committee and Parks and Recreation Board and it is very beautiful land but there would be some issues. He noted that one property owner does not want to provide access through the trail. He noted that there are issues for where people can park their vehicles having to negotiate with PinnacleHealth to allow parking on the one end. He noted that the costs would be way beyond what you are asking if we did something.

Mr. Crissman noted that there is the obstacle of crossing over Locust Lane as it could be a dangerous situation for people to do that. He noted that there are many obstacles that are facing us. He questioned Mr. Chianos if he would be willing to donate the land to... Mr. Chianos answered absolutely not. He noted that he has paid taxes on it for years. Mr. Crissman noted that he will withdraw the part that he was going to add onto the end of his request.

Mr. Hornung noted at this point we are not interested in purchasing the land.

Mr. Chianos questioned how you would feel if he started to clear cut the land. Mr. Wolfe answered as long as the property owner has the proper permits he can cut down what he wants to.

Mr. Chianos noted that there is no commercial value to the property. He noted that it was originally zoned low density residential but you can't build on it.

Mr. Chianos noted that the only thing that can be done with it, and he was contact in the past by people on the Greenway Committee and Mr. Luetchford who talked about acquiring it. He noted that it appears that this is a no/win situation for both of us.

Mr. Hornung noted that he is willing to sit down with Mr. Chianos to determine if we can come up with a pretty low price with one other Board member present. Mr. Chianos noted that he is willing to work with you folks, but he does not know who to work with. Mr. Hornung

answered that he will make contact with the Greenway Committee to see how interested they are and then he will get back to Mr. Chianos to provide him with an answer.

Mr. Chianos noted that he has met with the members of the Greenway Committee and what they want to do is unacceptable to him because they want him to allow use of the property for their purposes with no compensation. He noted he is not interested in that and you can understand why.

Mr. Crissman noted if we sit down and talk, maybe you can allow me to finish the sentence I proposed that you cut me off from as I didn't have the opportunity so we will save that for another time.

Mr. Hornung noted that there is something to be said for a legacy too. Mr. Chianos responded thanks.

Mr. Chianos questioned Mr. Seeds what he thought of the property. Mr. Seeds answered that it was very nice but there is a lot of costs involved and we have George Park that we have million plus to put into. He noted in addition, we haven't thought of what it would cost to develop the Wolfersberger Tract. He noted that there is no money available and it is difficult to get money for land purchase grants from the federal or state government. He noted that there is no money.

CHAIRMAN AND BOARD COMMENTS

Ms. Lindsey wanted to thank everyone who participated in Heroes Grove Ribbon Cutting ceremony this past Friday night. She noted that it was a very moving service and Mr. Hornung did a wonderful job representing the Township. She wanted to thank Ms. Hunter who has spent much time with this project and thanked her for her efforts. She suggested that the residents should come out to see it as it is located next to the Friendship Center in Brightbill Park.

MANAGERS REPORT

Mr. Wolfe noted that on July 3rd at approximately 9:30 p.m., Lower Paxton and the Linglestown Fire Company will sponsor its annual fireworks display at Koons Park.

Mr. Wolfe noted that a Friday night concert will be held at Heroes Grove on July 15th at 7 p.m. He noted that the Little Brother's Band will be followed by Mr. Music and this event is sponsored by Enders Insurance.

Mr. Wolfe noted on Saturday, July 16th the Community Engagement Committee will hold the Arts and Parks 5K Race beginning and ending at the Friendship Center. He noted that registration begins at 6:30 a.m. with the race beginning at 8 a.m. He noted that all Lower Paxton Township residents are invited to participate. He explained that information for the registration fee can be accessed on the Friendship Center's website.

OLD BUSINESS

Action on a Stipulated Consent Order regarding Stray Winds Farm

Mr. Stine noted that this stipulation proposed by the owners of Stray Winds Farm as well as the neighboring property owners who have filed two or three appeals on certain items, have come to an agreement for what they are willing to do to settle this matter to get rid of all the litigation. He noted that this order is what would be signed by the Court. He noted that there is also an agreement that the parties would sign including the Township but he did not see it in the packet. He noted that this action would be to approve the agreement to settle the matter ending all the appeals.

Mr. Hornung questioned Mr. Stine if he had a recommendation. Mr. Stine replied that the Board should approve it.

Mr. Crissman made a motion to approve the Stipulated Consent Order regarding Stray Winds Farm. Mr. Hawk seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

NEW BUSINESS

Resolution 16-26; authorizing submission of a Greenway, Trails, and Recreation Program Grant to the PA CFA in support of the Heroes Grove Project

Mr. Wolfe noted that this is a request to submit a grant application to the Pennsylvania Commonwealth Financing Authority (CFA) requesting \$230,000 to fund, in part, Phase II for Heroes Grove.

Ms. Christine Hunter from H. Edward Black thanked the Board for its support of Heroes Grove. She noted that they had a wonderful ceremony on Friday night with a concert following. She explained that it was great to see so many residents in attendance enjoying the concert, beautiful weather, and the amphitheater.

Ms. Hunter noted that we are moving on to Phase II and want to submit this application for a grant to the CFA, and would appreciate the Board's help in supporting the project.

Mr. Crissman made a motion to approve Resolution 16-26 authorizing submission of a Greenway, Trails, and Recreation Program Grant to the Pennsylvania CFA in support of the Heroes Grove project in the amount of \$230,000. Mr. Hawk seconded the motion.

Mr. Crissman questioned what our possibilities to get the \$230,000 are or would we get less than that amount. Ms. Hunter answer that we can certainly get less than \$230,000 as three years ago we applied for \$230,000 and were awarded \$200,000. She noted that generally you don't get all that you ask for.

Mr. Crissman questioned, once we do the submission, how quickly do they do the review and announcement of awards. Ms. Hunter answered that it is supposed to be reviewed at the September meeting of the CFA and then announced thereafter. She noted that last year's awards have not been announced yet and there have been some delays. She noted that Heroes Grove is also applying for three or four other grants and they all have different schedules for submission and announcements. She suggested by next spring we will know what our budget is for Phase II.

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

Resolution 16-22; approving the transfer of restaurant liquor license No. R-9583 into the Township for use by Giant Food Stores, LLC at 5005 Jonestown Road

Mr. Wolfe noted that this is the transfer of a restaurant liquor license No. R-9583 into Lower Paxton Township to be used at 5005 Jonestown Road by Giant Food Stores. He noted that this is the third transfer of a similar type license for use in a grocery store. He noted that the Township is required to hold a public hearing on this with the presentation made by the applicant being first.

Mr. Stine noted that this is the time and date set for the public hearing on Resolution 16-22 which would approve the transfer of a restaurant liquor license No. R-9583 into the Township for use by Giant Food Stores, LLC at 5005 Jonestown Road.

Ms. Ellen Freeman noted that she is with the law firm of Flaherty and O'Hara which is based out of Pittsburgh. She explained that she is here with Josh Erb, the Manager of Special Projects at Giant Food Stores.

Ms. Freeman noted that we are here tonight to request that Lower Paxton Township approve a resolution permitting the Intermunicipal transfer of a restaurant liquor license from outside the Township to within it pursuant to revised Liquor Code provision Title 47, Section

461. B. 3. She noted that restaurant liquor license will be transferred to Giant's new store for its use at 5005 Jonestown Road.

Ms. Freeman noted that the Liquor Code permits the Pennsylvania Liquor Control Board (LCB) to approve the transfer of a license from any municipality within Dauphin County to within another municipality as long as the receiving municipality issues a resolution approving the transfer.

Ms. Freeman noted that the standard to be applied by the receiving municipality is contained in Section 7.61 of the Liquor Control Board regulations, and Section 104 of the Liquor Code which states that the receiving municipality must approve the transfer unless it finds that doing so would adversely affect the health, welfare, peace, and morals of the municipality.

Ms. Freeman noted, in order for the Board to make a decision tonight to approve Giant's request for an Intermunicipal transfer, she would like to provide the Board with a little background of the Giant Food Stores.

Ms. Freeman noted that Giant's Food Stores is a company headquartered in Carlisle, Pennsylvania that has stores in four states: Pennsylvania, Maryland, Virginia and West Virginia. She noted that the store in Lower Paxton Township will be constructed at 5005 Jonestown Road. She noted that the construction to occur within this year will include a café for seating for 30 patrons. She note that the café will have a wide array of prepared foods for consumption on premises or to take home such as: Chinese, sushi, hot food bar, salad bar, sandwiches, hoagies, and a very large assortment. She noted as an added component to this café, and as a convenience to its customers, Giant is requesting a transfer of a restaurant liquor license to permit the sale and consumption of beer for on premises consumption and beer to go and possibly wine for

consumption on premises, in the future, of sales up to 4 bottles of wine to go as a result of the passage of Act 39 of 2016 on June 8, 2016.

Ms. Freeman noted that the fact that this restaurant is in a grocery store is no consequence in the eyes of the Pennsylvania Liquor Control Board. She noted in 2010, the State Supreme Court, in a unanimous decision, upheld the Pennsylvania Liquor Control Board approval of liquor licenses within grocery stores which have a restaurant and an interior connection to that grocery store. She noted what she is requesting is nothing new or unusual as you have already approved a few in the Township. She noted, over the past eight years, the Pennsylvania Liquor Control Board has approved liquor licenses in over 350 grocery stores, including 18 other Giant grocery stores.

Ms. Freeman noted that the floor plans were passed out to the Board members. She noted that the café will be located in the front left of the building as there is a separate entrance as required by the PLCB. She noted that all the food will be single serve to eat in or go; prepared in the café area. She noted that the hours will be Monday through Saturday from 7 a.m. to 10 p.m. and Sunday from 9 a.m. to 10 p.m. She noted that there will be a dedicated restaurant manager who will receive the Bureau of Liquor Control Board Responsible Alcohol Management Program Manager training as well as all the café associates will have the server Responsible Alcohol Management Training (RAMP). She noted that Giant has a 100% carding policy as everyone will be carded if they choose to purchase alcohol. She noted that Giant will offer single servings for on premises for consumption, and up to 192 fluid ounces which is equivalent to two six-packs for purchase. She noted that they have a self-imposed two beer limit for on premises for consumption. She noted in addition to the two-beer limit, Giant's policy is that a customer who wishes to purchase beer for on premises consumption must also order a food item from the

café. She noted that all beer purchases must be made at the café's cash register as the other store cash registers will not accept the beer SKU's. She noted if a customer was able to take beer from the licensed premises area and go to another store cash register without first being stopped by a Giant employee, the beer would not scan at those store registers, and the customer will directed to take the alcohol back to the café cash register where they can purchase it at that one cash register.

Ms. Freeman noted there will be security cameras in the café that cover the café area and designated cash register. She noted in addition, the café associates and manager will physically monitor the café area. She noted that the café will not be the type of place where people come to hang out to drink. She noted that there will be a two beer limit for on-premises consumption and there will be no entertainment in the form of video games, pool tables, TV's, pinball machines and no smoking. She noted that there will be no sale of distilled spirits, but it will be a well-lit, safe, and secure place for customers to come and purchase food and a six pack of beer to take home or dine in and have a drink. She noted that Giant is a responsible owner that is making a significant investment that will be protected by responsible management and well trained employees.

Ms. Freeman noted that she would like to ask Josh Erb to join her to answer a few questions that she has regarding the operations of the restaurant and the safety policies and procedures.

Mr. Seeds questioned, in order to buy alcohol if you are sitting in the café do you have to purchase food. Mr. Erb noted that we have a house policy allowing a maximum of two beers with a meal purchase. He noted that he defines a meal purchase as something more substantial

than a bag of chips or a pack of peanuts. He noted that it could be a sandwich, a salad, or something along those lines.

Mr. Seeds questioned if you will be able to purchase a six pack of beer having to check it out at a certain register and exit through a certain door and not go through the store. Mr. Erb answered that is correct. He noted that we think of it as its own self-contained restaurant within the grocery store so any transactions that would take place there need to be completed there, and the beer would have to be taken out to the customer's vehicle before they continued on with their shopping.

Mr. Seeds questioned if there is a two-six pack limit. Mr. Erb answered that the limit is 192 fluid ounces which is two-six packs. He noted that you could purchase two six packs and take it out to your car and come back in and purchase another six pack.

Mr. Crissman noted that it was mentioned that you will be open Sunday at 9 a.m.. He question of you can serve beer and wine on Sunday morning at 9 a.m. Mr. Erb answered that is correct. Mr. Crissman noted that has changed as one time you were not able to serve beer and wine on a Sunday morning; he suggested that ban must have been lifted by the LCB. Mr. Erb explained that that law use to state Sunday sales could begin at 11 a.m., but it was moved to 9 a.m. if you had adequate food service.

Mr. Crissman noted since we saw this configuration the first time when you were here has the configuration changed and if so what changes have been made. Mr. Erb noted that he was present for a different store. Ms. Lindsey noted that was for the Giant on Union Deposit Road. Mr. Erb noted that it is a similar concept.

Mr. Seeds noted that some of the rules you mentioned are Giant's rules and some are the LCB; to purchase alcohol in the café you have to purchase food. He questioned if that is a Giant

rule. Mr. Erb answered that is correct, as the PLCB rules and regulations are baseline. He noted that we feel we need to put proper controls in place and lay house policies on top of that, such as a two beer maximum for onsite consumption and the meal component as well.

Ms. Lindsey noted at the Union Deposit Store, you planned to have a small outdoor café, will you be having that at this store. Mr. Erb answered yes, but unfortunately this plan does not reflect that outside café.

Mr. Seeds questioned if he heard that there will be no television. Mr. Erb answered yes.

Ms. Lindsey questioned if a patron would have to purchase a meal in order to drink at the outside café seats. Mr. Erb answered that is correct.

Ms. Lindsey noted that one grocery store stated that if a patron purchased a six pack in the store that they would put it in a bag and they could put it in their shopping cart to go through the store. She questioned if that is allowed in Giant. Mr. Erb answered that it is allowed per the PLCB, but our house policy is that, upon the transaction being complete, we ask that you vacate the alcohol to the vehicle before continuing to shop. Ms. Lindsey questioned if there will be someone to monitor that. Mr. Erb answered yes as we spend a lot of time training the associates that are directly in the beer garden and also those in the periphery so that they can look out for that as well.

Mr. Crissman noted that the LCB requires that a certain percentage of your employees to be trained, especially people walking through the store. He questioned what percentage of Giant's employees will be trained. Mr. Erb answered 100%. Mr. Crissman questioned what the LCB's mandate is. Mr. Erb answered that the LCB's former mandate was 50% but it is now 100%. Mr. Crissman questioned if that will occur in both Giant stores. Mr. Erb answered yes.

Mr. Hawk questioned if the policies are the same in all Giant stores in this area. Mr. Erb answered yes in all 19 in the state. He noted that this format is very similar to the format at the Linglestown Road Giant.

Mr. Seeds noted that Giant has employees under the age of 21; he questioned how you handle that. Mr. Erb answered that you need to be 18 years of age for the PLCB and Giant to work in the licensed restaurant.

Mr. Crissman noted with the new ruling on 100%; he expects that everyone has to be trained no matter how long the store has been in business. Mr. Erb answered yes. Ms. Lindsey questioned if the 100% is for those who work in the café. Mr. Erb answered yes.

Ms. Lindsey questioned if the café has opened up at the store at Union Deposit Road. Mr. Erb answered not yet.

Mr. Stine questioned if there is anything more to present. Ms. Freeman noted that the Board asked all the questions she was going to ask of the applicant.

Mr. Stine questioned if anyone in the audience had any questions. Seeing no response he noted that it would be appropriate to close the public hearing at this time on Resolution 16-22 and the Board may take action at this time

Mr. Hawk made a motion to approve Resolution 16-22; approving the transfer of restaurant liquor license No. R-9583 into the Township for use by Giant Food Stores, LLC at 5005 Jonestown Road. Mr. Crissman seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Ordinance 16-03; allocation of building permits in the
Beaver Creek sanitary sewer drainage basin

Mr. Hornung noted that this has been a reoccurring ordinance that needs to be adopted on an annual basis.

Mr. Wolfe noted that the Board has acted on this ordinance and amendment every year since 1995 as it provides for the allocation of building permits in the Beaver Creek sanitary sewer drainage basin with split of permits with the three developer petitioners who receive 60% of the allocation and the non-developer petitioners who receive 40% of the allocation. He noted that this ordinance provides for the allocation of 220 surplus permits and by that 60/40 ratio as well, the annual allocation of 168 by the same 60/40 ratio. He noted that although we are allocating 388 permits in Beaver Creek we will probably not build more than 40 new facilities.

Mr. Wolfe noted that this ordinance is somewhat of a relic in that it provides for an allocation based upon a demand that no longer exists, but the Board still has an obligation to adopt the ordinance and do the allocation between the developer petitioners and the non-developer petitioners.

Mr. Hornung questioned if at some point in time we will not have to do this. Mr. Stine answered probably as soon as Beaver Creek comes into compliance, whenever that occurs or you don't need building permits anymore.

Mr. Crissman made a motion to approve Ordinance 16-03 allocating building permits in the Beaver Creek sanitary sewer drainage basin as presented by Mr. Wolfe. Mr. Seeds seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Change Order #1 to the sewer replacement contract with Doli Construction
For the PC4- C/E sanitary sewer mini basin

Mr. Wolfe noted that this change order is for a decrease in the contract price of \$1,650.00. He noted that the contractor suggested, in a specific area, that he could bore the installation as opposed to open trench it and it provided a project savings. He noted that staff and the engineer recommend that the Board accept this change order and deduction in project costs.

Mr. Crissman made a motion to approve Change Order #1 to the sewer replacement contract with Doli Construction for the PC4-C/E sanitary sewer mini basin. Ms. Lindsey seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Resolution 16-27; approving a grant application for an Automated Red Light Enforcement Grant to be used for the Colonial Road Signalization Project

Mr. Wolfe noted that adoption of this resolution is the result of authorizing HRG to prepare a grant application to fund Phase I improvements to Colonial Road. He noted that HRG is recommending that Lower Paxton Township submit an Automated Red Light Enforcement Grant application that will provide for traffic signal equipment improvements and red light timing of the Colonial Road Corridor from King George Drive to Devonshire Road. He explained that we do not have a fixed grant amount but HRG is recommending in the neighborhood of \$60,000. He noted that it would necessitate a Township match of 20% or \$12,000. He requested that the Board adopts this resolution and include within that adoption a grant amount as determined by the Township engineer upon the date of submission.

Mr. Crissman questioned if we are doing this now as there is a deadline that needs to be met. Mr. Wolfe answered yes.

Mr. Crissman made a motion to approve Resolution 16-27 which authorizes the Township to file an application for an Automated Red Light Enforcement Grant with the amount to be recommended by the Township Engineer in the approximate amount of \$60,000 which is to be used for the Colonial Road Corridor Signalization Improvement Project. Mr. Seeds seconded the motion. Mr. Hornung noted that this is a much needed area of improvement. He explained that he hopes that it does not take long to be awarded this grant. He called for a voice vote and a unanimous vote followed.

Preliminary/final subdivision and land development
Plan for Beaufort Hunt, Inc.

Mr. Wolfe noted that this is the preliminary and final subdivision plan for The Beaufort Hunt, Inc. that proposes to subdivide the existing Lot 2 (35-072-371) into two lots, Lot 2 and Lot 2B for the purpose of a property transfer (title conveyance) only. He noted that Lot 2B is to be incorporated into and made part of Lot 1. Lot 1 will consist of 50.96 acres. He noted that each of the lots will be served by on-lot water supply and sewage facilities. He explained that there are no improvements proposed with the plan as it only serves to subdivide the parcel, which is located within the Agricultural Residential (AR) zoning district. He noted that this lot is located at 6600 Union Deposit Road.

Mr. Wolfe noted that Lot 2 will become a 1.99 acre lot. He noted that the property is currently improved with a kennel and block garage. He noted that the kennel was granted a variance on January 28, 2016 under Docket 1380 to permit a kennel on a lot less than six (6) acres as required under Section 402.A.27 of the Lower Paxton Township Zoning Ordinance.

Mr. Wolfe noted that this plan was unanimously recommended for approval by the Planning Commission at its June 1, 2016 meeting. He explained, what you are doing tonight is only adjusting lot lines as nothing else changes.

Mr. Crissman questioned because we have approved this before do we need to put back into the minutes the waivers requests and comments. Mr. Wolfe answered yes.

Mr. Jeff Staub from Dauphin Engineering noted that the original plan that created Lot 2 was recorded, but then it was discovered that due to the size of the lot, 2.01 acres, the Cassel Farm which is in a Clean and Green Program would have been responsible for roll back taxes on the larger parcel of 50 acres. He noted that we have to reduce the size of the two acre lot to 1.99

acres as it will relieve the Cassel Estate from having to pay the roll back taxes on the larger 50 acre parcel.

Mr. Staub noted that he is requesting three waivers, similar to the waivers that were granted 18 months ago. Mr. Hornung questioned if they are the same waivers. Mr. Staub answered that one waiver regarding the wetland certification is a new one and he is asking for it because technically if he was to have the wetlands recertified the wetland biologist would have to go out and spend a lot of time and effort to reevaluate the wetlands and this plan is not affecting the wetlands at all.

Mr. Crissman questioned which one is that. Mr. Staub noted that it is found in the HRG memo dated June 13th as waiver number three. Mr. Crissman noted that it can be addressed when he covers the issues from HRG.

Ms. Lindsey noted that we had the waivers but what Mr. Staub submitted in his June 8th memo, he was withdrawing the waiver requests. She questioned if we still have to approve those waiver requests even though he is withdrawing them. Mr. Crissman noted that is what he was asking Mr. Wolfe initially and he stated that we have to do them again.

Mr. Seeds noted that some are not needed according to HRG. Mr. Stine noted that the waivers that are withdrawn do not need to be acted on. Ms. Lindsey noted that they are included in Ms. Zerbe's memo. Ms. Lindsey noted that they should not have been there. Mr. Stine noted that he does not know why they are there. Mr. Wolfe noted that the applicant is requesting a requirement to waive the preliminary plan and requirement to provide E&S plan. He noted that the waivers before you tonight are valid. Mr. Stine noted that it was his understanding that the waivers are not required and that is why they are withdrawing them because they don't need to get a waiver as they don't meet the requirements to have to do those things.

Ms. Lindsey noted, in the memo from Dauphin Engineering dated June 8th, the five waiver requests are withdrawn and have been deleted from the plan. She noted if you go back to the memo from Ms. Zerbe it has all the waiver requests. She questioned that Mr. Staub withdrew them but they are still in Ms. Zerbe's memo. Mr. Wolfe noted that you are talking about waiver two and three, the Board has always required a waiver for the preliminary plan even though the ordinance does not specify that you need to go to preliminary before final. Mr. Seeds noted that it doesn't hurt to grant it even if it is not needed. Mr. Wolfe questioned Mr. Staub if the sedimentation and E&S Plan aren't necessary. Mr. Staub answered yes and also for stormwater as well. He noted that Township staff pointed that out to us that it was not necessary to ask for those waivers even though we asked for them as they were approved in the first plan 18 months ago. He noted that he was trying to be consistent with the way the previous plan was submitted and approved.

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

Mr. Crissman questioned Mr. Staub if the five waivers that are also addressed in the HRG letter, do you concur with that so one will take care of the other. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if the four items will be completed for the Subdivision and Land Development Ordinance requirement. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if the two administrative comments will be addressed prior to the recording of the plan. Mr. Staub answered yes.

Mr. Crissman questioned Mr. Staub if the four general comments will be addressed in a timely fashion, specifically number four, the HRG memo dated May 13, 2016. Mr. Staub answered yes.

Mr. Crissman made a motion to approve the Preliminary/Final Subdivision Plan for the Beaufort Hunt, Inc. Lot 2 with the following waivers and conditions: 1) A waiver of the requirement to provide a Preliminary Plan; 2) A waiver from the requirement to provide a final erosion and sedimentation control plan; 3) A waiver from the requirement to provide a Stormwater Management Drainage plan; 4) A waiver from the requirement to provide sidewalk along the property frontages; 5) A waiver of the requirement to provide curbing and road widening along the property frontages; 6) Remove General Note 17 from the cover sheet as no construction activities are proposed with the plan; 7) Add existing and proposed information for Lot 1 to the Site Data table provided on the cover sheet; 8) Add a certification of ownership and dedicatory statement for the owner of Lot 1 to the plan; 9) Add the appropriate wetland certification to the plan; 10) The applicant shall submit a financial security estimate for any required concrete monuments and street trees or install prior to plan recording; 11) The applicant shall pay all required fees prior to recording the plan; 12) The Lower Paxton Police Department, South Central EMS and Fire Department have received the plan and offer no comments; 13) Plan approval shall be subject to addressing all 10 comments within this memo; 14) Plan approval shall be subject to addressing all comments of Andrew Bomberger, TCRPC; 15) HRG has approved the plan as the applicant has addressed all technical comments, as stated in the memo dated May 13, 2016 from Andrew Kenworthy, HRG; and 16) After all conditions of the plan are met, the applicant will be responsible for recording the plan with the Dauphin County Recorder of Deeds, and provide the Township with two recorded copies. Mr. Hawk seconded the motion. Mr. Hornung called for a voice vote and a unanimous vote followed.

Improvement Guarantees

Mr. Hornung noted that there were two guarantees.

Hotcakes Harrisburg Venture, LLC (IHOP)

A new bond with Great American Insurance Company in the amount of \$140,000 with an expiration date of June 21, 2017.

Stormwater Guarantee

2230 Crums Mill Road – Stephen M. and Anna M. Weber

A release of an escrow with Lower Paxton Township in the amount of \$1,200.00.

Mr. Crissman made a motion to approve the improvement guarantee and stormwater guarantee. Ms. Lindsey seconded the motion. Mr. Hornung 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, Lower Paxton Township Sewer Authority, payroll checks, Lower Paxton Purchase Cards and Lower Paxton Authority Purchase cards. Mr. Crissman seconded the motion. Mr. Hornung called for a voice vote, and a unanimous vote followed.

Announcement

Mr. Hornung noted that prior to or following this meeting the Board will met to receive information from the Township Manager.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting, and the meeting adjourned at 8:22 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William B. Hawk
Township Secretary