

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held November 17, 2015

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

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

Also in attendance was George Wolfe, Township Manager; Jeff Kline, Public Works Director; and Watson Fisher, SWAN.

Pledge of Allegiance

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

Mr. Crissman noted if anyone is present for the agenda item concerning Ordinance 15-03, amending the Townships' Zoning Map for an area along Parkway West from AR to R-1; it has been pulled from the agenda at the request of the developer. He noted that the developer will be working with Township staff to reschedule it after the holidays.

Mr. John Richard Little who lives on Parkway West question when Mr. McNaughton brings this back to the Supervisors, will there be another public notice put out so they can make sure everyone will be in attendance. He noted that we have a lot of interest in that item. Mr. Wolfe noted that it will be advertised in the exact same fashion as it was before. Mr. Hornung noted that the meetings are also advertised on the web page.

Mr. Crissman noted as a result of last weekend, people need to be vigilant as a result of the terroristic attack in Paris. He noted if you see something that is not normal; do not hesitate to pick up the phone to call the Police. He noted that the security is being beefed up for the athletic

events and airport security. He noted that it is incumbent for us to know our surroundings. He noted that we need to be vigilant when we visit big cities as well as in our local communities. He stated that we stand in solidarity with Paris, noting that France was our first ally when we were a struggling county.

Approval of Minutes

Ms. Lindsey made a motion to approve the workshop meeting minutes of October 13, 2015 and business meeting minutes of November 2, 2015. Mr. Hornung seconded the motion. Mr. Crissman called for a voice vote and a unanimous vote followed.

Public Comment

Mr. Mark Levine, 1507 Knollcrest Road, noted that the intersection at Crums Mill Road and McIntosh Road is a mess. He explained when you are driving north on Crums Mill Road and try to turn right onto McIntosh Road to head east, the new intersection is horrible. He noted when the developer put in the new intersection changes it met standards; however, it lacks logic. He noted in the wintertime or in rain, someone heading north on Crums Mill Road making a right turn will have problems. He requested the Board of Supervisors to have its engineer take a look at it and drive it. He suggested that they set aside funds from the 2016 budget to improve the improvement. Mr. Crissman noted that Mr. Wolfe will forward those comments on to Mr. Kline for review.

Ms. Karen Hare, 5902 Pine Hollow Court thanked Mr. Crissman for his comments and noted that we all feel that same way that you do. She wanted to thank Mr. Hornung who honored her request to mark her property line that borders the construction that is going on. She noted that she was hoping that we would not have to discuss vibrations anymore based on the last Board meeting when Mr. Kenworthy was present and stated that a seismograph would be installed to measure vibration on a continuous 24 hour basis. She noted that they were to be designated in

locations to do the recording, the information would be sent back to Vibrotech, and a report would be generated so we would know what is going on. She noted that the Township was going to do that and it was to be installed before any vibration activity would take place to prevent any further damage to their homes. She noted that Mr. Kline is not present and she wanted to thank him as she requested advance notice before they were going to do any work along her property line. She stated that he was nice enough to do that as he let her know on Friday that they were planning to do it on Monday. She questioned him if the equipment was installed so that they can monitor the vibrations and she was told that they are waiting for the delivery but did not have the date for it. She stated that she wanted to know why they were doing any land work if they did not have monitors in place and he informed her that they were going to use a small roller. She noted that she was told that the machines would only monitor the big vibratory roller. She noted that one of the neighbors noticed today that the big vibratory roller was running today and there is no monitoring equipment. She noted that her concern is what is going on, what is agreed upon, what is taking place as she was under the impression that it would be continuous 24 hour monitoring that would be going back to Vibrotech to ensure we would have no more damage to our homes. She noted that the equipment is not installed and the vibratory roller is rolling, she wants to know what is going on.

Mr. Crissman stated that he does not have all the information but it is his belief that Mr. Kline will be contacting Ms. Hare tomorrow morning. Ms. Hare questioned if they will not be running the vibratory roller... Mr. Crissman noted that he does not have the details but it is his understanding that Mr. Kline will be contacting you.

Mr. Hornung questioned if the large vibratory roller was moved but no one has any evidence that it was used. Ms. Hare noted that the neighbor who informed her of it is not here tonight. Mr. Hornung noted that Mr. Haschert called him but he did not know if it was used;

only that it was moved. He noted that they have permission to move the equipment but they do not have permission to use it until the monitoring equipment is installed. Ms. Hare thanked Mr. Hornung for the clarification as it was her concern.

Mr. Tim Murphy, 1524 Pine Hollow Road noted that John Dillon, a federal judge in the 8th circuit court in Iowa in 1872 shared his feelings about local government officials, “Those best fitted by their intelligence, business experience, capacity and moral character usually do not hold public office.” He noted the Board may or may not agree with Judge Dillion but he would like to think we have capable people running our Township. He noted that it becomes very difficult when the Township tried to hide behind a misreading of Judge Dillon’s rule. He noted with regard to land use, local government can’t forbid a land use that it allows and vice versa, local government can’t permit a land use that a state statute forbids. He noted that it does not mean that a local government can’t ignore its own ordinances on behalf of the County to avoid public input on a subdivision and land development plan or on a special exception to a zoning requirement. He noted that it cannot be used to avoid getting a building permit which is required under state statute. He noted that it cannot be used to avoid getting a zoning permit to construct a building with an incompatible use for land that is zoned R-1. He noted that you have dug in your heels and we are now faced with spending thousands of dollars to force you to do what should have been done to start with. He noted if you were not hiding behind your solicitor’s misinterpretation of the Dillion rule this would not be necessary, but he is one of the attorneys who will be profiting from this mess.

Ms. Virginia Alexandre, 5906 Pine Hollow thanked Mr. Crissman for his comments on France, she noted that her father was born and raised in Paris France. She noted that she wants to bring up something that was addressed at the last meeting where Mr. Wolfe, in an answer to one of our questions, said that there was no known noise complaints. She noted that is untrue. She

noted that perhaps there was a breakdown in communications but she did make her complaints to the Public Works Supervisor. She questioned if she needs to call the Supervisors every day or all of you so that everyone knows. She noted that she assumed that her messages were getting back. She questioned what the noise ordinance is. Mr. Wolfe noted that the Township's noise ordinance is found in the Zoning Ordinance. Ms. Alexandra questioned what are the... Mr. Wolfe noted that he does not know off the top of his head. Ms. Alexandra noted that she thought it was 7 a.m. to 9 p.m. or 7 a.m. to 11 p.m. She questioned why the Public Works facility can make loud noises as early as 6 a.m. but always by 6:30 a.m. She noted that they are breaking their own noise ordinance. She questioned if that can be addressed; who does she complain to other than you people. Mr. Hornung noted that he thinks she just did it. Ms. Alexandra questioned if she will get any help on this subject. Mr. Hornung noted that we will have to investigate it. Mr. Crissman noted that is why we are recording your comments. Ms. Alexandra noted that she has been complaining about the noise.

Ms. Alexandra noted that she wanted to address the ordinances in which you say you are exempt from your own zoning ordinance. She noted that she believes that 99% of the residents of Lower Paxton Township don't know that you are exempt from your own ordinances.

Ms. Lindsey questioned if the noise is just since the project started. Ms. Alexandra answered no, she noted that the Public Work Building fronts my back yard and now it will be sitting 60 feet off her property line. She noted that the garage is right there, clear sight of it and every morning, two weeks ago she called Jeff Kline, at 5:57 a.m., they open the garage and backed all those vehicles, beep, beep, beep, beep, beep and all the trucks come and do their thing. She noted this is every single morning. She noted on Friday morning they cut her a break, as it was a little later and she thought her message had been received. She noted on Monday and this morning, it was the same thing. Ms. Lindsey questioned if Ms. Alexandra complained prior

to us starting anything out there. Ms. Alexandria answered no because the trees were up and they absorbed the noise. She noted they were a big help in absorbing, oh she could still hear it, it was minimally tolerable, now that there is nothing there and it is just a direct shot at us and the Field's. Ms. Lindsey noted that prior to any of this starting; we have never had any complaints about our Public Works building being there. Ms. Alexandria noted that she thought he was addressing our issues with this project and if he was, for weeks she has been complaining to Mr. Kline.

Mr. Hornung noted that clearly to him, Mr. Wolfe was speaking to before the project began.

Ms. Dana Fields noted that she would like to confirm what Ms. Alexandria is saying, there were complaints made even prior to this project. She noted that they were made. Ms. Lindsey questioned if they were made to the Township or the Public Works Building. Ms. Fields answered to the Public Works building. Ms. Lindsey noted that we need to know if it is not getting forwarded to us. Ms. Fields noted that is why she wanted to communicate that to you that there were complaints prior to the project.

Mr. Seeds questioned, before the project started and the trees were removed, obviously in the winter time with the snow removal the people are working clearing the roads. He questioned if you have heard noise at any time prior to this project. Ms. Alexandria noted that you always heard it, but it was minimally tolerable. She noted that she slept with a pillow over her head and come 6, 6:15, 6:30 whenever, it starts.

Mr. Seeds noted that there are times when they have to be making noise. Ms. Alexandria answered that she always knows when it is snowing, she noted that she does not have to get up and look out, I know it is snowing. Mr. Seeds noted that he has it the same way as he lives at Koons Park and when they are at the salt shed, and he hears it too, but obviously they can't do

anything about it as they have to... Ms. Alexandria explained that she is not complaining about the snow plows but her concern is that the building is coming almost 200 feet closer and it will be intolerable to get any sleep.

Janis Macut, 1509 Pine Hollow Road noted that the last time she spoke with the Board it was two weeks ago and she addressed her concerns about the three projects that were being done beside her neighborhood. She noted that she expressed her disappointment on the Board's handling of the process and why we were not informed prior to the start. She noted that last week she was the only one in her group that did not speak. She noted that she wanted to watch and listen for what was being said and how it was being received by the Board to get a full scope of what the Board's reactions were. She noted from that meeting this is what she perceived. She noted that it was obvious that the Board was under a gag order plus you were baiting us to go for an injunction which you knew would cost us thousands of dollars which you were hoping that it would make us walk away. She noted that the worst part is that you would be defending yourself with our tax dollars against us, shame on you. She noted that we all knew you did not follow the protocol of your regulations that we as citizens must do so she can only surmise that you were backpedaling to cover your mistakes you made at our expense. She noted again, shame on you. She noted the trust factor and your ability to serve the Township fairly and honestly is at an all-time low. She noted that she does not know why the Board does not step up to the plate and say you made a huge mistake and give us the due process we deserve without us having to defend ourselves in a court of law. She noted that we are not going away. She noted that many agencies and people have been contacted concerning your actions of this project and how it all came about and let me assure you, you are raising a lot of eyebrows. She noted that dozens and dozens of right to know requests have been submitted from various sources and sooner or later we will

have the answer for what we have known from the beginning, you did not do right by us and in the process disregarded your own set of regulations to do what you wanted to do.

Mr. Elliot Daniel noted that he is a resident of Derry Township; 1128 Wood Road and that he would like to give reference to the General Assembly PA Municipalities Planning Code Act of 1968, PL 805 No. 47@ MPClanduselawmpa.com. He noted that this act was developed to set standards and guidelines for Pennsylvania counties, townships, and residents. He noted that it covers preservation, conservation efforts, and specifies and identifies what is required by State as it relates to County and Township projects. He noted that it sets forth its general provisions for planning agencies, approves Township's Comprehensive Plans, requires official maps to be utilized and recorded. He noted that it specifies health, safety, and welfare in school zones for all Pennsylvania residents. He noted that it also covers subdivisions and land development, municipal capital improvements, zoning, plan residential and traditional neighborhood development, zoning challengers, joint municipal zoning, zoning hearing board, and other administrative proceedings, appeal, and appeals to court, intergovernmental cooperative planning, implementation agreements, and joint municipal zoning. He noted that the state level assures us that local checks and balances are in place and required, for example, enforcement code boards, zoning hearing board, and planning commissions are in place to ensure compliance of codes and variances are approved and maps are properly recorded in the office of deeds, and specifies that a person in violation of provisions stated in the Pennsylvania Act of 1968 can be fined and held accountable before a District Justice. He noted in summary, this means that the lower level Board such as the LPT Board of Supervisor's decisions are held to a higher level of boards and state legislation. He noted that it may be the contention of Dauphin County or LPT's position that they are exempt from such State Government Acts of 1968 either by use of Dillions' rule or Home Rule. He noted that Home Rule charters primarily function is to change a

form of local government, but do not significantly change the relationship between County and State. He noted that Counties with home rule characteristics are generally considered Counties of State and if any decision has been rendered in your favor to the contrary by the Dillion Assembly, or a court decision for the qualifying government power, would you please provide a copy to the public. He noted that his personal area of concern are private schools and residents, for the advance notification of the current project. He noted in general, the destroyed trees buffer zone along the Pine Hollow Court residences is a perfect example of any lack of notification. He noted that the Act of 1968 clearly states that trees are to be preserved when possible and the State also encourages backfill dirt farms to be erected along with trees and or fences. He noted that he would like to give a reference to that in the Lower Paxton Township Zoning Ordinance, general regulations page 85, 803 D and he quoted, “the use of earth berms in combination with landscaping is encouraged within buffer yards to provide the additional protection to dwellings in residential areas. An earth berm may be required of a conditional or special exemption use approval.”

Board Members Comments

Mr. Hornung noted that his concern is delaying something that we would go a long way to solve the problem, to determine what would be Township’s property versus resident’s property. He noted that some of the effort would be better put if you would look into that endeavor in that we could at least get on with that and solve that problem. He noted whatever it becomes it becomes but we still need to put a buffer in there. He noted that we agreed to work with the residents to put that buffer and get your input on what goes there within reason. He noted if we could start doing that it would at least solve some of the problems. He noted that he does not want to get into an argument about what is going to happen.

Ms. Janis Macut noted that she can appreciate that Mr. Hornung wants to resolve this and we have wanted to do that from the very beginning but you need to relay that information to Mr. Wolfe, because from the very beginning, we were only allowed trees, just trees. She noted that he explained that the several times we met with him that it was not going to be good enough. She noted, at that time when we thought this was being relayed back to you folks, we met with him twice at the maintenance garage and every single time he said to us, trees. He noted that you are not going to like fences. Mr. Hornung noted that he does not want to get into an argument. Ms. Macut noted that there is no argument; we only want to know that there is communication between the Supervisors and the Township Manager. Mr. Hornung noted that there is but you have to realize we only have that once a week. He noted in defense of Mr. Wolfe he is allowed to give you certain things; he is not allowed to give you certain other things. Ms. Macut noted that we understand that. Mr. Hornung noted that Mr. Wolfe did relay that information back to us and we did discuss that but at that point then we stopped talking about it because there was so much emotion tied into the other part of it there was no use talking about it. He noted that his point is let's let go what happened in the past because it will not resolve anything. He noted let's talk about what we can do in the future. He noted that he can't change the past, the past is past, so we can mudsling, but that won't solve any problems at this point, what we need to do is take action in the areas that it will not matter whatever happens but can we focus on that and that is his questioned. He questioned if we can put that part down, stop mudslinging and just start focusing on that. He noted if you want to deal with the other things, with the MDJ office and the maintenance building he does not care, but let's start focusing on some of the parameters. He noted that we are running out of time and we have to get it started, especially if we want to get it in for spring, so we want to get that started as quickly as possible, get some of your life back to

the way you had it, that is what we are interested in doing, okay. Ms. Macut noted that we would like that, thank you

Manager's Report

Mr. Wolfe noted on Thursday, December 3rd at 12:15 p.m. Exelon will be conducting a full test of their sirens at Three Mile Island. He noted that it will last for three minutes and all emergency responders have been notified.

Mr. Wolfe noted that PPL has announced its Low Income Home Energy Assistance Program, noting that last winter, more than 33,000 customers benefited in receiving heating bill assistance from PPL through this program. He noted that the application period opened on November 2nd and it closes on April 1st. He noted that funds are limited and the program provides grants to low-income customer. He noted that the funds are sent to the customer's utility company or fuel provided showing as a credit on their bill. He noted for more information you can contact PPL or go to their website.

Mr. Wolfe noted as we prepare for the upcoming holiday season, Lower Paxton Township will conduct its Christmas Tree Lighting ceremony on Friday, December 4th at 7 p.m. at the Friendship Center and the Linglestown Community will conduct their tree lighting on Sunday, December 6th at 6 p.m.

Mr. Crissman requested that the reporter from The Patriot News promote that the TMI serein alert will be a drill.

OLD BUSINESS

Public Hearing on the proposed Paxton Creek TMDL Strategy

Mr. Crissman noted that Erin Letavic and Matt Bonanno from HRG are present to conduct a public hearing, a requirement from... Mr. Wolfe explained that this is a requirement of the Department of Environmental Protection (DEP) for the Paxton Creek Total Maximum Daily

Load (TMDL) on sediment in the Paxton Creek. He noted that it is a requirement that Lower Paxton Township must address, specifically we must submit a strategy or plan to DEP for our required reduction in sediment to this waterway. Mr. Crissman noted that this requirement by DEP does not require the Board to take action; however if anyone wants to provide testimony or comments they will need to be recorded and the information will be forwarded to DEP.

Mr. Matt Bonanno noted that he is the regional service group manager for Herbert, Rowland and Grubic (HRG) and he introduced Erin Letavic who is the project manager and Alex Greenly who is a staff professional for HRG. He noted that he will provide a short presentation to bring the Board up to speed on the Paxton Creek TMDL.

Mr. Bonanno noted that this is the first public hearing; tomorrow they will present at Capital Region Water (CRW). He noted on December 10th they will conduct a public hearing at Susquehanna Township, and if anyone present wants to hear this presentation again, you are more than welcome to attend the other two events.

Mr. Bonanno questioned who is present at the meeting just for this agenda item. He noted a few hands were raised in the audience. He explained that back in October, Lower Paxton Township signed a Memorandum of Understanding (MOU) with CRW and Susquehanna Township to do a watershed-wide collaborative approach to address the TMDL. He noted the Mr. Wolfe, Gary Myers and Dave Stewart at CRW came together to take this proactive approach proving a much better product and saving funds in the long term. He suggested that it is a very progressive approach to achieve the water requirements that DEP is requiring you to do as part of the Municipal Separate Storm Sewer Systems (MS4) Program. He noted that not every municipality has to do this, but because the Township resides in a watershed that has a TMDL, it is a requirement that we must do.

Mr. Bonanno noted that the MOU will determine a long-term partnership between the three entities to define and implement some integrated solutions to solve the water quality issues. He noted that we will seek an affordable schedule of plans and seek outside financial support but from other stakeholders that are located throughout the watershed. He noted that pictures displayed on the screen show Wildwood Lake noting that much of Paxton Creek drains into that lake.

Mr. Bonanno noted that there is a watershed association called the Paxton Creek Watershed and Education Association, noting that he is the Vice-President of that organization and they are also being represented tonight.

Mr. Bonanno noted that the Paxton Creek drains over 27 square miles and DEP considers that 20 stream miles of Paxton Creek is impaired by sediment and habitat degradation. He noted that it is not meeting its intended use. He explained that there are about 50 total stream miles in the creek, noting that 40% is considered impaired by DEP. He noted that over 85% of the sediment is from stream erosion, not overland flow coming into the stream. He noted that the sediment is being generated by the stream itself. Mr. Hornung questioned what is causing that. Mr. Bonanno noted that he and his team conducted a stream walk and Mr. Greenly will discuss that later in the presentation, but some of the main causes are inadequate crossings, with the largest issue being the loss of the riparian buffers. He noted when you have a property owner who is moving their lawn right up to the bank and all the trees and shrubs have been removed, all that root system that holds the bank in place is gone. He noted that you have flash floods that come through as there are a lot of impervious surfaces in the watershed providing a high velocity water flow through the channel that erodes the streambed. He noted that is the primary issue seen so far.

Mr. Bonanno noted in 2008, the EPA issued a TMDL for the Paxton Creek which is the allowable sediment load. He noted if the Township does this reduction using the Best Management Practices (BMP) the stream will improve itself. He noted that we are only looking at sediment, but when the TMDL came out in 2008, there were two parts; one was phosphorus and the other was sediment. He noted that the phosphorus went away in 2013 as the EPA rescinded that requirement. He noted that there are many sources that pollution come from noting that nonpoint sources are agricultural land but the MS4 is where the land use or source flows into your stormwater system and then into the stream. He noted that a Combined Sanitary System (CSO) and permitted facilities are also the source of the TMDL. He noted that the percent reduction needed is 35% so we need to reduce the existing sediment load by that percent.

Mr. Bonanno noted that the City of Harrisburg, Lower Paxton and Susquehanna Townships comprise over 98% of the watershed. He noted that Middle Paxton Township, Penbrook Borough and Swatara Township has a very small amount of drainage into the watershed, but we may want to approach them in the future; however, for the time being it will concern just the three entities. He noted that CRW owns and operates a combined and separate storm sewer system within the City of Harrisburg but there are a myriad of entities that discharge to Paxton Creek, not just the Townships that discharge into the Paxton Creek. He noted that we will be looking at all the stakeholders as well as those interested in helping to reduce the sediment.

Mr. Bonanno noted in responding to the TMDL, DEP requires a two-phase approach. He noted that initially we have to do the TMDL Strategy and it is due December 31, 2015. He explained that he requested an extension from DEP but they would not grant one. He noted that we have been working very hard with Townships, CRW, and CDM Smith to get this done. He noted that is what is out for public comment at this time. He noted that there is a link on the

Lower Paxton Township website, as well as Susquehanna Township's and CRW's websites. He noted that the public can read the strategy and provide comments as it outlines the type of projects, the practices and policies that we want to implement in Phase 2. He noted that Phase 2 is the Design Detail Plan. He noted that it is due in September of 2017 and will provide site-specific information for locations and projects to meet the 35% reduction. He noted the collaborative project is really the best way to move forward to meet the needs.

Mr. Alexander Greenly noted that the Strategy was to develop a model simulation and sediment transfer within the watershed, relying on MapShed, a GIS-based nutrient and sediment transport model that DEP deemed acceptable for use in developing the TMDL strategies. He noted that he used the MapShed on the entire watershed to emulate the existing conditions in 2008, when the TMDL was developed. He explained then we modeled some BMP's, storm projects that have already been installed since 2008 which we were allowed to take credit for noting that it provided a reduction off the base load of about 58 tons. He noted that none of the projects were huge but we are certainly taking advantage of them. He explained that we need to get the 2015 current base line to where we can figure out what our required reduction is and where we need to be going forward. He noted that we continue to need a required reduction of 905 tons per year to bring this project to the goal of 1,758 tons per year.

Mr. Greenly noted that the model allows you to input proposed BMP's at a broad scheme, not specific to location, taken as a sum of the proposed projects within the watershed itself. He noted starting with CRW's CSO long term control plan, using it as a means to reduce flow entering into the Paxton Creek Watershed, through their ability to capture and remove runoff before it enters the stream. He noted that provided for a good reduction. He noted next we model scenarios that offer the most potential for reduction, looking at stream bank and channel work and focusing more on land-based BMP's and a combination of all of it. He noted that is

essentially what we have deemed to be the most practical way resulting in the greatest reduction. He noted that the land-based BMP's included infiltration, fire retention, detention basin retrofits to gain water quality benefits, riparian enhancements, buffer rehabilitation or installation where there are none as well as stream and channel work. He noted that the models showed that the majority of the load stems back from stream bank erosion, the results of the model showed that we need approximately 11 miles of streambank stabilization and 10% of the watershed needs to be treated by some sort of land-based BMP.

Mr. Greenly noted that further reduction beyond actual construction of the BMP's would include something like continuing operations and inspections of existing stormwater facilities, making sure they are performing as planned, and installed correctly. He noted that the Township does a good job of that now. He noted that the preservation of the existing buffer, getting the word out to the public that the trees and trunks along the streambanks are actually doing you a favor by holding the streambank together and resulting in not losing the fall.

Mr. Greenly noted that continued erosion and sedimentation enforcement of construction sites are very important. He noted while doing the actual stream assessment, where there was active construction, there was more sediment in the stream, noting the impairment resulting in the TMDL was due to more construction going on at that time.

Mr. Greenly noted that he and Matt Petty walked approximately eight miles of stream within the watershed and it was an eye opening experience. He noted that the streams in some cases were remarkably better than what was anticipated and there was not one smoking gun area. He noted that there would be 30 foot segments of severe erosion adjoined by a beautiful stream. He noted that it made it a little difficult to develop a plan. He noted that further analysis is needed, but several of the streams that are reference regions, 18 regions that we walked, 11 of the 18 were considered poor or marginal, mostly for erosion or sedimentation issues.

Mr. Greenly noted that the criteria for how the streams were graded during the assessment was multi-tiered to include habitat within the stream, vegetation with the stream, bank erosion, flood plain connection and vegetation, mature riparian area or existing wetlands and the diversity of the habitat within the riparian area. He noted that we also looked for exposed utilities or anything that would compromise the infrastructure such as manholes, sewer piles, and electrical conduits. He noted that they were given higher scores for immediate attention. He noted that is how we developed our target regions to set up some early action projects.

Mr. Crissman questioned if Mr. Greenly could identify where the 8.2 miles start and end. Mr. Greenly answered that it was not one linear stretch; we identified target regions throughout the entire watershed for all three. Mr. Crissman questioned if the 8.2 miles is continuous. Mr. Greenly answered no. Mr. Crissman questioned if they could be shown on the map, noting that he wants to know where they occur in the Township. Mr. Greenly answered that there is a purple color on top of the blue lines and there is SS for stream segments and each one of those SS are identified by a number and those are the initial segments that were viewed. Mr. Hornung noted that many of them are at the beginning of the streams. Mr. Greenly answered that was correct. He noted that he was really interested in the headwaters for the streams as Harrisburg is concrete lined.

Mr. Seeds noted that you stated that you walked over eight miles and you said you did not see any smoking guns or obvious problem areas. Mr. Greenly noted that is correct, noting that his colleague summed it up as death by 1,000 cuts. He noted that it was a lot of small areas with severe erosion, riparian loss and compromised stream banks.

Mr. Seeds noted in some of the farmlands you see areas where farmers may have allowed their animals to be in streambeds or dump their fertilizer from their barns, but he questioned if he

saw anything obvious that was applicable to a certain activity. Mr. Greenly answered no, noting that a lot was from storm events, large flow events, noting that most of the watershed is very shallow during base flow but you could see erosion up to ten feet high. He noted that it was a storm event causing this. Mr. Crissman noted as a result of it being areas that are not continuous, broken areas, once you identified those segments, of those 1,000 cuts, were they prioritized and ranked. Mr. Greenly answered yes and that is coming up in the presentation.

Ms. Lindsey noted of the 8.2 miles do you know how much are in Lower Paxton Township. Mr. Greenly answered that he could find out and let you know.

Mr. Seeds questioned what the total mileage is. Mr. Greenly answered about 50 stream miles.

Mr. Hornung noted that no one shows up until there is a problem. He noted that the MS4's are a part of this and when people come in and don't understand why we require them to do engineering on projects over 1,000 square feet and 5,000 square feet triggers other requirements. He noted that these rules have come down from the State with the Township trying to enforce what they are asking us to do, but, unfortunately our staff gets yelled at as it does not make much sense to the public. He noted that this is all part of the Paxton Creek and maybe part of Beaver Creek as the MS4's have filtered down to the point where someone wants to put up a garage or add a swimming pool that it triggers these requirements in an effort to help mitigate the sediment that is being washed through the Paxton Creek basin. He noted that is how it involves the general public and he did not want people to think that it is a staff person who is causing all this trouble. Mr. Greenly noted that the TMDL was established by the EPA and then DEP is left to enforce it.

Ms. Erin Letavic noted that she is going to discuss the next steps. She noted that how we got here was increasing stormwater regulations over time but not enough to make water quality

improvements for our streams; therefore we have pro-active additional permitting requirements and more strict regulations so that Beaver Creek does not develop the strict regulations that Paxton Creek has today as a result of the TMDL. She noted we identified isolated areas but we don't have one large capital improvement project to present to the Board with a discreet dollar figure associated with it that the three parties have to split. She noted that it is not that simple. She noted that the next step is the second phase of the plan development is to develop and apply individual filings, one that will be more detailed. She noted that we will do preparation of the design concepts and have 18 potential early action projects that have been identified as the low hanging fruit. She noted that three of the projects are underway in some way or another, with one under construction in Susquehanna Township, another would be an extension of an existing project, and the third is a Susquehanna Township project in which a grant has been applied. She noted that her understanding with DEP is that the right relations have been in place for seven years and there is no harm in proceeding ahead; especially, if grant funding is available. She noted that early action projects will be pursued in CRW's combined sewer system.

Ms. Letavic noted that some of the projects will be highly engineered noting that you will see rocks, plantings and some stream banks will be stabilized, stream relocations may have to occur if there are utilities that need to be protected. She noted that they have designed some successful solutions that can protect infrastructure and provide stable streams and good water quality measures.

Mr. Hornung noted that a lot of what he is looking at requires people to get into the stream, and in the past it has been very difficult getting the permission to allow us to do that. He questioned if that will free up and make it easier. Ms. Letavic answered not necessarily but DEP has been appreciative of the cooperative approach, there is a potential that you could leverage that collaboration as a reason to be able to accelerate a schedule. She noted that we will have to

see what their workload is like. Mr. Hornung noted that it adds significant costs to the project to get the permit and it has been a very depressing thing for him for how much money was spent. He noted that it is true for other developers as well when it comes to a stream. Ms. Letavic noted that these are challenging projects for designers and contractors and DEP wants to be sure that there are designed in a thoughtful way. Mr. Hornung noted that there has to be some engineering but getting a permit has been difficult. He noted when you see the engineer costs for getting a permit, he could just cry, as the funds do not end up repairing the stream. He noted that he would like to take that money and put it in the stream and not somewhere else.

Ms. Letavic noted that the Watershed Association has been able to do some projects noting that they were small and may not have had to work through the permitting process but free labor is a potential opportunity for some cost savings.

Ms. Letavic noted that we will have to do additional field assessment because there is not one location that needs to be addressed. She noted that we will prioritize it to look at stream and land based opportunities and multi-objective benefits. She noted if a community development project would come along to tag onto the Paxton Creek benefit, we will be working with our colleagues who are making the plans for you to identify those projects. She noted that we will have to define future implementation requirements like cost sharing, compliance monitoring, as it is a long-term venture. She noted that this is not a build a project, check it off the list, and you are compliant. She noted that there will be follow up measures to ensure that it is being maintained properly and that they are being used as intended to, and that the loadings that we are crediting for the BMP are appropriate. She noted if something should outperform what we anticipate we want you to get the benefit of it and see some savings in project costs. She noted that there is the deadline of September 2017.

Ms. Letavic noted that we want your feedback noting that the official public comment will close December 14th. She noted that you can submit your comments to any of the three municipal offices or we have forms tonight for you to write them down. She noted in the future there will be budget necessities with regard to the next phase and implementation of the projects as it is a long term adventure. She noted that water quality awareness is needed as well. She noted regarding proactive approach for permits and any volunteer projects that anyone can do to offset some of the larger improvement costs, please make it known to your public officials.

Mr. John Trish, 600 Prince Street, noted that the one slide showed the concrete stream that runs along Cameron Street costing millions of dollars to repair, where as in Lower Paxton Township we may have to plant trees and shrubs. He noted our biggest problem is the culverts where we go to the low end. He noted that he never recalled seeing our guys cleaning them out but if we started to clean them out and added them up, on the opposite end where it initially drains in as opposed to the rocks, and clean it out every two to three years, is that a better solution then spending all these billions of dollars you are talking about. Mr. Bonanno noted that is a great point that you made and it is part of the watershed approach. He noted that CRW will have a lot of challenges to stop stream bank erosion with a concrete channel. He noted with this approach we are looking for what projects are best for the entire watershed project regardless of the jurisdiction. He noted if the first project is best for Lower Paxton Township the question is will all three entities contribute to that project, and then all three will get credit for the project. He noted that is something we will be working out in the future.

Mr. Bonanno noted that the second point regarding culvert discharges, we did see a lot of potential there. He noted that there are some discharge ends where there is no riprap protection or no energy dissipation. He noted that is part of our strategy to go through and inventory all the

outfalls to ensure there is adequate riprap and protection to eliminate the large erosion around it. He noted that both points are good.

Mr. Mark Levine, 1507 Knollcrest Road explained that he was before the Board about three years ago talking about stormwater. He noted that the Board knows he is an engineer and he is retired. He noted that you know that he has been talking about stormwater providing different opinions other than what is normally produced. He noted that he has walked a lot of the area from Mountain Road to Linglestown Road, Allentown Boulevard, Route 22, walking a lot of the streams. He noted more importantly he also walked drainage ditches and what he would like to do is offer his services, volunteering free of charge, his expertise on all the research that he did for different devices that have been used for stormwater in order to control it. He noted if the Board of Supervisors have no objections and if HRG is willing, he will volunteer his time and expertise to help out. He noted from Nyes Road going out Red Top Road, which is another area that he has worked on and done some planning.

Ms. Diane Little, 2300 Parkway West noted that she is a retired science teacher and she thought it was a good presentation. She questioned if there were any strategies that you may have in mind in the future that may actually influence pre-construction ideas for whether or not a future development might not be a good idea, like an opinion or some kind of insight for after a period of time, can this maximum load reach a point where it is just so high that you really have to consider the development of the land or construction. Mr. Bonanno noted that back when the TMDL was first put out, there was a lot more development and engineered erosion. He noted that based on the new regulations and unfortunately for the people who have to do something for a shed or a pool, our office has been able to review plans against those strict regulations. He noted that we believe that the stream has improved over the last five to six years based on those regulations. He noted that they are not very popular but based on the data we saw before and the

walk that we did, we were very surprised at how well a lot of the stream is. He noted that we will be looking at the foresight as Mrs. Little mentioned and we will continue to do so as the regulations and new technology works out.

Mr. Seeds noted that the regulations are more stringent than they have ever been and you see the streams are generally cleaner than they were maybe ten years ago. He noted that plans are looked at by staff, Township Engineer, Dauphin County and the Conservation District. Mr. Bonanno noted that during construction there are many more BMP's and more eyes on it and he thinks that it is working.

Mr. John Grennon noted that part of his question was asked by Ms. Little. He noted that he came to the meeting to discuss Ordinance 15-03. He noted that his concern is when developments are built on higher elevations how much does it impact the emergence of the Paxton Creek and will it impact negatively by adding sediment to the emergence of the Paxton Creek to the point that it will negate the improvements you are proposing. He noted where we live there are different streams that come in and make up the Paxton Creek. He noted that he is concerned about how the runoff from the new development will impact the emergence and is it going to negate the improvements made downstream. Mr. Bonanno noted that his response is very similar to his last one, with the technology that is out there now and the improved BMP for construction sites we don't see nearly the amount of complaints that we have in the past. He noted that there is a lot of education going on as part of the MS4 Program and the contractors who are doing this work now understand that you need to have these BMP in place as it is very unacceptable to have sediment related runoff come off your site. He noted that someone will see it and they will get fined. He noted before any buckets hit the dirt they use this approach.

Mr. Rich Little, 2300 Parkway West noted that he wanted to reiterate what his wife said. He noted that he came for the public hearing for the rezoning. He noted that the tributary that

runs through this section is part of the Paxton Creek Watershed. He noted that the two go together and that is why he can see how the Watershed Association and how HRG might be able to impact that decision on whether the area should be rezoned residential or not.

Mr. Crissman thanked the representatives from HRG as they were well prepared and you delivered the presentation in an understandable manner for our people to understand. Mr. Bonanno thanked the Board for allowing him to make the presentation.

Review of the 3rd Quarter Key Indicator Report and the
2016 budget for the Friendship Center

Mr. Wolfe noted that the Key Indicator Report for the Friendship Center (FC) has been provided to the Board, the financial document as of the end of September for the operation of the FC. He noted that the FC posted a \$213,845 gain for the first nine months of this year as compared to a slight loss for the same time last year. He noted that the year to date revenues are 25.1% greater than the same time last year, due in part to the timing of certain expenses and revenues. He noted that there is a quarter million dollar difference between 2015 and 2014 at the same time of year, it is exaggerated by the timing of certain revenues and expenditures. He noted that the inclusion of the Summer Camp program from the Parks and Recreation Department to the FC had occurred and had a positive effect on the FC budget for 2015. He noted the net difference for the FC revenues over expenditures is a \$18,000 gain in revenues to the FC. He noted that expenses are 7.8% greater than the same time in 2014 and but it is compared with revenues that are 25% greater. He noted that cash in the operating fund is \$56,450 the end of the 3rd quarter and the Township's Capital Reserve fund is at \$39,117. He noted that the FC has on account \$466,176 in bond funds to be used for upcoming capital projects as well as grant funds totaling \$60,000 for lighting and Senior Center Flooring improvements which are ongoing at this time.

Mr. Wolfe noted that the normal charts are attached to the budget report showing revenues and expenditures and he also included the membership chart for the FC. He noted that memberships at this point in time are at an all-time high and that is due in part to the tremendous success in the insurance programs.

Ms. Lindsey questioned if staff is reminding the seniors when they join that we only get paid when they swipe their cards. Mr. Wolfe answered yes.

Mr. Crissman questioned when the insurance memberships were implemented. Mr. Wolfe noted that some have been over a year and some have not been. Mr. Crissman noted that we are now seeing what impact those membership will have on the FC. Mr. Wolfe noted that it is not only seniors as some plans benefit working people. He noted that many insurance programs now have a health care component that includes membership fees to a recreation facility. Ms. Lindsey noted that she keeps reminding people that the FC only gets paid when a card is swiped and they need to use the facility. Mr. Crissman noted that we need to do marketing to the people when they come in to use their cards.

Mr. Wolfe noted that the final numbers for the budget for the FC for 2016 show slight increases over 2015, less than 2% for both revenues and expenditures. He noted at this point in time revenues for the FC is \$2,234,174 against expenditure of \$2,216,265 with a net of \$17,909 to the good.

Mr. Wolfe noted that revenues compared to 2014 budget are \$42,000 higher and expenses compared to the 2014 budget are \$24,000 higher, less than 2% of an increase.

Mr. Wolfe noted that most line items are exactly or very similar to what they were in 2015 and 2014. He noted that the area of specific note are the two revenue items, the first is programming that is budgeted in 2016 at \$549,000 which is a \$44,000 increase over 2015. He noted in many instances several of the programs are now free with a membership. He noted that

some programs are offered at no cost to members, but we are still netting an increase in programming revenue overall. He noted for memberships it is \$1,153,000, very comparable to the \$1,152,800 for 2015. He noted that there is an expected 2% increase in all membership rates for the 2016 year.

Mr. Wolfe noted that the budget is balanced to the positive and it has been a couple of years since we have seen that and again our revenues for 2015 are expected to come in with a small surplus of \$18,500. He noted that the budget document is a work in progress as the Friendship Center Operating Board will review it at its December meeting as well.

Mr. Crissman noted that we are showing the memberships with a 2% increase that is well within the parameters for any service that they expect, noting that expenditures will exceed the revenues for the new budget.

Ms. Lindsey questioned if you have seen any difference in the membership since we have included some classes with it. Mr. Wolfe answered that it has made a difference and we are also seeing that we are coming out of the great recession which ended in 2010 and 2011; however, from a land development perspective we did not see that in the Township. He noted that 2012 and 2013 were lagged years in the community showing a little improvement in 2014, but this year we are starting to see residential and commercial development. He noted that it is not to pre-recession levels but more so than what we saw during the recession and the FC is also seeing a normalization of economic conditions.

Mr. Crissman questioned if there is any movement on the improvements to the FC. Mr. Wolfe answered that he met with the architect today but he has not completed his process as raised some very interesting questions to ensure that we get a complete design. Mr. Crissman noted that it is anticipated that it will also generate more revenues.

Resolution 15-27; approving Amendment G to the agreement with
PennDOT for the Linglestown Road project

Mr. Wolfe noted that this resolution is necessary because we had final project expenses in the close out of property acquisition that went to a Board of View which is a quasi-judicial settlement process. He noted final payments were made to the affected property owners and we have the ability to close out the project and PennDOT has the ability to reimburse the Township. He noted that is the purpose for this resolution and Supplement G.

Mr. Crissman made a motion to approve Resolution 15-27; approving Amendment G to the agreement with PennDOT for the Linglestown Road project. Ms. Lindsey second the motion. Mr. Crissman called for a voice vote and an anonymous vote followed.

NEW BUSINESS

Ordinance 15-03; amending the Township's zoning map
For an area along Parkway West from AR to R-1

Mr. Crissman noted that this item was pulled from the agenda at the request of the developer.

Change Order No. 1 to the 2015 Stormwater Contract

Mr. Crissman noted that water was found in the lines and more work was necessary at an increase of \$10,615.13.

Ms. Lindsey noted that this was the second increase for this project. Mr. Wolfe noted that it was but why it was titled No. 1 he does not know. He noted that the total project cost is \$982,111.13.

Mr. Seeds questioned if the engineer recommended approval. Mr. Wolfe answered yes.

Mr. Hornung made a motion to approve Change Order No. 1 to the 2015 Stormwater Contract in the amount of \$10,615.13. Mr. Seeds seconded the motion. Mr. Crissman called for a

voice vote and an anonymous vote followed. He noted that he appreciates that HRG went back to the old format and included the description for what the work that was done.

Resolution 15-28; accepting the Dauphin County 2015
Hazard Mitigation Plan as the Township's official Hazard Mitigation Plan

Mr. Wolfe noted that this is simply accepting the Dauphin County 2015 Hazard Mitigation Plan as the Township's official Hazard Mitigation Plan.

Mr. Seeds questioned if there is anyone present to speak to the plan. Mr. Wolfe answered no. Mr. Seeds noted that the report is over 350 pages and he did have a question on the plan.

Ms. Lindsey made a motion to approve Resolution 15-28; accepting the Dauphin County 2015 Hazard Mitigation Plan as the Township' official Hazard Mitigation Plan. Mr. Hornung second the motion. Mr. Crissman called for a voice vote and an anonymous vote followed.

Final subdivision plan for Stray Winds Farm, Phase II

Mr. Wolfe noted that Stray Winds Farm Phase 2 involves a total area to be developed of 18.968 acres of land, north and south of McIntosh Road and east of Crums Mill Road. The tract is zoned R-C Residential Cluster. This phase proposes 46 dwelling units on 20 lots; 18 Single Family Units (lots 33-46 and lots 54-57), 10 Single Family Detached Planned Community Act Units (lot #4), 18 Single Family Attached (townhouse) (lot #3). The lots will be served by public sewer and public water. He noted that the Preliminary Subdivision and Land Development Plan 06-42 for Stray Winds Farm was approved by the Lower Paxton Township Board of Supervisors on May 14, 2007. A Phasing Plan Revision was approved by the Board of Supervisors on August 20, 2013 and recorded in Dauphin County June 3, 2015.

Mr. Wolfe noted that this plan went before the Planning Commission on November 4, 2015. The Commission recommended the plan to move to the Board of Supervisors with the following conditions: 1) An updated phasing plan is required as part of Phase 3 has been added

to Phase 2 on this plan; and 2) the master landscaping plan should be included in the Phase 2 plan prior to recording.

Matt Fisher from R. J. Fisher and Associates noted that he represents Mark DiSanto and Triple Crown Corporation for Phase II of the Stray Winds Farm Plan. He noted that he is in receipt of the Dauphin County comments and for the most part are in agreement with them. He noted, he had a question in regards to HRG comment No. 3 to revise the typical pavement sections to specify the type and thickness of materials specified by the current Subdivision and Land Development Ordinance. He noted that he would like to be able to use what was approved in the preliminary plan. He noted that type of sidewalk was already approved in the preliminary plan and he was under the impression that the specifications approved in the preliminary plan should carry through to all subsequent phases.

Mr. Hornung questioned if that is correct. Mr. Stine noted that normally it should be approved under the preliminary plan approval.

Mr. Seeds noted that there are Tri-County Planning Commission comments in addition to County comments, and HRG comments and GHD comments. Mr. Fisher noted that we are in the process of working through the comments of GHD noting that he had a phone call into Melissa Smith to further discuss a few of those comments. He noted that he does not see any issues in addressing any of those. He noted that the only comment he received was from Dauphin County, he did not receive any from Tri-County. He noted that those comments were very minor as well.

Mr. Crissman questioned if Mr. Fisher is authorized to speak on behalf of the applicant. Mr. Fisher answered yes. He noted that the applicant is present as well.

Mr. Crissman questioned if you have the same information that we have as per a memo dated November 9, 2015 from Amanda Zerbe. Mr. Fisher answered that he did.

Mr. Crissman noted that under the General Information there are two comments from the Planning Commission as they recommend that an updated phasing plan is required as part of Phase 3 and has been added to Phase 2 on this plan, and that a master landscaping plan should be included in Phase 2 prior to recording. Mr. Fisher noted that he was planning on doing the first comment. Mr. Crissman questioned if you accept both conditions. Mr. Fisher noted that this is the first time he saw the comment for the master landscaping plan. Mr. Crissman questioned if he needed to consult with the applicant. Mr. Fisher answered yes. Mr. Crissman noted that we can move away from this item to provide you time to speak with the applicant to get an immediate response. Mr. Fisher requested a short period of time to consult with the applicant. Mr. Hornung suggested moving onto the next agenda item.

Action on the Second Amendment to the Declaration of
Restrictive Covenant for Lots 1, 2 and 3 in the final
subdivision for the Mary E. Smith Estate

Mr. Crissman noted that this is concerned with the Weis Market Amendment.

Mr. Wolfe noted on Linglestown Road there is the Weis Market, a vacant parcel, and the newly developed parcel with the Dunkin Donuts and other developed retails; all three were part of an estate that has specific deed restrictions place upon the parcel of ground in regard to ingress and egress off of Linglestown Road. He noted by this declaration to the restrictive covenant amendments being proposed whereby the ingress and egress to the center parcel will be permitted from the middle of the parcel as opposed to other locations on the parcel. He noted that Mr. Stine has reviewed the amendment. Mr. Stine noted that there are no issues at the moment but he wanted to make sure what was on the drawing matched as it was difficult to tell from the drawing.

Mr. Crissman noted that those issues have been resolved and he questioned if staff is recommending approval.

Mr. Seeds questioned if this affects the existing Dunkin Donuts or the vacant land. Mr. Wolfe answered the vacant land. Mr. Seeds noted if it is developed in the future they will be able to access Linglestown Road instead of going to Patton Road. Mr. Wolfe noted that it amends the location where the access on Linglestown Road can occur. He noted that the deed restriction was specific for where that access occur, allowing it to be in the center of the vacant parcel.

Ms. Lindsey questioned if anyone is present in the audience for this item.

Mr. Jack O'Hara with Weis Markets noted that Mr. Wolfe did a fine job explaining this. He noted under the existing declaration, the access to Lot 2 is on the west end of the Lot bordering the lot that Weis currently owns. He noted that we asked for the modification of the declaration to move it 200 feet to the east in the center of Lot 2. Mr. Seeds questioned if it would affect the existing Weis Store as you will continue to access that by Colonial Road. Mr. O'Hara answered yes, but the declaration provides for an easement area between Lots 1 and 3, with Weis being Lot 1 and Dunkin Donuts and Metro Bank being Lot 3.

Mr. Hornung questioned if this is getting ready for future development. Mr. O'Hara noted that we were looking at it as a means to improve our access to the Weis Store through this parcel from Linglestown as there will be development at some time at which time a land development plan will need to be approved.

Mr. Crissman questioned if Mr. O'Hara is an official spokesperson for the applicant. Mr. O'Hara answered that he is the Vice President of the legal office for real estate for the Weis Markets.

Mr. Crissman made a motion to approve Action on the Second Amendment to the Declaration of Restrictive Covenant for Lots 1, 2 and 3 in the final subdivision for the Mary E. Smith Estate. Mr. Seeds seconded the motion. Mr. Crissman called for a voice vote and an anonymous vote followed.

Stray Winds Farm

Mr. Crissman questioned Mr. Fisher if he was prepared to return to his agenda item. Mr. Fisher answered yes.

Mr. Fisher noted that this is the first time that we saw the memo from Ms. Zerbe noting that he was under the impression that we were still looking at the one from October 27th.

Mr. Crissman questioned if he is an authorized representative to speak for the applicant. Mr. Fisher answered yes.

Mr. Crissman noted that there are two comments from the Planning Commission, he questioned, have those two conditions been met or will they be met. Mr. Fisher answered that they both will be met in accordance with the preliminary plan. Mr. Crissman noted that would be with the approval of Township staff. Mr. Fisher answered yes.

Mr. Crissman noted that there were six administrative comments, have they been met or will they be met in a timely fashion satisfactory to Township staff. Mr. Fisher answered that they have not been met but they will be met with the approval of Township staff.

Mr. Crissman noted for the General Comments, item number four, addresses the comments of Andrew Bomberger, TCRPC, have those comments been met. Mr. Fisher noted that they are not included in the packet and he has not received them. Mr. Wolfe noted that they would be the same, if it is Dauphin County they would be the same as they do not issue two different sets of comments. Mr. Fisher answered yes, he is fine with those comments.

Mr. Crissman noted that comment number five are the comments from GHD. Mr. Fisher noted that we are in the process of working through the comments with GHD. Mr. Crissman noted that it would be subject to approval of the Township officials. Mr. Fisher answered yes.

Mr. Crissman noted that comment number six are the five comments by Andrew Kenworthy of HRG, however there are actually six comments. Mr. Fisher noted that all six will

be addressed with the exception of comment three. He noted that it was previously approved with the preliminary plan for Stray Winds Farm. He noted that the comment was to revise it to the current ordinance; however it was previously approved under the old ordinance requirements. Mr. Crissman noted that he would eliminate it from the motion.

Mr. Crissman made a motion to approve the Final Subdivision Plan for Stray Winds Farm, Phase 2 with the following conditions from the Planning Commission and staff comments:

- 1) An updated phasing plan is required as part of Phase 3 has been added to Phase 2 on this plan;
- 2) The master landscaping plan should be included in the Phase 2 plan prior to recording;
- 3) A Zoning Permit shall be required for each new residence as shown on the plan;
- 4) A Certificate of Occupancy shall be required for the residences constructed;
- 5) Upon approval, provide an electronic file of the complete plan set and any other technical plans on a compact disk (CD) in accordance with Section 180-308;
- 6) The plan has been reviewed by the Township Fire Marshall, SCEMS, Fire Chief and Public Safety and comments of the Traffic Safety Unit must be addressed;
- 7) The applicant shall pay all required fees prior to recording the plan;
- 8) The applicant shall pay a fee in lieu of dedication of recreational lands;
- 9) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements;
- 10) The applicant shall be responsible for scheduling all required inspections;
- 11) A Stormwater Management Application will be required for each lot as authorized through Resolution 13-30;
- 12) Approval shall be subject to addressing all comments of Andrew Bomberger, TCRPC;
- 13) Plan approval shall be subject to addressing all comments of Melissa Tomich Smith, GHD, Lower Paxton Township Authority Engineer letter dated October 30, 2015;
- 14) Plan approval shall be subject to addressing all 5 comments of Andrew Kenworthy, HRG, Inc. letter dated October 27, 2015; and
- 15) 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. He noted that the third comment from the HRG memo dated October 27, 2015 will be removed. Mr. Hornung seconded the motion. Mr. Crissman called for a voice vote and a unanimous vote followed.

Mr. Hornung noted in regards to the land that Mr. DiSanto rents to a farmer, he sprayed something on the field and it has caused quite of bit of problems with the neighbors. He noted that we realized that he has the authority to spread the material but he asked Mr. DiSanto to encourage the farmer to come up with a different product as one of the neighbors has asthma very bad and had an allergic reaction to it. He noted that another neighbor works for him and she complained that her cat has a lot of ear problems and she had to take it to the vet. He noted that it has been very obnoxious to the neighbors. Mr. DiSanto answered that as far as he knows it was a one-time application but he will check with Mr. Haldeman.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township, Lower Paxton Township Authority, Purchase Cards for Lower Paxton Township and the Lower Paxton Township Authority, and Payroll checks. Ms. Lindsey seconded the motion. Mr. Crissman called for a voice vote, and a unanimous vote followed.

Mr. Hornung noted that Cpl. Needham stood for the entire meeting and he wanted to thank him for his demeanor.

Adjournment

There being no further business, Mr. Hornung made a motion to adjourn the meeting, and the meeting adjourned at 9:25 p. m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by,

William L. Hornung
Township Secretary