

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
783 S. GEYERS CHURCH RD
MIDDLETOWN, PA 17057
August 5, 2024**

Call to Order: 7:00 p.m.

Chairman Bart Shellenhamer called the Regular Meeting to order at 7:00 p.m.

Salute the Flag

Roll Call / Attendance - Members Present

Bart Shellenhamer, Chair
Ron Kopp, Vice Chair
Mike Geyer, Secretary/Treasurer
Mel Hershey, Member

Absent Members:

Anna Dale, Member

Also Present:

David Blechertas, Township Manager
Andy Brandt, Public Works Director
Duane Brady, Codes/Zoning Officer
Jim Diamond, Esq., Solicitor
Mike Wood, P.E., Engineer

Attendees: See attached list for Residents/Guests in attendance.

Citizens Input:

Bob Pistor, resident of the Township stated he wanted to reserve his comments until the Board discussed the plans for Lytle Farms.

REGULAR MEETING:

Executive Session:

Executive Session took place prior to the meeting to discuss a legal matter and a potential real estate acquisition issue. No action was taken.

Approval of Minutes

Chairman Shellenhamer requested approval from the Board for the July 1, 2024, Board of Supervisors Regular Meeting minutes.

It was moved by Mr. Kopp and seconded by Mr. Geyer that the Board dispense with the reading of the July 1, 2024, Board of Supervisors Regular Meeting minutes since all members received a transcript.

On a roll call vote, the following voted “Aye”,

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

Manager’s Report – David Blechertas

- Presentation for PA State Police Officer Lt. Brian Wolfe

Lt. Wolfe from the PA State Police addressed the Board stating they received over 1800 calls of service with 800 of them requiring a written report over the last 30 days. There were 153 crashes, 5 DUI crashes, 1 Fatal crash, 70 arrests, 800 traffic citations and 700 warning issued. He wanted to share with the Board that they have had a very busy year. There have been several Trump visits, that the State Police is heavily responsible for. He also added that there were some issues that arose from Donald Trump’s visit in Butler, PA which involved the Secret Service, FBI, local and State Police. He stated the last visit from former President Trump at the Farm Show in Harrisburg went very well considering all the moving parts involving the FBI, Secret Service, PEMA and the involved municipalities. In the weeks to come there will be more visits to Pennsylvania.

Lt. Wolfe also noted that country singer, Luke Bryan will be coming to East Hanover Township. The concert is on Sept 19th at Boat Creek Farms 769 Ridge Road Grantville PA. An anticipated 19,000 people will be attending and there will be a big plan in place to manage the event.

- Discussion regarding on street parking concerns on Snavely Rd.

Mr. Blechertas reported that with the attempts to resolve the street parking issues on Snavely Road, there is still a safety concern. Due to this being a Township Road the Board has the ability to prohibit on street parking which would require an edit to the Ordinance.

Ms. Emily Jovakiney, a resident of 4143 Snavely Road spoke to the Board about the significant increase of vehicles parking at the end of Snavely and along Steinruck Road. She stated that Snavely Road is not a very wide road and when vehicles are parked along the road it is essentially blocking a lane. This presents a safety concern for school buses, emergency response vehicles and delivery vehicles coming on to Snavely road. She has shared her apprehensions with a few residents on Snavely and Steinruck. Ms. Jovakiney also shared that she has witnessed a few hazardous situations including a school bus coming around the corner to a car that was in their lane, due to the cars being parked on both sides on the road.

Ms. Jovakiney is concerned that if emergency vehicles need to access the road the vehicles parked on both sides would prevent them from getting to the emergency. She feels as though restricting the parking would be the safest measure. She stated she feels blessed to live in a safe area and so her concern is to remain safe for herself and her neighbors and other people passing through the street. Ms. Jovakiney then thanked the Board for their care and concerns throughout all of the correspondences as well and hearing her tonight.

Mr. Blechertas stated that if the Board would like to explore the possibility of prohibiting on street parking on Snavely he asked if the staff be given the opportunity to look at any other roads that would want to update throughout the Township before going through the time and expense of doing an ordinance update to see if there are any other concerns.

Supervisor Kopp asked if the residents in question were verbally contacted or was just a letter sent to them?

Mr. Brady stated a letter was sent.

Supervisor Kopp said his concern is that when we establish new ordinances and not have anything but the State Police to enforce them, sometimes it lacks the teeth

that we need for something to happen. Short of having a door-to-door conversation they don't understand the severity. If we post it with no parking does that still ensure a positive result that this is going to stop.

Mr. Brady stated what changing the ordinance does is allows the State Police to cite them for parking on a restricted road. As of right now we have no legal teeth to send the Police out there to check the vehicle and ticket them.

Mr. Diamond, Township Solicitor stated the Board has the power and the responsibility to regulate the Township roads.

Mr. Blechertas stated right now the Ordinance does list multiple roads that are prohibits from on street parking, so we would be adding to the existing ordinance which would give us the ability to post signage.

There was a discussion on different issues regarding the various signages already in place and how many times people don't follow them.

Supervisor Geyer stated he thinks that the ordinance is needed and feels that we should look into other roads in the Township that are an issue. This will then give us the teeth to enforce the problem.

Mr. Blechertas stated he will get with staff to start working on other roads in the Township that may be an issue and get back to Board with the findings.

- Presentation from Communities that Care.

Jim Hazen, Former Executive Director and Angela Durantine, current Program Director, of Lower Dauphin Communities That Care. Mr. Hazen started out by explaining who they are. They are an inclusive, grass-roots nonprofit organization whose goal is to help our community's youngsters develop into healthy adults. There is one full-time program director and one part-time bookmobile driver/storyteller. Mr. Hazen said they have 20 community members on their Board, including Londonderry Twp. Supervisor Mike Geyer. They have over 100 LD residents and students who volunteer and help with our programs including more than 15 from Londonderry Twp. CTC is an international program that looks at a community's strengths and problems and figures out what programs they can implement that can help kids be healthy productive adults. There are two community problems that have been identified, they are Substance Abuse and Depression/Anxiety. Mr. Hazen stated that there are risk factors which cause

young people to be more likely to develop the problem behavior of substance abuse and depression/anxiety. Some risk factors are depressive symptoms, low commitment to school and parental attitudes favorable toward problem behaviors.

Ms. Durantine stated they run about a dozen different programs throughout the school year and summer. One of the first that was started is the Preschool Literacy Outreach Program which sends book to all Lower Dauphin Preschoolers (age 1-4) on their birthdays. She said they have mailed out a total of 16,200 books with 3,646 preschoolers in Londonderry Twp. Some of the other programs they provide are Books on Board Bookmobile, Wellness on Wheels (WOW), Summer Wellness Programs, School-Based Mentoring, Club Ohelia (A safe place or girls), Operation: Breaking the Boy Code, Study Buddies, and Do the Right Thing. They have a Red Ribbon Week where the school resource officer talks about the importance of making good choices. There is also the Find Your Nest program which promotes a positive messaging campaign to connect to high school students to various clubs. The Strengthening Families Program is seven sessions, in which parents and youth can enjoy a meal together and have separate and joint family activities. They have served over 326 participants in over the past 12 years, 57 of them are from Londonderry Twp. She stated that all of their programs are free to everyone in the South Hanover, Conewago, East Hanover, Hummelstown and Londonderry.

Ms. Durantine added they have developed a community resource guide that will be left at the Twp Building if anyone would like to obtain one. Right now, 94% of the revenue goes towards the programs. She said they have faced some tough times this year due to decreased funding from several organizations. CTC does conduct an annual giving campaign and continues to apply for grants. She stated she wants to continue operating without making any changes to the Program, therefore she is asking for support from the Twp. in any way during the annual budget review. Volunteers are welcome, and asked if the Twp. could post their website to the Twp. webpage or add them to the next newsletter.

- Request approval for Londonderry Fire Police to provide services for the Elizabethtown Fair the week of August 19 and the Elizabethtown Car Show on September 13

Londonderry Fire Police Captain Dean Hooper asked the Board for permission to attend 2 events. The first being to provide services for the week of Aug 19th at the Elizabethtown Fair and the second would be to provide services for the

Fireworks in Swatara Township on August 28th. He also added the Elizabethtown Car show has been cancelled for Sept 19th.

Chairman Shellenhamer requested approval from the Board to allow the Londonderry Fire Police to provide services for the Elizabethtown Fair during the week of August 19th and to provide services to Swatara Township for the fireworks on August 28th.

It was moved by Mr. Hershey and seconded by Mr. Kopp to approve the above request as stated.

On a roll call vote, the following voted “Aye”,

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Discussion and possible approval of a request from the Knights of Columbus for free use of Braeburn Park on Sept 7 or 14, 2024 for a soccer event

Mr. Blechertas stated the Knights of Columbus would like permission to use Braeburn Park free of charge on either September 7th or 14th for a soccer event. The Knights of Columbus will be providing the soccer net and any other supplies that are needed. They are just looking for parking and a field to run the event for about 30 people.

Mr. Diamond stated that they should provide proof of insurance and sign an agreement prior to the event.

Brian Lushke from the Knights of Columbus stated they hold several events throughout the year and are looking for a space to hold the soccer event. This event is open to the public and is free of charge.

Chairman Shellenhamer requested approval from the Board to allow the Knights of Columbus free use of Braeburn Park on Sept 7 or 14, 2024 for a soccer event subject to signing an agreement and providing proof of insurance.

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”,

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval of a quote from HRG Engineering for \$4,500.00 to apply for a Dauphin County Gaming Grant to refurbish Engine 54 for the Fire Department.

Mr. Blechertas stated the Fire Department is looking to refurbish Engine 54 rather replace it. HRG has agreed to take us through the process of applying for the grant.

Chairman Shellenhamer requested approval from the Board for a quote from HRG Engineering for \$4,500.00 to apply for a Dauphin County Gaming Grant to refurbish Engine 54 for the Fire Department, subject to solicitor review.

It was moved by Mr. Geyer and seconded by Mr. Kopp to approve the above request as stated.

On a roll call vote, the following voted “Aye”,

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval of a contract with Gannett Fleming at a cost of \$63,500 for design and specification of the roof and HVAC project at Sunset Golf Course – Subject to Solicitors Approval

Mr. Blechertas stated a new roof and HVAC system is needed at Sunset Golf Course. Jeremy Miller, an Engineering consultant, guided the Township to the process of putting out an RFP to find a design firm for the project. There were three proposals received. It was his recommendation to go with Gannett Fleming as they did the best job of meeting all the requirements in the submittal and properly displaying all the engineering expertise and qualifications for the work. This motion is to retain a firm to do the design, once plan and bid specs were submitted a bid would be advertised to hire someone to do the work. He stated the project will not happen this year.

There was a discussion amongst the Board members regarding the process of the plan and details.

Supervisor Hershey stated this will put us right where we need to be to get the project started.

Chairman Shellenhamer requested approval from the Board to sign a contract with Gannett Fleming at a cost of \$63,500 for design and specification of the roof and HVAC project at Sunset Golf Course pending Solicitors Approval.

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”,

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

Treasurer’s Report – David Blechertas

Mr. Blechertas presented the Board with the treasure’s report and the open purchase order report to the Board for the month ending 07/31/2024.

Fund	Open Purchase Orders
General Fund	\$ 186,968.52
Capital Projects Fund	1,332.00
Liquid Fuels Fund	5,295.11
Golf Course Fund	45,158.80
Escrow Fund	<u>12,292.50</u>
Grand Total	<u><u>\$ 251,046.93</u></u>

Chairman Shellenhamer requested approval from the Board to accept the Treasurers Report and Open Purchase orders as presented.

It was moved by Mr. Kopp and seconded by Mr. Geyer to approve the Treasurers report and open purchase orders.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

MS4 Environmental Department Report – Dave Blechertas

Mr. Blechertas stated that Monique Dykman was not able to attend therefore he will be providing her report. He stated Ms. Dykman has begun working on the MS4 Annual Report and Budget and is looking to get the next two items approved by the board.

- Request approval of a contract with LandStudies Inc to perform the final year of tree maintenance on the DCNR buffer grant project for two landowners on Schoolhouse Road at a cost of \$6,060.00, the lowest of three quotes. The cost is fully grant funded.

Mr. Blechertas stated this grant is basically maintenance on the trees to ensure that everything is stabilized, free of disease and to see if any more trees need to be planted.

Chairman Shellenhamer requested approval from the Board to approve a contract with LandStudies Inc to perform the final year of tree maintenance on the DCNR buffer grant project for two landowners on Schoolhouse Road at a cost of \$6,060.00.

It was moved by Mr. Kopp and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval of a Susquehanna River Basin Commission Grant agreement for award of a \$350,000 grant for Phase IV of the Conewago Creek Project

Mr. Blechertas stated that the grant does have a 10% match on this project and that match is being met by other grant funds therefore there will be no out-of-pocket to the Township. The State of Pennsylvania DEP has indefinitely paused their PRP program right now as they are working through some legal matters with other States at the Federal level. He said initially we were holding tight and trying to make sure we could scope a future project to receive the maximum possible credits under the PRP program. Unfortunately, the state is moving slow enough at this point that we are at risk of having the grants we have already been awarded plus this new one expire before the state comes out with what the new permit requirements will be. He feels the likely course that Phase IV would take will be additional sediment reduction as was done in phases one through three. Mr. Blechertas said he feels confident that sediment reduction is going to score well regardless of how the States PRP permit eventually comes out. In light of having all the matches met without any cost to the Township it will be a positive project for the environment and the residents. There are 3 grants totaling 1,000,050.00. The Army Corps of Engineers requires 5 years of maintenance and monitoring which we can anticipate as part of a potential Phase IV as well. That cost would be out of pocket for the Township but considering a million dollars of grant money at no cost to the taxpayer, it is a good trade off. The main idea of these projects is to improve the environment; to make the water quality better for the residents and to show that Londonderry is leading the way.

Supervisor Hershey stated it is our obligation to use this money, even though the state is giving us zero direction if we don't use this money, we will be jeopardizing the grants we could possibly get in the future.

Chairman Shellenhamer requested approval from the Board of the Susquehanna River Basin Commission Grant agreement for award of a \$350,000 grant for Phase IV of the Conewago Creek Project, pending Solicitor review.

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

Public Works Report - Andy Brandt

Mr. Brandt provided the Board with his monthly report.

- Request approval of service work for a John Deere Tire Loader with SOS Heavy Equipment Repair at a cost of \$4,497.20

Chairman Shellenhamer requested approval from the Board of service work for a John Deere Tire Loader with SOS Heavy Equipment Repair at a cost of \$4,497.20

It was moved by Mr. Kopp and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval to purchase a 2024 Ford F-350 from Coccia Ford under Costars number 025-E23-603 at a cost of \$50,730

Mr. Blechertas stated the Township budgeted the paving of Shopes Church Road and Lauffer Road. In working together with Derry Township to pave Shopes Church Road and with Andy and his crew doing the work in house on Lauffer Road it had created extra money from what was budgeted for the two projects. He said with the savings the Township can ask to purchase a new truck for the Public Works Department. Mr. Blechertas stated that, to be able to purchase a new truck in just the savings from projects is very impressive and he thanked Derry Township and the Townships Public Works crew.

Chairman Shellenhamer requested approval from the Board of to purchase a 2024 Ford F-350 from Coccia Ford under Costars number 025-E23-603 at a cost of \$50,730.

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval to upfit a 2024 Ford F-350 with a flat bed, snowplow mount, lighting, and associated equipment from Lancaster Truck Bodies under Costars number 025-E22-436 at a cost of \$19,700

Chairman Shellenhamer requested approval from the Board to upfit a 2024 Ford F-350 with a flat bed, snowplow mount, lighting, and associated equipment from Lancaster Truck Bodies under Costars number 025-E22-436 at a cost of \$19,700

It was moved by Mr. Geyer and seconded by Mr. Kopp to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval to purchase 250 tons of 25mm asphalt from Pennsy Supply at a cost of \$58.00 per ton for a total of \$14,500 under COG bidding for the reconstruction of Laufer Rd.

Chairman Shellenhamer requested approval from the Board to purchase 250 tons of 25mm asphalt from Pennsy Supply at a cost of \$58.00 per ton for a total of \$14,500 under COG bidding for the reconstruction of Laufer Rd.

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval to purchase 155 tons of 2A stone from Byler Quarries at a cost of \$10.95 per ton for a total of \$1,697.25 under COG bidding for the reconstruction of Laufer Rd

Chairman Shellenhamer requested approval from the Board to purchase 155 tons of 2A stone from Byler Quarries at a cost of \$10.95 per ton for a total of \$1,697.25 under COG bidding for the reconstruction of Laufer Rd

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval of purchase of a trench drain system for Pavilion 3 from LB Water at a cost of \$4,362.85

Chairman Shellenhamer requested approval from the Board to purchase a trench drain system for Pavilion 3 from LB Water at a cost of \$4,362.85

It was moved by Mr. Kopp and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval of a proposal by Hillis Carnes to perform concrete inspection services for the Colebrook Rd Flashing Sign project at a cost of \$1,396.00

Chairman Shellenhamer requested approval from the Board of a proposal by Hillis Carnes to perform concrete inspection services for the Colebrook Rd Flashing Sign project at a cost of \$1,396.00

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

- Request approval to purchase 30 tons of 9.5mm asphalt at a cost of \$72 a ton and 5 tons of 19mm asphalt at a cost of \$61 a ton for a total of \$2,465.00 from Penny Supply under COG bid pricing

Chairman Shellenhamer requested approval from the Board to purchase 30 tons of 9.5mm asphalt at a cost of \$72 a ton and 5 tons of 19mm asphalt at a cost of \$61 a ton for a total of \$2,465.00 from Penny Supply under COG bid pricing

It was moved by Mr. Geyer and seconded by Mr. Kopp to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried.

Golf Course and Bar & Grill Report - Sam Risteff

Mr. Blechertas stated that Sam Risteff was not able to attend therefore he will be providing his report. He stated the golf course has had a very busy month. There were just under 4,700 rounds in the month of July. The Merchandise sales continue to do well for the month, and they hosted 5 outings in July. The club championship will be held this weekend, to date there are 50 players that have signed up. Entries are available till August 10th. Mr. Blechertas stated Sam has been working on budget planning for next year. The Grill Room snack

bar had all of their fire suppression checked this month and all of the grill room employees received their RAMP certification for alcohol service. The Banquet room had 1 rental for the month of July and Thursday night entertainment has continued despite the weather. He stated Bobby and his crew have been very busy, a lot of the watering has had to be done by hand, which is beneficial because it directs the water directly where it is needed. The course looks like its in good shape despite the hot weather.

- Request approval of a quote for tree removal at Sunset Golf Course from Shull's Tree Service at a cost of \$14,290, the lowest of three quotes.

Chairman Shellenhamer requested approval from the Board for a quote for tree removal at Sunset Golf Course from Shull's Tree Service at a cost of \$14,290, the lowest of three quotes.

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted "Aye"

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for the part time hire of Delayni Landis for the Sunset Golf Snack Bar at a rate of \$8.00 per hour to start August 7, 2024

Chairman Shellenhamer requested approval from the Board for the part-time hire of Delayni Landis for the Sunset Golf Snack Bar at a rate of \$8.00 per hour to start August 7, 2024

It was moved by Mr. Geyer and seconded by Mr. Kopp to approve the above request as stated.

On a roll call vote, the following voted "Aye"

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

Codes and Zoning – Duane Brady, Codes and Zoning Officer

Mr. Brady stated he had a steady flow of applications this month and is keeping up with the complaints and violations. He said a full-page advert will be added to the fall newsletter letting residents know of the ordinances that have passed. Mr. Brady stated he is planning a visit to the islands this week with Ed. The codification of ordinances has arrived, and he is working on recalling the books to get them updated. The Planning Commission met on July 20th and is continuing to work with the applicant for Falcon Crest at Lytle Farms who will be presenting to tonight. He stated staff continues to work with all third-party partners in the Township. There was a Zoning Hearing Board on August 12, 2024, in regard to 2250 Foxianna Rd seeking special exception under 27-1604.1 containment of large pets and farm animals as an accessory residential use. There was a discussion with the Board members and solicitor regarding the resolution being proposed.

- Request approval of Resolution 2024-13 defining Commonwealth Code Inspection Services, Approved Code Services, and Associated Building Inspection as approved third party building codes review and inspection partners for Londonderry Township

Chairman Shellenhamer requested approval from the Board of Resolution 2024-13 defining Commonwealth Code Inspection Services, Approved Code Services, and Associated Building Inspection as approved third party building codes review and inspection partners for Londonderry Township

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve Resolution 2024-13 as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Ron Kopp, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Falcon Crest/Lytle Farms Presentation

Joel Young, from Rettew Associates introduced Nate Pipitone, the Developer with the PLF LLC, and Jill Nagy, legal counsel for the project. Mr. Young stated the project is 216 acres of land and is almost entirely zoned R-2 with a small amount

of C-2. The property is currently farmlands with wetlands and streams that are across the site along with several utilities running around it and through it. The proposed plan is to develop the land for mixed use for the Township with a total of 828 units. Those being 205 units of single family, 91 units of town house, 532 units of multi-family and some commercial and retail use with the project. He stated there will be 3 entrances to the development with (2) off of RT. 230 and one off of Foxianna Road. Mr. Young said a big part of this project are the streams that run through it. The intent is to maximize it by doing a legacy sediment project. The project would allow improvements to the streams, wetlands and to accommodate storm water throughout for improvements. He said this will allow opportunities for environmental improvements and ample open space for residents. Mr. Young stated the Army Corps of Engineers and DEP are still reviewing the plans. Mr. Young said they are also working through the process with the sewer, water, gas and electric agencies, along with DEP and the Army Corps of Engineers. He said PENNDOT has submitted the traffic impact study and their finding are being worked through. He said he is looking to ingrate the community to the residents of the Township.

Mr. Diamond, Solicitor of the Township asked if there could be some clarification procedurally so along with the Planning Commission at that point it was one big Preliminary/Final plan recommended and now there is a change since the Planning Commission.

Mr. Nagy stated this plan is unique due to the integration of hydrology on the site along with the number of streams and wetlands. The Army Corp is requiring having all the stream restoration as well as the storm water as one improvement. Due to the nature of the project, the amount of credits, and the benefit to the Township with having a fully restored stream bed, all the storm water needs to be completed first. They originally asked to do a preliminary/final since they will be working throughout the whole site. She said they are under some time pressure because once they get some of the Army Corps approvals, we will need to act fairly quickly because of what will ultimately happen is this project will be cared for by master homeowners' association. The storm water will also be managed by a specific conservation organization who specializes in stream restoration projects.

Ms. Nagy stated in talking with Mr. Diamond and the Township staff there was a concern about doing a Preliminary/Final for the entire project because of the

concern of bonding of each phase. She stated that their request has been amended, so they are now asking for a preliminary plan approval with a final plan approval of phase 1, 1a, 2a and 8 with having the phases bonded.

Mr. Brady advised the Board that the Preliminary is the whole plan, and the Preliminary/Final are for the phases.

Mr. Diamond recommended the final plan should be a separate plan/document that can run simultaneously with the phasing aspect.

There was a discussion amongst the Board, Township Staff and the Developers for the Falcon Crest/Lytle Farms project clarifying the concerns of the Preliminary and Phasing Plan.

Mr. Diamond asked if they will be withdrawing the Preliminary/Final plan.

Ms. Nagy stated yes.

Mr. Blechertas asked if there was going to be another plan submitted, for the waivers that are being present tonight are for a plan that was already submitted.

Ms. Nagy said no, all waivers 2-9 are involving the preliminary plan. She said that none of the waivers would impact the phase one scenario.

Mr. Diamond stated that under the MPC when a phase is done, the Board with the recommendation of the Planning Commission, can determine what infrastructure is necessary to support that phase. He said if nothing is changing from the preliminary plan, and with the waivers approved by the Planning Commission, the BOS can move forward.

Mr. Nagy stated that this will now be a traditional phasing plan with the first phase being fully bonded. She stated all the waivers that are being discussed tonight go with the preliminary plan.

Mr. Blechertas asked if the applicant will be providing a preliminary plan and a final for each phase.

Ms. Nagy stated yes.

Mr. Blechertas asked if the board can act on the waivers if part of the property is owned by PP&L.

Mr. Diamond stated that if its part of the plan, you would have to be an equitable owner.

Mr. Nagy said it would be a condition of the final plan and that they are only asking for approval for the waivers.

Mr. Blechertas asked if a formal withdrawal was submitted for the modification.

Mr. Brady stated what was provided last Thursday was this plan as being presented to the Board.

Ms. Nagy stated that formally for the minutes the Preliminary/Final plan is withdrawn.

Mr. Brady stated that the Township did not receive a revised letter of the modification and waivers along with the preliminary final plans.

There was a discussion amongst the board regarding the process and specific information of what is required from the Developer when submitting the revised phase plan to the Planning Commission.

Ms. Nagy stated they are trying to feed the Planning Commission as much as possible. She said that what is needed right now is answers to the waiver so they can continue to design the plan in accordance with the wishes of the Township.

Mr. Pistor, resident from Foxianna Road spoke regarding his issues and concerns with the Falcon Crest/Lytle Farms project and his land that runs next to it. He said he finds it interested that the developer only gave the Board 3 sides of the plan, with nothing shown for the longest part, which is his farm. He stated that he was recently aware of something called Lennon Socialism, which he says means one benefits in a huge way and pushes risk downstream. He said he is not against the Falcon Crest Plan. Mr. Pistor reminded the Board of a resolution that was passed

regarding boundaries and trees. He was frustrated that the plan came in sooner than the ordinance being passed. He said clearly when you have a by-right the Township hands are limited in a lot of ways. Mr. Pistor wanted to ask the Board if they would have a high hurdle related to the things the developer is asking for their exceptions. He said the developer elected not to give him anything on his side of the land. He stated he tried to negotiate with the Developer offering \$20,000, to take dirt onto his property, to allow them to do whatever they wanted even if it meant he would lose a crop. In the end a deal just could not be made. Mr. Pistor said the developer told him that they will not put the trees on their plan that was presented to the board due to the advice from their counsel. He stated Mr. Pipitone had recently reached out to him and they are trying to restart things. He said Mr. Pipitone is allowing him to meet with the engineers of the design related to the stream development. Mr. Pistor stated that there are risks related to the runoff concerning the culverts being put in. He said with the base state of where we are at now with no improvements there will be one one-hundredth of a foot base flood elevation. Mr. Pistor asked how do you take something from a plan and get it into one one-hundredth of a foot related to the stream improvement? He said he is at risk due to his bridge being upstream. He stated he is meeting with the Dauphin County Conservation district to see if there is way, he can take on some of the developer's soil onto his property. Initially Mr. Pipitone agreed that he would make him part of his plan and they would negotiate as to where they could put the dirt. Mr. Pistor said it ended up that developer came back and said he can't do that. He said he has the highest boundary related to anyone up there related to this project and what ever relief the Board could find he asked that they look for it. Mr. Pistor added that there are two sides of this plan and feels the developer will benefit from it tremendously and its great, for there is nothing wrong with capitalism but feels they are pushing risks downstream. He stated he will probably have to donate some of his land because of the apartment buildings going in to reduce his liability. He said he isn't doing it to be a good guy, he is doing because he must reduce his own liability. Mr. Pistor lastly stated that these are the things being pushed down stream that will cost him without getting any benefits from the plan.

- Request approval for Modification: SALDO Section 22-304 – Preliminary Plan for the Falcon Crest Land Development Plan owned by PLF LLC.

This above request was verbally withdrawn by Ms. Nagy, Legal Counsel for PLF LLC.

- Request approval for Waiver: SALDO Section 22-405.2.B -Reverse frontage lot for the Falcon Crest Land Development Plan owned by PLF LLC. - PC: Recommended Approval

Next, Mr. Young spoke regarding the modifications/waivers for the Falcon Crest Land Development Plan.

Mr. Young stated that the above waiver is in regard to Falcon Crest Drive and Osprey Drive. This part of the site has a significant amount of rock and topography fall, therefore they are going to tier the landscape. Due to the topography change they are asking to have frontage on the right of way of Falcon Crest Drive with a fair amount of land behind those lots. He stated the developer has worked with staff and HRG and they do support this waiver request.

Mr. Blechert stated Staff, HRG and the Planning Commission has no objection to the waiver request.

Supervisor Kopp addressed the Chairman of the Board, stating for the record he will recuse himself from discussion and actions on the Falcon Crest Development project. This is due to the conflict of interest of being a lease holder of the land of Mr. Pipitone.

Chairman Shellenhamer requested approval from the Board for Waiver: SALDO – Section 22-405.2.B -Reverse frontage lot for the Falcon Crest Land Development Plan owned by PLF LLC

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SALDO – Section 22-411.3 – Illumination along Walkway for the Falcon Crest Land Development Plan owned by PLF LLC – PC: Recommended Approval

Mr. Young then discussed the next waiver regarding illumination along walkways for the project. The request is regarding a waiver for only the mulch and gravel trails throughout the property. He said the trails are to be used only during daylight hours for the residents and that such trails will be clearly marked to be used from dusk to dawn.

Mr. Diamond stated that it would need to be very clear on the specific paths.

Mr. Brady stated the proposed letter does not give specifics.

Mr. Young and Ms. Nagy both stated that could be a condition.

Mr. Brady advised that the Planning Commission did recommend the approval recommending that the trails be posted they are to be used from dusk to dawn. He said staff and HRG do approve the waiver.

Chairman Shellenhamer requested approval from the Board for Waiver: SALDO – Section 22-411.3 – Illumination along Walkway for the Falcon Crest Land Development Plan owned by PLF LLC subject to approve on condition of an acceptable plan note.

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SALDO Section 22-507 – Sidewalk on Coopers Hawk Rd for the Falcon Crest Land Development Plan owned by PLF LLC. – PC: Recommended Approval

Mr. Young stated that this waiver is in reference to two areas of the overall development that have very long walkway on Coopers Hawk Road. He said he

does not foresee this area to have a lot of foot traffic and sees it to be used more for bikes. The two areas are up against or over a stream, so the intent is to not have sidewalks on both sides of the road but to one 5-foot-wide asphalt path that runs alongside of the entire area.

Mr. Blechertas asked if there will be crosswalks put in to allow pedestrians to cross over.

Mr. Young stated yes there will be a crosswalk at the end to provide connectivity.

Mr. Pipitone said the roads are dedicated to the township and the sidewalks are the responsibility of the HOA.

Chairman Shellenhamer requested approval from the Board for Waiver: SALDO – Section 22-507 – Sidewalk on Coopers Hawk Rd for the Falcon Crest Land Development Plan owned by PLF LLC contingent upon proper identification of the area.

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SALDO Section 22-402-8-d. — Intersection Grade for the Falcon Crest Land Development Plan owned by PLF LLC. – PC: Recommended Approval

Mr. Young said the next waiver is in reference to Ospry Drive and Harrier Road. This area is very steep, and the slopes are going to be very hard to maintain. He said in order to get the slope down to 5% or less they have managed to work the actual crosswalks in under the minimum slope.

Mr. Brady advised that by eliminating the north/south crossings and just doing the east/west they were able to meet the PROWAG guided standards, and it will still be an accessible community. He said HRG, staff and the Planning Commission all recommend the approval.

Chairman Shellenhamer requested approval from the Board for Waiver: SALDO Section 22-402-8-d. — Intersection Grade for the Falcon Crest Land Development Plan owned by PLF LLC.

It was moved by Mr. Hershey and seconded by Mr. Geyer to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SALDO Section 22-502-1.B – Monuments and Markers for the Falcon Crest Land Development Plan owned by PLF LLC – PC: Recommended Approval

Mr. Young stated they are requesting to use metal pins on the corner of all the lots instead of monuments due to the size of the development.

Chairman Shellenhamer requested approval from the Board for Waiver: SALDO Section 22-502-1.B – Monuments and Markers for the Falcon Crest Land Development Plan owned by PLF LLC

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

A discussion was held amongst the Board and Mr. Wood to clarify issues with the monuments and markers. Mr. Wood stated that all properties will be marked with monuments or iron pins.

Mr. Brady recommended having clarification as to where the pins and concrete monuments are going to be placed included in the approval.

Mr. Geyer requested a motion to amend the motion Second by Mr. Hershey.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

Chairman Shellenhamer asked for vote on the motion to approve the Waiver: SALDO Section 22-502-1.B – Monuments and Markers as amended to read “provide iron pins where lot subdivision lines intersect the right-of-way or intersect each other and along the right-of-way concrete monuments will be set at corners or change of direction” for the Falcon Crest Land Development Plan owned by PLF LLC

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SWMO – Section 28-306.3.F - Inlets within 3 feet of a driveway for the Falcon Crest Land Development Plan owned by PLF LLC - PC: Recommended Approval

Mr. Young next asked for a waiver specifically in the townhomes of the project. He said by the nature of the townhome design the driveways are often very close to each other, therefore they are asking for the inlets to be closer than 3 feet of a driveway.

Mr. Brandt suggested if the inlet is closer than 3 feet to the driveway instead of using a Type-C inlet top they could use a slant curb top to bring the curb down and have it slanted to make a mountable curb.

Chairman Shellenhamer requested approval from the Board for Waiver: SWMO – Section 28-306.3.F - Inlets within 3 feet of a driveway for the Falcon Crest Land Development Plan owned by PLF LLC

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SWMO – Section 28-304.2 – Riparian Buffer for the Falcon Crest Land Development Plan owned by PLF LLC. –
PC: Recommended Approval

Mr. Young stated this waiver is specific to Coopers Hawk Road. Due to the hotel, stream, steep slopes and the power lines they are requesting to allow 25 feet instead of the 50 feet required for the Riparian Buffer.

Supervisor Hershey asked if an agreement has been reached with the utility.

Mr. Young stated they are still working on everything, and utilities currently have the plans. This waiver is just to allow the developer to be in the buffer, which will be subject for the approval of the plans.

Mr. Wood stated that since they don't have the 50 feet of riparian buffer due to the property limit of the Scottish Inn, in lieu of that and the discussion with the engineer there is an agreement that they will have their buffer shortened to 25 feet providing they will double the amount of plantings within that buffer.

Mr. Blechertas asked who will be responsible the maintenance of the vegetation including the extra vegetation.

Ms. Nagy stated it would be the Homeowners Association.

Chairman Shellenhamer requested approval from the Board for Waiver: SWMO – Section 28-304.2 – Riparian Buffer for the Falcon Crest Land Development Plan owned by PLF LLC.

It was moved by Mr. Geyer and seconded by Mr. Hershey to approve the above request as stated.

On a roll call vote, the following voted “Aye”

Chairman Shellenhamer, Mike Geyer and Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

- Request approval for Waiver: SWMO – Section 28-305.12.A – Storm Water Discharge Points for the Falcon Crest Land Development Plan owned by PLF LLC. – PC: Recommended Approval

Mr. Young stated that this ordinance calls to not have storm water discharges in a FEMA flood plain. He said in a standard course of a storm water design this makes sense, for this plan it is not standard storm water design. He said they are working on improving the stream and conveyances, and as part of the design the discharges will be within the FEMA flood plain. He stated that it is being reviewed by the Army Corps.

Mr. Brady said the basis of their entire storm water plan is to do the stream and flood plain restoration and then allow everything to go into those cause ways and flow into Swatara creek. Its acceptable to allow the waiver on that premise based on their approach. He said he had a meeting with JMT, Mr. Wood and FEMA and JMT was advised that they will be required to do a CLOMR for this project: with a conditional letter of map revision. He said the hydrology study showed a significant improvement with only a .001% base flood elevation decrease in one area.

Mr. Hershey asked who was responsible for the maintenance and management of the storm water infrastructure.

Mr. Diamond stated it would be the under the L&M agreement and the HOA.

Ms. Nagy stated there would be aid from the non-profit conservancy and it will be in the declaration of covent so the Township could enforce it.

Mr. Pipitone stated that those agreements are required by the Army Corps of Engineers guidelines.

Mr. Pistor asked how you transfer from construction to one-thousandths of a design.

Mr. Young stated that it's calculated as part of the design model.

Mr. Pistor stated it's a real impact on real people and it's not right.

Mr. Brady stated as part of the conditional letter of map revisions process, they submit the initial calculation as they are discussing now and then upon six months of completing, they will need to rerun that study and show that what was originally proposed matches up with what construction has finished at. He said it is a multi-phase process that gets looked at multiple levels to assure what the developers is telling us is what is happening.

Mr. Young stated that the Army Corps and DEP are going to be very strict on annualizing this.

Mr. Brady stated if his count is correct there are at least 3 or 4 federal, state, county agencies that will all have their hand in this by the time its done.

Supervisor Hershey stated that we don't have a approved storm water plan at this time so how could he approve this waiver.

Mr. Diamond stated that this a waiver is asking for approval for the developer to discharge within the FEMA flood plan.

Mr. Brady stated that this approach is more in line of feeding the water into its nature courses and let it get back to the creek.

Mr. Diamond said we should not get too deep into the details due to there being a lot of engineering improvements needing done.

Chairman Shellenhamer requested approval from the Board for Waiver: SWMO – Section 28-305.12.A – Storm Water Discharge Points for the Falcon Crest Land Development Plan owned by PLF, LLC.

It was moved by Mr. Geyer and seconded by Mr. Shellenhamer to approve the above request as stated.

There was a discussion with Mr. Pistor regarding the storm water calculations.

On a roll call, the following voted “Aye”

Chairman Shellenhamer and Mike Geyer

The following voted “Ney”

Mel Hershey

Chairman Shellenhamer thereupon declared the motion carried

Mr. Diamond stated for the record that Ron Kopp has not voted or participated the entire time during the Falcon Crest discussion/waivers.

Mr. Blechertas stated that Township and Board members have received the letter from July 30th from the applicant regarding the addresses. Currently the Township is not planning on releasing addresses until approval of the Preliminary Plan. He stated that if there is a need from the utilities, they are welcome to contact the Township.

Mr. Pipitone stated that the SALDO does not speak to how that is handled. He said your power to police it, as you know comes through second class Township code. Mr. Pipitone said there should be regulations in the Townships SALDO as to when they should be released. This is becoming more and more common to a lot of municipalities to release the addresses earlier because what they are trying to do is cradle to grave. He stated there are so many developers that use lot numbers, and they grow a custom to it. He said the utility companies would much rather use an address from the beginning. Mr. Pipitone stated that the addresses are not recorded until the final plan is approved, but it gives you the ability to provide the address to the electric, gas, cable actual house addresses. A lot of municipalities require that when you file the preliminary plan with the Township, they want you to have the address. He said all it takes is an approval from 911 that

there is no conflict, and this is a very small task. Mr. Pipitone stated he was asked to provide addresses over lot numbers to Metropolitan Edison for that was what they prefer. Therefore, the reason for the request.

Engineer's Report – Mike Wood P.E.

Report: 07/02/2024-07/23/2024

SR 230 Sanitary Developments

- A meeting with DTMA was held on July 23rd, 2024 between DTMA, the Township, and HRG to discuss various outstanding items relating to the SR 230 Sanitary Sewer Developments.
- Connections are continuing to be made and permits continue to be filed through DTMA.
 - Per DTMA:
 - 22 properties still need to make their connection. All have received three notification letters at this point, with stronger language being included in each subsequent letter.
 - The Riverhouse Restaurant:
 - The proposed lateral is currently located on an adjacent parcel that is also owned by the Riverhouse Owner/Co-Owner. Their current on-lot septic system currently resides on this adjacent lot as well, which was the driving factor to placing the lateral at this location.
 - All three notification letters have been sent to one of the Owners, and after multiple attempts to set up a meeting between HRG and the Owner through email, we have not received a response.
 - A Grinder Pump is proposed for this property due to lateral depths and overall site topography, as well as a grease trap for the kitchen. DTMA has mentioned that the grease trap line would most likely need to come through the front of the building.
 - DTMA is going to attempt to contact Riverhouse to set up a meeting between them, the Township, and DTMA to come up with the most feasible solution for all parties.

- Pine Manor MHP / Cedar Manor MHP:
 - The owner is interested in getting the existing units at MHP's connected as soon as possible, once the agreement is finalized.
 - Both MHPs are continuing to send drawings to DTMA for review and resubmission.
 - The bulk customer service agreement draft has been sent to the Owners for their review.
 - DTMA has confirmed that the on-lot pretreatment plants for the MHPs will be fully decommissioned.

Comprehensive Plan

- The Londonderry Township Planning Commission met on July 15th to discuss revisions to the draft Comprehensive Plan.
- The Planning Commission finalized the delineation for the Designated Growth Area, primarily focusing on properties that directly access Route 230. Properties in the northwest part of the Township near the Vine Street interchange that are served by public sewer service were also included in the Designated Growth Area.
- The Planning Commission also discussed the draft Transportation chapter and recommended that the Township consider adopting Transportation Impact Fees after the adoption of the Comprehensive Plan.

Parks, Recreation and Open Space (PROS) Plan

- The planning process is estimated to be over halfway completed.
- HRG has continued to refine draft goals, objectives and recommendations for various sections of the plan.
- The next Steering Committee meeting for July was canceled, but there are two remaining committee meetings in September and November.
- HRG is preparing the Administrative and Personnel, and Maintenance Chapters.
- Draft Chapters will be shared with Township Staff for review as they are prepared.
- HRG has begun to conduct key person interviews and plans to have them completed by the end of August.

Mr. Blechertas stated the drafts he received of the PROS plan were not acceptable and hopes they are being worked on.

Schoolhouse Road & Colebrook Flashing Signs

- HRG submitted the municipal signed plans to PennDOT on June 18th and are now awaiting permit issuance.
- UGI placed field marking for the gas line; HRG is confirming the location relative to the proposed pole foundation.
- The Township plans to order materials once the permit is issued.

Swatara Creek Road Improvements Project

- Construction Plans are finalized, and a draft of the bidding documents has been prepared.
- Easement exhibits are being finalized and coordination with easement acquisition is continuing. Obtaining these acquisitions has taken a little longer than anticipated but are almost complete.
- Anticipated first Advertisement for Bid to be Published on July 30th and second Advertisement for Bid on August 6th.

Solicitor's Report – Jim Diamond, Esq.

Nothing to report

Public Safety – Bart Shellenhamer

Chairman Shellenhamer stated the TMI golf outing went well, and they were able to produce a check for \$40,000.00 to the firehouse.

New Business

Steve Wzniski asked if there were any provisions added with the Township or the Schools in regard to the amount of people proposed to occupy the Falcon Crest Development.

Supervisor Hershey stated the last active report was submitted to the School District and they are looking forward to having the new students.

Mr. Wzniski asked if anything is being done with the Rugby field in the Township.

Mr. Blechertas stated the field is in a 50-year lease between the Rugby Club and the Township. There were requirements when the lease was signed in 2017 to make improvements to the field within a certain amount of time. Those improvements have not all been made. He said the field is being used periodically by the Rugby Club.

Old Business

Supervisor Hershey stated he felt that the Falcon Crest Developers would like an open discussion on some concerned issues. He said he would like to see the Planning Commission take another shot and the next time they should be asking the Board their thought pattern on how to progress with the Development.

Mr. Blechertas said that there are still a lot of concerns that will need addressed and the plan tonight was to keep it to the waivers. He said the Planning Commission has yet to review the Traffic Study, the curb and sidewalk deferrals amongst other things. Mr. Blechertas stated that they are bringing in a Phase 1 final is a huge step forward.

Supervisor Hershey stated his biggest concern is the open space and the recreation.

Mr. Blechertas noted that the Planning Commission does find that the recreation plan needs some improvement.

Supervisor Hershey stated that there is a substantial amount of dirt to move. He said that we will need to be really cautious with the inspection to make sure the dirt does not get piled up everywhere. He stated that the ordinances will need to be followed.

Mr. Brady stated there will be a lot of concerns and reviews to come down the road.

Supervisor Hershey stated his concern is where will more than 125,000 cubic yards of dirt and where will it be going.

Mr. Diamond stated that it will all need to be played out in the plan process.

Mr. Blechertas stated the developer will be dealing directly with DEP on those matters.

Mr. Pistor stated the developer came back to him and feels he is concerned about the dirt. His stated that if the developer doesn't get rid of the dirt, he is going to sell it, which means it will need to be stored somewhere.

Additional Citizens Input on Non-Agenda Items-

Mr. Kevin Little, Township resident expressed his concerns with the Falcon Crest Development. He said even though the developer got the plan in before the Ordinance was passed there is still a consequential obligation to the residents. He stated that the Board should keep the bar high when dealing with the development for he feels that it shows the developers character for he is not even considering putting a buffer on Mr. Pistor's property.

Mr. Diamond stated that as a matter of the law the bar must remain the same for everyone and they hold everyone to all their obligations.

Mr. Blechertas stated staff is holding the developer accountable. He said the plan is being looked at in detail.

Executive Session

"THE BOARD OF SUPERVISORS RESERVES THE RIGHT PURSUANT TO ACT 84 OF 1986 AS AMENDED TO HOLD EXECUTIVE SESSIONS BETWEEN THE TIMES OF THE BOARD'S OPEN MEETING FOR ANY PURPOSE AUTHORIZED BY STATUTE"

Adjournment

There being no further business to bring before the Board, a motion by Mr. Geyer seconded by Mr. Hershey the meeting was adjourned at 10:45pm.

Signature on file
Secretary