

**MINUTES  
UPPER ALLEN TOWNSHIP  
BOARD OF COMMISSIONERS  
6:30 P.M. APRIL 5, 2023**

**COMMISSIONERS**

Kenneth M. Martin, President  
Richard A. Castranio, Jr., Vice President  
Virginia M. Anderson, Assistant Secretary  
James G. Cochran, Assistant Secretary  
Jeffrey M. Walter, Assistant Secretary

**TOWNSHIP OFFICIALS**

Scott Fraser, Township Manager  
Kelly Palmer, Assistant Manager  
Andy Parsons, Chief of Police  
Jennifer Boyer, Comm Dev Director  
Barry Cupp, Sewer Dept. Manager  
J. Stephen Feinour, Solicitor  
Jason Reichard, Engineer  
Tom Shumberger, Fire Chief

**CALL TO ORDER**

President Martin called the Board of Commissioners regular meeting to order at 6:30 p.m. A moment of silence was held, and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Fraser.

**PRESIDENT'S ANNOUNCEMENTS**

President Martin shared that we had a very grave situation in our Township on March 26<sup>th</sup>. There was a fire in Canterbury Estates. Unfortunately, there was a collapse and there was a mayday call. All came out with minor scrapes and bruises. We as citizens frequently take the services of the volunteers for granted.

We had an executive session to talk about labor issues prior to this meeting. No action was taken.

**CONSIDERATION/APPROVAL OF MINUTES OF BOARD OF COMMISSIONERS  
MEETINGS – MARCH 1, 2023**

President Martin asked for any comments or corrections to the Minutes of the March 1, 2023, Board of Commissioners Meeting. There was none and Commissioner Cochran made a **MOTION** to approve the Minutes of the March 1, 2023, Board of Commissioners meeting, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

**PRESIDENT'S RECOGNITION OF VISITORS**

Neil Schier, of 7 Hemlock Drive in Webbercroft

Mr. Schier shared that he is concerned about neighbors putting trash behind their homes. He stated that he was willing to pick up the trash and take it somewhere. Mr. Fraser told him to call the Township and ask for Michael Welt. Mr. Welt can investigate.

Mr. Schier also expressed concern about the condition of Hemlock Road. Potholes are a concern. When they use cold patch, that pulls out. In the Spring, when it is warmer, we use a hot patch and roll it, that will stay. Mr. Reichard said that Hemlock is on the schedule for 2027 for a full road

rebuild. President Martin said that the road plan is evaluated every year. Mr. Fraser said he would make a point that when the engineer is in the town next time, they will go take a look. Commissioner Cochran shared that unfortunately what happens sometimes is that roads get to a certain point, perhaps quicker than we thought and at that point, the prudent financial thing to do is to let them fail. Then we rebuild them from the ground up. We spend a little over 1.5 million dollars a year on the roads. Some is spent on prevention, and some is replacing the top layer. The last thing we do is to completely rebuild a road. Mr. Reichard said Webbercroft is scheduled for full reconstruction. Commissioner Cochran said their roads have been recognized as being in bad shape, the bad news is that it is the most expensive work they can do, so they have to be staggered. When we do come in, it will be a full rebuild. Mr. Reichard said it costs \$300,000 to \$350,000 for a mile of reconstruction. (Following the meeting, Mr. Reichard corrected that number sharing that it was closer to \$750k to \$1M for full reconstruction.)

Keena Neese, of 2364 Mill Road in Bumble Bee Hollow Community

Ms. Neese addressed the recent change in trash services in her neighborhood. They had been accustomed to having their trash picked up at the end of their driveways (parking spots) and were now being required to take them to the end of the inlets on Mill Road. She brought a petition signed by 36 residents who are concerned that they now have to drag their trash cans ten times the length of their single-family townhomes than they did before. Ms. Neese shared that there are 60 homes affected by this. Many are older residents who bought townhouses for conveniences to live there in a townhouse. She said she spoke to Colton Crouthamel, Operations Manager of Republic Services, and she has heard his concerns. They have been picking up trash in the same manner for 13 years and they have never had an accident there. The first thing Mr. Crouthamel said was nothing about near misses, he told her that his boss wanted to eliminate the number of backups they do. She said the township does not plow. Vice President Castranio said that is because they are not public streets. Ms. Neese shared that no one considered the age of residents, if it snows, it is dangerous because their HOA only plows with two inches of snow or more. Ms. Neese said that there could potentially be a decrease in the value of their homes because now people will see they have to drag their trash further than other places. She stated that was going to have a huge effect on people.

Ms. Neese said she went in-person to Waste Management Offices and talked to Dan, the District Manager of Waste Management. She said she shared her concerns with him about what was going on with Republic Services. She said he told her that they are always trying to eliminate backing up for efficiency and there are some safety concerns. She asked him personally, and he said that if your customers are paying for top dollar service, they expect top dollar service. She said he told her that what the residents were expecting was not unreasonable. Ms. Neese said we are aware of the dangers of backing up on the busy road. Yes, people speed. They are probably doing 40 plus. They have kids that walk across the road. There are specific areas where there is a rise, that you cannot see up over and then there is one of those jetways coming out. We are not doing anything to mitigate it.

Ms. Neese presented a few ideas to the Board. She has spoken with Robin Roth from their HOA. Ms. Roth asked that Ms. Neese bring it forward to the Board, requesting to be considered as a commercial entity so that we can do our own contracting. If that is not possible, Ms. Neese said they are willing to concede to the number of times a truck has to back up into each road. Bumble Bee Hollow also operates other communities within Pennsylvania, and they have their own commercial contracts that they handle to include their trash companies. We have 225 residents in

Bumble Bee Hollow Community. So, they can do their own contracting. We are also willing to concede to the number of times they have to back up, back in, back out, they do that for seven roads. When she was talking to the Waste Management Director, she asked him what the fix would be. He said to put the trash on one side of the road, that way they only have to do one back up and collect it from one side. It is less of a safety concern when they are backing up. Ms. Neese asked if Republic Services would be willing to do the same. Ms. Neese shared that she has 36 people that want the Township to make a decision to fix this. We feel it is unjust and there was no decision considering the health and well-being of the residents.

Ms. Neese also brought up the amount of traffic that comes through because of the apartment complexes and the people speeding and the children that are in there. She said that in other sections, they are not homeowners and do not have empathy, because they are just renters. She suggested potentially putting in raised walkways for our children who reside there, because people are speeding. President Martin said now that you brought it to our attention, we will address it in the Public Improvement Committee. Ms. Neese said the residents and the HOA were never asked if the new policy was ok. Vice President Castranio said that nothing was changed in the contract, taking things out to your curb has been in there for a while. Ms. Neese said that her curb is at the end of her driveway. Commissioner Cochran said that he has gone out to look at it. There are several stub streets similar to yours in your development and the other six, what do they do – they take their trash to the end of the street. Ms. Neese said there are seven jet ways that do that. Commissioner Cochran said that you were the only one for some reason was not doing that. The other streets are in a similar situation like yours have been since the beginning, bringing their trash out to a common location.

Ms. Neese said she told Republic Services that she is 80% disabled from the military and she cannot physically move it. She has proof of that. Commissioner Cochran said that they should come to your door to pick it up. Ms. Neese said they do. When she told Mr. Crouthamel that she was not the only one with a disability, she said that he said, we do not want to open this up to everybody. Ms. Neese asked Mr. Crouthamel if he did not care about the residents and the 85-year-old neighbor across the street or the two about to get knee surgery. President Martin said we will not take action tonight but thank you for bringing it to our attention and suggesting some alternatives.

Vice President Castranio said we can look at speeding. Chief Parson said they can do a traffic study for volume and speed. President Martin said he is assuming that your HOA would be willing to have a conversation and work through things.

**Update:** The Township spoke to Republic Services, and they agreed to Ms. Neese's suggestion of backing up once into the inlets and picking up the trash on one side. This response was conveyed to Ms. Neese. Republic Services will convey this to the affected residents.

Lowell Gates, of 1140 Gettysburg Pike

Mr. Gates shared an update on the Shepherdstown Crossing project. The roadwork will be broken up into two phases. Phase 1 will be Gettysburg Pike from the CVS to York Street. Kinsley has been issued the contract looking to start approximately April 17<sup>th</sup>, getting the equipment in. The telephone poles along the 7-Eleven site have been shifted back to allow for the widening of the road. The telephone poles along Shepherdstown Crossing are being shifted back now. The old poles will be removed. Phase 1 will take until June 30<sup>th</sup>. That will depend on the weather. Phase

2 will be Market Street from Gettysburg Pike all the way to the traffic light on the east side of the Rt 15 overpass. It will be widened, and an additional turn lane will be added. The bidding of phase 2 will occur in the next week or two. Phase 2 will likely start around June 1<sup>st</sup>, completed roughly mid-August. They are pressing Kinsley to have it all done before school resumes in the fall. The clock tower does not currently have electric power, with moving all the poles, we had to take down the fence. It will be re-energized hopefully in about two weeks. The power lines in front of the clock tower are being buried for better visibility. He thanked President Martin and Vice President Castranio for going to a meeting with PPL. PPL agreed to help bury lines. Chick-fil-A site work should be done by June 30<sup>th</sup>. Chick-fil-A will be starting their building mid-July. The road going back to Daybreak will be done roughly June 30<sup>th</sup>. Pastor Jacobs and Daybreak Church have been great partners. The Chick-fil-A should be open 120 days after July 15<sup>th</sup>.

Mr. Gates said the apartments will come in the fall. He shared that the 7-Eleven right hand only turn is being finished up right now.

### **CONSENT AGENDA**

#### **FINANCIAL SECURITY REDUCTION FOR MILLS AT SHEPHERDSTOWN, UAT FILE 321-04-01**

The Township is holding a Letter of Credit for \$1,904,754.50 to guarantee installation of the improvements in the above-referenced development. The Developer will also be making certain improvements on behalf of Chick-fil-A, which is shown on a revised subdivision/land development plan within the Mills at Shepherdstown (UAT File # 22-07-05); therefore, the financial securities will be combined. The total revised cost estimate, which includes the improvements for Chick-fil-A, is \$2,138,092.00.

We have received a request from the Developer's engineer requesting a reduction in the financial security posted for the above-referenced plan, since certain improvements have been completed. Enclosed is a copy of their reduction request. We have inspected the improvements completed through the date of the request and have found the developer has installed some improvements in accordance with the approved plans and specifications. Therefore, the Board of Commissioners can authorize a reduction in the financial security posted by the Developer with the Township.

As provided in the Municipal Planning Code Section 509(j) and Section 509(f), we suggest that the Board of Commissioners retain 10% of the estimated cost of the completed improvements and 110% of the estimated cost of the remaining improvements to be installed. Therefore, the developer should be required to post new financial security for \$1,799,842.00.

When all improvements are completed and the developer dedicates any improvements to the Township, and before the Board of Commissioners accept the dedicated improvements, the developer will be required to post with the Township financial security in an amount equal to 15% of the installation cost of the improvements for a period of eighteen (18) months.

Vice President Castranio shared that he will abstain from voting as he is employed by the Developer's Engineer.

Commissioner Walter made a **MOTION** to approve the consent agenda, **SECONDED** by Commissioner Anderson. The motion passed unanimously.

## **PUBLIC SAFETY COMMITTEE**

### **POLICE DEPARTMENT UPDATE**

#### **CONSIDERATION/APPROVAL TO GRANT PERMANENT STATUS AS OFFICERS WITH UPPER ALLEN TOWNSHIP POLICE DEPARTMENT TO OFFICER AMANDA KNAUB AND OFFICER DANE TRAVERS**

Officer Knaub and Officer Dane Travers successfully completed their Field Training on March 24, 2023. These two officers were on probationary status with the Police Department since graduating from the Police Academy a year prior.

The Department's Field Training Program is challenging and designed to see how a probationary officer can work under pressure while handling a variety of incidents. Each of these officers impressed the Department with their dedication, ability to learn and adapt, and the positive way in which they each interact with citizens and other officers of the department.

Sgt. Thomas Dombroski, the coordinator of the Field Training Program, along with Lt. Brian Barnes recommend that these two officers be given permanent status with the Department and Chief Parson agrees.

Commissioner Walter made a **MOTION** to grant permanent status as officers with Upper Allen Township Police Department to Officer Amanda Knaub and Officer Dane Travers, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

### **FIRE DEPARTMENT UPDATE**

Chief Shumberger thanked everyone for the words of encouragement with the Hasting's fire. He thanked the Upper Allen Women's Club, Vito's and Mission BBQ.

He said a lot of good came out of a debriefing session. The 911 center is going to change the way they do things. There will be more ambulances when we have firefighters trapped.

## **PLANNING AND ZONING COMMITTEE**

#### **CONSIDERATION/APPROVAL OF AUTUMN CHASE PRD, FINAL PHASE V PLAN**

The proposed project is for the development of Phase 5 within the Autumn Chase PRD. The Phase 5 plan proposes the construction of 35 single-family detached dwelling units, the preservation of 6.17 acres of private open space for the development community (known as Open Space Lot # OS-8), and the construction of 2,550 linear feet of new roadway. The roadways within Autumn Chase, known as South Fall Harvest Drive, South Autumn Chase Drive, and Coral Bells Drive, will be offered for dedication to the Township.

There is a small portion of the property (0.18 acres) which is in the 100-year floodplain; located where Hertzler Road crossing under the railroad tract and within the open space lots. No development is scheduled to occur within this area. There is also a stream which runs along

Hertzler Road. No steep slopes exist within the proposed development area.

The Autumn Chase PRD tentative plan was approved on May 8, 2012. The proposed use of the subject property is consistent with the Upper Allen Township Zoning Ordinance and Comprehensive Plan. As part of an approved Developer's Agreement, the Applicant is required to submit plans for improvements to Hertzler Road and the construction of a greenway trail along the Township's greenway property (adjacent to the railroad track) along with the submission of the Final Phase 1 plan. The Applicant has submitted the requested material, which is on file at the Township office.

The Applicant received approvals of several waivers and modifications on February 15, 2012.

Joel McNaughton, Hertzler Road Associates L.P.

Mr. McNaughton shared that this is Phase 5. This is the second phase on the south side of Hertzler Road. Phase 1 is largely built out. Phase 3 is largely built out. It included 39 single family homes. It is approaching half the way sold. The sitework is going on at Phase 2. This will include the first townhome and duplexes on the site. Phase 5 contains 35 singles; these are slightly smaller lots. With the completion of this phase, we will have four different product types. We have caught up with improvements. The last item is the piece of Hertzler Road under Norfolk Southern Bridge. President Martin said that if you go from Klinedinst into Allen View area, Hertzler Road is in very nice shape excepted under the Norfolk Bridge. Rather than wait two years, we paved the road and hopefully, someday we will be able to repave under the bridge. That is no fault of developer or Upper Allen township. Mr. McNaughton said that additional trails will be constructed with Phases 2 & 5. The overhead powerline will also be done with Phases 2 & 5.

Commissioner Cochran said that it has been great working with Autumn Chase. You have stepped up to the plate and it has been a pleasure working with you.

Commissioner Anderson made a **MOTION** to approve the waiver request for Section 220-9.C(2)(o) requiring contours to be at one-foot vertical intervals or as authorized by the Township Engineer. Most contours will be at two-foot intervals, **SECONDED** by Commissioner Cochran. The motion passed unanimously.

Commissioner Anderson made a **MOTION** to approve the waiver request for Section 220-10.B(2)(b) requiring cross section details of right-of-way, cartways, sidewalks, and utility mains. The applicant will be required to provide cross-section details for the Hertzler Road improvement, **SECONDED** by Vice President Castranio. The motion passed unanimously.

Commissioner Anderson made a **MOTION** to approve the final Phase 5 plan for Autumn Chase PRD, UAT File #23-03-01 with the following conditions:

## **SUBDIVISION, LAND DEVELOPMENT & ZONING**

1. Pipe sizes and the location of valves shall be shown for the proposed water distribution system, per Section 220-10.B(2)(c) of the Subdivision Land Development Ordinance (SLDO). The water utility must also be shown on the street and utility profiles. We acknowledge that a design for the water distribution system will be provided, and plan revisions will occur upon conditional plan approval by the Township.

2. The landscaping plan identifies 29 evergreen trees around the bottom area of Stormwater Basin #5. A Buffer Yard 3 planting is required since the stormwater basin abuts Pennington.
  - a. We measured the length of the basin as being approximately 220 feet in length. Per Section 220-26.B(1)(g)[5] of the SLDO, a total of eight (8) shad trees, 22 evergreen trees, and 22 deciduous or evergreen shrubs are required. As previously approved with the Autumn Chase PRD and indicated in General Note # 28 on the Cover Sheet, if a final plan proposed fewer trees/shrubs than the Ordinance requires, those additional trees may be planted in open space areas and/or adjacent to or along the Greenway Trail, as directed. The plan shall note whether additional plantings will be provided along the stormwater basin, in open space areas, or along the Greenway Trail.

## **SANITARY SEWER**

3. On Sheet 8 of 21 – Street and Utility Profiles, the following shall be corrected:

### **S. Autumn Chase Drive Profiles**

- a. Revise pipe slopes as follows:
  - i. MH G13-28 to G13-29 – 0.68%.
  - ii. MH G13-29 to G13-30 – 0.63%.
  - iii. MH G30 to G13-31 – 0.64%.
- b. Revise pipe designation to 8” SDR 35 PVC for the following sections:
  - i. MH G13-27 to G13-28.
  - ii. MH G13-28 to G13-29.

## **GENERAL**

4. Sheet 12 identifies West Hanover Township as having the right but not the duty to enter the premises and repair a stormwater facility, under the “Operations and Maintenance Notes” and Property Ownership O&M and Township Right of Entry Note” (Line 5, 1<sup>st</sup> Paragraph). The revised plan should be corrected to say Upper Allen Township.

*Note: Correspondence from March 8, 2023 said the name was corrected, but the plan still identifies West Hanover Township.*

5. Per the tentative plan approval for Autumn Chase PRD, “All structures and buildings will be located at least fifty (50) feet from the property line”. This setback applies to all structures, including accessory structures. It is recommended that the property lines for Lots 84 and 85, and possibly Lot 86, should be adjusted so that they do not overlap with the 50-foot required tract boundary line. This 50-foot setback boundary could affect permits for the future property owners (e.g. placement of a fence). If the property lines are not adjusted, a note on the Cover Sheet shall be added stating these lots may not place any structures within the 50-foot setback boundary area.

## **ADMINISTRATIVE**

6. The Applicant shall obtain approval of the planning module for new land development or approval of an exemption from the planning requirements from the Township and PA DEP in accordance with the requirements of Section 220-20.A of the Codified Ordinances of Upper Allen Township and pay all applicable application and tapping fees in accordance with the requirements of Section 200-15.D(8) of the Codified Ordinances of Upper Allen Township.
7. The Applicant must enter into a Reservation of Capacity (ROC) Agreement with the Township and pay the appropriate ROC fees, or, pay tapping fees for the number of approved EDUs.
8. The Applicant must enter into a Sewer Extension Agreement with the Township and furnish the required \$1,000.00 escrow for plan and legal review costs, provide plats and legal descriptions for sanitary sewers to be located outside of the public rights-of-way, furnish the required escrow amount for inspection and related costs, and provide appropriate installation financial security for the sanitary sewers.
9. The Applicant shall enter into a Stormwater Best Management Practices Maintenance Operation and Maintenance Agreement with the Township and pay all applicable fees, in accordance with Section 214-20.E of the Codified Ordinances of Upper Allen Township.
10. The plan shall note separately the modifications and waivers granted by the Board of Commissioners including the date in which such action was granted, in accordance with Section 220-10.B(3) of the Codified Ordinances of Upper Allen Township.
11. The Applicant must sign the plan and have the signatures notarized according to Section 220-9.C(2)(dd) and 220-10.B(1)(a) of the Codified Ordinances of Upper Allen Township.
12. The Applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-10.B(1)(b) of the Codified Ordinances of Upper Allen Township.
13. All plans, profiles or drawings required under the provisions of this chapter shall include a certification by a Pennsylvania-registered professional engineer attesting that all elements of the plan are in conformity with the Township Code and applicable state regulations, as required by Section 220-15.N(3) of the Codified Ordinances of Upper Allen Township.
14. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-13 of the Codified Ordinances of Upper Allen Township.
15. The Applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to insure construction of the improvements and/or concrete monuments shown on the plan, and the applicant must enter into an agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-13 of the Codified Ordinances of Upper Allen Township. The financial security shall



contain the provision that the Township shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.

16. The Applicant must also furnish financial security to the Township in an amount equal to 10% of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-52.B of the Codified Ordinances of Upper Allen Township.
17. The Applicant shall obtain final water main design approval from Veolia Water Company and furnish to the Township an updated design plan.
18. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions and regulations as may be in effect from time to time concerning the proposed development.
19. The Applicant shall pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.
20. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of approval by the Board of Commissioners or the plan will be considered disapproved. Since the final land development plan is approved with outstanding conditions, the signature block for the Upper Allen Township Board of Commissioners shall state the date in which the conditional approval is granted. A second line shall be added to state, "The conditions of approval were satisfied this \_\_\_\_ day of \_\_\_\_\_, 20\_\_."
21. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), MAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.
22. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide copies of any declaration of planned communities/condominium documents (including amendments). The county Planning Department will not sign final plans until these files have been provided to them.
23. The Applicant shall comply with all other applicable conditions as set forth in the PRD Tentative Plan Finding of Fact dated May 8, 2012.

Since there are conditions on the approval of this plan, the plan will be rejected unless the owner/applicant agrees, in writing, within thirty (30) days, to comply with and abide by the specific conditions of approval.

**SECONDED** by Commissioner Walter. The motion passed unanimously.

**CONSIDERATION/APPROVAL OF LEGACY PARK, PHASE 4**

Legacy Park is a mixed-use development project located in Mechanicsburg Borough. Legacy Park, as part of their Phase 4 plan, is proposing to realign a portion of Allendale Road, along with other improvements. They are also proposing to vacate some existing right-of-way and add-on the land to existing Upper Allen Township properties. Since a portion of Allendale Road will be realigned, some existing properties within the township will be accessed via a new cul-de-sac (instead of Allendale Road), which will be owned and maintained by the Borough of Mechanicsburg. No new streets are proposed within the township.

**TIMELINE**

The following table presents the review period timeline for the above referenced application.

<b>PLAN REVIEW PERIOD</b>	<b>CURRENT DATES</b>
Application Date	12/20/22
Review Period Beginning Date	01/19/23
Last Available Planning Commission Meeting	03/27/23
Last Available Board of Commissioners Meeting	04/05/23
Review Period End Date	04/19/23

**OTHER AGENCY REVIEWS**

The Applicant has been working with the Township since May 2022 to discuss the proposed road realignment, to which various staff/agencies have provided input. The submission of the most recent plan was sent out to staff on December 20, 2022. Any outstanding comments are included in this report.

<b>AGENCY</b>	<b>SUBMISSION OF COMMENTS</b>
Community Development Department	06/14/22; 09/27/22; 01/13/23
Township Engineer (C.S. Davidson, Inc.)	06/03/22; 09/26/22; 01/23/23
Traffic Engineer (TRG, Inc.)	06/01/22; 01/19/23
Sewer Department	05/24/22; 09/01/22
Police Department	09/01/22
Public Works/MS4 Coordinator/MS4 Manager	05/25/22
Cumberland County Planning Commission	09/26/22

Jen Boyer said this development is entirely in the Borough of Mechanicsburg. The reason they are coming before the Township tonight is that on the backend of the development in their phase 4 plan, they will come out to Allendale Road and they are proposing a realignment of Allendale Road and in doing so they need to create a new cul-de-sac and on the plan before the Board tonight it is labeled as Winslow Court although she has been told through further conversations with the

Borough, that will now be called Allendale Road Extended unless there has been a further update with conversations with the Post Office. Because of realignment, there is a vacation of a portion of Allendale Road and that Right of Way when it is vacated, that land will be put back to some property owners. Some of the property owners are residents within Upper Allen Township. They will be acquiring additional land which will change to the lot lines. Therefore, the developer for Legacy Park is here before the Board tonight because of those changes to those lot lines. It translates over into a few properties in the township. They also need our approval as well as receiving the Borough's approval for this Phase 4 plan.

Commissioner Cochran asked Ms. Boyer if Allendale Road used to have a portion that was half ours half the Borough, does this change that? Ms. Boyer showed the municipal boundary line. Currently, Allendale Road makes an "S" turn. The new road, because Legacy Park's property comes up, they are taking a part of their property and softening those sharp turns and creating the new portion of Allendale Road. The new cul-de-sac road will be maintained by the developer and then turned over to the Borough. Commissioner Cochran said we are cutting off roadways the Township is responsible for. We will have to go through the borough to get to some portions of Upper Allen Township to plow. Vice President Castranio said we have two property owners who have to rely on the Borough to plow their road.

Ms. Boyer said that with this realignment, they have been talking with the developer about tying in the new part of the roadway into our existing portion of the roadway and continuing the extension of sidewalks along this portion of Allendale Road. We do have sidewalks that stop/start at Eric, we also have sidewalks that are at the Melbourne Development. When we talk about Melbourne, there was concern from residents about the sidewalks and what the developer wants to do. The last thing we wanted to do was to eliminate areas where we have sidewalks and then people have to get out into the street for a short amount of time and then get back on sidewalks. That poses a safety hazard for vehicular and pedestrian traffic. Ms. Boyer shared that the Board had a copy of the Planning Meeting minutes that had resident comments.

Jamie Strong of 2176 Canterbury Drive

Professional address is 100 Pine Street with McNees Wallace and Nurick

Mr. Strong said that Ms. Boyer provided a good overview. He said there are two things before the Board for Discussion. One is Phase 4 plan for Legacy Park. We are talking about improvements that are in the northeast boundary line. That entails the realignment and straightening of Allendale Road. Instead of that "S" curve, it will now be straightened and come through gradually. The other part, in terms of improvements, Veolia is having Landmark upgrade an 8-inch water line to 12-inch. That is to remedy low pressure issues that exist currently. That affects residents of the Borough and the Township. That waterline work is within Allendale a little further to the northeast. To do that work requires that the street be open. It is our understanding that it was paved less than five years ago, so we need the approval of the Board of Commissioners. With respect to the plan and the offsite improvements, as Ms. Boyer mentioned, not only is it the roadwork that has been proposed, but we have also proposed sidewalk on either side of Allendale to connect to the existing sidewalk on either side of that road. In conjunction with that we would be improving the driveway aprons. The proposal would be to pave them which would be a change in the notations in the plan. A sidewalk is proposed and the improvement to Allendale Road to accommodate that change in the alignment of Allendale Road. All those improvements are depicted on the Phase 4 plan and that is what we are here tonight requesting approval of as was mentioned, the Planning Commissioner did recommend approval of the plan at their meeting last

month and Borough Council has conditionally approved the Phase 4 plan.

Commissioner Cochran asked if on the original plan, that was a stormwater management plan that is now turning into three new residences. Mr. Strong said yes. Commissioner Cochran asked why that switch was made? Dave Shrader, of Landmark Homes, said the reason that was switched was when we did stormwater management testing out there, for all of the BMPs that we were doing, we did testing in that area and because of the shallow bedrock we were not able to provide filtration in that area. We were able to provide other accommodations to meet the DEP requirements for infiltration within Legacy Park. President Martin asked if they are still caring for stormwater, but it is just in a different location. Mr. Shrader said yes. There is going to be a small triangle piece with a stormwater system there. Commissioner Cochran said that when you were in front of the planning commission, the discussion was that because of the rock it was not suitable, but we are going to put homes in there and must dig basements in that same rock. He asked if they are planning on blasting in there. Mr. Shrader said they will have to cross that bridge when they get to it. Commissioner Cochran said it is a real concern of people living across the street. Mr. Shrader said they understand that and typically, a blaster that goes through all the efforts regarding following all the DEP protocols, notifying neighbors, all that information is provided, and they do all the required evaluations around the site if it is needed. Commissioner Walter said that if the Township approves this plan, then you have the greenlight to blast going through the steps that you just denoted. He said there would be nothing for us to say, we really do not want to see blasting in that area. President Martin said we could put a condition on it. Mr. Shrader said if you would want that as an alternative vs hoe ramming for hours, that would be the other option. Commissioner Cochran said they both have their downsides. Mr. Shrader said it could be over in five seconds or it could take five days. Commissioner Anderson asked that since you cannot use those three lots due to the ground structure, you are moving the stormwater area, is that going to be moved into Upper Allen property or the Borough. Mr. Shrader said it will be directed into the Borough and the stormwater management system that we have in place. He said the Borough's engineer has reviewed that. Vice President Castranio asked if it went to Cedar Run and Mr. Shrader said that was correct. Vice President said that goes back to Upper Allen Township eventually. President Martin asked if the area of Allendale Road that would be vacated between the new Allendale Extended and the area existing toward Melbourne, there are no current driveways or property access over that section of road? Mr. Shrader approached the President and showed him on a map.

Commissioner Anderson asked about the sidewalk, with the rocks that were there in their driveway and how that would work. Commissioner Cochran said the homeowners' driveways were built on a rock shelf. Mr. Shrader said their engineer has looked at it and thinks that all the sidewalk on either side can be done at grade with the existing conditions. He said that eliminates the need to grade farther into the properties. It minimizes the disruption. President Martin said that to him it is important to have a walkable pathway from Jenna the whole way up to Melbourne because people are going to be going both ways to get into the Borough for services or recreation as well as maybe coming up to Legacy commercial area. He said he reacts negatively to forcing people onto the street off sidewalks. Mr. Shrader said they will tear the road out and get it up to grade. The entire road will be removed from the site, topsoiled and seeded according to the grading plan.

Commissioner Cochran said he expressed his concerns following the planning commission, that the Township tends to see plans for Legacy Park and changes are made and we are not aware of them. He does not think Legacy Park has been a particularly good partner with the Township. We

saw a plan that said the main entrance would be three lanes, left-hand turn, right-hand turn and inbound and it is not to this date. All it would take is some striping and some painting, but instead it is two lanes. We saw plans that said no commercial establishments would go into until there was a light. We were told, we renumbered it, so we did not cheat you, it is just that it is not the number eight we showed you when we showed you the plan. I really have very little confidence in the developer. Commissioner Cochran said he would like to see them fulfill some of their pledges that they have already made before we go out and do other things with them.

Commissioner Anderson said she goes along with what Commissioner Cochran said too. She knows the Borough was to make sure a light was put in and that has not happened. She has gone to the coffee place in Legacy Park. She said she sat for 14 minutes to pull out on the street. That is a little bit in excess and the traffic light was supposed to be, the Borough has not done it.

Mr. Strong said with respect to the traffic signal, that is a PennDOT road, we cannot put it until it warrants. Commissioner Cochran said he understands, but that does not address the issue that you changed the numbering, you got around that. You told us one section was going to be commercial and nothing was going in there until the light was in. The Township agreed to everything and then you changed the numbers, so we are still not doing number eight, but the commercial is all coming in. Mr. Strong said as it was noted, there were originally eight phases proposed for Legacy Park, it has been doing well, so it justified accelerating the phasing plan. There are now five total phases for Legacy Park. There was consolidation of some of the phases. He said that was all that was happening there. President Martin said good, but don't you think in retrospect we would have been told that. Mr. Strong said he can certainly let the Landmark people speak about that point.

He said in respect to the traffic signal, the warrants have not been met. It will be the Borough's traffic study. It will be installed when the warrants are met. The Borough will be the owner of the signal. What we have agreed to with the Borough is when 65 building permits are issued for Phase 4 that an updated analysis will be done. After 130 have been issued for Phase 4, another updated analysis will be done to see whether at each of those intervals, the warrants are met for the installation of the traffic signals. He said they cannot install it unless PennDOT says it can be. Mr. Strong said one thing that Ms. Boyer pointed out in her memo is that the Phase 5 plan has been submitted to the Borough, what hypothetically happens if Phase 5 goes gangbusters and Phase 4 is slow. He said he thinks it is fair to look at the 65 building permits and the 130 building permits collectively for Phases 4 and 5. If there are 40 permits issued for Phase 5 and 25 for Phase 4, that would get it to 65 and the analysis would be done. Commissioner Cochran said his understanding the deficiency in the warrant is the volume of the traffic. Mr. Strong said there are several different warrants that the traffic engineers will look at, but his understanding is that the average daily trips do not currently do not meet the warrant. Commissioner Cochran said we will help that out tonight, because later, we are going to make Despina one-way and that should force more traffic out through Market Street. President Martin asked Mr. Strong if he is making that as part of the agreement. His suggestion of combining Phases 4 and 5 to get to that 65 threshold, he said he thinks that makes sense. President Martin asked if that is an agreement or pledge. Mr. Strong said it can be a condition of the Phase 4 plan approval. He said they are happy to do that, and he does not think the Borough would have any objection to that. We have already agreed to the 65 and 130 with the Borough.

President Martin asked about the striping at Legacy Park Drive and South Market Street. Commissioner Cochran said the plan the Township saw originally had two lanes out. One was a

left-hand turn, and one was a right-hand turn lane with one lane in. He said it is three lanes wide, but you only allow traffic on two and have striped out the third lane. Mr. Shrader said that PennDOT required us to do that. The inspector that was out on site and per the plans, that is what we constructed. He said Commissioner Cochran was correct in what he was saying. They were instructed by PennDOT and per the design. He said the striping was originally put in, incorrectly. The inspector made them take the striping out and re-stripe it according to the plans and according to how he wanted it done. He said the contractor was here tonight and he could vouch for that. We did not do it because that is what we wanted to do, we did it because that was what we were told to do.

Commissioner Cochran said that what it has done is raise traffic counts in Township neighborhoods by almost 50% because people do not come out that way because they stack for 10 to 15 minutes on a busy day trying to get out, so they go out the back. President Martin asked if he was correct that the original plan we saw, did in fact show the three lanes. He is wondering if the Borough, the plan they approved originally, if they have shown three plans, he does not think PennDOT can come and trump an approved plan by a municipality. Mr. Reichard said that he cannot verify that without a plan in front of him, but he thinks the situation is the Township saw a finished plan with a traffic signal that had each lane delineated and this is an interim phase of just a pure line striping plan in advance of when that signal gets installed.

President Martin said it just feels like an awkward unsafe condition before we get there. You think that PennDOT would not see the value of the suggestion we made of restriping that? Commissioner Walter said that being that it is at a stop sign and not currently a traffic light, the person pulling up on the right side with someone wanting to turn left, their site line is impaired and that is probably why the engineer made that decision. Mr. Shrader said he is not a traffic engineer, this is what we are left with at this point, it was in conjunction with the Shepherdstown Road improvements that we did and the line stripping at Sheetz that we did. Commissioner Cochran said you put in the light that we have been maintaining.

Reed Martin, from Concept Excavating

Mr. Reed Martin said that what you guys are saying is exactly what happened. In the field, he got the plan that had the intersection as the final and he was a bit confused as well, but per the direction of the PennDOT plan, we were directed to put it in exactly as it is currently due to all the regulations and specific specs. Whether they would go back and re-evaluate that, now that it is in a different condition, he cannot speak to that. He knows that this was in as per plan, we did multiple walkthroughs, he was moving signs 2, 3 inches back from the curb. He said he can confirm that everything is in as per code. It is not final, but he thinks that discussion is coming down the road.

President Martin said it still is an awkward situation until we get to a final. Commissioner Cochran asked what it was they had agreed on. President Martin said we have an agreement that the 65 permits and the 130 permits, those two thresholds, in terms of relooking at the traffic study, will be done with a combination of Phases 4 & 5. We have agreed on that.

Commissioner Cochran wants to see the agreement in writing, with what they have agreed to tonight before he votes on it. Mr. Strong said he thinks it is summarized as one of the Township's conditions of a motion in the staff memo. Ms. Boyer said condition #5, the Borough's recommendation of warrants analysis after 65 and then 130 building permits and then Ms. Boyer recommended that it is regardless of development phase. That would include 4 & 5. Mr. Strong

said that to address Commissioner Castranio's point as he understands it, when that analysis is done, that it be provided to the Township as well as the Borough. He said that is acceptable.

President Martin said we agreed that with the rebuilding of the new Allendale Road, the area in front of the existing homes that do not have sidewalks, they will have sidewalks constructed by you. Mr. Strong said it would be to extend the sidewalks, so they meet the existing sidewalks to the northeast on Allendale Road. That is what is depicted on the plan before the Commissioners.

Vice President Castranio asked if he heard that they not be concrete. Mr. Strong said the driveway aprons. There was a question about whether the driveway aprons would be concrete vs paved. They are proposed to be paved. The sidewalks would be concrete.

Ms. Boyer said that when we were talking about the sidewalks, we had also brought up concerns about the ADA ramps. With the initial discussion, you had indicated that you were not willing to do the ADA ramps, she asked if that has changed. Mr. Strong asked if we were talking about the Temple driveway and then on the other side of Eric Avenue? Ms. Boyer said there was a question at the driveway with the Temple, whether they needed ADA ramps because the details were missing. The intersection of Eric Avenue does not have ADA accessibility so when you make those upgrades and add in that sidewalk, we require that it be ADA compliant. That was where the discussion ended. Mr. Strong said in looking at the existing grade on either side of the Temple driveway, we think that the sidewalk on either side can meet that driveway at grade. There would not be a need for ADA ramps for the sidewalk to meet the driveway, they would be at the same grade as the driveway. There is a development agreement that is proposed and would be required. Any of those final details could be included in that development agreement. If the Township engineer looks at the grades and disagrees, we can talk about that and then work out how that would be resolved. At Eric Avenue, we are proposing a sidewalk that would extend up to and terminate at Eric Avenue. He said there is an existing sidewalk on the other side of Eric Avenue that does not have an ADA ramp. It is curved and ends there. We were not proposing to touch that sidewalk, we were not proposing any changes or improvements to that portion of the sidewalk. We are simply just extending up out of Legacy Park to Eric Avenue so there is full sidewalk for that length of the road.

Mr. Reichard said the comment was for another corner of Eric Avenue where you are tying into existing walkway, there is not a ramp that exists at that point. Mr. Strong said that in the section where they are installing the sidewalk, they would do an ADA ramp.

Mr. Reichard wanted to make sure the Board is clear that the sidewalk is following the existing grade. There will not be a construction in traditional terms where there is curbing, a grass strip that is elevated with a sidewalk. This is all flush, basically at the same level as grade and/or the roadway throughout this. That was part of the reason we did not encourage concrete aprons because they are traditionally a transition from that elevated level down to the roadway. There really was not a need for that. Mr. Reichard said that from an engineering perspective, he prefers to see it follow our standard construction practices with a curbing and having an 8-inch buffer, he thinks it is a safety provision for pedestrians that are walking parallel or adjacent to the roadway. It does create some issues regarding stormwater, some tie-ins with driveways and properties in this area. It was one of the items we mentioned that did not come up for detailed discussion. Mr. Reichard said it is the same condition on the Temple side and the other side. President Martin said that from Melbourne down, we have curbs and sidewalks, correct? Mr. Reichard said that stretch has about

an 8-foot grass buffer, but it does not have a curb. The portion of Allendale that will be in the Borough does have a curbing, grass strip and sidewalk and then the curbing is terminated once it hits the township line. The grass buffer decreases the closer you get to the Borough boundary.

President Martin asked if there would there be any consideration of putting curb and sidewalk on that side of Allendale? Mr. Strong said the comment was made that the curb stops at the municipal boundary line, and he is not an engineer, but his understanding is that the curbing ends where the road realignment starts, so that is in the Township. That is why it ends there because that is where the roadway is being realigned and the street work is already being done. What we are talking about is to the northeast of where that roadway realignment work is starting and when you do the sidewalk at grade, you avoid dealing with all those other related issues. Stormwater was mentioned and you also start running into right of way issues potentially. Mr. Strong said that one of the comments that was in the memo was that there are two tapers that the road narrows and then comes back out again, it is 24 feet to 26 feet. It is not significant, but the question was could you carry that 26-foot width to this point so that there is only one taper. We think we can accommodate that, and the sidewalks as proposed within the existing ROW, but when you start talking about setting the sidewalks back farther, curbing, stormwater improvements, grading back farther into the parcels, now you are looking at improvements outside of the ROW potentially. These are all off-site improvements that are being proposed. It is good, we talked about making those sidewalk connections, having that pedestrian activity, but it is not as easy to say, “for this section upgrade it to Township street standards.”

Vice President Castranio asked if there was not a municipal boundary there, would they have made you carry that road section all the way to Eric Avenue. Mr. Strong said he did not know. Part of that issue becomes ROW width – you cannot go outside of the ROW to make improvements even if you think they may be good improvements to do. That is certainly an issue. His thought is that some of those details we could work out between the engineers memorialized in the Development Agreement that has been proposed – that the Township and Landmark enter into. President Martin asked Ms. Boyer if there will be a Developers Agreement and if it has to be signed before the plan is recorded. Ms. Boyer said that was correct and was condition number six.

Commissioner Cochran said that he is concerned about condition five. It says that a new analysis shall also be completed if there are any changes to development plan or changes in the traffic patterns in the area. He asked if that is correct? Any change to a development plan, we get a traffic analysis? Ms. Boyer said that is what she wrote. It also says a date certain shall be stated as to when construction of the traffic signal and any necessary intersection upgrades will be completed once the warrants are met. He asked Mr. Strong if he agreed to them. Mr. Strong said that a “date certain”, that we cannot say a date certain, because we do not know when those warrants will be met. He thinks what is intended there is ok, once the warrants are met, then the traffic signal will be constructed within “x” number of months from when the warrants are met. It is not a date certain as in a calendar date. We need to work out in the Developers Agreement what that period of time would be. With respect to the statement before that, he would read “reasonableness” into that. A revised plan is submitted to the Borough that changes a stormwater basin, that has nothing to do with traffic so why would that trigger another traffic analysis. He understands the Township is proposing a one-way proposal. He does not think that would trigger a traffic analysis. You would want to wait to see if it is having an impact once traffic patterns change. There is an element of reasonableness read into that sentence so that it would not be absolutely every change that is made to the plan would trigger traffic analysis. One other comment



on condition 6. Six a is fine, 6b is an Upper Allen Township welcome sign to be part of the Borough of Mechanicsburg. He does not know that we can unilaterally commit to that. We can follow up with the Borough and see if they are ok with that and if they have no objection, then we are certainly able to do that. The idea there is that the Borough has requested a "Welcome to the Borough" sign so that as you are heading in on Allendale Road, there would be a sign. His understanding is that if traffic is heading the other way, on the back side, would be a "Welcome to Upper Allen Township" sign. Before we could say that we would have to get the Borough to say that is ok. We are willing to work on it, but he would not want it as a mandatory condition. President Martin said that if the Borough was not agreeable to it being on the back of their sign that they could put up a separate sign. Mr. Strong said he thinks there is room on lot 55. It is a lot. That is a possibility, but he thinks it would be more working with the Township to come to an agreement on a "Welcome to the Township" sign. He said there is no opposition to the sign concept.

Mr. Strong said that condition 4, it talked about BMP 7 and there was a question about whether the Borough engineer reviewed and approved the design, and the answer is yes. It is met.

Commissioner Anderson said that you need to realize that we have felt with this project, even though a lot of it is not in the Township, we have felt that we have been completely ignored.

Austin Cassell, of 914 Allendale Road

Mr. Cassell wanted clarification as to whether we even need the sidewalks and asked if the resident assumes ownership and maintenance. President Martin said we can require sidewalks when it is deemed appropriate. There is a thought that residents from other areas are going to be wanting to walk into the Borough or Legacy Park would think it is safer on a sidewalk vs a road. He said that the residents will then own the sidewalks for maintenance purposes, just as everyone else in the township who has a sidewalk. We are arranging that the developer would be responsible to at least install them so that initial capital cost would not be the residents. His driveway width needed to be brought to code. Commissioner Walter said it was discussed at the Planning Commission meeting. He looked at the property and he was on the fence. It is a long width to walk. Mr. Cassell said that before he bought his house six years ago, he came to the Township and asked about sewer, water, sidewalks and curb and was told no, no, no to all those things by the staff. President Martin asked if he was on private water and sewer and Mr. Cassell said yes. President Martin said he did not know what was told in terms of the driveway, I guess it is existing and it was deemed acceptable. If you were building new, it seems awfully wide, but personally it does not bother him, and Commissioner Walter said it is the same for him. President Martin asked if that sidewalk would just be striped across the driveway? How would that area be marked in front. Ms. Boyer said the sidewalk would just stop. President Martin said that he would be getting a new apron from the street into his property. He asked if the area with the new pavement would be striped to indicate a 5ft sidewalk. He said that was fine. Mr. Reichard said the sidewalk would extend across the driveway because it is at grade, it just would not have the traditional apron between the paved cartway and the walkway. Right now, that driveway is 55 ft. wide, you would not have a 55 x 8- or 10-foot-wide section of concrete there because we are going to exclude that concrete from the apron portion. It would still be the standard concrete walk across that area. Then pavement on the front and backside of that walkway.

Sally Fike, of 920 Allendale Road

Ms. Fike shared that 914 is her parents' homestead. 920 is where she lives. She said it has always

been that wide because of the safety of turning in from the curve. Because of the site distance because of the curve. She said when she was at the Planning Commission meeting, it was noted and put in that they cannot blast, she is sitting on a rock ledge and so is Mr. Cassel. She met with Temple Beth Shalom across the street. When they dug out the basement for the Temple, they could only do half due to the rock. She said she is concerned. They said they are going to do some type of blasting method. We are sitting on a huge rock ledge. We are concerned because we do have wells. Commissioner Cochran brought that up and their response was that rock hammering takes longer and they still need to put the basements in, so you will have rock hammering, but that will go away eventually, and it will not to the damage that blasting could possibly do. She had concerns for the sidewalk in that it will bring more people flow. President Martin said that is a result of growth of neighborhoods and more people moving in. One of the things we would like to provide is a walkable community. Our concern is that we do that safely. President Martin said that regarding the blasting, it is his understanding that anytime a property owner off the site, if they do anything to adversely affect my property, they are liable and fully responsible. Commissioner Cochran said that is true if you can prove it and go through the process. President Martin said he would hope that any contractor not do something proven unsafe. Ms. Fike wanted to confirm that the sidewalks being proposed are at grade. President Martin said that is what developer said. Ms. Fike said she has a 26-inch drop in the front of the property, is it just going to start at the corner of Melbourne and not be raised because that was a concern. It is hard for us to visualize because we have not seen any plans. It should not affect any of her landscaping hopefully. Commissioner Cochran said that somewhere along here there is a problem with the road not being in the middle of the roadway. Mr. Reichard said that has been corrected. The revised plan takes care of that situation. The proposal is for it to be flush with the existing grade. There will be some amount of fill required on the backside. There is not a lot of room. It is probably going to be difficult. The front edge will be what governs the elevation of that sidewalk as it runs adjacent to the roadway.

Jeffrey Noss, of 920 Allendale Road

Mr. Noss has a question about the Right of Way (ROW.) It starts from the center of the existing yellow lines right now, if you measure back 25 feet to the owner's pin, now you want to shift the road over to become part of your ROW towards us, are you then going to go 25 feet from the center of your yellow lines now on the new one and go into their yard? President Martin said he does not believe there is any intent to expand the existing ROW. Commissioner Cochran said there is not, the road is not centered, but the center of the ROW is still the center of the ROW. The road moves within the ROW, correct Mr. Reichard? Mr. Reichard said yes. Mr. Cochran said the road will move, but it will not come outside the ROW and moving the road does not move the ROW. The ROW is what the ROW is. President Martin said he would hope when this thing is laid out that there would be a walk in the neighborhood with the developer, the contractor and the Township's engineer so that everyone could see exactly what is being proposed. Mr. Noss said with Mr. Cochran's comment about being in the dark with changes being made, prior to the last meeting we were at, we got a notice put in our mailbox that just said Dear Property Owner, here is a sketch of a plan for sidewalks. The following Monday was the meeting about that, had we not shown up, it may have already been approved. Mr. Noss said they are keeping us very much in the dark. The green space disappearing from that corner is very irritating. That is in Mechanicsburg Borough, but them not communicating that with the Township, we did not know that was being changed. We now have seven new homes on the corner that were not on the original plan when Legacy started. In regard to the safety of the sidewalks, you just put the traffic lights off of Market Street and Shepherdstown Road with the crosswalk signal, those people have to walk on the street to get

to that. There are no curbs or sidewalks in Webbercroft. Commissioner Cochran said we looked at that. Mr. Noss asked when that is plowed for snow, how are people going to get to that traffic signal to walk across. Commissioner Cochran said that one of the issues we have to deal with there is PennDOT. We have started to look at what it would take to put in some sidewalk on the Webbercroft side, particularly for school buses. If we had a sidewalk and a corner, the school district has said they would make that the school bus stop. Right now, school buses stop at every house because it is not safe for the kids to walk. Mr. Noss said that on the extended northern part of Allendale, school kids walk on Allendale Road to get onto school buses because there are no sidewalks. Easing the curve of Allendale Road, he said they are getting way too much tractor trailer traffic. He has called the police department about semi-trucks on that road. The cops told him to stop the trucks if he could or call them in. They are using GPS and that sends them right through Mechanicsburg, right down Allendale over to Independence Drive. Commissioner Cochran said he went out there and sat for a day and watched a couple drivers be pulled over. They are having trouble getting the coordinates updated to say that the roads are not suitable. Mr. Noss said with getting rid of the "S" curve, you are going to make the traffic a lot faster through there. He hopes there can be some discussion about it at another point. Mr. Noss said the police officers told him to stop the trucks and turn them around.

Mr. Fraser said there are signs on Simpson Ferry. The elimination of one point of Allendale should make some difference because the drivers will come down Allendale off of Simpson Ferry and have to go into Legacy. Just driving through Legacy Park, it is difficult to drive around. Mr. Noss said in the Borough, one of the streets that they access into Legacy apparently just got changed to one-way. They want one-way going from Borough into, but they do not want the traffic flow back out. That means they are going down Allendale – we have been getting a lot more traffic since Legacy went in. We will get even more once they ease that curve up. Commission Cochran thinks the change was the first street in off Despina has become one-way towards Allendale. That pushes traffic down that way and coming out on Norway. Once Allendale opens, it will come out on Allendale. President Martin said that street flow within the development is up to the developer and Borough. Ms. Fike said one of the things they had talked to Patrick and Josh about was that because of the new curve, and because of the additional homes being built there, that they would think about putting something that slows the traffic down. President Martin said the Township has speed tables and we can give examples, they work well. Ms. Fike said she does not know if that was in the design. President Martin said we are here between two municipalities so we are limited but, he thinks hopefully discussion and communication can help that. He said there were two developers in this meeting previously that got complimented for their communication both with the Board and residents. He would hope that a development that covers two municipalities that, the principals that are hearing this, would say maybe we should take some time and talk to the neighbors and discuss it. People may not like what they hear, but at least if people are informed, they can accept change better and occasionally maybe you could make a compromise.

Vice President Castranio said their driveway at 54 foot wide, he is ok leaving it, because it is existing. But there is no argument for it being safer because it was wider. President Martin said he heard from the conversation that it gave the car internally more maneuverability so that it can drive out, rather than back out into Allendale.

Mr. Strong said that regarding the conditions for the motion, the first one is a note shall be placed on the plans stating no blasting shall be permitted to take place on any properties or ROWs within Upper Allen Township. The question was, will there be blasting permitted for the installation of

the sidewalk. Clearly, we are ok with that condition so there will be no blasting proposed in Upper Allen Township. The follow-up question to that is, which he thinks the Board is considering is the three proposed lots on the other side on the Borough, certainly that is for the Board to consider. That one condition takes care of that. Then with respect to traffic calming at Allendale, a state drive, that was a new topic that came up with the Borough so we are working with them about that to see if that is something they would like to see at that location that is in the Borough. Nothing that is decided there would require any changes or improvements to any property within the Township. It was raised and we will work with the Borough and if they are proposing a traffic calming device there, that is something we would do. Commissioner Anderson said that you need to notify the Township as well - we need to be kept a little more informed. Mr. Strong said he is listening, and the comments are loud and clear about communication, keeping the Township apprised of any changes or developments. President Martins said communication with the neighbors is also important. He suggests they reach out to the Temple as well. President Martin said that under number five, did you want to change language at all, now that it is the number of permits. Commissioner Cochran said that is in there. He understands it takes about a year to get a light.

Commissioner Cochran said he would like to see the developer agreement. There are enough things here. Commissioner Cochran Wants to see if before he takes action. President Martin asked if that ok with the developer. Mr. Strong said yes.

Vice President Castranio asked about when the preliminary plan came through there were a lot of waivers for stormwater that went through with the borough and then the Township reviewed it, and we did not want the waivers. He asked Mr. Reichard if he had reviewed this since they put the new units in and the new BMP. Mr. Reichard said he has not. He did look at the layout and understood that it is just a rain garden that is ultimately tributary through an extensive length of piping to their main stormwater facilities. Vice President Castranio said that was what he was looking for, the developer stated that it goes back into the borough, but he does not see how the grades would work. It looks like BMP number seven would just fill up and overflow on the roadway. Mr. Reichard said that is what he thought originally as well. The line typing really blended in with the sidewalk alignment. When you look extra closely, you can see that the piping backtracks several hundred feet into the heart of the development. He thinks the addition of the extra impervious area is minimal compared to the overall size of the facilities that they constructed. He did make that comment about ensuring that the Borough engineer did do the updated review and we got a response back that it had been completed.

President Martin asked that if we are going to suggest action tonight, could he say on number six that the applicant shall enter into Developers' Agreement as agreed upon both by applicant Township and Board of Commissioner Approval.

Ms. Boyer said she could reword the language about the sign to discuss it later.

President Martin said we never came back to the open cut across Allendale Road. Ms. Boyer said that would need to be a separate motion because that falls under Chapter 217 for our street openings. That section of road was paved less than five years ago, so approval would require Board approval. The options are to go under or wait until the five years have passed. She does not know what the water line is. They would need to cut into the road to replace the line. Mr. Strong said it looks like there was a widening that occurred. They would be opening a section to

do the water line replacement and then milling and overlaying that entire travel lane when they are done. Commissioner Cochran asked if the ordinance said that it was full width over so many feet. Mr. Reichard said they are reconstructing the area that was recently paved. The waterline that goes beyond the full width roadway improvements includes the full lane width milling and overlay over that length per the ordinance.

Commissioner Anderson made a **MOTION** to approve the Applicant's request to allow Veolia to replace an eight-inch (8") waterline with a twelve-inch (12") line underneath a portion of Allendale Road which was paved within the past five years. The Applicant shall be required to submit the required Street Opening Permit application for review and approval, including the required bond per Section 217-10 of the Codified Ordinance. The Applicant shall pay all permit fees and degradation fees prior to commencement of work, and shall pay any additional review and inspection fees, as required. The Applicant shall also comply with all other applicable requirements established in Chapter 217, **SECONDED** by Commissioner Walter. The motion passed unanimously.

Commissioner Anderson made a **MOTION** to approve the Phase 4 plan for Legacy Park for the Allendale Road Realignment, UAT Fil #22-12-20, with the following conditions:

1. A note shall be placed on the plan stating no blasting shall be permitted to take place on any properties or rights-of-way within Upper Allen Township.
2. The Applicant shall be required to notify the Township and its residents along Allendale Road of any address changes prior to recording the plan. The road name of the cul-de-sac shall be noted on the final plan.
3. The UAT trench restoration detail on sheet 72 must be updated to show seven inches of 25mm with one-foot cutbacks. The full lane milling will remove 1 ½ inches of material before applying the bituminous pavement overlay. The detail references a minor street/lane paving section. The minimum depth of 2A stone subbase shall be eight inches.
4. BMP No. 7 does not have a point of discharge, and the T/G elevation for inlets 314 & 315 is below the top of the berm elevation. Failure of BMP No. 7 to perform per the design will result in ponding stormwater runoff on Allendale Road. Has the Borough Engineer reviewed and approved the design for BMP No. 7?
5. A traffic signal at the South Market Street and Legacy Park/Hemlock Drive intersection will be required at full buildout, and we concur with the recommendation that this intersection should be continually monitored as the development progresses. Mechanicsburg Borough has required the Applicant perform evaluations of the traffic signal warrants after the issuance of 65 building permits and after 130 building permits in Phase 4. We concur. The language shall also be expanded to include a new analysis be completed after the issuance of 65 building permits and after 130 building permits, regardless of development phase. A new analysis shall also be completed if there are: (1) any changes to the number of lots or units, or changes of use within the development; or (2) any changes to any streets that modify the ingress or egress to the development. A construction timeline, including anticipated start and completion dates, shall also be

provided for the traffic signal improvements and any necessary intersection upgrades once the warrants are met.

6. The Applicant shall enter into a Developer's Agreement, in a form acceptable to the Applicant and Township staff, and to be approved by the Board of Commissioners, regarding the following:
  - a. Construction of sidewalks and other site improvements along Allendale Road, as part of the final Phase 4 subdivision/land development plan, and as discussed at the April 5, 2023 Board of Commissioners' meeting.
  - b. Installation of an Upper Allen Township welcome sign. If acceptable to the Township and the Borough of Mechanicsburg, a dual-sided welcome sign on Allendale Road approaching Estate Drive from the south could be discussed.
7. A note shall be placed on the final plan stating the Applicant shall submit the appropriate documentation for the vacation of right-of-way (portions of Allendale Road), to be reviewed and approved by the Township within six (6) months following the construction and public use of the relocated Allendale Road and Allendale Road Extended (new cul-de-sac). All costs associated with the vacation of the right-of-way shall be paid for by the Applicant.
8. Update owner signature names to reflect the most recent landowners.
9. A note shall be placed on the plan stating that the contractor shall schedule a pre-construction site meeting with the Upper Allen Township Engineer and the Cumberland County Conservation District at least 48 hours prior to starting any site construction activities.
10. A note shall be placed on the plan stating construction of all work within the public street right-of-way requires inspection by the Township. Provide a minimum 48 hours' notice to the Township before starting work.
11. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-4.2. of the Codified Ordinances.
12. The Applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to ensure construction of the improvements and/or concrete monuments shown on the plan, and the applicant must enter into an agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-4.2. of the Codified Ordinances. The financial security shall contain the provision that the Township shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.
13. The Applicant must also furnish financial security to the Township in an amount equal to the required percentage of the total financial security provided to cover the cost of

construction inspection, administrative, and other related costs according to Section 220-7.3.B of the Codified Ordinances.

14. The Applicant must sign the plan and have the signatures notarized according to Section 220-3.5.C(2)(dd) and 220-3.6.B(1)(a) of the Codified Ordinances.
15. The Applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-3.6.B(1)(b) of the Codified Ordinances.
16. A note shall be placed on the plans stating that as-built plans and electronic data files shall be provided to the Township. All drawings must be signed and sealed by a professional engineer or land surveyor attesting to the correctness of the facility information shown, in accordance with Section 220-4.2.C(3) of the Codified Ordinances.
17. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances of Upper Allen Township. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), declaration of planned communities/condominium documents (including amendments), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), MAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.
18. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of approval by the Board of Commissioners or the plan will be considered disapproved.
19. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions, and regulations as may be in effect from time to time concerning the proposed development. The Applicant shall also pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.

Since there are conditions on the approval of this plan, the plan will be rejected unless the owner/applicant agrees, in writing within thirty (30) days, to comply with and abide by the specific conditions of approval, **SECONDED** by Commissioner Walter. The motion passed unanimously.

Commissioner Anderson wanted to share that was the one thing the Board of Commissioners want to see once they have gone over this with Ms. Boyer. We want to see what the Developer's Agreement looks like.

## **ZONING HEARING BOARD CASES FOR APRIL 13, 2023**

Zoning Hearing Board application for a variance request for 1425 S. Market Street. Applicant seeking variance relief to not screen outdoor play area adjacent residential properties for private school.

Commissioner Walter said he sees the line proposed for play areas and asked if they are not even going to fence that area in. Ms. Boyer asked that, and they indicated at this time no. They did make a recommendation. Commissioner Walter has a commercial property in Hummelstown and one of the major daycares is there and they have an area like this, it is not exposed to any traffic, and everything is fenced in. Vice President Castranio said that if you are running a daycare center, they have to meet that. Ms. Boyer said it is a private school and not a daycare. Commissioner Cochran said there are properties on the back of it. He thinks we ought to be on record as saying there needs to be some buffer. The people back there have a right to some level of noise reduction. Commissioner Martin said it should be fence and buffer.

## **HARB CASES SCHEDULED FOR APRIL 18, 2023**

There are no cases scheduled.

Commissioner Cochran shared that someone proposed we should have an Upper Allen Historical Society. He called West Shore and spoke with Janice Links, the Executive Director, to find out about them and how they came to be. They started in Wormleysburg and Lemoyne and have grown since then. With the Sheepford Road Bridge project, they picked up Fairview Township and Lower Allen. They are working at Peace Church. He also called Cumberland County Historical Society about how they work with these folks. It is obvious there are a number of players in this space. He asked the staff to look at who was out there and where we go. He said Cumberland County Historical Society is doing a program called "Railroading in the Cumberland Valley." President Martin said we already work with Mechanicsburg Museum Association Historical Group, so he does not know how that interacts.

## **PUBLIC IMPROVEMENTS COMMITTEE**

### **CONSIDERATION/APPROVAL OF RESOLUTION RESTRICTING DESPINA DRIVE TO ONE-WAY TRAFFIC**

We are proposing a resolution making Despina Drive in the Township one-way to the Southeast. The traffic on Despina Drive will be limited to heading Southeast from the Township into Legacy Park Development.

Vice President Castranio made a **MOTION** to approve 1083 making Despina Drive one-way, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Mr. Fraser said we will make an order for that signage immediately and take action to purchase block for construction.

Commissioner Cochran said that the Township needs to have some discussion with Mechanicsburg that we are doing this. Mr. Fraser said that he will communicate with them tomorrow and let the



Borough know this is approved.

### **SANITARY SEWER SYSTEM**

#### **CONSIDERATION/AUTHORIZATION TO RELEASE SANITARY SEWER MAINTENANCE FINANCIAL SECURITY FOR WINDING HILLS PRD, STAGE 5 (B), LOTS 325-360**

On December 7, 2022, the Township received email correspondence from The Homestead Group, Inc., requesting the release of the sanitary sewer maintenance financial security for the Winding Hills PRD, Stage 5 (B) development project, Lots 325-360. Upper Allen Township is currently holding sanitary sewer maintenance financial security in the form of Standby Irrevocable Letter of Credit No. SB-00419 from S & T Bank to Stage 5 Holdings, LLC, dated November 1, 2017, and in the amount of \$31,770.00, which is 15% of the installation cost of the sanitary sewer improvements. This maintenance financial security guaranteed the integrity and function of the completed facilities for a period of five (5) years from the date of receipt of said security.

Township staff has inspected the completed improvements to ensure that the improvements have been constructed in accordance with the developer's approved plans and Township specifications and are functioning as designed. In addition, the developer has furnished the Township with the required record drawings, and a recorded Deed of Dedication for these improvements.

Commissioner Walter made a **MOTION** to authorize the appropriate Township officials to release the sanitary sewer maintenance financial security in the amount of \$31,770.00 from S & T Bank to Stage 5 Holdings, LLC, in accordance with Section 509 (k) of the Pennsylvania Municipalities Planning Code, **SECONDED** by Commissioner Cochran. The motion passed unanimously.

Mr. Cupp said we had a force main break at the Bowmansdale pumping station. We got a crew there from Rogele, Inc. to do the repair work and we got USG there to do pumping of sewage while the repair was being made. Everything has been taken care of and reported to DEP. DEP was going to make a visit today.

### **ADMINISTRATION COMMITTEE**

#### **APPROVAL OF RESOLUTION AMENDING CHAPTER A252 OF THE UPPER ALLEN TOWNSHIP CODIFIED ORDINANCES**

The resolution modifies chapter A252 to require meeting minutes to be approved at the next available BOC meeting after a minimum 28-day period. This language would replace the current language which states that minutes from the prior meeting should be approved at the next available meeting.

Mr. Feinour said very few municipalities even have this provision in their code or ordinances, generally it is a function of the Sunshine Act and the Right to Know. The Sunshine Act requires minutes be made of any public meeting and the Right to Know Law treats the minutes as becoming a public record once they are approved and usually that is whenever the second meeting occurs.

Commissioner Cochran made a **MOTION** to approve resolution #1084 amending Chapter A252

of the Upper Allen Township codified ordinances, **SECONDED** by Commission Walter. The motion passed unanimously.

### **PARK AND RECREATION COMMITTEE**

#### **CONSIDERATION/APPROVAL OF KOSER PARK MANAGEMENT AGREEMENT**

The agreement has already been approved by Mechanicsburg Borough's Council at their first scheduled meeting in March 2023. The agreement grants the Township the right to manage Koser Park which provides additional recreational space to residents in the Northeast portion of the Township and relieves the Township of the need to construct additional playing fields to meet needs. The agreement requires the Township to maintain the Park at or above its current levels and is in effect for a period of ten years with an optional renewal of ten additional years.

Commissioner Cochran said that people have asked him why we would want to do this. Those residents who live north of the turnpike and west of 15, this is the large park for them to take their children to. It is also a park that is used by Upper Allen Mechanicsburg Baseball and softball. We were looking for things to do with the Borough and this appeared to be one of the things we might do and that is why we moved to get into this agreement.

Commissioner Cochran made a **MOTION** to approve the agreement between Mechanicsburg Borough and Upper Allen Township for the Management of Koser Park, **SECONDED** by Commissioner Vice President Castranio. The motion passed unanimously.

#### **CONSIDERATION/APPROVAL OF INSTALLATION AND REPLACEMENT OF SCOREBOARDS AND ADVERTISEMENT OPPORTUNITIES**

Scott Steffan of Upper Allen Mechanicsburg Baseball Association (UAMBA) has several requests for the Board of Commissioners regarding Koser Park.

##### **Requests 1 & 2**

On February 22, 2023, Scott Steffan presented the proposed scoreboards in Request 1 & 2. All five members present voted unanimously to approve the proposed scoreboards and locations.

At the February Park and Rec meeting, the scoreboard replacements were the topic of discussion. No request to place advertising on the tops and/or bottoms of the scoreboard was made, therefore no relevant recommendation from the Park and Rec Committee was given.

The Township has a Signs, Banners, and Scoreboards in Public Parks Policy with an effective date June 15, 2022. This policy was designed to create standards for signage and scoreboards in the park and to designate the Board of Commissioners as the final authority for permanent fixtures in township parks. The proposed scoreboards and their related advertisements fall within the policy parameters; therefore, staff have no objection to the approval of both requests.

Mr. Steffan, of 21 Conway Drive

Mr. Steffan said that he is seeking three separate approvals. West Field, which is senior pony, 6–7-year-olds. We are requesting the opportunity to put a scoreboard on that field. It would be the same one that is on the South Field. It would have the same advertising that is already on South

Field. It is a 4x8 scoreboard that will undergo full renovation. The electric will be trenched from the corner of South Field, right across the field. It is going to be a vibratory plow, so we are not going to open up the earth. It is going to be done by RJL Communications and be done in one day. It is a 20-amp circuit. Voltage is low. They would like to put advertising on top. They do have a commitment to the company that contributed more than half of the cost of putting the covered dugouts in on the West Field, they contributed \$12,000.

His second request is about South Field. That scoreboard is almost twelve years old, rusting and considered end-of-life. One of the out signs does not work. We may not replace it right away, but they are looking for approval to do so. He shared a picture of a scoreboard on North Field that is 5x10 ft, a little bit bigger and brighter. They would like to do the same on South Field. He said North and South Fields are their premier fields. Commissioner Cochran asked if the dimensions are the scoreboard itself and not the advertisement above and below. Mr. Steffan said it is the scoreboard itself. Commissioner Cochran said he is trying to make it jive with the limit on size for scoreboards, was the side to include advertisements or exclude. If it was to exceed, then you are going to exceed the limit. Mr. Steffan talked with Mr. Krebs about that. Commissioner Cochran said when this came up in May of 2022, we talked these at Park and Rec, he does not want to get into scoreboard wars. We need to clarify that in the policy. The policy reads 8 x12. Kelly clarified that it is for the scoreboard itself. Commissioner Cochran said we got into discussion about advertising and how many sponsors would be on a scoreboard because some scoreboards have room to hang two or three off the bottom. He thinks we said one on the top and one on the bottom. Ms. Palmer said that was correct. Mr. Steffan said what they are proposing is consistent with what they have done on the teenager field and also on North Field. Mr. Steffan said it is smaller than teenager field. President Martin said the scoreboard discussion is to take an unused scoreboard currently and place it on West, remove the South scoreboard, replace it with a like kind.

### Request #3

Mr. Steffan said he has not taken this to Parks and Rec board because at the time of the presentation, the Koser Park management was in its early stages and was not definite. On Fisher North and South, we have a series of six signs that are above the fence. When we originally put in these signs, the Township approved us to raise the height of the fencing at the time, so it was part of the fencing. When the fencing was replaced in the outfield, Scott Shepler said you can just put signs right behind it, it was at a lower cost. That is why they ended up with the current look. These signs are now ten years old and the signs on North have come to expire this year. The signs on South we had for five years. They are now expired. In our agreement to the Township that we originally wrote, we did not include any language in there that we need to take them down at the end of our period. With respect to our relationship with the township we would like to seek the Township's approval to renew these signs with new sponsors in accordance with Township's approvals of look and sponsorship to specifically raise capital funds for the renovation of the Koser Park fields. He said they have submitted to Mr. Fraser, who he believes submitted to the Borough that we would like to do to the three fields at Koser, a cost more than \$160,000. We want to contribute a great amount to that. We have \$30,000 set aside so far and it is our goal to raise at least \$30,000 for the use of extending these signs. He said he recognizes that he has not taken this to Park & Rec, he would be glad to do so. We would only raise money for capital funds that go directly to Koser renovation of the baseball fields. He said they are losing the use of Finkenbinder Field at the end of this season permanently. It is scheduled to be demolished and turned into a playground.

President Martin said he has always applauded UAMBA for raising money and helping with capital expenditures. Ear marking it for Koser Park, that is a park where we will probably spend some. It has to be understood that it is in the game plan of Upper Allen and how we want to develop a park. Similar to what you did with lights at our approval, you would be offering to put some money toward Koser Park but it would have to be understood that it is still the Township that is managing and directing. Mr. Steffan said that was understood. President Martin said it is a generous offer, there is some credibility to it, but since we took the scoreboards through Park and Rec, and he thinks it would be good protocol to take the 3<sup>rd</sup> proposal to Park & Rec.

Commissioner Cochran said he needs to be honest; he recognizes the need to raise funds, but the way they are constructed, they are literally small billboards, they do not need the fence to hold them up. The policy that we put in place went through Park & Rec in May 2022 and through the Board in June of 2022 and said we are not going to do that anymore. They were not going to come down but would be grandfathered until the end of the term, but they would come down. President Martin and Mr. Steffan said they did not recall that but took his word for it. It is a policy that is not even a year old, and we are already looking to circumvent it. He said his real concern is that if we say yest to this, it will be a matter of a meeting or two until softball is in and then we will have lacrosse and soccer, because these are not signs listed on outfield fences, these are billboards that are standing by themselves, and they do not have fences to put anything on. They too have a need to generate revenue. He said he cannot support that. President Martin said that he appreciates that and that is the reason he is suggesting putting it back through Park and Rec. Commissioner Cochran said this already to an extent has been through Park and Rec Board that these would be allowed to stand, but only until the agreements ran out and there would not be any more of these. He said Doug was at this meeting. Vice President Castranio said that was his understanding as well. Commissioner Cochran said the Park and Rec Board already acted on this; they said this is not what we want to see happening. Once these are done, they are done and we will stick with stuff on fences, to go back under a year and say we want you to go back and look at this again, he does not understand why they would have staff do a policy if we are going to do exceptions. President Martin said the only reason I suggested why he did is because we did not even dream about Koser Park then and so he thinks there is new information. He does not know if it will alter the outcome, but he thinks at least it deserves a conversation. Mr. Steffan said he understands and respects the policy. He said they are trying to be significant contributors to in as much as we can raise money to the development of a new baseball field per the Commissioners approvals, so just the one baseball field, the sandlot fully developed is a \$92,000 proposition. We would like to be able to fund at least half of it and do our part. He said that is less money the Township must provide.

Commissioner Cochran said you have been wonderful with doing that. You have gone out and raised money for lights. You have done your dugouts over and put scoreboards up. He does not have a problem with that, he has a problem with ever-growing signs in our parks. This is not an outfield banner on a fence, this is a sign. Mr. Steffan asked if he could suggest a means by which it may be able to be accommodated, which is to go back to the original approval of the Township, and that those signs be affixed to the fence. Commissioner Cochran said you could suggest that, but what do we say then to soccer and lacrosse, we have told soccer in the past to take banners off the concession stands. Do we say we will put fences up so you can put banners on them. All youth organizations have a need for funds. There is not any that do not, and he just thinks that at some point, enough is enough. He does not know if this was done before the agreement came into play or not, but he has noticed new banners on Koser and they are not even facing the field, they are

facing the street. President Martin said that he cannot blame that on Upper Allen. Commissioner Cochran said he did not know when they were done, but there are new banners that face out to the street. He is not sure how spectators who used to sit out there in the lawn chairs are going to see past the banners.

Mr. Steffan, respectfully, it is the very opportunity to have these signs on the fields that have allowed us to easily put hundreds of thousands of dollars into our fields. Without them, they would not even be close to this. Commissioner Cochran said we have softball that wants lights and if we put these up for you, what do you think softball is going to say? President Martin said his response to them as soon as they start putting substance where their mouth is, they have no standing. Commissioner Cochran said that soccer spent upwards of \$30,000 on their fields. President Martin said that if soccer comes in and proposes to put a sign up, he will not oppose it. Commissioner Cochran said we would have to put up a fence first. President Martin said it could be on a standard out behind the goal post, come up with something creative.

Mr. Steffan said that he is seeking approval for the first two items. He wants it for public record that Upper Allen Mechanicsburg Baseball Association wants to do everything they can in their work in order to raise funds for the development of that park.

Commissioner Cochran made a **MOTION** to approve UAMBA to install the proposed scoreboard at Fisher Park West with advertisement on the top side of the scoreboard at the sole expense of UAMBA, **SECONDED** by Vice President Castranio. The motion carried unanimously.

Commissioner Cochran made a **MOTION** to replace the scoreboard at Fisher Park South and allow advertisement on the top and bottom of the scoreboard at the sole expense of UAMBA, **SECONDED** by Commissioner Vice President Castranio. The motion passed unanimously.

### **Request 3**

Request for Renewal of the North Field and South Field outfield signs. The signs were agreed to by the Township in support of UAMBA's fundraising campaign for the field lighting at Fisher Park in 2013. The term of that agreement expires in 2023.

This request will be taken to the Park and Rec Board meeting.

### **CONSIDERATION/APPROVAL TO INSTALL BEEHIVES AT SIMPSON PARK**

Kyley Stazewski is requesting to conduct a volunteer project at Simpson Park. This project includes bat boxes along the eastern wood line (redline), 3 pollinator gardens in the upper trail connection points (blue triangles), and honeybee hives off to the large native area (yellow boxes).

Kyley Stazewski presented the proposed hives at the March 22, 2023, Park, and Rec meeting. Six of seven Park and Rec Board members were present. All six voted unanimously to approve the proposed project and location.

The beehives would be maintained by the Capital Area Beekeepers Association (CABA). The area selected is secluded for the walking trails and would be posted with signage explaining the beehives and location. A variety of Italian honeybees are to inhabit the hives and are known to be the most docile species of honeybees.

President Martin asked why that given the amounts of individuals that have allergies, why are we allowing that on Township property. Ms. Palmer said it is far enough off the path that you would have to make a concerted effort to go off the path to get to the hives. Vice President Castranio said when he walks his dogs, he is close to where they would be. When people pass, they would swing out there. Commissioner Walter said that unless you are going after the beehives, you must do more than just pass them. Mr. Fraser said we have had swarm boxes in our parks before.

Commissioner Cochran said the big issue discussed at Park and Rec was who takes care of these. The Capital Area Beekeepers would come in every other week to do this. Ms. Palmer said they have these at HACC.

Commissioner Vice President Castranio made a **MOTION** to approve permission for Kyley Stazewski to install beehives at Simpson Park along with other corresponding projects, **SECONDED** by President Martin. The motion passed unanimously.

### **MISCELLANEOUS**

#### **SOLICITOR UPDATE**

There was no report.

#### **TAX COLLECTION COMMITTEE (TCC) UPDATE**

There was no report.

#### **CAPITAL REGION COG UPDATE**

The auction is coming up on July 19, 2023. The golf outing and picnic are on September 18, 2023.

#### **MUNICIPAL ADVISORY BOARD (MAB) UPDATE**

There was no report.

#### **PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS (PSATC) UPDATE**

There was no report.

#### **PUBLIC COMMENT**

Commissioner Cochran asked Ms. Boyer where we stood on the historic overlay. Ms. Boyer said that we are doing research and we will come back to it.

Dismissed at 9:31 pm. Followed by an executive session for legal advice.