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Chairman
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Jay M.Brandt
Vice Chairman
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**CONEWAGO TOWNSHIP
BOARD OF SUPERVISORS**

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October 8, 2008

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS MINUTES

The Conewago Township Board of Supervisors held their regular meeting on Wednesday, October 8, 2008. Those present were:

John Rochat	Galen Shelly	Jay Brandt
Shirley Meyers	Norman Miller	Dolores Kuntz
Jon Yost	Max Shradley	Joel Buckley
Rosalie Sarfert	Josh Etterman, The Sun	Sherwood Huntzberger
Cpl. Timothy J. Golletti	Jonathan Crist	Sandy Buck
Judy Perry	Diane Alwine	Chris Kemble
James Buck	Alex Radin, Verizon	Matt Covell, Verizon
Jim Landis	Manley Layman	Tony Becker
Gilbert Petrina	Greg Hill	Jamie Burger
Linda Kemble	David N. Taylor	Al Jacoby
Jerry Kreider	Landis Kreider	Lisa Mosher
Charles Suhr	Nicole Kline	Scott Nodland
Brian Diehl	Jeff Madden	Pete ??
David A. Cherry	David Smith	Bob Ebersole
Kevin Kanode	Sherry Kanode	David Foltz
David Koppenhaver	Darryl Wenger	Rep. John Payne
Pam Packer, Court Rep.	John Belicic	Cherie Belicic

The meeting was called to order by Chairman Rochat at 7:30 PM.

MINUTES OF AUGUST 13, 2008 – A motion by Rochat second by Shelly to table minutes of August 13, 2008. The Chairman asked Jay Brandt to write what he wants corrected. Motion carried.

MINUTES OF SEPTEMBER 10, 2008 – A motion by Shelly second by Rochat to approve the minutes of September 10, 2008. Motion carried.

TREASURER'S REPORT, AUGUST 31, 2008 - A motion by Rochat second by Shelly to approve the Treasurer's Report dated August 31, 2008, subject to audit, to correct date to August 31, 2008 under Kreiser's account. Motion carried.

TREASURER'S REPORT, SEPTEMBER 30, 2008 – A motion by Shelly second by Brandt to approve the Treasurer's Report dated September 30, 2008 subject to audit. Motion carried

EXPENDITURE REPORT, OCTOBER 8, 2008 – A motion by Shelly second by Rochat to approve the Expenditure Report dated September 11, 2008 to October 8, 2008 in the amount of \$104,556.08. Motion carried.

SUBDIVISION/ENGINEERING FEES REPORT – All up-to-date, except Lamar Koser, Sent a second reminder 9-15-08.

PLANNING COMMISSION MEETING, SEPTEMBER 29, 2008 – For Review Only

PUBLIC COMMENTS – **Cpl. Golletti, PA State Police, Troop H** – Cpl. Golletti said since he attended the last meeting there is a big increase in scrap metal thefts. Thiefs are stripping and stealing costly copper piping from newly constructed homes or neighbors on vacation. In some cases the thief does not turn the water off, therefore, flooding the basements. Cpl. Golletti is asking residents in Dauphin County to call them, if you see anything suspicious.

Rochat commended the State Police for their quick service to the township when there was an accident on Ridge Rd. and Old Hershey Rd

Joel Buckley – Buckley stated he saw there is an agreement with Verizon for a franchise to the township stating the agreement gives the Supervisors authority to impose up to a 5% fee. He said you can't do a franchise with Verizon unless you have one with Comcast. Buckley would like to encourage the Supervisors to not impose a franchise fee.

John Payne, Representative – He presented the Township with a new US Flag and PA State Flag to replace the old ones. He stated every November there is a ceremony provided to get rid of old flags, or Boy Scouts or Girl Scouts do a ceremony also.

He presented a check to Conewago Township which the township requested a \$5,000. grant from DCNR to be used for Park & Recreation upgrades, the township already received this check. Rep. Payne said they are already working on a new the round of grants which began in August and closes at the end of the year, these grants will be released in the spring or summer. The Township Park Board has an open grant for the 2009. Rochat stated that Rep. Payne has been instrumental and successful in another grant for the township in a larger amount.

PHASE II – Sewage Facility Update, Rt.743, Old Hershey Road, Act 537 – John Rochat
– Nothing to Report

COMPREHENSIVE PLAN UPDATE – Rochat made a public announcement that there will be Comprehensive Plan Meeting, Wednesday 10-15-08 at 7:00 PM at the Conewago Elementary School. He also stated for the public record Conewago Township does not have its own website, even though there is a website with a similar name, it is not the townships. A true and accurate map will be presented at the meeting, and he suggested anyone with concerns should come to the meeting.

2008-3 Verizon Franchise Ordinance & Agreement –Mr. Miller stated several months ago we discussed joining COG to join in franchise litigation agreement with Verizon. There are 30 townships who worked with Verizon and COG lawyers to approve an agreement. Mr. Miller said we have Alex Rahn and Matt Covell representatives from Verizon to answer any questions.

Miller said the contract does not talk about any accommodations of the township to establish any franchise fee. This is a 10 year franchise contract with Verizon that a fee could be imposed, but without a Comcast franchise it is illegal to impose a franchise fee. We have to have both Verizon and Comcast within a franchise before we could ever think of a franchise fee. That is not our intention; it gives more competition in our area. It is a large group working together, so we are not alone with a large corporation. Rochat said we'll not going to impose a fee on residents. Miller stated this Board would have to approve an Ordinance with Comcast before a franchise fee up to 5% could be charged. Brandt said it is in the Ordinance regarding the 5% and he feels it is a hidden fee for residents. Miller said the 5% franchise fee is in the Ordinance, but without a franchise with Comcast no fee can be charged, and this Board would have to approve the fee separately.

The residents stated their concerns about Verizon. **Rose Sarfert** – They did the work in Laurel Woods and the sub-contractors did not respect resident's properties. It took her at least 3 months to get her driveway corrected. She also said it has been 2 years and there still is no connection for the internet. **John Rochat** lives on Dogwood Drive and he said where they put the hi-fiber optic cable in, it went through a township stormwater corrugated pipe. Our Road Master checked it, and went through the pipe and the pipe was there first. He is only mentioning this because if the township needs to replace the pipe in the future, it could be expensive.

Miller stated we now have an Internal Affairs Representative available if any problems should arise. Miller would encourage the Board to sign the franchise agreement with Verizon; the fee issue is completely separate from what we are talking about.

2008-3 Verizon Franchise Ordinance & Agreement , Continued –A motion by Rochat second by Shelly to adopt and authorize 2008-3 Verizon Franchise Ordinance with Verizon subject to allowing the franchise fee, however, we cannot charge fee unless we have an agreement with Comcast, and we do not have an agreement with them. Also amend the motion that does not include charging a franchise fee. Motion carried

2008-3 Verizon Franchise Ordinance & Agreement, Continued

A motion by Rochat second by Shelly to authorize execution of signing the Verizon Agreement. Motion carried. Vote 3-0.

The Township Solicitor suggested another motion if Comcast challenged and would go against the Township, Verizon would pay legal fees for any issues. A motion by Rochat second by Shelly to authorize signing Verizon Agreement that Verizon would be responsible for any legal fees incurred by Comcast. Motion carried.

JON YOST, SOLICITOR - RE: Koppenhaver & Foltz Subdivision Plan - The Solicitor stated several months ago this Board approved Koppenhaver-Foltz Plan and they posted a security for 3 or 4 lots. Lot 5 is being sold and Koppenhaver-Foltz is requesting the new owner assume the responsibility of storm water and post their own financial security. The same institution will prepare the financial security for Lot 5 for the new owners. Solicitor Yost is asking the Board to approve reducing the letter of credit posted by Koppenhaver-Foltz and the new owners will take care of their letter of credit.

A motion by Brandt second by Rochat to approve execution of documents of Lot 5 for Koppenhaver-Foltz to the new owners posting their own financial security. Motion carried.

LYDIA B. KING, Conditional Use Hearing, Parcel 22-014-060, 1330 Mapledale Road, Elizabethtown, Zoned Ag. Proposed Building of a Carriage House – Mrs. King is proposing to build a 30' x 40' carriage house on her 65 acre property which will currently be used to live in. The Planning Commission at their 9-29-08 meeting recommended granting the Conditional Use Application for erection of one single family house on this property.

Solicitor Yost stated this is a Conditional Use Application for Parcel No. 22-014-060, on the North side of Mapledale Road. This is Lot No. 8 from Beiler-Zimmerman Subdivision Plan and was an add-on to her original lot. After reviewing the Beiler-Zimmerman plan there is a residential use on that Lot 7. Yost stated this lot has the same requirements as the other lots in this subdivision and must meet those requirements. Lot 7, 8, and 9, shall not be further developed to contain two or more dwellings.

A motion by Brandt second by Rochat to grant the Conditional Use to Lydia King, located at 1330 Mapledale Road, and authorizes the Township Solicitor to draft the decision letter. Motion carried.

2008-11 – Resolution for Planning Module for Lamar Koser – This plan was approved at the Supervisors meeting 7-9-08 subject to conditions of signatures and seals, ownership and dedicatory statement to be signed and notarized, Planning Module, a letter from the power company for proposed construction within their easement, combined deeds to the Township Solicitor for review and approval, updated E & S Plan, Construction cost estimate or storm water, and financial security. The Park & Recreation fee isn't applicable, because he is only changing the lot size.

A motion by Shelly second by Rochat to adopt Resolution 2008-11 for Planning Module for Lamar Koser Subdivision Plan. Motion carried

JOHN N. & FRANCES H. HERTZLER – Final Subdivision, Lot Add-On and Land Development Plan, 676 Hertzler Road, Elizabethtown, PA Parcel 22-018-007, Zoned Ag. – This subdivision plan is creating 3 new building lots, 1 lot with farm buildings, and 2 add-ons. The Planning Commission at their 9-29-08 meeting recommended granting waivers for the Preliminary Plan, Curbs, Sidewalks, Road Improvement, Contours, and Fee in Lieu of Dedication of Land for Recreation. They also recommended approval of the plan with the understanding that all outstanding items listed on the Township Engineers Report 9-23-08, and Dauphin County's comments 8-21-08 be addressed.

Engineer Jeff Reitz requested that the plan be table until the November meeting and submitted a 90 day extension. A motion by Rochat second by Shelly to the table the Hertzler Subdivision Plan until the November meeting and accept the 90 day extension. Motion carried.

KATHARINE B. FLORY – GENEVRA B. EVANS - Subdivision Plan, 3818 Roundtop R., Elizabethtown, Parcel 22-005-077 (John Buck Property) Withdrew the Subdivision Plan as of 9-16-08 – The Planning Commission at their 9-29-08 meeting officially accepted the withdrawal of the Flory/Evans Subdivision Plan. A motion by Brandt second by Rochat to accept the withdrawal of Flory/Evans Subdivision Plan. Motion carried.

ELIZABETHTOWN PARK AUTHORITY – Waiver of Form “B” – Sewage Facilities – 8 Acres in Conewago Township owned by Hershey School Trust Co. – Near Beverly & Koser Road – The Planning Commission at their 9-29-08 agreed to have the Township Engineers sign the Form “B” waiver. A motion by Shelly second by Brandt to authorize signing of the Elizabethtown Park Authority, Waiver of Form “B”. Motion carried.

ROAD MASTER - Norman Miller – Line Painting – Line painting will be delayed until next year after some of the road work is finished on some of these roads, that were scheduled to paint this fall. BOS Board members agreed to postpone it.

DIRECTOR OF ADMINISTRATION – NORMAN MILLER

2008-10-Resolution for Bank Institutions – This was discussed at the September meeting to amend the original resolution which was done at the beginning of the year to add banks to establish the depository for the township to joint with PLGIT, and to include Fulton, Citizens, Wachovia, PNC, Susquehanna, Commerce, M & T, Sovereign, and Northwest Savings Banks to transfer money from township accounts.

A motion by Rochat second by Shelly to adopt Resolution 2008-10 for dealing with Bank Institutions to transfer money from township accounts. Motion carried.

LANDIS H. & ARLENE M. KREIDER – Preliminary Major Subdivision Plan (Accept Extension until 11-13-08) - (Toll Brothers, Inc.) 3825 Roundtop Road, Parcel 22-001-051, Zoned Residential Country, Continued

– This property is approximately 58 acres of farmland. They are proposing to develop it into 54 building lots and 8 non-buildable lots which will be used for stormwater retention ponds, pump station, right-of-way etc. There was concern from residents regarding additional traffic on Roundtop Road and stormwater runoff. The Planning Commission at their 9-29-08 meeting are deeply concerned with the possible waiver of the 1000 ft. separation between Church Road and Road C and between Road C and Road A, and without further consideration or improvements to Roundtop Road the Planning Commission is not recommending to grant waiver (Section 502.7.E-Intersection Separation distance). The Planning Commission stated the request for (Section 607-Sidewalks) needs to be submitted in writing to the Township. They do not recommend waiving sidewalks between Road C and Road A along Roundtop Road. Items discussed regarding the Subdivision Plan were: size of blocks, 600' in all directions (a waiver should be submitted for the size of the blocks), and lighting is only proposed at intersection. Planning Commission wanted to know the purpose of the 50' right-of-way between Lot 17, & 18. The Park & Rec. Board recommended fee in lieu of land dedication or land. Stormwater and erosion issues still need to be addressed and several committee members had concerns the plan is not adequate. The Planning Commission passed this onto the Supervisors recommending that it not be approved. The Plan does not meet certain Township regulation including the intersection separation distance and in addition they have special concerns with items 8, 17 & 18, plus all the stormwater management on the Township Engineer's review dated 9-26-08. Mr. Crist, a neighbor, has big concerns about the stormwater runoff at the rear of his property

Toll Brothers is here tonight to explain the Kreider Subdivision Plan and describe the process. This plan was submitted in June 2008, they have gone through the Planning Commission process and are asking for 2 waiver requests. They cleared up some items from the Preliminary Plan from the Township Engineer's comments (See Review 3, 9-26-08). They have an extension in place until 11-13-08 to give them time to have a good discussion about any questions with this Board and any resident questions.

LANDIS H. & ARLENE M. KREIDER – Preliminary Major Subdivision Plan (Accept Extension until 11-13-08) - (Toll Brothers, Inc.) 3825 Roundtop Road, Parcel 22-001-051, Zoned Residential Country, Continued

Section 502.7.E – Intersection Separation Distance between Church Road. and Road C and between and Road C and Road A written request for waiver of requirement to separate roadway intersection by a minimum distance of 1,000' ft. The applicant indicated that the distance from Church Road to proposed road "C" is approximately 500 ft. They indicated distance from proposed Road "C" to proposed Road "A" is approximately 600 ft. This precedes 3 intersection within approximately 1,100 feet. The Planning Commission denied this waiver on 9-29-08.

Section 607- Sidewalks – The applicant requested a waiver of requirement to install sidewalks along Roundtop Road. The Planning Commission recommended approval of the waiver only for portions along Roundtop from the western property line to the western side of proposed road "C" and from the eastern property line to the eastern side of proposed road "A". The remainder of the road must comply with the ordinance and provide sidewalk. This action was taken at Planning Commission on 9-29-08.

Jeff Madden, Designer – As discussed before there are 54 proposed lots which consist of 30,000 sq. ft lots, 4 basins, proposed open recreation of land, 2 entrances off Roundtop Rd., (Road "A" 600 ft. on Roundtop Road & Road "C" 500 ft. on Church Road). Toll Brothers went to neighbors regarding other access to public streets along the property, but according to Toll Brothers nobody wanted to sell. Rochat asked if they are suggesting they can't get a road within 1,000 ft. of Church Road, but you could put one in there and develop the land, but not to this extent. Mr. Madden said that is correct.

Nicole Kline, Engineer from McMann, Traffic Study Report – On 7-7-08 they looked at the size of the development, looked at the area and selected to study intersections of Roundtop and Church Road, and Roundtop and Old Hershey Road. They did their study at peak hours in the morning from 7:00 to 9:00 AM and 4:00 to 6:00 PM., and counted actual traffic volume either side of both intersections. Rochat stated we met and proposed looking at time frames of traffic count during summer hours of Hersheypark traffic, and also discussed Church Road and Rt. 743 . Ms. Kline said she sent a scoping letter to the township engineer and spoke with them, but never received any comments back, so they proceeded with the scope of study. Brandt asked if she did a daily count and she said they only did peak hour's morning and afternoon. The traffic count the development would generate during peak hours both ways would be 100 vehicles per hours in the morning, and 150-200 vehicles per hour in the afternoon. The development itself would generate 47 trips morning peak hours, and 62 trips afternoon peak hours. The level of service analysis with existing conditions based on the projected volume into 2012, which would be the buildable year for the development. The traffic growth was based from PENNDOT's accepted information for the county, the level of service is Level A which is the highest level you can get, and continues to operate to Level A within .1 second from Level.A The measured Road A &

LANDIS H. & ARLENE M. KREIDER – Preliminary Major Subdivision Plan (Accept Extension until 11-13-08) Subdivision Plan (Toll Brothers, Inc.) 3825 Roundtop Road, PA - Nicole Kline, Engineer from McMann, Traffic Study Report, Continued - Road C site distance both satisfied the township posted speed of 35 MPH and desirable requirement for PENNDOT.

David Taylor, 3715 Roundtop Road – At the end of his property there is a cluster of trees, which is not noted on the plan. The site distance is really not good on Roundtop Rd at the speeds vehicles travel. With these tree's he believes it is not feasible to see as you pull out of the development road near his property if built there.

Diane Allwine, 3999 Roundtop Road – She leaves the house in the morning at 6:50 AM, and you can't see to pull out from Down the Lane onto Roundtop Road. Down the Lane already floods during large rains, and with this development it will washout Down the Lane. These homes are still on well water, she measures her well water elevation and water quality regularly. She also said the basin line for precipitation is not properly designed. She doesn't care what PENNDOT's criteria is for the traffic study, speed is not enforced so site distance means nothing in this study. Plus adding 47 more vehicles will make it even worse. She is not opposed to this development, if stormwater, traffic sight distance and ground water recharging can be corrected, and feels the seepage pit was an outstanding suggestion as well as include curbs and sidewalks.

Chris Kemble, 3987 Roundtop Road - He has the same problem with site distance, when pulling out from Down the Lane onto Roundtop Road. He said this is the waiver request you are asking for Road "C" of 500 Ft. He has a question for the Traffic Study Engineer for Road "A" to Road "C", he stated you glossed over the turning lane on Roundtop Road, and why wouldn't you want to put a turning lane and show it on the plan. Ms.Kline said the ordinance for the state is for site distance, and you don't want to have intersections too close that a driver can't see the other intersection.

Linda Kemble – She said did you say an additional 45 vehicles in an hour, and most residents in the township have 2 to 3 vehicles. Ms. Kline said it is less than 1 vehicle, and she hears the concerns for speeding, but if you widen the road with turning lanes the driver will feel comfortable driving faster. Rochat said that if a waiver of 1,000 ft. requirement is granted for safety issues, other improvements would have to be made.

Nicole Kline, Engineer for Traffic Study criteria for site distance for PENNDOT is 10 ft off the cartway, they measured 10 ft back, and the trees do not impede the site distance. They do not plan any roadway improvements for this plan such as turning lanes, slip lanes, are not required for PENN DOT criteria.

John Rochat said if you look at the plan this development is for 54 homes, what is Lot 63. It is a access area for easement which leads to Mr. Kreider's son's property. Toll Brothers is not asking for any additional development or any approval, or not to open up the access point. If son has no other access point, this is only an easement to his property. If

LANDIS H. & ARLENE M. KREIDER – Preliminary Major Subdivision Plan (Accept Extension until 11-13-08) - (Toll Brothers, Inc.) 3825 Roundtop Road, Parcel 22-001-051, Zoned Residential Country, Continued

John Rochat, Continued - Jerry Kreider should want to develop his parcel he would have to come to the township. Toll Brothers would work with the township to put restrictions on Kreider's sons parcel, so there is no doubt that you have approved no development there.

Jerry Kreider – He has access from Down the Lane, and because of legal issues that is why their asking for access to his dad's property.

Jonathan Crist – He is the adjoining property or the former Gordon property and he addressed the issue from SALDO regarding existing (405.1-(e), Page 22-34) that the traffic study must include existing nearby properties, current uses, and zoning. There are two parcels 22-001-051 – Landis Kreider's property which is 57 acres, and parcel 22-001-041. the son Jerry Kreider's property which is 28.6 acres (Dauphin Co. Tax Map). When these properties first were available for sale he had a potential client that was interested. They met with the Kreider's and the only offer was you had to buy both properties. His client wasn't interested in the second parcel, so they did not pursue it further. The point is from a developer's view you have to consider potential development of the second parcel, and this subdivision would create a landlock. Therefore, Mr. Crist said the traffic study is incomplete because the study was not done on any potential development. The second parcel, and this subdivision would be landlocked. He also has concerns about stormwater because there is active water flowing and a spring arose on his property. The development would spread water down to Kanode's, Ebersole's a slough at the 3 markers, if they overflow they will follow the slough. Slough means stagnant area connected to a marsh, backwater, hole filled with water.

Landis Kreider – He stated he has a contract from 3 years ago, with Mr. Crist ,and he is trying to fight now what he wanted to do himself, if he would have bought the 80 acres.

Jon Yost, Township Solicitor–Mr. Yost requested that the applicant do a supplement to the traffic study for Roundtop Road, so we can move onto other issues. The Township Engineer will check with his traffic engineer for data on traffic study. Toll Brothers will get data for upper 23 acres to include another intersection, they will do a speed study in the morning 6:00 to 9:00 AM, and afternoon study for commuter traffic not the bus traffic, and do 2 counts.

James Buck 3891 Roundtop Road – He asked if traffic evaporates when you get to Rt. 743, Toll Brothers said yes. Mr. Buck stated are you ready to put a traffic light there, and have you tried to make a left hand turn onto Rt 743 off of Ridge Road and the same for Church Road onto Rt. 743. Toll Brothers said the traffic sketch plan was for one entrance, but you could create Road "A" into a boulevard entrance with one lane in each direction and eliminate Road "C".

Stormwater Management – Toll Brothers attorney stated he would like to talk about stormwater pertaining to Section 507.2(D). He said that section indicates a facility with

LANDIS H. & ARLENE M. KREIDER – Preliminary Major Subdivision Plan (Accept Extension until 11-13-08) - (Toll Brothers, Inc.) 3825 Roundtop Road, Parcel 22-001-051, Zoned Residential Country, Continued - Stormwater Management, Continued

stormwater drainage should be designed to handle anticipated peak discharge from property being subdivided as well as increased runoff that will occur on all properties of higher elevation. He paraphrased saying the designed stormwater basin with 6,000 sq. ft. impervious area with driveway, walkway, shed, decks, pool etc. If the typical lot is built outside the setback area the impervious coverage would be below 50%. They have a disagreement with the township engineer's interpretation to design the stormwater at 50%, regarding peak discharge from the property or increase in higher elevation when fully developed. They don't think they need to have more stormwater basins. Solicitor Yost said if he understands the home, streets and roads are at 50% on each lot, the design you presented would have less to build on. They designed the retention pond for 6,000 sq. ft for each lot, and the roads as they stand. Engineer Shradley stated the ordinance requires them to show 50% peak estimate of anticipated peak of property to design the coverage for each lot is responsible for 6,000 sq. ft. impervious lot. Rochat asked if they notified adjoining neighbors pertaining to the basin adjacent to their property. They did not notify the neighbors, but they did a drainage study before the development and drainage study after the homes are development. Each basin has a level spreader with a concrete block which spread out the overflow of water 57 ft. wide.

Rochat stated there are a number of residents concerned with the basins discharging of water onto their properties, and he just wants to make sure these property owners are heard.

Jim Landis, 3995 Roundtop Road – His property is Down the Lane, it already floods during large rain storms, the creek runs through his property. All the homes in this area cannot handle anymore water.

Manley Layman- He is the first house Down the Lane and he has water coming from 3 sides of his property. During a hard rain the water runs over the lane, and the culvert will need to be replaced.

Greg Hill, 2905 Church Road, – His property is on the down side about 48 ft from the basin water discharge, and he saw no grading on the plan for level spreader. He asked if they have a backup plan for corrections and maintenance issues. They said there is a recharge volume of 2 years post development and 2 years preceding the development to infiltrate in the ground. That would be included in HOA document which the conservation district would approve. Rochat stated there should be a financial security to protect adjoining homeowners in case something fails. Solicitor Yost stated he would review the HOA document to make sure the township is the 3rd party to benefit, and the homeowners association would have to supply to the township once a year their financial resources to make sure they have money, or a lien would be filed against HOA. Hill suggested an alternative to encourage individual seepage pits on each lot to reduce the size of the water basin, and each lot would absorb their own water. They would still need the retention ponds.

LANDIS H. & ARLENE M. KREIDER – Preliminary Major Suidivision Plan (Accept Extension until 11-13-08) - (Toll Brothers, Inc.) 3825 Roundtop Road, Parcel 22-001-051, Zoned Residential Country, Continued -

Robert Ebersole, 2494 Church Road, – He asked if the grading plan for the 3 retentions ponds, if all lots will be graded to swale to go to the retention pond. There are numerous swales on the exterior properties which channel the water to the basin, and on the west side 60% goes to those retention ponds. He graded his property, and his property cannot take anymore water, the other 2 retentions ponds will end up on the other side and flood. When there are large rainfalls water will run for several hours, but water could run for at least a week with this development. **Bob Ebersole** is not opposed to this development and would like to talk with Toll Brothers, Kreiders, and the Township Engineer to work through and come up with a solution so he doesn't have water in his front yard.

James Buck – 3991 Roundtop Road – His property is on the southeast corner of the development, and his concern is Layman's, Allwine's, and Bricker's waterflow. Will a number of inlets catching the water bring it back to the retention pond, because he doesn't want excess water. His other issue is the park area, will there be a fence around his property for privacy to keep people off his property. Toll Brothers stated this is a natural resource area and should be maintained that way.

Tom Becker – 3992 Roundtop Road – He lives Down the Lane and water comes through his yard that he has to put cinder blocks in the middle of the yard to slow down the water. About 20 feet back of his property at the edge of the woods the water runs the same way.

Rochat stated the solicitor for Conewago Sewer Authority stated that CMA has not seen this plan and they have a say where this proposed development would hookup to sewer through Phase I or Phase II. We are aware you met with DTMA, however, Conewago Authority owns the sewer lines and the roads.

Toll Brothers proposed street lights at intersections and entrance as well as fire hydrants. The homeowners association is responsible for street lights and fire hrydrants.

They also need a response from the letter from Stevens & Lee regarding the definition of Blocks. Solicitor Yost requested a PDF file for him and the Township Engineers.

Rochat stated you heard the concerns of our citizens concerning, traffic issues, water issues on their properties, and the township needs to make sure these are corrected before any consideration of approval of this plan. The Board is no position to take action tonight.

A motion by Rochat second by Shelly to adjourn at 10:20 PM. Motion carried. The next meeting is November 12, 2008.

Submitted by,

Shirley A. Meyers
Township Secretary