

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
JULY 12, 2017

Regular Meeting

7:30 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, July 12, 2017, at 7:30 p.m. at Northeast Fire and Rescue, Summerdale, Pennsylvania.

Those present were: Commissioners – John Kuntzelman, President; Paul Hartman, Vice President; George Tyson, and Charles Gelb; John Pietropaoli, Township Manager; Lisa M. Coyne, Esquire, Township Solicitor; John B. Owen, Assistant Township Manager; Jared Hockenberry, Township Engineer; Dearan Quigley, Acting Director of Housing and Community Development, Lieutenant Mark Green, Police Department; and Erik Owen, Fire Marshal.

I. CALL TO ORDER

President Kuntzelman called the meeting to order at 7:00 p.m. A moment silent meditation was held, followed by the Pledge of Allegiance to the Flag. President Kuntzelman thanked Northeast Fire and Rescue for hosting the meeting this evening.

II. PRESENTATIONS

Chief Bashore thanked the Commissioners for their continued support for the Police Department. The department's recent participation in the Cumberland County Drug Task Force led to a patrol sergeant vacancy. Five officers applied for the vacant position. A written test was conducted in March, and oral interviews were conducted in April. After the final tabulations between written and oral, Officer Scott Rood scored number one. Chief Bashore noted Officer Rood started his law enforcement career in Minnesota, where he worked for the Saint Charles Police Department from September 2000 to 2004. He was a deputy sheriff in Alabama from May 2005 to May 2006. He was then hired as a crime prevention officer in Lancaster at Franklin and Marshall College, where he worked from December 2006 to August 2008. He joined the East Pennsboro Township Police Department in August 2008. He is the department's certified polygraph examiner, president of East Pennsboro Police Association, a 2012 top gun DUI award recipient, the department representative for the South Central Task Force, presenter of a Survival 101 program given to high school students, an instructor of standard field sobriety testing, field support officer for the Employee Assistance Program, as well as a member of the Dauphin County Critical Incident Management Team. He is an Army veteran with 11 years of military experience, where he attained the rank of captain. He holds an associate's degree from

Board of Commissioners  
July 12, 2017  
Page 2

Alexandria Technical College, a bachelor of science from Winona State University, and just completed his master's of science degree in criminal justice from the American Military University.

Chief Bashore presented Officer Rood with his badge, and his bars were pinned on his uniform by his wife and his mother.

Mr. Justin Shaulis from the County Department of Public Safety, along with Director Shanely, presented the Advanced Professional Series Certificate of Achievement to Mr. John Owens. The certificate highlights the ability to perform essential work in a disaster requires skills in emergency operation and management which are developed and honed through this series of courses that offers a practical training focused on practical information. This series emphasizes applied skills in disaster operations, management, and coordination. The series consists of approximately 10 classroom sessions totaling 160 hours of training.

Mr. Owen was thanked for his commitment to emergency preparedness for the citizens of East Pennsboro. Mr. Owen thanked the members of the community for allowing him to support the township in times of need, the members of emergency services in East Pennsboro Township, and the Board of Commissioners for their support in helping him attain this certification and other certifications through the Federal Emergency Management Agency.

Mr. Tyson presented a volunteerism award to Mrs. Alberta "Bertie" Stewart for 61 years of dedicated service to East Pennsboro. He stated the board is proud to note the people who are committed to volunteering, of whom there are many in the township, and noted that a portion of the township newsletter is reserved to highlight individuals who have given dedicated service. He was honored to present this award for 61 years of dedicated volunteer service.

### III.. BUSINESS FROM THE FLOOR

Ms. Jane Fahringer, 317 First Street Summerdale, asked the board to consider continuing articles in the newsletter regarding open fires and mosquitoes. President Kuntzelman stated he will relay the information to Cherie Matter, who produces the newsletter, and suggested residents contact Ms. Matter with possible articles for the newsletter.

Ms. Rita Bair, 29 Altoona Avenue, Enola, informed the board two weeks ago a complaint was lodged to the Zoning Officer, who came out to tell them her husband's dump truck, which has been parked in their driveway for 13 years is

against zoning regulations. She noted they own their house, and the person next door who rents a lower and an upper apartment calls about the dump truck every time the lower part is up for rent. She contacted all of her neighbors, who did not have a problem with his truck being parked in the driveway.

Mr. Dearan Quigley noted commercial vehicles are not permitted in their zoning district. Ms. Bair stated there is no clear sign on her street. She drove around the township, and noted in West Fairview there is a sign that says no trucks 5,000 pounds, and right in front of the sign is a tractor. She did not want to turn people in, but asked why something he has been doing for 13 years is now a problem.

Ms. Bair stated this ordinance came into effect in 2010, and they have lived there since 2005. He has been parking his truck there for 13 years. President Kuntzelman stated if there is an ordinance against something, the township has to stick by that ordinance and enforce it evenly all over the township. He suggested staff might have to do more patrolling to catch others. President Kuntzelman noted a lot of violations are neighbor complaint generated. For the amount of staff the township has and the amount of township area, they cannot see everything. He noted they are in the process of looking at different streets regarding parking on one side and not the other side because the fire trucks are getting bigger and they cannot fit on the street with parking on both sides.

Ms. Bair asked about the lot that Norm Mundis owns where he has trucks parked, and she was told that her husband cannot park it there. Mr. Pietropaoli stated Mr. Bair is permitted to park his truck in any commercial or industrial zone.

Mr. Dave Bennett, 859 Acri Road, asked if someone who has done it for a long period of time could request a variance regarding it and the hardship that would be involved.

Mr. Owen noted the Mundis lot is a registered nonconforming or grandfathered use of that property. They pay a fee to register that lot. That lot has always had trucks. About six or seven years ago when the ordinance was changing they registered as nonconforming. He believes the dump truck could be parked there with agreement by Mr. Mundis. It would be within walking distance of their house. Staff will work with them on a one-to-one basis to facilitate a close area to park. The purpose of the ordinance is because the board does not want heavy commercial and industrial uses to creep into heavily dense residential areas that affect quality of life. It may not have been recognized early on because the patrols were done when he was out. The township is trying to do proactive enforcement in addition to policing.

Board of Commissioners

July 12, 2017

Page 4

Mr. Owen further noted anybody can bring any type of issue to the Zoning Hearing Board. There is a cost to that for the legal requirements, but anybody can appeal the Zoning Officer's decision on an issue or they can go before the Board of Commissioners and ask the board to consider changing the ordinance, usually starting through petition. He noted they will look to find common ground to try to help.

Ms. Bair stated if he can park it at Mr. Mundis's lot, that would be fine.

Mr. David Shiery, 27 Altoona Avenue, stated he has lived at his address for 24 years, and the Bairs have been his neighbor for 13 years. He noted Mr. Bair has driven his dump truck down the street just about every day from Cumberland right on down, and it backs in the driveway. He is so respectful with the truck that neighbors compliment him on how quiet he is pulling out at 5:30 in the morning and they never hear him. He asked if there is a possibility of a variance being given to them, he would want anybody who might be sitting on the board to remember how respectful of a neighbor he is with driving the truck out early in the morning.

(Whereupon, the meeting was recessed at 8:04 p.m. in order to hold a conditional use hearing, and was reconvened at 8:17 p.m.)

Mr. Dave Bennett, 859 Acri Road, asked about the status on the stray cat ordinance. Ms. Coyne noted the combined amendment for the ordinance has been solidified and sent to her office to review and advertise for possible action by the Board of Commissioners. The ordinance addresses both raising chickens as well as regulations for cats and other updates of the animal ordinance. Mr. Bennett stated the stray cats are a nuisance and asked where the animal control officer is and why they are not catching them. He asked how many miles her vehicle has logged in the last month. Chief Bashore stated he would have to look it up, and Mr. Bennett asked that it be brought back to the next meeting. He stated he rarely sees the vehicle moving out of the parking lot. He understands it is a part-time job, and suggested the Community Service Officers who work for the township police could assist.

Mr. Bennett further addressed loose manhole covers in the township. President Kuntzman suggested a call to the township with the address of a loose manhole cover whenever any resident finds one and the township sewer department will be sent out to put a silencer on it.

Mr. Bennett further addressed the problem of cyclists running stop signs throughout the township. He noted as a driver, if he hits a cyclist, he would have

Board of Commissioners

July 12, 2017

Page 5

to prove he was not the one who ran the stop sign. He noted it is not just kids, but adults too. He almost hit someone today. By law, a driver cannot honk at them and have to give them 4 feet of space. President Kuntzelman suggested an article in the newsletter regarding rules of the road for cyclists.

Mr. Bennett further asked about the alert phone system. He noted there was a recent problem to the residents of Floribunda and Laurel Hills a week and a half ago with egg throwing and damage to vehicles. He suggested it would be nice if the residents would be let known what the result was if they caught the culprits.

He also noted illegal dumping in the township is an eyesore and asked how offenders could be caught. President Kuntzelman noted they cannot police illegal dumpers, but if people see something, they have to let the township know. Mr. Lee Seibert suggested installing those trail cameras at the illegal dumping sites to catch offenders. Mr. Pietropaoli thanked Mr. Seibert for that very good idea and he will work with Chief Bashore to use the group the Police Department uses regarding trail cams to get some installed and see who is dumping.

Mr. Bennett's final comment was that sidewalks and curbing throughout the township are in terrible condition and the curbs are not ADA compliant. President Kuntzelman stated when a street is repaved, it has to be brought into ADA compliance. Until then, the township does not have the money to go out and do every corner and curb in the township, but they are brought up to code whenever there is roadwork done.

Mr. Tyson noted regarding the alert system, the township recently engaged with a new vendor and final training is being received by staff. It will allow the township to pinpoint target those type of messages, and the information brought up tonight regarding the egg throwing could very easily be instituted to let residents know if the issue is resolved. Mr. Bennett complimented the township staff as being outstanding.

Ms. Betsy Smith, Two Randall Drive, Enola, addressed the board regarding Salt Road going toward Valley across from the Catholic church. She stated she has to hug the yellow line to avoid the holes in the road. Further, nothing has been resolved from when she addressed the board last year regarding the property on Valley and Salt Roads where people park their cars to the very edge and a driver cannot see to make a right or left hand turn on Valley from Salt Road. President Kuntzelman noted the problem is that Valley Road is a State road. Until they can get the State to recognize the problem, there is not much the township can do. But Salt Road is a township road, and they can look into that.

Board of Commissioners

July 12, 2017

Page 6

Mr. Pietropaoli stated he believes the holes may be a water shutoff plug. He will have the Township Engineer investigate it. They may have to raise their shutoffs or caps a little bit. If it is a hole roughly 6 or 8 inches, that is probably what it is.

Ms. Smith further asked what the rule is regarding parking in a development. If you live on one side of the road, can you park your cars in front of your house going in the opposite direction. In her development, on Patricia Drive there are three or four or sometimes five vehicles at one house parked facing in different directions, and they do not get ticketed. She got a ticket 51 years ago for parking the wrong way. Chief Bashore stated they will take a look at it tomorrow.

Ms. Smith also asked the board to have forethought when attracting revitalization and improvements to the township, especially like Summerdale Plaza, to consider attracting a grocery store. She stated she is tired of going to Hampden Township for everything she needs.

Mr. Owen noted regarding revitalization and redevelopment, East Pennsboro Township has, through a technical assistance panel with the Urban Land Institute, formed a committee in West Fairview of business owners, people from the real estate community, engineers, developers to redevelop West Fairview. The Urban Land Institute technical assistance panel awarded a grant of about \$14,000 or \$15,000. They will bring in experts to specifically look at West Fairview for items such as mixed use, walkable community, and try to turn that area around.

The request about grocery stores, the township is in discussions with the Cumberland County Economic Development Corporation trying to work with some of the local grocery stores that are Pennsylvania based to consider locating at the former Sure Fine store at the Summerdale Plaza. Township staff, through the County Economic Development Authority, is working to recruit a local grocery store and work with the owners to bring somebody in there. He noted East Pennsboro is the second largest community in the county and currently does not have a grocery store in the township. Giant did not want any competition to go into the plaza where their former store was, which they own the property, and so Holy Spirit/Geisinger will be renovating there.

Ms. Cindy Carter, Seven Patricia Drive, Enola, expressed a complaint regarding the residents of Five Patricia Drive. Two of the recent people who moved in there are young teenagers who are acting very carelessly and something is going to happen the two young boys. She is not sure what their connection is to the other residents, but they drive a red hatchback, racing down the street, and two girls hang onto the door knobs when the car is in motion. One girl fell Friday

night. Sunday afternoon the same red car drove through the neighborhood and did not stop for anybody. These two young boys also hang onto the roof rack and on the bumper and take off and go around the corner. Also, they have been climbing the roof and jumping from the roof to the carport roof. President Kuntzelman asked that when they see this kind of activity, to call the police.

Mr. David Shiery, 27 Altoona Avenue, reiterated about the on-street parking at the end of Altoona Avenue and Cumberland Street. He noted there are multiple people who park right on the stop sign, and not 30 feet away, as required. They have been doing it for years and nothing has ever been done about it. He has noted the same issue with Cumberland Street and Enola Drive, where people parked on both sides.

Mr. Pietropaoli noted they do have "no parking here to corner" signs, but perhaps more patrolling and citing is necessary because people will take advantage if they are not cited. He asked Mr. Shiery to contact the police when he sees the illegal parking.

President Kuntzelman welcomed back one of our regulars, Mr. Al Bruner.

Mr. Jeremy Bryington, 1140 Oyster Mill Road, addressing the board regarding the same problem he addressed the board about last year with the park at Oyster Mill and Magaro. Within days after last year's meeting, the street and the bridge were posted "no parking." However, every weekend that the weather is nice they still have to deal with trash and other things that come from visitors to the park. Whenever the park is packed, access is completely blocked and you cannot get a kayak or a canoe in. He suggested painting designating parking spaces in the lot. Anytime they call, if they see the police, first they turn the music down, but when the police leaves, the music level goes right back. Mr. Bryington does not approach them for fear of retribution. He noted his boat was stolen last month. He found the guy and called 911 to have the police attend with him.

Ms. Jessica Wright, 1140 Oyster Mill Road, stated the visitors walk up and down the streets on private property, disregarding "no trespassing" signs. She was at home with her baby, and they were walking in her yard, where they have "no trespassing" signs. She told them they were on private property, and they were very mouthy. They have no respect for people's property. This is the third summer she has lived there and every summer they have had problems.

Mr. Pietropaoli thanked them for the good idea about painting lines for parking. Staff contact the Bryingtons to review other ideas they might have.

#### IV. ITEMS FOR DISCUSSION AND APPROVAL

MOTION authorizing payment of invoices and payroll pending review and signatures of Commissioners, was made by Mr. Hartman, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the promotion of Scott Rood to the rank of sergeant with the East Pennsboro Township Police Department, effective July 16, 2017, was made by Mr. Tyson seconded by Mr. Hartman, and was carried by a unanimous aye vote.

MOTION to approve Resolution no. 2017-07 of the Township of East Pennsboro, Cumberland County, recognizing Alberta "Bertie" Stewart for 61 years of dedicated service as a firefighter and community leader in East Pennsboro Township, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to appoint Frank Ryder, 228 Glenn Road, to the Zoning Hearing Board for the remainder of a 5-year term ending on February 1, 2019, was made by Mr. Gelb, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to appoint Dr. Gaspere Geraci, M.D., 1582 Holtz Road, to the Board of Health for the remainder of a 5-year term ending February 1, 2017, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the request for a handicapped parking space being established in front of the residence at 218 West Dauphin Street, as recommended by the East Pennsboro Township Police Department, was made by Mr. Gelb, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the Conditional Use Permit, Home Occupation C-183, to Lynn Vreeland of 236 Erford Road, East Pennsboro Township, Pennsylvania, tax parcel number 09-18-1304-020, located in a Residential Single-Family (R-1) Zoning District to operate a beauty salon in an existing single-family detached dwelling, as per Zoning Hearing Board order dated June 29, 2017, increasing the permissible square footage of the beauty salon from 300 square feet to 534 square feet, was made by Mr. Tyson, seconded by Mr. Gelb, and was unanimously approved by a roll-call vote of 4-0.

MOTION to approve the 90-day extension for the preliminary/final subdivision and land development plan for 199 Associates extending the time line



until September 30, 2017, was made by Mr. Hartman, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the 90-day extension for preliminary/final minor subdivision plan for 200 First Street Associates extending the timeline until October 10, 2017, was made by Mr. Hartman, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the proposal from SGS Architects Engineers, Inc., dated July 5, 2017, for study of the East Pennsboro Township Community and Municipal Center for the Police Department in an amount not to exceed \$14,300.00, was made by Mr. Tyson, seconded by Mr. Hartman, and was carried by a unanimous aye vote.

The board discussed the preliminary/final minor subdivision plan for 132 Carol Lane. Mr. Mark Romeo represented the plan. Mr. Pietropaoli noted staff received the revision of the plan yesterday by e-mail. Mr. Romeo noted the only staff comments were note 10 to be added to the plan, which was added to the satisfaction of staff, as well as for the sidewalks, in order to clear the trees, an easement would be needed for pedestrian use on private property.

Mr. Owen noted the applicant will have to post a bond or letter of credit for cash security for sidewalk improvements. Staff has discussed with Mr. Sollenberger, and he has agreed, when he mobilizes to put in the sidewalk, at that point he will connect the missing link of 20 or 30 feet to the existing sidewalk of Penns Valley, within the public right-of-way portion. Staff will talk to the property owner letting them know there will be a sidewalk improvement there. Mr. Owen further noted staff is satisfied with the notes on the plan.

Mr. Dan Loope, 24 Willow Way Drive, noted the sidewalk will connect on his property, and he asked who will cover the costs. Mr. Owen stated right now the township will work with Mr. Sollenberger to pay him to connect that right-of-way. The Planning Commission was firm about the connection of the sidewalk. The sidewalk is part of the public right-of-way. The idea is to connect everyone through safe pedestrian access. Mr. Romeo noted Mr. Loope's property would start at the back of the sidewalk, and between the curb and the back of the sidewalk is township property, and that is where it is to be constructed. The sidewalk will actually be adjacent to his property, so it will be the Township's responsibility.

MOTION to approve the preliminary/final minor subdivision plan for 132 Carol Lane, tax parcel 09-14-0835-001, subject to establishing a letter of credit

for sidewalks on both properties, was made by Mr. Hartman, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

The board then reviewed the preliminary/ final land development plan for 167 North Enola Road.

Mr. John Melham represented the plan, a 27,000 square foot property owned by Earl and Janet Hess. They have entered into a contract with Mario Billo from Sullivan Funeral Home to construct a 1,000 square foot crematorium on that part of the property. The plan came before the staff late last year and they had no problem with it. They did request sidewalk and curb, and the Hess's agreed to do this, to extend the curb along their property. The sidewalk and curb would be independent of the State right-of-way, and this necessitates going to PennDOT to seek approval. Mr. Melham met with PennDOT representatives and laid it out the way they were told in the field to construct curbs within the State right-of-way and sidewalk into the existing entrance. The HOP application and plans have been submitted to PennDOT, but they have not gotten their review yet.

Mr. Melham noted one area of discussion is the disposition of an old line that came through the property. Mr. and Mrs. Hess paid for the excavation to locate exactly where the line was. There was some question as to the accuracy. They spent a lot of time researching old PennDOT plans and found one in 1940 that showed what would now be a buried inlet. Back in 1940 the topography was manifestly different than now. They excavated and found the location of the line. The old PennDOT plan was accurate, the township records were not.

Mr. Melham noted the line goes back long before 1940. Before that excavation, it was noted on the plan partially under the location that the Planning Commission had approved back in December. Before excavation, township staff tried to field locate, they surveyed records, and on two occasions staff attempted to locate it by divining. In the interim, since the pipe was proven to be in this location by open excavation, they also showed that the sanitary line does run under the book store, so they have slightly relocated the building on the plan to the west. He further noted the previous use prior to the Hess's occupying it was as a repo car lot, so there has been a lot of gravel put over it by the previous owner. The actual coverage is about 75 percent. They are allowed 80 percent under the ordinance. The existing is 75, but they will dramatically reduce it by 48 percent, including the small crematory facility and landscaping around it. Mr. Melham noted they addressed every staff comment.

He explained the plan requests several waivers, first from Section 703, the stormwater report. He noted Mr. Hockenberry concurs with them that by the very

fact they improved the impervious dramatically, he is recommending approving the waiver. The second waiver is for Section 803, relief from a traffic study, because Mr. Hess has said on a good day he would have 10 cars in there during the day. Mr. Billo said very, very few people really attend a crematory function, but he wants to create spaces for the occasional people who would. So the traffic for this project is negligible.

Mr. Melham noted a third waiver that may not be on the docket is for Section 518, which is an easement for stormwater. It is a 36-inch stormwater pipe. Their history presented to the board, by virtue of meetings with staff, is that this storm line is not a township structure. The township has no financial interest or maintenance interest in it. The request is to provide, under Section 518, a 30-foot easement. They are requesting a waiver from that. They have a 1,000 square foot structure located right on the rear setback squeezed between the sanitary line where there is an easement and the stormwater line. They can grant and provide an easement of about 20 feet for that pipe as long as it is asymmetrical in the building. They cannot have a pipe in the middle of a 20-foot easement.

Mr. Melham stated he is not sure what purpose any easement will do because if it ever fails, as in December of last year a single hole developed on private property south of an existing catch basin, it was about 15 feet deep, and he understands it looks as if some pipe was separated there. The landowner backfilled it, and all of that soil must have washed into the pipe, as it had no other place to go. The owner backfilled it back to grade. There had to be a hole of the pipe or a separation of the pipe. When Mr. Brougner excavated this pipe, it looked like it was in good condition. All of this area is fill such as tires, tree stumps, junk, rocks, clay, dirt. Over the decades this whole area was filled in. He noted they will grant the easement, but his suggestion would be that for future reference, if somebody has to come in and repair this, he asked whether it will be the township. It is taking water from the junction on Dauphin and Susquehanna, four or five inlets up further. Water comes in, the only relief is to come in under this person's property, it makes more sense looking ahead to future generations that they grant a 20-foot easement parallel to their rear line because if it ever fails, you would not want to put it back in its current spot. He indicated a possible future route for the line.

Mr. Melham noted the sanitary line is about the same depth, and this is the line that runs under the book store. It would make sense to reroute down into the open panhandle area to a manhole and over to the existing old PennDOT manhole. Just today they submitted the plan to the Cumberland County Conservation District for the E&S plan.

Ms. Coyne asked if Mr. Melham is referring to a 20-foot easement rather than 30-foot easement. Mr. Hockenberry stated the point of the easement is not for the township to own or maintain or replace the pipe. Ms. Coyne noted the proposed note reads that if there is a conflict with the proposed construction, the pipe shall be rerouted to the satisfaction of the Township Engineer. Mr. Melham stated that is a note that came from the Planning Commission at the time when they did not know exactly where the line was.

Ms. Coyne clarified note 23 talks about the relocation, rerouting, that the note would say at the cost and expense of the owner.

Mr. Pietropaoli asked if they could get an easement on the plan about rerouting the pipe in the event it blows, the easement would be on the plan for the future so they do not have to submit another plan down the road if they need it, keeping away from recording a second plan.

Mr. Owen noted staff does not oppose the easement or the request for waiver of easement, but they want to make sure the board is aware of the future potential. Ms. Coyne asked if a repair is needed in the future, can the future easement be handled in a note, or does it have to be shown. Mr. Owen stated the note could be similar to the other notes, that the owner is responsible for all stormwater maintenance and soil and erosion control on the property.

Ms. Coyne stated the note stills says the existing 36-inch stormwater pipe is an assumed location based on preliminary/final for lands of Fred Sollenberger, the existence and location of this 36-inch stormwater pipe has not been field verified. Mr. Melham corrected that the pipe has now been field verified since the note was written and the note will have to be amended.

Ms. Coyne noted the area will be carefully probed and digging during construction. If there is a conflict with proposed construction, the pipe will be rerouted to the satisfaction of the Township Engineer. Additionally, a 30-foot stormwater easement shall be provided around the pipe for the proposed plan. The applicant is asking for a 20-foot easement, which staff is okay with on the existing line.

**MOTION** to approve waiver request for Section 22-803 and 22-703 regarding the stormwater management plan and the traffic study due to the proposed traffic will be fewer than 25 cars per day for the preliminary/final land development plan for 167 North Enola Road, tax parcel 09-14-0832-271, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the waiver request for a 20-foot easement, as reflected on the plan, rather than a 30-foot easement, as required by the ordinance, for the preliminary/final land development plan for 167 North Enola Road, with note 23 to be amended per this motion, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the final preliminary/final land development plan for 167 North Enola Road, tax parcel 09-14-0832-271, subject to filing a developer's agreement, approval of ESC from Cumberland County Conservation District review, and agreement obtaining a Highway Occupancy Permit (HOP) from PennDOT, and establishment of a letter of credit for public improvements as depicted on the plan, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the MOA between Creekside Fire Department and the Board of Commissioners of East Pennsboro Township in regard to apparatus maintenance, was made by Mr. Tyson, seconded by Mr. Hartman, and was carried by a majority of aye votes, with Mr. Gelb abstaining. Mr. Gelb noted he abstained because he is a member of Creekside Fire Company.

MOTION to approve the updated MOU between East Pennsboro Township Fire Department and the township Board of Commissioners, was made by Mr. Tyson, seconded by Mr. Hartman, and was carried by a unanimous aye vote.

Mr. Hartman recognized President Kuntzelman, who was sworn in as president of the Pennsylvania Association of Township Commissioners for next year.

MOTION to adjourn the meeting at 9:40 p.m., was made by Mr. Hartman, seconded by Mr. Tyson, and was carried by a unanimous aye vote.