

**Halifax Township Board of Supervisors
Hearing on Lenker Estates
December 8, 2011**

CALL TOR ORDER: Chairman Bechtel called the meeting to order at 7 p.m.

ROLL CALL: Supervisors Bechtel, Shultz, Eppley and Hoover are present. Supervisors Stopfel is absent. Secretary Carolyn Nye, Solicitor Bruce Warshawsky and Engineer Tom Wilson are present. Roadmaster Corey Stazewski is absent but was not required to attend this meeting.

PURPOSE OF THE MEETING: To open discussion on the Lenker Real Estate Developer Agreement and Lenker Estates, Phase II and III revised plan.

ATTENDANCE: In attendance representing the Lenker plan is Mr. Lenker, Mr. Silver, Attorney and Mr. Snyder, Engineer.

INTRODUCTION: Mr. Silver introduced the exhibits for the purpose of the record and they are a full set of plans plus a half size set both red dotted at the lower right hand corner of each page entitled Final Subdivision/Land Development Plan Lenker Estates, Phase II and III plus a copy of the Real Estate Developer Agreement which was executed between his client Mr. Lenker and the Township back in October 2011. Also included is an addendum to the Storm Water Management Plan for Lenker Estates Phases II and III and the Sign-In Sheet. The Solicitor stated the Sign-In Sheet includes a statement that the documents that are red-dotted are not to be photographed or taken from the Township building. Copies of the Real Estate Developer Agreement will be made upon request. Kathleen Gingrich, Esquire is present and serving as council on behalf of Michael Sweigard.

PUBLIC COMMENT: Chairman Bechtel stated the Board will be taking questions and will answer them if possible. The following individuals signed in and were called upon:

Brad Bruner – no comment.

John Parker – no comment.

Frank & Michele Weaver – no comment.

Donna Rode – no comment.

Paul and Sandy Bonawitz – no comment.

John Yost – no comment.

Steve Schreffler – no comment.

Steve Tibbens, Jr. – no comment.

Tim Boyle – no comment.

Randy Paul – no comment.

Flo Mallonee – no comment.

Melinda Warfel – no comment.

Mike Sweigard – Kathleen Gingrich, Esquire spoke on behalf of Mike Sweigard who owns property adjoining Lenker Estates relative to the plan pertaining to Phases II and III. She reiterated Mike's concern about the possible impact onto his property regarding storm water. She stated Mike is in negotiations with Mr. Lenker regarding his concerns. Both DONCO and Mr. Sweigard are cautiously optimistic that those discussions will satisfactorily resolve the issues between them. If his issues are resolved, it will be by agreement between him and Mr. Lenker. If not, he will retain his legal rights,

Halifax Township Board of Supervisors Hearing on Lenker Estates December 8, 2011

remedies and claims whether at law or at equity and shall be entitled to pursue same despite his lack of opposition to revised plans during this public meeting which shall not act as a waiver of his rights. Attorney Gingrich requested a copy of the Township Engineer's current comments relating to this plan as well as revised comments. The Solicitor stated the Board should recognize Mr. Sweigard as a party in interest and represented by council. There is no objection to Attorney Gingrich's request for review documents.

Norma Shearer – Norma asked if the Planning Commission reviewed the plan. Steve Sipe, Planning Commission Board member stated the comments were reviewed Monday, December 5 at the Planning Commission Meeting. Tom Wilson stated the Chairman of the Planning Commission, Fred Ford, came to his office to review the plan prior to the Planning Commission Meeting. Norma asks if the boundary issue has been addressed. Mr. Silver indicated this is being addressed as the errors are recognized and they are being corrected. Another issue Norma had is with the undersized lots 103, 104 and 105 which are indicated on the plan. Mr. Snyder indicated the lots have been shifted due to the new retention pond location. The Solicitor indicated the lots need to be marked as substandard. It was stated by the Solicitor that the Real Estate Developer Agreement can be amended to reflect a correction. The Solicitor stated the goal is to have this on the agenda for the January 9th Board meeting which is contingent upon the time needed for the Engineer to review and make comments to the Board.

Hannah Frake – no comment.

Daniel Frake – no comment.

Jim Eppley – Jim indicated he is working with Mr. Sweigard, Mr. Lenker and Mr. Silver and has no other public comment.

Steve Sipe – no comment.

Florence McGuire – no comment.

The Solicitor indicated the documents have been on display for public review since 5 p.m. today.

ADJOURNMENT: Supervisor Hoover made a motion to adjourn at 7:25 p.m., seconded by Supervisor Shultz, vote called, motion carried 4-0.

Respectfully Submitted By,

Carolyn Nye
Township Secretary