

SWAN

Stray Winds Area Neighbors

4100 Hillsdale Road

Harrisburg, PA 17112

August 4, 2008

Lower Paxton Township

Board of Supervisors

425 Prince Street

Harrisburg, PA 17109

Dear Supervisors:

I wanted to take the time to acknowledge the Planning Commission for being responsive to some of the issues and concerns SWAN has raised regarding the Estates of Autumn Oaks. As you are aware, SWAN has been closely monitoring this project. (1) At the June 11, 2008 Planning Commission meeting, a recommendation for approval of the revised plan for the Estates was approved. However, in light of recent developments, we would like to draw your attention to several issues we believe need to be addressed prior to final approval of the plan.

1. Steep slopes and detention basins:

Our primary concern is that the revised location of the detention basins to the very southern end of the Estates is in close proximity to private homes. Retention ponds are proposed uphill from five residential properties, i.e., 4282 thru 4290 South Carolina Drive. The base of the pond starts at the existing property owners' property lines with no buffer.

1

Enclosed please find copies of SWAN's evaluation and recommendations relating to the Estates of Autumn Oaks dated February 04, 2008 as well and Mr. Lighty's responses dated February 27, 2008.

1

While the Planning Commission expressed interest in the ownership and maintenance of the basins (they will be on private lots but maintained by the homeowners' association), the location was not called into question. There is a very real possibility that extreme storms will create and discharge runoff onto private properties in the Estates as well

the adjoining development. The engineering analysis offered in relation to storm water controls failed to consider safeguards for extreme storm conditions on this steep tract. (2)

The Susquehanna River Basin Commission, a federal-interstate watershed agency has a project under the EPA Chesapeake Bay Targeted Watershed Grant Program exploring innovative and cost-effective ways to address storm water issues in the Paxton Creek Watershed. The project focuses on a management study and its related demonstration projects, and works with government agencies and municipalities to develop a functional storm water management structure. This study is coupled with the project's five demonstration sites, one of which is a residential project in Centennial Acres development, where they are working with volunteer households to implement conservation landscaping techniques. (3) The Estates of Autumn Oaks may be a candidate for this project.

Recommendation: Consistent with storm water management utilized at Centennial Acres and recently approved "Best Management Practices," the developers should design and implement BMP safeguards for extreme storm conditions on this steep large tract. (Please refer to recommendation 2)

2

A large portion of the property rises 220 feet in 1300 feet resulting in an average slope of 17%. The required excavation and fill required to develop individual properties will have a major impact on the storm water runoff, and a significant impact on the Paxton Creek Watershed.

3 Fine Line Homes developed Centennial Acres and put a swale down the back of the subject properties on South Carolina Drive to keep water from flowing over the subject properties yards. There are underground springs on that hill and the water runs for months in the swale after an average winter or very heavy consistent rainfall. This retention pond will be an earthen dam from winter through late spring and into summer when the springs are active.

2

2. Paxton Creek Watershed:

In light of the Environmental Protection Agency's recent mandate to reduce phosphate runoff into the Paxton Creek by 89%, SWAN believes it is prudent to make sure that the developer meets or exceeds the Best Management Practices (BMP) outlined in the "Final Stormwater Best Management Practices Manual." The "manual advances the most recent innovations in stormwater management focusing on preserving on site and off site pre-construction hydraulic conditions, including volume and rate management through local onsite management." (DEP, Contact Kenneth Murin or Dennis Stum at 717 787-6827.)

The Dauphin County Conservation District can also assist the Township.

SWAN's concerns are not only based on the present proposal. Two recent developments give us pause for concern. McNaughton Homes paid a \$46,733 civil penalty to the Department of Environmental Protection in May 2007 for erosion and sedimentation violations in Good Hope Farms South (Hampden Township) and two York County developments. The DEP inspections over a three-year period found that McNaughton Homes "failed to implement and maintain erosion and sedimentation control best management practices."

The neighbors of Good Hope Farms South have repeatedly

and publicly complained that “their sump pumps run frequently, basement walls have been damaged, trees in waterlogged backyards are dying, and no government agency seems able to do anything about it, “ but Francis McNaughton blamed "co-permittees" for the violations.” (Patriot News, January 25, 2008)

A study commissioned and released by Hampden Township last month found that excavation work by a midstate developer was probably responsible for drainage problems experienced by nearby homeowners. (Patriot News, July 02, 2008)

Recommendation: Based on recent problems with this developer in Cumberland and York Counties coupled with immediate challenges facing Lower Paxton Township relating to EPA standards, the Supervisors must condition approval of this project upon compliance of Best Management Practices in regard to stormwater issues.

3. Street Lighting, “Dark Skies” and energy credits:

The plan for the Estates of Autumn Oaks includes street lighting. Recently Light emitting diode (LED) fixtures were installed at no cost to the City of Allentown as a demonstration project facilitated by the Sustainable Energy Fund of Central Eastern Pennsylvania (SEF). The LED lights are expected to have an operating life from 50,000 to 100,000 hours of use making them virtually maintenance free (The point of contact at the Fund is Jennifer Hopkins, 610-264-4440.)

An additional benefit of LED lighting is their compliance with the EPA's "Dark Skies" program designed to prevent light shining upward into the atmosphere – otherwise known as light pollution.

The net projected energy savings may allow McNaughton Homes or the Township to qualify for RECs (Renewable Energy Credits.) This spring, DEP and DCNR in conjunction with the Pennsylvania Outdoor Lighting Council, convened Outdoor Lighting Workshops for Municipal Planners which provided information on energy waste, light trespass and ways to save on utility bills. (The point of contact at DEP is Jim McTish at 484-250-5180)

Recommendation: Consistent with the lighting approved or the nature trail at the Stray Winds project, the developers should utilize LED technology for street lighting. We recommend that LED lighting be included as a condition for approval.

Sincerely,

Eric Epstein, Chairman

Stay Winds Area Neighbors

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cc:

- George S. Wolfe, Lower Paxton Township Manager
- Fredrick Lighty, Chairman Planning Commission