

MINUTES

SOUTH MIDDLETON TOWNSHIP BOARD OF SUPERVISORS 520 PARK DRIVE BOILING SPRINGS, PA. 17007

NOVEMBER 8, 2007

PRESENT: TOM FALEY, RON REEDER, JIM BAKER, RICK REIGHARD, BRYAN GEMBUSIA, - Supervisors, Barb Wilson – Manager, Jarrett Sweeney – Assistant Manager, Richard Mislitsky – Solicitor, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Secretary, Linda Larson, Attorney Hubert Gilroy, Ray Tennyson, Fawn Cassel, Pam Fisher, David Loring, Gretchin Kline, John Thrush, Scott Arnold, Jennifer Garcia, Bob Geist, Cindy Dunbar, Tom & Ann Benjey, Eric Vorodi, Marti Green, Bob Griffin, Donald & Cathy Baker, Paul Slifko, Charles Breslin, Attorney Ron Lucas, John Anderson, John Newbold, Allyn Perkins, Doug Gale, Dan Wyrick, Janice Thompson, Tom Wilkins, Attorney Nathan Wolf, Attorney Bryan Salzman, Joe Fay, Ray Jones, Susan Greenbaum, April Newbold, Linda Franz - “The Patriot News”, Andrea Ciccocioppo – “The Sentinel”.

Chairman Faley called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Faley led the audience in the pledge of allegiance.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

Chairman Faley noted that the meeting is recorded.

MINUTES: 10/25/07 Regular meeting

Rick made a motion to approve the minutes. Ron seconded, & the vote in favor was unanimous.

#06-09C PARKVIEW AT BOILING SPRINGS – Conditional Use Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. A court stenographer was present & the transcript will be the official record. The plan was approved. The hearing was closed.

#07-13 THE CENTER AT ROCKY MEADOWS SOUTH – Preliminary Subdivision:

Attorney Hubert Gilroy represented this plan that proposes to subdivide a lot at the corner of Allen Road & I-81. The lot is along Allen Road & straddles the boundary between Dickinson & South Middleton Townships. Seven acres in South Middleton will be subdivided into three lots & a portion of a fourth lot. Mr. Gilroy stated that staff comments have been addressed. The applicant is working on sewer/water issues with Dickinson Township. Tim stated that variances were granted for setbacks for this plan. Ron asked if the modifications would be dealt with at the land development stage. Brian replied yes except for the modification request for Driveway Access Spacing. He said that the driveway location will not change. Mr. Gilroy explained that there will be a traffic signal with a left-turn & a right-in/right-out access.

Modifications: Preliminary Landscape Plan; Sidewalks; Curbs & Gutters; Street Trees; & Driveway Access Spacing – Urban Collector. Bryan made a motion to approve the modifications. Ron seconded & the vote in favor was unanimous.

Tom made a motion to approve #07-13, subject to the applicant's acceptance of staff comments. Rick seconded, & the vote in favor was unanimous.

#06-14 FORGEDALE CROSSING, SECTION 7 – Final Subdivision:

This plan was tabled.

#07-10 44 CARLISLE SM FORGE ASSOCIATES, LLC

44 CARLISLE SM TWO ASSOCIATES, LP – Final Minor Subdivision:

Attorney Ron Lucas was present to discuss this plan. The applicant proposes to subdivide the commercial portion & the residential portion into two separate lots along the zoning district boundary. The 174 acre parcel is located at the intersection of York Road & Fairview Street. Mr. Lucas said that the applicant agrees to comply with staff comments. There will be a developer's agreement that will be part of this plan & will be recorded with the plan. Tom commented that the connector road is very important. Mr. Lucas said that the primary public access will be 60 feet wide & will be through the middle of the property. Ron said that he would like to see the traffic stay off of Fairview Street until the connector is built. Mr. Mislitsky told Mr. Lucas that submitting design plans for the connector road with the final plan will not be acceptable.

Ray Tennyson, Lisburn Road, asked about traffic onto Lisburn Road.

Doug Gale & Marti Green, both of Derbyshire Drive, asked questions about the connector road.

Brian said that a note should be on the plan in regards to upgrading the roadway within six months of notification. Pam Fisher agreed to add the note.

Modifications: Preliminary Plan; Plan Scale (using 1" = 200 ft in lieu of 1" = 100 ft); Stormwater Management Plan; Erosion & Sedimentation Plan; Grading Plan; Landscape Plan; Recreation Fees; Show access without violating access standards; Sidewalks; Curbs & Gutters; Planting of Street Trees along existing frontage; & Access Spacing. Rick made a motion to approve the modifications. Ron seconded, & the vote in favor was unanimous.

Bryan made a motion to approve #07-10, subject to the applicant's acceptance of staff comments, & a satisfactory review of the development agreement by the Solicitor. Ron seconded, & the vote in favor was unanimous.

#07-11 SECOND STATE ENTERPRISES – Final Minor Subdivision & Land Development:

Jennifer Garcia presented this plan. The applicant proposes to construct a 45,258 s.f. hotel with 70 guest rooms. The property is along Commerce Avenue. This plan has received conditional use approval. The NPDES permit has been approved.

Modifications: Preliminary Plan; Modified Traffic Study; Landscape Architect Certification on Landscape Plan; 60 ft. right-of-way; Landscape islands every 10 parking spaces;

Sidewalks; Curbs & Gutters; Use of infiltration trenches in limestone areas; Access spacing; Upgrade existing roadway. Rick made a motion to approve the modifications. Ron seconded, & the vote in favor was unanimous.

Tom made a motion to approve #07-11, subject to the applicant's acceptance of staff comments. Rick seconded, & the vote in favor was unanimous.

SOLICITOR REPORT:

The report was accepted, as submitted.

ENGINEER REPORT:

The applicant for the Netherby, Phase 2 plan (#05-17) has requested a waiver of Section 707.b.1 (standards for sidewalk installation). The ordinance requires sidewalks to terminate at the right-of-way line, thus creating a grass strip between the walk & the curb. The applicant will eliminate the grass strip in order to place the sidewalk immediately adjacent to the curb line along existing lots 4 & 5. This would run along Keswick Lane. Adjacent landowner, Paul Slifko, said he does not have a problem with this. Bryan made a motion to approve the waiver of Section 707 b.1. Ron seconded, & the vote in favor was unanimous.

Tom made a motion to approve a 120 day time extension for the 103 Midway Drive Final Land Development Plan (Connor Club) (#07-01) in order for them to complete septic field work. Bryan seconded, & the vote in favor was unanimous.

The following plans have asked to be re-approved:

- Carlisle Regional Medical Offices Subdivision Plan #05-03
- Carlisle Regional Medical Offices Land Development Plan #05-12
- West Shore Properties, LLC Final Minor Land Development Plan #05-16

Rick made a motion to accept plan re-approvals with the condition that the 5-year protection is taken from the original date of approval. Ron seconded, & the vote in favor was unanimous.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

The decision for the Carlisle Crossing, Lot #6 Conditional Use plan is ready for signing.

MANAGER REPORT:

The 2008 meeting schedule has been submitted for approval. Tom made a motion to approve the 2008 meeting schedule as submitted. Rick seconded, & the vote in favor was unanimous.

SUPERVISORS' DISCUSSION:

Rick commented on the letter from Mr. Gobin, Ladnor Lane, about some stream work being done. Brian said that he has contacted DEP & that a formal complaint was filed. They will have someone visit the site.

Jim asked if the gates were installed at the lake. Brian said no, they are waiting for another clean up to be held in the race before the gates are installed.

Ron noted that Rt. 174 will be closed west of Craigheads on Saturday for pipe work.

Tom noted that Mark Mateya appreciated the Township's held cleaning trees out of the race.
(BREAK)

PUBLIC INPUT:

Bob Griffin, W. First Street, asked if there would be a decision regarding gypsy moth spraying. Tom said that the Township has included the spraying cost of \$44,000 into next year's budget in order to continue spraying.

Eric Vorodi, Sheeley Lane, asked if the Township would spray his 2 trees damaged by Japanese beetles. He was told no. Rick stated that Japanese beetles have not been identified as a plague. Mr. Vorodi does not feel that taxpayers should be responsible for one-half of the spraying costs. Ron said that the County is trying to hold their budget costs. Barb added that the devastation from the lost foliage can cause stormwater management issues for everyone.

Tom Benjey, Springville Road, noted that the state pays for one-half of the spraying costs. He suggested asking the taxpayers pay the costs or land owners repay the Township.

Bob Griffin offered a \$50.00 contribution to offset the spraying costs.

John Thrush, Ridge Road, stated that the moths are uncontrollable without spraying.

Bryan made a motion to participate in the cost of gypsy moth spraying. Ron seconded, & the vote in favor was unanimous. Barb was directed to notify John Bitner (Vector Control) of the Township's support.

Marti Green, Derbyshire Drive, said there will be Neighborhood Crime Watch meetings on November 13 & December 13 at 7:00 p.m. The State Police will also be in attendance at the meeting.

BILLS FOR PAYMENT:

Bryan made a motion to pay the bills, as submitted. Rick seconded, & the vote in favor was unanimous.

The regular meeting was adjourned at 7:25 p.m.

#06-20C TRAMMEL CROW SERVICES, INC. (Sparks Track Lot 3) – Conditional Use Public Hearing:

Attorney Wilcox reconvened the hearing. A court stenographer was present & the transcript will be the official record.

ADJOURNMENT:

Ron made a motion to adjourn the meeting at 8:14 p.m. Tom seconded, & the vote in favor was unanimous.

ATTEST:

Sandra A. Quickel, Secretary

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Thomas E. Faley, Chairman

Ronald L. Reeder, Vice Chairman

Bryan A. Gembusia, Member

James N. Baker, Member

Walter G. Reighard, Member