

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

FEBRUARY 9, 2006

PRESENT: BRYAN GEMBUSIA, TOM FALEY, JIM BAKER, RON REEDER, RICK REIGHARD – SUPERVISORS; Richard Mislitsky - Solicitor; Barbara Wilson – Manager; Jarrett Sweeney – Assistant Manager; Brian O’Neill – Engineer; Tim Duerr – Zoning Officer; Sandy Quickel – Recording Secretary; Mary Zeigler; Attorney Robert Saidis; Ron Hamilton; Bob Geist; Frank Burrows; Tom & Ann Benjey; Ralph Godfrey; Greg Adams; Martha Green; Jim Stoy; Mark & Doreen Mullen; Tom Houf; Joe Katkocin; John Weidner; Max Marbain; Paul & Jesse Wilson; Bill Brown; Bob Yankowitz; Paul Slifko; Larry Neidlinger; Carl Meiss; Susan Snyder; Marty Garner; Dave Martin; Andrea Ciccocioppo – “The Patriot News”; Sean Smyth – “The Sentinel”.

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

PLEDGE OF ALLEGIANCE:

Chairman Gembusia led the audience in the pledge of allegiance.

MOMENT OF SILENCE:

A moment of silence was observed.

OPENING ANNOUNCEMENTS:

The Board & staff members introduced themselves.

MINUTES: 12/15/05: Ron made a motion to approve the minutes. Bryan seconded. Tom Benjey pointed out the correct spelling of his engineer & note that Pam Fisher was also present for discussion. The vote in favor was 3 to 0 (Jim was absent & Rick was not a Board member at the time). It was noted that neither of the people signed in on the sign-in sheet.

01/26/06: Ron made a motion to approve the minutes. Tom seconded, & the vote in favor was 4 to 0 (Bryan was absent at this meeting).

#06-01C AFC WASHCO – CARLISLE CROSSING, LOT #5 – Conditional Use Public Hearing:

#06-02C AFC WASHCO – CARLISLE CROSSING, LOT #6 – Conditional Use Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. Attorney Robert Saidis & Engineer Paul Wilson represented these plans located on Westminster Drive. The applicant is requesting conditional use approval to build a 7,230 s.f commercial building for Lot #5. Mr. Saidis said that a special exception was granted from the Zoning Hearing Board to allow restaurant uses & a variance was granted to allow a drive through facility for a bank. The applicant is requesting approval to construct a 9,600 s.f. commercial building for Lot #6 for a single use. Mr. Wilson stated that there will be 2 accesses per each lot & approximately 110 parking spaces. The Solicitor asked Mr. Saidis if the applicant is agreeable to staff comments. Mr. Saidis said there are no objections to staff comments except comment #1 that deals with limiting the use of the

building to 1 principle use. Grainger representative Dave Martin described the building layout. The new tenants will include a pizza parlor, ice cream parlor & a bank. Public comment was taken.

Jim Stoy, 303 James Road, questioned how many buildings were on Lot 5.

Mark Mullen, Petersburg Road, asked for the location of these 2 lots in regards to the Kohls store.

Jim Stoy asked about the location of dumpsters. Each building will have its own dumpster & they will be behind the buildings & the berm. They will also be screened by a fence.

Tom made a motion to approve #06-01C, subject to the applicant's acceptance of staff comments. Rick seconded, & the vote in favor was unanimous.

Tom made a motion to approve #06-02C, subject to the applicant's acceptance of staff comments, & subject to a satisfactory agreement on the wording that the building is limited to 1 principle use unless the zoning is changed or a variance is obtained. Ron seconded, & the vote in favor was unanimous. The hearings were closed.

#05-38 CARLISLE CROSSING, LOT #1 – Final Minor Land Development:

Attorney Robert Saidis & Engineer Paul Wilson were present for the plans located along Westminster Drive. The applicant proposes to construct a 15,605 s.f. building on Lot 1 of the Carlisle Crossing development. This plan was previously approved as a conditional use plan.

Modifications: Preliminary plan; Landscape Architect Certification on Landscape Plan; Landscape Island every 10 spaces; & Landscape plan scope & requirements. Tom made a motion to approve the modifications. Ron seconded, & the vote in favor was unanimous.

Tom made a motion to approve #05-38, subject to the applicant's acceptance of staff comments. Ron seconded, & the vote in favor was unanimous.

#05-25 LLOYD E. JR. & PATRICIA W. PENNER – Final Subdivision:

Larry Neidlinger represented this plan located along West Pine Street. The applicant proposes to subdivide a 30 ft. x 200 ft. strip of land from Lot #1, add that to another lot in the Borough of Mt. Holly Springs. This plan is a lot addition.

Modifications: Preliminary Plan; Stormwater Management Plan; Grading Plan; Landscape Plan; Sidewalks; Curbs & Gutter; Upgrade Existing Roadway. Ron made a motion to approve the modifications. Tom seconded, & the vote in favor was unanimous.

Tom made a motion to approve #05-25, subject to the applicant's acceptance of staff comments. Ron seconded. Jim asked if the standard not regarding sidewalks would be placed on the plan. Rick feels the note should be placed on the plan even though it would probably not be required. There are no sidewalks in this area at this time. The vote in favor was 3 to 2 (Jim & Rick were opposed).

#05-31 MICHAEL MARHEVKA – Final Minor Subdivision:

This plan was tabled.

#05-32 MOUNTAIN VIEW TERRACE – Final Minor Subdivision:

This plan was tabled.

#05-34 SUMMERFIELD – Preliminary Subdivision (Revised):

#05-35 SUMMERFIELD, PHASES 4 & 5 – Final Subdivision:

Max Marbain & Greg Adams were present for this plan. The applicant proposes to revise the preliminary plan for the development. They are eliminating 12 single family lots in Phases 4 & 5 & replacing them with 19 townhomes (increasing the number of lots by 7). Brian pointed out that the issue of street lights were discussed at the Planning Commission meeting. Mr. Marbain said that street lights would be installed at the intersections with Eastgate Drive. There will not be any internal lighting except for individual pole lights at each house. Tom asked when Eastgate Drive will be extended from Marsh Drive to Walnut Bottom Road. Mr. Marbain replied that it will be completed by late summer. There are no modification requests.

Tom made a motion to approve #05-34, subject to the applicant's acceptance of staff comments. Ron seconded, & the vote in favor was unanimous.

Tom made a motion to approve #05-35, subject to the applicant's acceptance of staff comments. Tom seconded, & the vote in favor was unanimous.

#05-36 JOSEPH J. KATKOCIN – Final Subdivision:

Mr. Katkocin was present for this plan. He proposes to subdivide a single 30,146 s.f. lot along Garfield Drive into 2 lots. Public water & sewer is being provided. Bryan asked about the modification request for sidewalks. Tim stated that this area is built out, & there are no sidewalks or gutters along this area.

Modifications: Preliminary Plan; Landscape Plan; Sidewalks; & Section 1405 (7) of the Zoning Ordinance requiring conditional use. Tom made a motion to approve the modifications. Ron seconded, & the vote in favor was unanimous.

Tom made a motion to approve #05-44, subject to the applicant's acceptance of staff comments. Ron seconded, & the vote in favor was unanimous.

#05-44 JAMES O. & MARY E. HOUSTON – Final Minor Subdivision:

The applicant proposes to subdivide approximately 12 acres (Lot #3) along Petersburg Road from a 14.4 acre lot, leaving a 2.4 acre tract (Lot #1). The 12 acres will then be combined with a 1 acre lot (Lots #2 & 2A) to for a 13 acre lot. The driveway on Lot #1 will be relocated as part of the plan for better sight distance.

Modifications: Preliminary Plan; Stormwater Management Plan; Grading Plan; Landscape Plan; Letort Regional Authority review; Erosion Control notation; & Upgrade existing roadway. Tom made a motion to approve the modifications. Rick seconded, & the vote in favor was unanimous.

Tom made a motion to approve #05-44, subject to the applicant's acceptance of staff comments. Ron seconded, & the vote in favor was unanimous.

PUBLIC INPUT:

Mary Zeigler, Allen Street, asked the Township to consider placing "No-thru" traffic signs on the roads in Carlisle Manor. She said the "No Truck" signs have helped eliminate some traffic. Brian said that this request could not be enforced, & you can't restrict who travels on the roads. Consensus was given for Brian to research this issue & to include Fairview Street also.

Bob Chicci, Indian Hills, thanked the Township & especially Bryan Gembusia for their assistance in working with the school district to have buses travel on undedicated streets in this development. He feels the safety of the students has improved. Ron commented that there was extended cooperation with the school district on this issue. Bryan stated that the school district presented the township with their criteria that will help with other areas in the township on this issue.

Carl Meiss introduced himself. He is seeking election for retiring Representative Bruce Smith in the 92nd District.

Marty Garner, Oxford Road, asked for police coverage in the Oxford Road area. Barb will contact the State Police & request coverage in that area.

(BREAK)

SOLICITOR REPORT:

No report was given.

ENGINEER REPORT:

Brian discussed his letter to PennDOT regarding placing a fourth stop sign at Westminster Drive & Forge Road. An engineering study concluded that a stop sign is warranted, but PennDOT has some concerns. They feel the traffic from York Road will back up if everyone has to stop at this location. They also think the people have gotten used to the situation now & it might confuse people by putting a stop sign up now. They don't want to put a sign up & then due to any complaints have to take it down. Brian said that the knoll is to be removed & that this will help with sight distance. Tom said that since this is a state road, the Township should wait to see what they recommend. Jim feels that the traffic will backup towards York Road. Consensus was given to wait & see how the situation stands once the knoll is removed.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Jim made a motion to approve a 90-day time extension for the Robert L. & Janet M. Smith Final Minor Subdivision plan. Ron seconded, & the vote in favor was unanimous.

Jim made a motion to approve a 90-day time extension for the Netherby, Phase II Final Subdivision plan. Ron seconded, & the vote in favor was unanimous.

Jim made a motion to approve a 90-day time extensions for the Carlisle Church of the Brethren in Christ Church Final Minor Land Development, the Carlisle Reformed Presbyterian Church

Final Minor Land Development, & the New Beginnings Loft Final Minor Land Development. Tom seconded. Ron asked why these plans are always requesting 90-day time extensions. Tim explained that the applicants are constructing the building improvements as they proceed with the plans & need the extra extensions. The vote in favor was unanimous.

Ron made a motion to approve a 35-day time extension for the Carlisle Brethren in Christ Church Conditional Use plan. Jim seconded, & the vote in favor was unanimous.

Ron made a motion to approve a 35-day time extension for the Hollinger Group Conditional Use plan. Rick seconded, & the vote in favor was unanimous.

Consensus was given to stay out of the neighborhood dispute between the Cherub Learning Center (Robert Griffin) & a neighbor (Tracy Houston). Jim added that the Township should stay out of the dispute as long as the problem doesn't interfere with sight distance.

MANAGER REPORT:

In regards to the Community Thanks Program, the Township would like to offer residential building permits for any emergency responders living in the Township at a 50% reduction fee. The Recreation Supervisor is also developing a listing of recreational programs that could be offered at reduced rates.

Bryan made a motion to approve Resolution #06-04 approving the changes to the Personnel Manual. Tom seconded, & the vote in favor was unanimous.

The comprehensive planning process has begun. The Township's Goals & Accomplishments will be ready shortly.

There was discussion about writing a letter to the editor in response to a letter by Dickinson Township Planning Commission member Tony Zizzi. Jim suggested sending a letter to Mr. Zizzi before sending it to the newspaper. Bryan said that this courtesy was not given to us. Ron agreed. Tom feels the letter should be sent to the paper. Consensus was 4 to 1 (Jim was opposed).

Barb noted that the hospital is moving to the new facility on Sunday.

SUPERVISORS' DISCUSSION:

Jim stated that people are still upset over the tax issue with changing the tax collection agency. He suggested placing an explanation on how to handle their taxes in the paper. Tom stated that there are new faces on the school board, & it is worth the chance to ask the school board again to rejoin us using a new tax collection agency. Bryan volunteered to speak to the school district & ask them to revisit this issue since they use a different tax collection agency than the Township.

Rick stated that he submitted a letter to the Township requesting participation in the Township's health insurance plan for him & his wife.

BILLS FOR PAYMENT:

Jim made a motion to pay the bills. Tom seconded, & the vote in favor was unanimous.

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 7:30 p.m. Tom seconded, & the vote in favor was unanimous.

WITNESS:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Bryan A. Gembusia, Chairman

Thomas E. Faley, Vice Chairman

Ronald L. Reeder

James N. Baker

Walter G. Reighard