

MINUTES

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

MAY 10, 2012

PRESENT: TOM FALEY, BRYAN GEMBUSIA, RICK REIGHARD, DUFF MANWEILER, RON HAMILTON – SUPERVISORS, Richard Mislitsky – Solicitor, Barbara Wilson – Manager, Jarrett Sweeney – Assistant Manager, Brian O’Neill – Engineer, Tim Duerr – Zoning Officer, Sandy Quickel – Recording Secretary, Cindy Dunbar, Nita Cook, Margaret Evans, Attorney Jim Hughes, Mary Ann Ernst, Nancy Burkholder, Lon Erickson, Al Spear, John Madden, Zachery Zukauckas, Molly Mackey, Brian McNew, Richard Cummins, Jean Boudner, Doug & Helen Gale, Tex McCalister, Freda Schlusser, Ronald & Barbara Dorshimer, Max Marbain, Cathy Paxton, James & Helen Morton, Robert & Patricia Bechtel, Mary Trephan, John & Patsy Lichtenberger, Lawren Frederick, Sandy LeShure, Tom Merlie, Dan Sarokon, Dale Jones, Linda Semancik, Mary Claire Donnelly, Ruby Liddick, Carol Shetter, Dallas Fisher, Deb Baker, Brooke Ciccocioppo, Russ Richwine, Ken Sauter, Dieter & Jackie Rollfinke, Bob Highlands, Ken Walsh, John Snyder, Brian McNew, Cory Adams, Rebecca Jones – “The Patriot News”, Matt McLaughlin – “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 stated that the meeting is recorded & to turn off cell phones. Tom introduced the Township’s new employee, Cory Adams. Mr. Adams was previously employed at PSATS. Rick welcomed Mr. Adams & stated that he has met him over the years at events. Mr. Adams thanked the Board & stated that he feels welcome & looks forward to working at the Township. Tom also announced that Barbara Wilson will be retiring on July 31st & she will be deeply missed. He also announced that Jarrett Sweeney will be moving at some point & will be leaving the Township. Tom also noted that Rebecca Jones, Patriot News reporter, will not be covering the Township & will be at the Patriot in another position. He wished her well.

MINUTES: April 26, 2012 (Regular Meeting):

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

PUBLIC INPUT:

There was no public input.

#2011-0023 RICHARD R. BURGOON – Preliminary/Final Subdivision:

Attorney Jim Hughes represented this plan. The applicant proposes to subdivide a 42-acre parcel into 3 residential lots along South Spring Garden Street. The residual parcel will remain an agricultural lot.

Modifications: Preliminary Plan, Landscape Plan, Street Trees, & Upgrade existing roadway. Tom made a motion to approve the modifications. Duff seconded, & the vote in favor was unanimous.

Tom made a motion to approve #2011-0023, subject to the applicant's acceptance of staff comments. Ron seconded, & the vote in favor was unanimous.

SUMMERFIELD, PHASE 6 – Drainage Discussion:

Max Marbain was present for the discussion. Dan Sarokon, Summerfield HOA Secretary, represented the residents of the development. Mr. Sarokon stated that there is constant run-off & flooding behind & between the houses & on the road. He said these issues have not been adequately addressed. Sidewalks are sinking & there is dirt/debris on the road. Utility boxes have become flooded causing a hazardous condition. It was stated that these problems began when Phase 6 construction started. There was no erosion control in place. A berm was installed by the developer. The houses at 311 & 313 Touchstone still have pooling water. Tom asked if the Township is holding financial security for this phase. Brian replied yes for Phase 6. Tom asked the Solicitor if the Township is within its right to withhold the financial security. Mr. Mislitsky replied that he will find a way to do so. Public input was taken.

Ronald Dorshimer, Gladwyn Drive, submitted photos of drainage problems. Russ Richwine, stated that water flows behind his house. He attributed this to the removal of a pile of dirt. Tom asked if there was a grading plan. Brian replied yes, but stated that as-builts didn't cover this area, only public improvements. Also, walls & fences were located in the swales. Dale Jones, stated that the pile of ground had to be removed – it was very high, & that a drain box is too high. Bob Beckell, Lot 36 (Touchstone) said the swale fills with water when there is a heavy rain, but still flooding occurs. Mary Trephan, Merrihill Drive, said her yard is like a swimming pool when there are heavy rains. Deb Baker, 35 Summerfield Drive, stated that there is a big gully of water that sits for days after a rain. Developer Max Marbain was asked to speak. He said he is aware of most of the issues, & that Phase 1 was built in accordance with the plan. He showed a plot plan of Molly Mackey's house (lot 118), & noted that it has a small yard with landscape blocks around the flower beds. Max stated that the HOA requirements do not permit any landscaping that impedes the drainage flow. Phase I as-builts were approved. Brian stated that the swale has not been defined as per the plan. Mr. Marbain stated that a berm was built & a catch basin was installed. He showed photos taken 24 & 48 hours after the rain, & noted there was no flooding. Mrs. Mackey said she has had her flowerbed for 6 years & never had flooding until the pile of ground was removed. There was discussion on removing her landscaping. Tom suggested obtaining an engineer to look at this issue & use the financial security to fix the problem. Mr. Mislitsky asked Mr. Marbain if he would have a problem with that, & Mr. Marbain replied yes. Ms. Mackey stated that she would remove the landscaping if it would help the issue. Tom feels more drains may be needed. It was suggested to Mr. Marbain to have his engineer review this issue & report back to the Board. Duff suggested Barb, Brian, Dale Jones, Mr.

Sarokon, & himself meet on site to review this issue after Max's Engineer has a solution. Jane Sheriff, 51 Gladwin added that the resident's mailbox unit has ankle-deep water in front of it.

#09-08 JEFFERSON COURT II – Preliminary Subdivision:

This plan was tabled.

#2009-0024 MORGAN'S CROSSING – Preliminary Subdivision:

This plan was tabled.

#2011-0018 CARLISLE EVANGELICAL FREE CHURCH – Preliminary/Final Land Development:

This plan was tabled.

#2012-0007 SUMMERBRIDGE – Sketch:

John Snyder & Brian McNew represented the plan. This plan proposes 298 dwelling units with 24,000 s.f. of commercial retail space. The property is located along Eastgate Drive. The applicant proposes using solar power for heating/cooling, & using the Innovative Design concept. Mr. Snyder pointed out proposed trails & play areas. Tom feels a traffic study should be done. Tom explained the recreation fees that would be paid to the Township would be \$1,000/unit totaling \$298,000. Mr. Snyder said the applicant is trying to estimate costs for off-site improvements, needing easements, & driveway sign-offs, etc. Tom feels that these units would be attractive to young people with children, thus causing possible issues for the school district. Brian noted that Graham Buick located at the Rt. 34 & Marsh Drive intersection may affect this project. The car business may have to relocate their driveway. Public input was taken.

Dallas Fisher, Marsh Drive, asked if the applicant's profit amount will be known. He was told that the Township will not know this information. Tom commented regarding the "green concept". Rick noted that the amount of units has risen from 290 to 298 & the commercial space is smaller. He asked what type of commercial uses are planned. He was told it is not known at this time – too preliminary at this point. Rick asked about the phasing schedule. This is also not known at this time, but the community center will be completed first, with 100-150 units per phase. There may be 2-3 phases. Ken Sauter, Rockledge Drive, asked where the parking for the barn will be located. Mr. Snyder pointed it out on the drawing. He said there is already an increase in traffic since the soccer fields have been located up the road. On another note, Mr. Sauter thanked the Township for cutting the overgrown shrubs at his property allowing more visibility. An unknown resident asked how many units will be in each building. It will vary depending on the market study. Dan Sarokon is concerned with privacy & would like to see screening. Sandy LeShure, 313 Touchstone, asked how many stories in the building. Some may have 2 or 3 stories. Robert Highlands asked if the residents will be advised when the Conditional Use plan is submitted. He was told that it will be advertised in the newspaper. Another comment involved the number of roads into the development. Dick Cummins, Greenfield development, commented on the traffic in the Marsh Drive area. Margaret Evans, 214 Brighton, asked how many exits were planned onto Eastgate Drive.

Consensus was to proceed to the Conditional Use process. It was noted that conditions can be attached at the Conditional Use stage.

SOLICITOR REPORT:

No report was given.

ENGINEER REPORT:

The Deer Path Valley plan (#2010-0019) approval has expired. The applicant has not met the 90-day deadline to meet the conditions of plan approval. They have not submitted a cost estimate for security or posted security & have not paid recreation fees. Rick made a motion to deny reapproval of plan #2010-0019. Bryan seconded, & the vote in favor was 3 to 0. (Duff & Ron abstained from voting).

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

The Township is required to have five members on the Building Code Board of Appeals. Currently there are four members. A candidate has been selected for appointment. Rick made a motion to appoint Robert Nesbit to the Building Code Board of Appeals. Bryan seconded, & the vote in favor was unanimous.

MANAGER REPORT:

Crabtree, Rohrbaugh & Associates have asked to reserve South Middleton Park for a charity race on October 6th. They will supply the insurance certificate closer to the time for the race. Bryan made a motion to approve their request, subject to submitting the appropriate paperwork. Ron seconded, & the vote in favor was unanimous.

Harvest Health has requested the use of South Middleton Park for a benefit race for the United Way on October 27. They have also requested a waiver of the cost of pavilion rental. Bryan made a motion to approve their request & to waive the pavilion rental fee. Ron seconded, & the vote in favor was unanimous.

The South Middleton/Dickinson Townships boundary decision should be recorded in several places. A resolution has been prepared to include with the paperwork. Tom made a motion to approve Resolution #11 of 2012 acknowledging the boundary decision. Bryan seconded, & the vote in favor was unanimous.

Barb noted that a family originally in South Middleton School District (SMSD) has to move to Dickinson Township due to the boundary decision. They approached the SMSD with a request to keep their child enrolled in the SMSD. The majority of the school Board voted to approve the request & not to make them pay tuition costs.

PUBLIC INPUT:

Barbara Dorshimer stated that she & her husband were impressed with the Board members & staff during the meeting on handling different issues.

SUPERVISORS' DISCUSSION:

The Craighead Bridge was discussed. The County will be replacing the iron bridge on Zion Road with a new bridge. They have asked if the Township would be interested in the original bridge. Several issues need to be considered, such as maintenance costs, insurance issues, if the Township would be interested in ownership of the bridge, etc. Tom stated that the bridge was built in 1896. Rick said that the bridge is shown on the Township logo & has historical value. Duff & Ron would like to consider owning it. Bryan asked if the County would help with the

removal, & stated that the bridge will continue to rust. He said he would be satisfied with the idea if the County helps to maintain it.

BILLS FOR PAYMENT:

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

ADJOURNMENT:

Duff made a motion to adjourn the meeting at 8:30 pm. Bryan seconded, & the vote in favor was unanimous.

ATTEST:

**SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS:**

Sandra A. Quickel, Secretary

Thomas E. Faley, Chairman

Bryan A. Gembusia, Vice Chairman

Walter G. Reighard, Member

R. Duff Manweiler, Member

Ronald P. Hamilton, Member