

MINUTES

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

JULY 26, 2007

PRESENT: TOM FALEY, RON REEDER, JIM BAKER, BRYAN GEMBUSIA, & 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, Bony Dawood, Linda Larson, Seth Mosebey, Attorney Jim Hughes, Ron Hamilton, Doug & Helen Gale, Dave Nesbit, Fawn Cassel, Mary Good Randy Wright, Vicki Clepper, Cathy Baker, Tom Benjey, Bill Swanick, Ron Anderson, Derreck Henry, Howard Phillips, Bob Gesit, Laura Lenhart, Rick Hoover, Paul Slifko, Marti Green, John Newbold, Don Miller, Roy & Kim Lindstrom, Cindy Dunbar, Morgan Price, Charles Breslin, Doug Plank, Jennifer McKenna, Phillip Carey, Kurt Williams, Ray & Betty Jones, Bill Chain, John Anderson, Dan Wyrick, Phil Thompson, Kristin Wilson – “The Patriot News”, John Hilton - “The Sentinel”.

The meeting was called to order at 6:05 p.m. by Vice Chairman Reeder.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Chairman Faley.

MOMENT OF SILENCE:

A moment of silence was observed for Supervisor Reeder’s mother who recently passed away.

OPENING ANNOUNCEMENTS:

Tom noted that the meetings are recorded.

MINUTES: 07/12/07 Regular Meeting

Bryan made a motion to approve the minutes. Rick seconded. Ron noted 2 changes under Supervisor’s discussion. One involved changing the wording on the driveway access on Sycamore Drive to be located on Pine Road. The other change was to note that Jim was not present at the ZHB when the Griffin case was presented. The vote in favor was unanimous.

07/14/07 Workshop Meeting

Rick made a motion to approve the minutes. Bryan seconded, & the vote in favor was 4 to 0 (Jim was absent at this meeting).

PRESENTATION – Jesse Moose (Planning Commission Member):

Tom noted that the Township will be sending a plaque to resigning Planning Commission Member Jesse Moose. He is moving due to a job transfer.

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

Mr. Mislitsky reconvened the hearing. A court stenographer was present & the transcript will be the official record. The plan was tabled until a later date. The hearing was closed.

#06-11 GEORGETOWNE – Conditional Use Public Hearing:

Mr. Mislitsky opened the hearing. A court stenographer was present & the transcript will be the official record. A time extension was granted until 9/30/07 to continue the hearing. The hearing was closed.

ORDINANCE #07-04 ZONING ORDINANCE AMENDMENT (Criteria for Conditional Uses) – Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. Tim explained the minor changes. One involved the criteria in which the Board reviews & acts on conditional uses. Another change involves removing the innovation design concept from the WC & A & C districts. Tom made a motion to approve Ordinance #07-04. Rick seconded, & the vote in favor was unanimous. The hearing was closed.

#07-05S PINTO PROPERTY – SKETCH:

Dave Nesbit presented this sketch plan located along I-81 (Exit 44). The plan proposes a site for a trailer drop off area. Tractor trailer trucks may drop off their trailers at this site when they arrive early at the distribution center. The access will be off of Logistics Drive. Trucks will not be idling, there will be screening, & variances will be needed. The property is long & narrow, & there is a 6-acre scenic easement in the middle of the property. Tom said that he would like to send a representative to attend the Zoning Hearing Board meeting to oppose granting the requested variances. Jim said he prefers not sending anyone to attend the Zoning Hearing Board meeting. Ron mentioned the issue of dealing with any hazardous materials spills. Rick questioned the number of trailers that would sit on the lot. Mr. Nesbit replied that there could be up to 502 trailers sitting for either hours or days. The trucking company would pay for the amount of time that they use to sit there. Mr. Nesbit commented on opposing the variances. He stated that another business (Rocky Meadows) requested the same type of variances. Tim replied that the use is different (hotel/restaurant). Tom made a motion opposing granting the requested variances, & authorizing the Solicitor to attend the Zoning Hearing Board meeting to represent the Board's position opposing the variances. Bryan seconded. The vote in favor was 4 to 1 (Jim feels the Zoning Hearing Board does not need anyone to speak for the Board, & that they can make their own decisions).

EMERGENCY SERVICES REPORT:

Ron Hamilton, EMS Co-Administrator, suggested imposing a burn ban due to dry conditions. Ron made a motion to implement a burn ban until further notice by Mr. Hamilton. Bryan seconded, & the vote in favor was unanimous.

RECREATION REPORT:

Super Saturday is this weekend. The report was accepted, as written.

ROADMASTER REPORT:

Barb stated that Hamilton Road & Rockledge Drive will be paved in the near future. The report was accepted, as written.

SOLICITOR REPORT:

Mr. Mislitsky advised the Board to approve the easement agreement on the Sycamore Drive property subject to his review of the agreement. This issue is listed under the Engineer's report.

ENGINEER REPORT:

A request was submitted for an access easement to allow access from Pine Road to 120 Sycamore Drive across Township property. Bryan made a motion to approve the easement & maintenance agreement for 120 Sycamore Drive subject to the Solicitor's review. Brian said that when Pine Road floods, Sycamore would be used & would involve crossing Township property. Attorney Jim Hughes said that where the driveway comes out is part of Township property in the Southview subdivision. Ron seconded & asked if the gravel driveway will remain. He was told yes. The vote in favor was unanimous.

Max Marbain has submitted a waiver request for sidewalks along Eastgate Drive in the Summerfield Sections 4 & 5 development (#05-35). Sidewalks were shown on the plan, but have not been constructed. The development of the commercial parcels along Eastgate Drive will probably result in changes to the sidewalk system since it is in the Village Commercial district that allows wider sidewalks. If sidewalks are constructed now, they may possibly have to be torn up & reconstructed. Bryan made a motion to deny the waiver request. Jim seconded. Rick would like to see temporary grading done. The motion & second were withdrawn. Bryan made a motion to request the developer to finish the grading & to require that sidewalks be constructed at a later date when the commercial parcels are developed. Jim seconded, & the vote in favor was unanimous.

The applicant for Cumberland Medical Properties (#05-43) has submitted a request for release of security. Ron made a motion to release the security for plan #05-43. Rick seconded, & the vote in favor was unanimous.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

The applicant for the Georgetown Conditional Use plan has granted a time extension until September 30, 2007 to hold a public hearing. Tom made a motion to approve the time extension until September 30, 2007. Ron seconded, & the vote in favor was unanimous.

Consensus was given to advertise public hearings for the following plans: St. Patrick's Church on 8/9/07 & Sprint/Nextel on 8/30/07.

The draft decision is ready for signatures for The Townes at Summerbridge Conditional Use.

The dirt stockpiles on the Wheatstone property will be graded & the weeds maintained in the near future.

Derrick & Justine Henry (405 Heisers Lane) have requested a waiver from the 30 ft. side yard building setback approved on the Warner/Hollinger plan. The purpose is to construct an addition to their existing house 22 feet from the side property line. The abutting neighbor does not have a problem with this, but submitted a letter that they want assurance that any trees damaged during excavation are replaced. Tom made a motion to approve the waiver request & subject to the conditions as requested in their neighbor's letter. Bryan seconded, & the vote in favor was unanimous.

MANAGER REPORT:

Barb noted that copies are on the back table listing the items discussed at the workshop meeting. The report was accepted, as written.

PUBLIC INPUT:

Doug Gale, Derbyshire Drive, asked the Board's opinion on the Carlisle Forge plan. He specifically asked if the project would not be approved if the connector road is not built. The Solicitor said he would speak to him at break time.

Marti Green, Derbyshire Drive, discussed an issue that was discussed at the workshop meeting. She feels that the Karst Ordinance should not be a low priority, but should be a medium/medium-high priority. She is concerned about sinkholes & the aquifer.

SUPERVISORS'S DISCUSSION:

Rick asked if there has been any action on the Highway Occupancy Permit for Forgedale Crossing. He was told no. He asked about the 6 plans that the Board held off on reapproving. Tim said that the applicants are trying to close them out. He asked about the stop sign issue at the ice cream store in the Carlisle Crossing development. Brian said that the developer will be installing the sign. Rick asked if a joint meeting with Carlisle Borough has been set. Barb replied no. He will be attending a Zoning Hearing Board seminar. Also, Super Saturday is this weekend.

Jim said that he did not attend the workshop meeting, but would like to proceed with the dog ordinance issue. He feels this topic will always be an issue.

BILLS FOR PAYMENT:

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

(BREAK) – 7:36 p.m.

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

Mr. Wilcox reconvened the hearing. A court stenographer was present & the transcript will be the official record. The hearing was closed at 10:34.

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 10:35 pm. Ron seconded, & the vote in favor was 4 to 0.

WITNESS:

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