

DRAFT MINUTES

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

SEPTEMBER 13, 2007

PRESENT: TOM FALEY, RON REEDER (Absent), 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, Jeffrey Bickle, Greg Cox, Attorney Robert Saidis, Doug Baker, Doug & Helen Gale, Gale Riddle, Paul Slifko, Chris Dellinger, Howard Phillips, Bob Geist, John Anderson, Pam Fisher, Larry Kell, Donald Baker, William Bixler, Linda Franz - “The Patriot News”, Andrea Ciccocioppo – “The Sentinel”.

Chairman Faley called the meeting to order at 6:03 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: 08/30/07 Regular meeting

Bryan made a motion to approve the minutes. Tom seconded, & the vote in favor was 4 to 0.

ORDINANCE #07-07 Zoning Ordinance Amendment (maximum gross floor areas in Village District) – Public Hearing:

Mr. Mislitsky opened the hearing & stated the procedure. Tim explained the amendment. It will set for the maximum gross floor areas for individual uses in the Village Zoning District. This is needed to correct a previous amendment. Rick asked if this will make the language clearer. Tim said yes. There was no public input.

Tom made a motion to approve Ordinance #07-07. Bryan seconded, & the vote in favor was 4 to 0. The hearing was closed.

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

This plan was tabled.

#07-02 LINDSAY D. OSBORN – Final Minor Subdivision:

This plan is located on Strawberry Drive (across from the Carlisle Swim Club). The applicant proposes to subdivide an existing 7.1032 acre lot into 3 separate parcels. Since there is only 1 lot, submittal of recreation fees will not apply.

Modifications: Preliminary Plan, Stormwater Management Plan, Grading Plan, Landscape Plan, Sidewalks, Curbs & Gutters, Connection to public water, & Upgrade existing roadway. Tom made a motion to approve the modifications. Bryan seconded, & the vote in favor was 4 to 0.

Tom made a motion to approve #07-02, subject to the applicant's acceptance of staff comments. Rick seconded, & the vote in favor was 4 to 0.

#07-09 WALNUT BOTTOM GROVE – Preliminary/Final Subdivision”

Chris Dellinger & Greg Cox were present. The property is along Walnut Bottom Road. Mr. Dellinger said that 6 lots will be consolidated into 2 lots. Tom said that there have been complaints about the property concerning overgrown brush, weeds, & the visual state of the properties. Tom said he is not comfortable approving the plan until the property is cleaned up. Mr. Cox said that the houses have been boarded shut to keep vandals out. He also said that the fire company will burn the houses down for training purposes when any asbestos has been removed from the houses. Bryan agreed that the site looks neglected. Jim added that he would like to see sidewalks installed when the site is developed. Tim said that this issue can be addressed at the land development stage. Rick asked when demolition would occur. Mr. Cox said he was waiting for cooler weather. Rick said he should start as soon as possible. The plan was tabled until these items are addressed. The plan will be placed on the September 27th agenda.

SKETCH – DOUG BAKER:

Attorney Robert Saidis & Doug Baker were present. Mr. Saidis said that Mr. Baker's property is at 531 York Road & is in the CI zone. Mr. Baker is proposing a sandlot baseball & softball academy. A conditional use plan will be submitted. The proposed use qualifies as an indoor recreation facility. Several outbuildings will be removed on the property. A metal-sided building is proposed. There will be a practice infield. There will be an instructor for lessons. The highest volume of traffic is anticipated to be January, February, & March before baseball season begins. Rick asked Mr. Baker if he will maintain the property as his residence. Mr. Baker said yes. Rick suggested relocating the driveway at another location & to blend the building in with the surrounding area. Public input was taken. Larry Kell, 552 York Road said he is happy to see what is being done with this property. He said that Mr. Baker is a great neighbor & this proposed use will be good for kids. Bill Bixler, 11 S. Ridge Road, said that his son is a better ball player due to Mr. Baker's assistance. Gale Riddle, Sunrise Meadows, said he supports this idea.

SOLICITOR REPORT:

No report was given.

ENGINEER REPORT:

The Board had asked for additional information on the following plans asking for re-approval:

Eastgate Professional Center (#05-23)

Carlisle Reformed Presbyterian Church (#03-23)

Michael Marhevka (#05-31)

Letters were received detailing the need for plan reapproval. The 5-year protection will apply to these plans. Jim made a motion to accept plan re-approval as above with the condition that the

5-year protection is taken from the original date of approval. Tom seconded, & the vote in favor was 4 to 0.

The Board had asked for additional information on the following plans asking for re-approval:

Carlisle Church of the Brethren in Christ (#02-14)

New Beginnings Loft (#04-14)

Letters were received detailing the need for plan reapproval. The 5-year protection will not apply to these plans because everything has been built. Jim made a motion to accept plan re-approval as above. Tom seconded, & the vote in favor was 4 to 0.

The following time extensions have been submitted:

Forgedale Crossing, Section 7 (#06-14) – 12/13/07

Sparks Tract (#06-25) – 3/27/08

Limestone Creek, Phase 1 (#07-04) – 12/16/07

Jim made a motion to approve the time extensions. Tom seconded, & the vote in favor was 4 to 0.

The applicant for McCoy Business Center, Lots 8 & 18 (#98-06) has requested a reduction in security. Items have been completed, but as-builts have not been received, so the 18-month maintenance period will not begin until we have as-builts & the roads are dedicated. Jim made a motion to reduce the security. Tom seconded, & the vote in favor was 4 to 0.

The applicant for Carlisle Crossing (#04-29) has requested a release of security for on-site & off-site improvements. The 18-month maintenance period will expire on 10/13/07. Jim made a motion to approve the security release. Rick seconded, & the vote in favor was 4 to 0.

The developer for Summerfield, Phase 2 (#03-10) has requested dedication of portions of Touchstone & Merrihill Drives. As-builts have been submitted. Jim made a motion to approve Resolution #07-19 accepting portions of Touchstone & Merrihill Drives for dedication, & to reduce the security to maintenance amount. Bryan seconded, & the vote in favor was 4 to 0.

The applicant for Misty Meadows, Phase 1 (#98-20) has requested a reduction in security. The applicant has paved the trenches on Springville Road in Phase 2, & all other items have been completed. Jim made a motion to reduce the security. Rick seconded, & the vote in favor was 4 to 0.

PLANNING/ZONING/CODES ENFORCEMENT REPORT:

Tim said that the owner of Waggoner Fabrication & Millwright has requested a modification from the Subdivision & Land Development Ordinance to waive the requirement for the submittal & approval of a land development plan. The owner plans to replace an existing 748 s.f. trailer with a 1,152 s.f. double wide office trailer on an existing stoned pavement. There will be no increase in impervious area. Jim made a motion to approve the waiver request for submitting a land development plan. Bryan seconded, & the vote in favor was 4 to 0.

The applicant for 103 Midway Drive Final Minor Land Development plan has requested a 60-day time extension to meet conditions of plan approval. Jim made a motion to approve a 60-day time extension. Bryan seconded, & the vote in favor was 4 to 0.

A draft decision for Sprint/Nextel Partners Conditional Use plan is ready for signing.

Gale Riddle is requesting a waiver from the 30 ft. side yard building setback requirements for Sunrise Meadows Phase 1 plan in order to construct a garage 26 ft. from the side property line. The abutting neighbor does not have a problem with this request. Bryan made a motion to approve the waiver request. Tom seconded, & the vote in favor was 4 to 0.

Jeffrey & Lena Bickle, 824 W. Lisburn Road, are requesting a waiver from the 50 ft. side yard building setback for the Green Meadows plan in order to construct a garage 23-1/2 ft. from the side property line. An abutting neighbor does not have a problem with this request. Tom made a motion to approve the waiver request. Bryan seconded, & the vote in favor was 4 to 0.

MANAGER REPORT:

Bryan made a motion to exercise option year 1 on the contract with Waste Management. Rick seconded. Doug Gale, Derbyshire Drive, asked if Waste Management does not have to take the second option. He was told that the amount is already bid for option 2. Mr. Gale also said that Waste Management does a good job. The vote in favor was 4 to 0.

SUPERVISORS' DISCUSSION:

Rick stated that he attended the Municipal Authority's meeting & that 3 homes under option with Trammel Crow do not want to hook up for public water/sewer services because of demolition. Agreements have been signed & the hook up cost would be deducted at the time of closing.

Jim commented about the upcoming event for the Central PA Conservancy. He encouraged attendance for this event. Regarding the dog ordinance, Jim would like to revisit the issue by voting on it. Tom & Jim are in favor of an ordinance. The vote would be 2 to 2 without Ron's vote. He asked the Board if any of the members have changed their mind about this ordinance. Jim made a motion to revisit the dog ordinance issue & that he would be responsible for any complaints. Tom seconded, & the vote was 2 no votes & 2 yes votes. No action was taken.

PUBLIC INPUT:

Don Baker, 616 Forge Road, said he has signed the agreement with S&A Homes to do work on his property. He said they will be starting work on Monday, & that there will not be a left-turn lane in Forgedale Crossing.

Jim asked about the telephone bill at the compost site. Barb said that amount is for the entire phone coverage. He also asked about \$30,000 paid to Yellow Breeches EMS. Barb replied that this is for their reimbursement for paid personnel.

BILLS FOR PAYMENT:

Rick made a motion to pay the bills, as submitted. Tom seconded, & the vote in favor was 4 to 0.

ADJOURNMENT:

Rick made a motion to adjourn the meeting at 7:05 p.m. Tom seconded, & the vote in favor was 4 to 0.

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