

## MINUTES

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

April 13, 2023

**PRESENT:** RICK REIGHARD, SHELLY CAPOZZI, BRYAN GEMBUSIA, RON HAMILTON, DUFF MANWEILER – SUPERVISORS, Cory Adams – Manager, Jarrett Sweeney – Assistant Manager, Tim Duerr – Zoning Officer, Brian O’Neill – Engineer, Ali Wood – Recording Secretary, Kurt Williams – Acting Solicitor, Donald Baker, Steven Rose, Rich Longenecker, David Connors, Bill Gable, Renee Steinour, Ben Steinour, William Chock, Angela Liddle, Bernadette Bianchi, Tom Benjey, Ann Benjey, Gene Daugherty, Betty Daugherty, Dawn Moody, Brian Martin, Jamie Berrier, Marianne Dell, David Reed, Velma Miller, Jerry Miller, Kevin Stafford, Molly Starner, Kristen Starner, Julie Wilt, Tracy Clement, William Clement, Jake Schrom, Fred Schrom, Gloria Boyer, Dana Seidl, Jude Fritz, Marcus McKnight, Frank Tootle, Thomas Seibert, Matt Madden, Andrew Krambey, Ellen Myers, Kaila Nolen, Travis Nolen, Zach Fry, Erin Pittman, Erik Petersons, Jane Petersons, Tracy Aichele, Elaine Livas, Gary Seiber, and Ryan Hoover

The meeting was called to order at 6:00 p.m. by Chairman Reighard.

#### **PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Chairman Reighard.

#### **MOMENT OF SILENCE:**

A moment of silence was observed.

#### **OPENING ANNOUNCEMENTS:**

Chairman Reighard announced that the meeting is recorded and to turn off cellular phones. He noted that there was no executive session prior to the meeting.

#### **MINUTES: 03/30/23 (Regular Meeting):**

Shelly made a motion to approve the minutes. Ron seconded, and the vote in favor was 5-0.

#### **PUBLIC INPUT:**

There was no public input.

#### **#2022-0022 WOLF FARM SOCCER FIELDS – Conditional Use Public Hearing**

The hearing was reconvened. A court stenographer was present and the transcript will be the official record. The hearing was continued to May 11<sup>th</sup> at 6:00 p.m. The hearing was closed.

**There was a short break at 7:22 p.m. The meeting reconvened at 7:30 p.m.**

#### **#2022-0029 – 100 LOGISTICS DRIVE AAMPA, LLC – Preliminary/Final Land Development Plan**

Justin Doty, FSA, was in attendance to discuss the plan. The applicant is proposing a trailer storage facility with a driveway connecting the facility to the cul-de-sac located at the end of

Logistics Drive. The plan proposes 2 subsurface MRC BMP's, a bio-retention pond, and 2 infiltration trenches along the driveway. The property is located at 100 Logistics Drive, Carlisle (I3 District). Tim noted that it did receive a conditional use approval.

Rick asked if it is just trailers. Mr. Doty replied that yes, that is what is allowed per the conditional use approval. Rick also asked if it will have controlled access. Mr. Doty and the property owner both agreed that it would have 2 secured gates which are operated by badges and a keypad. Mr. Doty also noted that the fire department has looked at the plan and is fine with it.

**Modifications of requirements:**

- Section 501 – submission of a preliminary plan
- Section 706 b. – hedge or berm required for parking areas within 100' of a roadway
- Section 706 f. – islands provided every 10 spaces
- Section 711(b)(2)(k)(ii) – minimum of 10% of parking lot facility over 2,000 be dedicated to landscape
- Section 714(a) – EIA report

Note: There are various conditions from the conditional use approval that need to be addressed that are not necessarily applicable to the land development plan. These items will need to be addresses at the time the zoning permit is submitted.

Ron made a motion to approve the modifications of requirements. Bryan G. seconded, and the vote in favor was 5-0.

Bryan G. made a motion to approve #20220029 – 100 Logistics Drive AAMPA, LLC – Preliminary/Final Land Development Plan, subject to post approval items. Duff seconded, and the vote in favor was 5-0.

**#2023-0022 – MORGAN'S CROSSING LOT 112 – Lot Alteration Final Subdivision Plan**

The applicant proposes to subdivide 1.3 acres of land in the Southwest corner of the property where townhomes are being proposed and add it to the lands of Union Quarries. The property is located on Petersburg Road, Carlisle (RH District).

Brian O. suggested to table the plan since no one was in attendance to discuss it. He added that there is another piece of land that Union Quarries plans to purchase in the same area and there was discussion on combining the two plans into one.

The plan was tabled to a later meeting.

**BOILING SPRINGS PEDESTRIAN & SAFETY IMPROVEMENTS BID**

Brian O. explained that for the First Street Project, the Township utilized the PennBID online bidding system. Contractors submit bids electronically; thus, there are no bid opening meeting minutes. The bids are unveiled online after the time of bids are due. The following bids were received:

- JVI Group, Inc. - \$831,745.00
- Rogele, Inc. - \$1,289,599.00

Brian O. added that he attached a letter from Traffic Planning and Design Inc., which is the Township's consulting engineer. They pointed out some technical issues, in that neither contractor submitted a bid form. Brian O. believes that since they submitted electronically through PennBID, they probably thought that they did not need to submit the bid form. He also

added that since both contractors did not submit one, he does not see any reason to reject the bids, and recommends awarding to the lowest bidder. Rick commented that the amount is lower than the Township estimated. Brian O. agreed but stated that we will still have some added engineering fees.

Shelly made a motion to award the bid for First Street improvements to JVI Group, Inc. in the amount of \$831,745. Ron seconded, and the vote in favor was 5-0.

**SOLICITOR REPORT:**

Duff made a motion to amend the agenda to discuss the release of Harbor Village from the Smith Farm Developer's Agreement. Shelly seconded, and the vote in favor was 5-0.

Kurt explained that Harbor Village is set to close with PHFA on April 27<sup>th</sup>. Since the overall Smith Farm Subdivision was subject to a developer's agreement for various improvements within the subdivision, and the amendment was recorded, lot 2 is considered part of the developer's agreement. Prior to their settlement, Harbor Village is requesting to be released from their responsibilities, if any, under that developer's agreement. He added that they do not really have any responsibilities because the overall Smith Farm Developer is the one responsible for all the improvements which have been secured via a letter of credit. He also added that the release is mostly to make the title company comfortable that there are no outstanding liabilities under the developer's agreement. Kurt noted that the Municipal Authority did approve at their latest meeting.

Shelly made a motion to release Harbor Village from the Smith Farm Developers Agreement. Ron seconded, and the vote in favor was 5-0.

**ENGINEER REPORT:**

Brian O. explained that Cumberland County implemented a \$5 add-on fee to PA vehicle registrations to pay for County bridge replacement projects. A few months ago, they approached us about utilizing the funds for replacement of the wood deck bridge on Ladnor Lane. PennDOT has since questioned how the bridges are selected and how it rates compared to other locally owned bridges within the County. Since most of the locally owned bridges have not been inspected, the County couldn't fully address the concern, so they will be conducting an inspection of all local bridges with spans greater than 8 feet and less than 20 feet (bridges over 20 feet are already required to be inspected every other year). The intent is to inspect all the bridges to assess the condition of each one and prioritize the replacement, presumably based upon structural deficiency. For now, they have withdrawn their commitment to replace the Ladnor Lane bridge. Brian O. added that they intend to inspect approximately 148 structures, so he is unsure where the Ladnor Lane bridge will fall into the priority list.

Brian O. explained that as part of the process, they are requesting each municipality to "enroll" in the program by completing an enrollment form. This initial commitment is essentially giving the County permission to inspect our bridges, which will be funded by the County. There is no obligation or commitment beyond that, and no funding commitment. He also added that the Township has inspected numerous structures and replaced several on our own; so all of that information will be provided to the County to avoid any duplication of effort.

Ron made a motion to approve enrollment in the Cumberland County local small bridge program. Bryan G. seconded, and the vote in favor was 5-0.

**COMMUNITY DEVELOPMENT REPORT:**

There was no community development report.

**MANAGER REPORT:**

Cory explained as part of our grant application with PennDOT's Bureau of Aviation (BOA) for the Runway Lighting Project and the Runway Obstruction Removal Project, both at the Carlisle Airport, we are seeking the Board's authorization to allow the Manager and Chairman of the Board to sign all BOA and related documents related to the projects. Cory added that this will expedite further approvals and keep the project moving along. Resolution #2023-12 and Resolution #2023-13 would allow for this.

Bryan G. made a motion to approve Resolution #2023-12, Carlisle Airport, Runway Lighting Project Signatories. Duff seconded, and the vote in favor was 5-0.

Duff made a motion to approve Resolution #2023-13, Carlisle Airport, Runway Obstructions Project Signatories. Shelly seconded, and the vote in favor was 5-0.

Cory stated that he is seeking approval of the swim coach job description. Shelly clarified that the position is part time and asked if someone is being replaced. Cory agreed that it is part time and stated that he believes it is just an updated job description, no hiring at this time.

Shelly made a motion to approve the swim coach job description. Ron seconded, and the vote in favor was 5-0.

Cory explained that he received word that one of the Township's two representatives to the Letort Regional Authority (LRA), Catrina Hamilton-Drager, would like to resign. In her place, she recommended Heather Novack, Heisers Lane, as her replacement. He added that he attached Heather's resume and staff has no objections to this appointment, which would be for the remainder of Catrina's term, through 2025.

Ron made a motion to accept Catrina Hamilton-Drager's resignation. Bryan G. seconded, and the vote in favor was 5-0.

Bryan G. made a motion to appoint Heather Novak to fill the vacancy on the LRA Board. Duff seconded, and the vote in favor was 5-0.

**PUBLIC INPUT:**

Steven Rose, stated that very shortly he will be reviewing the deed of dedication for the Connector Road and that the \$8 million investment will be dedicated to the Township. Rick stated that he is very happy to hear that dedication is in the near future. Bryan G. added that what Mr. Rose did was almost impossible and there were many people who believed they would never see it built due to the outlay of money. However, he feels that in the interest of safety, had that road not been built first, it would have been very dangerous to develop the rest of that property. He added that he speaks for all of the Board in his appreciation and excitement for the road being put in and allowing further development to that land. Mr. Rose stated that he has been able to attract an indoor food storage facility who want to invest \$250 million and create 500 jobs. Mr. Rose stated that they are ready to meet with members of the Township but has been unsuccessful in getting any responses to his requests. He expressed concerns that the Township is trying to halt development around the Connector Road, especially that beyond residential. Rick assured

that the Township just met with Heritage Village to discuss their sketch plan and assured that the Township is open to expansion of all types. Cory also noted that at the beginning of April, Bryan Salzman did reply to Mr. Rose's email that he would be out of town but they could touch base when he was back. Cory also noted that he spoke to someone on the phone earlier that day, but he would need to discuss with staff and the Board prior to setting up any meetings. Cory assured that the Township is open to meetings of this type and he will brief Township staff and the Board in the coming days.

Jude Fritz, Eldon Lane, asked if there were any updates on widening Lindsey Road. Brian O. stated that there was no update because the Met-Ed employee that typically handles these concerns is no longer with the company; and when he reached out, they informed him that no one has taken over the position yet. Rick added that moving the poles would also be contingent upon the land owner. Brian O. agreed and stated that once he is able to speak to someone at Met-Ed, he will also reach out to the property owner. Mr. Fritz also reiterated his concern from the last meeting in regards to stormwater in Netherby and Laurel Forge. Lastly, Mr. Fritz commented on his water pressure acting up lately and asked how that will be regulated if the soccer fields are approved. The Board stated that the soccer fields would not be on public water. Bryan G. added that he is a member of the SMTMA Board and explained that they had a pump station fail and ever since then, the pressure has been acting up. He assured that the Authority is aware of the issue and working to find systems that better regulate the water pressure.

Eugene Daugherty, Shughart Road, wanted to commend and thank the Board for all that they do. He also recognized Kurt W. for his actions and explanations during the 2 most recent conditional use hearings. Mr. Daugherty said there are rumors going around that if the soccer fields do not move forward, that a chicken farm or trucks may go in that area and asked if this was the case. Tim D. explained that the area is zone agricultural, so although it cannot be trucks, it could be a farm operation such as chickens. Lastly, he asked for an update on the Mill. Duff replied that the current hope is to have it be a brewpub. He added that they did receive a grant, but that adds some time to the process. His best guess would be 2 years, but assured that it is moving forward.

Thomas Seibert, Cardinal Drive, asked what other uses are allowed on the proposed soccer field property; adding that he would probably prefer the soccer fields over some of the other options. Tim D. stated that a warehouse or large residential development would not be allowed per the zoning; but a farm, a few residential lots, or church would be allowed. Mr. Seibert expressed concerns on the traffic if the plan is approved because roads are already dangerous in that area. Bryan G. stated that there is a plan and that if the 2 new developments (Georgetowne and Wheatstone) are to build, that they will have to contribute to road improvements. Bryan G. added that if the soccer fields are to be approved, conditions can be set requiring them to also contribute.

Brian Hoover, E. Springville Road, stated that he will be directly affected by the soccer fields and expressed multiple concerns that he has if they are approved. Bryan G. explained that if the plan is approved, the Board can set conditions such as no harmful products on the field. He also added that at this time, there aren't answers to many of his concerns because as part of the process, the applicant and parties are to present their case and answer questions such as he was asking. Brian O. added that since it is a conditional use hearing, the Board acts as the judicial body, meaning they cannot say much outside of the hearing. However, in the 2 recently approved plans, we did include conditions to protect the adjacent property owner for well tests/monitoring and did establish an escrow account for any future sinkhole repair. Kurt also added that the water

will be regulated by the Susquehanna River Basin, meaning there will be limits and regulations set, aside from those that the Township sets.

**SUPERVISORS DISCUSSION:**

Ron made a motion to amend the agenda to discuss a demolition permit for Yellow Breeches EMS. Duff seconded, and the vote in favor was 5-0.

Ron explained that Yellow Breeches EMS plans to demolish a building on their property located at 231 Mill Street. They plan to come in soon for the permits, but requested that the building permit fees be waived.

Ron made a motion to waive the fees. Duff seconded, and the vote in favor was 5-0.

Ron also noted that the fire company’s new ladder truck has arrived and he plans to have them bring it to the Township Office on April 27<sup>th</sup> before the BOS meeting so that Board members, staff, and the community have the chance to check it out.

**BILLS FOR PAYMENT:**

Duff made a motion to pay the bills. Shelly seconded, and the vote in favor was 5-0.

**ADJOURNMENT:**

Shelly made a motion to adjourn the meeting at 8:26 p.m. Ron seconded, and the vote in favor was 5-0.

**WITNESS:**

Ali Wood  
Ali M. Wood, Recording Secretary

**SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS:**

Walter G. Reighard  
Walter G. Reighard, Chairman

Shelly L. Capozzi  
Shelly L. Capozzi, Vice Chairperson

Bryan A. Gembusia  
Bryan A. Gembusia, Member

Absent  
R. Duff Manweiler, Member

Ronald P. Hamilton  
Ronald P. Hamilton, Member