

MINUTES

BOARD OF SUPERVISORS REGULAR SESSION

APRIL 28, 2010
6:30 PM

The Silver Spring Township Board of Supervisors met in a regular session on Wednesday, April 28, 2010 at the Township Building, 6475 Carlisle Pike, Mechanicsburg, Pennsylvania.

Chairman DiFilippo called the meeting to order at 6:30 pm and the Pledge of Allegiance to the Flag was given.

Supervisors present: Chairman Vincent T. DiFilippo, Vice-Chairman Nancy Konhaus Griffie, Supervisor Mary Lou Pierce-McLain, Supervisor David R. Lenker, II, and Supervisor Nathan T. Spade.

Staff members present: Ms. Terri A. Martini, Assistant Township Manager; Mr. Steve A. Stine, Esquire, Township Solicitor; Mr. Bony R. Dawood, PE, Township Engineer; Mr. James R. Sadler, Acting Chief of Police; Ms. Marie A. Daubert, IT Administrator; and Ms. Kathy K. Kramer, Assistant/Secretary.

Others present:

Nancy Shoaff	Chris Commarato
Wayne Stevenson	Earl Brackbill
Jim C.	Amos & Loretta Mullen
Stan Custer, Jr.	Rick Castranio
Dale Tipple	L. Spenard
Keith and Melinda Bailey	Dolores Sunday
Kirk Sunday	Mazhar Malik
Ken & Laura Printzenhoff	Drew Bobincheck
Fred Souders	Betty Sponsler
J. Funkhouser	Dale Miller
William & Carol Ensminger	Joyce Stine
Joyce & Jerry Booz	John & Georgianne Diener
Dave Weihbrecht	Mel Raudabaugh
Ron Clites	Stephanie Clites
Keri Clay	Kathi Pifer
Susan Israeloff	Mel Israeloff
Marlin Wood	Valerie Greene
Rich Ferraro	May McClure
Josh Ferguson	Vigour Nguyen
Norman & Roxanne Lamar	Shirley Culler
Mansoor Ahmad	

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PETITIONS AND COMMENTS

EXECUTIVE SESSION

Chairman DiFilippo announced that an Executive Session was held immediately prior to this meeting to discuss a personnel matter and real estate issues.

Mr. Kirk Sunday presented a list of comments to the Board. Staff will review and comment on these matters.

PUBLIC HEARINGS

KIDDIE ACADEMY ZONING ORDINANCE TEXT AMENDMENT Z2010-1 - REVISED

Chairman DiFilippo turned the conduct of the public hearing for the Kiddie Academy Zoning Ordinance Text Amendment, Z2010-1-Revised, over to the Township Solicitor, Mr. Steve Stine at 6:51 pm.

The hearing was advertised in The Sentinel, on Monday, April 12, 2010 and on Monday, April 19, 2010.

The hearing was declared closed at 7:11 pm.

A copy of the transcript is made part of these minutes by reference.

APPROVAL OF MINUTES

APRIL 14, 2010

On a Spade/Pierce-McLain motion, the Board of Supervisors approved the minutes from the meeting held on April 14, 2010.

The motion carried.

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REPORTS

POLICE

No additional report.

ENGINEER

No additional report.

TREASURER REPORT

Ms. Kathy Kramer read the Treasurer's report for the month of March and by agreement the report was filed subject to audit.

EMERGENCY MANAGEMENT COUNCIL

Nothing additional.

RECREATION ADVISORY COUNCIL

Nothing additional.

APPROVAL OF EXPENDITURES

On a Pierce-McLain/Lenker motion, the Board of Supervisors approved the expenditures since March 24, 2010, with one question.

The motion carried.

OLD BUSINESS

PROPERTY ACQUISITION AND FINANCIAL ANALYSIS UPDATE

Supervisor Spade reported that the Township executed a contract with Public Financial Management, Inc. to provide an independent

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assessment for a 5-year forecast of Revenues and General Fund expenses. A follow-up meeting to review the various assumptions for the Township expansion project will be discussed at the end of tonight's meeting.

114 ASSOCIATES LD2009-1P – WAIVER REQUEST

After a lengthy discussion, on a Pierce-McLain/Spade motion, the Board of Supervisors approved the waiver of the requirement to construct a cul-de-sac at the termination of Cedar Road (T-564).

The motion carried.

HIGHWAY OCCUPANCY PERMIT SIGNAL PERMIT APPLICATION – STERLING PARKWAY AND ROUTE 114

On a Pierce-McLain/Griffie motion, the Board of Supervisors approved the submission of the Traffic Signal Permit Application with Engineer's comments.

The motion carried.

EMPLOYEE JOB ANALYSIS & WAGE EVALUATIONS UPDATE

On a Pierce-McLain/Spade motion, the Board of Supervisors approved a contract for services from The DeLissio Consulting Group, Inc., to provide personnel evaluation services in the amount of \$6,150 to be performed by July 9, 2010.

The motion carried.

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NEW BUSINESS

KIDDIE ACADEMY ZONING ORDINANCE TEXT AMENDMENT Z2010-1 REVISED – DECISION ORDINANCE NO 5 OF 2010

On a Spade/Griffie motion, the Board of Supervisors denied the Kiddie Academy Zoning Ordinance Text Amendment, Z2010-1, Ordinance No 5 of 2010.

The motion did not carry with Supervisors Pierce-McLain, DiFilippo, and Lenker casting a negative vote.

On a Lenker/Pierce-McLain motion, the Board of Supervisors approved the Kiddie Academy Zoning Ordinance Text Amendment, Z2010-1 Revised, Ordinance No 5 of 2010.

The motion carried with Supervisors Griffie and Spade casting a negative vote.

WATERFORD MED PARTNERS, INC. Z2010-3 – TEXT AMENDMENT

No representative of Waterford Med Partners, Inc. was present, therefore this item was deferred.

FERRIS LAND DEVELOPMENT, LP Z2010-4 – ZONING CHANGE REQUEST

a. Request to Rezone

No representative of Ferris Land Development, LP was present, therefore no action was taken on this request.

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b. Establish Public
Hearing Date

No action was taken.

MECHANICSBURG
SPORTSMAN'S CLUB –
WAIVER REQUEST

On a Griffie/Spade motion, the Board of Supervisors approved the request for a waiver of the requirement to prepare and submit a land development plan for the Mechanicsburg Sportsman's Club 1,430 square foot addition to the clubhouse.

The motion carried.

POLICE PENSION PLAN
REVISION – ACT 51 OF
2009

On a Pierce-McLain/Spade motion, the Board of Supervisors authorized the Township Solicitor to prepare an amendment to the Police Pension Plan Ordinance No. 6 of 2006 to remove the Killed-in-Service benefit since the benefit is now provided by the Commonwealth of Pennsylvania and authorize advertisement.

The motion carried.

DISPOSITION RECORDS
LIST ON LIST DATED
APRIL 28, 2010 –
RESOLUTION 2010-12

On a Spade/Lenker motion, the Board of Supervisors adopted Resolution 2010-12, authorizing the destruction of records as listed on the April 28, 2010 list.

The motion carried.

DIGITAL IMAGING
UPDATE

Ms. Marie Daubert, IT Administrator, discussed the digital imaging project including tasks, required manpower, approximate timeframe, and presented a number of recommendations to the Board of Supervisors.

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PROPOSED 2011 SCHEDULES

a. BUDGET
PREPARATION

Based on the Board's recommendations, staff will revise the proposed Budget schedule for the Board's May 12 Workshop meeting.

b. SOLICITATION OF
SERVICES

This item was deferred to the Board's May 12 Workshop meeting.

EVERGREEN II PHASE 5 2009-3F – LETTER OF CREDIT REDUCTION REQUEST

On a Pierce-McLain/Lenker motion, the Board of Supervisors approved a reduction in the Letter of Credit to \$75,123.19 for the Evergreen II Phase 5 final subdivision plan, 2009-3F.

The motion carried.

RIVENDELL PHASE 3 2007-4F – IMPROVEMENT GUARANTEE ESTABLISHMENT REQUEST

On a Spade/Griffie motion, the Board of Supervisors established the Improvement Guarantee of \$782,770.18 for Rivendell Phase 3, final subdivision plan, 2007-4F, in a form acceptable to the Township Solicitor.

The motion carried.

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114 ASSOCIATES
SWM 2010-1 –
IMPROVEMENT
GUARANTEE
ESTABLISHMENT
REQUEST

On a Spade/Griffie motion, the Board of Supervisors established the Improvement Guarantee of \$105,376.70 for the 114 Associates SWM2010-1, in a form acceptable to the Township Solicitor.

The motion carried.

ZONING HEARING
BOARD APPLICATIONS –
MAY

- a. Charles E. Avis
(Property located at
458 Sample Bridge
Road)
Variance 2010-3

The Board did not object to the Charles E. Avis variance request to Section 200.6 (Maximum Permitted Height for Accessory Buildings) in the “C” Conservation Zone. The applicant seeks approval to construct an accessory building that will exceed the maximum permitted height.

- b. Walter E. Brewbaker
(Property located at
2 Old Dirt Road,
Enola)
Variance 2010-4

The Board did not object to the Walter E. Brewbaker variance request to Section 202.6 (Design Requirements) in the “R” Rural Residential Zone. The applicant seeks approval to build an accessory structure in the front yard of this property.

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- c. Mark and Sherry Potteiger
(Property located at 44 Texaco Road)
Variance 2010-5

The Board did not object to the Mark and Sherry Potteiger variance request to Section 204.7.1 (Maximum Permitted Height for Accessory Uses) in the R – 1 Residential Zone. The applicants seek approval to build an addition to an existing accessory structure that will exceed the maximum permitted height.

LAND DEVELOPMENT PLANS

AHMADIYYA MUSLIM COMMUNITY LD2010-3F

Mr. John Walker, of Hoover Engineering and Mr. Mansoor Ahmad, discussed the Ahmadiyya Muslim Community, final land development plan with the Board of Supervisors.

On a Pierce-McLain/Spade motion, the Board of Supervisors approved the Ahmadiyya Muslim Community final land development plan, LD2010-3F, following waivers:

WAIVERS

1. [SLDO:403.03 & 402.03.4] – Existing Features
The applicant is granted relief from the requirement to provide existing features within two hundred (200') feet of the subject tract. The applicant's justification for the requested waiver is stated as follows: "The development of this tract will not impact adjacent properties.
2. [SLDO:602.18.1 & 602.18.2] – Access Drive Alignment
The applicant is granted relief from the requirement to provide the required horizontal and vertical curve alignments. The applicant's justification for the requested waiver is stated as follows: "Due to the existing topography and constraints on the subject property such as the existing dwelling location, required location of driveway for obtaining sight distance, wetlands and wooded area we cannot obtain the required horizontal and

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vertical curves required by the Subdivision and Land Development Ordinance for access roads. This will be a private drive with low traffic volumes.

3. [SWMO:402.01.2] – Modified Rational Method
The applicant is granted relief from the requirement to use the Modified Rational Method for performing storm water calculations. The applicant’s justification for the waiver request is stated as follows: “By utilizing the S.C.S. TR-55 method, we are following the criteria specified by the PA DEP in the Pennsylvania Storm Water Best Management Practices Manual for the general NPDES Permit Post-Construction Storm Water Methodology.”

The following comments must also be addressed:

1. [ZO:203.10] – Woodland Preservation Requirements
A Zoning Permit is required.
2. [ZO:407.2.5] – House of Worship
Provide the off-street parking setback requirement in the Zoning Information table. In addition, please show the required setback on the plan. *It appears the setback is incorrectly shown on the plan (i.e., 20 feet). Please review and revise as appropriate.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 2009: (SLDO:)

3. [SLDO:304.06] – All final plans as recorded shall be submitted in electronic format compatible with AutoCADD 2000®.
4. [SLDO:402.02.11] – Provide a statement on the plan referencing Conditional Use, CU2009-2, which includes all of the conditions of approval. *Please include the Township’s conditional use reference number “CU2009-2.”*
5. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18" x 24" and be legible. Submission of a single proof set for a legibility review prior to recording is required.

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6. [SLDO:403.03 & 402.03.6.a] – The applicant shall provide a written description of the methods that will be used during construction to protect the trees to remain. *General Note #16 references limits of disturbance. Please provide the limits of disturbance on the “Soil Erosion Control Plan,” Sheet 5 of 9.*
7. [SLDO:403.04 & 402.04.4] – Architectural building elevation drawing shall be provided. *Response indicates applicant is in the process of having building plans prepared.*
8. [SLDO:403.04 & 402.04.14] – The applicant shall complete all waiver statements upon final action by the Board of Supervisors and prior to recording the plan.
9. [SLDO:403.04.3, 402.04.6 & 607] – Provide easements for the proposed storm water management facilities. All easements shall include information sufficient to accurately locate the easement within the property boundary. *It appears that a bearing is not provided for line “H” in the “Detention Basin Easement Table.” Please review and revise as appropriate to include this information in the table provided.*
10. [SLDO:403.04.5] – Include information to tie two opposing proposed points, such as building corners, to existing physical features on the site. Each proposed point shall be tied to at least two existing physical features. *The information provided is not in accordance with the requirements of this Section. Please review and revise as appropriate.*
11. [SLDO:403.06.3, 402.50.2 & 613.01] – A Sewer Facilities Plan Revision (planning module or exemption) approval is required by the Department of Environmental Protection. The applicant should provide verification that an approval or exemption has been approved for this lot. *Please provide a copy of the planning module approval.*
12. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans are not permitted for recording.

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13. [SLDO:403.06.8] – Provide an Improvement Guarantee, in accordance with Article V, prior to plan recording.
14. [SLDO:403.06.11] – Provide a fully executed Improvement Guarantee Agreement, prior to plan recording.
15. [SLDO:403.07] – All applicable fees shall be paid prior to plan recording.
16. [SLDO:602.12.1] – Copies of the Highway Occupancy Permit from PennDOT shall be submitted for the proposed driveway prior to Final Plan approval.
17. [SLDO:602.18.5] – When vehicular parking is prohibited along access drives, the prohibition must be acknowledged on the plan and properly signed along the cartway. *Please provide a detail of the proposed signage.*
18. [SLDO:603.14 & 611] – Provide a landscape plan which demonstrates compliance with the landscaping requirements of these Sections. *It appears that the required “interior landscaping” of the proposed parking lot has not been provided. Please review and revise the landscaping plan as appropriate to provide interior landscaping for the parking lot in accordance with the requirements of the SLDO.*

STORM WATER MANAGEMENT ORDINANCE OF 2009: (SWMO)

19. [SWMO:303.02] – A Storm Water Management Permit for a Major Land Disturbance will be required prior to initiation of earth moving activities.
20. [SWMO:304.03.9] – (a.) Please provide the location of all time of concentration paths on the Pre and Post-Drainage Plans. (b.) The pre and post time of concentration paths for Drainage Area 2 appear to be the same on the Pre and Post-Drainage Plans; however, the calculated times differ (i.e., pre = 7.91 minutes and post = 12.26 minutes). Please explain the discrepancy.
21. [SWMO:304.04.3 & 402.07] – (a.) Provide the location of the percolation tests on the plan. *Please include the percolation test symbol within the drainage plan legend.*

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22. [SWMO:304.04.7] – Provide verification of NPDES, DEP permit and/or County Conservation District approval.
23. [SWMO:402.01.2] – Provide runoff calculations for the one-hundred (100) year storm frequency in accordance with the requirements of this Section. *While checking the 100-year data it was noted that there are discrepancies between the hydrographs and the tables provided within the storm water management report. For example, the discharges listed in the “Basin Outlet Flow Calculations” and the “Combined Bypass and Basin Outlet Flow Calculations” tables provided on pages 8 and 9 of the report do not agree with the discharges indicated in Hydrographs No. 9 and 10. The discharges and water elevations provided in the table on page 63 does not agree with the information provided in Hydrograph No. 9. The discharges listed in the “Combined Bypass and Basin Outlet Flow Calculations” located on page 63 do not agree with the discharges for Hydrograph No. 10. Please review and revise as appropriate to eliminate the discrepancies.*
24. [SWMO:402.06] – (a.) There are several discrepancies between the information provided for the basin in the storm water management report and the information provided on the Cross Section – Detention Basin detail. *Specifically, the “Storage Elevations” provided on Sheet 8 of 9 do not agree with Hydrograph No. 9. Please review and revise as appropriate.*

GENERAL COMMENTS

25. Based on the number and nature of the comments contained within this letter, we reserve the right to generate additional comments based on subsequent reviews of the Land Development Plan and associated reporting.

ADDITIONAL COMMENTS

26. [SLDO:602.18.3.a & g] – (a.) All access drive intersections shall be subject to approval of the Pennsylvania Department of Transportation (PennDOT) when intersecting a State Route. Copies of Highway

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Occupancy Permits from PennDOT shall be provided for the proposed intersection with Wertzville Road (S.R. 0944) prior to Final Plan approval. (b.) All access drive intersections shall be rounded by a tangential arc with a minimum radius of thirty (30) feet.

The motion carried.

CROSSROADS AT WALDEN LD2010-2F

Mr. Jamie Brubaker, of Alpha Consulting Engineers, Inc., discussed the Crossroads at Walden, final land development plan, with the Board of Supervisors.

On a Lenker/Spade motion, the Board of Supervisors tabled the Crossroads at Walden, final land development plan, LD2010-2F, and accepted a plan review extension from the developer until May 13, 2010. The following comments must be addressed:

ZONING ORDINANCE OF 2007 (ZO):

1. [ZO:207.05] – Conditional Uses
The “Inventory of Use” provided on the recorded Phase I Final Subdivision Plan outlines the entitled uses for Lots 129, 130, 131 and 186. The current proposal appears to exceed the specified entitlements for these lots. In addition, there is no entitlement for commercial use on Lot 187 formerly known as Lots 187, 188, and 189. Please review and revise as appropriate. The “Inventory of Use” shall be included on the plan. Provide the proposed use for each of the buildings. *Response indicates that applicant will address on overall “Inventory of Use” with Conditional Use.*
2. [ZO:207.9] – Architectural Consideration
All applications shall include the preparation of textural and (typical) graphic descriptions by a Commonwealth-registered architect, of proposed architectural features and styles, which shall be presented and analyzed with the criteria outlined in this Section of the Township’s Zoning Ordinance. This requested submission shall be in compliance with Condition Number 16 of CU2005-15.

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Response indicates architectural renderings were included with the current submission. Dawood's package did not include this information.

3. [ZO:207.11.2.E] – Main Street Setting
Provide the locations of and details for the required lampposts, trash receptacles, benches, shade trees and any other similar amenities. *Response indicates that all amenities will be indicated on required architectural plan renderings and narratives.*
4. [ZO:207.11.2.J] – Main Street Setting
The parking tabulation shall be revised to include two (2) parking spaces for each residential unit, which is not located over a commercial use. *Please provide clarification on the meaning of and difference between the terminology “merchant flex” and “residential flex.”*
5. [ZO:207.11.2.O] – Main Street Setting
Provide the required twenty-five (25') feet wide landscape buffer strip at Lot 129. *Response indicates that the applicant will address with Conditional Use. Provide the required twenty-five (25') feet wide landscape buffer strip between Lot 187 and Lot 204.*
6. [ZO:207.11.2.Q] – Main Street Setting
Provide on the plan all applicable minimum required setbacks in accordance with the requirements of this Section. (a.) *The rear setback line for Lot 129 is dimensioned and labeled as 20 feet on Sheet 4 while the rear setback is indicated as 50 feet on Sheet 1. Please review and revise as appropriate to eliminate the discrepancy. (b.) It appears as though an unlabeled building encroaches into the front yard setback on Lot 129. Additionally, there are two (2) buildings labeled as Bldg. Q, one located on Lot 129 and a second one located on Lot 187. Please review and revise as appropriate to provide clarification. (c.) It appears that the minimum required off-street parking setback is not provided on Lot 187.*

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7. [ZO:207.11.2.T] – Main Street Setting
Provide the location of the proposed dumpsters to demonstrate compliance with the setback requirement. *There does not appear to be a sufficient number of dumpsters provided. Please provide a detail for the proposed dumpsters to demonstrate compliance with the requirement to provide an enclosure.*

8. [ZO:207.11.2.U] – Open Space
Provide information to demonstrate that the loss of open space resulting from the proposed subdivision does not affect compliance with the requirement that thirty percent (30%) of the total site's net acreage be devoted to open space uses. *Response indicates applicant will demonstrate overall compliance, in excess of 30%, with this requirement. The required information shall be provided and/or demonstrated.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 2007 (SLDO):

9. [SLDO:301] – Land developments proposing greater than fifty (50) parking spaces require the submission of a Preliminary Plan application. Subdivision plans creating lots for development must be approved by the Township, prior to the filing of an application for Land Development for a lot. Therefore, two (2) separate plans shall be submitted for review and approval; one for the Subdivision Plan (i.e., Lot Consolidation) and one for the Land Development Plan. (a.) *The SLDO requires a preliminary plan submission for developments, which include greater than fifty (50) parking spaces. (b.) Please review and revise all titles/labels to eliminate the references to a subdivision plan.*

10. [SLDO:304.02] – Emergency Management Council review and approval is required. If applicable, building sprinkler systems are required to have five (5") inch Stortz connections with 22-degree elbows. Also, buildings must be equipped with Knox Box. *The EMC had communicated to the applicant that a minimum of twenty-four (24) feet is required between buildings to accommodate their equipment. In addition, the EMC has requested that the applicant provide turning templates*

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demonstrating adequate access is provided for firefighting equipment.

11. [SLDO:304.06] – All final plans as recorded shall be submitted in electronic format compatible with AutoCADD 2000®.
12. [SLDO:402.02.6 & 403.02] – Provide the tax map and lot numbers assigned to the parcels to be re-subdivided. *This comment no longer applies since the Subdivision Plan is now a separate submission.*
13. [SLDO:402.02.8 & 403.02] – The graphic scale provided on Sheets 3, 4, 5, 6 and 7 appear to be incorrect. Please review and revise as appropriate. *It appears that the scale on Sheet 3 is still incorrect.*
14. [SLDO:402.02.9 & 403.02] – Provide the total acreage for each of the existing parcels to be affected by the proposed subdivision. *This comment no longer applies since the Subdivision Plan is now a separate submission.*
15. [SLDO:402.04.4 & 403.04] – Building elevation drawings shall be provided.
16. [SLDO:402.04.5 & 403.04] – Provide all of the information as required by this Section of the Ordinance (e.g., proposed density, lot coverage, building coverage).
17. [SLDO:402.04.6 & 403.04.3] – Easements, which do not follow property lines, shall be located by a centerline metes and bounds description.
18. [SLDO:402.04.7 & 403.04] – Provide the building setback lines on the Subdivision Plan, Sheet 4 of 9. *This comment no longer applies since the Subdivision Plan is now a separate submission.*
19. [SLDO:402.05.2 & 403.06.3] – A Sewer Facilities Plan Revision (planning module or exemption) is required for adoption by Silver Spring Township and approval by the Department of Environmental Protection. *Please provide a copy of the PA DEP approval and provide a reference to the approval documentation in the General Notes.*

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20. [SLDO:402.05.6 & 403.05] – In accordance with the Hogestown Road (S.R. 0114) – Woods Drive (T-585) Intersection Improvement Agreement dated November 19, 2003, and Condition Number 11 of CU2005-15, the applicant shall verify if signal warrants have been met at the intersection due to the safety concerns at this intersection. If signal warrants are met, the applicant shall proceed with the improvements. *Response indicates applicant will review if traffic signal warrants are met with this proposed development.*
21. [SLDO:402.07 & 403.07] – All applicable fees shall be paid prior to final plan approval.
22. [SLDO:403.04.1] – Provide complete description of the centerline and right-of-way line for all existing streets in accordance with the requirements of this Section.
23. [SLDO:403.04.5] – Include information to tie two opposing proposed points, such as building corners, to existing physical features on the site. Each proposed point shall be tied to at least two existing physical features.
24. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded.
25. [SLDO:403.06.8] – An Improvement Guarantee in accordance with Article V is required prior to plan recording.
26. [SLDO:403.06.11] – An executed Memorandum of Understanding is required prior to plan recording.
27. [SLDO:602.07] – All street addresses are subject to approval by the U.S. Postal Service.
28. [SLDO:602.10] – Vehicular parking shall be prohibited along the north side of Ellington Road and along the east side of Summer Lane in order to maintain the minimum travel lane widths to accommodate two-way traffic. Please provide a plan note acknowledging the prohibition and indicate proposed sign locations and sign detail.

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Response indicates that the applicant will provide means to prohibit parking along the north side of Ellington Road and west side of Summer Lane.

29. [SLDO:603.10] – Provide all curb radii to demonstrate in accordance with the requirements of this Section.
30. [SLDO:603.12] – Provide a lighting plan in accordance with the latest edition of the Illuminating Engineering Society of North America (IESNA) guidelines. In addition, add a note that states, in effect, that due to vegetation, topography, and other unforeseen circumstances, the site lighting must be reviewed, evaluated, and approved after installation but before the issuance of a Certificate of Occupancy.
31. [SLDO:603.14 & SLDO:611.03] – Interior landscaping shall be provided in parking lots containing twenty-five (25) or more spaces. *Please provide additional information to demonstrate compliance with these Sections.*
32. [SLDO:603.18] – Provide a schedule of the required and proposed off-street loading spaces. Clarify the location and design of off-street loading areas.
33. [SLDO:613.03] – Silver Spring Township Authority approval is required. Provide Authority acknowledgement of sufficient capacity to serve the proposed project. *Response indicates applicant is working with the Authority to obtain acknowledgement of sufficient capacity to serve the project.*
34. [SLDO:614.02] – Provide notification from the appropriate authority or association of the existing ability to provide water service, approval of the design plans and acceptance of Performance Guarantees shall be submitted. *Response indicates PA American Water is reviewing water service and notification will be forwarded to the Township upon receipt.*

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STORM WATER MANAGEMENT ORDINANCE OF 2007 (SWMO):

35. [SWMO:303.02] – A Storm Water Management Permit for a Major Land Disturbance is required prior to initiation of earth moving activities.
36. [SWMO:304.01.8] – Provide the Storm Water Management Plan Certification shown in Appendix 3, as well as the seal and signature of the professional responsible for the preparation of the Storm Water Management Report after the last plan revision.
37. [SWMO:304.04.4 & 304.04.7 & 402.17] – (a.) Provide a description of all erosion and sedimentation control measures, temporary as well as permanent, including the staging of land moving activities. (b.) Provide verification of NPDES, DEP or County Conservation District approval for erosion and sedimentation control. *Response indicates Township will be copied on E&S application.*
38. [SWMO:402.03] – Provide inlet drainage areas and weighted ‘C’ calculations. *Response indicates this information will be provided.*
39. [SWMO 402.09.4] – Please provide calculations showing that the velocity for all facilities carrying storm water will have a minimum of 2-½ ft/sec. *Response indicates this information will be provided.*
40. [SWMO 402.10] – (a.) Inlets shall be along the curb line. It appears several inlets (e.g., CR-4 & CR-6) are located along the centerline of Bryant Street. Please review and revise as appropriate. (b.) Provide flow depths for a ten (10) year storm frequency with a five (5) minute duration in accordance with the requirements of this Section.
41. [SWMO:402.15.3] – Provide a plan note stating in effect that roof drains will be directed to lawn areas away from residences, into areas that will surface drain to conveyance structures.
42. [SWMO:402.19] – Provide easements for all storm water management facilities not fully located within a public right-of-way. (a.) *It appears that an easement line goes through one of the proposed buildings (i.e., Bldg. B).* (b.)

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All easements shall include information sufficient to accurately locate the easement within the property boundary.

GENERAL COMMENTS

43. Based on the number and nature of the comments contained within this letter, we reserve the right to generate additional comments based on subsequent reviews of the Final Subdivision and Land Development Plan.
44. The current plan shall reference the recorded Final Subdivision Plan and all conditions of approval.
45. The plan should be certified by the surveyor.
46. The areas of Lot OS-11, Lot 204, and the portion of Nook Alley that are being added to Lot 189 should be noted on Sheet 4. *Response indicates that this information has been provided on a separate Subdivision Plan.*
47. The amount of dwelling units proposed by this submission (74) is much greater than the original submission (25) dated July 17, 2008. The plan should address its impact on density calculations (Zoning, Section 207.10) and required mixture of uses (Section 207.7).
48. The term “residential flex”, indicated in the table on Sheet 5, should be defined. Could residential flex buildings be developed as a mix of commercial and residential? *Response indicates applicant will define residential flex with Inventory of Use.*
49. The residential buildings in Lot 130 do not appear to comply with the townhome requirements as noted in Note 1 on Sheet 1. Townhouses must be setback 15 feet from interior access drives. Required distances between buildings should be 50 feet when facing each other and 30 feet between end walls (Section 207.10). *Response indicates that applicant will address this comment with Conditional Use.*

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50. Graphic descriptions of the architectural features of the buildings should be submitted for review. (Section 207.9)
Response indicates that applicant will submit under separate cover.
51. The plan must be reduced to 18" x 24" for recording purposes.

The motion carried.

OTHER PERTINENT BUSINESS

The Board suggested that the Planning Commission not forward plans to the Board of Supervisors for approval if the plan carries a lot of comments.

On a Spade/Griffie motion, the Board of Supervisors permanently laid off Mr. William Cook as Township Manager effective April 28, 2010 and approved the separation agreement in general release between Silver Spring Township and Mr. William Cook.

The motion carried.

On a Griffie/Lenker motion, the Board of Supervisors appointed Ms. Terri A. Martini, as Acting Township Manager with a \$5,000 annual increase retroactive to March 24, 2010 effective April 28, 2010.

The motion carried.

On a Lenker/Spade motion, the Board of Supervisors authorized advertising the position of Township Manager.

The motion carried.

On a Pierce-McLain/Lenker motion, the Board of Supervisors acknowledged Supervisor Nate Spade as Police Liaison effective May 1, 2010.

The motion carried.

Supervisor Lenker questioned the status of the 4 and 6 Bourbon Red Road meeting date. Ms. Martini replied that a meeting date has not been established yet. He also questioned if staff located any invoices

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regarding the Oak Drive pipe issue. Supervisor Lenker commented on the Texaco/Hempt Road intersection.

Supervisor Spade questioned the status of the bond for Foxwood and the agreement with Triple Crown to complete the improvements in the Brook Meadow Development. Ms. Martini reported no progress with either matter.

The Procurement Policy was discussed and will be revised per Board comments for the May 12, 2010 Workshop meeting.

On a Pierce-McLain/Spade motion, the Board of Supervisors approved the request for Special Fire Police to provide services at the Link Belt Construction Equipment facility at 7096 Carlisle Pike on May 7, 2010 from 10:00 am to 7:00 pm.

The motion carried.

On a Pierce-McLain/Spade motion, the Board of Supervisors agreed to continue this Board meeting on May 5, 2010 at 5:30 pm.

The motion carried.

MAY 5, 2010
(CONTINUATION)

Supervisors present: Chairman Vincent T. DiFilippo, Vice-Chairman Nancy Konhaus Griffie, Supervisor Mary Lou Pierce-McLain, Supervisor David R. Lenker, II, and Supervisor Nathan T. Spade.

Staff members present: Ms. Terri A. Martini, Assistant Township Manager and Ms. Kathy K. Kramer, Assistant/Secretary.

Others present:

James Greene
Jackie Eakin
Jan LeBlanc
Mazhar Malik

Barbara Sadler
Wayne Stevenson
G. & J. Diener
Keith Bailey

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WATERFORD MED
PARTNER, INC.
Z2010-3 – TEXT
AMENDMENT

Since no representative was present, on a Pierce-McLain/Griffie motion, the Board of Supervisors took no action on the Waterford Med Partner, Inc., Z2010-3 Text Amendment.

The motion carried.

PROPERTY
ACQUISITION AND
FINANCIAL
ANALYSIS UPDATE

Mr. Jason Brockman, of Public Financial Management, Inc., discussed the Property Acquisition and Financial Analysis Report. At the Board’s request, staff will do a detailed list of items for moving and renovation expenses.

ADJOURNMENT

There being no further business or comments to come before the Board, the meeting was adjourned at 7:18 pm by general consensus.

Recorder: _____
Kathy K. Kramer

APPROVED: _____
Chairman

Secretary