

TOWNSHIP OF SOUTHAMPTON MINUTES
FOR THE REGULAR MEETING OF THE BOARD OF SUPERVISORS
SOUTHAMPTON TOWNSHIP MUNICIPAL BUILDING

5:00 p.m.

June 27th, 2023

MEMBERS PRESENT

Samuel Cressler – Chairman
Randy Brenize – Vice Chairman
Roger Hall

OTHERS PRESENT

Melissa Kelso Esq. - Solicitor
Kathy Durf – Secretary/Treasurer
Jamie White – Code Enforcement
Maria Misner – Planning/Zoning/Recording Secretary

VISITORS PRESENT

Daniel Dunkleburger – JHA Companies – Reuben Hoberholtzer
Thelma Diehl – 2321 Roxbury Road
Rhoda Treher – Rice Road
Mark Smith – 11564 Old Mill Road
Miriam Smith – 65 Fox Hill Road
Chip Kolb – Mowenville Road

Chairman Cressler called the meeting of June 27th to order at 5:00 p.m. and announced the meeting was being recorded.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

VISITOR REMARKS

There were no visitor remarks.

APPROVAL OF MINUTES FOR THE REGULAR MEETING OF JUNE 13th.

MOTION: Supervisor Brenize moved to approve the minutes of the June 13th meeting as presented. Supervisor Hall seconded the motion which passed unanimously.

OLD BUSINESS

Furnace Run Water/Sewer/Welcome Center

Maria Misner reported there is not much going on right now. David H. Martin is asking questions for the engineers and the engineers are responding.

David H. Martin has asked that the Notice to Proceed not be issued until the NPDES permit has been issued.

If the supervisors have questions for Mr. McDonald for Furnace Run history, they should let Maria know ASAP.

Supervisor Cressler reported that architect, David Black will be on vacation next week and will have a meeting after that to discuss moving forward with the Welcome Center building.

NEW BUSINESS

SCPRA MOU Extension through 2023

Solicitor Kelso explained that Josh Mitchell, Park & Rec Authority Director, found an expired MOU with the Township and asked to have it extended. After examining the MOU, Solicitor Kelso stated the terms of the MOU automatically renew annually until a new MOU is put in place, so there is no need to extend the MOU until 2024.

SCPRA Fireworks Donation Request

Kathy Durf reported that she received an email from Josh Mitchell requesting a financial contribution for the fireworks on July 4th.

MOTION: Supervisor Hall moved to donate \$500 towards the fireworks. Supervisor Brenize seconded the motion which passed unanimously.

Mark Smith Rezoning/Amendment Letter Application

Solicitor Kelso stated she received a letter from Mark Smith's attorney, Hubert Gilroy, requesting the supervisors change Mark's property from the Residential Zone to the Commercial Zone or as an alternative, amend the Zoning Ordinance to allow for special events in the Residential Zone. The supervisors are under no obligation to take any action on the zoning map change request.

Supervisor Brenize stated a taskforce was appointed at the previous meeting to begin to review and update all of the ordinances. That review will include consideration of special event venues among other things.

Supervisor Hall agreed to let the taskforce revise the ordinances and see where his use falls into it at that time.

Mark Smith stated he has been trying for 4.5 years to get approval. He submitted paperwork to Doug Shields and no one can find any paperwork.

Supervisor Cressler stated that he didn't hear any of supervisors say they had interest in the zoning map change from Residential to Commercial at this time.

Supervisor Brenize stated he would like to wait and see what the special events ordinance says and see if fits into that.

Mr. Smith asked if he could get a variance.

Solicitor Kelso replied that he could seek a variance, as an option. He should speak with Mr. Gilroy about that. The text revisions to the ordinance would not be approved until October at the earliest. In the meantime, the Township would continue to take the position that it is still in noncompliance for the use that has been occurring there and is still in violation.

Supervisor Cressler stated there will be no action on the zoning map change request or the offer to change the zoning ordinance. It will be reviewed with the overall ordinance review.

Bulky Trash

The dates for fall Bulky Trash have not been set yet.

MOTION: Supervisor Brenize stated the provider has not been selected yet, but moved to hold fall Bulky Trash days on September 29th and 30th. Supervisor Cressler seconded the motion which passed unanimously.

SUBDIVISION AND LAND DEVELOPMENT/BONDING

SD2023-001 Mervin & Lori Oberholtzer – Subdivision

All of the comments have been satisfied.

Non-Building Waiver (§31-701.E)

Vince Elbel has reviewed and approved the Form B and corrected the location of the septic tank.

MOTION: Supervisor Hall moved to approve the non-building waiver. Supervisor Brenize seconded the motion which passed unanimously.

Final Subdivision

MOTION: Supervisor Cressler moved to approve the final subdivision for SD2023-001 Mervin & Lori Oberholtzer. Supervisor Brenize seconded the motion which passed unanimously.

SD2023-011 Reuben & Minerva Oberholtzer – Subdivision

All of Martin & Martin comments have been addressed. The residue is two non-contiguous pieces which cannot be sold separately.

Non-Building Waiver (§31-701.E)

Vince Elbel has signed off on the Non-building Waiver

MOTION: Supervisor Brenize moved to approve the non-building waiver.
Supervisor Hall seconded the motion which passed unanimously

Waiver of Plan Scale (§31-700.A)

MOTION: Supervisor Cressler moved to approve the waiver of plan scale.
Supervisor Brenize seconded the motion which passed
unanimously.

Final Subdivision Plan

MOTION: Supervisor Hall moved to approve the final subdivision plan for
SD2023-011- Reuben & Minerva Oberholtzer. Supervisor
Brenize seconded the motion which passed unanimously.

SD2023-012 Matrix/ Oberholtzer – LDP

Maria Misner reported that Matrix was not present for an overview of the entire plan; however, the modification requests and design comments were reviewed by the Planning Commission and should be reviewed and approved since they are crucial to the design of the plan and are requirements of the Conditional Use Hearing.

Visitor, Mrs. Thelma Diehl, commented that her ancestors lived at the Oberholtzer farm, future site of the proposed Matrix warehouse. She gave a brief history of their family tree and number of descendants, memories etc.

Waiver of Plan Scale (§31-701.E)

MOTION: Supervisor Cressler moved to approve the waiver of plan scale.
Supervisor Hall seconded the motion which passed
unanimously.

Modification of Rainfall Intensities for 5 and 10 year events (§31-906.D.7)

MOTION: Supervisor Hall moved to approve the modification of rainfall intensities for 5 and 10-year events. Supervisor Brenize seconded the motion which passed unanimously.

DESIGN COMMENTS from Tim Cormany's letter dated June 8th.

1. The applicant has requested modifications of requirements in relation to the 200-foot buffer zone width (§31-908.C) and screen plantings within the interior 25 feet of said buffer zone. (§31-908.C.4.c). The proposed buffer zone and screening as shown on the land development plan are consistent with the same features as portrayed on the approved conditional use plan. Conditions of the conditional use approval included demonstrating this consistency at the time of land development. Therefore, our office recommends that the Township grant these modifications with reference to conditional use approval consistency.

2. Two other conditional use approval Board-imposed conditions included a) signage and road markings to direct trucks to I-81 and away from eastbound Woods Road, and b) corrugated concrete pork chops to deter exiting truck traffic from making left turns onto Woods Road. The Board should review the plans to ensure its intentions have been satisfactorily addressed.

Modification of Buffer zones (§31-908.C and 908.C.4c)

MOTION: Supervisor Cressler moved to approve the modification of buffer zone of 200-feet with a screen planting within the interior 25ft. Supervisor Hall seconded the motion which passed unanimously

AGENDA AMENDED ITEMS

Burn Ban

MOTION: Supervisor Cressler moved to add Removal of the Burn Ban to the Agenda Amended Items. Supervisor Hall seconded the motion which passed unanimously.

MOTION: Supervisor Cressler moved to remove the Burn Ban effective immediately. Supervisor Brenize seconded the motion which passed unanimously.

REPORTS OF TOWNSHIP OFFICIALS AND AGENCIES

Solicitor

Maintenance Bond Agreement - Solicitor Kelso said she is working on a Maintenance Bond Agreement with Thornwood Village for the Dedication of Franklin Way.

DCNR MOU – CVRT – Solicitor Kelso has been working with Maria and DCNR Rep. Leslie Sarvis, to come up with an MOU for DCNR to demonstrate the Township's role in the Cumberland County Rail Trail Extension. DCNR is still a little confused.

Maria added that Allen Dieterich Ward has reached out to Ms. Sarvis to explain the details.

Planning/Zoning

Franklin Way Deed of Dedication

Maria Misner reported that Grove Farm Development has officially informed her of their intention to turn over the Deed of Dedication for Franklin Way. Shane Scott has inspected the road and he is satisfied with the work. According to Township policy, the request must be submitted for dedication prior to July 1st in order for the Township to qualify for liquid fuels.

Amazon Sign

Maria Misner reported that the initial sign permit application for the Amazon sign was too large and it looked like it was going to need to go through a variance request; however, they have cut out the background and are only using the letters and are now in compliance.

Code Enforcement

Rental Violation Letters

Code Enforcement Officer, Jamie White, reported that the Township received copies of eight letters Commonwealth Code sent to landlords in the Township who have failed to submit for rental inspection. They were sent on the June 14th and allowed 30-days to schedule the inspection. If not done, the Township will be notified and then it is up to the Township to enforce by revoking their license. It would be a violation to occupy.

Solicitor Kelso responded that the Township would send the notice of violation. She will check on the details of enforcement.

Feral Cats

Feral cats in Herwin Village are an issue again. Blanket letters were set out. Jamie will address the individuals when he knows who exactly is in violation.

Weeds

There is a residence on Mt. Rock with extremely high weeds/grass. The resident is disabled. A second notice of violation was sent with 10 days to comply. He is asking for anyone to help him mow.

Secretary/Treasurer

No Report

Supervisors

No Report

ACTION ON PAYING BILLS

MOTION: Supervisor Hall moved to pay the general fund in the amount of \$60,868.05. Supervisor Brenize seconded the motion which passed unanimously.

The meeting was adjourned by Chairman Cressler at 5:44p.m.

Respectfully Submitted

Maria Misner

Planning/Zoning/Recording Secretary