

**Public Hearing**  
**Jerry's Towing Conditional Use**  
**July 28, 2016**

The North Middleton Township Supervisors held a public hearing for a conditional use application for Jerry's Towing on July 28, 2016 at the Township Municipal Building, 2051 Spring Road, Carlisle PA. Supervisor Jim Hare called the public hearing to order at 6:33 pm. Board members present were Supervisor Harry Kelso, Supervisor Robert Reisinger, Supervisor Pat McDowell, Supervisor David Smith, Solicitor Mark Allshouse, Manager Deborah Ealer, Interim Police Chief Gary Carver and Recording Secretary Lori Coleman.  
Visitors: See July 28, 2016 attendance sheet.

Solicitor Allshouse noted Gerald Orris of 1650 Spring Road filed an application for a conditional use. Mr. Orris purchased the adjoining property to the south. He is proposing to remove the existing dwelling on the south side and then put up a new building where the existing dwelling is located. Solicitor Allshouse noted the reason for the conditional use is due to the change in zoning. Then the new property can be at least adjoined or have a common use like the old property. The application was received by the township on May 27, 2016. It included a floor plan, elevation plan, survey map, and list of adjoining property owners. The public hearing was advertised in The Sentinel on July 11<sup>th</sup> and July 18<sup>th</sup>. The property was posted on July 20<sup>th</sup> in two places by Building Codes Officer Rod Borda. Notices were sent to neighboring property owners on July 6<sup>th</sup>, 2016. On July 5, 2016, the Planning Commission made a motion to recommend approval with the condition that there be no parking within 21 feet of the centerline of Route 34. Solicitor Allshouse noted each of the documents referred to are exhibits that remain with the file for the purpose of the hearing.

**Applicant**

Grant Marshall noted Mr. Orris owns two tracts of land. He purchased the home to the south of his existing business. He plans to demolish the home, and build a new building with an office area and garage. Once that is completed, he would like to join the two properties together. When Mr. Orris gets the new building built and the business is relocated to the new building, he would then remove the current building. It will open up the area for parking vehicles. Mr. Orris was seeking to define the entrance a little better with new landscaping, and an extension of the fence on the north side to make it safer entering and exiting the building. Supervisor Hare questioned the location of the fence and if he would extend the current fence. Mr. Orris said the fence would extend to the telephone pole that is right in front of the current building and go straight back. He intends to install a slider gate with a lock. Supervisor Hare asked if he would do maintenance on his vehicles. Mr. Orris said he would complete maintenance on his small vehicles. Supervisor Hare asked if trucks would remain at his residence. Mr. Orris replied yes due to late night calls and bad weather conditions. Solicitor Allshouse asked Mr. Marshall if he was required to get any HOP when they narrow and delineate the highway entrance. Mr. Marshall noted he has to make a call to PennDOT to see if the current HOP is adequate. Solicitor Allshouse noted that portion would be part of the land development.

**Public Comment**

No comment was offered.

**Supervisors Discussion and Comments**

Solicitor Allshouse noted the board does have the ability to attach reasonable conditions as it deems necessary to comply with the ordinance to protect the public health, safety and welfare. Supervisor Kelso noted when the plan was discussed at the Planning Commission they tried to eliminate parking right off the road. He said that is why they recommended no parking within 21feet of the centerline of Route 34. Supervisor Reisinger moved to approve the conditional use application for Gerald Orris for the property located at 1650 Spring Road with the condition that there be no parking within 21 feet of the centerline of Route 34. Supervisor Kelso seconded the motion, and the motion carried. Solicitor Allshouse asked Mr. Orris if he would waive the formal written decision of findings, facts, conclusion and law in return for a written letter from the municipality granting the petition. Mr. Marshall replied yes.

**Adjournment**

The hearing was adjourned at 6:43 p.m.

Respectfully submitted,

Deborah Ealer  
Township Secretary

Lori Coleman  
Recording Secretary