

909 Elmerton Avenue
Harrisburg, PA 17110-8200
August 7, 2025

Southcentral Regional Office

717-705-4707
FAX - 717-705-4760

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 7015 1520 0001 1255 4566

Club Road Properties, Ltd.
c/o Joel McNaughton
4400 Deer Path Road
Harrisburg, Pa 17110

CERTIFIED MAIL NO. 7015 1520 0001 1255 4573

David H. Martin Inc.
c/o Dereck Lietman
4961 Cumberland Hwy.
Chambersburg, PA 17202

Re: Violations of the Clean Streams Law, and
the Dam Safety and Encroachment Act
DEP File No. NOV 21 25 105
Middlesex Township, Cumberland County

Dear Mr. McNaughton and Mr. Lietman:

An inspection that took on July 9, 2025 at Tax Parcel ID 21-06-0015-015 in Middlesex Township, in Cumberland County, Pennsylvania ("Site"), have determined that the Site is in violation of The Pennsylvania Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §§ 691.1 et seq. (the Clean Streams Law),The Pennsylvania Dam Safety and Encroachments Act (Dam Safety and Encroachment Act), 32 P.S. §693.1 et. seq. and the rules and regulations.

The Site inspection documented the following unauthorized activity:

1. A waterline was installed through wetland C/Channel 1 per the Project Bolt Data Base Center Wetland Delineation Report prepared by Ambrook Consulting, LLC dated June 12, 2024. The project was for an Offsite Sanitary Force Main for the Cumberland Knoll Phase 1 Project. The channel was documented to have defined bed and banks and has a drainage area calculated to be approximately 79 acres. Club Road Properties, Ltd. and D.H. Martin Excavating are the responsible parties for this activity. This parcel was not owned by Club Road Properties Ltd. at the time of the installation and was not included in the Limit of Disturbance (LOD) per the NPDES permit

(PAC210079). The property has since transferred ownership to Carlisle Development Partners, LLC on July 14, 2025 according to Cumberland County Tax Parcel Viewer.

2. Silt sock was documented around the earth disturbance. Sparce vegetation was documented in the presumed floodway (50 feet from top of bank) of the UNT.

Penalties for violations of The Clean Streams Law and/or the Department's rules and regulations or any condition of any permit issued by the Department may subject a person to a variety of enforcement actions including civil and/or criminal penalties. Sections 602 of The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation.

Penalties for violations of the rules and regulations of the Department or any condition of any permit issued by the Department are set forth in Section 21 and 22 of The Pennsylvania Dam Safety and Encroachment Act, 32 P.S. § 693.21, 693.22. The Department could institute administrative, civil, and/or criminal proceedings under the Act. The Pennsylvania Dam Safety and Encroachment Act provides for up to \$10,000 per violation and \$500 per day in civil penalties and up to \$1,000 per offense in misdemeanor criminal penalties for each violation of the Act.

The requested voluntary corrective actions are:

1. Apply for an After the Fact (ATF) permit for the utility line work that was conducted without out prior authorization.
2. The NPDES permit, once transferred is requested to include this utility crossing and impacts to waters of the commonwealth.

Mr. Justin Ross (Livic Civil) agreed via email on July 31, 2025, to submit a permit application for review to Department on the owner's behalf (Carlisle Development Partners, LLC) on or about September 14, 2025, unless a different date is agreed to in writing. All correspondences are to go directly to Mr. Ross.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions, please contact me at 717.705.4792 or at flamphere@pa.gov

Sincerely,

Felicia Lamphere

Environmental Protection Compliance Specialist
Conservation, Restoration, and Inspection Section
Waterways & Wetlands Program

Enclosure: Inspection report dated August 6, 2025

cc: Matt Gall, United States Army Corps of Engineers, via email
Matthew Stough, Cumberland County Conservation District, via email
PAFBC, via email
Middlesex Township, via email

DEP Data Records	Inspection Record # 1
Complaint Record # TBD	Enforcement Record # NOV 21 25 105

WATER OBSTRUCTION AND ENCROACHMENT INSPECTION REPORT

DEP/CCD Office	DEP Southcentral Regional Office Phone 717.705.4700	Project Type: Unauthorized Utility Crossing
Address	909 Elmerton Avenue	Location: 248 Country Club Road (Parcel ID 21-06-0015-015)
	Harrisburg, PA 17110	County: Cumberland County
Owner/Permittee	Club Road Properties, Ltd. Phone: 717. 234.4088	Municipality: Middlesex Township
Mailing Address	c/o Joel McNaughton (EIN ID 231890542)	Water Course or Body of Water: Unnamed Tributary (UNT) to the Conodoguinet Creek (a Warm Water Fishery)
	4400 Deer Path Road, Harrisburg Pa 17110	Latitude: 40°14'51.44"N
	David H. Martin Excavating, Inc (operator)	Longitude: -77° 7'9.80"W
	4961 Cumberland Hwy, Chambersburg, PA 17202	
	Carlisle Development Partners, LLC (new owner)	
	1600 Internation Dr., Suite 500, McClean VA 22102	
	c/o Justin Ross, P.E. Livic Civil	
	1015 Mumma Road, Wormleysburg, PA 17043	

Type of Inspection: ☐ ADMIN - Administrative / File Review ☐ CONST - Construction Progress ☐ OTHER _____
☐ CEI - Compliance Evaluation ☐ FUI - Follow-up Inspection
☒ COMPL - Complaint Inspection ☐ INCDT - Incident response

INSPECTION FINDINGS

Failure to:	Violation? (Check if yes)	Failure to:	Violation? (Check if yes)
Obtain a Chapter 105 permit	☒ [105.11] 693.6/18	Perform work according to specifications	☐ [105.44] 693.18
Operate or maintain permitted project	☐ [105.51] 693.13/18	Implement Erosion and Sediment Control Plan	☐ [105.46] 693.18
Acknowledge permit conditions	☐ [105.42] 693.18	Obtain Department approval for Environmental Assessment	☐ [105.15] 693.18
Maintain a valid permit	☐ [105.43] 693.18	Other:	☐ [Failure to plan and implement Erosion and Sediment Control Best Management Practices for earth disturbance activities in accordance with 25 Pa. Code Chapter 102]

Inspection Results Code:	☐ NOVIO (No violations noted)	☐ OUTST (Outstanding violations)	☐ RECUR (Recurring violations)
	☐ VIOIC (Violations noted and immediately corrected)	☒ VIOLS (Violation(s) noted)	☐ VOV (New and outstanding violations noted)

Describe site conditions and violations, including all pertinent dimensions and the actual or planned impacts to watercourses or bodies of water. For permitted work, confirm compliance or specify violations.

See Narrative on Page 2

Sketch attached? ☐ Yes ☐ No Photos taken? ☒ Yes ☐ No Additional information attached? ☒ Yes ☐ No

Inspector name (print): Felicia Lamphere	Inspector Signature: <i>Felicia Lamphere</i>	Date and Time: August 6, 2025
Inspector was accompanied by: ☐ Owner ☐ Permittee ☒ Other: Please see narrative on Page 2.	Signature of Owner/Permittee: Written in the office. Mailed to Responsible Parties	Date: August 7, 2025

The Owner/Permittee's signature acknowledges that they have read the report and received a copy and that they were given the opportunity to discuss it with the inspector. The signature does not necessarily mean that they agree with the report.

Narrative

On July 9, 2025, Felicia Lamphere of the Pennsylvania Department of Environmental Protection (PADEP) conducted an inspection located at 248 Country Club Lane, Middlesex Township, Cumberland County (Parcel ID 21-06-0015-015) ("SITE") concerning a recent installation of a water line utility through an UNT to the Conodoguinet Creek. Country Club Road, Ltd. and David H. Martin Excavating, LLC are the responsible parties for this activity. The parcel was previously owned by KMWW. Carlisle Development Partners, LLC took ownership on July 14, 2025 according to Cumberland County Tax Parcel Viewer. The project was for an Offsite Sanitary Force Main for the Cumberland Knoll Phase 1 project which a Notice of Intent (NOI) was submitted on August 7, 2023 to the Cumberland County Conservation District (CCCD).

The site inspection documented the following:

1. A waterline was installed through wetland C/Channel 1 per the Project Bolt Data Base Center Wetland Delineation Report prepared by Ambrook Consulting, LLC dated June 12, 2024. The channel was documented to have defined bed and banks and has a drainage area calculated to be approximately 79 acres. This parcel was not owned by Country Club Road Ltd. at the time of the installation and was not included in the Limit of Disturbance (LOD) per the NPDES permit (PAC210079).
2. Silt sock was documented around the earth disturbance. Sparce vegetation was documented in the presumed floodway (50 feet from top of bank) of the UNT.

The Dam Safety and Encroachments Act, as amended, 32 P.S. Section 693.1 et seq., and the rules and regulations adopted thereunder at 25 Pa. Code Chapter 105, require that a written permit be obtained from DEP prior to encroaching in a watercourse, floodway, body of water, or wetland. Also, permits from the U.S. Army Corps of Engineers may be required for work in wetlands or waters of the United States.

Excavating, earth disturbance, and placement of fill material into a floodway, watercourse, or wetland without a permit constitutes a violation of the Dam Safety and Encroachments Act, as amended, 32 P.S. Section 693.1 et. seq., and the rules and regulations adopted thereunder at 25 Pa. Code Chapter 105 and may result in mandatory restoration of the affected area at the violator's expense and/or prosecution. **Our records indicate that no such permit has been issued for the activities described.**

The requested voluntary corrective actions are:

1. Apply for an After the Fact (ATF) permit for the utility line work that was conducted without out prior authorization.
2. The NPDES permit, once transferred is requested to include this utility crossing and impacts to waters of the commonwealth.

Mr. Justin Ross (Livic Civil) agreed via email on July 31, 2025, to submit a permit application for review to Department on the owner's behalf (Carlisle Development Partners, LLC) on or about September 14, 2025, unless a different date is agreed to in writing. All correspondences are to go directly to Mr. Ross.

Please be advised that any future earth disturbance activities in or around a body of water of this commonwealth may require a permit.

Please contact me with any questions or concerns at 717.705.4792 or at Flamphere@pa.gov.

Parcel Map



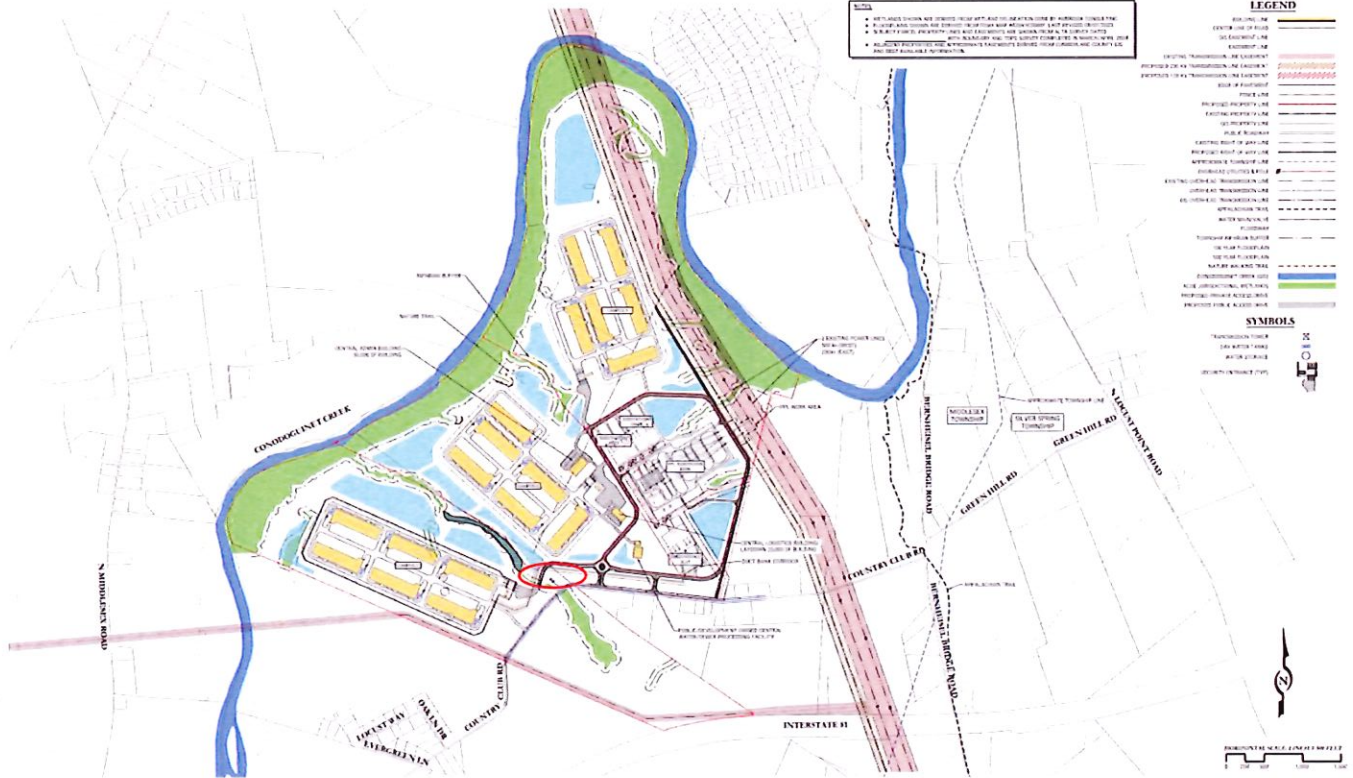
**Property Address: 248 COUNTRY CLUB ROAD,
MIDDLESEX TOWNSHIP**

Parcel ID	21-06-0015-015
Owner	CARLISLE DEVELOPMENT PARTNERS LLC
Care Of	
Property Address	248 COUNTRY CLUB ROAD
Property Address 2	
Property Type	A
Land Use Code	124
Subdivision	
Land Description	LAND APPROX 212 ACRES
Deed Book and Page	202514239
Deed Acres	212.42
Square Footage	2,168 00
Taxable Status	T
Clean and Green	1
Land Value \$	178,600 00
Building Value \$	115,000 00
Total Value \$	293,600 00
Sale Price \$	30,000,000 00
Sale Date	7/14/2025
Year Built	1850
Municipality	MIDDLESEX TOWNSHIP
Height in Stories	2 Stories
Dwelling Type	Single Family
Finished Basement	
Basement Garage	0
Full Bathrooms	1
Half Bathrooms	0
Total Rooms	8
Bedrooms	4
Primary Exterior	Stone/Masonry
Air Conditioning	None
Basement Percentage	100
Total Estimated Tax (\$)	5,267 00
County Estimated Tax (Blue) \$	844 00
Municipal Estimated Tax (Red) \$	779 00
School Estimated Tax (Green) \$	3,644 00

Tax Rates (Estimated)



Proposed Master Concept Plan for Project Bolt



PROJECT BOLT | MASTER CONCEPT PLAN
PREPARED BY

LOCATION
MIDDLESEX TOWNSHIP | CUMBERLAND COUNTY | PENNSYLVANIA

JULY 2, 2025

PLAN: C-01

Red oval is the unauthorized impacted area

Photographs





Photograph depicts impacts to Wetland C/Channel1 per the wetland delineation report for the Bolt Project as a result of the Cumberland Knoll Phase 1 Forced Main installation.