

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
February 5, 2025
7:00 PM**

OFFICIALS PRESENT:	SUPERVISORS:	Chairman Donald S. Geistwhite, Jr. Vice-Chairman Steven Larson William H. Goodhart Keith O. Brenneman
	SOLICITOR:	Keith O. Brenneman
	PUBLIC SAFETY	
	DIRECTOR:	Chief Steve D. Kingsborough
	FIRE / EMC:	Chief Edwin Beam
	ZONING OFFICER:	Mark D. Carpenter
	ASST. CODES ENFORCEMENT/	
	MS4 COORDINATOR:	Gerald Steigleman
	MANAGER:	Eileen M. Gault
	OFFICIALS ABSENT:	ENGINEER:
ROADMASTER:		Zachary L. Zook

CALL TO ORDER AND PLEDGE TO THE FLAG: Chairman Donald S. Geistwhite, Jr. called the meeting to order at 7:00 p.m. in the Middlesex Township Municipal Building, leading the Pledge of Allegiance.

PUBLIC HEARING: To Rezone from VC-Village Center Zoning to RF-Residential Farm one parcel at 151 Wolfs Bridge Road and seven parcels collectively identified as 106 Wolfs Bridge Road:

Chairman Geistwhite then turned the meeting over to the Township Solicitor Mr. Brenneman. Mr. Brenneman stated that this was the time scheduled for a public hearing to amend the Middlesex Township Zoning Ordinance to rezone one parcel of land at 151 Wolfs Bridge Road and seven parcels at 106 Wolfs Bridge Road from VC-Village Center Zoning to RF-Residential Farm. Mr. Brenneman reviewed the procedures followed up to the time of the public hearing. The Middlesex Township Planning Commission recommended approval of the proposed amendment, and the Cumberland County Planning Department recommended that no further zoning amendments be made and that any proposed amendments be made part of the new zoning ordinance that is under consideration. The zoning amendment if adopted will return the property subject to the rezoning back to the zoning that existed prior to November 22, 2024, being RF-Residential Farm Zoning. This zoning change is being initiated by the Board of Supervisors. The Board had no questions or comments, at which time the Solicitor asked the public if they would like to address the matter.

Mr. Charlie Suhr, Attorney with Stevens & Lee, representing the applicant, Pinnacle Realty Development stated that he was the attorney that drafted the ordinance that was adopted last November. He is surprised to be here and thought that when the ordinance was adopted even though there was public comment against it which is typical, he was under the impression they were moving forward. Mr. Suhr’s client has been working with the Township most of 2024 and has been open and honest about this project and what is being proposed for development. His client stated many times that if there is a problem to let him know and that he did not want to waste his time or anyone else’s. Mr. Suhr stated that there is a theory called Special Legislation that is a concept of a zoning ordinance, but it is the opposite of spot zoning, basically with legislation that is directed to a particular permitted use on a particular

property in trying to stop it. Mr. Suhr is asking the Board to pause on this and sit down with his client to discuss why the switch within a few weeks.

Mr. Tony Maras, Pinnacle Realty Development, gave a brief timeline of events that occurred up until this time. In April 2024 he had presented the concept to the Board who referred him to the Planning Commission who at that time suggested to move the plan forward. In the Fall the ordinance amendment was proposed and the Planning Commission moved it forward to the Board and recommended approval. Mr. Maras stated that at each of the meetings he asked not to waste his time or anyone else's if the Board did not want this. They had made substantial adjustments to the project, made commitments to the property owner, and then there was a sudden reversal of this Board without a courtesy call. Mr. Maras is asking for the Board to discuss any legitimate concern they may have of the proposed development, and they will not submit a plan in the next sixty (60) days if the Board agrees to take this matter into abeyance, and continue this hearing so they don't have to readvertise it. He then stated he never received notice of this, and he is an equitable owner and does not think an email copy to his attorney qualifies under the procedural rules.

Township Solicitor Mr. Brenneman responded that what was given to Mr. Suhr immediately when the Board decided at a public meeting is sufficient notice to Mr. Maras.

Mr. Maras replied that we have enjoyed a good relationship with the Board and am asking to continue that. He is waiving the right and agreeing not to submit a preliminary plan or any other vesting plan under the Township ordinance for sixty (60) days so that there can be some discussion, which is not unreasonable after the last 8 months where something has changed or happened. What the board has done qualifies as Special Legislation as Mr. Suhr has indicated and is asking to try to do this to avoid litigation. Mr. Maras hopes his comments are considered in the spirit that it is intended to work with this township to support this project and the township's prior zoning unlike the current proposed action.

Mr. Brenneman stated let me remind everyone here including Mr. Maras and his attorney, you were before this board for a lot of 2024, there were no members of the public here, none. When that hearing happened in November 22, 2024, that's when this board to the solicitor's knowledge ever heard anyone speak against what Mr. Maras wanted to do, because there was finally public notice. Mr. Brenneman has not seen the case, that Mr. Suhr sites. This board can change its mind, there is nothing wrong with that, when you look at the fact that they had that opposition and the fact that county planning has continuously said to hold off on anymore zoning because you are undertaking a change to your Zoning Ordinance Township wide and by the way your comprehensive plan is so far out of date that it is of no effect whatsoever and needs to be redone. This board recently has engaged thru the County Planning Commission efforts to redo the comp plan after the Township wide Zoning Ordinance is done and it is getting close to that point.

Mr. Suhr asked that the Board not reset the clock back, to pause on their decision and work with his client on a compromise. Mr. Maras stated that they have done everything they were asked to do up to this point and is asking for consideration to hold this in abeyance so they can work with staff to come up with a better solution.

Mr. Robert Eppley, Jr., 63 Beagle Club Road, said to let this go to litigation.

Mrs. Robyn Eppley, 63 Beagle Club Road, reported that there were two (2) members of the Planning Commission that voted against this plan.

Mr. John Manta, 255 Wolfs Bridge Road, stated that the Board listened to the public's comments and took it to heart. There are no improvements for the schools, fire department and law enforcement and

wanted to know who would pay for that. The residents like the solitude of the area as it is and if the developer wants to go to litigation, then have at it.

Mr. Jim Gehr, 3351 Spring Road, stated that he appreciates the time taken to adhere to the zoning plan that is currently in place. For anyone to move forward without a comprehensive plan is foolish. Mr. Gehr looks forward to having a proper comprehensive plan.

Mr. Jerry Jones, next generation landowner whose grandfather had purchased the land in question for development in 1952. In 2008 he had a plan to develop it, it was his dream, but unfortunately the housing crisis hit and then he passed away. The property was with the estate for awhile and then he purchased it and that is when he met Tony. This was when Mr. Jones thought they could get this project completed.

At this time Township Solicitor Mr. Brenneman stated that the Supervisors have three (3) choices. They could take no action on the ordinance before them. They could take action to approve the ordinance which would change the zoning back to the way it was. Or they could concur with the agreement proposed by the developer and take no action on this matter for a period of ninety (90) days with the expectation that they will meet with staff to see if something can be worked out to possibly fit within the zoning ordinance that is being considered by the Supervisors township wide and be resolved that way.

Vice-Chairman asked if they could go into Executive Session. Township Solicitor Mr. Brenneman stated that with the threat of litigation that is a basis to have a discussion in Executive Session. The Board adjourned to Executive Session at 7:30 p.m. The Board reconvened at 7:45 p.m. and continued with the hearing.

Vice-Chairman Larson stated that whether the Board adopts the ordinance or not does not make a difference whether they can have conversations concerning this for future and possible changes to the proposed Zoning Ordinance rewrite.

Discussion and possible action to adopt Ordinance No. 1 – 2025 amending the Middlesex Township Zoning Ordinance by rezoning parcels of land at 151 Wolfs Bridge Road and collectively 106 Wolfs Bridge Road from VC – Village Center zoning to RF – Residential Farm zoning: On the motion of Vice-Chairman Larson, seconded by Chairman Geistwhite, it was unanimously agreed to adopt Ordinance No. 1 – 2025 amending the Middlesex Township Zoning Ordinance by rezoning parcels of land at 151 Wolfs Bridge Road and collectively 106 Wolfs Bridge Road from VC – Village Center zoning to RF – Residential Farm zoning.

PUBLIC COMMENT: Tracy Gleim, 450 Sherwood Drive, stated there have been developers come to the Township and cannot make their development work the way it is zoned so they leave, this developer can do the same.

Wendy Murphy did not hear anything about this. Mr. Brenneman informed her to check the agenda that must be posted 24 hours before the meeting. He encouraged her to call the Township and talk to the staff if she has any questions.

Paula Whitman, 97 S. Middlesex Road, stated that she does not want to offend anyone, but she is usually the only person in attendance at the Wednesday evening meetings. The newsletters have the dates and times for all the meetings including the Planning Commission. This is also on the website. A lot of this is over my head but I show up and try to learn and be informed. The staff really does do a good job.

MS4 / STORMWATER: Mr. Steigleman reported that the Township was approved for the DEP Growing Greener Grant.

APPROVAL OF MINUTES: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of January 6, 2025.

On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to approve the minutes of January 31, 2025.

AUTHORIZE PAYMENT OF BILLS: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to authorize the payment of the February 2025 bills.

REPORTS:

Solicitor – Present. No report.

Engineer – Absent. No report.

Director of Public Safety – Chief Kingsborough submitted the monthly Police Report. Report entered into record.

Fire/EMC – Chief Beam submitted the monthly Fire Chief Reports. Reports entered into record. Chief Beam was notified that the Avian Flu is now in Cumberland County.

Zoning – Mr. Carpenter submitted and briefly discussed the monthly Zoning Report. Report entered into record.

Codes Enforcement – Mr. Steigleman submitted the monthly Codes Enforcement Report. Report entered into record.

Roadmaster – Absent but had submitted the monthly Roadmaster Report. Report entered into record.

Recreation/Recycling Coordinator – Mrs. Jumper submitted the monthly Recreation Director Report. Report entered into record.

Municipal Authority – Chairman Geistwhite reported that everything is going well with the Authority.

Manager – The Manager reported that they began the audit the past Saturday and everything is going well. The Cumberland County Tax Bureau (CCTB) report was submitted with no discussion.

OLD BUSINESS:

Discussion and Possible Action to adopt Resolution 2025 – 6 authorizing the expenditure of funds for the Ashley Pyers Summer Playground Memorial Scholarship: Dennis and Jenny Pyers were present, along with their daughter Lindsay. The Township Manager read a letter to them from the Recreation Director with regards to Ashley's love of the Summer Playground Program and her efforts to include everyone in the games and the fun. The Pyers family have been donating funds each year to allow for a deserving elementary student to attend the program and the Township would like to join

them by adopting a resolution for a memorial scholarship in honor of Ashley Pyers. On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the expenditure of funds for the Ashley Pyers Summer Playground Memorial Scholarship.

NEW BUSINESS:

Discussion and Possible Action to accept the resignation of Police Officer Nathan Smith effective February 27, 2025: On the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to accept with regret, the resignation of Police Officer Nathan Smith effective February 27, 2025.

SUPERVISOR / STAFF COMMENTS: Township Manager will follow the County with opening the Township at 11:00 a.m. due to inclement weather.

EXECUTIVE SESSION: See above.

There being no further business, on the motion of Chairman Geistwhite, seconded by Vice-Chairman Larson, it was unanimously agreed to adjourn the meeting at 8:12 p.m.