

**MIDDLESEX TOWNSHIP  
SUPERVISORS MEETING**

**April 6, 2022**

**7:00 p.m.**

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

**CALL TO ORDER AND PLEDGE TO THE FLAG:** Vice-Chairman Steven Larson called the meeting to order at 7:00 p.m. in the Middlesex Township Municipal Building, with Supervisor Goodhart leading the Pledge of Allegiance.

**PUBLIC HEARING: For the proposed amendment to the Middlesex Township Comprehensive Plan Future Land Use Map:** Vice-Chairman Larson announced that the first order of business is a Public Hearing in which he then turned the meeting over to the Township Solicitor Mr. Brenneman. Mr. Brenneman stated that this is the time and place for a scheduled public hearing on a proposed resolution amending Middlesex Township Comprehensive Plan Future Land Use Map to reclassify five (5) parcels of land from Agricultural Preservation to the Mixed Use Commercial Residential Category. Mr. Brenneman then gave a summary of the procedures followed prior to the hearing, including the dates of publication in the newspaper. The Cumberland County Planning Commission as well the Township PC-Planning Commission recommend approval of this proposed amendment. Mr. Brenneman then turned the meeting over to the applicant's Land Planning Specialist, Mr. Christopher Knarr. Mr. Knarr stated that the Comprehensive Plan is over 20 years old and is not reflective of the current development trends. There are properties in the area that are already classified as mixed use to the south and the west and this will extend this district over to encompass the property on W. Trindle road. There being no questions or comments, Vice-Chairman Larson declared the hearing closed.

**Discussion and possible action to approve Resolution No. 2022 – 7 amending the Middlesex Township Comprehensive Plan Future Land Use Map:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve Resolution No. 2022 – 7, amending the Middlesex Township comprehensive Plan Future Land Use Map.

**PUBLIC HEARING: For the proposed amendment to rezone properties from RF-Residential Farm to VC-Village Center Zoning and to amend the Middlesex Township Zoning Ordinance to provide for Neighborhood Design Development in the VC-Village Center Zoning District:** Vice-Chairman Larson turned the meeting over to Township Solicitor Mr. Brenneman. Mr. Brenneman stated that this is the time and place for a scheduled public hearing on a proposed amendment to the Middlesex Township Zoning Map as well as the Middlesex Township Zoning Ordinance. The proposed change of

the zoning map will seek to rezone parcels of land from the RF-Residential Farm to the VC-Village Center Zoning. The proposed text amendment proposes to provide for Neighborhood Design Development in the VC-Village Center Zoning Districts. Mr. Brenneman then gave a summary of the procedures followed prior to the hearing, including the dates of publication in the newspaper. The Cumberland County Planning Commission as well the Township PC-Planning Commission recommend approval of the zoning map and text amendment. Mr. Brenneman then turned the meeting over to the applicant's counsel Mr. Charles Courtney. Mr. Courtney stated that Charter Homes is the equitable owner of the Stover property located at W. Trindle Road and desires to construct one of its mixed use great American neighborhoods. In order to do so a zoning amendment is needed and will allow for a denser development. Mr. Anthony Dietrick of Charter Homes presented a concept plan and briefly discussed it.

Mr. Bob Toft, 31 Hoover Road, had no idea as to what was being discussed since he was unable to view the easel. Mr. Dietrick apologized and offered to meet separately with Mr. Toft.

Ms. Paula Whitman, S. Middlesex Road, stated that if it is anything like Walden in Silver Spring, she loves it.

Mr. Christopher Knarr acknowledged working with the staff and all those involved with the collaboration of the amendment.

Mr. Brenneman reported that the Township received a letter dated April 6, 2022, from one of the five Supervisors at Silver Spring Township, Laura Brown, who indicated that she had two concerns about what was happening. One being changing the land from Agriculture Preservation to a Mixed Use and the other being the potential impact of traffic particularly at the Trindle Road area because of a potential development. Mr. Brenneman stated that of all the notices sent out with respect to the Comprehensive Plan, this is the only letter received from any of the municipalities and this letter is written by Laura Brown individually and not of the Board of Supervisors of Silver Spring Township. There being no further questions or comments, Vice-Chairman Larson declared the hearing closed.

**Discussion and possible action to approve Zoning Ordinance No. 1 – 2022 rezoning properties from RF-Residential Farm to VC-Village Center Zoning and providing for Neighborhood Design Development in the VC-Village Center Zoning District:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve Ordinance No. 1 – 2022 rezoning properties from RF-Residential Farm to VC-Village Center Zoning and providing for Neighborhood Design in the VC-Village Center Zoning District.

**PUBLIC COMMENT:** Connie Lebo, 156 Fairview Drive, was requesting approval to lead a park beautification project at Anderson Park in memory of her son. She understands the Township has limited resources. Mr. Zook stated that he is in favor of doing the flower beds and painting that is needed with the Township supplying the paint and materials. If the boards for the park bench can be cleaned and painted, they are structurally fine. Mr. Zook suggested that Ms. Lebo purchase a shade tree in honor of her son to replace a tree that will be removed. After much discussion, Mr. Zook stated that he and Denise Jumper, Recreation Director will work with Ms. Lebo.

**MS4 / STORMWATER:** Carrol Ehrhart of Skelly and Loy, Inc. was present to update the Supervisors on the current MS4 Stormwater permit/status and projects in Middlesex Township. She gave an overview of the reason MS4 matters and that it is about water pollution and briefly discussed the seven (7) parts to the permit process. Mr. Zook gave an update on project #3 that was started in the Fall and other upcoming project timelines.

**APPROVAL OF MINUTES:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of February 25, 2022.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of March 2, 2022.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of March 25, 2022.

**AUTHORIZE PAYMENT OF BILLS:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the payment of the April 2022 bills.

## **REPORTS:**

**Solicitor** – No report.

**Engineer** – No report.

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

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

**Codes Enforcement** – Mr. Steigleman submitted and briefly discussed the monthly Codes Enforcement Report. Report entered into record.

**Roadmaster** – Mr. Zook submitted and briefly discussed the monthly Roadmaster Report. Report entered into record. Mr. Zook reported that they have done some street sweeping and signage updates.

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

**Fire/EMC** – Chief Beam submitted and briefly discussed the monthly Fire Chief Report. Reports entered into record. Chief Beam then reported that the local Management Coordinators in the County had a special meeting about the concern of the avian flu. They will continue to monitor and track.

**Municipal Authority** – Chairman Geistwhite absent. No report.

**Manager** – The Manager reported that the CCTB tax comparison was provided showing the difference of last year to this year with regards to LST and EIT and that the Township is still doing well. There was a slight decrease with the monthly reporting of the LST and yearly decrease of LST which can be due to quarterly reporting not submitted yet. There were no questions regarding the report.

Mrs. Gault briefly discussed receiving an email from a non-profit group, PennEnvironment, seeking support from elected officials on an initiative to protect Pennsylvania's natural heritage by working to build support for wildlife corridors in PA. The Supervisors would like more time to review the letter and discuss further when all three Supervisors are present.

## **OLD BUSINESS:**

**Discussion and possible action on Preliminary Final Land Development Plan for 20 Roadway Drive, LLC:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the waivers of the following four (4) sections of the Middlesex Township Subdivision and Land Development Ordinance No. 8-2017 (SLDO); and the Middlesex Township Stormwater Management Ordinance 6-2011 (SWMO), for the Preliminary Final Land Development Plan for 20 Roadway Drive, LLC, subject to providing written request and justification for each waiver and listing the waivers on the cover sheet of the plan set.

1. [SLDO 719.B.3.] – Requirement for Final Landscape Plan certified by a professional Landscape Architect.
2. [SWMO 303.J.8.f.] – Requirement to plant wildflower grasses on the floor of the stormwater management basin; to allow the use of lawn grasses instead.
3. [SWMO 303.J.11.] – Requirement to provide the stormwater detention basin emergency spillway with one foot of freeboard.
4. [SWMO 303.L.2.a.] - Requirement to provide a sediment forebay with hardened bottom at each inlet into stormwater detention basin.

**On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the Preliminary Final Land Development Plan for 20 Roadway Drive, LLC, subject to the following seven (7) conditions:**

1. That the applicant satisfies all comments and conditions of the Township Engineer, Bud Grove of Skelly & Loy, Inc. in written review dated 04-05-2022 in a manner acceptable to the Township Engineer, subject to his final review.
2. That the applicant satisfies all comments of the Cumberland County Planning Department, in written report dated 12-20-2021 for plat number 21-154, subject to final review by the Township Zoning Officer.
3. That the applicant enters into a developer's agreement with Middlesex Township regarding required public improvements and posts financial security for required public improvements for this plan with the Township in an amount acceptable to the Township Engineer and form acceptable to the Township Solicitor, prior to the plans being signed by the Township and released for recording.
4. That per Section 710. Of the Subdivision and Land Development Ordinance No. 8 – 2017, as amended, the applicant pays to Middlesex Township the required fee in lieu of dedication of park and recreation areas for the commercial land development of \$1000 per disturbed acre of proposed development land, prior to the plans being signed by the Township and released for recording.
5. That the applicant meets all requirements of the Cumberland County Conservation District and PA DEP and obtain all required approvals for Regulated Earth Disturbance activities, including Erosion and Sedimentation Pollution Control Plans and/or NPDES Permits for the development project, prior to the Township signing and releasing the plan for recording.
6. That the applicant prepares and record a Stormwater Management Operation and Maintenance plan for the development, in accordance with SWMO Article V and SWMO Sections 302.F.303.C.9., in a form acceptable to the Township Engineer and the Township Solicitor.
7. That, when plans are released by Middlesex Township for recording at the Cumberland County Office of the Recorder of Deeds, the applicant records all plan sheets of the plan set.

**Discussion and possible action to award the 2022 equipment rental and material bids:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to

award the bid for the chip spreader, dump truck, rubber tire roller and distributor truck to Wilson Paving and the milling machine, road widener, drum roller, asphalt paver, dump truck and tack oil truck to Schlusser's Paving. On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to award the bid for the materials CRS-2 PM to Wilson Paving.

#### **NEW BUSINESS:**

**Discussion and possible action to authorize the sale of the John Deere X740 tractor with loader on Municibid:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the sale of the John Deere X740 tractor with loader on Municibid.

**Discussion and possible action on Carlisle Volunteer Fire Fighters Association contract for fire protection:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to execute the contract for fire protection between Carlisle Volunteer Fire Fighters Association and Middlesex Township.

**Discussion and possible action on New Kingstown Fire Company contract for fire protection:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to execute the contract for fire protection between New Kingstown Fire Company and Middlesex Township.

**Discussion and possible action on North Middleton Township Volunteer Fire Company contract for fire protection:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to execute the contract for fire protection between North Middleton Township Volunteer Fire Company and Middlesex Township.

**Discussion and possible action on Shermans Dale Community Fire Company contract for fire protection:** On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to execute the contract for fire protection between Shermans Dale Community Fire Company and Middlesex Township.

There being no further business, on the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to adjourn the meeting at 8:20 p.m. to Executive Session with no action to be taken as a result.