

MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2011

START TIME: 7:13 p.m.

END TIME: 8:50 p.m.

MEMBERS PRESENT:

Michael Buchanan
Larry Claycomb
Tracy Gleim
Jim Dries

STAFF PRESENT:

Margie Flatley-Carpenter, CMT, Secretary
Mark D. Carpenter, Zoning Officer
Jeff Kelly, Cumberland County Planning
Bud Grove, Township Engineer

MEMBERS & STAFF ABSENT:

Rod Groff
Steve Zeigler
Keith Brenneman, Township Solicitor
Mike Cornfield

AGENDA:

- APPROVE PAST MINUTES OF JUNE 13, 2011
- 1. PUBLIC COMMENT
- 2. TPF 10-6 PROPOSED STORMWATER MANAGEMENT ORDINANCE
PROPOSED LAND DEVELOPMENT ORDINANCE AMENDMENT
(BOS Public Hearing scheduled for August 3, 2011)
- 3. TPF 11-4(1) TEX VISIONS
AT PINE HILL INDUSTRIAL PARK LOT 6A
PRELIMINARY LAND DEVELOPMENT PLAN
(Last BOS prior to end of 90 day plan review period 07-06-2011)
- 4. TPF 11-4(2) TEX VISIONS
AT PINE HILL INDUSTRIAL PARK LOT 6A
FINAL LAND DEVELOPMENT PLAN
(Last BOS prior to end of 90 day plan review period 08-03-2011)
- 5. TPF 11-6 PROPOSED ZONING ORDINANCE AMENDMENT
ARTICLE X-CH DISTRICTS AND ARTICLE XIV-SECTION 14.47
(BOS Public Hearing scheduled for 08-03-2011)

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2011**

6. ZHB 2011-4 CHRIS KEARNS / ALL LAND SERVICES
REVIEW SPECIAL EXCEPTION REQUEST TO ALLOW
EXPANSION OF NON-CONFORMING SALVAGE YARD USE
(Zoning Hearing scheduled for July 13, 2011)
7. TPF 11-7 PROPOSED ZONING ORDINANCE AMENDMENT
ARTICLE II-DEFINITIONS AND ARTICLE XI-LI DISTRICTS
ALLOW NATIONAL FRATERNAL ORGANIZATION USE
8. OTHER BUSINESS

MEETING MINUTES

Larry Claycomb called the meeting to order at 7:00 p.m.

APPROVE PAST MINUTES OF JUNE 13, 2011.

The minutes of the June 13, 2011, meeting are not complete. They will be reviewed when complete.

PUBLIC COMMENT

Larry Claycomb asked for public comment and there was none.

**TPF 11-4(1) TEX VISIONS
AT PINE HILL INDUSTRIAL PARK LOT 6A
PRELIMINARY LAND DEVELOPMENT PLAN
(Last BOS prior to end of 90 day plan review period 07-06-2011)**

Steve Quigley of H. Edward Black Associates was in attendance to discuss the plan. This is for lot 6-A of the Pine Hill Industrial Park. They have received the comments from Mr. Grove and have no problem with complying with them. Mr. Grove reviewed his comments and the waivers requested at the meeting. Jeff Kelly, Cumberland County Planning Commission, reviewed the comments from the County. Mark Carpenter requested that the Planning Commission act on both plans at this time. The traffic impact study is not finalized yet. Mr. Quigley sent it back to TPD for some fine tuning. Mr. Carpenter asked Mr. Quigley if the traffic impact study results would impact the Planning Commission's ability to act on this plan. Mr. Quigley felt that there would not be anything in it that would not be able to be easily mitigated. There was further discussion of the status of the access road through the process of future development. Apparently, the Board of Supervisors did not feel that it was necessary to require it at

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2011**

this point in time. The NPDES permit needs to be submitted to the County and subsequently to DEP by the County. It does not have to be approved for the preliminary plan.

Michael Buchanan made the following motion:

"I move that we recommend approval of the 4 waivers requested for Preliminary Land Development Plan TPF 11-4[1], Tex Visions Industrial Park Lot 6A with the provision that if the area west to the west of the building is not built upon within 10 years, then the waiver #3 is void."

It was seconded by Tracy Gleim and passed unanimously.

Michael Buchanan also made the following motion:

"I move that we recommend approval of Preliminary Land Development Plan TPF 11-4[1], Tex Visions Industrial Park Lot 6A with the following conditions:

1. That the conditions of Cumberland County Planning listed in review 11-050 be met.
2. That the conditions listed in Bud Groves' letter to the Planning Commission dated June 27, 2011, be met with the amendment to paragraph 4 that the NPDES Permit only needs to be submitted to the County Conservation District and DEP but not approved for the preliminary Plan.
3. If the Traffic Impact Study indicates deficiencies or negative impacts, that they be mitigated."

It was seconded by Tracy Gleim and passed unanimously.

**TPF 11-4(2) TEX VISIONS
AT PINE HILL INDUSTRIAL PARK LOT 6A
FINAL LAND DEVELOPMENT PLAN
(Last BOS prior to end of 90 day plan review period 08-03-2011)**

Mr. Grove reviewed his comments regarding the final plan. The NPDES application must be approved by DEP. Jeff Kelly, Cumberland County Planning Commission, has no new comments. Mr. Carpenter reminded the commission that the plan cannot be recorded until the NPDES is approved.

Michael Buchanan made the following motion:

"I move that we recommend approval of the 4 waivers requested for Final Land Development Plan TPF 11-4[2], Tex Visions Industrial Park Lot 6A with the provision that if the area west to the west of the building is not built upon within 10 years, then the waiver #3 is void."

It was seconded by Tracy Gleim and passed unanimously.

MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2011

Michael Buchanan also made the following motion:

"I move that we recommend approval of Final Land Development Plan TPF 11-4[2], Tex Visions Industrial Park Lot 6A with the following conditions:

1. That the conditions of Cumberland County Planning listed in review 11-050 be met.
2. That the conditions listed in Bud Groves' letter to the Planning Commission dated June 27, 2011, be met with the amendment to paragraph 4 that the NPDES Permit needs to be approved by DEP for the final plan.
3. If the Traffic Impact Study indicates deficiencies or negative impacts, that they be mitigated."

It was seconded by Tracy Gleim and passed unanimously.

ZHB 2011-4 CHRIS KERNS / ALL LAND SERVICES
REVIEW SPECIAL EXCEPTION REQUEST TO ALLOW EXPANSION
OF NON-CONFORMING SALVAGE YARD USE
(Zoning Hearing scheduled for July 13, 2011)

Chris Kerns from All Land Services was in attendance. Questions regarding the plan were asked and answered.

Michael Buchanan made the following motion:

"I move that we recommend approval of Special Exception Request ZHB 2011-4 of Chris Kerns/all Land Services to allow expansion of nonconforming salvage yard use with the following conditions:

1. That the double wide trailer along the southern boundary be removed and the area not be used for residential purposes.
2. That the applicant develop a plan to mitigate/control spills of hazardous substances.
3. That the owner comply with the existing Township junk yard ordinance.
4. That the fence and vegetative buffering/screening be upgraded and maintained in accordance with the junk yard ordinance, zoning ordinance and other applicable Township ordinances.
5. That the fire access roads be maintained at the existing fire access gates in the perimeter fence.
6. That no vehicles be dropped and no vehicles be parked to block the Gasoline Alley access road.
7. That the owner maintain the Gasoline Alley access road within the right-of-way along frontage of the property."

This was seconded by Jim Dries and passed unanimously.

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2011**

**TPF 11-6 PROPOSED ZONING ORDINANCE AMENDMENT
ARTICLE X-CH DISTRICTS AND ARTICLE XIV-SECTION 14.47
(BOS Public Hearing scheduled for 08-03-2011)**

Jim Snyder from Snyder, Secary & Associates, LLC, was in attendance to explain the request. Mark Carpenter gave the Commission some history on the issue of allowances of impervious coverage. Jeff Kelly, Cumberland County Planning Commission, reviewed his comments.

Michael Buchanan made the following motion:

"I move that we recommend approval of the proposed zoning ordinance amendment (TPF 11-6) Article X-CH Districts and Article XIV-Section 14.47 with the following suggested revision to clarify that the fire chief will have authority to review designs: Insert the phrase 'implementing the' between 'design' and 'requirements' in the last sentence of paragraph 5 of Section 1B 5 so it reads as follows: "The design implementing the requirements of this paragraph shall be subject to review and comment by the Middlesex Township Fire Chief"

This was seconded by Jim Dries and passed unanimously.

**TPF 11-7 PROPOSED ZONING ORDINANCE AMENDMENT
ARTICLE II-DEFINITIONS AND ARTICLE XI-LI DISTRICTS
ALLOW NATIONAL FRATERNAL ORGANIZATION USE**

Doug Brehm was in attendance to represent the request. His company represents the Moose Lodge. They would like to purchase property and would like a text amendment to permit their use in that area. The use will be basically a restaurant and family activity center for the members. It would be about 9000 square feet. There was discussion of what other organizations would fit into this definition. Several options were discussed, special exception, conditional use, changing the zoning of the lot, changing the definition in the zoning ordinance. The applicant will get together with Keith Brenneman when he gets back from vacation and get a public hearing scheduled.

MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2011

TPF 10-6 PROPOSED STORMWATER MANAGEMENT ORDINANCE
PROPOSED LAND DEVELOPMENT ORDINANCE AMENDMENT
(BOS Public Hearing scheduled for August 3, 2011)

Jim Dries suggested a few very minor editing revisions that can be incorporated at the Public Meeting. The minor edits are as follows

1. Minor revision to definition of Maintenance in Article II, Section 202 on page 12, so it reads as follows:

Maintenance - Actions taken to restore or preserve the as-built functional design of any stormwater management facility, including items as detailed in a Stormwater Best Management Practices Operation and Maintenance Agreement.

2. Minor formatting revision to item 10. In Article III, Section 303 H. on page 35. so it aligns on the left margin with other numbered items in the section.

Jim Dries made the following motion:

"In regard to the proposed ordinance, TPF 10-6, I recommend approval of the proposed stormwater ordinance with the minor editing revisions discussed and incorporated as part of these minutes."

This was seconded by Tracy Gleim and passed unanimously.

OTHER BUSINESS:

Mark Carpenter reported that the supervisors had a discussion with an attorney at a recent meeting about a proposed request to amend the Zoning Ordinance sign regulations to allow video signs that change messages every 15 seconds (PennDOT allows 5 seconds), along with standards for colors and brightness. The supervisors agreed to consider the matter if an application is submitted for amendment to the Zoning Ordinance sign regulations.

There being no further business, Tracy Gleim made a motion to adjourn the meeting. The motion was seconded by Jim Dries and passed unanimously at 8:50 p.m.

Respectfully submitted by

Margie Flatley-Carpenter, CMT
Secretary to the Planning Commission