

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
July 1, 2020**

OFFICIALS PRESENT: **SUPERVISORS:** Chairman Donald S. Geistwhite, Jr.
 William H. Goodhart
 SOLICITOR: Keith O. Brenneman
 PUBLIC SAFETY
 DIRECTOR: Steve D. Kingsborough
 ZONING OFFICER: Mark D. Carpenter
 CODES
 ENFORCEMENT: Gerald Steigleman
 MANAGER: Eileen M. Gault
 ROADMASTER: Zachary L. Zook
 FIRE CHIEF: Ed Beam
 ENGINEER: Bud Grove

OFFICIALS ABSENT: **SUPERVISOR:** Vice-Chairman Steven L. Larson

CALL TO ORDER AND PLEDGE TO THE FLAG: Chairman Geistwhite, called the meeting to order at 7:00 p.m. in the Middlesex Township Building, leading the pledge to the flag.

PUBLIC COMMENT: Mr. Stanley Tarka, 210 N. Old Stonehouse Road, suggested that considering the current situation, the Supervisors consider a Zoom Subscription to enable residents to participate in meetings from their home. The Supervisors considered this during the onset of the pandemic but held off due to the issues of hackers. The Manager will investigate this further.

Mr. Tarka then complimented Advance Disposal Services for being conscientious and doing a good job. Recently, one of their trucks had leaked transmission oil on the roads and it was all cleaned up.

APPROVAL OF MINUTES: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of June 3, 2020.

AUTHORIZE PAYMENT OF BILLS: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the payments of the July 2020 bills.

REPORTS:

Solicitor – No report.

Engineer – Mr. Grove reported that the North Point warehouse project is almost completed.

Director of Public Safety – Chief Kingsborough submitted the monthly Police Report. There was a brief discussion of the report. Report entered into record.

Roadmaster - Mr. Zook submitted the monthly Highway Department Report. There was a brief discussion of the report. Report entered into record.

Zoning – Mr. Carpenter submitted the monthly Zoning Report. There was a brief discussion of the report. Report entered into record.

Codes Enforcement - Mr. Steigleman submitted the monthly Codes Enforcement Report. There was a brief discussion of the report. Report entered into record.

Recreation/Recycling Coordinator – Mrs. Jumper submitted the monthly Recreation Report. Report entered into record. Mrs. Gault reported that there was approximately 50 people in attendance at the park concert. Due to the ever changing pandemic situation, the Fall Festival is pending with hopes of a decision at the end of July.

Fire/EMC – No report. Chief Beam has been tracking all the expenses regarding the pandemic and has been reporting it weekly to PEMA.

Municipal Authority – Chairman Geistwhite reported that the Authority Well turbidity has been good.

Manager – Mrs. Gault reported that she was notified by PEMA that the Township Registration to apply for assistance with regards to the pandemic has been approved for submission of reimbursement. A report was submitted to the Supervisors comparing budget to actual revenue and expenses for 2019 and 2020 thru the end of June.

OLD BUSINESS:

Preliminary / Final Subdivision and Land Development Plan of Burger King & Popeyes Restaurants: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve waivers of the following sections of the Middlesex Township Subdivision and Land Development Ordinance No. 8-2017 (SLDO) and the Middlesex Township Stormwater Management Ordinance No. 6-2011 (SWMO) for the Preliminary / Final Subdivision and Land Development Plan for Burger King and Popeye's Restaurants, subject to the applicant submitting a request letter with justification and listing the waivers on the plan.

1. [SLDO 502.b.(1)] – Requirement for a Site Context Map.
2. [SLDO 502.b.(1)] – Requirement for a Conservation Analysis.
3. [SLDO 703.c.(10)(b)] – Relief from requirement to provide a Clear Sight Triangle over the intersection of North Letort Drive and Harrisburg Pike (SR0011).
4. [SLDO 707.a.] – Requirement that parking be no closer than 10 feet from side and rear yard.
5. [SLDO 709] – Installation of sidewalks along Harrisburg Pike (SR 0011), with required note on plan.
6. [SLDO 718.] – Requirement to submit an Environmental Impact Assessment.
7. [SLDO 719.c.13.(b)] – Requirement for planting strip in the 20 foot wide buffer along the zoning line separating residential and commercial use lands on the subject properties.
8. [SWMO 303.J.(1)] – To allow detention basins within 100 feet of the following karst features: sinkholes, closed depressions, lineaments, fracture traces, caverns, ghost lakes, and disappearing streams.

9. [SWMO 303.J.(3)] – To allow a maximum basin side slope of 3 horizontal to 1 vertical in lieu of the required 4 horizontal to 1 vertical as well as a flat basin bottom in lieu of the required minimum basin bottom of 2%.
10. [SWMO 303.J.(4)] – To allow pipe inverts into a basin less than 6 inches above the basin floor.
11. [SWMO 303.J.(5)] – To allow discharges in and out of the basin to be separated by the maximum length possible.
12. [SWMO 303.J.(11)] – To allow a basin without a sediment forebay and a hardened bottom at each inlet.
13. [SWMO 303.K.2.] – To allow a downstream storm sewer to be designed to convey lower than the 100-year storm such that a positive discharge of runoff to an adequate receiving stream or conveyance system occurs without allowing it to encroach upon other properties.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the Preliminary/Final Subdivision and Land Development Plan for Burger King and Popeye's Restaurants, subject to the following conditions:

1. That the applicant satisfies all comments of the Township Engineer, Bud Grove of Skelly & Loy, Inc. in written review dated June 18, 2020, to include the suggested conditions for plan approval, in a manner acceptable to the Township Engineer, subject to his final review.
2. That the applicant satisfies all comments of Middlesex Township Municipal Authority by Rory L. Morrison, Authority Manager, in written review dated June 23, 2020, subject to his final review.
3. That the applicant satisfies all comments of the Cumberland County Planning Department, in review report dated January 14, 2018 for plat number 18-008.
4. That the Township receive official notice from DEP regarding their approval of the NPDES application for this plan prior to the plans being signed by the Township and released for recording.
5. That provisions be stated on the plan for the maintenance of proposed infrastructure shared by the two properties, such as but not limited to, stormwater management facilities and driveways.
6. Include a note on the plan that sidewalks will be installed within 6 months upon request by the township.
7. That the applicant submit all designs related to the PA DOT HOP application to the Township for review and approval prior to submission to PA DOT; and that the Township receive official notice from PA DOT regarding their approval of the Highway Occupancy Permit application for applicable improvements required by this plan prior to the plans being signed by the Township and released for recording.
8. That the applicant enters into a drainage system construction and maintenance agreement with Middlesex Township for any required drainage improvements in the PA DOT right - of-way as part of the HOP.
9. That the applicant enters into a traffic signal construction and maintenance agreement with Middlesex Township for any required modifications to the PA DOT traffic signal permit because of the development plan.
10. 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.

11. That per SLDO Section 710.E. the applicant pays to Middlesex Township the required fee in lieu of dedication of park and recreation areas for the non-residential land development of \$1,000 per disturbed acre, or part thereof, prior to the plan being signed by the Township and released for recording.

Final Minor Lot Addition / Lot Consolidation & Subdivision Plan for John W. Jr. & Karen S. Gleim and James W. & Doreen G. Gleim: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve waivers of sections of the Middlesex Township Stormwater Management Ordinance No. 6-2011 (SWMO) and the Middlesex Township Subdivision and Land Development Ordinance No. 8-90 (SLDO) for the revised Final Minor Lot Addition/Lot Consolidation & Subdivision Plan for John W. Jr. & Karen S. Gleim and James W. & Doreen G. Gleim, being the same 7 waivers approved by the Board of Supervisors on May 6, 2020.

1. [SLDO 501.A.6.] – Requirement for maximum location map scale of 1” to 1000’.
2. [SLDO 501.A.25.b] – Requirement to show wetlands on plan.
3. [SLDO 503.A.4.] – Requirement to provide a wetlands delineation report.
4. [SLDO 602.D.719.B.] – Requirement to provide a preliminary and final landscape plan.
5. [SLDO 707.A.1.] – Requirement for installation of sidewalks, with required note on plan.
6. [SLDO 708.A.] – Requirement for installation of curbing, with required note on plan.
7. [SLDO 719.C.6.a.3.] – Requirements for Landscape Street Trees on North Middlesex Road Frontage.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve submission of the Pennsylvania Department of Environmental Protection Sewage Facilities Planning Application for Public Sewer Planning Exemption for the revised Final Minor Lot Addition / Lot consolidation & subdivision Plan for John W. Jr. & Karen S. Gleim and James W. & Doreen G. Gleim, requesting sewage flows of 400 gallons per day.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the revised Final Minor Lot Addition / Lot Consolidation & subdivision Plan for John W. Jr. & Karen S. Gleim and James W. & Doreen G. Gleim, subject to the following same 7 conditions approved by the Board of Supervisors on May 6, 2020.

1. That the applicant satisfies all comments of the Township Engineer, Bud Grove of Skelly & Loy, Inc., in written review dated 4-22-2020 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 4-13-2020 for plat number 20-052, subject to final review by the Township Zoning Officer.
3. That the Pennsylvania Department of Environmental Protection approves the Public Sewer Planning Exemption for the Final Minor Lot Addition / Lot Consolidation & subdivision Plan for John W. Jr. & Karen S. Gleim and James W. & Doreen G. Gleim, requesting sewage flows of 400 gallons per day.
4. That the applicant enters into a developer’s agreement with Middlesex Township regarding required stormwater improvements and posts financial security for required stormwater 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.

5. That a deed of consolidation be prepared to add proposed lot 1B to existing lot 2 property of James W. & Doreen G. Gleim to create reconfigured lot 2, and that a copy be provided for review by the Township Solicitor prior to the deed being recorded immediately after the plan; and that a recorded copy of the deed of consolidation be provided to the Township.
6. That per SLDO 703.1.7., the applicant enter into a shared driveway access and maintenance agreements with all parties proposing to use the shared driveway to reconfigured lot 1, in a form acceptable to the Township Solicitor; and that this agreement be recorded and a copy provided to the Township prior to the plans being signed by the Township and released for recording.
7. That per Section 705.E.2.b. of the subdivision and Land Development Ordinance N. 8-90, as amended, the applicant pays to Middlesex Township the required fee in lieu of dedication of park and recreation areas for the residential subdivision of \$750 per dwelling unit x 1 lot approved for construction of dwelling units = \$750, prior to the plans being signed by the Township and released for recording.

PA Sicklerville Associates, L.P., Drainage System Construction and Maintenance Agreement: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the PA Sicklerville Associates, L.P., Drainage System Construction and Maintenance Agreement.

PA Sicklerville Associates, L.P., Traffic Signal Modification Agreement: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the PA Sicklerville Associates, L.P., Traffic Signal Modification Agreement subject to the Solicitor's approval.

In addition to the above agreements: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to adopt Resolution 2020 – 12 related to the application for traffic signal approval to Pennsylvania Department of Transportation.

On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve PennDOT form M-950AA as an applicant's authorization for agent to apply for Highway Occupancy Permit.

NEW BUSINESS:

Ameer Farhat – Request for a Stormwater Management plan Exemption: The Supervisors asked Zoning Officer Mr. Carpenter to ask Mr. Farhat to attend the next meeting to discuss some concerns they have about the use of his property. This item is being tabled until the July 31, 2020 Workshop Meeting.

Release of Maintenance Security – Liberty at Middlesex: Township Engineer Bud Grove reported that this project is completed. Mr. Grove conducted an inspection of the facility and everything looks fantastic. The Maintenance Security will expire on July 24, 2020 and can be released.

Preliminary Final Subdivision and Land Development Plan for Hollowbrook Farm request for extension of plan review time: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, it was unanimously agreed to approve the request of John Melham, RLA on behalf of the applicant, to grant an extension of the maximum time period for action on

the Preliminary / Final Subdivision and Land Development Plan for Hollowbrook Farm until October 9, 2020.

Fire Lane Ordinance Discussion: Fire Chief Ed Beam reported that he and Director of Public Safety Chief Kingsborough recently reviewed the original plans for Petro, Pilot-Flying J and Loves Travel Stops and none of them had incorporated fire lanes for safety features which is a concern. The plan is to be able to require the facilities to implement and post fire lanes to allow for enforcement for safety measures. Township Solicitor Mr. Brenneman suggested that he will draft an ordinance using part of the Fire Code that address these concerns, have the staff and Board of Supervisors review it before moving forward with it for proposed adoption.

EXECUTIVE SESSION: On the motion of Chairman Geistwhite, seconded by Supervisor Goodhart, the meeting was adjourned to Executive Session at 8:30 p.m. with no action to be taken because of the Executive Session.