

**MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
July 6, 2016**

OFFICIALS PRESENT: **SUPERVISORS:** Vice-Chairman Steven Larson
 William H. Goodhart
 SOLICITOR: Keith O. Brenneman
 DIRECTOR OF
 PUBLIC SAFETY: Barry L. Sherman
 ZONING OFFICER: Mark D. Carpenter
 MANAGER: Eileen M. Gault
 FIRE CHIEF: Ed Beam

OFFICIALS ABSENT: **SUPERVISOR:** Chairman Donald S. Geistwhite, Jr.
 ENGINEER: Bud Grove

CALL TO ORDER AND PLEDGE TO THE FLAG: Vice-Chairman Larson called the meeting to order at 7:02 p.m. in the Middlesex Township Building, with Township Solicitor Mr. Brenneman leading the pledge to the flag.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES: On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the minutes of June 24, 2016.

AUTHORIZE PAYMENT OF BILLS: On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the payments of the June 2016 bills.

REPORTS:

Solicitor – None.

Engineer – Absent. No report.

Police –Director Sherman submitted the monthly Police Report. There was a brief discussion of the report. Report was entered into record.

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

Mr. Carpenter reported that Motel 6 at 1153 Harrisburg Pike is currently involved in a federal lawsuit with the Department of Justice for building violations and are spending \$240,000 for renovations.

Mr. Carpenter reported that the Western Sizzlin has been issued a demolition permit and should be demolishing somewhere between July 18 and July 31. They agreed to take down the signage and lighting.

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

Fire/EMC – Chief Beam submitted the monthly Fire/EMC report. Report was entered into record.

Municipal Authority – None.

Manager – None.

OLD BUSINESS:

None

NEW BUSINESS:

Liberty at Middlesex Distribution & Warehousing Preliminary / Final Land Development Plan: Present were Josh Wilder, WBCM site engineer of the project and Casey Lobel and Mike Alderman representatives from Liberty Property Trust. They presented a project called Liberty at Middlesex located at 1701 Harrisburg Pike which consists of an 805,000 sq. ft. warehouse distribution building with approximately 200 loading docks.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve submission of the DEP Sewage Facilities Planning Application Mailer for Public Sewer Planning Exemption for the Preliminary/Final land Development Plan for Liberty at Middlesex Distribution & Warehousing, requesting sewage flows of 10,500 gallons per day.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve waivers of the following sections of the Middlesex Township Subdivision and Land Development Ordinance for the Preliminary/Final land Development Plan for Liberty at Middlesex Distribution & Warehousing, subject to the applicant submitting a revised waiver letter with justification for each and listing the waivers on the plan.

1. [502.B.] – Separate Preliminary Plan Submission.
2. [708.C.(2)] – Number of driveways per frontage; to allow four (4).
3. [708.E.(2).(c)] – Maximum access drive width; to allow two (2) truck access driveways with a width of forty (40) feet each.
4. [709.(a)] – Construction of sidewalks along adjacent road frontages on Carolina Way and Harrisburg Pike, with required note on plan.
5. [710.(a)] – Construction of curbing along adjacent road frontages on Carolina Way and Harrisburg Pike, with required note on plan.
6. [719.C.(14).(a)] – In addition to other landscape requirements, one tree per one thousand (1,000) square feet of gross floor area of building.
7. [719.C.(15)] – Landscape requirements for off-street parking areas, within the trailer storage, truck aisles and truck loading and unloading areas.

Applicant agrees with the waivers and conditions.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the Preliminary/Final land Development Plan for Liberty at Middlesex Distribution & Warehousing, 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 no. 2, dated June 24, 2016, to include the suggested conditions for plan approval, in a manner acceptable to the Township Engineer, subject to his final review.
2. That, acting upon the recommendation of the Township Engineer in written review dated June 24, 2016 under lighting ordinance comment no. 1; the Board of Supervisors hereby permit the use of building and site light fixtures mounted at a height of twenty-five (25) feet above finished grade of the surface being illuminated, as allowed by Subdivision and Land Development Ordinance Section 711.d.4.k.
3. That the applicant satisfies all comments of Middlesex Township Municipal Authority by Robert A. Reisinger of Glace Associates, Inc., in written review dated June 23, 2016, subject to their final review.
4. That the applicant satisfies all comments of the Cumberland County Planning Department, in review report dated April 18, 2016 for plat number 16-051.
5. 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.
6. 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.
7. That per Section 705.E.2.b. of the Subdivision and Land Development Ordinance No. 8-90, as amended, 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 acre x 61.38 acres (net) = \$61,380, prior to the plan being signed by the Township and released for recording.

Applicant agrees with the conditions.

Cumberland Range Estates – Phase Two Final Subdivision Plan: Present are Dave Weihbrechre, Advantage Engineering Services site engineer and Elizabeth Knouse, Developer.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to approve the Final Subdivision Plan for Cumberland Range Estates Phase Two, subject to the following conditions:

1. That the applicant satisfies all approvals, waivers and conditions of plan approval for the Preliminary Major Subdivision Plan for Cumberland Range Estates and the Stormwater Management Plan for Cumberland Range Estates, as imposed by action of the Middlesex Township Board of Supervisors on June 3, 2015 and stated in a letter from the Middlesex Township Zoning Officer to DGK Real Estate Group, LP, dated June 5, 2015.

2. That the applicant satisfies all comments of the Township Engineer, Bud Grove of Skelly & Loy, Inc. in written review dated June 27, 2016 in a manner acceptable to the Township Engineer, subject to his final review; with the condition that item number 2 be revised as follows:
 - (2) [603.a] An Improvement Agreement and financial security for proposed site improvements is required. The applicant's engineer shall submit a construction cost estimate for our office to review and approve.
3. That the applicant satisfies all comments of the Cumberland County Planning Department, in written report dated June 13, 2016 for plat number 16-078.
4. That the applicant satisfies all comments of Middlesex Township Municipal Authority by Robert A. Reisinger of Glace Associates, Inc., in written review dated June 21, 2016, subject to their final review.
5. That the Township receive official notice from DEP regarding their approval of the NPDES application for this plan, as supplemented to include Phase Two, prior to the plans being signed by the Township and released for recording.
6. That an access easement agreement with the Potteiger's must be recorded as a condition of Phase Two-Final Subdivision Plan approval, prior to the plans being signed by the Township and released for recording. That note 18 on the cover page of the plan set be revised to include the recording reference for this access easement at the Office of the Recorder of Deeds for Cumberland County, PA.
7. That per Section 705.E.2.b. of the Subdivision and Land Development Ordinance No. 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 8 lots approved for construction of dwelling units = \$6,000, prior to the plans being signed by the Township and released for recording.
8. 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. That the existing road embankments along the property frontage on the west side of North Middlesex Road be cut back to the approximate elevation of the road surface and included as part of the required public improvements on the Final Subdivision Plan for Cumberland Range Estates Phase Two.
9. That, in the interest of public safety, due to the length of Cypress Street's temporary cul-de-sac, the construction of an interior loop street back to North Middlesex Road, by extending Cypress Street to Laurel Ridge Lane and Laurel Ridge Lane to East Pine View Drive and East Pine View Drive to North Middlesex Road, be included as part of the required public improvements on the Final Subdivision Plan for Cumberland Range Estates Phase Three.
10. Update to new street names appearing on final plan prior to recording, referring to item 9.

Applicant agrees with conditions.

Mr. Stan Tarka commented on an e-mail he had shared with the Manager regarding the preservation of historic properties. This e-mail was shared with the Supervisors. Middlesex has no ordinance regarding the preservation of historical properties. Mr. Carpenter will obtain more information for further discussion. Mr. Tarka would like the township to be proactive with this issue.

EXECUTIVE SESSION: On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to adjourn the meeting at 7:50 p.m. to Executive Session, for a personnel matter. The Board reconvened from Executive Session at 8:55 p.m.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the execution of the engagement letter between Middlesex Township and Eckert Seamans for general labor and employment matters.

On the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to authorize the Township Secretary to schedule a special meeting at the convenience of the Board on upcoming matters and any other matters that may come before the board at that time.

There being no further business, on the motion of on the motion of Vice-Chairman Larson, seconded by Supervisor Goodhart, it was unanimously agreed to adjourn the meeting at 8:56 p.m.