

MIDDLESEX TOWNSHIP
SUPERVISORS MEETING
August 7, 2002

OFFICIALS PRESENT:	SUPERVISORS:	Robert Eppley Chuck Shughart Vic Stabile
	SOLICITOR:	Keith Brenneman
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	RECREATION:	Eileen Ettleman - Absent
	FIRE CHIEF:	Ed Beam
	SECRETARY:	Mary Justh - Absent

CALL TO ORDER AND PLEDGE TO THE FLAG – Chairman Robert Eppley called the meeting to order at 7:05 PM at the Middlesex Township Building with Mr. Joe Capuano leading the pledge to the flag.

APPROVAL OF MINUTES - Mr. Shughart made a motion to approve the minutes of July 10 and 26. Mr. Stabile seconded the motion and it passed unanimously.

AUTHORIZE PAYMENT OF BILLS

On a motion by Mr. Shughart, seconded by Mr. Stabile, approval was given for payment of bills represented by the bill list for July, summarized as follows:

General Fund Checks #12869 thru #12977 #13006	\$ 179,648.92
Escrow Fund Check #200 - #204	2,093.14
State Fund Check #145 - #146	10,448.39
Pension Fund #121	3,661.33
Transfer for Payroll #14 & #15	59,730.98

PUBLIC COMMENT – None

REPORTS

SOLICITOR: No report at this time.

ENGINEER: No report at this time.

POLICE: Ordered to file. Mr. Stabile questioned the Chief about the parent shooting in Middlesex Township.

ZONING OFFICER: Ordered to file. Mr. Carpenter reported that the lighting at Pyrotek has been corrected. Mr. Stabile asked Mr. Carpenter to rescind the enforcement notice that had been issued to Pyrotek. Mr. Shughart asked Mr. Carpenter if he had been in contact with Mr. Reiff? Mr. Carpenter indicated that it is further down on the agenda.

Mr. Stabile asked Chief Sherman about the Carlisle Car Show Traffic, and some discussion followed.

RECREATION: Ordered to file. Opening ceremony for the Fall Festival will be September 21st at 11:00 AM and the Rec Board is asking if one of the Supervisors could be in attendance. There is going to be a Car Show that would like to use Supervisors as judges. The Rec Board is asking the Supervisors to consider closing the park at dusk rather than 10 PM. Mr. Stabile made a motion to amend the park rules from 8 AM to 10 PM to 8 AM to Dusk unless prior approval is granted. Mr. Shughart seconded the motion and it passed unanimously.

FIRE/EMC: Ordered to file. Discussion followed on drought and burning ban.

MUNICIPAL AUTHORITY: Mr. Stabile reported that the Municipal Authority is anxious to know that status of the GP Ordinance.

SECRETARY: No report.

OLD BUSINESS

(#02-4) Lot 4-H for John L. Peffer Preliminary/Final Subdivision (Lot Addition - Steven E. Beeman) – Mr. Stabile made a motion in connection with the lot addition plan for Steven E. Beeman dated July 28, 2001 revised July 20, 2002 that the 6 waivers requested as noted on page 1 of 2 be granted in connection with the plan. Mr. Shughart seconded the motion and it passed unanimously. Mr. Stabile made another motion to accept the lot addition plan for Steven E. Beeman. Mr. Shughart seconded the motion and it passed unanimously.

(#02-7) Larry and Ann Claycomb Application for Agricultural Security Area – Mr. Carpenter reported that the Ag Security Committee recommended that this property be added to the Agricultural Security Area and a hearing be scheduled. Mr. Stabile made a motion to schedule both the Crosswhite and the Claycomb property for a hearing on August 30, 2002 at the Supervisors Meeting. Mr. Shughart seconded the motion and it passed unanimously.

(#02-8) ABF Freight System Inc. Preliminary/Final Subdivision (Lot Addition) – Mr. Ron Lucas presented the plan for ABF Freight Systems, Inc. Mr. Lucas stated that he would like to have the developers agreement for the next meeting. Mr. Stabile asked if lighting should be included in the developers agreement. Mr. Grove listed the waivers 1. 501a Plan size, 2. 501n existing manmade features, 3. 501o existing natural features, 4. 501p existing contours, 5. 501u land intended for public dedication. Mr. Carpenter stated that fee in lieu of \$1,000.00 per acre for development of the property should be included and discussion followed about the fee in lieu. Mr. Stabile suggested that the 501u be left until the Land Development Plan is discussed. Mr. Stabile stated that there are four waivers, one caveat and one condition. Discussion about a traffic light at the property being used by Keen transpired. Mr. Lucas would like to have the public hearing in September. Mr. Stabile made a motion to grant the waivers 501a, 601a, and 501 n.o.p.

in conjunction with the Preliminary/Final Subdivision of ABF dated 6/21/02. Chuck seconded the motion and it passed unanimously. Mr. Stabile made a motion to approve the plan with three conditions of, a developer's agreement, waivers that were granted be on the plan and the fee in lieu issue be deferred until consideration of the Land Development Plan. Mr. Brenneman asked that Mr. Lucas agree to all three conditions in writing to the township. Mr. Lucas agreed to send a letter accepting the conditions. Mr. Shughart seconded the motion and it was approved unanimously.

(#02-9) ABF Freight System Inc. Application for Zoning Ordinance Amendment (Map Change CH to IG)

ABF was represented by attorney Ron Lucas and Engineer James Snyder of HRG. Supervisor Stabile began discussion about a developers agreement between ABF and the Township to resolve issues from a previous court decision and grant of a special exception to allow expansion of the eastern terminal by expressing a concern that the proposed rezoning is not and cannot be tied to ABF's request for a rezoning change. Ron Lucas noted the agreement would cover development of the property, not rezoning. Supervisor Stabile stated that the ABF development proposal makes business sense, but that since the western terminal could be sold separately, the developer's agreement should be recorded and applied to any future owner of the western terminal. Supervisor Stabile stated any developer's agreement should have a clause that reverts the property to the current zoning if any rezoning is successfully challenged. Supervisor Stabile mentioned the developer's agreement should address direct and indirect (especially directed skyward) light glare from tall standards on the ABF property and the reduction of impervious area on the entire ABF property. Supervisor Stabile noted the developers agreement should address any potential traffic impacts of eastern or western terminal development on the US 11/ABF driveway and Carolina Way/US11 intersections, and require fair share payment from ABF and any future owner of the western terminal for possible signal retiming at the ABF drive intersection, maintenance costs of the Township's traffic signal at the ABF drive intersection and in the worst case a possible new traffic signal and maintenance costs of a new signal at the Carolina Way intersection. James Snyder said the traffic impact study was completed and addressed three development scenarios including adding 70 doors to the eastern terminal, adding 70 doors and ABF using the 140 door western terminal with all traffic accessing by the ABF driveway and adding 70 doors to the eastern terminal with the western terminal sold as a truck terminal and all traffic using Carolina Way for access. Mr. Snyder mentioned increase in future background traffic would also have a big impact on these intersections. Mr. Lucas said the developer's agreement could include the requirement for a deed condition for future owners of the western terminal to contribute a fair share value towards the cost of improvements needed due to traffic impacts. Between Solicitor Brenneman and Attorney Lucas a draft developers agreement will be drafted for discussion at the workshop meeting on August 30. Mr. Lucas said ABF would submit a land development plan for an addition to the eastern terminal in September. Supervisor Stabile made a motion to authorize Solicitor Brenneman to prepare an ordinance for the rezoning, send it to the Planning Commission for review and advertise a special meeting on Wednesday September 18, 2002 at 7:00 PM for the purpose of a Public Hearing on the rezoning application. The motion was seconded by Supervisor Shughart and approved unanimously.

Unified Development Ordinance – Mr. Stabile stated that the Planning Commission met and agreed on ¼ space per unit for additional parking. Any open space between lots will be reviewed when a plan is presented. Trail and sidewalks will be interconnecting according to any plan that is presented. Mr. Stabile stated that he is a little uneasy with ALF in the development, and would like to have it tightened up. Mr. Grove suggested that Mr. Stabile, Mr. Brenneman and Mr. Olson get together on the ALF definition. Mr. Stabile suggested that the final draft be considered at the August 30th meeting and be advertised for public hearing on October 2nd, and go to the Planning Commission in September.

New Copier – Mr. Shughart made a motion to purchase the Toshiba 28 copier with finisher for \$5626.67. Mr. Stabile seconded the motion and the motion passed unanimously.

Resolution for Study Support of the Cumberland County I-81 Corridor – Mr. Stabile feels that a study for all the interchanges of I81 is necessary, but the need for an inter-connector is equally important, but because of political reasons it was decided to broaden the study. Mr. Stabile made a motion for a letter of support for the I81 study, but in the letter we need to indicate that we would very much like to see Middlesex Township as part of the study for exit 52 and 44 and traffic patterns be looked at that could lead to a recommendation for the inter-connector road or a further study if the study would indicate it. Mr. Shughart seconded the motion and it passes unanimously.

NEW BUSINESS

Ammon H. Reiff - Request for letter of acknowledgement on PADOT application for minimum use driveway at 7381 Wertzville Road. Mr. Carpenter explained that he would like to block off two driveways and have only one drive as a minimum use driveway. The parcel he bought will be used as a horse farm and rebuild the barn to store commercial equipment. Mr. Carpenter asked that the Township write a letter acknowledging the PennDOT letter. Mr. Grove stated that he has no knowledge of the situation, and would have to visit the property. Chief Sherman stated that one single driveway would be an improvement. Mr. Stabile suggested that a letter be written acknowledging receipt of the request going to a single driveway eliminating the two and that that would be an improvement, but in no way are we meaning to imply that we are accepting or giving approval of any land development plan or proposed uses on the property that he may be considering at this time. A discussion followed concerning the construction of a barn and Mr. Brenneman stated that he would need a land development plan. Mr. Carpenter stated that he is still working on getting together a history of property for the Supervisors.

Jesse and Virginia Spearing – Request for agreement to pay holding tank maintenance and security deposit on installments at 3127 Spring Road – This couple has asked to have the fees for the holding tank and the application fee paid on a time payment. Vince would issue the permit under a commercial property. Mr. Brenneman will be writing up an agreement for the Spearings.

Mr. Stabile asked Mr. Grove if he has had the opportunity to look at the best management practices for the **GP Ordinance**. Mr. Stabile would like to make best management practices mandatory. Mr. Grove will get started on the Ordinance checking to see if this will be within the same geographic area. This will be a map change according to Mr. Carpenter.

Chief Sherman stated that **Mr. Bob Line Jr.** closed off a drainage pipe over on Claremont Road. Mr. Brenneman mailed Mr. Line a letter explaining that the pipe must be kept open. Mr. Line has been in contact with Chief Sherman and he wants to keep the waterway open, but there are some doubts about how he is doing it. Mr. Brenneman will draft an agreement concerning the drainage easement on the property next to Lane Enterprises along Claremont Road.

Chief Sherman stated that **Meadowbrook Farms** needs to have a deed of dedication before October if they want the Township to take the road over. Mr. Carpenter will write a letter concerning this matter.

Mr. Stabile questioned whether the dead trees will be replaced at **Crossroads Commerce** property. Mr. Carpenter stated that they had indicated that the trees will be replaced when the drought conditions subside.

The meeting was adjourned at 10:55PM on a motion by Mr. Shughart and seconded by Mr. Stabile.