

MIDDLESEX TOWNSHIP
WORKSHOP MEETING
August 30, 2002

OFFICIALS PRESENT:	SUPERVISORS:	Robert Eppley Chuck Shughart Vic Stabile
	SOLICITOR:	Philip Spare
	ENGINEER:	Bud Grove
	POLICE:	Chief Barry Sherman
	ZONING OFFICER:	Mark Carpenter
	SECRETARY:	Mary Justh

Chairman Robert Eppley called the meeting to order at 7:35 AM in the Middlesex Twp Building.

HEARING FOR AGRICULTURE SECURITY AREA – Mr. Eppley turned the meeting over to the Township Solicitor, Mr. Keith Brenneman. Mr. Brenneman stated that this was the time for a public hearing under the Agriculture Area Security Law to consider including properties owned by Jane Crosswhite at 490 Hollow Brook Drive consisting of 88.20 acres and Mr. & Mrs. Larry Claycomb at 141 North Middlesex Road consisting of 40 acres. The Planning Commission and the Agriculture Security Advisory Committee have met and passed on the request to include the acreage in Agriculture Security. The Board is required to have a hearing under the law. The factors being considered for the Security Area are as follows: must have soil that is conducive to agriculture, land must be used in agriculture, and the land being considered for the district is viable agriculture land consistent with the Zoning and the Comprehensive Plan. No evidence is needed unless someone would like to make a statement concerning the property. Mr. Shughart made a motion to adopt Resolution 2002 – 6 to include the two properties in Agriculture Security Area. Mr. Stabile seconded the motion and it passed unanimously. Mr. Capuano asked why this was considered a hearing. Mr. Brenneman stated that the State considers it a hearing under the law even though no testimony is being considered.

PUBLIC COMMENT - Mr. Paul Teitrick and Mr. Dwight Heinzman asked the Supervisors to consider allowing the use of the property on 1401 Trindle Road to be used as a retail store and rental property for cars. Mr. Carpenter stated that the interpretation of the Ordinance does not allow for a change of uses without a land development plan. The most vehicles that would ever be there would be 25, maybe only 4 in the front. The vehicles would be within the setbacks. Mr. Stabile asked for a single page submission that would summarize a change of use. Mr. Teitrick stated that he will still own the property. Mr. Teitrick should take all the documentation to the Planning Commission explaining to them what you have done and Mr. Carpenter and Mr. Brenneman can explain what the Supervisors need for the next meeting. This plan will be for the September 27th meeting.

ABF FREIGHT SYSTEM INC. DEVELOPERS AGREEMENT – Mr. Brenneman told the Supervisors that he received the draft agreement from Mr. Lucas and will get a copy to Mary to be circulated to the Supervisors. Mr. Brenneman also stated that he has advertised for the public hearing for the zoning change and the ordinance change. He advertised for enactment at the public hearing, but you do not need to take up the ordinance at the hearing, that it will be

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considered at a future meeting. Mr. Brenneman stated that the Supervisors have 90 days to act on the zoning request and at least 60 days to act on the ordinance.

(#02-06) ROBERT OTTO JR. FINAL MINOR SUBDIVISION PLAN – Mr. Carpenter explained that Mr. Otto was requesting a 90 day extension on the plan. Mr. Stabile moved to approve the extension based on the letter of August 26th. Mr. Shughart seconded the motion and it passed unanimously.

UNIFIED DEVELOPMENT ORDINANCE – Mr. Brenneman presented the latest changes to the Ordinance. Glenn Grell made a suggestion to change the language of the Ordinance as follows: the Board of Township Supervisors in its discretion may approve changes to the master development plan if such changes do not materially alter the uses, density, number and type of units or building, street configuration or other aspects of the master development plan. Discussion followed on assisted living facility. Mr. Stabile stated that he always wondered about changes and whether the Supervisors could allow the changes. Discussion followed on Nursing Facilities and Assisted Living Facility. Art Olson suggested that the amount of space allowed by ALF be limited. Mr. Stabile suggested adding height restriction to residential and commercial under the ordinance. Mr. Stabile suggested that nursing facilities not occupy more than 2% of the total dwelling units. After some discussion Mr. Stabile asked that “ancillary” be added under sidewalks and paths. The amount of escrow will be \$1,000.00. Mr. Stabile made a motion to advertise the Unified Development Ordinance for a public hearing at the regular meeting on October 2nd at 7:00 PM to include changes that were discussed today. Mr. Shughart seconded the motion and it passed unanimously.

COMMERCIAL REALTY GROUP, INC. TRUCK DRIVING SCHOOL USE - BO MANGAM – Mr. Norman Sheeley presented his desire to open up a truck driving service center at 90 Stover Drive. Part of the time will be classroom and the balance will be hands-on driving. Mr. Stabile suggested that the best the Township could do is a Special Exception before the Zoning Hearing Board. Mr. Stabile made a motion on the request of Norman Sheeley for a use at 90 Stover Drive as described in his July 31, 2002 letter that we wave timeliness on this so that he can appear at the next Planning Commission Meeting in order to make his case for a special exception. Second that the Township grant him a conditional certificate of use upon the granting of a special exception by the Zoning Hearing Board understanding that a certificate of occupancy will be null and void and of no use if the Hearing Board would decline his request for a special exception. The certificate of occupancy would be condition upon compliance with all land development requirements if any, all of which is without prejudice to any rights of the Board of Supervisors to present their positions before the Zoning Hearing Board. Mr. Shughart seconded the motion and it passed unanimously.

MIDDLESEX TOWNSHIP COMPREHENSIVE PLAN – Mr. Carpenter explained that the corridor study is the one thing missing to complete the Comprehensive Plan. The Supervisors want this Comprehensive Plan completed by the end of the year. Mr. Grove will try to get the document to the Planning Commission by the September 9th meeting, and to the Supervisors by the meeting on September 18th. Mr. Grove will complete the balance to be set down for a hearing. Mr. Carpenter will have the demographics to Gannett Fleming next week. Mr. Stabile will contact Mr. Koch about what the balance is and whether that will include their services at a hearing.

ESTABLISHING TRICK OR TREAT - THURSDAY, OCTOBER 31 FROM 6 – 8 PM –

Mr. Stabile made a motion to have Trick or Treat on Thursday, October 31 from 6 – 8 PM. Mr. Shughart seconded the motion and it passed unanimously.

EXONERATION OF TOWNSHIP TAXES FOR LAURIE ULRICH 19 REGENCY

NORTH – Mrs. Justh explained what transpired to lead Laurie Ulrich requesting exoneration of the Township portion of the real estate taxes on a trailer home located at 19 Regency North. Mr. Shughart stated that this exoneration should not be considered as setting a precedent. Mr. Stabile made a motion to exonerate the Laurie Ulrich property at 19 Regency North of the back taxes due the Township, but she will be responsible for all future taxes on the property. Mr. Shughart seconded the motion and it passed unanimously.

YORK WASTE DISPOSAL INC. – Mrs. Justh explained that York Waste has the right to increase the customer monthly amount by .40 per month for the tipping fee that York Waste must pay to the landfills.

CAR SHOW UPDATE – Chief Barry Sherman gave a report on a meeting he attended concerning the Car Show. Chief Sherman explained that the camping will be discontinued at the Fair Grounds so the people will be forced to use the motels in the area, which will increase the police involvement. Chief Sherman wants to have a meeting with the motels in the Township to work out some of the problems that may arise. Chief Sherman will also invite L & I to attend the meeting. The Township may be using fire police from Carlisle if the details can be worked out with Carlisle Borough concerning Worker's Comp. Another meeting will be announced at a later date.

ARMY HERITAGE GROUND BREAKING – The ground breaking will be in September for the museum. Mr. Stabile asked Mrs. Justh to call Gail Kushman about the Township presenting a ceremonial sign for the ground breaking September 23rd. Mr. Stabile made a motion to give Chief Sherman permission to close Army Heritage Drive for the ground breaking. Mr. Shughart seconded the motion and it passed unanimously.

LETORT SIGNAGE – Mrs. Justh asked the Supervisors if they were still interested in getting the signs for the Letort Stream if we do not have to sign off on the indemnification. The Supervisors agreed that we should contact Susquehanna River Basin Commission about the signs.

Mr. Eppley announced that he would not be at the September 4th meeting.

A meeting at Green Ridge Elementary for the improvements to be considered for **944 and Sunnyside Drive** will be held on Monday, September 9th at 5:30 PM for township officials. The total cost of improvements will be approximately 10 million according to Mr. Carpenter.

The meeting was adjourned at 10:00 AM for executive session.