

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MARCH 26, 2007**

START TIME: 7:00 p.m.

END TIME: 8:54 p.m.

MEMBERS PRESENT:

Americo Gines
Michael Buchanan
Rod Groff
Steve Zeigler
Tracy Gleim

STAFF PRESENT:

Keith Brenneman, Township Solicitor
Mark D. Carpenter, Zoning Officer
Margie Flatley, CMT, Secretary
Jeff Kelly, Cumberland County Planner

MEMBERS & STAFF ABSENT:

Larry Claycomb
David Hukill
Bud Grove, Township Engineer

AGENDA:

1. APPROVE PAST MINUTES OF FEBRUARY 26, 2007
2. PUBLIC COMMENT
3. (TPF 06-14) KENSINGTON
PRELIMINARY SUBDIVISION PLAN
(BOS action deadline –March 12, 2007)
4. (ZHB 07-1) SHEETZ, INC, Trindle Road and Army Heritage Drive site
SPECIAL EXCEPTION
RELOCATE NONCONFORMING STRUCTURE IN SETBACK
(Zoning Hearing scheduled for April 11, 2007)
5. (ZHB 07-2) SHEETZ, INC, 1098 Harrisburg Pike site
SPECIAL EXCEPTION
RELOCATE NONCONFORMING STRUCTURE IN SETBACK
(Zoning Hearing scheduled for April 11, 2007)
6. (TPF 07-4) HOSPITALITY ENTERPRISE LP
PRELIMINARY / FINAL SUBDIVISION PLAN
PRELIMINARY / FINAL LAND DEVELOPMENT PLAN
(BOS action deadline – June 9, 2007)

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MEETING MINUTES

Tracy Gleim called the meeting to order at 7:00 p.m.

APPROVE PAST MINUTES OF FEBRUARY 26, 2007

Mike Buchanan made a motion to approve the minutes of February 12, 2007, as amended. Steve Zeigler seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

Mr. Gleim asked for public comment and there was none.

**(TPF 06-14) KENSINGTON
PRELIMINARY SUBDIVISION PLAN**

Pam Fisher from Dawood was present to update the Commission on the progress of this plan. They had submitted revised plans in response to all the comments submitted. They hope to receive approval with conditions when they return in two weeks so that they may submit to DEP to see what their requirements would be. Bob Saidis of Saidis, Flower and Lindsay agreed to give another extension which will bring the Board of Supervisors deadline to May 15, 2007.

**(ZHB 07-2) SHEETZ, INC, 1098 Harrisburg Pike site
SPECIAL EXCEPTION
RELOCATE NONCONFORMING STRUCTURE IN SETBACK**

Charles Suhr, attorney of Sevens and Lee, Harrisburg, PA, Michael A. LaCesa, Director of Real Estate for Sheetz, Steve Quigley of H. Edward Black Associates and Brian Soyka, Engineer for Sheetz were in attendance to explain their request for the Zoning Hearing Board. They are requesting a special exception to the 75-foot setback requirement, as a portion of the canopy and two fuel pumps will be within the setback. They are also requesting a special exception for the proposed car wash. Questions from staff members and the Commission members were answered.

The following motion was presented by Mike Buchanan:

"Motion to recommend to the Zoning Hearing Board in Case 07-2, approval of the application of Sheetz, Inc. at 1098 Harrisburg Pike for a special exception to allow relocation and reconstruction of the non-conforming fuel pumps and canopy structure, as requested."

It was seconded by Rod Groff and passed unanimously.

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The following motion was also presented by Mike Buchanan:

"Motion to recommend to the Zoning Hearing Board in Case 07-2, approval of the application of Sheetz, Inc. at 1098 Harrisburg Pike for a special exception under section 10.05.F. of the zoning ordinance to allow a drive-in type establishment, a car wash use, as requested. "

This was also seconded by Rod Groff and passed unanimously.

**(ZHB 07-1) SHEETZ, INC, Trindle Road and Army Heritage Drive site
SPECIAL EXCEPTION
RELOCATE NONCONFORMING STRUCTURE IN SETBACK**

John Luciani, PE, from First Capitol Engineering was in attendance to present the special exception request for the proposed Sheetz at Trindle Road and Army Heritage Drive. The canopy will encroach into the 75-foot setback area. Questions from the Commission Members and Staff were asked and answered. There was extensive discussion of ordinance issues in regard to this proposal.

The following motion was presented by Mike Buchanan:

"Motion to recommend to the Zoning Hearing Board in Case 07-1, approval of the application of Sheetz, Inc. at the northeast intersection of Trindle Road and Army Heritage Drive for a special exception to allow replacement of non-complying buildings with a fuel pump canopy structure, as requested."

This was seconded by Rick Gines and passed unanimously.

**(TPF 07-4) CNR HOSPITALITY ENTERPRISE LP
PRELIMINARY / FINAL SUBDIVISION PLAN
PRELIMINARY / FINAL LAND DEVELOPMENT PLAN**

Gary Patel, owner, and Doug Aldinger, PE, of Erdman Anthony were present to give an overview of their proposal to subdivide the property. They had met with the Authority about separation of the sewer and water service. The need for a formal agreement for the common access driveway was discussed along with the need for a note on the plan regarding traffic signal maintenance. Comments from Cumberland County were reviewed by Jeff Kelly. Mark Carpenter reviewed Bud Grove's comments. Mark Carpenter stated that he did not have any additional comments at this time.

They will return with revised plans to address the issues discussed and reviewed.

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OTHER BUSINESS:

Mark Carpenter, Township Zoning Officer, stated that he would discuss Dave Hukill's continued absence with the Supervisors.

The Conservation Subdivision Ordinance is still an ongoing process. Mark is working on getting the primary and secondary conservation features such as steep slopes, flood plains, recharge areas etc., mapped out. He has also been in touch with the South Mountain Preservation Society regarding issues of protecting the ridgeline.

Mark also announced that the township recently hired Ron Kemper to help enforce building codes.

There being no further business, Steve Zeigler made a motion to adjourn the meeting. Rick Gines seconded the motion and it passed unanimously at 8:54 p.m.

Respectfully submitted by

Margie Flatley, CMT
Secretary to the Planning Commission