

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING MINUTES
March 30, 2015**

START TIME: 7:00 p.m.

END TIME: 8:01 p.m.

MEMBERS PRESENT:

Michael Buchanan
Larry Claycomb
Tracy Gleim
Jim Dries
Steve Zeigler
Randy Waggoner

STAFF PRESENT:

Margie Flatley-Carpenter, CMT, Secretary
Mark D. Carpenter, Zoning Officer

MEMBERS & STAFF ABSENT:

Jim O'Connell

AGENDA:

APPROVE PAST MINUTES OF MARCH 23, 2015

PUBLIC COMMENT

ZHB 15-1 LOVE'S TRAVEL STOP & COUNTRY STORES, INC - REVIEW APPLICATION
FOR SPECIAL EXCEPTION TO ALLOW EXPANSION OF NON-CONFORMING
TRUCK REPAIR AND SERVICE FACILITY USE
(Zoning Hearing scheduled for April 8, 2015)

OTHER BUSINESS

MEETING MINUTES

Larry Claycomb called the meeting to order at 7:00 p.m.

APPROVE PAST MINUTES OF MARCH 23, 2015.

After review, Jim Dries made a motion to approve the minutes of the March 23, 2015, meeting as amended. The motion was seconded by Randy Waggoner and passed unanimously.

PUBLIC COMMENT

Larry Claycomb asked for public comment and there was none.

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(Zoning Hearing scheduled for April 8, 2015)**

Chet Savage with Harrison, French and Associates and Ron Lucas of Stevens and Lee were in attendance to represent the plan. Mr. Savage distributed the revised plan to the Planning Commission members which includes all of the comments previously discussed. Questions were asked and answered.

Michael Buchanan made the following motion.

"I move that we recommend approval of ZHB 15-1, Love's Travel Stop & Country Stores, Inc - Review Application For Special Exception To Allow Expansion Of Non-Conforming Truck Repair And Service Facility Use dated 02-23-2015 and revised 03-26-2015 with the following conditions:

1. That there be no further expansion of the nonconforming truck repair and service facilities use on the property.
2. That the proposed truck service being added operate in conjunction with the tire sales and service exclusively as part of the Love's Travel Stop Store or it's successors.
3. That truck service being provided be limited to service and replacement of the following components of a truck or trailer: Tires, engine oil, transmission oil, front or rear differential oils, gear box oil, lubricate truck or trailer, trailer hub oil, engine coolant, brakes, charging systems (alternator and battery), electrical systems, lights, adjusting clutches, water pumps, wheel seals, oil filters fuel filters, water filters, fill fluids to capacity, wiper blades, antennas. That no service will be provided that exceed three hours in duration or that involve the installation or removal of any major component of the truck being serviced, including but not limited to truck engine and/or motor, transmission, gear box, differential or other similar devices.
4. That the Love's Travel Stops & Country Stores achieve compliance with the Middlesex Township Ordinances regarding signage prior to submission of the land development plan for expansion of the tire repair facility.
5. We request the zoning Hearing Board note that the original area calculations have been revised by the applicant and a revised data sheet dated 03-30-2015 is provided with this recommendation."

This motion was seconded by Jim Dries and passed unanimously.

OTHER BUSINESS:

There being no further business, Jim Dries made a motion to adjourn the meeting. The motion was seconded by Tracy Gleim and passed unanimously at 8:01 p.m.

Respectfully submitted by

Margie Flatley-Carpenter, CMT
Secretary to the Planning Commission

3-30-15

BUILDING AREA CALCULATIONS:

Existing Accessory Building Area (2011): 2,400 s.f.

Addition to Service Building Area: 2,061 s.f.

Additional Storage Building Area: 8'x40' (3 buildings): 320 s.f. x 3 = 960 s.f.

RELEVANT DEFINITIONS:

Zoning Ordinance § 2.02, provides:

Building: Any structure, either temporary or permanent, having walls and a roof or other covering, and designed or used for the shelter or enclosure of any person, animal, or property of any kind, including tents, awnings, or vehicles situated on private property and used for purposes stated above.

Structure: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

ANALYSIS OF ALTERATION OF NONCONFORMING USE:

Zoning Ordinance § 15.01.C.1.c, provides:

c. The proposed alteration, extension or expansion shall not exceed 25 percent of the gross floor area occupied by the nonconforming use as determined at the time the use became nonconforming. With respect to the nonconforming use of open land (i.e. a nonconforming use not within a structure), the proposed alteration, extension or expansion shall not exceed 25 percent of the land area occupied by the nonconforming use as determined at the time the use became nonconforming. Under no circumstances shall a nonconforming use be permitted to be altered, extended or expanded, whether one or more times, by special exception, in excess of 25 percent of the gross floor area or land area occupied by the nonconforming use as determined at the time the use became nonconforming.

Existing Use Area at Time of Nonconformity (1998): 307,878 s.f.

Existing Building Area at Time of Nonconformity (1998): ± 10,465

Total Existing and Proposed Additional Building Area Since 1998: 5,421 s.f.

Percentage Increase in Nonconforming Use Area Since 1998: 0 s.f.

Percentage Increase in Building Area Since Nonconformity (with proposed addition): 51.8%

Percentage of Nonconforming Use Area Occupied by Accessory Building: 1.76%