

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 23, 2007**

START TIME: 7:00 p.m.

END TIME: 9:15 p.m.

MEMBERS PRESENT:

Rick Gines
Michael Buchanan
Larry Claycomb
Rod Groff
Tracy Gleim

STAFF PRESENT:

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

MEMBERS & STAFF ABSENT:

David Hukill
Steve Zeigler

AGENDA:

1. APPROVE PAST MINUTES OF APRIL 9, 2007
2. PUBLIC COMMENT
3. (TPF 06-14) KENSINGTON
PRELIMINARY SUBDIVISION PLAN
(BOS action deadline – May 15, 2007)
4. (TPF 06-16) CUMBERLAND KNOLL
PRELIMINARY SUBDIVISION PLAN
(BOS action deadline – May 9, 2007)
5. (TPF 07-3) LANE ENTERPRISES, INC
REQUEST FOR ZONING AMENDMENT – MAP CHANGE
(Public Hearing scheduled for June 6, 2007)
6. (TPF 07-4) CNR HOSPITALITY ENTERPRISE LP
PRELIMINARY / FINAL SUBDIVISION PLAN
PRELIMINARY / FINAL LAND DEVELOPMENT PLAN
(BOS action deadline – June 9, 2007)

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MEETING MINUTES

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

APPROVE PAST MINUTES OF APRIL 9, 2007

Rod Groff made a motion to approve the minutes of April 9, 2007, as amended. Rick Gines seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

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

**(TPF 06-16) CUMBERLAND KNOLL
PRELIMINARY SUBDIVISION PLAN**

Mark Carpenter reported that the applicant requested this item be tabled and agreed to grant the Township an extension of review time until June 8, 2007.

**(TPF 07-3) LANE ENTERPRISES, INC
REQUEST FOR ZONING AMENDMENT – MAP CHANGE**

Attorney Linus Fenicle and Doug Graham of Lane Enterprises, were present to represent the request. Lane Enterprises is requesting to have their property rezoned to Light Industrial, as it had been when they built their plant about 32 years ago. Jeff Kelly reported that the County Planning Commission recommends approval. Keith Brennehan and Bud Grove had no comment. Mark Carpenter pointed that the property was zoned industrial until being rezoned for residential use about 1986.

Rod Groff made the following motion.

"I move we recommend approval of the request of Lane Enterprises, Inc. for Zoning Ordinance Amendment to rezone their property at 1244 Claremont Road from RT and VC to LI-Light Industrial."

Rick Gines seconded the motion and it passed unanimously.

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

Bob Miller of Kabro of Middlesex, Pam Fisher of Dawood Associates and Bob Saidis of Saidis, Flower and Lindsay were present to represent the plan. Extensive discussion ensued regarding the requirements before being able to go to DEP for an NPDES II permit. It was determined that it is a County requirement that the Preliminary Plan be approved before going to DEP. Bud Grove, Township Engineer, explained the process. He feels that there is a better chance than not that the plan layout will change upon review of the NPDESII permit by DEP. This is an identified ground water recharge area but Bud agrees with the geologist's report that infiltration should not happen here because of the limestone geology. There was also discussion regarding

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curbs or no curbs, the stormwater pipe that drains under Claremont Road, the drainage pattern from the area south of the railroad tracks and the method of calculating runoff rate from neighboring properties. Bud's opinion is that the modeling method used by the developer's engineer to calculate pre-development stormwater flows from the upstream drainage shed is unreliable. Mr. Grove also feels that a more detailed environmental impact study with emphasis on water quality should be done, since the runoff from this property will ultimately flow into the LeTort Spring Run. Bob Miller from Kabro of Middlesex stated that they have been working with this Commission for five months and they cannot keep redoing the plan. He is very frustrated with the process. Mr. Grove stated that they never addressed his storm water comments. Bob Saidis stated that they want a conditional approval so that they can go to DEP for a review of the NPDESII permit application. Keith Breneman, Township Solicitor, said that if the developer does not agree to grant another extension of review time, the commission must make a recommendation tonight and recommending either approval with conditions or disapproval is acceptable. Jeff Kelly stated that the developer's consultant had met with County Planning last month and that all of their comments appear to have been met and County Planning could not recommend approval of the plan. Pam Fisher said the plan had been submitted to the LeTort Regional Authority but comments were never received. Pam said she recently resubmitted the revised plan to Letort Regional Authority and would attend a future meeting to explain the plan to them and request comments. The consensus of commission members was to recommend approval of the plan with conditions, and with the understanding that the plan would be resubmitted for review after approval of the NPDESII permit application by DEP or the County Conservation District.

Rod Groff presented the first motion.

"Pursuant to the Preliminary Subdivision Plan #06-14 dated 10/27/2006 as revised 04/16/2007, titled Kensington, I move that we recommend granting the seven waivers requested by letter dated March 26, 2007."

Tracy Gleim seconded the motion and it passed unanimously.

Rod Groff presented the next motion.

"I move that we recommend approval of the Preliminary Subdivision Plan #06-14 dated 10/27/2006 as revised 04/16/2007, titled Kensington, with the following conditions:

1. That the review comments of Larry Claycomb, dated January 8, 2007, be met per the responses from Dawood Associated dated April 16, 2007.
2. That the comments of the Cumberland County Planning Commission listed on Review Report No. 06-289, official review dated November 16, 2006, be met per the response of Dawood Associates to Mark Carpenter dated April 16, 2007.
3. That the comments of Bud Grove, Township Engineer, dated January 11, 2007, be met per the transmittal letter from Dawood Associates dated April 16, 2007.
4. That the comments of Bud Grove, Township Engineer, listed in his letter dated April 23, 2007, be met.
5. That an NPDES II Permit be obtained from PaDEP and Cumberland County Conservation District, DEP post storm water management design, subject to approval by Bud Grove, Township Engineer.

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6. Subject to resubmission of the Preliminary Plan for review and recommendation by the Planning Commission to the Board of Supervisors after the issuance of the NPDES II Permit, with waiver of the required plan submission fee."

Tracy Gleim seconded the motion and it passed unanimously.

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

Kevin Kozain of Erdman Anthony & Associates, Inc., was present to represent the plan.

Bud Grove's comments were reviewed and will be met. Mark Carpenter advised that they needed to pay \$500.00 more for plan submission fee, as they only paid \$300.00 at the time of submission. Mr. Kozain stated that it would not be a problem.

Rod Groff presented the following motion.

"Pursuant to the Preliminary/Final Subdivision and Land Development Plan #TPF 07-4, dated 4/16/2007, titled CNR Enterprise LP, I move that we recommend granting the one waiver requested, for the requirement of a separate preliminary plan."

Tracy Gleim seconded the motion and it passed unanimously.

Rod Groff presented the following motion.

"Pursuant to the Preliminary/Final Subdivision and Land Development Plan #TPF 07-4, dated 4/16/2007, titled CNR Hospitality Enterprise LP, I move that we recommend approval with the following conditions:

1. That all the review comments in the Cumberland County Planning Commission Review Report No. 07-082, official review dated March 15, 2007, be met.
2. That a note be put on the plan concerning shared driveway access and maintenance which meets the approval of the Township Solicitor.
3. MTMA approval of the design for the new sewer and water laterals to the Express Mart building.

Tracy Gleim seconded the motion and it passed unanimously.

There being no further business, Tracy Gleim made a motion to adjourn the meeting. Mike Buchanan seconded the motion, it passed unanimously and the meeting was adjourned at 9:15 p.m.

Respectfully submitted by

Margie Flatley, CMT
Secretary to the Planning Commission