

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 22, 2015**

START TIME: 7:00 p.m.

END TIME: 8:08 p.m.

MEMBERS PRESENT:

Michael Buchanan
Larry Claycomb
Steve Zeigler
Jim Dries
Randy Waggoner

STAFF PRESENT:

Mark D. Carpenter, Zoning Officer
Jeff Kelly, Cumberland County Planning Department

MEMBERS & STAFF ABSENT:

Jim O'Connell
Tracy Gleim
Keith Brenneman, Township Solicitor
Bud Grove, Township Engineer
Margie Flatley-Carpenter, CMT, Secretary

AGENDA:

APPROVE PAST MINUTES OF JUNE 8, 2015

PUBLIC COMMENT

TPF 15-11 REVIEW APPLICATION BY CITIZEN PETITION FOR ZONING
ORDINANCE AMENDMENT TO ARTICLE X-CH DISTRICTS, ARTICLE
XII-IG DISTRICTS AND ARTICLE XIV-SUPPLEMENTAL REGULATIONS
(BOS scheduled Public Hearing for June 26, 2015)

OTHER BUSINESS

MEETING MINUTES

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

APPROVE PAST MINUTES

Jim Dries made a motion to approve the minutes from June 8, 2015 as written. Randy Waggoner seconded the motion and it passed unanimously.

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PUBLIC COMMENT:

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

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Jeff Kelly of Cumberland County Planning Department reviewed their review report dated June 15, 2015. Questions were asked and answered and many issues were brought up and discussed. Kurt Williams of Salzman Hughes, PC, presented general information from Ryan on Zoning about if a use should be considered a permitted use or a special exception use.

Mr. Claycomb reviewed the marked up version of the ordinance amendment with revisions agreed upon at the last meeting. Mr. Claycomb reviewed possible recommendations to either approve or deny the application and a list of specific reasons for denial if that is the recommendation chosen. After discussion by members, Michael Buchanan added some language to the draft motion to recommend denial of the ordinance amendment with specific reasons listed in support of the recommendation.

The following motion was made by Michael Buchanan.

The Planning Commission concurs with the concepts to amend the Zoning Ordinance. We recommend denial of TPF 15-11, the application by citizen petition for Zoning Ordinance Amendment to Article X-CH District, Article XII-IG District, and Article XIV-Supplemental Regulations in its present form for the following reasons;

1. Paragraphs 14.61-D and 14.61-E are inconsistent with each other, therefore they would be difficult or impossible to enforce. Paragraph 14.61-D requires a 75 foot buffer strip along any adjoining right of way of an arterial street. However, Paragraph 14.61-E requires that a 15 foot high berm be placed in the buffer strip which would require approximately 100 feet when considering the specified slope and the required stormwater management facilities. This inconsistency would likely allow a developer to choose which paragraph of the two paragraphs to comply with. Furthermore, the Planning Commission feels that berms are unnecessary in this particular area, look artificial, and any required shielding would be accomplished with the planting of trees as required elsewhere in the Ordinance. Therefore, we recommend that the inconsistency cited above be resolved by deleting Paragraph 14.61-E.

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2. Paragraph 14.61-F is unclear, because it does not specify which “applicable minimum yard requirements” must be increased in order to allow a higher maximum building height. Most importantly, this change needs to be made to preclude future non-conforming facilities.
3. Paragraph 14.61-J requires “electric hookups” to be installed to reduce truck idling. Since new technology in the future may allow this hookup to be another source of energy other than electricity, we recommend that the word “electric” be deleted.

In view of the above, we recommend the amendment be changed according to the attached marked up version and resubmitted.

The motion was seconded by Jim Dries and passed unanimously.

After discussion, Mr. Claycomb agreed he would attend the public hearing on the ordinance amendment scheduled at the Board of Supervisors meeting on Friday, June 26, 2015 at 7:30 a.m. and present the recommendation of the Planning Commission.

OTHER BUSINESS:

Mark Carpenter said that the Planning Commission subcommittee is still reviewing draft amendments to existing Zoning Ordinance requirements.

Mark Carpenter said that the Comfort Inn motel on Shady Lane is scheduled to begin construction in July.

There being no further business,

Jim Dries made a motion to adjourn the meeting. Randy Waggoner seconded the motion and it passed unanimously at 8:08 p.m.

Respectfully submitted by

Margie Flatley-Carpenter, CMT
Secretary to the Planning Commission