

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
WORKSHOP MEETING MINUTES
August 9, 2010**

START TIME: 7:05 p.m.

END TIME: 8:21 p.m.

MEMBERS PRESENT:

Larry Claycomb
Mike Cornfield
Jim Dries
Rod Groff

STAFF PRESENT:

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

MEMBERS & STAFF ABSENT:

Michael Buchanan
Tracy Gleim
Steve Zeigler
Keith Brenneman, Township Solicitor
Bud Grove, Township Engineer

AGENDA:

1. APPROVE PAST MINUTES OF JUNE 28, 2010
2. PUBLIC COMMENT
3. ZHB 10-2 APPLICANT - SUN LANE
REVIEW REVISED SPECIAL EXCEPTION APPLICATION TO
ALLOW AROMA THERAPY AND HOT ROCK THERAPY USES
AT 1215 HARRISBURG PIKE IN THE CH-COMMERCIAL
HIGHWAY ZONING DISTRICT
4. TPF 10-6 REVIEW AND PROVIDE COMMENTS TO TOWNSHIP
ENGINEER ON MIDDLESEX TOWNSHIP STORMWATER
MANAGEMENT ORDINANCE – DRAFT 1 DATED JULY 30, 2010
5. TPF 10-4 PROPOSED ZONING ORDINANCE AMENDMENT
DEVELOP REGULATIONS FOR SOLAR ENERGY USES
6. OTHER BUSINESS:

ACT 46 OF 2010 (SB 1042) – DEVELOPMENT PERMIT EXTENSIONS ACT
SUMMARY PRESENTED BY ZONING OFFICER

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MEETING MINUTES

Larry Claycomb called the meeting to order at 7:05 p.m.

APPROVE PAST MINUTES OF JUNE 28, 2010.

Jim Dries made a motion to accept the minutes for June 28, 2010, with two corrections. Mike Cornfield seconded the motion and it passed unanimously.

PUBLIC COMMENT

Larry Claycomb asked for public comment and there was none.

**ZHB 10-2 APPLICANT - SUN LANE
REVIEW REVISED SPECIAL EXCEPTION APPLICATION TO ALLOW
AROMA THERAPY AND HOT ROCK THERAPY USES
AT 1215 HARRISBURG PIKE IN THE CH-COMMERCIAL HIGHWAY
ZONING DISTRICT**

Larry Claycomb explained that he was present at the meeting of the Zoning Hearing and the applicant's attorney asked for a continuance until August 11. There was a question about the date of the lease. The applicant has provided a revised application with supporting documents to address the prior questions of the Planning Commission. Mark Carpenter read the letter from the applicant's attorney clarifying the date of lease. There was discussion regarding the original approval and a proposed motion in lieu of the previous recommendation.

Jim Dries made the following motion.

"Regarding Zoning Hearing Board Case 10-2, a Special Exception request by Sun Lane to allow Hot Rock Therapy and Aroma Therapy uses at 1215 Harrisburg Pike, I move that in lieu of the recommendations made at the Planning Commission's June 28, 2010 meeting that we recommend approval with the following conditions:

1. Landscaping according to 10.02 E. of the Zoning Ordinance, which requires the division of commercial and residential uses with appropriate fencing or hedging.
2. The facility will maintain sanitation using procedures included in the revised application.
3. Due to the location in a residential area and the possible traffic impact on the adjacent neighborhood, the Planning Commission recommends the hours of operation be limited to closing at 11 p.m. until 7 a.m. daily.
4. The sign design is as submitted in the revised application."

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**TPF 10-6 REVIEW AND PROVIDE COMMENTS TO TOWNSHIP
ENGINEER ON MIDDLESEX TOWNSHIP STORMWATER
MANAGEMENT ORDINANCE – DRAFT 1 DATED JULY 30, 2010**

Larry Claycomb and Mark Carpenter presented a short overview of the draft stormwater management ordinance that Bud Grove, Township Engineer, had prepared. There was some discussion about Cumberland County's model ordinance and how it came to be and why we need to develop this ordinance. Mark Carpenter explained that he wanted members to carefully review the draft ordinance and provide comments to Bud Grove.

**TPF 10-4 PROPOSED ZONING ORDINANCE AMENDMENT
DEVELOP REGULATIONS FOR SOLAR ENERGY USES**

Jim Dries discussed some information the subcommittee has considered in developing a draft solar energy ordinance. He presented a summary of Swatara Township's solar energy ordinance, which is limited in scope. Mr. Claycomb asked that he send a copy to each of the members.

**ACT 46 OF 2010 (SB 1042) – DEVELOPMENT PERMIT EXTENSIONS ACT
SUMMARY PRESENTED BY ZONING OFFICER**

Mark Carpenter gave a brief summary of Act 46 of 2010. The Act is being aimed at providing some economic relief to the building industry impacted by the economic downturn for various residential and commercial land development, land use and construction activities. The Act was part of State budget legislation enacted and effective July 6, 2010, and extends many residential and commercial approvals and permits related to zoning, land use, land planning, land development and building construction that are issued between January 1, 2009 until July 1, 2013. Mark said he has attended training on impacts of the Act and he will get legal advice from Township Solicitor, Keith Brenneman on the impacts of the Act regarding specific township approvals and permits.

OTHER BUSINESS

Jim Dries pointed out an article in the August 6, 2010, paper about South Middleton Township deciding not to enact protective zoning along the Appalachian Trail. Mark Carpenter said he reviewed the Middlesex Township Zoning Ordinance and believes it has adequate provisions to protect the values of the Appalachian Trail from detrimental impacts, as stated in State Act 23 of 2009.

There being no further business, Rod Groff made a motion to adjourn the meeting. The motion was seconded by Mike Cornfield and passed unanimously at 8:21 p.m.

Respectfully submitted by

Margie Flatley-Carpenter, CMT
Secretary to the Planning Commission