

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 27, 2007**

START TIME: 7:00 p.m.

END TIME: 8:40 p.m.

MEMBERS PRESENT:

Michael Buchanan
Larry Claycomb
Tracy Gleim
Rod Groff
Steve Zeigler

STAFF PRESENT:

Margie Flatley, CMT, Secretary
Mark D. Carpenter, Zoning Officer
Bud Grove, Township Engineer
Keith Brenneman, Township Solicitor

MEMBERS & STAFF ABSENT:

David Hukill
Rick Gines
Jeff Kelly, Cumberland County Planning

AGENDA:

1. APPROVE PAST MINUTES OF AUGUST 13, 2007
2. PUBLIC COMMENT
3. (TPF 07-11) SHEETZ, INC. AT TRINDLE ROAD & ARMY HERITAGE DRIVE
PRELIMINARY FINAL LAND DEVELOPMENT PLAN
(90 day BOS action deadline – October 10, 2007)
4. (TPF 07-13) JAIRAM 7, INC.
PRELIMINARY FINAL SUBDIVISION PLAN
(90 day BOS action deadline – October 10, 2007)
5. (TPF 07-14) SCOTT AND MONICA SHIREY
SKETCH PLAN AND REQUEST FOR WAIVER FROM FORMAL LAND
DEVELOPMENT PLAN SUBMISSION FOR CHANGE OF USE FROM
RESIDENTIAL TO OFFICE-RETAIL SALES ON EXISTING NON-
COMPLYING LOT AT 1135 HARRISBURG PIKE

MEETING MINUTES

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

APPROVE PAST MINUTES OF August 13, 2007:

There were no minutes prepared for the August 13, 2007, meeting.

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Statement from Larry Claycomb:

"At the August 13, 2007, meeting of the Commission, I acknowledged that I had receive a solicitation from First Capitol Engineering to submit my resume for job opportunities they had. This firm is engineering a plan currently before the commission. I asked that they provide the commission with the source of the mailing list that included my name. On August 17, 2007, a man called me identifying himself as John Luciani, President of First Capitol Engineering. He stated that my name came from Pennsylvania's list of registered engineers."

**(TPF 07-11) SHEETZ, INC. AT TRINDLE ROAD & ARMY HERITAGE DRIVE
PRELIMINARY FINAL LAND DEVELOPMENT PLAN**

Michael LaCesa, Director of Real Estate for Sheetz Eastern Region, Pat Hickey, Project Manager, First Capital Engineering and Brian Soyka PE, Engineering and Permits Manager for Sheetz, were present.

They were present to go over their plan with the Commission and update and resubmit the plan at the next meeting. Bud Grove, Township Engineer, has submitted his comments on their current plan. They had split it into two plans – a lot consolidation plan and a land development plan. Mark Carpenter, Township Zoning Officer, brought forward the concerns of Eunice and Ken Donson who live very close to the site. They have several concerns, including light impact, buffering requirements, noise concerns – piped music and announcements need to be buffered. Michael LaCesa said that they certainly will strive to be good neighbors. They will certainly meet the ordinances for lighting, buffering and noise. They will look into what can be included on the plan in that regard. Bud Grove then went over his comments. Army Heritage Drive needs to have 60 feet of right of way since it is a collector street. On the plan there is only 50 feet of right of way. Sidewalks are required along Army Heritage Drive and Trindle Road. He also went over other issues; lighting plan is necessary, screen buffers, storm water management plan. They are proposing natural infiltration, but the ordinance does not allow it. They would need to request a waiver. Sheetz should submit any geological work that they have done to support the waiver. They also need to have sight distances done as part of a traffic study. They have already included the left turn lane from Army Heritage Drive and a right-in, right-out only on Trindle Road. There was discussion regarding the right-turn lane on Trindle Road from the driveway to the intersection. Keith had no comments or questions. Mark Carpenter went over the Cumberland County comments. There were comments regarding trees, street, buffer, parking, etc. They need to have the DEP module and sewer and water design. There was discussion about sidewalks. They are providing curbing. Michael LaCesa commented about the safety of having sidewalks in that area. If they do not want to put in sidewalks at this time, they would need to request a waiver, but put a note on the plan that they will put them in when requested by the Supervisors. The sense of the Commission is that they would accept a waiver. Municipal Authority needs to get the next plan. Michael LaCesa asked if the Army Heritage Center will be making improvements to the intersection. Mr. Carpenter explained that they are the Federal Government and are exempt from the zoning or land development plans, etc. Mr. LaCesa stated for the record that he felt that it was not fair. Larry Claycomb went over his comments. Larry encouraged the Dosons to come back to the next few meetings.

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**(TPF 07-13) JAIRAM 7, INC.
PRELIMINARY FINAL SUBDIVISION PLAN**

Jennifer Garcia of Dawood Associates was present to give an overview of the plan. The owners want to subdivide off an approximate 1 acre lot from their existing motel property. Mark Carpenter would like to see the highway occupancy permits for the driveways. Bud Grove had no comments. Keith Brenneman had no comments. Mark Carpenter is concerned about truck parking on the lot. He asked that they note on the plan that truck parking is not a permitted use on the new lot.

Rod Groff made the following motion:

"Motion to recommend approval of the Sewage Facilities Planning Exemption Application Mailer with respect to Jairam 7, Inc."

Mike Buchanan seconded the motion and it passed unanimously.

Mike Buchanan made the following motion:

"Pursuant to the Preliminary/Final Subdivision Plan #TPF 07-13 dated August 2, 2007, titled Preliminary/Final Subdivision Plan for Jairam 7, I move that we recommended granting all waivers requested except the waiver to Section 705.

Steve Zeigler seconded the motion and it passed unanimously.

Mike Buchanan made this second motion.

"I move that we recommend approval of Preliminary/Final Subdivision Plan #TPF-07-13 dated August 2, 2007, titled Preliminary/Final Subdivision Plan for Jairam 7 with the following conditions"

1. That the conditions of the Cumberland County Planning Commission listed on the Review Report No. 07-209 be met.
2. That a not be put on the plan that the lot not be used for parking for adjacent commercial property or for tractor trailer parking.

Rod Groff seconded the motion and it passed unanimously.

Keith Brenneman advised the Commission not to recommend on waiver #6.

**(TPF 07-14) SCOTT AND MONICA SHIREY
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Mark Carpenter explained that there is an existing lot in residential use until recently. The proposal is to move an office use and retail sales into the existing property. They are requesting waiver of all requirements of land development plan approval, asking the Supervisors to accept a sketch plan in lieu of a formal land development plan for this project. This would convert it to a commercial use from residential. Mark Carpenter wanted to run it past the Planning Commission and then take it to the Supervisors on Friday. He explained how this is possible in this situation. There is precedent and also a provision in the zoning ordinance to allow this use

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(Section 15.04). They may want to raise the issue of an easement for use of the driveway. There was discussion regarding whether or not the Commission needs to comment on a sketch plan. Since they are requesting a waiver, Keith felt that the commission can comment on it.

Steve Zeigler made a motion to recommend that the Supervisors waive land development plan requirements and accept the sketch plan in lieu of a land development plan. Mike Buchanan seconded the motion and it passed unanimously.

OTHER BUSINESS:

Mark Carpenter distributed a flyer about a training class on zoning to be held in Shippensburg University on September 25, 2007. He encouraged the Commission members to attend if they felt they would benefit from it.

Mark also announced that the meeting of the Cumberland County Outreach meeting will be held September 11, 2007, at Middlesex Township. If Commission Members wish to attend, they need to let Mark know.

There was discussion about the lighting ordinance and where to put it. If it is in the zoning ordinance, it would be difficult to get a variance. If you put it in the subdivision and land development ordinance, it would be more flexible. It can be cross referenced in the zoning ordinance.

There being no further business, Rod Groff made a motion to adjourn the meeting. Mike Buchanan seconded the motion and it passed unanimously at 8:40 p.m.

Respectfully submitted by

Margie Flatley, CMT
Secretary to the Planning Commission