

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 28, 2009**

START TIME: 7:06 p.m.

END TIME: 9:02 p.m.

MEMBERS PRESENT:

Michael Buchanan
Larry Claycomb
Steve Zeigler
Tracy Gleim

STAFF PRESENT:

Margie Flatley-Carpenter, CMT, Secretary
Mark D. Carpenter, Zoning Officer
Keith Brenneman, Township Solicitor
Jeff Kelly, Cumberland County Planning

MEMBERS & STAFF ABSENT:

Rod Groff
Tracey Gillespie
Bud Grove, Township Engineer

AGENDA:

1. APPROVE PAST MINUTES OF SEPTEMBER 14, 2009
2. PUBLIC COMMENT
3. TPF 09-6 PROPOSED ZONING ORDINANCE & SUBDIVISION AND
LAND DEVELOPMENT ORDINANCE AMENDMENT
NEW REGULATIONS FOR WIND TURBINE GENERATORS
REVIEW DRAFT NO. 3
4. TPF 09-10 MARVIN R & WAHNETA M WINGERT
PRELIMINARY/FINAL SUBDIVISION PLAN
(BOS action deadline December 12, 2009)

MEETING MINUTES

Larry Claycomb called the meeting to order at 7:06 p.m.

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APPROVE PAST MINUTES OF SEPTEMBER 14, 2009.

Steve Zeigler made a motion to approve the minutes of the September 14, 2009, meeting as amended. The motion was seconded by Michael Buchanan and passed unanimously.

PUBLIC COMMENT

Larry Claycomb asked for public comment and Don Geistwhite, Township Supervisor, was in attendance and thanked the commission for the work that they do for the township. Larry remarked that he hopes that they could find a replacement for the Commission. They are still looking. He also said that he appreciates that the Board of Supervisors take the recommendations of the Planning Commission. Mr. Geistwhite stated that he feels that the Township is fortunate to have the people that we have to get things done.

**TPF 09-10 MARVIN R & WAHNETA M WINGERT
PRELIMINARY/FINAL SUBDIVISION PLAN
(BOS action deadline December 12, 2009)**

Marvin Wingert, landowner, and Delvin Zullinger were present. Mr. Claycomb reviewed the items that needed to be addressed for this meeting. Mark Carpenter reported that in regard to the septic issue, they may use a "non building lot form." However, replacement area testing is required. The SEO for the township feels that it will probably fail. In the case that it does fail, they would need to request that the Board of Supervisors waive the requirement. Tracy Gleim asked why they need to test at all if they know it will probably fail and that the Board of Supervisors will most likely waive the replacement area requirement. Keith Brenneman, Township Solicitor, stated that he would need to see the actual ordinance; however, the requirement for the testing would not likely be waived. Mr. Carpenter reviewed the rest of the comments listed in Bud Grove's letter of September 23, 2009. Mr. Brenneman had no further comments. The comments from the County had been reviewed at the previous meeting. There being no further comments or questions; the following motion was presented by Steve Zeigler.

"Pursuant to Township Plan File #TPF 09-10, titled Marvin R. & Wahneta M. Wingert Preliminary/Final Subdivision Development Plan, dated July 16, 2009, I move that we recommend granting the six (6) waivers requested. Those waivers are:

- Preliminary/Final Plan
- Street trees.
- Sidewalks.
- Curbs.

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- Site context map.
- Fee in lieu of dedication of park or recreation land.”

This was seconded by Michael Buchanan and passed unanimously.

The following motion was presented by Steve Zeigler.

“Pursuant to Township Plan File #TPF 09-10, titled Marvin R. & Wahneta M. Wingert Preliminary/Final Subdivision Development Plan, dated July 16, 2009, I move that we recommend granting the following:

- Request for planning waiver and non building declaration.”

It was seconded by Michael Buchanan and passed unanimously.

The following motion was presented by Steve Zeigler.

“Pursuant to Township Plan File #TPF 09-10, titled Marvin R. & Wahneta M. Wingert Preliminary/Final Subdivision Development Plan, dated July 16, 2009, I move that we recommend approval with the following recommended conditions:

1. That the comments listed in the letter from Bud Grove, Township Engineer, to the Planning Commission dated September 23, 2009, be met.
2. That the comments of the Cumberland County Planning Commission Review #09-0137 dated September 4, 2009, be met.
3. That the requested waivers be listed on the plan and a letter be provided to justify the waivers.
4. That the applicant satisfy the requirements for the sewage replacement area testing.
5. That a common driveway agreement be prepared by the applicant and approved by the solicitor.

And that in addition the Planning Commission specifically recommends approval of the road frontage as shown on the plan.”

This was seconded by Michael Buchanan and passed unanimously.

Mr. Carpenter told Mr. Wingert and Mr. Zullinger that the plan will be considered at the next meeting of the Board of Supervisors on October 7, 2009.

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**TPF 09-6 PROPOSED ZONING ORDINANCE & SUBDIVISION AND
LAND DEVELOPMENT ORDINANCE AMENDMENT
NEW REGULATIONS FOR WIND TURBINE GENERATORS
REVIEW DRAFT NO. 3**

The goal for this meeting is to develop a reasonably clean copy to pass onto the Board of Supervisors for their review. There was discussion as to which copy was the most recent. There was extensive discussion regarding distances from neighboring structures or potential structures. Keith Brenneman, Township Solicitor, gave some pertinent information. There was discussion about more issues and specific language in several areas of the ordinance regarding allowable sound levels, setback distances, etc. Mr. Claycomb asked Mr. Buchanan to prepare a new document with all the changes and send it to Mr. Carpenter who will put page numbers on it and send it out to the Planning Commission members. We would expect to send it to the Board of Supervisors at the next meeting.

OTHER BUSINESS:

Mark Carpenter announced that Keystone Arms will be submitting a plan for the next meeting.

There being no further business, Tracy Gleim made a motion to adjourn the meeting. The motion was seconded by Steve Zeigler and passed unanimously at 9:02 p.m.

Respectfully submitted by

Margie Flatley-Carpenter, CMT
Secretary to the Planning Commission