

**MIDDLESEX TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
December 17, 2007**

START TIME: 7:00 p.m.

END TIME: 8:30 p.m.

MEMBERS PRESENT:

Michael Buchanan
Larry Claycomb
Rod Groff
Steve Zeigler
Tracy Gleim
Tracey Gillespie

STAFF PRESENT:

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

MEMBERS & STAFF ABSENT:

Rick Gines
Bud Grove, Township Engineer
Keith Brenneman, Township Solicitor
Jeff Kelly, Cumberland County Planning

AGENDA:

1. APPROVE PAST MINUTES OF NOVEMBER 26 AND DECEMBER 3
2. PUBLIC COMMENT
3. (ZHB 07-5) KTJ LIMITED PARTNERSHIP ONE HUNDRED EIGHTY SPECIAL EXCEPTION TO ALLOW RECREATIONAL VEHICLE SALES AND SERVICES USE IN THE VC DISTRICT
(Zoning Hearing scheduled for January 9, 2007)
4. (ZHB 07-6) DUNKIN BRANDS INC SPECIAL EXCEPTION TO ALLOW EATING AND DRINKING ESTABLISHMENT WITH A DRIVE-THROUGH USE IN THE CH DISTRICT
(Zoning Hearing scheduled for January 9, 2007)

MEETING MINUTES

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

APPROVE PAST MINUTES OF NOVEMBER 26 AND DECEMBER 3

Steve Zeigler made a motion that the minutes of November 26, 2007, be accepted with one change. The motion was seconded by Mike Buchanan and passed unanimously.

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Rod Groff made a motion that the minutes of December 3, 2007, be accepted with one change. This was seconded by Mike Buchanan and passed unanimously.

PUBLIC COMMENT

Larry Claycomb asked if there was any public comment and there was none.

**(ZHB 07-5) KTJ LIMITED PARTNERSHIP ONE HUNDRED EIGHTY
SPECIAL EXCEPTION TO ALLOW RECREATIONAL VEHICLE
SALES AND SERVICES USE IN THE VC DISTRICT**

Attorney Ron Lucas was in attendance to represent the special exception request. Mr. Lucas explained the following: After holding a Public Hearing on December 5, 2007, the Board of Supervisors enacted a zoning ordinance amendment to allow Recreational Vehicle Sales and Service as a Use permitted by Special Exception in the VC District along with supplementary regulations for the Use. The application is for a Special Exception to allow this use at a site near the Sports Emporium on South Middlesex Road in the VC District. Mr. Lucas brought aerial photographs with him to show the planning commission members the layout of the proposed Camping World establishment.

Mr. Lucas explained that, at the public hearing, two issues came up. These were whether they would not allow clunkers, defined as vehicles undesirable in appearance and not readily marketable, to remain on the property for over 30 days. They are willing to agree to not allow them to remain on the property for more than 30 days. The other issue was that no personal wireless service facilities (cell towers), as defined in the Zoning Ordinance, shall be constructed on the property unless approved by the Board of Supervisors, at their sole discretion.

Tracy Gleim asked about the open space triangle on the south side of I-81, bounded by I-81 and South Middlesex Road, and how it will be part of the parcel. Mark Carpenter explained that he had issued a written opinion that in this particular instance, the property on the south side of I-81 can be considered as contiguous with the remainder of the property on the north side of I-81. Mr. Lucas explained that the properties on both sides of I-81 would be identified as a single property on the subdivision plan. The property on the south side of I-81 will be protected from development in perpetuity, and will serve as part of the open space requirement for the entire property.

There was discussion about the existing billboard and whether or not it should be allowed to remain if the lease runs out or if it becomes in disrepair. There was also extensive discussion regarding the term "clunker."

Rod Groff presented the following motion:

"I move we recommend the Zoning Hearing Board approve the request of KTJ Limited Partnership, One Hundred Eighty dated November 16, 2007, to establish an RV Sales

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and Service establishment in the Village Center District as a special Exception with the following conditions:

1. The operator of the recreational vehicle sales and service facility will not allow clunkers, defined as vehicles undesirable in appearance and not readily marketable to remain on the property over 30 days.
2. The approximate 6.1 acre tract bordered by I-81, the Pennsylvania Turnpike and South Middlesex Road, shall remain as open space and cannot be developed beyond the existing billboard. No personal wireless service facilities, as defined in the Zoning Ordinance, shall be constructed on this tract unless approved by the Board of Supervisors, at their sole discretion.
3. That in the future this entire 18 acre tract of land shall remain as one plot.

The motion was seconded by Tracy Gleim and carried unanimously.

**(ZHB 07-6) DUNKIN BRANDS INC
SPECIAL EXCEPTION TO ALLOW EATING AND DRINKING
ESTABLISHMENT WITH A DRIVE-THROUGH USE IN THE CH
DISTRICT**

Kim Murray from CEDG was in attendance to represent Dunkin Donuts. She explained the proposed plan. They wish to have one drive-through window for the restaurant. Larry Claycomb pointed out that this is a use from the past when it was a Hardee's Restaurant which was abandoned when the property became a used car lot. Mark Carpenter suggested that no trucks be allowed to access through the proposed Dunkin Donuts site, because this has caused accidents in the past.

Tom Carpenter, Ed Mack, construction manager from Dunkin Brands, and Deb Wawer from Dunkin Brands Development also attended the meeting. They also seemed to agree with the issues discussed.

Mike Buchanan presented the following motion:

"I move we recommend that Zoning Hearing Board approve the request of Dunkin Brands, Inc., dated November 12, 2007, to establish an eating and drinking establishment with a drive-in window in the Commercial Highway District as a Special Exception with the following condition.

That the applicant limits any through truck traffic to the site."

The motion was seconded by Steve Zeigler and carried unanimously.

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OTHER BUSINESS:

Mark Carpenter said that he will present an updated draft of the Conservation Design Ordinance at the next meeting on January 14, 2008. He would like to form a working group to review the draft and finish the ordinance.

Larry Claycomb asked about the lighting ordinance and Mr. Carpenter said that Keith Brenneman was working on it. There was discussion about getting a light meter and having a field trip to measure light spillover at various sites. Mike Buchanan thought that would be fun.

Mr. Buchanan asked about the abandoned vehicle ordinance that he received. Mr. Carpenter said that will be on the next agenda.

Mr. Carpenter said the Engineer for Camping World may submit a DEP sewage planning postcard for review before they submit a land development plan. He explained that the risk of approving sewage capacity before the plan is that the development may not take place and the capacity allocation could be reallocated to another project. Mr. Claycomb wanted to know why they would want to do that. Mr. Carpenter explained that there are two agencies that have to verify capacity to collect, convey and treat the sewage, Middlesex Township Municipal Authority and Carlisle Borough Sewer Authority. The Carlisle Borough Sewer Authority only meets quarterly so they want to get it on their agenda for January 16, 2008.

Mark Carpenter also informed that the Board of Supervisors will be modifying the expiration dates of all planning commission members so their terms expire on January 1 of their expiration year. This will allow all appointments to be done at the annual reorganization meeting.

Mr. Carpenter stated how much he appreciates the effort that the Commission members put into their work. Larry Claycomb echoed that thought.

The next Planning Commission meeting will be on January 14, 2008.

There being no further business, Tracy Gleim made a motion to adjourn the meeting. Tracey Gillespie seconded the motion and it passed unanimously at 8:30 p.m.

Respectfully submitted by

Margie Flatley, CMT
Secretary to the Planning Commission