

**TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2022 - 7/8 *

A RESOLUTION OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA AMENDING THE "MIDDLESEX TOWNSHIP COMPREHENSIVE PLAN", ADOPTED FEBRUARY 5, 2003, SPECIFICALLY THE "FUTURE LAND USE MAP", TO RECLASSIFY FROM THE INDUSTRIAL CATEGORY TO THE MIXED USE COMMERCIAL RESIDENTIAL CATEGORY, PORTIONS OF THE PARCELS IDENTIFIED AS CUMBERLAND COUNTY TAX PARCEL IDENTIFICATION NOS. 21-08-0575-003D AND 21-08-0575-003E, LOCATED AT THE NORTHWEST CORNER OF CLAREMONT ROAD AND HARMONY HALL DRIVE.

WHEREAS, the Board of Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania ("Board of Supervisors"), under the powers vested in it by the Second Class Township Code of Pennsylvania, as enacted and amended, and the authority and procedures of the Pennsylvania Municipalities Planning Code, as enacted and amended, ("MPC") as well as other laws of the Commonwealth of Pennsylvania, has determined that the Middlesex Township Comprehensive Plan, adopted February 5, 2003 ("Comprehensive Plan"), specifically the Future Land Use Map, should be updated to acknowledge changes in past and future land use and development patterns by reclassifying portions of the parcels identified as Cumberland County Tax Parcel Identification Nos. 21-08-0575-003D and 21-08-0575-003E that are located at the northwest corner of Claremont Road and Harmony Hall Drive in the Township ("Subject Parcels") that are in the Industrial category from the Industrial category to the Mixed Use Commercial Residential category; and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include portions of the Subject Parcels, as described above, is logical and appropriate on account of:

1. The Subject Parcels are located in an area of the Township already featuring development consistent with Mixed Use Commercial Residential; and
2. The Future Transportation Map of the Comprehensive Plan identifies and classifies Claremont Road and Harmony Hall Drive as collector roadways, which are

** This was erroneously numbered. Resolution 2022-7 had been used previously.*

intended, planned or designed to accommodate anticipated traffic accessing a mix of uses and developments contemplated by the Mixed Use Commercial Residential category; and

3. The Subject Parcels can be served by public utilities; and
4. The land adjoining to the north of the Subject Parcels is developed with multi family residential projects; and

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels is consistent with the Comprehensive Plan as the Comprehensive Plan acknowledges the importance of:

1. Encouraging and supporting new residential and nonresidential development to locate only in areas adequately served by infrastructure or which can be planned with adequate infrastructure consistent with other goals of the Comprehensive Plan; and
2. Providing a variety of housing types, including the location of affordable housing (rental and moderate-cost, multi-family housing); and
3. Attempting to establish housing densities that are compatible with adjacent areas and the available infrastructure.

WHEREAS, the proposed amendment to extend the Mixed Use Commercial Residential category to include the Subject Parcels is generally consistent with, and helps to better implement, certain elements of the Comprehensive Plan, specifically:

1. The Land Use Action Plan goal of providing for reasonable amounts and distribution of residential and nonresidential land uses in attractive and well-located settings by: (i) identifying areas suitable for growth; (ii) encouraging priority consideration be given to recreational, commercial office, and residential land uses; and (iii) encouraging new residential and non-residential development in areas adequately served by infrastructure; and
2. The Transportation Action Plan goal of encouraging a safe and efficient transportation network that facilitates the movement of people and goods within and through the Township, and which maintains good levels of service by coordinating future land use with the existing Township roadway network to minimize adverse and unacceptable impacts; and
3. The Housing Action Plan goal of creating a residential structure and housing pattern

that strengthens the sense of community identity, fosters residential stability and character, and enhances the overall quality of life by: (i) providing opportunities for housing types which are sensitive to shifting demographic trends, such as smaller household size and aging population; (ii) encouraging the availability of housing for families of all sizes, all age groups, and various income levels; and (iii) assuring new residential developments and neighborhoods are harmonious with the landscape and important natural or cultural amenities found within the Township; and

WHEREAS, the portion of the Subject Parcels in the Open Space Conservation category would continue to remain in that category; and

WHEREAS, the Board of Supervisors, believes that it is in the best interest of the Township to amend part of the Comprehensive Plan by reclassifying the portion of the Subject Parcels in the Industrial category from the Industrial category to the Mixed Use Commercial Residential category on the Future Land Use Map; and

WHEREAS, pursuant to Section 302(a) of the MPC, the Board of Supervisors is authorized to amend part of the Comprehensive Plan; and

WHEREAS, in accordance with the Section 302 of the MPC, the Planning Commission of the Township of Middlesex, Cumberland County, Pennsylvania, ("Planning Commission") held a public meeting on May 9, 2022 to consider the proposed amendment; and

WHEREAS, the Planning Commission recommended that the Board of Supervisors adopt the proposed amendment; and

WHEREAS, in accordance with the Section 302 of the MPC, the Township forwarded the proposed amendment to the Cumberland County Planning Commission, Cumberland Valley School District and the adjoining municipalities; and

WHEREAS, the Board of Supervisors held a public hearing on the proposed amendment on May 20, 2022; and

WHEREAS, in accordance with the provisions and requirements of the MPC, the Board of Supervisors desires to adopt the proposed amendment as part of the Comprehensive Plan.

NOW, THEREFORE, be it resolved by the Board of Township Supervisors of the Township of Middlesex, Cumberland County, Pennsylvania, and the same is hereby resolved as follows, to wit:

SECTION 1: The Future Land Use Map of the Middlesex Township Comprehensive Plan,

adopted February 5, 2003, is hereby amended by reclassifying the portion of the parcels located at the northwest corner of Claremont Road and Harmony Hall Drive in the Township and identified as Cumberland County Tax Parcel Identification Nos.: (I) 21-08-0575-003D and (II) 21-08-0575-003E, being further described in Exhibit "A", attached hereto ("Subject Parcels"), that are currently in the Industrial category from the Industrial category to the Mixed Use Commercial Residential category; and

SECTION 2: The Secretary of the Township of Middlesex, Cumberland County, Pennsylvania shall record the action of the Board of Township Supervisors of the Township of Middlesex, Cumberland County, Pennsylvania approving the proposed amendment and direct that it be incorporated as part of the "Middlesex Township Comprehensive Plan" adopted February 5, 2003, pursuant to Section 302(c) of the "Pennsylvania Municipalities Planning Code," as enacted and amended.

SECTION 3: This Resolution shall become effective in accordance with applicable law.

DULY ADOPTED this 20th day of May, 2022, by the Board of Township Supervisors of the Township of Middlesex in public session duly assembled.

ENACTED this 20th day of May, 2022.

TOWNSHIP OF MIDDLESEX

By: _____


Chairman, Board of Township
Supervisors

ATTEST:


Township Secretary

(Township Seal)

EXHIBIT "A"

TAX PARCEL IDENTIFICATION NO. 21-08-0575-003D

ALL THAT CERTAIN tract or parcel of land, situate, lying and being in the Township of Middlesex, County of Cumberland and Commonwealth of Pennsylvania, as shown on Sheet 2 of 2 of a Final Subdivision Plan for Richard C. Reed, Jimmie C. George and Robert M. Frey dated June 25, 1987, and last revised July 6, 1987 as prepared by Gerrit J. Betz Associates, Inc., and as recorded in the Cumberland County Recorder of Deeds at Plan Book 53, Page 107A, being more particularly described, bounded and limited to wit:

BEGINNING at a point on the northerly dedicated right-of-way line of Claremont Road (L.R. 21066-a 30 foot dedicated right-of-way), said point being located the following two courses and distances from the centerline intersection of Claremont Road with Harmony Hall Drive (L.R. 21067): South 53 degrees 19 minutes 00 seconds West, a distance of 313.88 feet; thence North 33 degrees 21 minutes 47 seconds West, a distance of 30.05 feet to the point of beginning; thence from said point of beginning, North 33 degrees 21 minutes 47 seconds West, a distance of 588.18 feet to a point at the southwestern corner of Lot 5; thence along the southern line of Lot 5 North 56 degrees 49 minutes 15 seconds East, a distance of 260.89 feet to a point on the westerly right-of-way line of Harmony Hall Drive (30 foot wide dedicated right-of-way); thence along said right-of-way of Harmony Hall Drive, by a curve to the left having a radius of 1,204.59 feet, an arc distance of 51.25 feet to a point; thence still along said right-of-way South 35 degrees 37 minutes 00 seconds East, a distance of 490.69 feet to a point; thence by a curve to the right having a radius of 30.00 feet, an arc distance of 46.57 feet to a point; thence South 53 degrees 19 minutes 00 seconds West, a distance of 253.30 feet to a point, being the place and point of Beginning. Containing 3.61 acres and being Lot 4 as shown on the aforementioned subdivision plan.

SUBJECT to that area of land reserved for the rights of way of Harmony Hall Drive (L.R. 21067) and Claremont Road (L.R. 21066)

TAX PARCEL IDENTIFICATION NOS. 21-08-0575-003E

ALL THAT CERTAIN tract or parcel of land, situate, lying and being in the Township of Middlesex, County of Cumberland and Commonwealth of Pennsylvania, as shown on Sheet 2 of 2 of a Final Subdivision Plan for Richard C. Reed, Jimmie C. George and Robert M. Frey dated June 25, 1987, and last revised July 6, 1987 as prepared by Gerrit J. Betz Associates, Inc., and as recorded in the Cumberland County Recorder of Deeds at Plan Book 53, Page 107A, being more particularly described, bounded and limited to wit:

BEGINNING at a point on the northerly line of Lot 4 of the aforementioned subdivision plan, said point being located the following two courses and distances from the centerline intersection of Claremont Road (L.R. 21066) with Harmony Hall Drive (L.R. 21067): South 53 degrees 19 minutes 00 seconds West, a distance of 313.88 feet; thence North 33 degrees 21 minutes 47

seconds West, a distance of 618.23 feet to the point of beginning; thence from said point of beginning, North 33 degrees 21 minutes 47 seconds West, a distance of 553.26 feet to a point in the Letort Spring; thence in the Letort Spring North 71 degrees 00 minutes 00 seconds East, a distance of 233.00 feet to a point in same; thence still in the Letort Spring North 77 degrees 35 minutes 00 seconds East, a distance of 59.92 feet to a point on the westerly dedicated right-of-way line of Harmony Hall Drive (50 foot wide dedicated right-of-way); thence along said right-of-way of Harmony Hall Drive South 30 degrees 44 minutes 30 seconds East, a distance of 424.12 feet to a point; thence by a curve to the left having a radius of 1,204.59 feet, an arc distance of 51.24 feet to a point on the northerly line of Lot 4; thence along the northerly line of Lot 4 South 56 degrees 49 minutes 15 seconds West, a distance of 260.89 feet to a point, being the place and point of Beginning. Containing 3 .23 acres and being Lot 5 as shown on the aforementioned subdivision plan.

SUBJECT to that area of land reserved for the right of way of Harmony Hall Drive (L.R. 21067) and other restrictions, easements and documents, recorded and unrecorded.