

**TOWNSHIP OF MIDDLETOWN
PLANNING COMMISSION MEETING
November 12, 2024**

Present: Dave Beresford, Mark Bradson, Dave Decker, Doug Gramo, Alison Hassenplug, Jeff Koenig

Melissa Rheinstadter, Solicitor; Eric Janetka, Township Engineer; Meredith Merino, Director of Planning & Development

A. Call to Order

Chairman Mr. Decker called the meeting to order at 7:00 PM.

B. Approval of Minutes - October 8, 2024

Mr. Decker brought forth the October meeting minutes for consideration. Mr. Koenig motioned to approve the minutes as drafted; Ms. Hassenplug seconded the motion, and the Commission approved the minutes with a vote of 5-0 (Mr. Bradson abstained).

C. OLD BUSINESS

*3-Lot Residential Subdivision/Land Development Plan Review
KG Services, LLC
386 Dutton Mill Road*

Mr. Decker announced that the review of this application is being continued again to the next Planning Commission meeting scheduled for December 10, 2024.

D. NEW BUSINESS

Comprehensive Zoning Update – Publicize and Review Proposed Revisions to Zoning Ordinance and Zoning Map

Ms. Merino explained that in June of 2023, Middletown Township launched a comprehensive zoning update initiative to review all of the articles of the existing code and draft updates with the primary goal of simplifying, condensing, and modernizing both the zoning map and the provisions of the code. The zoning code update had been a planned project for the Township in follow-up to the Comprehensive Plan adoption which occurred in 2020, since the last comprehensive zoning update occurred 38 years ago in 1986.

The zoning update task was carried out by a team of Township consultants and staff who worked closely with a Council-appointed Zoning Update Committee, who met multiple times over the past year to review all aspects of the update and provide feedback throughout the process. Ms. Merino explained that tonight's presentation is an opportunity for the Planning Commission and the public to get a high-level review of the proposed amendments to be able to provide Council with feedback prior to the public hearing scheduled for December 18.

Ms. Merino explained that part of the update included a reduction in zoning districts from 24 to 17, which resulted in re-designation or re-naming of some zoning districts. The re-designation or re-naming was driven by an analysis of the lot sizes of parcels in the Township, in an attempt to right-fit the area and bulk requirements for the existing permitted uses of the zoning districts. The area and bulk regulations were maintained wherever feasible; changes were made by evaluating and tweaking where nonconformities existed or where repeated requests were made for zoning relief.

Ms. Merino explained that a new Municipal Services District was created to accommodate and identify the parks, open space, and facilities owned by Middletown Township. She highlighted other key changes to the ordinance, including introduction of new uses such as brew pub, medical marijuana processing and distributing facilities, bed and breakfast use, and regulations for in-law suites. A new article was created entitled "Natural Resources Standards" which incorporates the Steep Slope provisions as well as Woodlands, including tree protection and preservation requirements. The Floodplain provisions are being removed entirely from the Zoning Code and being placed within a standalone chapter of the Township Code.

Mr. Koenig asked if there would be requirements that debris and material be kept out of the floodplain area, and Ms. Merino responded that those provisions were considered and intentionally placed in the Floodplain ordinance to protect downstream properties.

After no further discussion, Mr. Beresford made a motion to recommend approval of the zoning ordinance and map update. Mr. Gramo seconded the motion, and the Planning Commission voted 6-0 to recommend approval.

Review of Draft Chapter 120 – Floodplain Management

Ms. Merino explained that before the Planning Commission is draft redline ordinance creating a new Chapter 120, Floodplain Management. The Floodplain Management regulations have always been a part of the Township Zoning Code since they were initially adopted by Middletown Township. Due to the technical nature and volume of the regulations, the long-term belief of staff was that it would be more efficient and straightforward to administer the Floodplain regulations if they were made as a standalone code chapter, similar to the Subdivision and Stormwater ordinances. The ideal time to pull the Floodplain regulations out of the Zoning Code is during the comprehensive Zoning Code update process that the Township is currently undergoing. The Floodplain Management provisions will still be under the jurisdiction of the Zoning Hearing Board to hear any appeals or requests for variances.

The Township Floodplain regulations were last revised in 2015. FEMA sets the minimum requirements of the floodplain regulations that municipalities must enact based on the National Flood Insurance Program and the Pennsylvania Floodplain Management Act. These requirements are established to protect the public health, safety, and welfare of the Township residents as well as property owners with properties located in a Floodplain Area. The 2015 regulations were pulled out of the zoning code, then combined and updated with the most recent FEMA model ordinance provisions from 2022 to create the new Chapter 120.

Ms. Merino highlighted some of the main changes to the regulations from the current ordinance. She explained that all of the definitions come straight from the 2022 Model ordinance. In addition, the 2022 regulations called for additional language spelling out Floodplain Administrator duties and additional requirements, and it establishes the Township Engineer as the Floodplain Administrator. The draft ordinance created a new Article VI Permits, incorporating new provisions with existing requirements. Article VII Technical Provisions is mostly new, and Article VIII Activities Requiring Special Permits, for the construction or expansion of the specific uses of nursing homes, prisons and hospitals within the floodplain area is completely new. Finally, any Conditional Uses were eliminated from the Use Regulations and any appeals or requests for relief from the regulations are overseen by the Zoning Hearing Board for a determination.

After no further discussion, Mr. Decker made a motion to recommend approval of the Chapter 120 Floodplain Management ordinance. Mr. Gramo seconded the motion, and the Planning Commission voted 6-0 to recommend approval.

*3-Lot Residential Subdivision/Land Development Plan Review
Holefelder Brothers, Inc.
597 Mt Alverno Road*

Mr. Decker requested a motion to table the review of this application to the next Planning Commission meeting scheduled for December 10, 2024 because no one was present on behalf of the applicant. Mr. Gramo made a motion to table the review which was seconded by Mr. Koenig. The Planning Commission voted 6-0 to table the review to December 10, 2024.

There being no further business, the meeting was adjourned at 7:45pm.

Respectfully submitted,



Meredith Merino
Director of Planning & Development