

MINUTES
September 22, 2020
Milford Township Planning Commission Zoom Meeting
7:00 p.m.

A meeting of Milford Township Planning Board was called to order at 7:00 P.M. by Chairman Robert DiLorenzo through a Zoom call, the contact information for which had been advertised in advance in the Pike County Dispatch. Also present in this Zoom meeting were Members Kevin Stroyan (Vice-Chairman), Peggy Emanuel, Ray Willis, Patrick McCarthy, Solicitor Thomas Farley, and Secretary Shahana Shamim.

Review of Meeting Minutes: Mr. Ray Willis made a motion to accept the minutes of the previous meeting, Peggy Emanuel seconded, and it passed unanimously.

DEPG – Santos’ Property informal presentation (continued): Mr. Doug Olmstead informed that he had sent definitions, which outlined what brewery pub and limited distillery are allowed to do, a little while before the meeting started. He continued that he would incorporate these dos and don’ts into the proposed Amendment to the Zoning Ordinance. The sentence, “the requirement for additional lot area under this Section 307 shall only apply to uses that are not served by Central or Community Sewage Disposal”, would be added to minimum development standards in the Section 307. Mr. Stroyan commented that adding this sentence would void the yard requirement of this section. Mr. Olmstead said that he would provide documents to support that sentence.

Mr. Olmstead said that condominium dwellings, state-licensed brewery pub, state licensed limited distillery, and convenient store were added in the schedule of district regulations, which was on page 19 of the Zoning Ordinance, into the column of conditional uses. He continued that drive-through facilities, wastewater facilities, and water supply facilities were added into the column of accessory uses. The Solicitor commented that a conditional use hearing is not needed for accessory uses, and hence placing drive-through facilities in this column may not be a good idea. Mr. Stroyan commented that wastewater facilities and water supply facilities were supposed to be under subdivision and land development. Mr. DiLorenzo commented that these two items should fall under essential services. He added that the drive-through facility needed to be in the column of conditional uses, as this facility can cause traffic problems.

Mr. Olmstead said that condominium dwellings was added under the column of development standards, and section 431 was added for explaining this item. Mr. Willis commented that section 431 applied to lots of 20 acres only, and some people may have lands of smaller acres, and they might demand doing mixed use also. Mr. DiLorenzo added that the requirement of 20 acres for mixed usage was taken out in the previous year. He further added that smaller lots in the DD district as small as two acres could be allowed to have two apartments and a small business, but some parameters would have to be applied. Mr. Stroyan suggested taking the unusable portion of the lot out of the equation. He added that the section 431 did not add the provision of a common area, and suggested adding it under conservation development, which allows to increase density with the benefit of a bigger common area.

Mr. DiLorenzo suggested putting the definition of condominium under multi-family dwelling definition. The Solicitor added that ownerships are different for apartments and

condominiums. Mr. Olmstead said that he had added this definition in page five of the zoning ordinance. Mr. Stroyan inquired why this item was specifically added into both columns of “conditional uses” and “development standards” while it was already defined as part of the multifamily dwelling structure, or was it because this type of dwelling was being considered as part of the Subdivision and Land Development. Mr. DiLorenzo added that Condominiums cannot be allowed extra density. Mr. Olmstead said that another section, which would allow residential and commercial developments in properties with any number of acreages, would need to be added into the zoning ordinance.

Mr. Stroyan commented that section 409.6 of the Zoning Ordinance mentioned the setback as 200 feet, whereas the proposed change offered 50 feet. Mr. DiLorenzo commented that 50 feet was the width of a road. Mr. Olmstead replied that a separation of 200’ seemed excessive, and also, a road could provide the separation between the residential and the commercial part. Mr. Stroyan said that the section 409.6 needed to be worked on. Mr. DiLorenzo said that placing the parking lot could put a separation between the residential and the commercial part. Mr. Stroyan added that this separation is important for a high-density condominium development. The Solicitor inquired if the developer had any plans for doing the mixed use in the same building. Mr. Olmstead replied ‘no’, as this type of development would not allow the separation between the residential and the commercial development. The Solicitor commented that a transmission line will pass through the Municipality, and hence, these things, such as, how mixed use could be done in smaller lots and how these developments’ heights could be determined, needed to be kept in mind. Mr. Stroyan added that Mr. Shepstone would be able to help with these parameters. Mr. Olmstead said that he was looking forward to receiving this planner’s guidance.

Mr. Fred Weber asked Mr. Olmstead what the developer’s next step would be, in case the proposed change to the zoning ordinance got rejected. The Solicitor said that the developer takes business decisions by considering feedbacks from the Planning Board and residents.

Conditional Use Hearing of Light up the Spectrum at 510 Route 6 & 209, Milford, PA 18337 - Natasha Ferousis: Mr. DiLorenzo suggested tabling this hearing in the next meeting’s agenda, as Ms. Ferousis was not present at this meeting. The Solicitor said that the applicant’s narratives did not cover the Conditional Use Requirement, which is outlined in section 608.1-608.4 of the Zoning Ordinance, and what she had recently submitted was just an updated version of what she had submitted earlier. He continued that it could not be extended to the next meeting’s agenda, as the application would reach the 60-day time limit by the coming Thursday, and the applicant was not present either to give her consent for the extension, and hence denying the application was the only option. He framed the motion as rejecting this application with the understanding that the application did not cover the requirements outlined in sections 608.1 – 608.4 of the Zoning Ordinance. Mr. Stroyan placed this motion, Mr. DiLorenzo seconded, and it passed unanimously. Members asked the Secretary to send an email to the Board of Supervisors asking to waive the fee for conditional Use application in case she would reapply right-away.

Sewage Project – Act 537 Plan Draft: Mr. Stroyan informed the Board that he had asked the Supervisors to extend the time to review the draft of the Act 537 Plan in the Supervisors’ meeting, which was held the previous night. The Supervisors had voted to extend this time by 60 days, and a letter would go out to HRG. The Solicitor inquired if bringing a

professional from HRG was discussed in that meeting. Mr. Stroyan replied that at this point, bringing this professional would be too expensive for this Township, and this professional could be brought in when this Board had more discussion about this draft, and know where they are. He added that the entire workshop time would be devoted for discussing the Act 537 Plan draft. The Solicitor suggested not being present in workshops, as that would save the Township the legal fees. Mr. DiLorenzo said that no decisions would be made in workshops, and Members would write down questions of this draft for the next regular Planning Board meeting. Mr. Stroyan said that these questions would be incorporated into the comments, which would be sent to Mr. Spatz.

Mr. DiLorenzo commented that the chapter 5 indicated that the laundry might need to be limited to only one load per day, and that would be difficult for families with six kids. Mr. Stroyan commented why someone would have the authority to enter somebody's property to dictate what to do with his/her septic after he/she has his/her septic with the acquired permit. The Solicitor added that it would be more appropriate for the Sewage Officer to ring the doorbell of a resident, who has a complaint about his/her septic, than having the Zoning Officer walk around the town to look for septic issues. Mr. DiLorenzo continued that the 1,600-page draft was too long for a Municipality that has only about 1,500 residents. Everybody would need a generator, as the tank for a family of four would fill in two days, while Mr. Spatz had said that the tank would not fill in three/four days. The State Representative had said in Sewage meetings that all residents within 100 feet would have to hook up, and it would not be fair for residents who had just spent \$15,000 for their on-lot septic. Mr. Spatz had said that those grinder pumps would last ten years, but actually those can go bad even after a year. This way maintenance of the property is being dumped on the property owner. Grinder pumps would feel a tremendous back pressure from connections of everybody's two-inch line to the six-inch line. Section 7.3 of the draft talks about getting right of ways from properties for the sewage, that would require the Municipality to get a lawyer, and even eminent domain would happen.

Peggy Emanuel said that one of the options for going through this large draft would be to assign separate sections to each Member. She added that Members, who do not know a lot about sewages, might miss a lot of things that pertain to sewages. Mr. DiLorenzo agreed that some sewage terms, such as, drip irrigation and spray irrigation would be missed by Members who are not knowledgeable about sewages. Mr. McCarthy suggested taking some portions of the draft for all Members to review and highlight their own questions. Mr. Stroyan asked all Members to study the executive summary, chapter one and five of the draft. He commented that DEP had asked to have a meeting with DRBC for this sewer study, and that meeting had never happened. He continued that this board would need to know the parameters set by DRBC for making an informed decision. Westfall Township has the central sewage, but they brought housing, not businesses. Mr. Farley said that what is brought in depends on the choice of the Municipality and the developer. Mr. Stroyan said that he would rather like to see a larger manufacturing facility, an office, or a business, which would employ people, in Santos' property.

Water Shed Protection Plan: Mr. Stroyan informed that he was unable to do more about this item, as there had been a lot. He suggested keeping this item in the agenda for the next meeting

Comprehensive Plan: Mr. Stroyan reported that he had discussed this item in the Supervisors' meeting, which was held the previous night. He continued that Westfall Township

had wanted to have an in-person meeting without a quorum the following week. They would include one of their Supervisors, one of the members of their planning board, and their Zoning Officer. Rachel Hendricks was voted to represent the Board of Supervisors of this Township. Members decided to send Mr. Stroyan and Mr. DiLorenzo to this meeting. Peggy Emanuel said that she had attended the “Growing a Stronger Pike County” webinar, and she learned that Pike County was updating their Comprehensive Plan as well. She added that the flood plain was being updated also.

Emergency Management Plan: Peggy Emanuel reported that she was trying to talk to the representative of UGI to learn about their emergency evacuation plan. She added she and Gary were still reviewing and updating the Borough’s plan for this Township. Mr. Stroyan commented that a serious virus was there, it was important to follow the CDC guidelines, and to be vigilant, as this virus can kill people.

Public Participation/Discussions

None

There was no other business or executive session needed, so at 9:00 P.M., Peggy Emanuel made a motion to adjourn the meeting, Mr. Ray Willis seconded, and it passed unanimously.

Respectfully,

Shahana Shamim

Secretary