

MINUTES
December 28, 2021
Milford Township Planning Commission Hybrid Meeting
560 Rt. 6 & 209
7:00 p.m.

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

Review of December 9, 2021 Workshop Minutes: Mr. Stroyan said that the corrections to minutes needed to be listed in the minutes. He added that the sentence “Members added that if the backroad were to be used, then it would have to be photographed by both Engineers before and after so that there were no arguments later about the prior condition of that road” should be added right after the sentence “The Solicitor added that not allowing that backroad for construction purposes could be a condition”. Mr. DiLorenzo suggested updating the word “inquired” by “asked” in the sentence “Mr. DiLorenzo inquired if they were planning to use the backroad as an entrance, as the construction equipment would be brought in and brought out, and that way it won’t interfere with the traffic on Route 6 & 209”. He clarified that he was not suggesting using the backroad for construction purposes, and he made a motion to accept these minutes with those two corrections. Mr. McCarthy seconded the motion, and it passed unanimously.

Econo-Pak Update: Mr. Stroyan said that the Hearing for Econo-Pak was scheduled for January 13, 2022, he asked the Secretary to provide the proof of advertising, and to setup the presence of a stenographer for the Hearing.

Mr. Fuller explained that he had confirmed with Mr. Pederson, the builder of the project, that the Old Milford Road won’t be used for the construction purpose, only Route 6 & 209 would be used for entering and exiting the site, and that could be a condition of approval. The entrance would be realigned at some point, and that is a part of the land development plan. The rear entrance would be for emergency only, and it won’t be used for the long term access to the site. Mr. Farley’s list of conditions of December 17, 2021 was received, the representatives of Econo-Pak understand all those conditions, and a draft of Developers Agreement would be ready before the scheduled Hearing. The letter from Mr. Nick May, the Superintendent of Milford Municipal Authority, was forwarded to the office, the landscape architect had updated the plan, and he handed those out. More trees were added to cover the parking area, and the interior vegetation, which did not serve any purpose, was eliminated. A dropbox would be created, and anybody would be able to view it via the internet.

Mr. Fuller said that Econo-Pak’s policy to address their truck traffic was asked at the previous meeting, and he read out a written draft of that policy, which included 14 points. He added that he had made the document, which would be finalized before the Hearing, by collaborating with the shipping and receiving departments. Mr. Stroyan commented that the item “f” was about the internal issues, which the Board was not concerned about, and more descriptions about handling traffic congestion needed to be added in the item “g”. He continued that examples of the disclosure that was mentioned in the items “i” and “j” should be provided,

and the related documents would have to be delivered before starting the construction. These items should be current and up to date when the Board approves it, so that those don't have to be worked on afterwards. It was an existing condition on the facility anyway, and it was previously agreed. The annual report should be given to the Supervisors through the Zoning Officer or through the Planning Commission. Mr. Fuller added that he would add emails, bills of lading, and official letters to all the carriers to this policy.

Mr. Stroyan said that appropriate measures, such as how the Fire and EMS would make it, should be made with those departments, and those measures should be added to the condition # 14, which stated that "conditioned upon the Applicant keeping the back entrance to Econo-Pak locked except for emergency purposes". Mr. DiLorenzo added that at a prior meeting, it was discussed that the Fire and EMS personnel would have a coded key for the knoxbox, codes could be made variable, and that way they would be able to make their own code. Mr. Stroyan added that the condition #16, which stated that "conditioned upon the Applicant abiding by the parking requirements as recommended by the Planning Commission and decided upon the Supervisors of Milford Township" is too general, and the clause "if the use of the property changes" needed to be added to it so that Supervisors don't have any problems later. Mr. Fuller added that the use of the property can't be specified by the ordinance, but he would be able to provide a couple of other parking schematics to demonstrate that if there are changes in the number of employees then there would still be adequate parking.

Mr. Stroyan said that the condition #22 stated that "the shade trees will have a minimum caliper of three (3) inches", and Mr. Shepstone should review that. He continued that the word "admission" should be changed to "emission" in the condition #32, which stated that "there should be no activities that shall produce excessive external admissions, noise, or odors". Mr. Weibel had said in one of his initial presentations that they were going to clean up, paint, or a combination for the front of the building, but at the last meeting, he had indicated that he may not have to do that. Mr. DiLorenzo added that the representatives of Econo-Pak had said at one of the meetings that the two garage doors would be closed, and that area would be redone. Mr. Fuller added that the representatives had agreed to make improvements, he was working on the budget and scope of the project with Pederson, and removing dockseals and replacing sidings were included in the scope. Mr. Stroyan added that there were concerns about the monetary figure, the public were only considering the figure that was put on the application, and Mr. Fuller said that the cost of construction was requested for the application. He added that he would make a dropbox with all the information, and he would send that link to the office so that it could be posted on the website for public. Mr. Stroyan asked him to send paper copies also. He also asked Mr. Fuller to make sure that Mr. Shepstone, the Planner, gets all the information.

Lara Anne Dodsworth – Holger and Nadine Plate's Minor Subdivision & Lot Improvement Application – Acceptance: Mr. Stroyan said that the plan was to accept this application that night, but Ms. Holger had informed the Secretary that she was not ready with the updated map. The Secretary said that this application was delivered to the office on November 19, 2021, and she had handed it to the Members at the meeting of November 23, 2021. Members said that this application was discussed at the workshop with the applicant, the application was still incomplete, as the applicant was still working on the required map. The application could not be accepted on that day, and it would not be the official submission date.

Mr. Stroyan said that it was a preexisting nonconforming lot, which the Plates were trying to make larger, and hence it's not being more nonconforming. Mr. DiLorenzo said that the

use of this property had always been agricultural, building permits won't be required, and the barn had been there in the lot prior to the Zoning Ordinance. Mr. Stroyan added that this application could not be put on the January 13th meeting, as that meeting was only advertised for the reorganization and the Hearing for Econo-Pak only, and the applicant was not in a hurry anyway. Mr. DiLorenzo made a motion for the application from Ms. Dodsworth on behalf of Mr. and Mrs. Plate's subdivision/lot combination to be incomplete, Mr. McCarthy seconded, and it passed unanimously.

Zoning Ordinance 407.2 – Review: Mr. DiLorenzo said that this section was about commercial, manufacturing, and other non-residential uses. He continued that according to this section of the ordinance, all facilities and operations of the principal use including the storage of raw material, finished products, fuel, machinery and equipment and any other materials or supplies shall be enclosed and carried out within a building; or shall, as required by the Township, be provided with larger setbacks and/or buffers to afford protection to adjoining uses and any public road rights-of-way. Storage of materials supplies or products in motor vehicles, truck trailers or other containers normally used to transport materials shall not be permitted. However, not more than two (2) licensed trailers, maintained in good condition, shall be permitted for such storage over the course of a construction project, not to exceed two (2) years. The placement of said trailers shall also require a permit from the Township, shall meet the setback requirements of this Ordinance and shall not be used for the storage of any flammable or hazardous material.

Mr. DiLorenzo inquired if 20 excavators are being used then how and where would those be put in a garage. He continued that Mr. Tom Station had applied for two job boxes in his conditional use, and those are not permitted in the Township. Outside storages are for commercial businesses, a fence could be required, or everything could be required to be stored behind the building. Businesses need to have job boxes and trailers, how many they can have needed to be thought about, and it could be discussed at the next meeting. Mr. McCarthy said that there might be a time limit for keeping these job boxes and trailers. Mr. DiLorenzo said that if the trailers are in good shape and are licensed, then the maximum time that those are allowed to be there is two years. He added that Sawkill Power Equipment won't be able to keep their equipment outside. Mr. Stroyan added that it implies that if you have a commercial property then you cannot have anything in the yard, and that defeats the whole purpose of the contractor having a yard. He added that the board should ask for Mr. Shepstone's opinion on that, and there might be a happy mediation. He added that the Supervisors needed to be aware of that also so that they could provide their opinions. Mr. DiLorenzo suggested taking it to the Board of Supervisors after receiving Mr. Shepstone's opinion. Mr. Stroyan made a motion for the Secretary to write a letter to Mr. Shepstone asking him to review this section of the Ordinance, and to provide his opinion about it.

Making the Zoning map official: Mr. DiLorenzo said that he still hadn't received the map from the County. Mr. Stroyan asked to table this item at the next regular meeting.

Emergency Management Plan: Mr. Stroyan asked to table this item at the next regular meeting.

Sewage Project – Draft of Act 537 Plan: Mr. Stroyan said that the minutes of HRG’s December 13th meeting included a list of the wells that would be tested in the township. He added that the Township should not pay for this testing. Mr. DiLorenzo said that he was present at this meeting, and he himself had written the minutes also. He continued that HRG had asked Milford Water Authority, as it would be very cheap for them to do the testing. HRG was also asking for permission from Milford Township for the testing, people have their rights to say that they won’t allow their wells to be tested, and this Township cannot answer for the people. HRG had stated in their prior meetings that they were responsible for writing the Plan to DEP and get it approved, and everything in between was supposed to be cost-free. Now they are saying that the Township didn’t sign for the well testing and some other stuff, and they are pushing those towards the Municipalities.

Mr. Stroyan said that the minutes from HRG’s December 13, 2021 meeting had included some follow up items to be completed after the meeting. He read out those follow up items, and he commented that it was a push to shift responsibilities towards other parties. He continued that these should have been discussed with DEP even before writing the plan. The statements “HRG was to send inter-municipal agreement samples to the Municipalities who will coordinate with their Solicitors. The Municipalities were to work on inter-municipal agreements to address the remaining outstanding commitments and rates” are asks for money. He inquired who would do the “well sampling”, which was stated in the statement, “HRG was to send a list of suspected wells and sampling requirements to the Municipalities, and the Municipalities were to determine who would complete the well sampling”.

Mr. Dilorenzo said that HRG might call for another public meeting where all four Municipalities can come, and they will take questions to answer. He added that HRG hadn’t signed for these meetings, and that would have to be built on. Mr. Stroyan added that HRG should answer to DEP’s comments, and they should not need any further information from the Municipalities. He further that according to those minutes, Mr. Frank Turquinio was supposed have Milford Water Authority test the wells of Milford township and Westfall Township, and that was supposed to be cost-free. Mr. Dilorenzo added that water testing would not be free. He added that HRG didn’t even know about the well in Wheatfield Village, he had told them that that’s the well that’s closest to the proposed Sewer line, and they finally added that well to make the total number of wells to be 10 in Milford Township. Mr. Stroyan added that some of the wells that are listed under Westfall Township are actually in Milford Township.

Mr. Stroyan suggested asking the Board of Supervisors what the financial impact on the Township is going to be. Mr. DiLorenzo said that that is a good question to ask, as it was brought up at the meeting that all four Municipalities had accepted the Act 537 Plan while he thought that the Township had agreed only to move forward with this Plan. He continued that a lot of questions were put together for HRG, they never answered to those questions, and that was mentioned in DEP’s response letter. HRG’s answers to the questions were that this Township is not a part of it, this Township should not have a say, and now they are saying that this Township had agreed to the Act 537 Plan, which is 1,600 pages long. Mr. Stroyan added that the plan that is not complete cannot be adopted, and that incomplete plan should be left right there. Mr. DiLorenzo added that the Township needs to know what additional cost is required, and this Township should not pay anything. He continued that this Township had agreed to allow the Sewer line to be just a transmission line for this Township, the Milford Municipal Authority had agreed to maintain the line from Westfall Township to Milford Borough, and this Township

should not pay for the pipe that it's not using. Mr. Stroyan asked the Secretary to write a letter to the Board of Supervisors asking what their position is on the Act 537 Plan.

Fred Weber inquired what HRG was trying to accomplish with the well testing. Mr. Stroyan replied that this testing would tell if the Central Sewer were actually needed or not. He added that this Township has farmlands with wells, and hence those tests would most likely be positive. He further added that HRG was probably too busy putting together the documents that had already existed, and they probably neglected to write their own portion. Mr. DiLorenzo added that HRG had never submitter the antidegradation letter, which is a requirement for a Central Sewage, to DEP. Mr. Weber added that HRG never sat with PADEP to figure out what else would be required for that draft document to pass. Mr. Stroyan added that it was not actually a review of the document, but just a review of the completeness of the submission. He continued if something is not complete, then they should absorb it, and that's how businesses are supposed to run. HRG is not willing to do that, and they just want somebody to pay for it. Mr. Weber added that although this Sewer line is a pass through, if anybody in this Township wants to hookup, then they can, and that aspect was not considered in the Plan. Mr. DiLorenzo said that they would have to show a sewage module if they want to hookup, and they would have to bear their own expense. Mr. Stroyan added that the Sewer line was supposed to be only for the Commercial properties, but 400 apartments were added right next to the Sewer Plant. He asked what impact that would have on the volume that is available.

Mr. Weber said that the Borough keeps indicating that their intention was to charge no tapping fees, and not to make everyone hook up. Mr. DiLorenzo added that as long as the loan money and grant money are being used, everybody within 100'-150' would have to hookup, and that would be decided by the State. Mr. Stroyan added that there have to be enough users to pay the loan back, and enough users would be required to sustain the system. Mr. DiLorenzo added that grant monies come along with the mandatory hookups. Mr. Weber said that HRG had stated in the minutes that they needed to include hookup fees and mandatory hookups, somebody in the Borough had stated that they were not planning to do that, and that would be a surprise for the rest of the Municipalities when they apply for the loan or the grant money. He added that Milford Borough should share it with the rest of the Municipalities.

Public Participation/Discussions:

None

There was no other business or executive session needed, so at 8:18 P.M., Mr. DiLorenzo made a motion to adjourn the meeting, Mr. Stroyan seconded, and it passed unanimously.

Respectfully,

Shahana Shamim
Secretary