

April 23, 2019

A scheduled meeting of the Milford Township Planning Board was called to order at 7 P.M. by Mr. James SeChrist, followed by the Pledge of Allegiance. Also present were other Members Robert DiLorenzo, Kevin Nearing, Viola K. Canouse (Secretary/Member), Alternate Member Larry Kotar, Solicitor Anthony Magnotta, and Assistant Secretary Shahana Shamim.

Larry Kotar made a motion to make James SeChrist the Chairman, Kevin Nearing seconded, and it was passed unanimously. Mr. Kotar also made a motion to make Kevin Nearing the Vice-Chairman of the Board, Mr. DiLorenzo seconded, and it was passed unanimously. The Board voted to keep Viola Canouse as the Secretary, and appoint Shahana Shamim as the Alternate Secretary of the Board.

A motion was made by Mr. DiLorenzo, seconded by James SeChrist, and passed unanimously to approve the minutes of the previous meeting.

Attorney Anthony Waldron presented the application of Delaware Highlands Conservancy for lot consolidation. He informed that Richard Snyder, who was the owner of this 72-acre land, passed away in November of 2014. Mr. Waldron continued that two very small (less than one acre) parcels needed to be consolidated to a larger parcel. The second parcel (parcel #3), which was 23 acres, would remain unchanged. There were already two homes and a barn in the property. He added that only one additional house could be built, and the requirement of the conservation easement would restrict commercial developments in that piece of land. It could be utilized as a farm or as a community property. Mr. Magnotta asked him to include the type of zoning in the plan. Mr. DiLorenzo asked to wait for comments from the Zoning Officer and Pike County Planning. He also asked to include buildings in the lots under consideration. A petition was sent to Pike County Court for approval. The Solicitor informed that this application would be sent to Pike County Planning. Mr. DiLorenzo made a motion to recommend approval contingent upon the comments of the Zoning Officer and Pike County Planning, Mr. SeChrist seconded, and it was passed unanimously. Members decided to sign on the updated plan.

Build-out Analysis:

The Solicitor reviewed the amended proposed ordinance and the build-out analysis. He explained that this analysis was done based on three scenarios: 3,000 square feet per dwelling unit (for the amended proposed ordinance), 30,000 square feet per dwelling unit, and 3,700 square feet per dwelling unit. The build-out analysis showed the list of all the parcels, which were 20 acres or more, in the DD Zone. It included the calculations of how many units could be built. Act 319 dictates nature preservation in some areas of DD Zone, and hence no developments can be done in those parcels. According to the analysis, 665-677 dwelling units could be built with the existing Ordinance, and 6,693-6,803 dwelling units could be built with the proposed Ordinance. Using 3,700 Square feet per dwelling unit would allow to build 5,426-5,514 dwelling units. This calculation was done, as the Ordinance does not include excluding the

acreage for the parking spaces. The Santos' property was 28.12 acres. The Solicitor replied that the GIS map was used for making the build-out analysis, and hence it only shows the parcels that have the acreage of 20 acres or more.

James SeChrist pointed out that the residential, commercial, and mixed uses needed to be clearly defined in the Zoning Ordinance. The Solicitor replied that the current Zoning Ordinance allows 25% of the property to be residential and 65% to be commercial. Mr. DiLorenzo suggested including a second entrance for emergencies. The Solicitor replied that the paragraph 'L' of the Section 409.4 allows the Supervisors to impose conditions, such as emergency management, fire service etc. on such multifamily dwellings. Mr. DiLorenzo said that two entrances may not be allowed in a State Highway. The Solicitor replied that obtaining a Highway Occupancy Permit could be an option for this case. Mr. SeChrist handed some questions and suggestions in the proposed Ordinance to the Solicitor. Mr. SeChrist also inquired why 4' of sidewalk was being proposed in the proposed ordinance, whereas on 3' was required for a sidewalk in the current Zoning Ordinance. The Solicitor replied that 4' sidewalks would be safer. Mr. SeChrist said that 100 dwelling units in a 20-acre land meant four dwelling units could be fit in an acre. He also wanted the lot coverages in the Ordinance#414.4 to be defined more clearly. The Solicitor replied maximum 65% (75% with permission) could be used for the mixed purposes in such parcels. Mr. Gary Clark was present at the meeting. He said that the percentage of lot coverage could be increased if the public central sewage is available, as septic area is not needed in this case.

The Solicitor inquired about 409.7A to Mr. SeChrist. Mr. SeChrist said that this specific Ordinance states four dwelling units per acre, and this statement allows 80 apartments in a 20-acre land. Mr. SeChrist said that this number could be changed to five from four to make it 100 apartments in a 20-acre land.

Mr. SeChrist inquired if version control could be done by the Planning Board after the Supervisors approved the Zoning Ordinance. The Solicitor replied that the new versions usually are sent to Mr. Shepstone, the consultant, and then he returns a pdf file back to the Township. Mr. SeChrist said that he would ask at the next Supervisors' meeting if the Planning Board could control the versions the of the Zoning Ordinance. The Solicitor and the Planning Board Members inquired if the Pike County Planning had sent their comments about the Amended proposal of the Zoning Ordinance and the Build-out analysis. The Assistant Secretary replied 'no'.

The Solicitor and Mr. SeChrist agreed on working on the definitions of mixed use. Mr. SeChrist said that he would send his questions and suggestions to everybody through by email.

Change of the Zoning Ordinance# 413.3 and 413.4

Shahana informed the Members that the Zoning Officer had incorporated their suggestions into this Ordinance, and she had sent this update to Pike County Planning for their comments. The Solicitor recommended approving these changes contingent upon the comments of Pike County Planning. Mr. DiLorenzo made a motion to recommend this change of Ordinance to move to the Board of Supervisors for adoption contingent upon the comments of Pike County Planning, Mr. SeChrist seconded, and it was passed unanimously.

Public Comments: Mr. Fred Weber from Milford Borough inquired what the timeline was for adopting the proposed amendment to the Zoning Ordinance. Mr. SeChrist replied that he would add some suggestions to this proposed Ordinance. He added that the Planning Board would wait for the comments of Pike County Planning before taking any steps. Peggy Emanuel from Milford Township asked the Members to take time before making this drastic change to the Zoning Ordinance. Patricia Lutfy from Delaware Township suggested following the Comprehensive Plan for perceiving the impact of the change of the Zoning Ordinance. She also said that Comprehensive Plans could be updated every ten years or so. Gary Clark said that the Comprehensive Plan was already being updated.

Another resident from Milford Township inquired how many bedrooms would there be in the buildings of the Santos' property. The Members replied that there were no plans developed as of then. This resident inquired how many pieces of land would be affected by this change in Zoning Ordinance. The Solicitor replied that 11 properties in the DD Zone met the acreage requirement for this Zoning Ordinance. Eight of these properties were part of the federal lands or subject to conservation easement, and hence nothing would be built on these properties. He added that there are three such lands on Rt. 209 and five on Rt. 6. This resident further inquired if the Board thought the build-out analysis was complete. Mr. SeChrist replied that Ms. Sarcinello had done the analysis on the bases of 30,000 square feet, 3,000 square feet, and 3,700 square feet for a single dwelling unit, but she could have done more calculations with an in-between square-footage criterion. This resident inquired if the developer could be mandated to build a mixed-use property, and not stop building after building the residential units. The Solicitor replied that there will be a bond to ensure the building of a mixed-use property. He added that the developer would be required to deposit money into the escrow account before starting the construction. The bond is usually 110% of the construction cost. The Solicitor also informed that some approvals, such as, Zoning, building, and subdivision are required before starting any constructions. Other approvals from outside agencies, such as DEP, County Conservation approvals (for storm water), PennDOT (for highway occupancy permit) are also required before starting any constructions. Ms. Dodd from Milford Township inquired if this mixed-use was already being built or if it was still a proposal. The Members replied that it was still a proposal for changing the Zoning Ordinance.

Gary Clark welcomed the new Members. He also thanked all the Members for doing an excellent job.

There being no further businesses to come before the Members, a motion was made by Mr. DiLorenzo, seconded by Mr. SeChrist, and passed unanimously to adjourn. The adjournment was at 8:20 P.M.