

# MINUTES

May 28, 2019

Milford Township Building  
560 Route 6 & 209, Milford PA  
7:00 p.m.

1. Call to Order and Pledge of Allegiance: At 1900hrs the meeting was called to order by Chairman Mr. James SeChrist, followed by the Pledge of Allegiance. The following

Member/Title	Present
Kevin Nearing/Vice Chairman	Yes
Robert DiLorenzo/Member	Yes
Larry Kotar/Member	Yes
Anthony Magnotta/Solicitor	Yes
Shawn Bolles, Zoning Officer	No
Shahana Shamin/Assistant Secretary	Yes

2. **Review of Meeting Minutes:** Mr. SeChrist made a motion to approve the meeting minutes from the 13 May 19 Workshop and the 23 Apr 19 Board Meeting; *Seconded by Mr. Nearing and passed unanimously.*
3. **Snyder Property Discussion and Status:** Attorney Waldron representing the Snyder Property presented a revised survey map with aerial photographs that depicted the current state of the buildings, private road and pond along with waivers per 403.2 of MTS Zoning Ordinance. Attorney Waldron informed the board that the Snyder Trust would like to remove the lines from Parcel 1 and 4 and create 2R to include 1 and 4 and that there is a conservation easement and there is going to be no SALDO Development. The board reviewed the map and agreed that Shawn Bolles the Zoning Officer would have to review the drawing which will be provided to him on 5/29/2019.

4. **Kennel Amendment (Removal of LG only allowing DD):** The Township Supervisor returned the kennel amendment as there were concerns from residents in regards to allowing future kennels in the low growth (LG) area and suggested that LG be removed going forward. The board discussed this Mr. DiLorenzo stated that LG originally had more open space and could support kennels and that is why it was in the ordinance.

Mr. SeChrist made a motion to remove LG from the amendment and only have the Development District (DD) for future kennel usage; *Seconded by Mr. Nearing and passed unanimously.*

5. **Milford Township (MT) Mixed Usage Amendment Wording:** The Board went through the proposed final wording for the mixed usage amendment and the following adjustments were made:

- Page 1 Contiguous Acreage Definition: Add “Or under control of a third party” at the end of line two.
- Page 1 & 2 Dwelling Structure Definition: Section D;
  - Change Apartments to Dwelling Units (DU)
  - Change 20 acres parcels or greater are limited to only one hundred (100) apartments.. to: 20 acre parcels or greater are limited to a maximum of one hundred (100) Dwelling Units
- Page 2 Mixed Usage Definition:
  - Change the second word in the definition from building to parcel
  - Line 9 add non-residential after residential and before office
- Page 3 409.2 Parcel Size and Density Section D;
  - Change the last paragraph in section D from: In the event that the development is to be serviced by connection to municipal central sewage disposal system, the maximum number of apartments per 20 acres or greater is one hundred (100) apartment provided that:
  - **To read:** In the event that the development is to be serviced by connection to municipal central sewage disposal system, the maximum number of dwelling units per 20 acres or greater is a maximum of one hundred (100) provided that:
  - D2 insert per unit
  - D3 change from: That no more than one hundred (100) residential single family apartments within a multi-family dwelling complex shall be allowed.

**To read:** That no more than one hundred (100) residential dwelling units within a multi-family dwelling complex shall be allowed.

- Page 3 409.4 Design Criteria Section A;
  - Change from: There shall be no more than ten (10) dwelling units in each multi-family building outside of the development district. For Mixed Usage in the Development District each there shall be no more than thirty dwelling units in each multi-family building”.
  - **To Read:** There shall be no more than ten (10) dwelling units in each multi-family building. For Mixed Usage in the Development District there shall be no more than twenty five (25) dwelling units in each dwelling unit building.
- Page 4 409.6 Non-Residential Use
  - Change from: Non-Residential uses shall be conditional use in the DD zone limited to retail and service establishments and shall be subject to review by the Board of Supervisors who shall impose reasonable conditions upon the uses upon the same parcel.
  - **To Read:** Mixed Usage Development non-residential uses shall be conditional use in the DD zone which shall be subject to review by the Board of Supervisors who shall impose reasonable conditions upon the uses and review usage for compatibility.
- Page 5 414.4 Permitted Lot Coverage
  - Change Table from:

Lot Area	Permitted Lot Coverage	Minimum Yards
0-5 Acres	65%	30 feet
5-10 Acres	65%	40 feet
10-20 Acres	65%	75 feet
20-50 Acres	65%	100 feet
50+ Acres	50%	150 feet

For mixed use parcels of 20 acres or more the total lot coverage is 65%.

- **To Read:**

Lot Area	Permitted Lot Coverage	Minimum Yards
0-5 Acres	65%	30 feet
5-10 Acres	65%	40 feet
10-20 Acres	65%	75 feet
20-50 Acres	65%	100 feet
50+ Acres	50%	150 feet

<i>Mixed Usage</i>		
<i>Lot Area</i>	<i>Permitted Lot Coverage</i>	<i>Minimum Yard</i>
<i>20+ Acres</i>	<i>65%</i>	<i>100 feet</i>

- Page 6 DD Table Development Standards far right column
  - Change from: Lots of 20 Acres or more serviced with connection to a municipal central sewage disposal for mixed usage may have a maximum of 100 Apartments
  - **To Read:** Lots of 20 Acres or more serviced with connection to a municipal central sewage disposal for mixed usage may have a maximum of 100 Dwelling Units

**Public Comments:**

Rachel Hendricks:

Question#1: The second page of the proposed Ordinance writes “buildings that are to be situated on 20 acre parcels or greater are limited to only one hundred (100) apartments.” The word “only” looks like making 100 dwelling units is mandatory. The members changed the word “only” to “maximum”.

Question#2: Why do you think the number 100 for dwelling units is appropriate? Mr. SeChrist replied that the number of the dwelling units that can be built, the number of corresponding parking spaces, and population growth was studied in the build-out analysis. One hundred dwelling units per 20-acre parcel seems perfect. The main condition here is the availability of the central public sewage system. Rivers Edge and Milford Landing are perfect examples, and these developments are doing fine.

Question#3: Why do you call developing 100 dwelling units per 20-acres in DD Zone a win-win? Mr. SeChrist replied that it will promote a controlled growth, whereas calculating the number of dwelling units with square-footage (3,000 or 30,000 square foot per dwelling unit etc.) gives a huge number of new dwelling units. Mr. SeChrist added that this controlled growth will help with taxes. Mr. Kotar and Mr. Nearing said that the build-out analysis shows that the maximum of 100 dwelling units is a good number.

Question#4: What is mud-free? The Solicitor replied that that word meant paved.

Comment: The percentage of the lot coverage for the residential units is not mentioned anywhere anymore. Robert DiLorenzo replied that it would be an overall certain percentage (65% for a 20-

acre land) for the mixed use. He added that the setback requirement, which is outlined in the ordinance, must be maintained.

Question# 5: Is there a definition of the phrase “good cause”? The Solicitor replied that it is a matter of discussion by the Board of Supervisors.

Question# 6: Does storm water improvement have to be 50’ away from the property line? Mr. DiLorenzo replied that the storm water basin has to be within the setback.

Question# 7: Are the conditional uses of the DD Development District being negated for 20-acre lands, as the proposed Ordinance 409.6 includes only retail and service establishments as the conditional use? This would take away job opportunities. She commented that offices will not be incompatible with residential uses. Mr. Magnotta suggested adding the non-residential uses to be reviewed by the Supervisors.

Question# 8: If that is the case will the Supervisors be able to decline conditional uses? Mr. Magnotta replied said ‘yes’ if the proposed conditional uses do not provide quality of life to the residents.

Question# 9: Who should be the best help in making the right decision about changing the existing Zoning Ordinance? The Members replied that we do have enough green area here, and growth is needed at the same time.

Peggy Emanuel:

Question: Milford Landing has townhomes, not apartments. Mr. SeChrist said that he was told that there were only 50 townhomes, but actually there are 164 dwelling units. He added that these townhomes are doing fine with the central sewage system.

Fred Weber:

Comment: The traffic analysis, tax increase, and ambulance services associated with the density increase was not discussed in Mr. SeChrist’s build-out analysis. Mr. SeChrist replied that the increase of population and parking spaces were included in his build-out analysis.

Question# 1: What is the timeline for passing the Planning Board’s decision to the Board of Supervisors? Mr. SeChrist replied that he was ready to make a motion that night.

Question# 2: Why is Attorney Ohliger helping to make decisions? Mr. Magnotta replied that everybody is allowed to attend public meetings, and everybody can help in making decisions

Patricia Lutfy:

Comment: This decision should not be rushed, as some staff from the Department of Community and Economic Development (DCED) was planning to attend the next Planning Board workshop scheduled for June 10, 2019. Mr. SeChrist replied that this organization never contacted Milford Township.

Barbara DeVries:

Question#1: Is there an existing Ordinance? And why is this Ordinance being changed? The Solicitor explained the existing Ordinance did not include the mixed usage.

Question# 2: What is being implemented? The Solicitor explained the history and cause of the expansion of the sewage from Westfall Township to Milford Borough through Milford Township.

Question# 3: Why don't you change the Ordinance after the sewage is actually expanded? The Solicitor replied that Milford Township got a request to consider changing the existing Ordinance, and that is why the Supervisors and Planning Board were discussing this change of Ordinance.

Doug Olmstead:

Comment: The mixed-usage alone is good enough, and multi-use can be eliminated. Mr. Ohliger suggested using mixed-use building or parcel. Mr. Olmstead also explained why the square-footage of parking spaces is 350 square feet. He said that although the area requirement of each parking space is 10' X 20' (=200 square foot), the remaining square-footage comes from the area required to access that parking space.

Mr. SeChrist made a motion to make the above changes and forward recommendations to the county and supervisor for consideration; Seconded by Mr. Nearing and the motion failed as the vote was two for (SeChrist/Nearing) and two against (DiLorenzo/Kotar).

**6. Short Term Vacation Rentals:** Mr. Magnotta updated the Township on the Decision of the Pennsylvania Supreme Court on April 26, 2019 Slice of Life, LLC and Val Kleyman v. Hamilton Township Zoning Board and Hamilton Township (Short Team Vacation Rentals).

**7. Adjournment:** Mr. SeChrist made a motion for adjournment at 8:48 P.M. ; Seconded by Mr. Nearing and passed unanimously.

**Agenda Items Not Covered Due to Time Constraints Tabled for Inclusion on future Agendas:**

- Introduction of Act 43 of 2017, Section 2402 Proposed Fireworks Ordinance/Discussion
- Board Discussion (Annual Report/Comprehensive Plan Per MCP and Master Ordinance List)