

MINUTES
July 28, 2020
Milford Township Planning Commission Zoom Meeting
7:00 p.m.

A meeting of Milford Township Planning Board was called to order at 7:10 P.M. by Chairman Robert DiLorenzo through a Zoom call, the contact information for which had been advertised in advance in the Pocono Record. Also present in this teleconference meeting were Kevin Stroyan (Vice-Chairman), Patrick McCarthy (Member), Peggy Emanuel (Member), Ray Willis (Member), Solicitor Thomas Farley, Zoning Officer Shawn Bolles, and Secretary Shahana Shamim.

Review of Meeting Minutes:

Mr. Stroyan made a motion to accept the suggested minutes with some minor corrections, Mr. DiLorenzo seconded, and it was passed unanimously.

Formal Application for Conditional Use Hearing of Light up the Spectrum - Natasha Ferousis:

The Solicitor said that he had reviewed Natasha Ferousis' application. He added that Members could ask her questions so that a public hearing could be conducted at the next Planning Board meeting, and this Hearing would need to be advertised. Ms. Ferousis informed that she had worked as the direct chair with companies for individuals with developmental disabilities, and she was looking to use Suite 101 of the Bon Secours building for events, classes, sensory activities, progress monitoring, and support in the Bon Secours building for seniors and people with developmental disabilities and autism. She added that she would be renting the whole cul-de-sac area (water play area, sensory room, ball pit, conference room, kitchen, and bathroom). The Solicitor informed her that the square footage that she would be using, and the area of parking was important. Mr. DiLorenzo commented that the application looked like 2,000 -2,500 square foot would be used. Mr. Stroyan commented that it would be important to know how much parking was allocated for the portion of that building, as this facility's building would affect the other tenant's parking. He added that the applicant needed to be ready with the number of people she would be expecting and the parking information for the Conditional Use Hearing, which would be held at the next Planning Board Meeting. Members also asked her to be ready with other information, such as, if all rooms would be occupied at the same time, what kinds of classes would be held in those rooms, what kind of professionals would be working, what kind of insurances she has, if she would be teaching all by herself, and if she would hire some professionals to help her run the business. Shawn, the Zoning Officer, said that the Hearing would have to be advertised for two consecutive weeks between 7 - 30 days before the hearing. The Secretary informed that these two ads might total \$50-\$60. The Solicitor and Members asked the Secretary to place these ads in the Pike County Dispatch.

DEPG – Santos' Property informal presentation:

Mr. Olmstead said that he had sent all the proposed Amendments in the one whole document of the Zoning Ordinance. Mr. Depetris informed that they were retail developers, and they were building a Mixed-Use property in Smithfield Township. He continued that the four retail sections (and probably the residential development) would be retained and managed by

DEPG. The residential portion, which would include 48 condos, would be developed by a residential developer. Mr. Olmstead added that the land under consideration would be developed as a single piece of land, which would be an overlay of residential and commercial development. Mr. Stroyan inquired if this piece of land would remain one piece in perpetuity. Mr. Farley said that developers would need the Township's permission to subdivide this piece of land. He added that the residential portion (condominiums) could be subdivided from the original piece of this land, but that could happen by condominium rules. DEPG would be the manager of the proposed development, but own 51% of this project. Mr. Depetris added that they had done three condominium projects, and they had been maintaining their control on these projects. Mr. Stroyan asked how long they would maintain this 51% ownership. Mr. DePetris replied that he was planning to hold onto this percentage, but he didn't know what would happen in the far future. Mr. Olmstead said that he would provide documents for clarifying how the percentages of the ownership and maintenance agreement go together.

Mr. DiLorenzo commented that although this Board had received the Proposed Amendment from DEPG in an appropriate format, it would still need more time to review, as a lot of portions are being proposed to be amended. Mr. Stroyan inquired how the drive through facility was being planned to be used. Mr. Olmstead replied that this facility was planned for a fast food restaurant and a coffee shop. He added that he would be able to provide a global definition of a drive through facility, which could be used for more purposes, such as banks and pharmacies. Mr. Stroyan asked why the definition of a Convenience Store was being amended. Mr. Olmstead replied that the proposed definition would fit better for the present time. Mr. Willis said that the average area for convenience stores is about 3,000 – 3,500 square foot, and the convenience store, which was being proposed, was 7,000 square feet, which is unusually massive. Mr. Stroyan added that such a large convenience store would lead to a traffic study, as such a massive convenience store would create a lot of traffic. Mr. Stroyan inquired what the phrase "Lots would be separated by roads or water" meant. Mr. Olmstead replied that developments on both sides (north and south) of the three-lane development would be considered a one single cohesive development in case the north side of the road was developed also. Mr. DiLorenzo said that it would be better to have a plan of this whole project if the north side of the three-lane would be developed also. Mr. DePetris replied that he was focusing on the south side of the three-lane for the time being.

3. Sewage Project: Mr. Stroyan commented that in the executive summary of Act 537 draft, it is stated that the On-lot sewage maintenance disposal system (OLDS) ordinance shall be adopted. He added that the OLDS ordinance states that this ordinance affects each property in the municipality, whereas the Act 537 states that properties which are not close to the corridor won't be affected. The Solicitor commented that the Delaware Township had adopted this ordinance, there were a fee and a cost, and it enforced inspections every other year. People of that Township did not like this ordinance, and hence this ordinance was not enforced. He added that he would send this ordinance to the Township. Mr. DiLorenzo said that he would ask for permission from the Supervisors for the Planning Board to review the draft of Act 537. The Solicitor said that Milford Township is not mentioned in the cost calculation portion of this draft, and that implied that Milford Township would not have to pay for extending the Public Central Sewage. Mr. Ray Willis commented that it would be unfair to ask property owners, whose septic systems are working well, to hook up to the Central Sewage. Mr. DiLorenzo added that he had been the Sewage

Enforcement Officer for the past 32 years, and he had seen septic systems remain fine without pumping for 18-20 years. He further added that these septic systems even kept functioning properly even after they were pumped. Peggy Emanuel inquired what the time frame was for providing comments for the draft of Act 537 Plan. Mr. Stroyan said that the Task Activity Report, which DEP had not provided as of then, needed to be done before approving this Plan, and hence there was plenty of time for making comments on this draft.

4. Comprehensive Plan

Mr. Stroyan informed that he had spoken with Mr. Shepstone, and he had suggested advertising the Survey Monkey under the news release instead of under the legal notice. Mr. Stroyan asked the Secretary to forward the request letter for formally starting a Joint Comprehensive Plan with Westfall Township.

6. Emergency Management Plan

Mr. DiLorenzo informed that Mr. Gary M. Williams had joined to work on this Plan. He continued that Ms. Emanuel was writing that Plan and Supervisors needed to review it whenever that draft was complete. Mr. Williams would be able to provide a list of equipment the Township has. The Township building could be used for Emergency Management Communications. The building has the backup generator, and hence this building could also be added into the list. Mr. Stroyan added that this building has a warehousing capability, and Mr. Willis added that the building is secured. Mr. Willis further added that a coordinated effort could be carried out, as this building has a centralized open space, which allows helicopter landing.

7. Public Participation/Discussions

Patricia Lutfy expressed her appreciation for Mr. Farley's approach of reviewing by-laws of condominiums. She also requested Members to review Short Term Rentals and townhomes. She continued that she was not in favor of DEPG/Legend Properties' development plan, as Mr. DePetris had said that he was the owner of 51% of this development, but he had 100% control over it. Owners of townhomes own the interior and the exterior (including the land) portion, whereas in the case of condos, owners own the interior part only. Mr. Farley said that the Pennsylvania Supreme court said that Short Term Rentals could be regulated. He added that Mr. Stroyan had a valid point of DEPG/Legend Properties proposing to count the parking by the gas station as a parking spot, and this proposal would reduce the amount of parking that the Township has in its Zoning Ordinance. Erika Burnett commented that a 7,000 square foot gas station would bring a lot of traffic and noise, and most people won't want to live behind that. She added that Mr. DePetris had said that the caliber of these condos would be high, but no pools or recreational facilities were ever mentioned.

There was no other business or executive session needed, so Ms. Emanuel made a motion to adjourn, Mr. Patrick McCarthy seconded, and it was passed unanimously. Adjournment was at 9:30 P.M.

Respectfully,

Shahana Shamim
Secretary