

MINUTES
May 5, 2021
Milford Township Planning Commission Zoom Workshop
7:00 p.m.

A workshop 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 Pocono Record. Also present in this Zoom workshop were Solicitor Thomas Farley, Members Kevin Stroyan (Vice-Chairman), Ray Willis, Patrick McCarthy, Peggy Emanuel, and Secretary Shahana Shamim.

Mr. DiLorenzo commented that the minutes of April 27, 2021 were submitted to the Members. Mr. Stroyan added that these minutes would be approved in the next Planning Board meeting, which is scheduled for May 25, 2021. The Solicitor added that the conditions for LC Station would have to be sent to the Board of Supervisors, and Mr. Stroyan confirmed that Planning Commission's recommendation was sent to the Board of Supervisors.

UGI Utilities, Inc. – Plan Changes - Application review for Completeness/Deficiencies: Mr. Jeffrey Ott said that the list of conditional use, which was in 2020, was added to the plan, as this Board had requested. He added that some items would be installed immediately, and some items would be installed in the future. Mr. Stroyan commented that a time frame for the future installations needed to be specified in this plan. He added that the previous plan was approved about a year ago, and now this company is coming back with a new plan with proposals of future installations. Chuck replied that 2-3 years is achievable. Jeff added that the upper management had asked to reduce the project, as the cost for constructing the approved plan had exceeded the budget. He added that according to the Municipal Planning Codes, applicants need to come back to the Planning Commission if the approved plan is not implemented within five years. The Solicitor suggested modifying condition #11 by adding the time frame of five years and coming back if the plan is not implemented in this time frame. He added that this time frame would allow them to do more Engineering work.

In reply to Mr. McCarthy's inquiry, Mr. Ott replied that the gate card reader was a safety feature, which would be installed in the future, as the budget came out short. In reply to Mr. Willis' question, he said that the sliding gate is about 60-65' away from the highway. Mr. Tom Happel said that he had communicated with Grimm Construction, and he had learned that the work could not be started before December 1st. Mr. DiLorenzo suggested cleaning up the property in the meantime. Mr. McCarthy added that cleaning up would help in moving ahead, and it would be easy to see what's going on. Mr. DiLorenzo added that the prior conditions would need to be met also, and the Zoning Officer can find the original conditions, which were placed prior to the conditions that were approved in 2020.

Mr. Stroyan said that Energy Services, Tennessee, and UGI are the three entities that exist on this piece of property, and hence the enforcement can be confusing. A representative of UGI replied that UGI owns the building at the front, the trailer, and the Knox box, Tennessee Gas owns some of the building on the back, and Energy Service has a portion of the rig station. He added that the portion of the property where Tennessee Gas building is, is not owned by UGI, but by Tennessee Gas, and they had agreed to clean the Tennessee Gas' building. Mr. DiLorenzo commented that according to the County map, UGI owns the whole property, is a little over an

acre, and Tennessee Gas is not mentioned anywhere in that property. He continued that UGI might own the whole property, or it might be a 100-year lease, in which case UGI would have a lot of say. Lands under an acre cannot be subdivided. He asked the representatives to provide a copy of the lease with Tennessee Gas, and Mr. Stroyan added that the deed needed to be confirmed. The Solicitor added that no iron pins are shown to separate that parcel. He suggested adding a copy of the lease agreement as condition #12. The Representative of UGI said that they would fulfill the 13 conditions, and they will work on the ownership, and lease agreements of the property.

Chuck asked Ms. Emanuel if she had received the Emergency evacuation plan that she had asked for, and she said 'yes'.

Water Shed Protection Plan (prioritized by the Board of Supervisors) - Joint Meeting with Milford Water Authority on May 10, 2021 (advertising date May 6, 2021) - Zoning map – process for making it official: Mr. Stroyan said that the bottom line is that the water source has to be protected. He continued that a joint workshop of this Board with Milford Water Authority had been advertised, and Mr. Shepstone would join this meeting via Zoom. Mr. Shepstone had received the Study and the overlay maps from Milford Water Authority, and these documents are needed for the Zoning map and the Water Protection Ordinance. The Water Authority want to review the uses so that they can determine where they want to be on the Zoning Map. He himself had attended a couple of Water Authority meetings, and he got a feeling that they were trying to steer, while this Township is ensuring their position in the Zoning Map and is writing the Ordinance. This facility is in Milford Township, and Dingman Township won't approve any developments unless Milford Water Authority is on board. There might be new chemicals and new operators in future, and this Township has the right to know about what's going on. Mr. DiLorenzo added that the Fire Department has to be able to handle their emergencies. He further added that the Water Authority can get sold, different people can take over, and this Township must be kept in the loop. Mr. Stroyan commented that in the past, chlorine was being released on the water shed by the Water Authority. Mr. DiLorenzo added that a joint grant was applied not too long ago, and the Township never saw its share.

Emergency Management Plan: Mr. DiLorenzo said that Members had received the emergency evacuation plan from UGI. Ms. Emanuel said that she had met with Gary M. Williams and one of the road crews at the Township, she had the list of the equipment, and she would send it to all Members. Mr. DiLorenzo added that this list of equipment could be shared with the County so that the County would know which kind of equipment this Township would be able to provide for emergencies. He added that this Township has the generator, but this Township has no showers. Peggy added that there are several roads in Pike County that have no egress. Mr. Stroyan added that roads with no egress are safer in some respects, as criminals avoid roads that they cannot travel through. Mr. DiLorenzo added that Pond Eddie was being considered to be an outlet for Columbia Gas when it was building the station on Fire Tower, as this pond used to be an open path at some point. He added that County wanted them to have the Malibu as their emergency exit, and properties over that gas line have no emergency exits. Peggy added that Malibu has a trail, and a jeep can go through it. Peggy further added that these issues need to be added into the Emergency Management Plan. Mr. DiLorenzo added that the County has some vehicles that can be used to move people out. He further added that Gary Williams, the

Roadmaster, was asked to join in developing this plan, as roads would have to be patrolled in emergencies.

Zoning map – process for making it official: Mr. DiLorenzo said that he would speak with Mr. Peter Pinchot. Mr. Stroyan added that there would be a discussion about this item on Monday’s joint meeting with the Water Authority. The Solicitor commented that according to the Pennsylvania Governor, COVID-19 mitigation orders would be over soon, and hence meeting in person to discuss this item might be possible. Mr. Stroyan added that Supervisors would decide whether in-person meetings could be started or not. Mr. DiLorenzo added that the Board of Supervisors would follow the Governor’s Emergency Declaration.

Mr. Stroyan said that this Board expects comments about applications from the Zoning Officer. He continued that some recent applications, which came from Econo-Pak and UGI were quite big, this Board had received no comments from the Zoning Officer about the completeness of these applications, and Zoning fees are substantial for these applications. Mr. DiLorenzo said that he was a Zoning Officer for quite a few years, and he used to write down what requirements were met, which requirements weren’t, and he used to submit those comments to the Planning Board. The Solicitor commented that the Zoning Officer of Lackawaxen is a full time Zoning Officer, he is on the Planning Board, but he never makes any reports. Mr. DiLorenzo commented that applications are supposed to go to the Zoning Officer first, he has to review the application for completeness, and then send a comment to the Planning Board. The Solicitor added that the Zoning Officer has to be able to interpret the Zoning Ordinance, and the Township has to be comfortable with this professional. Mr. Stroyan agreed that this professional has to be knowledgeable about the law.

Mr. Stroyan said that the Zoning fee had gone up dramatically, it was \$10,000 for the cookie factory, and the Zoning Officer’s commission was half of that amount. He continued that the Zoning Officer had suggested a bigger setback in the meeting when the Board was almost done with their review, and he could have sent this suggestion in his comments. The Zoning Officer is the person who is supposed to tell the applicant what is needed to be done and what shouldn’t be done. The Zoning comments should include more than just “this application follows the Zoning Ordinance”. The Solicitor said that this Board would need to communicate with the Supervisors if they want to create the Zoning Officer’s job description. Mr. Stroyan added that the Planning Board had been reviewing some massive applications, and some comments from the Zoning Officer could have made this job easier for this Board.

Mr. Stroyan commented that recently there was a big increase in the zoning fee. In reply to the Members’ inquiries the Secretary said that the Zoning fee for the Econo-Pak project was \$10,000 and the commission was 50%. She continued that LC station had paid \$300 for the Zoning, \$900 for the conditional use, \$200 for the Planning Commission, and \$150 for the County Planning. UGI hadn’t paid anything yet, and Ray Willis had paid \$625 for his conditional use. The zoning commission for LC Station would be made after the officer issues the permit. Mr. DiLorenzo asked her to send the fee schedule to all Members and the Solicitor. He added that the Zoning Officer should write if an application is complete, and whether or not the application meets the zoning requirements. Mr. Stroyan added that Mr. DiLorenzo used to be a Zoning Officer in the past, and he even used to explain why applications were a conditional use or a variance. The Solicitor said that Shawn often becomes too stringent. He added that the Government tries to help the people, not impede, and people often fail to realize this fact.

Public Participation:

None

There was no other business or executive session needed, so at 8:27 P.M., Ms. Emanuel made a motion to adjourn the meeting, Mr. McCarthy seconded, and it passed unanimously.

Respectfully,

Shahana Shamim

Secretary