

MINUTES
August 4, 2021
Milford Township Planning Commission Hybrid 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), Peggy Emanuel, and Secretary Shahana Shamim.

Review of July 27, 2021 Meeting Minutes: Mr. Stroyan said that these minutes will be reviewed at the next regularly scheduled meeting.

Mr. Stroyan said that he had Mr. Don Quick's lot improvement plans, which the Supervisors already had signed, and he would sign them at the end of the meeting. Mr. DiLorenzo added that he had signed those plans already. Mr. Stroyan said that he wanted to change the agenda and bring up the Econo-Pak presentation by Mr. John Fuller. The Solicitor said that a statute was passed about the Sunshine Law. It would be valid from September 1st of 2021, and according to that statute, the agenda cannot be changed within 24 hours of the meeting. Mr. Stroyan said that the agenda could be changed with some good reasons, and that change would have to be voted on. The Solicitor added that moving an item up should not be a problem if the agenda itself remains the same.

Addition to Econo-Pak – Mr. John D. Fuller's Presentation: Mr. Stroyan said that the 90-day extension of this application had almost come to an end, but no special meetings were advertised for extending or denying this application, as Mr. Fuller had responded to the Township's notification. He continued that the Planning Board didn't want the Township to face the deemed approval, and the Supervisors had approved another 90-day extension for this application. The extension would be effective from the past Monday night, when the Supervisors approved this extension. Mr. Fuller added that he might need to ask for another extension before this 90-day extension comes to an end.

Mr. Fuller handed out some photo simulations that depicted how the finished development would look. He explained that Kiley Associates and the County had sent a number of comments, and they would have to go through an online application process for the approval of DEP and Pike County Conservation District. The printout, which explained why there was a delay in coming back, summarized the process, and they will be back for the September meeting. The County had identified that it was in the DD District, Section 414.4 allows to go 65%, and it requires a 100-foot setback. The proposed addition is well beyond 100 feet from the property line, but certain portions of the existing facilities were not 100 feet away from the property line, as those were built at a different time. Mr. DiLorenzo commented on nonconforming expansions and said that the proposed addition should not be more nonconforming. Mr. Fuller added that the County had also commented for a traffic study for Old Milford Road. He further added that it's only for emergency access, and not intended to be used by employees. Mr. DiLorenzo commented that this point should be added to the list of conditions, and then the traffic study won't be required for Old Milford Road.

There were about a dozen participants in the DEP conference, which had happened at the end of June, and there were questions about the air quality program, as it was all new construction, but no additional permits would be required. The NPDES permit process, which usually takes about 9-120 days, would have to be acquired, and it would have to go through Pike County Conservation District. DEP would review it, and acquiring this permit can be a condition for the approval. Mr. DiLorenzo added that the NPDES permit process is not supposed to take longer than 107 days, but if they find that something needs to be changed, then they ask for an extension.

Mr. DiLorenzo commented that the tanks for the sewage were upgraded about 5-6 years ago, there are three systems, and none of those failed, probably because they were pumped well, or the system is working well. He continued that there might be a question about whether it would be possible to condense those three systems into one system; the answer to this question is the underground infiltrators, which could be put under the parking lot, and the number and size of tanks would have to be figured out. The calculation was done during the upgrade, and it was based on 200-250 employees. Mr. Stroyan added that there would be more employees because of the proposed addition. He added that there is a brook on that property. Mr. Fuller replied that that was why the individual NPDES permit was required. He continued that Conservation District and DEP approval for stormwater are required too. DEP did not identify any other significant impacts with this project. All these requirements cannot be done before the end of the year, and he asked for these requirements to be conditions of the approval.

Mr. Fuller said that Kiley Associates had also commented on the setback issue, and the permits of Conservation District and DEP. He added that a PennDOT permit would be required, as a new access was being requested, and they had applied for it. Mr. Stroyan asked to keep the Board informed about it. Mr. Fuller added that their target was to start the project in the Spring of the following year. He further added that there could be a Stormwater Maintenance Agreement between the owner and the town, and he inquired if there is a standard for that. Mr. DiLorenzo added that a hold harmless letter might be required, and the Solicitor added that the Engineer should have input on this agreement.

The Solicitor inquired if the retention pond would be kept. Mr. Fuller replied that there is an infiltration basin on the site, and it is designed to handle all the additional increases of the stormwater. He added that that is a part of the NPDES permit, which will address preconstruction and postconstruction stormwater developments. Acquiring this permit would ensure meeting the clean water act. In reply to Mr. Fuller's inquiry, Mr. Stroyan said that the intent of the stormwater maintenance agreement is that the Township can come on the property to ensure that the stormwater management is being maintained by the owner. Mr. Fuller said that he and the applicant were working on addressing Kiley Associates' and the County's comments, the scope of the project won't change, and those updates would be incorporated into the map. He added that he would come back to the September meeting with all updates. Mr. Stroyan asked him to provide an update at the September workshop, as it had been a while since they made their last presentation. The Solicitor said that he would attend that workshop via Zoom, as he would have the Lackawaxen meeting right before it.

Mr. Stroyan said that nothing had been done on the emergency entrance on the back. Mr. Fuller said that the gate company was being contacted to open that emergency entrance. Mr. Stroyan said that the front of the property looked worse than ever. Mr. Fuller replied that the goal is to park vans at the back of the building after the project is done. Mr. Stroyan said that trucks had been going through the town, and there had been no improvements. He added that there

should be some documentation about how it is being worked out, as it is in the existing conditions, and the drivers should pay attention to that even though their GPS might show the other route.

Water Shed Protection Plan (prioritized by the Board of Supervisors): Mr. Stroyan said that the Board had asked to add language so that other hazardous chemicals could be added, and this addition was done. The Solicitor said that he wanted more language, “to the health, safety, and welfare of Milford Township” at the end of #5. Mr. Stroyan added that #5 should say “any other chemicals identified by the Board of Supervisors and/or the Planning Commission” instead of “any other chemicals identified by the Board of Supervisors, on the recommendation of the Milford township Planning Commission”. He further added that that way both Boards would have the ability to act. The Secretary said that she would make these changes.

Mr. Stroyan said that on page 4, the #1 of 426.7 had listed propane as well; this chemical has a different nature than the other fuels, and listing that for 400 gallons might be too restrictive. He added that DEP does not start thresholds on those kinds of fuels until it’s 1,000 gallons, and for some properties, it’s 2,000 gallons of propane. He further added that that might be a problem, and he would ask Mr. Shepstone about that. Mr. DiLorenzo added that people often buy 1,000 gallon propane tanks, which are cheaper. He further added that section A of 426.7 stated that “storage of the hazardous substances for non-residential use in amounts of 35 gallons, or 55 gallons or more in instances where secondary containment is provided, shall be prohibited in all zones”, and that sounded like everything was prohibited. Mr. Stroyan said that he would talk to Mr. Shepstone about it. He added that the map needed to be clarified too.

Mr. Stroyan said that Mr. Dibiasi was present at the last Supervisors’ meeting, and he was asking for a seat at the table. Mr. Doug Manion said that a couple of the Borough Council Member had inquired if wellheads would be in the 1,000 feet of the proposed path of the sewer line. Mr. Stroyan replied that the Wheatfield Village well would be within this span.

Annual Convention of Township Officials – total count: Mr. Stroyan said that this convention is scheduled for Friday, October 1st, and a head count is needed. He and Peggy Emanuel said that they would be able to attend this convention. Mr. DiLorenzo said that he could not guarantee because of his job.

CDM Smith Notification – Milford Water Main Replacement and WTP System Upgrade – Response of the Zoning Officer: The Secretary said that the Zoning Officer had filled out this notification, signed, and sent it back to CDM Smith. She added that CDM Smith would proceed with the zoning and building permits before the construction.

Making the Zoning map official: Mr. DiLorenzo said that all Members needed to be present in person to discuss this map, and only two Members were present in person. He added that all Members would have to agree with the changes first, and then the County would have to make the map. The Solicitor said that he would be able to attend the next regular meeting in person, which was scheduled for the 24th. Mr. Stroyan added that Mr. DiLorenzo would take the updated map to Mr. Mrozinski, and it would be compared with the old one.

Emergency Management Plan: Mr. Stroyan said that the County was doing a Hazard Mitigation Study, and Peggy, Rachel, and he had worked on the worksheets that the County had provided to fill out. Mr. DiLorenzo added that a big portion of the Emergency Plan that UGI had provided was redacted, but a lot of information was still usable, and it could be put into this Township’s Emergency Plan. He further added that he was highlighting the usable information, and then would type those up.

Sewage Project – Draft of Act 537 Plan: Mr. Stroyan said that there was nothing new to discuss about this matter.

Public Participation:

Mr. Stroyan said that Milford Hill School was sold, and the current owner had applied to start a new school. He inquired if they were coming to this Board for a conditional use hearing. The Secretary said that that school owner had informed her that she was ready to start the new school, but she had not submitted any applications. She continued that the Zoning Officer was reviewing the existing conditional use of that property, and those conditions stated that it was already a school. The owner of the school and the Judge of the Board of that school had come to see the Zoning Officer to discuss about it, and the Zoning Officer was anticipating that a conditional use process won't be needed. Mr. DiLorenzo said that if any of those existing conditions change then they would have to come before this Board to modify it, and he asked the Secretary to send the list of existing conditions to all Members and the Solicitor. Mr. Stroyan said that there was a conditional use hearing when the church came in, and that should negate the previous conditional use.

At 8:05 P.M., Mr. Stroyan made a motion to adjourn the meeting, Mr. DiLorenzo seconded, and it passed unanimously, as some technical difficulties of the hybrid meeting started happening.

Respectfully,

Shahana Shamim

Secretary