

MINUTES

September 7, 2021

Hybrid Workshop of the Board of Supervisors (Zoom ID was advertised in advance in the Pike County Dispatch)

560 Route 6 & 209

6:30 p.m.

Mr. Quick explained that he wanted to put a temporary sign for selling his real estate. A sign was originally permitted for Architectural Iron Company in 1984-1985, then it was moved to Schocopee in the year 1987, and at that time this property was owned by his parents. The daycare center was later allowed to use the sign as an off-premises sign. It is a previously approved off premises advertising sign, it was for Architectural Iron Company, and later it became a sign for the daycare. The daycare never owned that sign, but they were allowed to use it. Now he wants to use this sign to advertise his real estate with two 4' X 6' banners on either side of the existing sign. PennDOT had come with the 50' setback thing, and this sign is outside the 50' setback. The Solicitor said that it becomes an on-premises sign if Mr. Quick wants to sell the property where that sign is.

Mr. Quick said that he should be able to put anything he wanted on it even if it is an on-premises sign. He continued that the Zoning Officer had asked him to get a new permit for that structure again, and he had to pay \$175 (\$75 for the permit and a \$100 for the bond to ensure that the sign would be taken out) for that. The Solicitor added that it could be considered as a temporary commercial sign for selling the real estate. Rachel said that the Zoning Officer had stated at the previous meeting that it would have to go the Supervisors, as the size was larger. The Solicitor said that Mr. Quick was asking for a 24 square foot temporary sign, and according to the ordinance, two advertising signs of 24 square feet are allowed for 45 days per event. He added that there can be four events per year and hence a 45-day restriction could be given.

Shahana said that Lorelei had informed her that the Tax Collector had passed away, and Lorelei needed the Supervisors to appoint herself as the acting Tax Collector. Mr. Williams said that Lorelei is the Deputy Tax Collector,. The Solicitor said that the vacancy needs to be filled out, it has to be settled in 30 days, and since the request came, it would be possible to amend the agenda. He added that the Secretary will have to post the amended agenda in the website and at the office the following day with an explanation of why this agenda was amended.

MINUTES

September 7, 2021

Hybrid Meeting of the Board of Supervisors (Zoom meeting ID was advertised in advance in the Pike County Dispatch)

560 Route 6 & 209

7:00 p.m.

A scheduled meeting of Milford Township Supervisors was called to order at 7 P.M. by Chairperson Penney Luhrs. Also present were Vice Chairperson Rachel Hendricks (through Zoom), Supervisor Gary M. Williams (in person), Solicitor Anthony Magnotta (in person), Zoning Officer Shawn Bolles (in person), and Secretary/Treasurer Shahana Shamim (in person).

Gary Williams made a motion to approve the minutes of the previous meeting, Penney Luhrs seconded, and it passed unanimously. Rachel Hendricks made a motion to amend the

agenda to add the item of appointing the Interim Tax Collector, Mr. Williams seconded, and it passed unanimously. Rachel added that this item needed to be added, as the Tax Collector had recently passed away.

Treasurer's Report:

Shahana reported that since the last meeting she had received \$117.80 from Code Inspections, \$5,187.28 from DCNR, \$2,124.04 from Zoning, and \$0.25 from a Right to Know request, She also reported the financial institution account balances as \$311,403.18, \$14,373.64, \$23,090.04, \$8,190.84 and \$89,034.95 in Wayne Bank (Investment), Wayne Bank (Payroll), NBT Bank, PLGIT (General), and PLGIT (Liquid Fuels) accounts respectively. She added that she had submitted the MMO worksheet for the Supervisors' review.

Roadmaster:

Gary M. Williams, the Roadmaster, reported that after the last meeting there were two crazy rainstorms, and there were some damages on Fire Tower Road and 25 feet of embankment in Sawkill Power on Route 6. The damage on the Fire Tower Road would be repaired very shortly. There was a stormwater problem in Vandermark Drive, and an Engineer might be needed to fix it. A tree in Old Milford Road and another one in Schocopee Road had fallen. Some repairs were done on the Kern Road a couple of years ago, but it can't handle the water anymore. He added that he would meet with the property owners on Thursday.

Zoning:

The Zoning Officer reported that he had issued two house permits, one was in Milford Hill and the other one was in Pine Acres.

Public Participation #1:

One of the residents said that there was a sale of property at 119 Old Sawmill Lane in the month of April, the house was demolished, and that property was being clear cut. The property was about two acres, half of it had already been cleared, and the previous owner told them that a dumpster company was moving in there. He asked if there had been any zoning applications for this property. The Zoning Officer said that he had received a lot of inquiries about that property, but nobody ever came in for permits. He added that he would check on that property.

Mr. Stroyan provided an update on County Planning. He reported that between the end of June and end of August there were 15 lot consolidations, four minor subdivisions, eight land developments, a zoning ordinance amendment, and six land use certifications. Every municipality and county had applied for the American Recovery Plan.

Correspondence:

Shahana presented various correspondences received, including from Milford Borough, Solicitor, Pike County Office of Community Planning, Federated Mutual Insurance Company, Pike County Conservation District, Milford Water Authority, Pike County Human Services, Vito Dibiasi, Hickory Hills Estates, Jamie Smith, David Richard, Reimagine Appalachia Coalition, Pike County Second Amendment Sanctuary, PSATS Unemployment Compensation Group Trust, Matt Cartwright, Patrick McCarthy, PennDOT, Pike County Commissioners Office, Thomas Shepstone, and Planning Board.

Old Business:

Penney said that it was 7:15 P.M., and it was time for the Conditional Use Hearing of UGI. She made a motion to temporarily close the meeting and open the Hearing, Mr. Williams seconded, and it passed unanimously. The Solicitor explained that this Conditional Use Hearing was advertised in Pike County Dispatch on August 12th and August 19th, and that would be exhibit #1. The adjoining property owners were notified by first class mails, and that would be the exhibit #2 for this hearing. He added that this application was approved back in March of 2020, and Mr. Jason Buchta was present for this Hearing.

Elizabeth, the property owner at 107 Old Sawmill Lane, inquired what the intention was. Mr. Buchta explained that the project at 534 Rt. 6 & 209 was a conditional use. The application had received approval of the Board of Supervisors at their March 2020 meeting. All approved conditions were written on the plan, and those conditions would be complied. The estimated cost for this project had come in too high, and that's why plan changes needed to be done. There were eight items in the list of changes that they had submitted, and those were reduction of the pavement area, removal of concrete apron and retaining bins, four feet expansion of the building, replacing concrete curb by rolled asphaltic curbing, not having the mechanical gate, change of electrical service, water supply remaining in the private well, and a shifting of underground infiltration bed. The Solicitor read out the conditions that were approved at the March, 2020 meeting as follows:

1. Energy Services and Tennessee Gas will be notified about all the changes that will be made.
2. One building, which has weed growing out of it, will be removed.
3. The other building will be updated with painting and power-wash.
4. There will be no spill over lighting off of the premises.
5. Only building materials will be stored in the storage area.
6. Those storage materials will not remain in the storage area for more than 60 days.
7. Privacy slats will be installed on the side yards and the rear yard on a chain link fence.
8. A landscaping plan will be developed for the front of the building to the satisfaction of the Supervisors.
9. The spoil area will be cleaned out on a monthly basis.
10. The material area will be cleaned every other month.
11. All chemicals will be stored inside the building.
12. Letter of adequacy from Pike County Conservation District and the highway permit.
13. Any other State and Federal Regulations that may apply.

The Solicitor inquired what would replace the concrete apron and retaining bins, which were being removed. Mr. Buchta replied that there would be stones for the time being, and the concrete apron and retaining bins would be installed when the funds are available. He continued that the approval of future installation of the electrical gate opening was being sought so that they don't need to come back to the Board when the funds are available. The infiltration bed needed to be shifted by 4', as the proposed building needed to be extended by 4', and that would ensure a certain distance between the infiltration bed and the proposed building. Mr. Stroyan added that the landscaping was in reference to the Route 6 & 209 side of the property, and the privacy slats on other three sides would help the neighbors. He continued that there had been some progress, as they had already removed the spoil from the property. They didn't want to put the slats on the Route 6 & 209 side, as some visibility is required for safety. Mr. Buchta said that

there would be eleven 5’-6’ high blue star junipers along the entire frontage of the property. The Zoning Officer inquired if there would be a time limit for Removal of the one building and the maintenance of the other building. Mr. Buchta replied that the removal of the building would be the first item that they would be working on for cleaning up the site. The Zoning Officer said that a knoxbox needed to be installed at the fire department access gate. Mr. Buchta replied that the site plan showed the location for the knoxbox. The Solicitor said that the removal of the building and painting within a year would be an additional condition.

Ms. Luhrs made a motion to close the Hearing, Ms. Hendricks seconded, and it passed unanimously. Ms. Luhrs made a motion to open up the Supervisors’ meeting, Ms. Hendricks seconded, and it passed unanimously. Ms. Luhrs made a motion to accept this conditional use application with the conditions as previously approved plus the completion of the knoxbox, the timing restrictions on the two buildings as being one year for the removal of the one and painting of the other, and the landscaping of the frontage of the property line towards Rt. 6 & 209 within a year, Mr. Williams seconded, and it passed unanimously.

New Business:

- a. **Planning Board - Change of workshop schedule to second Thursdays of every month:** Mr. Stroyan said that this schedule would be more convenient for the professionals, and Members agreed on this schedule. Ms. Hendricks made a motion to approve and to advertise this new schedule of workshops for the rest of the year, Mr. Williams seconded, and it passed unanimously.
- b. **ReImagine Appalachia Coalition - Kim Gobreski:** Penney said that Ms. Gobreski was not present. Rachel made a motion to table this item for the next meeting’s agenda, Mr. Williams seconded, and it passed unanimously.
- c. **Community-wide Yard Sale – Jamie Smith:** Ms. Smith said that she lives on Santos Drive, which is not suitable for yard sales. She continued that people have staff to get rid of, yard sales could be done at the Township’s property, and this way people would get to meet with each other. They would bring their own tables, and \$15 -\$25 would be charged per table. That money would go to the Township, and it would be cleaned afterwards. The Solicitor said that somebody would have to sponsor the liability portion of the insurance. He added that traffic control would have to be done, as there would be tables, and people would be driving in and out. Mr. Williams said that the gate can be opened for this event. Rachel suggested partnering with the library, and the funds could go to the library and the insurance could be provided by the library. Mr. Williams added that partnering with the Humane Society could be another option. The Solicitor added that she would have to work with the Zoning Officer on where the tables and the parking would be, and she would have to come back for approval. The Zoning Officer asked her to make a sketch plan and the list of households that would be participating. He added that each of those households would be able to have two more of their own yard sales on their properties in a year.
- d. **Meeting room request for September 30, 2021 - Hickory Hills Estates:** Mr. Williams made a motion to approve this request, Ms. Luhrs seconded, and it passed unanimously.
- e. **Response to correspondence from David Richard:** The Solicitor said that Mr. Richard had asked to attach maps and reference materials to the proposed watershed zoning

amendment and the wellhead protection amendment, and he had mentioned business-related chemical spills and a possibility of the liability of the Township in his letter. He continued that this proposal was not in front of the Supervisors, as it was still being reviewed by the Planning Commission. Mr. Richard's letter could be answered after the Planning Board forwards it to the Board of Supervisors and to the County for a review. Ordinances are supposed to stand alone, documents from other ordinances should not be incorporated, and the Planning Board Solicitor, Mr. Shepstone, and he himself had put given input about it. Mr. Stroyan added that it is hard to attach the Source Water Protection Plan to this ordinance, as it is a teaching document.

Rachel said that Mr. Richard had stated in his letter that the protection was being downgraded, and he had complained that he had been blocked from participating in one of the meetings. She continued that these are not accurate, the enactment of the proposed ordinance would actually improve the protection, and Mr. Richard had wrong information. There should be a letter from the office stating that Mr. Richard's participation is appreciated, and he was not blocked from attending the meeting. The Solicitor added that currently there are no such specific standards for protecting the wellhead at the township level, and enacting this ordinance would provide a standard for this protection. He asked Rachel to work with the Secretary to make a response letter to Mr. Richard. Mr. Stroyan added that confusion still existed about the difference between the wellhead and the aquifer. He continued that builders would need to build whatever is appropriate for their customers, and protecting the wellheads only made sense. Penney made a motion for Rachel and Shahana to make a responsive letter to Mr. David Richard about his complaint of not being able to participate at the meeting and to clarify some of the misinformation that he had in his letter, Mr. Williams seconded, and it passed unanimously.

- f. **Meetings with TetraTech on Hazard Mitigation Plan –Approval to attend:** Rachel explained that TetraTech is the County's Hazard Mitigation Plan consultant, and they offered to have a meeting with each municipality in person the next day. She had asked the County if she could join this meeting through zoom at 11:15 A.M. She added that some Planning Board Members would try to attend this meeting through Zoom also. Penney made a motion for Rachel to attend this meeting, Mr. Williams seconded, and it passed.
- g. **Interim Tax Collector appointment – Lorelei Davis:** Penney said that Ms. Davis was the Deputy Tax Collector, and Viola Canouse, the Tax Collector, had died the previous week. She made a motion to appoint Lorelei Davis as the Interim Tax Collector, Mr. Williams seconded, and it passed unanimously. Rachel said that a lot of people would be mailing their taxes, and she inquired if those checks needed to be payable to Lorelei. Mr. Stroyan suggested keeping it the same, as the tax bills had Viola's name, and Lorelei had already been working as her Deputy. The Solicitor added that the appointment of Lorelei as the Interim Tax Collector should be posted on the Township website. He added that the checks still being payable to Viola Canouse should be posted in the website also.

Public Participation #2:

The Zoning Officer said that Mr. Buchta inquired if the UGI conditional use or the Land Development application was approved at the Hearing. Rachel made a motion to approve the UGI land development plan as well, Mr. Williams seconded, and it passed unanimously.

Rachel asked for the SRCP web link to be added to the township website.

The Zoning Officer said that the clearing at 119 Old Sawmill Lane was a violation, as it's over half an acre. The Solicitor added that the Conservation District could find this a code violation, as clear cutting without adequate precaution can be a violation.

Mr. Vito Dibiasi said that he was only critiquing the aquifer issue, and not any other businesses of the Township. He continued that no legal recognition of the delineated aquifer existed in the current state of the wellhead ordinance, that's why Milford Water Authority (MWA) had asked the Source Water Protection Plan (SWPP) to be appended to this ordinance, and the Solicitor had opposed it. The Solicitor replied that he did not oppose to it, and his opinion was based on the fact that ordinances have to be freestanding. He continued that if it's the intention of the Township to append the SWPP to the Ordinance, then they need to do so. The ordinance was not in front of the Supervisors, as the Planning Commission had not forwarded it as of then, and comments from the County would be required to answer to any questions.

Mr. Dibiasi continued that only the watershed from the SWPP was included in the ordinance. MWA thinks that currently the ordinance is not sufficient, they want the delineation of the aquifer to have a legal standing, and the Friends of the Milford Aquifer was asking for the same. The Planning Board had started taking some of the permitted uses out of this ordinance. Developer funded studies should not be required while a taxpayer funded study that defines the aquifer is already available, and that's why the SWPP needs to be appended in some legal way to the ordinance. The aquifer as opposed to wellhead and Milford springs are totally different topics. The current state of the ordinance depicts that more protection is being given to the Wellhead, less protection is being given to the aquifer, and that is not sufficient to protect the springs, which should have a standalone ordinance. Mr. Stroyan clarified that it was Milford Municipal Authority, not Milford Water Authority, and he asked him to send a list of acceptable uses that could be added to the ordinance in writing. Mr. Dibiasi responded to indicate that the use they would like to see was conservation easement. Mr. Weber inquired when the latest version of this ordinance would be available for reviewing. Shahana said that the latest version was the August 23rd one, and it was in the website. Mr. Stroyan added that some work was being done on that version but the revised version had not come back from the Planner yet.

There was no other business or executive session needed. Mr. Williams made a motion pay the bills and adjourn, Ms. Luhrs seconded, and it passed unanimously. Adjournment was at 8:20 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer