

MINUTES
September 1, 2021
Milford Township Planning Commission Hybrid Workshop
560 Route 6 & 209, Milford, PA 18337
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 Hybrid call, the Zoom contact information for which had been advertised in advance in the Pocono Record. Also present in this Hybrid workshop were Solicitor Thomas Farley (through Zoom), Members Kevin Stroyan (Vice-Chairman) (in person), Peggy Emanuel (in person), Ray Willis (through Zoom), and Secretary Shahana Shamim (in person).

Review of August 24, 2021 Meeting Minutes: Mr. DiLorenzo said that these minutes would be voted on at the next meeting.

Watershed Protection Plan (prioritized by the Board of Supervisors): Mr. DiLorenzo said that at the last meeting, the Source Water Protection Plan (SWPP) was brought up. The Solicitor said that he had read this document, it has some educational and management information, but it's not a document that could be attached to this ordinance. He continued that the SWPP does not give any authority or enforcement powers and it doesn't have any input for the ordinance. This document could be handed to the applicants when the Township receives applications. Mr. DiLorenzo added that the SWPP coincides with Land Developments and Stormwater runoffs that are present in the ordinances, and the SWPP could be used for conditional use hearings. He further added that the following items could be taken out of the schedule of uses of Zone C, which is protecting the water shed:

1. vehicle service stations, repair facilities, body repair and painting facilities,
2. junk or salvage yards,
3. quarries and mining operations,
4. hazardous material storage, processing and disposal facilities,
5. On-site sewage disposal facilities, sewage treatment facilities or pumping stations, except for private residential sewage pumps
6. Oil gasoline or hazardous pipeline materials not subject to FERC or PUC regulation.

Mr. Stroyan said that this list could be provided to Mr. Shepstone. Mr. DiBiasi said that the Planning Board had almost passed this ordinance without reading the SWPP, which Milford Municipal Authority had requested to append with legal ramifications. He added that he thought that appending maps and the delineation of the aquifer would make it cognizant, it would have a legal standing in the ordinance, and the Solicitor was not supporting it. The Solicitor replied that what he had said was that the whole plan should not be attached, whereas the Milford Municipal Authority had requested to attach the whole plan, and not just the map. He added that he would like to hear directly from Milford Municipal Authority, as Mr. DiBiasi was not their official spokesperson. Mr. DiBiasi replied that he was the spokesperson for the "Friends of the Milford Aquifer". He added that he would send Hydro Princeton study of 2004, it makes the same conclusion as the SWPP, and that conclusion is that development on the aquifer is unwise. Mr. Stroyan said that that conclusion was for a specific aquifer. Mr. DoLorenzo told him that he had

said that this Township did not collaborate well with Milford Municipal Authority, and that is wrong. The Solicitor said that Mr. Shepstone was in charge of this ordinance, and he himself was looking at it from the legal perspective.

Econo-Pak update: Mr. John Fuller, the Engineer, PJ Weibolt, the Chairman of Econo-Pak, and the shipping and receiving manager were present to provide this update. Mr. Fuller said that Kiley Associates had pointed out that the project involved the lot improvement/consolidation, which required a purchase of the five-acre land from Mr. Morris Ryman. He added that both boxes for lot consolidation and land development were checked in the application, but that sale had not gone through as of then. He further added that the contract of sale would proceed after the project is approved, as the sale is contingent upon the approval of the project. Mr. DiLorenzo asked Mr. Fuller to provide this agreement to the Solicitor. Mr. Fuller said that Shahana had sent the original conditional use of this property, and it was a two-page document. He added that they were preparing for the conditional use application with the fee for this project, and this process should involve a timetable. Mr. Stroyan said that the timetable would be discussed at the next meeting. Mr. Fuller handed out the existing list of conditions to the Members, and Mr. DiLorenzo said that those conditions were set when Econo-Pak had taken over. He added that that document also listed the conditions when Altec had taken over. The Solicitor added that conditions should not be a surprise, as a lot of those conditions had been being discussed. Mr. Stroyan said that the parking situation would be a part of the list of the conditional uses. He added that lights, security cameras, and the vegetation would be other conditions. He further added that some of the existing conditions were not abided by, and the Board was concerned about it. Mr. DiLorenzo said that there was a pile of dirt on the emergency gate at the back of the property, and the EMS cannot get in for emergencies. The representatives said that that entrance was closed with that pile of dirt, as a theft had happened through that door, but they would rectify that situation.

The representatives said that the back entrance would be fixed, it will have access cards, and its location would be changed. Mr. Fuller said that the Engineer had made some comments which pertained to the procedure. Mr. Stroyan said that a presentation should be made to this Board before sending it to the Engineer. Mr. Fuller said that the County had made four comments pertaining to the setbacks and the lot coverage, and the existing building was grandfathered in. He inquired if the next update of the plan would have to go back to the County. Mr. Stroyan said that the Supervisors would want to look at satisfactory County comments before approving it, and Mr. DiLorenzo asked to present the updated plan with all the comments addressed. Mr. Fuller said that the narrative, which is a supplement to the application, was handed out at the previous workshop, and it summarized the parking, landscaping, photo simulation view from Route 6 & 209 and trucking.

Mr. Fuller said that it would be a 125,000 square foot warehouse, and it would be built on a three-acre footprint, and there will be a lot of spoils and excavated materials from building this structure. He continued that there is a 25' rise (three to one slope) from the storm water basin to the plateau area, where the parking will be. The simulation picture depicted that the trucks won't be obvious from Route 6 & 209 because of the extensive vegetation. One of the representatives said that most of their loads came from the Scranton area and New Jersey, and very few came from the New England end. The shortest route is exit 46 or the New Jersey bridge, and it is hard to make trucks take a different route. Drivers who don't know the area follow the GPS, and the drivers get off on exit 46, as Econo-Pak is not on the GPS. Those companies direct their drivers

for taking routes, and all drivers are paid by the miles. Some drivers from New Jersey had taken Route 17, but drivers from the Scranton area don't get paid to take a left on Route 6 & 209 from Econo-Pak, as their company doesn't pay them extra for driving those extra two and a half miles. It can't be put on the bill of lading, but it's put in the emails, which goes to every carrier.

Mr. Fuller said that he would submit the conditional use application two weeks before the next meeting. Mr. Stroyan said that Econo-Pak would be expecting an approval for its Conditional Use at the October meeting, and he inquired if the Planning Board would be able to approve this application in 30 days. The Solicitor added that Econo-Pak could provide another extension. Mr. Fuller added that an extension could certainly be provided if the application is found short of something. The Solicitor added that the application was accepted, but it was deemed incomplete. Mr. Fuller added that Econo-Pak had asked for 90 days about 30 days ago. Members informed Mr. Fuller that the workshop schedule would be changed to the second Thursday of every month, and the Secretary would advertise for it.

Senate Bill No. 554 – Meeting Agenda: Mr. Stroyan said that the Solicitor had sent this Senate Bill to this Board. He added that according to this new law, all agendas must be posted on the Township website 24 hours before the meeting, and items cannot be added to the agenda during meetings. The Solicitor added that it would be better to add items to the agenda if it seemed that it might need to be discussed. Mr. DiLorenzo said that the public might bring something up at the meeting. The Solicitor replied that in that case, the concern would have to be taken, and then that item would have to be added to the next meeting's agenda.

Making the Zoning map official: Mr. DiLorenzo said that the map was complete, and he would bring the map to the next meeting. He continued that the property owners, who wanted to make changes for their properties, were contacted, corrections were incorporated on the old map, and the County had made the new map. The colors would change after the map becomes official, as certain colors are required to be used for residential properties. Members said that they would be present in person for the next meeting. Mr. Stroyan inquired if there were any new rules for in person meetings. Rachel said that using masks was mandated in schools, but there had been no rules for in person meetings.

Emergency Management Plan: The Solicitor said that the SWPP outlined some emergency situations about spills, and that could be incorporated into the Emergency Management Plan. Rachel said that Peggy and herself would attend the County's Hazard Mitigation meeting of September 8th at 11:15 A.M. via zoom. She continued that a lot of communities are struggling with the flooding, this Township probably does not comply with National Flood Insurance Program (NFIP), and she was expecting to hear what Tetra-tech had to say about that. This Township has flood plain regulations, which were developed many years ago, and that won't qualify the residents to purchase flood insurance. The community currently is not eligible for this insurance. The Solicitor added that the flood plain is determined by Federal, not by State, and Tim Knapp might know about it. Rachel added that the Township adopts the flood plan regulation every time it comes out, and land use guidelines will have to be adopted by the community once the new guideline is available. Mr. DiLorenzo said that most of the area of this Township is in the erosion zone because of its streams, and not in the flood zone. He added that flooding happens from undersized crossings, and the culverts can't take it when it rains hard. He further added that culverts have to be oversized or double sized for these crossings. Rachel added that that could be added into the land use control, NFIP is looking for it, and the

overdevelopment situation could be controlled through a good planning. She further added that the approval of her attendance at that meeting was included in the agenda of the next Supervisors' meeting.

Sewage Project – Draft of Act 537 Plan: Mr. DiLorenzo said that there was no progress on the sewer.

Public Participation/Discussions:

Mr. Stroyan said that Milford Municipal Authority did actually ask to add SWPP to the ordinance, but it made a little sense to him to add somebody else's document to this Township's ordinance. He continued that SWPP itself stated that it's a teaching document, hence it should not be added to the ordinance anyway, but it could be placed on the website. Mr. DiBiasi had said that this Board was incompetent, and he himself thought that that was offending. This Board had put a lot of responsibility on Ms. Emanuel, who had read everything, and had tried hard to understand everything. Mr. DiBiasi's behavior did not affect himself at all, as he himself had been in this position for many years, and he was happy that Mr. DiBiasi had retired from teaching young people. Mr. DiLorenzo added that Ms. Emanuel had taken a lot of responsibility for the Emergency Management, and he appreciated it. Rachel appreciated the Planning Board Members' work by saying that the Members had been working very hard on this project, and that these volunteers don't deserve to be discouraged. She added that principles need to be focused first when dealing with difficult people. She thanked the Planning Board.

There was no other business or executive session needed. Ms. Emanuel made a motion to adjourn the meeting, Mr. Stroyan seconded, and it passed unanimously. The adjournment was at 8:40 P.M.

Respectfully,

Shahana Shamim

Secretary