

MINUTES
January 13, 2022
Milford Township Planning Commission Hybrid Meeting
560 Rt. 6 & 209
7:00 p.m.

The Reorganization meeting of Milford Township Planning Board was called to order at 7:00 P.M. by Mr. DiLorenzo through a Hybrid call, the contact information for which had been advertised in advance in the Pike County Dispatch. Also present at this meeting were Members Kevin Stroyan, Patrick McCarthy, Peggy Emanuel, and Secretary Shahana Shamim.

Reorganization

Mr. Stroyan made a motion for Mr. DiLorenzo to be the chair of the Board, Mr. McCarthy seconded, and it passed unanimously. Mr. DiLorenzo made a motion for Mr. Stroyan to be the Vice-Chair of the Board, Mr. McCarthy seconded, and it passed unanimously.

Econo-Pak Hearing

Lot Combination: Mr. John Fuller, the Professional Engineer for Econo-Pak, said that Econo-Pak was sitting on a 22-acre land, and the applicant had to acquire two adjoining vacant lots, which totaled five acres. He continued that those two vacant lots would be consolidated to the existing lot, hence the new consolidated lot would total about 27 acres, and it would allow the lot coverage requirement of the ordinance. The Solicitor confirmed with Mr. Fuller that all the comments of Pike County Planning, the Township Engineer, were addressed. He also confirmed that the contract for the purchase of those two lands was available as soon as the proposed project was approved. Jo-Anne Donnelly, the Executive Director of the Center for Developmental Disabilities (CDD), inquired if the project was about the consolidation of the parking lot, and Mr. DiLorenzo replied that only the consolidation of the properties was being considered. Mr. Stroyan made a motion to approve the lot improvement and to send recommendation to the Board of Supervisors, Ms. Emanuel seconded, and it passed unanimously.

Conditional Use: Mr. Fuller said that all document for this conditional use were made available in a google drive, and its link was posted on the township website. He continued that this google drive contains all the documents that were generated for their presentation to the Planning Commission, and includes land development plans, the lot combination plan, all review letters, reports, narratives, and renderings that were asked by the Planning Commission. All these information was posted just for the benefit of the public, and those would be updated as they move forward. The land development plan would involve a significant addition to the Econo-Pak facility, and it would be a 125,000 square feet warehouse at the rear of the existing facility. Extensive amount of infrastructure is developed to include additional parking areas, and necessary stormwater requirements to sustain such a project was also designed. There would be upgrades in the water and the septic systems, an extensive amount of landscaping would be done to support the project, and renderings and landscaping plans were posted on the website. The conditions are based on the requirements of the ordinance.

Mr. Fuller explained that the vacant lots were overly vegetated, the existing facility has multiple entrances from the Route 6 & 209, and the gate at the rear of the property is used for the emergency purpose only. The proposed warehouse would assist the current facility, and it would be at a higher elevation. There is a 20' rise between the front and the rear of the property, and there would be additional areas of the parking for the proposed facility so that busses and vans could be parked to transport the employees. Trailers, which are an extensive portion for the operation of their business, would be parked there also. The land development detail plan showed that there would be an infiltration basin for controlling the storm water, and it would be in the northeast corner, which is closer to the Pocono Drive and Route 6 & 209. All the stormwaters would be collected in this infiltration basin, and PADEP would issue an NPDES permit for it. The post construction storm water discharges are required to be less than it currently generates, and this infiltration basin would be landscaped and fully grassed. This project would also be reviewed by PennDOT, a new driveway would be made, and an old entrance would be eliminated. There is a pending application for a Highway Occupancy Permit, which would be issued by PennDOT. A study about the traffic, which would be generated when the proposed addition is done, is also included in the google drive, which is posted on the website.

Mr. Fuller said that there would be an extensive vegetation along the Route 6 & 209, Woodland Design Associates was the landscape architect for this project, and they had provided a design for the appropriate landscape by following the ordinance. The vegetation at the rear of the property would provide screening, berms would be done along the Old Milford Road, and evergreen trees, such as spruce and pines, would be used for the screening. The goal would be to provide a year-round screening for the back of the parking area from the traffic of Old Milford Road, and screening would be provided for Pocono Drive also. Photo renderings about how the facility would look like were provided. Carol Mihail, the President of Wheatfield Village Association, inquired if anything would be put towards their side of the property. She added that they have their wellhouse closer to Route 6 & 209. Mr. Stroyan said that he had attended the last Supervisors' meeting, Supervisors had mentioned at the meeting that the proposed parking lot would be facing the Wheatfield Village, and the midnight shift employees would turn their headlights on. He added that the Supervisors had inquired what could be done to mitigate that. Mr. Fuller replied that a lot of vegetation still existed between these properties, that vegetation won't be removed, and an extensive tree vegetation would be added to wrap around that parking area. Mr. Stroyan added that Supervisors had suggested putting a fence. He further added that the parking lot might be low enough, and it may not be visible from Wheatfield Village. Mr. Fuller said that putting berms on that side of the property could be another option, and they would look into this matter to make the homeowners of Wheatfield Village happy.

Jeff Christensen from Milford Fire Department (MFD) said that the required fire lanes were not indicated in the plan. He added that this area is supposed to be kept clear from day-to-day operation for the fire access, and he inquired how that would impact the parking count. The Captain of MFD said that he had some concerns too, and Mr. Fuller replied that he would be able to discuss all concerns with MFD. Mr. Stroyan added that satisfying MFD's concerns would be a condition for this project. Jo-Ann Donnelly said that they had looked at the traffic assessment, and they were concerned about the extra traffic that would be generated along Route 6 & 209, specially at around 3:30pm, when the first shift ends. She inquired if a traffic light would be added. Mr. Fuller replied that that point was the target of the traffic study. He continued that that's the time when the school and other businesses release at, and the proposed expansion

would allow for some less truck traffic. A lot of the products are shipped to the local staging areas, as currently there is not enough space to store those products, the proposed expansion would allow to store those products on site, and so those products won't have to be shipped to off-site local facilities for intermediate handling. A traffic threshold has to be met to necessitate the addition of a traffic light, and that site does not meet that threshold. Mr. PJ Weibolt pointed out that only Route 6 & 209 would be used for truck entries and exits, and neither Old Milford Road nor Pocono Drive would be used. Ms. Bridgit, a Member of CDD, inquired if some truck storages would be visible from Pocono Drive, and if there would be any truck idling. She added that they were concerned about the air quality also, as CDD children would be playing across the street. Mr. Fuller replied that trucks don't idle at those locations, and that area would be landscaped. He added that only registered truck trailers would be parked until they are ready for transportation.

The Solicitor added that he would have to tweak the 36 conditions that he had sent the previous day, and he inquired if the applicant had reviewed all those conditions. Mr. Fuller replied that those 36 conditions were reviewed by the applicant, who agrees to abide by those conditions. The Solicitor added that Mr. Shepstone, the Planner, had recommended that the Developers Agreement, which is listed in condition #10, would include all these 36 conditions.

Mr. PJ Weibolt said that he had a request, and that would be a couple of Sundays to do the paving in front of the building, and the Solicitor suggested granting three Sundays during the black top season from 8am till 6pm. Mr. Stroyan said that the ordinance # 417.3, which is about commercial and industrial site guidelines, states that a commercial facade of more than 100 feet in length should incorporate recesses and projections, and it is applicable to this project. He continued that at some point, the applicant was willing to clean up the front of the building, he didn't seem to be quite willing afterwards, and waiving this provision of the ordinance could be a fair trade. Mr. Fuller said that that waiver was requested, as the location is not visible from the road. The Solicitor added that working with Supervisors on cleaning up the front of the property could be another condition.

Mr. Stroyan said that the total number of employees needed to be clarified, as the numbers that were provided for all shifts didn't add up to the number that was provided in the narrative. Mr. Fuller replied that the number of employees fluctuates, and Mr. DiLorenzo added that the maximum number of employees that could be allowed needed to be provided. He added that that number would be required for the septic. Mr. Stroyan said that the #4 in that same section stated that there is no pedestrian access to the site, such as sidewalks, whereas there had been quite a bit of foot traffic on Route 6 & 209 in the breaks and in between the shifts, and the safety of the employees needed to be considered. He continued that the #8 of conditional use standards and criteria stated that a Knox box would be there, and it needed to be corrected to a coded entry for the Emergency Department. The Section "Inbound/Outbound Operation" does not specify for how long and how many trailers would be parked in the staging area. The transportation companies as well as the drivers would have to be notified about the "traffic" section. The Solicitor added that he would tweak the list of conditions, he would send it to the Board of Supervisors, and the Solicitor of the Board of Supervisors would make the Developers Agreement from there.

Mr. Stroyan said that all the vegetation would be removed, and the rear of the property would be bermed. Mr. Fuller said that some of those plans were superseded by the landscape architect's plans, and Mr. Stroyan said that those updates of the plans needed to be incorporated into the narrative, which would be looked at later on. He inquired what the smaller existing

buildings, which are right beside Wheatfield Village property, are used for. Mr. Pederson replied that those were the storages for lawnmowers and pick up trucks. Mr. DiLorenzo said that the evacuation plan needed to specify the area, where everybody would meet outside in emergencies, so that nobody is in the way when the emergency department shows up. He inquired if they had heard back from the gas company, and Mr. Fuller replied that emails and letters were sent to them, but there were no replies. Mr. DiLorenzo added that the Township would become liable if it allows the project to move forward without the gas company's permission. Mr. Stroyan added that the waiver from the gas company needed to be a condition. Mr. DiLorenzo added that either UGI or Tennessee Gas owns that gas pipeline. Mr. Fuller added that he had contacted UGI, and their response was "it's not their purview". Mr. DiLorenzo added that if the Township approves without any response from one of those gas companies, then they might come back to the Township saying that the project shouldn't have been approved. He further added that 6 or 7 years ago, the setback requirement was updated. Mr. Fuller said that there's an easement for the pipeline, that easement would be honored, and building inside their easement is not being proposed. He added that he would try other avenues to contact the gas companies.

The Solicitor said that he would add the following conditions to the list that he had forwarded to the Members on January 12, 2022, and then he would send the updated list to the Solicitor of the Board of Supervisors:

1. The applicant would have to receive approval from UGI or Tennessee Gas or the present owner of the gas line for the application as provided. An alternative to that would be a proof of actual notice given to the proper gas line owner, and that notice will have to be sufficient to the Board of Supervisors.
2. The Ordinance # 417.3 would be waived if the applicant works with the Board of Supervisors to improve the front of the building up to that Board's satisfaction.
3. The facility yard policy and the truck traffic policy will be included in the Development agreement.
4. Three Sundays during the blacktop season, the applicant shall be permitted to pave all internal roads from 8:00 A.M. to 6:00 P.M. if the blacktop is available from a blacktop company.

Mr. Stroyan made a motion to recommend to the Board of Supervisors the approval of this land development subject to the conditions that the Solicitor had forwarded on January 12th along with the additional conditions that were just read by the Solicitor, as the applicant did not object. Mr. McCarthy seconded this motion, and it passed unanimously.

There was no other business or executive session needed, so at 8:41 P.M., Mr. Stroyan made a motion to adjourn the meeting, Mr. McCarthy seconded, and it passed unanimously.

Attached as Exhibit "A" are the conditions recommended by Milford Township Planning Board.

Respectfully,

Shahana Shamim
Secretary

Exhibit "A"

Please find attached conditions for the Econo Pak Project.

1. The Conditional Use approval is conditioned upon the approval of the Lot Improvement Plan showing the Lot Combination of the Tax Lots.

2. The Applicant shall provide a fully completed and recorded Deed between Milford Property Holdings, LLC, Seller and Dot Red, LLC, Buyer.

3. Conditioned upon a landscape plan that is satisfactory to the Township.

4. Conditioned upon Applicant receiving a Highway Occupancy Permit. The Applicant shall provide copies of the Permit for the existing proposed driveways to Milford Township prior to construction.

5. Conditioned upon Applicant receiving an acceptable erosion and sedimentation control plan by the Pike County Conservation District.

6. Conditioned upon an NPDES Permit from Department of Environmental Protection prior to the start of construction.

7. Conditioned upon the proposed parking area complying with the landscape requirements of Section 408.4 of the Zoning Ordinance.

8. Conditioned upon a performance guarantee in the amount of One Hundred Twenty-Five Percent (125%) of the required landscaping as required under Section 410.7 of the Zoning Ordinance.

9. Conditioned upon an improvement maintenance guarantee in the amount of Fifteen Percent (15%) of the improvement guarantee for an eighteen (18) month duration shall be in place prior to final approval.

10. Conditioned upon a Developers Agreement in accordance with the section shall be in place prior to final approval.

11. Conditioned upon an Improvement Construction Guarantee as required under 503 of the Subdivision Land Development Plan which will

consist of One Hundred Ten Percent (110%) of the total cost. The guarantee must be in satisfactory form acceptable to the Township.

12. Conditioned upon the Improvement Maintenance Guarantee, the Developers Agreement, and the Improvement Construction Guarantee being approved by the Township Solicitor prior to execution of the said Agreements.

13. Conditioned upon the Applicant keeping the back entrance to Econo Pak locked except for emergency purposes.

14. Conditioned upon the Applicant not allowing the back entrance to be use for any entry or exit into the project other than for emergency purposes. Applicant shall provide codes and/or other means necessary to grant all EMS Services access to the back entrance of Econo-Pak.

15. Conditioned upon the Applicant abiding by the parking requirements as permitted by Zoning Ordinance Section 408 and as recommended by the Planning Commission and decided upon by the Supervisors of Milford Township.

16. Conditioned upon the lot coverage not exceeding sixty-five percent (65%).

17. Conditioned upon the plan being sent to the Fire Department for any comments prior to final approval.

18. Conditioned upon a traffic study being completed if it is necessary as determined by the Pennsylvania Department of Transportation.

19. Conditioned upon a Stormwater Maintenance Agreement to be provided to the Township and approved by the Township Solicitor prior to execution by all parties.

20. Conditioned upon the existing septic system being reviewed for adequacy by the Sewage Enforcement Officer.

21. Conditioned upon the shade trees shall have a minimum caliper of three (3) inches.

22. Conditioned upon all waste removed from the site by a licensed waste removal company.

23. Conditioned upon a Stormwater Management Plan and Soil Erosion Control Plan being provided and reviewed and approved by the Township, the Pike County Conservation District, and the Pennsylvania Department of Environmental Protection.

24. Conditioned upon adequate safety devices being provided to prevent possible contamination of surface or groundwater during the construction of the development.

25. Conditioned upon the lighting proposed shall be in compliance with the requirements of the Township.

26. Conditioned upon the Applicant shall not use the Old Milford Road for construction purposes or allow construction vehicles on Old Milford Road at any time during the present project.

27. Conditioned upon Applicant controlling traffic during construction.

28. Conditioned upon a knock box placed in the back of the property or some other type of gate on the Old Milford Road.

29. Construction shall occur from 7:00 a.m. to 8:00 p.m. during the week. Constructions shall occur from 8:00 a.m. to 6:00 p.m. on Saturday and there shall be no work being performed on Sunday. Three Sundays during Blacktop season, Applicant shall pave all internal roads from 8:00 a.m. to 6:00 p.m., if blacktop is available from Blacktop Company.

30. Conditioned upon there shall be no outside storage except license vehicles, license trailers or containers.

31. Conditioned upon there shall be no activities that shall produce excessive external emissions, noise, or odors.

32. Conditioned upon all uses are subject to and compliant with local building codes.

33. Conditioned upon all activities within the buildings shall be in compliance with Pennsylvania L and I regulations and current Pennsylvania Building Codes.

34. Conditioned that all existing vegetation buffers and plantings as well as the new vegetative buffers and plantings are to be maintained by the Applicant.

35. Conditioned upon Deeds being provided by the Applicant to Township Solicitor and said Deeds to be approved by the Township Solicitor.

36. The Application is conditioned upon the Board of Supervisors placing in a Development Agreement the Facility Yard Policy and Truck Traffic Policy that is acceptable to the Board of Supervisors.

37. Conditioned upon the Planning Commission recommending a Waiver to 417.3 of the Subdivision Land Development Ordinance but same be conditioned upon Applicant providing to the Supervisors a plan to provide a cosmetic improvement to the front of the front of the building that is acceptable to the Board of Supervisors.

38. Conditioned upon the Applicant receiving approval by UGI or Tennessee Gas or the present owner of the gas line for the Application as provided. In the alternative, proof that mailings were sent to the proper gas pipeline owner which such notice sufficient to the Board of Supervisors.