

MINUTES

May 16, 2022

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

560 Route 6 & 209

7:00 p.m.

JMT Interview for Comprehensive Plan: Ms. April Showers said that they were a midsize company, and they have an office in Allentown. She continued that they have seven AICP Planners, and she was one of them. The five keys that they would use to develop an implementable plan are focusing on real and relevant community issues, making the plan understandable and organized for elected officials and citizen users, identifying practical and workable recommendations that are specific, and recruiting partners to implement the plan. The needs and challenges of this Township are aging municipal structure, hazard mitigation, protecting the quality of natural environment, protecting aquifer, source water and watershed, monitoring on-lot septic systems, lack of centralized sewage disposal system, conservation design/cluster development, providing sufficient cost-effective fire and EMS services, equipment, and training, conservation of easements to protect water quality and natural resources, strategies for retaining small businesses, consistent land use policy and zoning, and fiscal impacts of preservation/conservation. Community Analyst, which is a web-based tool, would be used to assemble, view, analyze, and report socioeconomic data and trends with infographic format. Demographic data at the state, county, and municipal level would be compared using this tool, and this information would be used to identify strategic issues, needs, and public preferences. It would take approximately 18 months, it would include Planning Commission/Board of Supervisors meetings, public participation, planning process and adoption, and APA sustainability principles would be used.

Penney asked which Comprehensive Plan that is closest to Milford Township she had done. Ms. Showers replied that they had done the joint Comprehensive Plan of Lackawaxen and Shohola Township. Rachel said that April had stated that build out analysis cannot be done for this Township due to the budget, and she asked what the appropriate budget amount for a Comprehensive Plan of this size municipality is supposed to be. Ms. Showers replied that the build out analysis would cost another \$3,000 to \$5,000, as the land development strategies keep changing, and they ensure the correctness of information until the Municipality staff are satisfied. She added that there won't be any additional fee if the County's is done concurrently. Rachel asked how much of the budget would be eaten up for travelling to this area. Ms. Showers replied that only travel costs would be charged, she travels for other municipalities on the same day, and that way the travel cost could be minimized. Rachel asked what the hardest part of this project would be. Ms. Showers replied that the hardest part is working with the people who sit on the table but don't actively participate, abstain, don't even show up, and that delays the process.

The Solicitor said that these two competitors seemed very close, and they are both quite competent to perform this job. Supervisors agreed, and Rachel added that the Planning Commission's recommendation could be taken if that is the case. Penney and Gary added that they liked that idea that the Woodland Design Associates was local, and Rachel added that the other group would be spending their time familiarizing themselves with this area. The Solicitor added that Woodland Design Associates had outline how they would obtain the information, JMT didn't, and hence they would pretty much depend on whatever information is provided to

them. Rachel added that Mr. Shepstone of Woodland Design Associates would be taking the AIC exam, and he is qualified for that. She added that the next step would be to do the draft of the SRCP contract, which has to be submitted to the County with the application.

Rachel said that the draft intermunicipal agreement had come from Mr. Klemeyer, who seems to be a little disconnected from this Township's position, and Mr. Magnotta probably needed to circle back to Mr. him on that. She added that it's not this Township's intent to have the service throughout Milford Township and not even along the line. The Solicitor added that the "rate payer" is mentioned, but "tax payer" is not mentioned in the agreement, there is a big difference between these two, and the rate payers, not the taxpayers, should be paying for the cost of the operation and capital upgrades.

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May 16, 2022

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

560 Route 6 & 209

7:00 p.m.

A scheduled meeting of Milford Township Board of Supervisors was called to order at 7 P.M. by Chairperson Penney Luhrs through a Hybrid call, the meeting ID for which had been advertised in advance in the Pike County Dispatch. Also present were Supervisors Rachel Hendricks (Vice-Chairperson) and Gary M. Williams, Solicitor Anthony Magnotta, and Secretary/Treasurer Shahana Shamim.

Minutes of May 2, 2022 workshop and meeting reviewed for possible additions or corrections before approval by the Board: Rachel made a motion to approve these minutes, Mr. Williams seconded, and it passed unanimously.

Treasurer's Report:

Shahana reported that since the last meeting she had received \$52,853.16 from the Tax Collector, \$3,047.66 from R.E Transfer Tax, and \$1,950 from Zoning. She also reported the financial institution account balances as \$340,041.26, \$76,064.20, \$8,198.44, \$7,645.08, \$8,388.28, and \$128,000.16 in Wayne Bank (Investment), Wayne Bank (General), Wayne Bank (Payroll), NBT Bank, PLGIT (General), and PLGIT (Liquid Fuels) accounts respectively.

Roadmaster:

Gary M. Williams, the Roadmaster, reported that the road crews had been upgrading the sign at the front. He continued that there are some problems at the bottom of Vandermark Drive retention pond, and water was running along the retention pond. The property owner's permission was taken for entering his property to get to the retention pond. Harvey had looked at it, and he had taken some measurements. Some pipes over there are 18" and some are 24", they are all galvanized, and they are 30 years old. The 24" pipe comes across the road and drops into the retention pond and then it becomes 18" out of the retention pond. The project needs to be done in a couple of weeks. A pipe would have to be ordered, how the 18" pipe could be connected to the 24" pipe would have to be figured out, and probably a number of catch basins would need to be done. The backhoe cannot be taken over there. He added that 400 Tons of salt

bid for the next year needed to be advertised, and he asked the Secretary to add it to the agenda of the next meeting.

Rachel suggested having a written inventory of the infrastructure that the Township owns so that the Engineer can look at it as a part of the Comprehensive Plan process. She continued that there might be bridge inspection reports, this Township has three bridges, and getting familiar with the infrastructure would help with the Emergency Management process. It would be helpful for Harvey too. Penney added that people from Moon Valley Road often complain about the Storm water management issues in their properties. The Solicitor inquired if there were any deeds of dedication for the roads. He added that it might be available in the court. Mr. Stroyan added that deeds of dedication for Moon Valley Fall Development existed, it was done through a public hearing, but he was not sure if it was actually recorded. Gary added that those deeds were for Maple Court, Oak Court and Vandermark Drive. He continued that there are about a hundred tires at the bottom of Vandermark Drive, he personally knows who those were from, but he can't prove it. Ray Willis disposes those tires for no cost. The Solicitor added that DEP would care only when about a thousand tires are there, and he suggested contacting Charles Rogers of DEP regarding this matter. Rachel reminded Gary to fix the deep manhole cover in Pine Acres.

Zoning:

Rachel inquired what the status of the received applications were. Shahana replied that there were three applications, those were for lot combinations from Upriver Ventures and two conditional uses for a 450,000 square feet warehouse from LVL Engineering and Old Sawmill, LLC. She added that the lot combination application would have to be accepted at the next Planning Board meeting. She further added that the Zoning Officer hadn't forwarded the conditional use applications to the Planning Board, as those applicants needed to pay for their stenographer fees. Mr. Stroyan added that the County had sent comments on the lot combination. He continued that there are gravel roads on both sides of the property, and Members had asked the applicant to put names of those gravel roads. The Old Sawmill LLC might be a transfer station, more information would be needed for this conditional use, and they were asked to submit a narrative.

Mr. Stroyan continued that he was concerned about the application from LVL Engineering. That letter was for the Board of Supervisors, they were asking for a conditional use hearing prior to the land development hearing, and Milford Township had never handled such applications before. There was a presenter at the last Planning Board meeting, and that presenter wanted the clock to kick in at the next Planning Board meeting, which was scheduled for the following week. This project is very large and very complicated to be handled in 90 days. He had asked the presenter if there would be extensions, and the reply was that there would be extensions only if they find it necessary. Mr. Stroyan added that he had a feeling that the applicant was expecting to get a deemed approval. The Solicitor said that the ordinance does not require to do the land development and the conditional use at the same time. Mr. Stroyan added that the Zoning Ordinance clarifies that the conditional use has to pass the Zoning Officer first. The Solicitor added that the applicant is trying to do a 60-day conditional use requirement, and according to the Municipal Planning Code, if the hearing is not set in 60 days, then it's deemed approved. He recommended to schedule a hearing, unless the Zoning officer says that the application is incomplete. He added that the 60-day time limit would be July 4th. Mr. Stroyan said that according to the applicant, they had been working on this for quite some time, and they

would supplement the application with additional information, such as the ground water evaluation by the geologist, land use plans dating to 1935, stormwater collection and pretreatment systems etc.

Mr. Stroyan said that this application shouldn't have been in the agenda, as it is supposed to go through the Zoning Officer first. Rachel added that this applicant had attended one of the Supervisors meetings, and they didn't state if the other side of the property was going to be developed or not. Mr. Stroyan replied that that question was asked at the Planning Board meeting, and that's not a part of the picture now. He added that the applicant is convinced that they have the traffic straightened out. He further added that some conditions are supposed to be part of the land development, and the Planning Board would be available if a Hearing is scheduled. The solicitor said that the conditional use would have to be conditioned upon the land development. He added that the Zoning Officer has to check if the application is complete, if it's not then it has to be sent back to the applicant, and the Zoning Officer has 30 days to do that. Rachel asked him to communicate with the Zoning Officer regarding this matter, and to ask him to submit the written correspondence to the Board of Supervisors.

Rachel made a motion to authorize the Solicitor to contact the two attorneys that had submitted the letter of the application, and to tell them that the Supervisors request this application to go through the Planning Commission, and ideally the land development plan is submitted along with the conditional use application so that this process could be undertaken in a normal fashion. She added that this building would probably be the largest building in the entire County, and hence this application needs to be reviewed thoroughly. Penney seconded the motion, and it passed unanimously. The Solicitor added that he would discuss with the Zoning Officer if the incompleteness is just from the fee. Mr. Stroyan said that the applicant should be asked to do the conditional use and the land development simultaneously, and if they want to do the conditional use first, then they would need to provide a narrative, which would include more information, such as the number of employees. Rachel added that when the applicant had appeared at the Supervisors meeting they had said that they wanted to build a spec building. Mr. Stroyan added that the situation seemed like the applicant might be telling what the conditions have to be, and the Township needs to be very careful about it.

The Solicitor said that the ordinance defines a warehouse as a terminal facility operated for a specific commercial establishment or group of establishments in a particular industrial or economic field and used for the storage of goods and materials, and this application may not be that. He added that Kiley had told the applicant to specify what the use is for. Mr. Stroyan added that it's going to be the largest facility in this region, and it will have the most impact on this municipality and its water supply. Rachel added that she wonders why the applicant didn't choose Greene Township, which has no Zoning, and it's closer to 80, 81, and the turnpike, and it has a low-cost school district and electricity company. Mr. Stroyan added that they had used up all the land in Westfall Township, and they want to stay close. He added that the same applicant would apply for another large apartment complex which would be between Westfall Township and Milford Township, and they would load this voluntary board. He further added that the traffic assessment is not a traffic study, and the hydrogeologist's opinion is not a report. Rachel added that stopping the deemed approval of this project is the highest priority right now. The Solicitor added that he would write a letter to the applicant, and if he doesn't hear anything back from them, then a Hearing would have to be scheduled. Rachel asked the Solicitor to request all the documents from the applicant way before the Hearing so that the personnel and the public could review it. The Solicitor said that he would ask for at least an additional 60 days so that the

applicant can complete their presentation to the Planning Board. Mr. Stroyan added that the applicant had said that 90-day extensions would be done if they deem it to be necessary. The Solicitor said that the Board is required to schedule a hearing for conditional uses, but the decision can be done later, and these things usually linger. He added that there would be a lot of public input for such a hearing, it won't be finished the first night, and it would have to be continued within another 45 days.

Public Participation #1:

Mr. Fred Weber from Milford Borough said that there is another application for 190 lots for housing from this applicant, and Penney said that that housing is mostly in Westfall, and that application had not come to this Township. Mr. Weber added that that housing would bring about 400 people and 400 cars, and a solid information about the traffic flow would be important for these projects. Ms. Patricia Lutfy thanked the Solicitor and everybody else for being thoughtful and for working hard in advocating for smart developments. Mr. Bill Pitman said that he had listened to the conditional use presentation at the Planning Board workshop, and snow removal is a big thing for this case. He added that oil gets mixed with the snow, it needs to be contained, and hence it needs to be addressed.

Secretary's Report:

Shahana presented various correspondences received, including from JMT, Robert Platt, HRG, Brian Snyder, Thomas Shepstone, A+ Computer Services, UGI, Pike County Light & Power, Keith Walton, John Klemeyer, Anthony Magnotta, and Vito DiBiasi. Rachel made a motion to allow participation of the Supervisors and the Planning Commission Emergency team at the Hazard Mitigation meeting of June 1st, Penney seconded, and it passed unanimously. Penney confirmed with the Solicitor that scheduling a date for the Hearing of LVL National Developers' application needed to be done at the next meeting, and the Solicitor added that it would have to be put on the agenda.

Rachel said that she had done the Business Park Project with Mr. Duke Schneider, and she had seen that Mr. Schneider's attitude was to always give extensions to Municipalities that ask for it. She added that it's the biggest project in the County. The Solicitor added that the applicant even showed up at the workshop of the Planning Board, and he said that they would provide extensions if they needed it.

Old Business:

- a. **RFP for the Comprehensive Plan:** The Solicitor said that the criteria for selection are the qualifications of the applicants, whether they understand the problem, whether they can analyze the data and process the information, and the cost. He added that all these criteria were considered. Gary added that the cost difference was only \$6.95, and Rachel added that the second one was received after extending the deadline. Penney made a motion to accept the application of Woodland Design Associates to do the Comprehensive Plan, Mr. Williams seconded, and it passed unanimously. The Solicitor added that the Planning Commission had recommended the same. Rachel asked the Secretary to ask for a draft contract from this applicant so that it could be sent to the County for the Scenic Rural Character Preservation grant application.

New Business:

None

Public Participation #2:

Mr. Weber said that HRG was working on resubmitting their Act 537 draft, he inquired if they were getting paid additional monies from the Municipalities to fix their mistakes, and Penney replied 'no'. Mr. Stroyan inquired what the Supervisors' position was on the National Park Services, and Rachel replied that a resolution, which stated that this Township was not in favor at this time, was passed. She added that the resolution was based on the concerns this Township had about the National Park Service. Mr. Stroyan said that the Intermunicipal Agreement was discussed at the workshop, and he inquired when it would be available for the general public. The Solicitor said that he had received it from Attorney Klemeyer, and he had asked for comments from all the Supervisors. He added that it would be available for the general public when the Supervisors provide their comments.

There was no other business or executive session needed. Gary made a motion to pay the bills and adjourn, Rachel seconded, and it passed unanimously. Adjournment was at 8:06 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer