

MINUTES
July 5, 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.

Rachel said that Shahana had sent a narrative, and it indicated that there was a complaint about the colors of the Zoning Map, but nothing could be done about it. Shahana said that at the past Planning Board meeting, Members had also discussed the redraft of SALDO, and Mr. Shepstone had said that he would update the SALDO accordingly.

The Solicitor explained that a conditional use under the Township Zoning Ordinance, is considered to be a permitted use, but after a Hearing, it can be accepted or denied by the Board of Supervisors. The Board can approve this use, and it's allowed to impose reasonable conditions. If the Board denies it then the Board has to site the specific health safety and welfare concerns of and for the township residents. The Board of Supervisors (BOS), which will be acting as a judicial body for this Hearing, and not as the elected legislative body, will be hearing the facts, and they will also be enforcing the Zoning Ordinance. There are four identifiable standards for a conditional use, and those are that the applicant would have to show that there is a need for this use; the use is appropriate for the location; and the property under discussion is surrounded by nonresidential uses. The applicant would also have to show that it would not adversely affect the neighborhood or adversely affect the property values. At the Hearing, section #407 of the ordinance would have to be addressed, and this Section includes items, such as, the traffic flow and whether they are conforming to the operations and storage of hazardous substances. Parties of a Hearing like this will have the opportunity to present evidence, to cross examine any witnesses that testify, and rebut any evidence that is presented by the applicant. These parties would have to show that they are aggrieved by the application, they are in very close proximity, nearly adjacent to the property owner, or they have a substantial interest in the outcome of the proceeding.

MINUTES
July 5, 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, Zoning Officer Shawn Bolles, and Secretary/Treasurer Shahana Shamim.

Minutes of June 21, 2022 workshop and meeting reviewed for possible additions or corrections before approval by the Board: Mr. Williams made a motion to approve these minutes, Rachel seconded, and it passed unanimously.

Treasurer's Report:

Shahana reported that since the last meeting she had received \$11,158.80 from the Tax Collector, \$300 from Zoning, and a reimbursement of \$225 for destruction of a speed limit sign. She reported the financial institution account balances as \$302,912.13, \$76,064.20, \$6,830.95, \$33,553.37, \$8,751.50, and \$126,373.94 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 bid for 400 Tons of salt was advertised, American Rock Salt had sent a bid, and it's \$118.50/Ton. He made a motion to accept this bid, Rachel seconded, and it passed unanimously. Penney said that a part time road crew member, Mark Gates, would be hired for \$16/hour, and Mr. Williams said that the hours won't be more than 32/week unless there's an emergency. The Solicitor said that Supervisor Williams had presented the Secretary with a statement that he has a conflict of interest, as Mr. Gates is his grandson, and he will not participate in the vote regarding this hiring. Rachel made a motion to hire Mark Gates as a road crew member for working not more than 32 hours per week (unless there's an emergency) with the wage of \$16/hour, Penney seconded, and it passed unanimously.

Public Participation #1:

The Solicitor said that comments regarding the Hearing, which is scheduled for 7:30 P.M., would have to be made during the Hearing.

Secretary's Report:

Shahana presented various correspondences received, including from Planning Commission, Zoning Officer, Blooming Grove Volunteer Fire Department, Brian Snyder, Pike County Tax Administration, Milford Water Authority, Pike County Commissioners, Solicitor, John D. Fuller, Delaware Highlands Conservancy, and Vito DiBiasi.

Old Business:

a. Comprehensive Plan Steering Committee – Recommendation from the Planning Board: Penney said that a Steering Committee is required for updating the Comprehensive Plan of this Township, the Planning Commissioners would be on this Committee, and she would recommend Rachel to sit on this Committee also. She added that a couple of people from the general public would also be required to sit on this Committee, and she asked that anyone interested see her after the meeting. She made a motion to appoint Rachel to sit on this Steering Committee, Gary seconded, and it passed. Penney added that the Planning Board workshops, which is held once every month, would be used for this purpose, and it would be an 18-month long project.

b. Act 537 Plan: Penney said that there was nothing to report, and she made a motion to table this item at the next meeting. Gary seconded the motion, and it passed unanimously.

c. Making the Zoning Map official – Recommendation from the Planning Board: Penney said that the updated map was received that day, and she made a motion to table this item to the next meeting. Gary seconded the motion, and it passed unanimously.

The Solicitor said that the letter of recommendation from the Planning Commission had indicated that the Zoning Map was approved with some minor modifications, and Mr. Shepstone had suggested notifying people about these changes. Mr. Stroyan said that the Planning Commission had talked to every party that was involved. He added that the pond in Pine Acres was taken out of the commercial zone, as there was a residence, the rest of Apple Valley remained in the commercial zone, and that was the result of Mr. Metzger's subdivision. He further added that he had attended Milford Municipal Authority's (MMA) meeting to tell them what they were doing, MMA wanted to keep their property in the Low Growth Zone, and the Pinchot's property was still left in the commercial zone.

New Business:

a. Upriver Ventures, LLC. – Forwarded from the Planning Board: Penney said that the Planning Commission had approved this application. The Solicitor added that it is a Lot improvement subdivision in Moon Valley Road, the Zoning Officer had commented about its setback, and the June 29th version of the map had addressed this issue. He continued that they were adding the two lots by eliminating the boundary line to create the lot 48A, the acreage would be .62 after the lot improvement, and an existing dwelling would be demolished. The existing lots were .25 and .37 acres. Rachel made a motion to approve this application, Gary seconded, and it passed unanimously.

b. Section 407.2 of the Zoning Ordinance – Recommendation from the Planning Board: Rachel said that the Planning Commission had recommended an update of this section of the ordinance, but the Solicitor did not get enough time to review it. She made a motion to table this item at the next meeting, Penney seconded, and it passed unanimously.

Rachel made a motion to pay the bills, Penney seconded, and it passed unanimously.

The Solicitor said that the room was filled with attendees, and he could see more in the hallway. Rachel made a motion to authorize the Secretary to contact Delaware Valley and Best Western as alternate locations in case the Hearing is continued to a later date, Penney seconded, and it passed unanimously. Rachel added that all the necessary electronic equipment needs to be available for Zoom.

Conditional Use Hearing for 450,000 square feet Warehouse at 247 US-6 – LVL Engineering Group: At 7:30 P.M., Ms. Luhrs made a motion to recess the regular meeting for the Hearing, Mr. Williams seconded, and it passed unanimously. The Solicitor said that the date and time for this Hearing were advertised for the development of a property for a 450,000 square feet warehouse structure in the DD Zone by National Land Developers, and the applicant is represented by counsel. The Attorney for the applicant said that Mr. Allan Johns, Professional Engineer Mike Gable, and Wetland Scientist Dr. Crowe were the three witnesses.

Attorney John Klemeyer, who represented Milford Water Authority (MWA), Peter Pinchot (the owner of 1,400 acres within the Sawkill Watershed), Vito DiBiasi as an individual, Richard Peter (the owner of Sawkill Power Equipment, and Milford Fire Department were recognized as parties for this Hearing. Procedural issues were addressed and the Applicant began to present testimony and respond to questions. At 9:20 P.M., Gary made a motion to continue this Hearing to October 3rd at 6:30 P.M., Rachel seconded and it passed unanimously.

Public Participation #2:

None

There was no other business or executive session needed. Rachel made a motion to adjourn, Penney seconded, and it passed unanimously. Adjournment was at 9:23 P.M.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer