

**MINUTES**  
**May 12, 2022**  
**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 at this Hybrid workshop were, Members Kevin Stroyan (Vice-Chairman), Patrick McCarthy, Peggy Emanuel, Solicitor Thomas Farley, and Secretary Shahana Shamim.

**Review of April 26, 2022 Meeting Minutes:** Mr. DiLorenzo said that these minutes would be tabled at the next meeting.

**Lot Combination Application – Upriver Ventures, LLC:** Ms. Caroline Jaeger, the applicant, said that it was a simple lot combination of two tax lots, the total would be .62 acres, and she had sent it to the County for their comments. The Solicitor said that the Board had received the County’s comments already, and the comment was that the Township Road number for Moon Valley Road needed to be shown. He added that the deeds showing that those two lots are owned by the applicant and the new proposed deed would need to be submitted, and then this Board would recommend it to the Board of Supervisors for the final approval. He further added that the new deed would have to include the language that the new lot won’t be subdivided without the Township’s approval. Mr. Stroyan said that a nonconforming lot was being improved. He continued that the gravel roads on either side of this property were just marked as gravel roads, but they both have names, and those names should be added. The corner of the house was only two and a half feet from the property line, and it would be hard to keep distances from the well and the septic. He inquired if she would be able to get the septic and the well distances. Ms. Jaeger said that the property owner doesn’t like the house, and they might get rid of it. The Secretary said that the plan would have to be sent to the Township Engineer for comments, and Members agreed.

**Conditional Use and Lot Consolidation Application – Old Sawmill, LLC:** Mr. Kelly from Kiley Associates said that it was the first meeting after they had submitted the deed description application, and he would be representing both the conditional use and the lot consolidation. He continued that there were two existing lots, each of which were under an acre, which would be combined. It will be used as a staging yard for the solid waste business, and so only clean trucks, clean containers, and equipment would be dropped off. There won’t be any solid waste transfers or storage, there won’t be any buildings, and the hours of operation would be 5am to 7pm. The Solicitor said that the current deeds that they own, and the new deed would be required. The Secretary said that she had forwarded this application to the Zoning Officer. Mr. Stroyan asked him to forward the lot combination to the Alternate Township Engineer, as Mr. Kelly himself was from Kiley Associates. In reply to the Solicitor’s inquiry, Mr. Kelly replied that it’s surrounded by the National Park Service, and there is a residential lot to the south-west, but there is a screen of trees. He added that there is an oil pipeline right of way between that residence and the proposed lot, and the fence is 42 feet from the property line. The vegetation

between the property and the fence will be removed, and the vegetation on the other side of the fence will remain. In reply to Mr. Stroyan's inquiry, he said that he would find out the height and the type of fence. The Solicitor said that Delaware Valley School would have to be notified.

Mr. Stroyan said that how many vehicles and employees there would be, the size of the trucks, whether a portion of the parking area would be contained, how the storm water would be collected and treated, the kind of waste that they would be hauling, and why no bituminous and only gravel road would be there needed to be known. He added that it might rain while there is waste inside the containers. Mr. Kelly replied that all vehicles and containers in that lot would be empty, no wastes would be stored on that lot, and it would strictly be a storage yard. The Solicitor added that where those containers would be cleaned would then be a question. In reply to Peggy's inquiry Mr. Kelly said that there is a water supply in the property, but it won't be hooked up, as there are no permanent structures on that lot. Mr. Stroyan added that the Zoning Officer needed to classify the type of this conditional use.

Mr. Ronald McManus, the owner of the property, said that he had another office in Middletown, and he had closed his main terminal, which was in Honesdale. He continued that he has two yards to clean the containers, and the proposed one would be strictly for storage. It's a perfect location between Middletown and Lake Ariel. In reply to the Solicitor's inquiry he said that the rollup trucks would be operated in the morning. Mr. Stroyan said that the yard was about 400 feet, it could fit more than a few trucks, and two or three trucks don't need such a big yard. He added that the number of trucks needed to be specified so that the Zoning Officer could work with it, and he suggested discussing this matter with the Engineer. The Solicitor added that these would be the conditions that would be placed on the property. He added that whether the easement would allow the truck volume and traffic needed to be addressed, and Mr. Stroyan added that all the adjoining property owners would have to be notified. Mr. DiLorenzo asked them to submit a narrative about what would be put in the property, screening, the fact that there won't be any solid wastes, and how those containers would be cleaned. He also asked him to add anything that he might need to do on the property in future so that he doesn't need to come back for another conditional use.

**Conditional Use Application for Distribution Facility – LVL Engineering Group:**

Mr. Gable showed a picture from 1935, when the Interstate 84 didn't exist. He said that some new developments, such as farming structure, had started in 1952, and a pond, which was being used for the irrigation, was dug. In 2008, there were various types of uses and construction activities, there was a gas main installation, and the pond is still there. Mr. Gable continued that he had started doing the sketch plans and feasibility studies in 2013 for Milprop Associates, but the LVL National Developers hadn't taken the ownership yet. There would be underground storage facilities, and a lot of sewage, which would be expensive, would be required. About 110 employees are anticipated, and 80 of those would be in the warehouse. They had anticipated 200 employees a few years ago, but that many won't be needed because of automation.

Mr. Gable continued that that location was chosen for the truck traffic, which is a problem for all kinds of facilities, and the Route 84 is right there. This project was presented at the Supervisors' meeting, and one of the residents had expressed his concern about traffic going through the Borough. Two wells might be needed, 120,000 gallons is a typical size, and he himself had designed a 160,000 gallon well for Milford Landing. The site will require a booster pump. With that number of employees, Chapter 73 defined sewage flow, which is 3,100 gallons/day, would be needed, and that's equivalent to nine single family homes. Mr. Gable said that he knows that the watershed/wellhead ordinance was being reviewed, and they had been

incorporating it into their design. They also know that it would be a reasonable condition for the conditional use process, and manufacturing is prohibited in the most restricted zone.

Mr. Gable continued that he usually does the conditional use process before the land developments, as big changes are often instructed on conditional uses. The Solicitor added that so far, all Engineers had done the conditional use and the land development simultaneously, and Mr. Gable said that if the building is asked to be shifted by seven feet, then that would trigger a lot of other changes. Mr. DiLorenzo said that the Board at least needed to know what actually would be there, and who would be working there. Mr. Gable replied that a speculation center is a great idea, and Mr. DiLorenzo said that Milford Highlands, which is a speculation center, had gone bankrupt. Mr. DiLorenzo further inquired if anything would be developed across the street, and Mr. Gable replied that he had looked at that piece of land since 1999, Mr. Dick Schneider had owned a big piece of it, but he never did any sketch plans for that site. He added that the use would be a distribution center for retail goods, but people won't be entering the door to pay for something. He further added that hazardous materials won't be stored, as it would require a hundred-foot buffer, and hence it would be difficult to get a building permit. Mr. Stroyan added that some of the conditions would be oriented to the types of chemicals that would be stored on the site.

Mr. Gable said that it would take him about three months to design. Mr. Stroyan said that Mr. Gable's letter was addressed to the Board of Supervisors, who will weigh in, and the conditions might be more restrictive than anticipated. He added that the Board needed to be specifically sure about what the use would be, and the Sewer Maintenance Agreement would have to be included with the treatment system. Mr. Gable said that a Spill Control Prevention Plan would be there for the hotspot at the back. Mr. Stroyan said that the snow would need to be contained and treated, and eventually that would be a question. He added that Mr. Gable had stated that trucks won't go through the Borough, but he didn't guarantee it. Mr. Gable said that distribution facilities use interstate highways almost exclusively. Mr. DiLorenzo added that Route 6 and Route 206 are State Highways, and those routes are taken when they make the trip shorter by even three miles to save some fuel. Mr. Stroyan added that more than just one traffic study would have to be done for this project. In reply to his inquiry, Mr. Gable said that there would be offices in the building, and hence a normal room temperature would be maintained.

Mr. Gable said that there would be a medium volume driveway, he would have to work with PennDOT, which won't give them any lights, and a deceleration lane would have to be built. He added that there would be 88 trailer parking spaces, and Mr. Stroyan said that a yard jockey would be needed. Mr. Stroyan added that the conditional use shouldn't be ahead of the land development. The Solicitor said that he represented three townships, he tells them that the Planning board has to make the sausage before forwarding it to the Board of Supervisors, and the applicant would benefit if the conditional use and the land development were done together. He added that when it is forwarded to the Board of Supervisors, it should be pretty solid, so that only a few tweaks are required for the final approval. Mr. Gable said that he would go back and talk to those two lawyers for two entities, who are partners.

Mr. Stroyan inquired if Mr. Gable had presented at Milford Water Authority (MWA). The Solicitor added that the MWA will have a say on this project, and Mr. Gable needed to make sure that MWA doesn't stand against this project. Mr. Stroyan said that Mr. Gable's presentation was very general, and Mr. Gable replied that the use would be a distribution of consumer goods. Mr. DiLorenzo added that according to the ordinance, the conditional use should go to the Zoning Officer first, and the Secretary said that a copy of the submission was handed to the

Zoning Officer. The Solicitor added that the traffic needed to be laid out, and Mr. Gable said that the traffic impact study, which would include environmental impacts and wetlands, would be done. Mr. Stroyan added that Supervisors hold two formal hearings for conditional uses of such big projects, one for the Planning Board and the other is for the Board of Supervisors. Mr. Gable said that the application was submitted, and a Hearing was already requested. The Solicitor said that a lot of discussion still needs to be done, and the Township gets only 90 days to hold a Hearing and approve. Mr. Gable said that they had been working and putting the data for a long time, and the study could be provided in two weeks. The Solicitor added that the Zoning Officer had just received the application, and the Board was only at a workshop, where no decisions could be made about accepting the application. He further added that the 90-day clock will start if it is accepted at the next scheduled meeting.

The Solicitor said that this is just an informal presentation. Mr. Gable said that he would be able to get all the information and paperwork in 90 days if the application is formally accepted at the next meeting. Mr. Stroyan asked if the Board would be given time extensions, and Mr. Gable said that time extensions would be provided if it is asked for. Mr. Stroyan added that some legitimate concerns are out there, and this Board will address those concerns. Mr. Gable said that the concern is that a development in the watershed is going to destroy it. He added that he had just handed the zoning permit application to the Secretary. Mr. DiLorenzo said that the Zoning application is supposed to be submitted to the Zoning Officer, who has to decide if it is actually a conditional use, and if the Zoning Officer decides that it doesn't qualify to be a conditional use, then he would communicate that with the applicant. Mr. Gable said that some townships prohibit to do the conditional use and land development together. He added that one of the owners of this property lives outside of USA, he rarely comes to USA, and he doesn't understand a lot of procedures and why certain things cannot be built. The Solicitor told him that this Board won't be happy with any deemed approvals, the extension letter would have to be sent to the Secretary, and phrases such as "I agree to give another 60-day extension" would have to be included in the letter.

#### **Public Participation/Discussions:**

The Solicitor said that an application cannot be shovel ready with just a conditional use. Mr. DiLorenzo inquired how a Zoning permit could be issued for a use that is not known yet, and the Solicitor added that retailers are the items that are sold in stores, and the distribution of a retail can be very broad. Ms. Emanuel said that the water situation is important, Mr. Gable had done his homework, and she liked his presentation. She added that Mr. DiLorenzo is knowledgeable about the water filtration and the sewage of the presentation. Mr. DiLorenzo said that he agreed with Mr. Gable's water filtration and sewage strategy, but the use is not known yet. He further added that plowing the snow can be quite dangerous, and the snow should go through the filtration system. Mr. Stroyan added that that snow should be stacked and melted instead of shoving it over to the edge.

At 9:15 P.M., Mr. Stroyan made a motion to dispense the rest of the items of the agenda and to adjourn the meeting. Ms. Emanuel seconded the motion, it passed unanimously.

Respectfully,

Shahana Shamim  
Secretary