

MINUTES
September 27, 2022
Milford Township Planning Commission Hybrid Meeting
560 Rt. 6 & 209
7:00 p.m.

A meeting of Milford Township Planning Board was called to order at 7:00 P.M. by Chairman Robert Di Lorenzo 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 (Vice-Chairman), Ray Willis, and Patrick McCarthy, Michael Williams, Solicitor Thomas Farley, and Secretary Shahana Shamim. Mr. DiLorenzo welcomed Michael Williams, who is the new Member, to the Board.

June 9, 2022 Workshop Minutes: Mr. McCarthy made a motion to accept these minutes, Mr. DiLorenzo seconded, and it passed. Mr. Stroyan voted ‘yes’, but Mr. Willis abstained from voting, as he was not present at this workshop, and Michael Williams also abstained, as that was his first meeting with the Planning Board.

June 28, 2022 Meeting Minutes: Mr. McCarty made a motion to accept these minutes, Mr. Willis seconded, and it passed. Michael Williams abstained from voting, as that was his first meeting with the Planning Board.

July 14, 2022 Workshop Minutes: Mr. McCarthy made a motion to accept these minutes, Mr. DiLorenzo seconded, and it passed. Mr. Stroyan voted ‘yes’, but Mr. Willis abstained from voting, as he was not present at this workshop, and Michael Williams also abstained, as that was his first meeting with the Planning Board.

July 26, 2022 Meeting Minutes: Mr. Ray Willis made a motion to accept these minutes, Mr. McCarthy seconded, and it passed. Both Mr. Stroyan and Mr. DiLorenzo voted ‘yes’, but Michael Williams abstained from voting, as that was his first meeting with the Planning Board.

August 23, 2022 Meeting Minutes: Shahana said that the corrections were highlighted, Mr. DiLorenzo, and the Solicitor said that everything looked good to them. Mr. McCarthy made a motion to accept these minutes, Mr. Willis seconded, and it passed. Both Mr. Stroyan and Mr. DiLorenzo voted ‘yes’, but Michael Williams abstained from voting, as that was his first meeting with the Planning Board.

September 8, 2022 Meeting Minutes: The Solicitor said that votes cannot be done at a workshop. He asked to make the following changes:

1. No one appeared for the Plates’ lot combination application, and the Board granted a 60-day extension, and
2. The attorney appeared for the Schneider & Shea application, and she was asked to get the County’s comments.

Ray Willis made a motion to approve these minutes with these corrections, Mr. McCarthy seconded, and it passed.

Schneider & Shea Lot Improvement Subdivision Application: Members reviewed the revised plan, which was submitted on September 27, 2022, they discussed that the County had sent their comments on September 13. One of their comments was to add the numbers for Fire Tower and Foster Hill, and that was done. The other comment from the County was to add the pipeline, that pipeline is not on Shea’s property, but on the Schneider’s. Members said that the Note # 14 needs to start with “The 15-acre portion of Lot 1 shall be joined to...” instead of just

“Lot No. 1 shall be joined to ...”, and they voted to recommend it to the Board of Supervisors with this correction.

Plate Lot Combination: Mr. DiLorenzo said that this applicant was still working on putting a driveway. He made a motion to extend for 60 days, Mr. McCarthy seconded, and it passed unanimously.

Econo-Pak Lot Consolidation Application: Mr. John Fuller said that this application is for the consolidation of the two parcels that Econo-Pak had purchased. A total of five acres of land would be added to the original land, hence the grand total of that land would be over 27 acres, and that is necessary for the land development, which was approved along with the conditional use. Kiley Associates had sent a number of comments, those were mostly about adding some notations to the plan, and it was incorporated. Kiley Associates had also commented to address the County’s comments, which were addressed by adding the lot numbers, the names of the owners, the building ties of the existing structures, monuments, and Ewald’s signature to the plan. Mr. DiLorenzo said that the only thing outstanding was the deed, the Solicitor said that he had provided the language that needed to be added to the Attorney, and it was not done yet. He suggested recommending this application to the Board of Supervisors with the condition of the deed to be approved by the Solicitor. Mr. Stroyan informed the Board that he was present at the last Supervisors’ meeting, the Board of Supervisors had received the developers agreement, which was found insufficient, and hence it would have to be redrafted. He added that that agreement did not include the improvements at the front of the building. He further added that that does not have anything to do with the approval of this application. Mr. Fuller said that it’s probably a different attorney, but the firm was not changed. He added that he attends their weekly meetings, and he had forwarded the conditions. He further added that he was not asked to proofread, and he would inquire about it at the next meeting of Econo-Pak.

Mr. DiLorenzo said that the septic system was put under the parking lot, and it was called a reserve area. There were no failures, everything they had had been approved by the DEP in the past, and one of their people would be required to be present for the perc test and the compaction test. Although it is done this way all the time, somebody decided not to have the septic under the parking lot, and now the parking lot is decided to be shortened to make space for the septic. Mr. DiLorenzo added that for now it’s settled. Mr. McCarthy made a motion to accept the application as presented before the Planning Commission, and to recommend it to the Board of Supervisors for their approval with the condition of the deed to be approved by the Solicitor. Mr. Willis seconded the motion, and it passed unanimously.

Zoning Ordinance 407.2 – County and Zoning Comments: Mr. DiLorenzo said that the building code does not control the job boxes. He continued that according to this latest version, three containers can be put as accessory uses, and any more than that would require a conditional use. He believed that any containers, such as job boxes or site boxes needed to be conditional uses on a case by case basis, and applicants will explain what they need and how they are going to use it. One of the comments from the Zoning was “It’s not clear whether the storage containers contribute to the lot coverage”. Job boxes sitting on the parking lot is pretty common, and those shouldn’t contribute to the lot coverage. One other comment from the Zoning was “it is unclear whether transport, shipping or storage units are a permitted use or a conditional use”, and it was never intended to be a permitted use. He added that these things

were never intended to be placed in front of the buildings. Mr. Stroyan added that allowing storage was not the intent, and the point was allowing job boxes.

The Solicitor said that Mr. Shepstone had worked on top of his June 28th version of this Amendment to satisfy the Zoning Officer's requirements, and he suggested discussing it in Mr. Shepstone's presence. Mr. Stroyan made a motion to table this item at the next meeting if Mr. Shepstone can attend, Mr. McCarthy seconded, and it passed unanimously.

Mr. Stroyan asked if the County had sent comments for Wellhead/Watershed Zoning Amendment. Shahana said that the County did send their comments, those comments were discussed at one of the meetings, where Mr. Shepstone had said that he would update this Amendment again. She added that she was waiting for that update. Mr. Stroyan said that the items "SALDO Redraft", "Zoning Ordinance Section # 608.1", "SALDO Section # 303.1.6 & 303.2", and "Making the Zoning Map Official" needed to be tabled at the next meeting also. The Solicitor suggested having Mr. Shepstone at the November workshop, as the October 13 workshop had to be canceled. Mr. Stroyan made a motion to table the items "Wellhead/Watershed Zoning Amendment", "SALDO Redraft", "Zoning Ordinance Section # 608.1", "SALDO Section # 303.1.6 & 303.2", and "Making the Zoning Map Official" depending on Mr. Shepstone's availability, Mr. DiLorenzo seconded, and it passed unanimously. Mr. DiLorenzo said that the item "Emergency Management Plan" also needed to be tabled at the next meeting, and he made a motion for it. Mr. Willis seconded the motion, and it passed unanimously.

Sewage Project – Draft of Act 537 Plan: Mr. DiLorenzo said that Members had just received the paper copies of this draft, and it was quite a lot. He added that the DEP had rejected the application, as the changes were not made by the specified time, and now it has to be started over again. Mr. Stroyan said that the intent of Milford Township was to allow it as a passthrough with the ability of allowing anyone that wants to join without any impediment, and Mr. DiLorenzo added that Westfall Township had agreed to that. Mr. Stroyan continued that the Plan, which is not written accordingly, was presented to DEP, and DEP wants an Intermunicipal Agreement (IMA) to make these things work. This agreement is between the four Municipalities and the two Authorities, and this agreement has some deficiencies in it. Ms. Hendricks had sent some comments and questions to Milford Water Authority (MWA), as they will be the operator in this end, and MWA had declined to answer. She had to bring her comments and questions to the Board of Supervisors' meeting so that the Board could formally accept her comments and send those to MWA. Shahana had already sent those comments to MWA. Those were really fundamental questions, one of those questions was what the financial health of the Municipal Authority and the Westfall Authority are, and when they would need to do capital improvements.

Mr. Stroyan said that the agreement leaves Westfall Municipal Authority completely in charge of deciding when those capital improvements will be done, who would be paying for them, who would be in the system, what the timeframe would be, and it does not include any other players. He added that according to the agreement, if anybody in this Township wants to join to the system, then the Township will have to have a new Act 537 Plan. Mr. DiLorenzo added that this Board had sent 56 questions, and the answer was that those questions didn't need to be answered, as this Township would be a transmission line only. He further added that when MWA had sent the survey, a lot of people had answered that they would be interested in the sewer line, but they were all under the wrong impression that they would be able to hookup if their own systems ever fail. He further added that he had spoken to people about it, and he had

received such responses. Mr. Stroyan added that the agreement doesn't listen to this Township's desires, and the Supervisors shouldn't sign the Intermunicipal Agreement. Mr. Willis added that this Board had done a good job in asking those questions. Mr. Stroyan added that the financing is a big point here, and Mr. DiLorenzo added that they can't write the Act 537 Plan without the mandatory hookup because they are taking the Government money. Mr. DiLorenzo further added that he had attended the meeting with the representatives of USDA and PennVEST, and they had said that if this Government money is used then there will have to be a mandatory hookup ordinance within 150 feet.

The Solicitor said that Mr. Magnotta had questioned why this Township was treated differently than the Westfall Township about hookups. Mr. Stroyan added that Westfall Township does not have a mandatory hookup ordinance, and Mr. DiLorenzo added that it depends on who's paying for it, and that way they don't have to take the grant money to extend the line. Mr. Stroyan added that the recent update of the IMA stated that Milford Township would be a passthrough only, won't allow customers to connect unless they enter into an agreement with Westfall Municipal Authority and Milford Municipal Authority for amendments to Act 537 Plan for their connections, and Milford Township will bear responsibilities for paying for such agreements and amendments. He further added that the Supervisors had asked this Board to make comments and questions. Mr. DiLorenzo said that the updated Act 537 Plan is very big, and Shahana said that she would send the extension request letter for the review period to HRG. Mr. Stroyan added that the link that HRG had sent was not readable, they were asked to provide paper copies, but they said that then the Township would have to pay for it.

Mr. DiLorenzo said that DEP was cutting back on costs, they won't provide applications for septic systems, and the Township would have to make their own. He added that the application could be filled out online, it might work better, and he would go to the Supervisors' meeting to inform them. He made a motion to table this item at the next meeting, so that Members could review it in the meantime, Mr. Williams seconded, and it passed unanimously.

Public Participation/Discussions:

Mr. Stroyan said that Michael Williams is young, the Board needs him, and he thanked Mr. Williams for stepping forward.

Mr. Willis made a motion to adjourn the meeting, Mr. McCarthy seconded, and it passed unanimously. Adjournment was at 8:20 P.M.

Respectfully,

Shahana Shamim
Secretary