

MINUTES
December 8, 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) and Patrick McCarthy, Solicitor Thomas Farley, and Secretary Shahana Shamim.

Review of November 22, 2022 Meeting Minutes: Mr. Stroyan said that he would clarify with Mr. Michael Williams about what he had said about laying out commercial and residential properties. He asked to table these minutes at the next meeting.

Plate Lot Combination: Mr. DiLorenzo said that the Solicitor had reviewed the deeds, and everything that was asked for was submitted. The Solicitor said that a 50 feet access was given to the Plates, and the deeds were from Shea to Holger, from Shea to Shea, and from Holger to Holger to combine. Members said that the Board was not concerned about Ms. Shea's access, and Mr. DiLorenzo added that the question was that whether the property under discussion was being landlocked. Mr. Stroyan said that the whole purpose of making the documented easement was that the applicant won't be caught up even if there's a dispute among his neighbors. Mr. DiLorenzo added that this property is still nonconforming because it doesn't have enough road frontage, and Members told the applicant that a preexisting nonconforming use certificate would be required. Ms. Dodsworth, the Attorney for the applicant, said that she was asked to acquire this certificate when she had attended one of the prior meetings, and she had contacted the Zoning Officer, who had told her that this certificate won't be required because the existing structure on that lot was previously approved. Mr. Stroyan said that the Township has to acknowledge the preexisting nonconformity. Mr. DiLorenzo added that the building on the property is agricultural, building permits are not required for agricultural buildings, and the only permit that is required for an agricultural building is electrical.

Ms. Dodsworth said that the Zoning Officer had looked at the assessor's record to find out when the structure was built. Mr. Plate said that he had built that structure in 1986, and Ms. Dodsworth added that a 1976 ordinance had existed. Mr. Stroyan said that at that time, permits were issued at the discretion of the Zoning Officer. He added that it's a workshop, hence the Board can't vote, and the Solicitor added that it would be voted at the December 27th meeting to recommend to the Board of Supervisors (BOS). Mr. Stroyan added that this Board would not hold this application for the certificate of preexisting nonconforming use, and it would be recommended with the contingency that this certificate would be required for the approval by the BOS. He asked the Secretary to add the phrase "certificate of nonconforming use" to the "Plate lot combination" item on the December 27 meeting agenda so that this matter is not forgotten. He also asked her to send the application to the County. The Solicitor added that he had reviewed the deeds and the map, and he is satisfied with those. He told the applicant that this Board would recommend it to the BOS, who will authorize at their January 3rd meeting to advertise for a Hearing at a future date to approve this application.

Members asked Ms. Dodsworth to provide a letter asking for an extension of 90 days as it was approaching the one-year deadline and they said that it will certainly be granted.

Making the Zoning Map Official: Mr. Stroyan asked to table this item at the next meeting.

Emergency Management Plan: Mr. DiLorenzo said that Mr. Mike Williams will join with him to work on this project. He continued that the Township building doesn't have any showers, food, or first aids, and it's going to cost a lot to provide all these things. The Township can team up with the County and provide them with the list of all the equipment that this Township has, and he already has that list ready. If something happens to this Township, then Gary Williams, Mike Williams, and himself would direct people where to go. He added that he would list the radio stations and phone numbers. Mr. McCarthy said that he would be able to assist if needed.

Sewage Project – Draft of Act 537 Plan: Mr. Stroyan said that the public comment period for this Draft would end on December 11, and Mr. DiLorenzo added that everything that was brought up at the Act 537 Hearing should be in the transcript. Mr. Stroyan continued that the docket, which DRBC had issued to Westfall, stated that the facility is one foot below the flood stage. That docket also stated that if any expansion is planned for taking new customers, then that has to be addressed at the Planning stage. It's not in the Intermunicipal Agreement. A letter could be made and then a copy could be forwarded to the Representative Cartwright, but the Board of Supervisors may not appreciate it. Acquiring sixteen and half Million Dollars is being talked about, but upgrading the facility is not being talked about. He added that this project is being hurried and attention is not being paid to what needs to be done.

Public Participation/Discussions:

Mr. Stroyan said that the Solicitor had approved the proposed amendment to the SALDO, and it needed to be added to the next meeting's agenda. Shahana said that she had sent it to the County for their review. The Solicitor added that the Board could wait for the County's comments before sending the recommendation to the BOS, or the recommendation could be sent to the BOS with the condition that the County's comments would have to be reviewed. Mr. Stroyan asked if the short-term rentals and the airbnb needed to be a part of this ordinance, as several issues had happened in the neighborhood. Mr. DiLorenzo said that Mr. Shepstone had sent him an ordinance regarding this matter, and he was already reviewing that. The Solicitor said that that should be the Supervisors' call, and Mr. Stroyan said that he would attend the next Supervisors' meeting to discuss this matter with them.

Mr. DiLorenzo said that Mr. Jim Leighty had complained about an Airbnb that was next to his house, and the vacationers were too loud. Mr. McCarthy said that the sound ordinance should be able to handle that, and Mr. DiLorenzo replied that the sound ordinance is for the businesses that run 24 hours a day, and the ordinance states that to have an actual case against the noise, readings have to be taken every 15 minutes over a 72-hour period. The Solicitor added that his ordinances regarding short term rentals for Delaware Township and Lackawaxen Township are posted on those Township's websites, and those state whether these short term rentals are grandfathered in or not, and whether it was grandfathered in with certain standards.

Mr. DiLorenzo added that the strongest issue is when these rentals are in residential areas, the Solicitor said that that could be prevented, and he suggested reviewing his ordinances for Delaware and Lackawaxen from their websites. He added that hotel taxes have to be paid in Pike County for the true Airbnbs, and otherwise these are not legitimate. He further added that there are records of the paid taxes, and if those were not paid, then they would have to pay the price. Mr. McCarthy added that the ordinance can be governed, and it's all good if people make money by following the ordinance. Mr. DiLorenzo added that these rentals in the residential area can be a nightmare, and Mr. Stroyan asked to put Short-Term Rentals on the next meeting's agenda.

The workshop adjourned at 7:40 P.M.

Respectfully,

Shahana Shamim

Secretary