

MINUTES
January 12, 2023
Milford Township Planning Commission Hybrid Reorganization and Hybrid Workshop
560 Route 6 & 209, Milford, PA 18337
7:00 p.m.

A Reorganization meeting, which was approved by the Board of Supervisors and advertised in the Pike County Dispatch, 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 meeting were, Members Kevin Stroyan (Vice-Chairman), Ray Willis, Patrick McCarthy, and Michael Williams, Solicitor Thomas Farley, and Secretary Shahana Shamim. Mr. McCarthy made a motion to appoint Mr. DiLorenzo as the Chairman again of this Board, Mr. Willis seconded, and it passed unanimously. Mr. McCarthy made a motion to appoint Mr. Stroyan as the Vice Chairman of this Board again, Mr. Williams seconded, and it passed unanimously. Members voted to adjourn the Reorganization meeting and to start the workshop.

Review of November 22, 2022 meeting and December 27, 2022 meeting Minutes: Members said that these minutes needed to be tabled at the next meeting, as some Members didn't get to review the suggested minutes.

K&N Holdings, LLC Fill Site – Kiley Associates, LLC: Mr. DiLorenzo said that they are applying for an NPDES permit, and they are informing the Township. Shahana said that the Board of Supervisors had received this information as a correspondence, and their Solicitor had asked it to be forwarded to the Zoning Officer and the Planning Board. Mr. Stroyan added that it was listed as a land development, and the Solicitor added that a land development meant creation of buildings. Mr. DiLorenzo said that he was working on this project, and the Conservation District had approved for trees under an acre. He added that a permit was required for more than half an acre, but no buildings were intended for it. He further added that there were no ordinances to stop this project. Mr. Stroyan added that a lot of earth will be moved, where it's going to be from is unknown, and someone should be responsible when that much earth is moved. He continued that he had done his own property from local jobs, and it was done in three years. Those materials were acceptable, as where those came from was known, the likelihood of contamination is very low, and the Conservation District had always allowed to proceed.

Mr. DiLorenzo said that any fill that is brought from out of the state has to go to DEP first, they want the analytical, and DEP had tested each truck when he was working on this project. The Solicitor suggested recommending it to the Board of Supervisors so that they can ask for reports through their Solicitor. He added that the recommendation could be that the dirt would have to be tested properly so that there are no serious contaminants. Mr. Stroyan suggested asking the Engineer about the volume also, as the area of the property is 15 acres, the depth is 80 feet, and that's going to be a lot of fills. He added that Supervisors should be informed about this volume. Mr. Willis added that Mr. Shi had done big projects, such as, apartment buildings and shopping centers. Mr. DiLorenzo added that the project was shut down when he retired, then the Conservation declared the runoff as a stream, and now the property owner has to stay 150 feet away from the stream. The Solicitor added that the project doesn't satisfy the definition of a land development, and an inspection needs to be done for the large

volume of the fill. Mr. DiLorenzo said that the Conservation District is in charge of sending reports, and the Solicitor added that the results of the tests will have to be forwarded to the Township. Mr. Stroyan added that the map does not have all the information to determine the volume. Mr. DiLorenzo added that it might be close to 600,000 cubic yards of fill, and 35,000 18-yard triaxle trucks might be needed to bring that fill. Mr. Stroyan asked the Solicitor to write a letter to the Board of Supervisors expressing this Board's concerns, to ask them to have the Engineer review the NPDES plans, and to ask for the results of the material that would be placed into the area on an ongoing basis. The Solicitor said that he would draft the letter and send it to Shahana, and she will forward comments from the Members back to him. Mr. DiLorenzo added that the Engineer would have to review it first, and then the Supervisors would have to weigh in the Planning Board's recommendation.

Mr. DiLorenzo said that the traffic control will be a big issue because he had 20 trucks at one time, those were parked on the side of Route 6, and that's not a safe thing. In reply to Mr. Willis' inquiry, he said that there's no HOP, but PennDOT had provided a construction entrance permit.

Comprehensive Plan Update: Mr. Stroyan said that the grant for this update was approved, the first installment of the grant was received already, and regular updates would have to be sent to the County. He asked the Secretary to contact Woodland Design Associates to let them know that this Board will reserve the workshops to work on this update. He also asked her to send the new reporting standards to Woodland Design Associates so that they can fill it out, and then that it could be sent to the County Planning. The Solicitor suggested sending an email Woodland Design Associates so that they attend the February workshop, and thus the project could be started. Mr. Willis added that according to the letter, future payment requests may be submitted any time 80% of the grant funds is expended. The secretary said that she had received \$1,562.50 as the first instalment of the grant. Mr. Stroyan added that they want the Township to spend the money, and they would send more money. He further added that the community has to be put together, and residents that are willing to serve will have to be included into this project.

SALDO Redraft: The Solicitor said that the County had sent a correspondence stating that it was a whole new rewrite, and they needed 30 extra days. Mr. Stroyan added that him and Mr. DiLorenzo had met with all three Members of the County Planning that day, and the item "Making the Zoning Map Official" needs to be discussed along with this item. He continued that he had asked them to consult with Mr. Shepstone about this matter, and most of it is housekeeping stuff. The Source Water Protection Plan (SWPP), which has not become an ordinance yet, is included in the SALDO, and so in the meantime, this Board will get the SWPP ordinance ready. A huge progress was made on the Zoning maps at that discussion, and an overlay map for the watershed and the springs of this Township will be done. Penney didn't want to move ahead without that overlay map, the official zoning map will be done first, and then another map just for the watershed will be done. It will be an overlay on the zoning map, it will be just for the SWPP ordinance, and it will be titled differently. 1,000 foot perimeters will be added on that map for the public wells, which are in Moon Valley Falls and Wheatfield Village. The County didn't realize that there were different zones for different types of water supply, all those water supplies will be on the map, and that map will be for the SWPP ordinance. The zoning map, which existed before 1996, actually existed in the County office, but it was not signed, and that means that this Township never had an official zoning map. A proclamation was

made for Quick's property, that will be on the map, and the Hickory Hills property will be changed to residential, as those lots (including the front lot) were developed according to the residential standards. Mr. DiLorenzo added that this map that the County just found was actually the original map that Viola had colored for the Township building. Mr. Stroyan added that each property will have to be tagged, notifications will have to be done, or a public notice will have to be done if the change is substantial. The Solicitor said that the residents, whose properties' zoning will be changed, will have to be notified.

Short Term Rentals/AirBnB Ordinance/Dispensary Ordinance and Regulation/ Alternative Energy: Mr. Stroyan said that him and Mr. DiLorenzo had attended the Supervisors' meeting, these are all hot topics, and the Supervisors are on board with it. Mr. DiLorenzo added that he had made copies of Mr. Farley's short term rental ordinance for Delaware Township and Mr. Shepstone's short term rental ordinance, and he had handed those to the Members. The Solicitor said that he had done a dispensary ordinance also for Delaware Township. He continued that his ordinance states that short term rentals cannot be done if the community prohibits it, those can be grandfathered, except the ones that didn't pay the hotel taxes, which is easy to prove, and those thieves would have to follow the new rules.

Mr. Stroyan said that windmills, solar panels, geothermal, and Central outdoor furnaces needed to be discussed also. Mr. Willis added that no furnaces are designed to burn anything, and trash is not supposed to be put in it, but some people do that. He further added that manufacturers' recommendation is to put clean hard woods only. In reply to his inquiry, Mr. Stroyan said that his concern about the geothermal is the use of the land. He continued that finger wells are being drilled instead of regular wells, and they are calling it slinky. They are about 12 feet wide and 50-100 feet long, then the pipe inside it is buried in sand, and it's always 50 degrees. It's a thermal exchanger, the energy is taken from the temperature of the ground, and they put antifreeze in it. There will be a lot of fluid in that pipe, and hence, the location of it relative to the wells and the septic is important when this much land is used on small pieces of properties.

Mr. Willis said that for solar panels, they ask if you want it on the roof top or on the ground, it's regulated by power companies, and they don't allow it in residential properties. Energy is produced, and then the extra energy goes to the grid. In the summertime, more energy is produced than can be used, and that goes into the account as a backward meter. There's a 25-year warranty, and the life expectancy is 30-40 years. They don't allow more than 5% of the user's annual usage, a solar farm would be a conditional use for this Township, and it's different for different states. Mr. DiLorenzo added that in New Jersey they put solar panels on the telephone poles.

Sewage Project – Draft of Act 537 plan: Mr. DiLorenzo said that he had received a copy of the resolution for this plan, and Mr. Stroyan said that the Supervisors won't accept this resolution, if it doesn't include that they do not agree with the current form of the Intermunicipal Agreement (IMA). Mr. Williams said that a letter was sent regarding the split bills to the rest of the Municipalities. Mr. Stroyan replied that there was a Hearing, then a bill was sent without asking this Township, and that's why that letter stated that future bills won't be paid without prior authorizations. He continued that for moving up to DEP, they need to have a resolution from each municipality stating that they will adopt that as their Act 537 Plan, and that means that this Township would have to agree to all the provisions in the Plan. The current IMA doesn't

take into account how the money would be divided, and it doesn't address the health of the facility either. According to the current IMA, all the capital improvements will have to be shared equally, but they haven't stated what the health of the facility is, and whether it's going to need a capital improvement. How much those improvements are going to cost needs to be known, and the Supervisors are clarifying that the resolution would have to be modified. The Act 537 Plan only addresses the central sewage, which covers a small percentage of this Township, and they want to govern how we are going to do the OLDS Ordinance, which could be a nightmare. The Solicitor added that Delaware Township has the OLDS ordinance, but they don't enforce it, as a lot of people can't afford it as it involves the sludge judge, inspection, and cleaning. Mr. DiLorenzo added that every septic system is different, DEP did not create a regulation for it for the past 20 years, and the simple reason is that there is a problem.

Public Participation/Discussions:

Mr. Stroyan said that a Hearing is scheduled for the end of the month, and he asked Shahana if that was advertised. Shahana replied that she had received another request for extension from the applicant, and the Hearing schedule might change. Mr. Stroyan said that the Zoning Officer was helping them to redesign the parking so that it conforms to the Zoning Ordinance, and the applicant is waiting to hear back for what they had submitted to him. He asked the Solicitor if it would have to be started from the scratch, as it's a new plan, and the Solicitor replied that that would be up to the Supervisors.

The workshop adjourned at 8:26 P.M.

Respectfully,

Shahana Shamim

Secretary