

MINUTES
January 24, 2023
Milford Township Planning Commission Hybrid Meeting
560 Route 6 & 209, Milford, PA 18337
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, Patrick McCarthy, and Michael Williams, Solicitor Thomas Farley, and Secretary Shahana Shamim.

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.

Review of January 12, 2023 Reorganization and Workshop Minutes : Members suggested the following changes to these minutes:

1. To replace "trees" by "Disturbance" in the sentence "Mr. DiLorenzo said that he was working on this project, and the Conservation District had approved for trees under an acre" in the "K&N Holdings – LLC Fillsite" section.
2. To remove "and the Conservation District had always allowed to proceed" from the sentence "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" in the same section.
3. To remove "DEP had tested each truck when he was working on this project" from the sentence "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" under the same section.
4. To change "will have to be" to "should be" in the sentence "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" under the same section.
5. To replace the sentence "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" to "Mr. DiLorenzo added that the Engineer should review the plot plan for the volume of fill."
6. To remove "permit" from the sentence "there's no HOP, but PennDOT had provided a construction entrance permit" under the same section, as PennDOT had approved the construction entrance, and no permits were provided.
7. To replace "they would send more money" by "the County would reimburse" in the sentence "they want the Township to spend the money, and they would send more money" under the "Comprehensive Plan Update" section.
8. To add "focus group" after the word "community" in the sentence "the community has to be put together, and residents that are willing to serve will have to be included into this project."

9. To remove the sentence “he had asked them to consult with Mr. Shepstone about this matter, and most of it is housekeeping stuff” from the “SALDO Redraft” section.
10. To remove the sentences “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.” in the same section.
11. To change the word “tagged” to “posted” in the sentence “each property will have to be tagged” under the same section.
12. To replace “and they are calling it slinky” by “they are using a device, and they are calling it a slinky” to the sentence “finger wells are being drilled instead of regular wells, and they are calling it slinky” under “Alternative Energy” section.
13. To add the words “where the ground is always 50 degrees” after the sentence “They are about 12 feet wide and 50-100 feet long, and then the pipe inside it is buried in sand” in the same section.
14. To replace “more than” by “over” in the sentence “They don’t allow more than 5% of the user’s annual usage” under the alternate energy section.
15. To delete “and they don’t allow it in residential properties” from the sentence “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” under the same section.

Mr. Stroyan made a motion to approve these minutes with these corrections, Mr. DiLorenzo seconded, and it passed unanimously.

K&N Holdings, LLC Fill Site – Kiley Associates, LLC: The Solicitor said that he had drafted a letter to the Board of Supervisors, and the Secretary had forwarded it to all members. Mr. Stroyan said that asking the engineer to state the actual cubic yards/tonnage of the fill needs to be added to the letter. The Solicitor said that he would make that update.

Comprehensive Plan Update: Shahana said that Emily from Woodland Design Associates had asked her to confirm that this project would start at the next workshop, which is scheduled for February 9. She added that she had confirmed to Emily by an email. The Solicitor asked if any member from the general public would be involved, and Mr. Stroyan said that a community focus group should be involved in this project. Mr. McCarthy suggested making an appendix, as this Plan is quite vast. Mr. DiLorenzo added that the Comprehensive Plan shouldn’t contradict any of the ordinances. Mr. Stroyan added that the purpose of the Planning Board to review the Comprehensive Plan is to make sure that it aligns with the Zoning Ordinance and the SALDO.

SALDO Redraft: The Solicitor said that the County had asked for a 30-day extension for reviewing this redraft. Mr. DiLorenzo added that this redraft cannot move ahead until the Wellhead Protection Ordinance is in place, and Supervisors had said that they won’t approve this Ordinance without the map. He continued that people get confused about the wellhead and the watershed protection, and wellheads with circles around them would also be put on the map. He

had reviewed the old minutes, and he had discussed with the County members, who had told him that 1991 is the most current official zoning map. According to those minutes, Hickory Hills was never commercial, it had been residential since 1977, and somebody had made a mistake about its zoning at that time. Mr. Stroyan added that this property was subdivided at that time, and it was still being taxed as a single property, as pieces were not sold right away. Cal Damion later came to the Township, and he asked to keep one of those lots to be commercial. He added that somebody had put a 'D' on top of the 'R', and that had confused everybody. Mr. DiLorenzo added that on top of this official map, about ten properties' zonings would need to be amended. Mr. Stroyan added that the information of changing the zoning would have to be mailed to the property owners before holding the public Hearing.

Short Term Rentals/AirBnB Ordinance/Dispensary Ordinance and Regulation/

Alternative Energy: Mr. DiLorenzo said that the two versions that he had handed out were very similar, Mr. McCarthy said that he liked both, and he suggested mixing those two. Mr. McCarthy suggested adding the option of putting the permit and the contact information at the front of the property. Mr. DiLorenzo added that the owners could be required to get a license every year, and that license number could be posted at the front of the property. He added that they do that in Virginia, and if it's through a real estate, then their name and contact number are posted too, and that way the renters know that they would be called if they become obnoxious. The Solicitor added that according to his ordinance for Delaware Township, the owners would have to come to the township to get a permit. Mr. Stroyan added that these AirBnB owners are mostly the absent landlords, and the Solicitor added that some of these landlords are very responsible. Mr. DiLorenzo added that there are a lot of complaints against the AirBnBs in Shohola and Dingman Township. Mr. Stroyan added that safety, health, and welfare are the preferences, and in reply to his inquiry the Solicitor said that only the state police can show up at 9:00 P.M. on a Saturday night, and according to his Delaware Township ordinance, the Township can be called that Monday so that somebody can go and check what's going on. Mr. McCarthy suggested putting a sound meter, and if it reaches a certain decibel then it would automatically call the homeowner. He also suggested putting a camera, which would ensure that everything is okay, and Mr. Stroyan said that that would pose a privacy issue. The Solicitor added that a lot of homeowners don't live close by, and they won't show up right away if they're called.

Members also discussed that the Townships that have ordinances don't get a lot of complaints, and this Township is not against short term rentals if they are done properly. A lot of AirBnBs are around lakes and woods, some owners get really good renters, and often a bunch of families get together. This township has a lot of smaller subdivisions, and most of those were created in the eighties. One of the Members asked if the renewal fee would be prorated if the application is placed after the registration deadline of the year, as the renewal permit is only for a year and the Zoning is present only on Mondays. The other comment he made was that both ordinances state putting Carbon Monoxide detector over the gas or wood fireplace, but none of those covered the cooking stoves. The Solicitor said that AirBnBs are not prohibited in Lackawaxen and Delaware Township, and those are regulated. According to those ordinances, AirBnBs are not grandfathered in if there's no hotel tax proof, and that's the redline for being grandfathered in. Every association can vote on whether or not they would allow short term rentals in their community, a lot of communities don't want these rentals, and it could be in the restrictive covenant. The application date is January 1 in the Townships of Delaware and Lackawaxen.

Members said that a shop for Marijuana will be there in Delaware Township. The Solicitor said that he probably didn't have any standalone ordinances for dispensaries, he had probably added it in a Zoning Ordinance, and he will forward it to the Members. He added that he didn't have anything for the alternate energy, and Members said that Mr. Shepstone might have something.

Decision: Members would review both versions of the ordinance, and send their notes to the Solicitor.

Emergency Management Plan: Mr. Williams said that he had added the emergency contact numbers in the plan, and the Township's list of equipment would have to be updated. Mr. DiLorenzo added that that would have to wait until the Township receives the new truck.

Sewage Project – Draft of Act 537 Plan:

Discussion: Chris Wood had commented on different sections of this Plan as a private individual, and recently five changes were made to this plan. Delaware River Basin Commission had sent a letter with the permit stating that the building is one foot under the flood plain, they want it to be corrected, and it was never done. That has to be addressed before the new permit comes, and Municipalities should not be billed for that, as that should have been done before they even started this project. They are trying to take it to Mr. Cartwright's office so that the promised money could be locked down, and that's why they are so specific about the resolution wording. This Board has done as much as possible, and now it's up to the Supervisors. According to this Plan, all participants will be responsible for all the upgrades on top of what Westfall Authority puts in, and this township will be a participant as soon as the resolution is signed. The words "all participants" are problematic, as this Township is just a transmission line, and there is no distinction for that in the plan.

Even if this Township is omitted from the responsibility for being just a transmission line, that would change as soon as someone taps in and there might be about half a dozen takers. The Township might be responsible for the maintenance at that point even if they pay themselves for their own connection. Ms. Hendricks had written a letter to the Municipal Authority about the Intermunicipal Agreement (IMA) stating that the health of the other facility hasn't been assessed yet, there's no indication about how much it might cost to address that issue, and how the plan can be signed at this point. The Municipal Authority had refused to answer to those questions. The Municipal Authority is also refusing to answer how much money they will put into it. Mr. DiLoreno added that the Plan had stated that the SEO can enter anybody's property anytime; it shouldn't be there, as a violation letter has to be written first to enter anybody's property.

Public Participation/Discussions:

Mr. Stroyan said that a report from the Planning Board is due annually and he asked the Secretary to add it to the next meeting's agenda. Mr. DiLorenzo added that the Section 407.2 also needed to be added to the agenda, as the County was reviewing it. Mr. Williams said that the proposed transmission line comes out of Birchwood, goes through Acenac and Quinn's property, and then up Route 6 by the Stone Quarry. He added that it's laid out in the Google Map. He informed the Members that LVL Engineering had appealed the Zoning Hearing Board decision, and the Hearing will be held on April 23rd in front of Judge Kelly. Members said that the land didn't create the hardship, the applicant had created their own hardship, and the Zoning Hearing Board lawyer will represent at the Hearing.

At 8:29 P.M., Mr. Stroyan made a motion to adjourn the meeting, Mr. McCarthy seconded, and it passed unanimously.

Respectfully,

Shahana Shamim
Secretary