

MINUTES

**March 6, 2023 Hybrid Workshop of the Board of Supervisors (Zoom meeting ID was advertised in advance in the Pike County Dispatch)
560 Route 6 & 209
7:00 p.m.**

Mr. DePetris from Legend Properties presented a sketch map proposal for development of the Santos Property on Rt. 6 & 209, on the river side of the street. He said that they enjoyed excellent relationships with the government and state agencies, DEP, and PennDOT, and they won't try to do something that is not welcome. He continued that the frontage will be developed for the commercial users, and it will include a coffee store, a major gas convenience operation, and a fast food restaurant. In the second phase, about 50 very upscale condo residential units that the community will be proud of, will be developed, as a lot of people want to downsize. For the second phase, they will wait for the public sewer to come. It's a beautiful property, it's close to the river, and there might be one or two first class professional buildings at the most. Right now, the zoning doesn't allow that many units. He added that he needed feedback about this proposal so that he could decide if he could move ahead with this business plan or whether he needed to move in a different direction. The Solicitor said that a while ago, Legend Properties had suggested an amendment to the Zoning Ordinance for a mixed use, which is not allowed in the Zoning Ordinance, and the Planning Commission and the County Planning Commission had reviewed it. He added that an acreage limit for this purpose was discussed back and forth, but nothing was finalized.

Rachel said that she would like to see family sustaining job producing entities, but that won't be achieved from fast food, coffee shops, and convenience stores. Mr. DePetris said that warehouses don't employ a lot of people either. In reply to Rachel's inquiry, he said that he knew that this is Milford, and this project will have to be of character. In reply to her inquiry about studies regarding the site and potential traffic, he said that it's a busy road, putting a traffic signal would be beneficial, and it would attract tenants. In reply to Penney's inquiry, he said that there are two hotels and a number of motels in the area, and that industry was negatively impacted severely by the pandemic, but it's coming back now. He added that this development will have a very little impact on this area, as it will be age restricted. Rachel disagreed saying that this area is struggling to get the paid ambulance service, and an age restricted housing complex would increase demand for those services. She added that currently a part of the EMS service is paid from the ambulance tax revenue, this development will generate somewhat more revenue, but that probably will not be enough for the extra ambulance service. Mr. DePetris said that they had done the age restriction percentage of 40/60 in Smithfield Township. He added that there's an extra cost for school age children.

Rachel said that the Planning Commission will be the first one to discuss the conditions and zoning changes. The Solicitor said that when this housing was discussed last time, the density was an issue, and the zoning allows only one residence for an acre unless the public sewer comes. He added that 20 residences would be allowed, as this parcel is 20 acres. Mr. DePetris said that the residential part will be on 12-13 acres, there will be a lot of open spaces, and there will be a lot of character. He added that they were trying to take a realistic approach. Rachel said that the sketch was very preliminary, it didn't have the landscaping plan, and three acres are set aside for the sewage. Mr. DePetris said that that sewage area was for the commercial portion. Rachel added that the sketch plan showed a number of entrances to the convenient store, and the ordinance doesn't allow that. Mr. DePetris suggested sharing the road with the Township building, and Supervisors said that that would not be acceptable to them; it would bury the entrance to the Township building within their development, and that would complicate things during voting. Gary added that that road is used by the Township trucks, and the salt is delivered by that road also. He added that it will provide a wrong impression that the Township will take care of that road.

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March 6, 2023 Hybrid Meeting of the Board of Supervisors (Zoom meeting ID was advertised in advance in the Pike County Dispatch)

560 Route 6 & 209

7:00 p.m.

A scheduled meeting of Milford Township Supervisors was called to order at 7:00 P.M. by Chairperson Rachel Hendricks. Also present were Vice Chairperson Gary M. Williams, Penney Luhrs Solicitor Anthony Magnotta, and Secretary/Treasurer Shahana Shamim.

Gary made a motion to approve the minutes of the previous meeting, Rachel seconded, and it passed.

Treasurer's Report:

Shahana reported that since the last meeting she had received \$11,460.97 from Blue Ridge Cable, \$139.07 from Code Inspections, \$65.95 from District Court, \$1,340.00 from Sewage, and \$29,579.65 from the Tax Collector. She also reported the financial account balances as \$128,652.81, \$208,986.95, \$22,296.11, \$18,261.27, \$15,483.39, and \$127,788.98 in the accounts of Wayne Bank (Investment), Wayne bank (General), Wayne Bank (Payroll), NBT Bank, PLGIT (General), and PLGIT (Liquid Fuels) respectively.

Roadmaster:

Mr. Williams, the Roadmaster, said that there were four different storms after the last meeting. He continued that the 2017 RAM 5500 is still down, and its parts were ordered five weeks ago. Harvey had checked on the new truck, which is in Clark Summit right now, and it will probably be delivered next week. A lot of patching was done on the dirt portion of Schocopee Road. This road is all dirt, and it's hard to plow. There's enough supply of salt for the rest of the winter, and if there's not enough space for another 400 Tons of salt, then a storage fee will have to be paid. Gary added that he would like to put the Kodiak, which is 25 years old, up for bid as soon as the new truck arrives.

Zoning:

The Solicitor said that National Land Developers sent a letter of extension until the end of April, and it will have to be acted on tonight. He added that Mr. Gable, the Engineer for this project, is diligently working on this warehouse project, and they will present it as soon as it is ready.

Public participation #1:

In reply to Rachel's inquiry, Mr. DePetris said that the federal law for the age restriction is 80/20. Rachel said that there are a number of fast food restaurants in Westfall Township, and the most recent building constructed for this purpose has already had turnover, and hence there may not be enough market for additional fast food, except that this one is closer to Milford Borough. Mr. DePetris agreed, and said that Applebee's or Chili's could be some other options. He further added that attending the Planning Commission meeting will be his next step.

Mr. Santos said that he had been living in this area for a long time, and his grandfather was a supervisor in the early 1900s. He continued that he was born in 1941, he was a supervisor here for 12 years in the seventies, and his father had bought this farm. At that time, the Township didn't have a

building, and it didn't even have a property. The Township owned two pieces of equipment, he drove the truck, and those were kept in his farm. 19 years ago, he and his siblings inherited the farm after his father died, and then the IRS informed them that they owed about \$1 Million of inheritance tax. They didn't have money to pay that tax bill, and selling that property was the only way to pay for that tax. Mr. DePetris has been paying some money to the IRS for the past six years on his behalf so that the IRS does not take the property away from them. Mr. DePetris has an interest in this property, Dave Chant took him to Stroudsburg to show Mr. DePetris' other projects, which he liked and those would be nice on this farm here. In reply to Penney's inquiry, he said that for now he won't sell the portion of the property that's on the other side of the road.

Secretary's Report:

Shahana presented various correspondences received, including from Pike County Assessment, Solicitor, PSATS, HRG, PennDOT, Certificate of Insurance, Pike County Planning, Pike County Tax Administrator, and Pike County Conservation District.

Old Business:

Econo-Pak Developers' Agreement: The Solicitor said that the applicant had sent emails concerning the form of the bond. He added that he had asked them to make the Engineer review it for the estimate. Rachel said that there was nothing to address, and she made a motion to table this item at the next meeting. Gary seconded the motion, and it passed unanimously.

Zoning Map and Water Protection Proposal Map: Mr. DiLorenzo, the Chairman of the Planning Board, asked to table these two items to the next meeting, and he asked to have an executive session to discuss potential litigation. Rachel made a motion to table these two items to the next meeting, Penney seconded, and it passed unanimously.

National Land Developers' Conditional Use Application: Rachel said that the applicant had sent a request to extend the deadline until the end of April. She added that hopefully the applicant will simultaneously withdraw their existing application and will file a new application by this time. She asked the Solicitor to confirm if the neighbors and the community entities that had become parties would become void as soon as the original application is withdrawn, and if those parties would have to attend the first hearing for the new application to become parties again. The Solicitor replied that the new application would be forwarded to the Zoning Officer, who will forward it to the Planning Commission, as it's a conditional use. The Planning Commission will review it, and recommend it to the Board of Supervisors, which will schedule a public Hearing and any interested parties would have to come forward at this time as it would be an entirely new Hearing. Gary made a motion to extend the deadline for this application to the end of April, Penney seconded, and it passed unanimously.

Amendment to the Zoning Ordinance 407.2 – County comments: Mr. DiLorenzo said that Thomas Shepstone would attend the next Planning Board meeting to discuss this item. Rachel made a motion to table this item at the next meeting, Gary seconded, and it passed unanimously.

Plate and Shea Minor Subdivision – Authorize to Advertise – request for additional 60 days: The Solicitor said that the Planning Commission had approved it, and he had received the deeds. He added that the advertising could be addressed at the next meeting. Penney made a motion to allow additional 60 days for this application, Rachel seconded, and it passed unanimously.

K&N Holdings, LLC. Fill Site – Update: The Solicitor said that the Conservation District had checked on it, and as of now, it's fine.

New Business:

MacLennan Hall Crematorium – Comments concerning the Renewal: The comment period is 30 days from the date of the letter, and there were no complaints from the neighbors.

Engineering Appointment Clarifications:

Econo-Pak: Conditional Use and Land Development approved, The Developers' Agreement is being worked on: Rachel said that Kiley Associates is not the primary Engineer for this Township anymore, but it's Mr. Fuller's project, and hence Kiley Associates should continue reviewing this project. Gary made a motion for Kiley Associates to continue reviewing this project, Penney seconded, and it passed unanimously.

National Land Developers: Conditional Use Application is pending before the Township and Kiley Associates had been reviewing the application: Rachel said that this project is most likely going to start from scratch. The Solicitor added that the original conditional use was reviewed by Kiley Associates, but this applicant will probably send a new set of plans. Rachel made a motion to assign Mr. Fuller to review if a new set of plans is received, Gary seconded, and it passed unanimously.

UGI: The Solicitor said that the final inspection for this project hasn't been done yet, and Rachel added that Kiley Associates had reviewed this whole project. Gary made a motion to stick with Kiley Associates for the rest of this project, Penney seconded, and it passed unanimously.

Other public participation:

None

Rachel made a motion to pay the bills, Gary seconded, and it passed unanimously.

Executive Session

Rachel said that the Planning Board Chair had requested to discuss a matter of potential litigation. She made a motion to recess the meeting to enter into executive session, Penney seconded, and it passed unanimously. After the executive session, Rachel made a motion for the Solicitor to communicate with the County Planning Office, Penney seconded, and it passed unanimously.

There was no other business to discuss. At 7:36 P.M., Penney made a motion to adjourn, Ms. Hendricks seconded, and it passed.

Respectfully submitted,

Shahana Shamim

Secretary/Treasurer