

MINUTES
February 28, 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, and Patrick McCarthy, Solicitor Thomas Farley, and Secretary Shahana Shamim.

Review of November 22, 2022, December 27, 2022, January 24, 2023, and February 9, 2023 Workshop Minutes: Members asked the Secretary to table these minutes at the next meeting.

Annual Report to the Board of Supervisors: A list of what was worked on will be made.

Amendment to the Zoning Ordinance 407.2 – County comments: Mr. Tom Shepstone will attend to discuss it, and so this item will be tabled whenever he attends the meeting. He had addressed the Zoning Officer’s comments, and then the Zoning Officer made more comments.

Comprehensive Plan Update: Mr. Jayson Wood had attended the last workshop, and he is putting everything together.

SALDO Redraft: The County review for SALDO was too comprehensive to put on paper, and they had discussed it with Mr. Shepstone over the phone. All correspondences from the County don’t need to be posted on the website, as the general public might misunderstand it. County comments that are addressed to the Planning Commission don’t even need to be forwarded to the Board of Supervisors until the final product is made.

Short Term Rentals (STR), Airbnb, Dispensary Ordinance, Alternative Energy: There are three districts, residential, developmental, and low growth, and it could be a permitted use in the DD district. It should be a conditional use in the low growth district and in the residential zone, so that where and what is being put could be seen. Some residences have enough land to put an STR, and hence it could be a case by case basis. One of the conditions for the residential zone could be that the association would have to approve it, but most subdivisions in this township do not have a homeowners’ associations (HOA). A couple of subdivisions in this Township have the HOA, and they can have that authority. It can be regulated and prohibited in the residential zone with restrictive covenants, which can be used for residences only, and it cannot be used for hotels and resorts. Lackawaxen township in general wants them, but some associations in that Township don’t want it. Delaware Township doesn’t want it in the residential zone, and it's permitted in two other districts. The existing ones are grandfathered in to avoid lawsuits, and the proof of being grandfathered in is the payment of the hotel tax. The Township

can prohibit it in the cluster developments that don't have associations, and the existing STRs could be grandfathered in to avoid lawsuits. Conditions could be put on the other two districts.

Milford Township is different than other Townships because of the way the subdivisions were done. There are one-third acre lots in Moon Valley and Pine Acres, some subdivisions have one acre lots, and they don't have associations. Some residential areas can do STRs without a problem, whereas some residential areas cannot do it without a problem. Black Walnut Inn has 30 acres, there are Airbnbs, and some of those may not have permits. Recently, about 30 tons of machinery (excavators, rakes, gazebos, brush hogs, spreader boxes, and overseas containers) were unloaded in that property. There are some complete units with compost toilets in big pieces of lands, and that doesn't seem to be a problem. DEP always allowed compost toilets, and no permits are required for it.

A resident owns a property, which has nothing around it, he wants to put a house there for renting, and some kind of permit will be required for that. A setback ordinance and a minimum acreage requirement ordinance could be created, but this point would be different if the owner wants to do the STR on an existing house. The Ordinance will have to address these two different criteria so that STRs cannot be built until they get the conditions. For most people, it's their extra house, they want to generate money, and some people even make 60K/year from these rentals. Some people are putting up buildings for STRs, and some people ask if they can build on their property for STRs, whereas some existing buildings are being rented. It could be permitted in the DD Zone, as these are businesses.

Acreage could be a condition, but that would make a situation where an owner who has five acres would be able to do the STR, whereas an owner who has only half an acre won't be able to do it. On the other hand, the larger property will have less impact on the neighbors. It could be a conditional use in the low growth zone and in the residential zone, and there would have to have a stronger buffer zone in the residential area. Another condition could be that all the neighbors within a certain distance would have to be notified, and it is done for conditional uses anyway. It would be wise to do the grandfathering in, and that way the owners that are doing it illegally and making a big money could be found. The STR could apply to permanent structures only.

Some treehouses are being rented, Treehouses don't require a building permit, unless it is commercial, and it normally doesn't have a footage. There are some vacation homes in treehouses. There is a bar in a treehouse in New York, it can accommodate about 35 people, and there should be some kind of permit for it. No municipalities in this County address the treehouse, hence it could be a use not provided for, or that has to be a separate ordinance from the STR. Some houses are made with compost toilets, and that should be regulated based on the zones. Portables, such as yurts, can be moved, hence they don't require a building permit, and it should fall under campgrounds.

Recreational vehicle parks and campgrounds are allowed only in the low growth zone as conditional uses, and those shall be located no closer than 25 feet from the street right of way. There's nothing in the ordinance about tiny homes, and some of them are quite nice. There are

RV shows now and those cost about \$200,000. They are transported as homes, and nobody knows if those are licensed by PennDOT. They are tied up to the ground, hooked up to the utilities, but they don't have a foundation. Some people in Shohola were living in a travel trailer year-round. There's nothing that can be done with these homes. The Solicitor said that he would look up ordinances for tiny homes.

Windmills are already in the ordinance, but there's nothing in the ordinance about the solar panels. There's a big push from the companies, as they are putting those in for free. The solar panels can lower the electric bills, and it can save even more in the summer months, but there's a cost for the installation and the roof replacement. They come with a 25-year warranty. Geothermal are put in the basement with coils, those are like furnaces, and it can be regulated by inspecting the heating system. It can come on a bigger scale. The marijuana ordinance that Mr. Farley sent will be discussed at the next meeting.

Zoning Map: 1991 map is the official zoning map for Milford Township. The County have had this 1991 map for 30 years, and they have been working on it since then. The minutes were reviewed, those were sent to the County Planning, and they said that this is actually the official map. This map will have to be forwarded to the Board of Supervisors so that they can sign it, and then it will be forwarded to the County Planning. This map doesn't have the changes that had happened after 1991. The 1,000 feet setback along Route 6 for setting the commercial area was done in 1999, and that ordinance exists. The minutes will have to be reviewed to confirm that the changes were done properly with advertisements, notifications, and Hearings, and it will have to be forwarded to the County. Then the amendment to this map will start. Two parcels in Hickory Hills were changed to commercial, the rest of the parcels were always residential, and a 'C' instead of an 'R' on those properties was written by mistake.

Decision: Mr. Stroyan made a motion for Mr. DiLorenzo to attend the next Supervisors' meeting to explain and recommend this 1991 map so that they can sign it to start the process of finalizing the official map, Mr. McCarthy seconded, and it passed unanimously. Mr. Stroyan also made a motion for Mr. DiLorenzo to present the Watershed map to the Board of Supervisors at their next meeting, Mr. Willis seconded, and it passed unanimously.

Sewage Project – Draft of Act 537 Plan: The resolution was finally signed. The \$16 Million won't do the job. The plant is in the flood plain, and that has to be lifted.

Public Participation/Discussions:

Mr. DiLorenzo said that there is an ordinance for cutting trees over half an acre, and K & N Holdings is still filling it's 28-acre land. The Board was discussing whether it was land development or not, and according to the definition, it is actually a land development. The Conservation District and DEP had asked them to cease, as they had applied for the NPDES permit, and they don't have it yet. He had called the Conservation District, and he was told that they are still dumping. Mr. Willis added that a few more loads were dumped the previous week.

At 8:25 P.M., Mr. DiLorenzo made a motion to adjourn the meeting, Mr. Willis seconded, and it passed unanimously.

Respectfully,

Shahana Shamim

Secretary