

**SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS  
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA  
WORK SESSION OF JANUARY 22, 2020 AT 4:00 P.M.  
MINUTES OF MEETING**

The meeting was called to order at 4:00 p.m. by Supervisor Chair B. Barrett. In addition to Supervisor Barrett, Supervisor J. Pride was present. Supervisor R. Lovenheim was absent. In addition to the two supervisors, Township Solicitor, Ronold J. Karasek, Esquire, and Township Engineer, Jon S. Tresslar, P.E., P.L.S., were present.

The Meeting Minutes of the January 15, 2020 Work Session of the Township Board of Supervisors were approved on motion by J. Pride, second by B. Barrett and carried on a vote of 2-0.

There were no Public Comments and no Unfinished Business to be addressed.

New Business was as follows:

- a) On motion by J. Pride, second by B. Barrett and carried on a vote of 2-0, the Communications System Integrators, LLC (CSI) Invoice of November 7, 2019 for Fire and Security Alarm Remote Station Monitoring in the amount of \$768.00 was approved. The Invoice was attached to the Work Session Agenda packet.

- b) There was a discussion of a program known as Building & Embracing Sobriety Together (BEST), Inc. which provides licensed drug and alcohol treatment programs to adults on an intensive outpatient care basis through group therapy and individual counseling sessions.

The facility is proposed to be located at 232 Independence Road (aka Route 447).

The program is targeted to assist ambulatory adults 18 years of age or older suffering from substance abuse. It would operate Mondays through and including Fridays from 8:00 am to 7:00 pm with two (2) group sessions per day.

A Medical Director would be on call 24/7. All staff is First Aid and CPR certified as well as Narcan trained. There would be an Answering Service and the program would accommodate walk-ins. A two (2) page Program Description was made part of the Work Session Agenda packet.

The Solicitor inquired as to why this was on the agenda i.e. was this another Zoning Ordinance Section 302 matter? The answer was that this was not as the use is allowed were it is proposed and the discussion was simply a courtesy "heads up" by the Owner of the business.

No official action was needed or taken

Smithfield Township Work Session  
Minutes of Meeting of January 22, 2020  
Page 2

- c) There was discussion as to the Tara Vecchio-Freeman Conditional Use Application.

The application was for the proposed construction of a single-family residential dwelling on an existing 10,000 sq. ft. property located at 207 Prices Landing Road. The project also includes the construction of a driveway and an on-lot sanitary sewage disposal system.

According to the FEMA Flood Insurance Rate Map, the site is in the Township's designated Flood Plain (AE Zone) of both the floodway and the 100-year floodplain of the Delaware River.

The Township Engineer prepared a Review Letter dated January 9, 2020. As per that letter, there was insufficient information to determine the distinction between the existing floodway (where no construction of any kind is permitted such as a single family residential dwelling) and the floodplain (where development might be able to occur upon compliance with various requirements).

If the use is permitted in the flood plain, a variance would need to be secured before any conditional use would be considered; however, the Township Engineer's concern was that an on-lot sanitary sewage system cannot be located within a flood plain so it could be that the Applicant cannot proceed with her plans unless she can connect to central sewer.

The Township Planning Commission (TPC) reviewed the application at its meeting also of January 9, 2020. The TPC's recommendation (on a unanimous vote of 6-0) was that the conditional use not be permitted.

Based upon this recommendation, Marguerite Vecchio and her daughter Tara Vecchio-Freeman and their contractor Robert Ace Construction were present for the Board of Supervisors' Work Session.

They explained that Hurricane Ivan (in 2007) destroyed the existing building although some of the foundation was still standing. They simply wanted to rebuild the home.

They were upset at the TPC's recommendation since the former Township Sewage Enforcement Officer (SEO D. Manter) had already issued a sanitary sewage permit on December 12, 2019. However, the Township Engineer explained that PADEP has no prohibition to the issuance of sewage permits in the floodplain but the Township Flood Plain Ordinance does.

The Township Solicitor advised them to apply for a variance under the Flood Plain Ordinance. They advised that their Planning Professional was Frank Smith and their attorney was Joseph Wiesmeth. The Solicitor stated that he had worked with both of these individuals in the past. Further and if

Smithfield Township Work Session  
Minutes of Meeting of January 22, 2020  
Page 3

the ordinance was ignored, that will have serious ramifications to the ability of other township residents to secure flood insurance.

While it appeared that Contractor-Ace understood (and perhaps agreed with) the Township's position, Ms. Vecchio and Ms. Vecchio-Freeman were not happy with that recommendation and left the meeting room stating that their attorney would handle the matter on their behalf and without the need to address any floodplain issues since they already had in hand a sewage permit issued by the former Township SEO. However, the Township Solicitor stated that a permit issued in error is not valid except (perhaps) under certain conditions which do not apply to this project.

- d) While not on the agenda, the Solicitor reminded the Board that the request by Trapasso for the construction of self-storage units in the R-2 (Medium Density) Residential Zoning District needs to be scheduled for a Zoning Ordinance Section 302 public hearing (as was done in the Water Gap Capital Partners, LLC case). The Applicant's attorney-Jeff Durney, Esquire-needs to be contacted in this regard.

There were no bills to be paid; and, there were no public comments as there was no one in the audience. The meeting adjourned at 4:40 p.m.

KARASEK LAW OFFICES, LLC

By: 

Ronald J. Karasek, Esquire

PA I.D. No. 23233

Solicitor to Smithfield Township