

SMITHFIELD TOWNSHIP PLANNING COMMISSION
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
REGULAR MEETING OF FEBRUARY 13, 2020 AT 7:00 P.M.
MEETING MINUTES

1./2. Call to Order and Members Present:

The meeting was called to order at 7:10 p.m. by Township Planning Commissioner Chair Attorney Scott Amori. Three (3) other Commissioners were present; namely, Robert Moses, Michael Albert and Douglas Schryver. Commissioner David Strunk was absent and Commissioner Edith Schramm has since resigned.

In addition to the above Commissioners, Township Supervisors Robert Lovenheim and Jacob Pride, Township Engineer Jon S. Tresslar, PE and PLS and Township Solicitor, Ronold J. Karasek, Esquire, of the Karasek Law Offices, LLC, were present.

3. The Pledge of Allegiance to the Flag: was recited.

4. Minutes of September 9, 2019-Regular Meeting: Upon motion of R. Moses and second by D. Schryver and on a unanimous vote of 4-0, the Meeting Minutes were approved.

Minutes of October 2, 2019-Regular Meeting: Upon motion of M. Albert and second by D. Schryver and on a unanimous vote of 4-0, the Meeting Minutes were approved.

Minutes of October 30, 2019-Work Session: Upon motion of R. Moses and second by D. Schryver and on a unanimous vote of 4-0, the Meeting Minutes were approved.

Minutes of January 9, 2020-Regular Meeting: Upon motion of R. Moses and second by M. Albert and on a unanimous vote of 4-0, the Meeting Minutes were approved.

5. Public Comments: None as no one (other than noted above) was present.

6. Plans to Act On: None.

7. New Business:

(A) Update for permitting status for motel project on Milford Road

There was a discussion as to the work being performed...or to be performed...at 2301 Milford Road (old Forney Office Complex).

Commissioner Schryver stated he had heard about various potential projects such as a Go-Cart Track, Target/Gun Range, Outdoor Patio with Fire-Pit. Engineer Tresslar stated that land development approval would be needed; and, there may be issues with steep slopes.

There was also a discussion and possible motion (concerning the restaurant portion of the property) was to be made but no official action was taken.

(B) Status of Zoning Enforcement Matters

Commissioner Schryver stated that there should be a list made of the construction and heavy equipment-commercial businesses that are occurring in the residential zoning districts. Also, the front parking of the Schulman property is being used for parking trucks/car carriers. Commissioner Albert discussed similar auto-related issues such as parking and unsightly uses.

Commissioner Schryver also discussed the Ricobono Quarry and that the Mining Permit might be improper for that zoning district. Historically, the permit was only for land clearing in which material from the site was sold. Mr. Schryver also questioned whether annual inspections are required and/or have occurred.

Commissioner Amori suggested that the Township should select just a few items to enforce. It would be difficult to "do everything at once." He stated that (for example) if the light glare at the cigarette shop is made the subject of an enforcement action, "word will get around".

Supervisor Lovenheim stated that ecological/environmental violations also need to be considered.

(C) Ratification of Planning Commissioner Updated Terms of Office

The Commission took no official action since it was of the opinion that it is the Township Board of Supervisors who appoints the Commissioners as per the PA Municipalities Planning Code and Township Ordinance No. 102. Accordingly and on motion by Commissioner M. Albert, seconded by Commissioner R. Moses and on vote of 4-0, the matter was tabled. In the meantime, the newly elected Supervisor-J. Pride- was provided with the Listing of the Planning Commissioners Terms of Office.

(8) Unfinished Business:

The proposed zoning ordinance amendments for the Economic Development (ED) Zoning District were discussed.

Supervisor Lovenheim discussed the efforts of Planner T. Comita and Attorney J. Goldstein. However, two areas still need to be addressed i.e. the River Road/Kirkwood Properties that have always been commercial and the changes regarding the Airport property as per Troy Nauman.

On motion by Commissioner Amori, seconded by Commissioner Schryver and on a vote of 4-0, the ED Zoning Map was approved.

However, Commissioner Albert stated that it is difficult to understand the proposed zoning changes without more of an explanation. He also questioned whether the ED Zoning Map was the "finished product"

Also, the Solicitor asked that the Commission comment on the two (2) items that were still outstanding as per the Solicitor's review of the proposed ordinance i.e. the unknown amount (identified as "\$XX") for off-site infrastructure improvements-see Section 20 A (4)-page 13 of the proposed amendment and the building height issue-see Section 20 C-page 14¹.

While no decision was made on the off-site infrastructure improvements amount, Commissioner Albert proposed that the building height language be changed as follows:
-----"Building height is limited to 40 feet. ~~The Board of Supervisors may permit the~~
-----[I]ncrease in building height by ten feet is permitted for each additional ten
_____ feet of front yard provided, not to exceed a maximum building height of 60 feet"

(9) Public Comment: None.

(10) Adjournment:

There being no other business coming before the Commission and on motion by Commissioner S. Amori, seconded by Commissioner M. Albert and on a unanimous vote of 4-0, the meeting was adjourned at 8:35 p.m.

Karasek Law Offices, LLC

By: _____

Ronald J. Karasek, Esquire

PA I.D. No. 23233

Solicitor to Smithfield Township

¹ The Solicitor was of the opinion that the Township cannot charge for off-site improvements without a Capital Improvements Plan in place as required by the Municipalities Planning Code-53 P.S. Section 10501-A et seq. and specifically Sections 10503-A (b) and (c); and, the Supervisors do not have the authority to change building height as this is a zoning provision subject to the Zoning Hearing Board jurisdiction.