

SMITHFIELD TOWNSHIP PLANNING COMMISSION
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
REGULAR MEETING OF SEPTEMBER 10, 2020 AT 7:00 P.M.
MEETING MINUTES

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

The meeting was called to order at 7:05 p.m. by Township Planning Commissioner Chair Attorney Scott Amori. One (1) other Commissioner-along with the Chair-was physically present in the meeting room at the Township Municipal Building; namely, Michael Albert. Commissioner Douglas Schryver and Commissioner Robert Moses were present via ZOOM (as the meeting was also conducted remotely via ZOOM with both a video and audio transmission). Commissioner David Strunk was absent.

In addition to the above Commissioners, the other Township officials who attended the meeting were 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, all of whom were all physically present in the meeting room.

The attorney for Verizon Wireless-Richard M. Williams, Esquire along with Verizon's Planning Professional-Andrew J. Miller of Rettew Associates was also physically present in the meeting room (for the Verizon plans) in addition to the Applicants and their Planning Professional Nathan Oiler, PE (for the Eagle Valley Storage project).

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

4. Minutes of August 13, 2020: Upon motion of Chair S. Amori and second by Commissioner D. Schryver and on a unanimous vote of 4-0, the Meeting Minutes were approved.

5. Public Comments: None.

6. Plans to Act On:

a) Verizon Wireless-Magick Cauldron LD Plan-Cell Tower-Land Development Plan

This plan proposes a wireless communications cell tower on the western side of Airport Road approximately 450 Feet north of its intersection with Milford Road (Business Route 209). The property is located in the M-1 (Industrial) Zoning District. The project was accepted for review at the May 20, 2020 Planning Commission Meeting.

This matter was tabled at last month's meeting for further action; and, since then The Township Engineer prepared Comprehensive Correspondence (Plan Review No. 3-nine-9-pages) dated September 9, 2020 outlining what items have since been

addressed by the Applicant and what items remain outstanding. The Commission reviewed the SALDO waiver request as follows:

- Subdivision Comment No. 10-A SALDO waiver for the submission of both a preliminary and final plan. Mr. Tresslar has no objections to a waiver.
- Subdivision Comment No. 17-The Supervisors need to determine if a SALDO waiver should be granted for a Community Impact Analysis as this monopole on an area of 75 sq. ft. would appear to have no community impact.
- Subdivision Comment No. 19-A SALDO waiver is requested for the plan sheet size of 34" x 22". Given the scale of the project and the clarity of the plan, the Township Engineer has no objections to a waiver.
- Subdivision Comment No. 22-A SALDO waiver is requested not to depict existing water and sanitary sewer services since no such utilities are proposed for this project. However, the Township Engineer would still want to depict such services to prevent anyone from digging into a water or sewer line. In lieu of showing these on the plan, a letter or a note on the plan stating this information will suffice
- Subdivision Comment No. 26-Request for a SALDO Waiver of Lighting Plan since no additional lighting is necessary.
- Subdivision Comment No. 31-Paved vs. gravel access drive and parking area. The Applicant is requesting a SALDO waiver for gravel only.
- Subdivision Comment No. 35-Street Trees. A SALDO waiver is proposed as the existing trees are mature and established and no additional trees are proposed.

On motion by Commissioner Albert and second by Chair Amori, the Commission recommended the SALDO waivers on a 3-1 vote (nay-Schryver).

Other items to be addressed where the documents submitted by the Applicant's Engineer (see his Correspondence of August 26, 2020) which were essentially the same submitted at the initial conditional use hearing i.e. the Non-Interference Analysis Report, the FCC License, the Radio Frequency Analysis, the Structural Design Report and the Collapse Report. There was also a satisfactory explanation as to why the FCC License was did not recite an exact location i.e. only the perimeter surroundings.

Finally Comment No. 46-Miscellaneous Comments were re-reviewed including the Structural Design Report prepared by Sabre Industries regarding wind and ice loads. The report states a "'zero' fall radius at the ground level". In other words, the tower will not collapse but will lean over and "bend". Also, the proposed tower is not a hazard to air navigation

On motion by Chair Amori and second by Commissioner Albert, the Commission recommended that the plans should be granted conditional preliminary-final plan approval on a 3-1 vote (nay-Schryver).

7. Unfinished Business:

a) Verizon Wireless Conditional Use Application

The application was filed to allow construction activities on steep slopes i.e. a monopole wireless tower with driveway access from an existing driveway off of Airport Road. Under the Township Zoning Ordinance, a conditional use is required as the project will disturb very steep slopes (25% or greater). Township Engineer Tresslar prepared a Review Letter dated August 11, 2020 (Review No. 1) which was discussed at the last meeting.

Also at the last meeting, the Commission asked to see (and be made part of the record) the Non-Interference Analysis Report, the FCC License, the Radio Frequency Analysis, the Structural Design Report and the Collapse Report.

These items were submitted by the Applicant's Attorney by correspondence of August 26, 2020. (There were essentially the same documents submitted by the Applicant's Engineer by e-mail and/or letter dated August 25, 2020.)

Applicant's attorney stated that he would be submitting letter requesting an extension for the time of the public hearing;¹and, the matter was tabled by motion made by Chair S. Amori with a second by Commissioner Moses on a vote of 4-0.

8. New Business:

a) David and Nicole Young-Conditional Use Application

This is a Conditional Use Application for constructing a residential home in a flood plain with an address of 223 Prices Landing Road, Smithfield Township, PA.

While a Site Plan was submitted, it fails to not who prepared it. Further, the Plan has not yet been reviewed by the Township Engineer so there are no engineering comments to be discussed by the Commission.

¹ By letter of September 14, 2020, the Applicant's Attorney has granted the Township until November 10, 2020 to conduct the public hearing on the conditional use application.

There was some confusion over the filing date i.e. August 21, 2020 (as per the Application for a Public hearing) versus a date of August 29, 2020. In an abundance of caution, I would recommend that the Township proceed with the August 21, 2020 filing date.

Since no Township Engineer review was available, the matter was tabled on motion of Commissioner D. Schryver and second by Commissioner M. Albert with a 4-0 vote.

b) Vincent and Charles Trapasso-Conditional Use Application

This is an application for the construction of self-storage units in a flood plain. Present at the meeting were the Applicants, their Planning Professional, Nathan Oiler, P.E. and their Contractor, Brian Winett (sic) of NE Construction. If the conditional use is approved by the Supervisors, a land development plan will be required to be filed after that conditional use approval.

Mr. Oiler explains the Site Plan. Also, the Township Engineer did prepare a Review Letter (dated September 9, 2020); and, Mr. Oiler states that there are three (3) aspects of the Township Engineer Review Letter to discuss i.e. the conditional use, the flood plain and stormwater waivers.

The Commission discussed the Flood Plain Ordinance Comments as outlined in the Township Engineer Review Letter (Comments 1-7). As to building in the flood plain, the flood plain level is 451 feet while all buildings are at 452'6" so 1 ½ feet above the floodplain level. Also, no building will be in the floodway. However, the floodway was not shown on the Flood Map so the Applicant is utilizing the 50'-from-the-stream-bank-buffer (as per Pa. DEP Regulations) such that all buildings are well beyond the 50' buffer. As a result, the project will not change the flood plain elevation in the area. Parenthetically, the Applicants will need to submit the project to the MCCD along with securing an NPDES permit at the land development stage; and, there is only minimal flood plain impact from the driveway and some fill being placed on the southern edge of the buildings.

As to the Zoning Comments, the Applicant's Engineer indicated that he will comply with most of the Comments. The proposed office (as provided on the Plan) is 400 square feet with a small on-lot septic system and a public water line. Lighting for the project will be directed downward and not towards the adjoining (residential) properties. Further, the Plan needs to be revised to include proposed grading and no natural steep slope impacts (see Comment Nos. 9, 10, 12 and 13). In addition, the Applicant testified that there will be 250-300 storage units and the estimated traffic is approximately one auto per hour on a 24/7 basis.

As to the Wetland/Buffer Waivers, the area is constrained by buffers i.e. inner stream buffer, outside stream buffer, inland wetland buffer and outer wetland buffer (see Comment Nos. 18-20); and, as stated, there will be a small amount of impact in order to access the site via the proposed driveway.

The Township Engineer stated that the Applicant will need to design the Land Development Plan and the stormwater basins in order to support the health, safety and welfare of the Township residents. Commissioner Chair Amori stated that he would like to see additional stormwater information and a traffic count.

On Motion by Chair Amori and seconded by Commissioner D. Schryver and on a vote of 4-0, the matter was tabled to the October 8, 2020 Planning Commission Meeting.

c) Philip Natosi-Conditional Use Application

This is an application to construct a porch/deck for an outside dining area in the flood plain and located at 2645 Milford Road, Smithfield Township, Monroe County, PA.

Other than the one (1) page Application and a check for \$1,500.00, no further information was filed with the Township including failure to file a Site Plan that the Township Engineer could review.

Accordingly and upon motion of Commissioner D. Schryver and second of Commissioner, R. Moses, and on a vote of 4-0 the Commission recommended that the Application be denied as incomplete and the fee returned to the Applicant.

9. Public Comment: None. However, the Township Solicitor reminds the Commission that a Preliminary/Final Subdivision Plan was filed by Stanislav V. and Julia P. Manovski on or about August 26, 2020 so that Plan will be on an up-coming meeting agenda.

10. Adjournment:

There being no other business coming before the Commission and on motion by Commissioner Chair S. Amori, seconded by D. Schryver 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