

SMITHFIELD TOWNSHIP PLANNING COMMISSION  
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA  
REGULAR MEETING OF MAY 13, 2021 AT 7:00 P.M.  
MEETING MINUTES

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

The meeting was called to order at 7:00 p.m. by Township Planning Commissioner Chair Attorney Scott Amori. Along with Commissioner Amori, Commissioners D. Schryver, D. Strunk and M. Bowyer were all physically present in the meeting room at the Township Municipal Building. Commissioner R. Moses was absent. The meeting was also streamed remotely via ZOOM which was so attended by Commissioner M. Albert.

In addition to the above Commissioners, the other Township officials who attended the meeting were Township Supervisor Chair 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.

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

**4. Minutes:** The Minutes of April 8, 2021 were approved on motion of Commissioner Amori, seconded by Commissioner Strunk and vote of 5-0.

**5. Public Comments:** None.

**6. Plans to Act On:** None

**7. Unfinished Business:**

**a) Shukaitis Preliminary/Final Minor Subdivision**

The plan proposes a minor subdivision of lands along Hidden Valley Drive approximately 400' west of its intersection with Franklin Hill Road. The existing property is located in the RC (Residential Conservation) Zoning District with an area of 10.586 acres.

Proposed Lot No. 1 will have 8.405 gross acres with the existing dwelling and garage to remain with no additional development proposed. Proposed Lot No. 2 will consist of woodlands with 2.181 gross acres; and, as with Lot No. 1, no development is proposed.

An issue was raised at the last meeting where Commissioner Chair Amori questioned whether Lot No.2 needs to front on a public road as Hidden Valley is a private road. Township Engineer Tresslar was tasked to review this issue and did so as outlined in his Review Letter (on Private Access Drive Regulations) dated May 10, 2021

The SALDO defines a "private access drive" as providing access to not more than four (4) lots to an approved street where said lots do not have frontage on an approved street. The Shukaitis private drive presently provides access from Hidden Valley Road to three (3) lots where one lot has two (2) dwellings on it so there are a total of four (4) residential dwellings that access the private drive. The subdivision will create a fourth (4<sup>th</sup>) lot which will increase the residences to five (5). The Township Engineer was uncertain if the fifth (5<sup>th</sup>) residence...as opposed to simply a fourth (4<sup>th</sup>) lot...would cause the exception to no longer apply.

The Applicant was present and explained that only the existing three (3) lots-with the four residences-will take access from Hidden Valley Road as the other lot will take access from Franklin Hill Road. Therefore, there is no issue

In the meantime, it was noted that the Planning Professional, Mr. George Fetch, Jr., PLS, did not appear at this month's (or last month's) meeting. He needs to be present to address several outstanding items as per Mr. Tresslar's Initial Plan Review Letter of March 26, 2021.

On motion by Commissioner Strunk (and seconded by Commissioner Strunk) and on a vote of 5-0, the plan was tabled to the June 10, 2021 Meeting.

**b) Dangerous Structures**

This item was carried over for discussion with the Township Zoning Officer, Mr. Ken Wolf. Although Mr. Wolf was not present, he did supply a copy of the Smithfield Township Ordinance that does address this issue. See Part 1 of Chapter 4-Dangerous Structures of the Smithfield Township Code of Ordinances.

On motion by Commissioner Amori (and seconded by Commissioner Schryver) and on a vote of 5-0, the matter was tabled to the June/July Meetings.

**8. New Business:**

**1) Sketch Plan of Terry Teel**

The Applicant is proposing a minor subdivision of lands located on Wolf Hollow Drive approximately nine hundred and seventy (970) feet south of its intersection with Totts Gap Road. The subdivision will consist of three (3) lots which will eliminate the existing non-conformity of the three (3) residential houses, driveways so forth all on one (1) lot.

Lot No. 1 will have 1.23 net acres with all existing residential dwelling, driveway, pond, septic field and well. Lot No. 2 will have 0.69 net acres with all existing residential dwelling, driveway, septic field and proposed well. Lot No. 3 will have 0.97 net acres with all existing residential dwelling, driveway, septic field and well and a 60-foot golf course easement. Each lot will take access from Wolf Hollow Drive.

Township Engineer Tresslar prepared a Review Letter dated May 10, 2021. It was rather comprehensive covering eight (8) pages. This review indicated inter alia that at least three (3) zoning variances would be required i.e. minimum lot area, lot depth, front yard setback. Likewise, SALDO waivers would be required in lieu of or in addition to significant plan revisions. Also, the nine hundred foot (900') driveway must meet Township standards.

Since this was a Sketch plan, no official action was taken and the matter removed from future agenda.

## **2) Khan Proposed Mixed Use Development**

The proposed development is located in the ED (Economic Development) Zoning District and on the southern side of Independence Road (SR 447) at its intersection with Franklin Hill Road. The present property consists of meadow and woodland areas with existing wetlands on a corner of the property.

The project proposes four 4-story apartment buildings with a total of 144 units (36 units per building) and a 4,800 sq. ft. medical office building with 273 off-street parking spaces. There are two (2) proposed accesses from Independence Road and Franklin Hill Road. The project is also within the Brodhead Creek Watershed.

The Applicant's Planning Professional was not present. The matter was simply on the agenda to accept the Plan for review; and, on motion by Commissioner Albert (and seconded by Commissioner Amori) and on a vote of 5-0, the Plan was accepted for review and then was tabled to the next Meeting so as to allow for the Township Engineer to conduct a thorough review of the plan. Mr. Tresslar estimated a minimum six (6) month review process for the nature of this Plan

## **3) Wireless Communications Facilities (WCF) Ordinance**

The Cohen Law Group of Pittsburgh, PA (which specializes in WCF law) drafted Township Ordinance No. 231 which proposes to amend the Township Zoning Ordinance by striking and/or revising existing definitions and adding new definitions to Section 1002 of Chapter 27, Part 10 of the Smithfield Township Code of Ordinances and add a new Section 512 to Chapter 27, Part 5 of the Smithfield Township Code of Ordinances for the installation of wireless communications facilities. There are three (3) types of WCFs i.e. Tower-Based, Non-Tower Based and Small Wireless Communications Facility.

The Township Solicitor prepared a comprehensive Memo for the Township Planning Commissioners to review. Upon that review and upon motion by Commissioner Amori (and seconded by Commissioner Albert) and on a vote of 5-0, the WCF Ordinance was recommended for adoption.

## **4) Zoning Map Changes**

Attorney Charles Vogt appeared to discuss and describe the Township Zoning Map changes that were needed as the Map never did carry over the Planned Residential Developments for Shawnee Village and Shawnee Valley. On motion by Commissioner Strunk (and seconded by Commissioner Bowyer) and on a vote of 5-0, the Commission recommended that the Zoning map be so updated.

## **5) 2017 Marshall Falls DCNR Grant Notification Letter**

Marshall's Falls (hereinafter "the Falls") is one of several notable falls in the Pocono Mountain region; and, it is also a contributor to the historic tourism of the area. Once a stop on

the Lackawanna Railroad, the Falls attracted visitors until the park became part of a private residence. In recent years, the Township – recognizing the value of this natural asset and the importance of it to the community – purchased the Falls property and much of the surrounding woodlands. Since then, the Township has replaced the old footbridge (below the Falls that crosses Marshalls Creek) with a sturdy timber bridge and the location of which provides a spectacular view of the Falls.

It is the understanding of the Planning Commission that in 2017 the Township was awarded a grant for \$180,000.00 from the Department of Conservation and Natural Resources (DCNR) to increase accessibility to the Marshall Falls Park.

Parenthetically, the Township also completed a Master Site Plan in 2013 which delineated a multi-phased improvement plan to provide ADA accessibility to this spectacular natural resource in our Township. The Township has also secured a DCED LSA grant (\$219,138.00) to develop Phase 1 of this park.

The site, however, now requires enhancements to provide safe and unhindered access to the Falls and the surrounding wooded landscape. This project will provide ADA access from a parking lot (to be constructed) to the Falls and make improvements to the scenic overlook.

The above being said, and on motion of Commissioner Albert and second by Commissioner Amori and on vote of 5-0, the Planning Commission recommended full and complete support for the project and the grant application.

**6) 2021 Marshall Falls Phase 2 DCED GTRP Grant Notification Letter**

The Township is applying to the Department of Community and Economic Development (DCED) for a Greenway, Trails, and Recreation Program (GTRP) grant to develop Phase 2 of Marshalls Falls Park.

The Township completed a Master Site Plan in 2013 which defines a multi-phased improvement plan to provide ADA accessibility to this spectacular natural resource. The Township then secured funding for Phase 1 of this project through a DCED LSA grant (\$219,138.00) and a DCNR C2P2 grant (\$180,000.00). However, the Township now intends to turn its attention to Phase 2 of the project.

Phase 1 of the project included a parking lot, ADA accessible trails to Marshalls Falls and improvements to the scenic overlook. Phase 2 adds an overflow parking lot and creates a trail for increased access to the eastern part of the property.

Marshalls Falls is a valuable natural asset to the community so the Commission believes that is important to continue developing this park to provide opportunities to both residents and visitors alike to safely enjoy this hidden gem of the Poconos Mountains.

The above being said, and on motion of Commissioner Albert and second by Commissioner Amori and on vote of 5-0, the Planning Commission recommended full and complete support for the project and the grant application.

**7). 2021 River's Edge DCNR Grant Notification Letter**

The Township has applied to the Department of Conservation and Natural Resources (DCNR) for a Community Recreation and Conservation Planning grant to develop a Master Site Plan for River's Edge Bike Park (the "Park"). This is a regional Park located on River Road that is situated along the confluence of the Delaware River and the Brodhead Creek.

Originally developed in the Fall 2017 to bring advanced biking opportunities to the area, the Park currently holds a pump track featuring berms and rollers to create a variety of challenges and a 9-hole disc golf course. Currently, the Park is scheduled for repairs which should be completed by June 2021.

The Township Planning Commission wants to ensure that the Park's uses adequately serve the community's needs. A Master Site Plan will seek public input, assess conditions, analyze context, and ultimately define a Park Design and Implementation Plan to guide future development and investment. The timing of this planning process is ideal after the Township has spent the past five years securing funds for Waterfront Park and for a new park at Marshalls Falls. Now the Township has shifted its focus to River's Edge Bike Park to make improvements to better suit the community's needs.

The above being said, and on motion of Commissioner Albert and second by Commissioner Amori and on vote of 5-0, the Planning Commission recommended full and complete support for the project and the grant application.

**8. N/A** (No Number 8 was noted on the agenda)

**9. Public Comment:** See above.

**10. Adjournment:**

There being no other business coming before the Commission and on motion by Commissioner Albert, seconded by Commissioner Schryver and on a unanimous vote of 4-0, the meeting was adjourned at 8:00 p.m.

Karasek Law Offices, LLC

By: 

Ronald J. Karasek, Esquire

PA I.D. No. 23233

Solicitor to Smithfield Township