

SMITHFIELD TOWNSHIP PLANNING COMMISSION
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
REGULAR MEETING OF NOVEMBER 18, 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, M. Bowyer, M. Albert, R. Moses and B. Sandy were all physically present in the meeting room at the Township Municipal Building. The meeting was also live-streamed remotely.

In addition to the above Commissioners, the other Township officials who attended the meeting were Township Supervisor Chair Jacob Pride, Township Supervisor R. Lovenheim, Township Engineer Jon A. Tresslar, PE and Township Solicitor Ronold J. Karasek, Esquire all of whom were also physically present in the meeting room.

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

4. Minutes: The Minutes of the October 14, 202 Regular Meeting were approved on motion of Commissioner Strunk, seconded by Commissioner Albert and vote of 7-0.

5. Public Comments on the Agenda: None (although there were some additions to the Meeting Agenda).

6. Plans to Act On: None

7. Unfinished Business: None

8. New Business:

a) Application for a Conditional Use Public Hearing: the 2021 Amendment to the Shawnee Valley PRD

The Plan proposes an amendment to the Land Use Plan for the Shawnee Valley Planned Residential Development (PDR). The original Plan was approved in 1988 and two (2) amendments have since been reviewed and approved in 2005 and 2007.

The Commission was first oriented to the roads within the project so it could understand what was being amended. Thereupon the Commission discussed Mr. Tresslar's Review Letter of November 17, 2021 that (in Mr. Tresslar's opinion) primarily addressed "housekeeping" items. The Applicant's Representative, a one Ted Hunter, did not have a copy of this letter so he was at a slight disadvantage in this discussion.

Pages two (2) and three (3) of the Letter depicted a Development Chart depicting the original PRD in 1998, the subsequent 2005 and 2007 amendments and the proposed 2021 amendments re acreage, total units and residential units, open space so forth.

As to Mr. Tresslar's zoning comments (starting at the bottom of page three [3]) and since the 2021 Amendment still reflects 1,025 total acreage, Mr. Tresslar inquired into areas of responsibility as to operation and maintenance i.e. who was taking care of what? There was also concern as to how the additional units will be served by utilities; and, "Will Serve" Letters were requested.

As to the Annual Update, a question arose as to whether Shawnee will maintain the same timeline or will a new timeline need to be established? There was also discussion that a variance would be pre-empted by the PRD statutes; and, further, the PRD language may allow the Township Supervisors to make such modifications.

The discussion then turned to Miscellaneous Comments No. 6 which stated that the terms of a Settlement Agreement with the Shawnee Preservation Society (SPS) include a provision that would eliminate both the road access across Sun Mountain Lake Dam and any new roadway connections to Hollow Road at Sun Mountain. Apparently, PENNDOT will not allow elimination of the road access across Sun Mountain Lake Dam or the previously planned intersection with Hollow Road because of safety and sight-line concerns.

The Tresslar Letter also notes that the amendment does not state where the 283 residential units will be located; and, those locations should be shown on the Plan. Finally, the amendment proposes that three (3) homes will be constructed on three subdivided lots on Knob Lane.

At this point, a motion as made by Commissioner Albert to recommend approval of the 2021 Amendments on condition that there is compliance with PENNDOT requirements and the Tresslar Review Letter of November 17, 2021 - Comments One (1) through and including Nine (9). This motion was seconded by Commissioner Amori. Thereupon a motion to amend was made by Commissioner Albert to include a condition of no violations of the existing Settlement Agreement with the SPS with a second by Commissioner Moses.

Before official action was taken on the motion, there was public comment by M. Carbone (who lives adjacent to the PRD and is a member of the SPS) who felt that the Township Engineer's review was more than simple housekeeping. The proposed 2021 Amendment is in violation of the SPS Settlement Agreement as found in Monroe County Court Docket No. 833-CV-2008. For example, a road is prohibited over the Sun Mountain Lake Dam as per the Settlement Agreement.

Mr. T. Carbone also spoke on this topic; and, the Township Solicitor asked for a written list of what the SPS feels are violations of the Settlement Agreement. Mr. Carbone also stated that there should be no houses built on the three (3) plots on Knob Lane. He was also concerned with the buffers and a one hundred and twenty foot (120') setback.

Mr. Hunter stated that the settlement conditions have been adequately addressed; and, there are no violations.

A one Bill Stockridge (who lives on Knob Lane) also spoke. He stated that he moved to the Township about two (2) years ago. He lives on a dirt road; and, home construction in that area would destroy the serenity. A woman by the name of Bridgett (last name unknown) agrees with this assessment.

Finally, a Vincent Della Fera (a former Township Supervisor) also stated that the 2021 Amendment violates the SPS Settlement Agreement; and, that he will recommend that all necessary action be taken to prevent the amendment from being adopted.

The Commission took no formal action on the motion(s) until the issue of the SPS Settlement Agreement is satisfactorily addressed.

b) Application for the Trapasso Plan-Eagle Valley Self-Storage Units

The area in question lies within both Stroud and Smithfield Townships and at the terminus of Skyline Drive. It is in the R-2 (Moderate Density Residential) Zoning District having a total of 16.75 acres. The proposed development includes the construction of four (4) storage units (having a total area of 44,400 sq. ft.) with a 24-foot wide access drive from Skyline Drive.

Mr. Nate Oiler (the Applicant's Planning Professional) was present to briefly discuss the Plan which was essentially a re-review of the conditional use application that was granted by the Township Supervisors on November 10, 2021. The Plan will also involve the consolidation of four (4) lots; and, that consolidation request has been filed with the Township Supervisors. While part of the project lies in Stroud Township, all of the developable land lies in Smithfield. Also, the areas along Sambo Creek (and the related flood plain) are being protected and preserved.

The Township Engineer prepared an Acceptance for Review Letter dated November 16, 2021; and, that letter was briefly reviewed. Thereupon and on motion of Commissioner Albert and seconded by Commissioner Moses, the Plan was accepted for review (vote of 7-0).

As the time to act upon the Plan expires on February 22, 2022, Commissioner Amori stated that the Commission will probably next review the Plan in January 2022.

c) Training Materials (This item was added to the Meeting Agenda.)

Commissioner Bowyer commented on the fact that he attended the PA Planning Institute Seminar; and, the common statement that the Planning Commission is merely an advisory board is a "fiction". However, the Pa Municipalities Planning Code [53 P.S. Section 10209.1(b)] states that it is the Supervisors who must ask the Commission to take certain action... other than that, the powers and duties of the Commission are limited. Commissioner Bowyer believes that there should be an orientation before one becomes a Planning Commissioner, be provided with a List of Duties, a requirement to attend seminars and the like. On motion by Commissioner Albert and seconded by Commissioner Amori (and on a vote of 7-0), the Township Budget should contain a line item(s) for the Commissioners to attend workshops and seminars.

d) Code Enforcement


In October of 2021, Commissioner Bowyer forwarded a few e-mails as to code enforcement, the Township's vision for economic development and the establishment of the Planning Commission Meeting Agenda. The Commission Chair Amori responded; and, there was discussion at the meeting as to the nature and type of ordinance enforcement. Commissioner Strunk suggested that various items should be carried over on the Meeting Agendas so "they don't get lost" i.e. lighting issues for example.

9. Public Comment: None

10. Adjournment:

There being no other business coming before the Commission and on motion by Commissioner Amori, seconded by Commissioner Schryver and on a unanimous vote of 7-0, the meeting was adjourned at 8:40 p.m.

Karasek Law Offices, LLC

By: 

Ronald J. Karasek, Esquire
PA I.D. No. 23233
Solicitor to Smithfield Township

PS: Parenthetically, Commissioner Albert stated that he received a letter from the PA DEP on the Manovski Subdivision re sanitary sewage issues. As this was not on the agenda, no one knew why he had received such correspondence so no action was taken on that matter.