

SMITHFIELD TOWNSHIP PLANNING COMMISSION
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
REGULAR MEETING OF MARCH 10, 2022 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 R. Moses, D. Schryver, D. Strunk, M. Bowyer and C. Bowers were all physically present in the meeting room at the Township Municipal Building. Commissioner M. Albert was absent. 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 (who arranged the live stream), Township Supervisor Lovenheim (as an observer and/or public commentator), 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 Meeting Minutes of the February 10, 2022 Regular Meeting Minutes were approved on motion of Commissioner Strunk, seconded by Commissioner Amori and vote of 6-0.

5. Public Comments on the Agenda: None.

6. Plans to Act On:

**1) Project: Eagle Valley Self-Storage Units-Preliminary/Final Plan
Location: terminus of Skyline Drive approximately five hundred (500) feet east of its intersection with SR 447. The project lies within both Stroud and Smithfield Townships with the earthmoving in Smithfield**

The project 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. No one was present on behalf of the Applicant; and, no new plans were filed. The time for official action expires on April 14, 2022.

The Township Engineer filed a Second Review Letter (dated February 8, 2022) consisting of twenty (20) pages updating his earlier ninety nine (99) comments. There has been no response to that letter. The Township Engineer stated that he received word that a revised plan (with minor vs. substantial changes?) would be filed. The Solicitor stated that Attorney William Cramer contacted him and stated that he would be representing the Applicant.

As the time to take official action will expire on April 6, 2022 and on motion of Commissioner Strunk, seconded by Commissioner Amori and on vote of 6-0, a recommendation was made to deny the plan based upon the outstanding items in the Township Engineer Review Letter of February 8, 2022. This recommendation must be placed on a Supervisors' Meeting agenda for official action unless a revised plan and/or extension is not filed before April 6, 2022.

2) Project: Franklin Hill Manor-Preliminary Plan-Land Development
Location: Eastern side of Franklin Hill R at its intersection with Albert Lane (a private road)

The project proposes four (4) residential dwelling lots with access off of Albert Lane which will be improved to a twenty two (22') foot wide cartway, a fifty (50') foot right-of-way and four (4') foot shoulders. The site lies within the R-1 (Low Density Residential) Zoning District and consists of 6.1895 acres with wetlands and woodlands.

As no new plans were filed, no one appeared at the meeting and the time to act on the plan was extended (in writing) by the Applicant to May 19, 2022, a motion was made by Commissioner Strunk, seconded by Commissioner Amori and vote of 6-0 to table and place on the next Planning Commission Meeting scheduled for April 14, 2022.

7. Unfinished Business:

a. On-boarding plan for new Commissioners.

Commissioner Bowyer submitted an e-mail dated February 10, 2022 outlining various courses/seminars/training sessions. Commissioner stated that he attended a very good three-session course at Middle Smithfield Township. Commissioner Strunk suggested that these courses be reviewed and discussed at a Work Session.

The discussion then evolved into a general discussion of various township issues that were not on the agenda.

Commissioner Bowyer asked about the "Auditors being fired". Supervisors Pride and Lovenheim corrected that impression and explained the official action of the Supervisors i.e. an action in mandamus.

Commissioner Amori stated that (in his capacity as the County Tax Claim Bureau Solicitor) there is a county program with \$ available to remediate distressed properties i.e. compare the Monroe County Land Bank presentation to the Board of Supervisors at the Board's February 9, 2022 meeting. However, he stated that the program requires municipalities to first exhaust their in-house remediation efforts.

Supervisor Lovenheim stated what we do in the future is relevant to planning. However, some things appear helpful but are not i.e. the return of train/rail lines...but will the ridership return?

Commissioner Schryver stated that he would like the Commission to be provided notice of the Board of Supervisors' ZOOM Meeting so the Commissioners could attend.

Commissioner Bowyer asked about the status of the Smithfield Gateway project. Supervisors Pride and Lovenheim stated that it appears that the pad for the St. Luke's project is complete; and, the SR 209 roadwork will begin in mid-April 2022.

There was discussion of a new (Polish) bakery on SR 209 with delicious bread and pastries.

Commissioner Schryver asked about the status of the airport property. Supervisor Lovenheim stated that the airport has been "de-commissioned". He commented that such action may have been premature as no plans have been filed for the site; and, Engineer Tresslar commented that various residential uses may not be allowed in that zoning district. Commissioner Schryver said that he heard that a plant that manufactures 3D concrete houses/modular buildings plans to locate there. Supervisor Pride stated that a Sketch Plan was submitted in October 2021 by a company known as "Black Buffalo" to re-develop this property with mixed uses including manufacturing/warehouses and office space uses, a small resort/rental use and a small multi-family development use. Commissioner Amori stated that he did not want to be "blind-sided" by residential development. Supervisor Lovenheim stated that the area is very swampy. Commissioner Strunk stated what if the Applicant asks for a resort designation? Supervisor Pride stated that the Vigon project is dead. The property was sold and the new owner does not want to expand as the prior owner had planned.

b. Periodic Reports of Zoning Officer Activities

There was a brief discussion of the signage ordinance. Supervisor Lovenheim stated he has been working on that ordinance for some time. He reminded the Commission of the 2015 US Supreme Court case of *Reed vs. Town of Gilbert* which imposes some First Amendment limits on sign regulations. Commissioner Amore agreed and stated that regulating time/place and manner are allowed but going beyond that may be improper.

There was a discussion for the Zoning Office to provide the Commission with permits applied for, permits granted, violations etc. Also, a question was raised as to the Zoning Officer duties and whether the Zoning Officer needs an assistant. When asked, the Solicitor stated that Zoning Reports are provided in the other municipalities that he represents but those reports are provided to the governing body and not the Planning Commissions. He also explained the PA Open Records (Right-to-Know) Act and how that deals with zoning complaints and investigations and the right of the public vs. the Commissioners to that information.

Commissioner Strunk stated that the Commission has been discussing this for months. He asked why this cannot be addressed. Supervisor Pride stated that the Supervisors are working on this but what the Commission is requesting is not required to be provided. He stated that the Commission has no oversight over the Zoning Officer and what he does.

Commissioner Strunk states that the Commissioners spend their time to address various issues, they recommend that the Zoning Officer act upon them and to file citations and there are no results. Why should the Commissioners waste their time and attend meetings? Supervisor Lovenheim asked that if the Commissioners have any complaints, they should call him and he will pass those concerns along to the Zoning Officer.

- c. Action on prior recommendations of the Commission

See the e-mail and subsection a above

- 8. New Business:** This was Number/Item was inadvertently omitted from the Agenda

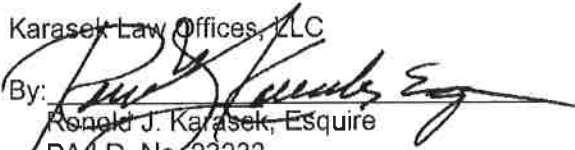
9. Public Comment: A one Steve Hettel (sic) was present for the Franklin Hill Plan. He left after action on the plan was tabled.

- 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 6-0, the meeting was adjourned at 8:10 p.m.

Karasek Law Offices, LLC

By:



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