

# *Matergia & Dunn*

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*Stroudsburg, PA 18360*

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*Ralph Anthony Matergia*

*John B. Dunn, of Counsel*

June 28, 2022

*Via Hand Delivery:*

Julia Heilakka  
Office Manager  
Smithfield Township  
1155 Red Fox Blvd.  
East Stroudsburg, PA 18301

**RECEIVED ON**

JUN 30 2022  
CK # 2329, \$1,500.00  
SMITHFIELD TOWNSHIP  
MONROE COUNTY, PA

Re: Petition of Russell D. Scott, III and Craig N. Scott; Orchard BJK Company, LLC and M. Manor Holding, LP to Extend Economic Development (ED) Zone

Dear Julia:

Enclosed is the original Petition referenced above, together with Orchard BJK Company, LLC's check in the amount of \$1,500.00 for the hearing application filing fee. Please schedule for hearing as soon as possible. For scheduling purposes, please be advised that I will be unavailable from July 7 through July 22.

Very truly yours,

**MATERGIA & DUNN**

*Ralph Matergia /mr*

Ralph A. Matergia

RAM:mr

Encl.

cc: John M. Herman  
Michael Byrne  
Russell D. Scott  
Craig N. Scott  
John Cote  
Ronald Karasek, Esq.

**BEFORE THE BOARD OF SUPERVISORS OF SMITHFIELD TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

IN RE: Petition of Russell D. Scott, III and Craig N. Scott and Orchard BJK Company, LLC and M. Manor Holding, LP pursuant to Chapter 27 § 1115 of the Smithfield Township Zoning Ordinance amending the Zoning Ordinance to extend the Economic Development (ED) Zone to include additional properties

**TO THE BOARD OF SUPERVISORS OF SMITHFIELD TOWNSHIP,  
MONROE COUNTY, PENNSYLVANIA:**

Russell D. Scott, III and Craig N. Scott, Orchard BJK Company, LLC and M. Manor Holding, LP petition the Board of Supervisors of Smithfield Township, Monroe County, Pennsylvania, pursuant to the provisions of Chapter 27 § 1115 of the Smithfield Township Zoning Ordinance (“Zoning Ordinance”) and pursuant to the authority and procedures of the Pennsylvania Municipalities Planning Code, to amend the Zoning Ordinance to extend the Economic Development Zone and in support thereof Petitioner avers as follows:

1. Petitioners, Russell D. Scott, III and Craig N. Scott are adult individuals, residents of Smithfield Township, and the owners of certain property situate in Smithfield Township, Monroe County, Pennsylvania, and bearing Monroe County Tax ID Nos. 16.6.1.42, 16.6.1.28, 16.6.2.28-1, and 16.6.1.28-2 and which is depicted on the attached Exhibit “A” (the “Subject Property”).
2. Petitioner, Orchard BJK Company, LLC, is a Pennsylvania limited liability company, with offices at 875 Berkshire Blvd., Suite 201, Wyomissing, PA 19610.
3. Petitioners Russell D. Scott, III, Craig N. Scott and Orchard BJK Company, LLC are parties to an Agreement of Sale dated March 1, 2022, pursuant to which Petitioners Russell D. Scott, III and Craig N. Scott have agreed to sell the Subject Property to Petitioner Orchard BJK Company, LLC.
4. Petitioner, M. Manor Holding, LP and Orchard BJK Company, LLC are parties to an agreement of sale dated as of June 21, 2022, pursuant to which Petitioner, M. Manor Holding, LP, has agreed to sell a portion of the Subject Property to Petitioner, Orchard BJK Company, LLC.
5. The Subject Property is located in the R-1 Low Density Residential Zone pursuant to the Smithfield Township Zoning Ordinance. The Subject Property is adjacent to the ED-Economic Development Zone. Petitioner Orchard BJK Company proposes to develop the Subject

Property for dry warehouse use, which is not a permitted use in the R-1 Low Density Residential Zone, but is a permitted use in the ED-Economic Development Zone.

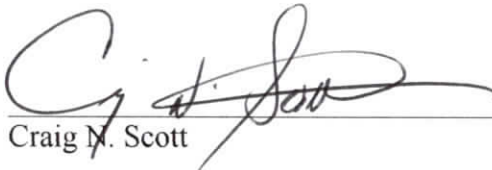
6. Petitioners respectfully submit that the provisions of the Zoning Ordinance should be amended by the Board of Supervisors of Smithfield Township so as to extend the Economic Development (ED) Zone to include the Subject Property, which is a map amendment and proposed amendment to the Smithfield Township Zoning Ordinance as attached hereto as Exhibit "B".

**WHEREFORE**, Petitioners respectfully request the Board of Supervisors of Smithfield Township to grant the relief requested in this Petition and to adopt amendment of the Zoning Ordinance to extend the ED-Economic Development Zone to include the Subject Property by adopting the amendment of the Smithfield Township Zoning Ordinance based on the attached Exhibit "A" annexed hereto and made a part hereof by this reference.

Respectfully submitted,

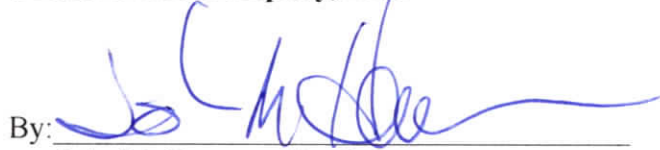


Russell D. Scott, III



Craig N. Scott

**Orchard BJK Company, LLC**



By: John M. Herman, Member

**M. Manor Holding, LP**  
**By its General Partner: M. Manor General Partner, LLC**



By: Michael Byrne, Member

Date:

## **EXHIBIT A**

### **Subject Property**

<b>Parcel No.</b>	<b>Tax Map No.</b>	<b>Parcel ID No.</b>
3	16732300008151	16.6.1.42
11	16732300008151	16.6.1.42
9	16732300008151	16.6.1.42
16	16732300008151	16.6.1.42
10		16.6.1.28
14		16.6.1.28-1
12		16.6.1.28-2

**Exhibit B**

**Map Amendment and Proposed Amendment to the Smithfield Township Zoning Ordinance**

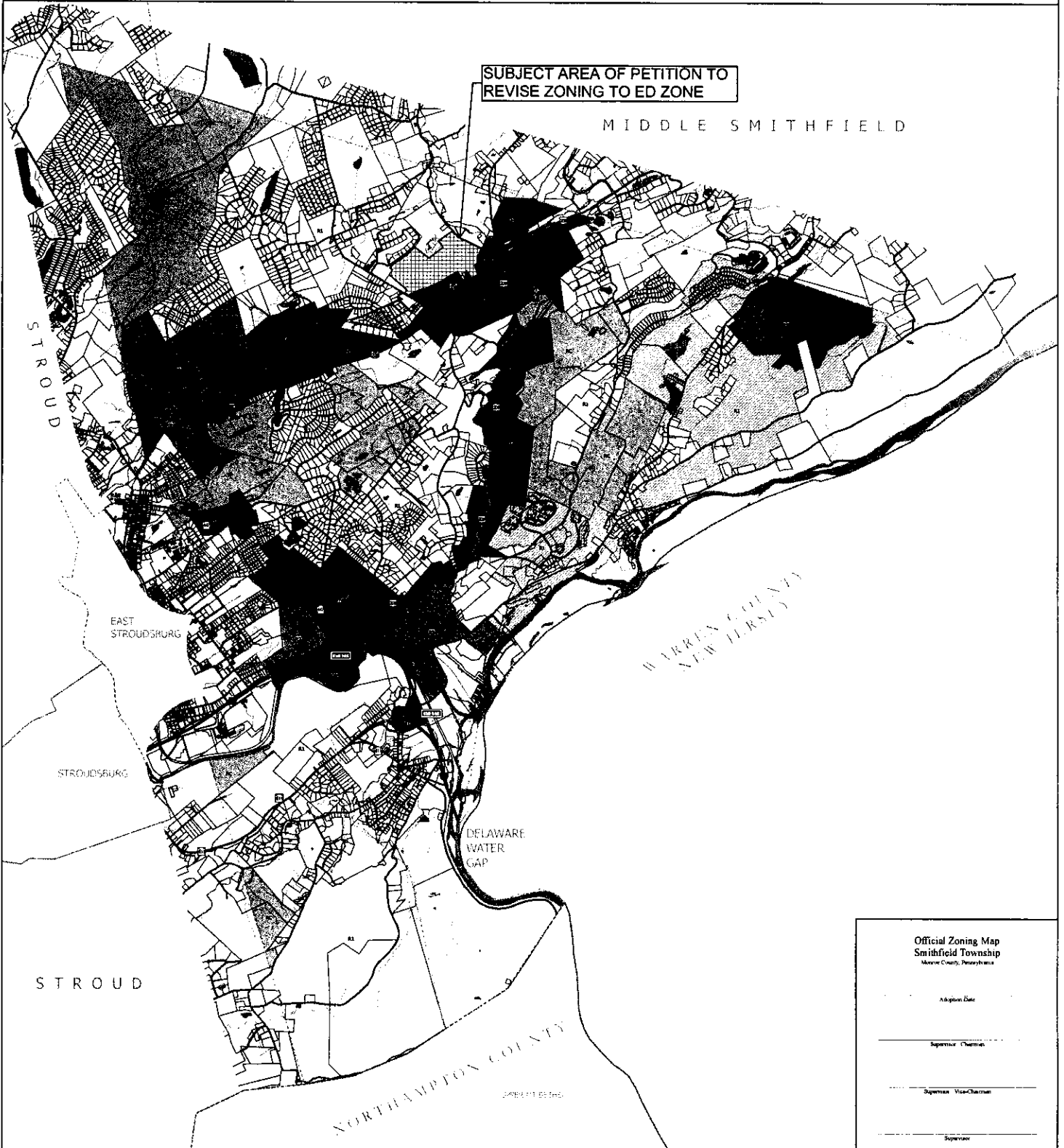
# OFFICIAL ZONING MAP OF SMITHFIELD TOWNSHIP

MONROE COUNTY, PENNSYLVANIA

EXHIBIT A-1  
ZONING MAP ANNOTATED FOR  
PETITION FOR REZONING  
DATE: 2022-04-11

SUBJECT AREA OF PETITION TO  
REVISE ZONING TO ED ZONE

MIDDLE SMITHFIELD



Official Zoning Map  
Smithfield Township  
Monroe County, Pennsylvania

Adoption Date: \_\_\_\_\_

Supervisor Chairman: \_\_\_\_\_

Supervisor Vice-Chairman: \_\_\_\_\_

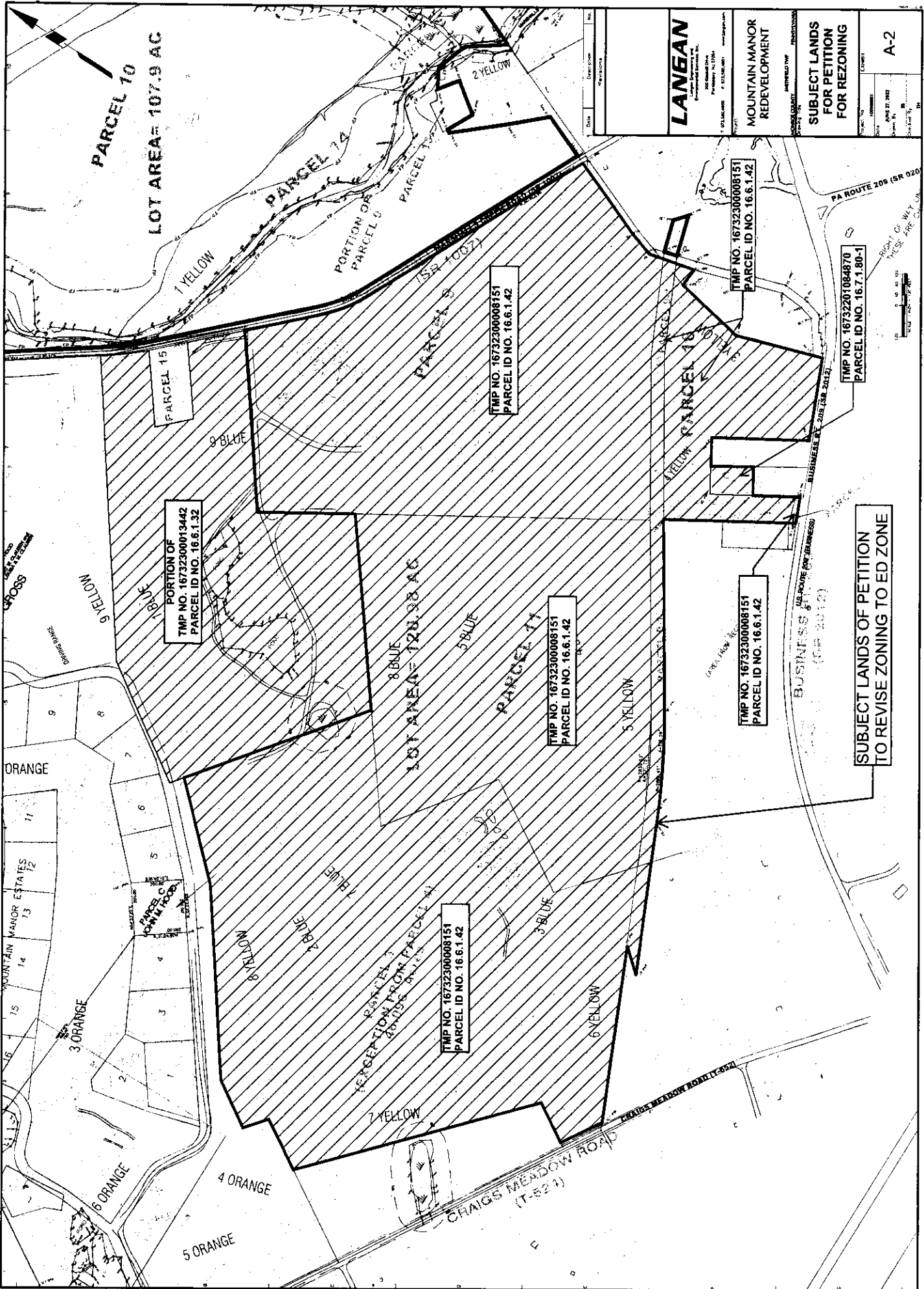
Supervisor: \_\_\_\_\_

- LEGEND**
- Zoning Districts**
- ED - Economic Development
  - MF - Industrial
  - R1 - Low Density Residential
  - R2 - Medium Density Residential
  - RC - Residential Commercial
  - RS - Rural
  - RD - Planned Residential Development
  - EA & BE - Easement & Burial
  - LA & PA - Lakes & Parks
  - CA - Rural Conservation
  - TP - Tax Parcels
  - MS - Municipal Boundary
  - CS - County Boundary

The County of Monroe makes no express or implied warranties concerning the release of this information. The County of Monroe is unaware of the use or uses to be made of this data. Consequently, the County of Monroe does not warrant this data as fit for any particular purpose.



PREPARED BY  
**Monroe County  
Planning Commission**  
1 Quaker Plaza, Room 106  
Stroudsburg, PA 18360  
(717) 517-3100  
mcp@co.monroe.pa.us  
May 2021



PARCEL 10  
LOT AREA = 107.9 AC

PORTION OF  
TMP NO. 16732300013442  
PARCEL ID NO. 16.6.1.42

TMP NO. 16732300008151  
PARCEL ID NO. 16.6.1.42

TMP NO. 16732300008151  
PARCEL ID NO. 16.6.1.42

TMP NO. 16732300008151  
PARCEL ID NO. 16.6.1.42

TMP NO. 16732300008151  
PARCEL ID NO. 16.7.1.80-1

SUBJECT LANDS OF PETITION  
TO REVISE ZONING TO ED ZONE

**LANGAN**

MOUNTAIN MANOR  
REDEVELOPMENT

SUBJECT LANDS  
FOR PETITION  
FOR REZONING

A-2

DATE: APR 27 2002  
DRAWN BY: [Name]  
SCALE: [Scale]