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## ***MONROE COUNTY PLANNING COMMISSION***

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August 24, 2022

Jacob Pride, Chairman  
Smithfield Township Board of Supervisors  
1155 Red Fox Road  
East Stroudsburg, PA 18301

Re: Mountain Manor Rezoning R-1 to ED  
Zoning Map Amendment  
Smithfield Township  
MCPC Review #138-22

Dear Mr. Pride:

The above cited amendments were reviewed by Eric Koopman, Lead Senior Planner, on behalf of the Monroe County Planning Commission. You will find the comments enclosed.

All comments are preliminary and will be acted upon by the Planning Commission at its regular meeting on September 13, 2022 at 5:00 p.m. at the Monroe County Administrative Center. This action is in keeping with the Planning Commission's review policy and allows the municipalities and other interested parties to respond to the review comments before the Planning Commission's public meeting.

If these comments are not amended and are found to be acceptable by the Board at the next meeting, they should be considered to be approved as enclosed.

If you have any questions, or if we can be of further service to you, please feel free to contact me.

Sincerely yours,

Christine Meinhart-Fritz  
Director

CMF/ek  
Cc: Julia Heilakka, Office Manager

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## ***MONROE COUNTY PLANNING COMMISSION***

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TO: Christine Meinhart-Fritz, Director

FROM: Eric Koopman, Lead Senior Planner 

DATE: August 24, 2022

SUBJECT: Mountain Manor Rezoning R-1 to ED  
Zoning Map Amendment  
Smithfield Township  
MCPC Review #138-22

The Township of Smithfield is being petitioned by Russell D. Scott, III and Craig N. Scott; Orchard BJK Company, LLC and M. Manor Holding, LP to extend the Economic Development (ED) zoning district. Specifically, the petitioner is proposing to rezone all or portions of three parcels (Tax ID #16.6.1.42, #16.6.1.32, and #16.6.1.46-2) located on the westerly side of Marshalls Creek Road to the easterly side of Craigs Meadow Road, from Low-Density Residential (R-1) to ED. The area to be rezoned is approximately 145 acres and was previously developed as a former golf course.

The above mentioned zoning map amendments have been reviewed on the basis of generally accepted planning principles and the provisions set forth by the Pennsylvania Municipalities Planning Code (PMPC), as amended. The following comments are offered:

1. The proposed amendment is generally consistent with the PMPC, Act 247 of 1968, as amended, in terms of following required procedures.
2. The proposed rezoning possesses characteristics of spot zoning, such as being to the benefit a single property owner, however it should be noted the area is adjacent to an existing ED zone to the south. The Township should determine if the proposed rezoning would result in the possible development of land-uses that are inconsistent with the existing surrounding land uses and if the rezoning would not be in accord with the Township's comprehensive plan. It should be noted that adjacent land-uses for the property in question include a number of residential dwellings to the northwest. The Township should discuss this with their solicitor.
3. There are inconsistencies and incorrect information on the rezoning location map included with the submitted materials. The subject properties indicated in 'Exhibit A' include parcels both shown and not shown on the proposed rezoning map. Also, there is a property (Parcel ID # 16.6.1.46-2) to be rezoned on the map incorrectly indicated as Parcel ID 16.7.1.80-1. These inconsistencies should be corrected, and the actual proposed rezoning boundaries should be confirmed.

4. The applicant proposes the rezoning in order to construct a 'dry goods warehouse use' but offers no further justification for the proposed rezoning. Given the large area in question and the broad differences in permitted uses between the R-1 and ED districts, the Township should carefully consider implications of the proposed rezoning in terms of potential impacts to the surrounding natural and built environment.
5. A significant portion of the Township is currently zoned ED, and warehouse uses are permitted by right in this district. The current ED district area appears reasonable to accommodate such non-residential development options for the Township as it now exists without increasing additional acreage. The existing Industrial (M-1) district also permits this use.
6. While expanding the ED district would allow for a variety of other non-residential land-uses that could provide economic benefit, the impact of the applicant's intended use of the property for warehousing will likely have a much greater impact to the surrounding community than other commercial uses. It should be noted that the Township does not have any additional specific standards for warehousing or distribution centers. The Township is encouraged to explore incorporating other requirements and updated definitions for warehousing or distribution centers.
7. The specific acreage to be affected by the proposed rezoning is not indicated in the submitted materials. Including such information would facilitate the review process.
8. It should be noted that according to the Smithfield Township Comprehensive Plan Update of 2001, a community survey indicated that warehouse/distribution centers were generally found to be discouraged by local residents (Goals and Objectives, Page 2-2). While the plan acknowledges the need to balance residential share of the tax burden with commercial and industrial properties, such businesses are to be located in areas zoned as such. The original proposed zoning districts within the plan have this area intended as residential.
9. It is recommended that the Township ensure that appropriate landscape buffers are in place within the zoning ordinance in order to reduce potential adverse impacts between residential and commercial districts.
10. If any revisions are made to the proposed zoning map amendment, it must be re-submitted to the MCPC for review prior to adoption. This requirement was affirmed by the Pennsylvania Commonwealth Court in *Hanover Healthcare Plus, Inc. v. Zoning Hearing Board of Penn Township* 875 A.2d 1255 (Pa. Cmwlth 2005). It is recommended that the Township discuss this with their solicitor.
11. The Staff has reviewed the proposed zoning map amendment and finds adoption of the proposed amendment to be a matter of local determination.

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Mountain Manor Rezoning R-1 to ED  
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In an attempt to maintain a library of municipal ordinances, we request that any adopted ordinance amendments (Zoning, Zoning Map and SALDO) be sent to the MCPC within 30 days of enactment as specified in the PMPC.

This review is subject to the approval of the Monroe County Planning Commission at its next regularly scheduled meeting.