

SMITHFIELD TOWNSHIP PLANNING COMMISSION  
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA  
REGULAR MEETING OF OCTOBER 13, 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 S. Amori. Also in attendance were Commissioners R. Moses, D. Strunk, D. Schryver, M. Bowyer and C. Bower who were all physically present in the meeting room at the Township Municipal Building. Commissioners 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 Engineer Jon Tresslar, PE and Township Solicitor Ronold J. Karasek, Esquire both of whom were also physically present in the meeting room. Also, present was Lucas DeBartolo (Township Budget and Finance Manager) who was acting as the IT person overseeing the live streaming; and, Township Supervisor R. Lovenheim.

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

**4. Minutes:** The Regular Meeting Minutes of the September 8, 2022 were approved on motion of Commissioner Chair Amori, seconded by Commissioner D. Strunk and on vote of 6-0.

**5. Public Comments on the Agenda:** None.

**6. New Business and Plans to Act On:**

- |                    |   |
|--------------------|---|
| a) <b>Project:</b> | <b>Franklin Hill Manor-Preliminary LD<sup>1</sup> Plan</b>            |
| <b>Location:</b>   | <b>Eastern Side of Franklin Hill Road at inter.<br/>w/Albert Lane</b> |
| <b>Site:</b>       | <b>Four (4) Lots on 6.1895 acres (wetlands and<br/>woodlands)</b>     |
| <b>District:</b>   | <b>R-1 (Low-Density) Residential</b>                                  |

---

The Plan is to subdivide and develop land on the eastern side of Franklin Hill Road at its intersection with Albert Lane (a private road). The property consists of 6.1895 acres and the plan is to subdivide into four (4) residential lots that will take access from an improved Albert Lane.

At the Applicant's request, the Plan was tabled to the November 10, 2022 since (as per the Township Engineer) a revised Plan is to be filed which will further extend the time for official action beyond the present extended deadline of November 30, 2022. Planning Commission Meeting on motion of Commissioner D. Strunk and seconded by Commissioner Chair Amori and on vote of 6-0 the matter was tabled.

---

<sup>1</sup> While the reference on the Plan is "Land Development," it appears to be a subdivision plan.

**b) Project:** Black Buffalo Preliminary/Final LD Plan  
**Location:** Northern Side of Airstrip Road-480' west of Airport Road  
**Subject:** 131,250 sq. ft. Light Manufacturing Bldg et al.  
**District:** M-1 (Industrial) Zoning District

The property is located on the northern side of Airstrip Road approximately 480' west of its intersection with Airport Road (the location is the former Stbg-Pocono Airport including the airstrip and several supporting buildings and driveways).

The proposed development includes the construction of a light manufacturing facility of 131,250 sq. ft. (permitted in the Zoning District) consisting of a factory, finished product warehouse, material warehouse, 3D printing space and a two-story office. Access will be a new terminus bulb of Airstrip Road and sixty three (63) off-street parking spaces are proposed along with landscaping, lighting and stormwater management.

Although no one was present on behalf of the Applicant, the Solicitor advised that action had to be taken as the Conditional Use Application is scheduled for public hearing before the Board of Supervisors on October 26, 2022; and, the time to take action on the Land Development Plan will expire on the extended date of November 10, 2022.

#### Conditional Use Application

The Township Engineer explained the application to allow discharge pipe from a detention basin into the nearby creek. This is in a floodplain and in a very flat area. The Township Engineer states this project has "zero impact" on the floodplain. The Solicitor explained that a conditional is required for this relatively simple matter as it deals with development in the floodplain which (as per the Township Floodplain Ordinance) requires conditional-use approval.

Commissioner Chair Amori and Commissioner Schryver each asked what work was being done at the plan's location? As per Supervisor Lovenheim, the work is the work as per the earlier approved Vigon Plan and not the Black Buffalo project.

Auditor V. Ozgun states that Black Buffalo sold (within 4 weeks) the project to a new owner/developer named Slater Holdings so how do we know if the plan will not change now that the project is in different hands? Also, she asked if the new owner/developer must secure new permits? The Township Solicitor and the Township Engineer both stated that the approved Plan is the one to be followed.

There was also some discussion as to whether fill was being brought into that area and whether it was being placed in floodplains vs. wetlands. The Township Engineer advised that the Army Corps of Engineers looks at three (3) things to determine if there are wetlands i.e. 1) the area must have wetland vegetation and 2) the area must remain wet for a significant period of time to maintain such wetland vegetation and 3) the area must have hydric soils.

After some other brief discussion and on motion of Commissioner Strunk and seconded by Commission Chair Amori, the Planning Commission (on a vote of 5-1: nay-Schryver) recommended that the Conditional Use be approved on condition that the Monroe County Conservation District (MCCD) has reviewed and approved of the conditional use application for the discharge pipe.

#### Land Development Application

As to the Land Development Application, the time to take official action on that plan expires on November 10, 2022 as per the present Extension of Time.

It was discussed that if the Applicant files a revised Plan, the 90-day review period will run anew as of the date of filing of the revised Plan. However and if a revised Plan is not to be filed and in an abundance of caution, the TPC (on motion of Commissioner D. Strunk and second by Commission Chair Amori and on vote of 6-0) recommended to deny the Plan (based upon the outstanding items in the Township Engineer Review Letter of July 25, 2022) unless an additional extension is granted by the Applicant to the Township.

Meanwhile, Supervisor Lovenheim commented that "this a great project in the wrong place". He stated that the Township had proposed an alternate site (behind the Dairy Queen) to the Applicant which was rejected. Parenthetically, he advised that the Black Buffalo Representative i.e. a Michael Woods is no longer with the company. In his opinion, this site was more beneficial to the Applicant as it was ¼ mile from I-80 with connector roads. However, Supervisor Lovenheim did acknowledge that the project was a permitted use in Industrial Zoning District. Commissioner Schryver also expressed his displeasure with the project.

However, the Township Solicitor re-emphasized the general rule that if the project meets the Township ordinances, it must be granted approval.

#### **7. Old and Unfinished Business:**

- a) **Development, recommendation and approval of a boarding plan for new Commissioners**

- b) **Development, recommendation and approval of a boarding plan for new Commissioners**
- c) **A Report on the Zoning Officer's activities and citations issued and violations found**
- (c) **Action of prior recommendations**

No action taken. Simply carry-overs from prior meetings.

**8. Public Comment:**

At the beginning of the meeting, Auditor Ozgun asked as to the status of Department of Environmental Protection response (if any) to the plans on the agenda.

**9. Adjournment:**

There being no other business coming before the Commission and on motion by Commissioner D. Strunk, seconded by Commissioner Chair Amori and on a unanimous vote of 6-0, the meeting was adjourned at 7:36 p.m.

Karasek Law Offices, LLC

By: \_\_\_\_\_

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