

**Smithfield Township Planning Commission
Regular Business Meeting
December 8th, 2022
Minutes**

1. Call to Order:

A Regular Business Meeting of the Smithfield Township Planning Commission was held on December 8th, 2022, at the Smithfield Township Municipal Center at 1155 Red Fox Road, East Stroudsburg, PA 18301, and via Zoom. The meeting was called to order by Planning Commission Chair Scott Amori at 7:01PM.

2. Members Present:

A quorum was present. Planning Commission members present include Commissioners Scott Amori, Douglas Schryver, Robert Moses, and Michael Albert. Members absent include Commissioners David Strunk, Mitch Bowyer, and Chris Bowers.

In addition to the above Commissioners, also in attendance were Township Engineer Jon Tresslar, PE, Township Solicitor Ronold J. Karasek, Esquire, Township Supervisor Robert Lovenheim, Township Supervisors Robert Lovenheim, Township Manager Julia Heilakka, and Township Budget & Finance Manager Lucas DeBartolo.

Also present from the public were the following individuals who shared their names: Yasin Khan, Duane Wagner, Nate Oiler of RKR Hess, Marianne Bridges, Attorney Ralph Matergia, Craig Scott, Russell Scott III, Ted Herbert, Attorney Albert A. Murray, John Herman, Kevin Wolfe, Chris Hess, and Steve Kemper.

3. Pledge of Allegiance was recited.

4. Minutes for Review: November 10th, 2022 - Regular Business Meeting

Commissioner M. Albert motioned to accept minutes as written, seconded by Commissioner Chair S. Amori. All votes in favor (4-0), minutes accepted.

5. Public Comments on the Agenda: None.

6. New Business and Plans to Act On:

- a. Franklin Hill Manor Land Development Plan. Tabled until January 12th, 2023, Planning Commission Meeting.**

Commissioner Chair S. Amori removed this item from the agenda as it had been tabled at the previous November 10th, 2022, regular meeting.

- b. Review Russel D. Scott et al. – Petition to Amend the Zoning Ordinance.**

Attorney Ralph Matergia discusses the proposed petition. The petition includes M Manor holding company, additional property owners, and Orchard BJK Company. Representatives as well as their engineer are present at the meeting. The Petition proposes rezoning the parcel of land owned by Russell Scott, two parcels owned by Holly Scott (who consents to the zoning change), and one parcel owned by Michelle Compton - who is not a party to the petition. The petition seeks to extend the Economic Development Zone to these properties that are currently adjacent to the Economic Development Zone, for the purpose of developing a warehouse. A 100-acre portion of the Mountain Manor property surrounding Marshalls Falls is also proposed to be donated to the township.

Ted Herbert of Langlin Engineering presents maps showing what areas would be rezoned, a previous plan for this area, the proposed open space, a conceptual site plan for the warehouse, and buffer zones.

Commissioner M. Albert asks about the pond area on the map, Attorney Ralph Matergia confirms it is under contract and included in the proposed Economic Development zone.

Attorney Albert Murray Junior, representing Russell Scott, discusses the plan. Russell Scott discusses zoning laws, historical business in the area, taxes, and the proposed plan. Russell Scott discusses the proposed land donation to Smithfield Township, and the potential tax income of a warehouse.

John Herman, developer of Orchard BJK Company discusses the plan to develop the warehouse and his company's background information.

Commissioner Chair S. Amori asks the developer if other properties already zoned as Economic Development within the township could meet these requirements, developer comments yes, though properties are limited or cannot be found.

Commissioner D. Schryver asks the developer about truck traffic, large trucks using the traffic circle on Seven Bridge Road, and traffic studies. The developer states that no additional traffic studies have been completed, though the roundabout was designed for additional traffic.

Commissioner D. Schryver asks about potential jobs. Developer comments that this project could create around 500 jobs at the warehouse.

Commissioner M. Albert asks about current homes that are close to the property – it is determined that the properties he is referring to are zoned Economic Development but are nonconforming residential use currently.

Commissioner M. Albert comments that he supports the idea of rezoning to reduce property taxes.

Solicitor Karasek tells the Planning Commission to focus on the change of the zone to Economic Development, and not on the warehouse, because this is a zoning change and not a development plan, and many things can be built in the Economic Development zone.

Commissioner D. Schryver asks if the area can be a golf course again. Russel Scott discusses that this is not economically feasible.

Commissioners discuss buffer zones, Russell Scott comments that the proposed warehouse would be 500 feet away from current homes. Commissioners discuss lot splitting.

Solicitor Karasek comments that there is a curative amendment to cure the definition of a warehouse that is in process with the Township, but as of right now, warehouses can be built in the Economic Development zone.

A public hearing is scheduled to be held at the Board of Supervisors Regular Meeting on Wednesday, December 14th (*Note: This hearing has since been delayed at the time of compiling these minutes*).

Public Comment: Steve Kemper discusses the three parcels he owns on Pine Ridge Road, and wonders if a warehouse will reduce property values and increase traffic.

Russell Scott comments on the limited ability to see the warehouse from that location, and possible requirements by PennDOT for a traffic light.

Commissioner Chair S. Amori makes a motion to deny the request for the zoning change, seconded by Commissioner D. Schryver. Commissioners S. Amori and D. Schryver vote in favor, Commissioners M. Albert and R. Moses are opposed. Motion does not carry (2-2).

Commissioner M. Albert makes a motion to approve the request for the zoning change, seconded by Commissioner R. Moses. Commissioners M. Albert and R. Moses vote in favor, Commissioners S. Amori and D. Schryver are opposed. Motion does not carry (2-2).

Commissioner Chair S. Amori calls for a recess at 8:09pm. Commissioner Chair S. Amori calls the meeting back to order at 8:12pm.

c. Westfield Commons – Sketch Plan – 5565 Franklin Hill Road – Dr. Khan.

Dr. Yasin Khan, Wayne Wagner, and Nate Oiler are present to present the sketch plan. Nate Oiler reviews the proposed sketch plan. He discusses the small wetland area, encroachment to realign the road, and buffer around the wetland. Two buildings are planned, each four stories tall, including both commercial and residential space on the property, with commercial property present in one of the two buildings. They are

currently reviewing Engineer Tresslar's letter and comments regarding the sketch plan. Nate Oiler discusses a piece of the property proposed to be dedicated to the township, or the potential payment of fees in lieu of open space.

Commissioners discuss parking and landscaping requirements.

Supervisor Robert Lovenheim discusses this plan being the first use of the incentivized mixed-use zoning in the Economic Development zone.

Nate Oiler discusses property tenants to potentially include an extended stay hotel, retail, medical offices, and apartments in one building, with one-bedroom and two-bedroom apartments in the other building. 83 apartment units are planned for the residential-only building, with 42 apartments planned for the mixed-use building. Commissioners discuss mixed use zoning, commercial properties being on the ground floor, and property frontage rules.

Solicitor Karasek comments that multi-building development projects in the Economic Development zone permit that commercial properties may be concentrated in one floor or in one building, but generally that there should be no residential use of commercial frontage.

Commissioner M. Albert comments on buffer zones to surrounding residential properties.

Public Comment: Chris Hess lives on Stone Gate Drive, an area zoned for Economic Development. He comments on the goal of the ED zone to promote non-residential land use and protect neighborhood property values. He discusses formulas limiting the number of dwellings allowed in the zone and setback requirements.

Engineer Tresslar comments that these items have not been reviewed and will be addressed once the plan is submitted as a final plan, rather than the current sketch plan.

No motions were made regarding the sketch plan.

d. Review Draft Solar Ordinance

Smithfield Township Manager J. Heilakka, discusses a new draft Solar Ordinance for the township, utilizing the curative amendment that was previously filed by the township. The goal of this ordinance is to cure the township's solar regulations by creating an ordinance to address this category.

Commissioner M. Albert comments on the zones that will allow solar. Township Manager J. Heilakka discusses options for this.

Commissioners discuss small solar farms, accessory units, and home-solar units, upcoming warehouse ordinance review, and solar site abandonment issues.

Township Manager J. Heilakka discusses solar canopy regulations, tree removal, clear cutting issues, and tree replacement. Engineer Tresslar discusses ordinances that would only allow a certain percentage of trees to be removed.

Commissioners & Township Manager J. Heilakka discuss setbacks and buffer areas.

Commissioner M. Albert asks Township Supervisors if they have specific preference for overlay zoning or specifically identified zones. Supervisor Jacob Pride states they do not at this time, but this will be discussed by the Supervisors as well.

Motion by Commissioner M. Albert to table the Solar Ordinance until the January 12th meeting, pending further review before approval, seconded by Commissioner D. Schryver. All in favor (4-0), motion carries. Approval of the Solar Ordinance is tabled to the January 12th, 2023, Regular Planning Commission Meeting.

7. Old and Unfinished Business:

a) Discuss & Consider: That the Planning Commission ask the Supervisors to request the Planning Commission to develop, recommend for approval and then implement a specific onboarding plan for new Planning Commission Volunteers.

b) Discuss & Consider: A motion of the Planning Commission for a periodic report of activities of the Zoning Officer and Building Inspector or permits applied for, graded (or refused), Zoning Violations Cited and any Legal status of those Zoning Violations.

c) Review of Action on prior recommendations

No action taken on any old or unfinished business. Carried over from prior meetings.

8. General Public Comments: No additional public comments.

9. Meeting Adjourned:

Motion to adjourn by Commissioner Chair S. Amori, seconded by Commissioner R. Moses. All in favor (4-0), motion carried. Meeting adjourned at 9:00pm.

Minutes recorded by Lucas DeBartolo

Respectfully submitted

A handwritten signature in black ink, appearing to read "Lucas DeBartolo", written in a cursive style.

Lucas DeBartolo
Budget & Finance Manager
Smithfield Township