

SMITHFIELD TOWNSHIP PLANNING COMMISSION  
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA  
REGULAR MEETING OF SEPTEMBER 8, 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 D. Strunk, D. Schryver, M. Albert and C. Bower who were all physically present in the meeting room at the Township Municipal Building. Commissioners R. Moses and M. Bowyer were 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 present and doubling as the IT person overseeing the live streaming; and, Supervisor R. Lovenheim.

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

**4. Minutes:** After some discussion on footnote 2 on page 2 of the Minutes, the Regular Meeting Minutes of the August 11, 2022 were approved on motion of Commissioner Chair Amori, seconded by Commissioner C. Bower and on vote of 5-0.

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

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

<b>a) Applicant:</b>	<b>John Herman</b>
<b>Project:</b>	<b>Petition to Amend ED (Economic Development) Zoning District to include Additional Tracts</b>
<b>Location:</b>	<b>Route 209 &amp; Marshall Creek Road</b>
<b>District:</b>	<b>R-1 (Low Density Residential)</b>

A Petition for Re-Zoning was filed to include seven (7) additional parcels of land into the ED (Economic Development) District i.e. Russell and Craig Scott, M. Manor Holding, LP and Orchard BJK Company, LLC properties.

This matter was tabled at the August Planning Commission Meeting to a Special Meeting to be held on Thursday, September 22, 2022. However, there was still some discussion on the Application.

Chair Amori stated that this will be controversial where there is a proposed zoning change of residential lots into ED (Economic Development) lots. The residents who bought lots in the residential zone should be able to rely upon and expect those lots remain residential. He intends to allow full public comment at the September 22 Special Meeting i.e. "the public will have their say".

Commissioner Bower stated that a letter from residents on Craig Meadows Road has been circulated in opposition to the change. Commissioner Albert stated that the Township has never placed a residential lot into the ED Zoning District. Supervisor Lovenheim stated that the Monroe County Planning Commission expressed "spot zoning" concerns.

Commissioner Strunk wondered why a proposal for a zoning change to construct a warehouse. He stated that the access is horrible. Commissioner Schryver countered and stated "Why is Vigon building it warehouse in wetlands?" Commissioner Strunk also opined that a "bait-and switch" could occur where the change is made to ED (on the strength of a proposed residential/commercial mixed use (which would probably be acceptable) and then that project is pulled in favor of a warehouse!

No further discussion occurred.

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

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 October 13, 2022 Planning Commission Meeting on motion of Commissioner Chair Amori and seconded by Commissioner Albert and on vote of 5-0.

However and since the time to act on the Plan expires on September 30, on motion by Commissioner Chair Amori and seconded by Commissioner Albert and on vote of 5-0 the Plan was recommended for denial based upon the Township Engineer Review Letter of August 23, 2022 (Third Review) unless a further extension of time is received.

- c) 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**

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

The property is located on the northern side of Airstrip Road approximately 480' west of its intersection with Airport Road (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.

At the request of the Applicant and on motion of Commissioner Chair Amori, seconded by Commissioner Strunk and on vote of 5-0, the Plan was tabled to the October 13, 2022 Planning Commission Meeting.

**d) Project: Shawnee Valley PRD**  
**Location: Shawnee Valley Road and points North and South**  
**Subject: Stage 1b, Final Plan Approval of 2005 Tentative Plan**

A Land Development Plan has been submitted for Stage 1b-Final Plan for the Shawnee Planned Residential Development 2005 Tentative Plan. The project is for 294 residential units i.e. 190 townhouses and 104 single family and cottage lots. There is central water and central sanitary sewer.

No action is need as the Applicant is of the opinion that, on December 14, 2005, the Township Board of Supervisors gave final approval to this stage with conditions; namely (1) that all outside agency approvals be received (2) compliance with the Township Engineer Review Letter (3) performance security be provided for the required improvements (4) discussions with the Fire Chief and Township Engineer to determine if emergency vehicles can safely negotiate two (2) curves; and, if not, the curve radii of the roads would need to be increased and (5) split rail fencing be provided around the detention basins.

M. Carbone (obo the Shawnee Preservation Society-SPS was present) and stated that the SPS will be filing a Declaratory Judgment Action pursuant to the 2009 Settlement Agreement for a dispute resolution.

This being said, this item may be removed from future agenda.

**e) Subject: Review of Township Fence Ordinance**

Commissioner Strunk asked what were the reason for this ordinance; and, who wrote it? The Solicitor thought it was at the urging of Supervisor Lovenheim; however,

he stated this was not correct. Commissioner Albert asked if the Township could require compliance with the ordinance terms and conditions without a permit process being in place? The Solicitor stated this is allowed i.e. compare the International Property Maintenance Codes.

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Commissioner Chair Amori stated that there are more important things to address in the Township.

On motion of Commissioner Albert, seconded by Commission Chair Amori and on vote of 5-0, it was recommended that a Fence ordinance not be adopted by the Township.

- f) Project: Black Buffalo LD Plan**
- Location: (see above)**
- Subject: Conditional Use for Construction in a Flood Plain**

The proposed storm sewer and scour hole create small area of grading which raises the existing flood elevation by one (1) foot. The Township Flood Plain Ordinance requires that any construction in the flood plain requires a conditional use approval. Given the minor extent of the proposed grading, the Township Engineer does not believe that there will be a significant impact to the existing 100-year flood plain.

The Applicant asked that this matter be tabled to the October 13, 2022 Planning Commission Meeting; and, on motion of Commissioner Chair Amori, seconded by Commission D. Strunk, the matter was tabled on vote of 5-0.

Parenthetically, Commissioner D. Schryver was concerned that this application was placing the "cart before the horse" as the LD Plan has not been approved. However, the Commission recognized that the LD Plan and the Conditional Use Application could proceed simultaneously.

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

- a) Development, recommendation and approval of a boarding plan for new Commissioners**
- b) 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: None**

**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 5-0, the meeting was adjourned at 7:50 p.m.

Karasek Law Offices, LLC

By: 

Ronald J. Karasek, Esquire

PA I.D. No. 23233

Solicitor to Smithfield Township