

THE SMITHFIELD TOWNSHIP ZONING HEARING BOARD
REGULAR MEETING – JULY 22, 2024, AT 7:00PM

A Regular Meeting of the Smithfield Township Zoning Hearing Board was held on July 22, 2024, at the Smithfield Township Municipal Center at 1155 Red Fox Rd, East Stroudsburg, PA 18301.

Present are Board members Lucas Fuller, Guy Miller, and Marianne Cannell, Solicitor Jeff Durney, Stenographer Donna Kenderdine, Zoning Officer Kenneth Wolfe, and Township Manager Julia Heilakka.

Also present are Attorney Chris Brown, Brett Cartwright, Kristine Karol, Pat Owens, Brian Safin, and Jean Turn.

1. Chair Lucas Fuller calls the meeting to order at 7:10PM.

2. The Pledge of Allegiance is recited.

3. Minutes:

a. Regular Meeting of May 7, 2024.

Guy Miller motions to approve the minutes, Marianne Cannell seconds. Vote: all in favor; minutes accepted.

b. Regular Meeting of June 4, 2024.

Marianne Cannell motions to approve the minutes, Guy Miller seconds. Vote: all in favor; minutes accepted.

4. Public Comment on the Agenda

a. Brian Safin represents his elderly mother at 1010 Mt. Tom Rd. He is not opposed to the proposed use, but requests a barrier on the back of the property to prevent individuals from cutting across a grass strip to reach Mt. Tom Rd.

5. Old Business

a. Approve: Decision for M Manor Holding, LP. Attorney Durney states both decisions have been approved and signed already; this approval is a formality. Guy Miller motions to approve the decision, Lucas Fuller seconds. Vote: all in favor; motion carries.

b. Approve: Decision for Application of Joseph A. Widmer. Marianne Cannell motions to approve, Guy Miller seconds. Vote: all in favor; motion carries.

6. New Business:

- a. **Public Hearing – 2080 Milford, LLC Variance Request.** Donna Kenderdine Reporting records this public hearing. 2080 Milford LLC requests a variance from Section 27-511.16A of the Zoning Ordinance to permit a gambling establishment within 1,000 ft of a residential district at PIN 16731203343501, Parcel 16.7.1.21-1. After discussion, the applicant is seeking an interpretation of the zoning ordinance. The Board decides to reschedule the proceeding and readvertise the meeting with the language to reference a request for an interpretation.

Lucas Fuller motions to continue the hearing at a future date, Guy Miller seconds. Vote: all in favor; motion carries. The Board will reconvene on Wednesday, August 14th at 7:00PM. The hearing will be readvertised, and Attorney Durney will contact the Alternate Solicitor Bob Kidwell.

7. Public Comments:

- a. Brian Safin assumes there will be no loud music after 11PM on the applicant's parcel.
- b. Brett Cartwright asks if there is a document that guides the Board's decisions. Attorney Durney states criteria is in the Township's ordinance. Brett Cartwright asks if the Board is familiar with the comprehensive plan. Attorney Durney replies the Board considers only the ordinances of the Township when making a decision.
- a. Kristine Karol asks if M Manor Holding a/k/a Back 9 MX is still operating. Attorney Durney replies yes; M Manor Holding has a right to appeal the Board's decision. If it is appealed, they are allowed to continue to operate. Kristine Karol asks about the Widmer application. Attorney Durney replies a variance for setbacks on Parcel 16.7.1.52 was granted. Kristine Karol asks if she can question the applicant tonight. Attorney Durney replies no and explains the variance process.
- b. Brett Cartwright confirms that he may ask questions, but the Board is not required to answer. Attorney Durney confirms now is not the time to question the applicant, but Mr. Cartwright may ask questions of the Board, though they are not required to answer.

- 8. Adjournment:** There being no other business before the Board, Guy Miller motions to adjourn, Marianne Cannell seconds. Vote: all in favor; meeting adjourned at 7:33PM.

Minutes Recorded by Julia Heilakka

Respectfully submitted,



Julia Heilakka
Township Secretary