

The regular meeting of the Middle Smithfield Township Planning Commission was called to order on Thursday, March 19, 2009 at 7:30 pm at the Schoonover Municipal Center. Jay E. Huffman presiding.

Members present: Jay E. Huffman, Robert Vandercar, Bob Early, Mark Oney, Parin Shah and John Petrizzo. Also present were Jennifer Ann Wise, R. Douglas Olmstead, Jr., P.E. (Doug), Michele Clewell, Dave Manter and numerous interested parties.

Robert Vandercar made a motion to approve the February 19, 2009 minutes. Bob Early seconded the motion. The motion carried 6-0.

Doug Olmstead reported that Bill Hopkins would be presenting the Hemlock Ridge Preliminary Major Subdivision plan on behalf of the owner, Mr. Alan Siberini. Mr. Olmstead went on to say that Mr. Hopkins will not be arriving until 8:00 pm.

Tabled Plans

Doug Olmstead reported that a letter was received from Christopher McDermott of Reilly Engineering, requesting the Lewis True Value Land Development Plan be tabled. Robert Vandercar made a motion to table the plan. Mark Oney seconded the motion. The motion carried 6-0.

Plan Reviews and Unfinished Business

Bill Hopkins joined the meeting at 7:50 pm to discuss the Hemlock Ridge plan. Mr. Hopkins stated for the record that he has been retained as a consultant by Alan Siberini; owner of the property and is not working for LTS Builders on this project.

He stated numerous meetings have taken place with PA DEP and the Monroe County Conservation District and they are trying to modify the plan to reducing the number of lots on the plan originally submitted in 2007.

Mr. Hopkins stated that a meeting should be scheduled between himself and the Township Engineer to determine the review process history so that a revised plan can be presented to the Planning Commission.

Mr. Hopkins stated that he believes the entrance location and cul-de-sac can be changed so that there are fewer disturbances on the property.

Mr. Hopkins stated that wetland delineations have been completed and are shown on the plan and the proposed houses and septic systems are not in wetlands.

There were concerns to what the additional run off will do to the existing wells and when new septic systems are installed; several township residents who live below the proposed development site in a self-described "flood plan" expressed grave concerns regarding the impact the run off from the waste water will have on their properties asserting that it will flow down to their properties near the creek. Mr. Olmstead stated that PA DEP and the Conservation District will not allow any additional stormwater run off and if they meet

PA DEP criteria to install a septic system, you cannot stop them from being installed. He also stated that a stormwater plan must first be signed off by the Township Engineer, then it is forwarded to the Conservation District and then PA DEP reviews it.

After lengthy discussion regarding the next meeting; Mr. Hopkins stated per the agreement with the Planning Commission, that someone will be present at the April 2009 Planning Commission meeting to speak on behalf of Mr. Siberini for the Hemlock Ridge Preliminary Major Subdivision Plan.

Sketch Plans and Discussion

Mr. George Fetch presented the Grabin Minor Subdivision Sketch Plan and is requesting comments. Mr. Fetch stated that the location for the minor subdivision is off of Coolbaugh Road and Firestone Lane. The private access road runs through the Grabin and Spano property. Mr. Grabin has a home on the property, shown on the plan. Septic testing has been completed.

Mr. Olmstead provided the following comments:

1. Private access streets can only serve two lots. Anymore than two lots you would be required to have public access with a 50 ft. road width. He also stated that he would rather see it as a through road for east/west connection with Coolbaugh Road, Firestone and Route 402.
2. Is it a minor or major subdivision?
3. If constructing a road, then NPDES permit is required.

Mr. Olmstead and Ms. Wise stated that a great deal of work has to be completed prior to an official submission and additional concerns involve the fact that Lot 3 is shown twice on the plan and should be shown as two separate lots, the proposed roadway creates at least two and possibly three non-conforming lots and the width of the road reflected in the covenants is 8.5' but is shown as 50'.

Jennifer Ann Wise presented Ordinance 167 for review. She explained that this ordinance proposes to rescind Ordinance 68 which adopted Chapter 85 of the Code of the Middle Smithfield Township entitled "Building Construction".

Ms. Wise stated that currently we have a duplication of codes between Chapter 85 which was adopted in 1993 and the International Building Code which was adopted by the Township in 2004. The inconsistencies between the codes creates a kind of "forum shopping" and it is impossible for anyone outside of the Township to know that the Township allows separate requirements from the ICC, including the BCOs who are performing commercial inspections as third party designated inspectors. There should be consistency not confusion.

For example, in Township Ordinance 68 it states that any commercial structures over 2,000 square feet must have a sprinkler system installed. Under the International Building Codes, depending on the occupancy classification the square footage of the commercial business is 12,000 square foot.

Mr. Huffman stated that he does not agree with proposed Ordinance 167 as the Township has volunteer firefighters. He also stated that the Township should schedule a meeting with the Fire Companies to discuss Ordinance 167.

Dave Manter; Middle Smithfield Township Building Codes Inspector stated that Mr. Fish and Scott Dreisbach of the Marshalls Creek Fire Department were previously given information from the International Building Code (IBC) with regard to sprinkler system requirements and a copy of the Schuylkill Township case law from the Commonwealth Court of Pennsylvania regarding the same and no one has contacted him with any questions.

Ms. Wise stated that that this item should remain on the agenda for further discussion with the Planning Commission as it is not scheduled to go before the board of Supervisors until May 14, 2009.

Mr. Huffman stated that he will contact the fire companies and if they have any questions he will refer them to contact Dave Manter.

There being no further business Jay Huffman made a motion to adjourn the meeting at 8:45 am.

Respectfully submitted,

Michele L. Clewell,
Recording Secretary