

The regular meeting of the Middle Smithfield Township Planning Commission was held on Thursday, February 18, 2010 at 7:00 p.m. at the Schoonover Municipal Building with Mark Oney presiding.

Members present: Mark Oney, Bob Vandercar, Bob Early, Parin Shah and Bob Chartock. John Petrizzo arrived at 8:05 p.m. and Scott Schaller was absent. Attorney Jennifer Ann Wise, R. Douglas (Doug) Olmstead, Jr. P.E., Michele Clewell and several interested parties were also present.

Minutes of the previous meeting held January 21, 2010 were approved upon a motion by Bob Vandercar, seconded by Parin Shah. Motion carried 5-0.

The zoning officers' report was accepted upon a motion by Bob Vandercar, seconded by Bob Early. Motion carried 5-0.

Plan Reviews

Mr. Shergoh Alkilani of Route 209 Bypass Associates for The Crossings at Marshalls Creek Land Development Plan, presented architectural sketches of the proposed retail stores.

Doug Olmstead provided Engineering review letter #1, marked Draft, dated February 18, 2010.

Mr. Alkilani stated that there are one to two outside agency approvals that have not been received but authorization from those agencies will be obtained prior to the Supervisors granting approval.

Mr. Alkilani stated that the parking issues have been discussed and under the proposed ordinance his project would meet the parking regulations. If the proposed zoning ordinance is adopted as written, with regard to parking regulations he would like to keep the same layout, if it is not adopted as proposed, and the current requirements remain in effect, he would like to remove the corner retail space, whereby meeting the current ordinance.

Central water and sewer service was discussed at length. Attorney Wise stated that Mr. Alkilani would be required to obtain a letter from Robyn Pugh, Middle Smithfield Township Sewer Director indicating that sufficient sewer capacity is available for this project. Doug Olmstead stated that any approvals be conditional regarding availability of central water to the site prior to releasing the land development plan for recording purposes. Attorney Wise also stated that a letter would need to be acquired from Pa. American Water to confirm water supply as well and the request for this letter should come from Developer.

Traffic patterns, stormwater, highway occupancy permit and sidewalks were discussed.

Bob Early made a motion to conditionally approve The Crossings at Marshalls Creek Land Development Plan stating that the conditions were that all the township Engineers' comments be met, reaffirm that the Board of Supervisors not grant approval until a firm commitment is received for the water and sewer issues and the developer add sidewalks along Route 209 to the property line. Bob Vandercar seconded the motion. Motion carried 5-0.

Ray Rogers of Frank J. Smith Jr., Inc. presented revised plans for the Minor Subdivision of Land of Catherine Driscoll and Lands of Charles & Elma Jean Scrimale and three modifications of regulations.

Doug Olmstead reviewed his comment letter dated February 18, 2010 marked Engineering Review #2. Mr. Olmstead stated that all the engineering comments have been addressed.

After further discussion Bob Vandercar made a motion to recommend approval of the above minor subdivision plan, Parin Shah seconded the motion. Motion carried 5-0.

Three modification requests have been presented. (1) A modification from indicating the grid location number of the proposed minor subdivision plan. Mr. Rogers stated that grid numbers are no longer utilized, (2) a modification from submitting a preliminary plan. Mr. Rogers stated that since this is a minor subdivision/lot line adjustment this section could be omitted, and (3) a modification from providing stormwater management plans. Mr. Rogers stated that since there is no new construction proposed with this submission, this section of the ordinance does not apply.

Bob Early made a motion to approve the request for modification from providing the grid numbers. Parin Shah seconded the motion. Motion carried 5-0.

Bob Early made a motion to approve the request for modification from providing a preliminary plan. Parin Shah seconded the motion. Motion carried 5-0.

Bob Early made a motion to approve the request for modification from providing the stormwater information. Parin Shah seconded the motion. Motion carried 5-0.

Mr. Dave Osborne, P.E. of Ceco Associates and Attorney Ralph Matergia representing W. Peter Ahnert, Sr. for The Estates at Great Bear Hotel Addition Land Development Plan presented a Modification from Regulations requesting to exclude the grid numbers on the proposed plan.

The Township Engineers review letter #1 was discussed at length.

Attorney Wise stated that her review letter concentrated on the parcel size as it relates to the project and Mr. Osborne has stated that the issue is being addressed pursuant to his response letter that was handed to the Planning Commission members.

Planning Commission member, John Petrizzo arrived at the meeting

The Monroe County Planning Commission comments have been received.

The height of the proposed hotel, water supply, parking and fire protection were discussed at length.

Mr. Osborne stated that a Conditional Use Hearing has been scheduled due to the building height for March 9, 2010 before the Board of Supervisors.

Mark Oney stated that there is a lot of work that still needs to be addressed before recommending the land development plan be sent to the Supervisors.

Bob Vandercar made a motion to table The Estates at Great Bear Hotel Addition Land Development Plan as there are too many comments for the Engineer to review. Bob Early seconded the motion. Motion carried 6-0.

Attorney Matergia stated that he will provide a letter granting a time extension for The Estates at Great Bear Hotel Addition Land Development Plan.

Bob Early made a motion granting the Modification Request to exclude grid numbers from the proposed and development plan. Parin Shah seconded the motion. Motion carried 6-0.

Bob Early made a motion to forward the Conditional Use Hearing application to the Board of Supervisors. Parin Shah seconded the motion. Motion carried 5-1. John Petrizzo abstained as no information was provided to vote on the matter.

Tabled Plans

A letter was received from John M. Yetter requesting the John M. & Van D. Yetter Minor Subdivision Plan be tabled and requesting a 90 day time extension to render a decision. Bob Vandercar made a motion to table the plan and deny the additional 90 day time extension. Parin Shah seconded the motion. Motion carried 6-0.

Doug Olmstead stated that The John M. & Van D. Yetter Minor Subdivision Planning Modules require to be sent to PA DEP. Bob Vandercar made a motion to forward the planning modules to PA DEP. Parin Shah seconded the motion. Motion carried 6-0.

The Evergreen Estates II Conservation Subdivision Plan is currently tabled as they are working on numerous outside agency comments, however, the Planning Module is required to forward to PA DEP. Parin Shah made a motion to forward the planning module to PA DEP. Bob Early seconded the motion. Motion carried 6-0.

Sketch Plans

Mr. John Ray Rogers PLS of Frank J. Smith Jr., Inc. presented Sketch Plan Minor Subdivision of Lands of Marie Deresky for discussion purposes only.

Mr. Rogers stated that the property owner has 10.7 acres, lives on the property and would like to create three additional lots to be conveyed to her immediate family. Penn DOT Highway Occupancy Permits have been applied for and allow for three driveways per home.

Mr. Rogers stated that they will be applying to the township for a modification on the driveway regulations as the Township ordinance only allows two driveways per home.

Attorney Wise stated that this sketch plan would fall under a major subdivision plan due to the required number of driveways and expressed concern that the proposed lots did not meet the minimum lot requirements in the zoning ordinance and would, therefore, require variances.

Bob Early stated that two shared driveways are permissible but three would create problems.

John Petrizzo stated that the Zoning Ordinance in Jackson Township, Monroe County requires paving with four (4) houses on a road or driveway.

Mr. Rogers stated that the septic testing has already been completed.

Emergency vehicle access was discussed.

There was discussion to create either a cul-de-sac or a “Y” driveway.

No action required.

Reviews and Recommendations

The proposed draft zoning ordinance was discussed at length and the conversation revolved around the following comments.

1. Adult Commercial Use
2. Shooting Ranges
3. Daycare Facilities
4. Duties of the Zoning Officer
5. Exempt Signs
6. Temporary Signs
7. Commercial Directional signs
8. Change of Use Requirements
9. Planned Residential Development (PRD)

10. Non-Conformance
11. Office Parks
12. Zoning Map
13. Some Definitions don't match the use chart

Bob Vandercar stated that he has submitted his comments to Doug Olmstead, P.E. and Bob Early stated that he would provide his list of comments to Mr. Olmstead, Jr. P.E. for review.

Mark Oney stated that the staff responsible for writing the proposed draft zoning ordinance should be complimented as this proposed ordinance is user friendly.

After further discussion Bob Chartock made a motion to forward the comments to Doug Olmstead, Jr. P.E. Township Engineer, request the draft proposed zoning ordinance be tabled, return to the Planning Commission and reschedule the Board of Supervisors public hearing. Bob Early seconded the motion. Motion carried 6-0.

There being no further business the meeting adjourned in regular order at 10:12 p.m.

Respectfully submitted,

Michele L. Clewell,
Recording Secretary