

The regular meeting of the Middle Smithfield Township Planning Commission was held on Thursday, October 21, 2010 at 7:00 p.m. at the Schoonover Municipal Center with Mark Oney presiding.

Members present: Mark Oney, Bob Early, Parin Shah, Scott Schaller, John Petrizzo, Bob Chartock and Carrie Wetherbee. Also present were Attorney Jennifer Ann Wise, Township Engineer R. Douglas (Doug) Olmstead, Jr. P.E., Township Secretary Michele Clewell, Zoning Officer Wayne Rohner and several interested parties.

Appoint Vice-Chairman

Scott Schaller made a motion to appoint Bob Early as Vice-Chairman for the remainder of the 2010 year. Parin Shah seconded the motion. Motion carried 7-0.

Approval of the Minutes

Scott Schaller made a motion to approve the September 16, 2010 minutes. Bob Chartock seconded the motion. Motion carried 7-0.

Plan Submission(s)

Pine Glen Lots 47 & 49 Minor Subdivision Plan - Richard Storm P.L.S. on behalf of Mr. Daniel Malsch presented Pine Glen Lots 47 & 49 Minor Subdivision Plan. The proposed plan shows the removal of real estate from Lot 49 and adding it to Lot 47, for a total of two (2) lots. No new lots are being added as this is a lot line adjustment.

Bob Early made a motion to accept the Pine Glen Lots 47 & 49 Minor Subdivision Plan. Parin Shah seconded the motion. Motion carried 7-0.

Plan Reviews and Unfinished Business

Alan Siberini Minor Subdivision Plan – Ray Rogers P.L.S. of Frank Smith Jr., P.L.S. Inc. presented a revised plan dated October 21, 2010.

Attorney Wise asked if her comments were addressed pursuant to her review letter dated September 27, 2010. Mr. Rogers replied “yes”.

Mr. Olmstead stated that he did not review the revised plan but did previously stated that as long as his comments and the Solicitors comments were addressed he would recommend approval.

A copy of Dave Manter, SEO review letter dated September 16, 2010 was given to Mr. Rogers.

Mr. Olmstead recommended that a site well location be shown on the plan.

John Petrizzo questioned why the storm water requirement waiver request should be waived.

Attorney Wise explained that there is no land development proposed at this time so there is no new stormwater to be addressed, however, once the applicant submits plans to build a house of a size that would trigger stormwater planning or otherwise develop the property, then the applicant would be required to submit a land development plan and provide a stormwater report.

Attorney Wise and Doug Olmstead both stated that they would recommend granting the storm water waiver requirement due to no construction being proposed at this time.

Requests for Modification of Regulations:

1. Ordinance requires preparation of a Stormwater Management Plan – Applicant contends that since there are no new roads proposed and no proposed construction, they feel this item is not necessary at this time.

Bob Early made a motion to approve the Stormwater Management Plan waiver contingent that the Note is added to the subdivision plan prior to submission to the Board of Supervisors. Parin Shah seconded the motion. Motion carried 7-0.

2. Ordinance requires emergency grid Lines be shown on the plan – Applicant contends that Monroe County Emergency Services no longer use the grid system, therefore this item is no longer applicable.

Bob Early made a motion to approve the wavier for emergency grid lines. Parin Shah seconded the motion. Motion carried 7-0.

Bob Early made a motion to recommend approval of the Alan Siberini Minor Subdivision Plan subject to addressing the Township Solicitor and Engineers comments. Carrie Wetherbee seconded the motion. Motion carried 7-0.

Reviews and Recommendations

Frank Mestecy Conditional Use Application for a Public Hearing – Wayne Rohner reported that this Plan was voluntarily withdrawn at the last meeting, therefore, this item should be removed from the agenda until a new application is received. Attorney Wise stated that a vote was not required.

Nextel Communications Conditional Use Application for a Public Hearing - Michael Grab, Esquire representing Nextel Wireless Communications presented a Conditional Use Application for a public hearing to erect a 195 foot monopole tower, with wireless communication antennas and attendant equipment on property owned Robert F. and Nicole Spano at 3002

Coolbaugh Road. The property is located in the RR Rural Reserve Zoning District. The property consists of approximately 22.8 acres.

Kevin Wolfe P.E. for Nextel Wireless Communications stated that the access to the communication tower would be from an existing stone driveway. The proposed compound will be 100' feet x 100' feet with an 8' feet high, 60' feet x 60' feet fenced area for the equipment.

Mr. Wolfe stated that the proposed driveway is 240' feet off the existing driveway and the site will not be served with water and sewer as it will not be inhabited.

Doug Olmstead reported that the cell tower portion of the ordinance states that the applicant is required to pave existing and proposed driveways unless waived by the Board of Supervisors.

Mr. Wolfe stated that the 60'x60' foot compound can accommodate future co-locators, (up to four (4) more) although none are proposed except Nextel, at this time.

Attorney Wise asked if a frequency report signed by the Engineer was included in the submittal. Mr. Wolfe stated that the report signed by the Engineer of record will be provided for the Supervisors meeting.

Mr. Wolfe stated that the soil report will not be provided for the conditional use hearing but will be available after the hearing and Nextel will request that as one of the conditions prior to issue of a building permit.

Attorney Wise requested that a picture of the proposed location be provided for the conditional use hearing scheduled for November 9, 2010 at 9:00 a.m.

There was discussion regarding a Nextel cell tower that is currently located approximately (4) miles from the proposed location.

Doug Olmstead stated that existing cell towers and the fall zone must be shown on the plan prior to the public hearing.

Carrie Wetherbee stated that the application for public hearing states the Zoning District as LDR, however, the proper Zoning District is RR and should be corrected.

Bob Chartock made a motion to recommend conditional approval of the Nextel Communications Conditional Use Application subject to the following conditions:

1. Applicant provide corrected zoning district on documents.
2. Applicant to include any additional cellular tower locations on the plan
3. Waive Section 044-010.E2(15) "the facility and any building must be provided with a paved access drive from a public road unless waived in writing by the Township Board of Supervisors".

Parin Shah seconded the motion. Motion carried 7-0.

Ordinance 176; Zoning – Attorney Wise summarized proposed Ordinance 176 Zoning which will be another complete amendment to the Township Code (Ord. 176 will replace Ord. 172 which was adopted May 5, 2010).

Mark Oney stated that if any commission members have any comments to please email them to Michele Clewell who will forward them to the other members.

Mark Oney stated that the next meeting is Thursday, November 18, 2010 at 7:00 p.m.

There being no further business, Bob Early made a motion to adjourn the meeting at 8:25 p.m. Parin Shah seconded the motion. Motion carried 7-0.

Respectfully submitted,

Michele L. Clewell
Recording Secretary
October 21, 2010

