

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

Members present: Jay E. Huffman, Robert Vandercar, Robert Early, Mark Oney, Parin Shah, Scott Schaller and John Petrizzo. Also present were Jennifer Ann Wise, R. Douglas Olmstead, Jr. (Doug), Michele Clewell, Wayne Rohner, Alan Siberini, Phil Natosi and representatives from outside agencies; Christopher McDermott of Reilly Associates, Donna Alker of Achterman & Associates, Charlie Vogt Esq. and other representatives of Ski Shawnee.

Scott Schaller made a motion to approve the January 15, 2009 minutes. Bob Vandercar seconded the motion. The motion carried 7-0.

Requests for review from the Zoning Officer

Wayne Rohner stated that David Wengerd owner of Lot 19 Section 1 Pinewood Drive; Lake of the Pines Development is seeking relief from the Middle Smithfield Township Stormwater Management Ordinance No. 156 Section 303(I) (3) as the outer buffer would take the entire lot. Mr. Rohner explained that a one (1') foot stream runs through the lot and the stream is downhill from the proposed house. When questioned if wetland delineation has been completed he stated that yes the delineation has been completed and the report is part of the public hearing packet.

Upon recommendation of the Solicitor and Engineer, Jay E. Huffman made a motion to forward the public hearing application for David Wengerd, owner of Lot 19 Section 1 Lake of the Pines Development to the Board of Supervisors. Scott Schaller seconded the motion. The motion carried 7-0.

Plan Reviews

Doug Olmstead provided background information regarding the Hemlock Ridge Major Subdivision Plan. Mr. Olmstead went on to state that Mr. Bob Brown of RGB Builders submitted a letter explaining that due to project financing he would no longer be involved in the project. Alan Siberini, owner of the property stated that he will continue with the major subdivision plan and has recently retained the Engineering services of Achterman & Associates and Frank Smith, Jr., Surveying.

Ms. Alker stated that they are looking at the plan with a stormwater concept and based on preliminary information there maybe a reduction in the number of lots. Ms. Alker is requesting an additional 90 days to revise the plan.

Mr. Olmstead stated that the Planning Commission did grant them until March 2009 to show progress, however in light of the owner hiring a new Engineering firm he would recommend granting the 90 day extension.

After further discussion by the Board and no comments from the audience, Scott Schaller made a motion to grant the 90 day extension with the condition that Achterman &

Associates attend the Planning Commission meetings every month and by the third meeting have a plan ready to be submitted to PA DEP or approval of the plan will be denied and the process will start over again and if there is a drastic change to the plan there maybe no choice but to require a new submittal. Mark Oney seconded the motion. The motion carried 7-0.

Mr. Phil Natosi of Tarisa Realty for Marshalls Square Phase 4 Land Development Plan is requesting a recommendation from the Planning Commission to forward the plan onto the Board of Supervisors. Mr. Olmstead stated that based on his review letter dated February 19, 2009 it is his recommendation to forward the Marshalls Square Phase 4 Land Development Plan onto the Supervisors providing that that all comments are met prior to final approval.

Robert Vandercar made a motion to recommend conditional approval of the Marshalls Square Phase 4 Land Development Plan providing that Engineering, Solicitor and, any outside agencies comments are met prior to final approval by the Board of Supervisors. Parin Shah seconded the motion. The motion carried 7-0.

Mr. Christopher McDermott, P.E. of Reilly Associates for Coleman Kennedy Partners L.P. stated that the Echo Lake Landing land development plan was submitted and accepted in October 2008. The project consists of five new buildings with 108,430 square feet of gross floor area. Parking for 626 vehicles, lighting, stormwater control facilities, landscaping, and water and sewer utilities are also proposed to serve the shopping center. The sewer will be tied into an existing line across Route 209 for which the EDU's have been purchased and a pump station will be on site. Mr. McDermott stated that there will also be a traffic light as this is a high volume entrance way.

Mr. McDermott also stated that is his currently working with the Township Engineer, Municipal Authority and outside agencies to address the previous review letters.

Parin Shaw questioned Mr. McDermott about connectivity with the Echo Lake Landing project and the proposed Lewis True Value. Chris McDermott stated that the concept has been presented to the owners of the properties to have cross connections.

Chris McDermott presented two modification requests: (1) A modification pertaining to wood protective fencing around preserved trees and (2) A modification from indicating the grid location numbers.

There was a question as to who is the owner of the property; based on Attorney Tim McManus review letter. Mr. McDermott stated that his client's attorney and Attorney Wise will discuss the matter.

Robert Early made a motion to recommend approval of the two waiver requests, noting that instead of the wood fencing they may use plastic fence for protecting the trees during construction and that grid location numbers are not required to be shown on the plan. Scott Schaller seconded the motion. The motion carried 7-0.

Jay E. Huffman made a motion to recommend conditional approval of the Echo Lake Landing Land Development Plan providing that the Engineering, Solicitor and any outside agencies comments are met prior to final approval of the Board of Supervisors. Robert Vandercar seconded the motion. The motion carried 7-0.

Mr. Daniel Witczak, P.E., of East Penn Engineering Co. for Evergreen Estates III Final Major Subdivision Plan presented four modification requests for the proposed seven single family residential development: (1) A modification for a reduced-width slope easement and revise the restrictive covenant for rain gardens on lots 1, 2 and 5, (2) A modification on the need for a drainage easement around the rain gardens, (3) A modification on the need for rain gardens in the utility easement areas, and (4) A modification for an alternate paving cross section.

Mr. Witczak also stated that PA DEP has received the NPDES application and East Penn Engineering is awaiting their comments.

Doug Olmstead provided his second review letter dated February 19, 2009 and although the Developer's Agreement and outside agency issues with regard to the Act 537 Planning Module have not been addressed he would recommend approval of the four modification requests at the Planning Commission level.

Jennifer Ann Wise stated that a restrictive covenant should be added to the deed for and to prevent any confusion as to who is responsible for the rain garden(s).

Robert Vandercar made a motion to recommend approval of the four modification requests and to recommend conditional approval of the Evergreen Estates III Final Major Subdivision Plan providing that the Engineering, Solicitor and any outside agencies comments are met prior to final approval of the Board of Supervisors. Scott Schaller seconded the motion. The motion carried 7-0.

Tabled Plans

Mr. McDermott P.E., of Reilly Associates presented a letter dated February 19, 2009 requesting the Lewis True Value Hardware Land Development Plan be tabled. Robert Vandercar made a motion to table the plan. Scott Schaller seconded the motion. The motion carried 7-0.

Sketch Plans and Discussion

Attorney Charlie Vogt on behalf of Ski Shawnee, Inc. presented a Master Sketch Plan for Expansion of Existing Resort Complex. Attorney Vogt explained that at the Board of Supervisors meeting held February 12, 2009, the Board confirmed Shawnee Resort as a "Resort Complex Existing". Mr. Vogt stated that the proposed expansion area are broken down with the following explanations: Area 1 on the map includes the proposed expansion to include lodging, conference and meeting facility resort related retail and office uses and various other permitted uses. Area 2 on the map is located between Shawnee Creek and Hollow Road at the intersection of Hollow Road and Hidden Lake

Road. This area is proposed to be expanded to include new resort uses including food service, retail, meeting and lodging facilities. Area 3 on the map is located alongside the Lower Delaware ski trail of Ski Shawnee. Proposed for this area is a ski-side village including housing, retail, food service and accessory uses. This area would be accessed from Mosier's Knob Road using the existing Summit Access Road.

The properties would be serviced by Manawalamink Water and Sewer.

Mr. Vogt stated that his client is anticipating to do areas one and two immediately and area three at a later date.

After further discussion John Petrizzo made a motion to recommend to the Board of Supervisors that the concept of the plan looks good based on the information provided by representative of Shawnee Ski Inc., the Township Engineer and Township Solicitor. Scott Schaller seconded the motion. The motion carried 7-0.

Draft Zoning Ordinance Review

Doug Olmstead stated that reasonable suggestions previously provided by the Planning Commission were incorporated into the draft Zoning Ordinance and any other changes be resolved by Friday February 27, 2009; and it is his recommendation to send the Zoning Ordinance draft on to the Board of Supervisors and the Monroe County Planning Commission the following week for their comments.

There was lengthy discussion on zoning district changes, acreage criteria, commercial set backs, off premise signs, maximum height for signs, and conditional uses. There was a general consensus that the zoning along Route 402 from Coolbaugh Road to White Heron Lake should remain R-2.

Mr. Olmstead stated that if anyone has any other comments to please forward them to his attention within the next week to be included in the draft.

Robert Early made a motion to forward the draft to the Board of Supervisors and to the Monroe County Planning Commission. Robert Vandercar seconded the motion. The motion carried 7-0.

There being no further business the meeting adjourned in regular order at 9:30 pm.

Respectfully submitted,

Michele L. Clewell,
Recording Secretary

