



MIDDLE SMITHFIELD TOWNSHIP
PLANNING COMMISSION MINUTES
February 25, 2021

The regular meeting of the Middle Smithfield Township Planning Commission was held on Thursday, February 25, at 5:30 pm via Zoom with Bob Early presiding.

The State and Township continue to operate under emergency procedures due to the COVID-19 pandemic. The Planning Commission is holding in person meetings as well as providing an opportunity for public participation through video and audio advanced communication technology ("ACT"), using the ZOOM internet application.

Planning Commission members participating via Zoom: Bob Early, Parin Shah, Mark Oney, Nick Theofilos, Wayne Bolt and alternate member Carrie Wetherbee. Also, in attendance, via Zoom, Township Engineer Chris McDermott, P.E., Planning Commission Solicitor Deborah Huffman, Esq., and Planning Commission Recording Secretary Patrice Dume.

Plan Presenters in Attendance via Zoom: Deanna Schmoyer, P.E. on behalf of Winds West Inc. Self-Storage Units Preliminary/Final Land Development Plan. Brian Winot and Boyd Kahler on behalf of Northeast Site Contractors.

Pledge of Allegiance

Approval of Minutes

Wayne Bolt made a motion to approve the January 28, 2021 minutes. Parin Shah seconded the motion. Motion passed 5-0.

Announcements

None

Plan Submittals

Winds West Inc. Self-Storage Units Preliminary/Final Land Development Plan: Bob Early stated there is a request for modifications and a review letter from Chris McDermott, P.E. Mr. McDermott went through his review letter dated, February 16, 2021.

Mr. McDermott stated that the largest difference between this plan and the conditional use plan, was that the building is now a single building instead of two units where the aggregate sides are the same. Attorney Deborah Huffman, asked if Deanna Schmoyer, P.E. wants a review of the entire plan and letter, or for action of the modification requests. Deanna Schmoyer stated that she wants action on the modification requests and discuss the driveway.

Mr. McDermott shared the plan via his zoom screen for everyone to view. Mr. McDermott showed the entrance off of Big Ridge Drive and turn into the daycare. Mr. McDermott stated

that the question is whether they will be able to align the driveway with the daycare driveway. Mr. McDermott mentioned an access easement that is 30 by 35 feet, and pointed out that the driveway is beyond that access easement. Mr. McDermott asked Ms. Schmoyer if there is any way to align the driveways. Deanna Schmoyer, P.E., stated that she contacted the Monroe County Conservation District, and due to buffer requirements, and wetlands, it may not be possible to do the alignment. Ms. Schmoyer continued to say that she is waiting on interpretation from them because the problem is the wetlands come out further than the stream, and there is a 150 feet trigger, and also has to be 100 feet from all surface waters once going into the buffer.

Chris McDermott stated that his understanding is that there is a 50 foot and 100-foot buffer, and if encroached within the 100-foot buffer, it has to be shown that comparable BPMS to the water quality that the trees were provided. Mr. McDermott continued to state that if you encroach into the 50-foot buffer, then a one to one mitigation for the woods have to be provided. Deanna Schmoyer, mentioned that there is an adjacent property owner involved with the access easement. Mr. McDermott stated that the commercial property has more of the access easement. Bob Early asked if this project will be a low volume traffic count. Deanna Schmoyer, stated that it would only be a couple of cars per hour, about 2 or 3 cars.

Mr. McDermott stated that safety is very important, and there needs to be consideration about the conflict of cars moving in and out. Mr. McDermott requested that Deanna Schmoyer do the following and she agreed:

- Justify that the access is safe.
- Get the MCCD to clarify the buffer.

Modification Request sought. Township Engineer Chris McDermott recommended approval of the (3) waiver requests presented:

- Section 170.79.A - During the conditional use hearing it was discussed that instead of doing trees across the property, there would be a row of shrubs in lieu of that. There will be a row of shrubs with 10 feet spacing between them. Nick Theofilos, made a motion to grant the waiver request and Parin Shah seconded the motion. Motion passed 5-0.
- Section 170.79.E – The modification requested is that “Approximate locations of existing trees with trunk diameter of over 18 inches measured 3.5 feet above the ground level may be required where trees are proposed to be removed.” Nick Theofilos made a motion granting the waiver request, Wayne Bolt seconded the motion. Motion passed 5-0.
- Section 160.8. L – The modification requested is that “Roof drains shall not be connected to street, sanitary, or storm sewers or ditches in order to promote overland

flow and infiltration of stormwater.” Wayne Bolt made a motion, granting the waiver request, Parin Shah seconded the motion. Passed 5-0.

Wayne Bolt made a motion to table official action on the Winds West Inc. Self-Storage Units Preliminary/Final Land Development Plan, Nick Theofilos seconded the motion. Motion passed 5-0 .

Plan Reviews and Unfinished Business

None

Other Reviews and/or Recommendations

Northeast Site Construction– Sketch Plan - Brian Winot, President of “NSC”, stated that they are proposing a 1,500 sq foot addition to an existing building. It is an established non-conforming use and predates Act 167 plan from the township, and they are not adding any impervious coverage.

Mr. Winot continued to state that they have two E&S plans that cover the property and do not believe they need an E&S plan for the addition. Mr. Winot asked the commission members what other information would they like to see on a plan other than existing conditions and a site plan of the addition.

Bob Early asked if Mr. Winot went to the zoning department already. Mr. Winot stated that they have a scheduled Zoning Hearing Board meeting, and were referred to go to the Planning Commission. Bob Early mentioned that they do allow up to 100% expansion on a nonconforming use. Attorney Huffman mentioned they are probably going to the Zoning Hearing Board to expand the nonconformity, for maybe a special exception. Mr. Winot stated that it calls for them to go the Zoning Hearing Board, but the ordinance gives them the right to expand by 100% and then a procedure for hardship to go over the 100%. Mr. Winot continued to say that the struggle has been that he is not sure what needs to be provided.

Chris McDermott, pulled up the parcel for everyone to view off of GIS. Mr. Winot stated that they are looking to expand the building that is on the property and again, it is a nonconforming use. Mr. McDermott stated that the Zoning Office will make those determinations about the use and the question is if they need to do land development to add on to the existing building. Mr. McDermott stated that technically, they will have to do land development and it is within the Township Supervisors purview to grant relief from portions of the SALDO or its entirety. Attorney Huffman stated that the determination of whether they going over the expansion or not is up to the Zoning Hearing Board.

Brian Winot asked if the Planning Commission could give a waiver for the land development. Mark Oney said that the Planning Commission cannot give that waiver, that would have to be granted under the Board of Supervisors. Chris McDermott stated that the Planning Commission

can only make a recommendation and the only way to get that is to have a formal request. Mr. McDermott continued to state that if Mr. Winot is asking for relief of Land Development it would go directly to the Board of Supervisors and then they could possibly make a recommendation to the Planning Commission.

Mr. Winot stated that there is no set structure for Land Development plans and asked what do they want to see. Mr. McDermott stated that there is structure within the ordinance, and there is a long list of parameters with the planning. Mark Oney requested that Chris McDermott put together a reasonable list of items that can be waived, instead of having Mr. Winot pick and choose.

Mr. McDermott stated that if Mr. Winot wanted to do the minimal requirement, it would have to be a basic plot plan showing the addition to the building, and show setbacks. Mr. McDermott also mentioned storm water, document the impervious surface as well as , look at the date of the ordinance.

Bob Early asked if they have a date for the Zoning Hearing Board, and Mr. Winot stated that it will take place on March 9, 2021 and thanked the Planning Commission for their guidance.

Middle Smithfield Township Comprehensive Plan Update: Mark Oney stated that there will be a meeting next Thursday night, March 4, 2021. Mr. Oney stated that they been working on questions for the survey that the Monroe County Planning Commission will put together. Mr. Oney stated that once the survey is completed it will be sent to the Planning Commission.

New Business

None

Discussion

Bob Early mentioned that the Township roadcrew is extraordinary with cleaning the snow off the township roads and they do a wonderful job.

Continuing Education

Penn State Extension Land Use Webinar Series: Carrie Wetherbee stated that meeting for that month was cancelled and the next webinar is scheduled for Wednesday, March 31 2021.

Public Comment

None

Next Meeting

March 25, at 5:30pm.

Adjournment

Nick Theofilos made a motion to adjourn the meeting at 6:30pm. Parin Shah seconded the motion. Motion passed 5-0.

Respectfully submitted,

Patrice Dume
Recording Secretary
February 25, 2021