

The re-scheduled meeting of the Middle Smithfield Township Planning Commission was held on Monday, December 21, 2015 at 7pm at the Schoonover Municipal Building with Robert Early presiding.

Members present constituting a quorum: Bob Early, Parin Shah, Carrie Wetherbee and Wayne Bolt. Also in attendance; Planning Commission Solicitor Todd Weitzmann, Esq., and Township Secretary Michele L. Clewell. (Mark Oney, Dr. William Suriano and Fred Courtright, P.E. were absent).

### **Pledge of Allegiance**

### **Approval of Minutes**

Carrie Wetherbee made a motion to approve the November 19, 2015 minutes. Wayne Bolt seconded the motion. Motion passed 4-0.

### **Plan Submittals**

None

### **Plan Reviews and Unfinished Business**

None

### **Reviews and/or Recommendations**

An Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Setting Forth An Amendment To The Code Of Ordinances Of The Township Of Middle Smithfield, As Heretofore Amended, Amending Part Ii, "General Legislation", Chapter 200 "Zoning", Article Ix "Signs", Division 90 Sign Provisions", And Constituting A Comprehensive Revision Of The Existing Division 90 "Sign Provisions"; And Providing For Other Miscellaneous Matters –

Following lengthy discussion the following recommendations were provided:

- a. On page 31 under §090-150 “NONCONFORMING SIGNS” “F” “Temporary Removal”; the wording should be re-phrased to better convey the meaning that if the removed nonconforming sign is **not** put back in the specific time period of one hundred eighty (180) consecutive days, then any sign installed thereafter must follow the current sign ordinance regulations that are in place.
- b. On page 32 under §090-150 “NONCONFORMING SIGNS” “I” “Voluntary Removal or Replacement of Nonconforming Signs”; verbiage should be included to state that you have one hundred eighty (180) consecutive days to replace the non-conforming sign and if not done within that time frame you must then follow the current sign ordinance regulations that are in place.

Parin Shah made a motion to recommend approval of the proposed ordinance subject to the recommendations stated and forward said recommendations to the Board of Supervisors. Wayne Bolt seconded the motion. Motion passed 4-0.

An Ordinance Of The Township Of Middle Smithfield, Monroe County, Pennsylvania, Amending The Code Of Ordinances Of The Township Of Middle Smithfield, As Heretofore Amended; Amending Part Ii, "General Legislation", Chapter 200 "Zoning"; Providing Use Category B2, Dwelling, Apartment Complex, Shall Be A Permitted Use In The C1 Zoning District; Adding A Density Limitation For Use Category B2, Dwelling, Apartment Complex; Amending The Requirements Of An H8 No-Impact Home-Based Business As An Accessory Use; Amending And Restating Section 081-050, Enforcement; And Providing For Other Miscellaneous Matters –  
Parin Shah questioned the density vs. the current ordinance as the proposed ordinance states "four (4) dwelling units per acres. There was discussion if it should be more or less.

Attorney Weitzmann stated that "buildable land" should be clarified as per the Monroe County Planning Commission's comment letter (comment #5) dated December 17, 2015.

Attorney Weitzmann stated that Section 5 of the proposed ordinance says to see Exhibit "A" "Sec. 081-050. Enforcement (A)" and it says ...the Zoning Officer shall initiate enforcement proceedings... He questions if using the word "shall" prevents the governing body from acting. The municipality should keep all of its enforcement options open (both through the Zoning Officer and through the Board of Supervisors). It is suggested that Exhibit A be changed to say "All enforcement will occur as provided by the Pennsylvania Municipalities Planning Code.

The planning commission members reviewed the current Performance Standards Table in order to provide additional comment.

Parin Shah stated that the performance categories should add a section for B2 in the C1 and C2 zoning district and use these as the performance standards for apartment complexes. By leaving it the way it is proposed, it makes the commercial district as strict as a residential R3 zoning district.

Parin Shah made a motion to recommend approval of the proposed zoning ordinance subject to the following recommendations:

- a. Clarify "Buildable Land" as per the Monroe County Planning Commissions' comment letter (comment #5) dated December 17, 2015.
- b. "Sec. 081-050. Enforcement (A)" The wording should be changed to say "enforcement will occur as provided by the Pennsylvania Municipalities Planning Code."
- c. Performance categories should be added to include a section for B2 in the C1 and C2 zoning district and use these as the performance standards for the apartment complex.

Carrie Wetherbee seconded the motion. Motion passed 4-0.

## **New Business**

None

**Discussion**Pennsylvania Department of Transportation; Multimodal Transportation Fund Grant Application

- Carrie Wetherbee made a motion to ratify the support letter. Parin Shah seconded the motion. Motion passed 4-0.

A letter was received from Marie Deresky thanking everyone for their time spent on numerous subdivision plan reviews over the years and has decided not to pursue a with her sketch plan of subdividing the property.

**Continuing Education**

Penn State Extension Summer / Fall 2015 Land Use Decision Webinar Series –

- January 20 – Reed vs. Township of Gilbert: The Supreme Court’s New Rules for Temporary and other Signs
- February 17 – When it Rains, it Drains: An Overview of MS4 Stormwater Management
- March 16 – Dealing with Conflict over Natural Resources and Land Use Issues: An Introduction to the Strategies and Tools
- April 13 – Stabilizing Neighborhoods through Vacant & Abandoned Property Initiatives
- May 20 – Form-based Zoning: Not your Grandfather’s Approach

Carrie Wetherbee stated that she has signed up for the webinars. Michele Clewell also stated that Bill Suriano has signed up as well.

**Public Comment**

None

**Next Meeting:**

January 21, 2016

**Adjournment**

Wayne Bolt made a motion to adjourn the meeting at 7:59pm. Bob Early seconded the motion. Motion passed 4-0.

Respectfully submitted,

Michele L. Clewell  
Recording Secretary for  
MST Planning Commission  
December 21, 2015