

DINGMAN TOWNSHIP BOARD OF SUPERVISORS
MARCH 16, 2021 MEETING
AGENDA

1. CALL TO ORDER - Pledge of Allegiance
2. APPROVAL OF MINUTES: March 2, 2021 Meeting Minutes
3. PUBLIC HEARING
 - a) Zoning Change: Expansion of RC District at Rt.6/I84
4. COVID RELATED BUSINESS
 - a)
5. OLD BUSINESS
 - a) Sunrise Lake Section 9 Water & Sewer
 - b) Culverts Replacement Projects – DEP Applications
 - c) Pickup Truck Quote Update
 - d) Other
6. NEW BUSINESS
 - a) Veterans Exemptions – J. Henry & C. Damon
 - b) Other New Business
7. SUBDIVISIONS / LAND DEVELOPMENTS
 - a) Raymondskill Creek Estates Final Subdivision
 - b) Buist Road LP (Wit) Lot Improvement
8. CORRESPONDENCE
 - a) Blooming Grove Township re: EMS meeting
 - b) Miscellaneous Correspondence
9. EMERGENCY SERVICES REPORTS
10. ROADMASTER REPORT
11. SEWAGE/ZONING/CODES ENFORCEMENT OFFICER REPORT
12. TREASURER'S REPORT / SECRETARY'S REPORT
 - a) Payment of Bills: \$ 71,996.76 General Fund
 \$ 105.68 Rec Fund
 \$ 52,880.21 Fire Tax Fund
 - b) General Fund Balance: \$ 782,622.11
13. PUBLIC COMMENT PERIOD
14. ADJOURNMENT

- ATTENDANCE:** Thomas E. Mincer, Chairman; Dennis L. Brink, Vice Chairman; Edward D. Nikles, Supervisor; Karen Kleist, Secretary/Treasurer; John H. Klemeyer, Solicitor; Chris Wood, Sewage/Zoning Enforcement Officer; and Acting Roadmaster Shane Williams. Present remotely: Alternate Solicitor Anthony Magnotta, and members of the public and press.
- ITEM NO. 1: CALL TO ORDER** Chairman Mincer called the meeting to order at 7:03 pm opening with the Pledge of Allegiance.
- ITEM NO. 2: APPROVAL OF MINUTES** MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the March 2, 2021 Minutes.
- ITEM NO. 3: PUBLIC HEARING**
Zoning Change – Expansion of RC District at Rt. 6/I-84
- A duly advertised Public Hearing was held to consider the request to change the zoning of tax map parcel #112.00-02-30 from NC (Neighborhood Commercial) to RC (Resort Commercial) subject to (1) said parcel being combined with tax map #112.00-02-02 currently zoned RC and (2) providing access to Buist Road just off Rt. 6 alongside the Milford Professional Park. The following items were entered as Exhibits: (A) List of documents contained the Board's packet for the Public Hearing; (B) Legal Notice; (C) Proposed Ordinance; (D) Affidavit of Posting with pictures of Notices; (E) Letter from Township Planning Commission dated January 28, 2021 recommending approval of zoning change; (F) Letter from Pike County Office of Community Planning dated January 29, 2021 pointing out a correction needed to the tax map number (subsequently corrected) and noting that Buist Road may not be suitable for the potential traffic generated; (G) Rt.6/I-84 Timeline containing documentation of the history of the zoning from 2004 to present, including correspondence, minutes, Ordinance references, etc.; (-) Listing and copies of Items posted on the Township Website for public review prior to the Hearing; (H) letter to Editor; (I) Right-to-Know Request and (J) emails between Vito DiBiasi and Karen Kleist; (K) 2017-18 correspondence with the Milford Water Authority; (-) March 15, 2021 email from Vito DiBiasi; (L) March 16, 2021 letter from Milford Township Board of Supervisors; (M) March 16, 2021 email from Vito DiBiasi to Scott Sheldon of the Milford Water Authority and copied to Karen Kleist; and (N) March 16, 2021 email from Vito DiBiasi to Township with four comments on the proposed zoning change.
- Chairman Mincer stated that the property is currently zoned NC which allows commercial uses; the RC district expands the allowable conditional uses. The property had been approved for a residential subdivision (39 lots) by a previous owner, but was never developed as such. The current owner has requested the zoning change. There is no current use (project) proposed at this time – only the zoning district change is under consideration. He further explained the process a proposed project would have to go through at the Township, County and state level, including compliance with the Milford Springs Zone 2 requirements in the Sawkill Watershed Ordinance. The Request has been being discussed for some time at public meetings, and the Board is very familiar with the site and the uses existing around the site.
- Solicitor Klemeyer clarified that the previous residential subdivision approval will be withdrawn if the zoning change and lot improvement are approved. Also, the one page map showing potential development of one of the parcels was from 2016 and was **not** a submission for development to the Township.
- Public Comment: Vito DiBiasi stated that he attended the Milford Borough meeting prior to this hearing and they may want to send the Township a letter; can Dingman keep the record open to receive that letter. Chairman Mincer stated that would not be appropriate. Mr. DiBiasi also stated that he informed Scott Sheldon of the Milford Water Authority that not all of Zone 2 is in the Watershed so would not be covered by the Ordinance, and he was concerned about that. Chairman Mincer stated that Mr. Sheldon would need to speak for himself. NOTE: in reviewing the map of the Milford Springs Zone 2 it was determined that the "Watershed" Mr. DiBiasi referred to was the Milford Springs Watershed – not the Sawkill Creek Watershed, The Ordinance with the protective requirements for Zone 2 is in the Sawkill Creek Watershed Management Ordinance – the Sawkill

Watershed is huge and contains property from the Sawkill Pond down both sides of Route 6 to the Delaware, including the entire property in question.

Comments were also received from Faith Zerbe of the Delaware Riverkeeper Network (also stated she sent an email, but it was not received by the close of business today), John Spina of Buist Road, Analesa Culp of Buist Road, Bill Pitman of Milford Township, Marie Liu of Milford Township, and Connie Nichols of Milford Borough. Comments primarily were expressing concerns about the water supply; increased traffic especially from warehouses; negative environmental impacts from commercial development; concern that the zone was being changed prior to knowing what plans the owner has for the property. John Stieh, attorney for the owner, stated that there is no proposed development at this time, and if PennDOT requires a traffic light, it will be paid for by the developer.

MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to close the Public Hearing. The lot improvement which the zoning change would be subject to is further down tonight's Agenda.

MOTION was made by Dennis Brink, seconded by Ed Nikles and unanimously carried to approve the zoning map change of tax map parcel number 112.00-02-30 from NC to RC (Ordinance No. 01-2021). It shall be noted that a Court Stenographer was present and the transcript will be maintained in the Ordinance file.

**ITEM NO. 4:
COVID RELATED BUSINESS**

Pike County Commissioners informed that Wayne Memorial will be receiving more vaccines to include Pike County residents.

**ITEM NO. 5: OLD BUSINESS
A) Sunrise Lake Section 9**

Jim Ott and Joe Valentine were present on behalf of Sunrise Lake Section 9 Water & Sewer Assoc. Mr. Ott asked if the Board will be approving tolling the appeal period for the sewage permit denial. Chairman Mincer stated that yes we are. Solicitor Magnotta explained that he informed Section 9's attorney Jason Ohliger that the Township would toll the appeal period for 90 days provided that they move forward with a planning module application during that time. He was also informed that Attorney Ohliger is no longer representing Section 9.

**ITEM NO. 5(B):
Culverts Replacement Project**

The Board was in receipt of the DEP & Conservation District applications for the culvert replacements on Van Auken Hill Road and Fisher Lane for signing by the Board from Mike Weeks. Mike also suggested that since the lower culvert on VanAuken extends out of the road right-of-way, that a temporary construction easement and a permanent easement for maintenance. Solicitor Klemeyer submitted a draft Easement Agreement, which the Board had no objection to.

**ITEM NO. 5(C):
Pickup Truck Quote**

An updated quote was received for a 2021 Dodge 2500 crew-cab on one of their lots – price is \$52,448 less a trade-in offer of \$38,000 for our Dodge 5500, for a net cost of \$14,448. Upfitting will take approximately 4 weeks. MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the purchase as outlined from Hondru Dodge.

**ITEM NO. 5(D):
Other Old Business**

There was no Other Old Business at this time.

**ITEM NO. 6: NEW BUSINESS
A) Veterans Exemptions**

The Board received requests for the abatement of 2021 taxes for two properties: C. Damon and J. Henry due to Disabled Veteran Exemptions. The 2020 taxes for C. Damon are to be exonerated as he was declared eligible in October 2019. The Board had no objections.

**ITEM NO. 6(B):
Other New Business**

There was no Other New Business at this time.

**ITEM NO. 7:
SUBDIVISIONS / LAND DEVELOPMENTS**

- A) Raymondskill Creek Estates – Final Subdivision: This item was tabled from a previous meeting pending receipt of the signed Developers Bond Agreement and Bond, which have been received and reviewed by Solicitor Klemeyer. MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the Final Subdivision submission known as Raymondskill Creek Estates.
- B) Wit (Buist Road LP) Lot Improvement: The Board reviewed the proposed Lot improvement combining Tax Map Parcel Numbers 112.00-02-30 and 112.00-02-02, and documentation including deeds, letter from the Planning Commission recommending approval contingent upon the adoption of the proposed zoning change, letter of adequacy from the Township Engineer, and comments (addressed) from the County Planning Commission. MOTION was made by Thomas Mincer, seconded by Dennis Brink, and unanimously carried to approve the Lot Improvement of Cornelius Wit/Buist Road LP, map dated December 20, 2020.

**ITEM NO. 8: CORRESPONDENCE
A) Blooming Grove Township**

The Board was in receipt of a letter from Blooming Grove Township informing of a follow up meeting on the EMS issue on March 30th at 7 pm. Tom and Ed will attend.

**ITEM NO. 8(B):
Miscellaneous Correspondence**

The Board reviewed various Miscellaneous Correspondence and had no comments.

**ITEM NO. 9:
EMERGENCY SERVICES REPORTS**

The Board was in receipt of a written report from Milford Fire Department. Year-to-Date there were 63 Fire responses and 100 EMS responses.

**ITEM NO. 10:
ROADMASTER REPORT**

MOTION was made by Dennis Brink, seconded by Ed Nikles, and unanimously carried to approve the February 22-March 8, 2021 Roadmaster Report as submitted.

**ITEM NO. 11:
SEWAGE / ZONING OFFICER REPORT**

Chris Wood reported that the Ding-Del School complex January Sewage Discharge Monitoring Report notes exceedances of total suspended solids and N=N; Pike County is now part of the Spotted Lanternfly Quarantine Zone; there was a major sewage spill from the holding tanker on March 12th, which was abated before the effluent made it to the lake.

**ITEM NO. 12:
TREASURER'S REPORT**

MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to approve the March 16, 2021 Treasurer's Report, Bill Payment List, and General Fund balance, and to sign the checks following the meeting.

Karen reported that the contractor will be starting demolition of the garage starting the week of March 29th. Discussion ensued with Shane Williams regarding lifting of the 10 ton weight limits. It was determined that the weight limits would be lifted on March 29, 2021 provided conditions change.

ITEM NO. 13: PUBLIC COMMENT

There were no comments from the public or press.

EXECUTIVE SESSION

The Board requested an Executive Session with Solicitor Magnotta.

ITEM NO. 14: ADJOURNMENT

There being no further business after reconvening the regular meeting, MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to adjourn the March 16th meeting.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer