

**POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING OF JUNE 22, 2009**

A Regular meeting of the Pocono Township Planning Commission was held on June 22, 2009, at 7:00 p.m. in the Pocono Twp. Municipal Building, Tannersville, PA. F. Ruggiero, Chairperson, opened the meeting, followed by the Pledge of Allegiance.

Present: F. Ruggiero, Chairman, Scott Ewing, Gordon Holz, Dennis Schmoyer, Ronald Swink and Jane Cilurso

Absent: Robert Demarest

Timothy McManus, Twp. Solicitor; Aaron Sisler, Twp. engineer, Boucher & James, Inc.; and S. Meylach, Zoning Officer, were present.

COMMENTS: Frank Ruggiero, Chairman, explained that each visitor has a right to comment at this time or before any action is taken on a matter. There were no comments at this time. Chairman Ruggiero noted that all scheduled Pocono Twp. Planning Commission meetings will run from 7:00 p.m. to 9:30 p.m. In the event of a discussion at 9:30 pm., the P.C. will attempt to finish it; however, the P.C. will not undertake any new plan after 9:30 p.m. Chairman Ruggiero also noted that no more than five major comments from the Twp. engineer's review letter or other comments would be discussed at the meetings.

MINUTES: A motion was made, seconded and carried (Holz/Schmoyer) to approve the 06/08/09 Planning Commission Minutes, there being no additions or corrections.

BILLS: A motion was made, seconded and carried (Ewing/Swink) to forward the Secretary's invoice for June to the Pocono Twp. Supervisors for payment.

CORRESPONDENCE: None, except what pertained to the plans, which was read at the time of plan review.

NEW PLANS: 1) Sanofi Pasteur - VDL Phase 3 Preliminary Land Dev. Plan - \$500.00 fee paid; \$300.00 Stormwater Mgmt. fee paid. Plan submitted for 06/22/09 P.C. meeting. Chrissie Himler, Borton-Lawson Engr., Inc., represented the plan for a two- or three-story vaccine development laboratory located along Rt. 611 frontage. The R2L - Phase 3 - Land Dev. plan was received by the P.C. in 2003; the plant was never built. The VDL Phase 3 plan is a resubmittal of the R2L Phase 3 with a current foot print. Landscaping is proposed to tie in with the landscaping put in last fall. The Plan Review Checklist was read and reviewed.

A motion was made, seconded and carried (Holz/Swink) that the Planning Commission accept the Sanofi Pasteur - VDL Phase 3 Preliminary Land Dev. Plan.

TABLING OF PLANS: A motion was made, seconded and carried (Holz/Demarest) to recommend that the Planning Commission members table the following plans: 1) Pump stations in Pocono Twp. related to SR0611 Pocono and Hamilton Twps. Sewerage System Project; 2) The Lands of The Spirit of Swiftwater, Inc. (Office) Preliminary Plan; 3) Snyder Major Subd. Prelim. Plan; 4) Pocono Manor Tentative Planned Residential Dev. Prelim. Plan; 5) Sanofi Pasteur Bldg. 37 Bldg. Additions Prelim. Land Dev. Plan; 6) The Outback Lodge & Waterpark Land Dev. Plan, and 7) Sanofi Pasteur Central Utility Plan Phase 3 (CUP 3) Land Dev. Plan.

PRESENTATION OF PLANS FOR FINAL APPROVAL:

1) Pump Stations in Pocono Twp. related to SR0611 Pocono and Hamilton Townships Sewerage System Project - Plan submitted for 02/23/09 P.C. meeting. 4 RFMs. The plan was tabled at the 06/08/09 P.C. meeting. The Sup'v. accepted an Extension letter until 08/10/09. See above motion for tabling of the plan.

2) The Village Store Amended Final Land Dev. Plan - \$550.00 Plan fee paid. Plan submitted 04/03/09 for the 04/13/09 P.C. meeting. The plan was tabled at the 06/08/09 P.C. meeting. A 90-day Extension letter was received.

A motion was made, seconded and carried (Ewing/Holz) to recommend that the Pocono Twp. Supervisors accept the 90-day Extension letter for the Village Store Amended Final Land Dev. Plan, and for the P.C. to table the plan.

3) Eugene E. Kresge Minor Subdivision Plan - \$300.00 Plan fee paid. Plan submitted 05/28/09 for the 06/08/09 P.C. meeting. M. Walton represented the plan, explaining that the purpose of the plan is to combine three existing parcels (5.03 acres, 5.89 acres, and 34.93 acres) into a 45.85-acre parcel. He also explained the reason for the minor subdivision. R-1 Zone. No improvements are being proposed.

After discussion, a motion was made, seconded and carried (Holz/Swink) to recommend that the Pocono Twp. Supervisors accept the Request for Modification from SALDO Section 2.304.B.6 requiring that reference monuments be shown on the plan and shall be placed in accordance with Section 3.603 for the Eugene E. Kresge Minor Subdivision Plan.

A motion was made, seconded and carried (Holz/Swink) to recommend that the Pocono Twp. Supervisors accept the Request for Modification from SALDO Section 3.210 - wetland study - For the Eugene E. Kresge Minor Subdivision Plan.

A motion was made, seconded and carried (Holz/Swink) to recommend that the Pocono Twp. Supervisors approve the Eugene E. Kresge Minor Subdivision Plan conditioned upon revision of Covenant #10 to clarify that the plan re-establishes the westerly boundary line between the subject parcels and the other

PRESENTATION OF PLANS FOR FINAL APPROVAL (CONT):

3) Eugene E. Kresge Minor Subd. Plan (Cont): lands of Kresge. A note to that effect should be shown on the plan. Also, all outstanding comments of the Twp. engineer's 06/12/09 letter must be satisfied.

4) Hamilton Township Properties, LLC, Proposed Car Wash Land Dev. Plan - \$550.00 Plan fee paid. \$2,000.00 Escrow Fee paid. Plan submitted 05/29/09 for 06/08/09 P.C. meeting. David Horton, Pennoni Associates, Inc., represented the plan for a 3200 sq. ft. car wash and service detail center. A Variance was approved by the Pocono Twp. Zoning Hearing Board on 04/23/09 regarding the setback requirement, with an affirmative decision being made on 05/01/09.

After discussion, a motion was made, seconded and carried (Holz/Schmoyer) to recommend that the Pocono Twp. Supervisors accept the Request for Modification from SALDO Section 2.106 - Preliminary plan for the Hamilton Twp. Properties, LLC, Proposed Car Wash Land Dev. Plan.

A motion was made, seconded and carried (Swink/Schmooyer) to recommend that the Pocono Twp. Supervisors accept the Request for Modification from SALDO Section 3.201.B - requirement of providing sufficient area for a replacement sewage disposal location for the Hamilton Twp. Properties, LLC, Proposed Car Wash Land Dev. Plan.

A motion was made, seconded and carried (Holz/Schmoyer) to recommend that the Pocono Twp. Supervisors accept the request for relief from Section 402 of the Act 167 Stormwater Management Ordinance to provide Stream buffers as required in Section 303.I.8, for reasons as outlined in the Twp. engineer's 06/17/09 comment letter, for the Hamilton Twp. Properties, LLC, Proposed Car Wash Land Dev. Plan.

D. Horton agreed to add a note to the plan limiting the use of the property as an auto service facility to only the services listed (which list will be provided by the Applicant), and also a note that this plan supersedes the previously approved land development plan for this property to the extent depicted.

D. Horton noted that the owner has provided architectural elevations for the plan, and that the HOP issued for the previous use of the property is applicable for the proposed use as shown on the plan.

A motion was made, seconded and carried (Holz/Schmoyer) to table the Hamilton Twp. Properties, LLC, Proposed Car Wash Land Dev. Plan.

PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL:

1) Snyder Major Subdivision Preliminary Plan - \$1,650.00 fee paid. Plan submitted 07/13/08 for the 07/23/08 P.C. meeting. The plan was tabled at the 05/11/09 P.C. meeting. **The Sup'v. at the 06/15/09 mtg. accepted a 90-day Waiver letter from 06/15/09 until 09/13/09. The last P.C. meeting is 08/24/09; the last Sup'v. meeting is 09/07/09 (Holiday).** See above motion for tabling of the plan.

**POCONO TWP. PLANNING COMM. REGULAR MTG. MINUTES 06/22/09 PG.4
PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):**

2) Pocono Manor Tentative Planned Residential Development Preliminary Plan - \$10,610.00 Plan fee paid. \$1,900.00 Stormwater Management fee paid. Plan was submitted for the 11/14/07 P.C. meeting. The plan was tabled at the 06/08/09 P.C. meeting. **The Supervisors at their 03/16/09 meeting accepted a time extension until 07/31/09, as requested.** The applicant has granted an extension for the Board of Supervisors to commence a Conditional Use Hearing until 09/30/09.

A motion was made, seconded and carried (Ewing/Holz) to recommend that the Pocono Twp. Supervisors accept the time extension for the Pocono Manor Tentative Planned Residential Development Preliminary Plan until 09/30/09, as requested.

3) The Lands of The Spirit of Swiftwater, Inc. (Office) Plan was submitted on 06/13/08 for the 06/23/08 P.C. meeting. The plan was tabled at the 06/08/09 P.C. meeting. **The Sup'v. at their 05/04/09 meeting accepted a Waiver Extension until 08/07/09. The last P.C. meeting is 07/27/09; the last Sup'v. mtg. is 08/03/09. A revised plan was received at the 11/10/08 P.C. meeting.** See above motion for tabling of the plan.

4) Sanofi Pasteur, Inc., Tank Storage Land Development Plan - \$530.00 Plan Fee paid. \$300.00 Stormwater Mgmt. fee paid. Plan submitted 12/05/08 for 01/12/09 P.C. meeting. RFMs The plan was tabled at the 06/08/09 P.C. meeting. **The Sup'v. at their 06/15/09 meeting accepted an Extension Letter until 07/20/09, as requested. The last P.C. mtg. is 07/13/09; the last Sup'v. meeting is 07/20/09.** Chrissie Himler, Borton-Lawson, represented this plan for an approximately 7,000 sq. ft. building.

A motion was made, seconded and carried (Holz/Swink) to recommend that the Pocono Twp. Supervisors approve the Requests for Modification from SALDO Section 2.302.A - Plan Scale - and from SALDO Section 3.210.A - Wetland Study for the Sanofi Pasteur, Inc., Tank Storage Land Dev. Plan.

A motion was made, seconded and carried (Schmoyer/Holz) to recommend that the Pocono Twp. Supervisors approve the Sanofi Pasteur, Inc., Tank Storage Land Dev. Plan, conditioned upon all comments of the Twp. engineer's 06/16/09 letter being satisfied.

5) Sanofi Pasteur Building 37 - Building Additions Preliminary Land Dev. Plan - \$400.00 LDP Fee; \$300.00 Stormwater Mgmt. Fee. Plan submitted on 03/13/09 for 03/23/09 P.C. meeting. The plan was tabled at the 06/08/09 P.C. meeting. **The Pocono Twp. Sup'v. accepted a Time Extension letter until 07/20/09, as requested. The last P.C. mtg. is 07/13/09; the last Sup'v. mtg. is 07/20/09.** See above motion for tabling of the plan.

**THE POCONO TWP. PLAN. COMM. REGULAR MTG. MIN. OF 06/22/09 PG.5
PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):**

6) The Outback Lodge & Waterpark Preliminary Land Dev. Plan
\$2,967.50 Plan fee paid. \$1,052.50 Stormwater Review fee paid. Plan
submitted 04/17/09 for 05/11/09 P.C. meeting. The plan was tabled at the
06/08/09 P.C. meeting. See above motion for tabling of the plan.

7) Sanofi Pasteur Central Utility Plan Phase 3 (CUP 3)
Land Dev. Plan - \$400.00 Plan fee paid; \$300.00 Stormwater Mgmt.
Fee paid. Plan submitted 06/01/09 for 06/08/09 P.C. meeting.
The plan was tabled at the 06/08/09 P.C. mtg. See above motion
for tabling of the plan.

PRESENTATION OF SKETCH PLANS: 1) Concept Plans of Christopher
Peechatka - David Horton, Pennoni Associates, Inc., noted that
there Mr. Peechatka owns nine acres located between off old Rt. 611,
including between old Rt. 611 and the current Rt. 611. Solicitor McManus
noted that the abandonment of the old Rt. 611 is not yet finished. Three
acres of the property are wetlands. 18,400 sq. ft. of professional office
buildings are proposed. (12,900 sq. ft.; 2500 sq. ft.; and 3,000. sq. ft.)
They are requesting consideration of a modification from the Pocono Twp.
Act 167, as it applies to wetlands to permit a Reduction in the required
stormwater buffer from 50 feet to 20 feet. They will not take the
wetlands, but plan to mitigate any impacted wetlands on the site and will
augment the buffers on the site.
Dr. Crow, a wetland specialist, also spoke. There will be three
wetland crossings, which will be permitted by DEP. He spoke
on the reason for buffers, together with other items. Mr. Peechatka
purchased the property five years ago, at which time the buffer was 20'.
Discussion followed. The Planning Commission does not provide a
recommendation on sketch plans.

PRESENTATION OF VARIANCE, ETAL, APPLICATIONS: None

UNFINISHED BUSINESS: 1) A Work Session for updating and review of the
Township ordinances with Carson Helfrich is being held on 06/24/09 at 6:00
p.m. at the Pocono Twp. Municipal Building, Tannersville, PA.

NEW BUSINESS: 1) R. Demarest is scheduled to represent the P.C. at the
07/06/09 Sup'v. meeting at 7:00 p.m. at the Pocono Twp. Municipal
Building, Tannersville, PA.

PUBLIC COMMENTS: None

GOOD OF THE ORDER: None

**ADJOURNMENT: A motion was made, seconded and carried (Holz/Cilurso) to
adjourn until the Regular P.C. meeting on Monday, 07/13/09, at 7:00 p.m. at
the Pocono Twp. Municipal Building.**

Respectfully submitted:

Jane Cilurso, Secretary

