

**POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING OF JULY 14, 2008**

A Regular meeting of the Pocono Township Planning Commission was held on July 14, 2008, at 7:00 p.m. in the Pocono Twp. Municipal Building, Tannersville, PA. Frank Ruggiero, Chairperson, opened the meeting, followed by the Pledge of Allegiance.

Present: Chairman, Frank Ruggiero; Robert Demarest; Gordon Holz; Scott Ewing; Dennis Schmoyer; and Jane Cilurso were present.

Timothy McManus, Solicitor was present. David Horton, Twp. Engr., Boucher & James, Inc., was present. Steven Meylach, Zoning Officer, was 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 and seconded (Holz/Ewing) to approve the 06/23/08 Planning Commission Regular Meeting Minutes.

BILLS: None

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

The Lands of The Spirit of Swiftwater, Inc. (Office) Plan was submitted on 06/13/08 for the 06/23/08 P.C. meeting. \$1,530.00 plan fee paid. Solicitor McManus verified that the plan was accepted at the meeting of 06/23/08. He noted that they will obtain an HOP for the Retail Center at this time, but not for the Office Building. The plans are two separate plans for two different parts of the property.

PRESENTATION OF NEW PLANS: 1) Abeloff-Nissan Land Dev. As-Built Plan - \$560.00 plan fee paid. Plan submitted for 07/14/08 P.C. Meeting. Deanna Schmoyer, HRG Associates, Inc., and Randy Motts, owner, represented this plan.

A motion was made, seconded and carried (Holz/Ewing) to accept the Abeloff-Nissan Land Dev. As-Built Plan. Dennis Schmoyer abstained.

D.Horton, Twp. engineer, noted that he had reviewed the plan. The P.C. reviewed the Punch List dated 07/11/08 and the Twp. Engineer's review letter dated 07/14/08.

PRESENTATION OF NEW PLANS (CONT): 1) Abeloff-Nissan LDP As-Built Plan (cont): A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors approve the Abeloff-Nissan Land Dev. As-Built Plan, conditioned upon: 1) Satisfaction of all of the items in the Twp. engineer's 07/14/08 review letter, and 2) All items of the 07/11/08 Twp. engineer's Punch List being satisfied. D. Schmoyer and J. Cilurso abstained.

The Twp. Zoning Officer noted that he will issue a Conditional Certificate of Occupancy contingent upon all outstanding requirements being satisfactorily completed.

2) Shiro Restaurant Land Dev. As-Built Plan - \$1,100.00
Plan fee paid; \$300.00 Stormwater fee paid. 7 RFMs
Chrissie Himler, Borton-Lawson Engineering, Inc., Atty. Marc Wolfe, and Vincent Trepasso, owner, represented this plan. The building is in the process of being constructed. A land development plan was not submitted previously; a building permit was issued. S. Meylach, Twp. Zoning Officer, noted that he issued a building permit upon information provided initially that they were doing revisions to an existing structure; the permit was for a 7,200 sq. ft. building. The building being built is 11,000. sq. ft. The foot print for the front setback has been maintained; the rear foot print has been changed. The owner was then requested to submit an as-built plan, which was agreed to as part of a compromise.

Atty. Marc Wolfe explained that 115 parking spaces are required, and 115 are shown on the plan. They have provided the Twp. engineer with the stormwater analysis for review. They propose to construct landscaping areas in the front of the property. The P.C. reviewed the plan Checklist.

Chairman Ruggiero expressed dissatisfaction with the way the owner handled the construction of the property and also for bypassing the Planning Commission initially.

A motion was made, seconded and carried (Holz/Schmoyer) to accept the Shiro Restaurant Land Dev. As-Built Plan.

Atty. Wolfe then explained that there are three separate properties involved with this plan, and they will be asking for a Request for Modification re a permitted easement:

1. One parcel is owned by Trap Enterprises, LLC.
2. One parcel is owned by VinDanCar, LLC
3. One parcel is owned by Chinla, LLC

The basis of this RFM is to avoid transfer taxes and to avoid a lot consolidation plan. He noted that 20-25 required parking spaces and a turn-around are located on one of the other parcels. The parking spaces that will be conveyed will not affect that lot. He asked the Planning Commission to consider recommendation of a permitted easement which would be recorded or a lot consolidation plan regarding these properties.

PRESENTATION OF NEW PLANS (CONT):

3) Craig Becker Land Dev. Sewage Planning Modules - \$60.00 DEP fee paid. D. Schomyer, HGR Associates, Inc., represented the Planning Modules.

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors accept the Planning Modules for forwarding to DEP for approval as a revision to the Pocono Twp. Act 537 plan.

TABLING OF PLANS: A motion was made, seconded and carried (Holz/Schmoyer) to table the following plans: 1) Martinell Land Dev. Plan; 2) Nicholas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan; 3) Miller/Clubhouse Road Minor Subdivision Plan; 4) The Village at Iroquois Ridge Major Subdivision Preliminary Plan; 5) The Spirit of Swiftwater, Inc., Land Dev. Plan; 6) Snyder Major Subdivision Preliminary Plan, 7) Pocono Manor Tentative PRD Preliminary Plan, and 8) Camelback Hotel and Waterpark - Land Dev Plan and Minor Subdivision Plan, And 9) the Lands of The Spirit of Swiftwater, Inc. (Office).

PRESENTATION OF PLANS FOR FINAL APPROVAL:

1) Martinell Land Dev. Plan - Plan submitted 05/31/07 for 06/11/07 P.C. meeting. \$680.00 Plan fee paid. The plan was tabled at the 06/23/08 P.C. meeting. **The Sup'v. at their 07/07/08 meeting accepted a 90-day Waiver letter -until 10/04/08. The last P.C. meeting is 09/08/08; the last Sup'v. meeting is 09/15/08.** See above motion for tabling of the plan.

2) Minor Subdivision of Lands of The Estate of George Howard Sebring and Planning Modules - \$300.00 fee paid. Plan was submitted 08/17/07 for the 08/27/07 P.C. meeting. The plan was tabled at the 06/23/08 P.C. meeting. **The Sup'v. at the 06/16/08 meeting accepted a 90-day Waiver letter - until 09/14/08. The last P.C. meeting is 08/25/08; the last Sup'v. meeting is 09/01/08 (Holiday).** Plan representative Ray Rogers, Frank Smith Surveying, Inc., explained the revisions that were made to the plan.

After discussion, a motion was made, seconded, and carried (Schmoyer/Demarest) to recommend that the Pocono Twp. Supervisors approve the Minor Subdivision of Lands of The Estate of George Howard Sebring Plan with the following conditions:

1) That a Request for Modification from SALDO Section 3.208.M be submitted - re Clear Sight Triangle; and 2) That Note #12 be deleted from the plan - re Clear Sight Triangle.

A motion was made, seconded and carried (Schmoyer/Holz) to forward the Planning Modules for the Minor Subdivision of Lands of George Howard Sebring to the Pocono Twp. Supervisors for their acceptance and forwarding to DEP for approval as a revision to the Pocono Twp. Act 537 plan.

PRESENTATION OF PLANS FOR FINAL APPROVAL (CONT):

3) Nicholas P. Nicholas Final Minor Subdivision/Lot Combination Plan - Plan submitted 04/18/08 for 04/28/08 P.C. meeting. \$300.00 Plan fee paid. **The 90-day time requirement expires 07/27/08. The last P.C. mtg. is 07/14/08; the last Sup'v. mtg. is 07/21/08.** The plan was tabled at the 06/23/08 P.C. meeting.

A motion was made, seconded and carried (Demarest/Holz) to recommend that the Pocono Twp. Supervisors accept the 90-day Waiver Letter for the Nicholas P. Nicholas Final Minor Subdivision/Lot Combination Plan, and for the P.C. to table the plan.

4) Miller/Clubhouse Road Minor Subdivision Plans & Planning Modules - \$300.00 fee paid; \$300.00 Stormwater Report fee paid. Plans presented 05/28/08 for the 06/09/08 P.C. meeting. The plan was tabled at the 06/23/08 P.C. meeting. **The 90-day time requirement expires on 09/07/08. The last P.C. meeting is 08/25/08; the last Sup'v. meeting is 09/01/08 (Holiday).** See the above motion for tabling of the plan.

PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL:

1) The Village at Iroquois Ridge Major Subdivision Preliminary Plan and Planning Modules - Plan submitted 12/01/06 for 12/11/06 P.C. meeting. \$3,272.00 plan fee paid. 3 RFMs The plan was tabled at the 06/23/08 P.C. meeting. **The Sup'v. at their 05/19/08 meeting accepted a 90-day Waiver request - from 06/02/08 - until 09/02/08. The last P.C. mtg. is 08/25/08; the last Sup'v. meeting is 09/02/08. The Sup'v. approved the six RFMs as requested. The Sup'v. rejected the requested zone change from R-1 to R-2.** See the above motion for tabling of the plan.

2) The Spirit of Swiftwater, Inc., Land Dev. Plan - \$2,057.00 Plan fee paid. Plan submitted 04/27/07 for 05/14/07 P.C. meeting. 1 RFM The plan was tabled at the 06/23/08 P.C. meeting. **The Sup'v. at their 07/07/08 meeting accepted a 60-day Waiver letter from 07/08/08 until 09/06/08. The last P.C. meeting is 08/25/08; the last Sup'v. meeting is 09/01/08.** See the above motion for tabling of the plan.

3) Snyder Major Subdivision Preliminary Plan - \$1,650.00 fee paid. Plan submitted 07/13/07 for the 07/23/07 P.C. meeting. The plan was tabled at the 06/23/08 P.C. meeting. **The Sup'v. at their 05/19/08 meeting accepted a 90-day Waiver letter - from 05/12/08 to 08/10/08. The last P.C. mtg. is 07/28/08; the last Sup'v. mtg. is 08/04/08.** See the above motion for tabling of the plan.

4) 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 06/23/08 P.C. meeting. **The Supervisors at the 05/19/08 meeting granted an extension until 08/31/08, as requested. The last P.C. meeting is 08/11/08; the last Sup'v. meeting is 08/18/08.**

PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):

4) Pocono Manor Tentative Planned Residential Dev. Prelim. Plan (cont): A motion was made, seconded and carried (Holz/Schmoyer) to recommend that the Pocono Twp. Supervisors accept the time extension for the Pocono Manor Tentative Planned Residential Dev. Preliminary Plan until 11/30/08, as requested by Atty. M. Wolfe, and for the P.C. to table the plan.

5) Camelback Hotel and Waterpark - Land Dev. Plan and Minor Subdivision. \$1,990.00 Application fee paid. Plans were presented 05/30/08 for the 06/09/08 P.C. meeting. RFMs The plan was tabled at the 06/23/08 P.C. meeting. **The 90-day time requirement expires 09/07/08. The last P.C. mtg. is 08/25/08; The last Sup'v. mtg. is 09/01/08 (Holiday).** See above motion for tabling of the plan.

6) The Lands of The Spirit of Swiftwater, Inc., (Office) The plan was submitted on 06/13/08 for the 06/23/08 P.C. meeting. \$1,530.00 plan fee paid. See above motion for tabling of the plan.

PRESENTATION OF VARIANCE, ETAL, APPLICATIONS: 1) Camelback Corp. Variance Application - Hearing date and time is being scheduled. The hearing will be held at the Pocono Twp. Municipal Buidling, Tannersville, PA.

UNFINISHED BUSINESS: 1) Mr. Carson Helfrich, planner, met with the applicable parties for a joint work session regarding Township ordinances on May 08, 2008 and July 1, 2008. The next Joint Work Session will be held at 6:00 p.m. on July 29, 2008, at the Pocono Twp. Municipal Building, Tannersville, PA. Pizza and Soda will be served.

2) No comments have been received from the Monroe County Planning Commission regarding the Pocono Twp. Act 167.

NEW BUSINESS: 1) Wayne Pratt has resigned from his position on the P.C., effective immediately.

2) S. Ewing is scheduled to represent the P.C. at the 07/21/08 Sup'v. meeting at 7:00 p.m. at the Pocono Twp. Municipal Building.

PUBLIC COMMENTS: None

ADJOURNMENT: A motion was made, seconded and carried (Holz/Schmoyer) to adjourn the Planning Commission meeting until Monday, 07/28/08, at 7:00 p.m. at the Pocono Twp. Municipal Building.

Respectfully submitted:

Jane Cilurso, Secretary

