

**POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING OF AUGUST 11, 2008**

A Regular meeting of the Pocono Township Planning Commission was held on August 11, 2008, at 7:00 p.m. in the Pocono Twp. Municipal Building, Tannersville, PA. Robert Demarest, Acting Chairperson, opened the meeting, followed by the Pledge of Allegiance.

Present: Robert Demarest, Acting Chairman; Gordon Holz; Dennis Schmoyer; and Jane Cilurso were present.

Absent: Frank Ruggiero; Scott Ewing

Timothy McManus, Solicitor was present. David Horton, Twp. Engr., Boucher & James, Inc., was present. Steven Meylach, Zoning Officer, was present.

COMMENTS: Robert Demarest, Acting 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. Acting Chairman Demarest 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. Acting Chairman Demarest 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: The 07/28/08 Planning Commission Minutes were approved, there being no additions or corrections.

BILLS: None

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

PRESENTATION OF NEW PLANS: 1. Shiro Restaurant Lot Line Adjustment Plan - \$300.00 fee paid. Plan submitted for 08/11/08 P.C. meeting. Ms. Chrissie Himler, Borton-Lawson Engineering, Inc., represented this plan to adjust a lot line between the restaurant (Lot 1) and the existing two-story frame house (Lot 3) to keep in conformance with the former Fannucci building. (Adding .0086 acres of land to the restaurant lot from the lot with the existing home on it.) Lot 3 will then be .656 acres. However, by doing this, the non-conformity of Lot 3 is being increased. The Plan Checklist was satisfactorily reviewed.

A motion was made, seconded and carried (Holz/Schmoyer) to accept the Shiro Restaurant Lot Line Adjustment Plan.

2) Sanofi Pasteur, Inc., Sewage Facilities Planning Module
Ms. Chrissie Himler, Borton-Lawson Engineering, Inc., represented this submittal, noting that this is an interim module for Sanofi, who will tie into the Pocono Twp. sewer system for 350,000 gpd when it is constructed. Until this is constructed, they are seeking approval to put an additional 350,000. gpd. into the Swiftwater Creek.

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2) Sanofi Pasteur, Inc., Sewage Facilities Plan. Module (cont): A motion was made, seconded and carried (Holz/Schmoyer) to forward the Sanofi Pasteur, Inc., Sewage Facilities Interim Planning Module to the Supervisors for their acceptance for forwarding to DEP for approval, conditioned upon Sanofi and Pocono Township entering into a sewer service agreement.

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) Snyder Major Subdivision Plan; 6) Pocono Manor Tentative PRD Preliminary Plan, 7) Camelback Hotel and Waterpark - Land Dev. Plan and Minor Subdivision Plan; 8) 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 07/28/08 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) 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 Sup'v. at their 07/21/08 meeting accepted a 90-day Waiver letter - until 10/19/08. The last P.C. mtg. is 09/22/08; the last Sup'v. mtg. is 10/06/08.** The plan was tabled at the 07/28/08 P.C. meeting. See above motion for tabling of the plan.

3) 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 07/28/08 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.

4) Shiro Restaurant Land Dev. As-Built Plan - \$1,000.00 fee paid. \$300.00 Stormwater fee paid. 7 RFMs The plan was submitted for the 07/21/08 P.C. meeting. The plan was tabled at the 07/28/08 P.C. meeting. **The 90-day time requirement expires 10/19/08. The last P.C. meeting is 09/22/08; the last Sup'v. mtg. is 10/06/08.**

Ms. Chrissie Himler, Borton-Lawson Engineering, Inc., represented this plan. A note will be entered on the plan regarding comments #4 and #5 of the Twp. engineer's 08/11/08 comment letter. Atty. Mark Wolfe's 08/07/08 letter was discussed. They are proposing to locate 77 parking spaces of the proposed 115 parking spaces for the project on the

4) Shiro Restaurant Land Dev. As-Built Plan (Cont):
VinDanCar, LLC, property through a proposed Permanent Easement Agreement between the VinDanCar, LLC, property and Trap Enterprises, LLC, property. The lot owned by Chinla, LLC, is not involved. If this is not acceptable, they are requesting a modification from SALDO Section 3.201.B.

After a thorough discussion of the matter, a motion was made, seconded and carried (Holz/Schmoyer) to recommend that the Pocono Township Supervisors not accept the Request for Modification from SALDO Section 3.201B and to recommend that a lot consolidation plan be implemented.

It was noted that the lot consolidation plan can be a part of the plan set, or they could do a merger which could be a part of the plan set.

Discussion followed regarding a WB-50 truck having the ability to execute and maneuver the site safely. There is a 10-wide grass buffer between the site and Rt. 611.

A motion was made, seconded and carried (Holz/Schmoyer) that C. Himler, Plan Engineer, look into the reinforced turf possibility to enable a WB-50 truck to execute and maneuver the site safely and without getting stuck. This would have to be in conjunction with an off-peak time period. A note should be added to the plan to this effect.

A motion was made, seconded and carried (Holz/Demarest) to table the Shiro Restaurant As-Built Land Development 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 07/28/08 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 09/01/08. (Holiday) The Sup'v. approved the six RFMs as requested. The Sup'v. rejected the requested zone from 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 07/28/08 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.** Geoffrey Worthington, Esq., and Charles Niclaus, Niclaus Engineering Co., Inc., represented this plan. Anthony Maula, Owner, was also present. Upon questioning, they noted that Peter Terry, their traffic planner, had been in contact with Penn Dot, and they are designing as per Penn Dot's request.

PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):

2) The Lands of The Spirit of Swiftwater, Inc.
After discussion, a motion was made, seconded and carried (Schmoyer/Holz) to recommend that the Pocono Township Supervisors approve the Spirit of Swiftwater, Inc., Land Dev. Plan for PRELIMINARY, conditioned upon all comments of the Twp. engineer's 08/11/08 review letter being satisfied.

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 07/28/08 P.C. meeting. **The Sup'v. at their 08/04/08 meeting accepted a 90-day Waiver letter - from 08/04/08 to 11/02/08. The last P.C. mtg. is 10/06/08; the last Sup'v. mtg. is 10/20/08.** See 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 07/28/08 P.C. meeting. **The Supervisors at the 07/21/08 meeting granted an extension until 11/30/08, as requested. The last P.C. meeting is 11/17/08.** See above motion for tabling of 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 07/28/08 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)
Plan was submitted on 06/13/08 for the 06/23/08 P.C. meeting. \$1,530.00 plan fee was paid. The plan was tabled at the 07/28/08 P.C. meeting. **The 90-day time requirement expires 09/21/08. The last P.C. meeting is 09/08/08; the last Sup'v. meeting is 09/14/08.** See above motion for tabling of the plan, as requested.

PRESENTATION OF SKETCH PLANS: 1) Pocono Creek Plaza (formerly Gloria's Furniture) - Charles Niclaus, Niclaus Engineering, Inc., and Atty. Joseph McDonald represented this plan. The owner would like to remodel the existing building, using the existing square footage. The parking requirements will not change for the proposed eight retail uses. The Township requires a letter from DEP approving hookup for this building into the existing sewage treatment plant located on the Friendly's site. Both sites are owned by Ben Salerno. They have to add ADA walking space. The Planning Commission noted that this requires a revision to the approved land development plan. The plan should also note that no other uses or changes are proposed and that the revised plan supersedes all other plan approvals.

PRESENTATION OF VARIANCE, ETAL, APPLICATIONS: 1) Farda Realty Height Variance Application - The Pocono Twp. Zoning Hearing Board granted a Height Variance, as requested.

UNFINISHED BUSINESS: 1) Mr. Carson Helfrich, planner, has previously met with applicable parties for joint work sessions regarding Township ordinances. The next Joint Work Session will be held at 6:00 p.m. on Thursday, 08/13/08, at the Pocono Twp. Municipal Building, Tannersville, PA. Pizza and Soda will be served. The following joint Work Session will be held on Thursday, 08/28/08, at 6:00 p.m. at the Pocono Twp. Municipal Building, Tannersville, PA.

2) **Comments from the Monroe County Planning Commission regarding the Pocono Twp. Proposed Act 167 were distributed to all applicable persons. The Planning Commission members were requested to make a recommendation on the proposed Act 167 at the 08/25/08 Planning Commission meeting. Each Planning Commission member had previously received a copy of the proposed Act 167.**

NEW BUSINESS: 1) R. Demarest is scheduled to represent the P.C. at the 08/18/08 Sup'v. meeting at 7:00 p.m. at the Pocono Twp. Municipal Building.

2) G. Holz questioned if the Planning Commission members could receive additional information regarding upcoming Zoning Hearing Board hearings. The Planning Commission secretary will attach a copy of applications for proposed ZHB hearings to each P.C. member's agenda.

PUBLIC COMMENTS: None

ADJOURNMENT: A motion was made, seconded and carried (Schmoyer/Cilurso) to adjourn the Planning Commission meeting until Monday, 08/25/08, at 7:00 p.m. at the Pocono Twp. Municipal Building.

Respectfully submitted:

Jane Cilurso, Secretary