

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

A Regular meeting of the Pocono Township Planning Commission was held on April 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; Wayne Pratt, Dennis Schmoyer; and Jane Cilurso were present.

Absent: None

Timothy McManus, Solicitor was present. David Horton, Twp. engineer, was present. Aaron Sisler, 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, seconded and carried (Ewing/Schmoyer) to approve the 03/24/08 Planning Commission Regular Meeting Minutes.

BILLS: None

CORRESPONDENCE: None

PRESENTATION OF NEW PLANS: 1) Final Minor Subdivision, Property Combination Plan for Lands of Peechatka - \$300.00 Plan fee paid. Plan submitted for the 04/14/08 P.C. meeting.

Barry Tompkins, BTT Associates, Inc., represented this plan for subdivision of property located off Beehler Road and an existing piece of property. Acreage being annexed is 0.63 acres. New lot - 2.61 acres. Remaining lands - 4.94 acres. The Plan Checklist was satisfactorily reviewed.

A motion was made, seconded and carried (Holz/Ewing) to accept the Final Minor Subdivision, Property Combination Plan for Lands Of Peechatka.

WAIVER LETTERS: A motion was made, seconded and carried (Ewing/Demarest) to recommend that the Pocono Township Supervisors accept the following Waiver Letters:

1) Martinell Land Dev. Plan - 90 days; 2) C. L. Becker Construction, Inc., Land Dev. Plan - 60 days;

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WAIVER LETTERS (CONT): 3) Terry Martz Major Preliminary Subdivision Plan - until 08/31/08 and 4) The Spirit of Swiftwater, Inc., Land Dev. Plan - 60 days from 05/09/08.

TABLING OF PLANS: A motion was made, seconded and carried (Holz/Ewing) to table the following plans: 1) Martinell Land Dev. Plan; 2) Minor Subdivision of Lands of the Estate of George Howard Sebring and Planning Modules; 3) C. L. Becker Construction, Inc., Land Dev. Plan; 4) The Village at Iroquois Ridge Major Subdivision Preliminary Plan; 5) Quaker Ridge Estates Major Preliminary Subdivision; 6) Terry Martz Major Preliminary Subdivision Plan; 7) The Spirit of Swiftwater, Inc., Land Dev. Plan; 8) Snyder Major Subdivision Preliminary Plan, and 9) Pocono Manor Tentative PRD Preliminary Plan

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 03/24/08 P.C. meeting. **The Sup'v. at their 02/04/08 meeting accepted a 90-day Waiver letter -until 05/04/08. The last P.C. meeting is 04/14/08; the last Sup'v. meeting is 04/21/08.** See above motion for recommendation of the 90-day Waiver letter and 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 03/14/08 P.C. meeting. **The Sup'v. at the 04/07/08 meeting accepted a 90-day Waiver letter until 07/06/08. The last P.C. meeting is 06/09/08; the last Sup'v. meeting is 06/16/08.**

3) C. L. Becker Construction, Inc., Land Dev. Plan - \$500.00 fee paid. The plan was submitted 09/14/07 for the 09/24/07 P.C. meeting. The plan was tabled at the 03/24/08 P.C. meeting. **The Sup'v. at their 02/04/08 meeting accepted a 90-day waiver letter - until 05/04/08. The last P.C. meeting is 04/14/08; the last Sup'v. meeting is 04/21/08.** 1.4794 acres C Zone See above motion for recommendation of a 60-day Waiver letter and for tabling of the plan.

4. Donald J. Scheiner Final Minor Subdivision Plan - The plan was submitted 03/14/08 for the 03/24/08 P.C. meeting. \$300.00 fee paid. The plan was tabled at the 03/24/08 P.C. meeting. Atty. Aaron D'Angelo, Newman, Williams, Mishkin, Corveleyn, Wolfe & Fareri, was the representing attorney for this plan, as Solicitor McManus' firm had a conflict. Mark Robbins, Martin & Robbins, represented the plan for subdivision of 35' of his property so that the property adjoiner, William Fizette, will have a 50' future street. Mr. Fizette currently has a 15' strip, and has no plans for subdivision of his 51.3 acres at this time.

PRESENTATION OF PLANS FOR FINAL APPROVAL (CONT):

4) (Cont): Donald J. Scheiner Final Minor Subd. Plan. The Twp. engineer's 04/14/08 review letter was discussed. M. Robbins will request Mr. William Fizette to sign the plan; existing non-conforming structures should be noted; should include a note on the plan regarding the flood zone; will request waivers for some of the non-applicable items; show that there are two zoning districts involved.

A motion was made, seconded and carried (Ewing/Holz) to table the Donald J. Scheiner Final Minor Subdivision 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 03/24/08 P.C. meeting. **The Sup'v. at their 03/17/07 meeting granted a 90-day Waiver request - from 03/17/08 - until 06/15/08. The last P.C. mtg. is 05/12/08; the last Sup'v. meeting is 06/02/08. 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) Quaker Ridge Estates Major Preliminary Subdivision Plan - formerly, Back Mountain Road Major Preliminary Subdivision - Plan was submitted 02/26/07 for 03/12/07 P.C. meeting. \$1,200.00 Plan fee paid. \$400.00 Stormwater Mgmt. fee paid. The plan was tabled at the 03/24/08 P.C. meeting. **The Supervisors at their 03/17/08 meeting granted a Waiver request - until 06/15/08. The last P.C. meeting is 05/12/08; the last Sup'v. mtg. is 06/02/08.** See the above motion for tabling of the plan.

3) Terry Martz Major Preliminary Subdivision Plan and Planning Modules - Plan submitted for 03/12/07 P.C. meeting.
Fees paid: Plan fee \$525.00; Stormwater Mgmt. fee 325.00. The plan was tabled at the 03/24/08 P.C. meeting. **The Sup'v. at their 02/04/08 meeting granted a 90-day Waiver request - until 05/04/08. The last P.C. meeting is 04/14/08; the last Sup'v. meeting is 04/21/08.** See above motion for recommendation of a Waiver Letter until 08/31/08 and for tabling of the plan.

4) 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 03/24/08 P.C. meeting. **A 60-day Waiver letter dated 01/28/08 was faxed to the Twp. on 03/10/08. The Sup'v. at their 03/17/08 meeting disapproved the plan unless a Waiver letter is received within 7 days from the date of 03/17/08. A 60-day extension letter from 03/10/08 was received - until 05/09/08. See above motion for a 60-day Waiver letter from 05/09/08 to July 8, 2008, and for tabling of the plan.**

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PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):**

5) 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 03/24/08 P.C. meeting. **The Sup'v. at their 03/17/08 meeting granted a 90-day Waiver letter - until 06/15/08. The last P.C. mtg. is 05/12/08; the last Sup'v. mtg. is 06/02/08.** See the above motion for tabling of the plan.

6) 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 03/24/08 P.C. meeting. **The Supervisors at the 04/07/08 meeting granted an extension until 06/30/08, as requested.** See above motion for tabling of the plan.

7) sanofi pasteur - 138 KV Substation - Preliminary Land Dev. Plan - \$500.00 Plan fee paid. \$300.00 Stormwater Mgmt. fee paid. Plan was submitted 11/02/07 for the 11/14/07 P.C. meeting. The plan was tabled at the 03/24/08 P.C. meeting. **The Supervisors at their 02/04/08 meeting accepted a 90-day Waiver letter until 05/04/08. The last P.C. meeting is 04/14/08; the last Sup'v. meeting is 04/21/08.**

Ms. Chrissie Himmler, Borton-Lawson Engineering Co., Inc., represented this plan to provide a 114' x 184' gravel pad, along with an access driveway, access area, installation of supporting utility infrastructure, and associated stormwater management systems. It is located along Lower Swiftwater Road (Rt. #314). They must finalize the agreement with the Swiftwater Preserve. The DEP permits have been issued for the stream crossing; MCCD approval is close; NPDES will be of minor impact. Landscaping was discussed. They are proposing to use 6' white pine trees, and to include several white dogwood trees. The Landscaping page for the plan will be revised, as discussed.

After discussion, a motion was made, seconded and carried (Ewing/Demarest) to recommend that the Pocono Twp. Supervisors look favorably on the Requests for Modification from SALDO Section 2.302.A - Scale and from SALDO Section 3.201.A - Wetland Study.

A motion was made, seconded and carried (Ewing/Holz) to recommend that the Pocono Twp. Supervisor look favorably on the Request for Modification from Section 3.208.M.2 - Clear Sight Triangle - because the available sign distances are greater than the Penn Dot required sight distances for the proposed site access to PA Route 314 in both directions - for the sanofi-pasteur 138 KV Substation Land Dev. Plan.

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors look favorably upon the sanofi-pasteur 138 KV Substation Land Dev. Plan, conditioned upon complying with requirements, as follows:

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PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):

7) Sanofi-pasteur 138KV Substation LDP (cont): Item #4b - External design of the building shall be in conformity with the buildings in the district; #5 - Proper execution of the Certificate of Ownership and Acknowledgment; #6 - Fee-in Lieu payment; and #9 - M CCD favorable comments, and Procurement of the Easement from the Swiftwater Preserve.

PRESENTATION OF SKETCH PLANS: None

PRESENTATION OF VARIANCE, ETAL, APPLICATIONS: 1) The Spirit of Swiftwater Setback Variance Application - A Hearing was held before the Pocono Twp. Zoning Hearing Board on 03/27/08 at the Pocono Twp. Municipal Building. The Hearing was continued for a future date.

UNFINISHED BUSINESS: The Planning Commission, Supervisors, and other applicable parties will meet on 05/08/08 at 6:00 p.m. at the Pocono Twp. Municipal Building for a joint work session regarding Township ordinances. Mr. Carson Helfrich, Planner, will be present.

NEW BUSINESS: 1) Discussion followed regarding questions for S. Meylach, Zoning Officer, from various P.C. members re: A) The status of Tannersville Dunkin Donuts; B) Ertle's liquor control sign at the Bartonsville Ave. location; C) Fire lanes at Crossings Outlets; D) Lack of a land development plan regarding the proposed Trap Enterprises' property renovations in Swiftwater. An as-built plan may be in order.

2) The ZO discussed "subleasing" of stores at the Crossings Outlets.

3) D. Schmoyer is scheduled to represent the P.C. at the 04/21/08 Sup'v. meeting at 7:00 p.m. at the Pocono Twp. Municipal Building.

COMMENTS: None

ADJOURNMENT: A motion was made, seconded and carried (Holz/Schmoyer) to adjourn the Planning Commission meeting until Monday, 04/28/08 at 7:00 p.m. at the Pocono Twp. Municipal Building.

Respectfully submitted:

Jane Cilurso, Secretary

