

**POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING OF AUGUST 25, 2008**

A Regular meeting of the Pocono Township Planning Commission was held on August 25, 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: Frank Ruggiero, Chairman; Gordon Holz; Scott Ewing, and Jane Cilurso were present.

Absent: Robert Demarest and Dennis Schmoyer
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, seconded and carried (Holz/Cilurso) to approve the 08/11/08 Planning Commission Minutes, there being no additions or corrections. F. Ruggiero and S. Ewing abstained, as they were absent at the 08/11/08 P.C. meeting.

BILLS: A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors pay the P.C. Secretary's invoice for the month of August, 2008.

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

PRESENTATION OF NEW PLANS: 1) Pocono Creek Plaza Land Dev. Plan - Plan submitted for 08/25/08 P.C. meeting. \$1,025.00 fee paid. Lou Caiozza, Niclaus Engineering Associates, Inc., represented this plan for revisions to a property formerly named "Gloria's Furniture", and is located in Tannersville. The Plan Checklist was satisfactorily discussed.

After discussion, a motion was made, seconded and carried (Holz/Ewing) to accept the Pocono Creek Plaza Land Dev. Plan.

TABLING OF PLANS: A motion was made, seconded and carried (Holz/Schmoyer) to table the following plans: 1) Martinell Land Dev. Plan; 2) George Sebring Estates Revised Final Plan; 3) Snyder Major Subdivision Plan; 4) Pocono Manor Tentative PRD Preliminary Plan, 5) 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 08/11/08 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 08/11/08 P.C. meeting.

Barry Tompkins, BTT Associates, Inc., represented this plan, noting that his client owns a piece of property, which has a long driveway that comes off of Sullivan Trail. His client (Nicholas P. Nicholas) wants to annex .70 acres of his neighbor's property (Joseph A. D. Higgins), total of which is 84 acres, to Nicholas' 4.17 acres to create an access strip from Sullivan's Trail. No work is proposed on the 84-acre tract.

S. Meylach, Twp. ZO, gave Mr. Nicholas a non-conformance certificate for the existing house which currently violates the front-yard setback.

After discussion, a motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Township Supervisors approve the following Requests for Modification:

1. From SALDO Section 2.304.B.3 - street lines and names, rights of way or easement, watercourses, lakes, swamp, wetlands, rock out crops, historic features.
2. From SALDO Section 2.304.B.4 - sufficient data to determine readily the location, bearing and length of every boundary.
3. From SALDO Section 2.304.B.6 - reference monuments and/or lot markers.
4. From SALDO Section 2.304.B.7 - building setbacks.
5. From SALDO Section 2.304.B.8 - 100-year flood zone.
6. From SALDO Section 2.304.13A - contours

Also, for the Planning Commission to table the plan.

The applicant has to provide information regarding adjacent property owners, soil information, tax parcel identifiers and other information as required in the Twp. engineer's 08/11/08 review letter.

PRESENTATION OF PLANS FOR FINAL APPROVAL (CONT):

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 08/11/08 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).**

A time-requirement Waiver letter was not received.

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors disapprove the Miller/Clubhouse Road Minor Subdivision Plan unless a Waiver letter is received on or before the 09/02/08 Supervisors' meeting.

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 08/11/08 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. The Twp. engineer's 08/22/08 comment letter was reviewed. The boundary closure has been submitted to the Twp. engineer for review. Regarding the configuration of the driveway entrance, instead of making a concrete median, they propose to stripe that area so that the trucks do not hit the concrete median. They will discuss this with Penn Dot. The Twp. ZO will check the property for existing non-conformities.

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors approve the following Requests for Modification for the Shiro Restaurant As-Built Land Dev. Plan:

1. From SALDO Section 2.303.A - scale of plans.
2. From SALDO Section 2.303.B.1 - location map of scale on plans.
3. From SALDO Section 2.303.B.4 - requiring applicant to depict all proposed and existing streets and lot layouts on immediately adjoining tracts.
4. From SALDO Section 2.303.B.10 - soils information.
5. From SALDO Section 2.303.E.9 - wetland studies.
6. From SALDO Section 3.209.B.4 - delineation of Steep Slope Areas.
7. From SALDO Section 3.208.M.1 - clear site triangles at intersections.

There will be a merger of legal entities. Trap Enterprises, LLC, will be the surviving entity. The Twp. will receive a copy of this deed when it is completely finalized.

The plan sheet will be revised to show the deletion of RFM #5 - regarding Penn Dot.

PRESENTATION OF PLANS FOR FINAL APPROVAL (CONT):

4) Shiro Restaurant As-Built Land Dev. Plan (cont):

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Township Supervisors approve the Shiro Restaurant As-Built Land Dev. Plan, conditioned upon Penn Dot's approval and conditioned upon all outstanding requirements of the Twp. engineer's 08/22/08 comment letter.

5. Shiro Restaurant Lot Line Adjustment Plan -

\$300.00 fee paid. Plan submitted for 08/11/08 P.C. meeting. Chrissie Himler, Borton-Lawson Engineering, Inc., noted that the owners are requesting that this plan be withdrawn. The Lot Line adjustment has been included in the Shiro Restaurant Land Development As-Built Plan.

6) George Sebring Estates Revised Plan - Plan submitted for 08/25/08

P.C. meeting. This plan is a revision of the plan conditionally approved by the Pocono Twp. Supervisors, but not yet recorded. Ray Rogers, Frank Smith Surveyors, Inc., represented this revised plan showing the separation of 1.88 acres from the George Sebring Estates property and adding it as an inseparable part to the Dale and Susan Sebring property. Solicitor McManus stated that an Owners Certificate should be placed on the plan for Dale and Susan Sebring.

A motion was made, seconded and carried (Holz/Ewing) to table the George Sebring Estates Revised 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 08/11/08 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. A 90-day time extension letter was submitted.**

Deanna Schmoyer, HRG, Inc., presented revised plans showing an 18-lot subdivision on the property. There are approximately 50 developable acres; 3,000 linear ft. of road proposed. No more flag lots in regards to the wetland buffer. A waiver will be requested regarding the boulevard. The revised plan lots will be 2.5- to 3 acre parcels. They propose to submit a conservation subdivision plan in the future. A joint permit will be necessary. Three RFMs will be discussed later.

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors accept the 90-day time extension from 09/02/08 for The Village of Iroquois Ridge Preliminary Major Subdivision Plan and for the Planning Commission to table the plan.

POCONO TWP. PLAN. COMM. REGULAR MEETING MINUTES 08/25/08 PG.5

PRESENTATION OF PLANS FOR PRELIMINARY APPROVAL (CONT):

2) Snyder Major Subdivision Preliminary Plan - \$1,650.00 fee paid. Plan submitted 07/13/08 for the 07/23/07 P.C. meeting. The plan was tabled at the 08/11/08/ 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 09/22/08; the last Sup'v. mtg. is 10/20/08.** See above motion for tabling of the plan.

3) 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 08/11/08 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.

4) 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 08/11/08 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 09/02/08.**

A motion was made, seconded and carried (Holz/Ewing) to recommend that the Pocono Twp. Supervisors accept the Waiver letter for the Camelback Hotel and Waterpark Land Dev. Plan and Minor Subdivision until 10/17/08, as requested, and for the Planning Commission to table the plan.

5) The Lands of The Spirit of Swiftwater, Inc. (Office) Plan was submitted on 06/13/08 for the 06/23/08 P.C. meeting. 08/11/08 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 09/15/08.** See above motion for tabling of the plan, as requested.

PRESENTATION OF SKETCH PLANS: None

PRESENTATION OF VARIANCE, ETAL, APPLICATIONS: None

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, 08/28/08, at the Pocono Twp. Municipal Building, Tannersville, PA. Pizza and Soda will be served.

2) A motion was made, seconded and carried (Ewing/Ruggiero) to forward the proposed Act 167 Stormwater Management Ordinance to the Pocono Twp. Supervisors with no comments; it is satisfactory. J. Cilurso abstained.

NEW BUSINESS: 1) S. Ewing is scheduled to represent the P.C. at the 09/02/08 Sup'v. meeting at 11:00 a.m. at the Pocono Twp. Municipal Building.

PUBLIC COMMENTS: None

ADJOURNMENT: A motion was made, seconded and carried (Ewing/Ruggiero) to adjourn the Planning Commission meeting until Monday, 09/08/08, at 7:00 p.m. at the Pocono Twp. Municipal Building.

Respectfully submitted:

Jane Cilurso, Secretary