

MINUTES

POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
JANUARY 23, 2012

A Regular meeting of the Pocono Township Planning Commission was held on January 23, 2012 at 7:00 P.M. in the Pocono Township Municipal Building, Tannersville, Pennsylvania. Scott Ewing, Chairperson, opened the meeting, followed by the Pledge of Allegiance.

Present: S. Ewing; R. Swink; S. Gilliland; R. Demarest; D. Schmoyer; M. Velardi; G. Worthington (Solicitor); J. Tresslar (Engineer); D. Horton (Engineer); S. Meylach (Zoning Officer).

Absent: None.

Comments: Chairman, Scott Ewing, 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, S. Ewing, 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, S. Ewing, 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 (Demarest/Swink/) to approve the 1/14/12 Planning Commission Reorganization Meeting Minutes, 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.

Tabling of plans: A motion was made, seconded and carried (Demarest/Swink) to recommend that the Planning Commission members table the following plans:

- 1) Northampton Community College LDP;
- 2) The Reserve at Bryson's Farm Major Subdivision Plan & Planning Module;
- 3) Sanofi Pasteur Discovery Drive Widening LDP;
- 4) Sheldon Kopelson Minor Subdivision Plan;
- 5) Tanalo Estates Major Subdivision Plan;
- 6) The Pocono Manor Tentative PRD Prelim. Plan; and
- 7) The Lands of The Spirit of Swiftwater, Inc. (Office).

New plans: None.

Presentation of plans for final approval:

- 1) Northampton Community College Land Dev. Plan – Plan submitted 02/12/10 for 02/22/10 P.C. meeting. The plan was revised and resubmitted 08/29/11 for the 09/12/11 P.C. meeting. A \$6,000.00 Escrow fee and a \$1,500.00 Escrow fee were paid. Plan was tabled at the 11/14/11 P.C. meeting. **The Sup’v. at their 11/21/11 meeting accepted a 90-day Time Extension letter – from 12/06/11 – until 03/05/12. The last P.C. meeting is 02/27/12; the last Sup’v. meeting is 03/05/12.** See above motion for tabling of the plan.
- 2) The Reserve at Bryson’s Farm Major Subdivision Plan – Final – and Planning Modules – Plan submitted 09/20/10 for 09/27/10 P.C. mtg. \$450.00 plan fee paid; \$1,500.00 Escrow fee paid; \$181.00 Planning Modules fee paid. The plan was tabled at the 11/14/11 P.C. mtg. Revised Plans were submitted. **The Sup’v., at their 11/07/11 mtg., accepted a 90-day Time Extension letter – from 11/14/11 to 02/13/12. The last P.C. mtg. is 01/23/12; the last Sup’v. mtg. is 02/06/12.** A motion was made, seconded and carried (Demarest/Swink) to recommend the Sup’v. accept a time extension letter submitted by the applicant’s design consultant dated January 17, 2012 and extending the review deadline to 4/23/12. See above motion for tabling of the plan.
- 3) Sanofi Pasteur Discovery Drive Widening Land Dev. Plan – Plan submitted 06/03/11 for 06/13/11 P.C. mtg. Plan fee paid: \$580.00 Stormwater fee paid \$300.00; Escrow Fee \$3,000.00; Fee in Lieu Fee \$4,200.00. Plan was tabled at the 11/14/11 P.C. mtg. **The Sup’v. at their 1/17/12 meeting provided an extension until the 30th of March, 2012. The last P.C. meeting is 3/12/12; the last Sup’v. mtg. is 3/19/12.** See above motion for tabling of the plan.
- 4) New Dairy Queen Grill and Chill Restaurant - Plan was submitted for 09/12/11 P.C. meeting. \$3,025.00 total fee was paid. The plan was tabled at the 11/14/11 P.C. meeting. **The Sup’v. at their 11/21/11 mtg. provided a 90-day time extension from 12/11/11 - until 03/20/12. The last P.C. mtg. is 03/12/12; the last Sup’v. mtg. is 03/19/12.** Frank Riccobono (Applicant) was present to discuss the plan and the Engineer’s review letter generated by J. Tresslar dated January 23, 2012. G. Worthington (Solicitor) refrained from comment due to a conflict of interest. After discussion, a motion was made, seconded and carried (Demarest/Swink) to recommend the Sup’v. consider the plan for approval subject to the P.C. recommendation that left turns onto SR611 be prohibited, subject to the Sup’v. review and approval of associated Planning Modules, and subject to review by the Township’s alternate Solicitor. M. Velardi opposed this motion.
- 5) Sheldon Kopelson Minor Subdivision Plan – Plan submitted for 09/02/11 and 09/12/11 P.C. meeting. \$620.00 Stormwater Management fee paid; \$575.00 Minor Subdivision fee paid; \$2,500.00 Minor Subdivision Escrow fee paid. The plan was tabled at the 11/14/11 P.C. meeting. **The Sup’v. at their 11/21/11 mtg.**

accepted a Time Extension from 11/21/11 to 03/20/12. The last P.C. mtg. is 03/12/12; the last Sup’v. mtg. is 03/19/12. See above motion for tabling of the plan.

- 6) Vasilios Kotretsos Final Land Dev. Plan – Plan submitted 12/05/11 for 12/12/11 P.C. meeting. Fee paid. The Plan was tabled at the 12/12/11 P.C. meeting. **The last P.C. Mtg. is 2/27/12; the last Sup’v. mtg. is 3/5/12.** Vasilios Kotretsos (Applicant) and Marc Wolfe, Esq. (Attorney) were present to discuss the plan. After discussion, a motion was made, seconded and carried (Velardi/Schmoyer) to recommend the Sup’v. consider the plan for approval subject to comments and recommendations set forth in the forthcoming engineer’s review letter to be generated by D. Horton.

Presentation of plans for preliminary approval:

- 1) Tanalo Estates Major Subdivision Plan for J. A. Snyder Entities, Inc . (formerly, 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 has been revised under the name of Tanalo Estates Major Subdivision for J.A. Snyder Entities, Inc. The revised plan was submitted on 03/11/10. The plan was tabled at the 11/14/11 P.C. meeting. **The Sup’v. at the 11/21/11 meeting accepted a 90-day Time Extension letter from 11/21/11 to 02/19/12. The last P.C. meeting is 01/23/12; the last Sup’v. meeting is 02/06/12.** A motion was made, seconded and carried (Demarest/Swink) to recommend the Sup’v. accept time extension letters submitted by the applicant’s engineer dated January 23, 2012 and extending the review deadline to 5/20/12. See above motion for tabling of the plan.
- 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. Revised plans were previously submitted. Copies of a Community Fiscal Study were submitted. The plan was tabled at the 11/14/11 P.C. meeting. **The Sup’v. at their 11/21/11 meeting accepted a time extension until 12/31/12, as requested. The last P.C. meeting is 12/10/12; the last Sup’v. meeting is 12/17/12.** See above motion for tabling of the plan.
- 3) 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. A revised plan was received at the 11/10/08 P.C. meeting. The plan was tabled at the 11/14/11 P.C. meeting. **The Sup’v. at their 11/21/11 meeting accepted a Time Extension letter from 12/17/11. to 03/16/12. The last P.C. meeting is 02/27/12; the last Sup’v. mtg. is 03/05/12 .** See above motion for tabling of the plan.

Sketch plans: None.

Presentation of variance, et al. applications:

- 1) Sheldon Kopelson Minor Subdivision – Request to amend and revise the Pocono Township Subdivision and Land Development Ordinance, Ordinance No. 77, as previously amended, to **delete** section 3.403 of the ordinance in its entirety. **At the request of the applicant, the Sup’v. at their 1/17/12 meeting referred this matter to the P.C. for review and comment.** Marc Wolfe, Esq. and Donna Alker, P.E. were present on behalf of the applicant. Attorney Wolfe explained the basis for the request: The inclusion of density limitation provisions in the SALDO is unnecessary given these matters are traditionally (and are in the case of Pocono Twp.) addressed in the Zoning Ordinance. After discussion, a motion was made, seconded and carried (Demarest/Velardi) to table this request for further consideration at the next P.C. regular meeting.
- 2) Sheldon Kopelson Minor Subdivision – Request to amend sections 609.1 and 615.a.3 of the Pocono Township Zoning Ordinance, as heretofore amended, and amend the Zoning Map. **At the request of the applicant, the Sup’v. at their 1/17/12 meeting referred this matter to the P.C. for review and comment.** Marc Wolfe, Esq. and Donna Alker, P.E. were present on behalf of the applicant. Attorney Wolfe explained the basis for the request: Sections 609.1 and 615.a.3 of the Zoning Ordinance should be amended to allow for increased height and density limitations in a PRD where the structures are built according to standards imposed by the Building Code, as amended. In addition, a 55’ adjustment in the R-2/C-1 district boundary was requested (map amendment) as the boundary exists on the applicant’s property due to steep slope limitations. After discussion, a motion was made, seconded and carried (Demarest/Velardi) to recommend the Sup’v. approve the requested map amendment. A second motion was made, seconded and carried (Schmoyer/Gilliland) to recommend the Sup’v. approve the requested amendment to Section 609.1 of the Zoning Ordinance. After further discussion, a motion was made, seconded and carried (Demarest/Velardi) to table the requested amendment to Section 615.a.3 of the Zoning Ordinance for further consideration at the next P.C. regular meeting.

Unfinished business:

- 1) The Proposed Amended Zoning Ordinance and Proposed Amended Subdivision and Land Development Ordinance were submitted to the Planning Commission members at the 09/12/11 P.C. mtg. for review and comments. A meeting for further review and comments re the ordinances was held on 11/22/11. The Twp. planner and Twp. solicitor will make the necessary revisions.
- 2) Sheldon Kopelson’s Conditional Use Applications – Tabled until further notification.
- 3) The Northampton Community College Conditional Use Hearing is scheduled for February 1, 2012, at 7:00 P.M. at the Pocono Twp. Municipal Building,

Tannersville, PA. Jamie Keener was present on behalf of the Applicant to discuss this request. After discussion, a motion was made, seconded and carried (Demarest/Swink) to pass this matter on to the Sup'v. for a hearing.

- 4) Mitchel Garfinkel Special Exception (Life Care Facility). Application submitted \$300.00 fee paid. **Use Application submitted for review by the P.C. members for the 01/09/12 meeting.** There are no proposed changes to the facilities. The P.C. will provide comments to the Zoning Hearing Board, who will schedule a Hearing. Marc Wolfe, Esq. was present along with Engineer William Greiner to discuss the application and the Township Engineer's review letter dated January 9, 2012. After lengthy discussion, a motion was made, seconded and carried (Demarest/Swink) to table this request for further consideration at the next P.C. regular meeting with the expectation that the applicant will be present to give additional detail on the proposed use of the property.

New business: R. Swink is scheduled to represent the P.C. at the next regularly scheduled Supervisors' meeting on 2/6/12 at 7:00 p.m. at the Pocono Twp. Municipal Building, Tannersville, PA.

Comments: None.

Adjournment: A motion was made, seconded and carried (Demarest / Swink) to adjourn until the next regular meeting on February 13, 2012, at 7:00 p.m. at the Pocono Twp. Municipal Building.