

MINUTES

POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
November 25, 2013

A Regular meeting of the Pocono Township Planning Commission was held on November 25, 2013 at 7:00 p.m. in the Pocono Township Municipal Building, Tannersville, Pennsylvania. Ronald Swink, Chairperson, opened the meeting, followed by the Pledge of Allegiance.

Present: M. Guidry; R. Demarest; D. Schmoyer; R. Swink; S. Gilliland; R. DeYoung; T. Munoz; D. Horton (Engineer); G. Worthington (Solicitor).

Absent: None.

Comments: Chairman Swink 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 Swink 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 Swink 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 (Gilliland/DeYoung) to approve the 10/28/13 Planning Commission Regular 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.

New plans: None.

Presentation of plans for final approval: None.

- 1) Pocono Logistics Preliminary / Final Land Development Plan – The plan was submitted for the 10/28/13 P.C. mtg. **The last P.C. mtg. is 1/13/14; the last Sup'v. mtg. is 1/20/14.** D. Alker, P.E. was present along with the Applicant to discuss the plan. Motions were made on the following requests for modification:
 - a. A motion was made, seconded and carried (Munoz/DeYoung)[Guidry opposed] to recommend the Sup'v. grant the requested modification to **§301.G of the Stormwater Ordinance** to allow improvement within the

50' stream buffer as shown on the plan on the condition that the Applicant agree to install an appropriate liner in the detention basin.

- b. A motion was made, seconded and carried (Guidry/Gilliland) to recommend the Sup'v. grant the requested modification to **SALDO §2.302.B.22** waiving the requirement that the Applicant illustrate available and safe stopping distances on the plan.
- c. A motion was made, seconded and carried (DeYoung/Gilliland) to recommend the Sup'v. grant the requested modification to **SALDO §2.302.B.14**, waiving the requirement that the Applicant illustrate contour lines on the steeply sloped and undeveloped northern portion of the property.
- d. A motion was made, seconded and carried (Munoz/Gilliland) to recommend the Sup'v. grant the requested modification to **SALDO §2.106** allowing for submission of a preliminary/final land development plan.

Following discussion, a motion was made, seconded and carried (Demarest/DeYoung) to table the plan.

Presentation of plans for preliminary approval:

- 1) The Lands of The Spirit of Swiftwater, Inc. (Phase 1 Modification) – The plan was accepted at the 09/23/13 P.C. meeting. All plan submission fees were received. **The last P.C. mtg. is 12/09/13; the last Sup'v. mtg. is 12/16/13.** A. Wingert, P.E. was present along with the Applicant to discuss the plan. Motions were made on the following requests for modification:
 - a. A motion was made, seconded and carried (Munoz/Guidry) to recommend the Sup'v. grant the requested modification to **SALDO §2.302.A**, allowing submission of plans drawn on a 30x42 sheet.
 - b. A motion was made, seconded and carried (DeYoung/Munoz) to recommend the Sup'v. grant the requested modification to **SALDO §3.307** allowing for a single means of access provided the Applicant constructs an alternate emergency access as shown on the plan.
 - c. A motion was made, seconded and carried (Guidry/Demarest) to recommend the Sup'v. grant the requested modification to **SALDO §3.208.F**, allowing less than the required separation between the SR611 access drive and adjacent streets, subject to PennDOT's review and approval.

- d. A motion was made, seconded and carried (Munoz/Schmoyer) to recommend the Sup'v. grant the requested modification to **SALDO §3.402**, allowing less than the required separation between the apartment buildings as illustrated on the plan.
- e. A motion was made, seconded and carried (Demarest/Munoz) to recommend the Sup'v. grant the requested modification to **SALDO §3.403**, allowing greater than the maximum number of residential units per building, as shown on the plan, on the condition that the Applicant equip the buildings with code compliant fire suppression sprinkler systems.

Following discussion, a motion was made, seconded and carried (Demarest/Munoz) to table the plan.

- 2) Sheldon Kopelson Lot No. 3 Preliminary Land Development Plan – Plan submitted for 8/12/13 P.C. meeting. The Applicant granted a time extension through December 31, 2013. **The last P.C. mtg. is 1/13/14; the last Sup'v. mtg. is 1/20/14.** No one was present to discuss the plan. A motion was made, seconded and carried (Demarest/Munoz) to table the plan.
- 3) Pocono Manor Tentative Planned Residential Development Preliminary Plan - 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 10/7/13 mtg. accepted a time extension until 10/31/14. **The last P.C. meeting is 10/13/14; the last Sup'v. meeting is 10/20/14.** No one was present to discuss the plan. A motion was made, seconded and carried (Guidry/Demarest) to table the plan.
- 4) The Lands of The Spirit of Swiftwater, Inc. (Hotel) – 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 last P.C. meeting is 1/13/14; the last Sup'v. meeting is 1/20/14.** A. Wingert, P.E. was present along with the Applicant to discuss the plan. Motions were made on the following requests for modification:
 - a. A motion was made, seconded and carried (Munoz/Guidry) to recommend the Sup'v. grant the requested modification to **SALDO §2.302.A**, allowing submission of plans drawn on a 30x42 sheet.
 - b. A motion was made, seconded and carried (DeYoung/Munoz) to recommend the Sup'v. grant the requested modification to **SALDO §3.307** allowing for a single means of access provided the Applicant constructs an alternate emergency access as shown on the plan.
 - c. A motion was made, seconded and carried (Guidry/Demarest) to recommend the Sup'v. grant the requested modification to **SALDO**

§3.208.F, allowing less than the required separation between the SR611 access drive and adjacent streets, subject to PennDOT's review and approval.

Following discussion, a motion was made, seconded and carried (Demarest/Munoz) to table the plan.

Sketch plans: None.

Presentation of variance, et al. applications:

- 1) Possinger – Conditional Use Application (Sign) – the Applicant submitted a conditional use application for the construction of a digital sign. The Sup'v. at their 5/20/13 meeting referred the application to the P.C. for review and comment. The Applicant waived applicable time constraints via letter dated June 10, 2013 from J. P. McDonald, Jr., Esq. The Applicant submitted a conditional use plan dated July 26, 2013. **A conditional use hearing before the Sup'v. is scheduled for 12/16/13.** J. McDonald, Esq. and J. Tresslar, P.E. were present along with the Applicant to discuss the plan.
A motion was made, seconded and carried (Munoz/Gilliland)[Demarest opposed] to recommend the Sup'v. grant a modification as necessary to allow for intrusion by the proposed access drive, as illustrated, into the stream buffer.
Following additional discussion, a motion was made, seconded and carried (Schmoyer/Demarest)[Guidry/Munoz opposed] to recommend the Sup'v. deny the requested conditional use approval due to lack of conformity with applicable sign restrictions of the Zoning Ordinance, the Applicant not having received any variance of those restrictions.
- 2) Sheldon Kopelson, Lot #1, Conditional Use Application (Planned Residential Development) – the Applicant submitted a conditional use application for the construction of a planned residential development on Lot #1 as depicted on the applicant's Minor Subdivision Plan. The application was referred to the P.C. for review and comment. **The last P.C. mtg. is 1/13/14; the last Sup'v. mtg. is 1/20/14.** No one was present to discuss the plan. A motion was made, seconded and carried (Demarest/Munoz) to table the application.
- 3) Sheldon Kopelson, Lot #2, Conditional Use Application (Regional Impact Development) – the Applicant submitted a conditional use application for the construction of a commercial center on Lot #2 as depicted on the Applicant's Minor Subdivision Plan. The application was referred to the P.C. for review and comment. **The last P.C. mtg. is 1/13/14; the last Sup'v. mtg. is 1/20/14.** No one was present to discuss the plan. A motion was made, seconded and carried (Demarest/Munoz) to table the application.

Unfinished business:

- 1) Ordinances – Zoning, SALDO, Property Maintenance – No action taken.

New business: None.

Comments: Chairman Swink announced that a hearing will be held before the Pocono Township Zoning Hearing Board at the Pocono Township Building at 5:00 P.M. on 12/11/13 to consider the appeal of Salvatore and Dierdre Furino from certain determinations of the Zoning Officer regarding the use of their property at 598 Fish Hill Road in Pocono Township.

Adjournment: At 9:35 P.M. a motion was made, seconded and carried (Munoz/Demarest) to adjourn until the following regular meeting on December 9, 2013 at 7:00 p.m. at the Pocono Twp. Municipal Building, Tannersville, PA.