

MINUTES

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING February 11, 2013

A Regular meeting of the Pocono Township Planning Commission was held on February 11, 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: R. Demarest; D. Schmoyer; R. Swink; S. Gilliland; R. DeYoung; T. Munoz; D. Horton (Engineer); G. Worthington (Solicitor).

Absent: None. One seat remains vacant.

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: Approval of the 1/14/13 Planning Commission Regular Meeting Minutes was tabled until the next P.C. meeting due to technical difficulty.

Bills: None.

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

New plans:

- 1) TRAP Enterprises Rt. 611 Project – Preliminary Subdivision and Land Development Plan submitted for 2/11/13 P.C. meeting. \$770 Plan fee paid. \$4,500 Escrow fee paid. \$310 Stormwater Management fee paid. Pennoni Associates presented the Plan on behalf of the Applicant. D. Horton recused himself from review of this Plan. Township will call on its alternate engineer,

Boucher & James for review. A motion was made, seconded and carried (Demarest/Gilliland) to table acceptance of the Plan until the next P.C. meeting to allow the alternate engineer to verify all required materials submitted.

Presentation of plans for final approval:

- 1) Cargill Facility Expansion and Upgrade – Plan submitted for 1/14/13 P.C. meeting as a “Preliminary/Final” Land Development Plan. \$550 Plan fee paid; \$2,500 Escrow fee paid. Alan Toloza of Cargill-Horizon Milling was present on behalf of the Applicant to discuss the Plan. Regarding the Applicant’s RFM of SALDO Section 2.106 (Preliminary/Final Plan), a motion was made, seconded and carried (Schmoyer/Munoz) to recommend the Sup’v. grant the request. Regarding the Applicant’s RFM of SALDO Sections 2.304.C. and 2.400 (Development Agreement and Performance Guarantee), a motion was made, seconded and carried (Demarest/DeYoung) to recommend the Sup’v. grant the request. Regarding the Applicant’s RFM of SALDO Section 3.212.C (Open Space and In-Lieu requirements), a motion was made, seconded and carried (Demarest/Munoz) to recommend the Sup’v. grant the request. Finally, a motion was made, seconded and carried (Demarest/Gilliland) to recommend the Sup’v. approve the Plan. **The last Sup’v. mtg. is 4/1/13.**
- 2) Griffiths & Lenore Sager Minor Subdivision/Lot Line Adjustment – Plan submitted for 8/27/12 P.C. mtg. \$300.00 Plan fee paid; \$1,500.00 Escrow fee paid. The Sup’v. at their 12/17/12 meeting accepted a time extension until 3/25/13, as requested. **The last P.C. mtg. is 3/11/13; the last Sup’v. mtg. is 3/18/13.** A motion was made, seconded and carried (Demarest/Schmoyer) to table the plan at the Applicant’s request.
- 3) 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 12/17/12 mtg. accepted a time extension until 3/11/13. **The last P.C. mtg. is 2/25/13; the last Sup’v. mtg. is 3/4/13.** A motion was made, seconded and carried (Munoz/Gilliland) to table the plan at the Applicant’s request.
- 4) 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 3/19/12 mtg. accepted an indefinite Time Extension as set forth in the March 8, 2012 letter from Marc Wolfe, Esq.** A motion was made, seconded and carried (Demarest/DeYoung) to table the plan at the Applicant’s request.

Presentation of plans for preliminary approval:

- 1) 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 12/17/12 meeting accepted a time extension until 10/31/13, as requested. **The deadline for Sup'v. PRD Hearing is 08/30/13; the last P.C. meeting is 10/14/13; the last Sup'v. meeting is 10/21/13.** A motion was made, seconded and carried (Schmoyer/DeYoung) to table the plan at the Applicant's request.
- 2) 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 12/17/12 meeting accepted a time extension until 3/31/13, as requested. **The last P.C. meeting is 3/11/13; the last Sup'v. meeting. is 3/18/13.** A motion was made, seconded and carried (Demarest/DeYoung) to table the plan at the Applicant's request.

Sketch plans: None.

Presentation of variance, et al. applications: None.

Unfinished business:

- 1) Sheldon Kopelson's Conditional Use Applications – Tabled until further notification.

New business:

- 1) The Sup'v. were in attendance to discuss the proposed Property Maintenance ordinance and the previously-reviewed SALDO and Zoning amendments. After lengthy discussion, it was concluded that an executive summary of the proposed SALDO and a redlined version of the Zoning amendments will be requested from the planner. In addition, discussion was held on updating the Township's comprehensive plan, followed by re-visiting the SALDO and Zoning amendments and the codification issue.

- 2) Kalahari Resort/Conference Center and Water Park – Sewage Facilities Planning Module – The Applicant was present along with its design engineer, Pennoni Associates, and legal counsel Ralph Matergia, Esq. Samuel D’Alessandro of RKR Hess Associates presented a review letter on behalf of the Township. The Applicant requests the P.C. execute Component 4A within the Planning Module the Applicant must submit to DEP for its proposed conveyance of wastewater from its proposed development in Tobyhanna Township into and through the Pocono Township sewer system. Representatives of the Brodhead Watershed Association were present and voiced opposition to the request. Component 4A of the Module requires the P.C. to make affirmative or negative statements on sixteen different issues. A motion was made, seconded and carried (Demarest/DeYoung) to table the request to allow the P.C. time to review the comments of RKR Hess and to seek guidance from the Township’s sewer solicitor.
- 3) The P.C. went into executive session at 8:50 P.M. to discuss personnel matters. At 9:05 P.M. the P.C. came out of executive session.
- 4) A motion was made, seconded and carried (DeYoung/Schmoyer) to recommend the Sup’v. appoint Marie S. Guidry to the vacant P.C. position.

Comments: None.

Adjournment: At 9:45 P.M. a motion was made, seconded and carried (DeYoung/Gilliland) to adjourn until the following regular meeting on February 25, 2013 at 7:00 p.m. at the Pocono Twp. Municipal Building, Tannersville, PA.