

POCONO TOWNSHIP COMMISSIONERS
REGULAR MEETING AGENDA
October 17, 2016
7:00 p.m.

- 1) Pledge of Allegiance
- 2) Roll Call
- 3) Announcements:
 - a. Executive Session was held on 10/3/2016 to discuss personnel matters.
 - b. Conditional Use Summit Heights Conditional Use Hearing was commenced on September 29, 2016 at 6:00pm and the continuation of the hearing will be held October 20, 2016 at 6:00pm.
- 4) Public Comments on matters not on the agenda

Comments are for any item NOT on the agenda. Comments on agenda items will be taken after each item is discussed by the Board of Commissioners, but before formal action is taken. (Please limit individual comments to 3 minutes to allow time for others wishing to speak and direct all questions and comments to the President)

- 5) Approval of Minutes:
 - a. Commissioners Special Meeting, September 28, 2016
 - b. Commissioners Conditional Use Hearing – Summit Health Campus, September 29, 2016
 - c. Regular meeting of 10/3/2016
 - d. Work Session meeting of 10/14/2016
- 6) Approval of Bills and Transfers
 - a. Check listing dated October 17, 2016
 - b. Transfers list dated October 17, 2016 with Backup
- 7) 2015 Audit
- 8) Report of the President
- 9) Commissioners Comments

Bob DeYoung, Vice President

Ellen Gndt, Commissioner

Judi Coover, Commissioner

Jerry Lastowski, Commissioner

- 10) Reports:

- a. Chief Werkheiser
 - i. Report for September
- b. Pocono Township Volunteer Fire Company
- c. St. Luke's Ambulance
- d. Administration – Manager's Report
 - i. Budget Review Dates:
 - 1. The Budget will be available for Public Inspection not later than November 23
 - 2. The Budget will be advertised for adoption at a December 15 meeting.
 - ii. Homes of the Poconos, LLC (Halterman) – Former GMDC Property Development Agreement and Prior Escrow Balance Due.
 - iii. Maula Spirit of Swiftwater Escrow Deficiency and no Financial Security.
- e. Public Works Report
 - i. Appointment of Helen Beers as Additional Alternate S.E.O.
- f. Finance Committee
- g. Township Solicitor Report
 - i. SALDO – Status Update
- h. Township Engineer Report
 - i. Crossings Planning Module Exemption

11) Presentations:

- a. American Legion Banner and TLC Park Requests

12) Resolutions:

- a. Resolution 2016-___ Granting Conditional Approval of the G.M. & Kailas Minor Subdivision Plan

13) Executive Session (If Necessary)

14) Adjournment

POCONO TOWNSHIP BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
SEPTEMBER 28th, 2016 8:00 A.M.

The Sewer meeting of the Pocono Township Commissioners was held on 09/28/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Harold Werkheiser at 8:00 a.m., followed by the Pledge of Allegiance.

ROLL CALL: Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

Charles Vogt, Twp. Manager; and Pamela Finkbeiner, Twp. Secretary, were present.

ANNOUNCEMENTS:

MINUTES: Deferred to the next regular meeting on 10/03/2016.

**CONTINUED DISCUSSIONS FROM SEPTEMBER 19th and 20th, 2016
SEWER COLLECTION AND CONVEYANCE SYSTEM REDESIGN AND CONSTRUCTION**

J. Coover explained she would like to propose several motions.

J. Coover recommended engaging Boucher & James to review T&M's designs, scope, T&M report, plans & designs.

J. Coover noted she is recommending appointing Tim McManus as special counsel for special sanitary sewer system matters including doing a due diligent review of the PACT TWO change order, scope of this review would include a review for all emails between Jeff Clapper, Gregg Schuster, T&M, and PACT TWO and related correspondence pertaining to the PACT TWO Contract 11 from March 2015 to present. The written opinion as to if there are any concerns or legal concerns with the Township's present course of action.

J. Coover recommended a request to direct the Twp. Manager to then contact these firms for estimate of these efforts.

J. Coover recommended suspending activity by Pact Two and T&M until results are obtained.

J. Coover noted depending on the discussion of these above ideas, she would recommend to cancel the Change Order and Valve Replacement project.

J. Coover recommended directing the Twp. Manager to search for professionals whom can be retained to assist with the ongoing sewer operations. This is so the Township is prepared for any sewer related incidents should they occur.

J. Lastowski requested to address each motion, one at a time.

DRAFT

J. Coover made a motion, seconded by E. Gndt, to engage Boucher & James, Inc., to review and evaluate the current situation with our valves, the plans and designs provided by T&M Associates, and Boucher & James, Inc. will provide the Township of a written report of their findings and recommendations, the scope of their review will include the T&M reports, hydraulic test results, plans and designs specifications provided by T&M to PACT TWO in February 2016; PACT TWO Change Order for 1.5 Million, and related correspondence; in particular Boucher & James will identify any risk that Pocono Township faces or will assume, based on the current course of action, both short and long term. This motion does NOT include having Boucher & James, Inc., replace T&M as our sewer engineer.

H. Werkheiser was in agreement for a seconded opinion. J. Lastowski questioned the cost to engage Boucher & James, Inc. to do the review. J. Coover felt the documents can be reviewed in two to three weeks for approximately \$10,000 to \$15,000 dollars. She stated she feels it is needed to understand the risk the Township faces and if the project is a safe and wise course of action. J. Coover noted in her opinion Boucher & James, Inc., has the expertise to review the project. J. Lastowski noted he does not support the review since it may delay the repairs, and is satisfied with the current course of action. B. DeYoung noted he was not against a second opinion but was concerned it would delay the repairs. E. Gndt spoke concerning the change order and lack of line items and details. She noted the lack of detail may lead to future change orders. Discussion followed. J. Coover reread the motion (ABOVE).
Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, no; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by E. Gndt, to appoint Tim McManus as special counsel for sanitary sewer system matters, including a due diligence review of the PACT TWO Change Order. The scope will include a review of all emails between, Jeff Clapper, Gregg Schuster, T&M, and PACT TWO and related correspondence pertaining to the PACT TWO Contract 11 from March 2015 to present. McManus will issue a written opinion as to whether or not there are any procurement or legal concerns with our present course of action. C. Vogt questioned if the motion is for all sewer matters. J. Coover explained it is only for a review of the documents. She explained she had confidence in his understanding of the sewer project and procurement laws. P. Finkbeiner requested clarification if the review was for a contracted position. Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by H. Werkheiser, to direct the Twp. Manager to immediately contact Boucher & James, Inc. and Tim McManus, Cramer, Swetz, McManus, & Jordan, P.C., to obtain written time and cost estimates for the efforts involved in the two above motions just passed by the Board, stressing time is of the essences. Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by E. Gndt, to temporarily suspend the PACT TWO, LLC. Contract - H. Werkheiser questioned if it would stop the work. Discussion on the status of the valve order. B. DeYoung, H. Werkheiser, and J. Lastowski voiced concern that the engineering of the valve would be delayed.
J. Coover withdrew her motion and E. Gndt withdrew her second.

J. Coover made a motion, seconded by H. Werkheiser, to direct T&M and PACT TWO, LLC. to consult with the Board prior to placing the order for the valve pursuant to the Change Order. J. Lastowski noted the Board should meet immediately after to decide what to do if the studies are not done. He stated he is not in favor of stopping progress on the repair. Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by J. Lastowski, to direct the Twp. Manager to immediately begin search for professionals who can be retained to help protect the on-going operation of the Township's sanitary sewer system, until all known problems are mitigated. This protection is operational, not mere insurance, so the Township is as well prepared for any operational interruption should they occur.

J. Lastowski explained the Township should be proactive in preparing for any incidents. J. Coover noted the Township needs to have an emergency plan in place.

Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

ADDITIONAL TIME SENSITIVE MATTERS PRESENTED BY THE ZONING HEARING BOARD

a) Township to authorize an appeal of the Commonwealth Court panel decision in the Marchenko matter including a motion for re-argument en banc because the matter is time sensitive. C. Vogt explained by the 3-0 vote the ZHB requested the Board authorize the Twp. Solicitor to re-argue the decision at a cost of approximately \$1,500 to \$2,000.

J. Lastowski made a motion, seconded by B. DeYoung, to authorize the petition to be reargued en banc. E. Gndt questioned the cost and if it was only for filing it may be higher if they need to appear. J. Coover explained she did not feel this is worth the cost to pursue. She felt that the Township should regulate short term rentals. J. Lastowski spoke in favor of pursuing the re-argument and then to develop regulations. C. Vogt noted the problem with vacation rentals in residential zones are impacting residents. J. Coover noted in resort areas it is seen as a vital way to generate revenue and reduce foreclosures. B. DeYoung spoke in favor of the Board to pursuing the re-argument. Roll call vote: E. Gndt, no; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, no. Motion carried.

b) Adams Hearing - C. Vogt noted the zoning officer will not be available for the October meetings. J. Lastowski made a motion, seconded by H. Werkheiser, to continue the Adams Outdoor hearings until the zoning officer is available. Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

ADJOURNMENT: B. DeYoung made a motion, seconded by J. Lastowski, to adjourn the meeting at 9:20 a.m. Roll call vote: E. Gndt, yes; R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

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POCONO TOWNSHIP BOARD OF COMMISSIONERS
CONDITIONAL USE HEARING MINUTES
OF THE SUMMIT HEALTH CAMPUS
SEPTEMBER 29th, 2016 6:00 P.M.

The Conditional Use Hearing for Summit Health Campus held on 09/29/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Vice-President Robert DeYoung at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, absent; Jerry Lastowski, present; and Judi Coover, absent.

Leo DeVito, Solicitor, Broughal & DeVito; present; Jon Tresslar, Twp. Engineer, present; Charles Vogt, present; and Pamela Finkbeiner, Township Secretary, were present.

Donna Kenderdine, Court reporter was present.

SUMMARY OF HEARING:

Marc Wolfe, Newman, Williams, Mishkin, Corveley, Wolfe & Fareri, P.C., represented the application.

M. Wolfe called the following to testify:

Anthony Farda, owner

Steve Cunningham, Pocono Medical Center

Dennis Noonham, Pocono Mountain Industrial Park Authority

Nate Oiler, RKR Hess a Division of UTRS

Thomas McKeon, McKeown Realtors, Inc.

Full transcripts of the hearing may be obtained from Donna Kenderdine, Court Reporter.

The Board concurred to continue the hearing until 10/20/2016 at 6:00 p.m.

J. Lastowski made a motion, seconded by R. DeYoung, to stop the hearing at 8:30 p.m. and continue the hearing on 10/20/2016 at 6:00 p.m. Roll call vote: E. Gndt, yes; R. DeYoung, yes; and J. Lastowski, yes. Motion carried.

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 3rd, 2016 7:05 P.M.

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The Regular meeting of the Pocono Township Commissioners was held on 10/03/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Harold Werkheiser at 7:05 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer; Charles Vogt, Twp. Manager; and Pamela Finkbeiner, Township Secretary, were present.

ANNOUNCEMENTS:

- a. Conditional Use Summit Health Campus was held on September 29th, 2016 at 6:00 p.m.
- b. H. Werkheiser noted no discussion of or action on the Brookdale Petition will be taken. C. Vogt updated the Board that the Developer's attorney requested the petition to be withdrawn. A modified Petition will be submitted at a later date.
- c. The October 13th, 2016 9:00 a.m. work session will be changed to October 14th, 2016 at 9:00 a.m.

PUBLIC COMMENT:

Maxine Turbolski, Twp. resident, suggested the Township hire two persons, one for the sewer and one for Public Works.

MINUTES:

E. Gndt made a motion, seconded by B. DeYoung, to approve the Regular meeting minutes of 09/19/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

J. Coover made a motion, seconded by E. Gndt, to approve the work session minutes of 09/29/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, abstained; J. Lastowski, yes; and J. Coover, yes; Motion carried.

TRANSFERS:

E. Gndt made a motion, seconded by J. Lastowski, to approve the Transfers dated 10/03/2016. Discussion followed on the addition of supporting documents for the transfers. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

BILLS:

J. Lastowski made a motion, seconded by H. Werkheiser, to approve the check listing of 10/03/2016. J. Coover questioned an invoice from Boucher & James. J. Tresslar noted his office erred in the review and requested the invoice be withdrawn for payment. E. Gndt requested the detail for the Pension plan payments be included in the future. Discussion followed on the Evoqua and EEMA invoices.

BILLS CONT:

J. Lastowski amended his motion, seconded by H. Werkheiser, to amend the motion to pay the check listing of 10/03/2016 with the withdrawal of the Boucher & James Invoice for the Adman Outdoor review. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Roll call for the main motion above to approve the Check Listing of 10/03/2016: Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Jane Cilurso, Twp. resident, questioned the duties of Patrick Briegel. C. Vogt noted he is a consultant for sewer related issues.

REPORTS:

Report of the President, none

Commissioners Comments:

Bob DeYoung, Vice President, none.

Ellen Gndt, Commissioner, requested an executive session regarding personnel immediately after the meeting.

Judi Coover, Commissioner, reported on the status of the draft sign ordinance. Discussion followed.

B. DeYoung made a motion, seconded by J. Lastowski, to send the draft Sign Ordinance back to the Monroe County Planning Commission to cut out the clear violations, final mark ups, and add additional 'cleanup' recommendations submit back to the Pocono Township Planning Commission for review in an estimated two to three weeks. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

J. Coover requested an update on the CPR Training. Adam Maziuk, St. Luke's Ambulance Services, will work with C. Vogt to schedule classes.

Jerry Lastowski, Commissioner, discussed the Run for the Red status; Twp. manager's vacation time and emergency contact list; and suggested obtaining a grant writer for the Township. J. Tresslar, Twp. Engineer, noted Boucher & James, Inc. offers grant writing assistance.

EMERGENCY SERVICES REPORTS:

ADMINISTRATION REPORT:

Township Manager's Report

457 Plan Adoption Agreement and Plan Summary - No action

Pocono Manor Letter of Support - C. Vogt explained the request. Discussion followed.

J. Lastowski made a motion, seconded by J. Coover to authorize the Twp. Manager to write a letter of Support for the UGI Gas line extension to Pocono Manor. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Ambulance Service

a) Suburban Ambulance - C. Vogt noted Suburban through their attorney has requested to be released from their obligation. Suburban was not represented at the meeting.

Adam Maziuk, St. Luke's Ambulance, gave an overview of the transition for switching ambulance services. Discussion on a 30 day notice to allow current Board members to serve on other Ambulance Boards.

Linda Smith, former CPA employee, requested the Board consider waiting as per A. Maziuk's recommendation.

Jimmy Schlier, Twp. resident, questions concerning the closing of Suburban Ambulance.

Jake Singer, Twp. resident, presented a petition of names in favor of St. Luke's Ambulance.

Adam Maziuk noted St. Luke's Ambulance will honor current Suburban subscribers.

E. Gndt made a motion, seconded J. Lastowski, to designate St. Luke's Ambulance as Pocono Township's primary service effective 6:00 p.m., 10/4/2016 - H. Werkheiser requested L. DeVito, Twp. Solicitor, review the terms of the agreement. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

J. Lastowski made a motion, seconded by E. Gndt, to authorize the Twp. Manager, to write a letter to Suburban Ambulance to terminate the current agreement, effective at 6:00 p.m., 10/04/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Ramona Shupp, Twp. resident, thanked the Board for choosing St. Luke's Ambulance as primary services.

Linda Smith, Twp. resident, noted 85% of Central Pocono Ambulance former employees are now St. Luke's Ambulance employees.

Zoning Hearing Board Secretary - J. Coover made a motion, seconded by B. DeYoung, to hire Melissa Leonard at a rate of \$17.00 per hour (approximately 5 hours per month) as part-time Zoning Hearing Board Secretary. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Library's request for meeting room dates in 2017 - C. Vogt noted the Pocono Township's Library requests for meeting room dates. J. Coover requested the library change their children programs on Thursday morning to another date and time.

Budget review dates: Discussion on the review dates and final dates to advertise.

American Legion Request - C. Vogt noted they are requesting the Township consider donating the TLC Park, placement of a Monument on the site, and the placement of a banner on Rt. 611. Discussion followed.

North Central Agreement - J. Coover made a motion, seconded by H. Werkheiser, to ratify authorizing the Twp. Manager signing of Attachment A. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

DRAFT**Public Works Report**

Paving Project and Line Painting update - C. Vogt updated the board on the status of the paving and line painting. Paving should be completed in two weeks, weather permitting.

Heritage Center Sidewalk plans - C. Vogt noted he is working with Charlie Trapasso for the sidewalks and handicap requirements. Discussion followed. J. Coover made a motion, seconded by J. Lastowski, to authorize the Twp. Manager to engage a contractor to install the ADA compliant sidewalks around the new Heritage Center based on 3 written quotes not to exceed \$6,000.00. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Charlie Trapasso questioned if the fill will be included. C. Vogt noted it should be included for the area near the building.

Charlie Trapasso questioned the status of the new banner location. J. Coover noted both poles are owned by Verizon and she is working with them to obtain permission. Discussion followed.

DEP September 20th NOV - C. Vogt, Twp. Manager, noted the reports were completed but not mailed. He noted Patrick Briegel is working on the change of names on the permits. E. Gndt requested the SSO reports and noted they should be part of the agenda package.

Finance Committee - J. Coover requested the June year to year expense to revenue report. C. Vogt noted the September report be ready for the first meeting in November.

Township Solicitor Report -

- 1) L. DeVito noted the application for reconsideration of the argument for Marchenko was submitted jointly with Todd Weitzmann.
- 2) The two hearings for Adam's Outdoor will be rescheduled until November.
- 3) The Conditional Use hearing for Summit Health Campus was continued until 10/20/2016 at 6:00 p.m. He requested direction from the board if the Transcripts will be needed. Discussion followed. The Board concurred not to order the Transcripts.

Christopher Ortolan, Twp. resident, requested the Board consider moving forward with changing the Ordinance to limit short term rentals. He noted the length of time the Marchenko appeal has taken. J. Lastowski requested the Twp. Manager, to place the short term rental problem on the next work session meeting.

Township Engineer Report:

- 1) SALDO Proposed Amendments - J. Tresslar, Twp. Engineer, explained the 5 SALDO policy amendments were sent to the Board for review. Discussion followed. J. Coover made a motion, seconded by J. Lastowski, to authorize the changes to the SALDO as recommended by the Planning Commission and subsequent recommendation to the BOC and the amended SALDO to be forwarded to the MCPC for final review and comment and final Planning Commission review. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.
- 2) Indemnification Agreement for Schlier's Motorcycle Dealership's drainage facilities into PennDOT Stormwater which requires Pocono Township to be the HOP Permittee. - Discussion on the requirement of an Indemnification Agreement. J. Schlier spoke noting he cannot start construction until a Developer's Agreement is approved. J. Tresslar requested direction from the Board to submit the PennDOT permit. J. Coover made a motion, seconded by R. DeYoung, to not require an Indemnification Agreement outside of the Developers Agreement and authorize the Twp. Engineer to apply for the PennDOT permit for the Drainage facility at 108 Hilltop Drive, Tannersville, PIN:12637201178772. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

DRAFT**RESOLUTIONS:**

Resolution 2016-46 - Resolution 457 Plan Restated and Amended Plan Documents - J. Lastowski made a motion, seconded by E. Gndt, to adopt Resolution 2016-46 - 457 Plan Restated and Amended Plan Documents. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

PUBLIC COMMENT:

Helen Coco, Twp. resident, requested a letter from the Township that she is deferred from the sewer connection. C. Vogt explained the letter from the realtor did not say it was listed for sale.

ADJOURNMENT INTO EXECUTIVE SESSION: H. Werkheiser made a motion, seconded by B. DeYoung, to adjourn the meeting at 9:15 p.m. into executive session to discuss a personnel issue, until 10/17/2016 at the Pocono Township Municipal Building, Tannersville, Pa. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

POCONO TOWNSHIP BOARD OF COMMISSIONERS
WORK SESSION MINUTES

DATE: October 14, 2016

TIME: 9:00am

PLACE: Township Building

PRESIDING COMMISSIONER: Bob DeYoung, Vice President

ROLL CALL: Ellen Gndt, Present
Bob DeYoung, Present
Harold Werkheiser, Absent
Jerry Lastowski, Present
Judi Coover, Present
Charlie Vogt, Manager, Present

NO CITIZENS APPEARED OFFICIALLY AND TESTIFIED.

NO OFFICIAL ACTIONS OR ROLL CALL VOTES WERE TAKEN.

THE WORK SESSION WAS ADJOURNED AT: 1:15pm

Pocono Township Check Listing
October 17, 2016

General Fund	<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
	10/14/2016	54987	Teamster Local 773	Non uniform union dues	481.00
	10/14/2016	54988	Teamster Local 773	Police union dues	1,139.00
	10/14/2016	54989	BIU of PA, Inc.	BIU Permits/ZO Services	10,608.68
	10/14/2016	54990	D.G. Nicholas Co.	Parts/Supplies	753.27
	10/14/2016	54991	Francis Smith & Sons Inc	Gas Card/Setups	190.00
	10/14/2016	54992	Shimohori, Takako	Reimbursement for Pavilion	48.50
	10/14/2016	54993	Weitzmann, Weitzmann & Huffman, LL	ZHB Kleyman/Marchenko/Prograde	3,012.38
	10/14/2016	54994	AT&T National Compliance Center	Cell Tower search - Police	75.00
	10/14/2016	54995	Beacon Athletics	Pitcher Plates	1,019.00
	10/14/2016	54996	Boucher & James, Inc.	General Engineering	1,065.07
	10/14/2016	54997	Brodhead Creek Regional Authority	Sewer bill	210.07
	10/14/2016	54998	Broughal & DeVito, L.L.P.	Legal/Police/Civil/General/Planning	6,286.78
	10/14/2016	54999	Cardmember Service	Office Supplies - Twp.	68.29
	10/14/2016	55000	Cramer's Home Building Center	Chainsaw part	209.12
	10/14/2016	55001	Cyphers Truck Parts	Truck Part - Top Kick	164.63
	10/14/2016	55002	Davidheiser's Inc.	Tracker calibration	42.00
	10/14/2016	55003	DCED	UCC Training fees	384.00
	10/14/2016	55004	Donna Kenderline Reporting	Stock/Summit Heights Hearings	210.00
	10/14/2016	55005	Cardmember Service	Emailservice/training/Toner	287.81
	10/14/2016	55006	Galls	Protective Gloves	176.80
	10/14/2016	55007	Gotta Go Potties, Inc	Porta-Pottie - Park	150.00
	10/14/2016	55008	Hanson Aggregates Pennsylvania LLC	#1 Stone	439.76
	10/14/2016	55009	HUNTER KEYSTONE PETERBILT	Truck #9 - Parts	32.46
	10/14/2016	55010	J & B Auto	Vehicle Repairs - Police	606.15
	10/14/2016	55011	Janine Glenn, Graphic Artist	Graphics Bicentennial	45.00
	10/14/2016	55012	Johanna Distributions	Coffee Supplies	86.00
	10/14/2016	55013	Keystone Business Products	Copier	1,008.62
	10/14/2016	55014	Kimball Midwest	Truck Parts	81.80
	10/14/2016	55015	Lawrence B. Fox P.C.	Legal - Civil Service	2,512.50
	10/14/2016	55016	Lawson Products	Truck Parts	1,875.04
	10/14/2016	55017	Leon Clapper, Inc.	Boiler service	1,655.00
	10/14/2016	55018	Macmillan Oil Co., Of Allentown	Motor Oil/Grease	531.00
	10/14/2016	55019	Metropolitan Telecommunications	Phones - Twp/Park	526.19
	10/14/2016	55020	Metropolitan Telecommunications	Phones - Police	263.30
	10/14/2016	55021	Network Fleet	GPS Service	355.40
	10/14/2016	55022	Otto, Carol	Cleaning two weeks	550.00
	10/14/2016	55023	PA Dept of Labor & Industry - B	Boiler Inspection	151.00
	10/14/2016	55024	PAPCO, Inc.	Gasoline	2,113.10
	10/14/2016	55025	PENTELEDATA	Internet service	124.95
	10/14/2016	55026	PMHIC	Health Insurance	57,612.78
	10/14/2016	55027	Otto, Carol	Cleaning - One week - Oct 28th and Oct 29th	275.00
	10/14/2016	55028	PMAA	Job Posting Public Works	50.00
	10/14/2016	55029	Pocono Record	Advertising	2,441.50
	10/14/2016	55030	PPL Electric Utilities	Electric - Signals/Twp/Park	1,346.68
	10/14/2016	55031	Praxair Dist Mid-Atlantic	Supplies	25.14
	10/14/2016	55032	Prosser Laboratories, Inc.	Water testing Park	190.00
	10/14/2016	55033	Recyle Logistics and Transport LLC	Tire recycling	258.00
	10/14/2016	55034	Sparkle Car Wash	Car washes - Police	60.00
	10/14/2016	55035	Stadium International Trucks	Truck service	105.50
	10/14/2016	55036	Staples Advantage	Office Supplies - Twp.	219.64
	10/14/2016	55037	STTC Service Tire Truck Centers, INC.	Tires/Repair	1,371.96
	10/14/2016	55038	Sundance Networks, Inc.	IT service - Twp./Police	2,007.00
	10/14/2016	55039	Tulpehocken Mountain Spring Water In	Water	63.00
	10/14/2016	55040	UNIFIRST Corporation	Carpets/Uniforms	326.20
	10/14/2016	55041	Unum Life Insurance	Life Insurance	2,006.00
	10/14/2016	55042	Waste Management of Pennsylvania, In	Fall Cleanup	5,858.15
	10/14/2016	55043	Wilson Products Compressed Gas Co.	Cylinder Rental	6.60
	10/14/2016	55044	PPL Electric Utilities	Alger Ave. Light	14.48
	10/14/2016	55045	PPL Electric Utilities	Sullivan Tr./715	50.74
	10/14/2016	55046	Ward, Jacqueline	Pavilion Reimbursement	193.90
	10/14/2016	55047	PNC Equipment Finance	2011 Equipment Loader payment	1,014.30

TOTAL General Fund \$115,035.24

**Pocono Township Check Listing
October 17, 2016**

Sewer Operating Fund

10/14/2016 1676	PenTeleData	Internet for pump stations	359.70
10/14/2016 1677	Metropolitan Telecommunications	Phones for pump stations	57.80
10/14/2016 1678	Pocono Management Asc	Sewer management	1,860.00
10/14/2016 1679	Pocono Township	Reimburse GF for attorney fees	5,000.00
09/16/2016 1666	T&M Asc	Engineering for sewer operations	1,047.28
		TOTAL Sewer Operating Fund	<u><u>\$8,324.78</u></u>

Sewer Construction Fund

09/01/2016 178	T&M Asc	Engineering for construction	11,413.20
09/16/2016 180	T&M Asc	Engineering for construction	6,842.45
10/14/2016 183	T&M Asc	Engineering for construction	4,413.75
		TOTAL Sewer Construction Fund	<u><u>\$22,669.40</u></u>

Payroll

PAY 21 **\$76,983.10**

TOTAL General Fund

\$115,035.24

Transferred by:

TOTAL Sewer Construction Fund

\$22,669.40

TOTAL ESSA Transfer

\$137,704.64

TOTAL Sewer

Wayne Bank

\$8,324.78

Authorized by:

KENT J. WERKHEISER
Chief of Police



570-629-7200
Office
9-1-1
Emergency Number
570-629-1501
Fax Number
570-992-9911
Dispatch

POCONO TOWNSHIP POLICE

110 TOWNSHIP DRIVE
TANNERSVILLE, PA 18372

POLICE REPORT FOR SEPTEMBER, 2016

The following are the recorded activities of the Pocono Township Police Department for the month of September 2016. Also listed are the available recorded activities for September 2015.

	SEP 2016	Y-T-D 2016	SEP 2015	Y-T-D 2015
Incidents Investigated	378	3653	423	3258
Burglary Alarms Answered	60	682	80	648
Reportable Accidents Investigated	17	189	13	183
Non-Reportable Accidents	32	267	24	304
Criminal Investigations	18	283	40	289
Criminal Arrests	18	306	51	299
Juvenile Detentions	1	5	1	6
Property Receipts	24	256	39	241
Notification of Faulty Equipment	105	960	91	912
Vehicle Reports	6	13	1	20
Death Investigations	0	15	1	14
Written Warnings	153	1287	159	994
Missing Persons	1	8	0	5
Traffic Citations Issued	88	984	102	676
Non-Traffic Citations Issued	48	256	24	172
Ski Thefts	0	0	0	0
911 Hang-up Calls	67	630	58	247

Mileage all Vehicles: 13,295

Income from Report Fees: \$850.00

*- told just legal - they changed agreement - waiting on answer if should be billed but
7/18/2011*

INVOICE

PURPOSE: GMDC AUTO SALES
 ESCROW ACCOUNT - Minimum to maintain - \$2,000.00

APPLICANT INFORMATION:

Name: GMDC AUTO SALES
 Address: P.O. BOX 744
 TANNERSVILLE, PA. 18372

Date	Description	RECEIPT	DISBURSEMENT	Total
7/12/2010	ESCROW DEPOSIT CH# 1151	\$2,000.00		\$2,000.00
8/16/2010	INV. 27279		\$247.00	\$247.00
8/12/2010	INV. 60510		\$859.00	\$859.00
9/2/2010	INV. 60700		\$756.78	\$756.78
9/13/2010	INV. 27465		\$38.00	\$38.00
9/20/2010	INV. 60812 (1030247R)		\$599.50	\$599.50
11/16/2010	INV.61180(103247R)		\$593.00	\$593.00
11/15/2010	INV. 27917		\$38.00	\$38.00
12/13/2010	INV. 28111		\$38.00	\$38.00
12/21/2010	INV. 61411		\$619.00	\$619.00
1/14/2011	INV. 28343		\$19.00	\$19.00
1/14/2011	INV. 28345		\$38.00	\$38.00
1/14/2011	INV. 28329		\$57.00	\$57.00
1/19/2011	INV. 61550 (1030247R)		\$1,194.50	\$1,194.50
2/14/2011	INV. 28525		\$19.00	\$19.00
2/14/2011	INV.28534		\$304.47	\$304.47
2/14/2011	INV.61705(1030247R)		\$956.00	\$956.00
3/14/2011	INV. 28752		\$95.00	\$95.00
3/15/2011	INV. 61870 (103247R)		\$337.50	\$337.50
4/15/2011	INV. 28943		\$285.00	\$285.00
6/13/2011	INV. 29332		\$19.00	\$19.00
7/15/2011	INV. 29555		\$874.00	\$874.00
			OVER ESCROW DEPOSIT	\$5,986.75

ADDITIONAL ESCROW PAYMENT OF \$6,000 IS REQUIRED

NEW PLANS CONT:

4) GMDC Retail Auto Sales Land Dev. As-Built Plan - The Pocono Township Planning Commission recommended Final Approval of the plan, with conditions. Sarah Bue Morris, Blue Morris Associates, Inc. represented the plan. The site will be paved after the hookup to central sewage system has been completed.. Pocono Township Planning Commission recommended approval of the plan with conditions. H. Werkheiser made a motion, seconded by F. Hess, to approve the GMDC Retail Auto Sales Land Dev. As-Built Plan with conditions:

A) Change the name of the Plan from As-Built to Final Land Development Plan
B) Submit a Developer's Agreement
C) All professional fees paid.

Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

TIME EXTENSIONS:

- A) The Reserve at Bryson's Farm Major Subdivision Plan - A 90-day Time Extension letter was received. H. Werkheiser made a motion, seconded by F. Hess, to accept the 90-day Time Extension Letter for the Reserve at Bryson's Farm Major Subdivision Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.
- B) The Lands of The Spirit at Swiftwater, Inc. (Office) - The Planning Commission recommended acceptance of a 90-day Time Extension letter. Pocono Township again requested copies of all PennDOT Correspondence - not yet received. H. Werkheiser made a motion, seconded by F. Hess, to accept the 90-day Time Extension letter for the Spirit at Swiftwater, Inc. (Office). Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

ONGOING PLANS:

- 1) Barton Glen Lots 11 and 12, Section 2 - Lot Consolidation Plan - \$300.00 Plan fee and \$1,500.00 Escrow fee paid. Plan submitted at 04/06/10 Sup'v. meeting. The Sup'v. at their 09/20/2010 mtg. accepted a Time Extension letter until 12/31/2011. The last Supervisors' meeting is 12/20/2010, The plan was tabled at the 12/06/2010 Sup'v. mtg. A Time Extension Letter was received until 02/28/2011. F. Hess made a motion, seconded by H. Werkheiser, to accept the Time Extension Letter until 02/28/11, and table the plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

UNFINISHED BUSINESS:

- 1) A Special Meeting will be held on 12/23/2010 at 10:00 a.m. for adoption of the 2011 Pocono Township Budget.

NEW BUSINESS: None

TAX CODE NO. 12/8/2/72

DEED

THIS INDENTURE, made the 23rd day of August, 2016 between Percudani House III LP of 2138 Croasdale Road, Stroudsburg, PA 18360, Grantor, hereinafter referred to as party of the first part;

-AND-

Homes of the Poconos, LLC of PO Box 980, Marshalls Creek, PA 18335, Grantee, hereinafter referred to as party of the second part;

WITNESSETH, that in consideration of Three hundred seventy five Thousand Dollars (\$375,000.00) in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, its successors or assigns,

ALL THAT CERTAIN lots or pieces of land situate in the Township of Pocono, County of Monroe and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1: BEGINNING at a corner in the middle of a small stream and in the westerly right of way line of the State Highway (Lackawanna Trail) from which point a cross marked in the middle of a concrete bridge bears South 63 degrees 40 minutes East distant 7.1 feet, thence in and along said stream and land of John H. Shellenberger North 64 degrees 40 minutes West 78 feet to a corner in said stream; thence still by the same North 44 degrees West 77 feet to an iron in said stream and in line of land of Clarence Brown; thence by land now or formerly of Clarence Brown North 40 minutes East 55 feet to a corner; thence by land of Katherine Beck, of which this was formerly a part, South 54 degrees East 151 feet to a corner in the westerly right of way line of the above mentioned Highway, from which point an iron bolt bears South 54 degrees West distant 7 feet; thence along the Westerly side of said Highway South 7 degrees 15 minutes East 55 feet to the place of BEGINNING. CONTAINING .21 acre, more or less. Surveyed August 3, 1949, by H.E. Frankefield, C.E.

TRACT NO. 2: BEGINNING at a pipe in line of lands of Harry Janson, the Northwesterly corner of lands conveyed by Katherine Beck, widow, to William J. Scheller and wife by deed dated August 10, 1949, and recorded in the Recorder's Office at Stroudsburg, Pa., in Deed Book Vol. 172, Page 177, thence by lands of Harry Janson North 0 degrees 40 minutes east 77.4 feet to a pipe, thence by the same North 83 degrees 10 minutes East (at 85.58 feet passing a pipe) 95.58 feet to a point; thence along the Westerly right of way line of the Lackawanna Trail, parallel to and distant 35 feet from the center line of the concrete pavement in said road, South 8 degrees 25 minutes East 174.72 feet to a point; thence by lands of William J. Scheller and wife North 54 degrees West (at 7 feet passing a pipe) 144 feet to the place of BEGINNING. CONTAINING .285 acre.

THE ABOVE DESCRIBED PROPERTY is more accurately described by a survey performed by Martin and Robbins, Registered Surveyors, prepared June 25, 1985, as follows:



COUNTY OF MONROE

RECORDER OF DEEDS
 610 MONROE STREET
 SUITE 125
 STROUDSBURG, PA 18360
 Area Code (570) 517-3969

Josephine Ferro - Recorder

Instrument Number - 201620933
 Recorded On 8/30/2016 At 10:01:38 AM

Book - 2477 Starting Page - 2862
 * Total Pages - 3

- * Instrument Type - DEED
- Invoice Number - 715048
- * Grantor - PERCUDANI HOUSE III LP
- * Grantee - HOMES OF THE POCONOS LLC
- User - FRC
- * Customer - SIMPLIFILE LC E-RECORDING

*** FEES**

STATE TRANSFER TAX	\$3,750.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$35.50
RECORDING FEES	\$13.50
AFFORDABLE HOUSING	\$13.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TAX CODE CERTIFICATION	\$10.00
FEES	
POCONO MOUNTAIN	\$1,875.00
SCHOOL REALTY TAX	
POCONO TOWNSHIP	\$1,875.00
TOTAL PAID	\$7,577.50

RETURN DOCUMENT TO:
 MOUNT BETHEL ABSTRACT, INC.
 3013 N. DELAWARE DRIVE & #10; P.O. B
 MT. BETHEL, PA 18343

MC GIS Registry UPI Certification
 On August 30, 2016 By CAB

TAX ID #
 12/8/2/72
 Total Tax IDs: 1



I Heraby CERTIFY that this document is recorded in the Recorder's Office of Monroe County, Pennsylvania

Josephine Ferro

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW THE LAST PAGE
 OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

055AEF



POCONO TOWNSHIP

www.poconopa.gov

September 22, 2016

Spirit of Swiftwater, Inc.
Anthony Maula
117 Pipher Lane
Stroudsburg, PA 18360

Re: Spirit of Swiftwater

Dear Mr. Maula:

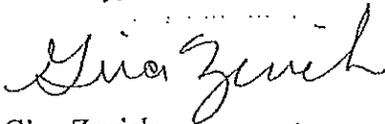
Enclosed is the current escrow statement for you the Spirit of Swiftwater development plan. The remaining balance after disbursing funds in September for invoices on your behalf is \$1,080.92.

As per Pocono Township's Fee Schedule Resolution #550 – Professional Escrow – adopted 05/28/2009, a minimum escrow amount must be maintained per plan submission, until completion of the project. As per your professional services agreement, if your escrow balance falls below half the original amount, it must be replenished. In addition, the Township has adopted the policy to suspend all plan reviews and inspections on projects if the escrow account becomes delinquent.

This is the second notice that we are in receipt of an invoice from T&M Associates in the amount of \$2,714.74. Since your escrow account does not have the funds to cover this invoice, we are asking you to please remit a check in the amount of \$7,308.09 at your earliest convenience so that any future invoices may be paid on a timely basis.

If you have any questions, please do not hesitate to call me at 570-629-1922, Ext. 221.

Sincerely,



Gina Zuvich
Treasurer
Pocono Township



Boucher & James, Inc.
CONSULTING ENGINEERS

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

September 22, 2016

Mr. Charles Vogt, Township Manager
Mr. Pat Briegel
Pocono Township
112 Township Drive
Tannersville, PA 18372

**SUBJECT: THE CROSSINGS PREMIUM OUTLETS STORAGE BUILDING
SEWAGE FACILITIES PLANNING MODULE EXEMPTION REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630007R**

Dear Messrs. Vogt and Briegel:

We have performed our second review of the Sewage Facilities Planning Module Exemption request for the above referenced project. The submitted information includes the following items:

- PADEP Sewage Facilities Planning Module Exemption Form.
- PNDI Resolution Letter from the U.S. Fish and Wildlife Service dated July 7, 2016.
- Brodhead Creek Regional Authority Will Serve Letter dated August 29, 2016.

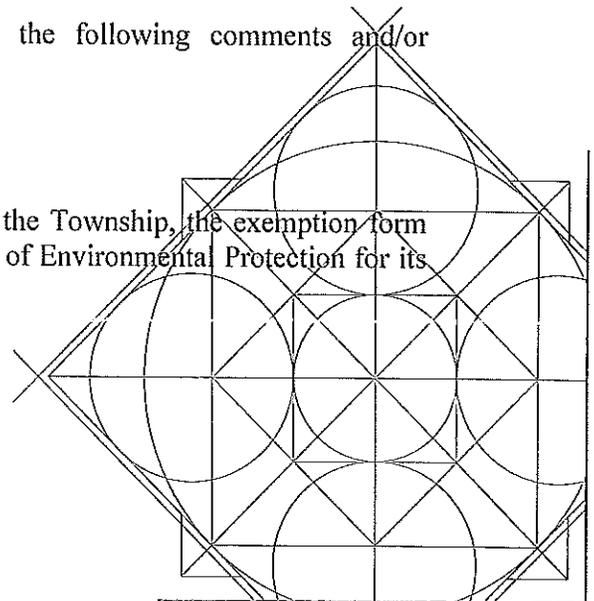
The proposed development includes construction of an 1,800 square foot storage/maintenance building. The proposed storage/maintenance building will be located within the footprint of an existing sewage treatment building.

The Applicant is requesting an exemption from sewage planning. The proposed development is located within the Pocono Township's sewage service area depicted on the Pocono Township Act 537 Plan. *The development is anticipated to generate less than 100 gallons per day, or <1 EDU, of sewage flows.* The Applicant indicates that no new employees will contribute to the sewage flows. The sewage flows will be conveyed through the 611 Interceptor, and treated at the Brodhead Creek Regional Authority's Joint Municipal Waste Water Treatment Plant.

Based on our review of the above information, we offer the following comments and/or recommendations for your consideration.

1. Satisfied.
2. Satisfied.

All previous comments have been addressed. Upon review by the Township, the exemption form should be signed and submitted to the Pennsylvania Department of Environmental Protection for its review.



Charles Vogt, Township Manager
Pat Briegel
September 22, 2016
Page 2 of 2

Please contact me if you have any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tresslar". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/mep/clg

Enclosure(s)

cc: Pamela Finkbeiner – Pocono Township Secretary
Leo Devito, Esquire – Township Solicitor
Lisa Pereira, Esquire
Deanna L. Schmoyer, P.E. – Borton Lawson, Applicant's Engineer
Chelsea Pocono Finance, LLC – Owner/Applicant
Melissa E. Prugar, P.E. – Boucher & James, Inc.

Return Correspondence/Forms to:
Borton-Lawson Engineering
Attn: Brian Palmiter, Jr.
613 Baltimore Drive
Wilkes-Barre, PA 18702

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pocono District Office

2174B, Route 611

Swiftwater, PA 18370-7746

DEP USE	
Components Sent	
Onlot Disposal	<input type="checkbox"/>
Collection and Treatment	<input type="checkbox"/>
Planning Agency Review	<input type="checkbox"/>
Exempt from Planning	<input type="checkbox"/>
Code	_____
Date	_____

"Fold Here"

1. Development Information

Name of Development Crossing Premium Outlets Storage Bldg.
Developer Name Chelsea Pocono Finance, LLC.
Address 60 Columbia Road, Building "B", 3rd Floor
Morristown, NJ 07960
Telephone # (973) 403-3198
Email jvillapiano@simon.com

2. Location of Development

a. County Monroe
b. Municipality Pocono Township
c. Address or Coordinates 1000 Premium Outlets Drive
Tannersville, PA 18372
d. Tax Parcel # 12/92286, 12/7/1/18-3, 12/113656, 12/8/2/18-3,
12/111139, 12/7/1/14, 12/7/1/13, 12/7/1/12, 12/119735, 12/7/1/11,
12/93648
e. USGS Quad Name Mount Pocono
inches up 7 over 4
from bottom right corner of map.
f. Located in a High Quality/Exceptional Value watershed?
[X] Yes [] No

3. Type of Development Proposed (check appropriate box)

[] Residential [] Multi-Residential
Describe
[X] Commercial [] Institutional
Describe The addition of an 1800 sf maintenance building to
the Crossings Premium Outlets campus.
[] Brownfield Site Redevelopment
[] Other (specify)

4. Size

a. # of lots 1 # of EDUs < 1 *SEE NOTE
b. # of lots since 5/15/72 1 *NOTE: NO NEW EMPLOYEES
c. Development Acreage 47.96 WILL CONTRIBUTE TO
d. Remaining Acreage 0 SEWAGE FLOWS

5. Sewage Flows < 100 gpd

6. Proposed Sewage Disposal Method (check applicable boxes)

a. [X] Sewerage System
[X] Existing (connection only) [] New (extension)
[] Public [] Private
[] Pump Station(s)/Force Main [] Gravity
Name of existing system being extended
N/A
Interceptor Name 611 Interceptor
Treatment Facility Name Brodhead Creek Regional
Authority
NPDES Permit # PA0029289
b. [] Construction of Treatment Facility
[] With Stream Discharge
[] With Land Application (not including IRSIS)
[] Other
[] Repair?
Name of waterbody where point of discharge is proposed
(if stream discharge)

c. [] Onlot Sewage Disposal Systems
(check appropriate box)
[] Individual onlot system(s) (including IRSIS)
[] Community onlot system
[] Large-Volume onlot system
d. [] Retaining tanks
Number of Holding Tanks
Number of Privies

7. [] Request Sewage Facilities Planning Module forms in electronic format

8. Request for Planning Exemption

a. Protection of rare, endangered or threatened species
Check one:
[X] The "PNDI Project Environmental Review Receipt" is attached,
or
[] A completed "PNDI Project Planning & Environmental Review
Form," (PNDI Form) is attached. I request DEP staff to complete
the required PNDI search for my project. I realize that my planning
exemption will be considered incomplete and that the DEP
processing of my planning exemption request will be delayed, until
a "PNDI Project Environmental Review Receipt" and all supporting
documentation from jurisdictional agencies (when necessary)
is/are received by DEP.

Applicant or Consultant Initials

b. [X] Plot Plan Attached [] Site Reports Attached

c. Onlot Disposal Systems

(1) I certify that the Official Plan shows this area as an onlot
service area.

(Signature of Municipal Official) / Date

Name (Print) / Title

Municipality (must be same as in 2.b.)

Telephone #

(2) I certify that each lot in this subdivision has been tested
and is suitable for both a primary and replacement
sewage disposal system.

Signature of SEO / Date

Name (Print) / Certification #

Telephone #

(3) I certify that each lot in this subdivision is at least 1 acre in
size

(Signature of Project Applicant/Agent) / Date

d. Public Sewerage Service (i.e., ownership by municipality or
authority)

Based upon written documentation, I certify that the facilities
proposed for use have capacity and that no overload exists or
is projected within 5 years. (Attach documents.)

(Signature of Municipal Official) / Date

Name (Print) / Title

Municipality (must be same as in 2.b.)

Telephone #

PNDI # 604967-FINAL-1

USFWS Project # 2016-1008

U.S. FISH AND WILDLIFE SERVICE
110 Radnor Road, Suite 101, State College, PA 16801

This responds to your inquiry about a PNDI Internet Database search that resulted in a potential conflict with a federally listed, proposed or candidate species.

PROJECT LOCATION INFORMATION

County: Monroc
Township: Pocono

MISC INFORMATION

Date received by FWS: 06/06/2016
 ACTIVE ARCHIVE

USFWS COMMENTS FAXED MAILED

To: Brian Palmiter

Fax #: 570.821.1990

Affiliation: Borton Lawson

SPECIFIC PROJECT: The Crossings Premium Outlets Storage Buildings

FISH AND WILDLIFE SERVICE COMMENT(S):

NOT LIKELY TO ADVERSELY AFFECT

The federally listed bog turtle (Clemmys muhlenbergii) occurs or may occur in or near the project area. However, based on our review of the information provided, including the project description and location (_____),

no adverse effects to this species are likely to occur. If there is any change in the location, scale, scope, layout or design of the project, further consultation or coordination with the Service will be necessary.

The above determination is valid for two years from the date of this letter. In addition, this response relates only to federally listed, proposed, and candidate species under our jurisdiction, based on an office review of the proposed project's location and anticipated impacts. No field inspection of the project area has been conducted by this office. Consequently, comments on this form are not to be construed as addressing other Service concerns under the Fish and Wildlife Coordination Act or other authorities. *Please reference the above PNDI # and USFWS Project # in any future correspondence regarding this project.*

This review was conducted by the biologist listed below. He/she can be contacted at 814-234-4090.

- | | | |
|--|---|--|
| <input type="checkbox"/> Robert Anderson (x7447) | <input type="checkbox"/> Pamela Shellenberger (x7459) | <input checked="" type="checkbox"/> Brian Scofield (x7471) |
| <input type="checkbox"/> Jennifer Kagel (x7451) | <input type="checkbox"/> Melinda Turner (x7449) | |

SIGNATURE: *Sha J. Lubanski*
Supervisor, Pennsylvania Field Office

DATE: 7/7/16

1. PROJECT INFORMATION

Project Name: **The Crossing Premium Outlets Storage Building**

Date of Review: **6/1/2016 10:52:04 AM**

Project Category: **Development, Additions/maintenance to existing development facilities**

Project Area: **0.77 acres**

County(s): **Monroe**

Township/Municipality(s): **POCONO**

ZIP Code: **18372**

Quadrangle Name(s): **MOUNT POCONO**

Watersheds HUC 8: **Middle Delaware-Mongaup-Brodhead**

Watersheds HUC 12: **Upper Pocono Creek**

Decimal Degrees: **41.048649, -75.311846**

Degrees Minutes Seconds: **41° 2' 55.1362" N, 75° 18' 42.6458" W**

2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	No Known Impact	No Further Review Required
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	No Known Impact	No Further Review Required
U.S. Fish and Wildlife Service	Avoidance Measure	See Agency Response

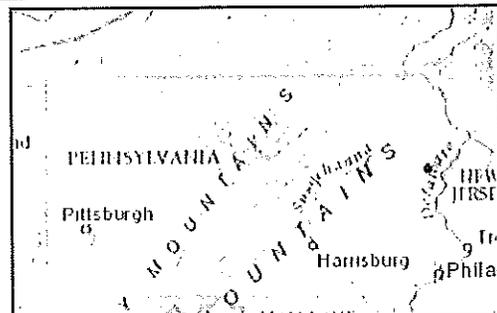
As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

Note that regardless of PNDI search results, projects requiring a Chapter 105 DEP individual permit or GP 5, 6, 7, 8, 9 or 11 in certain counties (Adams, Berks, Bucks, Carbon, Chester, Cumberland, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York) must comply with the bog turtle habitat screening requirements of the PASPGP.

The Crossing Premium Outlets Storage Building



- Project Boundary
- Buffered Project Boundary



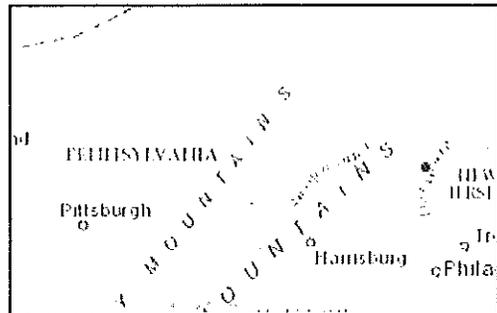
Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA,

The Crossing Premium Outlets Storage Building



- Project Boundary
- Buffered Project Boundary

Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



RESPONSE TO QUESTION(S) ASKED

Q1: Which of the following closest describes the proposed project?

Your answer is: The proposed project will be connected to, and entirely serviced by, an existing, off-site water delivery and supply line (e.g., operated by a municipality or water company).

Q2: Are there any perennial or intermittent waterways (rivers, streams, creeks, tributaries) in or near the project area, or on the land parcel?

Your answer is: Yes

Q3: Describe how wastewater (effluent) will be handled (select one). For the purpose of this question, wastewater/effluent does not include stormwater runoff. If the project involves solely the renewal or modification of an existing discharge permit (e.g., NPDES permit), select from options 3, 4, 5, or 6 below.

Your answer is: All wastewater/effluent from this project/activity will be routed to an existing municipal wastewater treatment plant.

Q4: Accurately describe what is known about wetland presence in the project area or on the land parcel by selecting ONE of the following. "Project" includes all features of the project (including buildings, roads, utility lines, outfall and intake structures, wells, stormwater retention/detention basins, parking lots, driveways, lawns, etc.), as well as all associated impacts (e.g., temporary staging areas, work areas, temporary road crossings, areas subject to grading or clearing, etc.). Include all areas that will be permanently or temporarily affected -- either directly or indirectly -- by any type of disturbance (e.g., land clearing, grading, tree removal, flooding, etc.). Land parcel = the lot(s) on which some type of project(s) or activity(s) are proposed to occur.

Your answer is: The entire project will occur in or on an existing building, parking lot, driveway, road, road shoulder, street, runway, paved area, or railroad bed.

3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are valid for two years (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission

RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Department of Conservation and Natural Resources

RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Fish and Boat Commission

RESPONSE:

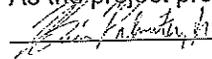
No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

U.S. Fish and Wildlife Service

RESPONSE:

Avoidance Measure: Do not conduct this project/activity within 50 feet of any streams, rivers, creeks, or tributaries. This includes both perennial and intermittent waterways.

As the project proponent or applicant, I certify that I will implement the above Avoidance Measure:

 (Signature)

SPECIAL NOTE: If you agree to implement the above Avoidance Measure, no further coordination with this agency regarding threatened and endangered species and/or special concern species and resources is required. If you are not able to comply with the Avoidance Measures, you are required to coordinate with this agency - please send project information to this agency for review (see "What to Send" section).

WHAT TO SEND TO JURISDICTIONAL AGENCIES

If project information was requested by one or more of the agencies above, upload* or email* the following information to the agency(s). Instructions for uploading project materials can be found [here](#). This option provides the applicant with the convenience of sending project materials to a single location accessible to all three state agencies. Alternatively, applicants may email or mail their project materials (see AGENCY CONTACT INFORMATION).

*Note: U.S. Fish and Wildlife Service requires applicants to mail project materials to the USFWS PA field office (see AGENCY CONTACT INFORMATION). USFWS will not accept project materials submitted electronically (by upload or email).

Check-list of Minimum Materials to be submitted:

Project narrative with a description of the overall project, the work to be performed, current physical characteristics of the site and acreage to be impacted.

A map with the project boundary and/or a basic site plan (particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)

In addition to the materials listed above, USFWS REQUIRES the following

SIGNED copy of a Final Project Environmental Review Receipt

The inclusion of the following information may expedite the review process.

Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)

Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams.

4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. Two review options are available to permit applicants for handling PNDI coordination in conjunction with DEP's permit review process involving either T&E Species or species of special concern. Under sequential review, the permit applicant performs a PNDI screening and completes all coordination with the appropriate jurisdictional agencies prior to submitting the permit application. The applicant will include with its application, both a PNDI receipt and/or a clearance letter from the jurisdictional agency if the PNDI Receipt shows a Potential Impact to a species or the applicant chooses to obtain letters directly from the jurisdictional agencies. Under concurrent review, DEP, where feasible, will allow technical review of the permit to occur concurrently with the T&E species consultation with the jurisdictional agency. The applicant must still supply a copy of the PNDI Receipt with its permit application. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. The applicant and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <https://conservationexplorer.dcnr.pa.gov/content/resources>.

5. ADDITIONAL INFORMATION

The PNDI environmental review website is a preliminary screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (www.naturalheritage.state.pa.us). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

6. AGENCY CONTACT INFORMATION

PA Department of Conservation and Natural Resources

Bureau of Forestry, Ecological Services Section
400 Market Street, PO Box 8552
Harrisburg, PA 17105-8552
Email: RA-HeritageReview@pa.gov
Fax: (717) 772-0271

U.S. Fish and Wildlife Service

Pennsylvania Field Office
Endangered Species Section
110 Radnor Rd; Suite 101
State College, PA 16801
NO Faxes Please

PA Fish and Boat Commission

Division of Environmental Services
450 Robinson Lane, Bellefonte, PA 16823
Email: RA-FBPACENOTIFY@pa.gov

PA Game Commission

Bureau of Wildlife Habitat Management
Division of Environmental Planning and Habitat Protection
2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Email: RA-PGC_PNDI@pa.gov
NO Faxes Please

7. PROJECT CONTACT INFORMATION

Name: Brian Palmiter, Jr.

Company/Business Name: Borton-Lawson Engineering

Address: 613 Baltimore Drive

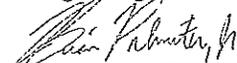
City, State, Zip: Wilkes-Barre, PA 18702

Phone: (570) 821-1994 x1240 Fax: (570) 821-1990

Email: bpalmiter@borton-lawson.com

8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.



applicant/project proponent signature

06/03/2016

date

USGS Topographic Map:
1:24,000 Quadrangle:
Mount Pocono

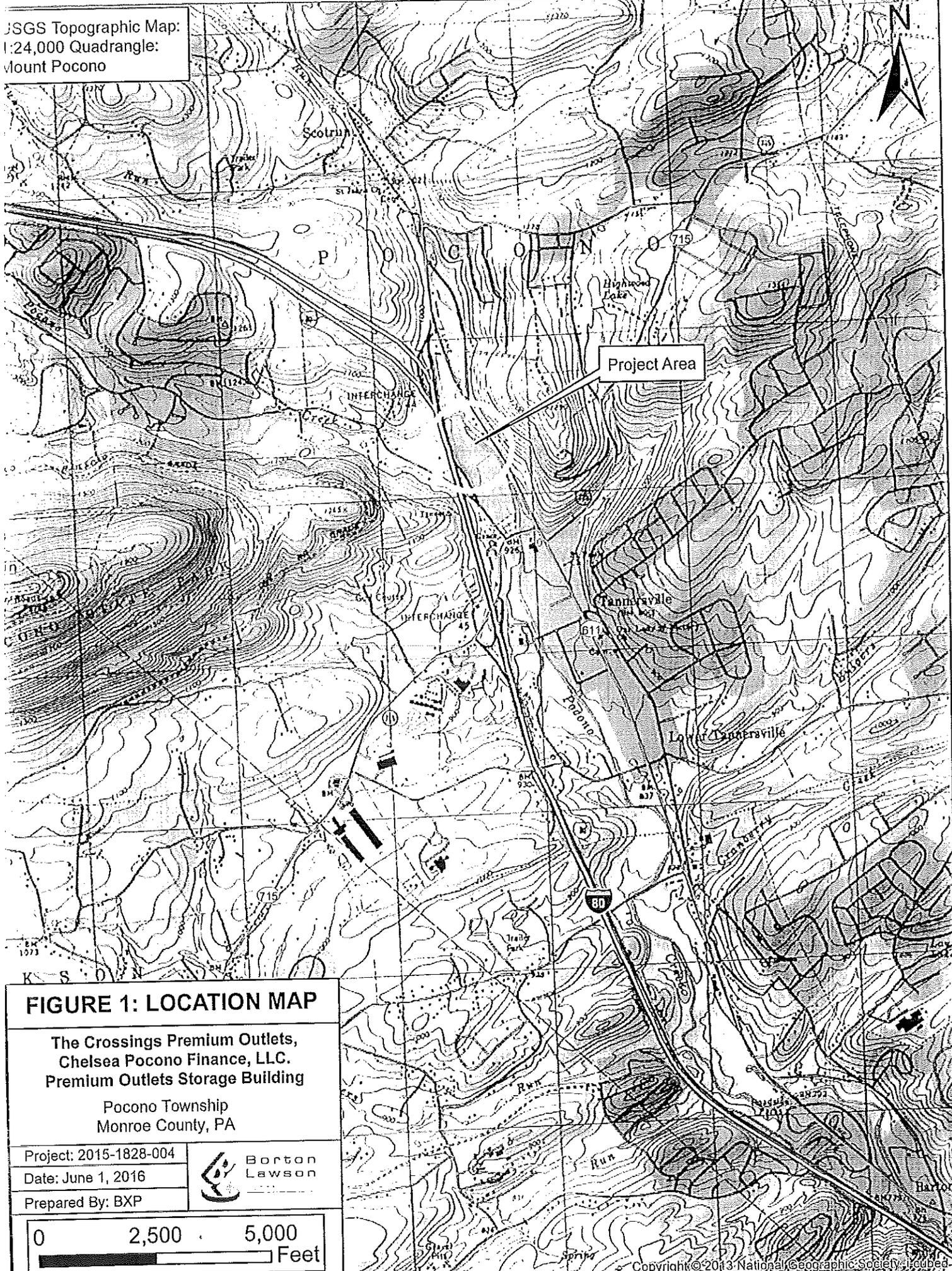
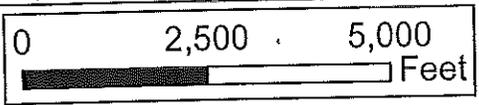


FIGURE 1: LOCATION MAP

The Crossings Premium Outlets,
Chelsea Pocono Finance, LLC.
Premium Outlets Storage Building

Pocono Township
Monroe County, PA

Project: 2015-1828-004
Date: June 1, 2016
Prepared By: BXP





Borton
Lawson

June 2, 2016

Pocono Township
P.O. Box 197
Tannersville, PA 18372

RE: The Crossings Premium Outlets: Storage Building Land Development
Wetland Evaluation
Pocono Township, Monroe County, PA

BL No.: 2015-1828-004

Dear Planning Commission and Township Commissioners:

The proposed improvements will be constructed on existing disturbed areas, of which there are no wetlands present. The proposed storage/maintenance building will be constructed on the existing sewage treatment plant footprint area. The proposed kiosk locations are within the "courtyard" areas of the shopping complex. A wetland evaluation was performed on the areas of development associated with the Sewer Connection Project, which included the area of the wastewater treatment plant. The report has been attached as a reference.

If you have any questions or require additional information, please contact me at (570) 821-1994, ext. 1304.

Sincerely,

Deanna L. Schmoyer, P.E.
Project Manager

Encl.

Bethlehem
Harrisburg
Pittsburgh
State College
Wilkes-Barre

WILKES-BARRE

613 Baltimore Drive
Suite 300
Wilkes-Barre, PA 18702

Voice: 570.821.1999

Fax: 570.821.1990



Borton
Lawson
ENGINEERING
ARCHITECTURE

June 21, 2013

Mr. John Villapiano
Simons Property Group
105 Eisenhower Parkway
Roseland, NJ 07068

RE: Wetland Investigation
The Crossings Premium Outlets
Pocono Township, PA

BL No.: 1000-0372-01

Dear Mr. Villapiano:

INTRODUCTION

Borton-Lawson conducted a wetland investigation on December 4th, 2012 of the proposed Sanitary Sewer Connection project or "Area of Interest" (AOI). The AOI is located approximately 100 feet upstream of the proposed crossing location and 300 feet downstream of the proposed crossing location on Pocono Creek, from the most southern entrance to the outlets off of S.R. 611, the area around the existing tank and the wastewater treatment plant, and the parking area behind Building A. The AOI encompassed approximately 4.3± acres that consisted of paved parking areas and a stream corridor.

METHODS

Office and field investigations were completed in accordance with the U.S. Army Corps of Engineers *Wetland Delineation Manual* (U.S. Department of the Army, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0* (U.S. Army Corps of Engineers, January 2012).

These guidance documents were used to provide the technical criteria, field indicators and recommended methods to identify any wetlands within the area of interest. Under normal conditions the routine method was utilized to identify the three criteria (hydrophytic vegetation, hydric soils and hydrology) needed to determine the presence of a wetland.

Areas that are identified as problem areas or disturbed wetlands allow for one or more of the wetland criteria to be absent. Upland test points or observation points may be documented based on the dominance of upland and facultative upland vegetation, and/or confirmation of upland soils.

The U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency jointly define wetlands as: *Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a*

WILKES-BARRE

613 Baltimore Drive
Suite 300
Wilkes-Barre, PA
18702

(P) 570.821.1994
(F) 570.821.1990

prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Chapter 105, Dam Safety and Waterway Management, of the PA Code defines a Watercourse as: *A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.* If a stream and/or channel exist on the site, their boundaries were flagged at the ordinary high water mark (OHWM). The OHWM is *"the line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas"* (33 CFR Part 328: Definition of Waters of the United States).

All test points and wetland boundaries were recorded using a Trimble Pro XH GPS unit. The GPS data were processed using Trimble GPS Pathfinder Software to refine and correct the accuracy of the points.

RESULTS

Borton-Lawson's investigation identified a total of one (1) perennial watercourse. No wetlands were observed within the boundaries of the AOI. Uplands comprised of wooded riparian areas, mowed grass and paved areas covered the remainder of the AOI.

The AOI resided within the Pocono Creek watershed, which is considered by 25 Pa Code, Chapter 93, Water Quality Standards, to have a designated use of a high quality-cold water fishery, migratory fishes (HQ-CWF, MF). No existing use classification for this watershed was listed. The Pennsylvania Fish and Boat Commission consider the section of Pocono Creek within the AOI to be Wild Trout Waters and a Class A Wild Trout Stream.

WATERCOURSES

Watercourse C1 (Pocono Creek) consisted of a perennial watercourse. The channel resided within the eastern portion of the AOI and west of S.R. 611 and flowed to the south.

The channel was approximately 30 to 45 feet wide and 5 to 9 feet deep. The water depth at the time of the field investigation was 0.5 to 2' with the bottom substrate consisting of rock, cobble and boulder. An approximate 10' wide riparian corridor exists on both sides of the Pocono Creek within the AOI, with dominant vegetation consisting of American beech (*Fagus grandifolia*) and red maple (*Acer rubrum*).

CONCLUSION

The location of the watercourse can be found on the attached Wetland Delineation Map (Figure 3). A topographic Location Map (Figure 1), Soils Map (Figure 2) and soil descriptions, photographs and field data sheets are provided as attachments to this letter report. Based on the location of the features identified within the project area, impacts to the watercourse are anticipated.

Regulatory guidance requires that impacts to wetlands and watercourses be avoided or minimized and that development activity affecting them will require permitting from the U.S. Army Corps of Engineers (USACE) and the Pennsylvania Department of Environmental Protection (DEP) under Sections 401 and 404 of the Clean Water Act



and Chapter 105 of the Pennsylvania Code respectively. No filling, excavation, draining or flooding of wetland areas can occur without appropriate permits.

If you should have any questions or comments concerning the findings of this report, please feel free to contact me in our office at (570) 821-1994 x 279.

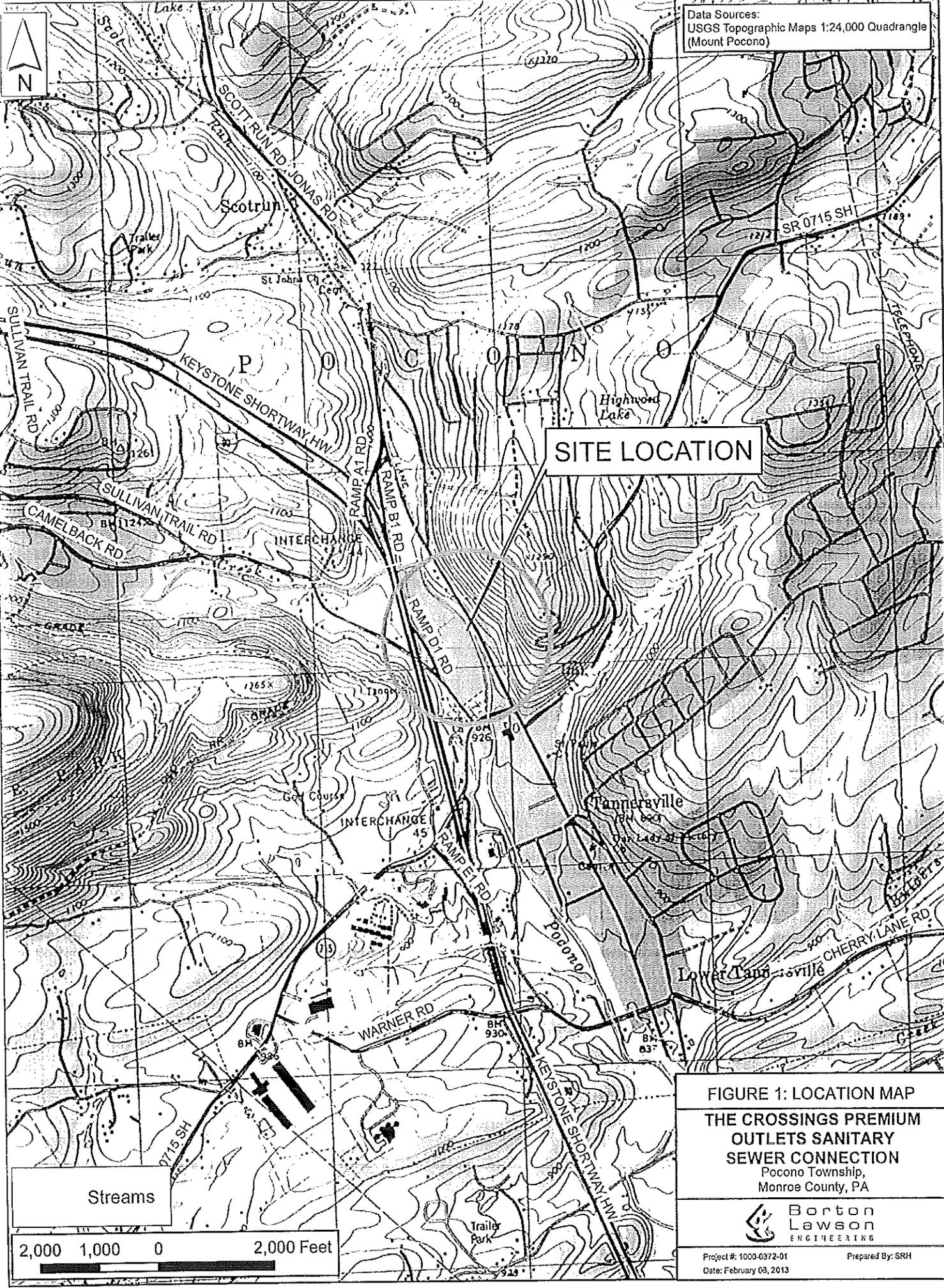
Thank you for the opportunity to be of service.

Sincerely,



Lisa M. Clementoni
Sr. Environmental Scientist
LMC/lmc
Attachments





Data Sources:
 USGS Topographic Maps 1:24,000 Quadrangle
 (Mount Pocono)

SITE LOCATION

Streams

2,000 1,000 0 2,000 Feet

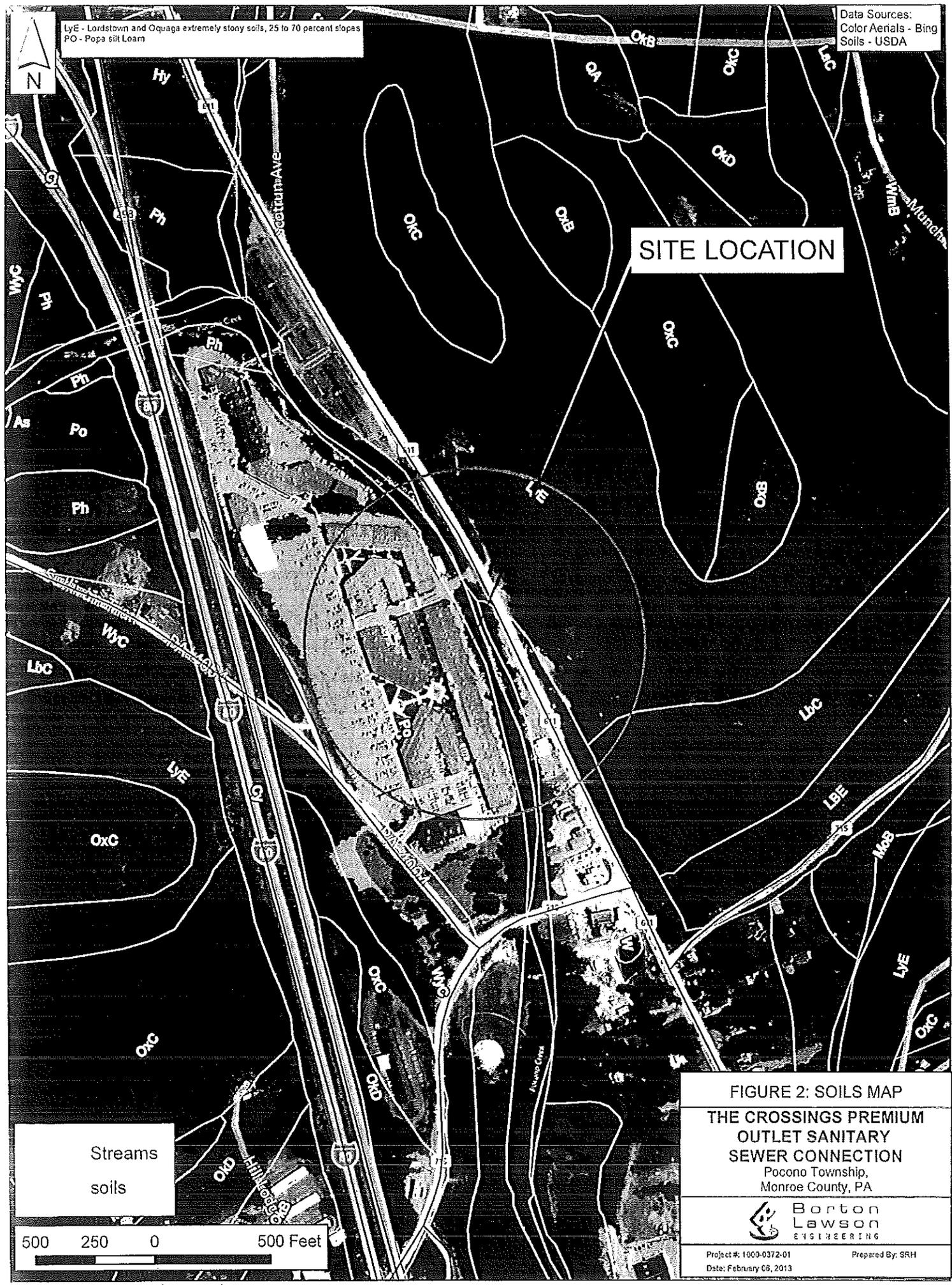
FIGURE 1: LOCATION MAP
THE CROSSINGS PREMIUM
OUTLETS SANITARY
SEWER CONNECTION
 Pocono Township,
 Monroe County, PA

 **Borton Lawson**
 ENGINEERING

Project #: 1000-0372-01 Prepared By: SRH
 Date: February 08, 2013

LyE - Lordstown and Oquaga extremely stony soils, 25 to 70 percent slopes
PO - Pops silt Loam

Data Sources:
Color Aerials - Bing
Soils - USDA



SITE LOCATION

Streams
soils

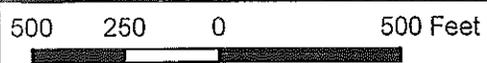


FIGURE 2: SOILS MAP
THE CROSSINGS PREMIUM
OUTLET SANITARY
SEWER CONNECTION
Pocono Township,
Monroe County, PA



Project #: 1000-0372-01
Date: February 06, 2013
Prepared By: SRH

Data Sources:
Streams - PADEP
Wetlands - NWI
Aerial Photography: Bing



FIGURE 3: WETLAND DELINEATION MAP

**THE CROSSINGS PREMIUM
OUTLET SANITARY
SEWER CONNECTION**
Pocono Township
Monroe County, PA



Project # 1000-0372-01
Date February 11 2013

Prepared By: SRH

BRODHEAD CREEK REGIONAL AUTHORITY410 Mill Creek Road
East Stroudsburg, PA 18301TELEPHONE
(570) 421-3232FAX
(570) 421-2322www.brodheadcreekregionalauthority.usE-Mail: bcra@ptd.net

August 29, 2016

The Crossings Premium Outlets
1000 Premium Outlets Drive
Tannersville, PA 18372
Attn: Colleen Ansbach, General Manager

RE: BCRA Will Serve Letter for a proposed 1800 SF Maintenance Building being added to the Crossings Premium Outlets Property on Rte 611 in Pocono Twp, Monroe County, PA

Dear Ms. Ansbach,

This letter confirms that the Brodhead Creek Regional Authority has public water supply facilities, including a water main on or adjacent to the above-referenced site and also acknowledges that this site is currently being served water by BCRA. Your engineering firm, Borton Lawson Engineering has indicated that the proposed maintenance building is not expected to increase water usage at this location. The Authority currently has the physical capacity to continue supplying domestic water service for this site and also provide fire protection if needed.

We note that the Authority's system is subject to basin commission and state regulatory requirements, including those relating to water conservation standards and drought management. Such requirements are applied equitably to all users of the Authority's system; and all users are required to comply with such measures.

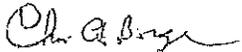
This letter does not constitute a contract or reservation of capacity. With this site already having an established water service and account, a new water service application would not be necessary and no additional EDU Fees would be anticipated under the circumstances. If water usage should increase in the future by more than 10%, BCRA would have the right to charge for additional EDU Fees.

Enclosed with this letter is a checklist of items that will need to be completed. Any and all legal and engineering fees incurred by the Authority during this review process will be billed to the owner for reimbursement to the Authority.

From this point forward, all plans, calls and communication regarding this project should come to me. For your information, my e-mail address is cborger@ptd.net and my phone number and fax are noted on this letterhead.

Please call if you have any questions.

Sincerely,

Chris A. Borger, P.E.
Operations Engineercc: Mary Beth Brush, BCRA
Kenneth R. Brown, BCRA Manager
Deana Schmoyer, Borton Lawson
File

BRODHEAD CREEK REGIONAL AUTHORITY

TELEPHONE (570) 421-3232

410 MILL CREEK ROAD
EAST STROUDSBURG, PA 18301
bcra@ptd.net

FAX (570) 421-2322

CHECKLIST OF ITEMS FOR NEW WATERLINE PROJECT

ANY ITEM CHECKED NEEDS TO BE COMPLETED FOR YOUR PROJECT

- Application fees paid (If Applicable).
- Submission of shop drawings/catalog cut sheets of all waterline equipment and materials to be reviewed and approved by BCRA Engineer prior to purchasing or installation.
- Certificate of Insurance listing BCRA as an additional insured.
- Construction schedule.
- Pressure test required.
- Bacteria testing required on 2 inch or larger service lines at owners expense. BCRA will perform two tests and have them analyzed. (\$75 per test between the hours of 7:30a.m. – 3:00p.m.) If test needs to be done during non-working hours the fee is \$100 per test.
- If this is a commercial or industrial project or a fire suppression system is being installed, a copy of the plans showing design, valving, controls and backflow protection valve must be submitted and approved by the Authority. (submit two copies of plans)
- When backflow equipment is installed, arrangements need to be made with BCRA to visually inspect installation. A certified test must be completed by a certified backflow inspector and a copy of the test results submitted to the Authority within 30 days of installation. (a list of certified testers for Backflow Protection Devices is available upon request)



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AN EMPLOYEE OWNED COMPANY
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Fax 215-345-9401

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570-629-0300
Fax 570-629-0306

539 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

September 22, 2016

Ken Brown, Executive Director
Brodhead Creek Regional Authority
410 Mill Creek Road
East Stroudsburg, PA 18301

**SUBJECT: POCONO TOWNSHIP SEWER TREATMENT CAPACITY
THE CROSSINGS PREMIUM OUTLETS PLANNING MODULE
PROJECT NO. 1630007R**

Dear Ken:

Pocono Township entered into a contract with Brodhead Creek Regional Authority (BCRA) to purchase 2,000,000 gallons of treatment capacity. EDUs are calculated at 247 gallons/EDU. This translates to a total purchased capacity of 8,097 EDUs. To date, Pocono Township has completed connection of 2,571 EDUs. Therefore, our records indicate there is remaining capacity in the BCRA treatment plant, allocated to Pocono Township, to treat the proposed flow from the development at The Crossings Premium Outlets in the amount of less than 1 EDU.

I understand the foregoing is the information BCRA requires in order to confirm with the DEP that BCRA has available treatment capacity to serve the Crossings Premium Outlets exemption request. If you need additional information, please contact me.

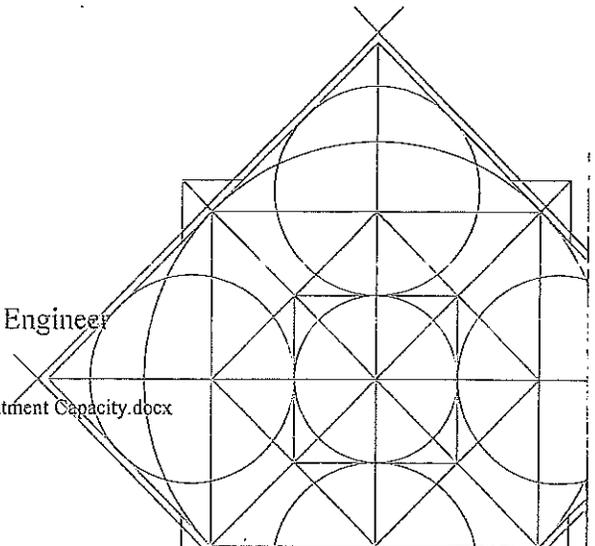
Sincerely,

Jon S. Tresslar, P.E., P.L.S.
Pocono Township Engineer

JST/cg

ec: Charles Vogt, Pocono Township Manager
Pam Finkbeiner, Pocono Township Secretary
Pat Briegel, Pocono Township
Chris Borger, BCRA
Deanna L. Schmoyer, P.E. – Borton Lawson, Applicant's Engineer
Chelsea Pocono Finance, LLC – Owner/Applicant

S:\2016\1630007R\Documents\Correspondence\Review Letters\Pocono Township Sewer Treatment Capacity.docx





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Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

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September 22, 2016

Mr. Charles Vogt, Township Manager
Mr. Pat Briegel
Pocono Township
112 Township Drive
Tannersville, PA 18372

**SUBJECT: THE CROSSINGS PREMIUM OUTLETS STORAGE BUILDING
SEWAGE FACILITIES PLANNING MODULE EXEMPTION REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630007R**

Dear Messrs. Vogt and Briegel:

We have performed our second review of the Sewage Facilities Planning Module Exemption request for the above referenced project. The submitted information includes the following items:

- PADEP Sewage Facilities Planning Module Exemption Form.
- PNDI Resolution Letter from the U.S. Fish and Wildlife Service dated July 7, 2016.
- Brodhead Creek Regional Authority Will Serve Letter dated August 29, 2016.

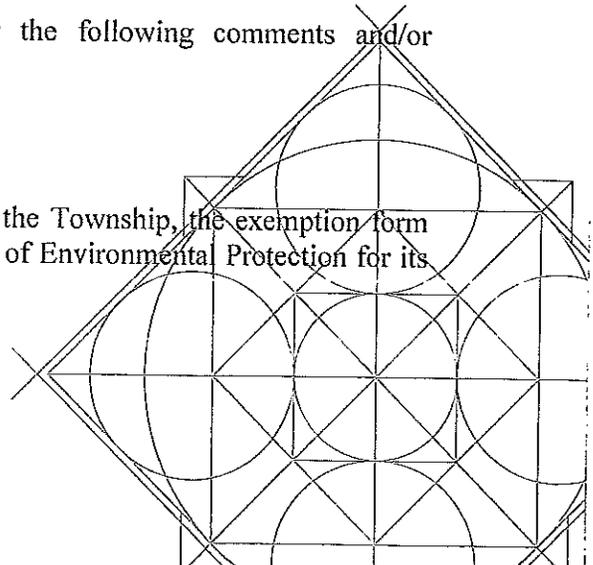
The proposed development includes construction of an 1,800 square foot storage/maintenance building. The proposed storage/maintenance building will be located within the footprint of an existing sewage treatment building.

The Applicant is requesting an exemption from sewage planning. The proposed development is located within the Pocono Township's sewage service area depicted on the Pocono Township Act 537 Plan. *The development is anticipated to generate less than 100 gallons per day, or <1 EDU, of sewage flows.* The Applicant indicates that no new employees will contribute to the sewage flows. The sewage flows will be conveyed through the 611 Interceptor, and treated at the Brodhead Creek Regional Authority's Joint Municipal Waste Water Treatment Plant.

Based on our review of the above information, we offer the following comments and/or recommendations for your consideration.

1. Satisfied.
2. Satisfied.

All previous comments have been addressed. Upon review by the Township, the exemption form should be signed and submitted to the Pennsylvania Department of Environmental Protection for its review.



Charles Vogt, Township Manager
Pat Briegel
September 22, 2016
Page 2 of 2

Please contact me if you have any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tresslar". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/mep/clg

Enclosure(s)

cc: Pamela Finkbeiner – Pocono Township Secretary
Leo Devito, Esquire – Township Solicitor
Lisa Pereira, Esquire
Deanna L. Schmoyer, P.E. – Borton Lawson, Applicant's Engineer
Chelsea Pocono Finance, LLC – Owner/Applicant
Melissa E. Prugar, P.E. – Boucher & James, Inc.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
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559 Main Street, Suite 220
Bethlehem, PA 18018
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Fax 610-419-9408

www.bjengineers.com

September 22, 2016

Ken Brown, Executive Director
Brodhead Creek Regional Authority
410 Mill Creek Road
East Stroudsburg, PA 18301

**SUBJECT: POCONO TOWNSHIP SEWER TREATMENT CAPACITY
THE CROSSINGS PREMIUM OUTLETS PLANNING MODULE
PROJECT NO. 1630007R**

Dear Ken:

Pocono Township entered into a contract with Brodhead Creek Regional Authority (BCRA) to purchase 2,000,000 gallons of treatment capacity. EDUs are calculated at 247 gallons/EDU. This translates to a total purchased capacity of 8,097 EDUs. To date, Pocono Township has completed connection of 2,571 EDUs. Therefore, our records indicate there is remaining capacity in the BCRA treatment plant, allocated to Pocono Township, to treat the proposed flow from the development at The Crossings Premium Outlets in the amount of less than 1 EDU.

I understand the foregoing is the information BCRA requires in order to confirm with the DEP that BCRA has available treatment capacity to serve the Crossings Premium Outlets exemption request. If you need additional information, please contact me.

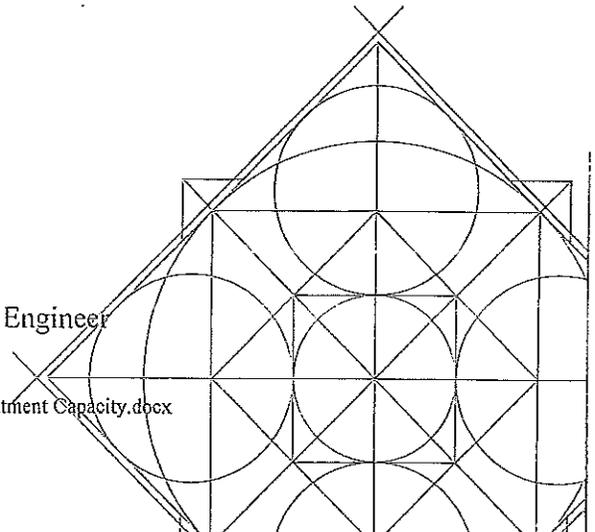
Sincerely,

Jon S. Tresslar, P.E., P.L.S.
Pocono Township Engineer

JST/cg

ec: Charles Vogt, Pocono Township Manager
Pam Finkbeiner, Pocono Township Secretary
Pat Briegel, Pocono Township
Chris Borger, BCRA
Deanna L. Schmoyer, P.E. – Borton Lawson, Applicant's Engineer
Chelsea Pocono Finance, LLC – Owner/Applicant

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1. Development Information

Name of Development Crossing Premium Outlets Storage Bldg.
Developer Name Chelsea Pocono Finance, LLC.
Address 60 Columbia Road, Building "B", 3rd Floor
Morristown, NJ 07960
Telephone # (973) 403-3198
Email jvillapiano@simon.com

2. Location of Development

a. County Monroe
b. Municipality Pocono Township
c. Address or Coordinates 1000 Premium Outlets Drive
Tannersville, PA 18372
d. Tax Parcel # 12/92286, 12/71/18-3, 12/113656, 12/812/18-3,
12/111139, 12/71/14, 12/71/13, 12/71/12, 12/119735, 12/71/11,
12/93648
e. USGS Quad Name Mount Pocono
inches up 7 over 4
from bottom right corner of map.
f. Located in a High Quality/Exceptional Value watershed?
 Yes No

3. Type of Development Proposed (check appropriate box)

Residential Multi-Residential
Describe _____
 Commercial Institutional
Describe The addition of an 1800 sf maintenance building to
the Crossings Premium Outlets campus.
 Brownfield Site Redevelopment
 Other (specify) _____

4. Size

a. # of lots 1 # of EDUs < 1 *SEE NOTE
b. # of lots since 5/15/72 1 *NOTE: NO NEW EMPLOYEES
c. Development Acreage 47.96 WILL CONTRIBUTE TO
d. Remaining Acreage 0 SEWAGE FLOWS

5. Sewage Flows < 100 gpd

6. Proposed Sewage Disposal Method (check applicable boxes)

a. Sewerage System
 Existing (connection only) New (extension)
 Public Private
 Pump Station(s)/Force Main Gravity
Name of existing system being extended
N/A
Interceptor Name 611 Interceptor
Treatment Facility Name Brodhead Creek Regional
Authority
NPDES Permit # PA0029289

b. Construction of Treatment Facility
 With Stream Discharge
 With Land Application (not including IRSIS)
 Other
 Repair?
Name of waterbody where point of discharge is proposed
(if stream discharge)

c. Onlot Sewage Disposal Systems
(check appropriate box)
 Individual onlot system(s) (Including IRSIS)
 Community onlot system
 Large-Volume onlot system
d. Retaining tanks
Number of Holding Tanks _____
Number of Privies _____

7. Request Sewage Facilities Planning Module forms in electronic format

8. Request for Planning Exemption

a. Protection of rare, endangered or threatened species
Check one:
 The "PNDI Project Environmental Review Receipt" is attached, or
 A completed "PNDI Project Planning & Environmental Review Form," (PNDI Form) is attached. I request DEP staff to complete the required PNDI search for my project. I realize that my planning exemption will be considered incomplete and that the DEP processing of my planning exemption request will be delayed, until a "PNDI Project Environmental Review Receipt" and all supporting documentation from jurisdictional agencies (when necessary) is/are received by DEP.

Applicant or Consultant Initials _____

b. Plot Plan Attached Site Reports Attached

c. Onlot Disposal Systems

(1) I certify that the Official Plan shows this area as an onlot service area.

(Signature of Municipal Official) Date

Name (Print) Title

Municipality (must be same as in 2.b.)

Telephone # _____

(2) I certify that each lot in this subdivision has been tested and is suitable for both a primary and replacement sewage disposal system.

Signature of SEO) Date

Name (Print) Certification #

Telephone # _____

(3) I certify that each lot in this subdivision is at least 1 acre in size

(Signature of Project Applicant/Agent) Date

d. Public Sewerage Service (i.e., ownership by municipality or authority)

Based upon written documentation, I certify that the facilities proposed for use have capacity and that no overload exists or is projected within 5 years. (Attach documents.)

K.R. Brown 1 9/23/16
(Signature of Municipal Official) Date

Kenneth R. Brown 1 Manager
Name (Print) Title

Brodhead Creek Regional Authority
Municipality (must be same as in 2.b.)

Telephone # 570 - 421-3232

* See Attached BCRA letter of 9/23/16 and Boucher + James letter of 9/22/16.



**BRODHEAD CREEK
REGIONAL AUTHORITY**

410 Mill Creek Road
East Stroudsburg, PA 18301

E-MAIL: bcra@ptd.net
www.bcrwater.com

TELEPHONE
(570) 421-3232
FAX
(570) 421-2322

September 23, 2016

Boucher & James, Inc.
Attention: John S. Tresslar
2738 Rimrock Drive
Stroudsburg, PA 18360

Re: Sewer Treatment Capacity
Project No. 1630007R

Dear Jon:

As you are aware, the Brodhead Creek Regional Authority (BCRA) operates the regional WWTP for the benefit of the Collection System Owners (CSOs) which include Pocono Township, Stroud Township and the Borough of Stroudsburg. As per the agreements between the BCRA and CSOs, the BCRA does not own any capacity in the WWTP. It cannot assign capacity to customers of the CSOs and it does not track the utilized or assigned capacities of the CSOs only the actual daily flows at the WWTP.

However, it does file an annual Chapter 94 report with DEP (2015 was filed) and there is capacity at the plant. In addition, per your letter of September 22, 2016, you certify that Pocono Township has sewer capacity available for "The Crossings Premium Outlets," Project 1630007R.

Based on your letter the BCRA has executed the Planning Module for this project and returned it to your attention. Please call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "K.R. Brown", with a long horizontal line extending to the right.

Kenneth R. Brown
Manager

KRB/do

cc: Charles Vogt, Pocono Township
Max Stoner, Glace Associates
John Prevoznik, Solicitor
File



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Fairy Road, Building 500
Doylestown, PA 18901
215-345-9100
Fax 215-345-9101

2738 R.rock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9403

www.bjengineers.com

September 22, 2016

Ken Brown, Executive Director
Brodhead Creek Regional Authority
410 Mill Creek Road
East Stroudsburg, PA 18301

**SUBJECT: POCONO TOWNSHIP SEWER TREATMENT CAPACITY
THE CROSSINGS PREMIUM OUTLETS PLANNING MODULE
PROJECT NO. 1630007R**

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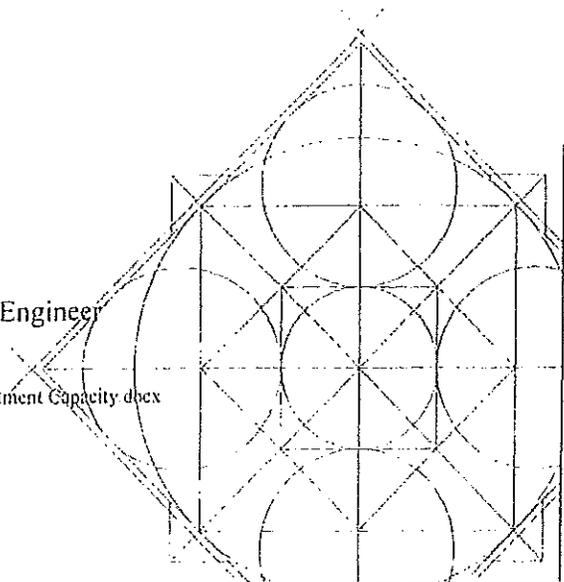
Sincerely,

Jon S. Tresslar, P.E., P.L.S.
Pocono Township Engineer

JST/cg

cc: Charles Vogt, Pocono Township Manager
Pam Finkbeiner, Pocono Township Secretary
Pat Briegel, Pocono Township
Chris Borger, BCRA
Deanna L. Schmoyer, P.E. – Borton Lawson, Applicant's Engineer
Chelsea Pocono Finance, LLC – Owner/Applicant

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Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

September 22, 2016

Mr. Charles Vogt, Township Manager
Mr. Pat Briegel
Pocono Township
112 Township Drive
Tannersville, PA 18372

**SUBJECT: THE CROSSINGS PREMIUM OUTLETS STORAGE BUILDING
SEWAGE FACILITIES PLANNING MODULE EXEMPTION REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630007R**

Dear Messrs. Vogt and Briegel:

We have performed our second review of the Sewage Facilities Planning Module Exemption request for the above referenced project. The submitted information includes the following items:

- PADEP Sewage Facilities Planning Module Exemption Form.
- PNDI Resolution Letter from the U.S. Fish and Wildlife Service dated July 7, 2016.
- Brodhead Creek Regional Authority Will Serve Letter dated August 29, 2016.

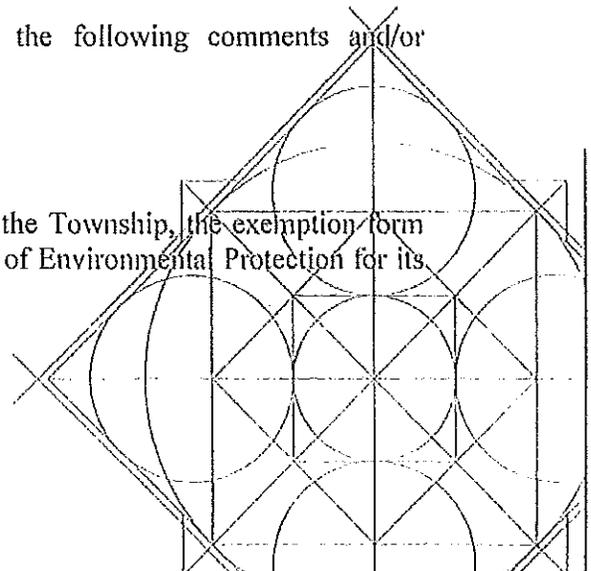
The proposed development includes construction of an 1,800 square foot storage/maintenance building. The proposed storage/maintenance building will be located within the footprint of an existing sewage treatment building.

The Applicant is requesting an exemption from sewage planning. The proposed development is located within the Pocono Township's sewage service area depicted on the Pocono Township Act 537 Plan. *The development is anticipated to generate less than 100 gallons per day, or <1 EDU, of sewage flows.* The Applicant indicates that no new employees will contribute to the sewage flows. The sewage flows will be conveyed through the 611 Interceptor, and treated at the Brodhead Creek Regional Authority's Joint Municipal Waste Water Treatment Plant.

Based on our review of the above information, we offer the following comments and/or recommendations for your consideration.

1. Satisfied.
2. Satisfied.

All previous comments have been addressed. Upon review by the Township, the exemption form should be signed and submitted to the Pennsylvania Department of Environmental Protection for its review.



Charles Vogt, Township Manager
Pat Briegel
September 22, 2016
Page 2 of 2

Please contact me if you have any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tyesslar". The signature is written in a cursive style with a long horizontal line extending to the right.

Jon S. Tyesslar, P.E., P.L.S.
Township Engineer

JST/mep/clg

Enclosure(s)

cc: Pamela Finkbeiner – Pocono Township Secretary
Leo Devito, Esquire – Township Solicitor
Lisa Pereira, Esquire
Deanna L. Schmoyer, P.E. – Borton Lawson, Applicant's Engineer
Chelsea Pocono Finance, LLC – Owner/Applicant
Melissa E. Prugar, P.E. – Boucher & James, Inc.

Poconos Memorial American Legion Post 903

PO Box 580
MT. Pocono PA 18344

Oct. 6, 2016

Commander
Thomas Bowditch
570-595-7145

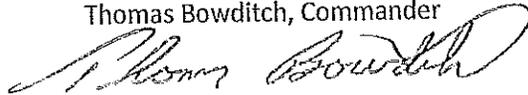
Adjutant
DB Bennett
570-420-1105

American Legion Post will install the Banner for our Veterans Day Ceremony. We will install the Banner on Sat Oct 29th. The banner will be 10FT. wide & 3Ft deep. It will read American Legion Post 903 Veterans Day Service. Friday Nov. 11th at 11:00 AM. All Welcome. As we work closely with Tobyhanna Army Depot they will be making the banner for us at no charge.

Enclosed is a copy of our insurance papers.

Thank You

Thomas Bowditch, Commander



570-595-7145

tbow49@aol.com



RENEWAL CERTIFICATE

Agent	ITEM 2. Policy Period	Policy Number
AA8225 BENNINGER INS AGY INC	04/26/16 TO 04/26/17	Q28 2600910 A

ITEM 1. Named Insured and Address
POCONOS MEMORIAL AMERICAN
LEGION POST 903 INC
548 PLEASANT RIDGE RD
CRESCO PA 18326-7181

ITEM 3. Other Interest

POLICY PERIOD BEGINS AND ENDS AT 12.01 A.M. STANDARD TIME AT THE STATED ADDRESS OF THE NAMED INSURED.

TYPE OF POLICY - OCCURRENCE
COUNTY - MONROE

BUSINESS TYPE - CORPORATION

THE ERIE'S LIMIT OF PROTECTION FOR EACH COVERAGE IS STATED BELOW.
THIS IS SUBJECT TO ALL APPLICABLE TERMS OF THE POLICY AND ATTACHED FORMS.

LIMITS OF INSURANCE

EACH OCCURRENCE LIMIT	\$1,000,000	
DAMAGE TO PREMISES RENTED TO YOU LIMIT	\$1,000,000	ANY ONE PREMISES
MEDICAL EXPENSE LIMIT	\$ 5,000	ANY ONE PERSON
PERSONAL & ADVERTISING INJURY LIMIT	\$1,000,000	ANY ONE PERSON OR ORGANIZATION
GENERAL AGGREGATE LIMIT		\$2,000,000
PRODUCTS/COMPLETED OPERATIONS AGGREGATE LIMIT		INCL IN GENERAL AGGREGATE LIMIT

COVERAGES & PREMIUMS

PREMISES/OPERATIONS	\$ 205.
PRODUCTS/COMPLETED OPERATIONS	INCLUDED

OPTIONAL COVERAGES -

TOTAL DEPOSIT PREMIUM - - - - \$ 205.

APPLICABLE FORMS - SEE SCHEDULE OF FORMS

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. _____

**A RESOLUTION GRANTING CONDITIONAL
APPROVAL OF THE G.M. & KAILAS MINOR SUBDIVISION PLAN**

WHEREAS, the applicants, G.M. & Kailas Amin, submitted a plan application titled "Final Minor Subdivision Plan of Property Tax Map Parcel 6364-00 80-1330, of Property Situate in Pocono Township, Monroe County, Pennsylvania, prepared for G.M. & Kailas Amin" (the "Plan"). The applicant proposes to divide an existing tract of land consisting of 25.67 acres into four (4) lots, in the R-1 Residential Zoning District. The parcel is owned by Ghanashyam M. & Kailas Amin and is known as Monroe County Tax Parcel No. 12/11/1/26, PIN 1236400128300; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated May 19, 2016, July 22, 2016 and September 16, 2016; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional approval of the Plan at a meeting held on September 26, 2016; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final action on this Plan.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

That the following request for modification from the Brodhead/McMichael Creek Stormwater Management Ordinance is hereby granted:

1. Section 104.B: *The applicant need not provide a drainage study as part of the minor subdivision plan submission.*

That the "Final Minor Subdivision Plan of Property Tax Map Parcel 6364-00 80-1330, of Property Situate in Pocono Township, Monroe County, Pennsylvania" as shown on the plan prepared by Brian D. Courtright, P.L.S., dated March, 2016, last revised August 26, 2016, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letter dated September 16, 2016.
2. The applicant shall pay all necessary fees associated with the Plan, including but not limited to any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.
3. The applicant shall obtain all required permits and approvals from other governmental and

regulatory agencies prior to presenting the Plan for signatures.

4. The applicant shall provide three (3) mylars for recording the plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
5. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.
6. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the _____ day of _____, 2016.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Print Name: Pamela Finkbeiner
Title: Secretary

By: _____
Print Name: Harold Werkheiser
Title: President