

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
SPECIAL MEETING AGENDA
JUNE 15th, 2016
5:30 P.M.**

- 1) Pledge of Allegiance
- 2) Roll Call
- 3) Announcements:
- 4) Public Comment
- 5) Commissioner's Vacancy Position
- 6) Amended Resolution for Spirit of Swiftwater
- 7) Public Comment
- 8) Adjournment

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. _____

**A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE SPIRIT OF
SWIFTWATER PHASE I – APARTMENTS FINAL
LAND DEVELOPMENT PLAN**

WHEREAS, the applicant, The Spirit of Swiftwater, Inc., submitted a final land development plan application titled "Final Land Development Plan, Phase I - Apartments, Lands of The Spirit of Swiftwater, Inc." (the "Plan"). The Plan proposes the construction of two (2) buildings (with eleven units) containing sixty six (66) apartments, located on a 26.86 acre site in the C Commercial Zoning District, along SR 611, identified as Monroe County Tax Parcel I.D. 12/12/2/8, PIN Number 12636402678251; and

WHEREAS, the preliminary land development plans received conditional plan approval on July 7, 2014; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letter dated May 5, 2016; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional final plan approval of the Plan at a meeting held on May 9, 2016; and

WHEREAS, the Pocono Township Board of Commissioners desires to take 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:

The following requests for modification from the Subdivision and Land Development Ordinance were previously granted:

1. SALDO Section 2.302.A: *Plans are to be prepared on a standard sheet size of 12 x 18 inches, 18 x 24 inches, or 24 x 36 inches.*
2. SALDO Section 3.307: *Emergency Access Requirements – at least two separate and distinct means of access shall be provided.*
3. SALDO Section 3.402: *Setback and spacing for multi-family dwellings require the space between buildings to be greater than the height of the building.*
4. SALDO Section 3.403: *The maximum number of multi-family dwelling units is 12 per building.*
5. SALDO Section 3.208.F: *The minimum offset or distance between centerlines of parallel*

streets intersecting across the street from opposite directions shall be 800 feet for arterial streets.

The following request for modification from the Subdivision and Land Development Ordinance is hereby granted:

1. SALDO Section 2.303.A: *Plans are to be prepared on a standard sheet size of 12 x 18 inches, 18 x 24 inches, or 24 x 36 inches.*

That the Phase I - Apartments as shown on the final land development plan prepared by prepared by Nielaus Engineering Corporation, containing 18 sheets, dated April 27, 2007, last revised March 10, 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 May 5, 2016.
2. The applicant shall obtain approval of the extension request for the Water Obstruction Permit issued by the Pennsylvania Department of Environmental Protection through December 31, 2018 to permit the construction of the new bridge to the reserved parking area, depicted on the Plan. A note shall be placed on the Plan identifying the procedure by which the construction of the reserved parking will be triggered.
3. The applicant submit design and engineered bridge plans and cost estimate to Pennoni Associates for their review and approval.
4. The applicant hereby acknowledges and agrees that no certificate of occupancy for the larger apartment building shall be issued by the Township until the bridge is constructed. A note shall be placed on the Plan acknowledging such agreement.
5. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security at the time of Final Plan approval.
6. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security at the time of Final Plan approval, if deemed necessary.
7. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township at the time of Final Plan approval.
8. 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 Final Plan.
9. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Final Plan for signatures.

10. The applicant shall comply with all final plan requirements identified in the Subdivision and Land Development Ordinance, subject, however, to any waivers or modifications granted by the Board of Commissioners.
11. The applicant shall provide three (3) mylars for recording the final plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
12. The applicant shall complete the development in strict accordance with the Plan, notes on the Plan, this conditional Final Approval, including any waivers or modifications granted by the Board of Commissioners, and the Improvements Agreement (except as said Plan or conditions of approval may be revised during the Final Plan approval process).
13. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the application is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 15th day of June, 2016.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Print Name: Pamela Finkbeiner
Title: Secretary

By: _____
Print Name: Harold Werkheiser
Title: President