

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**  
**MEETING AGENDA**  
**December 17, 2015**  
**6:00 P.M.**  
**Northampton Community College – Pocono Hall**

- 1) Pledge of Allegiance
- 2) Roll Call
- 3) Announcements
  - a. There will be an executive session after the meeting to discuss personnel
- 4) Public Comment

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) Lot Line Adjustment - Munoz
- 6) Public Hearing – Spa Castle Proposed Act 537 Plan Amendment
- 7) Action on Spa Castle Proposed Act 537 Plan Amendment
- 8) Public Comment

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)

- 9) Executive Session (If Necessary)
- 10) Adjournment

Next regular meeting – December 21, 2015 (7:00 p.m.)

**TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE LOT LINE  
ADJUSTMENT PLAN OF LANDS OF JUDITH T. MUNOZ**

**WHEREAS**, the applicant, Judith T. Munoz, submitted a lot line adjustment plan application titled “Final Plan Lot Line Adjustment of Lands of Judith T. Munoz” (the “Plan”). The Plan proposes to modify the common property line between two contiguous parcels located in the R1 Zoning District (identified as Monroe County Tax Parcel I.D.’s 12/3/1/61 and 12/3/1/62, PIN Numbers 12638300521500 and 12638300438024) to the allow for the on-site sewage system to be located entirely on Parcel 12/3/1/61; and

**WHEREAS**, the Township Engineer has reviewed the Plan and offered comments in his letter dated December 3, 2015; and

**WHEREAS**, the Pocono Township Board of Commissioners granted the conditional approval of the Plan at a meeting held on December 17, 2015, subject to the following.

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

That the following requests for modification from the Subdivision and Land Development Ordinance are hereby granted:

1. SALDO Sections 2.305.D.15 and 3.210.A: Delineation of water courses, lakes, streams, ponds, wetlands, etc. on a Final Plan for Minor Subdivision. *The applicant shall not be required to delineate wetlands on the subject parcels since no development is being proposed.*
2. SALDO Sections 2.305.D.16 and 3.209.B.4: Delineation of flood hazard areas and steep slope areas on a Final Plan for Minor Subdivision. *The applicant shall not be required to delineate flood hazard areas and steep slope areas on the subject parcels since no development is being proposed.*
3. SALDO Section. 3.204: All Subdivisions and Land Developments shall be served with an adequate water supply and sewage system, either on-lot, public or private central systems. *An existing on-lot system exists on Parcel 12/3/1/61. The applicant shall not be required to delineate water and sewage systems at this time since no development is being proposed.*
4. SALDO Section. 3.208.C.4: Wherever there exists a dedicated or platted portion of Street or Alley along a boundary of the tract being subdivided or developed the remainder of said Street or Alley to the required width shall be platted within the proposed development where this would not adversely affect the proposed Subdivision or Land

Development. *The applicant shall not be required to show additional right-of-way for Abeel Road at this time since no development is being proposed.*

5. SALDO Section. 3.306.C: Common driveways are prohibited unless a waiver of this Section is granted by the Board of Commissioners. When common driveways are permitted an access and maintenance agreement shall be provided in the deeds of the lots having use of the driveway. The agreement shall be in a form acceptable to the Township Solicitor. *The applicant shall be permitted to maintain a common driveway between Parcel 12/3/1/61 and that parcel described in Deed Book 2102, Page 609. Applicant shall be required to provide an access and maintenance agreement in accordance with Section 3.306.C.*

That the “Final Plan Lot Line Adjustment of Lands of Judith T. Munoz” as shown on the lot line adjustment plan prepared by prepared by Jonathan Shupp, P.L.S., dated November 19, 2015, as amended, 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 December 3, 2015.
2. The applicant shall provide the Township with a copy of the proposed deeds for the two new lots, which deeds shall be recorded concurrently with the Plan.
3. 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.
4. The applicant shall obtain all required permits and approvals from other governmental agencies prior to presenting the Plan for signatures.
5. 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.
6. The applicant shall meet all conditions of the final plan approval, and Plan shall be recorded within twelve (12) months of Conditional final plan approval, and agrees that if such conditions are not met, the Conditional final plan approval will be considered void.
7. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

## Timothy Edinger

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**From:** Gregg Schuster <Gschuster@poconopa.gov>  
**Sent:** Tuesday, December 01, 2015 4:37 PM  
**To:** leodevito@broughal-devito.com; Timothy Edinger  
**Subject:** FW: Form submission from:

Comment #1 - not sure if this was really intended as a formal comment.

Gregg Schuster  
Township Manager  
Pocono Township  
(570) 629-1922 x212

Facebook: [www.facebook.com/poconotm](http://www.facebook.com/poconotm)  
Twitter: [www.twitter.com/PoconoTM](http://www.twitter.com/PoconoTM)

-----Original Message-----

**From:** [vtsdmailer@vt-s.net](mailto:vtsdmailer@vt-s.net) [<mailto:vtsdmailer@vt-s.net>]  
**Sent:** Sunday, November 8, 2015 7:03 PM  
**To:** Gregg Schuster <[Gschuster@poconopa.gov](mailto:Gschuster@poconopa.gov)>  
**Subject:** Form submission from:

Submitted on Sunday, November 8, 2015 - 7:03pm Submitted by anonymous user: 24.115.151.225  
Submitted values are:

Please include any questions or comments: Gregg -- thanks for posting the Spa Castle module. It downloaded fairly fast as a pdf and the only real issue was having to maneuver the horizontal maps. I'll admit I skimmed most of the arcane engineering and bureaucratic stuff, but it did provide perspective on where the applicant is coming from, a very good sense of the scale of the project, and I do have some misgivings about a project of this magnitude a) so close to wetlands, b) requiring such a convoluted infrastructure to work -- sewers, water, roads/traffic and c) not much benefit to the community. I don't think I'd have any issue with it if it were in the 611 corridor -- but this is a strange spot that probably ought to be public land to protect the bog. Maybe if they scaled it back, did an on-lot system...something other than this huge facility stuffed into a very small space with complicated engineering to pull it off. The overall plans made me wonder if the applicant needs the road in order to curve it around the massive construction on one side (?)... but I'm sure the twp. engineering folks are more up to speed on that. But for concerned citizens, this was an excellent use of technology, so, thanks again for sharing it online! Best wishes, Geoff Mehl

Name: Geoff Mehl  
Email Address: [gmehl@geoffmehl.com](mailto:gmehl@geoffmehl.com)  
Street Address: 2843 Laurel Lane  
Town/City: Henryville

2843 Laurel Lane  
Henryville, PA 18332  
Dec. 2, 2015

Mr. Gregg Schuster, Township Manager  
Pocono Township  
112 Township Drive  
Tannersville, PA 18372

Dear Mr. Schuster:

I write in response to the invitation for public comment on the *Sewage Facilities Planning Module – Component 3 / Spa Castle Grand Pocono Resort*. This huge facility is proposed for the site of one of the many small abandoned “mom-and-pop” resorts that historically dotted the region without regard to environmental issues.

I wish to commend you and the township for making the entire document available for review on the township website to facilitate informed discussion on the subject. I understand that the Township Board of Commissioners has already indicated there is insufficient capacity for Spa Castle’s plans, but still invites public comment.

After reading the document, I have two major areas of concern:

1) **Water supply.** Spa Castle proposes to draw 250,000 gallons per day via a 12-inch main from Brodhead Creek Regional Authority facilities in Swiftwater, which has a storage tank capacity of 1.7 million gallons, so about 15 percent of the *entire* regional public water supply is to be diverted to a single customer lacking on-lot capacity. Applicant proposes to construct the delivery line from several miles away, and then it will be **the public’s responsibility to maintain the line.**

2) **Sewer capacity.** Spa Castle proposes to discharge 250,000 gallons of sewage through a **forced-main line several miles** to the existing district line, which has a capacity of 2 million gpd — in other words, Spa Castle wants 12.5 percent of the township’s *entire* sewer capacity because the scale of a purely recreational development is well beyond an **existing 30,000 gallon on-lot treatment facility.** The sewer line would be installed by the applicant but pumping facilities and the line itself would then become *the township’s responsibility to maintain*. Presumably diverting capacity to a single recreational customer would be at the cost of planned and orderly development within a zone of particular environmental concern: the Route 611 corridor.

While Spa Castle’s engineering is intriguing and hopefully not too optimistic, it is all essential for packing as much recreational/commercial use into a complex landmass, two thirds of which are recognized wetlands at the top of a very environmentally sensitive area. Proposed are (page 41 of the component document):

- a) 155-room hotel
- b) 270 condominium suites
- c) 180 villas
- d) 21 individual cottages
- e) 80,000 square-foot indoor waterpark and spa facility
- f) associated dining, recreational and infrastructure facilities

This adds up to a total of 624 residential and 50 employee housing units and high-water usage recreation that, based on 69 percent occupancy would result in 250,000 gallons of sewage per day.

The applicant has evidently abandoned a 30,000 gpd on-lot treatment permit that might well have been sufficient to meet the needs of less ambitious development plans. For example, the primary hotel/park unit is 155 rooms (15,500 gallons), the restaurant (7,700 gallons but surely less with smaller resort size), employee housing 3,750 gallons, and the waterpark itself some 6,000 gallons. These total 33,000 gpd.

The ambitions of the applicant are most evident in the balance of their proposal: 87,750 gallons for the condominium units, 58,500 gallons for the villas, and 87,000 gallons for the spa facility itself.

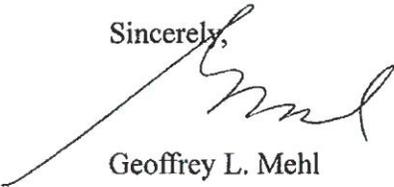
It seems somewhat disconcerting that while the applicant presents itself as environmentally sensitive with plans for green roofs and rain gardens, it is, at the same time, drawing 93,000 gallons of water daily from regional groundwater supplies and immediately discarding as treatable sewage it into a system that unloads it miles downstream — all for recreational use. This reduces the capacity planned in the Route 611 corridor and its potential development. In turn, this restricts the potential for economic growth helpful to the community in exchange for recreational amusement of tourists from the metropolitan area.

Spa Castle has complained that because they somehow allowed their existing WWTP permit to lapse, they are now constricted in terms of property development and must call upon Pocono Township's system to bail it out. Perhaps a better solution would be to reinstate the on-lot plant permit and scale back the environmental impact of the project.

There are many other issues concerning the scale and negative community impact of this project that remain unresolved (notably traffic, public safety, and variances with municipal ordinances at no apparent gain to the township). Taken as a whole, one gets the distinct impression that this is a scheme requiring a very complicated set of conditions to be feasible, all of which would be resolved if the project were to be reorganized in a plausible design compatible with the unique characteristics of the affected environment.

Spa Castle is to be commended for concocting a complex concept in dealing with property conditions it surely must have recognized at the time of purchase. If these and other infrastructure and zoning adjustments fall perfectly into place, it may well be a viable plan for the investors, but at the expense of the larger community. The various township agencies are to be applauded for their careful and conscientious attention and consideration of the proposals, including efforts to obtain additional sewage capacity from neighboring municipalities. Pocono Township has resolved that the Spa Castle proposal is regrettably implausible in the context of planned, orderly, long term growth for the community, a position that merits support.

Sincerely,



Geoffrey L. Mehl

## Response to Geoffrey L. Mehl

Water supply issues are addressed by BCRA. Please refer to BCRA's letter to provide water service.

Yes, The Township's 537 Plan calls for on-site treatment of sewage by private wastewater treatment plant. The applicant's proposal is not consistent with the Township's 537 Plan.

The Township has communicated to the applicant's attorney that the Township intends to preserve the remaining treatment capacity for the current areas designated as "public sewer areas" in the Township's Act 537 Plan. This does not include the area proposed for Spa Castle.

## Timothy Edinger

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**From:** Gregg Schuster <Gschuster@poconopa.gov>  
**Sent:** Tuesday, December 01, 2015 4:37 PM  
**To:** leodevito@broughal-devito.com; Timothy Edinger  
**Subject:** FW: Comment on the Spa Castle Application

Comment #3

Gregg Schuster  
Township Manager  
Pocono Township  
(570) 629-1922 x212

Facebook: [www.facebook.com/poconotm](http://www.facebook.com/poconotm)  
Twitter: [www.twitter.com/PoconoTM](http://www.twitter.com/PoconoTM)

**From:** Judi Coover [<mailto:jacoover@gmail.com>]  
**Sent:** Monday, November 23, 2015 8:52 AM  
**To:** Gregg Schuster <[Gschuster@poconopa.gov](mailto:Gschuster@poconopa.gov)>  
**Subject:** Comment on the Spa Castle Application

Gregg,

I would like noted and addressed if possible, the lack of certainty as to the actual need of this proposed development. They have requested 250,000 gals/day but their peak could be in excess of 300,000 gals/day. That difference could be critical to Pocono's operation and obligations to properties that are located in the current service area.

Judi Coover

## Response to Judi Coover

The applicant has provided documentation as to their anticipated sewage needs.

They indicate their average daily sewage flows are 250,000 and their peak flow would be 300,000.00 GPD.

Sewer lines as well as pump stations are designed and approved by regulatory agencies based on average and peak flow parameters.

The Township's sewer lines and pump stations have available capacity to convey the proposed average and peak flows from Spa Castle.

## Timothy Edinger

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**From:** Gregg Schuster <Gschuster@poconopa.gov>  
**Sent:** Tuesday, December 08, 2015 10:27 AM  
**To:** Leo Devito; Timothy Edinger  
**Subject:** FW: Opposition to 537 Castle Spa

Gregg Schuster  
Township Manager  
Pocono Township  
(570) 629-1922 x212

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Twitter: [www.twitter.com/PoconoTM](http://www.twitter.com/PoconoTM)

**From:** JD Shank [<mailto:ironmanjd@gmail.com>]  
**Sent:** Tuesday, December 8, 2015 9:34 AM  
**To:** Gregg Schuster <[Gschuster@poconopa.gov](mailto:Gschuster@poconopa.gov)>  
**Subject:** Opposition to 537 Castle Spa

Greg,

I would like to state my opposition to this project, as it would create more traffic problems and negatively impact our sewage systems, and eventually increase taxes. There is also the added cost of eventual hookup.

Sincerely, J. D. Shank 104 Dove Lane, Tannersville, Pa.

## Response to J.D. Shank

Traffic impacts are an issue covered under the formal "Land Development" review process.

The Township collection system and pumping stations have the available capacity to convey the projected flows from Spa Castle.

Taxes generated by a project are not a factor with the consideration of the 537 Plan. However, the tax revenues are a component of the "Community Impact Report" that is typically submitted and considered with a Land Development submission.

The cost to "hookup" to the Township's sewer system will be paid by Spa Castle and will be based on the amount of proposed sewage to be discharged to the system. The "hookup" fee which is referred to as the Tapping Fee is \$3,750/equivalent Dwelling Unit (EDU). 1 EDU = 247 gallons per day of sewage discharge.

No local residents are required to hookup to the sewer line installed by the Spa Castle project.

LAW OFFICES

ARTHUR M. EASTBURN 1911-1971  
SAMUEL S. GRAY, JR. 1938-2003

**EASTBURN AND GRAY, P.C.**

60 EAST COURT STREET  
P.O. BOX 1389  
DOYLESTOWN, PA 18901-0137  
215-345-7000  
FAX: 215-345-3528  
WWW.EASTBURNGRAY.COM

470 NORRISTOWN ROAD, SUITE 302  
BLUE BELL, PA 19422  
215-345-7000  
FAX: 215-542-9421

THOMAS F. J. MacANIFF  
DEREK J. REID\*  
JOANNE D. SOMMER  
DAVID L. MARSHALL  
G. MICHAEL CARR\*  
WILLIAM T. DUDECK\*  
KIMBERLY LITZKE  
MARC D. JONAS  
JULIE L. VON SPRECKEISEN\*  
ROBERT R. WATSON, JR.  
MICHAEL E. PETERS\*  
ERIN N. KERNAN\*  
R. REX HERDER, JR.  
ZACHARY A. SIVERTSEN

JOHN A. VAN LUVANEE  
D. RODMAN EASTBURN  
JOHN N. SCHAEFFER, III  
GRACE M. DEON\*  
ROBERT M. COX\*  
JUDITH A. ALGEO  
KELLIE A. McGOWAN\*  
JUDY HAYMAN\*  
MARK S. CAPPUCCIO  
HUGH J. ALGEO, IV\*  
MICHAEL J. SAVONA  
SARAH A. EASTBURN\*  
HENRY E. VAN BLUNK\*

OF COUNSEL:  
FRANK N. GALLAGHER  
KENNETH R. WILLIAMS

CHARLES H. DORSETT, JR.  
ERIC R. TOBIN

E-MAIL: JVANLUVANEE@EASTBURNGRAY.COM

PLEASE REPLY TO: DOYLESTOWN OFFICE

\*ALSO ADMITTED IN NEW JERSEY

December 8, 2015

Via email: [gschuster@poconopa.gov](mailto:gschuster@poconopa.gov)

Pocono Township  
112 Township Drive  
PO Box 197  
Tannersville, PA 18372

Attn: Gregg Schuster, Township Manager

**Re: Application for 537 Plan Revision for Spa Castle Grand Pocono Resort**

Dear Mr. Schuster:

Please be advised that I represent Andrew and Margherita Worthington. Mr. and Mrs. Worthington are the owners of property in Pocono Township located in close proximity to the site of the proposed Spa Castle Grand Pocono Resort project ("Project"). On their behalf, I have reviewed the application of C. Castle Group ("Applicant") for a revision to the Pocono Township sewage facilities plan ("Application") for the Project. Please accept these comments on the Application:

(1) The Application is incomplete. Under the provisions of the Pennsylvania Sewage Facilities Act ("Act 537"), a municipality has an obligation to act within sixty (60) days of receipt of a complete application. 35 P.S. §

Gregg Schuster, Manager  
Pocono Township  
December 8, 2015  
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750.5.(a.1). It is my understanding that C. Castle Group ("Applicant") granted the Township an extension until December 22, 2015 to act on its proposed plan revision. In the interim, Pocono Township issued a letter dated November 6, 2015 to the Applicant's attorney, Ralph Matergia, denying the request to allocate sewer capacity for the project (see Appendix A).

DEP regulations for the administration of the Sewage Facilities Planning Program under Act 537 are found at 25 Pa. Code Chapter 71. Section 71.53.(d) of the regulations spells out with specificity what information is required in order to render a planning module complete. Section 71.53.(d)(3) requires the following:

(3) A written commitment from the owner of the receiving community sewage facilities to provide service to the proposed new land development and the conditions for providing for the services.

The Application identifies the receiving community sewage facilities as the regional sewage treatment plant ("STP") owned by the Brodhead Creek Regional Authority ("BCRA"). Capacity in the STP is allocated between Stroud Township, Stroudsburg Borough, Pocono Township and Hamilton Township in accordance with the Official Act 537 Plan Update dated May, 2009 ("2009 Plan Update"). Because Pocono Township has declined to allocate capacity in the STP to the Project, the Application is not complete.

Pocono Township has no obligation to take action on an incomplete planning module and an incomplete planning module cannot be approved by the Department of Environmental Protection ("DEP"). See 25 Pa. Code § 71.54.(b) and (d).

Notwithstanding the fact the Township has declined to allocate capacity to the Project, the Township has advertised its receipt of the Application; requested public comment; and scheduled a public hearing on the Application. While newspaper publication and a public comment period are requirements that must be satisfied prior to municipal approval of a request for revision in order to render a request for revision complete (see 25 Pa. Code § 71.53.(d)(6)), those procedural steps are not necessary in this case because the Township has refused to allocate sewer capacity in the STP to the Project.

(2) Approval of the Application would render the Township Act 537 Plan inadequate for the Route 611 Corridor. As summarized in Section F - Project Narrative - of the Application, the Township Act 537 Plan is comprised of several component parts. Applicant's requested plan revision proposes to

Gregg Schuster, Manager  
Pocono Township  
December 8, 2015  
Page 3 of 4

expand those areas of the Township served by the BCRA STP to include the Project site. At the present time, the sewer service area is limited to the Route 611 Corridor sewer service area located in Pocono and Hamilton Townships as originally designated in the R.K.R. Hess Associates 2006 Act 537 Special Study of the Route 611 Corridor. Under the 2009 Plan Update, Pocono Township allocated the 2,000,000 gallons of capacity reserved for it for development within the Route 611 corridor area. The information submitted by the Applicant simply requests that 250,000 of that capacity be allocated the Spa Castle Project. Applicant does not provide justification for its apparent conclusion that that capacity will not be needed for present and future development of the Route 611 Corridor sewer service area in the Township. In its November 6, 2015 letter to Applicant's attorney (Appendix A), the Township stated that "[t]he Township believes that the existing 2,000,000 gallons per day allocation is necessary to serve the present and future needs of the current Act 537 district." Accordingly, if the Application were to be approved, it would render the Township's Act 537 Plan inadequate for the existing Route 611 Corridor sewer district.

(3) The Alternatives Analysis (Section H) is Inadequate. In Section H of the Planning Module, the Applicant acknowledges that according to the Township's Act 537 Plan, areas outside the Route 611 Corridor sewer service area are proposed to be served by on-lot systems with an emphasis on systems which promote groundwater infiltration. The 2009 Plan Update included the following statement applicable to Pocono Township:

In order to promote water use and to encourage the use of on-lot wastewater disposal as much as practical, the Plan requires that any developed lot in the service area may connect to the system for its existing flow. If a developed lot proposes a change in flow of more than 800 gallons per day, either by conversion of an existing use or redevelopment, sewage planning on an individual basis is required. This shall include an alternatives analysis for potential and possible land disposal opportunities.

In the Applicant's Alternatives Analysis, construction of a new wastewater treatment plant with spray irrigation is dismissed as a viable alternative. The discussion of this alternative (*see* pages H-2 and H-3) suggests that the primary reason the alternative was found unacceptable was that "the extent of suitable soils is relatively (sic) on the subject property to be relatively limited with the most suitable soils found in areas where Village 4 and the Hotel are proposed . . . ." This conclusion is reiterated in the letter from Borton

Gregg Schuster, Manager  
Pocono Township  
December 8, 2015  
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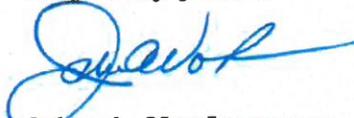
Lawson to the Township dated October 1, 2015, revised October 21, 2015. On page 4 of that letter, the following statement is made:

Additionally, based on past soils studies, the only portions of the site suitable for on-lot treatment coincide with the only portions of the site suitable for any type of development. In short, the inability of the property to be served by public sewer would essentially prohibit the property from being developed in any form, significantly diminishing the value of the property.

The use of any part of a property for on-lot sewage disposal always diminishes the amount of land available for development. A municipal sewage facilities plan is not inadequate to meet a property owner's needs merely because the owner cannot maximize the intensity of development on the property. The fact that a sewage treatment facility using spray irrigation or a combination of spray irrigation and stream discharge methods is potentially feasible to serve new development on the Project site is a compelling reason for rejection of the current Application. In short, the Alternatives Analysis does not demonstrate that the request to allocate 12.5 percent of the total sewage capacity reserved by the Township at the BCRA STP is either reasonable or necessary.

For the above reasons, my clients respectfully request that the Board deny the requested Application for plan revision for the proposed Spa Castle Project.

Very truly yours,



John A. VanLuvanee

JAV/eah  
Mr. and Mrs. Andrew Worthington  
Leo V. DeVito, Jr., Esquire via email (LeoDeVito@Broughal-DeVito.com)  
Ralph A. Matergia, Esquire via email (ralph@matergiadunn.com)

## Response to John A. VanLuvanee

The “completeness” of the application raises an issue that is one to be considered by the Board of Commissioner. It is agreed that the Applicant does not have nor has it received a commitment from the owner of the receiving community sewage facilities to provide service to the proposed new land development.

The Township has communicated to the applicant’s attorney that the Township intends to preserve remaining treatment capacity for the current areas designated as “public sewer areas” in the 537 Plan. This does not include the area proposed for Spa Castle.

The alternative analysis based on the current proposed layout and density of development, as permitted by zoning, appears legitimate. However, the developer could unilaterally reduce the scope and density of the development to potentially make on-site sewage treatment and disposal viable.

Because the Township has not granted EDU treatment capacity, the applicant will need to revise his sewer treatment program. Consequently this may in turn reduce the scope and density of the proposed development.

## Timothy Edinger

---

**From:** Gregg Schuster <Gschuster@poconopa.gov>  
**Sent:** Thursday, December 10, 2015 8:45 AM  
**To:** Leo Devito; Timothy Edinger  
**Subject:** FW: Spa Castle

Another comment

Gregg Schuster  
Township Manager  
Pocono Township  
(570) 629-1922 x212

Facebook: [www.facebook.com/poconotm](http://www.facebook.com/poconotm)  
Twitter: [www.twitter.com/PoconoTM](http://www.twitter.com/PoconoTM)

-----Original Message-----

From: Emil Buatti [<mailto:ebuatti@ptdprolog.net>]  
Sent: Thursday, December 10, 2015 8:19 AM  
To: Gregg Schuster <[Gschuster@poconopa.gov](mailto:Gschuster@poconopa.gov)>  
Subject: Spa Castle

I reside at 112 Jupiter Ct; Bartonsville PA 18321 and my property borders Cranberry Creek.

I feel that Pocono Twsp should not take ownership of the 3.3 mile sewer line proposed by Spa Castle. I understand that Spa Castle will state that Twsp taxes garnered by the resort will pay for Twsp maintenance, etc of this private sewer line just for them. But what happens if Spa Castle goes out of business within a sort period of time. Then us Twsp residents will be paying for a line that is useless.

Emil J. Buatti

## Response to Emil Buatti

The cost of the initial infrastructure construction, including the sewer, water and all support structures are borne by the Developer.

Upon completion and dedication of the sewer line and pumping station to the Township, sewer user fees ( billed monthly to Spa Castle) will pay the costs associated with the ongoing operation and maintenance of the sewer line and pumping station along with the associated treatment of the sewage at the wastewater treatment plant.

If the Developer would go bankrupt all previously paid tapping fees (\$3750.00/EDU) would still be applied to paying the township debt for the entire township sewer system. Remember there is no debt on the Developer installed sewer line and pump station.

# Petition

To Notify the

Pocono Township Board of Commissioner

that we the undersigned, are concerned about the amount of additional daily traffic and the effect on the original service area of our Act 537 should you elect to amend our current Act 537 to accommodate Spa Castle at this time.

We ask that you not approve their request until such time as the original service area along 611 is hooked up and operational and the current traffic dangers on 611/715 have been relieved.

No.	Print Name	Sign Name	Address
1	RAYMOND SAITH	Raymond Saith	113 ASPEN DR TANNERSVILLE
2	Michael Godfrey	Michael Godfrey	555 Fish Hill Rd. Tannersville, PA
3	Mauraon Hartman	Mauraon Hartman	1224 Scotrum Dr
4	Glen Hartman	Glen Hartman	1224 Scotrum Dr
5	Alyssa Hartman	Alyssa Hartman	1224 Scotrum Dr
6	CAROL CLARK	Carol Clark	326 FISH HILL RD.
7	Sheila Clark	Sheila Clark	326 FISH HILL RD
8	DARINZ BAIBEL	Darinz Baibel	213 Walnut Ln
9	Linda T. Smith	Linda T. Smith	30 TARA DR
10	Christopher M Smith	Christopher M Smith	61 JUNGLE LN
11	Lestie Wubbel	Lestie Wubbel	208 Applewood Drive
12	JOHN WUBBEL	John Wubbel	208 Applewood Drive SW
13	MAXINE TUBSKE	Maxine Tubski	6222 Highway 441 Tannersville
14	Ruth Perfetti	Ruth Perfetti	7181 Main St. Tannersville, Pa.
15	Camille Tanzola	Camille Tanzola	154 Pin Oak Lane, Tannersville
16	Jerry Price	Jerry Price	165 Pin Oak Ln Tannersville
17	Cherie Ten	Cherie Ten	304 RUSSELL HENRY RD
18	Kevin Lesome	Kevin Lesome	1179 Cherry Lane Rd. Tannersville
19	Yvonne Herring	LORETTA M HERRING	128 SPRING DR
20	LEROY HERRING	Leroy Herring	" " "
21	CAROL STRUNK	Carol Strunk	1301 Birchwood Rd

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## Response to Petition

Traffic concerns are issues typically covered under the formal “Land Development” review process.

The Township has communicated to the applicant’s attorney that the Township intends to preserve remaining treatment capacity for the current areas designated as “public sewer areas” in the 537 Plan. This does not include the area proposed for Spa Castle