

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
December 12, 2016 – 7:00 p.m.

- A. CALL TO ORDER** (followed by the Pledge of Allegiance)
- B. ROLL CALL**
- C. NOTIFICATIONS OF COMMENTS**
- D. CORRESPONDENCE**
- E. MANAGER'S REPORT – TBD**
- F. MINUTES:** Minutes of the Pocono Township Planning Commission Regular Meeting 11/14/2016
- G. NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:**
 - 1. Weis Market Gas N Go
 - 2. Larson Minor Subdivision on Brookdale Road
 - 3. Discovery Drive Widening
 - 4. Brookdale Treatment Center
- H. FINAL PLANS UNDER CONSIDERATION:**
 - 1. Kelly Minor Subdivision – 2 lot Minor Subdivision. The plans were administratively accepted at the September 26, 2016 P.C. mtg. Deadline for consideration 12/25/2016. Review No. 1 distributed 10/18/16. Received revised plans via email on 11/10/16. Based on 11/14/16 meeting another submission is expected. Tabled at the 11/14/16 meeting.
- I. PRELIMINARY PLANS UNDER CONSIDERATION:**
 - 1. Sheldon Kopelson, Commercial Development (Lot 3)- Plan was accepted at the 08/13/2013 P.C. mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 10/24/2016 mtg. A resubmission has not occurred. Deadline for consideration extended to June 30, 2017.
 - 2. Spa Castle Land Development – Plan was accepted at the 12/14/2015 mtg. The Planning Module for this project was rejected by the Commissioners. The developer/applicant has provided a time extension letter until 04/17/2017. Planning Review distributed 9/9/16. Technical Review distributed 11/9/16. Tabled at the 11/14/2016 mtg.

3. Camelback Lot 13 and Hotel – Plan was accepted at the 06/13/2016 PC mtg. Review letter distributed 07/21/16. Tabled at the 11/14/2016 mtg. The developer/applicant has provided a time extension letter until 01/16/2017.
4. Sanofi Pasteur Tier One Parking Deck – Plan was accepted at the 07/11/2016 P.C. mtg. The developer/applicant has provided a time extension letter until 2/6/2017. Review No. 1 distributed 07/22/16. Tabled at the 11/14/2016 mtg. Revised plan received 12/3/2016.
5. Sanofi Pasteur Discovery Drive Turn Lane Land Development – Plan was accepted at the 10/24/16 P.C. meeting. Deadline for consideration is 1/22/17. Review No. 1 was distributed 10/24/16. Tabled at the 11/14/2016 mtg. Revised plan received 12/3/2016.

J. SKETCH PLANS

K. PERMITS

L. PRESENTATION OF VARIANCE, SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS

M. UNFINISHED BUSINESS

1. Sign Ordinance

N. NEW BUSINESS:

1. 12/26/2016 PC Meeting falls on the Christmas Holiday – Township office is closed.
2. Planning Commissioners' Terms expiring 12/31/2016 – Bob Demarest and Marie Guidry

O. COMMENTS BY AUDIENCE

P. ADJOURNMENT:

POCONO TOWNSHIP PLAN STATUS

Project Name (acceptance date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Recommendation Approve/Deny	BOC Approved/Rejected
Kinsley Minor Subdivision (04/25/16)	Minor Subdivision	Final	12/19/2016	12/12/2016	12/19/2016			Cond Approved 10/24/16	Approved RFM - SALDO Sec 3.208M
Kelly Minor Subdivision (9/26/16)	Minor Subdivision	Final	12/25/2016	12/12/2016	12/19/2016	10/18/2016	11/14/2016		
Kopelson Lot 3 Land Devt (08/13/13)	Commercial Land Devt	Prelim	6/30/2017	6/12/2017	6/19/2017		11/14/2016		
Spa Castle Land Development (Prel) (12/14/15)	Commercial Land Devt	Prelim	4/17/2017	4/3/2017	4/10/2017	Planning Rev 9/9/16 Technical Rev 11/9/16	11/14/2016		
Camelback Lot 13 and Hotel (06/13/16)	Commercial Land Devt	Prelim	1/16/2017	1/9/2017	1/16/2017	7/21/2016	11/14/2016		
Sanofi Tier One Parking Deck (7/11/16)	Commercial Land Devt	Prelim	2/6/2017	1/23/2016	2/6/2016	7/22/2016	11/14/2016		
Sanofi Pasteur Discovery Drive Turn Lane (10/24/16)	Land Devt	Prelim	1/22/2016	1/9/2017	1/16/2017	10/24/2016	11/14/2016		

POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
NOVEMBER 14th, 2016
7:00 P.M.

The Pocono Township Planning Commission Regular Meeting was held on November 14th, 2016 at the Pocono Township Municipal Building, Tannersville, PA, and opened by Chairman Ron Swink at 7:00 p.m. by the Pledge of Allegiance.

ROLL CALL: Ron Swink, present, Scott Gilliland, present; Marie Guidry, present; Robert Demarest, absent; Robert DeYoung, present; Dennis Purcell, present; and Jeremy Sawicki, present.

Lisa Pereira, Planning Commission Solicitor; and Jon Tresslar, Township Engineer; Charles Vogt, Township Manager; and Pamela Finkbeiner, Township Secretary; were present.

ACKNOWLEDGEMENT OF COMMENTS: Chairman R. Swink noted the Planning Commission meets the 2nd and 4th Monday of each month at 7:00 p.m. to 9:00 p.m. The board will address 5 comments per plan and noted each visitor has the right to comment at this time or before any action is taken on a matter.

CORRESPONDENCE:

TIME EXTENSION LETTERS:

- a) Camelback Hotel and Lot 13 - Time extension until January 16th, 2017.
- b) Sanofi Tier 1 parking lot - Time extension sixty (60) days.

MANAGER'S REPORT: C. Vogt noted the SALDO ordinance hearing is scheduled for 11/21/2016.

PUBLIC COMMENTS: Jeff Durney, Solicitor, representing the Brookdale project, requested the Board consider a public meeting to discuss the petition for an overlay zone. Discussion followed. No action taken.

MINUTES:

D. Purcell made a motion, seconded by S. Gilliland, to approve the minutes of the 10/24/2016 meeting. J. Sawicki abstained. All in favor. Motion carried.

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW: None

FINAL PLANS UNDER CONSIDERATION:

Kelly Minor Subdivision - 2 Lot minor subdivision. The plans were administratively accepted at the 09/26/2016 P.C. mtg. Deadline for consideration 12/25/2016. Review No. 1 distributed 10/18/16. Tabled at the 10/24/2016 mtg. Received revised plans via email on 11/10/16. Christopher Kelly, owner; and Frank Smith, Frank J. Smith, Jr. Inc., represented the plan. Discussion followed on Note 2 of the review letter - Section 402.C.1, lot width. J. Sawicki made a motion, seconded by M. Guidry, to table the Kelly Minor Subdivision Plan. All in favor. Motion carried.

PRELIMINARY PLANS UNDER CONSIDERATION:

Sheldon Kopelson - Commercial Development (Lot 3) - Plan accepted at the 08/13/2013 P.C. mtg. Tabled at the 10/24/2016 mtg. Deadline for consideration is 06/30/2016. S. Gilliland made a motion, seconded by J. Sawicki, to table the Sheldon Kopelson - Commercial Development (Lot 3) All in favor. Motion carried.

Spa Castle Land Development - Plan accepted at the 12/14/2015 mtg. Plan fees paid. Planning modules rejected by the Commissioners. Tabled at the 10/24/2016 mtg. A time extension letter was received until 04/17/2016. Discussion followed on the status of the plan. M. Guidry made a motion, seconded by B. DeYoung, to table the Spa Castle Land Development Plan. All in favor. Motion carried.

Camelback Lot 13 and Hotel - Plan fees paid. Plan was accepted at the 07/25/2016 mtg. the plan was tabled at the 10/24/2016 mtg. D. Purcell made a motion, seconded by S. Gilliland, to table the Camelback Lot 13 and Hotel LDP. All in favor. Motion carried.

Sanofi Pasteur Tier One Parking Deck - Plan fees paid. The Plan was accepted at the 07/11/2016 Mtg. The plan was tabled at the 10/24/2016 mtg. J. Sawicki made a motion, seconded by D. Purcell, to table the Sanofi Pasteur Tier One Parking Deck. S. Gilliland abstained. All in favor. Motion carried.

Sanofi Pasteur Discovery Drive Turn Lane Land Development - Plan was accepted at the 10/24/2016 P.C. mtg. Deadline for consideration is 1/22/2017. Review No. 1 was distributed 10/24/2016. J. Sawicki made a motion, seconded by D. Purcell, to table the Sanofi Pasteur Discovery Drive Turn Lane Land Development Plan. S. Gilliland abstained. All in favor. Motion carried.

PRESENTAION OF VARIANCE, SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS: None

UNFINISHED BUSINESS:

NEW BUSINESS:

M. Guidry made a motion, seconded by S. Gilliland, to cancel the 11/28/2016 P.C. meeting due to the Township offices being closed. All in favor. Motion carried.

DISCUSSIONS:

Discussion of proposed future plans, MS-4 and impact ordinance for pollution, Brookdale Petition, and draft signage ordinance. J. Sawacki made a motion to request guidance from the Board of Commissioners for the Brookdale Petition - Discussion followed. J. Sawicki withdrew his motion.

ADJOURNMENT: B. DeYoung made a motion, seconded by J. Sawicki, to adjourn the meeting at 8:20 p.m. All in favor. Motion carried.

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

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

The undersigned hereby applies for review by the Pocono Township Planning Commission and review and approval of the Board of Commissioners of Pocono Township for the plans submitted herewith and described below:

- 1. _____ Preliminary Plan Submission _____ Lot Line Adjustment
- X Final Plan Submission _____ Lot Combination
- _____ Final Plan-MInor Subdivision _____ Sketch Plan

2. Name of Land Development: WELS MARKETS STORE NO. 166
GAS-N-GO VEHICLE FUELING STATION

Plan Dated: NOV 18 2016 County Deed Book No.: 2252-5791

Volume No.: _____ Page No.: _____

Property located in the Township's Designated C-COMM Zone.



3. Name of Property Owner(s): TANNERSVILLE REALTY CO., LP
(If corporation, provide corporations' name and address and two officers of corporation)

Address: 490 NORTH MAIN STREET SUITE 101

PITTSTON PA 18640 Phone No.: _____

4. Name of Applicant: WELS MARKETS, INC.
(If other than owner)

Address: 1000 SOUTH SECOND STREET

SUNBURY PA 17801 Phone No.: 570-286-3618

5. Applicant's Interest if other than owner: STORE OWNER / GAS-N-GO PLAN

6. Engineer, Architect, Land Surveyor, or Landscape Architect responsible for plan:

HERBERT ROWLAND & GRUBIC, INC.

Address: 369 EAST PARK DRIVE

HARRISBURG PA 17111 Phone No.: 717-564-1121

7. Total Acreage: 27.63 +/- Total Number of Lots: 1

8. Acreage of adjoining land in same ownership (if any): NONE

- 9. Type of Development Planned: Single Family: _____
- Two-Family: _____
- Multi-Family: _____
- Commercial: X
- Industrial: _____
- Other: _____

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

10. Will construction of building be undertaken immediately Yes ___ No
By Whom: Person Subdividing DEVELOPING - WEIS MARKETS
 ___ Other Developer
 ___ Purchasers of individual lots

11. Type of water supply proposed: Public (Municipal) system EXISTING
 ___ Private (Centralized)
 ___ Individual (On Site)

12. Type of sanitary sewage Disposal proposed: Public (Municipal) system EXISTING
 ___ Private (Centralized)
 ___ Individual (On Site)

13. Are all streets proposed for dedication: ___ Yes ___ No NA

14. Acreage proposed for park or other public or semi-public use as per Ordinance 121, Article IX, Section 3.212:
NA

15. Present zoning classification and zoning changes, if any, to be requested:
C-COMMERCIAL, NO CHANGES PROPOSED

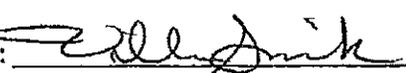
16. Have appropriate public utilities been consulted: Yes ___ No

17. Material accompanying this Land Development Application:

Number	Item
a) <u>WAIVER REQUESTED</u>	Preliminary Plan
b) <input checked="" type="checkbox"/>	Final Plan
c) ___	Final Plan-Minor Subdivision
d) ___	Development Agreement
e) ___	Street Profiles and Cross-sections
f) ___	Other

18. List all subdivision standards and requirements which have not been met and for which a waiver or change is to be required:
PRELIMINARY PLAN REQUIREMENTS - SLDO 2.302. PLAN TO BE SUBMITTED AS A FINAL PLAN ONLY.

The undersigned represents that to the best of his knowledge and belief, all the above statements are true and correct, and complete.

Date: NOV 18 2016
Signature of Owner or Applicant: 

(By) WILLIAM SWANICK, PE
PROJECT MANAGER

RECEIVED
NOV 18 2013

POCONO TOWNSHIP

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: WEIS MARKETS, INC.

Name of Subdivision or Land Development: STORE #166 GAS-N-GO

Section of Subdivision and Land Development Ordinance: 2.302

Justification for Relief: PLAN IS TO BE SUBMITTED AS A

FINAL PLAN ONLY. PLAN IS RELATIVELY SIMPLE

AND DOES NOT INCLUDE SUBDIVISION OR SWIM.

Is the hardship self-imposed? ___ Yes No

Is the hardship related to financial issues? ___ Yes No

Will relief from the referenced section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance?

Yes No Explain:



Herbert, Rowland & Grubic, Inc.
Engineering & Related Services

AN EMPLOYEE-OWNED COMPANY

369 East Park Drive
Harrisburg, PA 17111
717.564.1121
(FAX) 717.564.1158
www.hrg-inc.com

November 18, 2016

Board of Supervisors
Pocono Township
PO Box 197
Tannersville, Pennsylvania 18372

Re: Waiver Requests
Final Land Development Plan
Weis Markets Store No. 166 Gas-N-Go
Pocono Township, Monroe County, PA

Dear Board Members:

On behalf of the owner/developer, Weis Markets, Inc., I respectfully request the following Waiver to certain requirements of the Pocono Township Subdivision and Land Development Ordinance (SLDO) as they relate to the above referenced plan.

1. SLDO Section 2.302: Preliminary Plan Requirements

Applicant seeks Waiver to the requirement above to allow the subject plan to be submitted as a "Final" Plan and forego the Preliminary Plan stage. This is due to the relative simplicity of the proposed project, the negligible impact on the surrounding public, and the non-need for additional public infrastructure. Moreover, additional stormwater management is not proposed.

I trust that the above Waiver can be granted to allow for the timely approval of the subject plan and development of the site. Please contact me if you have questions or need additional information.

Sincerely,

Herbert, Rowland & Grubic, Inc.

William R. Swanick, P.E.
Project Manager

WRS/pk
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c: Alex Ororbia, Weis Markets, Inc.



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Engineering & Related Services

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November 18, 2016

Board of Supervisors
Pocono Township
PO Box 197
Tannersville, Pennsylvania 18372

Re: Stormwater Management Analysis
Final Land Development Plan
Weis Markets Store No. 166 Gas-N-Go
Pocono Township, Monroe County, PA

Dear Board Members:

Please receive the following as a brief Stormwater Management Analysis for the above referenced project.

Weis Markets, Inc. proposes the construction of a Gas-N-Go vehicle fueling facility at their existing Store No. 166 located at 2836 Route 611, Tannersville, PA 18372. The Gas-N-Go which has become a standard offering at most Weis Markets, will include four (4) fuel pumps allowing for a total of six (6) fueling vehicles at any given time. An attendant kiosk is included and the entire operation is covered by a canopy. The Gas-N-Go is to be located within the existing parking field for the store.

In order to accommodate the Gas-N-Go and parking area modifications, several small interior landscaped islands are to be eliminated and relocated throughout the parking area. The new landscaped islands provide for the physical separation of the drive-thru Gas-N-Go portion of the site from the non-drive-thru portions of the site. There is no proposed change in the total area of interior landscaping. With no change in impervious coverage, the overall stormwater runoff from the project will also not be changed. Therefore, additional stormwater management facilities should not be required.

Please contact me if you have any questions or need additional information.

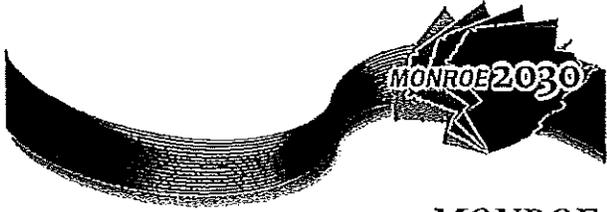
Sincerely,

Herbert, Rowland & Grubic, Inc.

William R. Swanick, P.E.
Project Manager

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RECEIVED
NOV 18 2016
POCONO TOWNSHIP



ADMINISTRATIVE CENTER
1 Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169
Phone: 570-517-3100
Fax: 570-517-3858

Email: mcpcc@monroecountypa.gov

**MONROE COUNTY PLANNING COMMISSION
RECEIPT OF PLAN SUBMITTAL**

Date Received 11/18/16

Fee \$300⁰⁰ Check Number 2176549

Owner/Applicant Weis Market

Type of Plan LDP

Engineer HRG Eng.

Acreage 35 Ac Lots 1

Project Name Weis 'Gas-N-Go'

Received by Eric Koopman

RECEIVED
NOV 18 2016
POCONO TOWNSHIP

RECEIVED
NOV 18 2016
POCONO TOWNSHIP



Herbert, Rowland & Grubic, Inc.
Engineering & Related Services

AN EMPLOYEE-OWNED COMPANY

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www.hrg-inc.com

November 18, 2016

Board of Supervisors
Pocono Township
PO Box 197
Tannersville, Pennsylvania 18372

Re: Waiver Requests
Final Land Development Plan
Weis Markets Store No. 166 Gas-N-Go
Pocono Township, Monroe County, PA

Dear Board Members:

On behalf of the owner/developer, Weis Markets, Inc., I respectfully request the following Waiver to certain requirements of the Pocono Township Subdivision and Land Development Ordinance (SLDO) as they relate to the above referenced plan.

1. SLDO Section 2.302: Preliminary Plan Requirements

Applicant seeks Waiver to the requirement above to allow the subject plan to be submitted as a "Final" Plan and forego the Preliminary Plan stage. This is due to the relative simplicity of the proposed project, the negligible impact on the surrounding public, and the non-need for additional public infrastructure. Moreover, additional stormwater management is not proposed.

I trust that the above Waiver can be granted to allow for the timely approval of the subject plan and development of the site. Please contact me if you have questions or need additional information.

Sincerely,

Herbert, Rowland & Grubic, Inc.

William R. Swanick, P.E.
Project Manager

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c: Alex Ororbia, Weis Markets, Inc.

RECEIVED
NOV 18 2016
POCONO TOWNSHIP



804 Sarah Street, Suite 201
 Stroudsburg, PA 18360
 Phone: 570-422-1240
 Fax: 570-422-1419
 mail@niclausengineering.com

Letter of Transmittal
 RECEIVED
 NOV 15 2016

CIVIL & ENVIRONMENTAL CONSULTANTS

POCONO TOWNSHIP

To: Pocono Township	Date: November 15, 2016	Job No.: POCO 1601
Pocono Township Municipal Building	Attention: Pam Finkbeiner	
P.O. Box 197	Re: Brookdale Road Minor Subdivision	
Tannersville, PA 18372	Larson, Jacobs, Higgins and Held	
	Pocono Township, Monroe County, PA	

WE ARE SENDING YOU: Enclosed Under Separate Cover Via _____ the Following:
 Shop Drawings Prints Plans Samples Specifications
 Copy of Letter Change Order

COPIES	DATE	NO.	DESCRIPTION
3	11/14/2016	1	Twp Receipt Checklist
17	11/14/2016	2	3 Full Plan Sets, 14 - 11" x 17", 1 Electronic e-mailed
1	11/14/2016	1	Check for \$500 Minor Subdivision Fee (Check # 6756)
17	11/14/2016		Pocono Township Minor Subdivision Application
1	11/14/2016	1	Escrow Check for \$3,500 (Check # 6758)
3	11/14/2016	3	Twp Contract for Professional Services
3	11/14/2016		Copies of Deed Book 2469 Page 7430, DB 367 Pg 213, DB 1582 Pg 719 & DB 445 Pg189
3	11.14.16		Closure Report for Final 4 Lotsa
17		1	Wetlands Assessment by Joe Valentine
4			Planning Module with Sewage Test Results
3			Property Owner Authorizations for Steve Larson as Representative to Sign/Submit Plans, etc.
3	11/14/2016		MCPC Submittal Receipt with Application and PNDI

THESE ARE TRANSMITTED as checked below:

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> For Approval | <input type="checkbox"/> Approved As Submitted | <input type="checkbox"/> Resubmit | <input type="checkbox"/> Copies For Approval |
| <input type="checkbox"/> For Your Use | <input type="checkbox"/> Approved As Noted | <input type="checkbox"/> Submit | <input type="checkbox"/> Copies For Distribution |
| <input type="checkbox"/> As Requested | <input type="checkbox"/> Returned For Corrections | <input type="checkbox"/> Return | <input type="checkbox"/> Corrected Prints |
| <input checked="" type="checkbox"/> For Review & Comment | | <input type="checkbox"/> Prints Returned After Loan To Us | <input type="checkbox"/> For Bids Due |

REMARKS: _____

COPY TO: Larson, Higgins Jacob and Held SIGNED: Charles Niclaus, P.E.

**DRAWINGS AND DESIGNS ON PLANS ARE THE PROPERTY OF
 NICLAUS ENGINEERING CORPORATION
 USE OF THESE PLANS IS LIMITED TO CONTRACTUAL RIGHTS
 OF THE CLIENT AND ALL OTHER USE IS PROHIBITED**

POCONO TOWNSHIP SUBDIVISION APPLICATION

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

The undersigned hereby applies for review by the Pocono Township Planning Commission and review and approval of the Board of Commissioners of Pocono Township for the plans submitted herewith and described below:

1. _____ Preliminary Plan Submission _____ Lot Line Adjustment
_____ Final Plan Submission _____ Lot Combination
 X Final Plan-Minor Subdivision _____ Sketch Plan

2. Name of Land Development: LARSON MINOR SUB
_____ BROOKDALE ROAD SUBDIVISION _____

Plan Dated: NOVEMBER 2016 County Deed Book No.: 2469

Volume No.: 2469 Page No. : 71

Property located in the Township's Designated _____ RD _____ Zone.

3. Name of Property Owner(s): Higgins, Larson and Jacob, tenants in common, & Seidel/Held
(If corporation, provide corporations' name and address and two officers of corporation)

Address: 2532 Brookdale Road, Scotrun PA 18455

Phone No.: 570-839-6016

Name of Applicant: Steven J Larson, authorized representative
(if other than owner)

Address: same

Phone No.: _____

4. Applicant's interest if other than owner: Authorized representative, see attach Authorizations
5. Engineer, Architect, Land Surveyor, or Landscape Architect responsible for plan:

Niclaus Engineering Corp _____

Address: 804 Sarah St, Stroudsburg, PA 18360

Phone No.: 570-422-1240

6. Total Acreage: 75.49 acres Total Number of Lots: 4

7. Acreage of adjoining land in same ownership (if any): 0

8. Type of Development Planned: Single Family: x
Two-Family: _____
Multi-Family: _____
Commercial: _____
Industrial: _____
Other: _____

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

9. Will construction of building be undertaken immediately ____ Yes No
By Whom: _____ Person Subdividing
_____ Other Developer
_____ Purchasers of individual lots

10. Type of water supply proposed: _____ Public (Municipal) system
_____ Private (Centralized)
_____ Individual (On Site)

11. Type of sanitary sewage Disposal proposed: _____ Public (Municipal) system
_____ Private (Centralized)
_____ Individual (On Site)

12. Are all streets proposed for dedication: ____ Yes No

13. Acreage proposed for park or other public or semi-public use as per Ordinance 121, Article IX, Section 3.212:

14. Present zoning classification and zoning changes, if any, to be requested:

_____ RD, no changes _____

15. Have appropriate public utilities been consulted: Yes _____ No

16. Material accompanying this Land Development Application:

Number	Item
a) _____	Preliminary Plan
b) _____	Final Plan
c) <u>14</u>	Final Plan-Minor Subdivision
d) <u>3</u>	Development Agreement
e) _____	Street Profiles and Cross-sections
f) _____	Other

17. List all subdivision standards and requirements which have not been met and for which a waiver or change is to be required:

The undersigned represents that to the best of his knowledge and belief, all the above statements are true and correct, and complete.

Date: 10.14.201
Signature of Owner or Applicant: Steve Larson

(By) Steve Larson
authorized representative

POCONO TOWNSHIP PLAN RECEIPT CHECK LIST

Name of Subdivision or Land Development Plan: Larson, Jacobs, Higgins and Held

Property Identification # 12-6364-04-61-1033, 12-6364-04-51-2139, 12-6364-04-51-6730, 12-6364-04-51-7539,

12-6364-04-51-3958,

Date: 11/14/16

Name of Developer: Larson, Jacobs, Higgin and Held

Name of Engineer or Surveyor: Niclaus Engineering Corp

Address: 2532 Brookdale Road
Scotrun, PA 18355

Address: 804 Sarah Street
Stroudsburg PA, 18360

Phone: 570-839-6016

Phone: 570-422-1240

Email: mars96@verizon.com

Email: cniclaus@niclausengineering.com

Preliminary and Final Major Subdivision and/or Land Development

Yes No

- Signed dated Application -- 14 copies
- Professional Services Agreement and Escrow payment
- Required Application Fees
- Plan - 14 copies - (5 full sets, 9 - 11"x17", and 1 electronic -CD)
- Storm Water Management (SWM) Report - 3 copies
- Wetland Study or abbreviated Study (if warranted) - 14 copies
- Planning Modules Information as per DEP requirement - 4 copies
- Copy of Erosion and Sedimentation Plan (may be submitted with final unless applicant opts to build under Preliminary plan approval) - 3 copies
- Modification Request Application for all requested Modifications -- 14 copies
- PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential -- 4 copies
- Professional Services Agreement - 1 copy with W-9 form

Plan is either Preliminary or Final. There are no provisions in the ordinance for a Preliminary/Final Submission. Such Submission would require a Modification Request with the plan application.

Minor Subdivision Plan Check List

Yes No

- Signed dated Application -- 17 copies
- Professional Services Agreement and Escrow payment
- Required Application Fees
- Plan -17 copies - (3 full sets, 14 - 11"x17", and 1 electronic- CD)
- Wetland Study or abbreviated Study (if warranted) - 17 copies
- Modification Request for all requested Modifications - 17 copies
- Tract History for verification of minor plan consideration - 17 copies
- Minor Planning Modules as per DEP Requirement - 4 copies
- PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential - 4 copies if Applicable.

Submission Receipt- After the Commission has determined that the Plan Submission included all of the required material as specified by this Ordinance, the Commission shall issue a receipt for the Plan at a regular meeting. The date the submission receipt is issued (the Submission Receipt Date) constitutes the official date of submission for purposes of plan review. Plans and supportive data, which are incomplete, shall be rejected and the Applicant shall be notified of the nature and extent of the omissions.

These items are requirements for plan receipt issuance only. No other acceptance or approval is implied.



November 2, 2016

Steven Larson
2532 Brookdale Road
Scotrun, PA 18355

Re: Wetland Delineation
Wayne Bank Property- Brookdale Road
Tax Map # 12/11/1/31 & 12/11/1/847
Tax Parcel # 12-6364-04-61-1033 & 12-6364-04-51-2139
Pocono Township, Monroe Co.
VW#16-11

Dear Mr. Larson:

VW Consultants, LLC completed an evaluation of the above referenced parcel to determine if regulated *wetlands* or *waters* are present. Our findings indicate that *wetlands* and *waters* are present on this site.

The site was evaluated by a staff soil scientist/ biologist. Our delineation was confined to the Brookdale Road side of the stream that bisects the property from the NE to the SW. The delineation was performed using:

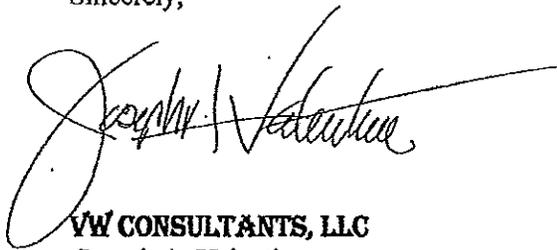
- The US Army Corps of Engineers (ACOE) Wetland Delineation Manual (January 1987)
- The ACOE Regional Supplement to the Manual: Eastern Mountains and Piedmont Region (July 2010).
- The USDA-NRCS Field Indicators of Hydric Soils in the United States, version 7.0 dated 2010.

Using the three parameter approach outlined in the ACOE Manual of soil, vegetation and hydrology the regulated wetlands were flagged in the study area on this parcel. A copy of the approximate wetland delineation is shown on the attached air photograph. The wetlands are predominantly confined to the area of the old lake bed which is no longer present due to a dam breach ordered by the PADEP. One area located down-stream of the former dam had wetlands adjoining the stream channel located on the proposed lot # 3. On lot # 2 there was a small area of wetlands that extended above the former lake bed.

In conclusion, the wetlands on the Brookdale Road side of the stream are predominantly located to the former lake bed. It is our understanding that your project will not impact any wetlands or waters since it is a lot line change by adding additional acreage to existing parcels. One new dwelling is proposed along Brookdale Road to be located on lot # 3. This construction will not impact any wetlands or waters. Should there be any future impact to the delineated wetlands or waters, a Jurisdictional Determination (JD) from the USACOE will be needed. Additional documentation of the wetland boundary will be required at that time.

Should you have any questions regarding this matter, please do not hesitate to contact us at 267-784-6873 or by email at valsoils@verizon.net.

Sincerely,

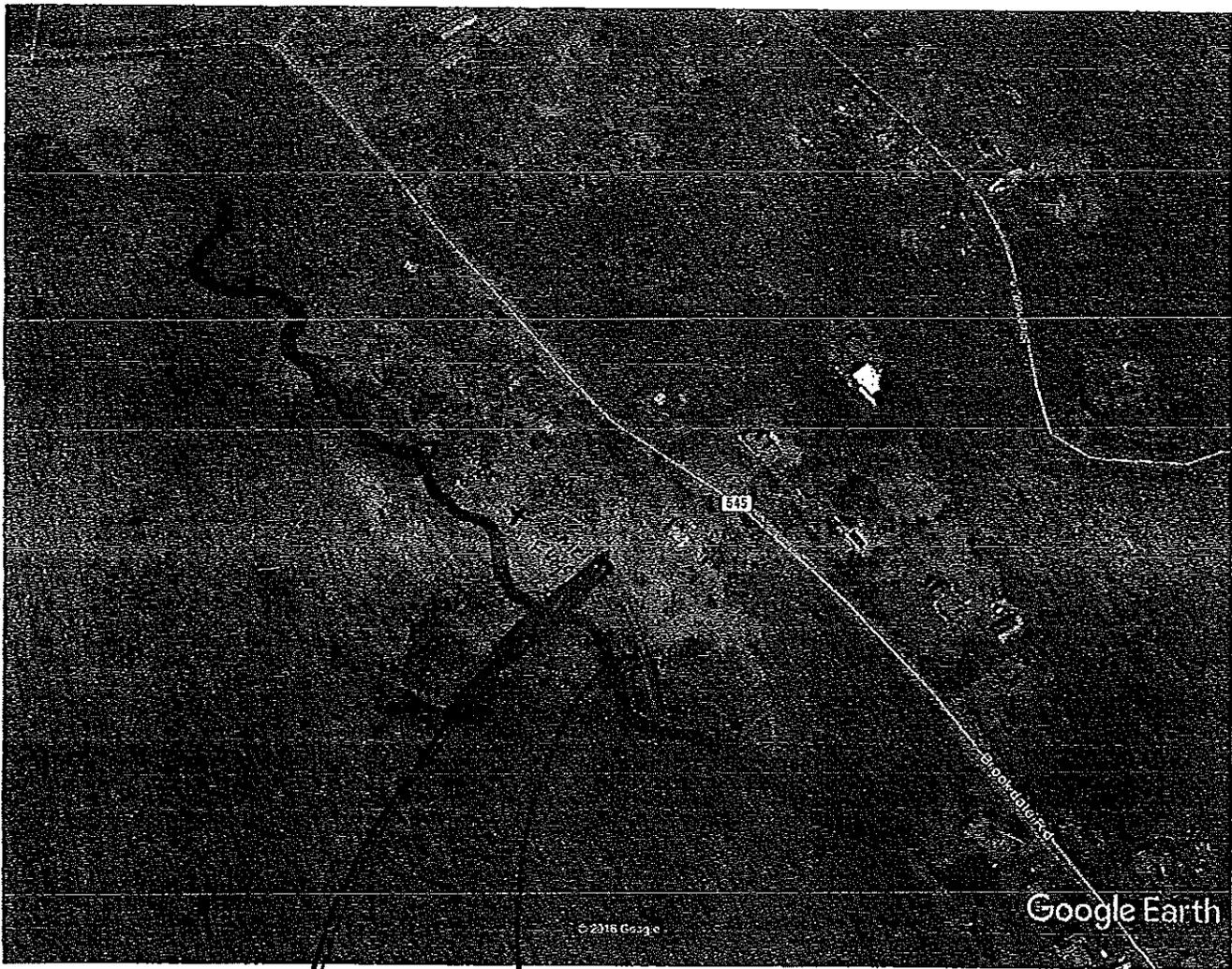
A handwritten signature in black ink, appearing to read "Joseph A. Valentine". The signature is written in a cursive style with a long horizontal flourish extending to the right.

VW CONSULTANTS, LLC

Joseph A. Valentine
Soil Scientist/Biologist

ENCLOSURE

cc: Niclaus Engineering



Google Earth

feet 1000
meters 300



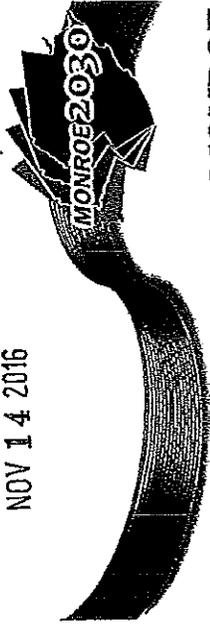
Old DAM

.3 culvert pipes 30" ϕ
"Wakes" above not flagged
wakes below flagged lime ribbon

Lanson WL

RECEIVED

NOV 14 2016



ADMINISTRATIVE CENTER
1 Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169
Phone: 570-517-3100
Fax: 570-517-3858

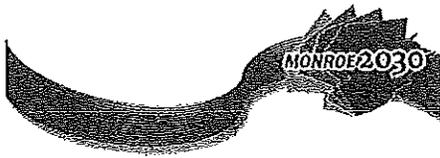
Email: mcpcc@monroecountypa.gov

**MONROE COUNTY PLANNING COMMISSION
- RECEIPT OF PLAN SUBMITTAL**

Date Received 11/14/16 Fee \$ 35 Check Number ✓
Owner/Applicant Larson, Higgins, Jacob Type of Plan Minor
Engineer W Nicholas Engineering Acreage APPROX-75 Lots 4
Project Name Larson, Higgins, Jacob Received by [Signature]

(Revised 1/28/15)

MCPC Subdivision and Land Development Review Checklist



Monroe County Planning Commission
One Quaker Plaza, Room 106
Stroudsburg, PA 18360
Phone (570) 517-3100 Fax (570) 517-3858
mcpc@monroecountypa.gov

<u>Completeness:</u>	<u>Copies Provided:</u>	<u>Date Received:</u>
2 copies -- Plan Sets (1 copy for Minor Subdivisions)	1	
2 copies -- MCPC Review Checklist	2	
Fee (\$300-LDP/Site/Majors) (\$35 -- Minor Subdivisions)	35	
1 copy -- PNDI	1	
2 copies -- Other Supporting Documents		

General Information:

Project Name and Municipality: Brookdale Road Minor Subdivision, Pocono Twp

Property Location: 2532 Brookdale Road

Zoning District: RD PIN: 12-6364-0461-1033 & 0451-2139

Applicant: Larson, Higgins and Jacob Phone: 570-839-6016 Steve Larson

Address: 2532 Brookdale Road
Scotrun PA 18455

Plan Prepared By: Niclaus Engineering Contact Name: Charles Niclaus

Address: 804 Sarah Street Phone/Fax: 570-422-1240 & 1419
Stroudsburg, PA 18360 Email: cniclaus@niclausengineering.com

Brief description of project: Minor subdivision involving 4 tax map parcels and changing lot lines into 4 revised lots

Site Information:

Application Type: (Land Development, Major Subdivision, etc.....) Minor Subdivision

Is County completion of Planning Module Component 4B being requested as part of this plan? (YES/NO)

Development Type: (single-family, multi-family, commercial, etc.....) Single Family

Total Acreage of Site/Square Footage of Proposed Structures: 75.1 acres, 4 lots

Number of lots or units: 4 exist, 4 prop Building Height/No. of Stories: _____

Length of new roads: 0 Zoning Use Class: Permitted
 Conditional
 Special Exception

% Impervious: 0 prop

Parking: (required/proposed/existing) NA Has this plan been previously submitted/revised, if yes when: No

Method of Water Supply and provider: On-Lot

Method of Sewage Disposal and provider: On-Lot

Fire Protection: NA

Is public transportation available in this area? No If yes, describe any pick-up/drop-off points, bus shelters, etc. being proposed. _____

Natural Features and Environmental Information:

	YES/NO	SIZE	IMPACT PROPOSED?
WETLAND AREAS*	yes		No
STEEP SLOPE AREAS	yes		No
FLOODPLAIN	yes		No
PRIME AG SOILS	No		No
NATURAL AREAS INVENTORY	yes		No
PA NATURAL DIVERSITY INVENTORY	No		No

*If yes, indicate name of consultant responsible for delineation Joe Valentine

Amount of Open Space proposed, if any: 0 Has any landscaping been proposed? NA

Plan Consistency: (Attach additional sheets if necessary)

How is this project consistent with the Monroe 2030 Comprehensive Plan, December 2014? (Please refer to sections within the plan) *Plan available at www.monroecountypa.gov*

No change, 4 lots to 4 lots, less non-conformance

How is this project consistent with the Economic Development Implementation Plan, December 2014? (Please refer to sections within the plan) *Plan available at www.monroecountypa.gov*

NA

How is this project consistent with the Open Space, Greenways, & Recreation Plan, December 2014? (Please refer to sections within the plan) *Plan available at www.monroecountypa.gov*

NA

How is this project consistent with the Regional or Municipal Comprehensive Plan?

NA

Are zoning variances or subdivision and land development ordinance waivers being requested? Yes

If yes, please describe. Numerous natural feature waivers being requested due to large lot sizes and no development proposed.

If the Municipality has adopted an Official Map (Article IV of the Pennsylvania Municipalities Planning Code), is this property identified for consideration? No

Does the Municipality require a 4-step design process to be completed? No

Note: Final plans that are not substantially revised from a previously approved preliminary plan do not need to be submitted for review, unless required by municipal ordinance.



Borton
Lawson

LETTER OF TRANSMITTAL

TO: Pocono Township DATE: December 2, 2016
P.O. Box 197
Tannersville, PA 18372 ATTN: Planning Commission
 RE: Sanofi Pasteur, Inc.
 FROM: Aaron M. Sisler, P.E. PROJECT Discovery Drive Widening
 OFFICE: Bethlehem NUMBER: 2016-2228-007

WE ARE SENDING YOU THE FOLLOWING ITEMS: Attached Under separate cover

- Shop Drawings Prints Plans Samples
 Copy of Letter Change Order Specifications
 Other:

COPIES:	DATE:	NO.:	DESCRIPTION:
19	12/2/16		Pocono Township - Plan Receipt Checklist
19	12/2/16		Pocono Township Land Development Application
19			Running Totals Spreadsheet
19	12/2/16		Modification Requests
5	12/2/16		Plan Set (Full Size)
14	12/2/16		Plan Set (11 x 17)
1	12/2/16		Plan Set (CD)
3	12/2/16		Erosion & Sedimentation Control Report
3	12/2/16		Post Construction Stormwater Management Report
1	12/2/16		ERSAM (For Township Engineer)
1			Check #110553 - \$7,500.00 - Escrow Fee
1			Check #110552 - \$300.00 - Stormwater and Earth Dist. Review Fee
1			Check #110551 - \$1,000.00 - Land Development Application Fee

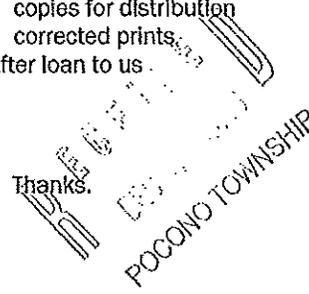
Bethlehem
Harrisburg
Pittsburgh
State College
Wilkes-Barre

THESE ARE TRANSMITTED AS CHECKED BELOW:

- For approval Approved as submitted Resubmit 0 copies for approval
 For your use Approved as noted Submit 0 copies for distribution
 As requested Returned for corrections Return 0 corrected prints
 For your review and comment Prints returned after loan to us
 For bids due Other:

REMARKS:

Please call me at 484-821-0470, Ext. 2105 with any questions you may have. Thanks.
Aaron Sisler



SENT VIA:

- USPS Email FedEx Fax
 Pick-up Courier Delivery Other:

COPY TO: Sanofi Pasteur, Inc. SIGNED: Aaron M. Sisler, P.E.

If enclosures are not as noted, kindly notify us at once.

POCONO TOWNSHIP PLAN RECEIPT CHECK LIST

Name of Subdivision or Land Development Plan: Sanofi Pasteur, Inc. - Discovery Drive Widening

Property Identification # 12-6364-02-96-9225 Date: 12/2/2016

Name of Developer:	<u>Sanofi Pasteur, Inc.</u>	Name of Engineer or Surveyor:	<u>Borton-Lawson</u>
Address:	<u>Discovery Drive</u>	Address:	<u>3897 Adler Place</u>
	<u>Swiftwater, PA 18370</u>		<u>Bethlehem, PA 18017</u>
Phone:	<u>570-957-4700</u>	Phone:	<u>484-821-0470</u>
Email:	<u>Dean.Wehr@sanofipasteur.com</u>	Email:	<u>asisier@borton-lawson.com</u>

Preliminary Major Subdivision and/or Land Development

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Signed dated Application - 14 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement and Escrow payment |
| <input type="checkbox"/> | <input type="checkbox"/> | Required Application Fees |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan - 14 copies - (5 full sets, 9 - 11"x17", and 1 electronic - CD) |
| <input type="checkbox"/> | <input type="checkbox"/> | Storm Water Management (SWM) Report - 3 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) - 14 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Planning Modules Information as per DEP requirement - 4 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of Erosion and Sedimentation Narrative (may be submitted with final unless applicant opts to build under Preliminary plan approval) - 3 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Modification Request Application for all requested Modifications - 14 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential - 4 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement - 1 copy with W-9 form (on file with Twp) |

Plan is either Preliminary or Final. There are no provisions in the ordinance for a Preliminary/Final Submission. Such Submission would require a Modification Request with the plan application.

Final Major Subdivision and/or Land Development

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Signed dated Application - 19 copies |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement and Escrow payment |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Required Application Fees |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Plan - 19 copies - (5 full sets, 14 - 11"x17", and 1 electronic - CD) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Storm Water Management (SWM) Report - 3 copies |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) (if preliminary plan submittal was waived) - 19 copies (on file with Twp) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Modules Information (if preliminary plan submittal was waived) as per DEP requirement - 4 copies |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Copy of Erosion and Sedimentation Narrative - 3 copies |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Modification Request Application for all requested Modifications (if Modifications approved with Preliminary Plan, then provide listing on Final Plan) - 19 copies |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential - 4 copies |

Plan is either Preliminary or Final. There are no provisions in the ordinance for a Preliminary/Final Submission. Such Submission would require a Modification Request with the plan application.

Minor Subdivision Plan Check List

- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Signed dated Application - 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement and Escrow payment |
| <input type="checkbox"/> | <input type="checkbox"/> | Required Application Fees |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan - 17 copies - (3 full sets, 14 - 11"x17", and 1 electronic - CD) |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) - 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Modification Request for all requested Modifications - 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Tract History for verification of minor plan consideration - 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Minor Planning Modules as per DEP Requirement - 4 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential - 4 copies if applicable. |

POCONO TOWNSHIP

Submission Receipt-After the Commission has determined that the Plan Submission included all of the required material as specified by this Ordinance, the Commission shall Issue a receipt for the Plan at a regular meeting. The date the submission receipt is issued (the Submission Receipt Date) constitutes the official date of submission for purposes of plan review. Plans and supportive data, which are Incomplete, shall be rejected and the Applicant shall be notified of the nature and extent of the omissions.

These Items are requirements for plan receipt issuance only. No other acceptance or approval is implied.

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

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

The undersigned hereby applies for review by the Pocono Township Planning Commission and review and approval of the Board of Commissioners of Pocono Township for the plans submitted herewith and described below:

- 1. Preliminary Plan Submission _____ Lot Line Adjustment
- Final Plan Submission _____ Lot Combination
- _____ Final Plan-Minor Subdivision _____ Sketch Plan

2. Name of Land Development: Discovery Drive Widening

Plan Dated: 12/2/2016 County Deed Book No.: 2370

Volume No.: 82 Page No.: 6096

Property located in the Township's Designated I Zone.

3. Name of Property Owner(s): Sanofi Pasteur Inc.
(If corporation, provide corporations' name and address and two officers of corporation)

Address: Discovery Drive
Swiftwater, PA 18370 Phone No.: 570-957-4700

4. Name of Applicant: Same as above
(If other than owner)

Address: _____
_____ Phone No.: _____

5. Applicant's interest if other than owner: _____

6. Engineer, Architect, Land Surveyor, or Landscape Architect responsible for plan:

Borton-Lawson
Address: 3897 Adler Place
Bethlehem, PA 18017 Phone No.: 484-821-0470

7. Total Acreage: 210.928 Total Number of Lots: 1

8. Acreage of adjoining land in same ownership (if any): 332.39

9. Type of Development Planned: Single Family: _____
Two-Family: _____
Multi-Family: _____
Commercial: _____
Industrial: _____
Other: _____



APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: Discovery Drive Widening

Section of Subdivision and Land Development Ordinance: 2.106

Justification for Relief: The initial preliminary plan submitted for review shall be considered the official preliminary plan.

Is the hardship self-imposed? ___ Yes No

Is the hardship related to financial issues? ___ Yes No

Will relief from the referenced section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance?

Yes No Explain:

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DEC 13 2016
POCONO TOWNSHIP

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: Discovery Drive Widening

Section of Subdivision and Land Development Ordinance: 2.302.A & 2.303.A

Justification for Relief: Preliminary/Final - Drawing scale not to exceed 1" = 100' for preliminary/final land development plan.

Is the hardship self-imposed? ___ Yes No

Is the hardship related to financial issues? ___ Yes No

Will relief from the referenced section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance?

Yes No Explain:

ROYLE & DURNEY
Jeffrey A. Durney, Esq.
2937 Route 611
Merchants Plaza - Suite 8
P.O. Box 536
Tannersville, PA 18372
(570) 620-0320

BEFORE THE POCONO TOWNSHIP BOARD OF COMMISSIONERS

IN RE: Application of Edward P. Abraham, Robert L. Hackenberg and Vincent J. Trapasso for a Text Amendment to the Pocono Township Zoning Ordinance of 2003 (Ordinance No. 110), as Amended, in Order to Create a New Resort Re-Use Overlay District

PETITION OF EDWARD P. ABRAHAM, ROBERT L. HACKENBERG AND VINCENT J. TRAPASSO TO AMEND THE POCONO TOWNSHIP ZONING ORDINANCE OF 2003 (ORDINANCE NO. 110), AS AMENDED

Petitioners, Edward P. Abraham, Robert L. Hackenberg and Vincent J. Trapasso, by and through their counsel, Royle & Durney, hereby petition the Board of Commissioners of Pocono Township to amend the current Pocono Township Zoning Ordinance to create a new Resort Re-Use Overlay District, and in accordance therewith aver as follows:

1. The Petitioners are the equitable owners of a 232 acre parcel of land located along Route 611 and Brookdale Road in Pocono Township ("Property"). The Property was formerly the Caesar's Brookdale Resort.

2. The Property contains 119 guest rooms, dining facilities, administrative and support buildings, laundry facilities, maintenance buildings, a lake, recreation areas, open space and other miscellaneous improvements.

3. A portion of the Property located along Route 611 is zoned Commercial. The remainder of the Property is zoned RD Recreation District. All of the existing improvements on

the Property are located within the RD Recreation District. The Property is accessed from State Route 611.

4. The Caesar's Brookdale Resort has been closed and the Property has been vacant since 2008.

5. Despite being listed for sale, no developer has sought to reopen the Property as a resort or any other type of use permitted in the RD Recreation District.

6. Given the industry trend toward modern resort facilities, such as Kalahari, Great Wolf and Camelback Lodge; the likelihood of the Property being reopened as a resort is remote.

7. The buildings on the Property have deteriorated and can be expected to continue to deteriorate absent a new owner taking over and making a significant investment in the Property.

8. The continued vacancy and non-use of the Property may create public safety issues for the Township, with a "ghost town" being a breeding ground for all kinds of unwanted activities.

9. The continued vacancy and non-use of the Property has deprived the Township of both a substantial employer and tax and other revenues generated by a fully-functioning property.

10. Petitioners have identified the Property, with its existing facilities, as an ideal location for a Treatment Center.

11. Petitioners propose to operate a Treatment Center (which is included in the definition of a Group Care Facility in the Zoning Ordinance) on the Property, which will provide treatment for persons suffering from a dependency to drugs or alcohol. The facility will be licensed by the Commonwealth of Pennsylvania and subject to all state and federal regulations and will seek further accreditations of health care organizations.

12. All patients of the Treatment Center will be at the facility on a voluntary basis. Patients will be put through a vigorous screening process to ensure that they are appropriate candidates for the treatment services offered. The Treatment Center will not accept patients referred by a court for mandatory treatment as part of the disposition of their court cases.

13. The annual net fiscal impact of the Treatment Center will be favorable for Pocono Township as well as the Pocono Mountain School District.

14. The Treatment Center anticipates employing 80 to 100 people at the facility. A significant number of the jobs will be for professionals who are licensed and credentialed, such as doctors, nurses and counselors.

15. Petitioners will refurbish and use the existing structures on the Property, restoring the deteriorating resort and creating a first class treatment facility.

16. The Treatment Center will operate as a for-profit business and will not seek an exemption from real estate taxes, unlike other possible purchasers of the Property, such as a religious group that would seek a property tax exemption.

17. The traffic generated by the Treatment Center will be readily accommodated by existing roads and highways in the immediate vicinity of the Property under acceptable levels of service.

18. The Treatment Center will be a less intensive use than that of a resort or other permitted uses on the Property. In this regard, the traffic in and out of the Treatment Center will largely be limited to employees arriving and departing from work. The traffic at the Treatment Center will be significantly less than that of other permitted uses in the RD Recreation District such as a resort, amusement park, restaurant or water park, where customers come and go throughout the entire day.

19. Petitioners hereby request the Township to amend the text of the current Township Zoning Ordinance to create a new Resort Re-Use Overlay Zoning District to permit a Treatment Center as an adaptive reuse of the former resort on the Property.

20. A copy of the proposed text amendment to the Pocono Township Zoning Ordinance is attached hereto as Exhibit "A".

21. Treatment Centers, as Group Care Facilities, are already permitted uses as of right in the Commercial District under the current Zoning Ordinance.

22. While currently permitted by right in the Commercial District, a Treatment Center is better suited for the Property, in accordance with the dimensional regulations governing the RD Recreation District, which allow for more privacy and greater isolation distances to minimize any impact on neighboring properties.

23. By permitting a Treatment Center as an adaptive reuse of the former resort on the Property the Township will allow for the revitalization of the Property and prevent its further deterioration and potential blight.

24. Petitioners' request to amend the Pocono Township Zoning Ordinance as set forth above is consistent with and compatible with the Multi-Municipal Comprehensive Plan of Hamilton Township, Stroud Township, Pocono Township and Stroudsburg Borough. Specifically, the amendment permitting the Treatment Center will, among other things: (i) enhance tax revenue from business development to balance the residential share of the property tax base, (ii) promote job creation for local residents, (iii) encourage the adaptive reuse of vacant and underutilized properties, (iv) relate economic development to available infrastructure, (v) attract and maintain desirable businesses, and (vi) facilitate opportunities for residents to obtain family sustaining jobs in a variety of appropriate employment fields.

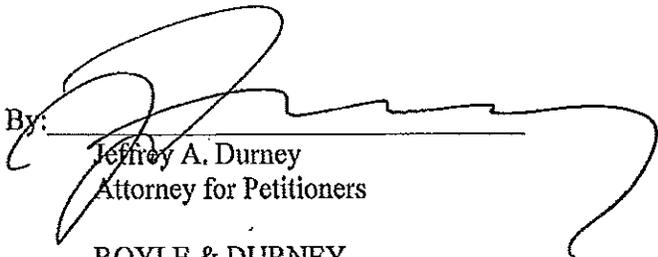
25. Pursuant to Section 906 of the Pocono Township Zoning Ordinance and Section 609 of the Municipalities Planning Code, Petitioners request that this Petition be forwarded to the Pocono Township Planning Commission and the Monroe County Planning Commission so that they may provide their review of this proposed Zoning Ordinance Amendment.

WHEREFORE, Petitioners hereby request that the Board of Commissioners of Pocono Township amend its Zoning Ordinance as set forth above and to schedule a hearing thereon in accordance with the Pocono Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

Respectfully submitted,

Date: October 14, 2016

By:



Jeffrey A. Durney
Attorney for Petitioners

ROYLE & DURNEY
2937 Route 611
Merchants Plaza – Suite 8
P.O. Box 536
Tannersville, PA 18372

Telephone: (570) 620-0320
Facsimile: (570) 620-0390
Email: jdurney@royledurney.com

EXHIBIT "A"

TOWNSHIP OF POCONO
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

**AN ORDINANCE OF POCONO TOWNSHIP AMENDING
THE TOWNSHIP ZONING ORDINANCE**

BE IT ENACTED AND ORDAINED by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania that the Zoning Ordinance is hereby amended as follows:

WHEREAS, Section 906 of the Pocono Township Zoning Ordinance and Section 609 of the Municipalities Planning Code, 53 P.S. §106909, authorize the Township of Pocono to enact amendments to the Pocono Township Zoning Ordinance; and

WHEREAS, the Pocono Township Board of Commissioners has determined that it is in the best interests of the municipality to adopt this ordinance amending the Pocono Township Zoning Ordinance; and

WHEREAS, the Board of Commissioners of Pocono Township has determined that this Ordinance is generally consistent with the Township's Comprehensive Plan; and

WHEREAS, a public hearing was held for the purpose of considering this amendment to the Pocono Township Zoning Ordinance; and

WHEREAS, the Board of Commissioners of Pocono Township, after a public hearing, and after receipt of recommendations from the Pocono Township Planning Commission and the Monroe County Planning Commission, deems it appropriate and proper that the Zoning Ordinance be amended to create a new Resort Reuse Overlay District.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania that the Pocono Township Zoning Ordinance is hereby amended as follows:

1. TEXT AMENDMENT. The Zoning Ordinance is hereby amended to add a new Article to read as follows:

ARTICLE X

RESORT RE-USE OVERLAY DISTRICT

Section 1001. Statement of Purpose

The purpose of the Resort Re-Use Overlay District is to permit the adaptive re-use of out-dated and outmoded resort facilities within the Township in a manner that will prevent the further deterioration of existing buildings, structures and facilities, encourage low-impact uses which will provide needed services and will enhance the economic base of the Township.

Section 1002. Eligibility

The Resort Re-Use Overlay District shall encompass the entire Township, but shall only be applicable to properties which are:

- A. 50 acres or greater;
- B. Contain a vacation resort or lodge which has been closed for at least 5 years;
- C. Is located within 2 miles of State Route 611.

Section 1003. Permitted Uses.

The following uses shall be permitted by conditional use in the Resort Re-Use Overlay District, subject to Section 516 of this Ordinance:

- A. Treatment Center in accordance with Section 539.C of this Ordinance;
- B. Life Care Facility in accordance with Section 546 of this Ordinance;
- C. Recreational uses ancillary to a treatment center or life care facility.

Section 1004. Lot, Yard and Height Requirements.

All new uses permitted in the Resort Re-Use Overlay District shall conform with the lot, yard, and height requirements of the base zoning district in which it is located.

Section 1005. Parking and Loading Requirements.

Off-street parking and loading requirements shall be provided in accordance with Section 512 of this Ordinance.

Section 1006. Signs.

All proposed signs shall conform to the requirements of Article VII of this Ordinance.

2. SEVERABILITY. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The Board of Commissioners hereby declares that it would have passed this Amendment and each Section or part thereof, other than the part declared invalid, if the Board of Commissioners had advanced knowledge that any part would be declared invalid.

3. REPEALER. Any resolution, ordinance or part of any ordinance or resolution inconsistent herewith, and any amendments thereof, are hereby expressly repealed and the provisions of this Ordinance shall prevail.

4. RATIFICATION. In all other respects, the provisions of the Pocono Township Zoning Ordinance, as amended, shall remain in full force and effect.

5. EFFECTIVE DATE. This Zoning Ordinance shall become effective five (5) days after adoption.

ENACTED and ORDAINED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF POCONO TOWNSHIP

By: _____
Harold Werkheiser, President

By: _____
Robert DeYoung, Vice President

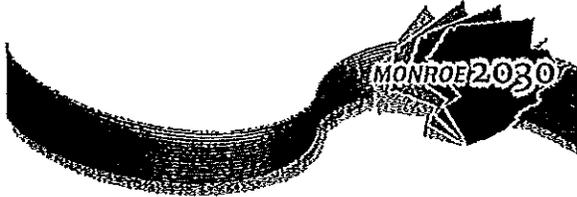
By: _____
Judi Coover

By: _____
Gerald Lastowski

By: _____
Ellen Gnant

ATTEST:

Township Secretary



MONROE COUNTY PLANNING COMMISSION

TO: Pocono Township Commissioners

FROM: Christine Meinhart-Fritz, Director
Eric Koopman, Lead Senior Planner

DATE: December 5, 2016

SUBJECT: Resort Re-use Overlay District
Pocono Township
MCPC Review #182-16

ADMINISTRATIVE CENTER
1 Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169
Phone: 570-517-3100
Fax: 570-517-3858
mcp@monroecountypa.gov
www.monroecountypa.gov

This office has received draft amendments for a proposed overlay district to encourage redevelopment of non-operational resort uses. The amendments would permit Treatment Centers and Life Care Facilities in all districts that meet certain criteria. Specifically, these land uses would be permitted if the lot size is a minimum of 50 acres and it contains a resort of lodge which has been closed for at least 5 years. While the following comments are offered, they should not be considered as a formal review as required for zoning amendments under the Pennsylvania Municipalities Planning Code.

- Typically, overlay zones concern special situations that are not appropriate to a specific zoning district. It should be noted that Treatment Centers and Life Care Facilities are currently permitted within the Township. (Treatment Centers are permitted in the Commercial zone.) As such, the Township is not required to further accommodate these land uses. Also, property owners utilizing overlay district regulations generally have additional standards not typical of those required through the zoning ordinance. Aesthetic controls are one example. The proposed amendments do not appear to include additional standards beyond an increase in minimum lot size. A sample definition for Overlay Districts from *The Latest Illustrated Book of Development Definitions (Moskowitz & Lindbloom, 2004)* is as follows:

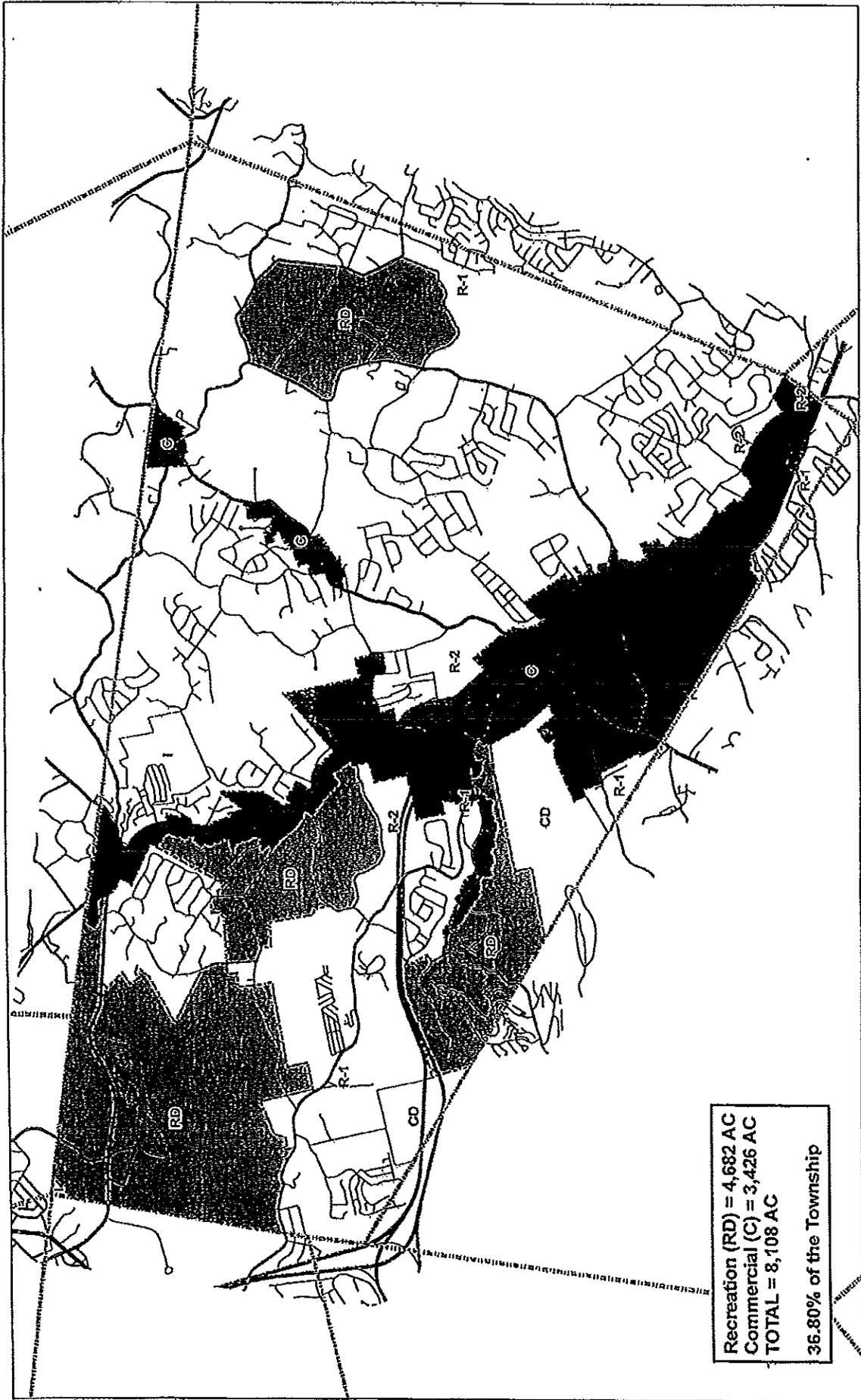
“Overlay Zone – A zoning district that encompasses one or more underlying zones and that imposes additional requirements beyond those required for the underlying zone.”

- The Township should be made aware that while the stated intention of a proposed project may be consistent with proper planning principles, it need only follow the text of the most current zoning ordinance. The Township should carefully consider if the proposed amendments are detailed and thorough enough to mitigate potential negative impacts.
- While minimum lot size is addressed by the proposed amendments, there are other concerns regarding the land uses in question. Security issues, fencing, buffer yards, required open space, visitor parking, signage, hours of operation, aesthetics, etc. are not addressed by the proposed amendments.

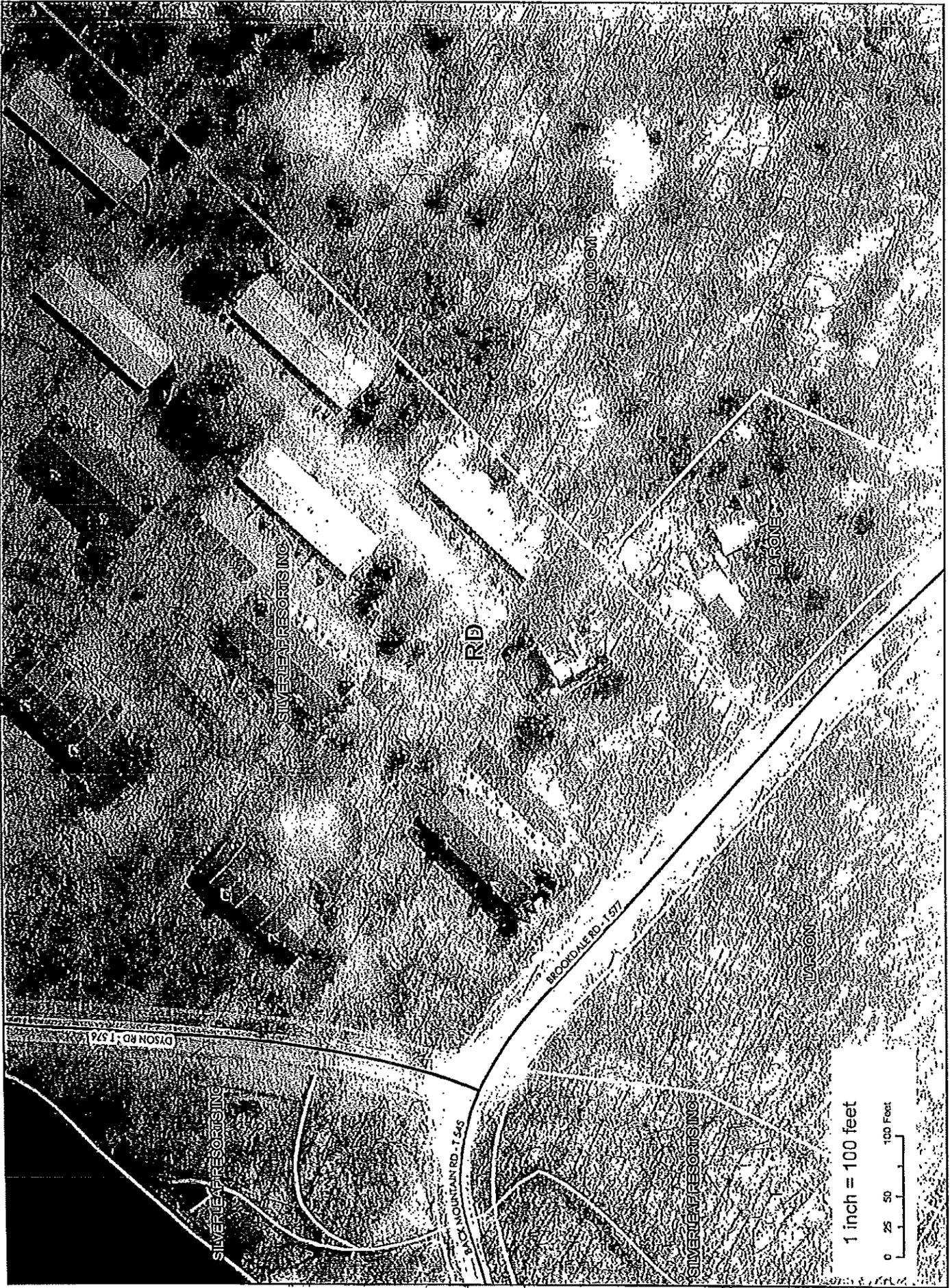
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Pocono Township
MCPC Courtesy Review #182-16

- As it is written, treatment centers would only be required to be located the minimum setback required by base zoning. Given the close proximity to existing residences, it is strongly suggested that additional buffers and building setbacks be required for any treatment center in the proposed location. The attached maps are printed to scale and better illustrate this concept. (Side yard setbacks in the R-D district are 25 feet)
- It is unclear what state and federal regulations would be applicable to the proposed land uses, and the Township is encouraged to investigate this matter to ensure that potentially adverse impacts are properly mitigated.
- It should be noted that the amendments would be applicable to only two properties (the former Brookdale Resort and the former Summit Resort.) As such, the amendments possess some characteristics of spot zoning which is generally discouraged.

Altering a zoning ordinance has direct implications for development to affect community character for years to come, and such a change should not be undertaken lightly. As they are presented now, the amendments appear inadequate for adoption.



Recreation (RD) = 4,682 AC
Commercial (C) = 3,426 AC
TOTAL = 8,108 AC
36.80% of the Township



SILVERLEAF RESORTS INC

RD

SOTOGWI

BRADOME

BROOKDALE RD. 157

DYSON RD. 157A

SILVERLEAF RESORTS INC

PAC MOUNTAIN RD. 154S

SILVERLEAF RESORTS INC

LIVACON

1 inch = 100 feet



Underlying Zoning Regulations (R-D zone)

f. Sign plazas (see Article VII).

C. Lot, Yard, and Height Requirements

1. Lot Requirements

- a. Minimum Lot Area - Two (2) acres.
- b. Minimum Lot Width - Two Hundred (200) feet.
- c. Maximum Impervious Coverage - Twenty percent (20%) for residential uses; eighty percent (80%) for other uses.

2. Yard Requirements

- a. Front Yard Depth - Fifty (50) feet.
- b. Side Yard Width - Twenty-five (25) feet, except when adjacent to the R-1 and R-2 Residential Districts or any existing residential dwelling, a minimum side yard of forty (40) feet is required.
- c. Rear Yard Depth - Forty (40) feet.
- d. Well - Fifteen (15) feet.
- e. Septic - Ten (10) feet.

3. Building Height

- a. Principal Building - Fifty (50) feet.
- b. Accessory Building - Equal in height to principal building but in no event higher than Fifty (50) feet.

D. Parking and Loading Requirements

Off-street parking and loading requirements shall be provided in accordance with Section 512 of this Ordinance.

E. Signs

All proposed signs shall conform to the requirements of Article VII of this Ordinance.

Supplementary Regulations

3. The maximum number of residents shall be indicated at the time of application, and that number, not including employees, shall not exceed any applicable minimum space requirements;

4. The applicant shall provide sufficient evidence to the Zoning Hearing Board that the security measures to be provided will provide adequate protection to the residents of the facility.

C. Treatment Center:

1. The applicant shall indicate the nature of the residents to be served and the type of treatment/care to be provided, including whether or not any counseling or other services will be provided for nonresidents;

2. The applicant shall provide evidence that the Treatment Center is sponsored and operated by an agency licensed, registered or certified by an applicable County, State, or Federal program. The operators of the facility shall notify the Township in writing within 14 days if there is a change in the type of residents, the sponsoring agency, or maximum number of residents or if the license/registration/certification expires, is suspended or withdrawn;

3. If the facility is a temporary residence for the clients, the maximum number of clients shall be indicated at the time application, and that number, not including employees, shall not exceed any applicable minimum space requirements;

4. The facility shall have 24-hour on-site supervision by professionals trained to supervise the types of clients to be served by the facility;

5. If a facility will house persons presenting a potential physical threat to the safety of nonresidents, the facility operator shall provide evidence that sufficient staffing and other security measures will be provided;

6. The facility shall be located a minimum of 1,000 feet from any other such existing/approved facility.