

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			Contd 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		



Borton
Lawson

ENGINEERING
ARCHITECTURE

January 6, 2017

Pocono Township Commissioners
P.O. Box 197
112 Township Drive
Tannersville, PA 18372

RE: Sanofi Pasteur, Inc. – Tier One Parking Deck Project

BL No.: 2016-2228-010

Dear Commissioners:

On behalf of our client, please accept this letter to extend plan review/approvals by Pocono Township for this project for ninety (90) days. The request is made to complete the plan approval process.

Should you have any questions, please do not hesitate to contact me at 484-821-0470, extension 2105.

Sincerely,

Aaron M. Sisler, P.E.
Project Manager

Enclosure(s)
AMS/dth

Bethlehem
Pittsburgh
State College
Wilkes-Barre

BETHLEHEM
3897 Adler Place
Bethlehem, PA 18017

Phone: 484.821.0470
Fax: 484.821.0474

borton-lawson.com



Borton
Lawson

ENGINEERING
ARCHITECTURE

January 6, 2017

Pocono Township Commissioners
P.O. Box 197
112 Township Drive
Tannersville, PA 18372

RE: Sanofi Pasteur, Inc. – Discovery Drive Turn Lane

BL No.: 2016-2228-008

Dear Commissioners:

On behalf of our client, please accept this letter to extend plan review/approvals by Pocono Township for this project for ninety (90) days. The request is made to complete the plan approval process.

Should you have any questions, please do not hesitate to contact me at 484-821-0470, extension 2105.

Sincerely,

Aaron M. Sisler, P.E.
Project Manager

Enclosure(s)
AMS/dth

Bethlehem
Pittsburgh
State College
Wilkes-Barre

BETHLEHEM
3897 Adler Place
Bethlehem, PA 18017

Phone: 484.821.0470
Fax: 484.821.0474

borfon-lawson.com

EXTENSION OF TIME PURSUANT TO SECTION 508(3) OF THE PENNSYLVANIA
MUNICIPALITIES PLANNING CODE

TO: Board of Commissioners
Pocono Township Municipal Building
P.O. Box 197
Tannersville, PA 18372

Planning Commission
Pocono Township Municipal Building
P.O. Box 197
Tannersville, PA 18372

FROM: Michael E. Gable, PE, Boucher & James, Inc.
2738 Rim Rock Rd.
Stroudsburg, PA 18360

Pursuant to Section 508(3) of the Pennsylvania Municipalities Planning Code, 53 P.S. 10508(3),
the undersigned applicant/attorney for applicant/engineer for applicant/other agent for applicant
[circle applicable representative] hereby agrees to an extension of time for decision by the
Pocono Township Planning Commission and the Pocono Township Board of Commissioners
concerning the approval of the subdivision and/or land development and/or Conditional use
application/plan entitled:

CB H2O, LP, Lot 13 & Hotel

This extension shall be valid to and including April 17, 2017. If an agent, the
undersigned verifies that this extension agreement is executed with the authorization of the
applicant.



(Signature)

Michael E. Gable

(Print Name)

Dated: 1/4/17

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.

- C) Sanofi Discovery Drive Widening - Aaron Sisler, Borton-Lawson Engineers, represented the plan. The plan is for widening an internal portion of Discovery Drive. The Twp. Engineer in his letter dated 12/09/2016 recommended acceptance of the plan for review. J. Sawicki made a motion, seconded by D. Purcell, to accept the Sanofi Discovery Drive Widening LDP. All in favor. Motion carried.
- D) Brookdale Treatment Center Petition - Jeffry Durney, Royle & Durney Attorneys at Law, represented the petition. The petition is to create a resort reuse overlay district on the Brookdale on the Lake former resort. D. Purcell made a motion to accept the Brookdale Treatment Center Petition for review. No action taken. L. Pereira explained since the Board had previously accepted the application, a new motion was not needed. Discussion followed. The Board concurred to hold a special meeting, 1/19/2017 at 7:00 p.m. for a presentation by the applicant.
- R. Swink opened the meeting to comments.
- Emanuel Conti, Twp. resident, presented a petition of names of property owners who oppose the Brookdale Proposal.
- Judi Sarubbi, Twp. resident, spoke concerning the project being considered 'spot' zoning, negative impact on real estate value, and changes to the neighborhood.
- Sandra Santiago, Twp. resident, spoke in opposition to the change of use.
- Sally Conti, Twp. resident spoke in opposition of the project.
- Ed Sarubbi, Twp. resident noted it is a profit group and could expand.
- Carl Stengle, Twp. resident, requested information on the buildings uses.
- Brad Pensyl, Twp. resident, noted the MCPC comment letter. He questioned why the Township did not have a proposed plan for the project.
- Constantine Psitos, Twp. resident, spoke in opposition to the project.
- John Turbolski, Twp. resident, commented on concerns with security of the facilities.
- Allan Gothard, Twp. resident, spoke concerning the impact to the neighborhood.
- Bob Ritenuti, Twp. resident, noted the MCPC review letter was not favorable to the project.
- Discussion followed. L. Pereira, Twp. Solicitor, reviewed the process for approval.

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 11/14/2016 mtg. Received revised plans via email on 11/10/16. Christopher Kelly, owner; and Frank Smith, Frank J. Smith, Jr. Inc., represented the plan. Revised plans received 12/09/2016. A 60 day time extension request was received 12/12/2016. M. Guidry made a motion, seconded by S. Gilliland, 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 11/14/2016 mtg. Deadline for consideration is 06/30/2016. **SEE MOTION BELOW FOR TABLING.**

Spa Castle Land Development - Plan accepted at the 12/14/2015 mtg. Plan fees paid. Planning modules rejected by the Commissioners. Tabled at the 11/14/2016 mtg. A time extension letter was received until 04/17/2016. Discussion followed on the status of the plan. **SEE MOTION BELOW FOR TABLING.**

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. **SEE MOTION BELOW FOR TABLING.**

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 11/14/2016 mtg. **SEE MOTION BELOW FOR TABLING.**

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. Revised Plans received. **SEE MOTION BELOW FOR TABLING.**

J. Sawicki made a motion, seconded by M. Guidry, to table the Sheldon Kopelson - Commercial Development (Lot 3), the Spa Castle Land Development Plan, Camelback Lot 13 and Hotel LDP, the Sanofi Pasteur Tier One Parking Deck, and the Sanofi Pasteur Discovery Drive Turn Lane Land Development Plan. S. Gilliland abstained on Sanofi Pasteur Tier One Parking Deck and Discovery Drive Turn Lane. All in favor. Motion carried.

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

UNFINISHED BUSINESS:

Sign Ordinance - Discussion on changes to draft sign ordinance. P. Finkbeiner will reach out to MCPC to request they attend the next meeting to discuss the revisions to the Sign Ordinance.

NEW BUSINESS:

M. Guidry made a motion, seconded by J. Sawicki, to cancel the 12/26/2016 P.C. meeting due to the Township offices being closed. All in favor. Motion carried.

PUBLIC COMMENT: None

ADJOURNMENT: D. Purcell made a motion, seconded by M. Guidry, to adjourn the meeting at 8:10 p.m. All in favor. Motion carried.

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.

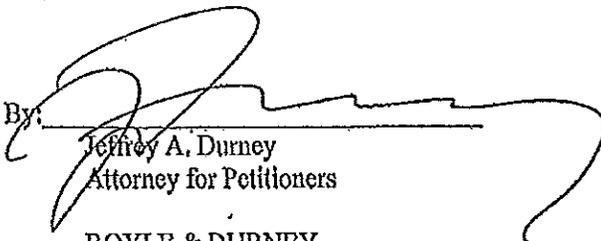
24. Petitioners' request to amend the Pocono Township Zoning Ordinance as set forth above is consistent with and compatible with the Multi-Municipal Comprehensive Plan of Hamilton Township, Stroud Township, Pocono Township and Stroudsburg Borough. Specifically, the amendment permitting the Treatment 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

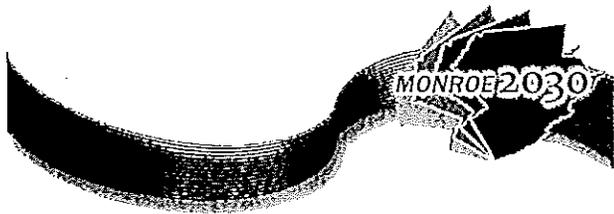
By: _____
Judl Coover

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
mcpc@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.

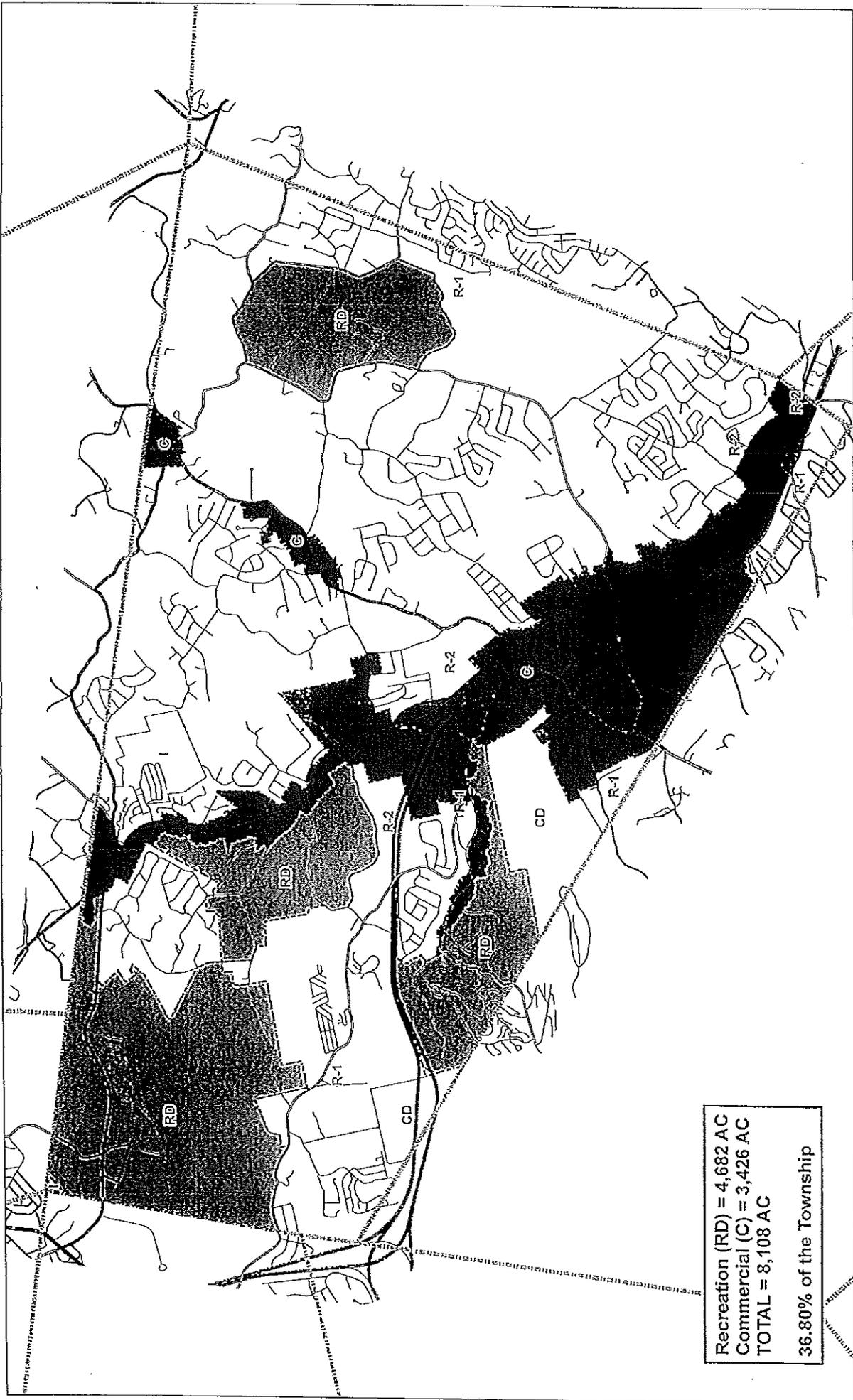
- Typically, overlay zones concern special situations that are not appropriate to a specific zoning district. It should be noted that Treatment Centers and Life Care Facilities are currently permitted within the Township. (Treatment Centers are permitted in the Commercial zone.) As such, the Township 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.

- 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.





SILVERLEAF RESORTS INC.

RD

SOMOGM

BARONE

LARSON

BROOKDALE RD - 1577

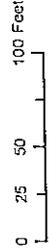
BACK MOUNTAIN RD - 1545

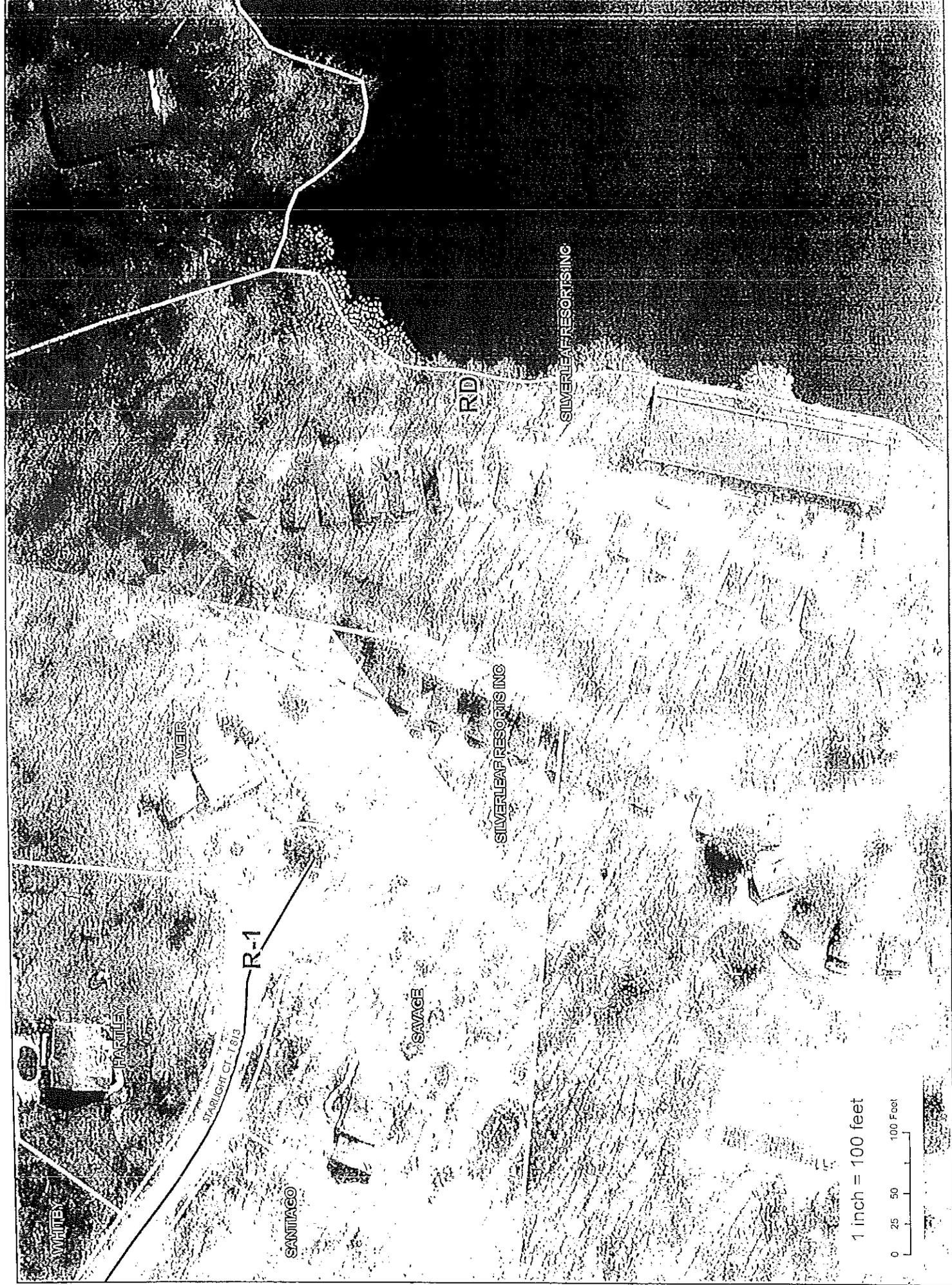
DYSON RD - 1576

SILVERLEAF RESORTS INC.

SILVERLEAF RESORTS INC.

1 inch = 100 feet





WHITE

HARTLEY

STARLIGHT CT. 1813

R-1

SANTAGO

SAVAGE

WEIR

RD

SILVERLEAF RESORTS INC

SILVERLEAF RESORTS INC

1 inch = 100 feet

0 25 50 100 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 linear feet from any other such existing/approved facility.

HRMM & L

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC
ATTORNEYS AT LAW

MJ101-000

www.HRMML.com

December 28, 2016

Sent via Facsimile, Email and First Class Mail

Pocono Township Municipal Building
Attn: Charles Vogt, Township Manager
P.O. Box 197
112 Township Dr.
Tannersville, Pa. 18372

RECEIVED
JAN 03 2017
POCONO TOWNSHIP

**Re: Request for Landowner Curative Amendment to Zoning Ordinance
and Proposed Amendment to §547. Light Manufacturing**

Dear Mr. Vogt:

As you may know, this office represents Dr. Christopher Peechatka, the landowner of a parcel of land located at 142 Rt. 611, Pocono Township, being parcel number 12/9/1/24-2. This parcel is located with the Pocono Township Commercial Zoning District.

Our client desires to develop and use this parcel of land for a medical marijuana grower/processor facility, as permitted and regulated in Pennsylvania under the Pennsylvania Medical Marijuana Act, 35 P.S. § 10231.101, *et. seq.* To best accomplish this lawful use, we are proposing the attached curative amendment pursuant to §609.1 and §916.1(a)(2) of the Pennsylvania Municipalities Planning Code, and petition the Pocono Township Board of Commissioners to hold a public hearing on this proposed amendment to your zoning code.

As you may know, the Pennsylvania Medical Marijuana Act contains extensive restrictions, regulations, and oversight on the operation of a grower/processor facility. Accordingly, any such facility would be subject to these regulations and be required to maintain a license from the Commonwealth Department of Health.

Upon a review of your zoning code, "light manufacturing" is a by-right permitted use within the Commercial District under §405.B.ee. Although the use and operation of a medical marijuana grower/processor facility is akin to a light manufacturing use, as such uses are defined under §547 of your Zoning Code, we propose the attached amendment to this section in order to clarify that a grower/processor use shall be permitted as a "light manufacturing" use, and therefore permitted in the Commercial District.

J. Edmund Mullin
Steven H. Lupin
Douglas I Zeiders
Carl N. Weiner
Jonathan Samel, LL.M.
Merle R. Ochrach
Mark F. Himsworth
Steven A. Hann
Steven B. Barrett
Christen G. Pionzio
Joseph J. McGrory, Jr.
Ethan R. O'Shea
Bernadette A. Kearney
Paul G. Mullin
John J. Iannozzi
Lisa A. Shearman, LL.M.
William G. Roark
Andrew P. Grau, LL.M.
Susan E. Piette
Nathan M. Murawsky
Timothy P. Briggs
John F. Walko
James S. Lee
Jonathan L. Shaw
Joseph W. Catuzzi
Kevin M. McGrath
Robert M. Sebia

OF COUNSEL:
J. Scott Maxwell
Edward Rubin
William C. Roeger, Jr.

LANSDALE
ACTS Center — Blue Bell
375 Morris Road
Post Office Box 1479
Lansdale, PA 19446-0773
Phone 215.661.0400
Fax 215.661.0315

LIMERICK
HARRISBURG

Page 2
December 28, 2016

Please feel free to contact me with any comments, questions or additional proposed changes. For your convenience, I will follow up with you this week to discuss this proposed amendment and the scheduling of a hearing. Thank you for your time and attention to this matter.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: _____



JOHN F. WALKO

Enclosure

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2017 - _____

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, MONROE COUNTY,
PENNSYLVANIA AMENDING THE POCONO TOWNSHIP ZONING ORDINANCE
SECTION 547, LIGHT MANUFACTURING, TO INCLUDE MEDICAL MARIJUANA
GROWER-PROCESSOR FACILITIES AS A PERMITTED USE**

WHEREAS, the First-Class Township Code, 53 P.S. 66506, entitled "General Powers", authorizes the Board of Commissioners to make and adopt ordinances necessary for the proper management, care and control of the township and the maintenance of peace, good government, health and welfare of the Township;

WHEREAS, Board of Commissioners of Pocono Township deems it be in the best interest and general welfare of the citizens and residents of the Township to amend the provisions of the Pocono Township Zoning Code, Section 547, Light Manufacturing;

WHEREAS, the Board of Commissioners has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and

WHEREAS, the Board of Commissioners of Pocono Township, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of Pocono Township will be served by this amendment of the Pocono Township Zoning Ordinance;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION I. CODE AMENDMENT. The Pocono Township Zoning Ordinance, Section 547, Light Manufacturing, is hereby amended to read as follows:

Section 547. Light Manufacturing.

All the activity shall be carried on in an enclosed building, except for off-street parking and loading facilities and incidental storage. Light manufacturing uses include the manufacture of food products, grain processing and milling, the fabrication, processing, assembling, repairing, testing, packing and/or storing of any type of product made from previously prepared materials such as cloth, plastic, food, paper, glass, leather, metals, stones, electronic components and other materials, and the operation of a medical marijuana grower/processor facility pursuant to the Pennsylvania Medical Marijuana Act, 35 P.S. § 10231.101, *et seq.* However, except for the storing, milling and processing of grain and the processing and rendering required for medical marijuana as regulated under

the Pennsylvania Medical Marijuana Act, the processing of raw materials is not permitted, nor is the storage of junk or the production of fish or meat products, sauerkraut, vinegar or the like or the rendering of fats and oils. Further, the operation of a medical marijuana dispensary is not permitted.

SECTION II. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION III. REVISIONS. The Board of Commissioners does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION IV. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION V. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

ORDAINED AND ENACTED by the Board of Commissioners for the Township of Pocono, Monroe County, Pennsylvania, this ____ day of _____, 2017.

ATTEST:

**POCONO TOWNSHIP
BOARD OF COMMISSIONERS:**

PAMELA FINKBEINER
Township Secretary

HAROLD WERKHEISER
President, Board of Commissioners

Section 547. Light Manufacturing.

All the activity shall be carried on in an enclosed building, except for off-street parking and loading facilities and incidental storage. Light manufacturing uses include the manufacture of food products, grain processing and milling, the fabrication, processing, assembling, repairing, testing, packing and/or storing of any type of product made from previously prepared materials such as cloth, plastic, food, paper, glass, leather, metals, stones, electronic components and other materials, and the operation of a medical marijuana grower/processor facility pursuant to the Pennsylvania Medical Marijuana Act, 35 P.S. § 10231.101, et. seq. -provided, hHowever, that except for the storing, milling and processing of grain and the processing and rendering required for medical marijuana as regulated under the Pennsylvania Medical Marijuana Act, the processing of raw materials is not permitted, nor is the storage of junk or the production of fish or meat products, sauerkraut, vinegar or the like or the rendering of fats and oils. Further, the operation of a medical marijuana dispensary is not permitted.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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

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

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

www.bjengineers.com

October 18, 2016

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: MICHAEL L. & SHIRLEY J. KELLY-MINOR SUBDIVISION REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630026R**

Dear Planning Commission Members:

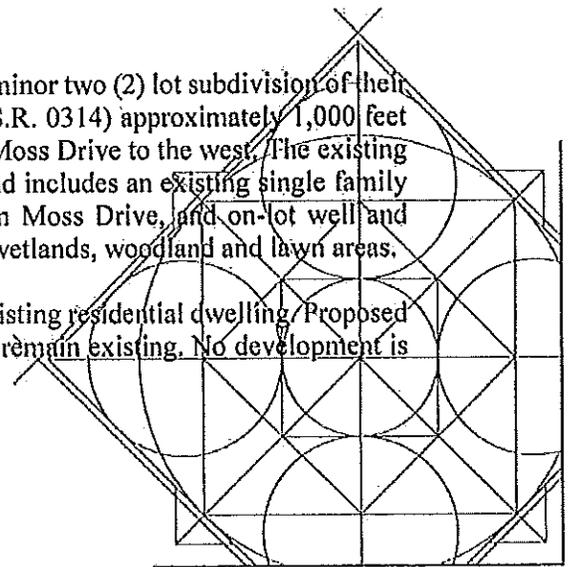
Pursuant to the Township's request, we have completed our first review of the Minor Subdivision Plan application for the above referenced project. The submitted information consists of the following items.

- Cover letter prepared by Frank J. Smith, Jr., Inc., dated September 16, 2016.
- Pocono Township Land Development Application.
- Property Deed – Deed Book 2214, Page 1563.
- Wetland Assessment Report prepared by Sparnon Wetland Services, Inc., dated September 22, 2016.
- PADEP Sewage Facilities Planning Module, Component 1, Exception to the Requirement to Revise the Official Plan.
- PADEP Request for Planning Waiver and Non-Building Declaration.
- Final Minor Subdivision Plan of Lands of Sarah L. Dyson, prepared by Martin and Robbins, dated April 13, 1993, last revised May 11, 1993.
- Minor Subdivision Plan of Lands of Michael L. Kelly and Shirley J. Kelly prepared by Frank J. Smith, Jr., Inc., dated September 9, 2016.

BACKGROUND INFORMATION

The Applicants, Michael L. and Shirley J. Kelly, are proposing a minor two (2) lot subdivision of their existing property located on the southern side of Manor Drive (S.R. 0314) approximately 1,000 feet west of the intersection with State Route 0611, and bordered by Moss Drive to the west. The existing property is located within the R-1, Residential Zoning District and includes an existing single family dwelling with an associated gravel driveway taking access from Moss Drive, and on-lot well and sewage disposal system. The remainder of the property includes wetlands, woodland and lawn areas.

Proposed Lot 1 will have an area of 9.477 acres and include the existing residential dwelling. Proposed Lot 2 will have an area of 5.846 acres (5.573 acres net) and will remain existing. No development is proposed.



In accordance with Article 6 and Section 6.255 of the Subdivision and Land Development Ordinance, the proposed subdivision is considered a minor subdivision qualifying under subparagraph 2 of said section "Any division of any part, parcel, or area of land into Lots fronting on existing public Streets." and has been reviewed as such.

Based upon our review of the Minor Subdivision, we offer the following comments and/or recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 402.B.1, the existing residential use on Proposed Lot 1 is a permitted use within the R-1 Zoning District. *Note 10 indicates the intended use of Proposed Lot 2 is for recreational and no improvements are proposed, however recreational use is not listed as one of the permitted uses within the R-1 Zoning District. The Applicant shall identify whether the intended use is active recreation, or passive recreation using the existing open space area, and Note 10 must be revised.*
2. In accordance with Section 402.C.1, the minimum lot width is 200 feet. In accordance with Section 201, lot width is defined as "the horizontal distance between the side lot lines measured parallel to the front lot line," which is "the line separating the lot from an existing or proposed street right-of-way". *The proposed lot width along Moss Drive is 143 feet on Proposed Lot 2 and approximately 54.70 on Proposed Lot 1. A variance is required to permit the proposed non-conforming lot widths.*
3. In accordance with Section 402.C.1, a 50-foot setback is required within the R-1 Zoning District. In addition, and in accordance with Section 509.A, "all accessory buildings shall be required to adhere to minimum yard dimensions established for the district in which the building is located." *The existing barn is located within the required 50-foot yard setback along Manor Drive (S.R. 0314) on Proposed Lot 2. This is an existing non-conformity which is not affected by the proposed subdivision.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

4. In accordance with Section 2.304.B.6, monuments and/or markers shall be shown on and shall be placed in accordance with Section 3.603. In accordance with Section 3.603.G, "markers must be placed at all points where Lot lines intersect Street right-of-way lines, except for Monument locations." *A marker must be placed at the intersection of the eastern property line of Proposed Lot 2 and the Right-of-Way of Manor Drive.*
5. In accordance with Sections 2.302.D.4.B, 2.302.D.6, 2.304.B.13, 3.204, 3.205, 3.614, minor subdivisions qualifying under the definition of Minor Subdivision, shall prepare and submit a complete Minor Subdivision Planning Module. *A copy of the Sewage Facilities Planning Module Component 1 was provided with a request for planning waiver and non-building declaration.*
6. In accordance with Section 2.304.14, the plan shall show the location and width of any street or other public way or parcel shown upon any adopted Township or County Plan of Development. *It is noted on the plan that the width of Manor Drive varies. The widths of Manor*

Drive (S.R. 03014) along Proposed Lot 2 must be dimensioned on the plan.

7. In accordance with Section 3.210.E, "each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states federal and state laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot." *Wetlands are present on proposed Lots 1 and 2. This note must be added to the plan.*

MISCELLANEOUS COMMENTS

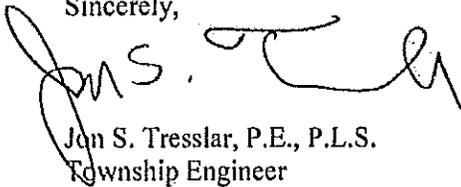
8. The Zoning Data chart shall be revised to include both the ordinance requirements and the conditions for both proposed lots.
9. The material of the existing driveways on Proposed Lot 2 must be provided on the plan.
10. The Location Plan must include two intersecting streets to better locate the project site.
11. Protective Covenant Note 4 must be revised to reference the Township Commissioners.
12. The individual and total areas shown on the Northern Christopher P. Kelly property suggests these areas are proposed. It does not appear this property is included in the application and the presentation of the areas should be revised.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to Minor Subdivision Plan Approval.

In order to facilitate an efficient re-review of revised plans, the Design Engineer should provide a letter, addressing item by item, their action in response to each of our comments.

If you should have any questions regarding the above comments, please call me.

Sincerely,



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

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Finkbeiner, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire -- Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Frank J. Smith, Jr., Frank J. Smith, Jr., Inc. -- Applicant's Surveyor
Michael L. & Shirley J. Kelly -- Applicant/Owner
Melissa E. Prugar, P.E. -- Boucher & James, Inc.



Boucher & James, Inc.
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Fax 215-345-9401

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

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

www.bjengineers.com

January 4, 2017

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: MICHAEL L. & SHIRLEY J. KELLY- MINOR SUBDIVISION REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630026R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our second review of the Minor Subdivision Plan application for the above referenced project. The submitted information consists of the following items.

- Minor Subdivision Plan of Lands of Michael L. Kelly and Shirley J. Kelly prepared by Frank J. Smith, Jr., Inc., dated September 9, 2016, revised November 22, 2016.

BACKGROUND INFORMATION

The Applicants, Michael L. and Shirley J. Kelly, are proposing a minor two (2) lot subdivision of their existing property located on the southern side of Manor Drive (S.R. 0314) approximately 1,000 feet west of the intersection with State Route 0611, and bordered by Moss Drive to the west. The existing property is located within the R-1, Residential Zoning District and includes an existing single family dwelling with an associated gravel driveway taking access from Moss Drive, and on-lot well and sewage disposal system. The remainder of the property includes wetlands, woodland and lawn areas.

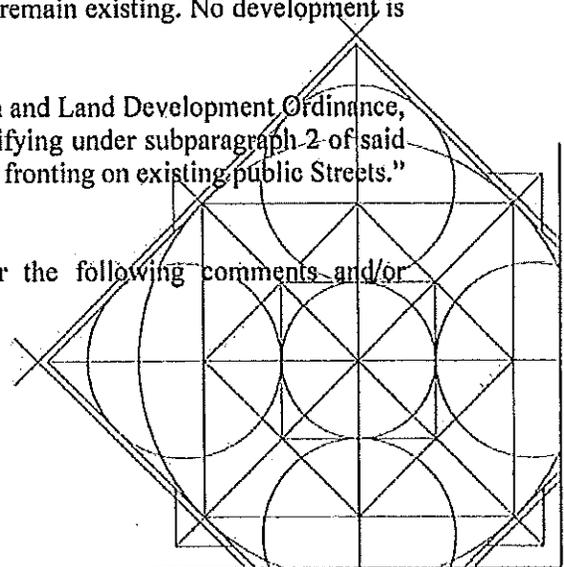
Proposed Lot 1 will have an area of 9.477 acres and include the existing residential dwelling. Proposed Lot 2 will have an area of 5.846 acres (5.573 acres net) and will remain existing. No development is proposed.

In accordance with Article 6 and Section 6.255 of the Subdivision and Land Development Ordinance, the proposed subdivision is considered a minor subdivision qualifying under subparagraph 2 of said section "Any division of any part, parcel, or area of land into Lots fronting on existing public Streets." and has been reviewed as such.

Based upon our review of the Minor Subdivision, we offer the following comments and/or recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. Comment satisfied.



2. Comment satisfied.
3. In accordance with Section 402.C.1, a 50-foot setback is required within the R-1 Zoning District. In addition, and in accordance with Section 509.A, "all accessory buildings shall be required to adhere to minimum yard dimensions established for the district in which the building is located." *The existing barn is located within the required 50-foot yard setback along Manor Drive (S.R. 0314) on Proposed Lot 2. This is an existing non-conformity which is not affected by the proposed subdivision. (Previous Comment)*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

1. Comment satisfied.
2. In accordance with Sections 2.302.D.4.B, 2.302.D.6, 2.304.B.13, 3.204, 3.205, 3.614, minor subdivisions qualifying under the definition of Minor Subdivision, shall prepare and submit a complete Minor Subdivision Planning Module. *A copy of the Sewage Facilities Planning Module Component 1 was provided with a request for planning waiver and non-building declaration. (Previous Comment) The status of the Component 1 review must be provided by the Applicant.*
3. In accordance with Section 2.304.14, the plan shall show the location and width of any street or other public way or parcel shown upon any adopted Township or County Plan of Development. *It is noted on the plan that the width of Manor Drive varies. The widths of Manor Drive (S.R. 0314) along Proposed Lot 2 must be dimensioned on the plan. (Previous Comment) The widths of Manor Drive (S.R. 0314) along Proposed Lot 2 must still be dimensioned on the plan.*
4. In accordance with Section 3.210.E, "each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states federal and state laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot." *Wetlands are present on proposed Lots 1 and 2. This note must be added to the plan. (Previous Comment) The required note must still be added to the plan.*

MISCELLANEOUS COMMENTS

5. The Zoning Data chart shall be revised to include both the ordinance requirements and the conditions for both proposed lots. *(Previous Comment) The Zoning Requirement Schedule has been revised. We offer the following additional comments:*
 - a. *The lot areas listed for Proposed Lots 1 and 2 in the Zoning Requirement Schedule are inconsistent with those provided in plan view and must be revised.*
 - b. *The lot width of Proposed Lot 1 must be revised in the Zoning Requirement Schedule to reflect that provided in plan view.*
4. Comment satisfied.

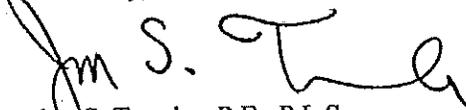
5. Comment satisfied.
6. Comment satisfied.
7. Comment satisfied.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to Minor Subdivision Plan Approval.

In order to facilitate an efficient re-review of revised plans, the Design Engineer should provide a letter, addressing item by item, their action in response to each of our comments.

If you should have any questions regarding the above comments, please call me.

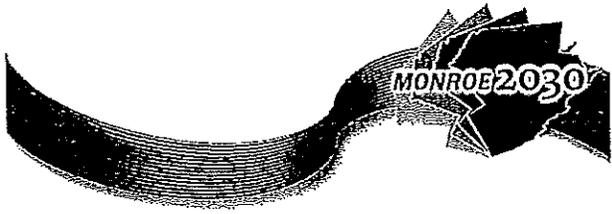
Sincerely,



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

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Finkbeiner, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Frank J. Smith, Jr., Frank J. Smith, Jr., Inc. – Applicant's Surveyor
Michael L. & Shirley J. Kelly – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



RECEIVED
OCT 17 2016
POCONO TOWNSHIP

MONROE COUNTY PLANNING COMMISSION

October 11, 2016

Pam Finkbeiner, Secretary
Pocono Township
112 Township Drive
PO Box 197
Tannersville, PA 18372

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

Re: Michael L. and Shirley J. Kelly
Minor Subdivision:
Pocono Township
MCPC Review #138-16

Dear Miss Finkbeiner:

Our office has received a copy of the above noted minor subdivision concerning a 15.32 acre site located on the northerly side of Moss Drive, approximately 180 feet east of its intersection with Summit Road. The plan proposes to create two lots by subdividing Lot 1, PIN 12636402586137. As a result of the subdivision, Lot 1 will then consist of 9.48 acres and Lot 2 will consist of 5.85 acres. Lot 1 is currently developed and contains a single family dwelling. The proposed Lot 2 contains an existing barn. The site is served by on-lot water and sewage disposal systems and is located within the Residential (R-1) Zoning District.

I have reviewed the proposed minor subdivision on the basis of generally accepted planning principles and environmental concern. The following comments are offered:

1. It should be noted that as of the date of this plan a Non-build waiver has been requested for Lot 2. This lot is to be dedicated for the express purpose of recreational use.
2. It should be noted that, due to the existence of a barn on Lot 2 within the minimum front yard setback of 50 feet, this parcel will remain a non-conforming lot. The plan does not delineate the location of a driveway or the specific use of this structure. This information would help facilitate the review process.
3. Due to the fact that this subdivision proposes no further development at this time, the submitted plan has addressed all other pertinent County review factors.

It is recommended that approval of this plan be conditioned upon the plan achieving compliance with applicable Township ordinances, and the Township Engineer's review.

Page Two

Michael L. and Shirley J. Kelly
Minor Subdivision: Lot Combination
Pocono Township
MCPC Review #138-16

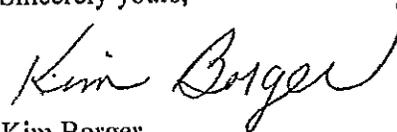
All comments are preliminary and will be acted upon by the Planning Commission at its regular meeting on November 8, 2016 at 5:00 p.m. at the Monroe County Administrative Center. This action is in keeping with the Planning Commission's review policy and allows the municipalities and other interested parties to respond to the review comments before the Planning Commission's public meeting.

It is recommended that approval of this plan be conditioned upon the plan achieving compliance with applicable Township ordinances, and the Township Engineer's review.

All comments are preliminary and will be acted upon by the Planning Commission at its regular meeting on November 8, 2016 at 5:00 p.m. at the Monroe County Administrative Center. This action is in keeping with the Planning Commission's review policy and allows the municipalities and other interested parties to respond to the review comments before the Planning Commission's public meeting.

If these comments are not amended and are found to be acceptable by the Board at the next meeting, they should be considered to be approved.

Sincerely yours,



Kim Borger
Planner/Addressing Coordinator

cc: Frank J. Smith Jr., P.L.S.

FRANK J. SMITH JR., INC.
PROFESSIONAL LAND SURVEYORS
P.O. BOX 543

Marshalls Creek, PA 18335

Phone 570-223-8022 Fax 570-223-1375 Email franksmith@fjsmithinc.com

land surveys, construction surveys, subdivision and site development plans, test pits, percolation tests and septic designs

Frank J. Smith Jr., P.L.S., President
franksmith@fjsmithinc.com

John Ray Rogers, P.L.S., Vice President
rayrogers@fjsmithinc.com

January 5, 2017

Pocono Township Board of Supervisors
Attn: Pamela Finkbeiner
PO Box 197
Tannersville, PA 18372

Re: Minor Subdivision of Lands of Michael & Shirley Kelly

Dear Ms. Finkbeiner,

On behalf of my clients, Michael & Shirley Kelly, we offer the following in reply to the review letter dated January 4, 2017 from Boucher & James, Inc., Township Engineers.

ZONING ORDINANCE

- 1.) Comment satisfied.
- 2.) Comment satisfied.
- 3.) In accordance with Section 402.C.1, a 50 foot setback is required within the R-1 zoning District. In addition, and in accordance with Section 509.A, "all accessory buildings shall be required to adhere to minimum yard dimensions established for the district in which the building is located." **The existing barn is located within the required 50 foot yard setback along Manor Drive on Proposed Lot 2. This is an existing non-conformity which is not affected by the proposed subdivision. (Previous comment). Comment only -- no revision required.**

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS:

- 1.) Comment satisfied.
- 2.) In accordance with Sections 2.302.D.4.B, 2.302.D.6, 2.304.B.13, 3.204, 3.205, 3.614, minor subdivisions qualifying under the definition of Minor Subdivision, shall prepare and submit a complete Minor Subdivision Planning Module. *A copy of the Sewage Facilities Planning Module Component 1 was provided with a request for planning waiver and non-building declaration. (Previous comment). The status of the Component 1 review must be provided by the Applicant. To be provided to you upon receipt from DEP.*
- 3.) In accordance with Section 2.304.14, the plan shall show the location and width of any street or other public way or parcel shown upon any adopted Township or County Plan of Development. It is noted on the plan that the width of Manor Drive varies. The widths of Manor Drive (SR 0314) along Proposed Lot 2 must be dimensioned on the plan. **(Previous Comment) The widths of Manor Drive along Proposed Lot 2 must still be dimensioned on the plan. Since the right of way line on Lot 2 was labeled with**

bearings and distances, we felt this item was addressed, however, we have added dimensions, as requested.

- 4.) In accordance with Section 3.210.E, "each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states federal and state laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot." Wetlands are present on proposed Lots 1 and 2. This note must be added to the plan. **(Previous Comment) The required note must still be added to the plan.** See Restrictive Covenant #11.

MISCELLANEOUS COMMENTS:

- 5.) The zoning Data chart shall be revised to include both the ordinance requirements and the conditions for both proposed lots. **(Previous Comment) The Zoning Requirements Schedule has been revised. We offer the following additional comments:**
- a.) The lot areas listed for Proposed Lots 1 and 2 in the Zoning Requirement Schedule are inconsistent with those provided in plan view and must be revised. *Revised accordingly.*
- b.) The lot width of Proposed Lot 1 must be revised in the zoning requirement schedule to reflect that provided in the plan view. *Revised accordingly.*
- 4.) Comment satisfied.
- 5.) Comment satisfied.
- 6.) Comment satisfied.
- 7.) Comment satisfied.

Should you have any questions, please feel free to call.

Respectfully,

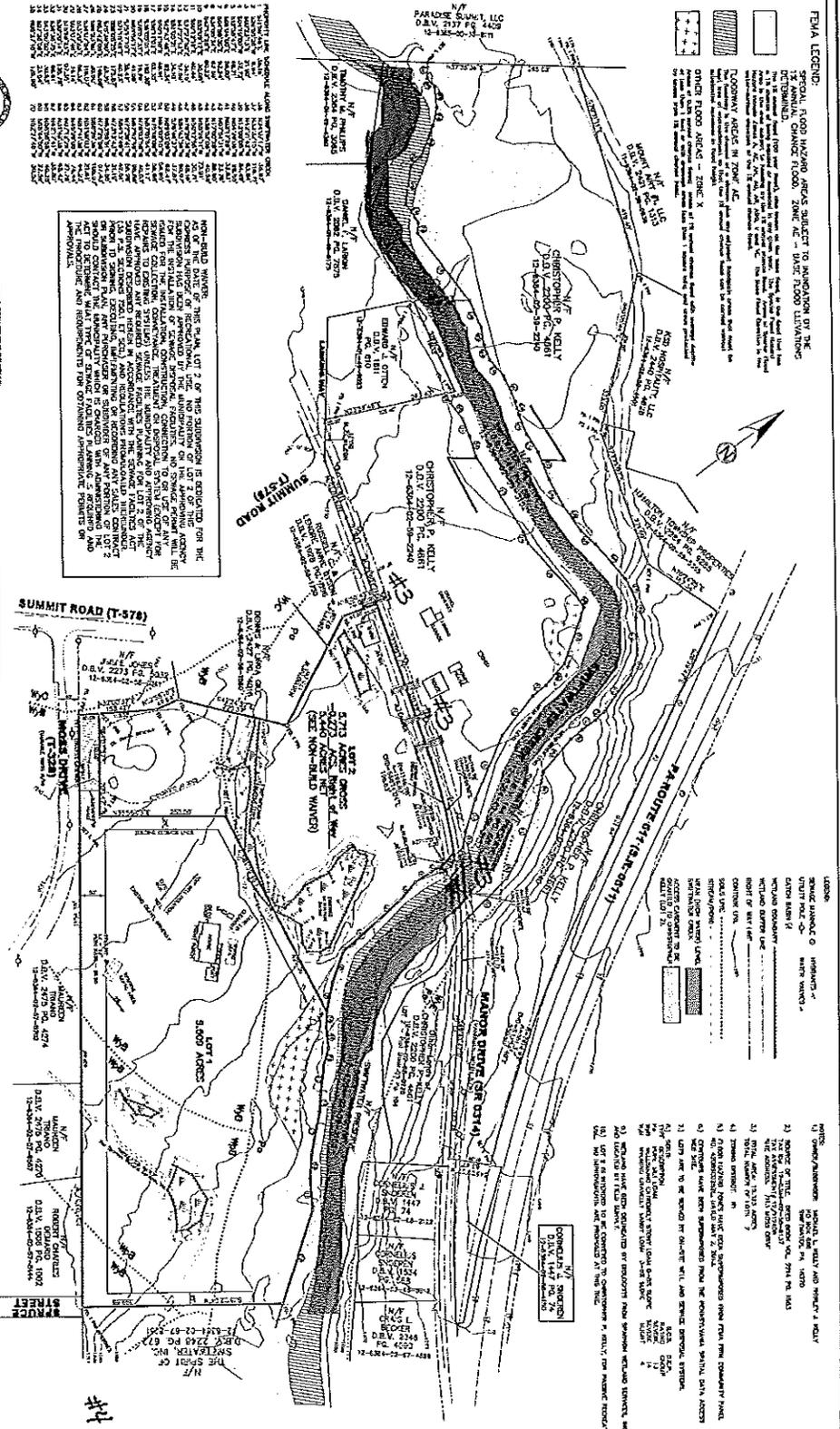


Frank J. Smith Jr. PLS
President

FEMA LEGEND:
 SPECIAL FLOOD HAZARD AREAS SUBJECT TO ANNUATION BY THE
 ANNUAL FLOOD CONTROL DISTRICT ACT - DRAIN FLOOD ELEVATION

LEGEND:
 SPECIAL FLOOD HAZARD AREAS SUBJECT TO ANNUATION BY THE
 ANNUAL FLOOD CONTROL DISTRICT ACT - DRAIN FLOOD ELEVATION

LEGEND:
 SPECIAL FLOOD HAZARD AREAS SUBJECT TO ANNUATION BY THE
 ANNUAL FLOOD CONTROL DISTRICT ACT - DRAIN FLOOD ELEVATION



NOTED: THE SUBJECT PROPERTY IS SUBJECT TO AN EASEMENT BY THE
 STATE OF MISSISSIPPI, IN CONNECTION WITH THE
 FLOOD CONTROL DISTRICT, FOR THE PURPOSES OF
 THE ANNUAL FLOOD CONTROL DISTRICT ACT - DRAIN FLOOD ELEVATION

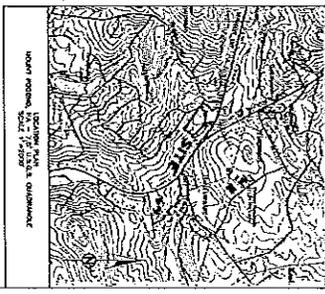
PROPERTY	OWNER	ADDRESS
1	CHRISTOPHER P. KELLY	D.O.V. 2200 PG. 4881
2	CHRISTOPHER P. KELLY	D.O.V. 2200 PG. 4881
3	CHRISTOPHER P. KELLY	D.O.V. 2200 PG. 4881
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100	CHRISTOPHER P. KELLY	D.O.V. 2200 PG. 4881

APPROVED BY:
 MICHAEL L. KELLY and
 SHIRLEY J. KELLY, husband and wife
 FLOOD BOOK VALUE 211, PAGE 1663
 FLOOD ZONING: HONORE COUNTY, MISSISSIPPI
 SCALE 1"=100'
 SEPT. 5, 2015

APPROVED BY:
 FRANK A. SMITH, Sr., Professional Land Surveyor
 License No. 1700-01-00000

CONTRACTOR OF RECORD:
 MICHAEL L. KELLY and
 SHIRLEY J. KELLY, husband and wife
 FLOOD BOOK VALUE 211, PAGE 1663
 FLOOD ZONING: HONORE COUNTY, MISSISSIPPI
 SCALE 1"=100'
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Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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Fax 215-345-9401

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

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

www.bjengineers.com

December 19, 2016

RECEIVED
DEC 22 2016
POCONO TOWNSHIP

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

**SUBJECT: LARSON MINOR SUBDIVISION ON BROOKDALE ROAD REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630029R**

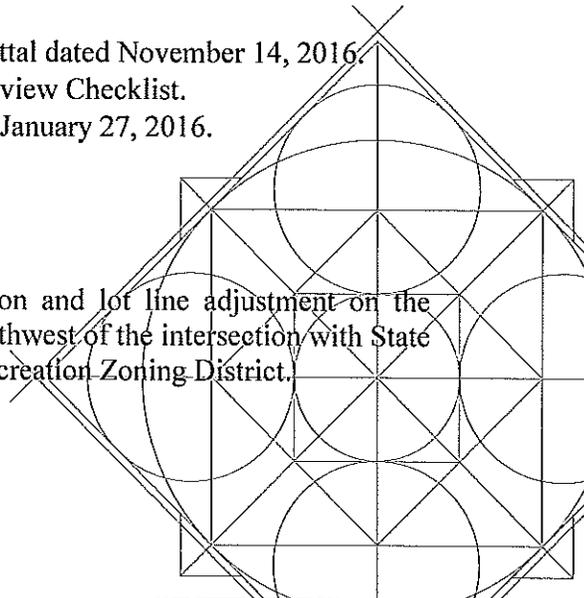
Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Larson Minor Subdivision Plan Application. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- Property Deed, Deed Book 2469, Page 7434.
- Property Deed, Deed Book 1582, Page 719.
- Property Deed, Deed Book 367, Page 213.
- Property Deed, Deed Book 445, Page 189.
- Lot closure for Lot 1 Total Area prepared by Niclus Engineering, dated November 8, 2016.
- Lot closure for Lot 2 Total Area prepared by Niclus Engineering, dated September 16, 2016.
- Lot closure for Lot 3 Total Area prepared by Niclus Engineering, dated September 16, 2016.
- Wetland Delineation prepared by VW Consultants, LLC, dated November 2, 2016.
- Notarized certification from Gerard F. Jacob and Coleen P. Higgins-Jacob permitting Steven Larson to proceed with the subdivision at 2548 Brookdale Road.
- Notarized certification from Carol Ann Held permitting Steven Larson to proceed with the subdivision at 2548 Brookdale Road.
- Notarized certification from Veronica M. Higgins permitting Steven Larson to proceed with the subdivision at 2548 Brookdale Road.
- Monroe County Planning Commission Receipt of Plan Submittal dated November 14, 2016.
- Monroe County Planning Commission Land Development Review Checklist.
- Two (2) PNDI Project Environmental Review Receipts dated January 27, 2016.
- Minor Subdivision Plan (2 sheets) dated November 2016.

BACKGROUND INFORMATION

The Applicant, Steven Larson, is proposing a minor subdivision and lot line adjustment on the southwestern side of Brookdale Road, approximately ¼ miles northwest of the intersection with State Route 611. The existing properties are located within the RD, Recreation Zoning District.



The proposed minor subdivision plan includes the consolidation and subdivision of Parcel Nos. 12/11/1/13 and 12/11/1847, which are owned by Larson, Jacob & Higgins and have areas of 63.29 acres and 13.42 acres, respectively, and of Parcel Nos. 12/11/1/31-6 and 12/11/1/34 which are owned by Steven and Mary Agnes Larson and have areas of 0.38 acres and 0.41 acres, respectively. The subdivision of these properties includes three (3) proposed lots.

Proposed Lot 1 will be conveyed to Steven and Mary Agnes Larson and will have an area of 28.51 acres. Proposed Lot 1 will consist of the existing Larson dwelling with on-lot water and sewer, and existing wetlands and woodland areas. Scot Run traverses the proposed lot.

Proposed Lot 2 will be conveyed to Veronica Higgins and will have an area of 22.91 acres. Proposed Lot 2 will consist of an existing single family dwelling with on-lot water and sewer, and existing wetlands and woodland areas. Scot Run traverses the proposed lot.

Proposed Lot 3 will be conveyed to Gerard Jacob and Coleen Higgins and will have an area of 22.94 acres. Proposed Lot 3 consists of existing wetlands and woodland areas. Scot Run traverses the proposed lot.

In addition to the proposed lot consolidation and subdivision, a lot line adjustment is proposed for Parcel No. 12/11/1/31-3, owned by Howard Seidel & Carol Ann Held. The existing property is bordered by Proposed Lot 1 on three (3) sides, has an area of 0.34 acres and consists of a single family residential dwelling with on-lot water and sewer. The proposed lot line adjustment will increase the lot area to 0.82 acres.

An existing 1.01-acre property is located within Existing Parcel No. 12/11/1/13 (Proposed Lot 1). This property is proposed to remain.

Based upon our review of the Minor Subdivision, we offer the following comments and/or recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 404.B.1.f, single family dwellings are permitted within the RD, Recreation Zoning District. *Proposed Lots 1, 2, and 4 will consist of existing single family dwellings. Proposed Lot 3 is listed as vacant with a recommended house location shown and must list the proposed use.*
2. In accordance with Section 404.C.1.a, the minimum lot area is two (2) acres. *Existing Lots 1 have a total area of 0.73 acres and are existing non-conformities. These lots are proposed to be consolidated with Proposed Lot 1 which has an area of 28.51 acres and eliminates the non-conformities. In addition, Existing Lot 4 has an area of 0.34 acres and is also an existing non-conformity. The proposed lot line adjustment creates an area of 0.82 acres on Proposed Lot 4 which reduces the existing non-conformity.*

In accordance with Article II, Lot Area is defined as "the computed area contained within the lot lines, excluding space within all road rights-of-way and within all permanent drainage easements, but including the areas of all other easements, as required by the Pocono Township Subdivision and Land Development Ordinance." The plan shows the gross lot area of all

proposed lots. The net lot area for each proposed lot must also be provided on the plan to determine compliance with Section 404.C.1.a.

3. *In accordance with Section 404.C.1.b, the minimum lot width is 200 feet. Existing Lots 1 have lot widths less than 200 feet and are existing non-conformities. These lots are proposed to be consolidated with Proposed Lot 1 and eliminated the existing non-conformities. In addition, Existing Lot 4 has a lot width of 100 feet and is an existing non-conformity. The proposed lot line adjustment creates a lot width of 150 feet on Proposed Lot 4 which reduces the existing non-conformity.*
4. *In accordance with Section 404.C.1.c, the maximum impervious area for residential uses is twenty percent (20%). The existing impervious areas must be provided on the plan, and the existing and proposed percentages calculated and also provided on the plan to determine compliance with this Section.*
5. *In accordance with Sections 404.C.2.a, 404.C.2.b, and 404.C.2.c, the required front, side, and rear yard depths are 50 feet, 25 feet, and 40 feet, respectively. The required, and existing and/or proposed front, side, and rear yards must be shown on the plan to determine compliance with these Sections.*
6. *In accordance with Sections 404.C.2.d and 404.C.2.e, the required well and septic setbacks are 15 feet and 10 feet, respectively. The existing and/or proposed well and septic setbacks must be dimensioned on the plan to determine compliance with these Sections. The existing well servicing Existing Lot 4 is not located on the property and is an existing non-conformity. The proposed lot line adjustment places the existing well within Proposed Lot 4 which reduces the existing non-conformity.*
7. *In accordance with Sections 404.C.3.a and 404.C.3.b, the maximum building height for the principal and accessory building is 50 feet. The required, existing, and proposed building heights must be listed on the plan to determine compliance with these Sections.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

8. *In accordance with Section 2.304.B.3, the Final Minor Subdivision Plan must include “a plat of the area proposed to be subdivided, including tract boundaries, and if appropriate, street lines and names, lot lines, rights-of-way or easements (existing or proposed, if any), watercourses, lakes, swamp and wetland locations and names (if any), rock out crops and stone fields, and location and description of any certified historic site or structure or certified natural feature.” Scot Run, and the edge of pavement and pavement width must be shown on the plan.*
9. *In accordance with Section 2.304.B.4, the Final Minor Subdivision Plan must include “sufficient data, acceptable to the Engineer to determine readily the location, bearing and length of every boundary, street and lot line (based upon accurate field survey, closed with an error not to exceed one in five thousand and balanced). All dimensions shall be shown in feet and hundredths of a foot with all bearings shown to the nearest one second of an arc. The area of each lot or parcel.” On Proposed Lot 4, the bearing along Brookdale Road is not consistent between the plan and lot closure report, and must be revised. In addition, metes and bounds,*

and lot closures in support of the net lot areas must be provided for each proposed lot.

10. In accordance with Section 2.304.B.6, “reference monuments and/or lot markers shall be shown on the Plan and shall be placed in accordance with Section 3.603”. In accordance with Sections 3.603.D.3 and 3.603.D.4, monuments shall be placed at the intersection of street right-of-way lines with exterior property lines, and at all exterior property corners where existing monumentation does not exist. *Monuments shall be placed at all locations where the proposed lot lines intersect the required right-of-way, and at all exterior boundary corners and at the intersection of the proposed lot lines and exterior boundary.*
11. In accordance with Section 2.304.B.7, the Final Minor Subdivision Plan must include “building setbacks. Any existing buildings located on the tract being subdivided shall be platted, to demonstrate compliance with setback requirements.” *The required and existing and/or proposed building setbacks must be shown on the plan.*
12. In accordance with Section 2.304.B.8, the Final Minor Subdivision Plan must include “the location of any 100-year flood zone as per most recent Flood Insurance Rate Map”. *Note 10 on Sheet 1 references Zone X and must be revised to reference the correct floodplain zone.*
13. In accordance with Section 2.304.B.10, the Final Minor Subdivision Plan must include the “Certificate of Ownership and Acknowledgement of plan in the form set forth in Appendix C, which shall be accurately completed, signed by the Owner of the property, dated and notarized”. *A Certificate of Ownership and Acknowledgement of Plan and a Permit Certification are provided on Sheet 1 and are both signed by Steven Larson. Notarized statements from the property owners Gerard Jacob & Colleen Higgins Jacob, Carol Ann Held, and Veronica Higgins have been provided with the submission permitting Steven Larson to proceed with the proposed subdivision. We request the Township Solicitor review these statements and the plan certifications. Any comments from the Township Solicitor must be addressed prior to plan recordation.*
14. In accordance with Section 2.304.B.11, the Final Minor Subdivision Plan must include the “Certificate of Accuracy and Compliance, in the form set forth in Appendix D, dated, signed by the Registered Professional Land Surveyor responsible for the plan and embossed with his or her seal”. *The Plan Preparer’s Statement on Sheet 1 must be revised to be consistent with Appendix D.*
15. In accordance with Sections 2.304.B.13, 3.204, 3.205, 3.614, minor subdivisions qualifying under the definition of Minor Subdivision, shall prepare and submit a complete Minor Subdivision Planning Module. *A Sewage Facilities Planning Module is required to be completed.*
16. In accordance with Section 2.304.D.10, the Final Minor Subdivision Plan must include the following restrictive covenant.

“The Applicant, his heirs, successors or assigns will implement all requirements and obtain all permits and approvals as required by any and all local, state or federal agencies and authorities and does hereby

acknowledge and agree that if said permits and approvals are not obtained as required, then any and all approvals given by Pocono Township shall become null and void with no further action on the part of the Township.”

The required restrictive covenant must be provided on the plan.

17. In accordance with Section 3.208.H, the “minimum street right-of-way widths, measured from the lot lines and minimum pavement widths shall be as shown on Table 3-1”. *The existing Brookdale Road Right-of-Way shown on the plan has a width of 33-feet. Table 3-1 requires a 60-foot wide right-of-way. The plan must be revised to provide a 60-foot wide right-of-way along the proposed subdivision.*
18. In accordance with Section 3.209.B.4, “all subdivisions and land development plans shall include a delineation of the steep slope areas, as defined herein.” *The existing steep slopes per Section 3.209.A must be shown on the plan.*
19. In accordance with Section 3.209.B.5, “the Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty five percent (65%) of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc.” *The plan must show the required steep slope easement.*
20. In accordance with Section 3.209.B.6, “the plan shall note that no structures shall be located within the easement; and that no excavation, grading, filling or other disturbance of the existing ground cover is permitted within the easement.” *The required note must be provided on the plan.*
21. In accordance with Section 3.209.B.7, “all deeds for lots created by subdivision and all land developments to which the provisions of this Section 3.209 are applicable shall contain language detailing the easements’ location and the restrictions imposed”. *The recorded property deeds must contain all required language.*
22. In accordance with Section 3.210.E, “each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states federal and state laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot”. *The required note(s) must be provided on the plan.*

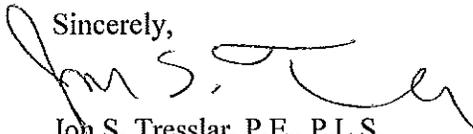
MISCELLANEOUS COMMENTS

23. The Tax Map # for Larson, Jacob, and Higgins, Tenants in Common of 2548 Brookdale Road is incorrect in Note 1 on Sheet 1, and must be revised.
24. Note 2 on Sheet 1 must be revised to include all required zoning data and all proposed and/or existing data for each proposed lot.

25. Notes 4 and 5 on Sheet 1 indicates proposed on-site water and sewer on Proposed Lot 3. The location of the proposed well with its required 100 foot isolation distance must be shown on the plan.
26. Note 13 on Sheet 1 references a reserve area for the shared use by Larson, Higgins, and Jacobs, Tenants in Common. This area shall be designated by an easement and provided in the recorded deed. In addition, septic areas are shown as proposed within this area. These areas must be removed, or addressed.
27. A north arrow must be provided for the Location Map on Sheet 1.
28. All references to the Board of Supervisors must be revised to reference the Board of Commissioners.
29. The Modification Request Certificate of Review and Approval on Sheet 1 is not required and shall be removed.
30. The required 100-foot isolation distances must be shown for all existing wells.

If you should have any questions regarding the above comments, please call me.

Sincerely,



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

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Finkbeiner, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Charles Niclaus, P.E., Niclaus Engineering Corporation – Applicant's Engineer
Steven and Mary Agnes Larson – Applicant/Owner
Gerard F. Jacob & Coleen P. Higgins-Jacob – Owner
Howard Seidel and Carol Ann Held – Owner
Veronica M. Higgins – Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

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

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

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

www.bjengineers.com

January 5, 2017

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

**SUBJECT: SANOFI PASTEUR, INC. – TIER ONE PARKING DECK
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630014R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our second review of the Sanofi Pasteur, Inc. Tier One Parking Deck Preliminary/Final Land Development. The submitted information has been prepared by Borton-Lawson and consists of the following items.

- Response Letter dated December 2, 2016.
- Existing Resources and Site Analysis Maps (5 sheets) dated December 2, 2016.
- Preliminary/Final Land Development Plans (14 sheets) dated July 1, 2016, last revised December 2, 2016.

BACKGROUND INFORMATION

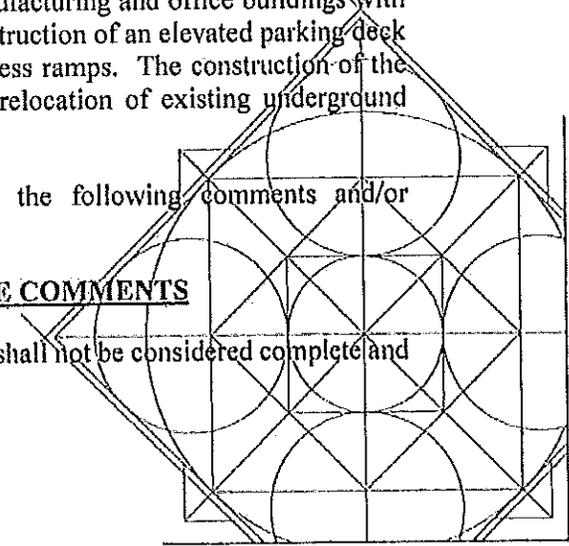
The Applicant, Sanofi Pasteur, Inc., is proposing a parking deck on its existing property located on the eastern side of S.R. 0611 at the intersection with Discovery Drive.

The existing property is located within the I, Industrial Zoning District, has an area of approximately 189 acres and consists of medical laboratories, and medical manufacturing and office buildings with associated parking. The proposed development includes the construction of an elevated parking deck with 564 proposed parking spaces and two (2) 36-foot wide access ramps. The construction of the parking deck occurs over existing parking areas. Associated relocation of existing underground utilities will be required.

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

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

1. In accordance with Section 2.106, "preliminary approval shall not be considered complete and



shall not be effective until the Board of Commissioners has approved the Preliminary Plan.” In addition, and in accordance with Section 2.107, after approval of the Preliminary Plan, the Final Plan for the entire Land Development which has been prepared in accordance with the approved Preliminary Plan shall be submitted by the Applicant to the Planning Commission. *The Applicant is requesting a waiver from Section 2.106 to permit the submission and review of a Preliminary/Final Plan without the submission and approval of separate Preliminary Plan and Final Plan. (Previous Comment) A waiver has been requested from Section 2.106.*

2. In accordance with Sections 2.302.A and 2.303.A, “Preliminary Plans for Major Subdivisions and Land Developments shall be drawn at a scale not to exceed 1 inch equals 100 feet provided all bearings, distances and other information can be legibly and accurately presented on the plan.” *The Applicant is requesting waivers from Sections 2.302.A and 2.303.A to permit a scale of 1 inch equals 200 feet on the Overall Existing Conditions Plan in order to those the existing property in its entirety. The remainder of the Plans have a scale of 1 inch equals 40 feet. We support this request for waivers. (Previous Comment) Waivers have been requested from Sections 2.302.A and 2.303.A.*
3. Comment satisfied.
4. Comment satisfied.
5. In accordance with Sections 2.302.B.14 and 2.303.B.31, “steep slope information as required by Section 3.209 of this Ordinance” shall be provided on the Plan, or otherwise a modification requested. *Steep slopes exist on the property and shall be identified in accordance with Section 3.209. (Previous Comment) Steep slopes are shown on Sheet 2 of the Existing Resources and Site Analysis Maps.*
 - a. *In accordance with Section 3.209.B.4, “all subdivision and land development plans shall include a delineation of the steep slope areas, as defined herein.” The existing steep slopes must also be shown on the Land Development Plan.*
 - b. *In accordance with Section 3.209.B.5, “the Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty five percent (65%) of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc.” The plan must show the required steep slope easement.*
 - c. *In accordance with Section 3.209.B.6, “the plan shall note that no structures shall be located within the easement; and that no excavation, grading, filling or other disturbance of the existing ground cover is permitted within the easement.” The required note must be provided on the plan.*
 - d. *In accordance with Section 3.209.B.7, “all deeds for lots created by subdivision and all land developments to which the provisions of this Section 3.209 are applicable shall contain language detailing the easements’ location and the restrictions imposed.” A deed containing all required language must be recorded for the property.*

6. Comment satisfied.
7. In accordance with Sections 2.402.A and B, a performance guarantee and development agreement shall be provided. *A cost estimate must be submitted for review and the performance guarantee and development agreement provided to the Township. (Previous Comment) The response indicates the guarantee and development agreement will be discussed with the Township.*
8. Comment satisfied.
9. Comment satisfied.

BRODHEAD AND MCMICHAELS CREEK ORDINANCE COMMENTS

The proposed development is located within District B-2 of the Brodhead Creek watershed and is tributary to Swiftwater Creek which is a High Quality/Cold Water Fishery (HQ/CWF). The proposed development increases the impervious area by approximately 1,307 square feet.

10. Comment satisfied.
11. Comment satisfied.
12. Comment satisfied.
13. Comment satisfied.
14. Comment satisfied.
15. Comment satisfied.
16. Comment satisfied.
17. Comment satisfied.

MISCELLANEOUS COMMENTS

18. Comment satisfied.
19. Comment satisfied.
20. It appears that an arc is missing from the Property Curve Table for the existing cul-de-sac. In addition, the lot line information at the northwestern corner of the property is illegible and must be provided clearly on the Plan. *(Previous Comment) It still appears that the property boundary does not close and should be revised. A lot closure report and/or property deed shall be submitted.*
21. Comment satisfied.
22. Comment satisfied.

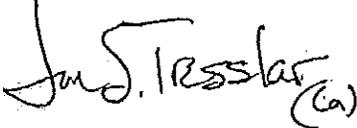
- 23. Comment satisfied.
- 24. Comment satisfied.
- 25. Comment satisfied.
- 26. Comment satisfied.
- 27. Comment satisfied.
- 28. Comment satisfied.

In order to facilitate an efficient re-review of revised plans, the Design Engineer shall provide a letter, addressing item by item, their action in response to each of our comments.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to the approval of the Land Development Plan.

If you should have any questions regarding the above comments, please call me.

Sincerely,

A handwritten signature in black ink that reads "Jon S. Tresslar" with a circled "ca" below it.

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

JST/mep/cg

cc: Pam Finkbeiner, Interim Township Manager
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Aaron Sisler, P.E., Borton-Lawson – Applicant's Engineer
Sanofi Pasteur, Inc. – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



Boucher & James, Inc.
CONSULTING ENGINEERS

Fountainville Professional Building
1456 Ferry Road, Building 500
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215-345-9400
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AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

January 4, 2017

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

**SUBJECT: SANOFI PASTEUR, INC. – DISCOVERY DRIVE TURN LANE
PRELIM/FINAL LAND DEV'T ACCEPTANCE REVIEW, REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630027R**

Dear Planning Commission Members:

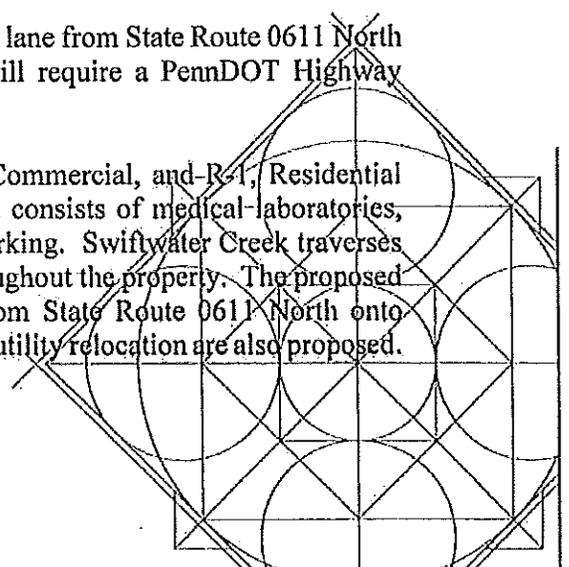
Pursuant to the Township's request, we have completed our second review of the Sanofi Pasteur, Inc., Discovery Drive Turn Lane Preliminary/Final Land Development. The submitted information consists of the following items.

- Response letter prepared by Borton-Lawson, dated December 2, 2016.
- Highway Occupancy Permit Application Review for a Traffic Impact Assessment, prepared by the Pennsylvania Department of Transportation, dated August 30, 2016.
- Post Construction Stormwater Management Plan prepared by Borton-Lawson, dated September 30, 2016, last revised December 2, 2016.
- Existing Resources and Site Analysis Maps (5 sheets) prepared by Borton-Lawson, dated December 2, 2016.
- Preliminary/Final Land Development Plans (14 sheets) prepared by Borton-Lawson, dated September 30, 2016, last revised December 2, 2016.

BACKGROUND INFORMATION

The Applicant, Sanofi Pasteur, Inc., is proposing a truck turning lane from State Route 0611 North onto Discovery Drive. This is a PennDOT highway and will require a PennDOT Highway Occupancy Permit.

The existing property is located within the I, Industrial, C, Commercial, and R-1, Residential Zoning Districts, has an area of approximately 189 acres and consists of medical-laboratories, medical manufacturing and office buildings with associated parking. Swiftwater Creek traverses the northern portion of the site, and areas of wetlands exist throughout the property. The proposed development is the construction of a second turning lane from State Route 0611 North onto Discovery Drive for use by trucks. Associated storm sewer and utility relocation are also proposed.



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

ZONING ORDINANCE COMMENTS

1. In accordance with Section 705.A, "after the effective date of this Ordinance, no signs shall be erected unless a sign permit is issued by the Zoning Officer except for real estate signs pursuant to Section 701.H and 'No Trespassing', 'No Fishing', 'No Hunting', 'No Dumping', 'No Parking', towing and other similar signs (as set forth in Title 75 of the Pennsylvania Vehicle Code and its regulations and as set forth in Title 18 of the Pennsylvania Crimes Code and its regulations, not exceeding two square feet in gross surface area for each exposed face, nor exceeding an aggregate gross surface area of four square feet." *The existing business sign is noted on the Plan as being relocated. The Applicant must confirm if the existing sign will be relocated, or replaced with a new sign at a different location. Approval from the Zoning Officer may be necessary. (Previous Comment) The response indicates that the existing sign will be relocated and that the Applicant will coordinate its relocation with the Zoning Officer.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

2. In accordance with Section 2.106, "preliminary approval shall not be considered complete and shall not be effective until the Board of Commissioners has approved the Preliminary Plan." In addition, and in accordance with Section 2.107, after approval of the Preliminary Plan, the Final Plan for the entire Land Development, which has been prepared in accordance with the approved Preliminary Plan, shall be submitted by the Applicant to the Planning Commission. *The Applicant is requesting a waiver from Section 2.106 to permit the submission and review of a Preliminary/Final Plan without the submission and approval of separate Preliminary and Final Plans. (Previous Comment)*
3. In accordance with Sections 2.302.A and 2.303.A, "Preliminary Plans for Major Subdivisions and Land Developments shall be drawn at a scale not to exceed 1 inch equals 100 feet provided all bearings, distances and other information can be legibly and accurately presented on the plan." *The Applicant is requesting waivers from Sections 2.302.A and 2.303.A to permit a scale of 1 inch equals 200 feet on the Overall Existing Conditions Plan in order to show the existing property in its entirety. The remainder of the Plans have a scale of 1 inch equals 20 feet. We support this request for waivers. (Previous Comment)*
4. In accordance with Sections 2.302.B.14 and 2.303.B.31, "steep slope information as required by Section 3.209 of this Ordinance" shall be provided on the Plan, or otherwise a modification requested. *Steep slopes exist on the property and shall be identified in accordance with Section 3.209. (Previous Comment) Steep slopes are shown on Sheet 2 of the Existing Resources and Site Analysis Maps.*
 - a. *In accordance with Section 3.209.B.4, "all subdivision and land development plans shall include a delineation of the steep slope areas, as defined herein". The existing*

steep slopes must also be shown on the Land Development Plan.

- b. *In accordance with Section 3.209.B.5, "the Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty five percent (65%) of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc." The plan must show the required steep slope easement.*
 - c. *In accordance with Section 3.209.B.6, "the plan shall note that no structures shall be located within the easement; and that no excavation, grading, filling or other disturbance of the existing ground cover is permitted within the easement." The required note must be provided on the plan.*
 - d. *In accordance with Section 3.209.B.7, "all deeds for lots created by subdivision and all land developments to which the provisions of this Section 3.209 are applicable shall contain language detailing the easements' location and the restrictions imposed". A deed containing all required language must be recorded for the property.*
5. *In accordance with Section 2.302.C.10, "in the event the Plan will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation," the note provided in this Section must be placed on the Plans. In addition, and in accordance with Sections 2.302.D.12 and 2.303.E.8, "verification of approval or consent by the Pennsylvania Department of Transportation for all proposed improvements (excluding residential driveway access) within a right-of-way under that agency's jurisdiction" must be submitted. Note 9 on Sheet CS1 indicates the Applicant has a Highway Occupancy Permit from PennDOT for the existing high volume driveway. The proposed development of the turn lane encroaches into the PennDOT Right-of-Way and PennDOT must be notified of this work. Proof of notification and correspondence from PennDOT must be submitted to the Township.*

Only a portion of the proposed truck turn lane is located within the PennDOT Right-of-Way. The Applicant must address any additional Right-of-Way required by PennDOT, as well as maintenance responsibilities for the proposed truck turn lane. (Previous Comment) A Highway Occupancy Permit Application review prepared by the Pennsylvania Department of Transportation (PennDOT) in support of the project's Traffic Impact Assessment was provided with this submission. The response indicates a Highway Occupancy Plan will be submitted to PennDOT once the Traffic Impact Assessment is approved. All subsequent reviews and approvals must be provided to the Township.

6. *Comment Satisfied.*
7. *In accordance with Sections 2.402.A and B, a performance guarantee and development agreement shall be provided. A cost estimate must be submitted for review and the performance guarantee and development agreement provided to the Township. (Previous Comment) The response indicates that the cost estimate and development agreement will*

be discussed with the Township.

8. Comment Satisfied.
9. In accordance with Section 3.503.A, "traffic movements in and out of commercial and industrial areas shall not interfere with external traffic, nor shall it create hazards for adjacent residential areas. The plan shall indicate ingress and egress points to existing public roads in conformance with Pennsylvania Department of Transportation regulations and standards." *A Traffic Impact Assessment has been submitted. We offer the following comments:*
 - a. *Table 1, 2016 Conditions Operational Analysis must also provide the AM and PM Peak Conditions for the Multi-Use Driveway and S.R. 0611 for comparison with Table 2, 2017 Conditions Operational Analysis.*

(Previous Comment) The response indicates that the Traffic Impact Assessment is being revised and revisions will be provided upon completion.

BRODHEAD AND MCMICHAELS CREEK ORDINANCE COMMENTS

The proposed development is located within District B-2 of the Brodhead Creek watershed and is tributary to Swiftwater Creek which is a High Quality/Cold Water Fishery (HQ/CWF). The proposed development decreases the impervious area by approximately 2,291 square feet.

10. Comment Satisfied.
11. Comment Satisfied.
12. Comment Satisfied.
13. Comment Satisfied.
14. Comment Satisfied.

ADDITIONAL STORMWATER AND STORM SEWER COMMENTS

15. Comment Satisfied.
16. Comment Satisfied.
17. Comment Satisfied.
18. Comment Satisfied.

MISCELLANEOUS COMMENTS

19. Comment Satisfied.

20. Comment Satisfied.

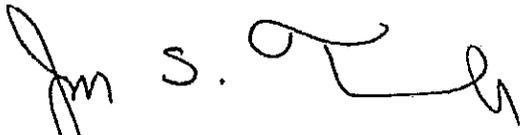
21. Comment Satisfied.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to Plan Approval.

In order to facilitate an efficient re-review of revised plans, the Design Engineer should provide a letter, addressing item by item, their action in response to each of our comments.

If you should have any questions regarding the above comments, please call me.

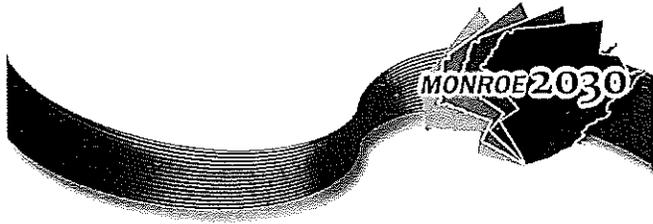
Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tresslar". The signature is stylized and cursive.

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

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Finkbeiner, Township Secretary
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Aaron M. Sisler, P.E., Borton-Lawson – Applicant's Engineer
Sanofi Pasteur, Inc. – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



RECEIVED
OCT 31 2016
POCONO TOWNSHIP

MONROE COUNTY PLANNING COMMISSION

October 28, 2016

Charlie Vote, Township Manager
Pocono Township
PO Box 197
112 Township Drive
Tannersville, PA 18372

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

Re: Sanofi Turning Lane
Land Development Plan
Pocono Township
MCPC Review #146-16

Dear Mr. Vote:

The above cited plan was reviewed by Nathaniel T. Staruch, Senior Planner, on behalf of the Monroe County Planning Commission and Nathan Oiler, P.E., of RKR Hess, a division of UTRS, Inc. You will find their comments enclosed. Should you have any special concerns regarding these comments, please contact us immediately.

All comments are preliminary and will be acted upon by the Planning Commission at its regular meeting on November 9, 2016 at 5:00 p.m. at the Monroe County Administrative Center. This action is in keeping with the Planning Commission's review policy and allows the municipalities and other interested parties to respond to the review comments before the Planning Commission's public meeting.

If these comments are not amended and are found to be acceptable by the Board at the next meeting, they should be considered to be approved as enclosed.

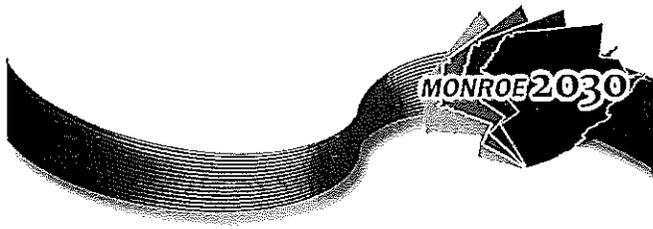
If you have any questions or if we can be of further service to you, please feel free to contact me.

Sincerely yours,

Christine Meinhart-Fritz
Director

CMF/ns

cc: Pam Finkbeiner, Pocono Township Secretary
Aaron Sisler, P.E. of Borton-Lawson Engineering



MONROE COUNTY PLANNING COMMISSION

TO: Christine Meinhart-Fritz, Director

FROM: Nathaniel T. Staruch, Senior Planner

DATE: October 28, 2016

SUBJECT: Sanofi Turning Lane
Land Development Plan
Pocono Township
MCPC Review #146-16

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

This 187 acre site is located on the easterly side of State Route 611 (SR 611), to the southeast its intersection with Discovery Drive. This plan is proposes to construct a 14 foot-wide, 550 foot-long truck turning lane on the easterly side of SR 611, immediately adjacent to the existing turning lane; stormwater controls, pedestrian infrastructure, and other associated site improvements are also proposed. Sanofi Pasteur is currently served by central water provided by the Brodhead Creek Regional Authority and a private on-site wastewater treatment plant. This site is located in an Industrial (I) zoning district in which this is a permitted use.

The above mentioned land development plan has been reviewed on the basis of generally accepted planning principles and environmental concerns. The following comments are offered:

1. According to the Hamilton, Stroud, and Pocono Townships, and Stroudsburg Borough Regional Comprehensive Plan, June 2005, this site is located in a limited industrial zone within a designated growth area, as indicated by the future land use map. This project is consistent with the Regional Comprehensive Plan in regard to land use.
2. The plan requests a waiver for Subdivision and Land Development Ordinance (SALDO) §2.106, which regulates the procedures for submitting a preliminary plan. This request appears reasonable; therefore, it is recommended that the waiver be granted.
3. The plan requests a waiver for SALDO §2.302.A and §2.303.A, which prescribe that the plan, "be drawn at a scale not to exceed one inch equals 100 feet provided all bearings, distances and other information can be legibly and accurately represented on the plan." Due to the nature and limited extent of the proposed development, it is recommended that these waivers be granted.
4. The plan is proposing an additional turning lane off of SR 611. It is recommended that the Township coordinate with PennDOT in order to confirm the status of the existing Highway Occupancy Permit (HOP) and to ensure all design requirements are satisfied.

5. The proposed plan does not show loading, fire, and emergency response vehicle access and/or navigation through the proposed turning lane and should be indicated.
6. A lighting plan was not included within the submitted plan materials. It is recommended that the Township confirm the sufficiency of any proposed lighting and its ability to adhere to Township regulations.
7. It should be noted that the Pennsylvania Natural Diversity Inventory (PNDI) review submitted by the owner/developer has indicated there is no potential impact.
8. The proposed project is generally consistent with the Monroe County Comprehensive Plan, December 2014, with respect to expanding and supporting a Monroe County business.
9. The proposed project does not affect any areas of importance identified in the Monroe County Natural Areas Inventory, 1991 and the Updated Inventory, 1999.
10. The proposed project does not affect any of the historic areas identified in the Monroe County Historic Preservation Plan, 1980.
11. The recommendation made by Nathan Oiler, P.E., of RKR Hess, a division of UTRS, Inc. in his review dated October 25, 2016 is concurred with.

It is recommended that approval of this plan be conditioned upon the above listed comments being satisfactorily addressed, the plan achieving compliance with applicable Township ordinances, and the Township Engineer's review.

This review is subject to the approval of the Monroe County Planning Commission at its next regularly scheduled meeting.



A DIVISION OF UTRS

October 25, 2016
Project No: 10230.074

Monroe County Planning Commission
Monroe County Administrative Center
One Quaker Plaza, Room 106
Stroudsburg, PA 18360

ATTENTION: MS. CHRISTINE MEINHART-FRITZ, DIRECTOR

**SUBJECT: LAND DEVELOPMENT PLANS
DISCOVERY DRIVE TURN LANE PROJECT
SANOFI PASTEUR, INC.
POCONO TOWNSHIP**

Dear Ms. Meinhart-Fritz:

Sanofi Pasteur, Inc. is proposing to construct a 14-foot wide truck turning lane adjacent to the existing truck turning lane on northbound Route 611 near the Swiftwater Campus. The proposed turn lane will direct trucks from Route 611 onto Discovery Drive, a private road maintained by Sanofi Pasteur. The turn lane is shown to be approximately 550 feet long. Various utility upgrades are included as part of the project.

We have reviewed a fourteen (14) page set of Land Development plans dated September 30, 2016 prepared by Borton-Lawson of Bethlehem, PA.

This submittal was reviewed in accordance with generally accepted engineering and planning practices and the guidelines established by the Monroe County Planning Commission. We offer the following comments based on the information submitted:

ZONING AND COMPATIBILITY WITH SURROUNDING USES

1. Sanofi Pasteur Swiftwater Campus is located along Route 611 near Lower Swiftwater Road. The campus is bordered by properties in residential (R-1 and R-2) zoning districts on the south, east and most of the north property line. The remaining portion of the north property line and all of the west property line is adjacent to properties in the C-Commercial zoning district.
2. The proposed truck turning lane is located southeast of the intersection of Route 611 and Discovery Drive. Sanofi Pasteur owns the adjoining property in the I-Industrial and R-1 Residential zoning districts.

LOT ACCESS, LAYOUT AND PARKING

3. The existing facility has two (2) existing driveways from Route 611. The campus can also be accessed from two (2) existing driveways on Lower Swiftwater Road. The application indicates Sanofi Pasteur has a high volume highway occupancy permit for the facility (#05031018, dated 9-22-03).
4. The project proposes a truck only turning lane at the intersection of Route 611 and Discovery Drive. Coordination with PennDOT should be confirmed.
5. The scope of the project does not indicate a proposed change in parking demand levels.

WATER SUPPLY AND WASTEWATER DISPOSAL

6. The water supply for the site is currently served by Brodhead Creek Regional Authority (BCRA).
7. Sanofi Pasteur owns and operates its own Industrial Wastewater Treatment Plant (NPDES Permit No. PA0060071). Additional sewer service is provided by Pocono Township Sewer System.

STORMWATER MANAGEMENT

8. The site is located within the Brodhead Creek Drainage basin sub area B-2. The Act 167 release rate for development requires a reduction of the pre-development run-off rate. The stormwater report indicates an existing gravel area will be restored to lawn as a part of this project. Even with the additional impervious from the turning lane, the calculations show a net decrease in impervious area due to the project.
9. The calculations indicate a net increase in volume for the 2-year storm pre-construction to post-construction prior including to Best Management Practices (BMPs). The 2-year volume difference is proposed to be managed using soil amendments in the area of existing gravel to be restored to lawn area.
10. The stormwater from much of the disturbed area will be collected by an existing stormwater pipe system and conveyed to an existing outfall near an existing wetland.
11. Water quality BMPs, including soil amendments, vegetated swales and street sweeping, are proposed as a part of this project.
12. A detailed review of the Stormwater Control Plan was not conducted because that is the responsibility of the Township and its consultants as part of the plan submission.

ENVIRONMENTAL CONCERNS AND OTHER COMMENTS

13. A PA One Call System, Inc., serial number for the design phase is required.

14. The applicant has requested two (2) modifications. Due to the scope of the project, the requests appear to be reasonable.
15. The Owner's certification must be executed on the plans.
16. An existing NPDES Permit number is provided on the plans. An NPDES Permit or modification as well as ESPC Plan approval will be required for this project from the Monroe County Conservation District and DEP. An Act 167 consistency letter will be required.
17. A copy of the Pennsylvania Natural Diversity Index (PNDI) Search, dated July 15, 2015 was provided, showing "No Known Impact" for all screened agencies.
18. The application indicates there are wetlands present on the site. However, no wetland impacts are anticipated as a result of this project.
19. There is a mapped floodplain along Swiftwater Creek based on FEMA Panel No. 42089C0252E, 42089C0254E, and 420890256E, effective date May 2, 2013. The application indicates there will be no floodplain impacts associated with this project.
20. The application indicates impacts to areas of steep slopes are not anticipated.
21. Some areas of existing impervious are proposed to be restored to lawn areas as a part of this project. A landscaping plan was not provided.
22. The plans indicate existing light poles will be removed and/or relocated. A lighting plan with proposed lighting levels was not provided.
23. The plans show the existing crosswalk will be re-stripped across both turn lanes. Appropriate accessibility should be confirmed.

We recommend approval of this application after the above comments have been reviewed and acted upon by the Township.

Very truly yours,

RKR HESS, A DIVISION OF UTRS, INC.



Nathan S. Oiler, P.E.

NSO/aks



MONROE COUNTY
CONSERVATION DISTRICT

Conserving Natural Resources for the Future

January 3, 2017

TO: Weis Market, Inc.
c/o Alex Ororbia
1000 South Second Street
Sunbury, PA 17801

SUBJECT: Erosion and Sediment Control Plan, Review II

SITE LOCATION: Pocono Township, Monroe County, PA

SITE DESCRIPTION: Weis #166 Gas-N-Go
E&S Plans and Narratives dated 11/18/16 & 11/17/16,
last revised 12/22/16, prepared by HRG, Inc.
High Quality Waters

Dear Mr. Ororbia:

We have reviewed the above mentioned Erosion and Sediment Control Plan and find it adequate to meet the requirements of PA Title 25, Chapter 102, Erosion and Sediment Control.

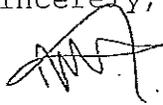
The Conservation District reviews the Erosion and Sediment Control Plan solely to determine whether it is adequate to satisfy the requirements of 25 Pa Code Chapter 102.1 et. seq., the erosion control regulations of the Department of Environmental Protection (DEP). By a determination that the plan is adequate to meet those requirements, neither the Conservation District nor the County assumes any responsibility for the implementation of the plan or the proper construction and operation of the facilities contained in the plan.

The design, structural integrity, and installation of the control measures are the responsibility of the landowner and/or earthmover. Before any construction or earth disturbance may begin, the appropriate and necessary local, state and federal permits must be secured from the agency having specific permitting authority.

A copy of the Erosion and Sediment Control Plan must be available at the site of the earth disturbance activity during construction and until the site is stabilized. All control facilities, both interim and final, must be implemented on-site as outlined in the plan.

If you have any questions regarding this or other projects, please contact our office at 570-629-3060.

Sincerely,



John Motz
Resource Conservation Specialist

JM/dm

Enclosure

cc: Pocono Township Commissioners and Planning Commission
Pocono Township Codes Enforcement/Zoning Officer ✓
Pocono Township Engineer (w/enclosure)
Monroe County Planning Commission, c/o Eric Koopman (via email)
Herbert, Rowland & Grubic, c/o William Swanick (via email)
File (2)



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

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Bethlehem, PA 18018
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Fax 610-419-9408

www.bjengineers.com

January 4, 2017

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

**SUBJECT: WEIS MARKETS STORE NO. 166 GAS 'N' GO
FINAL LAND DEVELOPMENT REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630010R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Weis Markets Store No. 166 Gas 'n' Go Land Development Application. The submitted information was prepared by Herbert, Rowland & Grubic, Inc. and consists of the following items.

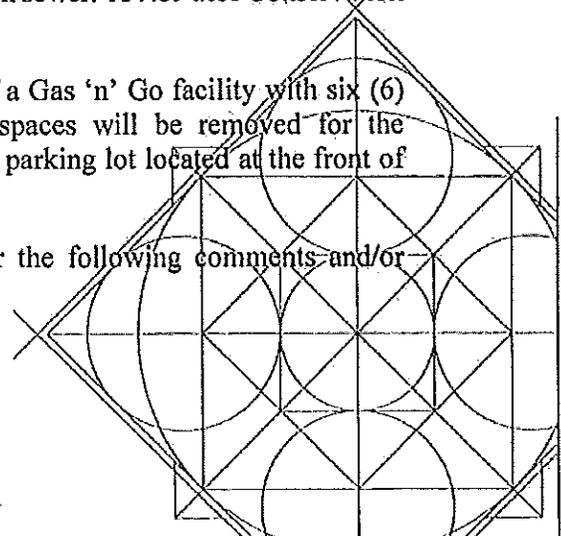
- Request for Modification with justification dated November 18, 2016.
- Erosion and Sediment Control Report dated November 17, 2016.
- Final Land Development Plan (14 sheets) dated November 18, 2016.

BACKGROUND INFORMATION

The Applicant, Weis Markets, Inc., is proposing a Gas 'n' Go facility at the existing Weis Market located within the Tannersville Plaza on the western side of S.R. 0611, approximately 1,500 feet south of the intersection with S.R. 0715. The existing property is located within the C, Commercial Zoning District and consists of existing retail establishments including the Weis Market taking access from S.R. 0611 with associated parking, utilities and storm sewer. A 7.89 acre Conservation Area exists along the western boundary line.

The proposed Land Development includes the construction of a Gas 'n' Go facility with six (6) fueling stations within the existing parking lot. Parking spaces will be removed for the construction of the fueling stations and the existing 361 space parking lot located at the front of Weis Markets will be reconfigured.

Based upon our review of the Land Development, we offer the following comments and/or recommendations for your consideration.



ZONING ORDINANCE COMMENTS

1. In accordance with Sections 405.C.2.a, 405.C.2.b, and 405.C.2.c, the required front yard, side yard, and rear yard depths are 75 feet, 20 feet, and 25 feet, respectively. *The building setback lines extend through the Conservation Easement Area at the rear of the property. The intent of the easement area must be noted on the plan. If the intent is for preservation, the building setback lines shall terminate at the easement boundary. In addition, the provided front, side and rear yards in the Zoning Requirements Table on Sheet 2 must be revised to represent the distances to the existing buildings located closest to the property lines and rights-of-way.*
2. In accordance with Section 405.E, "all proposed signs shall conform to the requirements of Article VII of this Ordinance". *Any proposed signage for the vehicle fueling station must be approved by the Township prior to construction.*
3. In accordance with Section 512, one (1) parking space for each 100 square feet of bank area, plus one (1) space for each employee, and one (1) parking space for each 150 square feet of gross retail floor area, plus one (1) space for each employee on the peak shift are required. *The Parking Requirements on Sheet 2 must provide a required parking calculation for both the existing bank and retail use to determine compliance with this Section. It is noted that the number of parking spaces will not change as a result of the proposed development.*

The proposed eight (8) space parking row behind Weis Markets is located in an area where bollards, raised manholes, and cleanouts exist. This parking row must be relocated. In addition, there is concern with tractor trailer access to the existing loading docks near the proposed eight (8) and six (6) space parking rows behind Weis Markets. Truck turning templates must be provided showing accessibility to the existing loading docks, or the parking rows relocated.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

4. In accordance with Section 2.302, Submission of Preliminary Plan shall include the items listed in Section 2.302. *The Applicant is requesting a waiver from Section 2.302 to submit the proposed land development as a Final Plan. The request indicates that stormwater management is not proposed and no additional public infrastructure is required.*

A waiver from Section 2.302 will relieve the Applicant from Preliminary Plan presentation and submission requirement. A waiver from Section 2.106 is more appropriate. In accordance with Section 2.106, "preliminary approval shall not be considered complete and shall not be effective until the Board of Commissioners has approved the Preliminary Plan. The Applicant is still required to comply with both Sections 2.302 and 2.303, Preliminary and Final Plan requirements, however they may request a waiver from Section 2.106 for the filing of a Preliminary Plan. The Requested Waivers on Sheet 2 shall be revised to reference the correct Section.

5. In accordance with Sections 2.302.A and 2.303.A, plans "shall be drawn at a scale not to exceed one inch equals 100 feet provided all bearings, distances and other information can be legibly and accurately presented on the plan." *The text on Sheets 3 and 5 is illegible at a 1"=80' scale, and must be revised.*
6. In accordance with Sections 2.302.B.3 and 2.303.B.3, the Final Land Development Plan shall include the "names of adjoining property owners including those across the street." *The names of existing property owners across Old Mill Road and S.R. 0611 must be provided on the plan.*
7. In accordance with Sections 2.302.B.4 and 2.303.B.4, the Final Land Development Plan shall include the "proposed and existing streets and lot layout on immediately adjoining tracts, including name and rights-of-way widths that fall within 300 feet distance from the property lines." *The existing features within 300 feet of the existing property lines must be shown on the plan. In addition, Old Mill Road and S.R. 0611 must be labeled on Sheet 5.*
8. In accordance with Sections 2.302.B.5 and 2.303.B.5, the Final Land Development Plan shall show "watercourse, lake, swamp and wetland locations and names (if any), rock outcrops and stone fields. Give location and description of any certified historic site or structure or certified natural features." *Pocono Creek must be labeled on the plan.*
9. In accordance with Sections 2.302.B.6 and 2.303.B.6, the Final Land Development Plan shall show the "location of 100-year flood zones as per most recent Flood Insurance Rate Map." *General Note 14 on Sheet 2 is incorrect and must be revised. The existing 100-year floodplain associated with Pocono Creek must be shown on the plan. In addition, General Note 14 on Sheet 2 must be expanded to indicate the existing floodplain is located on the property.*
10. In accordance with Sections 2.302.B.7, 2.302.B.17, 2.303.B.7, and 2.303.B.17, existing topography must be provided on the plan. *The existing partial topography shown on the plan must be revised to extend to the property boundaries.*
11. In accordance with Sections 2.302.B.9 and 2.303.B.9, the Final Land Development Plan shall show "tract boundaries with bearings in degrees, minutes and seconds and distances in feet and hundredths. These boundaries shall be determined by accurate field survey, closed with an error not to exceed one in five thousand and balanced." *The plan must include only boundary information relevant to the property being developed (Lot 2 and the related Conservation Easement). The plan notes that Lot 1 was previously subdivided and this lot must be shown as an existing adjoining property. In addition, the boundary of the Conservation Easement Area, as shown, appears to be a separate property, and must be revised to be shown as an easement area within existing Lot 2.*
12. In accordance with Sections 2.302.B.21, 2.302.D.4.a, 2.303.B.28, if the proposed Land Development is to be served with water by an existing water company or authority, the

Developer shall submit two (2) copies of a letter from the water company or authority which states that the company or authority can adequately serve the development. *The plan indicates water service will be provided to the proposed kiosk at the vehicle fueling station. The Applicant must provide evidence of approval for the water service.*

13. In accordance with Sections 2.302.D.14 and 2.303.B.31, "steep slope information as required by Section 3.209 of this Ordinance" must be provided on the plan. *It appears steep slopes exist along Pocono Creek and must be identified on the plan.*
14. In accordance with Section 2.302.D.15, a Community Impact Analysis is required for "all non-residential developments (with the exception of agricultural development) with buildings containing in excess of twenty thousand (20,000) square feet of floor space in the aggregate." *The proposed development increases floor area and has the potential to increase the use of the existing property as a result of the proposed vehicle fueling station. The required Community Impact Analysis must be provided.*
15. In accordance with Section 2.303.B.22, the Final Land Development Plan shall show the "location and type of permanent monuments and markers which have been set in place." *Monuments and markers are shown on the plan, but are illegible or unclear and must be revised. Additional monumentation in accordance with Section 3.603 may be required.*
16. In accordance with Sections 2.303.E.4, 3.204, 3.205, 3.614, all land developments shall be served with adequate water supply and sewage system. *Public water and sewer are shown for the proposed kiosk. The Applicant shall provide evidence of approval for the water service and Sewage Facilities Planning Module or Exemption.*
17. In accordance with Sections 2.402.A and 2.402.B, a performance guarantee and development agreement must be provided. *A performance guarantee and development agreement must be provided prior to Final Plan recordation. A construction cost estimate shall be submitted for review.*
18. In accordance with Section 3.202.A, "if required by regulations of the Department of Environmental Protection, an Applicant shall submit with the Preliminary Plan an "Erosion and Sediment Control Plan" prepared by a person trained and experienced in erosion and sedimentation control methods and techniques as provided for under Title 25 Rules and Regulations, Chapter 102, issued by the Department of Environmental Protection. *The disturbance is less than 1 acre and therefore a submission to the Monroe County Conservation District is not required. The following comments are based upon our review of the Erosion and Sediment Control Plan and Report.*
 - a. *Inlet protection shall also be placed at the existing inlet located south of the eastern most parking island.*
 - b. *The E&S Plan Legend on Sheet 10 is not consistent with the symbols and linetypes in plan view. The plan and/or legend must be revised.*

- c. The Sequence of E&S BMP Installation and Removal in the Report must also be placed on the Plan.*
 - d. Pre-Construction Steps 3 and 4 of the Sequence of E&S BMP Installation and Removal must also include the Township.*
 - e. Installation of the underground tanks, vehicle fueling stations, pavement, curb, reinforced concrete pad, kiosk, etc. must be included in the Sequence of E&S BMP Installation and Removal.*
 - f. The inspection and maintenance of the proposed erosion and sedimentation control best management practices must be provided on the plan and be in accordance with the PADEP Erosion and Sediment Pollution Control Manual.*
 - g. The plan must address how parking and traffic will be handled during construction.*
19. In accordance with Section 3.206.E, “where a Subdivision or Land Development is traversed by a watercourse there shall be provided a drainage easement conforming substantially to the line of such watercourse of such width as will be adequate to preserve the unimpeded flow of natural drainage.” *A drainage easement is provided along Pocono Creek. The drainage easement may need to be altered once the existing 100-year floodplain along Pocono Creek is added to the plan to ensure the easement is “adequate to preserve the unimpeded flow of natural drainage.”*
20. In accordance with Section 3.209.B.4, “all subdivisions and land development plans shall include a delineation of the steep slope areas, as defined herein.” *The existing steep slopes per Section 3.209.A must be shown on the plan.*
21. In accordance with Section 3.209.B.5, “the Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty five percent (65%) of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc.” *The plan must show the required steep slope easement.*
22. In accordance with Section 3.209.B.6, “the plan shall note that no structures shall be located within the easement; and that no excavation, grading, filling or other disturbance of the existing ground cover is permitted within the easement.” *The required note must be provided on the plan.*
23. In accordance with Section 3.209.B.7, “all deeds for lots created by subdivision and all land developments to which the provisions of this Section 3.209 are applicable shall contain language detailing the easements’ location and the restrictions imposed.” *A deed containing all required language must be recorded for the property.*

**BRODHEAD AND MCMICHAEL CREEKS STORMWATER MANAGEMENT
ORDINANCE COMMENTS**

The proposed development is located within the Brodhead Creek watershed and is tributary to Pocono Creek which is a High Quality, Cold Water Fishery (HQ/CWF). The proposed land development is regulated by the Stormwater Management Ordinance and shall comply with the comments below.

24. In accordance with Section 104, land developments are regulated activities. *The existing parking lot is being reconfigured and the impervious and green areas are proposed to be relocated. In addition, as previously discussed, it appears that the proposed six (6) and eight (8) space parking rows located behind Weis Markets will need to be relocated. The existing and proposed impervious areas must be listed on the plan. The stormwater management design requirements in this Ordinance will be required should the impervious area increase by 5,000 square feet or more.*
25. In accordance with Section 301.L, "roof drains should not be connected to streets, sanitary or storm sewers or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater. Considering potential pollutant loading, roof drain runoff in most cases will not require pretreatment." *The proposed kiosk roof drains are connected directly to the proposed storm sewer. A waiver is required as proposed.*
26. In accordance with Section 301.M, "all stormwater runoff, other than roof top runoff discussed in Paragraph L above, shall be treated for water quality prior to discharge to surface or groundwater." *The application of the proposed pig drain cover shall be discussed. The Pig Drain Cover detail on Sheet 12 suggests the cover is temporary and for use during the time the tanker truck fills the underground storage tanks. A permanent filter shall be provided in the inlet for both potential tanker and personal vehicle spills.*
27. In accordance with Section 303.I.8.a, "a 50-foot buffer, measured perpendicular to and horizontally from the top-of-bank on all sides of any stream, shall be maintained on all sides of any stream, with the exception of the Pocono Creek, where the buffer shall be 75 feet, measured perpendicular to and horizontally from the top-of-bank on all sides of the Pocono Creek. In addition, where the 100 feet of land adjacent to the edge of a stream has an average upland slope greater than 5%, the minimum buffer width shall be increased by four feet for each percent of slope at or above 5%, subject to a maximum cumulative buffer of 100 feet." *The required buffer along Pocono Creek must be provided on the plan.*
28. In accordance with Sections 307.C and 307.D, any other stormwater conveyance facility that does not fall under Chapter 105 regulations must be able to convey, without damage to the stormwater structure or roadway, runoff from the 50-year design storm with a minimum 1.0 foot of freeboard. *Storm sewer calculations must be provided for the existing storm sewer. Should inlet EXI-1 not provide sufficient capacity as required in this Section, additional measures may be taken (i.e., additional filter at downslope inlet) to ensure any*

fuel spills will be handled for water quality.

29. In accordance with Section 308.A, "any earth disturbance must be conducted in conformance with PA Title 25, Chapter 102, "Erosion and Sediment Control." *The following comments are based upon our review of the Erosion and Sediment Control Plan and Report.*

- a. Inlet protection shall also be placed at the existing inlet located south of the eastern most parking island.*
- b. The E&S Plan Legend on Sheet 10 is not consistent with the symbols and linetypes in plan view. The plan and/or legend must be revised.*
- c. The Sequence of E&S BMP Installation and Removal in the Report must also be placed on the Plan.*
- d. Pre-Construction Steps 3 and 4 of the Sequence of E&S BMP Installation and Removal must also include the Township.*
- e. Installation of the underground tanks, vehicle fueling stations, pavement, curb, reinforced concrete pad, kiosk, etc. must be included in the Sequence of E&S BMP Installation and Removal.*
- f. The inspection and maintenance of the proposed erosion and sedimentation control best management practices must be provided on the plan and be in accordance with the PADEP Erosion and Sediment Pollution Control Manual.*
- g. The plan must address how parking and traffic will be handled during construction.*

MISCELLANEOUS COMMENTS

30. The Applicant should discuss the hours of operation and attendant hours for the vehicle fueling station with the Township. Pursuant to the Pennsylvania Department of Labor and Industry an attendant must be present during the hours of operation.
31. An emergency plan shall be prepared and provided to the Township for their record. The emergency plan may include, but not be limited to, emergency shut off devices, spill prevention and clean up procedures, responsibilities of the attendant, etc.
32. Note 12 on Sheet 1 references Parcels 'A' and 'B', however these parcels are not labeled on the plan. Note 12 must be revised.
33. On Sheet 2, the referenced geotechnical report in General Note 15 must be submitted.
34. On Sheet 3, it appears the parking spaces existing along the northernmost parking row

located immediately north of the existing Weis Markets building are incorrectly shown, and should be revised.

35. On Sheet 5, it appears a roofed structure is shown as existing northwest of the existing bank. Aerial photography does not show this structure and its existence must be confirmed.
36. On Sheet 5, the number labels for the proposed parking spaces along various rows in front of Weis Markets are incorrect, and must be revised.
37. On Sheet 7, additional spot elevations shall be provided along the western side of the vehicle fueling station to ensure positive drainage toward inlet EX I-1.
38. The Luminaire Schedule on Sheet 8 includes lighting that is not proposed with this development and must be revised.
39. The Landscaped Island Area Tabulations on Sheet 9 identify a decrease in landscaped island area which indicates an increase of 365 square feet in impervious area. Although this increase does not require compliance with the stormwater management design requirements of the Stormwater Management Ordinance, notes on the plan stating that no increase in impervious area occurs must be revised.
40. Our landscape counts indicate 20 Coneflower and 47 Black Eyed Susans are proposed. The number of proposed plantings in the Planting Schedule on Sheet 9 shall be confirmed and the quantities revised as necessary.
41. On Sheet 10, the existing contour along the access driveway to S.R. 0611 shall be labeled.
42. The type of concrete utilized for the bollard foundation must be identified in the Steel Pipe Bollard Detail on Sheet 11.
43. On Sheet 11, the Roof Leader Profile must be revised to provide the length, slope and material of the pipe between CO-4 and CO-5, and to correct the invert in of "-2.70" at CO-4. In addition, the proposed invert in at EX I-1 must be identified in the profile.
44. The Accessible Parking Space Detail on Sheet 12 indicates 10-foot wide parking spaces and access aisle, and must be revised to be consistent with the handicap parking space dimensions on Sheet 6.
45. The Parking Space Detail on Sheet 12 indicates a parking space width of "10' or 9'" and must be revised to be consistent with the parking space dimensions on Sheet 6.
46. Tree wrap shall be removed at the time of planting to eliminate the potential for insect harvesting. The tree wrap should be removed from the Tree Planting Detail on Sheet 12, or a note placed stating that the wrap is to be removed at the time of planting.

47. The Truck Turning Exhibit on Sheet 14 shows conflict with the truck and proposed curb, and must be revised.

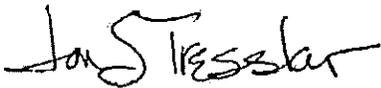
The above comments represent a thorough and comprehensive review of the information submitted with the intent of giving the Township the best direction possible. However, due to the number and nature of comments in this review, the receipt of new information may generate new comments.

In order to facilitate an efficient re-review of revised plans, the Design Engineer shall provide a letter, addressing item by item, their action in response to each of our comments.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to the approval of the Land Development Plan.

If you should have any questions regarding the above comments, please call me.

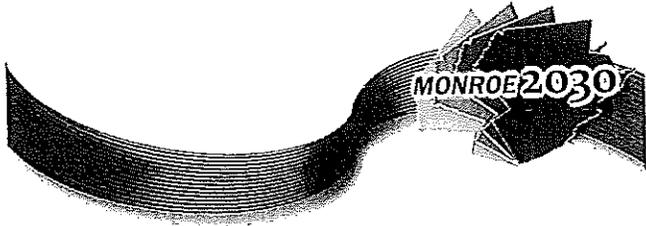
Sincerely,



Jon S. Tresslar, P.E., P.L.S. (CA)
Township Engineer

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Finkbeiner, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
William R. Swanick, P.E., Herbert, Roland & Grubic, Inc. – Applicant's Engineer
Alex Ororbias, AIA, Weis Markets, Inc. – Applicant
Tannersville Realty Company, L.P. – Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



RECEIVED
JAN 04 2017
POCONO TOWNSHIP

MONROE COUNTY PLANNING COMMISSION

December 29, 2016

Charlie Vote, Township Manager
Pocono Township
PO Box 197
112 Township Drive
Tannersville, PA 18372

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

Re: Sanofi: Discovery Dr. Widening
Land Development Plan
Pocono Township
MCPC Review #183-16

Dear Mr. Vote:

The above cited plan was reviewed by Nathaniel T. Staruch, Senior Planner, on behalf of the Monroe County Planning Commission and Nathan Oiler, P.E., of RKR Hess, a division of UTRS, Inc. You will find their comments enclosed. Should you have any special concerns regarding these comments, please contact us immediately.

All comments are preliminary and will be acted upon by the Planning Commission at its regular meeting on January 10, 2016 at 5:00 p.m. at the Monroe County Administrative Center. This action is in keeping with the Planning Commission's review policy and allows the municipalities and other interested parties to respond to the review comments before the Planning Commission's public meeting.

If these comments are not amended and are found to be acceptable by the Board at the next meeting, they should be considered to be approved as enclosed.

If you have any questions or if we can be of further service to you, please feel free to contact me.

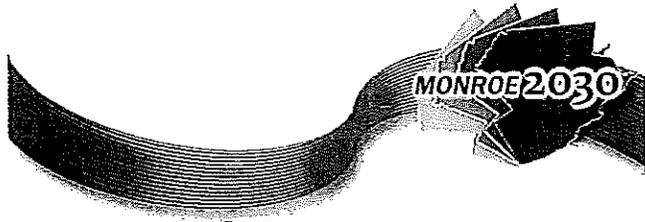
Sincerely yours,

Christine Meinhardt-Fritz

Christine Meinhardt-Fritz
Director

CMF/ns

cc: Pam Finkbeiner, Pocono Township Secretary
Aaron Sisler, P.E. of Borton-Lawson Engineering



MONROE COUNTY PLANNING COMMISSION

TO: Christine Meinhart-Fritz, Director

FROM: Nathaniel T. Staruch, Senior Planner *NTS*

DATE: December 29, 2016

SUBJECT: Sanofi: Discovery Dr. Widening
Land Development Plan
Pocono Township
MCPC Review #183-16

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

This 187 acre site is located on the easterly side of State Route 611 (SR 611), to the southeast its intersection with Discovery Drive. This plan proposes to widen the existing Discovery Drive to 15 feet within the Sanofi Pasteur campus; the plan also includes stormwater controls, pedestrian infrastructure, and other associated site improvements. Sanofi Pasteur is currently served by central water provided by the Brodhead Creek Regional Authority and a private on-site wastewater treatment plant. This site is located in an Industrial (I) zoning district in which this is a permitted use.

The above mentioned land development plan has been reviewed on the basis of generally accepted planning principles and environmental concerns. The following comments are offered:

1. According to the Hamilton, Stroud, and Pocono Townships, and Stroudsburg Borough Regional Comprehensive Plan, June 2005, this site is located in a limited industrial zone within a designated growth area, as indicated by the future land use map. This project is consistent with the Regional Comprehensive Plan in regard to land use.
2. The plan requests a waiver for Subdivision and Land Development Ordinance (SALDO) §2.106, which regulates the procedures for submitting a preliminary plan. This request appears reasonable; therefore, it is recommended that the waiver be granted.
3. The plan requests a waiver for SALDO §2.302.A and §2.303.A, which prescribe that the plan, "be drawn at a scale not to exceed one inch equals 100 feet provided all bearings, distances and other information can be legibly and accurately represented on the plan." Due to the nature and limited extent of the proposed development, it is recommended that these waivers be granted.
4. It is recommended that the Township coordinate with PennDOT in order to confirm the status of the existing Highway Occupancy Permit (HOP) and to ensure all design requirements are satisfied.

5. The proposed plan does not show loading, fire, and emergency response vehicle access and/or navigation through the proposed turning lane and should be indicated.
6. A lighting plan was not included within the submitted plan materials. It is recommended that the Township confirm the sufficiency of any proposed lighting and its ability to adhere to Township regulations.
7. It should be noted that the Pennsylvania Natural Diversity Inventory (PNDI) review submitted by the owner/developer has indicated there is no potential impact.
8. The proposed project is generally consistent with the Monroe County Comprehensive Plan, December 2014, with respect to expanding and supporting a Monroe County business.
9. The proposed project does not affect any areas of importance identified in the Monroe County Natural Areas Inventory, 1991 and the Updated Inventory, 1999.
10. The proposed project does not affect any of the historic areas identified in the Monroe County Historic Preservation Plan, 1980.
11. The recommendation made by Nathan Oiler, P.E., of RKR Hess, a division of UTRS, Inc. in his review dated December 22, 2016 is concurred with.

It is recommended that approval of this plan be conditioned upon the above listed comments being satisfactorily addressed, the plan achieving compliance with applicable Township ordinances, and the Township Engineer's review.

This review is subject to the approval of the Monroe County Planning Commission at its next regularly scheduled meeting.



A DIVISION OF  UTRS

December 22, 2016
Project No. 10230.079

Monroe County Planning Commission
Monroe County Administrative Center
One Quaker Plaza, Room 106
Stroudsburg, PA 18360

ATTENTION: MS. CHRISTINE MEINHART-FRITZ, DIRECTOR

**SUBJECT: LAND DEVELOPMENT PLANS
DISCOVERY DRIVE WIDENING PROJECT
SANOFI PASTEUR, INC.
POCONO TOWNSHIP**

Dear Ms. Meinhart-Fritz:

Sanofi Pasteur, Inc. is proposing to construct a 15-foot wide travel lane along Discovery Drive along the exit lane from the Swiftwater Campus. The road widening activities will only affect internal roads on project property. The project includes widening an existing roadway, relocating an existing sidewalk, stormwater management and utility improvements, and riparian buffer enhancement.

We have reviewed a fifteen (15) page set of Land Development plans dated December 2, 2016 prepared by Borton-Lawson of Bethlehem, PA.

This submittal was reviewed in accordance with generally accepted engineering and planning practices and the guidelines established by the Monroe County Planning Commission. We offer the following comments based on the information submitted:

ZONING AND COMPATIBILITY WITH SURROUNDING USES

1. The project is located in the I-Industrial zoning district. The existing manufacturing facility is a permitted use within this zoning district.
2. Sanofi Pasteur Swiftwater Campus is located along Route 611 near Lower Swiftwater Road. The campus is bordered by properties in residential (R-1 and R-2) zoning districts on the south, east and most of the north property line. The remaining portion of the north property line and all of the west property line is adjacent to properties in the C-Commercial zoning district. All work for the road widening project will be located at least 300 feet from any property line and at least 400 feet from any residential dwelling. Existing trees and vegetation outside the project are will remain undisturbed.

LOT ACCESS, LAYOUT AND PARKING

3. The existing facility has two (2) existing driveways from Route 611. The campus can also be accessed from two (2) existing driveways on Lower Swiftwater Road. The application indicates Sanofi Pasteur has a high volume highway occupancy permit for the facility (#05031018, dated 9-22-03).

4. Due to the scope of the project, a change in parking demand levels is not anticipated.

WATER SUPPLY AND WASTEWATER DISPOSAL

5. The project site will continue to be served by existing public water by Brodhead Creek Regional Authority (BCRA).
6. Sanofi Pasteur owns and operates its own Industrial Wastewater Treatment Plant (NPDES Permit No. PA0060071). Additional sewer service is provided by Pocono Township Sewer System.

STORMWATER MANAGEMENT

7. The site is located within the Brodhead Creek Drainage basin sub area B-2. The Act 167 release rate for development requires a reduction of the pre-development run-off rate.
8. The project is proposing a rain garden to manage the increase in stormwater runoff due the additional impervious area from the project. Stormwater flow from much of the proposed impervious areas will be directed to the rain garden. The overflow from the rain garden is connected to the existing stormwater system.
9. A metal curb inlet detail is provided that shows an opening in the curb to allow stormwater to be conveyed through the curb to the proposed swale and rain garden. Grading should be clarified to better show the intent of these structures.
10. The project proposes a rain garden as best management practices (BMPs) to address stormwater volume and infiltration requirements. Permeability testing was performed in the location of the proposed rain garden. Test results indicate infiltration is possible. However, redoximorphic features were observed in areas of previous fill. Therefore, an amended soil planting mix will be placed in the rain garden to improve infiltration.
11. Vegetated swales, a rain garden and a Snout inlet insert are proposed to address stormwater quality requirements. Tree and shrub plantings are proposed to offset impacts within the riparian buffer.
12. A detailed review of the Stormwater Control Plan was not conducted because that is the responsibility of the Township and its consultants as part of the plan submission.

ENVIRONMENTAL CONCERNS AND OTHER COMMENTS

13. A PA One Call System, Inc., serial number for the design phase is required.
14. The applicant has requested two (2) modifications related to the plan scale and preliminary/final submission.
15. The Owner's certification must be executed on the plans.

16. The permit number for an existing NPDES Permit is provided on the plans. The project will require an NPDES permit or a modification to the existing permit. Approval of the Erosion and Sediment Pollution Control Plan will be required for this project from the Monroe County Conservation District.
17. A copy of the Pennsylvania Natural Diversity Index (PNDI) Search, dated July 15, 2015 was provided, showing "No Known Impact" for all screened agencies.
18. The application indicates there are wetlands present on the site. No wetland impacts are proposed for this project.
19. There is a mapped floodplain along Swiftwater Creek based on FEMA Panel No. 42089C0252E, 42089C0254E, and 42089D256E, effective date May 2, 2013. The application indicates there will be no floodplain impacts as a result of this project.
20. The application indicates there will be no impact to areas of steep slopes.
21. Existing light poles along Discovery Drive will be relocated or removed. A light plan with proposed lighting levels was not provided.
22. The plans show an existing crosswalk will be removed due to the relocation of the sidewalk. The new pedestrian access route will utilize an existing crosswalk with a ramp. An additional ADA ramp is proposed. Conformance with ADA requirements should be confirmed.

We recommend approval of this application after the above comments have been reviewed and acted upon by the Township.

Respectfully submitted,

R.K.R. Hess, A Division of UTRS, INC.



Nathan S. Oiler, P.E.

NSO/aks

**ARTICLE VII
SIGNS**

Section 701. Use and Location Regulations.

The following signs shall be permitted within the Township:

A. ~~Business and directory~~ Signs located within the Residential Zones (R-1 or R-2) or Conservation District (CD) are permitted subject to the following conditions:

1. Freestanding On-Premises Signs - Freestanding, two-dimensional, on-premises signs directing attention to a business or other activity or product that is a permitted use shall be permitted subject to the following:
 - a. One (1) sign not exceeding eight (8) square feet in gross surface area shall be permitted for residential uses. One (1) sign not exceeding twenty-four (24) square feet in gross area shall be permitted for all other uses located in Residential Zones (R-1 or R-2) or Conservation District (CD). Subject to the requirements of Subsection A(1)(e) below, if the property fronts upon more than one public road, a sign or signs not exceeding the areas noted above may be erected on each road frontage.
 - b. Such signs shall not be placed closer than fifteen (15') feet to the future road right-of-way nor twenty-five (25') feet to any property line other than a road right-of-way. No such sign shall be more than fifteen (15') feet in height from the average existing natural grade at the base of the sign, and all such structures shall have an open space of not less than three feet between its lower edge and the ground.
 - c. If such signs are externally illuminated at night, all light sources shall be shielded from the view of adjacent lots and roads. Signs shall not be illuminated between the hours of 10:00 p.m. and 6:00 a.m.
 - d. In the event the property is used for two or more purposes, each of which independently would qualify for an on-premises business sign pursuant to the provisions of this Subsection A.1., the owners and/or occupiers of the property shall not be permitted to erect an on-premises business sign for each business or other activity, but instead, must apply for a sign plaza pursuant to the provisions of Section 704 of this Ordinance.
 - e. The minimum distance between each such sign and any other freestanding signs on the same property shall be one hundred fifty (150') feet, which distance shall be measured along the road frontage of the property.
 - f. No freestanding ~~business or directory~~ sign shall be located within the clear sight triangle, as specified in the Pocono Township Subdivision and Land Development Ordinance, of any public or private street intersections.
2. On-Premises Wall Directory Signs - On-premises, wall directory signs subject to the following:
 - a. ~~Directory~~ Signs may be attached to the building walls fronting on each road providing access to the lot. One (1) such sign may be permitted for each separate tenant in the building. The

maximum total combined surface area of all signs on any building wall shall not exceed one (1) square foot in total combined gross surface area for every one (1') foot in length of such building wall. Wall signs for any single tenant occupancy shall not exceed two (2) square feet in total combined gross surface area. If individual letters or other identifying characters are fastened directly to a wall, the gross surface area of the sign shall be calculated as the smallest rectangle that can encompass all of the letters or identifying characters.

- b. If such signs are externally illuminated at night, all light sources shall be shielded from the view of adjacent lots and roads. Signs shall not be illuminated between the hours of 10:00 p.m. and 6:00 a.m.
- c. Wall signs shall not be located or erected on the roof area of any building, shall be located only on the building walls and may not project above the building roofline.

B. ~~Business, directory and advertising~~ Signs located within the Commercial (C), Industrial (I) or Recreation District (RD) Zones are permitted subject to the following conditions:

- 1. ~~Business and Directory Signs~~ Two-dimensional signs on lots on which a business is located shall be regulated as follows:
 - a. One (1) freestanding ~~business or directory~~ sign not exceeding fifty (50) square feet in gross surface area per side or two freestanding signs with a gross surface area not exceeding twenty-four (24) square feet per side for each sign shall be permitted. Subject to the requirements of Subsection B(1)(g) below, if the property fronts upon more than one public road, a sign or signs not exceeding the areas noted above may be erected on each road frontage. Such signs shall not be placed closer than fifteen (15) feet to the future road right-of-way or property line nor shall such sign be more than fifteen (15) feet in height from the average existing natural grade at the base of the sign, and all such structures shall have an open space of not less than three feet between its lower edge and the ground.
 - b. In the event the property is used for two (2) or more purposes, each of which independently would qualify for an on-premises business sign pursuant to the provisions of this Subsection A.1., the owners and/or occupiers of the property shall not be permitted to erect an on-premises business sign for each business or other activity, but instead, must apply for a sign plaza pursuant to the provisions of Section 704 of this Ordinance.
 - c. ~~Directory~~ signs may be attached to the building walls fronting on each road providing access to the lot. One (1) such sign may be permitted for each separate tenant in the building. The maximum total combined surface area of all signs on any building wall shall not exceed one (1) square foot in total combined gross surface area for every one (1') foot in length of such building wall. Wall signs for single tenant occupancy shall not exceed fifty (50) square feet in total combined gross surface area. If individual letters or other identifying characters are fastened directly to a wall, the gross surface area of the sign shall be calculated as the smallest rectangle that can encompass all of the letters or identifying characters. Wall signs shall not be located or erected on the roof area of any building, shall be located only on the building walls and may not project above the building roofline.

- d. One (1) ~~directional~~ sign at each point of vehicular access to the property. The gross surface area of the directional sign shall not exceed three (3) square feet for each exposed face, nor exceed an aggregate gross surface area of six (6) square feet.
- e. One (1) freestanding pole sign may be erected on the lot of a motor vehicle service station ~~for the purpose of advertising the brand of gasoline sold at such station~~. Said sign shall have a maximum gross surface area per side of not more than fifty (50) square feet
- f. If any business sign is externally illuminated at night, all light sources shall be shielded from the view of adjacent lots and roads.
- g. The minimum distance between any freestanding signs and any other freestanding signs, with the exception of signs permitted by Subsection B.1.d.above shall be one hundred fifty (150') feet.
- h. No freestanding ~~business or directory~~ sign shall be located within the clear sight triangle, as specified in the Pocono Township Subdivision and Land Development Ordinance, of any public or private street intersections.
- i. No freestanding sign, pole sign, or plaza sign shall be more than fifteen (15') feet in height measured from the existing average ground level directly under the sign to the top of the sign, including the frame and trim work.
- j. One (1) of the freestanding signs permitted in Section 701.B.1.a or Section 701.B.1e may be a digital or electronic message sign provided it complies with the requirements of this Section 701.B.1, other applicable requirements of this Ordinance and the following:
 - 1. All messages, images, or displays on a digital sign or electronic message sign, located adjacent to an interchange (on/off ramp), shall not change and shall remain unchanged for a minimum of eight (8) seconds. All messages, images, or displays on a digital sign or electronic message sign, located along a straightaway, shall not change and shall remain unchanged for a minimum of eight (8) seconds.
 - 2. The time interval used to change from one complete message, image, or display shall be a maximum of one (1) second.
 - 3. There shall be no appearance of a visual dissolve or fading, in which any part of one message, image, or display disappears simultaneously with the appearance of any part of a second message, image, or display.
 - 4. There shall be no appearance of flashing or sudden bursts of light, and no appearance of video motion, animation, movement, or flow of message, image, or display within the sign.
 - 5. The intensity and contrast of light levels shall remain constant throughout the sign face.
 - 6. Electronic message signs shall be equipped with an automatic day/night dimming software to reduce the illumination of the sign, based on ambient light levels, to be visible without providing glare or distraction to the public. The dimming device shall minimize the illumination used to the lowest level necessary to make the sign conspicuous and

viable during both daytime and night time hours. In no case shall the nighttime illumination intensity of the sign from one hour after sunset to one hour prior to sunrise exceed one hundred fifty (150) nits.

2. Off-Premises Freestanding Advertising Signs (Billboards) - Two-dimensional advertising signs may be erected on a vacant lot shall be permitted along Interstate I-80 and along Secondary Arterial and Collector Roads in the Commercial (C) and Industrial (I) districts subject to the following:

a. Size and Location. Off-premises advertising signs (billboards) shall:

1. Not exceed fifty (50) square feet maximum for off-premises advertising signs (billboards) used primarily in commercial and industrial areas along secondary arterial and collector roads.
2. Not exceed three hundred seventy-eight (378) square feet maximum for off-premises advertising signs (billboards) used exclusively along I-80.
3. For double-sided off-premises advertising signs (billboards) the above size requirements apply to each face separately.
4. Along I-80, the top of the sign shall not exceed a vertical dimension of twenty-five (25') feet above the average existing natural ground level of the lot, or the level grade of the roadway, whichever is greater. Along secondary arterial and collector roads, the top of the sign shall not exceed a vertical dimension of fifteen (15') feet above the average existing natural ground level of the lot, or the level grade of the roadway, whichever is greater. No off-premises advertising sign shall be erected upon a berm or other artificial/man-made structure designed to increase the height of the sign or the average ground level surrounding a sign.
5. Have all supporting structures of "billboards" be the "unipole" or "monopole" type.
6. Digital and Electronic Message Off-Premises Advertising Signs (Billboards).
 - (i) All messages, images, or displays on a digital sign or electronic message sign, located adjacent to an interchange (on/off ramp), shall not change and shall remain unchanged for a minimum of eight (8) seconds. All messages, images, or displays on a digital sign or electronic message sign, located along a straightaway, shall not change and shall remain unchanged for a minimum of eight (8) seconds.
 - (ii) The time interval used to change from one complete message, image, or display shall be a maximum of one (1) second.
 - (iii) There shall be no appearance of a visual dissolve or fading, in which any part of one message, image, or display disappears simultaneously with the appearance of any part of a second message, image, or display.

- (iv) There shall be no appearance of flashing or sudden bursts of light, and no appearance of video motion, animation, movement, or flow of message, image, or display within the sign.
 - (v) The intensity and contrast of light levels shall remain constant throughout the sign face.
 - (vi) Electronic message signs shall be equipped with an automatic day/night dimming software to reduce the illumination of the sign, based on ambient light levels, to be visible without providing glare or distraction to the public. The dimming device shall minimize the illumination used to the lowest level necessary to make the sign conspicuous and viable during both daytime and night time hours. In no case shall the nighttime illumination intensity of the sign from one hour after sunset to one hour prior to sunrise exceed one hundred fifty (150) nits.
7. Proof of approval of any off -premises advertising sign (billboard) along a state designated roadway including digital or electronic message sign by the Pennsylvania Department of Transportation ("Penn DOT") must be submitted to the Zoning Officer prior to the installation of any off-premises advertising digital sign or electronic message sign. Such approval may be conditioned upon or pending the issuance of a Township permit for the same sign. The applicant shall submit the supporting documentation provided with the Penn DOT sign application.
- b. Setbacks and Spacing. Off-premises advertising signs (billboards) shall be:
- 1. Setback at least thirty (30') feet from the future road right-of-way.
 - 2. Along interstate highways, spaced no closer than one thousand (1,000') feet from another billboard, or in compliance with the spacing requirements of the Outdoor Advertising Control Act of 1971, as amended, whichever is greater.
 - 3. Along all other roads spaced no closer than three hundred (300') feet from another billboard, as measured along the same side of the street, unless greater restrictions are mandated by Penn DOT.
 - 4. Located no closer than three hundred (300') feet from a R1, R2, or RD Zoning District as measured along the same side of the street.
 - 5. All off -premises advertising signs (billboards) shall be erected in conformity with the front, side and rear yard requirements of the district in which they are located.
- c. Building Requirements. All off-premises advertising signs (billboards) must comply with the applicable state and township building codes, the Uniform Construction Code ("UCC"), as amended as to structural and electrical standards, and all other applicable laws, ordinances, codes, and standards.

- d. State Sign. Signs erected and maintained by the Pennsylvania Department of Transportation are permitted by right in all Zoning Districts. Directional signs that identify business services available at an interchange are specifically permitted and encouraged as an appropriate and orderly means of providing sufficient and necessary information without causing the visual pollution or traffic hazards of off-premises advertising signs (billboards).
- e. Off-premises advertising signs (billboards) shall be prohibited in any areas that are designated as historic, greenway, or scenic corridors.

3. Monument Signs for Regional Impact Developments and Institutional Campuses - A Regional Impact Development or Institutional Campus, may display one (1) Monument Sign identifying the main entrance location, toward a street to which it has permitted access, provided that:

- a. The maximum height of the sign shall be eight (8') feet from the average existing natural grade at the base of the sign.
- b. The maximum area of the sign shall be as follows:

Gross Leasable Area of Non-Residential Lot, Development or Site	Maximum Sign Area of Main Entrance Location Sign Per Sign Face	Maximum Letter/Logo/Symbol Size	Maximum Number of Tenants that May be Depicted on Each Face of a Main Entrance Location Sign
0 to 10,000 sq. ft.	32 sq. ft. per face	18"	2
10,001 to 25,000 sq. ft.	40 sq. ft. per face	18"	2
25,001 to 50,000 sq. ft.	60 sq. ft. per face	24"	2
50,001 to 100,000 sq. ft.	80 sq. ft. per face	24"	4
100,001 to 150,000 sq. ft.	120 sq. ft. per face	30"	4
150,001 sq. ft. and above	160 sq. ft. per face	36"	4

- c. The activity is accessible by automobile and has off-street parking on the premises.
- d. Monument Signs may be either internally or externally illuminated as permitted by this Zoning Ordinance.
- e. Monument Signs shall not be placed closer than fifteen (15') feet to the future road right-of-way or property line.

4. Pylon Signs for Regional Impact Developments and Institutional Campuses - Except as otherwise provided herein, any Regional Impact Development or Institutional Campus, may display one (1) Pylon Sign, provided that:

- a. The maximum height of the sign shall be fifteen (15') feet from the average existing natural grade at the base of the sign.
- b. The maximum area of the sign shall be one hundred fifty (150) square feet per face.
- c. Pylon Signs shall be internally illuminated as permitted by this Zoning Ordinance.

- d. Pylon Signs shall not be placed closer than fifteen (15') feet to the future road right-of-way or property line.

5. Directional Secondary Signs for Regional Impact Developments and Institutional Campuses - A Regional Impact Development or Institutional Campus may display one (1) Directional Secondary Sign adjacent to intersecting interior driveways or an interior driveway nearest each building or buildings, provided that:

- a. The maximum height of the sign shall be six (6') feet from the average existing natural grade at the base of the sign.
- b. The maximum area of the sign shall be eight (8) square feet per face.
- c. Directional Secondary Signs may be either internally or externally illuminated as permitted by this Zoning Ordinance.
- d. Directional Secondary Signs shall be setback at least ten (10') feet from any vehicular right-of-way; however, in no case shall said sign be located in such a way to cause a safety hazard.

6. Wall Signs for Regional Impact Developments and Institutional Campuses - A Regional Impact Development or Institutional Campus may display wall signs as follows:

- a. The maximum aggregate sign area on a single non-residential building shall be calculated in accordance with the following table:

Building Façade Area	Maximum Wall Sign Area
0 - 5,000 square feet of façade	The lesser of 8% of building façade including window and door area and cornices to which the Wall Sign is to be affixed or 300 square feet. ¹
5,001 square feet of façade or greater	The lesser of 6% of building façade including window and door area and cornices to which the Wall Sign is to be affixed or 500 square feet.

- b. A single non-residential building shall be limited to having a sign or signs on two (2) building façades.
- c. Wall Signs may be either internally or externally illuminated as permitted by this Zoning Ordinance.
- d. No Wall Sign shall extend beyond the roof line of the building or be placed on the roof of any building.

C. Industrial Signs - Industrial signs are subject to the same restrictions as business and directory signs in the district for which the industrial sign is located except for the following:

¹ In the event the maximum area of a Wall sign on a single façade calculated in accordance with this Schedule is less than 32 square feet, the owner or user of the building in question may erect a Wall Sign containing up to 32 square feet of Wall Sign area.

1. Industrial directory signs attached to a building wall fronting a public road shall be limited to an aggregate gross surface area not exceeding two (2) square feet for every one (1') foot of length of such building wall.
- D. Institutional Signs for educational facilities, libraries, religious institutions and places of worship, hospitals, nursing homes, clubs, farms, camps, civic organizations or other similar uses are permitted in all districts subject to the same restrictions applicable to business and directory signs in the district where the institutional proposed sign is located except that the gross surface area of any such sign shall not exceed 12 square feet per side and institutional signs shall not be located within fifteen (15') feet of future road right-of-way nor within twenty-five (25') feet of any other property line.
- E. Official traffic signs are permitted in all districts and shall be in conformity with regulations of the Commonwealth of Pennsylvania.
- F. ~~Professional, home occupation, accessory use and name signs shall conform to the following:~~
- ~~1. One (1) sign indicating the name, profession or activity of the occupant of a dwelling and signs indicating the private nature of a driveway or premises shall be permitted in all districts but shall not exceed a gross surface area on one (1) side of two (2) square feet and if freestanding shall not be located within fifteen (15') feet of the future road right-of-way nor within twenty-five (25') feet of any other property line. No such sign shall be more than five feet in height from the average existing natural grade at the base of the sign.~~
- G. Public utility signs required in connection with the identification, operation or protection of a public utility are permitted in all districts, provided that the gross surface area on one side of any such sign shall not exceed four square feet.
- H. ~~Real estate signs shall be permitted in all districts and shall conform to the following:~~
- ~~1. Not more than two (2) signs not exceeding six square feet each in area advertising the sale, lease or rental of the lot or property on which the sign is located. Such signs shall not be erected on or project over or into any road right-of-way or property line. No such sign shall be more than five feet in height from the average existing natural grade at the base of the sign.~~
 - ~~2. Not more than two (2) signs advertising the development of the property upon which they are erected not exceeding twenty-four (24) square feet each in gross surface area per side. Such signs shall not be placed within fifteen (15') feet of the future road right-of-way nor within twenty-five (25') feet of any property line. No such sign shall be more than fifteen (15') feet in height from the average existing natural grade at the base of the sign.~~
 - ~~3. All real estate signs shall be removed within fifteen (15) days of the completion of the activity or transaction with respect to which they were erected.~~
- I. Temporary signs shall conform to the following:
1. Temporary signs allowed at any time:
 - a) A property owner may place one sign with a sign face no larger than two (2) square feet on the property at any time.

- b) A property owner may place a sign no larger than 8.5 inches by 11 inches in one window on the property at any time.
2. One temporary sign per 0.25 acres of land may be located on the owner's property for a period of thirty (30) days prior to an election involving candidates for a federal, state or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located per issue and per candidate where the size of the property is smaller than 0.25 acres these signs may be posted on the property for each principal building lawfully existing on the property.
 3. One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign in a Residential (R-1 or R-2) or Conservation District (CD) District on more than two days in a year and the days must be consecutive and may not use this type of sign in any Commercial District (C-1 or C-2) for more than 14 days in a year and the days must be consecutive. For purposes of this Section 701.1.3 a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.
 4. During the 40 day period December 1 to January 10, a property owner may place [insert number] temporary signs on the property and may use lights that do not exceed [XX] lumens as measured at the property line between the hours of 8AM and 10PM to decorate the property even if the lights might be arranged to form a sign.
 5. A property owner may place and maintain one temporary sign on the property on July 4.
 6. A person exercising the right to place temporary signs on a property as described in this Section 701.1 must limit the number of signs on the property per 0.25 acre at any one time to 2 plus a sign allowed in 701.1.1.(b) or if the property is smaller than 0.25 acres then no more than 2 signs plus a sign allowed in 701.1.1.(b) per principal building on the property.
 7. The sign face of any temporary sign, unless otherwise limited in this Section 701.1 must not be larger than two (2) square feet.
- ~~1. Construction Signs — One (1) sign designating the name of the project and denoting the architect, engineer and/or contractor(s) will be allowed on the lot or property where construction or renovation is in progress. Such sign shall not exceed twenty four (24) square feet in gross surface area per side and shall not be located within fifteen (15') feet of the future road right-of-way line or property line. Such signs shall be removed within fifteen (15) days after construction is completed.~~
- ~~2. Garage/Yard Sale Signs — One (1) two-dimensional sign announcing a garage or yard sale will be permitted on the residential property where the garage/yard sale is to occur; shall not exceed two (2) square feet in gross surface area per side; may be erected and maintained for a period not to exceed ten (10) days and in any event shall be removed within three days after the day of sale; and shall not be located within fifteen (15') feet of the future road right-of-way or property line.~~
- ~~3. Special Sale Signs — One (1) or more temporary promotional signs that are used by a business to attract special attention to its location. Special sale signs are not permitted on lots if less than two (2) acres in residential districts. A maximum of two (2) signs with an area of five (5) square feet per sign~~

~~shall be permitted on all other lots. These signs shall be permitted for a maximum of fifteen (15) days, once in any calendar year.~~

4. In accordance with Penn DOT regulations, no temporary sign shall exceed five (5') feet in height from the average existing natural grade at the base of the sign.

Section 702. General Conditions.

The following conditions shall apply to all signs:

- A. No sign shall be placed or located in any manner that would create a hazard or endanger the health, safety or welfare of the general public.
- B. No sign shall be placed in such a position that it will cause danger to traffic on a street.
- C. Only authorized official traffic or public utility signs may be erected within or over any street right-of-way.
- D. Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights, with the exception of time and temperature signs. In no event shall an illuminated sign or lighting device be so placed or directed so as to permit the beam and/or illumination therefrom to be directed or beamed upon a public street, sidewalk or adjacent premises so as to cause glare or reflection that constitutes a hazard or nuisance.
- E. No sign shall be placed or erected on or within, nor project over, a public sidewalk or any street right-of-way, except for official signs.
- F. Nonconforming signs as described in Section 706 shall require sign permits within 90 days of receipt of notice from the Township Zoning Officer or his designee.
- G. No advertisement, advertising structure, billboard, building structure or other object shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the state, county or township or by any railroad or public utility or similar agency concerned with the protection of the public health or safety.
- H. No sign or advertising device shall be erected or maintained at the intersection of roads in such manner as to obstruct free and clear vision of the intersection.
- I. The following advertisements are specifically prohibited: Any advertisement which uses a series of two or more freestanding signs placed in a line parallel to the highway or in similar fashion, each carrying a word or words or parts of an advertisement which are part of a single advertising message.
- J. No signage shall be placed on the roof of any building.
- K. All signs shall be constructed of durable materials and be erected so as not to sustain damage from the elements. Permanent signs shall not be made of cardboard, paper or similar impermanent material.
- L. All signs, other than wall signs, shall be self-supporting on their own structure and shall not be attached to trees, utility poles or other like features unless otherwise allowed under this Ordinance.

- M. All wall signs shall be flat against the wall of a building and shall not extend more than 12 inches from the wall.
- N. No sign shall contain more than two faces, with each face being a backup to the other without an interior angle of no greater than thirty (30°) degrees.
- O. Every sign shall be maintained in good structural condition at all times. Signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant materials.
- P. Landscaping - A landscaped island containing shrubs or flowers with a minimum of thirty two (32) square feet in area and a minimum of one foot in height is required around all sign plazas. The island shall be formed from materials such as, but not limited to, stone, brick or landscape timbers. The area of the island shall be maintained to keep it free of weeds, debris and brush. A sketch of the sign and island shall be submitted with the zoning permit application for review and approval by the Zoning Officer.

Section 703. Prohibited Signs.

The following signs are prohibited in all zoning districts:

- A. A-frame signs, banners (excluding overhead banners permitted across State Route 611, in accordance with Penn DOT regulations), flags, spinners, pennants, human signs or any moving object used for a commercial advertising purpose whether containing a message or not.
- B. Flashing, electronically changing message, blinking, twinkling, animated or moving signs of any type, except those portions of signs which indicate only time and temperature changes. This restriction specifically includes window signs and signs on mobile stands. This shall not prohibit Christmas or other holiday lighting or displays. This shall not prohibit electronic message signs as permitted in Section 701.B.1.j and Section 701.B.2.a.6.
- C. Signs which emit smoke, visible vapors or particles, sound or odor.
- D. No signs shall be painted directly upon the wall or roof of any building, unless:
 - 1. The sign complies with the regulations of this Article; and
 - 2. Relates to the use conducted in the building upon which the sign is painted.
- E. Signs which contain information that states or implies that a property may be used for any purpose not permitted under the provisions of this Ordinance in the zoning district in which the property to which the sign relates is located.
- F. Signs that are of such a character, form, shape or color that they imitate or resemble any official traffic sign, signal or device or that have any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street.
- G. Signs placed in, on or affixed to trailers, whose sole purpose is to support a free-standing sign.
- H. The outlining of rooflines, doors, windows or wall edges by illuminated neon light tubing.

- ~~I. Signs or displays that include words or images that are obscene, pornographic or highly offensive to public decency.~~
- J. Any signs located in Township or State rights-of-way unless specifically permitted by all applicable agencies.

Section 704. Sign Plazas.

- A. Where a number of either temporary or permanent business, directory, directional or advertising signs are justified, a sign plaza, not exceeding one hundred (150) square feet in gross surface area per side nor an aggregate gross surface area of three hundred (300) square feet, may be established wherein signs may be consolidated and confined within a single frame or as a combination of sign panels.
- B. An application for any sign plaza shall include plans for the size, shape, color, lighting, manner of display, lettering and placement of any such consolidated or combined signs at any such sign plaza.
- C. Any such sign plaza shall be subject to the applicable procedures and requirements of this Zoning Ordinance and to all applicable federal, state and county regulations and shall be erected and maintained under any applicable regulations of the Pennsylvania Department of Transportation.
- D. One (1) of the signs which are part of the sign plaza may be an electronic message sign provided it complies with the requirements of this Section 704, other applicable requirements of this Ordinance and the following:
1. All messages, images, or displays on a digital sign or electronic message sign shall not change and shall remain unchanged for a minimum of eight (8) seconds.
 2. The time interval used to change from one complete message, image, or display shall be a maximum of one (1) second.
 3. There shall be no appearance of a visual dissolve or fading, in which any part of one message, image, or display disappears simultaneously with the appearance of any part of a second message, image, or display.
 4. There shall be no appearance of flashing or sudden bursts of light, and no appearance of video motion, animation, movement, or flow of message, image, or display within the sign.
 5. The intensity and contrast of light levels shall remain constant throughout the sign face.
 6. Electronic message signs shall be equipped with an automatic day/night dimming software to reduce the illumination of the sign, based on ambient light levels, to be visible without providing glare or distraction to the public. The dimming device shall minimize the illumination used to the lowest level necessary to make the sign conspicuous and viable during both daytime and night time hours. In no case shall the nighttime illumination intensity of the sign from one hour after sunset to one hour prior to sunrise exceed one hundred fifty (150) nits.

7. The electronic message sign shall not exceed twenty (20%) percent of the sign plaza area permitted in Section 704.A.

Section 705. Master Sign Plan Requirements. A Master Sign Plan shall be submitted to the Zoning Officer for all non-residential developments, lots, sites or structures of one (1) or more uses that utilize or will utilize five (5) or more signs requiring a zoning permit. All signs requiring a zoning permit in a non-residential development, lot, site, structure or use requiring a Master Sign Plan shall comply with the Master Sign Plan.

- a. A Master Sign Plan shall be submitted to the Zoning Officer prior to the issuance of a zoning permit for a sign(s) for each use in a non-residential development, lot, site or structure requiring a Master Sign Plan.
- b. A Master Sign Plan shall include the following information:
 1. A site plan of the lot or site clearly and legibly drawn at a scale of one (1) inch being equal to fifty (50) feet or less, showing the location of all existing proposed and future sign of any type, whether requiring a zoning permit or not, except that incidental signs need not be shown, and their dimensioned setbacks from the front and nearest side property line.
 2. Building elevations drawn to scale of each side of the building on which a sign is located or will be placed showing the sign dimensions and proportions, location of each existing and proposed sign on the building, material, color scheme, lettering or graphic style, and lighting, if any.
 3. Drawings of the planned signs clearly indicating the dimensions of all signs including height above finished grade, lettering, logos and other graphics, colors, materials, texture and method of illumination, if any.
 4. Type and total number of signs proposed, plus any existing signs that will remain, and a computation of the maximum total sign area and the maximum areas for individual signs compare to the signage allowed.
 5. The Master Sign Plan may contain other standards and criteria not regulated by the Township as the property owner or developer may require, such as uniform sign standards.
 6. Additional submittals or amendments to the Master Sign Plan will be necessary as changes to a sign(s) in a qualifying non-residential development, lot, site structure or use(s) occur. Any amendments to a Master Sign Plan must be signed and approved by the property owner(s) and Zoning Officer before such amendment will become effective.
- c. Where a Master Sign Plan is required, no zoning permit shall be issued for a sign requiring a zoning permit and no sign shall be erected unless and until a Master Sign Plan, or amendment thereto, for the non-residential development, lot, site, structure or use on which assign will be erected has been submitted to, and approved by, the Zoning Officer.
- d. A Master Sign Plan shall be submitted as part of a final land development plan for a non-residential land development, in whole or in part, that is governed by this Section with respect to all existing, proposed, or future signs known at the time of final land development plan submission.

Section 706. Nonconforming Signs.

- A. General - Any sign lawfully existing or under construction which does not conform to the provisions herein on the date of enactment of this Ordinance and any sign which is accessory to a nonconforming use shall be deemed a nonconforming sign. No nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner unless the enlargement, extension, reconstruction or alteration will result in the elimination of the nonconforming features of the sign. Normal maintenance of legal nonconforming signs, including changing of copy, necessary repairs and incidental alterations which do not extend, increase or intensify the nonconforming features of the sign, are permitted. Nonconforming signs which are relocated or voluntarily replaced shall comply immediately with all provisions of this Ordinance.
- B. Removal - Except as otherwise provided in the Pocono Township Zoning Ordinance, nonconforming signs may remain, provided that they are maintained in good repair, except for the following:
1. Damage or Destruction of Sign - A nonconforming sign which is damaged or destroyed may be repaired or restored, provided that the repair or restoration is commenced within sixty (60) days and completed within one hundred twenty (120) days after receipt of written notice from the Zoning Officer that the same must be removed if it is not repaired or restored within one hundred twenty (120) days. The notice shall be sent to the owner of the sign and/or the person owning or having a beneficial interest in or to the structure or premises on which such sign is located. The repaired/restored sign shall not be enlarged, extended nor be nonconforming in any other manner from the sign which was damaged or destroyed. If the sign is not repaired/restored within said sixty-day period, the Zoning Officer is hereby authorized to remove or cause the removal of the sign, sign structure and/or sign support at the expense of the owner of the sign and/or the person owning or having a beneficial interest in or to the structure or premises on which such sign is located.
 2. Change of Use - Whenever a land use changes, any previously conforming sign or signs which become nonconforming because of the change in land use must be modified so as to be in full compliance with these sign regulations.
 3. Obsolete Signs - Any business, directory, industrial, institutional, professional or home occupation sign, whether existing on or erected after the effective date of this Ordinance, which advertises a business no longer being conducted or a product or service no longer being offered for sale in or from the premises on which the sign is located, shall be removed within thirty (30) days after the cessation of such business or sale of such product or service by the owner of the sign and/or person owning or having a beneficial interest in the structure or premises on which such sign is located. If the Zoning Officer shall find that any such sign has not been removed within thirty (30) days after the cessation of such business or sale, he shall give written notice to the owner of the sign and/or person owning or having a beneficial interest in the structure or premises on which such sign is located to remove the same within ten (10) days of the receipt of such notice. If such sign is not removed by the expiration of such ten-day period, with prior authorization of the Monroe County Court of Common Pleas, the Zoning Officer is hereby authorized to remove or cause the sign, sign structure and/or sign support, to be removed forthwith at the expense of the owner of the sign and/or person owning or having a beneficial interest in the structure or premises on which such sign is located.

4. Unsafe Signs - If the Township Zoning Officer, or the Township's designee, determines that any sign, sign structure and/or sign support, is unsafe or insecure or is a danger to the public, he shall give written notice to the owner of the sign and/or person having a beneficial interest in the structure or premises on which such sign is located to correct the condition within ten (10) days after receipt of the notice. If such condition is not corrected by the expiration of said ten-day period, with prior authorization of the Monroe County Court of Common Pleas, the Zoning Officer is hereby authorized to remove or cause to be removed the sign, sign structure and/or sign support, forthwith at the expense of the owner of the sign and/or person owning or having a beneficial interest in the structure or premises upon which such sign is located. Notwithstanding the foregoing, the Zoning Officer is authorized to remove or cause to be removed any sign summarily and without notice, at the expense of the owner of the sign and/or person owning or having a beneficial interest in the structure or premises on which such sign is located, whenever the Zoning Officer determines that such sign is an immediate peril to persons or property.

Section 707. Permits.

- A. After the effective date of this Ordinance, no signs shall be erected unless a sign permit is issued by the Zoning Officer except for real estate signs pursuant to Section 701.H. and "No Trespassing," "No Fishing," "No Hunting," "No Dumping," "No Parking," towing and other similar signs (as set forth in Title 75 of the Pennsylvania Vehicle Code and its regulations and as set forth in Title 18 of the Pennsylvania Crimes Code and its regulations) not exceeding two square feet in gross surface area for each exposed face, nor exceeding an aggregate gross surface area of four square feet. Permit fees shall not be collected for any Township or State signs. The Township shall be permitted to utilize signs to identify Township-sponsored, or quasi-municipal events without a permit.
- B. Signs for which a permit is required shall bear the permit number and name of the permit holder and said information shall be affixed to the sign in a permanent manner in the lower right-hand corner of each sign face.
 1. Failure to affix and maintain the permit number shall constitute cause for revocation of the permit by the Zoning Officer in addition to any other penalties or remedies provided or available.
 2. If the sign authorized under any such permit has not been completed within six (6) months from the date of the issuance of such permit, the permit shall become null and void, but may be renewed, within thirty (30) days from the expiration thereof, for good cause shown upon payment of an additional fee established by the township.
- C. After the effective date of this Ordinance, all existing signs, including nonconforming signs, which are not exempt from the permit requirements of this Ordinance pursuant to Subsection A above shall require a sign permit issued by the Zoning Officer. Permits for such signs shall be applied for within ninety (90) days after the effective date of this Ordinance. Failure to apply for a permit shall constitute a violation of this Ordinance and shall subject the owner to any penalties or remedies provided or available.
- D. A fee for sign permit renewals and the frequency of such renewals shall be as determined from time to time by resolution of the Township Commissioners. Such fees shall cover the cost of inspections and administration of this section of this Ordinance.
- E. Written application for a permit shall be made to the Zoning Officer upon forms prescribed and provided by the Zoning Officer, which shall be signed by the applicant and shall contain the following information:

1. Name, address and telephone number of the applicant and date of application.
 2. Location of building, structure or land to which or upon which the sign is to be erected and the name and address of the owner of the same.
 3. Size of sign.
 4. A description of the construction details of the sign and showing the lettering and/or pictorial matter composing the sign; position of lighting or other extraneous devices; and a location plan showing the position in relation to nearby buildings, boundaries or structures, including location of all signs within three hundred (300') feet (with the exception of temporary signs for which such information shall not be required) and to any private or public road or highway.
 5. In the event that the applicant is not the owner of the property where the sign is to be located, written consent of the owner of the land will be required prior to the issuance of a sign permit.
 6. A copy of any required or necessary electrical permit issued for said sign or a copy of the application therefore.
 7. Real estate tax code number and property identification number (PIN) for the property on which the sign is to be located.
 8. Such other pertinent information as the Zoning Officer may require to ensure compliance with this Ordinance.
- F. Exceptions - The following operations or conditions shall not be considered as creating a sign and shall not require a sign permit.
1. Replacing Copy - The changing of the advertisement or message on an approved painted or printed sign which is specifically designed for the use of replaceable copy.
 2. Maintenance - Painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure unless a structural change is made.
- G. Revocation of Permit
1. No sign, whether new or existing, shall hereafter be erected or altered, except in conformity with the provisions of this Ordinance. Notwithstanding any provisions contained herein to the contrary, all signs must be kept clean, neatly painted and free from all hazards, such as but not limited to faulty wiring and loose fastenings and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety.
 2. In the event of a violation of any of the foregoing provisions, except where a different procedure is specified in Section 706 above, the Zoning Officer shall give written notice, by registered mail, specifying the violation, to the named owner of the sign and the named owner of the land upon which the sign is erected, sent to the addresses as stated in the application for the sign permit, to conform or remove such sign. The sign shall thereupon be conformed or removed by the owner of the sign and/or the owner of the land within thirty (30) days from the date of receipt of said notice. In the event such

sign shall not be so conformed or removed within such thirty-day period, the Zoning Officer shall thereupon revoke the permit, and in that event, the Zoning Officer is hereby authorized to remove or cause the sign to be removed forthwith at the expense of the owner and/or owner of the structure or premises on which such sign is located. The remedy provided in this section shall be in addition to, but not in limitation of, any other powers and/or remedies available pursuant to the provisions of the Pocono Township Zoning Ordinance and applicable law.

- H. **Fees** - Fees for sign permits shall be as determined from time to time by resolution of the Township Commissioners. Such fees shall cover the cost of administering this article of this Ordinance.

Section 708. Signs Along State and Interstate Roads and Highways.

- A. All proposed signs in any zoning district along a state or interstate road or highway shall obtain Penn DOT approval and a permit where applicable.
- B. The applicant shall provide the Township Zoning Officer a copy of Penn DOT's approval of the sign placement prior to sign construction.
- C. A sign constructed with a Township permit but without the appropriate Penn DOT permit shall be deemed an illegal sign subject to removal.

Section 709. Substitution and Severability

- A. A non-commercial message may be substituted for any commercial message displayed on a sign, or the content of any non-commercial message displayed on a sign may be changed to a different non-commercial message, without the need for any approval, provided that the size of the sign is not altered.
- B. The provisions of this Article are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Board of Commissioners that such determination by the Court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Commissioners that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

Section 710. Definitions.

The following terms, unless otherwise expressly stated, shall have the following meanings throughout the Ordinance:

A-Frame. A sign made of wood, cardboard, plastic, or other lightweight and rigid material having the capability to stand on its own support(s) and being portable and moveable. See Figure 1 (A-Frame Sign).

Building Sign. A sign placed on a wall, awning, canopy, or parapet, or a projecting sign.

Canopy Sign. Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover (excluding a marquee) over a door, entrance, window, or outdoor service area.

Can Sign. A sign which contains all the text and/or logo symbols within a single enclosed cabinet that is mounted to a wall or other surface. See Figure 2 (Can Sign).

Changeable Copy Sign. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign. A sign on which the message or characters change more than twelve (12) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance. See Figure 3 (Changeable Copy Sign).

Channel Letter Sign. A sign comprising individual letters that are independently mounted to a wall or other surface and internally illuminated with a covered face. The "air space" between the letters is not part of the sign structure but rather of the building facade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements. See Figure 4 (Channel Letter Sign).

~~**Construction Sign.** A temporary sign directly connected with a construction project; may include the construction company's name, addresses, and/or telephone number.~~

Copy. The words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

~~**Directional Sign.** A sign providing no advertising of any kind that provides directional assistance for the convenience of the public.~~

~~**Directory Sign.** A pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.~~

Electronic Message Sign. An electronic sign, typically comprising a liquid crystal diode (LCD), light-emitting diode (LED), plasma, or other digital illuminated display that contains one or more messages. An electronic message sign is different from an illuminated sign in that the illumination of the display creates the message, rather than an internal or external light source illuminating the message. See Figure 5 (Electronic Message Sign).

Freestanding Sign. A permanent sign that is self-supporting in a fixed location and not attached to a building. A freestanding sign can be connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Freestanding signs include, but are not limited to, monument signs, pole signs, or pylon signs.

Human Sign. A sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purpose of advertising or drawing attention to an individual, business, commodity, service or product.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign; includes signs made from neon or other gas tube(s) that are bent to form letters, symbols, or other shapes. An illuminated sign excludes electronic message signs, which are separately defined.

Marquee. Any permanent roofed structure projecting over public property or right-of-way, attached to and supported by a building.

Monopole. A single pole support structure greater than fifteen (15) feet in height erected on the ground or on a structure to support antennas and related communications equipment.

Monument Sign. A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other freestanding sign types not meeting the definition of a monument sign shall be either a pole sign or a pylon sign. See Figure 6 (Monument Sign).

Nonconforming Sign. A sign lawfully erected that does not comply with the provisions of this Ordinance.

Off-Premises Advertising Sign (Billboard). A sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than where the sign is located.

On-Premises Sign or Business Sign. A business sign is a sign which directs attention to a business, profession or industry conducted on the premises or to products, services or entertainment sold or offered, manufactured or assembled upon the premises where such sign is located or to which it is affixed. Signs offering premises for sale, rent or development or advertising the services of professionals or building trades during construction or alterations shall not be deemed a business sign.

Painted Sign. A sign that comprises only paint applied on a building or structure.

Permanent Sign. A sign that is entirely constructed out of durable materials, is fixed in place, and is intended to exist for more than one-hundred twenty (120) days.

Permanent Window Sign. A sign painted, attached, glued, or otherwise affixed to a window or located within three feet (3') of the interior side of a window or otherwise easily visible from the exterior of a building.

Pole Sign. A freestanding sign in excess of six feet (6') in height that is detached from a building and is supported by one or more structural elements that are either: (a) architecturally dissimilar to the design of the sign; or (b) less than one-quarter (1/4) the width of the sign face. See Figure 7 (Pole Sign).

~~**Political Sign.** A sign advertising or identify a candidate, campaign issue, election proposition, or other related matters.~~

Pylon Sign. A freestanding sign in excess of eight feet (8') in height that is detached from a building and is supported by one or more structural elements which are architecturally similar to the design of the sign. See Figure 8 (Pylon Sign).

~~**Real Estate Sign.** A temporary sign advertising the sale or lease of real property. The sign may include the identification and contact information of the person and/or company handling such sale, lease, or rent.~~

Secondary Signs An additional sign permitted for Regional Impact Developments and Institutional Campuses

Sign. Any identification, description, illustration, advertisement or device, illuminated or non-illuminated, which is visible to the general public and directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting or plaque designed to advertise, identify or convey information. Except as otherwise provided in this Ordinance, a sign shall include the structural and framing elements which do not form an integral part of the display.

Sign, Gross Surface Area of. The entire area within a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of the same. However, such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display.

Sign Face. That area or portion of a sign on which copy is intended to be placed.

Subdivision Directional Sign. A temporary or otherwise limited-term sign for the purpose of providing direction for vehicular and/or pedestrian traffic to the new home sale of multiple lots or dwelling units with a single builder within a master planned community, including both single-family and multifamily for-sale products. All other home sales signs are include in the definition of real estate sign.

Subdivision, Permanent Identification Sign. A sign located at the entrance to the subdivision for the purpose of a permanent identification of the subdivision. Such signs are of a permanent nature, usually constructed of long-lasting, weather-resistant materials such as stone or metal.

Temporary Sign. A structure or device used for the public display of visual messages or images, which is easily installed with or without common hand tools and which is not intended or suitable for long-term or permanent display, due to lightweight or flimsy construction materials.

Wall Sign. A sign attached to or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall.

Window Sign. Any sign, picture, letter, character, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed upon and/or inside and/or within three feet (3') of a window for the purpose of being visible from the exterior of the window.