

POCONO TOWNSHIP PLANNING COMMISSION

AGENDA

August 12, 2019 – 7:00 PM

CALL TO ORDER (Followed by the Pledge of Allegiance)

ROLL CALL:

PUBLIC COMMENT:

CORRESPONDENCE:

MINUTES: Minutes of the Pocono Township Planning Commission Meeting -
07/08/2019
07/22/2019

SKETCH PLAN:

NEW PLANS:

1)

FINAL PLANS UNDER CONSIDERATION:

- 1) Sanofi Pasteur Preliminary/Final Perimeter Protection Phase II - deadline extended until 10/06/2019.
- 2) Sanofi B-78 Seed Lab Building - plans administratively accepted at the 6/10/19 PC meeting.
- 3) BCRA Tank and Pump Station - plans administratively accepted at the 6/24/19 PC meeting.

PRELIMINARY PLANS UNDER CONSIDERATION:

- 1) Sheldon Kopelson Commercial Development (Lot 3) - Plans were administratively accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 04/08/2019 P.C. Mtg. A resubmission has not occurred. ***Deadline for P.C. consideration extended to 12/09/2019.***
- 2) Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 04/08/2019 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 09/23/2019. DEP letter dated 12/10/2018 - terminating the NPDES permit was received.***

PRESENTATION OF SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS:

- 1) Barth Rubin conditional use application - electronic billboard

POCONO TOWNSHIP PLANNING COMMISSION

AGENDA

August 12, 2019 – 7:00 PM

PRIORITY LIST:

- 1) Soil and Erosion Ordinance
- 2) Sign Ordinance
- 3) Draft Property Maintenance Ordinance
- 4) Short Term Rentals Ordinance
- 5) Capital Improvement Plan
- 6) Yard Sale Ordinance

UNFINISHED BUSINESS:

ZONING HEARING BOARD SCHEDULE:

August 27, 2019 - LTS Homes, LLC - appeal of NOV - 293 Warner Road - signs

NEW BUSINESS:

COMMENTS BY AUDIENCE:

ADJOURNMENT:

POCONO TOWNSHIP PLANNING COMMISSION - July 8, 2019
Meeting Minutes

The Pocono Township Planning Commission Regular meeting was held on July 8, 2019 at the Pocono Township Municipal Building, Tannersville, PA and was opened by Chairman Ronald Swink at 7:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ron Swink, present; Scott Gilliland, present; Marie Guidry, absent; Dennis Purcell, present; Keith Meeker, present; Bruce Kilby, absent; and Jeremy Sawicki, absent.

IN ATTENDANCE:

Melissa Prugar, Boucher & James, Inc., Twp. Engineer; Lisa Pereira, Broughal & DeVito, Twp. Solicitor, and Donna M.ASURE, Twp. Manager.

PUBLIC COMMENT:

Christine Fisk, Twp. Resident expressed her concerns with the BCRA Pump and Tank Station project. Discussion followed on each point with representatives. A full set of plans will be sent to Ms. Fisk for her use. The generator alarm was of concern. It was explained the generator will test once a week for an hour, but the alarm will not run for an hour. The generator will be enclosed to muffle the sounds. A convenient time to run the weekly test will be chosen. S. Gilliland asked for clarification of the run time for the generator testing. Entrances and height of the tanks were also discussed. BCRA will stay in contact with Ms. Fisk to continue the dialogue and discuss any concerns.

CORRESPONDENCE:

Correspondence has been received from Borton Lawson granting a time extension for the Sanofi Perimeter Protection Phase II Project.

MINUTES: S. Gilliland made a motion, seconded by D. Purcell, to approve the minutes of the 06/24/2019 Planning Commission meeting. All in favor. Motion carried.

SKETCH PLAN: none

NEW PLANS:

1.

FINAL PLANS UNDER CONSIDERATION:

1. Sanofi Pasteur Preliminary/Final Perimeter Protection Phase II - Plan were administratively accepted at the 04/22/2019 P.C. Mtg. Plan fees paid. Township Engineer's letter #1 dated 05/09/2019 received. **Deadline for P.C. consideration is 10/06/2019.** D. Purcell made a motion, seconded by K. Meeker, to table the Sanofi Pasteur Preliminary/Final Perimeter

POCONO TOWNSHIP PLANNING COMMISSION - July 8, 2019
Meeting Minutes

Protection Phase II. Roll call vote: R. Swink, yes; S. Gilliland, abstain; D. Purcell, yes; K. Meeker, yes. Motion carried.

2. Sanofi B-78 Seed Lab -

D. Purcell made a motion, seconded by K. Meeker, to table the plans for the Sanofi B-78 Seed Lab. Roll call vote: R. Swink, yes; S. Gilliland, abstain; D. Purcell, yes; K. Meeker, yes. Motion carried.

3. BCRA Pump and Tank Station - Nate Oiler and Russ Scott presented the waiver requests for the project. They told the board that the plans are to bid the project over the winter and start construction in Spring 2020 with an 18 month construction season.

D. Purcell made a motion, seconded by K. Meeker, to recommend approval of the request for modification, by BCRA for the Tannersville Tanks and Pump Station project for SALDO Section 390-43.A(6)(e)2e - Requirement of Steep slope easement. All in favor. Motion carried.

S. Gilliland made a motion, seconded by K. Meeker, to recommend the approval of the request for modification, by BCRA for the Tannersville Tanks and Pump Station project for SALDO Section 390-48.T(13)(a) - Access Drive Grade 10%. All in favor. Motion carried.

K. Meeker made a motion, seconded by D. Purcell, to recommend approval of the request for modification, by BCRA for the Tannersville Tanks and Pump Station project for SALDO Section 390-48.W(1) - Maximum Cut and fill slope 3:1; Section 390-50.D(5) - Maximum Detention Basin Embankment Slope 4:1; Section 390-55.E(3) - Maximum Basin Side Slope 3:1. All in favor. Motion carried.

D. Purcell made a motion, seconded by S. Gilliland, to recommend approval of the request for modification, by BCRA for the Tannersville Tanks and Pump Station project for SALDO Section 390-55.D(1) and Section 390-55.D.3(d) - Street trees. All in favor. Motion carried.

S. Gilliland made a motion, seconded by D. Purcell to recommend approval of the request for modification, by BCRA for the Tannersville Tanks and Pump Station project for SALDO Section 390-48.T(13)(b) - Minimum width and driveway curb for Non-residential Uses. All in favor. Motion carried.

POCONO TOWNSHIP PLANNING COMMISSION - July 8, 2019
Meeting Minutes

S. Gilliland made a motion, seconded by D. Purcell to recommend approval of the request for modification, by BCRA for the Tannersville Tanks and Pump Station project for SALDO Section 390-29.G(7) - Viewshed Analysis. All in favor. Motion carried.

PRELIMINARY PLANS UNDER CONSIDERATION:

1. Sheldon Kopelson Commercial Development (Lot 3) - Plans were administratively accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. P.C. Mtg. A resubmission has not occurred. **Deadline for P.C. consideration extended to 12/09/2019.**

D. Purcell made a motion, seconded by K. Meeker, to table the Sheldon Kopelson Commercial Development (Lot 3). All in favor. Motion carried.

Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 04/22/2019 P.C. Mtg. Time extension requested until 10/20/2018. **Deadline for P.C. consideration is 09/23/2019.**

K. Meeker made a motion, seconded by D. Purcell, to table Spa Castle Land Development Plan. All in favor. Motion carried.

PRESENTATION OF SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS:
None

PRIORITY LIST/ORDINANCES:

D. Purcell made a motion, seconded by K. Meeker to table any discussion on the priority list until the full board can be present. All in favor. Motion carried.

- 1) Sign Ordinance -
- 2) Draft Property Maintenance Ordinance -
- 3) Short Term Rental Ordinance - The Board of Commissioners rescinded the ordinance for Short Term Rentals at a hearing on July 1, 2019. This can be removed from the list.
- 4) Capital Improvement Plan -
- 5) Yard Sale Ordinance - The board was told there is a spread sheet in their notebooks comparing fees charged by other townships.

POCONO TOWNSHIP PLANNING COMMISSION - July 8, 2019
Meeting Minutes

UNFINISHED BUSINESS: none

ZONING HEARING BOARD SCHEDULE: None

NEW BUSINESS: none

COMMENTS BY AUDIENCE: none

ADJOURNMENT:

D. Purcell made a motion, seconded by S. Gilliland, to adjourn the meeting at 8:00p.m. All in favor. Motion carried.

DRAFT

POCONO TOWNSHIP PLANNING COMMISSION - July 22, 2019
Meeting Minutes

The Pocono Township Planning Commission Regular meeting was held on July 22, 2019 at the Pocono Township Municipal Building, Tannersville, PA and was opened by Secretary Guidry 7:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ron Swink, absent; Scott Gilliland, absent; Marie Guidry, present; Dennis Purcell, present; Keith Meeker, absent; Bruce Kilby, present; and Jeremy Sawicki, present.

IN ATTENDANCE:

Jon Tressler, Boucher & James, Inc., Twp. Engineer; Lisa Pereira, Broughal & DeVito, Twp. Solicitor, and Donna M. Asure, Twp. Manager.

PUBLIC COMMENT: none

CORRESPONDENCE: none

MINUTES: The minutes of the July 8, 2019 meeting will be placed on the August 12, 2019 agenda for consideration for approval.

SKETCH PLAN: none

NEW PLANS:

1.

FINAL PLANS UNDER CONSIDERATION:

1. Sanofi Pasteur Preliminary/Final Perimeter Protection Phase II - Plan were administratively accepted at the 04/22/2019 P.C. Mtg. Plan fees paid. Township Engineer's letter #1 dated 05/09/2019 received. **Deadline for P.C. consideration is 10/06/2019.** J. Sawicki made a motion, seconded by D. Purcell, to table the Sanofi Pasteur Preliminary/Final Perimeter Protection Phase II plan. Roll call vote: D. Purcell, yes; M. Guidry, yes; B. Kilby, abstain; J. Sawicki, yes. Motion carried.
2. Sanofi B-78 Seed Lab - Aaron Sisler, Borton-Lawson discussed with the board several of the engineers comments and whether or not a waiver request was required. J. Sawicki made a motion, seconded by D. Purcell, to table the Sanofi Pasteur plans for B-78 Seed Lab Building. Roll call vote: D. Purcell, yes; M. Guidry, yes; B. Kilby, abstain; J. Sawicki, yes. Motion carried.
3. BCRA Pump and Tank Station - J. Sawicki made a motion, seconded by B. Kilby, to table the BCRA Pump and Tank Station Land Development Plan. All in favor. Motion carried.

POCONO TOWNSHIP PLANNING COMMISSION - July 22, 2019
Meeting Minutes

PRELIMINARY PLANS UNDER CONSIDERATION:

1. Sheldon Kopelson Commercial Development (Lot 3) - Plans were administratively accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. P.C. Mtg. A resubmission has not occurred. ***Deadline for P.C. consideration extended to 12/09/2019.***

D. Purcell made a motion, seconded by B. Kilby, to table the Sheldon Kopelson Commercial Development (Lot 3). All in favor. Motion carried.

Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 04/22/2019 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 09/23/2019.***

J. Sawicki made a motion, seconded by B. Kilby, to table Spa Castle Land Development Plan. All in favor. Motion carried.

PRESENTATION OF SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS:

Barth Rubin Conditional Use Application - Barth Rubin and Andrew Wolfe, Esq presented to the Planning Commission their application for an electronic billboard on Stadden Road along Route 80. Zoning comments received and discussed. Engineering comments will be sent. This will be placed on the August 12, 2019 agenda.

PRIORITY LIST/ORDINANCES:

D. Purcell made a motion, seconded by J. Sawicki, to table any discussion on the priority list until the full board can be present. All in favor. Motion carried.

- 1) Soil and Erosion Ordinance - the Board of Commissioners did request that this ordinance be the number one priority for review. This ordinance, once approved, will provide the township with language needed to address storm water runoff issues within the township.
- 2) Sign Ordinance -
- 3) Draft Property Maintenance Ordinance -
- 4) Short Term Rental Ordinance - This will be removed from the list.
- 5) Capital Improvement Plan -
- 6) Yard Sale Ordinance - The board was told there is a spread sheet in their notebooks comparing fees charged by other townships.

UNFINISHED BUSINESS: none

ZONING HEARING BOARD SCHEDULE: None

POCONO TOWNSHIP PLANNING COMMISSION - July 22, 2019

Meeting Minutes

NEW BUSINESS: none

PUBLIC COMMENTS:

Ellen Gndt, Twp. Resident, asked if there has been any movement on either the Property Maintenance Ordinance or the Sign Ordinance. The Board stated that both were still in draft and being discussed.

ADJOURNMENT:

J. Sawicki made a motion, seconded by D. Purcell, to adjourn the meeting at 7:46p.m. All in favor. Motion carried.

DRAFT



Boucher & James, Inc.

AN EMPLOYEE OWNED COMPANY

CONSULTING ENGINEERS

INNOVATIVE ENGINEERING

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

2756 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306
Mailing:

P.O. Box 699
Bartonsville, PA 18321

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

www.bjengineers.com

August 8, 2019

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: BARTH RUBIN BILLBOARD CONDITIONAL USE REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1930092A**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Conditional Use submission for the Barth Rubin billboard. The submitted information consists of a one (1) sheet plan prepared by Frank J. Smith, Jr., Inc., dated January 21, 2019, last revised July 9, 2019.

BACKGROUND INFORMATION

The Applicant is proposing to construct a 10-foot high by 30-foot wide billboard on property located along Stadden Road immediately to the west of Interstate 80. The property is located within the C, Commercial Zoning District, has an area of 2.052 acres, and consists of woodlands.

In accordance with Sections 470-20.B.(3)(h) and 470-107, a billboard is permitted by Conditional Use within the C, Commercial Zoning District.

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

CHAPTER 470 – ZONING ORDINANCE

CONDITIONAL USE REQUIREMENTS AND COMMENTS

In accordance with Section 470-38.A.(1), "uses listed as conditional uses in each zoning district and on the Use Schedule¹⁸ shall require individual consideration in each case because of their unique characteristics. Such conditional uses shall be referred to the Planning Commission by the Township Commissioners for review and recommendation and may be permitted only after a hearing and determination by the Commissioners that such uses meet the standards of this chapter."

1. In accordance with Section 470-38.B.(1), the plan shall show "the location of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, and other pertinent information." *The submitted plan must show the access drive to the proposed billboard.*
2. In accordance with Section 470-38.B.(2), the plan shall include "the names and addresses

of adjoining property owners, including properties directly across a street right-of-way.”
The address of the Katz property and the name and address of those properties across Stadden Road must be provided.

3. In accordance with Section 470-38.B.(3), the plan shall include “ground floor plans and building elevations of proposed structures.” *Elevation views of the proposed billboard must be submitted.*
4. In accordance with Section 470-38.B.(4), the submission shall include “a written narrative of the proposed use in sufficient detail to determine that all applicable standards are adequately addressed.” *A written narrative must be submitted.*
5. In accordance with Section 470-38.C, “such conditional uses which are authorized by the Commissioners may be subject to any additional conditions and safeguards established by the Commissioners in each case which may be warranted by the character of the areas in which such uses are proposed or by other special factors and which are necessary to implement the purposes of this chapter.

(1) The granting of a conditional use shall be subject to the following conditions and guiding principles:

- (a) A conditional use shall not cause substantial injury to the value of other property where it is to be located; shall conform with regulations applicable to the district where located; shall be compatible with adjoining development; shall provide adequate landscaping and screening to protect adjoining areas; shall provide off-street parking and loading in keeping with §470-34 of this chapter so as to minimize interference with traffic on the local streets and shall not jeopardize the public health, safety, welfare and convenience.
- (b) Such use shall be one that is specifically authorized as a conditional use in said district.
- (c) Such use shall only be authorized subject to any applicable conditions and safeguards.
- (d) Such use may be allowed subject to such reasonable conditions and safeguards (other than those related to off-site transportation or off-site road improvements) in addition to those expressed in this chapter, as may be deemed necessary by the Board of Commissioners to implement the purposes of this chapter and the MPC.
- (e) Such use shall be found by the Board of Commissioners to be in harmony with the general purposes and intent of this chapter.
- (f) Such use shall not adversely affect the character of the district, nor the conservation of property values nor the health and safety of residents or workers on adjacent properties and in the general neighborhood.

- (g) Such use shall be of appropriate size and so located and laid out in relation to its access streets that vehicular and pedestrian traffic to and from such use will not create undue congestion or hazards prejudicial to the general neighborhood.
- (h) Such use shall not conflict with the direction of building development in accordance with any Comprehensive Plan or portion thereof which has been adopted by the Township.
- (i) The application complies with all criteria established for the respective land use proposal addressed elsewhere in this chapter.
- (j) The proposed use does not substantially impair the integrity of the Township's Comprehensive Plan.
- (k) All required front yard, side yards, open space areas, and height limitations for the applicable zoning district have been met.
- (l) The off-street parking and truck loading provisions are in conformance with those specified in §470-34 of this chapter.
- (m) Points of vehicular access to the lot are provided at a distance from intersections and other points of access and in number sufficient to prevent undue traffic hazards and obstruction of the movement of traffic. All traffic studies and analyses shall be in accordance with current Institute of Transportation Engineers (ITE) guidelines.
- (n) The location of the site with respect to the existing roads giving access to it is such that the safe capacity of those roads is not exceeded by the estimated traffic generated or attracted and is not out of character with the normal traffic using said public road.
- (o) The pedestrian access from the off-street parking facilities is separated from vehicular access and sufficient to meet the anticipated demand.
- (p) The proposed use is not incompatible with the existing traffic conditions and adjacent uses and will not substantially change the character of the immediate neighborhood.
- (q) Facilities are available to adequately service the proposed use (e.g., fire, police, and ambulance protection, sewer, water, and other utilities, etc.).
- (r) Screening of the proposed use from adjacent uses is sufficient to prevent the deleterious impact of the uses upon each other.
- (s) The use of the site complies with the requirements of any other public agency having jurisdiction over the proposed use.
- (t) Operations in connection with a conditional use will not be more objectionable to nearby properties by reason of noise, odor, fumes,

vibration, glare, or smoke than would be the operations of any permitted use.

ZONING ORDINANCE COMMENTS

6. In accordance with Section 470-105.F, "all sign types may be illuminated. 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 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. If signs are externally illuminated at night, all light sources shall be shielded from the view of adjacent lots and roads." *The submitted plan does not address sign illumination. This information must be provided to the Township. If an electronic billboard is proposed the criteria set forth in Section 470-108.D must be followed.*
7. In accordance with Sections 470-105.I, 470-108.C, 470-109.B, and 470-19.C, billboards shall have a maximum height of 30-feet measured from the roadway surface and shall have an open space of not less than 3-feet between its lower edge and the ground. *The plan appears to indicate the sign height will be 10-feet, however it does not address the total height of the proposed billboard including open space underneath the sign. Elevation views must be provided to the Township.*
8. In accordance with Section 470-105.J, "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." *Plans detailing the billboard's structural support must be provided to the Township.*
9. In accordance with Section 470-105.K, "with exception of monument signs located at four-way intersections, no sign shall contain more than two faces, with each face being a backup to the other with an interior angle of no greater than 30". *Details of the proposed billboard with the number of faces and angles of the sign(s) must be provided to the Township.*
10. In accordance with Section 470-105.L, "all proposed signs in any zoning district along a state or interstate or highway shall obtain PennDOT approval and a permit, where applicable." *The source of the Interstate 80 Right-of-Way having a variable width must be provided to confirm the PennDOT Right-of-Way and the setback requirements of Section 470-109.1.A.*

In addition, PennDOT must be contacted to determine the applicability of permitting required for the proposed billboard located within the C, Commercial Zoning District and along the Interstate 80 corridor. Per Section 470-105.M, if PennDOT approval is required, "the applicant shall provide the Township Zoning Officer a copy of PennDOT's approval of the sign placement prior to sign construction, where applicable."

11. In accordance with Section 470-105.N and 470-109.4, an application for any sign shall include plans of the size, shape, color, and lighting, manner of display, lettering and placement of any such consolidated or combined signs at any such sign plaza. Any sign

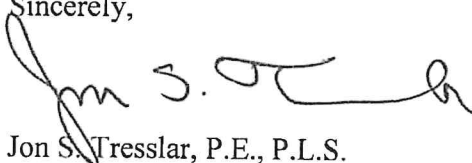
erected without all the appropriate permits shall be in violation of this Article VII. *A sign permit from the Township Zoning Officer must be obtained prior to erection of the proposed billboard.*

12. In accordance with Section 470-108.C.(3), "the minimum spacing between billboards shall be 300 feet." *Mapping shall be provided to confirm no billboards exist within 300-feet of the proposed billboard.*
13. In accordance with Section 109.1.C, all signs "shall be erected in conformity with the front, side and rear requirements of the zoning district in which they are located." *Per Section 470-20.C.(2)(b), the required side yard setback is 20-feet. The setback along Interstate 80 is shown as 15-feet and the plan must be revised. It is noted that the proposed billboard will be located 22.40 feet from the Interstate 80 Right-of-Way, therefore meeting the side yard setback requirement of the C, Commercial Zoning District.*

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to approval of the Conditional Use.

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: Donna Asure – Township Manager
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Frank J. Smith, Jr., P.L.S. Frank J. Smith, Jr. Inc. – Applicant's Surveyor
Barth Rubin – Property Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.