

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
April 24, 2017 – 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 Meeting-3/27/2017.
- G. NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW**
- H. FINAL PLANS UNDER CONSIDERATION:**
 - 1. Farda Minor Subdivision - Plan was accepted at the 2/13/17 P.C. Meeting. Proposal for the consolidation and subdivision of five (5) existing parcels for the Summit Health Campus and existing gas station. Review No. 1 was distributed on 3/2/17. Deadline for consideration is 5/14/17. Tabled at the 3/27/17 meeting.
 - 2. Kenbar Rt 715 Minor Subdivision – Plan was accepted at the 3/27/17 P.C. Meeting. Proposal is for a minor subdivision of two (2) existing properties. Review No. 1 was distributed April 7, 2017. Deadline for consideration is June 25, 2017.
- I. PRELIMINARY PLANS UNDER CONSIDERATION:**
 - 3. Sheldon Kopelson, Commercial Development (Lot 3)- Plan was accepted at the 08/13/2013 P.C. Meeting. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 3/27/17 mtg. A resubmission has not occurred. Deadline for consideration extended to June 30, 2017.
 - 4. Spa Castle Land Development – Plan was accepted at the 12/14/2015 Meeting. The Planning Module for this project was rejected by the Commissioners. Deadline for consideration is October 17, 2017. Planning Review distributed 9/9/16. Technical Review distributed 11/9/16. Tabled at the 3/27/17 mtg.
 - 5. Camelback Lot 13 and Hotel – Plan was accepted at the 06/13/2016 PC Meeting. Review letter distributed 07/21/16. Tabled at the 3/27/17 mtg. Deadline for consideration extended to June 19, 2017.
 - 6. Discovery Drive Widening - The plans were administratively accepted at the December 12, 2016 P.C. Meeting. Final Plan approval contingent on approval of waiver request.

Deadline for consideration is June 8, 2017. Review No. 3 distributed 3/10/17. Tabled at the 3/27/17 mtg.

7. Summit Health Campus – Land Development- The plans were administratively accepted at the January 9, 2017 P.C. Meeting. Deadline for consideration is May 1, 2017. Review No. 1 distributed 2/10/17. Request for Modifications recommended for approval to the BOC at the 2/13/17 and 3/13/17 P.C. Meeting. Recommended on 3/13/17 approval to BOC for installation of a gate at the emergency access. Tabled at the 3/27/17 meeting.
8. Day Star Holiness Bible Church – Land Development on Learn Road. The plans were administratively accepted at the February 13, 2017 P.C. Meeting. Deadline for consideration is 5/14/17. Review No. 1 distributed 3/10/17. Tabled at the 3/27/17 meeting

J. SKETCH PLANS

Kenbar Route 715 Land Development Sketch Plan

K. PERMITS

L. PLANNING MODULE

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

1. Conditional Use Application for Adams/Casciano – Application tabled at the 3/27/17 meeting.

N. UNFINISHED BUSINESS

O. NEW BUSINESS:

P. COMMENTS BY AUDIENCE

Q. 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
Farda Minor Subdivision (2/13/17)	Minor Subdivision	Final	5/14/2017	4/24/2017	5/1/2017	4/21/2017	3/27/2017	Rec approval of modifications for street trees and property line buffers	
Kenbar Route 715 Minor Subdivision (3/27/17)	Minor Subdivision	Final	6/25/2017	6/12/2017	6/19/2017	4/7/2017			
Kopelson Lot 3 Land Devt (08/13/13)	Commercial Land Devt	Prelim	6/30/2017	6/12/2017	6/19/2017	unknown date	3/27/2017		
Spa Castle Land Development (Prel) (12/14/15)	Commercial Land Devt	Prelim	10/17/2017	10/9/2017	10/16/2017	Planning Rev 9/9/16 Technical Rev 11/9/16	3/27/2017		
Camelback Lot 13 and Hotel (06/13/16)	Commercial Land Devt	Prelim	6/9/2017	5/22/2017	6/5/2017	7/21/2016	3/27/2017		
Discovery Drive Widening (12/12/16)	Land Devt	Prelim*	6/8/2017	5/22/2017	6/5/2017	3/10/2017	3/27/2017		
Summit Health Center Land Development (1/9/17)								Prelim/Final Plan Waiver recommended to BOC at 2/13/17 meeting. Rec to BOC of Approval of modification of Sec 303A, BOC. Rec to BOC to approve the installation of an emerg access gate.	
Day Star Holiness Bible Church (2/13/17)	Land Devt	Prelim	5/31/2017	5/8/2017	5/15/2017	2/10/2017	3/27/2017		
	Land Devt	Prelim	6/23/2017	6/12/2017	6/19/2017	3/10/2017	3/27/2017		

POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
March 27, 2017
7:00 P.M.

The Pocono Township Planning Commission Regular Meeting was held on March 13, 2017, at the Pocono Township Municipal Building, Tannersville, PA, and opened by Chairman Ron Swink at 7:00 p.m. followed by the Pledge of Allegiance.

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

Lisa Pereira, Solicitor, Jon Tresslar, Engineer, Charles Vogt, Township Manager, and Michael Tripus, Zoning Officer 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 five (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: NONE

MINUTES: R. Demarest made a motion, seconded by M. Guidry, to approve the minutes of 03/13/2017. All in favor. S. Gilliland and R. DeYoung abstained. Motion carried.

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:
Kenbar Route 715 Subdivision - R. Demarest made a motion, seconded by J. Sawicki, to accept the plan for review. All in favor. Motion carried.

FINAL PLANS UNDER CONSIDERATION:
Farda Minor Subdivision Plan - Plan accepted at the 02/13/2017 P.C. Mtg. Last P.C. meeting is 04/24/2017. M. Guidry made a motion, seconded by R. Demarest, to table the Farda Minor Subdivision Plan. All in favor. Motion carried.

PRELIMINARY PLANS UNDER CONSIDERATION:
Sheldon Kopelson, Commercial Development (Lot 3) - Plan was accepted at the 8/13/2013 P.C. Meeting. Last P.C. meeting is 06/12/2017. R. Demarest made a motion, seconded by J. Sawicki,

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG.2

to table the Sheldon Kopelson, Commercial Development (Lot 3).
All in favor. Motion carried.

Spa Castle Land Development Plan - Plan was accepted at the 12/14/2015 mtg. The Planning Modules was rejected by the Commissioners. Last P.C. meeting is 04/03/2017. R. Demarest made a motion, seconded by M. Guidry, to recommend denial of the the Spa Castle Land Development Plan unless the developer grants a time extension prior to the April 3rd BOC meeting. All in favor. Motion carried.

Camelback Lot 13 and Hotel Land Development Plan - Plan was accepted at the 06/13/2016 mtg. Last P.C. meeting is 04/10/2017. R. Demarest made a motion, seconded by M. Guidry, to recommend denial of the Camelback Lot 13 and Hotel Land Development Plan unless the developer grants a time extension prior to the April 3rd BOC meeting. All in favor. Motion carried.

Sanofi Pasteur Discovery Drive Widening Land Development Plan - Plan was accepted at the 12/12/2016 mtg. Last P.C. meeting is 05/22/2017. D. Purcell made a motion, seconded by J. Sawicki, to table the Sanofi Pasteur Discovery Drive Widening Land Development Plan. All in favor. Motion carried. S. Gilliland abstained.

Summit Health Campus Land Development Plan - Plan was accepted at the 01/09/2017 mtg. Last P.C. meeting is 03/27/2017. M. Guidry made a motion, seconded by J. Sawicki, to table the Summit Health Campus Land Development Plan. All in favor. Motion carried.

Day Star Holiness Bible Church Land Development Plan - Plan was accepted at the 02/13/2017 mtg. Last P.C. meeting is 04/24/2017. Boucher & James review letter of 03/10/2017 received. Sean Pollicelli, P.E. represented the plan. Discussion followed on the Township Engineer's review letter. Mr. Pollicelli indicated that he had initiated utilized the old SALDO, and has since learned that the new SALDO was enacted. He understands that there are engineering comments that will need to be addressed in light of the new SALDO, and requested that the plan be tabled. R. Demarest questioned the PPL lines crossing the property and whether they impacted the development. Mr. Pollicelli indicated that church buildings would not be located under the PPL lines.

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG.3

Ultimately, PPL will have to review the plan. D. Purcell made a motion, seconded by R. Demarest, to table the Day Star Holiness Bible Church Land Development Plan. All in favor. Motion carried.

SKETCH PLANS

Kenbar Route 715 Land Development Sketch Plan - Ken Schuchman appeared on behalf of the plan. He indicated that he would be appearing at the next Planning Commission meeting to discuss the sketch plan.

PERMITS - NONE

PLANNING MODULE - NONE

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

ADAMS OUTDOOR ADVERTISING CONDITIONAL USE APPLICATION

The applicant has provided a time extension and has requested this application be tabled. J. Sawicki made a motion, seconded by M. Guidry, to table the Adams Outdoor Advertising Conditional Use Application. All in favor. Motion carried.

BROOKDALE ON THE LAKE ZONING AMENDMENT

Jeff Durney, Esquire appeared on behalf of the applicants. He indicated that the zoning text amendment posted on the Township website was missing a few pages. He wanted to make sure that the Planning Commission had a complete copy. Mr. Durney provided a handout outlining key points of the Resort Re-Use Overlay District amendment. He gave a history of the petition. He indicated that the amendment is not specific to the Brookdale property. Mr. Durney explained the purpose of the overlay district. A property would need to meet all of the ordinance requirements and conditional use criteria in order to be developed in accordance with the overlay. He described a two-step process involved with the development of the proposed treatment center: (1) enactment of the overlay district zoning amendment, and (2) conditional use application (applicant has to establish that it complies with the criteria).

Mr. Durney highlighted certain items developer would need to meet under the amendment:

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG. 4

1. have all relevant licenses
2. submit plot plan
3. 50% must remain open space
4. provide landscaping plan
5. site must provide security
6. provide surveillance
7. immediate family member visitors only
8. use cannot adversely affect the health and safety of residents

He indicated that treatment centers are highly regulated facilities:

- They require staffing/certifications regarding size and design of resident facilities
- Must meet all federal, state and local laws in addition to obtaining conditional use approval

Mr. Durney explained that the amendment sought to address problems with vacant resort properties in the Township. He described that closure of resorts has led to loss of jobs in the area.

Mr. Durney indicated that there were some benefits to re-using the existing vacant resorts including:

- Tax revenue
- Ancillary income/employees working
- Employees patronizing local establishments
- Job creation
- No increase in intensity of property since these properties were previously resorts

He mentioned that other permitted uses in RD District are more intense uses than the treatment center, and the Township Comprehensive Plan contemplates adaptive reuse of vacant, unused properties.

Mr. Durney went on to explain what occurred at the January 19th Meeting (provided transcript of said meeting). He discussed the speakers who appeared and spoke on behalf of the treatment center.

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG.5

R. Swink asked Mr. Durney why this was not considered spot-zoning

- Mr. Durney indicated that while there are currently only two properties, there are other properties that may qualify at a later date.

S. Gilliland questioned item No. 12 on the handout supplied by Mr. Durney. Section 1006 Site Development indicates 50% of site must remain open space and deed restricted to prohibit future subdivision or development. There is a discrepancy between the handout and the text of ordinance amendment.

- Mr. Durney indicated that the developer could go back to the BOC for permission to develop recreational uses in the restricted areas.
- S. Gilliland is concerned that developer could develop the 50% restricted area as a waterpark or any other recreational use.
- Mr. Durney indicated that "recreational use" would be something other than a waterpark.

Vincent Trapasso, one of the Brookdale developers, indicated that back area of the Brookdale resort site would not be developed.

S. Gilliland questioned if the realtor and appraiser who appeared at the January 19th meeting were paid to speak on behalf of the treatment center.

- Mr. Durney indicated that he was not sure. Mr. Trapasso said one was paid and the other was not paid.

S. Gilliland questioned what the estimated taxes would be.

- Mr. Durney indicated that the property appraised at \$1M - it would be 4 to 5 times that amount with the proposed development.

S. Gilliland indicated that this ordinance amendment is specific for this property.

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG. 6

- Mr. Durney mentioned that another property that would apply. He conceded that ordinance did benefit this property.

S. Gilliland questioned whether anyone had spoken with the neighboring residents about their concerns?

- Mr. Durney mentioned that they did go around to speak with residents about their concerns.

S. Gilliland questioned whether any Commissioners had spoken with any residents about their concerns?

- E. Gndt indicated that she had spoken with a resident about his concerns.

S. Gilliland explained that he had nothing against the developers, but he is very concerned about the neighbors and having this kind of facility adjacent to their residences. He would like the Commissioners to weigh the benefits to the Township and the residents. How are they going to justify it?

R. Swink discussed the Monroe County Planning Commission's open space recommendation

- R. Demarest indicated that, as a prior member of the MCPC, he has never seen this issue raised by the MCPC before.

R. Swink asked Jon Tresslar if this proposal qualifies as a land development.

- J. Tresslar said this would qualify as a land development only if they are constructing new buildings/additions. The renovation of existing buildings would not qualify as land development.

- Mr. Trapasso said he is only repairing the existing buildings. No new buildings or additions are proposed.

R. Swink questioned the landscaping/buffering plans.

- Mr. Durney explained that landscaping/buffering plans would be submitted at conditional use hearing.

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG.7

R. Swink questioned the proposed buffering.

- Mr. Durney indicated that existing buildings are not subject to 100 foot buffer under the proposed amendment (only new buildings).

J. Tresslar read through his memo in response to the MCPC letter.

L. Pereira explained that in granting a conditional use, the BOC could impose "reasonable" conditions. An applicant however could challenge the conditions as not being reasonable. If there is a material condition that the Township would like to attach to the conditional use they may want to consider placing it directly into the ordinance. This would minimize the possibility of having that condition deemed not "reasonable" and therefore not applicable to the applicant.

S. Gilliland explained that stormwater management is an issue at this property - the spillway and culvert cannot handle water during storm events.

Steve Keller - wanted to make a correction on the record that the Brookdale property is not abandoned. He is a resident that does not want this use developed at this site. He indicated that there are plenty of other commercial properties available. He is also concerned about how the development of this site would impact Dyson Road, which currently floods. Stormwater issues are of concern to him.

The following persons signed the sign-in sheet but declined to comment:

- Ruthann Keller
- Theresa Kline
- Janet Miller
- Gus Esposito
- Judi Coover
- Ellen Ghandt

Tom Wise - lived in Scotrun for 57 years. His grandmother lived near the Brookdale site and he knows the property very well. It is a unique piece of property with beautiful topography. He indicated that overlays are designed for unique purposes to

address a problems. The proposed treatment center is the wrong idea for the wrong place. Treatment centers already permitted in the Township. He is concerned about residents being allowed to travel in and out of facility. Questioned why treatment not contained in buildings. He questioned how this ordinance can apply to another property in the Township. He is okay with the other uses that are permitted in the RD District.

Steve Larson - questioned 50% of property being open space. Also questions the overlay district and what it encompassed.

- Mr. Durney mentioned that the overlay district encompasses the entire township. The Brookdale site is 232 acres is size of Brookdale site.

Mr. Larson questioned impervious coverage of the treatment center site. He wanted to know what guarantee there is in ordinance that there will not be any court-mandated residents - only voluntary residents. Discussion of reasonable conditions.

- Mr. Durney indicated that as a practical matter the developer wants to proceed with the development and unless a condition was completely unreasonable, they will not be appealing. He also indicated that the treatment center site will be identified at the conditional use hearing.

- Mr. Trapasso mentioned that the road leading back to Brookdale site will be repaired.

Mr. Larson questioned whether there will be input from the Commissioners or the public to define the metes and bounds of site.

- Mr. Durney said that concerns from the public will be heard and if possible addressed.

S. Gilliland questioned whether the developer would consider amending the language to address the concerns raised by the public. He is concerned that there is currently no site plan.

Mike Delgrasso - questioned what is being developed on the site (80 - 100 beds; 10'x 6' buildings).

R. DeYoung - questioned what is being considered a bed/unit.

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG.9

- Mr. Durney has indicated that the developer is intending to renovate the existing buildings.

Tom Wise - wants to see the plan that is being proposed.

R. Swink questioned whether they going to tear down any buildings and use the footprints to build a new building.

- Mr. Durney indicated that may happen but this is not the intent of the developer.

M. Guidry questioned the 50% of resort re-use development.

R. Demarest indicated he grew up on a small lot in N.J. He - moved to this area to find property. In 1957 he purchased 4 acres. He kept buying additional acreage since the only property you can control is property you own. He mentioned that a group could get together to purchase the property in order to control it.

R. Swink questioned whether P.C. wanted to digest this and make a recommendation at the next meeting.

S. Gilliland questioned why the hearing was set for April 18th.

- J. Coover indicated that the solicitor advertised the hearing for April 18th.

D. Purcell would like to see changes to the proposed ordinance.

R. Swink asked the Planned Commission how many would like to vote on ordinance tonight.

R. DeYoung - doesn't understand what 50% open space will be taxed at. What is the tax rate?

Judy Sarubbi - questioned the 50% open space calculation.

- Mr. Durney indicated that the development will be at least a 50 acre subset of the total resort area.

Ed Sarubbi - suggested restricting even more land than what is being proposed.

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING, 03/27/2017
PG.10

S. Gilliland made a motion, seconded by R. DeYoung, to recommend that the proposed zoning text amendment establishing a Resort Re-Use Overlay Zoning District not be enacted by the Board of Commissioners.

Roll Call Vote:

1. D. Purcell - yes
2. R. DeYoung - yes
3. S. Gilliland - yes
4. M. Guidry - yes
5. B. Demarest - no
6. J. Sawicki - no
7. R. Swink - yes

Motion passed (5-2)

UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

COMMENTS BY AUDIENCE: NONE

ADJOURNMENT:

D. Purcell made a motion, seconded by R. DeYoung, to adjourn the meeting until 04/10/2017 at 7:00 p.m., at the Pocono Township Municipal Building. All in favor. Motion carried.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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

April 21, 2017

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

**SUBJECT: LANDS OF FARDA REALTY ASSOC., L.P. & ANTHONY M. FARDA, TRUSTEE
MINOR SUBDIVISION PLAN – REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1730031R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our second review of the Minor Subdivision Plan Application for the Lands of Farda Realty Associates, L.P. and Anthony M. Farda, Trustee. The submitted information was prepared by RKR Hess and consists of the following items.

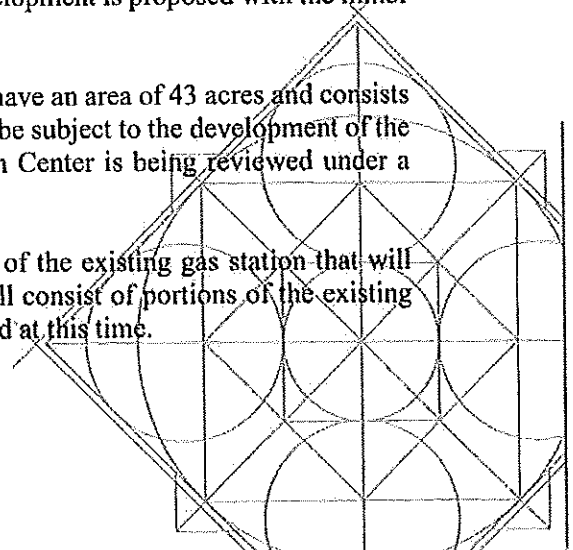
- Transmittal letter dated April 4, 2017.
- Response letter dated April 3, 2017.
- Minor Subdivision Plan (5 Sheets) dated February 3, 2017, revised March 30, 2017.

BACKGROUND INFORMATION

The Applicants, Farda Realty Associates, L.P. and Anthony M. Farda, Trustee, are proposing to consolidate and subdivide five (5) existing parcels (Parcel Nos. 12/7/1/23, 12/7/1/25, 12/7/1/25-2, 12/7/1/25-3, and 12/7/1/25-5). The existing properties are located on the southern side of S.R. 0715 and are bordered to the east by Interstate 80 access ramps, and are within the C, Commercial Zoning District. The existing properties consist of an existing gas station along S.R. 0715 and a previous resort that has been abandoned. An unnamed tributary to Pocono Creek and its associated 100-year floodplain traverse the southern portion of the existing properties, and the remainder of the properties consist of wetlands, and woodland and steep slope areas. No development is proposed with the minor subdivision application.

The Applicants are proposing three (3) lots. Proposed Lot 1 will have an area of 43 acres and consists of portions of the existing abandoned resort. Proposed Lot 1 will be subject to the development of the Summit Health Center. The development of the Summit Health Center is being reviewed under a separate land development plan application.

Proposed Lot 2 will have an area of 3.07 acres and will consist of the existing gas station that will remain. Proposed Lot 3 will have an area of 42.25 acres and will consist of portions of the existing abandoned resort. No development on Proposed Lot 3 is proposed at this time.



Based on our review of the above information, 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 405.C.2.a, the minimum required front yard depth is 75 feet. *The existing structures on Proposed Lot 2 are located within the front yard and are existing non-conformities. The proposed subdivision does not affect the existing non-conformity. (Previous Comment) No action required.*
4. In accordance with Section 405.C.2.b, the minimum required side yard width is 20 feet. *As a result of the proposed subdivision, eight (8) existing resort units will be located within the required side yard along the new property line on Proposed Lot 1. Sheet 2 indicates these units will be removed with future land development. The Summit Health Campus Land Development Plans proposes to remove the eight (8) existing resort units. (Previous Comment) No action required.*
5. Comment satisfied.
6. Comment satisfied.
7. Comment satisfied.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS.

8. Comment satisfied.
9. Comment satisfied.
10. Comment satisfied.
11. Comment satisfied.
12. Comment satisfied.
13. In accordance with Section 615.4.1, street trees are required "along all existing streets abutting or within the proposed subdivision or land development." *A waiver request has been submitted for Section 615.4. The request indicates trees exist along S.R. 0715 and that the appropriate streets trees will be provided at the time of development. We have no objection to this request. (Previous Comment) The Planning Commission recommended this request to the Board of Commissioners.*
14. In accordance with Section 615.6.A, property line buffers and site element screens are required for all subdivisions and land developments. *A waiver request has been submitted for Section 615.6. The request indicates the existing site is wooded along the property lines, and that*

appropriate buffers and screens will be provided at the time of development. We have no objection to this request. (Previous Comment) The Planning Commission recommended this request to the Board of Commissioners.

MISCELLANEOUS COMMENTS

15. Comment satisfied.

16. Comment satisfied.

17. Comment satisfied.

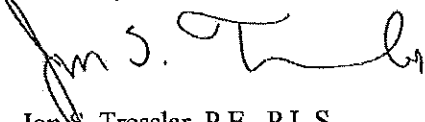
18. Comment satisfied.

We have no further engineering related comments.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to approval of the proposed subdivision.

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 Tripus, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Nate Oiler, P.E., RKR Hess – Applicant's Engineer
Farda Realty Associates, L.P. – Applicant/Owner
Anthony M. Farda, Trustee – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

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

April 7, 2017

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

**SUBJECT: KENBAR INVESTMENT GROUP
FINAL MINOR SUBDIVISION PLAN – REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1730040R**

Dear Planning Commission Members:

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

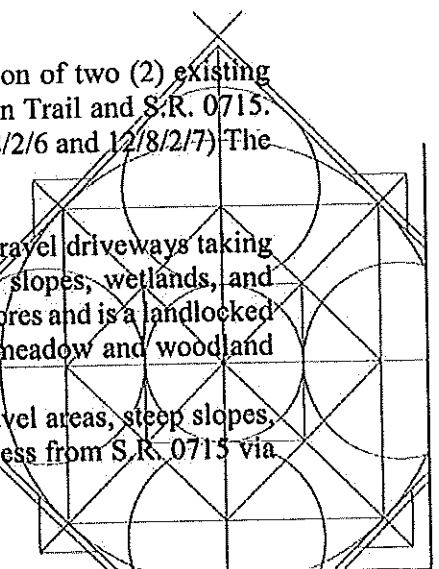
- Pocono Township Land Development Application.
- Submission letter to Monroe County Planning Commission prepared by Benchmark Civil Engineering Services, Inc., dated March 10, 2017.
- PADEP Sewage Facilities Planning Module Application Mailer.
- Tract History Narrative.
- Wetland Report prepared by Brand Environmental Consulting Services, Inc., dated March 6, 2017.
- Federal Emergency Management Flood Insurance Rate Map Panel 266 of 535.
- Minor Subdivision Plan (1 Sheet) prepared by Benchmark Civil Engineering Services, Inc., dated March 8, 2017.

BACKGROUND INFORMATION

The Applicant, Kenbar Investment Group, is proposing a minor subdivision of two (2) existing properties located at the northwestern corner of the intersection of Sullivan Trail and S.R. 0715. (PIN Nos. 12-6372-01-29-1261 and 12-6372-01-29-3036, Parcel Nos. 12/8/2/6 and 12/8/2/7) The existing properties are located within the C, Commercial Zoning District.

Existing Parcel 12/8/2/7 has an area of 1.2 acres and consists of existing gravel driveways taking access from S.R. 0715 and Sullivan Trail, and other gravel areas, steep slopes, wetlands, and meadow and woodland areas. Existing Parcel 12/8/2/6 has an area of 0.81 acres and is a landlocked parcel. This parcel consists of gravel areas, steep slopes, wetlands, and meadow and woodland areas.

Proposed Lot 1 will have an area of 1 acre and will consist of existing gravel areas, steep slopes, wetlands, and meadow and woodland areas. Proposed Lot 1 will take access from S.R. 0715 via



a 50-foot wide access strip. Proposed Lot 2 will have an area of 1 acre and will consist of the existing gravel driveways taking access from Sullivan Trail and S.R. 0715, and other gravel areas, wetlands, and meadow and woodland areas. This proposed lot is subject to a Land Development Sketch Plan which will be reviewed under separate cover.

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 405.C.1.a, the minimum lot area is 1 acre. *Parcel 12/8/2/6 is an existing landlocked parcel with an area of 0.81 acres. This parcel is an existing non-conformity.*

Proposed Lot 2 is a flag lot and, in accordance with Section 606.5.J of the Subdivision and Land Development Ordinance, "the area of the access corridor (staff) shall not be included in the calculation of the required minimum area". An area of 1 acre is shown for Proposed Lot 2, however the access corridor from S.R. 0715 must be removed and the lot area recalculated. It appears that removing the area of the access corridor will increase the existing non-conformity. The new lot area must be listed on the plan.

In accordance with Section 401.D, "no yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards, or lots, created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance." A variance will be required for a reduction in lot area.

2. In accordance with Section 405.C.1.b, the minimum lot width is 100 feet. *The Zoning Data indicates Proposed Lot 1 has a lot width of approximately 158 feet along S.R. 0715, however the 100-foot width is not maintained for the depth of the lot, creating a flag lot. In accordance with Section 606.5.H of the Subdivision and Land Development Ordinance, "the lot width measurement shall be made on the main portion of the lot and shall not include the access corridor (staff)". The Zoning Data shall be revised to list the lot width distance as it is measured along the southern property line shared with Proposed Lot 2.*

Existing Parcel 12/8/2/7 and Proposed Lot 2 share the same lot width along Sullivan Trail (S.R. 4004) due to the shared property line with Grace United Church of Christ located to the north. The existing and proposed lot width is less than 100 feet which is an existing non-conformity that will not be affected by the proposed subdivision.

3. In accordance with Section 405.C.1.c, the maximum impervious coverage is 80 percent. *It appears the proposed impervious surface associated with the future land development is listed in the Zoning Data. No development is proposed with this Minor Subdivision and this percentage must be revised to reflect the existing impervious surface.*
4. In accordance with Section 405.C.2.a, the required front yard depth is 75 feet. *No*

development is proposed with this subdivision and the proposed front yard listed in the Zoning Data must be revised to reflect the required front yard depth of 75 feet. In addition, the required front yards must be measured from the Ultimate Rights-of-Way along S.R. 0715 and Sullivan Trail (S.R. 4004). Refer to Comment 12.

In accordance with Section 606.5.I of the Subdivision and Land Development Ordinance, "the lot line where the narrow access corridor (staff) widens shall be considered the front lot line for applying setback requirements". The required 75-foot front yard for Proposed Lot 1 shall be taken from the southern property line shared with Proposed Lot 2. No yard setbacks shall be provided along the access corridor.

5. *In accordance with Section 405.C.2.c, the required rear yard depth is 25-feet. A rear yard must be provided on Proposed Lot 2.*
6. *In accordance with Section 506, "on every corner lot there shall be provided on the side street a side yard equal in depth to the required front yard depth on said street by the prevailing zoning district". A side yard having a depth of 75-feet must be provided for Proposed Lot 2 along Sullivan Trail. The yard must be measured from the required Sullivan Trail (S.R. 4004) Right-of-Way.*

SUBDIVISION AND LAND DEVELOPMENT COMMENTS

7. *In accordance with Section 305.1.6.C, "the Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Planning Commission, the Monroe County Conservation District, PennDOT, and all other governing agencies". Evidence of submission to the Monroe County Planning Commission must be provided.*
8. *In accordance with Section 305.5, "the Township shall concurrently make its decision on the Sewage Facilities Planning Module, and if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Minor subdivision plan approval shall be conditioned upon Department of Environmental Protection sewage planning approval." A Sewage Facilities Planning Module Exemption form has been submitted for the proposed future restaurant. Review of the Exemption will be provided under separate cover.*
9. *In accordance with Section 404.1.C, "the survey shall not have an error of closure greater than one (1) in ten thousand (10,000) feet and shall include a boundary closure report". Boundary closure reports for the proposed lots must be submitted.*
10. *In accordance with Section 404.2.H, the Minor Subdivision Plan shall include a "graphic scale and written scale". The required written scale must be provided on the plan.*
11. *In accordance with Section 404.2.M, "reference monuments and/or lot markers shall be shown on the plan and shall be placed as required by Section 608 of this Ordinance".*
 - a. *In accordance with Section 608.A.4, "monuments shall be set at all outbound*

locations where permanent monuments did not exist at the time of the perimeter survey unless site conditions preclude the installation and the missing monument shall be noted on the final plan. Existing monuments shall not be removed." *Monuments must be placed at the outbound of both Proposed Lots 1 and 2, and shall be shown on the plan.*

12. In accordance with Section 404.2.P, the Minor Subdivision Plan shall show "the name and number and pavement width and right-of-way lines of all existing public roads and the name, location and pavement width and right-of-way lines of all other roads within or abutting the property". *In accordance with Section 607.9 and Table VI-1, the required rights-of-way along S.R. 0715 and Sullivan Trail (S.R. 4004) are 60-feet. An Ultimate Right-of-Way line is shown along S.R. 0715. This right-of-way line appears incorrect and should be revised, and must be dimensioned on the plan. In addition, the required Right-of-Way along Sullivan Trail (S.R. 4004) shall also be shown and dimensioned on the plan, and the required yards taken from the Ultimate Right-of-Way lines.*
13. In accordance with Section 404.2.S, the Minor Subdivision Plan shall show "wetlands in accord with Section 618, if required".
 - a. In accordance with Section 618.1, if a proposed subdivision or land development includes any area that is suspected of being a wetland, then a professional wetland delineation may be required. The Township may require that the applicant obtain a Jurisdictional Determination from the U.S. Army Corps of Engineers. Until such time as the Board of Commissioners has approved application, the wetland limits shall be visibly identified in the field." *A Wetland Report prepared by Brand Environmental Consulting Services, Inc. recommends a jurisdictional determination be completed to verify the results of their study. A review of the proposed development in relation to the existing wetlands has been provided in the Sketch Plan review of the proposed land development.*
 - b. In accordance with Section 618.3, "the wetland buffers required by the Township Zoning Ordinance and Stormwater Regulations shall be provided and shall be shown on the plan". *A waiver of this requirement is requested. In accordance with Section 903.2, "all requests for modifications shall be in writing on the form provided by the Township and signed by the Applicant".*

The required 50-foot wetland buffer per Section 303.I.6.b of the Brodhead and McMichael Creeks Stormwater Management Ordinance must be shown on the plan. We will not support a waiver of this request.
14. In accordance with Section 404.2.AA, "a location map at a scale of 1" = 800' for the purpose of locating the property being subdivided" shall be provided. *A Location Map at a scale of 1-inch equals 1,000-feet has been provided. The Location Map shall be revised to the required scale of 1-inch equals 800-feet. In addition, a north arrow shall be provided for the Location Map and at least two (2) streets labeled to aid in locating the site.*

15. In accordance with Section 404.2.CC, "signature blocks for the Township Engineer and Monroe County Planning Commission" are required. *The Township Engineer signature block references the Township Planning Commission and must be revised.*

16. In accordance with Section 404.2.GG.3, "utility, drainage and slope easements" must be provided on the Final Plan. *A waiver of this requirement is requested. In accordance with Section 903.2, "all requests for modifications shall be in writing on the form provided by the Township and signed by the Applicant".*

No utilities are proposed, and drainage easements along the property lines and street right-of-way are no longer required and shall be removed from the plan. A slope easement is required in accordance with Section 601.1.F.5.b.5 and must be shown on the plan. We will not support a waiver to not provide slope easements.

17. In accordance with Section 601.1.F.5.b.5, "the Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty-five (65) percent 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." *An easement shall be provided to protect a minimum of 65 percent of the existing steep slopes.*

18. In accordance with Section 601.1.F.5.b.6, "the Final 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 placed on the plan.*

19. In accordance with Section 601.1.M, "pedestrian interior walks may be required, where necessary, to assist circulation or provide access to community facilities (e.g., a park or school)". *A waiver of this requirement is requested. No development is proposed with the minor subdivision and this requirement is not applicable. The request shall be removed from the plan.*

20. In accordance with Section 602, "all Preliminary Plans for major subdivisions, all commercial and industrial subdivisions, and all land developments on sites of three (3) acres or more shall include documentation of a four-step design process in determining the layout of proposed conservation open space, house and development sites, roads and lot lines, as described below". *A waiver of this requirement is requested. This requirement is not applicable to the proposed Minor Subdivision and the request shall be removed from the plan.*

21. In accordance with Section 606.5.A, "the Applicant shall show that the flag lot is necessary to minimize the environmental impacts (e.g., disturbance of conservation areas); and, that it would not result in a greater number of lots on the tract than would otherwise be feasible and permitted". *Proposed Lot 1 is a flag lot. The Applicant shall demonstrate their determination in utilizing a flag lot.*

22. In accordance with Section 606.5.B, "the flag lot shall not be permitted to have direct

access to a Township or State road and shall share its driveway with an adjoining standard lot". *A note to this effect must be placed on the plan.*

23. In accordance with Section 606.5.C, "the flag lot shall be restricted from further subdivision". *A note to this effect must be placed on the plan.*
24. In accordance with Section 607.23 "sidewalks and crosswalks may be required where necessary to provide proper pedestrian circulation or to provide access to community facilities and common areas. Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping. Sidewalks and road crosswalks shall be constructed in accord with the most current PennDOT RC67M standard and Americans with Disabilities Act standards." *A waiver of this requirement is requested. No development is proposed with the minor subdivision and this requirement is not applicable. The request shall be removed from the plan.*
25. In accordance with Section 615.6.C, property line buffers are required. *A waiver of this requirement is requested. In accordance with Section 615 "a landscape plan meeting the requirements of this section shall be prepared for all land developments and major subdivisions; and, no land development or major subdivision shall be finally approved until all landscaping has been installed or guaranteed in accord with this Ordinance. This requirement is not applicable to the proposed Minor Subdivision and the request shall be removed from the plan.*

MISCELLANEOUS COMMENTS

26. A proposed 2,800 square foot restaurant is shown on Proposed Lot 2. This review is for the proposed subdivision only. Comments related to the proposed restaurant will be provided in subsequent Sketch and Land Development Plan reviews. The proposed restaurant shall not be shown on the Minor Subdivision Plan.
27. Proposed Lot 1 will now have frontage on S.R. 0715. A Pennsylvania Department of Transportation Highway Occupancy Permit will be required for new access to Proposed Lot 1.
28. All references to the Board of Supervisors must be revised to reference the Board of Commissioners.
29. An access easement must be provided for the existing gravel driveway taking access from S.R. 0715 and for the existing bituminous driveway taking access from Sullivan Trail (S.R. 4004), both crossing Proposed Lot 2 to access Grace United Church of Christ.

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 nature of the comments, the receipt of a revised plan submission may generate new comments.

In order to facilitate an efficient re-review of revised plans, the Design Engineer should provide a

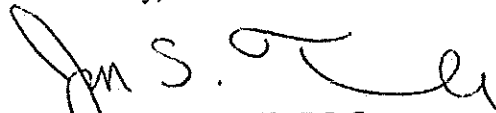
Pocono Township Planning Commission
April 7, 2017
Page 7 of 7

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 approval of the proposed subdivision.

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", written in a cursive style.

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

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Tripus, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Bernard M. Telatovich, P.E., Benchmark Civil Engineering Services, Inc. – Applicant's Engineer
Ken Schuchman, Kenbar Investment Group – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.

S:\2017\1730040R\Documents\Correspondence\Review Letters\Kenbar.Investment.Group_Minor.Subdivision_Review.No.1.docx



1727 Jonathan Street • Allentown, PA 18104
Phone: (610) 776-6700 • Fax: (610) 776-1190 • www.bencivil.com

April 21, 2017

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

RE: Kenbar Investment Group
Final Minor Subdivision Plan Review No. 1
Boucher & James, Inc. Project No. 1730040R
Benchmark Project No. 302009

Dear Planning Commission Members:

Enclosed please find the following materials which have been revised to address Boucher & James, Inc. April 7, 2017 review letter.

1. Response Letter
2. Revised Minor Subdivision Plan

Each of their comments and the manner in which they have been addressed is listed below.

ZONING ORDINANCE COMMENTS

1. *In accordance with Section 405.C.1.a, the minimum lot area is 1 acre. Parcel 12/8/2/6 is an existing landlocked parcel with an area of 0.81 acres. This parcel is an existing non-conformity.*

We Concur

Proposed Lot 1 is a flag lot and, in accordance with Section 606.5.J of the Subdivision and Land Development Ordinance, "the area of the access corridor (staff) shall not be included in the calculation of the required minimum area". An area of 1 acre is shown for Proposed Lot 2, however the access corridor from SR. 0715 must be removed and the lot area recalculated. It appears that removing the area of the access corridor will increase the existing non-conformity. The new lot area must be listed on the plan.

April 21, 2017

[1] The lot configuration was discussed with Township Staff and the reasons for the narrow widths in Lot 1. The layout of the lot will improve the existing non-conformity situation, minimize environmental impacts, and place restriction on building within Lot 1, that essentially make the restrictions pursuant to Section 606.5 not required. This layout as discussed with the Township allows for reasonable use of the land as well as minimizing environmental impacts on the site.

[2] Flag lots are not defined in the Township Zoning Ordinance. Applicant does not believe that this should be considered a Flag Lot as this term does not exist under the Zoning Ordinance. Therefore width and area calculations should not apply for zoning matters. It is noted that the minimum width of the lot is achieved at the front end and as well the back end of the lot. Moreover, applicant does not believe this lot layout is consistent with the diagram flag layout in Section 606.5 (P.114 of the SALDO). The minimum lot width is exceeded at the front area of the lot, as well as at the back area of the lot. While a small portion of the lot is less than the "minimum width requirements" of the ZONING Ordinance.

[3] Should Lot 1 be determined to be a Flag lot under the SALDO, appropriate modifications under Section 903 of the SALDO will be requested in the calculation of area excluding the flag "staff", access issues to the shared access proposed for Lot 1 and 2, as well as any other needed and appropriate modifications will be requested, submitted to the Planning Commission for an advisory recommendation and to the Board of Commissioners for the final determination.

In accordance with ZONING Section 401.D, "no yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards, or lots, created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance." Please refer to the response in the above paragraphs. A variance will be required for a reduction in lot area.

As this area reduction is not provided in Zoning, it is the applicant's position that this can not be applied to the Zoning Ordinance. In the alternative, a modification of SALDO requirements would be requested.

2. In accordance with Section 405.C.1.b, the minimum lot width is 100 feet. *The Zoning Data indicates Proposed Lot 1 has a lot width of approximately 158 feet along SR. 0715, however the 100-foot width is not maintained for the depth of the lot, creating a flag lot. In accordance with Section 606.5.H of the Subdivision and Land Development Ordinance, "the lot width measurement shall be made on the main portion of the lot and shall not include the access corridor (staff)". The Zoning Data shall be revised to list the lot width distance as it is measured along the southern property line shared with Proposed Lot 2.*

Please refer to paragraphs [1], [2], and [3] in the response to item 1.

Existing Parcel 12/8/2/7 and Proposed Lot 2 share the same lot width along Sullivan Trail (SR. 4004) due to the shared property line with Grace United Church of Christ located to the north. The existing and proposed lot width is less than 100 feet which is an existing non-conformity that will not be affected by the proposed subdivision.

NO RESPONSE REQUIRED - We Concur

3. *In accordance with Section 405.C.1.c, the maximum impervious coverage is 80 percent. It appears the proposed impervious surface associated with the future land development is listed in the Zoning Data. No development is proposed with this Minor Subdivision and this percentage must be revised to reflect the existing impervious surface.*

We will comply.

4. *In accordance with Section 405.C.2.a, the required front yard depth is 75 feet. No development is proposed with this subdivision and the proposed front yard listed in the Zoning Data must be revised to reflect the required front yard depth of 75 feet. In addition, the required front yards must be measured from the Ultimate Rights-of- Way along SR. 0715 and Sullivan Trail (SR. 4004). Refer to Comment 12.*

[4] The ultimate right of way width required by the township is 60 feet. As provided, there is more than 60 feet of existing right of way for both SR 715 and Sullivan Trail along the entire frontage. Therefore, this comment becomes moot.

In accordance with Section 606.5./ of the Subdivision and Land Development Ordinance, "the lot line where the narrow access corridor (staff) widens shall be considered the front lot line for applying setback requirements". The required 75-foot front yard for Proposed Lot 1 shall be taken from the southern property line shared with Proposed Lot 2. No yard setbacks shall be provided along the access corridor.

Applicant reiterates its position provided in paragraphs [1], [2], and [3] in the response to item 1.

Discussion with the Planning Commission is requested as this area will not have any buildings or structures and clarification as to this request is further needed. In addition, no additional structures are to be built on Lot 1. Applicable covenants and restrictions will be added to the plan as needed.

5. *In accordance with Section 405.C.2.c, the required rear yard depth is 25-feet. A rear yard must be provided on Proposed Lot 2.*

We will comply.

6. *In accordance with Section 506, "on every corner lot there shall be provided on the side street a side yard equal in depth to the required front yard depth on said street by the prevailing zoning district". A side yard having a depth of 75-feet must be provided for Proposed Lot 2 along Sullivan Trail. The yard must be measured from the required Sullivan Trail (SR. 4004) Right-of-Way.*

We will comply. The existing right of way is greater than 60 feet required per Township Ordinance. Therefore no additional R/w is required.

SUBDIVISION AND LAND DEVELOPMENT COMMENTS

7. *In accordance with Section 305.1.6.C, "the Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Planning Commission, the Monroe County Conservation District, PennDOT, and all other governing agencies". Evidence of submission to the Monroe County Planning Commission must be provided.*

Evidence of the MCPC submission for the Subdivision is Provided. A scoping meeting with PENNDOT has been requested. Information sent to the MCCD will be copied to the Township.

8. *In accordance with Section 305.5, "the Township shall concurrently make its decision on the Sewage Facilities Planning Module, and if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Minor subdivision plan approval shall be conditioned upon Department of Environmental Protection sewage planning approval." A Sewage Facilities Planning*

Module Exemption form has been submitted for the proposed future restaurant. Review of the Exemption will be provided under separate cover.

The response letter is provided with this letter, and we will comply.

9. *In accordance with Section 404.I.C, "the survey shall not have an error of closure greater than one (1) in ten thousand (10,000) feet and shall include a boundary closure report". Boundary closure reports for the proposed lots must be submitted.*

We will comply.

10. *In accordance with Section 404.2.H, the Minor Subdivision Plan shall include a "graphic scale and written scale". The required written scale must be provided on the plan.*

We will comply.

11. *In accordance with Section 404.2.M, "reference monuments and/or lot markers shall be shown on the plan and shall be placed as required by Section 608 of this Ordinance".*
- a. *In accordance with Section 608.AA, "monuments shall be set at all outbound locations where permanent monuments did not exist at the time of the perimeter survey unless site conditions preclude the installation and the missing monument shall be noted on the final plan. Existing monuments shall not be removed." Monuments must be placed at the outbound of both Proposed Lots 1 and 2, and shall be shown on the plan.*

We will comply.

12. *In accordance with Section 404.2.P, the Minor Subdivision Plan shall show "the name and number and pavement width and right-of-way lines of all existing public roads and the name, location and pavement width and right-of-way lines of all other roads within or abutting the property". In accordance with Section 607.9 and Table VI-I, the required rights-of-way along SR. 0715 and Sullivan Trail (SR. 4004) are 60-feet. An Ultimate Right-of-Way line is shown along SR. 0715. This right-of-way line appears incorrect and should be revised, and must be dimensioned on the plan. In addition, the required Right-of-Way along Sullivan Trail (S.R. 4004) shall also be shown and dimensioned on the plan, and the required yards taken from the Ultimate Right-of-Way lines.*

Please refer to paragraph [4] above, in comment 4.

13. *In accordance with Section 404.2.S, the Minor Subdivision Plan shall show "wetlands in accord with Section 618, if required".*
- a. *In accordance with Section 618.1, if a proposed subdivision or land development includes any area that is suspected of being a wetland, then a professional wetland delineation may be required. The Township may require that the applicant obtain a Jurisdictional Determination from the U.S. Army Corps of Engineers. Until such time as the Board of Commissioners has approved application, the wetland limits shall be visibly identified in the field." A Wetland Report prepared by Brand Environmental Consulting Services, Inc. recommends a jurisdictional determination be completed to verify the results of their study. A review of the proposed development in relation to the existing wetlands has been provided in the Sketch Plan review of the proposed land development.*

The applicant requests time for discussion of this matter before the PC.

- b. *In accordance with Section 618.3, "the wetland buffers required by the Township Zoning Ordinance and Stormwater Regulations shall be provided and shall be shown on the plan". A waiver of this requirement is requested. In accordance with Section 903.2, "all requests for modifications shall be in writing on the form provided by the Township and signed by the Applicant".*

The required 50-foot wetland buffer per Section 303.16.b of the Brodhead and McMichael Creeks Stormwater Management Ordinance must be shown on the plan. We will not support a waiver of this request.

Applicant has requested a modification of this Section 303.16.b. DEP would not require any buffers based upon the nature of this isolated and small wetlands. The applicant has made efforts to preserve ALL wetlands on the site, and will offer a restrictive covenant and buffer for the entire wetlands as shown on the plans. This will effectively exceed DEP standards, and allow the applicant to build without seeking permits to fill in the wetlands under DEP's General Permit rules. This option will remain open should the 50 foot buffers be enforced throughout the entire site.

14. *In accordance with Section 404.2.AA, "a location map at a scale of 1" = 800' for the purpose of locating the property being subdivided" shall be provided. A Location Map at a scale of 1-inch equals 1,000-feet has been provided. The Location Map shall be revised to the required scale of 1-inch equals 800-feet. In addition, a north arrow shall be provided for the Location Map and at least two (2) streets labeled to aid in locating the site.*

We will comply.

15. *In accordance with Section 404.2.CC, "signature blocks for the Township Engineer and Monroe County Planning Commission" are required. The Township Engineer signature block references the Township Planning Commission and must be revised.*

We will comply.

16. *In accordance with Section 404.2.GG.3, "utility, drainage and slope easements" must be provided on the Final Plan. A waiver of this requirement is requested. In accordance with Section 903.2, "all requests for modifications shall be in writing on the form provided by the Township and signed by the Applicant".*

No utilities are proposed, and drainage easements along the property lines and street right-of-way are no longer required and shall be removed from the plan. A slope easement is required in accordance with Section 601.1.F.5.b.5 and must be shown on the plan. We will not support a waiver to not provide slope easements.

The Drainage easements have been removed. A small area of slope easement is shown and no utility easements are provided. This comment becomes moot.

17. *In accordance with Section 601.1.F.5.b.5, "the Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty-five (65) percent 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." An easement shall be provided to protect a minimum of 65 percent of the existing steep slopes.*

The proposed steep slope easement is now shown on the plan. It protects 100% of the steep slopes on the property.

18. *In accordance with Section 601.1.F.5.b.6, "the Final 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 placed on the plan.*

Clarification of this note and discussion with the PC is requested.

19. *In accordance with Section 60I.I.M, "pedestrian interior walks may be required, where necessary, to assist circulation or provide access to community facilities (e.g., a park or school)". A waiver of this requirement is requested. No development is proposed with the minor subdivision and this requirement is not applicable. The request shall be removed from the plan.*

We will comply.

20. *In accordance with Section 602, "all Preliminary Plans for major subdivisions, all commercial and industrial subdivisions, and all land developments on sites of three (3) acres or more shall include documentation of a four-step design process in determining the layout of proposed conservation open space, house and development sites, roads and lot lines, as described below". A waiver of this requirement is requested. This requirement is not applicable to the proposed Minor Subdivision and the request shall be removed from the plan.*

We will comply.

21. *In accordance with Section 606.5.A, "the Applicant shall show that the flag lot is necessary to minimize the environmental impacts (e.g., disturbance of conservation areas); and, that it would not result in a greater number of lots on the tract than would otherwise be feasible and permitted". Proposed Lot 1 is a flag lot. The Applicant shall demonstrate their determination in utilizing a flag lot.*

The classification of this request as a minor subdivision or a simple lot line adjustment, and the ramifications of how it is categorized is needed for a full answer. However, the applicant believes via this letter and with the presentation before the Planning Commission that it has complied with Section 605.5 A.

Also, Applicant reiterates its position provided in paragraphs [1], [2], and [3] in the response to item 1.

Discussion with the Planning Commission is requested as this area will not have any buildings or structures and clarification as to this request is further needed. In addition, no additional structures are to be built on Lot 1. Applicable covenants and restrictions will be added to the plan as needed.

22. *In accordance with Section 606.5.B, "the flag lot shall not be permitted to have direct access to a Township or State road and shall share its driveway with an adjoining standard lot". A note to this effect must be placed on the plan.*

Applicant re-iterates its position in paragraphs [1], [2] and [3] above as well as the consideration that the only access PENNDOT will allow is in the area shown. A PennDOT permit will be required to develop this property. In the alternative, the applicant would seek a modification of this section, considering the nature of the proposed subdivision and any land development.

23. *In accordance with Section 606.5.C, "the flag lot shall be restricted from further subdivision". A note to this effect must be placed on the plan.*

We will comply.

24. *In accordance with Section 607.23 "sidewalks and crosswalks may be required where necessary to provide proper pedestrian circulation or to provide access to community facilities and common areas. Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping. Sidewalks and road crosswalks shall be constructed in accord with the most current PennDOT RC67M standard and Americans with Disabilities Act standards." A waiver of this requirement is requested. No development is proposed with the minor subdivision and this requirement is not applicable. The request shall be removed from the plan.*

We will comply.

25. *In accordance with Section 615.6.C, property line buffers are required. A waiver of this requirement is requested. In accordance with Section 615 "a landscape plan meeting the requirements of this section shall be prepared for all land developments and major subdivisions; and, no land development or major subdivision shall be finally approved until all landscaping has been installed or guaranteed in accord with this Ordinance. This requirement is not applicable to the proposed Minor Subdivision and the request shall be removed from the plan.*

We will comply.

April 21, 2017

MISCELLANEOUS COMMENTS

26. *A proposed 2,800 square foot restaurant is shown on Proposed Lot 2. This review is for the proposed subdivision only. Comments related to the proposed restaurant will be provided in subsequent Sketch and Land Development Plan reviews. The proposed restaurant shall not be shown on the Minor Subdivision Plan.*

We will comply.

27. *Proposed Lot 1 will now have frontage on S.R. 0715. A Pennsylvania Department of Transportation Highway Occupancy Permit will be required for new access to Proposed Lot 1.*

A scoping meeting is scheduled with PENNDOT. Additional discussion of this matter with the Planning Commission is requested.

28. *All references to the Board of Supervisors must be revised to reference the Board of Commissioners.*

This change is now on the plans.

29. *An access easement must be provided for the existing gravel driveway taking access from S.R. 0715 and for the existing bituminous driveway taking access from Sullivan Trail (S.R. 4004), both crossing Proposed Lot 2 to access Grace United Church of Christ.*

The adjoining property owner has no legal right to access its property by crossing the proposed Lot 2.

If you have any questions please do not hesitate to contact me.

Sincerely,



Bernard M. Telatovich, P.E.

BMT/slc
enclosures



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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

April 7, 2017

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

**SUBJECT: KENBAR INVESTMENT GROUP
LAND DEVELOPMENT PLAN – SKETCH PLAN REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1730040R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Sketch Plan Application for Kenbar Investment Group. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- Sketch Plan (1 Sheet) prepared by Benchmark Civil Engineering Services, Inc., dated March 8, 2017.

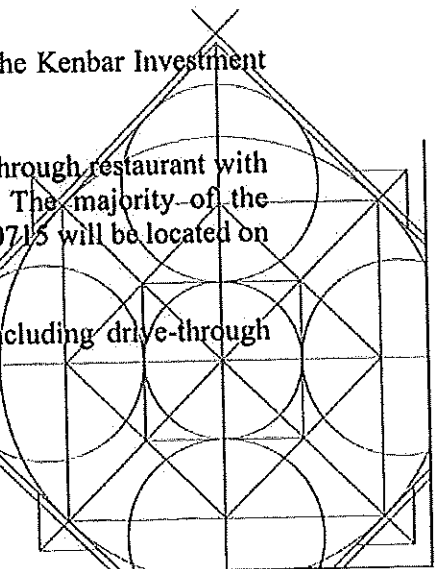
BACKGROUND INFORMATION

The Applicant, Kenbar Investment Group, is proposing a land development at the northwestern corner of the intersection of Sullivan Trail (S.R. 4004) and S.R. 0715. (PIN Nos. 12-6372-01-29-1261 and 12-6372-01-29-3036, Parcel Nos. 12/8/2/6 and 12/8/2/7) The properties are located within the C, Commercial Zoning District.

The proposed land development will occur on Proposed Lots 1 and 2 of the Kenbar Investment Group Minor Subdivision which is currently under review.

The proposed land development will consist of a 2,800 square foot drive-through restaurant with associated parking, loading area and paved access from S.R. 0715. The majority of the development will reside on Proposed Lot 2. The driveway accessing S.R. 0715 will be located on the access corridor of Proposed Lot 1.

In accordance with Section 405.B and the Use Schedule, restaurants including drive-through restaurants are permitted uses within the C, Commercial Zoning District.



Based on our review of the Sketch Plan, we offer the following comments for your review.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 405.C.2.a, the required front yard depth is 75-feet. *A front yard with a depth of 75-feet must also be provided along Sullivan Trail (S.R. 4004). In addition, the front yards shall be taken from the required Township Ultimate Rights-of-Way. As shown, the proposed restaurant will be located within the front yard along S.R. 0715. Refer to Comment 12.*

In addition, the front yard depth of 98 feet listed in the Zoning Data appears incorrect and should be revised.

2. In accordance with Section 405.C.2.d, the required well setback is 15-feet. *The required well setback must be listed in the Zoning Data and the proposed well location shall be shown on the plan.*
3. In accordance with Section 405.C.3.a, the maximum height of the principal building shall be 50-feet. *The height of the proposed restaurant must be listed in the Zoning Data.*
4. In accordance with Section 512.D.2, "an off-street truck loading space shall be a minimum of 12 feet in width and a minimum of 35 feet in length". *The proposed loading area is 10-feet wide by 60-feet long, and must be revised to provide the required 12-foot width.*
5. In accordance with Section 534.B, "drive-through lanes shall be designed for stacking of a minimum of six (6) vehicles and shall be separated from the internal circulation system for the parking facilities". *The anticipated number of vehicles accessing the proposed restaurant must be provided along with an analysis of the required queue length of the drive-through.*
6. In accordance with Section 534.D, "exterior seating and/or play areas shall be completely enclosed by a four (4) foot high fence". *Any proposed outdoor seating area or play area must be discussed. If proposed, the location(s) must be shown with the required fence on the Land Development Plan.*

SUBDIVISION AND LAND DEVELOPMENT COMMENTS

7. In accordance with Section 302.4.B, "Applicants should submit an Existing Resources and Site Analysis prepared in accord with the requirements of Section 402.3. The purpose of this key submission is to familiarize officials with the existing conditions on the Applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for conducting a site inspection. This plan should be provided prior to or at the site inspection and form the basis for the development design as shown on the Sketch Plan (or on the Preliminary Plan, if the optional Sketch Plan is not submitted). *A waiver/deferral of this requirement is requested on the plan.*

Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. Given the number of existing natural features and their proximity to the proposed development, an Existing Resources and Site Analysis Plan shall be provided with the Sketch Plan. This plan will also be a requirement of the Land Development Plan Application, and must also be submitted at that time.

8. In accordance with Section 302.4.C, "after preparing the Existing Resources and Site Analysis, Applicants should arrange for a site inspection of the property by the Planning Commission and other municipal officials, and shall distribute copies of said Site Analysis at that on-site meeting. Applicants, their site designers, and the landowner are encouraged to accompany the Planning Commission. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of designated open lands (if applicable), and potential locations for proposed buildings and street alignments. Comments made by municipal officials or their staff and consultants shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the Site Inspection." *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The Planning Commission shall determine if they wish to perform a Site Inspection with the Applicant.*

9. In accordance with Section 404.2.GG.3, "utility, drainage and slope easements" must be provided on the Final Plan. *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan.*

The drainage easements shown along the property lines and street right-of-way are no longer required and shall be removed from the plan. Any proposed utility easements must be shown on the Land Development Plan. In addition, a slope easement is required in accordance with Section 601.1.F.5.b.5 of the Brodhead and McMichael Creeks Stormwater Management Ordinance, and must be shown on the Land Development Plan.

10. In accordance with Section 601.1.M, "pedestrian interior walks may be required, where necessary, to assist circulation or provide access to community facilities (e.g., a park or school)". *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. In addition, it does not appear this Section is applicable as no adjacent community facilities exist.*

11. In accordance with Section 602, "all Preliminary Plans for major subdivisions, all commercial and industrial subdivisions, and all land developments on sites of three (3) acres or more shall include documentation of a four-step design process in determining the layout of proposed conservation open space, house and development sites, roads

and lot lines, as described below". *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. In addition, this requirement is for land developments of 3 acres or more and will not be applicable to the Land Development Plan.*

12. In accordance with Section 607.9 and Table VI-1, the required rights-of-way along S.R. 0715 and Sullivan Trail (S.R. 4004) are 60-feet. *An Ultimate Right-of-Way line is shown along S.R. 0715. It appears the right-of-way line is shown at the incorrect width and should be revised and must be dimensioned on the plan. In addition, the required Right-of-Way along Sullivan Trail (S.R. 4004) shall also be shown and dimensioned on the plan. The required front yards shall be taken from the required Ultimate Right-of-Way lines. Refer to Comment 1.*
13. In accordance with Section 607.16.A, "all driveway and access drive related improvements shall be located and constructed in such manner as to provide safe access to Township and state roads and not to impair the drainage or normal maintenance within road rights-of-way, or to alter the stability of any roadway, subgrade or roadway embankment, or to change the drainage of adjacent areas, not to interfere with the traveling public. Sufficient area for and access to off-road parking shall be provided." *An existing drainage swale directs stormwater through the property to an existing inlet located near the future centerline of the proposed driveway. The drainage of this stormwater must be addressed with the Land Development Plan. In addition, consideration shall be given to the relocation of the existing inlet to eliminate the potential for ponding and/or icing at the intersection of the proposed driveway with S.R. 0715.*
14. In accordance with Section 607.16.M.2, "access drive entrances into all non-residential and non-agricultural use properties shall be no less than twenty-four (24') feet in width, shall not exceed thirty-six (36') feet in width at the road line, unless provided with a median divider, and shall be clearly defined by curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of twenty (20') feet from where they intersect a road." *Curbing shall be provided along the proposed driveway.*
15. Landscaping shall be provided in accordance with Section 615. Additional comments may be provided upon review of proposed landscaping.
 - a. In accordance with Section 615.3.B.1, "one (1) planting island shall be provided for every ten (10) parking stalls. There shall be no more than fifteen (15) contiguous parking stalls in a row without a planting island." *A planting island is required along the row of 18 parking spaces adjacent to S.R. 0715.*
 - b. In accordance with Section 615.3.B.2, "the ends of all parking rows shall be divided from drives by planting islands". *The proposed 6 space parking row must include a planting island on its western end.*

- c. In accordance with Section 615.6.C and Table 615-1, a 10-foot wide medium buffer is required along the property line shared with Grace United Church of Christ. *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The required buffer must be provided on the Land Development Plan.*
16. In accordance with Section 618.1, "if a proposed subdivision or land development includes any area that is suspected of being a wetland, then a professional wetland delineation may be required. The Township may require that the applicant obtain a Jurisdictional Determination from the U.S. Army Corps of Engineers. Until such time as the Board of Commissioners has approved the application, the wetland limits shall be visibly identified in the field." *A Wetland Report prepared by Brand Environmental Consulting Services, Inc. was submitted with the Minor Subdivision Plan and recommends a Jurisdictional Determination be completed to verify the results of their study. The existing wetlands are in close proximity to the area of development and the required wetland buffer will be impacted by the development. Refer to Comment 17. A Jurisdictional Determination should be completed.*
17. In accordance with Section 618.3, "the wetland buffers required by the Township Zoning Ordinance and Stormwater Regulations shall be provided and shall be shown on the plan." *The required 50-foot wetland buffer must be shown on the plan in accordance with Section 303.I.6.b of the Brodhead and McMichael Creeks Stormwater Management Ordinance. In accordance with Section 303.I.6.b.i, "stormwater conveyance required by the Municipality or other body or agency having jurisdiction; buffer maintenance and restoration; the correction of hazardous conditions; stream crossings permitted by DEP and passive unpaved stable trails shall be permitted within the wetland buffer. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted within the wetland buffer." The proposed 5 space parking row, driveway, drive-through lane, and loading area will be located within the required 50-foot wetland buffer.*
- A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The wetland buffer must be shown on the Land Development Plan.*
18. Common open space and/or recreation land will be required in accordance with Section 619.
19. In accordance with Section 620.H.1, "each off-street loading and unloading space shall be either (a) at least fourteen (14') feet in width by forty (40') feet in depth or (b) at least ten (10') feet in width by sixty (60') feet in depth". *The proposed loading space is 10-feet wide by 60-feet long, however the Zoning Ordinance requires a 12-foot width and the width of the loading space must be revised. Refer to Comment 4.*
20. In accordance with Section 622.A, a "Traffic Impact Study shall be submitted to the

Township, as part of a Preliminary Plan and Final Plan for any subdivision or land development application expected to generate more than 250 new trips per day; for residential subdivisions or land developments containing fifteen (15) or more dwelling units or residential lots in the aggregate; or all non-residential developments (with the exception of agricultural development) with buildings containing in excess of twenty (20,000) thousand square feet of floor space in the aggregate; development of any kind impacting thirty (30) acres of land or more in the aggregate." *The number of new trips per day must be provided and, if required, a Traffic Impact Study submitted. As previously discussed in Comment 5, regardless of the need for a Traffic Impact Study, a queuing analysis must be submitted for the proposed drive-through.*

Given the existing congestion along S.R. 0715, the submitted Traffic Impact Study shall also include neighboring future development. In addition, PennDOT funded improvements are being planned along S.R. 0715. An analysis shall also be completed to show the impacts of the development on S.R. 0715 without the planned PennDOT funded improvements.

21. In accordance with Section 607.23 "sidewalks and crosswalks may be required where necessary to provide proper pedestrian circulation or to provide access to community facilities and common areas. Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping. Sidewalks and road crosswalks shall be constructed in accord with the most current PennDOT RC67M standard and Americans with Disabilities Act standards." *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The requirement for sidewalk along S.R. 0715 shall be discussed in preparation of the Land Development Plan submission.*

STORMWATER MANAGEMENT ORDINANCE COMMENTS

The proposed development is located within the McMichael Creek Watershed and is required to comply with the Brodhead and McMichael Creeks Stormwater Management Ordinance. Stormwater management must be provided with the Land Development Plan Application.

22. In accordance with Section 303.I.8.b, "stormwater conveyance required by the Municipality or other body or agency having jurisdiction, buffer maintenance and restoration, the correction of hazardous conditions, stream crossings permitted by DEP, fish hatcheries, wildlife sanctuaries and boat launch sites constructed so as not to increase the flood plain elevation, and unpaved trails, shall be permitted providing no buildings are involved. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted." *A description of the Waters of the Commonwealth must be provided on the plan. If identified as a stream, the required 50-foot stream buffer must be provided on the plan in accordance with Section 303.I.8.a. The proposed 5 space parking row, driveway, drive-through lane, and loading area will be located within this 50-foot stream buffer.*

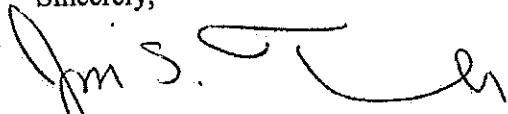
MISCELLANEOUS COMMENTS

23. The proposed lots on the Minor Subdivision Plan have been situated such that access to the restaurant on Proposed Lot 2 is not located on the same lot. Access to the restaurant will be located on Proposed Lot 1.
24. The existing utility pole and signage located within the proposed driveway must be relocated.
25. Truck turning movements must be submitted for the vehicles accessing the site, including trash, delivery, and emergency vehicles.
26. Agreements for the continued use and maintenance of the existing billboard shall be provided.
27. All references to the Board of Supervisors must be revised to reference the Board of Commissioners.

The above comments represent a Sketch Plan Review to document Zoning, Subdivision and Land Development, and Stormwater Management Ordinance requirements that may affect the subsequent submission of a Land Development Plan Application. A thorough and comprehensive review will be provided upon receipt of a formal Land Development Plan submission.

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 Tripus, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Bernard M. Telatovich, P.E., Benchmark Civil Engineering Services, Inc. – Applicant's Engineer
Ken Schuchman, Kenbar Investment Group – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



1727 Jonathan Street • Allentown, PA 18104
Phone: (610) 776-6700 • Fax: (610) 776-1190 • www.bencivil.com

April 21, 2017

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

RE: Kenbar Investment Group
Land Development Plan - Sketch Review No. 1
Boucher & James, Inc. Project No. 1730040R
Benchmark Project No. 302009

Dear Planning Commission Members:

Enclosed please find the following materials which have been revised to address Boucher & James, Inc. April 7, 2017 review letter.

1. Response Letter
2. Revised Sketch Plan

Each of their comments and the manner in which they have been addressed is listed below.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 405.C.2.a, the required front yard depth is 75-feet. A front yard with a depth of 75-feet must also be provided along Sullivan Trail (S.R. 4004). In addition, the front yards shall be taken from the required Township Ultimate Rights-of-Way. As shown, the proposed restaurant will be located within the front yard along S.R. 0715. Refer to Comment 12.

Please note the response in the subdivision plan regarding more than 60 feet existing right of way along the property. Hence there is no further or additional right of way and we will comply with setback requirements.

In addition, the front yard depth of 98 feet listed in the Zoning Data appears incorrect and should be revised.

We will correct the chart.

2. *In accordance with Section 405.C.2.d, the required well setback is 15-feet. The required well setback must be listed in the Zoning Data and the proposed well location shall be shown on the plan.*

WE WILL COMPLY.

3. *In accordance with Section 405.C.3.a, the maximum height of the principal building shall be 50-feet. The height of the proposed restaurant must be listed in the Zoning Data.*

WE WILL COMPLY.

4. *In accordance with Section 512.D.2, "an off-street truck loading space shall be a minimum of 12 feet in width and a minimum of 35 feet in length". The proposed loading area is 10-feet wide by 60-feet long, and must be revised to provide the required 12-foot width.*

WE WILL COMPLY. However, additional discussion with the PC is requested on this issue.

5. *In accordance with Section 534.B, "drive-through lanes shall be designed for stacking of a minimum of six (6) vehicles and shall be separated from the internal circulation system for the parking facilities". The anticipated number of vehicles accessing the proposed restaurant must be provided along with an analysis of the required queue length of the drive-through.*

WE WILL COMPLY. (TRAFFIC DATA)

6. *In accordance with Section 534.D, "exterior seating and/or play areas shall be completely enclosed by a four (4) foot high fence". Any proposed outdoor seating area or play area must be discussed. If proposed, the location(s) must be shown with the required fence on the Land Development Plan.*

Additional discussion with the Planning Commission on this issue is requested.

SUBDIVISION AND LAND DEVELOPMENT COMMENTS

7. *In accordance with Section 302.4.B, "Applicants should submit an Existing Resources and Site Analysis prepared in accord with the requirements of Section 402.3. The purpose of this key submission is to familiarize officials with the existing conditions on the Applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for conducting a site inspection. This plan should be provided prior to or at the site inspection and form the basis for the development design as shown on the Sketch Plan (or on the Preliminary Plan, if the optional Sketch Plan is not submitted). A waiver/deferral of this requirement is requested on the plan.*

[1] A preliminary version of this exists and is presented with the subdivision plan submission. We will comply with this in the preliminary submission.

Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. Given the number of existing natural features and their proximity to the proposed development, an Existing Resources and Site Analysis Plan shall be provided with the Sketch Plan. This plan will also be a requirement of the Land Development Plan Application, and must also be submitted at that time.

Modifications were placed on the plan for information and discussion purposes and will be placed on the preliminary plan submission. Also, please see paragraph [1] above.

8. In accordance with Section 302.4.C, "after preparing the Existing Resources and Site Analysis, Applicants should arrange for a site inspection of the property by the Planning Commission and other municipal officials, and shall distribute copies of said Site Analysis at that on-site meeting. Applicants, their site designers, and the landowner are encouraged to accompany the Planning Commission. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of designated open lands (if applicable), and potential locations for proposed buildings and street alignments. Comments made by municipal officials or their staff and consultants shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the Site Inspection." A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The Planning Commission shall determine if they wish to perform a Site Inspection with the Applicant.

We will be happy to meet on site with the Planning Commission at its request.

9. *In accordance with Section 404.2.GG.3, "utility, drainage and slope easements" must be provided on the Final Plan. A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan.*

Again, modifications are listed for discussion and input purposes.

The drainage easements shown along the property lines and street right-of-way are no longer required and shall be removed from the plan. Any proposed utility easements must be shown on the Land Development Plan. In addition, a slope easement is required in accordance with Section 601.1.F.5.b.5 of the Brodhead and McMichael Creeks Stormwater Management Ordinance, and must be shown on the Land Development Plan.

Issues related to the easements and modifications are discussed in the Subdivision response letter concurrent with this response letter.

10. *In accordance with Section 601.I.M, "pedestrian interior walks may be required, where necessary, to assist circulation or provide access to community facilities (e.g., a park or school)". A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. In addition, it does not appear this Section is applicable as no adjacent community facilities exist.*

We will comply as per the input in this comment. NO RESPONSE REQUIRED.

11. *In accordance with Section 602, "all Preliminary Plans for major subdivisions, all commercial and industrial subdivisions, and all land developments on sites of three (3) acres or more shall include documentation of a four-step design process in determining the layout of proposed conservation open space, house and development sites, roads and lot lines, as described below". A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. In addition, this requirement is for land developments of 3 acres or more and will not be applicable to the Land Development Plan.*

NO RESPONSE REQUIRED. We concur and will comply.

12. *In accordance with Section 607.9 and Table VI-I, the required rights-of-way along S.R. 0715 and Sullivan Trail (S.R. 4004) are 60-feet. An Ultimate Right-of-Way line is shown along S.R. 0715. It appears the right-of-way line is shown at the incorrect width and should be revised and must dimensioned on the plan. In addition, the required Right-of-way along Sullivan Trail (SR. 4004) shall also be shown and dimensioned on the plan. The required front yards shall be taken from the required Ultimate Right-of-Way lines. Refer to Comment 1.*

This matter is addressed in the response letter for the subdivision and more than 60 feet of right of way exists on the frontage streets, hence no additional or ultimate right of way is required.

13. *In accordance with Section 607.16.A, "all driveway and access drive related improvements shall be located and constructed in such manner as to provide safe access to Township and state roads and not to impair the drainage or normal maintenance within road rights-of-way, or to alter the stability of any roadway, subgrade or roadway embankment, or to change the drainage of adjacent areas, not to interfere with the traveling public. Sufficient area for and access to off-road parking shall be provided." An existing drainage swale directs stormwater through the property to an existing inlet located near the future centerline of the proposed driveway. The drainage of this stormwater must be addressed with the Land Development Plan. In addition, consideration shall be given to the relocation of the existing inlet to eliminate the potential for ponding and/or icing at the intersection of the proposed driveway with SR. 0715.*

Appropriate grading and stormwater system design will address this concern.

14. *In accordance with Section 607.16.M.2, "access drive entrances into all non-residential and non-agricultural use properties shall be no less than twenty-four (24') feet in width, shall not exceed thirty-six (36') feet in width at the road line, unless provided with a median divider, and shall be clearly defined by curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of twenty (20') feet from where they intersect a road." Curbing shall be provided along the proposed driveway.*

AS REQUIRED BY Planning Commission AND PENNDOT REQUIREMENTS WE WILL COMPLY. However, discussion with the Planning Commission on this matter is requested.

15. *Landscaping shall be provided in accordance with Section 615. Additional comments may be provided upon review of proposed landscaping.*

- a. *In accordance with Section 615.3.B.1, "one (1) planting island shall be provided for every ten (10) parking stalls. There shall be no more than fifteen (15) contiguous parking stalls in a row without a planting island." A planting island is required along the row of 18 parking spaces adjacent to SR. 0715.*

This is a de minimus difference in meeting the requirements and a modification will be requested. The applicant requests discussion of this matter with the Planning Commission. **Appropriate landscaping can be placed more efficiently on other locations of the site without compromising parking.**

- b. *In accordance with Section 615.3.B.2, "the ends of all parking rows shall be divided from drives by planting islands". The proposed 6 space parking row must include a planting island on its western end.*

This is a de minimus different in meeting the requirements and a modification will be requested. The applicant requests discussion of this matter with the Planning Commission. Appropriate landscaping can be placed more efficiently on other locations of the site without compromising parking.

In accordance with Section 615.6.C and Table 615-1, a 10-foot wide medium buffer is required along the property line shared with Grace United Church of Christ. A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The required buffer must be provided on the Land Development Plan.

A ten foot area is provided on the plans with this sketch and will show drainage, plantings and landscaping as needed. Discussion with the PC is requested on this matter.

16. *In accordance with Section 618.1, "if a proposed subdivision or land development includes any area that is suspected of being a wetland, then a professional wetland delineation may be required. The Township may require that the applicant obtain a Jurisdictional Determination from the U.S. Army Corps of Engineers. Until such time as the Board of Commissioners has approved the application, the wetland limits shall be visibly identified in the field." A Wetland Report prepared by Brand Environmental Consulting Services, Inc. was submitted with the Minor Subdivision Plan and recommends a Jurisdictional Determination be completed to verify the results of their study. The existing wetlands are in close proximity to the area of development and the required wetland buffer will be impacted by the development. Refer to Comment 17. A Jurisdictional Determination should be completed.*

Discussion with the PC is requested on this matter.

17. *In accordance with Section 618.3, "the wetland buffers required by the Township Zoning Ordinance and Stormwater Regulations shall be provided and shall be shown on the plan." The required 50-foot wetland buffer must be shown on the plan in accordance with Section 303.1.6.b of the Brodhead and McMichael Creeks Stormwater Management Ordinance. In accordance with Section 303.1.6.b.i, "stormwater conveyance required by the Municipality or other body or agency having jurisdiction; buffer maintenance and restoration; the correction of hazardous conditions; stream crossings permitted by DEP and passive unpaved stable trails shall be permitted within the wetland buffer. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted within the wetland buffer. The proposed 5 space parking row, driveway, drive-through lane, and loading area will be located within the required 50-foot wetland buffer.*

A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The wetland buffer must be shown on the Land Development Plan.

As provided in the response to the Subdivision plan, a modification is requested for the reasons discussed with the subdivision.

18. Common open space and/or recreation land will be required in accordance with Section 619.

Applicant will comply, but notes that there are no additional direct Township residences or homes resulting from this project.

19. In accordance with Section 620.H.1, "each off-street loading and unloading space shall be either (a) at least fourteen (14') feet in width by forty (40') feet in depth or (b) at least ten (10') feet in width by sixty (60') feet in depth". The proposed loading space is 10-feet wide by 60-feet long, however the Zoning Ordinance requires a 12-foot width and the width of the loading space must be revised. Refer to Comment 4.

Given this conflict, the proposed loading area will be 12' x 35' per zoning. Any modification of the SALDO will be requested for this matter.

20. *In accordance with Section 622.A, a "Traffic Impact Study shall be submitted to the Township, as part of a Preliminary Plan and Final Plan for any subdivision or land development application expected to generate more than 250 new trips per day; for residential subdivisions or land developments containing fifteen (15) or more dwelling units or residential lots in the aggregate; or all non-residential developments (with the exception of agricultural development) with buildings containing in excess of twenty (20,000) thousand square feet of floor space in the aggregate; development of any kind*

impacting thirty (30) acres of land or more in the aggregate." The number of new trips per day must be provided and, if required, a Traffic Impact Study submitted. As previously discussed in Comment 5, regardless of the need for a Traffic Impact Study, a queuing analysis must be submitted for the proposed drive-through. Given the existing congestion along SR. 0715, the submitted Traffic Impact Study shall also include neighboring future development. In addition, PennDOT funded improvements are being planned along SR. 0715. An analysis shall also be completed to show the impacts of the development on SR. 0715 without the planned PennDOT funded improvements.

The proposed development is within the agreed study area for the PENNDOT improvements and the developer will be contributing to that project. Hence, all traffic study requirements for this particular land development are the subject of a modification , since the state project addresses the entire area, and the developer will be a partner to that.

21. In accordance with Section 607.23 "sidewalks and crosswalks may be required where necessary to provide proper pedestrian circulation or to provide access to community facilities and common areas. Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping. Sidewalks and road crosswalks shall be constructed in accord with the most current PennDOT RC67M standard and Americans with Disabilities Act standards." A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The requirement for sidewalk along SR. 0715 shall be discussed in preparation of the Land Development Plan submission.

The applicant is seeking input from the PC on this matter. A modification is requested by the applicant.

STORMWATER MANAGEMENT ORDINANCE COMMENTS

The proposed development is located within the McMichael Creek Watershed and is required to comply with the Brodhead and McMichael Creeks Stormwater Management Ordinance. Stormwater management must be provided with the Land Development Plan Application.

22. *In accordance with Section 303.1.8.b, "stormwater conveyance required by the Municipality or other body or agency having jurisdiction, buffer maintenance and restoration, the correction of hazardous conditions, stream crossings permitted by DEP, fish hatcheries, wildlife sanctuaries and boat launch sites constructed so as not to increase the flood plain elevation, and unpaved trails, shall be permitted providing no buildings are involved. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted." A description of the Waters of the Commonwealth must be provided on the plan. If identified as a stream, the required 50 foot stream buffer must be provided on the plan in accordance with Section 303.18.a. The proposed 5 space parking row, driveway, drive-through lane, and loading area will be located within this 50 foot stream buffer.*

Discussion of this issue is requested with the PC.

MISCELLANEOUS COMMENTS

23. *The proposed lots on the Minor Subdivision Plan have been situated such that access to the restaurant on Proposed Lot 2 is not located on the same lot. Access to the restaurant will be located on Proposed Lot 1.*

Discussion with the Planning Commission on this matter is requested.

24. *The existing utility pole and signage located within the proposed driveway must be relocated.*

Utilities will be labeled relocated as required and needed.

25. *Truck turning movements must be submitted for the vehicles accessing the site, including trash, delivery, and emergency vehicles.*

We will comply and provide.

26. *Agreements for the continued use and maintenance of the existing billboard shall be provided.*

To be discussed with the Planning Commission.

Pocono Township Planning Commission
Kenbar Investment Group
Land Development Plan - Sketch Review No. 1

April 21, 2017

27. *All references to the Board of Supervisors must be revised to reference the Board of Commissioners.*

We will comply.

If you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard M. Telatovich", with a long horizontal flourish extending to the right.

Bernard M. Telatovich, P.E.

BMT/slc
enclosures

