

AGENDA  
POCONO TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
October 23, 2017 - 7:00 p.m.

A. CALL TO ORDER (followed by the Pledge of Allegiance)

B. ROLL CALL

C. NOTIFICATIONS OF COMMENTS

D. CORRESPONDENCE:

- 1) Time extension request for Running Lane, Preliminary/Final Land Development & Subdivision Plan until 1/23/2018.

E. MANAGER'S REPORT - TBD

F. MINUTES: Minutes of the Pocono Township Planning Commission Meeting - 09/25/2017

G. NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:

- 1) Final LDP of Auto Sales Lot for Homes of the Poconos, LLC
- 2) Minor Subdivision Lands of Brookdale Enterprises LLC and Lands of Vincent J. & Charlie Lynn Trapasso
- 3) Best Auto amending use of parking spaces

H. FINAL PLANS UNDER CONSIDERATION:

I. PRELIMINARY PLANS UNDER CONSIDERATION:

1. Sheldon Kopelson, Commercial Development (Lot 3) - Plans were accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 9/25/2017 P.C. Mtg. A resubmission has not occurred. Deadline for P.C. consideration extended to 6/11/2018.
2. Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 9/25/2017 P.C. Mtg. Time extension requested until 10/20/2018. Deadline for P.C. consideration is 10/8/2018.
3. Day Star Holiness Bible Church - Land Development on Learn Road. The plans were administratively accepted at the 2/13/2017 P.C. Mtg. Review No. 1 was distributed 3/10/2017. Review No. 2 was distributed 9/8/2017. Tabled at the 9/25/2017 P.C. Mtg. Time extension requested until 12/4/2017. Deadline for P.C. consideration extended to 11/27/2017.

4. Pocono Hospitality Land Development Plan - The plans were administratively accepted at the 5/8/2017 P.C. Mtg. Review No. 1 was distributed 6/7/2017. Review No. 2 was distributed 9/21/2017. Tabled at the 9/25/2017 P.C. Mtg. Time extension requested until 11/14/2017. **Deadline for P.C. consideration extended to 10/23/2017.**
5. Belanger Minor Subdivision - The plans were administratively accepted at the 6/12/2017 P.C. Mtg. Review No. 1 was distributed 6/23/2017. Review No. 2 was distributed 9/8/2017. Tabled at the 9/25/2017 P.C. Mtg. Time extension requested until 2/1/2018. **Deadline for P.C. consideration extended to 1/8/2018.**
6. Running Lane Land Development Plan and Minor Subdivision/Lot Combination Plan - The plans were administratively accepted at the 8/14/2017 P.C. Mtg. Plans were tabled at the 9/25/2017 P.C. Mtg. Time extension requested until 1/23/2018. **Deadline for P.C. consideration is extended to 1/8/2018.**

**SKETCH PLANS:**

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

**ORDINANCE:** Sign

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**COMMENTS BY AUDIENCE:**

**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
Homes of the Poconos (10/23/2017)									
Minor Subdivision Brookdale Minor (Trapasso) (10/23/2017)									
Best Auto Sales Parking Spaces (10/23/2017)									
Belanger Minor Subdivision (6/12/17)	Minor Sub	Final	2/1/2018	1/8/2018	1/15/2018	9/8/2017	9/25/2017		
Kopelson Lot 3 Land Development (8/13/13)	Commercial Land Dev	Prelim	6/30/2018	6/11/2018	6/18/2018	unknown date	9/25/2017		
Spa Castle Land Development (Prelim) (12/14/15)	Commercial Land Dev	Prelim	10/20/2018	10/8/2018	10/15/2018	Planning Rev 9/9/16 Technical Rev 11/9/16	9/25/2017		
Day Star Holiness Bible Church (2/13/17)	Land Dev	Prelim	12/4/2017	11/27/2017	12/4/2017	9/8/2017	9/25/2017		
Poconos Hospitality (5/8/17)	Land Dev	Prelim	11/14/2017	10/23/2017	11/6/2017	9/21/2017	9/25/2017		
Running Lane LDP (8/14/17) *Submitted one application	LDP	Prelim	1/23/2018	1/8/2018	1/15/2018	8/25/2017	9/25/2017		
Running Lane LDP (8/14/17)	Lot Combo	Prelim	1/23/2018	1/8/2018	1/15/2018	8/25/2017	9/25/2017		

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

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

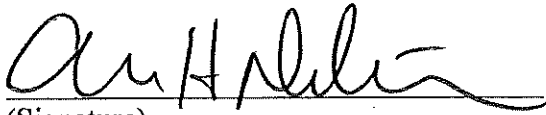
Planning Commission  
Pocono Township Municipal Building  
P.O. Box 197  
Tannersville, PA 18372

FROM: Running Lane, LLC  
Preliminary/Final Land Development & Subdivision Plan

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

Running Lane, Preliminary/Final Land Devel & Subdivision Plan

This extension shall be valid to and including January 23, 2018. If an agent, the undersigned verifies that this extension agreement is executed with the authorization of the applicant.

  
(Signature)

Charles H. Niclaus, P.E.  
(Print Name)

Dated: 10/5/17

**POCONO TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**SEPTEMBER 25, 2017**  
**7:00 p.m.**

pg. 1

The Pocono Township Planning Commission Regular Meeting was held on September 25, 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:** Dennis Purcell, present; Robert DeYoung, present; Scott Gilliland, present; Ron Swink, present; Marie Guidry, present; Bob Demarest, present; and Jeremy Sawicki, present. Lisa Pereira, Solicitor; Jon Tresslar, Engineer; and Michael Tripus, Zoning Officer, were present.

**ACKNOWLEDGEMENT OF COMMENTS:** Chairman R. Swink noted the Planning Commission meets the 2<sup>nd</sup> and 4<sup>th</sup> 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 the matter.

**CORRESPONDENCE:**

- 1) Time extension request for Spa Castle Grand Pocono Resort until October 20, 2018.
- 2) Time extension request for Poconos Hospitality LLC until November 14, 2017.

**MANAGER'S REPORT:** None

**MINUTES:** Jeremy Sawicki made a motion, seconded by Dennis Purcell, to approve the minutes of 9/11/2017 with changes. All in favor. Motion Carried.

**NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:** None

**FINAL PLANS UNDER CONSIDERATION:**

1. Desaki Hotel Revised Final Plan - Plans were administratively accepted at the 8/14/2017 P.C. Mtg. Tabled at the 9/11/2017 P.C. Mtg. Revised plans were received 9/11/2017. Twp. Engineer's Review No. 2 distributed 9/22/2017. Deadline for P.C. consideration is 10/23/2017. Revised plans were received 9/11/2017.

Vincent Trapasso represented the Plan. Township Engineer recommends conditional approval of the Desaki Hotel Revised Final Plan.

POCONO TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
SEPTEMBER 25, 2017  
7:00 p.m.

pg. 2

Bob Demarest made a motion, seconded by Scott Gilliland, to recommend conditional approval of the Desaki Hotel Revised Final Plan conditioned upon: 1) All comments of the Twp. Engineer's letter Review No. 2 be satisfied; 2) MCCD review received; and 3) Penn Dot HOP received. All in favor. Motion Carried.

**PRELIMINARY PLANS UNDER CONSIDERATION:**

2. Sheldon Kopelson, Commercial Development (Lot 3) - Plans were administratively accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 9/11/2017 P.C. Mtg. A resubmission has not occurred. Deadline for P.C. consideration extended to 6/11/2018.

Marie Guidry made a motion, seconded by Dennis Purcell, to table Sheldon Kopelson, Commercial Development (Lot 3). All in favor. Motion Carried.

3. Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 9/11/2017 P.C. Mtg. **Deadline for P.C. consideration extended to 10/20/2017.**

Bob Demarest made a motion, seconded by Scott Gilliland, to table Spa Castle Land Development. All in favor. Motion Carried.

4. Day Star Holiness Bible Church - Land Development on Learn Road. The plans were administratively accepted at the 2/13/2017 P.C. Mtg. Review No. 1 distributed 3/10/2017. Tabled at the 9/11/2017 P.C. Mtg. Deadline for P.C. consideration extended to 11/27/2017.

Sal Caiazzo, Hanover Engineering, represented the plan. He reviewed comments of Twp. Engineer's letter of 9/8/2017. Discussion followed.

Bob Demarest made a motion, seconded by Dennis Purcell, to table Day Star Holiness Bible Church. All in favor. Motion Carried.

**POCONO TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**SEPTEMBER 25, 2017**  
**7:00 p.m.**

pg. 3

5. Pocono Hospitality Land Development Plan - The plans were administratively accepted at the 5/8/2017 P.C. Mtg. Review No. 1 was distributed 6/23/2017. Review No. 2 distributed 9/21/2017. Tabled at the 9/11/2017 P.C. Mtg. Deadline for P.C. consideration extended to 11/14/2017.

Alex Kinzey, R. J. Fisher & Associates, represented the plan. Update was given on the progress of the project and an extension letter was received. Discussion followed on having an emergency access road; storm water drainage; naming of MCTA owned Flute Road; landscaping; whether highway would be a divided highway; the traffic study being presented for review by the Board; and the open space dedication fee-in-lieu-of would be paid.

Marie Guidry made a motion, seconded by Scott Gilliland, to table the Pocono Hospitality Land Development Plan. All in favor. Motion Carried.

6. Belanger Minor Subdivision - The plans were administratively accepted at the 6/12/2017 P.C. Mtg. Review No. 1 was distributed 6/7/2017. Tabled at the 9/11/2017 P.C. Mtg. Deadline for P.C. consideration extended to 1/8/2018.

Bob Demarest made a motion, seconded by Dennis Purcell, to table the Belanger Minor Subdivision plans. All in favor. Motion Carried.

7. Running Lane Land Development Plan and Minor Subdivision/Lot Combination Plan - The plans were administratively accepted at the 8/14/2017 P.C. Mtg. Plans were tabled at the 9/11/2017 P.C. Mtg. Deadline for P.C. consideration is 10/23/2017.

Bob Demarest made a motion, seconded by Dennis Purcell, to table the Running Lane Land Development Plan and Minor Subdivision/Lot Combination Plan. All in favor. Motion Carried.

**SKETCH PLANS:** None

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

**POCONO TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**SEPTEMBER 25, 2017**  
**7:00 p.m.**

pg. 4

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** Next Planning Commission meeting is scheduled for Tuesday, October 10, 2017 due to the Columbus Day Holiday.

**COMMENTS BY AUDIENCE:**

Ramona Shupp, Twp. Resident, inquired about the work being done on the land by The Loft. Mike Tripus, Zoning Officer, indicated it as being electrical service for sign elimination.

**ADJOURNMENT:**

Bob Demarest made a motion, seconded by Dennis Purcell, to adjourn the meeting at 8:20 p.m. until 10/10/2017 at 7:00 p.m. 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](http://www.bjengineers.com)

October 20, 2017

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

**SUBJECT: HOMES OF THE POCONOS, LLC – 3006 ROUTE 611  
LAND DEVELOPMENT PLAN ACCEPTANCE REVIEW  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
PROJECT NO. 1730052R**

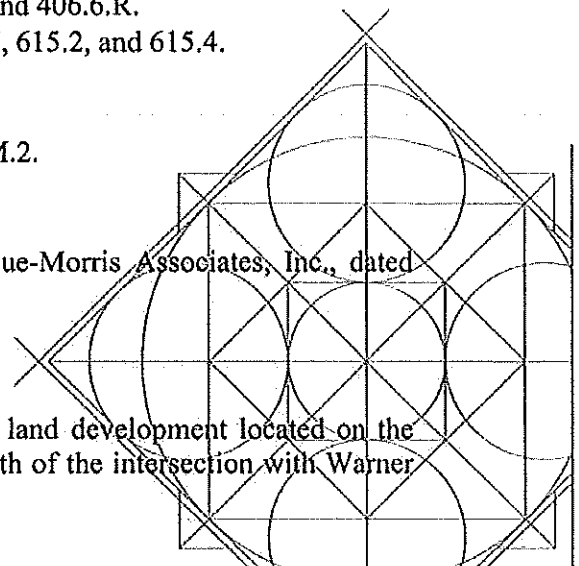
Dear Planning Commission Members:

Pursuant to the Township's request, we have completed an acceptance review of the Land Development Plan Application for the Homes of the Poconos. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- Letter of Transmittal to the Monroe County Conservation District prepared by Bue-Morris Associates, Inc., dated October 4, 2017.
- Letter of Transmittal to the Monroe County Planning Commission prepared by Bue-Morris Associates, Inc., dated October 4, 2017.
- Will Serve Letter prepared by Brodhead Creek Regional Authority, dated December 13, 2010.
- Cost Estimate prepared by Bue-Morris Associates, Inc.
- Final Land Development Plan Review No. 8 prepared by Boucher & James, Inc., dated February 14, 2011.
- Appendix G, Request for Modification of Sections 406.D and 406.6.R.
- Appendix G, Request for Modification of Sections 406.5.N, 615.2, and 615.4.
- Appendix G, Request for Modification of Section 408.1.A.
- Appendix G, Request for Modification of Section 408.3.B.
- Appendix G, Request for Modification of Section 607.16.M.2.
- Appendix G, Request for Modification of Section 615.3.
- Appendix G, Request for Modification of Section 615.6.
- Final Land Development Plan (3 Sheets) prepared by Bue-Morris Associates, Inc., dated October 4, 2017.

**BACKGROUND INFORMATION**

The Applicant, Homes of the Poconos, LLC, is proposing a land development located on the western side of State Route 0611, approximately 500 feet south of the intersection with Warner



Road/Cherry Lane Road, at 3006 Route 0611 (Parcel No. 12/8/2/72). The existing property is located within the C, Commercial Zoning District.

The proposed land development consists of an auto sales lot that will utilize the existing commercial building and proposed 41 paved parking spaces. The proposed development will take access via a paved driveway from State Route 0611, and will be served by public water and sewer.

A Final Land Development Plan was previously reviewed by Boucher & James, Inc. in 2011. General Note 3, on Sheet 1 of the submitted plan, indicates all proposed improvements have been constructed except the following:

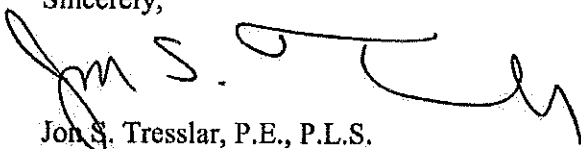
1. Reconstruction of the main building entrance and the repair of interior building finishes.
2. Addressing minor ADA compliance issues.
3. Construction of the proposed sanitary sewer lateral.
4. Paving of the parking lot.

In addition, the submitted application notes the existing building suffered water damage and renovations will begin immediately.

Based upon our review, we recommend the Planning Commission accept the Land Development Plan for review providing all other requirements have been met including, but not limited to, formal written applications and application fees with establishment of an escrow to cover the costs of review.

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

Sincerely,



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

JST/mep/cg

cc: Donna Asure – Township Manager  
Pam Tripus – Township Secretary  
Michael Tripus – Township Zoning Officer  
Leo DeVito, Esquire – Township Solicitor  
Lisa Pereira, Broughal & DeVito, LLP  
Debra and Keith Halterman, Homes of the Poconos, LLC – Applicant  
Homes of the Poconos, LLC – Property Owner  
Sarah Bue-Morris, P.E., Bue-Morris Associates, Inc. – Applicant's Engineer  
Brian D. Courtright, P.L.S. – Applicant's Surveyor  
Melissa E. Prugar, P.E. – Boucher & James, Inc.

## POCONO TOWNSHIP PLAN RECEIPT CHECK LIST

Name of Subdivision or Land Development Plan: Final LDP of Auto Sales Lot for Homes of the Poconos, LLC

Property Identification # 12-6372-04-544073

Date: 10-5-17 Name of Engineer or Surveyor Sarah Bue-Morris, P.E. Telephone# 570-676-5473

Email: sarah@bue-morris.com

### Preliminary Major Subdivision and/or Land Development

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Signed dated Application - 11 copies   |
| <input type="checkbox"/> | <input type="checkbox"/> | Required Fee   |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan (Includes street profiles, storm piping and cross sections, if appropriate) -11 copies of the following:                                  |
| <input type="checkbox"/> | <input type="checkbox"/> | Storm Water Management (SWM) Report- 3 copies  |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) - 11 copies  |
| <input type="checkbox"/> | <input type="checkbox"/> | Planning Modules Information as per DEP requirement- 4 copies  |
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of Erosion and Sedimentation Plan (may be submitted with final unless applicant opts to build under Preliminary plan approval) - 3 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Modification Request Application for all requested Modifications - 11 copies   |
| <input type="checkbox"/> | <input type="checkbox"/> | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential                               |

**RECEIVED**  
 OCT 11 2017  
 POCONO TOWNSHIP

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

### Final Major Subdivision and/or Land Development

- | Yes                                 | No                                  |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Signed dated Application - 11 Copies   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Required Fee   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Plan (includes street profiles, storm piping and cross sections, if appropriate) -11 copies of the following:  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Storm Water Management (SWM) Report- 3 copies <u>N/A</u>   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) (if preliminary plan submittal was waived) -11 copies <u>Submitted w/ Preliminary</u>                            |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Planning Modules Information ( if preliminary plan submittal was waived) as per DEP requirement- 4 copies <u>NA</u>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Copy of Erosion and Sedimentation Plan- 3 copies   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Construction Cost Estimate - 11 copies   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Modification Request Application for all requested Modifications (if Modifications approved with Preliminary Plan, then provide listing on Final Plan) - 11 copies |
| <input type="checkbox"/>            | <input type="checkbox"/>            | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential <u>In process of changing ownership</u>           |

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

### Minor Subdivision Plan Check List

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Signed dated Application - 11 copies                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | Required Fee   |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan -11 copies of the following:                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) - 11 copies          |
| <input type="checkbox"/> | <input type="checkbox"/> | Modification Request for all requested Modifications - 11 copies       |
| <input type="checkbox"/> | <input type="checkbox"/> | Tract History for verification of minor plan consideration - 11 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Minor Planning Modules as per DEP Requirement - 4 copies               |

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

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

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA

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

1.                      Preliminary Plan Submission  
  X   Final Plan Submission  
                     Final Plan - Minor Subdivision Submission
2. Name of Land Development: Final LDP of Auto Sales Lot for Homes of the Poconos, LLC  
Plan Dated: 10/4/12 <sup>PIN</sup> County Deed Book No.: 12-6372-04-51-4073  
Volume No.: 2477 Page No.: 2862  
Property is located in the Township Designated Commercial C Zone.
3. Name of Property Owner(s): Homes of the Poconos LLC  
(If corporation, provide corporation's name and address and two officers of corporation).  
Address: 315 Center Court  
1000 Pocono Blvd Phone No.:
4. Name of Applicant: Debi Morris  
(If other than owner)  
Address: P.O. Box 780, Marshall's Creek, PA 18035  
debi@homesofthepoconos.net Phone No.: 877-655-3843
5. Applicant's interest if other than owner: same
6. Engineer, Architect, Land Surveyor, or Landscape Architect responsible for plan:  
Sarah Bue-Morris, P.E. @ Bue-Morris Associates, Inc.  
Address: P.O. Box 201, Newfoundland, PA 18445  
sarah@bue-morris.com Phone No.: 570-676-5473
7. Total Acreage: 0.4647 AC Total Number of Lots: 1
8. Acreage of adjoining land in same ownership (if any): NA
9. Type of Development Planned: Single family:                       
Two-family:                       
Multi-family:                       
Commercial: Used Auto Dealership  
Industrial:                       
Other: (Specify)

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA

10. Will construction of building be undertaken immediately X Yes \_\_\_\_\_ No \_\_\_\_\_

By whom: Renovation due to water damage  
X Subdivider  
\_\_\_\_ Other developers  
\_\_\_\_ Purchasers of individual lots

11. Type of water supply proposed: X Public (municipal) system  
Existing \_\_\_\_\_ Private (centralized)  
\_\_\_\_ Individual (on site)

12. Type of sanitary sewage disposal proposed: X Public (municipal) system  
lateral approval is \_\_\_\_\_ Private (centralized)  
separate project \_\_\_\_\_ Individual (on site)

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

14. Acreage proposed for park or other public or semi-public use: NA

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

ZAB approved with restrictive covenants, see notes on  
Sheet C-1

16. Have appropriate public utilities been consulted: X Yes \_\_\_\_\_ No

17. Material accompanying this Land Development Application.

Number

Item

- |                   |                                    |
|-------------------|------------------------------------|
| a) _____          | Preliminary Plan                   |
| b) <u>X</u> _____ | Final Plan                         |
| c) _____          | Final Plan -- Minor Subdivision    |
| d) _____          | Development Agreement              |
| e) _____          | Street Profiles and Cross-sections |
| f) _____          |                                    |

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

granted for SALDO Sec. 3, 208.1 regarding curbs; Stormwater

Management Ordinance Sec. 303.1 buffers; SALDO Sec. 3, 210.4 regarding

Wetlands, if applicable, Requesting Additional Waivers - see forms

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

Date: 10/5/17

Signature of Owner or Applicant: \_\_\_\_\_

Debra A. Halterman  
(by) Debra A. Halterman

# BRODHEAD CREEK REGIONAL AUTHORITY

410 Stokes Avenue  
East Stroudsburg, PA 18301

TELEPHONE  
(570) 421-3232

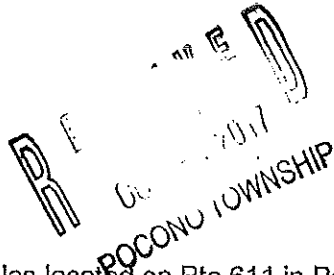
FAX  
(570) 421-2322

[www.brodheadcreekregionalauthority.us](http://www.brodheadcreekregionalauthority.us)

E-Mail: [bcra@ptd.net](mailto:bcra@ptd.net)

December 13, 2010

Ms. Sarah J. Bue-Morris, P.E.  
Bue-Morris Associates  
275 South Sterling Road  
P.O. Box 201  
Newfoundland, PA 18445-0201



RE: Will Serve Letter for GMDC Auto Sales located on Rte 611 in Pocono Twp, Monroe County, PA (PIN 12-6372-04-54-4073)

Dear Ms. Bue-Morris:

This letter confirms that the Brodhead Creek Regional Authority has public water supply facilities, including a water main on or adjacent to the above-referenced site. You have indicated that the proposed building reconstruction project will serve as a sales area for a used car dealership. Anticipated additional water usage for the re-constructed building is expected to be 20 gallons per day (gpd), average daily use. The Authority currently has the physical capacity to supply domestic water service in that amount and fire protection to this location.

We note that the Authority's system is subject to basin commission and state regulatory requirements, including those relating to water conservation standards and drought management. Such requirements are applied equitably to all users of the Authority's system; and all users are required to comply with such measures.

This letter does not constitute a contract or reservation of capacity. With this site already having an established water service and account, a new water service application would not be necessary and no additional EDU Fees would be anticipated under the circumstances.

Enclosed with this letter is a checklist of items that will need to be completed. Please make sure we have complete owner information. Any and all legal and engineering fees incurred by the Authority during this review process will be billed to the owner for reimbursement to the Authority.

From this point forward, all plans, calls and communication regarding this project should come to me. For your information, my e-mail address is [cborger@ptd.net](mailto:cborger@ptd.net) and my phone number and fax are noted on this letterhead.

Please call if you have any questions.

Sincerely,

A handwritten signature of Chris A. Borger in black ink.

Chris A. Borger, P.E.  
Operations Engineer

cc: File  
MaryBeth Brush, BCRA  
Kenneth R. Brown, BCRA Manager  
Alan Luckner, Owner



**Boucher & James, Inc.**  
CONSULTING ENGINEERS

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

910 Rim Rock Road  
Stroudsburg, PA 18360  
570-629-0300  
Fax 570-629-0306

P.O. Box 790  
4997 H. Twin Valley Road  
Suite 6  
Morgantown, PA 19543  
610-913-1212  
Fax 215-345-9401

[www.bjengineers.com](http://www.bjengineers.com)

RECEIVED  
OCT 11 2017  
POCONO TOWNSHIP

February 14, 2011

Jane Cilurso, Chairwoman  
Pocono Township Board of Supervisors  
P.O. Box 197  
Tannersville, PA 18372

**SUBJECT: GMDC AUTO SALES, LLC  
FINAL LAND DEVELOPMENT PLAN REVIEW NO. 8  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
PROJECT NO. 10-30-247R**

Dear Ms. Cilurso:

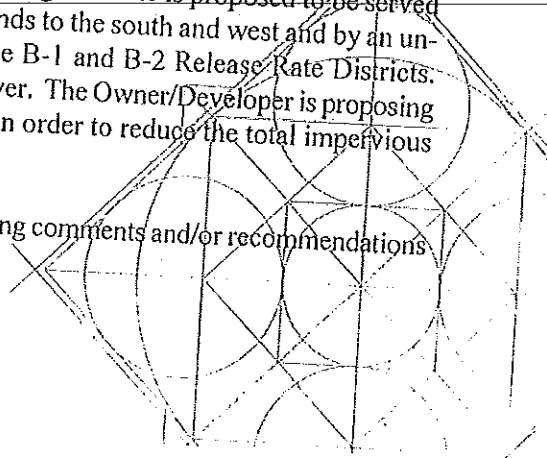
Pursuant to the Township's request, we have completed our eighth Final Land Development Plan Review for the above referenced project. The submitted information was prepared by Buc-Morris Associates, Inc. and consists of the following items:

- Final Land Development Plan (3 Plan Sheet Set), last revised January 27, 2011
- Cost Estimate dated February 7, 2011
- Response Letter dated February 7, 2011
- Letter from Brian D. Courtright, P.L.S. regarding Escrow Survey Costs, dated February 5, 2011.

#### BACKGROUND INFORMATION

The Owner/Developer, Bridge Associates of Tannersville, proposes to operate an Auto Dealership on a 20,242 square foot property. The 0.46 acre parcel is located within the "C" Commercial Zoning District and gains access from S.R. 611. Site improvements consist of a 30-car inventory (9 spaces which are designated for compact cars), paved parking area and associated drive, 9 customer/2 employee paved parking spaces, driveway upgrades, site lighting and split rail fencing. The site is proposed to be served with public water and on-lot sewer. The site is bordered by wetlands to the south and west and by an unnamed stream to the north. The project site falls within both the B-1 and B-2 Release Rate Districts. Approximately 78% of the existing site consists of impervious cover. The Owner/Developer is proposing to remove gravel portions of the site which are not being paved in order to reduce the total impervious coverage to 63% following construction.

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



### GRANTED VARIANCES

1. A Variance from Zoning Section 512.A, *Minimum Parking Requirements*, which requires retail stores and personal service businesses (not otherwise provided for) have 1 parking space for each 150 square feet of gross floor area, plus 1 parking space for each employee on the peak shift are required was granted by the Zoning Hearing Board on November 9, 2010. *(Previous Comment 1) The site is providing 1 parking space for each 300 square feet of gross floor area (9 spaces), plus 1 parking space for each employee (2 spaces) on the peak shift for a total of eleven (11) parking spaces.*
2. A Variance from Zoning Section 512.D, to not require an off-street truck loading and unloading space (12 feet in width and a minimum of 35 feet in length ) was granted by the Zoning Hearing Board on November 12, 2010 *(Previous Comment 2).*
3. A Variance from Zoning Section 552.F, to permit off-street parking within ten (10) feet of the rear property line was granted by the Zoning Hearing Board on November 12, 2010 *(Previous Comment 3).*

### GRANTED MODIFICATIONS

The Board of Supervisors granted the following modification at its December 6, 2010 meeting.

4. Relief from SALDO Section 3.208.J, which requires curbs, gutters, and/or drainage swales throughout commercial and industrial developments and to facilitate proper drainage *(Previous Comment 4).*
5. Relief from SWMO Section 303.I with regards to Buffers. Sections 303.I.6 and 303.I.8 require buffers with a minimum width of 50 feet. The Applicant is providing a 20-foot buffer with infringements, which results in the overall increase of the buffer from the previously graveled area, which provided little or no buffer *(Previous Comment 5).*

### SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

6. In accordance with SALDO Section 2.303.B.26, the Certificate of Ownership and Acknowledgement of the Plan shall be executed.
7. In accordance with SALDO Section 2.303.B.27, the Certificate of Accuracy and Compliance shall be executed.

### GENERAL COMMENTS

8. The following is a list of required approvals *(status in italics): (Previous Comment 10)*
  - Pocono Township Sewage Enforcement Officer (SEO) - Adequacy of Existing System *(letter provided by SEO dated December 13, 2010)*



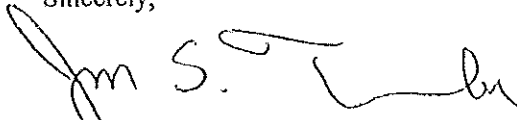
Jane Cilurso, Pocono Township Supervisors  
GMDC Auto Sales, LLC – Final Land Development Plan Review No. 8  
February 14, 2011  
Page 3 of 3

- Brodhead Creek Regional Authority - Water Service Approval (*Will-Serve letter provided by the Brodhead Creek Regional Authority dated December 13, 2010*)
- Pennsylvania Department of Transportation-Highway Occupancy Permit (*received PennDOT HOP No. 05042417*)

Based on our review of the submitted project information, all previous engineering comments have been addressed. The Applicant's cost estimate dated February 7, 2011, for the amount of nineteen thousand one hundred sixty nine dollars (\$19,169.00) appears to be a satisfactory estimate for the work proposed.

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

Sincerely,



Jon S. Tresslar, P.E.  
Municipal Engineer

JST/cg

cc: Steve Meylach - Pocono Township Zoning Officer (via email)  
Timothy McManus, Esq. - Pocono Township Solicitor (via email)  
Sarah Bue-Morris, P.E. - Bue-Morris Associates, Inc. (via email)  
Bridge Associates of Tannersville c/o Alan Luckner - Applicant  
Shelli Witmer, Esq. - Applicant's Attorney

S:\2010\1030247R\Documents\Correspondence\GMDC Auto Sales, AsBuilt, Poc. Twp. Rvw. 8, Ltr.doc44

## APPENDIX G

### REQUEST FOR MODIFICATION

RECEIVED  
OCT 11 2017  
POCONO TOWNSHIP

Name of Applicant: Homes of the Poconos, LLC

Name of Subdivision or Land Development: Final Land Development Plan of 3006 Route 611

Section of Subdivision and Land Development Ordinance: 406.D – Elements including 1-Site Context Map, 2-Existing Resources and Site Analysis, and 3-Resource Impact and Conservation Analysis with Sec. 406.6.R-Steep Slope Information

Justification for Relief: The site is already developed and only requires paving and the landscaping installed. This final plan was previously approved in February 2011 for Bridge Associates of Tannersville and no changes are being made to the plan.

Is the hardship self-imposed? ☐ Yes ☒ No

Is the hardship related to financial issues? ☐ Yes ☒ No

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

Yes ☐ No ☒ Explain: Bridge Associates of Tannersville received approval of the former plan in 2011 and constructed all of the improvements except for paving. The only scope of work is literally to pave the parking lot and repair the building due to damage while it sat empty. Therefore, the intent of the Ordinance has already been met because there is no significant construction proposed.

## APPENDIX G

### REQUEST FOR MODIFICATION

**Date:** October 4, 2017

**Name of Applicant:** Homes of the Poconos, LLC

**Name of Subdivision or Land Development:** Final Land Development Plan of 3006 Route 611

**Section of Subdivision and Land Development Ordinance:** 406.5.N – Shade Trees; 615.2 – Minimum Number of Trees; and 615.4 – Street Trees

**Justification for Relief:** The site is already developed and only requires paving and the previously approved landscaping to be installed. This final plan was previously approved in February 2011 for Bridge Associates of Tannersville and no changes are being made to the plan. Further, the site, as it existed before Bridge Associates purchased it, was entirely developed with the gravel encroaching into the neighbor's property. However, there cannot be any development adjacent to the property due the existence of the unnamed stream that surrounds it. The adjacent property is wooded thereby providing sufficient trees.

Because the property is being developed as an auto sales lot, placing street trees to block the view of the product for sale is unreasonable. Shrubs have been proposed in lieu of street trees to improve the appearance of the site along with the existing architectural fence. The front property line is only 230 feet and while 5 trees would be required, 37 shrubs are proposed along with 13 ground cover plants.

Is the hardship self-imposed? ☐ Yes ☒ No

Is the hardship related to financial issues? ☐ Yes ☒ No

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

Yes ☐ No ☒ **Explain:** Bridge Associates of Tannersville received approval of the former plan in 2011 and constructed all of the improvements except for paving and the landscaping. The only scope of work is literally to pave the parking lot, install the landscaping, and repair the building due to damage while it sat empty. Therefore, the intent of the Ordinance has already been met because there is no significant construction proposed. Further, the adjacent un-buildable lots provide sufficient trees.

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: Homes of the Poconos, LLC

Name of Subdivision or Land Development: Final Land Development Plan of 3006 Route 611

Section of Subdivision and Land Development Ordinance: 408.1.A. – Plan showing all existing streets and utility rights-of-way, parks, and other public open spaces, permanent buildings and structures, houses or permanent easements, and zoning and municipal boundaries with 500 feet of the tract.

Justification for Relief: The site is already developed and only requires paving and landscaping. This final plan was previously approved in February 2011 for Bridge Associates of Tannersville and no changes are being made to the plan.

Is the hardship self-imposed? ☐ Yes ☒ No

Is the hardship related to financial issues? ☐ Yes ☒ No

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

Yes ☐ No ☒ Explain: Bridge Associates of Tannersville received approval of the former plan in 2011 and constructed all of the improvements except for paving and landscaping. The only scope of work is literally to pave the parking lot, install the plants, and repair the building due to damage while it sat empty. Therefore, the intent of the Ordinance has already been met because there is no significant construction proposed. Adding a plan showing the existing features within 500 feet would not add significant information to the set of plans.

---

## APPENDIX G

### ~~REQUEST FOR MODIFICATION~~

Name of Applicant: Homes of the Poconos, LLC

Name of Subdivision or Land Development: Final Land Development Plan of 3006 Route 611

Section of Subdivision and Land Development Ordinance: 408.3.B. – Convenient traffic circulation and parking including a turning movement diagram for not less than a WB-50 truck.

**Justification for Relief:** The Zoning Hearing Board granted a variance on November 12, 2010 from provision of an off-street truck loading area based on no trucks (larger than pickups) rentals or sales or commercial vehicle rentals or sales on site and that no truck loading will be allowed on the site.

Is the hardship self-imposed? \_\_\_\_ Yes \_\_\_\_ X No

Is the hardship related to financial issues? \_\_\_\_ Yes \_\_\_\_ X No

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

Yes \_\_\_\_ No X **Explain:** A vehicle turning movement diagram is provided on Sheet C-3 and trucks are not allowed on the site per the granted variance.

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: Homes of the Poconos, LLC

Name of Subdivision or Land Development: Final Land Development Plan of 3006 Route 611

Section of Subdivision and Land Development Ordinance: 607.16.M.2 – Minimum access driveway width of 24 feet, defined by curbing.

**Justification for Relief:** The existing PennDOT driveway permit is for a 22 foot wide driveway and the gravel is existing. Further, in 2011 the Planning Commission recommended a waiver from installation of curbs based on the stormwater runoff sheet flowing off the site into the wetlands.

Is the hardship self-imposed? \_\_\_\_ Yes \_\_\_\_ X No

Is the hardship related to financial issues? \_\_\_\_ Yes \_\_\_\_ X No

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

Yes \_\_\_\_ No X Explain: A PennDOT permit was already granted to the site for a 22 foot wide driveway based on the low volume use of the site.

## APPENDIX G

### REQUEST FOR MODIFICATION

Date: October 4, 2017

Name of Applicant: Homes of the Poconos, LLC

Name of Subdivision or Land Development: Final Land Development Plan of 3006 Route 611

Section of Subdivision and Land Development Ordinance: 615.3- Parking Lot Landscaping

**Justification for Relief:** The site is already developed and only requires paving and the previously approved landscaping to be installed. The parking lot is not large and will presently be used mainly for parking display vehicles. Only 11 spaces are being provided for customers and employees. We are providing plantings along SR 611, to improve the appearance of the lot, which is totally surrounded by woods on the adjacent un-buildable property.

Is the hardship self-imposed? \_\_\_\_ Yes \_\_\_\_ X No

Is the hardship related to financial issues? \_\_\_\_ Yes \_\_\_\_ X No

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

Yes \_\_\_\_ No X Explain: Bridge Associates of Tannersville received approval of the former plan in 2011 and constructed all of the improvements except for paving and the landscaping. The only scope of work is literally to pave the parking lot, install the landscaping, and repair the building due to damage while it sat empty. Therefore, the intent of the Ordinance has already been met because there is no significant construction proposed. Further, the adjacent un-buildable lots provide sufficient trees.

## APPENDIX G

### REQUEST FOR MODIFICATION

Date: October 4, 2017

Name of Applicant: Homes of the Poconos, LLC

Name of Subdivision or Land Development: Final Land Development Plan of 3006 Route 611

Section of Subdivision and Land Development Ordinance: 615.6 – Buffers and Screens

**Justification for Relief:** A buffer is proposed along SR 611, but because the neighboring lots are un-buildable due to the existing un-named stream, there is nothing to buffer the neighboring lots from. The neighboring lots will not be able to build within 150 feet of the existing stream so that a natural buffer will always exist. Further, the side and rear yards are mainly within the wetlands and stream buffers.

There are no proposed site elements to screen as there is no proposed dumpster (trash will be either removed to another site or a residential container will be used) and the Zoning Hearing Board granted a waiver for the loading area with no trucks allowed on site.

Is the hardship self-imposed? \_\_\_\_ Yes \_\_\_\_ X No

Is the hardship related to financial issues? \_\_\_\_ Yes \_\_\_\_ X No

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

Yes \_\_\_\_ No X Explain: Bridge Associates of Tannersville received approval of the former plan in 2011 and constructed all of the improvements except for paving and the landscaping. The only scope of work is literally to pave the parking lot, install the landscaping, and repair the building due to damage while it sat empty. Therefore, the intent of the Ordinance has already been met because there is no significant construction proposed. Further, the adjacent un-buildable lots provide sufficient trees and buffer the side and rear yards.





**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](http://www.bjengineers.com)

October 20, 2017

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

**SUBJECT: BROOKDALE ENTERPRISES, LLC & VINCENT J. & CHARLIE LYNN TRAPASSO  
FINAL MINOR SUBDIVISION PLAN - ACCEPTANCE REVIEW  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
PROJECT NO. 1730058R**

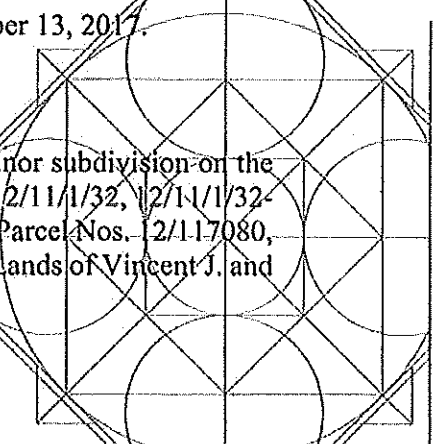
Dear Planning Commission Members:

Pursuant to the Township's request, we have completed an acceptance review of the Minor Subdivision Plan Application for the Lands of Brookdale Enterprises, LLC and the Lands of Vincent J. and Charlie Lynn Trapasso. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- Real Estate Atlas of Monroe County Pennsylvania, Map Volume.
- Property Deed – Deed Book 2440, Page 7334.
- Property Deed – Deed Book 2404, Page 5184.
- PADEP Sewage Facilities Planning Module Application Mailer.
- Preliminary Jurisdictional Determination prepared by the Army Corps of Engineers, dated March 11, 2016.
- Site Plans in support of Wetland Permitting (2 sheets) prepared by Design Group, Inc., dated May 14, 2015.
- Closure Reports for the Overall Tract Boundary, Lot 1 Remaining Lands, Lot 2, Lot 3, Lot 4, Lot 5 Overall, Access Easement.
- Pennsylvania Natural Diversity Inventory Search dated September 22, 2017 with U.S. Fish and Wildlife Clearance dated June 25, 2017.
- Minor Subdivision Plan (5 sheets) prepared by RKR Hess, dated October 13, 2017.

**BACKGROUND INFORMATION**

The Applicant, Brookdale Enterprises, LLC, is proposing a five (5) lot minor subdivision on the property of the former Caesar's Brookdale at the Lake Resort (Parcel Nos. 12/11/1/32, 12/11/1/32-1, 12/11/1/32-2, 12/11/7080). Lot combinations are also proposed between Parcel Nos. 12/11/7080, 12/11/1/32, and 12/11/1/32-2, and between Parcel No. 12/11/1/32 and the Lands of Vincent J. and



Charlie Lynn Trapasso (Parcel No. 12/11/1/15).

The majority of the Resort property is located within the RD, Recreational Zoning District. A portion of Parcel No. 12/11/1/32, nearest S.R. 0611, and adjacent to the Trapasso property is split between the RD, Recreational and C, Commercial Zoning Districts. The Trapasso property is located within the C, Commercial Zoning District.

The existing Resort property has a lot area of 232 acres, and is bordered by Brookdale Road to the south and Summit Road to the west. Dyson Road traverses the existing property. The property consists of the existing resort with the associated lodge, residential units, administrative and support buildings, maintenance buildings, a lake, recreation areas, and other related items. The remainder of the property is primarily woodlands.

The existing Trapasso property has a lot area 0.34 acres, is located within the C, Commercial Zoning District, and consists of one (1) single family residential dwelling.

Proposed Lot 1 will be created through the consolidation of a subdivided part of Parcel No. 12/11/1/32 and Parcel Nos. 12/11/7080 and 12/11/1/32-2. Proposed Lot 1 will have a gross lot area of 92.49 acres (89.21 net acres) and will be bordered by Summit Road to the west, Dyson Road to the east, and Back Mountain Road to the south. Proposed Lot 1 is located within the RD, Recreational Zoning District and will be utilized as the Brookdale Treatment Center in the future. A Conditional Use to utilize this lot as the Treatment Center was approved by the Board of Commissioners on September 20, 2017.

Proposed Lot 2 will have a gross lot area of 31.59 acres (30.41 net acres) and will be bordered by Back Mountain Road to the north. Proposed Lot 2 is located within the RD, Recreational Zoning District. Scot Run traverses Proposed Lot 2 to the east, and the remainder of the lot will consist of existing woodlands.

Proposed Lot 3 will have a gross lot area of 21.15 acres (20.23 acres net) and will be bordered by Dyson Road to the west and Brookdale Road to the south. Proposed Lot 3 is located within the RD, Recreational Zoning District. A private driveway traverses Proposed Lot 3, and the lot will consist of existing resort facilities.

Proposed Lot 4 will have a gross lot area of 84.87 acres and will take access via an existing private driveway from S.R. 0611. Proposed Lot 4 is located within the RD, Recreational Zoning District.

Proposed Lot 5 is created through a lot combination between a subdivided part of Parcel No. 12/11/1/32 and the Lands of Vincent J. and Charlie Lynn Trapasso. Proposed Lot 5 is located within the C, Commercial Zoning District and will have a gross lot area of 1.55 acres. The existing single family residential dwelling will remain.

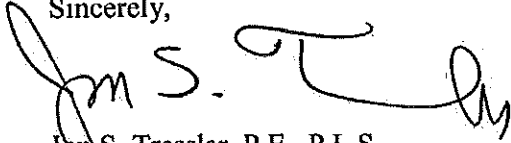
In accordance with Article II, Definitions, of the Subdivision and Land Development Ordinance, the proposed five (5) lot subdivision is considered a Minor Subdivision.

Pocono Township Planning Commission  
October 20, 2017  
Page 3 of 3

Based upon our review, we recommend the Planning Commission accept the Minor Subdivision Plan for review providing all other requirements have been met including, but not limited to, formal written applications and application fees with establishment of an escrow to cover the costs of review.

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", with a stylized flourish at the end.

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

JST/mep/cg

cc: Donna Asure – Township Manager  
Pam Tripus – Township Secretary  
Michael Tripus – Township Zoning Officer  
Leo DeVito, Esquire – Township Solicitor  
Lisa Pereira, Broughal & DeVito, LLP  
Brookdale Enterprises, LLC – Equitable Property Owner/Applicant  
Silverleaf Resorts, Inc. – Property Owner  
Vincent J. and Charlie Lynn Trapasso – Property Owners  
Samuel M. Alessandro, P.E., RKR Hess – Applicant's Engineer  
Melissa E. Prugar, P.E. – Boucher & James, Inc.

S:\2017\1730058R\Documents\Correspondence\Review Letters\Brookdale Enterprises\_Minor.Subdivision\_Acceptance.Review.docx



A DIVISION OF UTRS

Civil Engineers • Environmental Engineers • Surveyors

TO:	Pocono Township
	PO Box 137
	Tannersville, PA 18372

## LETTER OF TRANSMITTAL

112 North Courtland Street, P.O. Box 268  
East Stroudsburg, PA 18301  
Telephone (570) 421-1550 Fax (570) 421-6720  
EMAIL: [INFO@RKRHES.COM](mailto:INFO@RKRHES.COM)

Date: 10/13/2017	Job No: 10353.002
Attention: Pam Tripus	
Re: Brookdale Minor Subdivision Application	

### WE ARE SENDING YOU THE FOLLOWING ITEMS:

VIA	<input type="checkbox"/> Standard Mail	VIA: <input type="checkbox"/> UPS <input type="checkbox"/> FED EX
	<input type="checkbox"/> Facsimile	
	<input type="checkbox"/> Overnight Mail	
	<input checked="" type="checkbox"/> Hand Delivered	

COPIES	DATE	NO.	DESCRIPTION
14	10/13/17	2	Minor Subdivision Plan review application
14	10/13/17	1	Pocono Township Checklist
14	10/13/17	5	Minor Subdivision Plan [(4) full size and (10) 11x17 copies]
4	10/13/17	2	Sewage Facilities Planning Module mailer
5	3/11/17	5	Wetland JD and map
5			Tract history Narrative & Deeds
4	10/13/17		All other supporting data (closures)
1			Fee – Residential Minor Subdivision Township fee - \$500
1			MCPC Receipt
4			PNDI & USFW Clearance

THESE ARE TRANSMITTED as checked below:

<input checked="" type="checkbox"/> For approval	<input type="checkbox"/> For review and comment	<input type="checkbox"/> As requested
<input type="checkbox"/>		

### REMARKS:

Professional Services Agreement, including the escrow, has been submitted to Pocono Township.

An electronic copy of the submission will be forwarded via email along with the MCPC submission receipt.

Jeff Durney, Esq

COPY TO: Brookdale Enterprises LLC

SIGNED: Nate Oiler

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

P:\PA\Monroe Co\Pocono Twp\Brookdale Ent LLC\10353.002 Minor Subd and Sewage Planing\Project Info\Permit Applications\Minor Subd\2017-10-XX Minor Subd Subm\WP\2017-10-13 Minor Subd Subm LOT.docx

## POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

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

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

1. \_\_\_\_\_ Preliminary Plan Submission \_\_\_\_\_ Lot Line Adjustment  
\_\_\_\_\_ Final Plan Submission \_\_\_\_\_ Lot Combination  
x \_\_\_\_\_ Final Plan-Minor Subdivision \_\_\_\_\_ Sketch Plan

2. Name of Land Development: Minor Subdivision Lands of Brookdale Enterprises LLC and Lands of Vincent J. & Charlie Lynn Trapasso

Plan Dated: \_\_\_\_\_ County Deed Book No.: \_\_\_\_\_

Volume No.: \_\_\_\_\_ Page No. : \_\_\_\_\_

Property located in the Township's Designated RD Recreational District & C Commercial Zone.

3. Name of Property Owner(s): See table below  
(If corporation, provide corporations' name and address and two officers of corporation)

Owner:	<u>Silverleaf Resorts Inc.</u>	<u>Vincent J &amp; Charlie Lynn Trapasso</u>
	<u>c/o Orange Lk Rst/Financial Sv</u>	
	<u>8505 W Irlo Bronson Memorial Highway</u>	<u>3329 Mountain View Drive</u>
Address:	<u>Kissimmee, FL 34747-8217</u>	<u>Tannersville, PA 18372</u>
	<u>12-6364-00-64-9404 [12/11/1/32]</u>	
	<u>12-6364-03-43-2914 [12/11/7080]</u>	
	<u>12-6364-00-43-1920 [12/11/1/32-2]</u>	
Tax ID No.	<u>12-6364-00-53-1080 [12/11/1/32-1]</u>	<u>12-6364-04-73-3630 [12/11/1/15]</u>

4. Name of Applicant: Brookdale Enterprises LLC  
(If other than owner)  
Address: PO Box 531  
Tannersville, PA 18372 Phone No.: c/o Jeff Durney, Esq. 570-620-0320

5. Applicant's interest if other than owner: Equitable Owner

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

RKR Hess, a division of UTRS, Inc. Attn Nate Oller  
Address: 112 North Courtland Street  
East Stroudsburg, PA 18301 Phone No.: 570-421-1550 xt 414

7. Total Acreage: 232.02 acres Total Number of Lots: Existing - 5; Proposed - 5

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

9. Type of Development Planned: Single Family: \_\_\_\_\_  
Two-Family: \_\_\_\_\_  
Multi-Family: \_\_\_\_\_  
Commercial: \_\_\_\_\_  
Industrial: \_\_\_\_\_  
Other: Future Development - to be determined

## POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

10. Will construction of building be undertaken immediately \_\_\_\_ Yes x No

By Whom: \_\_\_\_\_ Person Subdividing  
\_\_\_\_\_ Other Developer  
\_\_\_\_\_ Purchasers of individual lots

11. Type of water supply proposed: Lot 4 Public (Municipal) system - BCRA  
Lot 1, 3 Private (Centralized)  
Lot 2, 5 Individual (On Site)

12. Type of sanitary sewage Disposal proposed: Lot 4, 5 Public (Municipal) system  
Lot 1, 2 Private (Centralized)  
Lot 3 Individual (On Site)

13. Are all streets proposed for dedication: \_\_\_\_ Yes x No

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

n/a

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

RD-Recreational District & C-Commerical District, No change proposed

16. Have appropriate public utilities been consulted: x Yes \_\_\_\_ No

17. Material accompanying this Land Development Application:

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

18. List all subdivision standards and requirements which have not been met and for which a waiver or change is to be required: Written requests attached, if necessary

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

Date: 10-13-17

Signature of Owner or Applicant: 

(By) \_\_\_\_\_

POCONO TOWNSHIP PLAN RECEIPT CHECK LIST

Name of Subdivision or Land Development Plan: Minor Subdivision Lands of Brookdale Enterprises LLC and Trapasso

Property Identification # 12-6364-00-64-9404, 12-6364-03-43-2914, 12-6364-00-43-1920, 12-6364-00-53-1080, 12-6364-04-73-3630

Date: 10/13/17

Name of Developer: Brookdale Enterprises LLC  
Address: PO Box 531  
Tannersville PA 18372  
Phone: (570) 839-2558 x 6  
Email: vint@desakirestaurant.com

Name of Engineer or Surveyor: RKR Hess, a division of UTRS Inc.  
Address: 112 North Courtland Street  
East Stroudsburg PA  
Phone: 570.421.1550x 414  
Email: noiler@rkrhess.com

Attorney – Jeff Durney 570.620.0320

Final Major Subdivision and/or Land Development

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

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

Minor Subdivision Plan Check List

X= provided

\*= previously provided

na- not applicable to this application

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Signed dated Application – 17 copies
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Professional Services Agreement and Escrow payment
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Required Application Fees
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plan -17 copies - (4 full sets, 10 - 11"x17", and 1 electronic via email)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetland Study or abbreviated Study (if warranted) – 5 copies
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Modification Request for all requested Modifications – 17 copies
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tract History for verification of minor plan consideration – 4 copies
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor Planning Modules as per DEP Requirement – 4 copies
<input checked="" type="checkbox"/>	<input type="checkbox"/>	PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential – 4 copies if Applicable.

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

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

## 1. Development Information

Name of Development Brookdale Treatment Resort  
 Developer Name Brookdale Enterprises LLP  
 Address PO Box 531  
Tannersville, PA 18372  
 Telephone # c/o RKR Hess 570.421.1550.  
 Email noiler@rkrhess.com

## 2. Location of Development

- a. County Monroe  
 b. Municipality Pocono  
 c. Address or Coordinates 2455 Back Mountain Road,  
Swiftwater PA 18370  
 d. Tax Parcel # 12-6364-00-64-9404, 12-6364-03-43-2914,  
12-6364-00-43-1920, 12-6364-00-53-1080, 12-6364-04-73-3630  
 e. USGS Quad Name Mount Pocono  
inches up 15.25 over 12.3  
from bottom right corner of map.  
 f. Located in a High Quality/Exceptional Value watershed?  
☒ Yes ☐ No

## 3. Type of Development Proposed (check appropriate box)

- ☐ Residential ☐ Multi-Residential

Describe \_\_\_\_\_

- ☒ Commercial ☒ Institutional

Describe existing resort to become treatment resort,  
hotel/timeshare units, potential commercial development

☐ Brownfield Site Redevelopment

☐ Other (specify) \_\_\_\_\_

## 4. Size

- a. # of lots 5 existing tax parcels, 5 proposed lots  
# of EDUs 238 per existing planning for Brookdale WWTP  
 b. # of lots since 5/15/72 5  
 c. Development Acreage 140 (Lot 2,3,4,5)  
 d. Remaining Acreage 92 (Lot 1)

5. Sewage Flows 95,000 per approved planning gpd

## 6. Proposed Sewage Disposal Method (check applicable boxes)

- a. ☐ Sewerage System  
☒ Existing (connection only) ☐ New (extension)  
☒ Public ☐ Private  
☐ Pump Station(s)/Force Main ☐ Gravity

Name of existing system being extended

see narrative

Interceptor Name \_\_\_\_\_

Treatment Facility Name Brookdale Resort WWTP -  
existing

NPDES Permit # PA 006921

- b. ☐ Construction of Treatment Facility  
☐ With Stream Discharge  
☐ With Land Application (not including IRSIS)  
☐ Other  
☐ Repair?

Name of waterbody where point of discharge is proposed  
 (if stream discharge)

- c. ☒ Onlot Sewage Disposal Systems  
 (check appropriate box)  
☐ Individual onlot system(s) (including IRSIS)  
☒ Community onlot system  
☐ Large-Volume onlot system

- d. ☐ Retaining tanks

Number of Holding Tanks na

Number of Privies na

7. ☒ Request Sewage Facilities Planning Module forms in electronic format

## 8. Request for Planning Exemption

- a. Protection of rare, endangered or threatened species

Check one:

- ☒ The "PNDI Project Environmental Review Receipt" is attached.  
 or

☐ A completed "PNDI Project Planning & Environmental Review Form," (PNDI Form) is attached. I request DEP staff to complete the required PNDI search for my project. I realize that my planning exemption will be considered incomplete and that the DEP processing of my planning exemption request will be delayed, until a "PNDI Project Environmental Review Receipt" and all supporting documentation from jurisdictional agencies (when necessary) is/are received by DEP.

Applicant or Consultant Initials \_\_\_\_\_

- b. ☐ Plot Plan Attached ☐ Site Reports Attached

## c. Onlot Disposal Systems

- (1) I certify that the Official Plan shows this area as an onlot service area.

\_\_\_\_\_  
 (Signature of Municipal Official) Date

\_\_\_\_\_  
 Name (Print) Title

Municipality (must be same as in 2.b.)

Telephone # \_\_\_\_\_

- (2) I certify that each lot in this subdivision has been tested and is suitable for both a primary and replacement sewage disposal system.

\_\_\_\_\_  
 Signature of SEO Date

\_\_\_\_\_  
 Name (Print) Certification #

Telephone # \_\_\_\_\_

- (3) I certify that each lot in this subdivision is at least 1 acre in size

\_\_\_\_\_  
 (Signature of Project Applicant/Agent) Date

- d. Public Sewerage Service (i.e., ownership by municipality or authority)

Based upon written documentation, I certify that the facilities proposed for use have capacity and that no overload exists or is projected within 5 years. (Attach documents.)

\_\_\_\_\_  
 (Signature of Municipal Official) Date

\_\_\_\_\_  
 Name (Print) Title





**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](http://www.bjengineers.com)

October 20, 2017

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

**SUBJECT: BEST AUTO SERVICE – 2945 ROUTE 611 – ACCEPTANCE REVIEW  
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
PROJECT NO. 1730054R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed an acceptance review of the Preliminary/Final Land Development Plan Application for Best Auto Service. The submitted information consists of the following items.

- Preliminary/Final Land Development Plan (1 Sheet) prepared by Brian D. Courtright, P.L.S. dated September 8, 2017.

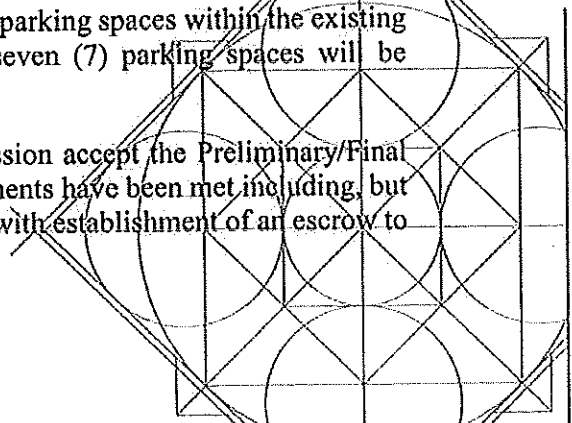
**BACKGROUND INFORMATION**

The Applicant is proposing to add a used car sales use at its existing property located on the eastern side of State Route 0611, approximately 1,000 feet north of the intersection with Warner Road/Cherry Lane Road, at 2945 Route 611 (Tax Map No. 12-6372-02-55-2546).

The existing property is located within the C, Commercial Zoning District and consists of an existing auto service center that takes access from State Route 0611 and includes associated service bays and paved parking. The existing auto service center was previously reviewed by the Township and approved by the Board of Commissioners at its meeting held on July 6, 2015.

The proposed used car sales use consists of providing seven (7) parking spaces within the existing paved parking lot and adjacent to State Route 0611. The seven (7) parking spaces will be designated for the proposed used car sales use.


Based upon our review, we recommend the Planning Commission accept the Preliminary/Final Land Development Plan for review providing all other requirements have been met including, but not limited to, formal written applications and application fees with establishment of an escrow to cover the costs of review.



Pocono Township Planning Commission  
October 20, 2017  
Page 2 of 2

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: Donna Asure – Township Manager  
Pam Tripus – Township Secretary  
Michael Tripus – Township Zoning Officer  
Leo DeVito, Esquire – Township Solicitor  
Lisa Pereira, Broughal & DeVito, LLP  
L&T Business Enterprises, LLC c/o Best Auto Service Center – Property Owner  
Brian D. Courtright, P.L.S. – Applicant's Surveyor  
Melissa E. Prugar, P.E. – Boucher & James, Inc.

S:\2017\1730054R\Documents\Correspondence\Review Letters\Best.Auto.Land.Development\_Acceptance.Review.docx

**POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION**

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

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

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

2. Name of Land Development: BEST Auto Amending use of parking spaces  
Plan Dated: \_\_\_\_\_ County Deed Book No.: \_\_\_\_\_

Volume No.: 2410 Page No.: 9364

Property located in the Township's Designated C Zone.

3. Name of Property Owner(s): L+T BUSINESS ENTERPRISES Tom Sforza  
(If corporation, provide corporations' name and address and two officers of corporation) LEE Lisa Sforza

Address: 2945 Rt 611  
Phone No.: 570 688-2378

4. Name of Applicant: \_\_\_\_\_  
(If other than owner)

Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_

5. Applicant's Interest if other than owner: \_\_\_\_\_

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

BRIAN D COURTRIGHT PLS

Address: Box 333  
Pocono Summit PA 18346 Phone No.: \_\_\_\_\_

7. Total Acreage: 1.30 Total Number of Lots: 1

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

9. Type of Development Planned: Single Family: \_\_\_\_\_  
Two-Family: \_\_\_\_\_  
Multi-Family: \_\_\_\_\_  
Commercial: Auto REPAIR  
Industrial: \_\_\_\_\_  
Other: \_\_\_\_\_

**POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION**

10. Will construction of building be undertaken immediately \_\_\_\_ Yes \_\_\_\_ No N/A

By Whom: \_\_\_\_\_ Person Subdividing  
\_\_\_\_\_ Other Developer  
\_\_\_\_\_ Purchasers of individual lots

11. Type of water supply proposed: X \_\_\_\_\_ Public (Municipal) system  
\_\_\_\_\_ Private (Centralized)  
\_\_\_\_\_ Individual (On Site)

12. Type of sanitary sewage Disposal proposed: X \_\_\_\_\_ Public (Municipal) system  
\_\_\_\_\_ Private (Centralized)  
\_\_\_\_\_ Individual (On Site)

13. Are all streets proposed for dedication: \_\_\_\_ Yes N/A \_\_\_\_ No

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

15. Present zoning classification and zoning changes, if any, to be requested:  
\_\_\_\_\_  
\_\_\_\_\_

16. Have appropriate public utilities been consulted: \_\_\_\_ Yes N/A \_\_\_\_ No

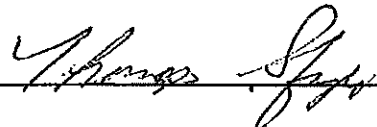
17. Material accompanying this Land Development Application:

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

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

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

Date: 10/12/17

Signature of Owner or Applicant:   
(By) \_\_\_\_\_

L&T20208

Fee Simple Deed

Tax Code: 12/8/1/45

This Indenture, Made the 26<sup>th</sup> day of October in the year of our Lord two thousand twelve(2012).

BETWEEN, Francis C. Durchsprung, P.O. Box 575 Tannersville, PA 18372 ("Grantor"), and

L&T Business Enterprises, LLC, a Pennsylvania Limited Liability Company, 2945 Route 611, Tannersville, PA 18372, ("Grantee").

WITNESSETH, That the said Grantor, for and in consideration of the sum of One (\$100) Dollar lawful money of the United States of America, well and truly paid by the said Grantee to the said Grantor, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said Grantee, their successors and assigns:

ALL THAT CERTAIN parcel of real property situate in Pocono Township, Monroe County, Pennsylvania, BEGINNING at an iron pipe on the east side of Legislative Route 168 (U.S. Route 611), the public road leading from Tannersville to Bartonsville, said pipe being also a corner of lands now or formerly of Horace Raish; thence in and along the said Legislative Route 168 (U.S. Route 611) (Bearings from a former Meridian) South nine degrees twenty-one minutes fifty seconds East one hundred ninety-three and fifteen one hundredths feet to an iron bolt on the east side of the said Legislative Route 168; thence by other lands now or formerly of Lucy Matilda Anglemyre North seventy-seven degrees thirty-one minutes forty seconds East two hundred ninety-nine and one one-hundredths feet to an iron bolt; thence by lands now or formerly of Lucy Matilda Anglemyre, of which this tract was formerly a part, by lands now or formerly of the aforesaid Horace Raish, and by lands now or formerly of Richard Verwey North seventeen degrees twenty-two minutes twenty seconds West two hundred six and thirty-five one-hundredths feet to a pipe; thence by lands now or formerly of the aforesaid Horace Raish South seventy four degrees fifty minutes fifteen seconds West two hundred seventy-one and twenty-one one hundredths feet to the place of BEGINNING. Containing one and three hundred four one-thousandths (1.304) acres, more or less.

BEING THE SAME PREMISES which Francis C. Durchsprung and Shirley J. Durchsprung, by their deed dated September 3, 1985 and recorded in the Office for the Recorder of Deeds in and for Monroe County, Pennsylvania at Book Volume 1461, Page 1200, granted and conveyed unto Francis C. Durchsprung, Grantor hereof, in fee.

UNDER AND SUBJECT to all the rights, privileges, benefits, easements, covenants, conditions, restrictions, reservations, terms and provisions of record.

REC Book 2410 Page 9364

ALSO UNDER AND SUBJECT to the provisions, covenants and obligations contained in a certain Environmental Covenant executed by Grantor in favor of the Pennsylvania Department of Environmental Protection, dated August 10, 2012 and recorded in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania at Record Book 2407, Page 7695. Said Environmental Covenant is a covenant that runs with the land and Grantee hereby accepts and assumes all obligations assumed by Grantor thereunder.

TOGETHER with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part and parcel thereof: AND ALSO, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the said Grantor, of, in, and to the said premises, with the appurtenances:

TO HAVE AND TO HOLD under and subject, as aforesaid, to the said premises, with all and singular the appurtenances unto the said Grantee, their successors and assigns forever,

AND the said Grantor, for themselves, their heirs, executors and administrators, do by these presents, covenant, grant and agree, to and with the said Grantee, their successors and assigns forever, that if the said Grantor, their heirs, all and singular and hereditaments and premises herein above described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, their successors and assigns, against them the said Grantor, their heirs and against all and every other person or persons, whomsoever lawfully claiming or to claim the same or any part thereof, by, from and under it or any of them, SHALL and WILL subject as aforesaid WARRANT and forever DEFEND.

IN WITNESS WHEREOF, the said Grantor to these presents has hereunto set their hands and seals dated the day and year first above written.

SIGNED, SEALED AND DELIVERED )  
IN THE PRESENCE OF US )

 SEAL

RECEIVED, the day of the date of the above Indenture of the above named.

T-489 P0002/0003 F-681

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY STANDARD FLOOD HAZARD DETERMINATION FORM (SFHDF)		See The Attached Instructions	O.M.B. No. 1680-0040 Expires December 31, 2011	
SECTION I - LOAN INFORMATION				
1. LENDER NAME AND ADDRESS  Subscriber/Account #: 1170888 Lois Sylla First National Community Bank 200 South Blakely Street  Dunmore, PA 18612		2. COLLATERAL (Building/Mobile Home/Personal Property) PROPERTY ADDRESS (Legal Description may be attached)  2946 Route 611 Tannersville PA 183727804  Applicant: Best Auto Service Center, Inc. Co-Applicant: Thomas and Lisa Sforza and L&T Busi		
3. LENDER ID NO. 07472	4. LOAN IDENTIFIER 18-50/91600164 ORDER #: 777721	5. AMOUNT OF FLOOD INSURANCE REQUIRED		
SECTION II				
A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY JURISDICTION				
1. NFIP Community Name  POCONO, TWP OF MONROE CO	2. County(ies)  Monroe	3. State  PA	4. NFIP Community Number  421892	
B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING/MOBILE HOME				
1. NFIP Map Number or Community-Panel Number (Community name, if not the same as "A")  42088C0288E	2. NFIP Map Panel Effective/ Revised Date  05/02/2013	3. LOM/LOMR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	4. Flood Zone  X	5. No NFIP Map
C. FEDERAL FLOOD INSURANCE AVAILABILITY (Check all that apply)				
1. <input checked="" type="checkbox"/> Federal Flood Insurance is available (Community participates in NFIP). <input checked="" type="checkbox"/> Regular Program <input type="checkbox"/> Emergency Program of NFIP 2. <input type="checkbox"/> Federal Flood Insurance is not available because community is not participating in the NFIP. 3. <input type="checkbox"/> Building/Mobile Home is in a Coastal Barrier Resources Area (CBRA) or Otherwise Protected Area (OPA). Federal Flood Insurance may not be available. CBRA/OPA Designation Date: _____				
D. DETERMINATION				
IS BUILDING/MOBILE HOME IN SPECIAL FLOOD HAZARD AREA (ZONES CONTAINING THE LETTERS "A" OR "V")? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
If yes, flood insurance is required by the Flood Disaster Protection Act of 1973. If no, flood insurance is not required by the Flood Disaster Protection Act of 1973.				
E. COMMENTS (Optional)				
This is an amended report, due to a map revision by the Federal Emergency Management Agency. The completed date of the prior order was 10/19/2012 12:02:49 PM. Revised Lf6 of Loan Flood				
This determination is based on examining the NFIP map, any Federal Emergency Management Agency revisions to it, and any other information needed to locate the building/mobile home on the NFIP map.				
F. PREPARER'S INFORMATION			DATE OF DETERMINATION	
NAME, ADDRESS, TELEPHONE NUMBER (If other than Lender)  United One Resources, Inc. 270 North Sherman Street Wilkes-Barre, PA 18702 (800) 309-8488			06/07/2013	

86-18-'13 09:17 FROM-

T-489 P0003/0003 F-681

**NOTICE IS GIVEN BY:**

TO: Best Auto Service Center, Inc., Thomas and Lisa Sforza and L&T Busi

Loan Number: 18-5091800164

Order Number: 777721

Determination Date: 06/01/2013

The Flood Disaster Protection Act of 1973, as amended, requires that Federally regulated lending institutions shall not make, increase, extend, or renew any loan secured by improved real estate, or a mobile home located or to be located, in an area that has been identified by the Director of the Federal Emergency Management Agency (FEMA) as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, through the National Flood Insurance Program (NFIP), unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or the maximum limit of coverage made available under the Act with respect to the particular type of property, whichever is less.

**NOTICE TO BORROWER ABOUT SPECIAL FLOOD HAZARD AREA STATUS**

☐ **Notice of Property in Special Flood Hazard Area (SFHA)**

The building or mobile home securing the loan for which you have applied is or will be located in an area with special flood hazards. The area has been identified by the Director of FEMA as an SFHA using FEMA's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHB) for the following community: POCONO, TWP OF MONROE CO - 4218920266B

FIRMs are prepared by FEMA in cooperation with the applicable community to identify high flood risk and low to moderate flood risk areas. This area has at least a one percent (1%) chance of a flood equal to or exceeding the base flood elevation (a 100-year flood) in any given year. During the life of a 30-year mortgage loan, the risk of a 100-year flood in a SFHA is 26 percent (26%). Federal law allows a lender and borrower jointly to request the Director of FEMA to review the determination of whether the property securing the loan is located in an SFHA. If you would like to make such a request, please contact us for further information. [Borrowers may also call a FEMA mapping specialist at (877)336-2627 to discuss their concerns]

☒ **Notice of Property Not in Special Flood Hazard Area (SFHA)**

The building or mobile home described in the attached instrument is not currently located in an area designated by the Director of FEMA as a SFHA. NFIP flood insurance is not required, but may be available. If, during the term of this loan, the subject property is identified as being in a SFHA, as designated by FEMA, you may be required to purchase and maintain flood insurance at your expense.

**NOTICE TO BORROWER ABOUT FEDERAL FLOOD DISASTER ASSISTANCE**

☒ **Notice in Participating Communities**

The community in which the property securing the loan is located participates in the NFIP. The Flood Disaster Protection Act of 1973, as amended, mandates federally insured or regulated lenders to require the purchase of flood insurance on all buildings being financed that are located in SFHA's of communities participating in the NFIP. We will not make you the loan that you have applied for if you do not purchase flood insurance. If you fail to renew flood insurance on the property, Federal law authorizes and requires us to purchase the flood insurance at your expense. The flood insurance must be maintained for the term of the loan.

\* Flood insurance coverage under the NFIP may be purchased through an insurance agent who will obtain the policy either directly through the NFIP or through an insurance company that participates in the NFIP. Flood insurance also may be available from private insurers that are not federally backed.

\* At a minimum, the flood insurance purchased must cover the lesser of:

- (1) the outstanding principal balance of the loan(s); or
- (2) the maximum amount of coverage allowed for the type of building under the NFIP; or
- (3) the full replacement cost value (RCV) of the building and/or contents securing the loan. The market value or land value on which the building is located has no bearing on the RCV of the building.

Flood insurance coverage under the NFIP is limited to the overall value of the property securing the loan minus the value of the land on which the property is located. If the property is affected by Coastal Barrier Resources Area (CBRA) or Otherwise Protected Area (OPA) restrictions or has been designated as Section 1316 under the NFIP, federal flood insurance may not be available.

\* Federal disaster relief assistance, the majority of which is in the form of a low interest disaster assistance loan from the Small Business Administration (SBA), may be available for losses not covered by your flood insurance policy. Flood insurance requirements apply to recipients of Federal disaster assistance grants and SBA disaster assistance loans. If you are planning to build a structure or make repairs, contact the local community's chief executive official to determine building standards for structures within an SFHA.

☐ **Notice in Non-participating Communities**

The community in which the property securing the loan is located, does not participate in the National Flood Insurance Program (NFIP). Federal flood insurance is not available. Private flood insurance may be available on a limited basis in the SFHA's of non-participating communities. Federal financial assistance including disaster assistance grants or loans and flood mitigation grants are not available in SFHA's of nonparticipating communities. For example, if the non-participating community has been identified for at least one year as containing an SFHA, properties located in the community will not be eligible for Federal disaster relief assistance in the event of a federally declared flood disaster. Conventional loans, loans that are not Federally backed can be made on buildings in SFHA's of non-participating communities if authorized by the regulatory authority of the lending institution. However, government guaranteed or insured loans (e.g., SBA, VA and FHA loans) are not permitted to be made in non-participating communities, if secured by structures in SFHA's. A non-participating community can join the NFIP — contact your local chief executive official for additional information.

Borrower's Signature / Date

Co-Borrower's Signature / Date

Lending Institution

Lending Institution Authorized Signature / Date





**Federal Emergency Management Agency**  
Washington, D.C. 20472

November 13, 2015

MR. BRIAN COURTRIGHT  
BRIAN D. COURTRIGHT, PLS  
BOX 333  
POCONO SUMMIT, PA 18346

CASE NO.: 16-03-0082A  
COMMUNITY: TOWNSHIP OF POCONO, MONROE  
COUNTY, PENNSYLVANIA  
COMMUNITY NO.: 421892

DEAR MR. COURTRIGHT:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Sincerely,

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

**LIST OF ENCLOSURES:**

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator  
Community Map Repository  
Region



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA	A parcel of land, as described in the Deed recorded as Instrument No. 201230732, in Book 2410, Page 9364, in the Office of the Recorder of Deeds, Monroe County, Pennsylvania
	COMMUNITY NO.: 421892	
AFFECTED MAP PANEL	NUMBER: 42089C0266E	
	DATE: 5/2/2013	

FLOODING SOURCE: POCONO CREEK

APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 41.034, -76.302

SOURCE OF LAT & LONG: GOOGLE EARTH PRO

DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	--	2845 Route 611	Property	X (shaded)	--	--	854.0 feet

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMA Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

## Table of Contents

Section 701 - General Conditions.....	1
Section 702 - Prohibited Signs .....	3
Section 703 - Permitted Sign Types by Zone .....	3
Section 704 – Sign Restrictions by Zone/Type.....	3
Section 705 - Signs Used exclusively along Route 80 .....	7
Section 706 - Sign set back and spacing requirements.....	7
Section 707 - Master Sign Plan Requirements.....	8
Section 708 - Nonconforming Signs .....	9
Section 709 - Permits .....	10
Section 710 - Fees .....	11
Section 106 - Survival and Severability .....	12
Section 202 - Definitions .....	12

## ARTICLE VII SIGNS

### Section 701 - General Conditions

#### A. The following conditions shall apply to all Signs:

1. No Sign shall be placed or located in any manner that would create a hazard or endanger the health, safety or welfare of the general public.
2. No Sign shall be placed in such a position that it will cause danger to traffic on a street.
3. Only authorized official traffic or public utility Signs may be erected within or over any street right-of-way.
4. Official traffic Signs are permitted in all districts and shall be in conformity with regulations of the Commonwealth of Pennsylvania.
5. Public utility Signs required in connection with the identification, operation or protection of a public utility are permitted in all districts.
6. All sign types may be illuminated. Any Illuminated Sign or lighting device shall employ only lights emitting a light of constant intensity, and no Sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights, with the exception of time and temperature Signs. In no event shall an illuminated Sign or lighting device be placed or directed so as to permit the beam and/or illumination there

from to be directed or beamed upon a public street, sidewalk or adjacent premises so as to cause glare or reflection that constitutes a hazard or nuisance. If Signs are externally illuminated at night, all light sources shall be shielded from the view of adjacent lots and roads. No Sign shall not be illuminated between the hours of 10:00 p.m. and 6:00 a.m.

7. No Sign shall be erected or maintained at the intersection of roads in such manner as to obstruct free and clear vision of the intersection. No Sign shall be located within the clear sight triangle, as specified in the Pocono Township Subdivision and Land Development Ordinance, of any public or private street intersections
8. No signage shall be placed on the roof of any building.
9. Unless stated otherwise in this Article, no such Sign shall be more than fifteen (15) feet in height from the average existing natural grade at the base of the Sign, and all such structures shall have an open space of not less than three feet between its lower edge and the ground.
10. All Signs, other than Wall Signs, shall be self-supporting on their own structure and shall not be attached to trees, utility poles or other like features unless otherwise allowed under this Ordinance.
11. With exception of Monument Signs located at four way intersections, no Sign shall contain more than two (2) faces, with each face being a backup to the other with an interior angle of no greater than thirty (30°) degrees.
12. All proposed Signs in any zoning district along a state or interstate or highway shall obtain Penn DOT approval and a permit, where applicable.
13. The applicant shall provide the Township Zoning Officer a copy of Penn DOT's approval of the Sign placement prior to Sign construction, where applicable.
14. An application for any Sign shall include plans for the size, shape, color, and lighting, manner of display, lettering and placement of any such consolidated or combined Signs at any such Sign plaza. Any Sign erected without all the appropriate permits shall be in violation of this Article VII.
15. Every Sign shall be maintained in safe structural condition at all times.
16. Must comply with the applicable state and township building codes, the Uniform Construction Code ("UCC"), as amended as to structural and electrical standards, and all other applicable laws, ordinances, codes, and standards

**Section 702 - Prohibited Signs**

The following Signs are prohibited in all zoning districts:

- A. Banners, flags (excluding United States flag), Spinners, Pennants, Human Signs, A frames or any moving object containing a message or not, excluding PennDot permitted banners over roads ways.
- B. Flashing, blinking, twinkling, animated or moving Signs of any type. This restriction specifically includes Signs on mobile stands. This shall not prohibit Christmas or other holiday lighting or displays. This shall not prohibit Electronic Message Signs as permitted in Section 704.D.
- C. Signs which emit smoke, visible vapors or particles, sound or odor.
- D. No Sign shall be painted directly upon a roof of any building
- E. No Sign shall be erected, used or maintained which in any way simulates official, directional or warning Signs erected or maintained by the state, county or township or by any railroad or public utility or similar agency concerned with the protection of the public health or safety.
- F. Signs placed in, on or affixed to trailers, whose sole purpose is to support a free-standing Sign.
- G. The outlining of rooflines, doors, windows or wall edges by illuminated neon light tubing.

**Section 703 - Permitted Sign Types by Zone**

Permitted Sign Types	R-1 & R-2	R-D	C	CD	RID*	I
Freestanding	None	Allowed	Allowed	Allowed	Allowed	Allowed
Wall	None	Allowed	Allowed	Allowed	Allowed	Allowed
Billboards*	None	Allowed	Allowed	None	Allowed	Allowed
Monument	Allowed	Allowed	Allowed	None	Allowed	Allowed
Sign Plaza	None	Allowed	Allowed	None	Allowed	Allowed
Window	None	Allowed	Allowed	None	Allowed	Allowed
Digital and Electronic	None	Allowed	Allowed	None	Allowed	Allowed
Secondary	None	Allowed	Allowed	None	Allowed	Allowed
Temporary	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed

\* Conditional use

**Section 704 – Sign Restrictions by Zone/Type**

A. Where Freestanding Signs are permitted, the following restrictions apply:

1. One (1) Freestanding Sign not exceeding fifty (50') square feet in Gross Surface Area, except in a Regional Impact Development and in the Industrial zone the maximum permitted size of a Freestanding Sign is one hundred and fifty feet (150') Gross Surface Area.
2. If the property fronts upon more than one public road, a Freestanding Sign not exceeding twenty-four (24) square feet in Gross Surface Area may be erected on each road frontage.
3. Freestanding Signs shall not be placed closer than twenty-five (25') feet to any property line other than a road right-of-way and shall have an open space of not less than three (3') feet between its lower edge and the ground and not exceed fifteen feet (15') in height.

B. Where Wall Signs are permitted, the following restrictions apply:

1. Wall Signs may be attached to the building walls fronting on each road providing access to the lot. One (1) Wall Sign may be permitted for each separate tenant in the building. The maximum total Gross Surface Area of all Signs on any building wall shall not exceed fifty (50') square foot in total combined Gross Surface Area of any building. Area. If individual letters or other identifying characters are fastened directly to a wall, the Gross Surface Area of the Sign shall be calculated as the smallest rectangle that can encompass all of the letters or identifying characters.
2. For a Regional Impact Development or Institutional Campus, size restrictions for Wall Signs are as follows:

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

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

3. A single non-residential building shall be limited to having a Sign or Signs on no more than three (3) building façades.

<sup>1</sup> In the event the maximum area of a Wall Sign on a single façade calculated in accordance with this Schedule is less than thirty-two (32) square feet, the owner or user of the building in question may erect a Wall Sign containing up to thirty-two (32) square feet of Wall Sign area.

4. All Wall Signs shall be flat against the wall of a building and shall not extend more than twelve (12") inches from the wall.
  5. Wall Signs shall not be located or erected on the roof area of any building, shall be located only on the building walls and may not project above the building roofline.
  6. One additional Wall Sign is permitted at each point of vehicular access to the property. The Gross Surface Area of this Wall Sign shall not exceed three (3) square feet for each exposed face.
- C. Where Billboard Signs are permitted as a Conditional Use, the following restrictions apply:
1. Billboards shall have a maximum sign area of 378
  2. Billboards shall have a maximum height of to be determined by their proposed location
  3. There shall be a minimum spacing of between Billboards to be determined by their proposed location.
  4. Billboards shall only be permitted along the Interstate 80 and State Route 611 corridors.
- D. Where Electronic Message Signs are permitted, the following restrictions apply:
1. All messages, images, or displays on a Electronic Message Sign shall not change and shall remain unchanged for a minimum of eight (8) seconds. All messages, images, or displays on a Electronic Message Sign, located along a straightaway, shall not change and shall remain unchanged for a minimum of eight (8) seconds.
  2. The time interval used to change from one complete message, image, or display shall be a maximum of one (1) second.
  3. There shall be no appearance of a visual dissolve or fading, in which any part of one message, image, or display disappears simultaneously with the appearance of any part of a second message, image, or display.
  4. There shall be no appearance of flashing or sudden bursts of light, and no appearance of video motion, animation, movement, or flow of message, image, or display within the Sign.
  5. The intensity and contrast of light levels shall remain constant throughout the Sign face.
  6. Electronic Message Signs shall be equipped with an automatic day/night dimming software to reduce the illumination of the Sign, based on ambient light levels, to be visible without providing glare or distraction to the public. The dimming device shall minimize the illumination used to the lowest level necessary to make the Sign conspicuous and viable during both daytime and night time hours. In no case shall the nighttime illumination intensity of the Sign from one hour after sunset to one hour prior to sunrise exceed one hundred fifty (150) nits.

- a) The size limitations for Electronic Message Sign Signs shall be determined by the restrictions that apply by that zone. By way of example, if the Electronic Message Sign is a Wall sign, the size restrictions for Walls Signs in that zone will apply.

E. Where Monument Signs are permitted, the following restrictions apply:

1. One (1) Monument Sign identifying the main entrance location, toward a street to which it has permitted access.
2. The maximum height of the Sign shall be ten (10') feet from the average existing natural grade at the base of the Sign.
3. Except in R-1 and R-1, the maximum area of the Monument Sign shall be as follows:

Gross area of non-residential structure	Maximum GSA of main entrance location Sign	Maximum letter/logo/symbol size
0 to 25,000 sq. ft.	50 sq. ft. per face	18"
25,001 to 50,000 sq. ft.	60 sq. ft. per face	24"
50,001 to 100,000 sq. ft.	80 sq. ft. per face	24"
100,001 to 150,000 sq. ft.	120 sq. ft. per face	30"
150,001 sq. ft. and above	160 sq. ft. per face	36"

4. Monument signs in R-1 and R-2 shall be permitted on both sides of the entrance to the residential development, and shall not be more than 50 sq. ft. on Gross Surface Area and no more than ten (10') feet from the average existing natural grade at the base of the Sign.

F. Where Secondary Signs are permitted, the following restrictions apply:

1. One (1) Secondary Sign adjacent to intersecting interior driveways or an interior driveway nearest each building or buildings.
2. The maximum height of the Secondary Sign shall be six (6') feet from the average existing natural grade at the base of the Sign.
3. The maximum Gross Surface Area of the Sign shall be eight (8) square feet per face.
4. Secondary Signs shall be setback at least ten (10') feet from any cartway; however, in no case shall said Sign be located in such a way to cause a safety hazard.

G. Where Sign Plazas are permitted, the following restrictions apply:

1. Where a number of Signs are justified, a Sign plaza, may be erected wherein Signs may be consolidated and confined within a single frame or as a combination of Sign panels.
2. The maximum size for a Sign Plaza is as follows:

Structure Size	Sign Plaza Size
0 to 50,000 sq. ft.	50 sq. ft. Gross Surface Area



50,001 to 99,000 sq. ft.	80 sq. ft. Gross Surface Area

3. A landscaped island containing shrubs or flowers with a minimum of thirty two (32) square feet in area and a minimum of one foot in height is required around all Sign plazas. The island shall be formed from materials such as, but not limited to, stone, brick or landscape timbers. The area of the island shall be maintained to keep it free of weeds, debris and brush. A sketch of the Sign and island shall be submitted with the zoning permit application for review and approval by the Zoning Officer.

4. One (1) of the Signs which are part of the Sign Plaza may be an Electronic Message Sign provided it complies with the requirements of this Section 704.D. The Electronic Message Sign shall not exceed twenty (20%) percent of the Sign plaza Gross Surface Area permitted in this Section.

H. Where Window Signs are permitted, the following restrictions apply:

1. No more than two (2) window signs are permitted per window at any one time

I. Where Temporary Signs are permitted, the following restrictions apply:

A property owner may place one (1) Temporary Sign, at any one time, with a Gross Surface Area of no larger than the following;

R-1 and R-2	R-D	C	CD	RID	I
2 sq. ft.	8 sq. ft.	8 sq. ft.	6 sq. ft.	8 sq. ft.	8 sq. ft.

#### **Section 705 - Signs Used exclusively along Route 80**

A. Maximum Gross Surface Area per side of not more than three hundred seventy-eight (378) square feet for Signs used exclusively along I-80.

B. Along I-80, the top of the Sign shall not exceed a vertical dimension of twenty-five (25') feet above the average existing natural ground level of the lot, or the level grade of the roadway, whichever is greater. Along secondary arterial and collector roads, the top of the Sign shall not exceed a vertical dimension of fifteen (15') feet above the average existing natural ground level of the lot, or the level grade of the roadway, whichever is greater. No Sign shall be erected upon a berm or other artificial/man-made structure designed to increase the height of the Sign or the average ground level surrounding a Sign.

C. Any sign along Route 80 that exceeds the vertical dimension of 25 feet will require a condition use approval.

#### **Section 706 - Sign set back and spacing requirements**

The following apply to all signs regardless of type or location:

A. Setback at least fifteen (15') feet from the future road right-of-way for all Signs.

- B. Located no closer than three hundred (300') feet from a R1, R2, or RD Zoning District as measured along the same side of the street.
- C. Shall be erected in conformity with the front, side and rear requirements of the zoning district in which they are located.

### **Section 707 - Master Sign Plan Requirements**

A Master Sign Plan shall be submitted to the Zoning Officer for all non-residential developments, lots, sites or structures of one (1) or more uses that utilize or will utilize five (5) or more Signs requiring a zoning permit. All Signs requiring a zoning permit in a non-residential development, lot, site, structure or use requiring a Master Sign Plan shall comply with the Master Sign Plan. A Master Sign Plan shall be submitted to the Zoning Officer prior to the issuance of a zoning permit for a Sign(s) for each use in a non-residential development, lot, site or structure requiring a Master Sign Plan. A Master Sign Plan shall include the following information:

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

- H. A Master Sign Plan shall be submitted as part of a final land development plan for a non-residential land development, in whole or in part, that is governed by this Article VII with respect to all existing, proposed, or future Signs known at the time of final land development plan submission.

## **Section 708 - Nonconforming Signs**

### **A. General**

1. Any Sign lawfully existing or under construction which does not conform to the provisions herein on the date of enactment of this Ordinance and any Sign which is accessory to a nonconforming use shall be deemed a nonconforming Sign.
2. No nonconforming Sign shall voluntarily be enlarged, extended, structurally reconstructed or altered in any manner unless the enlargement, extension, reconstruction or alteration will result in the elimination of the nonconforming features of the Sign.
3. Normal maintenance of legal nonconforming Signs, including changing of copy, necessary repairs and incidental alterations which do not extend, increase or intensify the nonconforming features of the Sign, are permitted. Nonconforming Signs which are relocated or voluntarily replaced shall comply immediately with all provisions of this Ordinance.

### **B. Removal**

Except as otherwise provided in the Pocono Township Zoning Ordinance, nonconforming Signs may remain, provided that they are maintained in good repair, except for the following:

### **C. Damage or Destruction of Sign**

A nonconforming Sign which is damaged or destroyed may be repaired or restored, provided that the repair or restoration is commenced within sixty (60) days and completed within one hundred twenty (120) days after receipt of written notice from the Zoning Officer that the same must be removed if it is not repaired or restored within one hundred twenty (120) days. The notice shall be sent to the owner of the Sign and/or the person owning or having a beneficial interest in or to the structure or premises on which such Sign is located. The repaired/restored Sign shall not be enlarged, extended nor be nonconforming in any other manner from the Sign which was damaged or destroyed. If the Sign is not repaired/restored within said sixty-day period, the Zoning Officer is hereby authorized to remove or cause the removal of the Sign at the expense of the owner of the Sign and/or the person owning or having a beneficial interest in or to the structure or premises on which such Sign is located.

### **D. Unauthorized Signs**

Any unauthorized Sign, whether existing on or erected after the effective date of this Ordinance, shall be removed within thirty (30) days after receipt of written notice from the Zoning Officer. If the Zoning Officer shall find that any unauthorized Sign has not been removed within thirty (30) days, the Zoning Officer is hereby authorized to petition the

Court to have the Sign removed at the expense of the owner of the Sign and/or person owning or having a beneficial interest in the structure or premises on which such Sign is located.

#### E. Unsafe Signs

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

#### Section 709 - Permits

- A. After the effective date of this Ordinance, all existing Signs, including nonconforming Signs, which are not exempt from the permit requirements of this Ordinance pursuant to Section 708. A, above shall require a Sign permit issued by the Zoning Officer. Permits for such Signs shall be applied for within ninety (90) days after the effective date of this Ordinance. Failure to apply for a permit shall constitute a violation of this Ordinance and shall subject the owner to any penalties or remedies provided or available.
- B. After the effective date of this Ordinance, no permitted Signs shall be erected unless a Sign permit is issued by the Zoning Officer.
- C. No Trespassing," "No Fishing," "No Hunting," "No Dumping," "No Parking," towing and other similar Signs (as set forth in Title 75 of the Pennsylvania Vehicle Code and its regulations and as set forth in Title 18 of the Pennsylvania Crimes Code and its regulations) not exceeding two (2) square feet in Gross Surface Area for each exposed face, nor exceeding an aggregate Gross Surface Area of four (4) square feet do not require a permit.
- D. Permit fees shall not be collected for any Township or State Signs. The Township shall be permitted to utilize Signs to identify Township-sponsored events without a permit.

Signs for which a permit is required shall bear the permit number and name of the permit holder and said information shall be affixed to the Sign in a permanent manner in the lower right-hand corner of each Sign face. Failure to affix and maintain the permit number shall constitute cause for revocation of the permit by the Zoning Officer in addition to any other penalties or remedies provided or available.

- E. Written application for a permit shall be made to the Zoning Officer upon forms prescribed and provided by the Zoning Officer, which shall be signed by the applicant.
- F. In the event that the applicant is not the owner of the property where the Sign is to be located, written consent of the owner of the property will be required prior to the issuance of a Sign permit.
- G. A copy of any required or necessary electrical permit issued for any Sign or a copy of the application therefor.
- H. Real estate tax code number and property identification number (PIN) for the property on which the Sign is to be located.
- I. Such other pertinent information as the Zoning Officer may require to ensure compliance with this Ordinance.
- J. Revocation of Permit
  - 1. No Sign, whether new or existing, shall hereafter be erected or altered, except in conformity with the provisions of this Ordinance. Notwithstanding any provisions contained herein to the contrary, all Signs must be kept clean, neatly painted and free from all hazards, such as but not limited to faulty wiring and loose fastenings and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety.
  - 2. In the event of a violation of any of the foregoing provisions, except where a different procedure is specified in Section 706 above, the Zoning Officer shall give written notice, by registered mail, specifying the violation, to the named owner of the Sign and the named owner of the property upon which the Sign is erected, sent to the addresses as stated in the application for the Sign permit, to conform or remove the Sign. The Sign shall thereupon be conformed or removed by the owner of the Sign and/or the owner of the property within thirty (30) days from the date of receipt of said notice. In the event any Sign shall not be so conformed or removed within such thirty-day period, the Zoning Officer shall thereupon revoke the permit, and in that event, the Zoning Officer is hereby authorized to remove or cause the Sign to be removed forthwith at the expense of the owner and/or owner of the structure or premises on which such Sign is located. The remedy provided in this section shall be in addition to, but not in limitation of, any other powers and/or remedies available pursuant to the provisions of the Pocono Township Zoning Ordinance and applicable law.

### **Section 710 - Fees**

Fees for Sign permits shall be as determined from time to time by resolution of the Township Commissioners.

## Changes to Article I

### Section 106 - Survival and Severability

The provisions of this Article are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Board of Commissioners that such determination by the Court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Commissioners that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

## Changes to Article II

### Section 202 - Definitions

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

**A-Frame.** A movable sign consisting of two faces, connected and hinged at the top. See Figure \_\_\_\_ below

**Banner.** A strip or piece of cloth on which a Sign is painted, or printed or embossed

**Billboard.** A freestanding sign that is larger than 50 sq. ft. of Gross Surface Area.

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

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

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

**Gross Surface Area.** The entire area within a single continuous perimeter enclosing the extreme limits of such Sign. However, such perimeter shall not include any structural or framing elements lying outside the limits of such Sign.

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

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

**Monument Sign.** A Freestanding Sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. . See Figure \_\_\_\_\_ below (Monument Sign).

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

**Pennants.** A flag or Banner longer in the fly than in the hoist; *especially* one that tapers to a point designed to move in the wind.

**Permanent Sign.** A Sign that is entirely constructed out of durable materials, is fixed in place, and is intended to exist for more than one-hundred twenty (120) days. Does this arbitrary time frame create problem with section 704. Temporary signs?

**Secondary Signs.** An additional Sign permitted for Regional Impact Developments and Institutional Campuses.

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

**Sign Plaza.** Signs consolidated and confined within a single frame or as a combination of Sign panels.

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

**Spinners.** A device designed to spin to catch ones attention with movement and or Copy.

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

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

**Window Sign.** Any Sign, picture, letter, character, or combination thereof, designed to communicate information placed upon and/or inside and/or within three feet (3') of a window for the purpose of being visible from the exterior of the window.

#### Changes to Article IX

“Section 902.C is hereby deleted in its entirety and the subsequent subsections shall be re-numbered accordingly.”

### Changes to Use Schedule

All Billboards are CU only

DRAFT