

## MINUTES

### POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING August 26, 2013

A Regular meeting of the Pocono Township Planning Commission was held on August 26, 2013 at 7:00 p.m. in the Pocono Township Municipal Building, Tannersville, Pennsylvania. Ronald Swink, Chairperson, opened the meeting, followed by the Pledge of Allegiance.

**Present:** M. Guidry; R. Demarest; D. Schmoyer; R. Swink; S. Gilliland; R. DeYoung; T. Munoz; D. Horton (Engineer); G. Worthington (Solicitor).

**Absent:** None.

**Comments:** Chairman Swink explained that each visitor has a right to comment at this time or before any action is taken on a matter. There were no comments at this time. Chairman Swink noted that all scheduled Pocono Twp. Planning Commission meetings will run from 7:00 p.m. to 9:30 p.m. In the event of a discussion at 9:30 pm., the P.C. will attempt to finish it; however, the P.C. will not undertake any new plan after 9:30 p.m. Chairman Swink also noted that no more than five major comments from the Twp. engineer's review letter or other comments would be discussed at the meetings.

**Minutes:** A motion was made, seconded and carried (Guidry/DeYoung) to approve the 8/12/13 Planning Commission Regular Meeting Minutes, there being no additions or corrections.

**Bills:** None.

**Correspondence:** None, except what pertained to the plans, which was read at the time of plan review.

**New plans:** None.

#### **Presentation of plans for final approval:**

- 1) The Reserve at Bryson's Farm Major Subdivision Plan – Final – and Planning Modules – Plan submitted 09/20/10 for 09/27/10 P.C. mtg. The plan was tabled at the 11/14/11 P.C. mtg. Revised Plans were submitted. The Sup'v. at their 8/19/13 mtg. accepted a 90-day time extension. **The last P.C. mtg. is 11/11/13; the last Sup'v. mtg. is 11/18/13.** No one was present to discuss the plan. A motion was made, seconded and carried (Gilliland/DeYoung) to table the plan.

- 2) Sheldon Kopelson Minor Subdivision Plan – Plan submitted for 09/02/11 for 09/12/11 P.C. meeting. The plan was tabled at the 11/14/11 P.C. meeting. Per letter dated 8/14/13 from Marc Wolfe, Esq., the indefinite time extension is no longer in effect. **The last P.C. mtg. is 10/28/13; the last Sup’v. mtg. is 11/4/13.** M. Wolfe, Esq. and D. Alker, P.E. were present to discuss the plan. A motion was made, seconded and carried (Schmoyer/Munoz) to recommend the Sup’v. grant the Applicant’s request for modification of SALDO §3.212 to allow the Applicant to address the open space and in-lieu fee requirements at the land development stage of the project. A motion was made, seconded and carried (Munoz/DeYoung) to recommend the Sup’v. grant the Applicant’s request for modification of SALDO §3.209.B to allow the applicant to address steep slope easement requirements at the land development stage of the project. A motion was made, seconded and carried (DeYoung/Guidry) to pass the plan on to the Sup’v. with a favorable recommendation.

**Presentation of plans for preliminary approval:**

- 1) Sheldon Kopelson Lot No. 3 Land Development Plan – Plan submitted for 8/12/13 P.C. meeting. **The last P.C. mtg. is 10/28/13; the last Sup’v. mtg. is 11/4/13.** M. Wolfe, Esq. and D. Alker, P.E. were present to discuss the plan. G. Worthington indicated a note would need to be added to the plan clarifying that the Township, if it approves the plan, assumes no liability or responsibility for relocating or otherwise improving SR715 despite the reservation of an easement for that purpose. G. Worthington suggested the language reserving an easement for the applicant’s relocation of the nonconforming billboard sign at the SR715/SR611 intersection should be removed as it may usurp the requirements of the Zoning Ordinance. After discussion, a motion was made, seconded and carried (Demarest/DeYoung) to table the plan.
- 2) Sanofi Dengue Building – Preliminary/Final Land Development Plan – Plan submitted for 6/10/13 P.C. mtg. **The last P.C. mtg. is 8/26/13; the last Sup’v. mtg. is 9/2/13.** M. Wilk, P.E. was present to discuss the plan. A motion was made, seconded and carried (Demarest/Gilliland) to recommend the Sup’v. grant the applicant’s following requests for modification:
- a. SALDO §2.106, to allow for concurrent preliminary/final plan approval; and
  - b. SALDO §2.302.A and 2.303.B, to allow for adjustment of required drawing scale.

A motion was made, seconded and carried (Demarest/Munoz) to recommend the Sup’v. grant the applicant’s request for modification of SALDO §3.306, to allow for a distance of less than the required 50’ between the proposed access drive and the intersection of Laurel/Discovery Drive. This recommendation is conditioned upon addition of a note to the plan indicating the applicant indemnifies and holds harmless the Township against any and all damage, injury or loss attributable to the location of the proposed access drive.

A motion was made, seconded and carried (Demarest/Gilliland) to recommend the Sup'v. accept a 60-day time extension offered by the applicant by letter dated 8/26/13 in the event the Sup'v. do not take final action on the plan at their 9/3/13 mtg.

A motion was made, seconded and carried (Demarest/DeYoung) to recommend the Sup'v. approve the plan subject to the applicant's satisfaction of the outstanding comments in the review letter of D. Horton, P.E. dated 8/23/13.

- 3) Sanofi VDL Phase 3A & 3B – Preliminary/Final REVISED Land Development Plan – Plan submitted for 5/13/13 P.C. mtg. The Sup'v. at their 8/5/13 meeting accepted a 60-day time extension. **The last P.C. mtg. is 9/23/13; the last Sup'v. mtg. is 10/7/13.** M. Wilk, P.E. was present and requested the plan be tabled. A motion was made, seconded and carried (DeYoung/Munoz) to table the plan.
- 4) Pocono Manor Tentative Planned Residential Development Preliminary Plan - Plan was submitted for the 11/14/07 P.C. meeting. Revised plans were previously submitted. Copies of a Community Fiscal Study were submitted. The plan was tabled at the 11/14/11 P.C. meeting. The Sup'v. at their 12/17/12 meeting accepted a time extension until 10/31/13, as requested. **The deadline for Sup'v. PRD Hearing is 08/30/13; the last P.C. meeting is 10/14/13; the last Sup'v. meeting is 10/21/13.** M. Wolfe, Esq. was present to discuss the applicant's 8/20/13 request that the plan be tabled for an additional year (until 10/31/2014). A motion was made, seconded and carried (Demarest/Gilliland) to table the plan and the extension request.
- 5) The Lands of The Spirit of Swiftwater, Inc. (Office) – The plan was submitted on 06/13/08 for the 06/23/08 P.C. meeting. A revised plan was received at the 11/10/08 P.C. meeting. The plan was tabled at the 11/14/11 P.C. meeting. The Sup'v. at their 8/19/13 meeting accepted a time extension to 11/30/13. **The last P.C. meeting is 11/11/13; the last Sup'v. meeting. is 11/18/13.** No one was present to discuss the plan. A motion was made, seconded and carried (Demarest/DeYoung) to table the plan.

**Sketch plans:** None.

**Presentation of variance, et al. applications:**

- 1) Trap Enterprises – Conditional Use Application (Sign) – The Applicant submitted a conditional use application for the construction of a digital sign. The Sup'v. at their 3/19/13 meeting referred the application to the P.C. for review and comment. The application was previously tabled until August 12, 2013 at the Applicant's request. By email dated 8/7/13 from Marc Wolfe, Esq., the Applicant requested tabling until the 9/9/13 P.C. meeting. A motion was made, seconded and carried (Munoz/Guidry) to table the application.

- 2) Possinger – Conditional Use Application (Sign) – the Applicant submitted a conditional use application for the construction of a digital sign. The Sup’v. at their 5/20/13 meeting referred the application to the P.C. for review and comment. The Applicant waived applicable time constraints via letter dated June 10, 2013 from J. P. McDonald, Jr., Esq. No one was present to discuss the application. A motion was made, seconded and carried (Munoz/Gilliland) to table the application.
- 3) Sheldon Kopelson, Lot #1, Conditional Use Application (Planned Residential Development) – the Applicant submitted a conditional use application for the construction of a planned residential development on Lot #1 as depicted on the applicant’s Minor Subdivision Plan. The application was referred to the P.C. for review and comment. **Sup’v. hearings on this application must be commenced by 10/13/13.** M. Wolfe, Esq. and D. Alker, P.E. were present to discuss the application. After discussion, a motion was made, seconded and carried (Munoz/Gilliland) to table the application.
- 4) Sheldon Kopelson, Lot #2, Conditional Use Application (Regional Impact Development) – the Applicant submitted a conditional use application for the construction of a commercial center on Lot #2 as depicted on the Applicant’s Minor Subdivision Plan. The application was referred to the P.C. for review and comment. **Sup’v. hearings on this application must be commenced by 10/13/13.** M. Wolfe, Esq. and D. Alker, P.E. were present to discuss the application. After discussion, a motion was made, seconded and carried (Munoz/DeYoung) to table the application.

**Unfinished business:**

- 1) Ordinances – Zoning, SALDO, Property Maintenance – No action taken.

**New business:** M. Guidry announced an educational forum to be held at St. Paul’s Lutheran Church on Fish Hill Road on 8/28/13 at 7:00 P.M. The forum will address questions on the potential conversion to a first class township.

**Comments:** None.

**Adjournment:** At 9:10 P.M. a motion was made, seconded and carried (DeYoung/Demarest) to adjourn until the following regular meeting on September 9, 2013 at 7:00 p.m. at the Pocono Twp. Municipal Building, Tannersville, PA.