

POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
July 31, 2017
7:00 P.M.

The Pocono Township Planning Commission Regular Meeting was held on July 31, 2017, at the Pocono Township Municipal Building, Tannersville, PA, and opened by Chairman Ron Swink at 7:00 p.m. followed by the Pledge of Allegiance.

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

Lisa Pereira, Solicitor, Melissa Prugar, Engineer, and Michael Tripus, Zoning Officer were present.

ACKNOWLEDGEMENT OF COMMENTS: Chairman R. Swink noted the Planning Commission meets the 2nd and 4th Monday of each month at 7:00 p.m. to 9:00 p.m. The board will address five (5) comments per plan and noted each visitor has the right to comment at this time or before any action is taken on a matter.

CORRESPONDENCE: None

RATIFICATION OF ACTIONS:

R. DeYoung made a motion, seconded by J. Sawicki, to ratify all actions taken by the Planning Commission at the February 13, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

M. Guidry made a motion, seconded by D. Purcell, to ratify all actions taken by the Planning Commission at the March 13, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

R. DeYoung made a motion, seconded by D. Purcell, to ratify all actions taken by the Planning Commission at the March 27, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

J. Sawicki made a motion, seconded by M. Guidry, to ratify all actions taken by the Planning Commission at the April 24, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

M. Guidry made a motion, seconded by J. Sawicki, to ratify all actions taken by the Planning Commission at the May 8, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

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D. Purcell made a motion, seconded by R. DeYoung, to ratify all actions taken by the Planning Commission at the June 12, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

M. Guidry made a motion, seconded by J. Sawicki, to ratify all actions taken by the Planning Commission at the July 10, 2017 regular meeting held at 7:00 pm. All in favor. Motion carried.

MINUTES: J. Sawicki made a motion, seconded by D. Purcell, to approve the minutes of 07/10/2017 as amended. All in favor. Motion carried. M. Guidry abstained.

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW: None

FINAL PLANS UNDER CONSIDERATION: None

PRELIMINARY PLANS UNDER CONSIDERATION:

Sheldon Kopelson, Commercial Development (Lot 3) - Plan was accepted at the 8/13/2013 P.C. Meeting. **Last P.C. meeting is 06/11/2018.** R. Demarest made a motion, seconded by J. Sawicki, to table the Sheldon Kopelson, Commercial Development (Lot 3). All in favor. Motion carried.

Spa Castle Land Development Plan - Plan was accepted at the 12/14/2015 mtg. The Planning Module was rejected by the Commissioners. **Last P.C. meeting is 10/09/2017.** D. Purcell made a motion, seconded by R. Demarest, to table the Spa Castle Land Development Plan. All in favor. Motion carried.

Day Star Holiness Bible Church Land Development Plan - Plan was accepted at the 02/13/2017 mtg. **Last P.C. meeting is 08/28/2017.** Boucher & James review letter of 03/10/2017 received. J. Sawicki made a motion, seconded by D. Gilliland, to table the Day Star Holiness Bible Church Land Development Plan. All in favor. Motion carried.

Poconos Hospitality Land Development Plan - Plan was accepted at the 05/08/2017 mtg. **Last P.C. meeting is 09/25/2017.** Boucher & James review letter of 06/07/2017 received. Alex Kinzey from R.J. Fisher presented the plan. He submitted various RFM and would like to discuss them with the Planning Commission.

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SALDO Section 609.4.K.5 - Spillway Freeboard. Mr. Kinzey indicated that he is mimicking existing conditions since there is not enough room to modify the facilities. The system shown on the plans places less pressure on detention basin. M. Prugar mentioned that they are providing additional facilities. R. Swink questioned whether this would be adequate or could it fail (What would happen in the event of a 24-hour rain). Mr. Kinzey mentioned that it would handle the stormwater. M. Prugar is satisfied with the design.

SALDO Section 601.1.F.5.a.1 - Steep Slope Area. Mr. Kinzey indicated that the only areas that have steep slopes are easement area. He will place a note on plan that steep slopes are manmade.

SALDO Section 609.4.G - Minimum Top Berm Width. Mr. Kinzey indicated that he is also mimicking current conditions as they relate to the berm.

SALDO Section 615.6 - Landscaping Buffers and Screenings. Mr. Kinzey discussed an existing PPL easement. The developer is seeking a waiver from the planting of the required trees and shrubs. Mr. Kinzey indicated that landscape architect has put plantings everywhere that they can.

SALDO Section 620.B - Parking Stall Width. Mr. Kinzey is requesting a reduction of 1 foot - "compact car parking" located behind the building.

R. Swink questioned when the developer plans on commencing construction. Mr. Kinzey intends on presenting revised plans to the Planning Commission in the next several weeks.

J. Sawicki made a motion, seconded by S. Gilliland, to recommend approval of the request for modification of SALDO Section 609.4.K.5 - Spillway Freeboard. All in favor. Motion carried.

M. Guidry made a motion, seconded by D. Purcell, to recommend approval of the request for modification of SALDO Section 601.1.F.5.a.1 - Steep Slope Area. All in favor. Motion carried.

R. DeYoung made a motion, seconded by D. Purcell, to recommend approval of the request for modification of SALDO Section

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609.4.G - Minimum Top of Berm Width. All in favor. Motion carried.

J. Sawicki made a motion, seconded by M. Guidry, to recommend approval of the request for modification of SALDO Section 615.6 - Landscaping Buffers and Screenings. All in favor. Motion carried.

J. Sawicki made a motion, seconded by S. Gilliland, to recommend approval of the request for modification of SALDO Section 620.B - Parking Stall Width. All in favor. Motion carried.

J. Sawicki made a motion, seconded by R. DeYoung, to table the Poconos Hospitality Land Development Plan. All in favor. Motion carried.

Belanger Minor Subdivision Plan - Plan was accepted at the 06/12/17 mtg. **Last P.C. Meeting is 08/28/17.** Boucher & James review letter of 06/23/2017 received. Sarah Bue-Morris and Deanna Schmoyer both represented the plan. Ms. Bue-Morris provided an overview of the proposed plan. The developer is proposing three single family residential lots. She discussed several issues with the property including wetlands and steep slopes. In October of 2014, the Township approved a 5-lot subdivision on this site. The current developer is proposing a 3-lot subdivision. R. Demarest indicated that, as part of the prior approval, the Planning Commission had requested the developer be responsible for posting Cherry Lane Church Road for no greater than 35 m.p.h. Ms. Bue-Morris indicated that she did not include the speed limit signs because they are expensive, and, since only one lot will front on Cherry Lane Church Road, she does not believe it is necessary for this subdivision plan. M. Schmoyer discussed various requests for modification.

SALDO Section 607.16.L.5 - Driveways. Ms. Schmoyer explained that the proposed houses are further back and the driveways are longer than the prior subdivision. A 10 foot driveway width is proposed on Lot #2.

SALDO Section 607.4.A - Existing ROW and Road Improvements for Roads Abutting Subdivision. Ms. Schmoyer indicated that only 1 lot abuts Cherry Lane Church Road. The developer is seeking a waiver not to improve Cherry Lane Church Road (20 ft. travel way

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vs. 22 ft. travel way. M. Prugar does not object to the request. R. Swink questioned the location of the driveway on Cherry Lane Church Road. D. Purcell asked if this was a township road. R. DeYoung mentioned that you would not have to do anything if this property would be developed as 1 single family home.

SALDO Sections 406.2 and 406.4 - Site Content Map - Conservation Analysis. Ms. Schmoyer indicated that they are designating the same area as prior approved plan. The plans show natural features. M. Prugar is satisfied with an aerial photo provided by the developer.

SALDO Sections 601.1.F.5.b.1 and 601.1.F.5.b.5 - Steep Slopes. Ms. Schmoyer indicated that the site has variable slope areas and they are shown the same way as the prior approved plan. The ordinance requires that the developer preserve 65% of steep slopes (amount of steep slopes being preserved are less than 65%). The site conditions of varying slopes do not make it possible to only include slopes over 20% within a regularly shaped easement which can easily be surveyed and staked.

SALDO Sections 606.3.A and 607.16.L.3 - Residential Driveway Maximum Slope of 12%. Ms. Schmoyer indicated that the developer is requesting a maximum slope of 14% rather than 12%. The prior approved subdivision had driveways at 14% slope on several of the lots. The maximum slope on all three proposed lots has been reduced.

SMO Section 303.I.6.b. - Wetland Buffers. Ms. Schmoyer indicated that a 50 ft. wetland buffer is required per the Township's stormwater management ordinance. Ms. Bue-Morris had previously met with the Monroe County Conservation District to discuss the averaging of buffers. The wetlands are not delineated as straight lines and the existing slopes vary which results in calculations producing distances where the buffer is not 50 ft.

D. Purcell made a motion, seconded by M. Guidry, to recommend approval of the request for modification of SALDO Section 607.16.L.5 - Driveways. All in favor. Motion carried.

R. DeYoung made a motion, seconded by D. Purcell, to recommend approval of the request for modification of SALDO Section

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607.4.A - Existing ROW and Road Improvements for Roads Abutting
Subdivision. All in favor. Motion carried.

M. Guidry made a motion, seconded by S. Gilliland, to recommend
approval of the request for modification of SALDO Sections
406.2 and 406.4 - Site Content Map - Conservation Analysis. All
in favor. Motion carried.

D. Purcell made a motion, seconded by S. Gilliland, to recommend
approval of the request for modification of SALDO Sections
601.1.F.5.b.1 and 601.1.F.5.b.5 - Steep Slopes. All in favor.
Motion carried.

R. Demarest made a motion, seconded by D. Purcell, to recommend
approval of the request for modification of SALDO Sections
606.3.A and 607.16.L.3. All in favor. Motion carried.

M. Guidry made a motion, seconded by D. Purcell, to recommend
approval of the request for modification of SMO Section
303.I.6.b. All in favor. Motion carried.

R. Demarest made a motion, seconded by M. Guidry, to table the
Belanger Minor Subdivision Plan. All in favor. Motion carried.

SKETCH PLANS - Camelback Tornado Ride Sketch Plan - Nate Oiler presented the sketch plan. The developer is required to prepare a stormwater management plan for the Township's review. Mr. Oiler has met with the conservation district to discuss the proposal. They will need to obtain an NPDES permit. No formal action from the Planning Commission is required.

PERMITS - None

PLANNING MODULE - None

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

BROOKDALE TREATMENT CENTER CONDITIONAL USE APPLICATION - Nate Oiler and Jeff Durney, Esq. appeared on behalf of applicant to give an overview of the application. Mr. Durney discussed the MCPC's review of the application, as well as Atty. Goldfieri's comments. Mr. Oiler proceeded to address several comments the Township Engineer's review letter:

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Comment #8 - Mr. Oiler explained that the applicant is proposing more open space than is necessary per the ordinance. The open space includes the lake.

Comment #10 - Mr. Oiler indicated that the cottages are the closest buildings to any residences. He provided photos depicting areas where cottages are located in relation to the neighboring residences. They are proposing a privacy fence between the cottages. There are existing trees and vegetation which provide a buffer. In addition there is steep grade difference between the subject properties and the residences. R. DeYoung questioned what would happen in the winter when the leaves are down. N. Oiler indicated that the residents will see what they see right now. D. Purcell indicated that there is no need to change it if this is what existed with Brookdale Resort. R. Swink asked if developer has spoken with neighbors about what they would like. N. Oiler said he did not.

Comment #13 - Mr. Oiler explained that patients would not have cars. Only staff and visitors would be able to park cars at the facility. They have 188 spaces and only 166 are required based on their calculations.

Comment #17 - Mr. Oiler discussed that the staffing. Over a 24 hour period there will be one-to-one staffing.

Comment #21 - Mr. Oiler will send copy of plan to fire company if the Planning Commission would like. S. Gilliland suggested placing a Knox Box at the gate of the secondary entrance.

Comment #22 - Mr. Oiler explained that the developer is seeking to leave the wooded areas wooded. They plan on cleaning up the existing landscaping.

Comment #28 - Mr. Oiler indicated that a traffic study over a 2 mile radius had been performed related to the Rt. 611 improvements area. Mr. Oiler has spoken with Peter Terry, the traffic engineer, about traffic and he is confident that there would not be any negative impact and therefore no new traffic study would be necessary. R. DeYoung questioned what roads the treatment center would be using for access to the property. Mr. Oiler explained the proposed access to and from the facility.

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Comment #45 - Mr. Oiler explained that there will be 2 driveways, an emergency drive and a main drive.

Comment #46 - Mr. Oiler indicated that the driveway entrance crosses the stream that flows into the lake. R. DeYoung indicated the MCPC commented that the Township should confirm the adequacy of the existing water supply and sewage disposal systems. Mr. Oiler explained that one homeowner is tied into the existing sewage disposal system, and 3 wells serve the property. These wells will be brought up to DEP standards. R. Swink questioned if adjoining property addresses will be added to the plan. N. Oiler indicated that they would.

J. Sawicki made a motion, seconded by S. Gilliland, to recommend approval of the Brookdale Treatment Center Conditional Use Application, subject to the applicant satisfactorily addressing all of the comments contained in the Township Engineer's review letter dated July 24, 2017. All in favor. Motion carried.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

COMMENTS BY AUDIENCE: None

ADJOURNMENT:

R. Demarest made a motion, seconded by J. Sawicki, to adjourn the meeting until 08/14/2017 at 7:00 p.m., at the Pocono Township Municipal Building. All in favor. Motion carried.