

MINUTES

POCONO TOWNSHIP PLANNING COMMISSION REGULAR MEETING June 10, 2013

A Regular meeting of the Pocono Township Planning Commission was held on June 10, 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); J. Tresslar (Alt. Engineer); G. Worthington (Solicitor); P. Nelson (Alt. 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. Chairman Swink reiterated the requirement that submissions be made at least 10 days prior to the P.C. meeting at which they are to be considered, in order to allow the P.C. sufficient time for review.

Minutes: A motion was made, seconded and carried (Demarest/Gilliland) to approve the 5/13/13 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:

- 1) Sanofi Dengue Building – Preliminary/Final Land Development Plan – The Applicant's design engineer was present to present the Plan for acceptance. All submission requirements were met. A motion was made, seconded and carried (Guidry/Demarest) to accept the Plan for review.

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. \$450.00 Plan fee paid; \$1,500.00 Escrow fee paid; \$181.00 Planning Modules fee paid. The plan was tabled at the 11/14/11 P.C. mtg. Revised Plans were submitted. The Sup'v. at their 5/20/13 mtg. accepted a 90-day time extension. **The last P.C. mtg. is 8/12/13; the last Sup'v. mtg. is 8/19/13.** No one was present to discuss the plan. A motion was made, seconded and carried (Munoz/Gilliland) to table the plan.
- 2) Sheldon Kopelson Minor Subdivision Plan – Plan submitted for 09/02/11 and 09/12/11 P.C. meeting. \$620.00 Stormwater Management fee paid; \$575.00 Minor Subdivision fee paid; \$2,500.00 Minor Subdivision Escrow fee paid. The plan was tabled at the 11/14/11 P.C. meeting. **The Sup'v. at their 3/19/12 mtg. accepted an indefinite Time Extension as set forth in the March 8, 2012 letter from Marc Wolfe, Esq.** No one was present to discuss the plan. A motion was made, seconded and carried (Guidry/Munoz) to table the plan.

Presentation of plans for preliminary approval:

- 1) Sanofi VDL Phase 3A & 3B – Preliminary/Final REVISED Land Development Plan – Plan submitted for 5/13/13 P.C. mtg. **The last P.C. mtg. is 7/22/13; the last Sup'v. mtg. is 8/5/13.** No one was present to discuss the plan. A motion was made, seconded and carried (DeYoung/Demarest) to table the plan.
- 2) Sanofi B53 GCI Addition – Preliminary/Final Land Development Plan – Plan submitted for 4/22/13 P.C. mtg. **The last P.C. mtg. is 7/8/13; the last Sup'v. mtg. is 7/15/13.** No one was present to discuss the plan. A motion was made, seconded and carried (DeYoung/Demarest) to table the plan.
- 3) TRAP Enterprises Hotel Project – Preliminary Land Development Plan – Plan submitted for 2/25/13 P.C. meeting. \$620 Plan fee paid; \$3,000 Escrow fee paid. \$300 Stormwater Management fee paid. The Sup'v. at their 5/20/13 mtg. accepted a 60-day time extension. **The last P.C. mtg. is 7/8/13; the last Sup'v. mtg. is 7/15/13.** The Applicant was present, along with their design engineer and legal counsel, to discuss the plan. The P.C. was advised by their Alt. Engineer and Alt. Solicitor on this plan. After discussion, a motion was made, seconded and carried (Demarest/Gilliland) to recommend the Sup'v. grant the Applicant's request for modification of §2.302.B.4 of the SALDO. A motion was made, seconded and carried (Gilliland/Munoz) to recommend the Sup'v. grant the Applicant's request for modification of §3.209.B.1 of the SALDO. A motion was made, seconded and carried (Munoz/DeYoung) to recommend the Sup'v. grant the Applicant's request for a modification of §3.605.A of the SALDO. After further discussion, a motion was made, seconded and carried (Demarest/Munoz) to recommend the Sup'v. approve the Plan conditioned upon the Applicant's satisfaction of all outstanding comments contained in the review letter of Jon

Tresslar, P.E., dated June 6, 2013, as well as the Applicant's satisfaction of all outside agency requirements.

- 4) TRAP Enterprises Rt. 611 Project – Preliminary Subdivision and Land Development Plan – Plan submitted for 2/11/13 P.C. meeting. \$770 Plan fee paid. \$4,500 Escrow fee paid. \$310 Stormwater Management fee paid. The Sup'v. at their 5/6/13 mtg. accepted a 60-day time extension offered by the Applicant. **The last P.C. mtg. is 6/24/13; the last Sup'v mtg. is 7/1/13.** The Applicant was present, along with their design engineer and legal counsel, to discuss the plan. The P.C. was advised by their Alt. Engineer and Alt. Solicitor on this plan. After discussion, a motion was made, seconded and carried (Guidry/Munoz – Demarest dissenting) to recommend the Sup'v. grant the Applicant's request for modification of §2.302.B.4 of the SALDO. A motion was made, seconded and carried (Schmoyer/DeYoung – Demarest dissenting) to recommend the Sup'v. grant the Applicant's request for modification of §3.209.B.1 of the SALDO. A motion was made, seconded and carried (Munoz/Gilliland) to recommend the Sup'v. grant the Applicant's request for a modification of §3.605.A of the SALDO. A motion was made, seconded and carried (Munoz/Schmoyer) to recommend the Sup'v grant the Applicant's request for a modification of §303.A of the Stormwater Management Ordinance. After further discussion, a motion was made, seconded and carried (Schmoyer/Munoz) to recommend the Sup'v. approve the Plan conditioned upon the Applicant's satisfaction of all outstanding comments contained in the review letter of Jon Tresslar, P.E., dated June 6, 2013, as well as the Applicant's satisfaction of all outside agency requirements.

- 5) Pocono Manor Tentative Planned Residential Development Preliminary Plan - \$10,610.00 Plan fee paid. \$1,900.00 Stormwater Management fee paid. 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.** No one was present to discuss the plan. A motion was made, seconded and carried (Demarest/Munoz) to table the plan.

- 6) 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 5/20/13 meeting accepted a time extension to 8/31/13. **The last P.C. meeting is 8/12/13; the last Sup'v. meeting. is 8/19/13.** The Applicant was present to discuss the plan. The P.C. was advised by their Alt. Solicitor on this plan. The Applicant proposes modifying the Plan to remove the office building and insert a hotel depicted on a prior 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 Applicant waived applicable time constraints and requested the matter be tabled via letter dated April 18, 2013 from Marc Wolfe, Esq. A motion was made, seconded and carried (Demarest/Munoz) to table the application.
- 2) Petition of Trap Enterprises – Amend Sections 504, 512 and 562 of the Pocono Township Zoning Ordinance – With regard to Section 504, a motion was made, seconded and carried (Demarest/DeYoung) to deny the request as the P.C. had already recommended the Sup’v. adopt the proposed new zoning ordinance, which would have rendered this request moot. With regard to Section 512, a motion was made, seconded and carried (Guidry/DeYoung) to table the request. With regard to Section 562, a motion was made, seconded and carried (Munoz/Guidry) to table the request.
- 3) 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 and requested the matter be tabled via letter dated June 10, 2013 from Joseph P. McDonald, Jr., Esq. A motion was made, seconded and carried (Guidry/Demarest) to table the application.

Unfinished business:

- 1) Sheldon Kopelson’s Conditional Use Applications – Tabled until further notification.
- 2) Ordinances – Zoning, SALDO, Property Maintenance – Lengthy discussion was held between the P.C. and audience members regarding the status of the new Zoning Ordinance and SALDO that the P.C. recommended the Sup’v. enact. The P.C. members are uncomfortable making further recommendations on applications for amendments and variances, etc. from the provisions of the existing ordinance when those requests would presumably not be necessary if the new ordinances were enacted.

New business: None.

Comments: None.

Adjournment: At 9:30 P.M. a motion was made, seconded and carried (DeYoung/Demarest) to adjourn until the following regular meeting on June 24, 2013 at 7:00 p.m. at the Pocono Twp. Municipal Building, Tannersville, PA. The meeting scheduled for May 27, 2013 was cancelled in observance of Memorial Day.