POCONO TOWNSHIP COMMISSIONERS
AGENDA
February 6, 2023 | 6:00 p.m.
112 Township Drive, Tannersville, PA
Dial-In Option: 646 558 8656
Meeting ID: 892 102 5946
Passcode: 18372
Zoom Link:
https://us06web.zoom.us/j/8921025946?pwd=Q1VtaFVkVEpRWTUvdlFrSHJ1cE1Tdz09

PLEASE NOTE: THE POCONO TOWNSHIP COMMISSIONERS MEETING OCCURS IMMEDIATELY AFTER THE SEWER COMMITTEE MEETING ON THE FIRST MEETING DATE OF EACH MONTH.

Open Meeting

Pledge of Allegiance

Public Comment

For any individuals wishing to make public comment tonight, including those dialed in by phone, please state the spelling of your name and identify whether you are a taxpayer of Pocono Township.

Please limit individual comments to five (5) minutes and direct all comments to the President. Public comment is not for debate or answering questions, rather it is for "comment on matters of concern, official action or deliberation…prior to taking official action" [PA Sunshine Act, Section 710.1].

Announcements

- The Township ice skating rink at TLC Park is open 8:00 a.m. to 9:00 p.m. daily on a weather-permitting basis. Please follow the Township Facebook page or call the office to check on its status.

Presentations – None

Hearings

- Ordinance 2023-01 – Curative Amendment Hearing – Consideration and adoption of Ordinance 2023-01 amending the Code of Ordinances of Pocono Township, Chapter 470, Zoning, to add definitions for truck terminal/distribution and warehouse, to add provisions related to uses not regulated, to create a new Enterprise Park Overlay District, to add regulations for truck terminal/distribution and warehouse uses, to amend the schedule of uses to add truck terminal/distribution and warehouse uses, to amend the Township zoning map to add the Enterprise Park Overlay District, and repealing all ordinances or parts of ordinances inconsistent therewith.

- Motion to open public hearing. **(Action Item)**
- Motion to close public hearing. **(Action Item)**
- Motion to adopt Ordinance 2023-01 amending the Code of Ordinances of Pocono Township, Chapter 470, Zoning, to add definitions for truck terminal/distribution and warehouse, to add provisions related to uses not regulated, to create a new Enterprise Park Overlay District, to add regulations for truck terminal/distribution and warehouse uses, to amend the schedule of uses to add truck terminal/distribution and warehouse uses, to amend the Township zoning map to add the Enterprise Park Overlay District, and repealing all ordinances or parts of ordinances inconsistent therewith. **(Action Item)**

Resolutions

- Resolution 2023-02 – Motion to approve Resolution 2023-02 granting conditional approval of the Sanofi Pasteur, Inc. B-83 Cold Storage Building Preliminary/Final Land Development Plan. **(Action Item)**
- Resolution 2023-03 – Motion to approve Resolution 2023-03 granting conditional approval of the Sanofi Pasteur, Inc. B-87 Line 10 Building Preliminary/Final Land Development Plan. **(Action Item)**
- Resolution 2023-04 – Motion to approve Resolution 2023-04 granting conditional approval of the Cherry Lane Development Partners – 2977 Route 611 (Tannersville Wawa) Preliminary/Final Land Development Plan. **(Action Item)**
- Resolution 2023-05 – Motion to approve Resolution 2023-05 granting an additional extension of time for the conditional approval of the Running Lane, LLC Preliminary/Final Land Development Plan. **(Action Item)**

Consent Agenda

- Motion to approve a consent agenda of the following items:
    - Old business consisting of the minutes of the January 17, 2023 meeting of the Board of Commissioners.
    - Financial transactions through February 2, 2023 as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll; vouchers payable, sewer operating expenditures, construction fund expenditures, capital reserve expenditures and transfers. **(Action Items)**

NEW BUSINESS

1. Personnel

- Motion to ratify a contract with Patrick Briegel as the Pocono Township Public Works Director, overseeing the Road Crew, Sewer Department and Parks, at a salary of $105,000 with standard Township benefits. **(Possible Action Item)**

2. Travel/Training Authorizations

- 2023 PSATS Conference (FYI only)
    - Township Manager, Public Works Director and Emergency Management Coordinator to attend.
    - Will evaluate whether to send Road Crew personnel once full session schedule released.

Report of the President

Richard Wielebinski

- Discussion and possible action regarding the purchase of a new sweeper truck. **(Possible Action Item)**

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update
- Update – PPL utility lines and possible drainage issues on Bartion Court.

Ellen Gnandt – Commissioner

Jerry Lastowski – Commissioner

Keith Meeker – Commissioner

Reports

Zoning

Police Report

- General police updates.

Ambulance Report

Public Works Report

- Interview and appointment of new Foreman and Assistant Foreman positions is now complete.
- Advertisement for vacant Road Crew position will be posted within the next week.
- Current Public Works projects.
- Mountain View Park updates.
    - Installation of new slide now complete.
    - Update – MVP fencing project.
- TLC Park updates.
    - Dog Park Project(s)
    - Sealing of Lower Pond

Administration – Manager's Report

- Discussion and possible action regarding the acceptance of a $6,200 PennDOT offer for obtaining of right-of-way for the replacement of the bride over Pocono Creek on SR 715 adjacent to TLC Park. **(Possible Action Item)**

Township Engineer Report

- Sidewalk installation for Wendy's and Turkey Hill.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement.
    - Easement needed from adjoining property owner (Lovito).
- Update – TASA SR 611 sidewalk project.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue.

Township Solicitor Report

- Zoning Hearing Board updates.
    - Recap – Medina & Alvarez sought permission to use property zoned R-1 as a short-term rental.
    - February 16, 2023 – Cima Network, Inc. seeing variance from the ordinance restricting wall signs to a maximum of 50 square feet.
- Discussion regarding preparation of an ordinance codifying BCRA's public water service area for consistency with the Township's central sewage (Act 537) service area.

- Update – Tobyhanna Act 537 Sewage Capacity Request.
- Update – Closing for sale of Bartonsville Avenue parcel.
- Update – Johnson Appeal Commonwealth Court argument.
- Update – PJJWA transfer agreement.

Public Comment

For any individuals wishing to make public comment tonight, including those dialed in by phone, please state the spelling of your name and identify whether you are a taxpayer of Pocono Township. Please limit individual comments to five (5) minutes and direct all comments to the President.

Adjournment

POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF POCONO TOWNSHIP, CHAPTER 470, ZONING AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, under the powers vested in them by the "First Class Township Code" of Pennsylvania, as well as the laws of the Commonwealth of Pennsylvania, do enact and hereby ordain the following amendment to the Code of Ordinances of Pocono Township.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Pocono, Monroe County, Pennsylvania, as follows:

SECTION 1. Chapter 470, Zoning, Article II, Terminology, Section 8, Definitions, of the Code of Ordinances of Pocono Township is hereby amended to add the following definitions:

> "TRUCK TERMINAL/DISTRIBUTION: An area or structure where trucks load and unload goods, products, cargo, materials and/or freight and where the same may be broken down or aggregated into smaller or larger loads for transfer to other motor vehicles or modes of transportation or to other points or junctions. A truck terminal includes value-added services between a supplier and its customers, such as breaking down of large orders from a single source into smaller orders, product mixing, packaging, cross-docking, order fulfillment, or order returns, and the consolidation of several orders into one large order for distribution to several recipients and/or vice versa.
>
> WAREHOUSE: A building or group of buildings primarily used for the unloading and indoor storage, transfer, and distribution of products and materials with a use of the processing of materials so as to sort out which finished goods are to be transported to different locations, and the loading and unloading of such goods. A warehouse shall not include value-added services between a supplier and its customers, such as breaking down of large orders from a single source into smaller orders, product mixing, packaging, cross-docking, order fulfillment, or order returns, and shall not include the consolidation of several orders into one large order for distribution to several recipients and/or vice versa, or any manufacturing or processing. A warehouse shall only consist of indoor storage of products and materials."

SECTION 2. Chapter 470, Zoning, Article II, Terminology, Section 8, Definitions, of the Code of Ordinances of Pocono Township is hereby amended to remove Subsection F. Truck or motor freight terminal, from the definition of Regional Impact Development.

SECTION 3. Chapter 470, Zoning, Article III, Zoning Map and Zoning Districts, Section 14, List of Districts, of the Code of Ordinances of Pocono Township is hereby amended to add the following district:

"EP Enterprise Park Overlay District (See Attachment 4 'EP Overlay District Map')"

SECTION 4. Chapter 470, Zoning, Article III, Zoning Map and Zoning Districts, of the Code of Ordinances of Pocono Township is hereby amended to add the "EP Enterprise Park Overlay District" to the Official Zoning Map.

SECTION 5. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 16, Applicability of district regulations, of the Code of Ordinances of Pocono Township is hereby amended to add Subsection F to read as follows:

"F. Interpretation and Uses Not Regulated

(1) Minimum Requirements. Where more than one provision of this Ordinance controls a particular matter, the provision that is more restrictive upon uses and structures shall apply.

(2) Uses Not Specifically Regulated. This section addresses by special exception a proposed use which is neither specifically permitted nor specifically denied in any Zoning or Overlay district established under this Ordinance.

(a) Jurisdiction. An application shall be made to the Zoning Hearing Board which shall have the authority to permit the use or deny the use as a special exception.

(b) Findings. The use may be permitted only if the Zoning Hearing Board makes all of the following findings; and, the burden on proof shall be upon the applicant.

i. The use is similar to and compatible with the uses listed for the subject zoning district by the Schedule of Use Regulations.
ii. The use in no way conflicts with the intent of the zoning district or overlay district and the general purpose and intent of this Zoning Ordinance.
iii. The use is not permitted in any other zoning district in the Planning Area.
iv. The use where proposed would be consistent with the Pocono Township Comprehensive Plan.

(3) Planning Commission. At the time the application is submitted to the Zoning Hearing Board, the Zoning Officer shall also provide a copy to the Township Planning Commission for review and recommendation. The Zoning Hearing Board shall not conduct a public hearing on the application until thirty (30) days have passed from the time the application was referred to the Township Planning Commission.

(4) Conditions. The Zoning Hearing Board may attach reasonable conditions and safeguards to any special exception approval granted for a use not specified in the Schedule of Uses, incorporating standards in this Zoning Ordinance for similar uses in the district and such other conditions as the Zoning Hearing Board may deem necessary to protect and promote the public health, safety, morals and welfare and to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code."

SECTION 6. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 17, R-1 Low Density Residential District, of the Code of Ordinances of Pocono Township is hereby amended to delete Subsection B.(2)(b) in its entirety.

SECTION 7. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 18, R-2 Medium Density Residential District, of the Code of Ordinances of Pocono Township is hereby amended to delete Subsection B.(3)(h) in its entirety.

SECTION 8. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 20, C Commercial District, Subsection B.(1)(q) of the Code of Ordinances of Pocono Township is hereby amended to read as follows:

"(q) Wholesale produce and meat markets, mechanical equipment repair establishments, dry-cleaning and dyeing plants, carpet and rug cleaning establishments, laundries, sign painting, blueprinting and graphic reproduction shops, printing and publishing establishments, radio and television studios."

SECTION 9. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 20, C Commercial District, Subsection B.(3)(i) of the Code of Ordinances of Pocono Township is hereby amended to read as follows:

"(i) *RESERVED*."

SECTION 10. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 20, C Commercial District, Subsection B.(3)(l) of the Code of Ordinances of Pocono Township is hereby amended to read as follows:

"(l) Warehouses."

SECTION 11. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 21, I Industrial District, of the Code of Ordinances of Pocono Township is hereby amended to delete Subsection B.(3)(g) in its entirety.

SECTION 12. Chapter 470, Zoning, Article IV, Basic District Regulations, of the Code of Ordinances of Pocono Township is hereby amended to add a new Section 22A, EP Enterprise Park Overlay District to read as follows:

"**§ 470-22.A. EP Enterprise Park Overlay District.**

A. Intent. To provide for warehousing and distribution in a manner that is compatible with any nearby homes. To carefully control these type of operations to avoid nuisances (such as excessive noise) and hazards. To encourage coordinated development, particularly in regard to traffic access. (See Attachment 4 'EP Overlay District Map')

B. Uses and structures.

(1) Conditional Uses. The following uses are permitted subject to the issuance of a conditional use permit by the Board of Commissioners. (See § 470-38.):

(a) Truck Terminals/Distribution (See § 470-83)

(b) Warehouses (See § 470-87.5)

C. Lot, yard, and height requirements.

(1) All lot, yard, and height requirements shall be the same as those within the underlying zoning district.

D. Parking and loading requirements. Off-street parking and loading requirements shall be provided in accordance with § 470-34 of this Chapter.

E. Signs. All proposed signs shall conform to the requirements of Article VII of this Chapter.

SECTION 13. Chapter 470, Zoning, Article V, Supplementary Regulations, Section 26, Exceptions to height regulations, Subsection C of the Code of Ordinances of Pocono Township is hereby amended to read as follows:

"C. *RESERVED*."

SECTION 14. Chapter 470, Zoning, Article V, Supplementary Regulations, Section 83, Truck or motor freight terminal, of the Code of Ordinances of Pocono Township is hereby deleted and replaced with the following:

"**§ 470-83. Truck Terminal/Distribution.**

(1) Minimum lot area: 10 acres.

(2) Any entrance for trucks, loading/unloading area, principal structures, outdoor storage or truck parking area shall be a minimum of 150 feet from any residential lot line.

(3) The use shall have its main access point(s) within two miles of at least one ramp of a limited access highway.

(4) All tractor-trailer truck parking, principal structures, outdoor storage and/or loading/unloading areas that are visible from beyond the exterior lot lines of the use shall be screened by a 50 foot wide buffer yard. A 50 foot buffer is required along the frontage of all streets. This buffer yard shall meet the following conditions:

a. The buffer yard shall include a vegetated screening buffer. The screen buffer plantings are intended to form an impenetrable visual screen and shall include a variety of evergreen tree species to prevent monocultural planting. Trees used for screen buffers shall be comprised of 100% evergreen species.

b. Evergreen trees used in the screen planting shall be at least six feet high when planted and shall be of such species as will produce a dense visual screen at least ten feet high within four years. Where the screen buffer planting requires more than 50 trees, no more than 1/3 of those trees will be of a single variety. Deciduous canopy trees and/or flowering trees, and evergreen shrubs are encouraged to provide complete screening and visual appeal, in addition to the required evergreen trees. Shrubs shall have a minimum height of 36 inches when planted.

c. Plant materials shall be permanently maintained and any plant material which dies shall be replaced by the land owner.

d. Where such screening is required, it shall be assured by a performance guarantee posted with the governing body in an amount equal to the estimated cost of trees and shrubs and plantings. Such guarantee shall be released only after passage of the second growing season following planting.

e. The buffer yard may overlap the required side of rear yards, and in case of conflict, the larger yard requirements shall apply.

f. All plantings shall conform to the standards of the Township's list of acceptable plant species. (Subdivision and Land Development Ordinance Appendix A.)

(5) Any tractor-trailer truck parking, outdoor storage and/or loading/unloading areas that are visible from and are within 150 feet of the exterior lot lines of the use shall be separated from such lot lines by an earthen berm. Such berm shall meet the following conditions:

a. Average a minimum of five feet in height above the adjacent average ground level (disregarding any drainage channel) on the outside of the berm.

b. Not have a single continuous height, but instead shall vary in height by one feet or two feet in places.

c. The top of the berm shall not have a width less than five feet.

d. Have a maximum side slope of three horizontal to one vertical.

e. Be covered by a properly maintained all-season natural ground cover, such as an appropriate grass.

f. Shall be located behind any required buffer screening.

(6) The maximum height for such use shall be 50 feet.

(7) The use shall include an appropriate system to contain and properly dispose of any fuel, grease, oils or similar pollutants that may spill or leak.

(8) All facilities with gated entrances shall provide for an on-site queuing area for the stacking of a minimum of two tractor-trailers.

(9) No parking or loading/unloading shall be permitted on or along any public road.

(10) Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties.

(11) External building materials shall be of colors that are low-reflective, subtle, or earth tone. Fluorescent and metallic colors shall be prohibited as exterior wall colors.

(12) LEED Certification is strongly encouraged as well as roof-mounted accessory solar energy systems.

(13) The applicant shall coordinate with the Monroe County Control Center to ensure there is adequate radio coverage for emergency responders within the building based upon the existing coverage levels of the Monroe County Control Center Public Safety Radio Communications System at the exterior of the building, and shall install enhancement systems if needed to meet compliance.

(14) The use shall provide related facilities and amenities to provide for the comfort, convenience and safety of those engaged in the trucking distribution industry. Suitable examples rest lounges and areas, locker rooms and shower facilities, and similar uses.

(15) Mechanical scraper systems shall be installed at each truck exit drive for the purpose of removing snow, slush and ice from trailer and truck rooftops. During

winter months, all trucks must pass under these mechanical scrapers prior to exiting the warehouse facility.

(16) A traffic study prepared by a professional traffic engineer, according to § 390-60. The traffic impact study shall also include a truck routing map identifying anticipated routes to and from the proposed facility to the Township boundary. The truck routing map shall be consistent with existing truck routing signage and trip distribution data presented in the traffic study, and shall identify any new proposed truck routes and necessary truck routing signage.

(17) A community impact study, according to § 390-29.K.

(18) An environmental impact assessment shall be performed. The Assessment shall be prepared by a professional environmental engineer, ecologist, environmental planner, or other qualified individual. An assessment shall include a description of the proposed use including location relationship to other projects or proposals, with adequate data and detail for the Township to assess the environmental impact. The assessment shall also include a comprehensive description of the existing environment and the probable future effects of the proposal. The description shall focus on the elements of the environment most likely to be affected as well as potential regional effects and ecological interrelationships. At a minimum, the assessment shall include an analysis of the items listed below regarding the impact of the proposed use and the mitigation of any such impacts. The assessment shall also include detailed examination of public resources most likely impacted by the development plan and include the following focus areas:

a. Air pollution impacts emissions from vehicle operations, including from truck engines during idle time. The applicant shall identify all stationary and mobile sources of fine particulate matter (PM2.5), volatile organic compounds, and nitrogen oxides at the site. The applicant shall specify best management practices for preventing and reducing the concentration of air polluting emissions at the site. The owner or operator of the facility shall have anti-idling signs prominently posted in areas where 15 or more trucks may park or congregate.

b. The potential for public nuisance to local residents resulting from operations and truck traffic, including noise, glare, light, and visual obstacles.

c. A stormwater management plan.

d. Consistency with the municipal and county comprehensive plan. The applicant shall submit an assessment report of the impact of the proposed use on the goals of the respective plans. Where the proposed use conflicts with the comprehensive plan, the assessment report shall identify

mitigation measures which may be undertaken to offset any degradation, diminution, or depletion of public natural resources.

e. Additional considerations. The following shall also be addressed:

(1) Alternatives analysis. A description of alternatives to the impacts.

(2) Adverse impacts. A statement of any adverse impacts which cannot be avoided.

(3) Impact minimization. Environmental protection measures, procedures and schedules to minimize damage to critical impact areas during and after construction, including design considerations.

(4) Mitigation steps. Listing of steps structural controls proposed to minimize damage to site before and after construction.

f. Critical impact areas. In addition to the above, plans should include any area, condition, or feature which is environmentally sensitive or which if disturbed during construction would adversely affect the environment.

(1) Critical impact areas include, but are not limited to, floodplains, riparian buffers, streams, wetlands, slopes greater than 15%, highly acid or highly erodible soils, hydric soils, hydrologic soil groups, areas of high water table, and mature stands of native vegetation and aquifer recharge and discharge areas.

(2) A statement of impact upon critical areas and of adverse impacts which cannot be avoided.

(3) Environmental protection measures, procedures and schedules to minimize damage to critical impact areas during and after construction.

(19) Evaluation. The procedures for evaluating the assessment shall be as follows:

a. Consultation. Upon receipt of the application the Township may forward the assessment to the Township Engineer.

b. Review and action. The Planning Commission shall evaluate the Environmental and Community Assessment(s) and make a recommendation to the Board.

SECTION 15. Chapter 470, Zoning, Article V, Supplementary Regulations, the title of Section 87, of the Code of Ordinances of Pocono Township is hereby amended to read as follows:

"**§ 470-87. Lumberyards and coal yards; building material storage yards; contractors' equipment and storage yards.**"

SECTION 16. Chapter 470, Zoning, Article V, Supplementary Regulations, of the Code of Ordinances of Pocono Township is hereby amended to add a new Section 87.5 to read as follows:

"**§ 470-87.5. Warehouse.**

(1) See off-street loading requirements in § 470-34.A.

(2) No storage of garbage (other than is routinely produced on site and awaiting regular collection) shall be permitted. The bulk storage of materials that are inflammable, explosive, hazardous, or commonly recognized as offensive shall not be permitted.

(3) Uses that would involve the entrance to the use of an average of more than 50 tractor-trailer trip in any 24-hour period shall be required to meet the additional site development standards in § 470-83 for a Truck Terminal/Distribution. A trip shall be defined as one arrival at or one departure from the facility.

(4) When permitted as a conditional use, the applicant shall provide a detailed description of the proposed use in each of the following topics:

a. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations.

b. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, anticipated truck traffic, and an overall needed site size.

c. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 5 of this Chapter.

d. The applicant shall present credible evidence that the number of "oversized" off-street parking spaces provided for trucks will be adequate to accommodate the expected demand generated by the warehouse activities.

(5) Maximum building height for such use shall be 50 feet.

(6) A traffic study prepared by a professional traffic engineer, according to § 390-60.

SECTION 17. Chapter 470, Zoning, Article V, Supplementary Regulations, Section 34, Parking and truck loading requirements, Subsection A, of the Code of Ordinances of Pocono Township is hereby amended to delete "Warehousing (nonretail): 1 for each 1,000 square feet of gross floor area, plus 1 for each employee on the peak shift." and replace it with the following:

> "Warehouses, Distribution Centers, Fulfillment Centers, Truck Terminals, and Similar Uses: 1.1 per employee on the largest shift, plus one tractor-trailer space located at each loading dock/bay, plus additional "stacking/storage" spaces (minimum 14' x '74') for tractor-trailers in an amount greater or equal to 10% of the number of loading docks/bays (with a minimum of 10 spaces) for the stacking/storage of tractor-trailers, all directly accessible by adequate aisles or drives. The parking and stacking design shall provide adequate area/spaces for the parking and stacking of tractor-trailers that are awaiting entry to the loading/unloading area to prevent the backup of tractor-trailer and/or other vehicles onto a public street."

SECTION 18. Chapter 470, Zoning, Attachment 1 – Use Schedule, of the Code of Ordinances of Pocono Township is hereby amended as follows:

	Industrial	Commercial	Enterprise Park
~~Truck and motor freight terminal (§ 470-83)~~ Truck Terminal/Distribution (§ 470-83)	P	X	CU
~~Warehouses, except bulk storage of chemicals, petroleum products and other flammable explosives, or noxious materials (§ 470-87)~~ Warehouse (§ 470-87.5)	P	CU	CU

SECTION 19. Chapter 470, Zoning, of the Code of Ordinances of Pocono Township is hereby amended to add Attachment 4 – Enterprise Park Overlay District Map, attached to this Ordinance as Exhibit "A".

SECTION 20. REPEALER

Any existing ordinances or parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

SECTION 21. SEVERABILITY

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Ordinance is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the Ordinance.

SECTION 22. **ENACTMENT**

This Ordinance shall be effective within five (5) days and shall remain in force until modified, amended or rescinded by Pocono Township, Monroe County, Pennsylvania.

ENACTED AND ADOPTED by the Board of Commissioners this ____ day of _____, 2023.

ATTEST:

TOWNSHIP OF POCONO,
MONROE COUNTY

_____
TAYLOR MUNOZ
Township Manager

_____
RICHARD WIELEBINSKI
President, Board of Commissioners

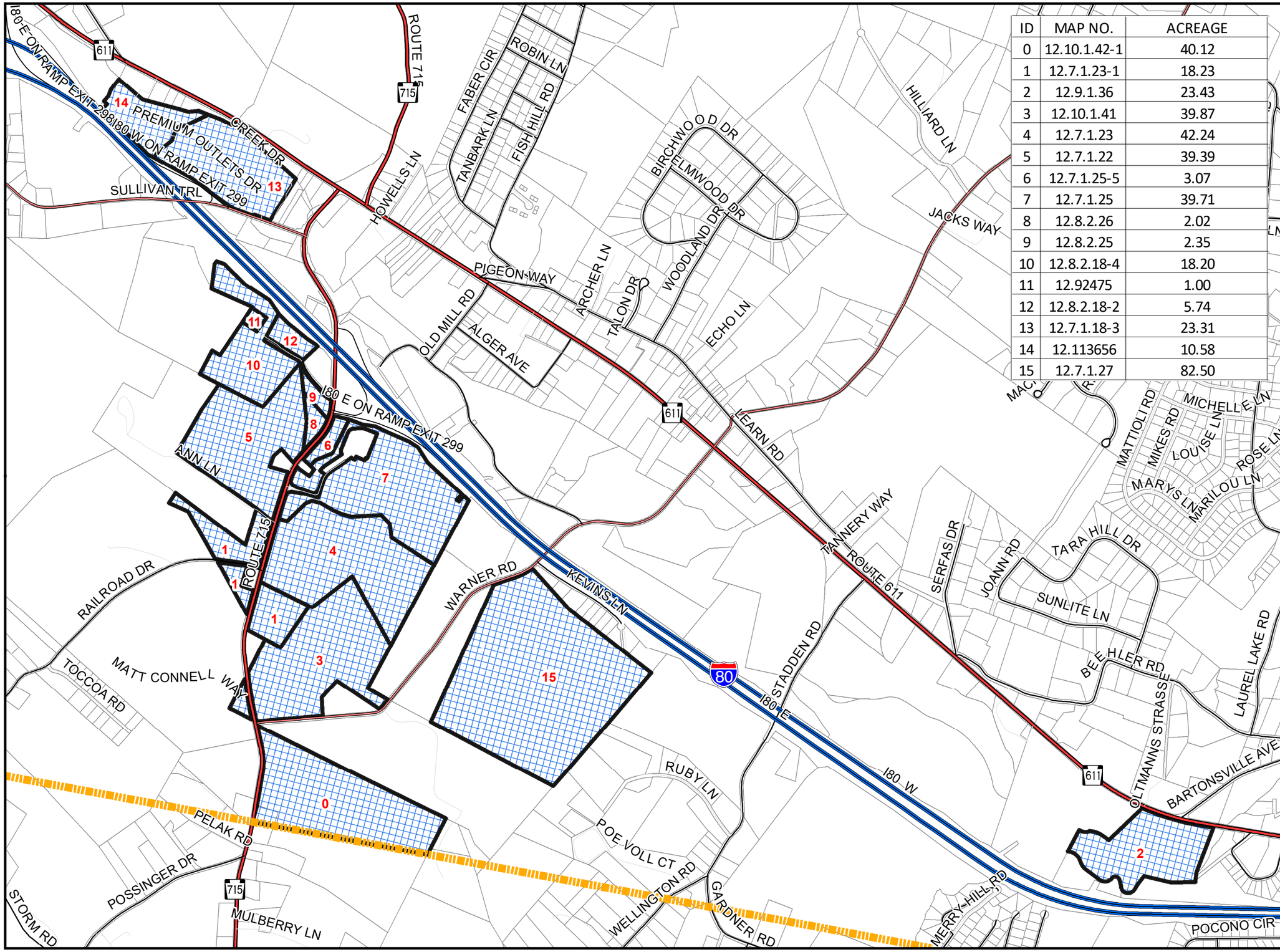
EXHIBIT “A”

ATTACHMENT 4

ENTERPRISE PARK OVERLAY DISTRICT

POCONO TOWNSHIP

MONROE COUNTY, PENNSYLVANIA



ID	MAP NO.	ACREAGE
0	12.10.1.42-1	40.12
1	12.7.1.23-1	18.23
2	12.9.1.36	23.43
3	12.10.1.41	39.87
4	12.7.1.23	42.24
5	12.7.1.22	39.39
6	12.7.1.25-5	3.07
7	12.7.1.25	39.71
8	12.8.2.26	2.02
9	12.8.2.25	2.35
10	12.8.2.18-4	18.20
11	12.92475	1.00
12	12.8.2.18-2	5.74
13	12.7.1.18-3	23.31
14	12.113656	10.58
15	12.7.1.27	82.50

Legend

- Municipal Boundary
- Parcel Boundaries
- Proposed Enterprise Park Overlay

0 250 500 1,000 Feet

1:13,500

N E S W

The County of Monroe makes no express or implied warranties concerning the release of this information. The County of Monroe is unaware of the use or uses to be made of this data. Consequently, the County of Monroe does not warrant this data as fit for any particular purpose.

MONROE 2030

www.monroecountypa.gov

PREPARED BY

Monroe County Planning Commission

701 Main Street, Suite 405

Stroudsburg, PA 18360

(570) 517-3100

mcpc@monroecountypa.gov

December 2022

22-027

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2023-02

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE SANOFI PASTEUR, INC. B-83 COLD STORAGE BUILDING PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

WHEREAS, the applicant, Sanofi Pasteur, Inc., submitted a plan application titled "Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., B-83 Cold Storage Building" (the "Plan"). The applicant proposes to construct 3,400 square foot cold storage building, with associated loading and storage areas, and utility improvements. The property is owned by Sanofi Pasteur, Inc., and is known as Monroe County Tax ID No. 12.12.2.10-2; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated December 10, 2021 and August 16, 2022; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Plan at a meeting held on January 23, 2023; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final action on this Plan.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

That the following requests for modification from the Subdivision and Land Development Ordinance are hereby granted:

1. SALDO Section 390-19.M: Financial guarantee requirements. *The applicant shall not be required to provide a financial guarantee as a condition of recording the plan as no public improvements are proposed.*

2. SALDO Section 390-29.G.(7): A viewshed analysis must be submitted. *The applicant shall not be required to provide a viewshed analysis as seed lab is more than 2,000 feet from any roads in an already developed site.*

3. SALDO Sections 390-29.J.(1)(c), 390-31.D.(2), and 390-59.H.(2): Convenient traffic circulation and parking. Turning movement diagrams shall be provided to demonstrate that the largest truck or emergency vehicle servicing the development can safely and conveniently navigate the proposed roads, drives and parking and loading areas, but in any event for not less than a WB-50 truck. *The applicant shall not be required to provide a template for a WB-50 truck, since deliveries will be made by an SU-30 truck for a template has been provided..*

4. SALDO Section 390-29.J.(6): Title search must be provided. *The applicant shall not be required to provide a title search. The applicant has provided a deed evidencing ownership of the property.*

5. SALDO Sections 390-32.B and 390-35: Performance Guarantee. *The applicant shall not be required to provide a performance guarantee as a condition of recording the plan as no public improvements are proposed.*

6. SALDO Section 390-41: Development Agreement. *The applicant shall not be required to enter into a development agreement as a condition of recording the plan as no public improvements are proposed.*

7. SALDO Section 390-55.F.(3): Buffering requirements along property lines and rights-of-way. *The applicant shall not be required to install additional plantings due to the existing woodlands.*

That the following requests for modification of the Brodhead and McMichael Creeks Stormwater Management Ordinance are hereby granted:

1. SMO Section 365-11.A.(3) – "The size of the recharge facility shall be based upon the following volume criteria: (a) NRCS Curve Number Equation." (as outlined in the Section); (b) Annual recharge. Water budget approach." (as outline in the Section)." *The applicant is proposing to meet the infiltration requirements based on the PA DEP requirements.*

2. SMO Section 365-27: Performance Guarantee. *The applicant shall not be required to provide a performance guarantee as a condition of recording the plan as no public improvements are proposed.*

That the "Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., B-83 Cold Storage Building" as shown on the plan prepared by Borton Lawson Engineering, dated November 5, 2021, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letters dated December 10, 2021 and August 16, 2022.

2. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.

3. The applicant shall pay all necessary fees associated with the Plan, including but not limited to a fee in lieu of dedicating open space in the amount of $2,324.00, any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.

4. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.

5. The applicant shall provide the requisite number of plans which are signed and notarized by the owner and sealed by the engineer.

6. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.

7. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 6th day of February, 2023.

ATTEST:

Township of Pocono
Board of Commissioners

By:_____
Print Name: Taylor Munoz
Title: Township Manager

By:_____
Print Name: Richard Wielebinski
Title: President

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2023-03

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE SANOFI PASTEUR, INC. B-87 LINE 10 BUILDING PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

WHEREAS, the applicant, Sanofi Pasteur, Inc., submitted a plan application titled "Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., B-87 Line 10 Building" (the "Plan"). The applicant proposes to construct 18,000 square foot building addition to the B-87 Line 10 Building, with associated loading and storage areas, stormwater management and storm sewer, and utility improvements. The property is owned by Sanofi Pasteur, Inc., and is known as Monroe County Tax ID No. 12.12.2.10-2; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated August 16, 2022 and January 17, 2023; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Plan at a meeting held on January 23, 2023; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final action on this Plan.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

That the following requests for modification from the Subdivision and Land Development Ordinance are hereby granted:

1. SALDO Section 390-19.M: Financial guarantee requirements. *The applicant shall not be required to provide a financial guarantee as a condition of recording the plan as no public improvements are proposed.*

2. SALDO Section 390-29.G.(7): A viewshed analysis must be submitted. *The applicant shall not be required to provide a viewshed analysis as seed lab is more than 2,000 feet from any roads in an already developed site.*

3. SALDO Sections 390-29.J.(1)(c), 390-31.D.(2), and 390-59.H.(2): Convenient traffic circulation and parking. Turning movement diagrams shall be provided to demonstrate that the largest truck or emergency vehicle servicing the development can safely and conveniently navigate the proposed roads, drives and parking and loading areas, but in any event for not less than a WB-50 truck. *The applicant shall not be required to provide a template for a WB-50 truck, since deliveries will be made by an SU-30 truck for a template has been provided..*

4. SALDO Section 390-29.J.(6): Title search must be provided. *The applicant shall not be required to provide a title search. The applicant has provided a deed evidencing ownership of the property.*

5. SALDO Sections 390-32.B and 390-35: Performance Guarantee. *The applicant shall not be required to provide a performance guarantee as a condition of recording the plan as no public improvements are proposed.*

6. SALDO Section 390-41: Development Agreement. *The applicant shall not be required to enter into a development agreement as a condition of recording the plan as no public improvements are proposed.*

7. SALDO Section 390-55.F.(3): Buffering requirements along property lines and rights-of-way. *The applicant shall not be required to install additional plantings due to the existing woodlands.*

That the following requests for modification of the Brodhead and McMichael Creeks Stormwater Management Ordinance are hereby granted:

1. SMO Section 365-8.L – "Roof drains should not be connected to streets, sanitary or storm sewers, or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater." *The existing building is connected to storm sewer and the expansion is proposed to be connected to the storm sewer as well.*

2. SMO Section 365-11.A.(3) – "The size of the recharge facility shall be based upon the following volume criteria: (a) NRCS Curve Number Equation." (as outlined in the Section); (b) Annual recharge. Water budget approach." (as outline in the Section)." *The applicant is proposing to meet the infiltration requirements based on the PA DEP requirements.*

3. SMO Section 365-27: Performance Guarantee. *The applicant shall not be required to provide a performance guarantee as a condition of recording the plan as no public improvements are proposed.*

That the "Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., B-87 Line 10 Building" as shown on the plan prepared by Borton Lawson Engineering, dated July 1, 2022, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letters dated August 16, 2022 and January 17, 2023.

2. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the

Township, if deemed necessary by the Township.

3. The applicant shall pay all necessary fees associated with the Plan, including but not limited to a fee in lieu of dedicating open space in the amount of $210.15, any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.

4. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.

5. The applicant shall provide the requisite number of plans which are signed and notarized by the owner and sealed by the engineer.

6. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.

7. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 6th day of February, 2023.

ATTEST:

Township of Pocono
Board of Commissioners

By:_____
Print Name: Taylor Munoz
Title: Township Manager

By:_____
Print Name: Richard Wielebinski
Title: President

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2023-04

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE CHERRY LANE DEVELOPMENT PARTNERS – 2977 ROUTE 611 PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

WHEREAS, the Applicant, Cherry Lane Development Partners, submitted a plan application titled "Cherry Lane Development Partners Preliminary/Final Land Development Plan" (the "Plan"). The Applicant proposes to construct a 5,585 square foot Wawa convenience store with twelve (12) fueling station, a 64-space parking lot, and driveways at State Route 611 and Learn Road. The property is located in the C Commercial Zoning District and is known as Monroe County Tax ID Nos. 12.8.1.57 and 12.8.1.58; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated September 20, 2022 and December 21, 2022; and

WHEREAS, the Pocono Township Planning Commission recommended conditional plan approval at its meeting held on January 9, 2023; and

WHEREAS, the Pocono Township Board of Commissioners desires to take action on this Plan.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

That the following requests for modification from the Subdivision and Land Development Ordinance are hereby granted:

1. SALDO Section 390-48.H – "Wherever there exists a dedicated or platted portion of a road or alley along a boundary of the tract being subdivided or developed the remainder of said road or alley shall be platted to the width required by this chapter based on the classification of the road withing the proposed development." *Applicant shall not be required to provide a 44-foot wide cartway for Cherry Lane Road or an 80-foot wide cartway for SR 611, as they are both PennDOT roads.*

2. SALDO Section 390-4348.T.(5) – "Access drives shall be located at least 150 feet, 200 feet, and 300 feet respectively for local, collector and arterial roads from the center line of the access drive to the point of intersection of the nearest road right-of-way." *Applicant is proposing an access drive to SR 611 withing 300 feet of the Cherry Lane Road intersection.*

3. SALDO Section 390-48.T.(13)(b) – "Access drives entrances into all nonresidential and nonagricultural use properties shall be no less than 24 feet in width, shall not exceed 36 feet in width at the road line, unless provided with a median divider, and shall be clearly define by curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of 20 feet from where they intersect a road." *Applicant is proposing a radii of the driveway are only 15 feet.*

4. SALDO Section 390-48.T.(14) – "Concrete aprons shall be provided for all access drives with concrete sidewalks." *Applicant is not proposing a concrete apron at the SR 611 access drive.*

5. SALDO Section 390-48.AA – "Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping." *Applicant is not proposing sidewalk along SR 611 due to the lack of space within the right-of-way.*

6. SALDO Section 390-55.C.(2)(a) – "One planting island shall be provided for every 10 parking stalls. There shall be no more than 15 contiguous parking stalls in a row without a planting island." *Applicant is proposing to reduce the landscaped islands to four (4) rather than the required seven (7) planting islands.*

7. SALDO Sections 390-55.D.(3)(a), (c), and (d) – "Trees shall be planted a minimum distance of five feet and a maximum distances of fifteen feet outside the ultimate right-of-way line." *Applicant is proposing to street trees along Learn Road and Cherry Lane Road located less than five (5) feet from the right-of-way. In addition , the applicant is also proposing trees within the sewer easement, and a reduced number of trees than required under the ordinance.*

8. SALDO Sections 390-55.D.3.(e) and 390-55.H – "Street trees shall comply with the requirements of Section 390-55.G/ The use of tree species selected from the List of Acceptable Planes in Section 390-55.H is required." *Applicant is proposing to use 'Green Pillar' Pin Oak and Thuja occidentalis "Smaragd" (Emerald Green Arborvitae) varieties.*

9. SALDO Section 390-55.F.(3)(c) and Table 390-55-1 – "The width and quantity and type of plants required shall be determined by the intensity of the proposed land use and the adjacent land use, vacant land, or zoning district, according to Table 390-55-1." *Applicant is seeking a waived related to the number of trees and widths due to conflicts with existing utilities.*

10. SALDO Section 390-56.A.(6)(c). – "The use of floodlights and wall-mounted luminaires shall not be permitted to illuminate parking areas unless it can be proven to the satisfaction of the Township that the employment of no other means is possible." *Applicant is proposing to use wall-mounted lights, which are less obtrusive than pole-mounted lights..*

That the following request for modification of the Brodhead and McMichael Creeks Stormwater Management Ordinance are hereby granted:

1. SMO Section 365-8.L – "Roof drains should not be connected to streets, sanitary or storm sewers, or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater." *Applicant proposes to have all roof drains connect to the storm sewer.*

That the "Cherry Lane Development Partners Preliminary/Final Land Development

Plan" as shown on the preliminary land development plan prepared Holmes Cunningham Engineering, dated July 21, 2022, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letter dated September 20, 2022 and December 21, 2022.

2. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security.

3. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security.

4. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township.

5. Prior to the recording of the Plan, the applicant shall pay all necessary fees associated with the Plan, including but not limited to a fee in lieu of dedicating open space in the amount of $3,584.00, any outstanding plan account charges, and all professional services fees.

6. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.

7. The applicant shall provide the requisite number of plans which are signed and notarized by the owner and sealed by the engineer.

8. The applicant shall meet all conditions of the preliminary/final plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.

9. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the application is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 6th day of February, 2023.

ATTEST:

Township of Pocono
Board of Commissioners

By:_____
Print Name: Taylor Munoz
Title: Township Manager

By:_____
Print Name: Richard Wielebinski
Title: President

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2023-05

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE RUNNING LANE, LLC PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

WHEREAS, the applicant, Running Lane, LLC, has submitted a preliminary/final land development plan (the "Plan"). The applicant proposes a land development on property located along State Route 0611, approximately 0.7 miles south of the intersection with Lower Swiftwater Road (SR 0314). The existing property (Tract 1) is located with the C Commercial Zoning District and consists of the Pocono Brewing Company with associated parking, stormwater management and on-lot water and sewer services. The existing property is split by SR 0611 and has a total gross area of 5.47 acres, with 0.507 acres located on the eastern side of SR 0611. The proposed land development will occur on Tract 1 and will consist of a 4-story, 90 room hotel with a pool; and

WHEREAS, on April 6, 2020, the Pocono Township Board of Commissioners enacted Resolution No. 2020-08 which granted conditional preliminary/final plan approval of the Plan; and

WHEREAS, Resolution No. 2020-08 required that the applicant meet all conditions of the plan approval and record the Plan within twelve (12) months of the Conditional Plan approval, and if such conditions were not met, the Conditional Plan approval would be considered void; and

WHEREAS, the applicant was unable to satisfy the conditions of plan approval and record the Plan within twelve (12) months of the Conditional Plan approval, and is requesting that the Board of Commissioners grant an extension of time to comply with the requirements of Resolution No. 2020-08; and

WHEREAS, by Resolution No. 2022-05, the Board of Commissioners granted the applicant an extension of twelve (12) months to satisfy the conditions of preliminary/final plan approval and record the Plan as set forth in Resolution No. 2020-08; and

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania the applicant, Running Lane, LLC, shall have a period of _____ (_____) months from the date of this Resolution to satisfy the conditions plan approval and record the Plan as set forth in Resolution No. 2020-08.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 6th day of February, 2023.

ATTEST:

Township of Pocono
Board of Commissioners

By:_____
Print Name: Taylor Munoz
Title: Township Manager

By:_____
Print Name: Richard Wielebinski
Title: President

Pocono Township Board of Commissioners
Regular Meeting Minutes
January 17, 2023 | 6:00 p.m.

The regular meeting of the Pocono Township Board of Commissioners was held on January 17, 2023 and was opened by President Rich Wielebinski at 6:31 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gnandt, present; Jerry Lastowski, present; Keith Meeker, present; and Rich Wielebinski, present.

In Attendance: Taylor Munoz, Township Manager; Leo DeVito, Township Solicitor; Jon Tresslar, Township Engineer; Amy Montgomery, Engineer; and Jennifer Gambino, Administrative Assistant.

Public Comment

Mary McIsaac (Jackson Resident) – Commended board on the TLC Park decorations. Expressed concerns about specific road provisions in the proposed curative amendment. Shared concerns regarding negative impacts of warehouse/distribution center development.

Lisa Buccholz (Jackson Resident) – Thanked Township for meeting with concerned citizens group regarding warehouse/distribution center development and hearing concerns. Expressed concerns about environmental impact of proposed Core5 Warner Road development.

Joshua Knapp (Township Resident) – Urged the Township to oppose warehouse development on Warner Road.

Announcements

- An executive session was held prior to the meeting to discuss personnel issues and acquisition of real estate.
- The Township ice skating rink at TLC Park is open 8:00 a.m. to 9:00 p.m. daily on a weather-permitting basis. Please follow the Township Facebook page or call the office to check on its status. We encourage Township residents and their families to enjoy the ice rink.
- The Public Hearing for adoption of the Township's curative zoning amendment addressing distribution, warehouse and trucking terminal uses will be held at the February 6, 2023 meeting of the Board of Commissioners.

Presentations

- State Representative Maureen Madden (115th District) – Legislative district now includes Pocono Township. Rep. Madden had a scheduling conflict and will plan to attend a future meeting.

Hearings

- Local Agency Hearing – 249 Camelback Road – Appeal of Lori A. Grossi and Felicia Damato regarding the Township Zoning Officer's denial of an application for a transient dwelling unit permit under Chapter 302, Transient Dwelling Use of Single-Family Dwellings for the property located at 249 Camelback Road.

R. Wielebinski made a motion, seconded by E. Gnandt, to open the public hearing. All in favor. Motion carried.

L. DeVito stated a request was received for a continuance, as there are active appeals in motion with the Court of Common Pleas. The first appeal will be argued at the end of January and the determination in that case will set precedent. Extension of this hearing will be pending judicial determination. L. DeVito suggested continuing the hearing to the second meeting in March. E. Gnandt

asked about required designation of local property manager. J. Belvin asked whether they will be allowed to continue with their TDU license. Discussion regarding timing for the continued hearing. Discussion regarding verifying local contact for emergency purposes and request for inspection of the property.

R. Wielebinski made a motion, seconded by J. Lastowski, to close the public hearing. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to grant the requested continuance and schedule for March 20, 2023 at 6:00 p.m. at Township building. All in favor. Motion carried.

Resolutions

R. Wielebinski made a motion, seconded by J. Lastowski, to pass Resolution 2023-01 approving the Brodhead Creek Regional Authority's acquisition of the assets and water service area of the Pocono-Jackson Joint Water Authority. All in favor. Motion carried.

Consent Agenda

- Motion to approve a consent agenda of the following items:
    - Old business consisting of the minutes of the December 29, 2022 and January 3, 2023 meetings of the Board of Commissioners.
    - Financial transactions through January 12, 2023 as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll; vouchers payable, sewer operating expenditures, construction fund expenditures, capital reserve expenditures and transfers. **(Action Items)**

R. Wielebinski made a motion, seconded by J. Belvin, to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS

1. Personnel

R. Wielebinski made a motion, seconded by J. Belvin, to extend an offer of employment to Patrick Briegel for the position of Public Works Director, overseeing the road crew, public sewer system and parks at a salary of $105,000 with standard Township benefits. All in favor. Motion carried.

2. Travel/Training Authorizations

- Acting Chief Goucher, Acting Sergeant Rath and Township Manager will attend a PSATS Police Department Management Training in February.

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by J. Belvin, to purchase a 2023 Nissan Rogue SUV in the amount of $30,304.47 for the Township Manager vehicle and for Township use generally. All in favor. Motion carried.

- Discussion and possible action regarding a waiver request for driveway slope for the property located on Spruce Road, Lot 14 (Laurel Spring Estates). **(Action Item)**

J. Tresslar gave an overview of a proposed design for a driveway on a residential parcel. The current proposal has a 16% driveway grade and he believes what is being proposed is the best solution for this

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lot. Stated the steep slope is not headed directly toward the road and an area has been provided for staging cars during icy conditions. Discussion regarding location of property; whether the property owners are aware of the steepness; and the possible need for a hold harmless agreement.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve the waiver for driveway slope. All in favor. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President. Provided update on dog park amenities and mag lock installation.

Ellen Gnandt – Commissioner – None

Jerry Lastowski – Commissioner – None

Keith Meeker – Commissioner - None

Reports

Zoning – No update.

Police Report – No update.

Public Works Report

- Current Public Works projects include ongoing winter maintenance items.
- Mountain View Park updates.
  - Update – MVP fencing project will begin when the weather allows.
  - Update – Installation of new slide will occur soon.
- TLC Park updates.

Administration – Manager's Report

- Zoning and SALDO review process to begin at next Planning Commission meeting at 6:00 p.m. on January 23 with Nanci Sarcinello, the Township's planning consultant.

Township Engineer Report

- Sidewalk installation for Wendy's and Turkey Hill. Wendy's is on hold. Working with Turkey Hill engineer. Turkey Hill hoped to piggyback off the Township's plan, but that will not work due to certain complications.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement.
  - Easement needed from adjoining property owner (Lovito). In progress.
- TASA SR 611 sidewalk project. Design is ongoing.
- Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue. No update.

Township Solicitor Report

- Zoning Hearing Board updates.
  - January 26, 2023 – Medina & Alvarez seeking permission to use property zoned R-1 as a short-term rental.

J. Lastowski made a motion, seconded by R. Wielebinski, to send Township Solicitor to the Medina Zoning Hearing to oppose the variance request. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Township solicitor to prepare an ordinance codifying BCRA's public water service area for consistency with the Township's central sewage

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(Act 537) service area. E. Gnandt asked whether residents will be included in the service area that are currently not. L. DeVito recommended that the motion be withdrawn and addressed at future meeting. Motion withdrawn.

- Update – Tobyhanna Act 537 Sewage Capacity Request. Litigation continues in Kalahari matter.
- Update – Closing for sale of Bartonsville Avenue parcel. Currently set for January 31.
- Update – Johnson Appeal Commonwealth Court argument. No update.
- Update – PJJWA transfer agreement. T. Munoz gave update regarding grant funds.

L. DeVito gave an update regarding White Oak Drive issues. Property owner was served while in County Correctional Facility. Further proceedings are imminent.

Public Comment

Joshua Knapp (Township Resident) – Reiterated his appreciation for the work the Township is doing. Stated homeownership is a key way that wealth transfers among the middle class and expressed concerns about impact of the proposed warehouse on those living on Kevin's Lane.

Adjournment

R. Wielebinski made a motion, seconded by E. Gnandt, to adjourn the meeting at 7:44 p.m. All in favor. Motion carried.

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POCONO TOWNSHIP
Monday, February 6, 2023
SUMMARY

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Ratify

General Fund	$	21,173.34
Payroll	$	127,340.78
Sewer Operating	$	825.64
Sewer Construction	$	-
Capital Reserve	$	-

Bill List

TOTAL General Fund	$	111,784.76
TOTAL Sewer OPERATING Fund	$	19,600.27
TOTAL Sewer CONSTRUCTION Fund	$	-
TOTAL Capital Reserve Fund	$	186.28
Liquid Fuels	$	-
TOTAL EXPENDITURES	$	280,911.07

Fire Tax Disbursement

Budget Adjustments

Budget Appropriations

Budgetary Interfund Transfer

Use of Grant Funds

ARPA FUNDS TO CAPITAL RESERVE

ARPA FUNDS TO GENERAL FUND

Total Transfers	$	-

Notes:

POCONO TOWNSHIP CHECK LISTING

RATIFY

Monday, February 6, 2023

General Fund

	Date	Check	Vendor	Memo		Amount
Payroll	01/27/2023			PAYROLL ENDING 01/22/2023	$	127,340.78
				TOTAL PAYROLL	**$**	**127,340.78**

General Expenditures

Date	Check	Vendor	Memo		Amount
01/17/2023	62974	FIRSTNET	PW Ipads & Wifi Hotspot	$	173.66
01/19/2023	62975	Cardmember Service	POLICE SUPPLIES & SUBSCRIPTIONS	$	3,047.39
01/19/2023	62976	MRM Worker's Compensation Pooled Trust	JAN 2023 WORKERS COMP	$	14,980.71
01/19/2023	62977	Cardmember Service	TWP SUBSCRIPTIONS & SUPPLIES	$	2,769.33
01/20/2023	62978	District Court 43-3-03	Civil Complaint	$	202.25
			TOTAL General Fund Bills		**$21,173.34**

Sewer Operating Fund

Date	Check	Vendor	Memo		Amount
01/20/2023	2385	BLUE RIDGE COMMUNICATIONS	PUMP STATION PHONE SERVICE	$	127.00
01/17/2023	2386	Verizon	Sewer SCADA System	$	74.16
01/17/2023	2387	BLUE RIDGE COMMUNICATIONS	2995 Bartonsville Internet	$	63.50
01/24/2023	2389	MET-ED	JAN 2023 ELECTRIC SERVICE PUMP STATION	$	440.93
01/25/2023	2390	Verizon Wireless	SEWER MODEMS & SCADA MODEM	$	120.05
				$	**825.64**

Sewer Construction Fund

Date	Check	Vendor	Memo		Amount
			TOTAL Sewer Construction Fund	**$**	**-**

Capital Reserve Fund

Date	Check	Vendor	Memo		Amount
			TOTAL Capital Reserve Fund	**$**	**-**

TOTAL General Fund	$	148,514.12
TOTAL Sewer Operating	$	825.64
TOTAL Sewer Construction	$	-
Total Capital Reserve	$	-
	$	**149,339.76**

Authorized by: _____

Transferred by: _____

POCONO TOWNSHIP CHECK LISTING
Monday, February 6, 2023

General Fund

Date	Check	Vendor	Memo		Amount
1/31/2023	62979	AFLAC	Supplemental Ins	$	737.60
1/31/2023	62980	ALTRONICS	Police Monitoring	$	245.00
1/31/2023	62981	American Heritage Life Insurance Company	JAN 2023 SUPPLEMENTAL INSURANCE	$	844.08
1/31/2023	62982	AMERICAN ROCK SALT COMPANY	ROCK SALT	$	6,997.31
1/31/2023	62983	AMERICAN UNITED LIFE INSURANCE CO.	GTL PREMIUM	$	3,096.62
1/31/2023	62984	Auto Parts of Tannersville, Inc.	SHOP SUPPLIES	$	155.94
1/31/2023	62985	Bagley, Alex	UNIFORM ALLOWANCE	$	69.30
1/31/2023	62986	Best Auto Service Center	2022 POLICE INTERCEPTOR MAINTENANCE	$	350.08
1/31/2023	62987	Brodhead Creek Regional Authority	TWP Water	$	245.94
1/31/2023	62988	Cooper Electric	PW NEW TRUCK PARTS	$	57.03
1/31/2023	62989	Corona Butcher	GETZ RETIREMENT LUNCH	$	60.00
1/31/2023	62990	Cyphers Truck Parts	VEHICLE MECHANICS TOOLS 2023	$	275.90
1/31/2023	62991	Davidheiser's Inc.	EQUIPMENT CALIBRATION	$	160.00
1/31/2023	62992	DES	RECYCLING DECEMBER 2022	$	30.00
1/31/2023	62993	Donna Kenderdine Reporting	GROSSI HEARING 12/5/2022	$	368.25
1/31/2023	62994	Engle-Hambright & Davies, Inc.	RAZZAQ BOND 2023	$	500.00
1/31/2023	62995	GAMBINO, JENNIFER	BRODSKY GET WELL	$	97.27
1/31/2023	62996	Gotta Go Potties, Inc	MVP RENTAL 2022 & 2023	$	300.00
1/31/2023	62997	Goucher, Shawn	POLO SHIRTS PTPD LOGO	$	97.46
1/31/2023	62998	HAWK ANALYTICS INC	CELLHAWK SUBSCRIPTION 2023	$	2,995.00
1/31/2023	62999	HEIDELBERG MATERIALS NORTHEAST LLC	ROAD MATERIALS	$	1,882.20
1/31/2023	63000	International Assoc of Chiefs of Police	Dues 1/1/23 - 12/31/23	$	190.00
1/31/2023	63001	J. P. Mascaro & Sons	TWP WASTE REMOVAL	$	370.08
1/31/2023	63002	J. P. Mascaro & Sons	MW PARK WASTE REMOVAL	$	218.30
1/31/2023	63003	JDM Consultants, LLC	JANUARY GRANT CONSULTING SERVICES	$	3,500.00
1/31/2023	63004	Marshalls Creek Quarry	Road materials	$	990.00
1/31/2023	63005	MAULA, MAURA	1/5/23 MVP Yoga	$	10.00
1/31/2023	63006	MAY EQUIPMENT INC	Powerwasher Service	$	552.84

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1/31/2023	63007	MetLife - Non Uni. Pen. Plan	JAN 2023 ER CONTRIBUTION	$	6,804.09
1/31/2023	63008	Monroe County Treasurers Office	RE TAXES REMINDER BILLS 2022	$	866.76
1/31/2023	63009	Nationwide - 457	ER & EE CONTRIBUTION	$	18,356.05
1/31/2023	63010	Pennsylvania Steel Company, Inc.	PW operation supplies	$	358.92
1/31/2023	63011	PENTELEDATA	TWP Internet	$	142.90
1/31/2023	63012	PENTELEDATA	Police & Heritage Center Internet	$	314.08
1/31/2023	63013	Pocono 4 Wheel Drive Center	NEW TRUCK PARTS	$	430.00
1/31/2023	63014	PPL Electric Utilities	2778 RT 611 LIGHTING	$	41.61
1/31/2023	63015	Ray Price Chrysler Dodge Jeep Ram Mt Poco	Truck 15	$	575.00
1/31/2023	63016	Ray Price Ford Mt. Pocono	TRUCK 12 PARTS	$	26.25
1/31/2023	63017	SFM Consulting LLC	BCO & ZO SERVICES DEC 2022	$	24,961.96
1/31/2023	63018	Shinetime Auto Wash & Lube	DEC 2022 Washes	$	22.00
1/31/2023	63019	Staples Credit Plan	POLICE OFFICE SUPPLIES	$	63.98
1/31/2023	63020	Steele's Hardware	SHOP SUPPLIES	$	65.13
1/31/2023	63021	Suburban Propane	VEHICLE FUEL	$	22,459.22
1/31/2023	63022	Suburban Testing Labs	SDWA MONTHLY 701	$	120.00
1/31/2023	63023	Teamster Local 773 - Non-Uniform	NON POLICE UNION DUES	$	757.00
1/31/2023	63024	Teamster Local 773 - Police	POLICE UNION DUES JAN 2023	$	1,353.00
1/31/2023	63025	TRAISR, LLC	DEC 2022 SaaS	$	733.33
1/31/2023	63026	Tulpehocken Mountain Spring Water Inc	TWP DRINKING BOTTLED WATER	$	174.28
1/31/2023	63027	UNIFIRST Corporation	PW UNIFORMS & TWP MATS	$	94.63
1/31/2023	63028	US BANK - Lockbox CM9722	JAN 2023 EE CONTRIBUTION	$	7,668.37
			TOTAL GENERAL FUND		**$111,784.76**

Sewer Operating

Date	Check	Vendor	Memo		Amount
1/31/2023	2391	Allstate Septic Systems, LLP	Pump Station 1 & 2 Service	$	600.00
1/31/2023	2392	BIROS SEPTIC & DRAIN CLEADING	3110 Rt 611 Poc TWP Service	$	1,708.20
1/31/2023	2393	BRODHEAD CREEK REGIONAL AUTHORITY	Pump Station 2-5 Water	$	268.28
1/31/2023	2394	EEMA O&M Services Group, Inc.	JAN 2023 CONTRACTED SERVICES	$	6,789.17
1/31/2023	2395	J P Mascaro & Sons	WASTE REMOVAL SEWER STATION 5	$	223.85
1/31/2023	2396	Multi-Dimensional Integration Inc.	EMERGENCY SUPPORT	$	1,102.66
1/31/2023	2397	PENTELEDATA	Pump Stations 1 - 5 Internet	$	369.75
1/31/2023	2398	Pocono Management Associates LLC	12/26/22 - 1/22/23 Sewer Services	$	7,647.36

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1/31/2023	2399	Steele's Hardware	SEWER OPERATING SUPPLIES	$	38.97
1/31/2023	2400	Suburban Propane	Pump Station 1 & 2 Propane	$	485.36
1/31/2023	2401	TRAISR	TRAISR SaaS Dec 2022	$	366.67
			TOTAL Sewer Operating		**$19,600.27**

Sewer Construction Fund

Date	Check	Vendor	Memo		Amount
			TOTAL Sewer Construction Fund		**$0.00**

Capital Reserve Fund

Date	Check	Vendor	Memo		Amount
1/31/2023	1394	STEELES HARWARE	DOG PARK PROJECT SUPPLIES	$	186.28
			TOTAL Capital Reserve Fund		**$186.28**

Fire Tax Disbursement

Date	Check	Payee	Memo		Amount
			TOTAL Fire Tax	**$**	**-**

ESSA

General Fund	$	111,784.76	
Sewer Operating	$	19,600.27	
Sewer Construction Fund	$	-	Authorized by:_____
Capital Reserve	$	186.28	
Fire Tax Disbursement	$	-	
Liquid Fuels	$	-	
TOTAL ESSA TRANSFER	$	131,571.31	Transferred by:_____

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NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Pocono Township Zoning Hearing Board will hold a public hearing on **Thursday, February 16, 2023 beginning at 5:00 P.M.,** at the Pocono Township Municipal Building, 112 Township Drive, Tannersville, Pennsylvania 18372. The purpose of the hearing is to consider the application of Cima Network, Inc. on behalf of Five Below for a variance from the Pocono Township Zoning Ordinance Section 470-108.B(1), which restricts wall signs to a maximum of 50 square feet.

The subject property, owned by Chelsea Pocono Finance, LLC and leased by Five Below, is Suite A20a located at The Crossings Premium Outlets, Pocono Township, Monroe County, Pennsylvania. The subject property is further identified as part of Parcel ID No. 12.7.1.18-3 and Map No. 12-6373-03-20-1339. It is located in the Commercial (C) zoning district.

The complete application is available for inspection (without charge) or copying (for actual copying costs) at the Township's office at the address listed above from 8:00 a.m. to 4:30 p.m. Anyone may attend the hearing and those who are affected and have legal standing may participate in the proceedings. If you require any special accommodations to attend or participate, please contact the Township at (570) 629-1922 at least one day in advance.

WEITZMANN, WEITZMANN & HUFFMAN, LLC
By: Todd W. Weitzmann, Esquire
700 Monroe Street
Stroudsburg, PA 18360
Pocono Township Zoning Hearing Board Solicitors