

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
APRIL 22th, 2019 - 7:00 p.m.

CALL TO ORDER (Followed by the Pledge of Allegiance)

ROLL CALL:

PUBLIC COMMENT:

CORRESPONDENCE:

MINUTES: Minutes of the Pocono Township Planning Commission Meeting - 04/08/2018.

SKETCH PLAN:

- 1) BCRA Rt.715 Water tank
 - a) Site visit was held on 04/12/2019 at 2:00 p.m.

NEW PLANS:

- 1) Sanofi Pasteur Preliminary/Final Perimeter Protection Phase II

FINAL PLANS UNDER CONSIDERATION:

1. Turkey Hill Minit Market, Store #274 Prelim/Final LDP - Plans were administratively accepted at the 08/13/2013 P.C. Mtg. Plan fees paid. Township Engineer's review letter #2 dated 10/18/2018 was received. Plan was tabled at the 04/08/2019 P.C. Mtg. Revised plans received 03/19/2019. ***Deadline for P.C. consideration is 06/24/2019. (60 Day Time extension received)***.

PRELIMINARY PLANS UNDER CONSIDERATION:

1. Sheldon Kopelson Commercial Development (Lot 3) - Plans were administratively accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 04/08/2019 P.C. Mtg. A resubmission has not occurred. ***Deadline for P.C. consideration extended to 12/09/2019.***
2. Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 04/08/2019 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 09/23/2019. DEP letter dated 12/10/2018 - terminating the NPDES permit was received.***

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

ORDINANCES:

- 1) Draft Property Maintenance Ordinance

UNFINISHED BUSINESS:

ZONING HEARING BOARD SCHEDULE: None

NEW BUSINESS:

- 1) Priority list for the Planning Commission
- 2) Planning Series 2
- 3) Work Sessions

COMMENTS BY AUDIENCE:

ADJOURNMENT

POCONO TOWNSHIP PLAN STATUS

Project Name (Acceptance Date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Recommendation Approve/Deny	BOC Approved/Rejected
Sanofi Perimeter Protection Phase II (04/22/2019)	Land Dev	Prelim/Final	7/21/2019						
Kopelson Lot 3 Land Development (8/13/13)	Commercial Land Dev	Prelim	06/31/2019**	6/10/2019	6/17/2019	unknown date	4/8/2019	Update by Developer required before 06/31/2019	
Spa Castle Land Development (Prelim) (12/14/15)	Commercial Land Dev	Prelim	10/7/2019	9/23/2019	10/7/2019	Planning Rev 9/9/16 Technical Rev 11/9/16	4/8/2019		
Turkey Hill Mini Mart (08/13/2018)	Land Dev	Prelim/Final	7/9/2019*	6/24/2019	7/2/2019	8/23/2018	4/8/2019		
Tannersville Point Apartments Final (10/09/2018)	Land Dev	Final	6/6/2019		6/3/2019	11/6/2018		Condt'l Approval by PC 02/25/2019	
Ardent Mills Grain Storage (10/22/2018)	Land Dev	Prelim/Final				11/8/2018		Recommended for Approval 11/13/2018	Condt'l approval 12/03/2018
Trap RT. 611 Project Revised Final (12/05/2018)	Land Dev	Final	3/5/2019	2/25/2019	6/4/2019	12/6/2018		Recommended for approval 12/10/2018	Condt'l approval 1/07/2019
Pocono Logistics (03/26/2018)	Land Dev	Prelim/Final				10/4/2018		Recommended for Approval 10/09/2018	Condt'l approval 11/05/2018
Running Lane Minor Sub (08/14/2017)	SUB							LDP FINAL Recommended for Approval 07/09/2018 - Minor Sub recommended for approval 01/14/2019	BOC approved Minor Subdivision - 03/18/2019

* Time extension received 04/05/2019

** Time extension approved for 6 months from 12/31/2019

**POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING**

APRIL 8th, 2019 - 7:00 p.m.

The Pocono Township Planning Commission Regular meeting was held on April 8th, 2019 at the Pocono Township Municipal Building, Tannersville, PA and opened by Chairman Ronald Swink at 7:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ron Swink, present; Scott Gilliland, present; Marie Guidry, absent; Dennis Purcell, present; Keith Meeker, present; Jeremy Sawicki, present; and Bruce Kilby, present.

IN ATTENDANCE:

Pamela Tripus, Twp. Secretary.

PUBLIC COMMENT: None

CORRESPONDENCE: A 60-day time extension letter was received from Turkey Hill Minit Market, Store #274.

MINUTES: S. Gilliland made a motion, seconded by D. Purcell, to approve the minutes of the 04/8/2019 Planning Commission meeting minutes. All in favor. Motion carried.

SKETCH PLAN:

- 1) BCRA Rt.715 Water tank - No action

FINAL PLANS UNDER CONSIDERATION:

1. Turkey Hill Minit Market, Store #274 Prelim/Final LDP - Plans were administratively accepted at the 08/13/2013 P.C. Mtg. Plan fees paid. Township Engineer's review letter #2 dated 10/18/2018 was received. Plan was tabled at the 03/25/2019 P.C. Mtg. Revised plans received 03/19/2019. ***Deadline for P.C. consideration is 06/24/2019. (60 Day Time extension received)***. D. Purcell made a motion, seconded by J. Sawicki, to table the Turkey Hill Minit Market, Store #274 Prelim/Final LDP. All in favor. Motion carried.

PRELIMINARY PLANS UNDER CONSIDERATION:

1. Sheldon Kopelson Commercial Development (Lot 3) - Plans were administratively accepted at the 8/13/2013 P.C. Mtg. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 03/25/2019 P.C. Mtg. A resubmission has not occurred. ***Deadline for P.C. consideration extended to 12/09/2019.*** D. Purcell made a motion, seconded by S. Gilliland, to table Sheldon Kopelson Commercial Development (Lot 3). All in favor. Motion carried.
2. Spa Castle Land Development - Land Development on Birchwood Road. The plans were administratively accepted at the 12/14/2015 P.C. Mtg. Tabled at the 03/25/2019 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 09/23/2019. DEP letter dated 12/10/2018 - terminating the NPDES permit was received.*** J. Sawicki made a motion, seconded by D. Purcell, to table the Spa Castle Land Development Plan. All in favor. Motion carried.

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

UNFINISHED BUSINESS:

ZONING HEARING BOARD SCHEDULE:

NEW BUSINESS:

- 1) Site visit to BCRA Rt. 715 Water tank LDP is scheduled for 04/12/2019 at 2:00 p.m.
- 2) Ethic forms for Planning Commission member - S. Gilliland noted the Planning Commission had previously requested to complete ethic forms.

OPEN DISCUSSION:

- 1) Planning Series 2
 - a) Planning Commission - discussion on rules of reorganization.
 - b) Vacancy - Planning Commission should review potential appointee's and make recommendation to the Board of Commissioners.
 - c) S. Gilliland suggested developing a list of items to discuss. J. Sawicki suggested an Official map and working together with the Comprehensive Plan.
 - d) S. Gilliland suggested 'Planning' should be added to the agenda for discussion.
- 1) Yard Sale Ordinance - P. Tripus noted the draft Yard Sale Ordinance was not adopted by the Board of Commissioners. Discussion followed on revisiting the yard sale ordinance and enforcement of ordinance.
- 2) Property Maintenance Ordinance - P. Tripus noted the ordinance is before the Board of Commissioners. Discussion followed on enforcement and if the Planning Commission would review.
- 3) Official plan - discussion followed on development of an Official plan and the inclusion of various aspects such as; wetlands, traffic controls, pedestrian traffic, public transportation, etc.
- 4) Vision - J. Sawicki suggested working together to create a Township vision for the Boards to get things done.
- 5) Representative between boards. Discussion on past practice of Planning Commissioners attending Board of Commissioners meeting.

COMMENTS BY AUDIENCE:

ADJOURNMENT



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

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

2756 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306
Mailing:
P.O. Box 699
Bartonsville, PA 18321

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

April 18, 2019

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: SANOFI PASTEUR, INC. – PERIMETER PROTECTION PHASE II
PRELIM/FINAL LAND DEVELOPMENT COMPLETENESS REVIEW
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1930083R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed a completeness review of the Preliminary/Final Land Development Plan Application for the Sanofi Pasteur, Inc. Perimeter Protection Phase II. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- Pocono Township Plan Receipt Checklist
- Erosion and Sediment Pollution Control Plan Report prepared by Borton Lawson, dated April 12, 2019.
- Post Construction Stormwater Management Plan prepared by Borton Lawson, dated April 12, 2019.
- Preliminary/Final Land Development Plans (53 sheets) prepared by Borton Lawson, dated April 12, 2019.

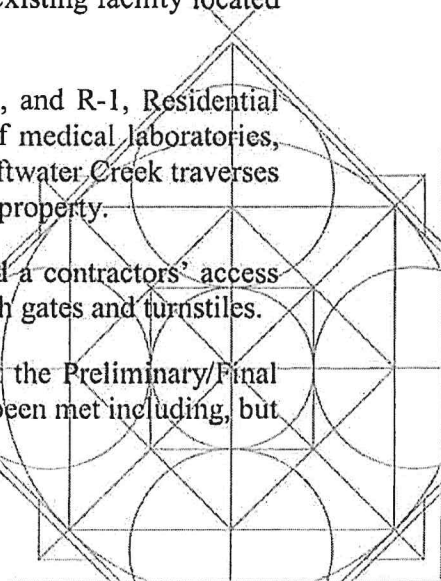
BACKGROUND INFORMATION

The Applicant, Sanofi Pasteur, Inc. is proposing perimeter security at its existing facility located along Discovery Drive.

The existing property is located within the I, Industrial, C, Commercial, and R-1, Residential Zoning Districts, has an area of approximately 189 acres and consists of medical laboratories, medical manufacturing, and office buildings with associated parking. Swiftwater Creek traverses the northern portion of the site, and areas of wetlands exist throughout the property.

The proposed development includes the construction of guard towers and a contractors' access road and will also include the installation of security perimeter fencing with gates and turnstiles.

Based upon our review, we recommend the Planning Commission accept the Preliminary/Final Land Development Plan for review providing all other requirements have been met including, but



Pocono Township Planning Commission
April 18, 2019
Page 2 of 2

not limited to, formal written applications and application fees with establishment of an escrow to cover the costs of review.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tresslar". The signature is written in a cursive style with a large initial "J" and "S".

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

JST/mep/cg

cc: Donna Asure – Township Manager
Pam Tripus – Township Secretary
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Aaron M. Sisler, P.E., Borton-Lawson – Applicant's Engineer
Sanofi Pasteur, Inc. – Owner/Applicant
Melissa E. Prugar, P.E. – Boucher & James, Inc.

POCONO TOWNSHIP PLAN RECEIPT CHECK LIST

Name of Subdivision or Land Development Plan: Sanofi Pasteur, Inc. - Discovery Drive Widening

Property Identification # 12-6364-02-96-9225

Date: 04/12/2019

Name of Developer: Sanofi Pasteur, Inc.

Name of Engineer or Surveyor: Borton-Lawson

Address: Discovery Drive
Swiftwater, PA 18370

Address: 3897 Adler Place
Bethlehem, PA 18017

Phone: 570-957-4700

Phone: 484-821-0470

Email: Dean.Wehr@sanofipasteur.com

Email: asisler@borton-lawson.com

Preliminary Major Subdivision and/or Land Development

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Signed dated Application – 14 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement and Escrow payment |
| <input type="checkbox"/> | <input type="checkbox"/> | Required Application Fees |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan - 14 copies - (5 full sets, 9 - 11"x17", and 1 electronic -CD) |
| <input type="checkbox"/> | <input type="checkbox"/> | Storm Water Management (SWM) Report - 3 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) – 14 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Planning Modules Information as per DEP requirement - 4 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of Erosion and Sedimentation Narrative (may be submitted with final unless applicant opts to build under Preliminary plan approval) –3 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Modification Request Application for all requested Modifications – 14 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential –4 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement – 1 copy with W-9 form (on file with Twp) |

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

Final Major Subdivision and/or Land Development

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

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

Minor Subdivision Plan Check List

- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Signed dated Application – 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional Services Agreement and Escrow payment |
| <input type="checkbox"/> | <input type="checkbox"/> | Required Application Fees |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan -17 copies - (3 full sets, 14 - 11"x17", and 1 electronic -CD) |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Study or abbreviated Study (if warranted) – 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Modification Request for all requested Modifications – 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Tract History for verification of minor plan consideration – 17 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | Minor Planning Modules as per DEP Requirement – 4 copies |
| <input type="checkbox"/> | <input type="checkbox"/> | PennDot Highway Occupation Permit (HOP) or acknowledgement of project if fronting state road and non-residential –4 copies if Applicable. |

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

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

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

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

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

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

2. Name of Land Development: Perimeter Protection Phase II

Plan Dated: 12/2/2016 County Deed Book No.: 2370

Volume No.: 82 Page No.: 6096

Property located in the Township's Designated I Zone.

3. Name of Property Owner(s): Sanofi Pasteur Inc.
(If corporation, provide corporations' name and address and two officers of corporation)

Address: Discovery Drive

Swiftwater, PA 18370 Phone No.: 570-957-4700

4. Name of Applicant: Same as above
(If other than owner)

Address: _____

_____ Phone No.: _____

5. Applicant's interest if other than owner: _____

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

Borton-Lawson

Address: 3897 Adler Place

Bethlehem, PA 18017 Phone No.: 484-821-0470

7. Total Acreage: 210.928 Total Number of Lots: 1

8. Acreage of adjoining land in same ownership (if any): 332.39

- 9. Type of Development Planned: Single Family: _____
- Two-Family: _____
- Multi-Family: _____
- Commercial: _____
- Industrial: _____
- Other: _____

POCONO TOWNSHIP LAND DEVELOPMENT APPLICATION

10. Will construction of building be undertaken immediately ____ Yes ____ No N/A (No Buildings Proposed)
By Whom: _____ Person Subdividing
_____ Other Developer
_____ Purchasers of individual lots

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

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

13. Are all streets proposed for dedication: ____ Yes No

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

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

16. Have appropriate public utilities been consulted: Yes ____ No

17. Material accompanying this Land Development Application:

Number	Item
a) _____	Preliminary Plan
b) <input checked="" type="checkbox"/> _____	Final Plan
c) _____	Final Plan-Minor Subdivision
d) _____	Development Agreement
e) _____	Street Profiles and Cross-sections
f) _____	Other

18. List all subdivision standards and requirements which have not been met and for which a waiver or change is to be required:
_____ N/A _____

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

Date: 04/12/2019
Signature of Owner or Applicant: *Ann M. Smith*

(By) Borton-Lawson (Owner Representative)

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: Perimeter Protection Phase II

Section of Subdivision and Land Development Ordinance: 365-10.I(6)(b)[1] - Wetland Buffers

Justification for Relief: The purpose of the project is to separate the main campus from the parking areas. A large wetland and steep slopes exists between the parking area and the contractor lot. The road location limits the impacts to steep slopes and avoid the wetlands but is within the wetland buffer

Is the hardship self-imposed? ___ Yes No

Is the hardship related to financial issues? ___ Yes No

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

Yes No Explain:



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

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

2756 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

Mailing:
P.O. Box 699
Bartonsville, PA 18321

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

April 18, 2019

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: TURKEY HILL MINIT MARKET, STORE #274
PRELIM/FINAL LAND DEVELOPMENT REVIEW NO. 4
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1830072R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our fourth review of the Preliminary/Final Land Development Plan Application for Turkey Hill Minit Market Store #274. The submitted information was prepared by Ludgate Engineering Corporation and consists of the following items.

- Response Letter.
- Construction Financial Security dated April 2, 2019.
- Stormwater Management Report dated December 2019, revised March 31, 2019.
- Operation & Maintenance Plan (2 sheets) dated April 28, 2017, revised April 3, 2019.
- Turkey Hill Minit Market #274 Preliminary/Final Land Development Plan (8 sheets) dated April 28, 2017, revised April 3, 2019.

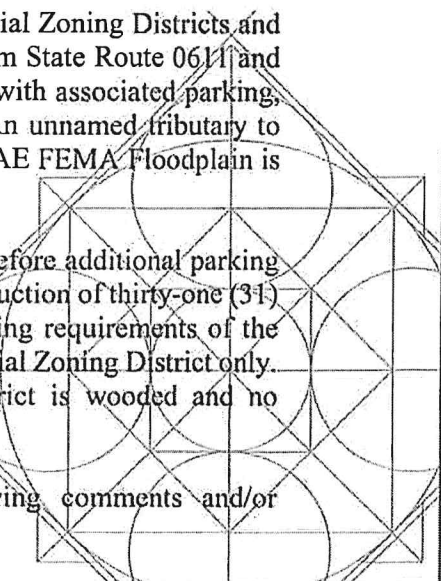
BACKGROUND INFORMATION

The Applicant, Turkey Hill Minit Market, is proposing a land development on its property located on the eastern side of State Route 0611, approximately 0.5 miles south of the intersection with State Route 0715.

The existing property is located within the C, Commercial and R-1, Residential Zoning Districts and has an existing lot area of 3.85 acres. The existing property takes access from State Route 0611 and consists of a Turkey Hill Minit Market with a fuel station, a hardware store with associated parking, underground stormwater detention, and public water and sewer services. An unnamed tributary to Pocono Creek traverses the eastern portion of the existing property. A Zone AE FEMA Floodplain is also identified on the site.

The Turkey Hill Minit Market desires to add 30 seats within the market, therefore additional parking spaces are required. The proposed development includes restriping and construction of thirty-one (31) parking spaces within existing impervious and lawn areas to meet the parking requirements of the Zoning Ordinance. The proposed development occurs within the C, Commercial Zoning District only. That portion of the site located within the R-1, Residential Zoning District is wooded and no construction is proposed.

Based on our review of the above information, we offer the following comments and/or



recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. Comment satisfied.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

2. In accordance with Sections 390-19.F.(6)(c), the Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Planning Commission, PennDOT, and all other governing agencies. *The proposed Land Development requires the following agency approvals.*
 - a. *Pocono Township – Land Development Plan approval*
 - b. *Pocono Township – Change in sewage facilities usage **Two (2) additional EDUs are required and will be purchased by the Applicant.***
 - c. *Pocono Township – Fire Department*
 - d. *Pennsylvania Department of Environmental Protection – Sewage Facilities Planning Module Exemption (change in facilities usage)*
 - e. *Brodhead Creek Regional Authority – Change in water service usage **The Applicant claims water usage shall not increase. Correspondence from the BCRA indicates that if there is no increase in water usage then there are no further requirements.***

*All submissions, and reviews and approvals must be provided to the Township. (Previous Comment) **The Applicant has previously acknowledged this comment.***

3. In accordance with Sections 390-19.J, 390-29.J.(8)(a), and 390-52.A.(1), the Township shall concurrently make its decision on the Sewage Facilities Planning Module, and if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Land Development Plan approval shall be conditioned upon Department of Environmental Protection sewage planning approval. *The Applicant shall clarify whether the additional seats will serve an existing restaurant, or if a restaurant will be added to the existing Minit Market. The Applicant shall submit supporting proposed sewage flows. The proposed change in use may require additional sewer planning.*

*If additional flows result from the proposed use the Applicant will be required to purchase additional capacity through tapping fees. In addition, a grease trap is required for the restaurant use. (Previous Comment) A grease trap will be provided per General Note 45 on Sheet 1. Supporting sewage flows must still be submitted to determine if the proposed change of use will require additional sewer planning and capacity. (Previous Comment) As discussed with the Township Sewage Department Manager/Consultant, two (2) additional EDUs are required. (Previous Comment) **General Note 50 has been added to Sheet 1 indicating two (2) EDUs shall be purchased from the Township Sewage Department.***

4. Comment satisfied.

5. Comment satisfied.
6. In accordance with Sections 390-29.D.(1) and 390-29.F, Site Context Map, a map compiled from existing information showing the location of the proposed land development within its neighborhood context shall be submitted. For sites under 100 acres in area, such maps shall show the relationship of the subject property to natural and man-made features existing within 1,000 feet of the site. The features that shall be shown on site context maps include topography (from USGS maps), stream valleys, wetland complexes (from maps published by the U.S. Fish & Wildlife Service or the USDA Natural Resources Conservation Service), woodlands over ½ acre in area (from aerial photographs), ridge lines, public roads and trails, utility easements and rights of way, public land, and land protected under conservation easements. *Partial waivers from Sections 406.D.1 and 406.2 are requested. These requests must be revised to reflect Sections 390-29.D.(1) and 390-29.F. In addition, Section 390-78.B states in part that, "all requests for modifications shall be in writing on the form provided by the Township and signed by the applicant." Separate written waiver requests must be submitted.*

The list of Waivers Requested on Sheet 1 states that no wetlands, woodlands, or floodplain are affected by the proposed construction. An aerial photograph labeled "Site Content Map" has been provided on Sheet 7. We find the aerial photography acceptable to partially satisfy the Site Context Map requirement and have no objection to these partial requests. (Previous Comment) A letter has been submitted requesting partial waivers from Sections 390-29.D.(1) and 390-29.F. We have no objection to these partial requests.

7. In accordance with Sections 390-29.D.(2) and 390-29.G, Existing Resources and Site Analysis, for all land developments, an existing resources and site analysis shall be prepared to provide the developer and the municipality with a comprehensive analysis of existing conditions, both on the proposed development site and within 500 feet of the site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies, and from aerial photographs. The Planning Commission shall review the plan to assess its accuracy, conformance with municipal ordinances, and likely impact upon the natural and cultural resources of the property. *Waivers from Sections 406.D.2 and 406.3 are requested. These requests must be revised to reflect Sections 390-29.D.(2) and 390-29.G. In addition, Section 390-78.B states in part that, "all requests for modifications shall be in writing on the form provided by the Township and signed by the applicant". Separate written waiver requests must be submitted.*

The list of Waivers Requested on Sheet 1 states that the existing site is developed and that under 5,000 square feet of impervious area is proposed. An Existing Conditions/Demo Plan and aerial photograph are provided. We find the plan and photograph along with the following comments will be adequate to satisfy the Existing Resources and Site Analysis requirement. We have no objection to these requests provided the following comments are also satisfied. (Previous Comment) A letter has been submitted requesting waivers from Sections 390-29.D.(2) and 390-29.G. We have no objection to these requests.

8. In accordance with Sections 390-29-D.(3) and 390-29.H.(1), a resource impact and conservation analysis shall be prepared for all land development applications to categorize the impacts of the proposed activities and physical alterations on those resources shown on the existing resources and site analysis (as required under §390-29.G). All proposed improvements, including but not necessarily limited to grading, fill, roads, buildings, utilities and stormwater detention facilities, as proposed in the other proposed land development plan documents, shall be taken into account in preparing the preliminary resource impact and

conservation analysis, which shall clearly demonstrate that the applicant has minimized site disturbance to the greatest extent practicable. *Waivers from Sections 406.D.3 and 406.4 are requested. These requests must be revised to reflect Sections 390-29.D.(3) and 390-29.H. In addition, Section 390-78.B states in part that, "all requests for modifications shall be in writing on the form provided by the Township and signed by the applicant." Separate written waiver requests must be submitted.*

The list of Waivers Requested on Sheet 1 states that the proposed development would cause an insignificant impact to existing resources. The proposed improvements are located within existing paved and lawn areas, and only a 0.02% increase in impervious area is proposed. Therefore, we have no objection to these requests. (Previous Comment) A letter has been submitted requesting waivers from Sections 390-29.D.(3) and 390-29.H. We have no objection to these requests.

9. Comment satisfied.

10. Comment satisfied.

11. Comment satisfied.

12. Comment satisfied.

13. Comment satisfied.

14. Comment satisfied.

15. Comment satisfied.

16. Comment satisfied.

17. Comment satisfied.

18. In accordance with Section 390-29.J.(7)(c), "a letter from the water company or authority stating that said company or authority will supply the development including a verification of the adequacy of service" must be provided. *The Applicant shall clarify whether the additional seats will serve an existing restaurant, or if a restaurant will be added to the existing Minit Market. A letter from the Brodhead Creek Regional Authority (BCRA) should be provided indicating that the BCRA will serve the existing retail store with the proposed restaurant. (Previous Comment) The response indicates the additional seats are provided as required by the Commonwealth of Pennsylvania for proposed beer sales, and that the Minit Market will otherwise remain unchanged. Therefore, the Applicant indicates no additional water use is proposed. (Previous Comment) The Applicant claims water usage shall not increase. Correspondence from BCRA indicates that if no water use increases, nothing further is required by the BCRA.*

19. Comment satisfied.

20. Comment satisfied.

21. Comment satisfied.

22. In accordance with Section 390-32.B, “no final plan shall be signed by the Board of Commissioners for recording in the office of the Monroe County Recorder of Deeds until:
- A. All improvements required by this Ordinance are installed to the specifications contained in Article VI of this chapter and other Township requirements and such improvements are certified by the applicant’s engineer; or,
 - B. Proposed developer’s agreements and performance guarantee in accord with §390-35 and the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended, have been accepted by the Board of Commissioners.”

A performance guarantee, per Section 390-35, must be provided prior to plan recordation. A construction cost estimate shall be submitted for review. (Previous Comment) This comment has been acknowledged. (Previous Comment) A cost estimate has been provided with this submission and will be reviewed under separate cover.

23. In accordance with Section 390-38.B, “the developer shall provide a plan for the succession of ownership, operation and maintenance prepared by the applicant for consideration and approval by the Township, and such plan shall be made part of the development deed covenants and restrictions.” *The required plan shall be completed and provided to the Township. (Previous Comment) This comment has been acknowledged. (Previous Comment) The following comments are related to our review of the Operation & Maintenance Plan and Notes.*
- a. *The Infiltration Basin\Maintenance and Inspection issues on Sheet 2 appear to be appropriate for an aboveground basin, but not a subsurface facility. The notes should be revised accordingly.*
 - b. *The notes on Sheet 2 reference vegetated swales and soil restoration which are not proposed, and the notes should be removed.*
 - c. *A notice of termination is not required as this project does not need a PADEP NPDES permit. This note shall also be removed from the plan.*

24. In accordance with Section 390-38.C.(1), land development provisions for the private operation and maintenance of all development improvements “shall be in the form of deed covenants and restrictions clearly placing the responsibility of maintenance of all development improvements with the owner of the land development.” *Ownership and maintenance of the proposed improvements must be in the form of deed covenants and restrictions. (Previous Comment) This comment has been acknowledged. (Previous Comment) The response letter indicates deed covenants and restrictions will be provided prior to recording.*

25. In accordance with Section 390-38.C.(3), “in the case where roads, drainage facilities, a central sewage treatment system or central water supply, or any other improvements are to remain private, the developer shall provide for the establishment of an escrow fund in accord with §390-35.A to guarantee the operation and maintenance of the improvements. Said fund shall be established on a permanent basis with administrative provisions approved by the Board of Commissioners. The amount of said fund shall be 15% of the construction cost of the system as verified by the Township Engineer. The maintenance and operation of the improvements and the administration of any required maintenance fund account, shall be clearly established as the joint responsibility of the owner(s) of each structure or dwelling unit served by such

system. Such responsibility and the mechanism to accomplish same shall be established by deed covenants and restrictions which shall be subject to the approval of the Board of Commissioners.” *A maintenance fund shall be established for the continued maintenance of the proposed improvements. (Previous Comment) A maintenance fund shall be established for the continued maintenance of on-site improvements (i.e., stormwater management, landscaping, etc.). (Previous Comment) A previous response letter indicated the maintenance fund will be provided.*

26. In accordance with Section 390-41, “all applicants proposing any subdivision and/or land development requiring the installation of improvements as required by this chapter shall, prior to final plan approval by the Board of Commissioners, and if so directed by the Board of Commissioners, enter into a legally binding development agreement with the Township whereby the developer guarantees the installation of the required improvements in accord with the approved plan and all Township requirements.” *A development agreement must be executed prior to plan recordation. (Previous Comment) This comment has been acknowledged. (Previous Comment) The response letter indicates the development agreement will be provided prior to recording.*

27. Comment satisfied.

28. Comment satisfied.

29. In accordance with Section 390-43.A.(6)(f), “natural areas containing rare or endangered plants and animals, as well as other features of natural significance exist throughout the Township. Some of these have been carefully documented (e.g., by the Statewide Natural Diversity Inventory), whereas for others, only the general locations are known. Subdivision applicants shall take all reasonable measures to protect significant natural areas and features either identified by the Township Map of Potential Conservation Lands or by the applicant’s existing resources and site analysis plan by incorporating them into proposed conservation open space areas or avoiding their disturbance in areas proposed for development.” *A PNDI shall be completed and submitted. (Previous Comment) Waivers are requested from Sections 390-43.A.(6)(f) and 390-78.B. The proposed development occurs on an existing developed site; therefore, we have no objection to these requests.*

30. Comment satisfied.

31. Comment satisfied.

32. In accordance with Section 390-55.B, “unless other provisions of this chapter require more trees or vegetation, each development site shall include a minimum of 12 deciduous or evergreen trees for each one acre. Each deciduous tree shall be 2.5 inch caliper or greater and each evergreen tree shall be six to seven feet in height or greater. As an alternate, 10 trees for each one acre shall be required if deciduous trees are four inches in caliper or greater and evergreen trees are eight feet to 10 feet in height or greater. Five shrubs 2.5 feet in height or greater may be substituted for one tree of 2.5 inch caliper for a maximum of 20% of the tree requirement.” *Forty-seven (47) deciduous or evergreen trees are required on the site.*

Per Section 390-55.B.(3), “if healthy, existing trees will be preserved which will generally meet the requirements of this section, the Township may, in its discretion, permit the existing tree(s) to serve as a credit toward the number of shade trees required to be planted. In addition, the Township, in its discretion, may permit existing trees which would otherwise be required to be

maintained by this chapter to be removed in exchange for the developer planting replacement trees in accord with this section. To be eligible for use as credit toward a required tree, a preserved tree shall be maintained in such a manner that a minimum of 50% of the ground area under the tree's dripline shall be maintained in natural ground cover and at the existing ground level. The applicant may provide a sample plot representative of the trees on the parcel to determine the credit."

The existing woodlands and individual trees must be shown on the plan. A sample plot of the existing wooded area shall be provided to aid the Township in determining if the existing trees and/or woodlands are adequate to satisfy this requirement. (Previous Comment) The plans have been revised to show the existing woodlands and individual trees. The response indicates that the existing woodlands appear to exceed the required 47 trees. Per Section 390-55.B.(3), the use of existing trees to meet this requirement is permitted.

It appears 33 individual trees exist on the project site and 2 trees are proposed for a total of 35 trees. In addition, and upon review of aerial photography, it appears the area behind the Minit Market and adjacent to Fish Hill Road is densely wooded. As discussed in Comment 43, a list of required and existing and/or proposed street trees must be provided. (Previous Comment) The required list is now provided on Sheet 2. Sheet 2 also indicates a waiver from this section is being requested. (Previous Comment) The Township may determine that the existing trees are sufficient to meet this requirement. If that is determined by the Township, no waiver is required, and Sheet 2 must be revised accordingly.

33. Comment satisfied.

34. Comment satisfied.

35. In accordance with Section 390-55.D.(1) and 390-55.D.(3)(d), "street trees shall be required along all existing streets abutting or within a proposed subdivision or land development". "Trees shall be planted at a ratio of at least one per 50 linear feet of frontage or fraction thereof. Trees shall be distributed along the entire frontage of the property, although they need not be evenly spaced." *Twelve (12) street trees are required along State Route 0611 and 4 street trees are required along Learn Road. The existing individual trees must be shown on the plan and the remainder of the required street trees added accordingly. (Previous Comment) It appears four (4) street trees exist along State Route 0611, therefore 8 street trees must still be provided, and it appears 1 street tree exists along Learn Road, therefore 3 street trees must still be provided. The trees are proposed on an existing development site; therefore, a waiver may be requested. In addition, and as discussed in Comment 43, a list of required and existing and/or proposed street trees must be provided. General Note 49 on Sheet 1 references twelve (12) proposed street trees, however no street trees are shown as proposed on the plan. General Note 49 must be revised accordingly. (Previous Comment) **Waivers from Sections 390-55.D.(1) and 390-55.D.(3)(d) are now requested in order to not provide the required 11 street trees along State Route 0611 and Learn Road.***

36. Comment satisfied.

37. Comment satisfied.

38. Comment satisfied.

39. Comment satisfied.

40. In accordance with Sections 390-55.G.(4)(b) and 390-55.I.(2)(k), landscaping shall be considered an improvement for the purposes of installation and the provision of a performance guarantee in accord with this chapter. In addition, the Developer or landowner shall provide to the Township a performance guarantee equal to the amount necessary to cover the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months following the installation and approval of the landscaping. *The proposed landscaping must be included in the required construction cost estimate. A note regarding the 18 month guarantee must also be provided on the plan. (Previous Comment) A note has been added to the plan and the response acknowledges the required cost estimate. (Previous Comment) A construction cost estimate has been provided with this submission and will be reviewed under separate cover.*
41. Comment satisfied.
42. Comment satisfied.
43. In accordance with Section 390-55.I.(2)(h), “a schedule showing all landscape requirements and plants proposed for each category” must be included on the plan. *All planting requirements must be listed on the plan. (Previous Comment) The number of required trees and shrubs per the Ordinance with the number of existing and/or proposed trees and shrubs must be provided on the plan. (Previous Comment) The required cost estimate must still be submitted. (Previous Comment) A construction cost estimate has been provided with this submission and will be reviewed under separate cover.*
44. Comment satisfied.
45. Comment satisfied.
46. Comment satisfied.
47. Comment satisfied.
48. Comment satisfied.
49. Comment satisfied.
50. Comment satisfied.

BRODHEAD AND MCMICHAEL CREEKS STORMWATER MANAGEMENT ORDINANCE

In accordance with Section 365-18.A.(4), Impervious Surface, “any regulated activity that has less than 5,000 square feet of impervious surface subject to the additional exemption criteria set forth in Subsection B is exempt from the plan submittal provisions of this chapter. These criteria shall apply to the total development even if development is to take place in phases. The date of the original McMichael’s and Brodhead Creeks Stormwater Management Act 167 Plan adoption by the Township (November 21, 1994) shall be the starting point from which to consider tracts as “parent tracts” in which future subdivisions and respective impervious area computations shall be cumulatively considered. Impervious areas existing on the parent tract prior to November 21, 1994, shall not be considered in cumulative impervious area calculations for exemption purposes.”

Less than 5,000 square feet of impervious is proposed, however per Section 365-18.B.(2) the water quality (§365-10) and ground water recharge (§365-11) requirements must still be

satisfied.

51. In accordance with Section 365-10.A.(1), “for water quality and stream-bank erosion, the objective is to design a water quality BMP to detain the proposed conditions’ two-year, twenty-four-hour design storm flow to the existing conditions’ one-year, twenty-four-hour design storm flow using the NRCS Type II distribution. Additionally, provisions shall be made (such as adding a small orifice at the bottom of the outlet structure) so that the proposed conditions one-year, twenty-four-hour design storm flow takes a minimum of 24 hours to drain from the facility, from a point where the maximum volume of water from the one-year, twenty-four-hour design storm is captured (i.e., maximum water surface elevation is achieved in the facility).” *A “stone trench infiltrator” is proposed under the proposed parking to the north of the Minit Market. A note on Sheet 1 indicates the trench was designed to capture 2-inches of runoff from the proposed parking area. We question how the stormwater will enter the stone trench. Also, the required calculations per this section must be submitted. (Previous Comment) The required water quality calculation demonstrating the 2-year post development storm event is reduced to the predevelopment 1-year storm event, must still be provided. (Previous Comment) Calculations demonstrating the 2-year post development stormwater volume is reduced to below the 1-year predevelopment stormwater volume. However, this Section requires the reduction in stormwater flow from the 2-year post development to below that of the 1-year predevelopment. The calculations must still be provided. (Previous Comment) Peak flow calculations have been provided with this submission, however it appears both the 1-year and 2-year storm event calculations utilize post development conditions. The 1-year storm event must utilize predevelopment conditions.*
52. Section 365-10.I.(8)(a), Stream Buffer Delineation, states in part “a fifty-foot buffer, measured perpendicular to and horizontally from the top-of-bank on all sides of any stream, shall be maintained on all sides of any stream.” *The required buffer associated with Bisbing Run must be shown on the plan. All proposed work within the buffer must be in accordance with Section 365-10.I.(8)(b). (Previous Comment) A waiver from Section 365-10.I.8.(b) is listed under the Waivers Requested on Sheet 1. The request must also be included in the Waiver Request letter. The required buffer must still be shown on the plan in order to provide comment with respect to the requested waiver. (Previous Comment) A waiver from Section 365-10.I.(8)(b) is now requested and the stream buffer is shown on the plan. A portion of the proposed parking area and “stone trench infiltrator” is located within the existing stream buffer. The request indicates that this area is the abandoned septic absorption area.*
53. Comment satisfied.
54. Comment satisfied.
55. In accordance with Section 365.11.A.(2)(b), “an infiltration and/or percolation rate sufficient to accept the additional stormwater load and drain completely as determined by field tests conducted by the applicant’s design professional” must be provided. *Testing in support of the “stone trench infiltrator” must be submitted. (Previous Comment) The elevation of the submitted testing must be provided. (Previous Comment) The depth at which the infiltration testing was performed must still be provided. (Previous Comment) The infiltration test elevation of 491.4 does not relate to the existing contour elevation of 896 and must be revised accordingly.*
56. Comment satisfied.

- 57. Comment satisfied.
- 58. Comment satisfied.
- 59. Comment satisfied.
- 60. In accordance with Section 365-19.C.(1)(f), “an operation and maintenance plan in accordance with §365-28 of this chapter” must be provided. *The required operation and maintenance plan must be submitted. (Previous Comment) This comment has been acknowledged. (Previous Comment) Operation and maintenance notes related to the proposed storm sewer and “stone trench infiltrator” must be provided on the submitted Operation & Maintenance Plan. (Previous Comment) Refer to Comment 23.*

MISCELLANEOUS COMMENTS

- 61. Comment satisfied.
- 62. Comment satisfied.
- 63. Comment satisfied.
- 64. Comment satisfied.
- 65. Comment satisfied.
- 66. Comment satisfied.

PLAN REVISION COMMENTS

- 67. Comment satisfied.
- 68. There is concern with turning movements of vehicles entering and exiting the project site. The sight distance for turning movements out of the site on a red light appear to be prohibited by existing U-Haul trucks parked to the south of the main entrance. Required and existing sight distances per the Pennsylvania Department of Transportation must be shown on the plan.

Also, it has been reported traffic backs up onto 611 from vehicles entering the site at the center driveway. The Planning Commission would like to see the existing island, east of the two newly proposed parking spaces revised to incorporate a 20’ radius which would provide for easier traffic flow into the site. *(New Comment) (Previous Comment) No changes to the radius are proposed on the revised plan. (Previous Comment) The internal radius has been added to the plan. A note has also been added to the plan indicating that U-Haul trucks are not permitted to park within the parking spaces adjacent to State Route 0611 and the access driveways.*
- 69. The Applicant shall address the Township’s concern of sidewalk along State Route 0611. The Township is currently reviewing a comprehensive sidewalk plan proposed along Route 611 in Tannersville. This may serve to guide the Planning Commission and the Applicant on this topic. *(New Comment) (Previous Comment) No response has been provided.*
- 70. Comment satisfied.

71. The Stormwater Management Report is dated December 2019 and must be revised accordingly. *(New Comment) (Previous Comment) The Stormwater Management Report must still be revised.*
72. On Sheet 2, the total number of required trees along the northern property line listed under the Required Property Line Buffers must be revised to reference 9 trees. *(New Comment)*

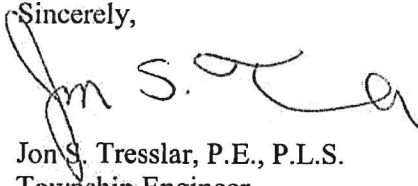
The above comments represent a thorough and comprehensive review of the information submitted with the intent of giving the Township the best direction possible. However, due to the nature of the comments, the receipt of a revised plan submission may generate new comments.

In order to facilitate an efficient re-review of revised plans, the Design Engineer shall provide a letter, addressing item by item, their action in response to each of our comments.

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to approval of the proposed land development.

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

Sincerely,



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

JST/mep/cg

cc: Donna Asure – Township Manager
Pam Tripus – Township Secretary
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Robert and Doris Kinsley – Property Owners
Turkey Hill Minit Market – Operator
Steele Hardware – Operator
Matthew Mack, P.E., Ludgate Engineering Corporation, Applicant's Engineer
Jackie Hollenbach, Ludgate Engineering Corporation
Melissa E. Prugar, P.E. – Boucher & James, Inc.