

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
July 31, 2017 – 7:00 p.m.

A. CALL TO ORDER (followed by the Pledge of Allegiance)

B. ROLL CALL

C. NOTIFICATIONS OF COMMENTS

D. RATIFICATION OF ACTIONS:

Ratify all actions taken by the Planning Commission at the February 13th, 2017 regular meeting held at 7:00 p.m.

Ratify all actions taken by the Planning Commission at the March 13th, 2017 regular meeting held at 7:00 p.m.

Ratify all actions taken by the Planning Commission at the March 27, 2017 regular meeting held at 7:00 p.m.

Ratify all actions taken by the Planning Commission at the April 24th, 2017 regular meeting held at 7:00 p.m.

Ratify all actions taken by the Planning Commission at the May 8th, 2017 regular meeting held at 7:00 p.m.

Ratify all actions taken by the Planning Commission at the June 12th, 2017 regular meeting held at 7:00 p.m.

Ratify all actions taken by the Planning Commission at the July 10th, 2017 regular meeting held at 7:00 p.m.

E. CORRESPONDENCE

F. MANAGER'S REPORT – TBD

G. MINUTES: Minutes of the Pocono Township Planning Commission Meeting-7/10/2017.

H. NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW

I. FINAL PLANS UNDER CONSIDERATION:

J. PRELIMINARY PLANS UNDER CONSIDERATION:

1. Sheldon Kopelson, Commercial Development (Lot 3)- Plan was accepted at the 08/13/2013 P.C. Meeting. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 7/10/17 mtg. A resubmission has not occurred. Deadline for consideration extended to 06/30/18.
2. Spa Castle Land Development – Plan was accepted at the 12/14/2015 Meeting. The Planning Module for this project was rejected by the Commissioners. Planning Review distributed 9/9/16. Technical Review distributed 11/9/16. Tabled at the 7/10/17 mtg. Deadline for consideration is 10/17/17.
3. Camelback Lot 13 and Hotel – Plan was accepted at the 06/13/2016 PC Meeting. Review letter distributed 07/03/17. Recommended for conditional approval at the 07/10/2017 P.C. meeting. **No action required.**
4. Day Star Holiness Bible Church – Land Development on Learn Road. The plans were administratively accepted at the February 13, 2017 P.C. Meeting. Review No. 1 distributed 3/10/17. Tabled at the 7/10/17 meeting. Deadline for consideration extended to 9/12/17.
5. Poconos Hospitality- Land Development. The plans were administratively accepted at the May 8, 2017 P.C. Meeting. Review No. 1 was distributed 6/7/17. Tabled at the 7/10/17 meeting. Deadline for consideration extended to 10/9/17.
6. Belanger Minor Subdivision – The plans were administratively accepted at the June 12, 2017 P.C. Meeting. Review No. 1 was distributed 6/23/17. Tabled at the 7/10/17 meeting. Deadline for consideration is 9/10/17.

K. SKETCH PLANS

1. Camelback Tornado Ride Land Development

L. PERMITS

M. PLANNING MODULE

N. PRESENTATION OF VARIANCE, SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS

2. Brookdale Treatment Center – Conditional Use Application

O. UNFINISHED BUSINESS

P. NEW BUSINESS:

Q. COMMENTS BY AUDIENCE

R. ADJOURNMENT:

POCONO TOWNSHIP PLANNING COMMISSION

REGULAR MEETING MINUTES

July 10, 2017

7:00 P.M.

The Pocono Township Planning Commission Regular Meeting was held on July 10, 2017, at the Pocono Township Municipal Building, Tannersville, PA, and opened by Chairman Ron Swink at 7:00 p.m. followed by the Pledge of Allegiance.

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

Lisa Pereira, Solicitor, Jon Tresslar, Engineer, and Michael Tripus, Zoning Officer were present. Richard Young, P.E. of T&M Associates was also present.

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

CORRESPONDENCE: Correspondence from R.J. Fisher & Associates dated July 10, 2017 granting a time extension for Poconos Hospitality LLC through October 9, 2017.

MINUTES: R. Demarest made a motion, seconded by D. Purcell, to approve the minutes of 06/12/2017. All in favor. Motion carried.
Jeremy Sawicki abstained.

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW: None

FINAL PLANS UNDER CONSIDERATION: None

PRELIMINARY PLANS UNDER CONSIDERATION:

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

Spa Castle Land Development Plan - Plan was accepted at the 12/14/2015 mtg. The Planning Module was rejected by the Commissioners. Last P.C. meeting is 10/09/2017. R. Demarest made

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a motion, seconded by R. DeYoung, to table the Spa Castle Land Development Plan. All in favor. Motion carried.

Camelback Lot 13 and Hotel Land Development Plan - Plan was accepted at the 06/13/2016 mtg. **Last P.C. meeting is 08/14/2017.** Jon Tresslar, P.E. presented the plan and Richard Young, P.E. represented the Township with respect to this submission. Mr. Tresslar provided overview of project. He indicated that the developer needs zoning relief for off-street truck loading spaces. They must obtain a variance for the number of loading spaces. They are proposing 3 spaces instead of the required 12 spaces. Mr. Tresslar asked whether the Planning Commission had any comments or preference either way. R. Swink wanted to make sure they would have sufficient loading spaces for the use. Mr. Tresslar indicated that there were several requests for modification regarding tract boundaries, ground cover, wetlands delineation, roof drains and runoff rates.

RFM - §2.302.B.9 - Tract Boundaries - Mr. Tresslar requested that the developer not be required to provide full boundary survey, since the project is well within property limits.

RFM - §3.209.B.1 - Ground Cover - Mr. Tresslar requested the modification on the basis that the location of the project causes issues. R. Young had no objection to the RFM due to limited impact, since most of mountain is 65% or greater.

RFM - SMO §302.1.6.b - Wetlands Delineation - Mr. Tresslar indicated that the wetlands are located to the north of the area being developed. The Ordinance requires a 50 ft. buffer to protect wetlands. The applicant is proposing a 25 ft. buffer which is consistent with SALDO. All water is being diverted away from the wetlands and there will be infiltration beds under the parking lot. R. Swink questioned depth of infiltration bed. He wants to make sure the weight of any truck would not negatively impact the infiltration bed. R. Young indicated that it would not, and this type of stormwater facility is very common under parking lots.

RFM - SMO §301.L - Roof Drains - Mr. Tresslar indicated that the water is going to other locations, such as the infiltration bed, then, if needed, the overflow is piped down to the basin.

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RFM - SMO §305.A - Runoff Rates - Mr. Tresslar explained that 1 cfs is not a very large number. It only occurs in 25 and 50-year storms. R. Young has no objection to this RFM. R. Swink questioned whether the proposal would handle large, hurricane-like storms. Mr. Tresslar indicated that proposal would be sufficient to handle large storm events.

J. Tresslar indicated that they will provide pump station information to the Township. The proposed pump station will be accessed by 12 ft. wide access way. R. Swink questioned whether tractor trailers could use access road. Mr. Tresslar said that the road would not be used by tractor trailers. They would have to offload the trailer and get the load up another way. R. Young indicated this would not be an issue. Mr. Tresslar discussed the traffic impact study. The developer will have to obtain an HOP from PennDOT. Since they still need to obtain comments from PennDOT, they will address T & M's comments at that time. S. Gilliland questioned whether Camelback will obtain all of the necessary permits as the Township had issues with Camelback in the past. J. Tresslar indicated that there would be a construction manager who would be in charge of the project and would obtain all necessary permits.

S. Gilliland made a motion, seconded by J. Sawicki, to recommend approval of the request for modification of SALDO Section 2.302.B.9 - tract boundary is not necessary. All in favor.
Motion carried.

R. Demarest made a motion, seconded by S. Gilliland, to recommend approval of the request for modification of SALDO Section 3.209.B.1 - ground cover. All in favor. Motion carried.

R. Demarest made a motion, seconded by J. Sawicki, to recommend approval of the request for modification of SMO Section 303.1.6.b - wetlands delineation. All in favor. Motion carried.

S. Gilliland made a motion, seconded by J. Sawicki, to recommend approval of the request for modification of SMO Section 301.L - roof drains. All in favor. Motion carried.

R. Demarest made a motion, seconded by D. Purcell, to recommend approval of the request for modification of SMO Section 305.A - runoff rates. All in favor. Motion carried.

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R. Demarest made a motion, seconded by J. Sawicki, to recommend approval of the Camelback Lot 13 and Hotel Land Development Plan, conditioned upon applicant satisfactorily addressing all of the comments contained in the Township Engineer's review letter. All in favor. Motion carried.

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

Poconos Hospitality Land Development Plan - Plan was accepted at the 05/08/2017 mtg. Last P.C. meeting is 09/25/2017. Boucher & James review letter of 06/07/2017 received. D. Purcell made a motion, seconded by R. DeYoung, to table the Poconos Hospitality Land Development Plan. All in favor. Motion carried.

Belanger Minor Subdivision Plan - Plan was accepted at the 06/12/17 mtg. Last P.C. Meeting is 08/28/17. Boucher & James review letter of 06/23/2017 received. R. Demarest made a motion, seconded by R. DeYoung, to table the Belanger Minor Subdivision Plan. All in favor. Motion carried.

SKETCH PLANS - None

PERMITS - None

PLANNING MODULE - None

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

BROOKDALE TREATMENT CENTER CONDITIONAL USE APPLICATION - Nate Oiler, P.E. appeared on behalf of applicant to give an overview of the application. The applicant will be using the existing facilities; no new facilities are being proposed. B. DeYoung asked if any buildings are being demolished. Mr. Oiler indicated that he did not believe so. Mr. Oiler went through the packet provided with the application. He provided a brief description of the sewer system and explained that there is enough capacity located on-site as there is an existing

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permitted treatment plant. R. Swink questioned if the plant will be upgraded. Mr. Oiler indicated that it would be upgraded. B. Demarest mentioned that he had heard some residents complain about the noise from the plant. Mr. Oiler indicated that there are three existing permanent wells. There are other wells that exist but are not being used with this project. Mr. Oiler explained that a traffic impact study has been provided by Benchmark Engineering, the traffic engineer. Mr. Oiler indicated that building renderings have been provided. Mr. Oiler discussed the information on State permitting requirements. R. Swink asked when they expect to be operational. N. Oiler indicated they hoped to be open early next year. S. Gilliland indicated he is happy Mr. Oiler is working on this project. S. Gilliland discussed an April 1, 2017 list from an objector's attorney which contained information that is relevant to the Township' review of the conditional use application. S. Gilliland asked J. Tresslar to make sure that he reviewed the list to confirm whether the issue contained therein are being properly addressed by the applicant. S. Gilliland wants to make sure storm water drainage issues are addressed properly, especially since Back Mountain Road becomes impassable during a large storm event. R. Demarest discussed the dam and why the treatment plant was located where it was. S. Gilliland discussed the 50% open space provision in the Resort Re-Use Overlay Ordinance, which indicated that the BOC may allow recreational uses in the open space area. S. Gilliland questioned what are these "recreational uses" were? Could it be a water park? S. Gilliland is concerned that the open space could be another commercial endeavor on the property. B. Demarest believes this is a very ambitious project. R. Swink indicated there is a lot of drug use in Monroe County and the Commonwealth of Pennsylvania. The Conditional Use Hearing will be held on August 15, 2017 at 6:00 PM.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

COMMENTS BY AUDIENCE: None

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ADJOURNMENT:

D. Purcell made a motion, seconded by J. Sawicki, to adjourn the
meeting until 07/24/2017 at 7:00 p.m., at the Pocono Township
Municipal Building. All in favor. Motion carried.

POCONO TOWNSHIP PLAN STATUS

Project Name (acceptance date)	Application Type	Review Period Prelim/Final	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Recommendation Approve/Deny	BOC Approved/Rejected
Belanger Minor Subdivision (06/12/17)	Minor Sub	Final	9/10/2017	8/28/2017	9/4/2017	6/23/2017	7/10/2017	
Kopelson Lot 3 Land Devt (08/13/13)	Commercial Land Devt	Prelim	6/30/2018	6/11/2018	6/18/2018	unknown date	7/10/2017	
Spa Castle Land Development (Pre) (12/14/15)	Commercial				Planning Rev 9/9/16 Technical Rev 11/9/16			
Camelback Lot 13 and Hotel (06/13/16)	Commercial Land Devt	Prelim	8/21/2017	8/14/2017	8/21/2017	7/3/2017	7/10/2017	<i>Recommended 7/10/2017</i>
Day Star Holiness Bible Church (2/13/17)	Land Devt	Prelim	9/12/2017	8/28/2017	9/4/2017	3/10/2017	7/10/2017	
Poconos Hospitality (5/8/17)	Land Devt	Prelim	10/9/2017	9/25/2017	10/2/2017	6/7/2017	7/10/2017	



Bue-Morris Associates, Inc.

CIVIL ENGINEERS AND PLANNERS

275 South Sterling Road • P.O. Box 201 • Newfoundland, PA 18445-0201 • T: (570) 676-5473 • F: (570) 676-5476 • www.buemorris.com

July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Section 304.A.2.a – 24” between bottom of the BMP and the limiting zone.

Justification for Relief: When the infiltration testing was performed the topsoil was scrapped away and the testing done so that the distances to the limiting zones did not include the topsoil. Therefore, we believe that the 24 inches can be met by use of 4" of topsoil. The topsoil in the infiltration area is not to be removed or compacted during construction of the berm.

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:** Berms 2a and 3d were not moved from the previous location in the conditionally approved final major subdivision for J.A. Snyder (Tanalo Estates), while berm 2c was moved to intercept more driveway runoff. Only berm 1c is new. The berm design was previously accepted as part of the NPDES permit for Tanalo Estates.

Addressing Township Engineer's Comment #43, the first paragraph, in Review #1.



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July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Section 607.16.L.5 –
Driveways serving residential units to have minimum 12' driveway width.

Justification for Relief: The driveway width on Lot #2 is only 10 feet wide and not the newly required 12 feet. The driveways for Lots #1 and 3 are shown as 12 feet wide. For Belanger's lot #2, they would prefer to have a 10 foot wide driveway in order to minimize the number of trees that have to be removed. The number of trees removed is dependent on the amount of grading required as well as the driveway width.

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:** These 3 lots are going to be 10+ acre lots and the owners are attempting to preserve the appearance of un-developed properties. The wider the driveway the more disturbance there will be.

Addressing Township Engineer's Comment #34 in Review #1.



July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Section 307.2 – Applicability of any or all of the land development requirements

Justification for Relief: This minor subdivision of 31.83 acres is for 3 lots; one for the Belangers, and one each for their son and daughter

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: This section of the ordinance allows for the Township officials to waive the applicability of any or all of the land development requirements based on the character of the project and the site conditions. We believe that this project meets the requirements because it is a minor subdivision for a family on 31.83 acres with limiting site conditions.

Addressing Township Engineer's Comment #6 in Review #1.



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July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Sections 607.4.A – Existing Right-of-way & Road Improvements for roads abutting subdivision.

Justification for Relief: This plan was originally conditionally approved for a major subdivision for Tanalo Estates without any improvements to Cherry Lane Church Road although there were 2 lots accessing it. Presently there is only 1 lot accessing Cherry Lane Church Road that will belong to the Belanger's daughter. Further, it would be dangerous to widen the road for 598.05 feet when the road would narrow at both ends of the property. An 8.5 foot reserve is provided for future road widening.

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: This minor subdivision only has 1 lot along Cherry Lane Church Road and a house could be built on the property accessing Cherry Lane Church Road without subdividing the property. The widening of this road for such a short distance would be dangerous when it again narrows.

Addressing Township Engineer's Comment #31, the first paragraph, in Review #1.



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July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Sections 406.2 and 406.4 – a Site Context Map and Resource Impact and Conservation Analysis Plan.

Justification for Relief: This minor subdivision of 31.83 acres is for 3 lots; one for the Belangers, and one each for their son and daughter. An Existing Resource and Site Analysis Map was created and all of the required easements and buffers were created. Further, this property was previously approved for a 5 lot final major subdivision (Tanaloo Estates for J.A. Snyder Family) without providing either map or plan.

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: This section of the ordinance is within the Land Development plan requirements and a modification has been sought from these requirements based on the character of the project and the site conditions. We believe that this project meets these requirements because it is a minor subdivision for a family on 31.83 acres with restrictive site conditions.

Addressing Township Engineer's Comment #6 in Review #1.



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July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Sections 601.1.F.5.b.(1) and 601.1.F.5.b.(5) – Restrictions and Requirements for 65% of steep slope areas to be in easements.

Justification for Relief: This plan was originally approved for a final major subdivision using the same method of creating the steep slope easements which do include small areas of moderate slopes of 15 to 20% slopes as well as areas that are not steep slopes. However, because the easements are to be recorded and the corners delineated, it would not be practical to create easements with multiple sides to include only slopes greater than 20% given the site conditions. Moreover, this is only a 3 lot minor subdivision for the Belanger family.

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: The site conditions of varying slope do not make it possible to only include slopes over 20% within a regularly shaped easement (one with 4 to 6 sides) that can easily be surveyed and staked.

Addressing Township Engineer's Comment #27 in Review #1.



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July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision Plan

Section of Subdivision and Land Development Ordinance: Section 303.I.6.b – 50 foot wetlands buffer

Justification for Relief: When the wetlands buffer was established for the previously conditionally approved final major subdivision entitled Tanalo Estates, it was established during discussions with MCCD officials that the buffer location should be created by using radiating lines from the wetlands that would be 300 feet long every 100 feet as shown on Figure 1. The distance required along these radiating lines is based on the slope. No modifications were made to these previously approved calculations.

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:** The wetlands are not delineated as straight lines and the existing slopes vary considerably, therefore the resulting calculations shown can produce some short distances where the boundary isn't 50 feet. However, the intent was to produce a reasonable methodology of calculating the buffer for any property within the Township with the calculations being reproducible.

Addressing Township Engineer's Comment #39 in Review #1.



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July 14, 2017

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Douglas & Colette Belanger

Name of Subdivision or Land Development: Belanger Minor Subdivision

Section of Subdivision and Land Development Ordinance: Section 606.3.A and a portion of Section 607.16.L.3 – Residential Driveway Maximum Slope of 12%

Justification for Relief: We hereby request a modification from the requirement of a maximum slope of 12 percent for the driveways. Lot 2 has a maximum driveway slope of 14 percent for 200 feet. The driveway has to be located as shown so that the infiltration berms could be placed in non-steep slope areas to intercept the stormwater runoff from the impervious surface of the driveway and still be outside of the wetlands buffer. There was no means possible to avoid the steeper slope. On Lot #1 the centerline slope is 12% but in the horizontal curves the slope of 12% is exceeded for a very short distance.

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:** The maximum driveway slope in the outdated SALDO was 14 percent and the previous submittal that was approved for Tanalo Estates had driveways at 14 percent slopes on several of the 5 lots. The maximum slope on all three of the proposed driveways has been reduced.

Addressing Township Engineer's Comments #30 and 32 in Review #1.



2937 ROUTE 611
SUITE 8, MERCHANTS PLAZA
P.O. BOX 536
TANNERSVILLE, PA 18372-0536

TEL: (570) 620-0320
FAX: (570) 620-0390
www.dwlawlc.com

JEFFREY A. DURNEY
GEOFFREY S. WORTHINGTON

HILLARY A. MADDEN

July 20, 2017

VIA HAND DELIVERY

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

Re: Brookdale Treatment Resort Conditional Use Application

Dear Planning Commission Members:

At the July 10, 2017 Planning Commission Meeting, the Planning Commission asked the Township Engineer to comment on correspondence dated April 17, 2017 from Alyssa E Goldfieri, Esq. related to Brookdale Treatment Resort. Attorney Goldfieri's comments had been provided in connection with the Board of Commissioners' hearing wherein the Zoning Ordinance was amended to establish the Resort Re-Use Overlay District. The comments were, therefore, provided prior to the current Conditional Use Application, which was filed with the Township on June 30, 2017.

In an effort to provide the Planning Commission with specific information related to the Project and to assist in your review of the Conditional Use Application, we have reprinted Attorney Goldfieri's comments below and provided our responses thereto. It should be noted that a number of the comments seek to impose requirements that are beyond those set forth in the Pocono Township Zoning Ordinance. We do not believe these requirements can be properly imposed on the Brookdale Treatment Resort.

SUGGESTED CRITERIA IN GOLDFIERI APRIL 17, 2017 LETTER

General Conditional Use Criteria Applicable to Resort Re-Use Overlay District

1. A narrative shall be submitted providing or describing the proposed use including, without limitation, the following:

RESPONSE: The requested information is provided in the Conditional Use Application. Additional information is provided where noted.

- a. Applicant's name, address, phone number;
- b. Owner/operator's name, address, phone number, if different from the applicant's;
- c. Subject property address and parcel identification number;
- d. Total lot area;
- e. Description of use and any services offered;
- f. Description of existing structures on the site;
- g. Description of proposed renovation or alteration to existing structures on the site, if any;
- h. Description of new/proposed structures, if any;
- i. Description of accessory recreational facilities or uses proposed on the site;
- j. Percentage of total impervious surface proposed;
- k. Percentage of total pervious surface proposed;
- l. Number of proposed users;
- m. Number of proposed employees;
- n. Number of proposed parking spaces;
- o. Description of State or Federal regulations applicable to proposed use, if any, including a citation to the regulations;
- p. List of existing and proposed stormwater and sanitary sewage and waste disposal systems and facilities on the site;

RESPONSE: The site will be served by the existing permitted water and sewer systems. No improvements are proposed that will create increases in impervious surfaces or stormwater runoff. There are no known drainage issues existing on the property that require stormwater improvements.

- q. Description of proposed grading, if any; and

RESPONSE: No new grading is proposed.

- r. Any anticipated increase in the demand upon the existing fire protection and emergency medical care capacities of the Township.

2. A traffic study "shall be submitted to assess the impact of the proposed use on road-related safety and traffic flow on the public and private road systems serving the site.

RESPONSE: A traffic study has been provided and is included as Section 6 of the Conditional Use Application.

3. Lighting on the site shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible

from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 10:00 p.m. and 6:00 a.m., prevailing time. A photometric plan shall be submitted to confirm compliance with applicable lighting regulations. The photometric plan shall illustrate, among other things, the location of all existing and proposed lighting fixtures on the site. As part of its decision, the Board of Commissioners may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

RESPONSE: Lighting on the site shall comply with the applicable regulations.

4. An environmental impact statement shall be submitted, which shall contain the following:

a) A list of any environmental effects anticipated to arise out of the use, including without limitation, the following:

RESPONSE: The Project proposes to utilize refurbished facilities of the Brookdale Resort. The renovation will be performed in accordance with the requirements of the Building Code and appropriate regulations. The impacts resulting from the construction of a project on a vacant site will not result at this site given that the applicant will only make use of pre-existing facilities.

- Any effect upon air or water;
- Any creation of noise, radiation, heat, glare, or odor;
- Any increase or decrease in public services or utilities;
- Any damage to wildlife, existing landscaping, or vegetation;
- The stability of soils and their potential for surface subsidence;
- Any creation of visual intrusions or loss of view from surrounding properties;
- Any concerns with flooding, including the necessity of flood insurance and compliance with construction requirements in flood-prone areas;
- If grading is proposed, the method proposed for cutting and filling and the movement of fill on and off the site; and
- The method for and alterations of existing water drainage patterns on the property.

b) A list of the specific actions proposed for reversal and/or mitigation of each of the adverse environmental effects anticipated to arise out of the development or project, including the analysis of the magnitude of each adverse impact and the extent of the mitigation and/or elimination thereof.

c) A description of the sequence of construction activities shall be submitted, including the environmental effects occurring during each portion of the construction, and the

actions to be taken to mitigate or eliminate the adverse environmental effects arising out of each portion of the construction.

- d) A plan illustrating the following site characteristics shall be submitted :
 - Topography;
 - Surface and subsurface soils;
 - Accessibility to utilities (e.g., gas, water, electric) and stormwater and sanitary sewage and waste disposal systems; and
 - Any other important characteristic of the site necessary to describe the environmental impact of the proposed project and development upon the site and surrounding properties.
- e) A description of the following social and economic effects of the development or project on the properties and residents located within 1,000 feet of the site's property lines shall be submitted:

RESPONSE: This information is discussed in the Project Narrative section of the Conditional Use Application.

- The compatibility or lack of compatibility of the proposed use with uses within 1,000 feet of the site's property lines;
- Any anticipated increase in revenue to the Township associated with increased property valuations and tax revenue;

RESPONSE: The Project is anticipated to provide a significant positive tax benefit to the Township. The property has been closed since 2008 resulting in the loss of revenues from a substantial employer and the ancillary revenues generated by a fully-operational commercial business in the Township. The current tax assessment for the property reflects a fraction of the anticipated fair market value of the property after the Applicant invests the several million dollars to refurbish and re-open the property. The Project will result in a substantial increase in real estate tax revenues to the Township. The Brookdale Treatment Resort will be a substantial employer in the Township resulting in additional tax revenues, including the Earned Income Tax and Local Services Tax.

- The density and nature of the population;
- Any other recognizable and measurable effect, adverse or beneficial, to the public health, safety and welfare and the economy of the Township.

5. The applicant, owner, and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

RESPONSE: These standards do not apply as earth disturbance and site improvements resulting in changes to the stormwater system are not proposed.

6. Location of buildings, traffic circulation, and parking areas on the property shall be designed to provide adequate access for emergency medical vehicles and firefighting equipment.

RESPONSE: The buildings, traffic circulation and parking areas will be maintained as developed for the Brookdale Resort. Interior traffic circulation provides a looped roadway system with two points of access to Back Mountain Road.

7. Ingress, egress, and internal traffic circulation shall be designed to minimize hazards, congestion, and back-up onto abutting streets.

RESPONSE: A traffic study has been provided and is included as Section 6 of the Conditional Use Application.

8. All off-street parking areas adjacent to a single-family dwelling or property in any residential zoning district shall be screened by a minimum of a six-foot compact evergreen hedge.

RESPONSE: Off-street parking does not adjoin residential districts or dwellings.

9. All buildings on the site, whether existing or proposed, shall fully comply with the requirements of the then current edition of the International Building Code (IBC), as adopted by the Township.

RESPONSE: The renovation of the buildings will comply with the IBC.

Conditional use criteria specific to Treatment Centers and Life Care Facilities located in the Resort Re- Use Overlay District:

Use Specific Conditions:

1. The applicant shall provide a community impact analysis addressing the following information:
 - a. Hours of operation;
 - b. Patient treatment capacity;
 - c. Average daily patient visits;
 - d. Average number of daily vehicle trips estimated to be generated by the facility, with peak hour vehicle trip ends identified;
 - e. All public transportation connections that may serve the facility;
 - f. Estimated level of emergency calls on a monthly basis generated by the facility;
 - g. Documentation concerning all personnel licensed by the Pennsylvania Department of Health, with changes to be reported to the Township within thirty (30) days;
 - h. All security measures to be instituted within the facility; and
 - i. All security measures to be instituted on the lot.

RESPONSE: The Resort Re-Use Overlay District Ordinance does not require a community impact analysis, nor a number of the items set forth above. Notwithstanding this fact, most of this information is included in the Project Narrative section of the Conditional Use Application.

2. The minimum site area shall be 50 acres.

RESPONSE: The site is in excess of 92 acres.

3. The site shall have frontage on and direct vehicular access to Route 611.

RESPONSE: The property is located within 2 miles of Route 611 as required by the Ordinance. The Ordinance does not require frontage on and direct vehicular access to Route 611.

4. Signage on the site shall fully comply with Article VII of the Township Zoning Ordinance.

RESPONSE: Sign permits will be submitted separate from the Conditional Use Application in accordance with the Zoning Ordinance requirements.

5. Parking for the proposed use shall fully comply with Article V of the Township Zoning Ordinance.

RESPONSE: The existing parking spaces on the site will provide the required number of parking spaces for the proposed use as required by the Zoning Ordinance.

6. The applicant, owner, and operator of the facility shall be responsible for the conduct and safety of the employees, patients, clients, visitors, and guests. The applicant, owner, and operator shall provide the Township with the name and telephone number of its representative who shall be available 24 hours a day to respond to inquiries and promptly resolve any issues caused by the employees, patients, clients, visitors, and guests.

RESPONSE: This is not a requirement in the Resort Re-Use Overlay District Ordinance. Notwithstanding the foregoing, the Brookdale Treatment Resort will operate 24-hours per day, 365 days per year and, therefore, the facility will always have staff persons onsite to address any issues.

7. Change of ownership or sponsorship or any other condition contained in the original approval shall constitute a new use and the procedure for obtaining conditional use approval shall be triggered.

RESPONSE: This is not a requirement in the Resort Re-Use Overlay District. Moreover, we do not believe this is a correct statement of the applicable standard.

8. The facility shall be licensed by the appropriate departments and/or agencies of the Commonwealth of Pennsylvania, and proof of a valid license shall be provided to the Township prior to the issuance of an Occupancy Permit. Copies of this valid license shall be provided annually by the applicant or operator to the Township.

RESPONSE: Obtaining the required license to operate the facility is a requirement of the Zoning Ordinance and proof of this requirement will be provided to the Township prior to occupancy.

9. The use of the property, and the applicant, owner, and operator of the facility, shall comply with all applicable federal, state, and local laws, ordinances, and regulations.

RESPONSE: The Applicant will comply.

10. The facility shall be staffed dining all hours of operation by personnel licensed by the Pennsylvania Department of Health.

RESPONSE: This is not a requirement of the Resort Re-Use Overlay District. The Brookdale Treatment Resort will be licensed by and under the jurisdiction of the Pennsylvania Department of Drug and Alcohol Programs and will comply with all applicable regulations imposed by the Department.

11. Safe vehicular access and areas for discharging and picking up patients and/or clients shall be provided.

RESPONSE: It is anticipated patients will be discharged and picked up at the Main Lodge, similar to the check-in location for the Brookdale Resort.

12. To ensure public safety and health, the site shall be served by and connected to a public sewer system and a public water system at the cost of the applicant, owner, and operator.

RESPONSE: There is no such requirement of connection to a public sewer or public water system in the Ordinance. The site will be served by the onsite existing central water and sewer systems permitted by DEP.

13. No new structure may be located closer than 100 feet to any property line. Any existing structure currently located closer than 100 feet to a property line shall not be altered or enlarged in any manner that would further increase the structure's encroachment into the 100 foot setback.

RESPONSE: The proposed project meets the requirements of the Zoning Ordinance. No new structures are proposed. Existing structures within 100 feet will be renovated for the proposed occupancy and are not proposed to be enlarged.

14. The site shall be kept free of litter at all times.

RESPONSE: The Brookdale Treatment Resort will comply with the provisions of Section 1006(H) of the Resort Re-Use Overlay District Ordinance setting forth the obligations for maintaining the building exterior and grounds.

15. All parking areas shall be located at least 10 feet from the front property line and 100 feet from side and rear property lines.

RESPONSE: The existing parking areas meet the location requirements of the Zoning Ordinance. The existing parking areas to be used for the facility meet this requirement with the exception of a parking area on the north side of the site which is approximately 90 feet from the side/rear property line. The parking is located on the opposite side of the buildings from the property line. The Applicant has offered to provide an architectural style privacy fence between these building in this area.

16. Meals shall be offered only to registered patients.

RESPONSE: This is not a requirement of the Zoning Ordinance.

17. Fencing six (6) feet in height is required along all property lines adjacent to a residential use or district.

RESPONSE: This is not a requirement of the Zoning Ordinance. Dense tree vegetation exists between the existing buildings and the adjoining property line. Where existing cottages that are to be used for patient residences are located less than 50 feet from the property line, a 6-foot architectural privacy fence is proposed between the buildings. In addition to the proposed fence, the site is separated by mature trees and a steep grade. A

fence is not required by Township regulation, nor would it be beneficial or a reasonable condition.

18. All recreational areas shall be located at least 100 feet from adjoining residential properties, with the usage being limited to registered patients.

RESPONSE: This is not a requirement of the Zoning Ordinance. Notwithstanding this fact, no existing or proposed recreational areas are located within 100 feet of a residential property and usage is limited to patients, guests and staff.

19. Outdoor recreational facilities and use shall only be used during normal-hours of operation and shall not be utilized between 10 p.m. and 8 a.m.

RESPONSE: This is not a requirement of the Zoning Ordinance. Notwithstanding this fact, the Brookdale Treatment Resort intends to limit the use of the outdoor recreational facilities to the normal hours of operation.

20. 50% of the site shall be reserved for usable open space. Usable open space shall satisfy the following criteria:

- a. Usable open space shall consist of a contiguous tract of at least two areas.
- b. No area which exceeds 6% grade shall qualify as usable open space.
- c. The following areas may not be used to fulfill the usable open space requirement:
 - Streets and street rights-of-ways;
 - Off-street parking and loading areas, driveways and walkways;
 - Improved drainage facilities;
 - Wetlands, as defined or determined under state and federal regulations;
 - Flood-prone areas;
 - Lakes, ponds or streams; and
 - Areas located within required setbacks or buffer areas.

RESPONSE: This is not a requirement of the Zoning Ordinance and is an effort to impose restrictions well beyond those set forth in the Zoning Ordinance. In fact, in adopting the Resort Re-Use Overlay District Ordinance, the Board of Commissioners rejected the attempt to expand the definition of open space in the manner proposed by this language. The conditional use application for the Brookdale Treatment Resort proposes to designate over 54 acres as open space, exceeding the requirements of the ordinance. The site could be developed with as little as 50 acres of property including 25 acres of open space to meet ordinance requirements. Proposed open space areas do not include existing development. The primary open space area is designated on the westerly and northerly portions of the site, adjacent to adjoining residential uses. The lake is also designated as open space area.

Although not included in the open space area, active recreation areas will be provided in the recreation building and on the existing recreation facilities from the former Brookdale Resort along the lake and Back Mountain Road. These facilities include a tennis court, a pool, shuffle board court, basketball court and a bocce court. The location of these activities is away from the adjoining residential properties to the north and west, with other property in the property tract across Back Mountain Road. Water related recreational uses will be permitted on the lake.

The use of these facilities will be restricted to the patients of the Treatment Resort, guests and employees. The Applicant believes the proposed use of the open space and location of existing active recreation areas is appropriate and consistent with the previous Resort Use.

In accordance with the terms of the Resort Re-Use Overlay District, the Applicant will include a restriction in its deed that prohibits future subdivision or development of the designated open space except for recreational uses that may be permitted with the approval of the Board of Commissioners.

We appreciate the opportunity to provide these responses and will be available to answer any questions you may have regarding the Conditional Use Application at the meeting on July 24th. Thank you.

Very truly yours,

Jeffrey A. Durney

cc: Jon Tresslar (via electronic mail)
Leo Devito, Esq. (via electronic mail)
Pocono Township Board of Commissioners (via hand delivery)



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570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

July 24, 2017

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

**SUBJECT: BROOKDALE ENTERPRISES, LLC - CONDITIONAL USE REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630016R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Brookdale Treatment Resort Conditional Use Application. The submitted information consists of the following items.

- Conditional Use Application and Narrative prepared by RKR Hess, dated June 2017.
- Conditional Use Application Plans prepared by RKR Hess, consisting of an Overall Brookdale Property Plan, undated, and a Site Plan, dated June 30, 2017.

BACKGROUND INFORMATION

The Applicant, Brookdale Enterprises LLC, is proposing an inpatient Drug and Alcohol Rehabilitation Center located at the former Caesar's Brookdale at the Lake Resort. The property is owned by Silverleaf Resorts Inc. and consists of a 232-acre parcel bordered by Brookdale Road to the south and Summit Road to the west. Dyson Road traverses the existing property. The property consists of the existing resort with the associated lodge, residential units, administrative and support buildings, maintenance buildings, a lake, recreation areas, and other related items. The remainder of the property is primarily woodlands.

The existing property is located within the RD, Recreational District. The treatment center is proposed on a 92-acre portion of the former resort that is bordered by Summit Road to the west and Dyson Road to the East. The center will use many of the existing buildings and facilities. The lake and remaining woodland area would consist of open space. No new development, such as buildings, driveways, and parking areas, are proposed. The center will have the capacity to treat 100 patients after the first phase is complete and 196 patients when all phases are complete. The beds will be located in the existing cottages and residential units. Access to the facility will be from the existing driveway located on Back Mountain Road. Existing wells and an on-site wastewater treatment facility will be used for water supply and sewage disposal.

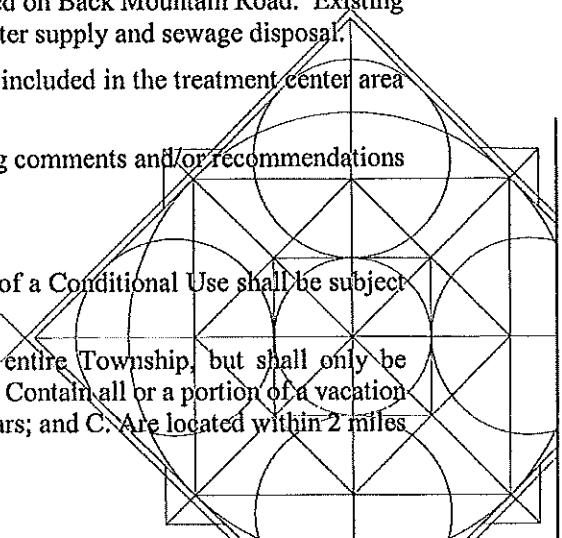
Existing residential units on the easterly side of Dyson Road are not included in the treatment center area and will be a part of the remaining lands.

Based on our review of the above information, we offer the following comments and/or recommendations for your consideration.

RESORT RE-USE OVERLAY DISTRICT COMMENTS

In accordance with Article X of the Zoning Ordinance, the granting of a Conditional Use shall be subject to the following conditions and guiding principles.

1. The Resort Re-Use Overlay District shall encompass the entire Township, but shall only be applicable to properties which: A. Are 50 acres or greater; B. Contain all or a portion of a vacation resort or lodge property that has been closed for at least 5 years; and C. Are located within 2 miles



of State Route 611. *The proposed Treatment Center is at the former Brookdale Resort on a designated portion of the site over 92 acres within two miles of Route 611. The Applicant notes that the resort has been closed since 2008.*

2. The following uses shall be permitted by conditional use in the Resort Re-Use Overlay District, subject to Section 516 of this Ordinance: A. Treatment Center in accordance with Section 539.C of this Ordinance; B. Life Care Facility in accordance with Section 546 of this Ordinance; C. Recreational uses ancillary to a Treatment Center or Life Care Facility. *A Treatment Center with the existing recreational uses is proposed in the Resort Re-Use Overlay District.*
3. Any Treatment Center or Life Care Facility permitted in the Resort Re-Use Overlay District shall: A. Hold and maintain all relevant licenses and certificates required by the Commonwealth of Pennsylvania in order to operate the facility. B. Hold a certificate of occupancy from the Department of Labor and Industry or its local equivalent. C. Comply with applicable Federal, State and local laws and ordinances. *The Application indicates that all licenses and certificates required will be obtained prior to occupancy.*
4. The applicant for a use within the Resort Re-Use Overlay District shall designate the portion of the former vacation resort or lodge property on which the Treatment Center or Life Care Facility is proposed to be located and shall provide a metes and bounds description thereof (the "Resort Re-Use Development Site"). The applicant shall further identify all existing buildings located on the Resort Re-Use Development Site and designate which buildings shall remain and which buildings are intended to be removed. All uses shall be planned and designed to minimize and reduce light, noise and air emissions onto adjacent properties. *Site plans were included indicating the metes and bounds for the Treatment Center. The existing buildings and recreational facilities are to be used and maintained.*
5. All uses shall comply with the minimum building code requirements as specified by the Township and by the Pennsylvania Department of Labor and Industry. Prior to the issuance of a Use and Occupancy Permit for the proposed use, the applicant shall provide evidence to the Township that all plans and permits have been approved by all pertinent local, state and federal agencies. *The Application notes that Building Permit Applications will be submitted to the Township for building renovations and pertinent state and federal permits will be obtained and evidence provided to the Township prior to occupancy.*
6. All Resort Re-Use Development Sites shall contain no less than fifty (50) acres that shall be on parcels that are adjacent or contiguous. *The portion of the resort for use as the Treatment Center is greater than 92 acres.*
7. In no case shall more than forty-five percent (45%) of a Resort Re-Use Development Site be covered with buildings or other impervious surfaces. *The Application indicates that less than 10% of the 92-acre parcel is covered with building and other impervious surfaces.*
8. Fifty percent (50%) of the total Resort Re-Use Development Site shall be allocated to and remain open space. The designated open space shall be deed restricted to prohibit future subdivision or development except for recreational uses that may be permitted with the approval of the Board of Commissioners. *The Applicant indicates that approximately 54 acres of open space (59%) is proposed and that appropriate restrictions will be placed in the deed. The open space area includes existing woodlands and the lake. The proposed open space does not include the entire lake area. Areas to the north, east, and south of the lake, which do not appear to be developable to any great extent, contains natural features that are not included in the open space.*
9. All new structures that may be constructed in the Resort Re-Use Overlay District shall conform with the lot, yard, setback and height requirements of the base zoning district in which it is located.

Where an existing structure is considered nonconforming based upon its lot area, height, proximity to property lines or building coverage, the existing structure may remain subject to the provisions of Section 511 of this Ordinance governing Non-Conforming Structures and Dimensions. *No new structures are proposed. There are several existing cottages located along the northern property line that are non-conforming regarding the rear yard setback. Setback lines should be shown on the plan.*

10. A buffer of 100 feet from the property line shall be provided around the perimeter of the Resort Re-Use Development Site. No new buildings shall be constructed within the 100-foot buffer. Existing buildings located within the 100-foot buffer may remain and may be renovated and/or rebuilt within the existing footprint. To the extent an existing building on the Resort Re-Use Development Site is within 50 feet of a residence on an adjoining property, landscaping enhancements or screening shall be installed, where feasible and appropriate, to reduce the impacts of the facility on adjoining properties. In addition to the landscaping plan required by Section 516 of this Ordinance, the applicant for a use within the Resort Re- Use Overlay District shall also submit a proposed landscaping buffering plan with the conditional use application. The landscaping buffering plan shall be reviewed by the Board of Commissioners and where such screening does not effectively buffer the Treatment Center or Life Care Facility use from an adjoining residential use, the Board of Commissioners may require additional screening to comply with the objectives of this chapter. All shrubs, hedges, trees and fences shall be maintained in good condition by the owner of the Treatment Center or Life Care Facility. *Several existing cottages are as close as 30 feet to the property line and approximately 80 feet from the closest dwelling. The Application notes that there is existing mature trees and steep slopes that buffer these cottages. The Applicant is proposing an architectural style privacy fence between the units to provide additional privacy. A specific landscaping buffering plan was not provided. The Board of Commissioners should review the proposed buffer to determine if additional screening should be provided. A cross section plan showing the slopes and structures may more accurately demonstrate how the existing trees and slopes will buffer the site.*
11. The building exteriors and grounds shall be maintained in a neat and attractive manner, consistent with the neighborhood in which the facility is located. The facility shall: (1) Maintain all structures on the grounds of the facility so as to be free from any danger to health and safety. (2) Keep the grounds of the facility clean, safe, sanitary and in good repair at all times for the safety and well-being of residents, employees and visitors. (3) Store all trash in covered containers that prevent the penetration of insects and rodents and have the trash removed at least once each week. *The Application states that structures and grounds will be maintained as required. Trash dumpsters are proposed at the existing maintenance building.*
12. The exteriors of all structures on the property shall be aesthetically pleasing and compatible with the structures on the Resort Re-Use Development Site. The property owner shall maintain all structure exteriors in a neat and attractive manner. Where the property is to contain multiple buildings, the architectural appearance of all buildings shall be compatible or harmonious. *Building renderings are included in the Application showing proposed improvements to the building facades.*
13. Off-street parking and loading requirements shall be provided in accordance with Section 512 of this Ordinance and the Subdivision and Land Development Ordinance, as applicable. *Parking calculations are included and are based on a nursing home use, which requires 3 spaces per bed plus 1 space per employee. Based on these criteria, 166 spaces are required and the plan indicates that 188 spaces are provided. The narrative indicates that patients are not permitted to have a vehicle at the treatment center. The number of spaces provided should be more than adequate for the 100 employees noted to be on the peak shift.*

The narrative notes that visiting hours are for a restricted time only on Sunday afternoons. The applicant should provide further justification to confirm that the number of spaces provided would meet the needs for employees and visitors at this peak time.

Our review of the number of spaces provided does not exactly match the plan. The parking areas shall note the number of existing spaces per lot to confirm the number of spaces provided.

In accordance with Section 512.D.1, one (1) off-street truck loading and unloading space shall be provided for the first 5,000 square feet or less of gross floor area, plus a minimum of one (1) additional off-street truck loading area for each additional 10,000 square feet of gross floor area. The site has one existing loading area that will be used for the treatment center. The dimensions of the loading area should be provided. The proposed treatment center is an institutional use and does not require loading spaces.

14. The Treatment Center or Life Care Facility shall comply with all security regulations promulgated by the Commonwealth of Pennsylvania with respect to the operation of a licensed facility. The Treatment Center or Life Care Facility shall provide 24-hour per day, 365 days per year on-site supervision by professionals trained to supervise the types of clientele to be served by the facility. The facility shall also provide state of the art electronic surveillance or other comparable system that enables the facility to monitor the location of its clients or patients. *The Application indicates that there will be 24 hours per day, 365 days per year on-site supervision by trained personnel and will comply with all security regulations applicable to licensed facilities. A video surveillance system is also proposed to provide security.*
15. All proposed signs shall conform to the requirements of Article VII of this Ordinance. *The Applicant indicates that sign applications will be submitted separately.*
16. The number of clients/patients shall not exceed the number of clients/patients for which the facility has been licensed and permitted by the Commonwealth of Pennsylvania. The facility shall only accept patients being of an age for which the facility has been licensed and permitted by the Commonwealth of Pennsylvania. *The Applicant indicates that the minimum age will be 18 years old and that appropriate licenses and permits will be acquired.*
17. The facility shall comply with all relevant staffing requirements established by the Commonwealth of Pennsylvania for the operation of a Treatment Center or Life Care Facility, including the provisions of Chapter 704 of Title 28 of the Pennsylvania Code setting forth Staffing Requirements for Drug and Alcohol Treatment Activities, 28 Pa. Code §§704.1-704.12; Chapter 211 of Title 28 of the Pennsylvania Code setting forth Program Standards for Long-Term Care Nursing Facilities, 28 Pa. Code §§211.1-211.22; and Chapter 11 of Title 6 of the Pennsylvania Code setting forth Staffing Requirements for Older Adult Daily Living Centers, 6 Pa. Code §§11.31-11.39. *The Applicant indicates that staffing will be provided in accordance with requirements and the number of staff members to patients will be approximately one to one. This statement in the narrative should be clarified as the parking calculations indicate that there will be 196 patients and 100 employees on the peak shift.*
18. The facility shall comply with all relevant physical plant standards for residential facilities required by the Commonwealth of Pennsylvania for the operation of a Treatment Center or Life Care Facility, including the provisions of Chapter 705(A) of Title 28 of the Pennsylvania Code setting forth Physical Plant Standards for Residential Drug and Alcohol Treatment Facilities, 28 Pa. Code §§705.1-705.11; Chapter 205 of Title 28 of the Pennsylvania Code setting forth Physical Plant and Equipment Standards for Long-Term Care Nursing Facilities, 28 Pa. Code §§205.1-205.91;

and Chapter 11 of Title 6 of the Pennsylvania Code setting forth Physical Site Standards for Older Adult Daily Living Centers, 6 Pa. Code §§11.51-11.72. The foregoing regulations include relevant requirements for the size of bedrooms, the maximum number of residents that may share a bedroom, required common areas, bathroom provisions, food service, heating and cooling, general safety and emergency procedures, and fire safety with which the facility must comply. *The applicant indicates that these requirements will be met and verified by the State for issuance of the license to operate the facility.*

19. A residential Treatment Center or Life Care Facility will operate and be staffed 24 hours per day. Each facility shall establish a policy designating reasonable visiting hours for persons who wish to visit the clients or patients. The visiting hours shall not begin earlier than 8:00 a.m. and will end not later than 9:00 p.m. Visitors to patients at a Treatment Center shall be limited to immediate family members. *The Applicant indicates that visitation will be permitted on Sundays between 12:30 pm and 4:00 pm and limited to a maximum of three family members.*
20. In connection with its conditional use application, the applicant shall provide information describing the nature of the residents to be served and the type of treatment/care and counseling to be provided. All treatment and counseling programs shall comply with the requirements of Federal and Pennsylvania law regulating licensed facilities. *The Project Narrative includes information on the Treatment Center and the care and counseling to be provided.*
21. The facility shall consult with the relevant local emergency responders, including fire, police and ambulance services, to coordinate and adopt an emergency response plan and protocol. The facility shall also have written procedures for staff and residents to follow in case of an emergency that shall include provisions for the evacuation of residents and staff to a safe location and the assignment of staff during emergencies. *The Applicant indicates that written procedures will be developed for emergencies and will be reviewed with the local emergency responders prior to occupancy. The Board should determine if they would like comments from the emergency responders as part of the conditional use determination instead of prior to occupancy.*

CONDITIONAL USE COMMENTS

In accordance with Section 516 of the Zoning Ordinance, the granting of a Conditional Use shall be subject to the following conditions and guiding principles.

22. Plot plans shall show the locations of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, and other pertinent information. *Landscaping is not shown on the plans. The parking areas should include the number of parking spaces provided to confirm the existing spaces at the center.*
23. The names and addresses of adjoining property owners shall be provided. *This information was not included.*
24. Such use shall be one that is specifically authorized as a Conditional Use in said district. *In accordance with Article X, Resort Re-Use Overlay District, a Treatment Center is permitted as a Conditional Use.*
25. Such use shall only be authorized subject to any applicable conditions and safeguards as required by the Zoning Ordinance, and in addition, any conditions and safeguards (other than those related to off-site transportation or off-site road improvements) as may be deemed necessary by the Board of Commissioners to implement the purposes of this Ordinance and the MPC. *The Board of Commissioners shall provide any additional conditions or safeguards that they believe shall be implemented with this proposed Conditional Use.*

26. Such use shall be found by the Board of Commissioners to be in harmony with the general purposes and intent of this Ordinance. *The Board of Commissioners shall determine if the proposed development is in harmony with the intent of the Zoning Ordinance.*

In accordance with Article X of the Zoning Ordinance, Treatment Centers are permitted by Conditional Use within the R-D, Recreational District, therefore we believe that the proposed center is in general conformance with the intent of the Ordinance. In addition, Treatment Centers are included in the definition of Group Care Facilities, which are permitted within the C, Commercial, Zoning District.

27. Such use shall not adversely affect the character of the district, nor the conservation of property values nor the health and safety of residents or workers on adjacent properties and in the general neighborhood. *The proposed development is located within and adjacent to other properties to the East and South in the Recreation Zoning District. The R-1, Residential, Zoning District borders the proposed treatment center property to the North, West, and Southwest. The Applicant indicates that the project is similar in character to the previous resort use and is not anticipated to adversely affect the character of the neighborhood. The application notes that a Certified Real Estate Appraiser will attend the Conditional Use hearing to provide testimony how the value of other properties will be affected by this development. The Applicant indicates that the use will stop deterioration of the site improvements and would provide economic benefits from the re-use of the property.*

28. Such use shall be of appropriate size and so located and laid out in relation to its access streets that vehicular and pedestrian traffic to and from such use will not create undue congestion or hazards prejudicial to the general neighborhood. *The Applicant indicates that the existing resort layout provides for the most intensive pedestrian and vehicular activities to be located away from adjoining residential properties. A Traffic Study for the proposed Brookdale Treatment Center, dated June 2017, prepared by Benchmark Civil Engineering Services, Inc., was included with the application. The proposed development generate 154 trips during the Weekday AM Peak Hour, 164 trips during the Weekday PM Peak Hour, and 190 trips during the Saturday Midday Peak Hour.*

The intersection of the driveway with Back Mountain Road was analyzed for the project for existing conditions and projected traffic volumes to determine Projected Levels of Service (LOS). The Base Level of Service was determined utilizing a background growth trend factor. Levels of Service (LOS) range from A to F; A being the best and F being the worst. The Traffic Study indicates that the intersection will operate at a LOS A for all conditions, indicating reasonably free and stable traffic flows, with delays less than 10 seconds.

The Traffic Study included one recommendation, which was to remove the dead trees adjacent to the site entrance to improve sight distance.

A review of the traffic impact on the surrounding roads, particularly access to Route 611, should be provided. The traffic study requirements in the Subdivision and Land Development Ordinance indicate that the analysis area should be the surrounding roads within a radius of 2 miles. The Board should decide if the study area is adequate or if there are additional intersections of concern. For example, is the signage and layout adequate at the intersection of Dyson and Brookdale Roads for the change in use.

It appears that a portion of the Narrative, at the top of Page 5, is related to a different project.

29. Such use shall not conflict with the direction of building development in accordance with any Comprehensive Plan or portion thereof which has been adopted by the Township. *The proposed development is located within a Rural/Recreation Future Land Use Category in the Multi-Municipal Comprehensive Plan. The resort was still in operation at the time when the Comprehensive Plan was developed. The Applicant indicates that the Resort Re-Use Overlay*

District was developed with a goal to encourage development of closed resort sites and encourage economic development consistent with the goals of the Comprehensive Plan.

30. The application complies with all criteria established for the respective land use proposal addressed elsewhere in this Ordinance. *The Applicant provided information in the Narrative indicating that they will comply with the requirements of Section 539, Group Care Facilities.*
31. The proposed use does not substantially impair the integrity of the Township's Comprehensive Plan. *The Applicant indicates that the project is consistent with the Comprehensive Plan by reusing an existing vacant property, enhancing tax revenues, and promoting job creation.*
32. All required front yards, side yards, open space areas, and height limitations for the applicable zoning district have been met. *The maximum building height requirements (50') should be indicated on the plan. As noted previously, several existing cottages are non-conforming regarding the rear yard setback.*
33. The off-street parking and truck loading provisions are in conformance with those specified in Section 512 of the Zoning Ordinance. *Refer to Comment 13 for comments regarding parking and loading.*
34. Points of vehicular access to the lot are provided at a distance from intersections and other points of access and in number sufficient to prevent undue traffic hazards and obstruction to the movement of traffic. All traffic studies and analyses shall be in accordance with current Institute of Transportation Engineers (ITE) guidelines. *The Applicant has provided a Traffic Impact Study. Refer to Comment 28 for our cursory review of the submitted Study.*
35. The location of the site with respect to the existing roads giving access to it is such that the safe capacity of those roads is not exceeded by the estimated traffic generated or attracted and is not out of character with the normal traffic using said public road. *A single driveway is proposed for access to the treatment center. The Traffic Study indicates that the driveway intersection with Back Mountain Road would operate at an acceptable level of service.*

See previous comment 28 for additional comments on the traffic study.

36. The pedestrian access from the off-street parking facilities is separated from vehicular access and sufficient to meet the anticipated demand. *Pedestrian access within the site is provided from existing sidewalks and paths.*
37. The proposed use is not incompatible with the existing traffic conditions and adjacent uses and will not substantially change the character of the immediate neighborhood. *The Applicant has provided a Traffic Study. Refer to Comments 28 and 35 for our cursory review of the Study.*
38. Facilities are available to adequately service the proposed use (e.g. fire, police, and ambulance protection, sewer, water, and other utilities, etc.). *The Applicant indicates that water supply is provided from three on-site wells that were used for the resort and were previously permitted by PA DEP. These wells are currently designated as inactive. Appropriate permitting to re-active the wells will be required.*

An existing on-site Waste Water Treatment Plant is located on the property. The narrative indicates that the WWTP is currently permitted for a discharge of 49,000 gallons per day. Calculations are provided indicating that the projected flow from the Treatment Center is 26,763 gallons per day and will be monitored to verify sewage rates.

- a. *Information confirming the WWTP is permitted for 49,000 gpd should be provided.*
- b. *The narrative indicates that laundry facilities were included at the resort. It should be clarified if laundry services will be provided on site for the treatment center, as this could increase the sewage flows.*
- c. *The narrative indicates that the applicant has met with PA DEP to coordinate*

improvements at the WWTP to provide treatment at the full capacity of the permit. Appropriate permits will be required.

As noted in comment 21, a written plan for emergency services will be provided for review. The Applicant indicates that the Treatment Center does not anticipate any substantial increase in the number of calls than would occur in the operation of a resort use.

39. Screening of the proposed use from adjacent uses is sufficient to prevent the deleterious impact of the uses upon each other. *Woodlands exist on the property. The Applicant indicates that the project is well screened from the adjacent uses with the existing woodlands and no additional screening is proposed other than privacy fencing previously mentioned. The Board should determine if more details should be provided in the areas of the cottages.*
40. The use of the site complies with the requirements of any other public agency having jurisdiction over the proposed use. *The project requires the following approvals.*
 - a. *Pocono Township – Subdivision Plan and Land Development Plan approvals*
 - b. *Pennsylvania Department of Environmental Protection & Monroe County Conservation District – Letter of Adequacy and NPDES Permit for Stormwater Discharges from Construction Activities- Will be required if disturbance exceeding one acre is proposed in future submissions.*
 - c. *Pennsylvania Department of Environmental Protection – NPDES Permit for Discharge Requirements for Non-Municipal Sewage Treatment Works – Has been acquired under Permit No. PA0061921, effective on August 1, 2016, Expires July 31, 2021. Additional Permits may be required for improvements at the WWTP.*
 - d. *Pennsylvania Department of Environmental Protection – Water Supply Permit*

41. Operations in connection with a Conditional Use will not be more objectionable to nearby properties by reason of noise, odor, fumes, vibration, glare or smoke than would be the operations of any permitted use. *The Applicant indicates that the proposed use is not anticipated to generate noise, odor, fumes, vibration, glare or smoke to a greater extent than the previous Resort Use, if at all.*

ZONING ORDINANCE COMMENTS

42. In accordance with Section 512.B, handicapped accessible parking shall be provided in accordance with the Americans with Disabilities Act, as it may be amended from time to time. *The calculations on the plan indicate that six ADA accessible parking spaces are required. The plan shows four existing spaces. It should be confirmed that the required number of spaces meeting ADA requirements, such as sizes and slopes, can be provided.*

MISCELLANEOUS COMMENTS

43. A Legend should be provided on the Site Plans to provide additional clarification.
44. The Plan Notes indicate that the 100-year floodplain is shown based on FEMA mapping. A floodplain is not shown on the plan.
45. There are three existing driveways at the resort of which one will be maintained for the Treatment Center. Of the two remaining driveways, one will be gated. The third driveway provides access to a Maintenance Building approximately 800 feet West of the main entrance. It should be clarified if this driveway will be used or should be gated. The traffic study should be updated to opine if a single access to the site is adequate for emergency providers for the health, safety, and well-being of the site's patients.
46. The Planning Commission previously raised the issue of the flooding at Brookdale Lake. The driveway entrance crosses the stream that flows into the lake. This concern raises the question if

the existing bridges have adequate capacity for the safe operation of ingress and egress during all storms. A review of the capacity of the bridges should be provided.

47. The actual proposed impervious and open space coverage areas (in square feet and percentage) shall be provided in the Site Data Chart on Plan Sheet 2.

RESPONSE TO COMMENTS FROM CORRESPONDENCE RECEIVED FROM ALYSSA E. GOLDFIERI, APRIL 17, 2017

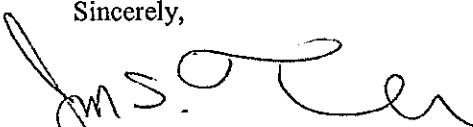
A letter from Alyssa E. Golfieri, Esq., dated April 17, 2017, was sent to the Pocono Township Board of Commissioners, regarding the Proposed Resort Re-Use Overlay Zoning Ordinance Amendment. The letter contains several suggested conditions for the District. A letter was submitted by Jeffrey A. Dorner, dated July 20, 2017, responding to the comments in Ms. Golfieri's letter. The Township asked Boucher & James to review these letters with the Conditional Use Application and we offer the below comments:

48. (Golfieri Comment 1 and 9) The letter provided a list of suggested items to be provided in the Narrative. These items were generally required by the Ordinance and are included in the Conditional Use Application and Narrative.
49. (Golfieri Comment 2) A Traffic Study was included as part of the Application. A review of the Traffic Study is included previously in this letter.
50. (Golfieri Comment 3) A Lighting Plan was not provided as part of the Application and is not required for the Conditional Use. A response to Ms. Golfieri's comments was provided by Jeffrey A. Durney on July 20, 2017, indicating that Lighting on the site shall comply with the applicable regulations. Although not specifically mentioned in the application, it appears that the intent is to use the existing site lighting for the proposed facility. The Board should determine if a Lighting Plan should be submitted as a condition of approval.
51. (Golfieri Comment 4) An Environmental Impact Study was not provided as part of the Application and is not required. The Applicant is not proposing any construction as part of the project and will use the existing resort facilities, thereby not having an impact. Environmental impacts related to the use of the facility are discussed in the Narrative.
52. (Golfieri Comment 5) Best Management Practices (BMP's) related to Erosion and Sediment Control and Post Construction Stormwater Management are not included as part of the Application as earth disturbance or changes to the existing stormwater facilities are not proposed.
53. (Golfieri Comment 6 and 7) The existing layout at the resort will be used to provide access to emergency vehicles and firefighting equipment. A circulation plan should be provided confirming that emergency vehicles have adequate access throughout the facility. We recommend the Township Fire Marshal review the plan to provide any comments on the circulation. As noted previously, the second entrance to the site will be gated and a key pad provided at this access. It should be confirmed that the Township and emergency services will be provided access at this entrance.
54. (Golfieri Use Specific Comments) A Community Impact Analysis was not provided or required as part of the Application. Many of the items included in Ms. Golfieri's letter are included in the Narrative. The letter asks for information regarding public transportation connections that may serve the facility. Access to public transportation should be reviewed.
55. (Golfieri Use Specific Comment 19) The letter suggests limiting the hours of operation for the outdoor recreational areas to normal business hours and not between 10 pm and 8 am. The letter from Mr. Dorney indicates that the Center intends to limit the use of these facilities to the normal hours of operation. The times of use for the outdoor recreational areas should be reviewed with the Township.

56. (Golfieri Use Specific Comment 20) The letter suggests providing criteria for the Open Space. The Applicant should clarify the proposed uses of the open space. The Board may wish to restrict uses as conditions of approval.

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

Sincerely,



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

Township Engineer

JST/mep/egs

cc: Donna Asure – Township Manager
 Pam Tripus – Township Secretary
 Michael Tripus – Township Zoning Officer
 Leo DeVito, Esquire – Township Solicitor
 Lisa Pereira, Broughal & DeVito, LLP
 Nate Oiler, P.E., RKR Hess – Applicant’s Engineer
 Jeffrey A. Durney, Esquire – Applicant’s Attorney
 Brookdale Enterprises, LLC – Applicant
 Melissa E. Prugar, P.E. – Boucher & James, Inc.

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RECEIVED
JUL 28 2017
POCONO TOWNSHIP

MONROE 2030

MONROE COUNTY PLANNING COMMISSION

July 25, 2017

Donna Asure, Manager
Pocono Township Municipal Building
112 Township Drive
PO Box 197
Tannersville, PA 18372

ADMINISTRATIVE CENTER
1 Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169
Phone: 570-517-3100
Fax: 570-517-3858
mcpc@monroecountypa.gov
www.monroecountypa.gov

Re: Brookdale Treatment Center
Conditional Use Application (Courtesy Review)
Pocono Township
MCPC Review #129-17

Dear Ms. Asure:

Our office has received a copy of the above referenced conditional use application concerning a proposed treatment center on a 92 acre portion of the former Brookdale Resort located on the northerly side of Back Mountain Road, approximately 650 feet west of its intersection with Dyson Road. The treatment center is to be an in-patient drug and alcohol rehabilitation center with a maximum capacity of 196 beds at buildout. Additional standards addressing security, open space, visiting hours, staffing requirements, etc. have been included as part of the conditional use application. This is to be a phased project and is located in the Resort Re-Use Overlay District in which the project is considered a conditional use. The proposed treatment center is to utilize existing on-lot water supply and sewage disposal systems.

It should be noted that our office appreciates the opportunity to review the submitted conditional use application. I have reviewed the proposed conditional use application on the basis of generally accepted planning principles and the following comments are offered as a courtesy review:

1. The Township should confirm the adequacy of the existing water supply and sewage disposal systems to serve the proposed use.
2. The project appears to conform to the requirements established under the recent adoption of the Resort Re-Use Overlay District amendments to the Pocono Township zoning ordinance.
3. The proposed amendments are generally consistent with the Monroe 2030 Comprehensive Plan December 2014, in terms of redeveloping vacant and non-operational properties and enhancing the local tax base.
4. While it appears that the Township will not require a Land Development Plan for this phase of the project, it should be noted that this review should not be considered as the County's formal review for any potential forthcoming Land Development Plans that may be required for future phases. If conditional use approval is granted, any future Land Development Plan will still need to be submitted for County review.

Page Two
Brookdale Treatment Center
Conditional Use Application (Courtesy Review)
Pocono Township
MCPC Review #129-17

This office considers granting or not granting approval of this conditional use application to be a matter of local determination.

Respectfully yours,



Eric Koopman,
Lead Senior Planner



July 24, 2017

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

R E C E I V E D
JUL 28 2017
POCONO TOWNSHIP

**SUBJECT: CBK – TORNADO RIDE
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1730050R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the ~~transmittal~~. The submitted information consists of the following items.

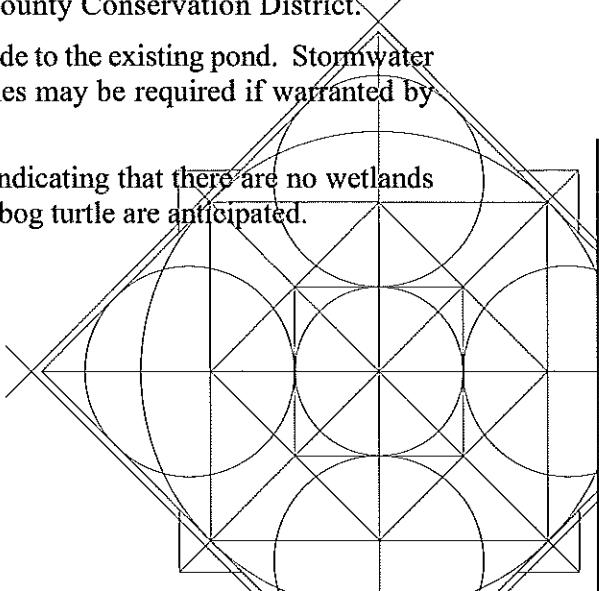
- Sketch Plan, Camelbeach Proposed Tornado Ride, prepared by RKR Hess, undated.
- Pocono Township Land Development Application for a Sketch Plan
- Negative Results Phase 1 Habitat Assessment Report for Bog Turtle, dated June 13, 2017, prepared by Ecological Associates, LLC

BACKGROUND INFORMATION

The Applicant, CBH2O, is proposing a new ride at the existing Camelbeach Waterpark. A Sketch Plan was submitted to confirm permitting requirements with the Township.

Based on our review of the above information, we offer the following comments and/or recommendations for your consideration.

1. A Land Development Plan will not be required for the proposed ride, which is consistent with previous projects within the Waterpark. A Stormwater Management Plan consistent with the Township Stormwater Management Ordinance will be required.
2. As noted in the transmittal, an NPDES Permit or a modification of the existing Permit, will likely be required from PA DEP and the Monroe County Conservation District.
3. The Sketch Plan shows stormwater conveyance from the ride to the existing pond. Stormwater management facilities to address peak rates and/or volumes may be required if warranted by the increase in impervious surfaces.
4. A Phase 1 Bog Turtle Habitat Assessment was included indicating that there are no wetlands within 300 feet surrounding the project and no impacts to bog turtle are anticipated.



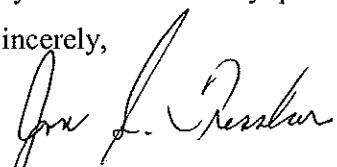
Pocono Township Planning Commission

July 24, 2017

Page 2 of 2

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

Sincerely,



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

JST/mep/egs

cc: Donna Asure - Township Manager
 Pam Tripus – Township Secretary
 Michael Tripus - Township Zoning Officer
 Leo DeVito, Esquire – Township Solicitor
 Lisa Pereira, Broughal & DeVito, LLP
 Nate Oiler, P.E., RKR Hess – Applicant's Engineer
 Chris Hewison- Applicant
 Colin Riviere
 Melissa E. Prugar, P.E. – Boucher & James, Inc.

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