

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
NOVEMBER 13th, 2018 - 7:00 p.m.

CALL TO ORDER (Followed by the Pledge of Allegiance)

ROLL CALL:

PUBLIC COMMENT:

CORRESPONDENCE:

A time extension was received for Sheldon Kopelson Commercial Development (Lot 3) until 12/31/2019.

MINUTES: Minutes of the Pocono Township Planning Commission Meeting - 10/22/2018

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:

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 #1 dated 08/23/2018 was received. Plan was tabled at the 10/09/2018 P.C. Mtg. ***Deadline for P.C. consideration is 01/28/2019.***
2. Tannersville Point Apartments Final LDP - Plan fees paid. Township's Engineer's review letters #1 for the Lot Improvement and Prelim/Final dated 11/06/2018 were received. Plan was accepted at the 10/09/2018 P.C. Mtg. ***Deadline for P.C. consideration is 12/24/2018* mtg. may be cancelled due to the Christmas Holiday.***
3. Ardent Mill Grain Storage Final - Plan fees paid. Township Engineer's review letter #1 dated 11/08/2018 was received. ***Deadline for P.C. consideration is 12/24/2018* mtg. may be cancelled due to the Christmas Holiday.***

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 10/09/2018 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 10/09/2018 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 09/23/2019.***

SKETCH PLANS:

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

UNFINISHED BUSINESS:

ZONING HEARING BOARD SCHEDULE:

- 1) Pocono Logistics - continued until 11/27/2018.
- 2) Camelback Northridge - continued until 11/27/2018.

NEW BUSINESS:

The next Planning Commission meeting scheduled for Monday, 11/26/2018 will need to be rescheduled until Tuesday, 11/27/2018 since the Township Building is closed on 11/26/2018.

COMMENTS BY AUDIENCE:

ADJOURNMENT:

Daniel M. Corveleyn
Marc R. Wolfe
James V. Fareri
Gerard J. Geiger
Vincent Rubino
David L. Horvath

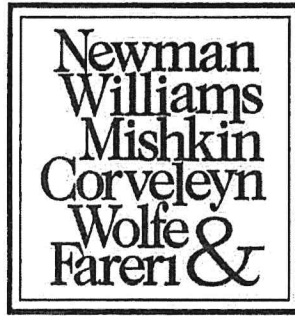
Aaron M. DeAngelo
J. Zac Christman*
Robert J. Kidwell

Of Counsel:

Samuel W. Newman
Todd R. Williams
Ronald J. Mishkin

**Member of NJ and PA Bar*

ATTORNEYS AT LAW



A PROFESSIONAL CORPORATION

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November 7, 2018

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

Pocono Township Board of Commissioners
P.O. Box 197
Tannersville, PA 18372

**RE: Sheldon Kopelson - Commercial Development (Lot 3)
Our File No. 46467**

Ladies and Gentlemen:

Mr. Kopelson hereby extends the time the Township has to review and act upon the Sheldon Kopelson Lot 3 Land Development Plan until December 31, 2019. Further engineering and Township review of this submission is dependent upon the final decision of PADOT with regard to the location and dimensions of the S.R. 0715 realignment project. PADOT has not provided Mr. Kopelson with a schedule when the final determination of the design of the S.R. 0715 realignment will be made.

The Developer hereby waives any applicable requirement in the Pennsylvania Municipalities Planning Code or the Township Zoning Ordinance that would require the Township to act earlier than the dates hereinabove set forth.

Thank you for your attention to these matters.

Very truly yours,

Marc R. Wolfe

MRW/aml

cc: Leo DeVito, Jr., Esq.
Lisa A. Pereira, Esq.
Donna Asure
Jon S. Tresslar, P.E.
Sheldon Kopelson

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
Kopelson Lot 3 Land Development (8/13/13)	Commercial Land Dev	Prelim	12/31/2019**	12/9/2018	12/16/2018	unknown date	10/22/2018		
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	10/22/2018		
Pocono Logistics (03/26/2018)	Land Dev	Prelim/Final	12/4/2018	11/26/2018	12/3/2018			Recommended for Approval 10/09/2018	Condit'l approval 11/05/2018
Turkey Hill Mini Mart (08/13/2018)	Land Dev	Prelim/Final	2/9/2019	1/28/2019	2/4/2019		10/22/2018		
Tannersville Point Apartments Final (10/09/2018)	Land Dev	Final	1/7/2019	12/24/2018*	1/7/2019		10/22/2018		
Ardent Mills Grain Storage (10/22/2018)	Land Dev	Prelim/Final	1/20/2019	12/24/2018*	1/7/2019		10/22/2018		

* 12/24/2018 may be cancelled due to the Christmas Holiday

** Time extension received 11/07/2018

**POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING**

OCTOBER 22nd, 2018 - 7:00 p.m.

The Pocono Township Planning Commission Regular meeting was held on October 22nd, 2018 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, present; Dennis Purcell, present; Jeremy Sawicki, present; and Chad Kilby, absent.

IN ATTENDANCE:

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; Donna Asure, Twp. Manager; and Pamela Tripus, Twp. Secretary.

MOMENT OF SILENCE: In memory of Robert M. DeYoung, member of the Planning Commission and Board of Commissioners who passed away on October 12th, 2018.

PUBLIC COMMENT: None

CORRESPONDENCE:

MINUTES: J. Sawicki made a motion, seconded by S. Gilliland, to approve the minutes of the Pocono Township Planning Commission Meeting - 10/09/2018. All in favor. Motion carried.

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:

1. Ardent Mill Grain Storage - Plan fees paid. Township Engineer's Completeness review dated 10/18/2018 was received. Robert McShane, Plant Manager, represented the plan. The plan is for three grain storage units. M. Guidry made a motion, seconded by D. Purcell, to accept Ardent Mill Grain Storage LDP for review. All in favor. Motion carried.

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 #1 dated 08/23/2018 was received. Plan was tabled at the 10/09/2018 P.C. Mtg. **Deadline for P.C. consideration is 01/28/2019.** Mathew Mack, Ludgate Engineering Corp. represented the plan and explained the current store is being rearranged to allow for beer sales. Additional parking spaces will be located over the former septic area. S. Gilliland questioned the PennDOT HOP for the site. Discussion followed on traffic patterns for the site. R. Swink questioned if sidewalks could be installed. M. Mack noted sidewalks may be possible in front the Turkey Hill store but would impact the parking in front of Steele's Hardware.

C. Kilby made a motion, seconded by J. Sawicki, to recommend the Board of Commissioners approve Waiver Requests:
SALDO SEC. 350-55.F.(3)(a) - buffers
SALDO SEC. 365-10.I(8)(b) - Stream Buffer Delineation
SALDO SEC. 390-29.D.(1) and 390-29.F - Site Content Map - partial Waiver to show an Aerial Plan with Lidar Contours.
SALDO SEC. 390-29.D.(2) and 390-29.G - Existing Resources and Site Analysis
SALDO SEC. 390-29.D(3) and 390-29.H.1 - Resource Impact and Conservation Analysis
SALDO SEC. 390-55.D(1) and 390-55D(3)(d) - Street Trees
SALDO SEC. 390-43.A.(6)(f) - Required PNDI
M. Mack explained the site is currently development with no changes buildings is proposed.
All in favor. Motion carried.

Discussion followed on sidewalks. J. Tresslar noted if sidewalks can be installed they may require a PennDOT permit if in the right-of-way. M. Mack will review the plan for possible placement of sidewalks. S. Gilliland explained the Township's position to require sidewalks for development. Discussion followed.

Title search - J. Tresslar, Twp. Engineer, request they provide a title search of the property. L. DeVito, Twp. Solicitor, spoke in favor of requiring the title search. M. Mack will provide.

J. Sawicki made a motion, seconded by M. Guidry, to table the Turkey Hill Minit Market Store #274 Prelim/Final LDP. All in favor. Motion carried.

2. Tannersville Point Apartments Final LDP - Plan fees paid. Township's Engineer's Completeness review dated 10/03/2018 received. Plan was accepted at the 10/19/2018 P.C. Meeting. C. Kilby made a motion, seconded by D. Purcell, to table the Tannersville Point Apartments Final LDP for review. 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 10/09/2018 P.C. Mtg. A resubmission has not occurred. **Deadline for P.C. consideration extended to 12/10/2018.** S. Gilliland made a motion, seconded by M. Guidry, to table the Sheldon Kopelson Commercial Development (Lot 3). All in favor. Motion carried.

PRELIM PLANS CONT:

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 10/09/2018 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 09/23/2019.***

D. Purcell made a motion, seconded by C. Kilby, to table the Spa Castle Land Development Plan. All in favor. Motion carried.

SKETCH PLANS:

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

UNFINISHED BUSINESS:

ZONING HEARING BOARD SCHEDULE:

- 1) Pocono Logistics - continued until 10/23/2018.
- 2) Camelback Northridge - continued until 10/23/2018.
- 3) Donald Simpson setback - 10/23/2018.

L. DeVito, Twp. Solicitor, explained both Northridge and Pocono Logistics will be postponed until November 27nd.

NEW BUSINESS:

R. Swink suggested a work session with the Board of Commissioners to discuss sidewalks and other items. R. Swink commented the status of the Rt. 611/715 realignment.

M. Guidry spoke concerning PennDOT's plan to utilize the Church's parking lot for the realignment.

COMMENTS BY AUDIENCE: None

ADJOURNMENT:

M. Guidry made a motion, seconded by D. Purcell, to adjourn the meeting at 8:10 p.m. All in favor. Motion carried.



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November 8, 2018

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: ARDENT MILLS GRAIN SILOS INSTALLATION
PRELIM/FINAL LAND DEVELOPMENT REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1830075R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Preliminary/Final Land Development Plan Application for the Ardent Mills Grain Silos Installation. The submitted information consists of the following items.

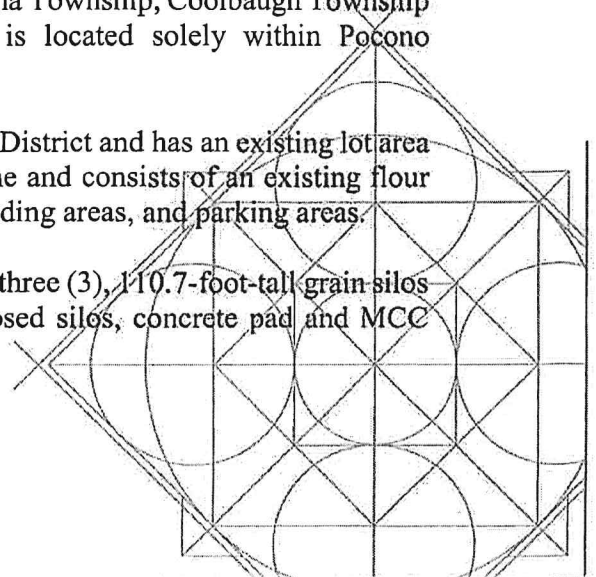
- Pocono Township Land Development Application.
- Pocono Township Plan Receipt Checklist
- Drainage Plan Application.
- Appendix G, Request for Modification, Section 390-31.E.
- Preliminary/Final Land Development Plans (8 sheets) prepared by Wood Environmental & Infrastructure Solutions, Inc., dated October 12, 2018.

BACKGROUND INFORMATION

The Applicant, Ardent Mills, LLC, has submitted a Preliminary/Final Land Development Plan application for its property located south of Route 940 at the terminus of Harvest Lane. The existing property is located within Pocono Township, Tobyhanna Township, Coolbaugh Township and Mount Pocono Borough. The proposed development is located solely within Pocono Township.

The existing property is located within the I, Industrial Zoning District and has an existing lot area of 42.055 acres. The property takes access from Harvest Lane and consists of an existing flour mill with grain storage, a warehouse, offices, truck and rail loading areas, and parking areas.

The proposed land development consists of the construction of three (3), 110.7-foot-tall grain silos with associated concrete pad and MCC building. The proposed silos, concrete pad and MCC building will be constructed over existing pavement.



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

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

1. In accordance with Section 390-19.Q, As-Built Plan, “upon completion of all improvements, the Applicant shall provide to the Township two paper sets of plans and one compact disk with the plans in PDF format certified by the applicant’s engineer showing all such improvements installed to document conformance with the record plan. Failure of the applicant to provide as-built plans shall constitute a violation of this chapter and shall be subject to all the enforcement proceedings contained in this chapter and may result in rescission of approval. (See §390-30 for as-built requirements.)” If the as-built plan deviates in any material respect from the record plan, a revised land development plan must be submitted for approval”. *Upon completion of the proposed improvements, the required as-built plan must be prepared and submitted for review. A note to this effect must be provided on the plan.*
2. In accordance with Section 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. For sites of 100 acres or more, the map shall show the above relationships within 2,000 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 United States Fish and Wildlife Service or the USDA Natural Resources Conservation Service), woodlands over 1/2 acre in area (from aerial photographs), ridgelines, public roads and trails, utility easements and rights-of-way, public land, and land protected under conservation easements.” *An aerial map has been provided to supplement the Existing Conditions Plan. The map shows existing features on the project site and within 1,000 feet of the limit of disturbance. We would support a partial waiver of these requirements.*
3. In accordance with Section 390-29.G.(2), the Existing Resources and Site Analysis Plan must include “topography, the contour lines of which shall generally be at two-foot intervals although ten-foot intervals are permissible beyond the parcel boundaries, interpolated from USGS published maps. The determination of appropriate contour intervals shall be made by the Planning Commission, which may specify greater or lesser intervals on exceptionally steep or flat sites. Slopes between 15% and 25% and exceeding 25% shall be clearly indicated. Topography for land developments shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official USGS bench marks the location and datum of which shall be shown on the plan.” *An aerial map has been provided to supplement the Existing Conditions Plan. The map shows existing features on the project site and within 1,000 feet of the limit of disturbance. We would support a partial waiver of these requirements.*

- In accordance with Section 390-29.I.(16), the Improvements Plan must include “signature blocks for the Township Engineer and Monroe County Planning Commission.” *The Township Engineer’s signature block provided on Sheet 1 must be revised to provide space for signature and date only.*

Township Engineer

Date

- In accordance with Section 390-29.I.(25), the Improvements Plan must include a “north arrow (true or magnetic).” *A north arrow must be provided for the “Vicinity Map” on Sheet 1.*
- In accordance with Section 390-29.I.(27), the Improvements Plan must include “names of present adjoining property owners and the names of all adjoining subdivisions, if any, including property owners and/or subdivisions across adjacent roads, along with the current Tax Map number for each property shown.” *The existing adjoining property owners along with deed book and page numbers are shown on the plan, however Tax Map numbers must also be shown.*
- In accordance with Section 390-29.I.(29), the Improvements Plan must include a “certificate of ownership and acknowledgement of the plan, in the form provided by the Township which shall be accurately completed, signed by the owner of the property, dated and notarized.” *The following language shall be provided for the Certificate of Ownership and Acknowledgement.*

On this the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____ who being duly sworn, according to law, doth depose and say that he/she/they is/are the owner(s) of the property shown and depicted on this plan, that this Land Development Plan was made at his/her/their direction, and that he/she/they acknowledge the same and desire(s) the same to be recorded according to law.

- In accordance with Section 390-29.I.(30), the Improvements Plan must include a “certificate of accuracy and compliance, in the form provided by the Township, dated and signed by the registered professional land surveyor responsible for the plan and embossed with his or her seal.” *The required certification must be provided on the plan.*
- In accordance with Section 390-29.J.(6), “proof of legal interest in the property, a copy of the latest deed of record and a current title search report” must be provided. *A copy of the*

property deed and title report must be submitted.

10. In accordance with Section 390-29.N, Land Development Plan Engineering Certification “prior to approval of the land development plan, the applicant shall submit to the Township a land development engineering certification stating that the proposed layout of proposed roads, lots, and open lands complies with the Township’s ordinances, particularly those sections governing the design of subdivision roads and stormwater management facilities, and that all improvements will be installed in accord with the specific requirements of this chapter or any waivers or modifications granted by the Township. This certification requirement is meant to provide the Township with assurance that the proposed plan is able to be accomplished within the Township’s current regulations.” *A note to this effect must be placed on the plan.*
11. In accordance with Section 390-31.E, “all land developments on sites of three acres or more and all commercial and industrial subdivisions shall be designed in accordance with the four-step design process in § 390-44 with respect to conservation areas and development sites.” *A waiver from Section 390-31.E has been requested. The request states that the intent of the four-step design process has been previously addressed in the approved Harvest States Cooperatives Semolina/Flour Milling Facility Land Development Plan. The project proposes the construction of three (3) silos with associated concrete pad and MCC Building on an existing asphalt paved area. Due to the limited project scope, we have no objection to this request.*
12. 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.

13. In accordance with Section 390-51.A, “all soil erosion and sedimentation control plans shall meet the specifications of the Monroe County Conservation District and PADEP, and shall comply with Commonwealth of Pennsylvania, Title 25, Chapter 102 Department of Environmental Protection regulations for soil erosion and sedimentation control.” *The proposed area of disturbance is less than 1 acre, therefore a review by the Monroe County Conservation District or the Pennsylvania Department of Environmental Protection are not required. The following comment is based upon our review of the Erosion & Sediment Pollution Control Plan.*

- a. *Since the stabilized construction entrance is located in a special protection watershed, a rock construction entrance with wash rack is required. The plan must be revised accordingly.*
14. In accordance with Section 390-56.A.(4)(2), the Lighting Plan shall include “description of the proposed equipment shall be included, including fixture catalog cuts, photometrics, glare-reduction devices, lamps and mounting heights.” *Specifications of the proposed lighting must be included on the plan.*
15. In accordance with Section 390-58.B.1, common open spaces, recreation areas, and/or in-lieu-of fees “shall apply to any subdivision for which a preliminary plan or a combined preliminary/final plan and any land development for which a plan is submitted after the effective date of this Section 390-58.” In addition, and in accordance with Section 390-58.E.(5), “if a non-residential subdivision or land development is required to dedicate common open space, the following amounts of common open space shall be required, unless revised by resolution of the Board of Commissioners.” *Common open space and recreation areas shall be provided, or if agreed upon by the Board of Commissioners and Applicant per Section 390-58.F, a fee in-lieu-of dedicating open space as determined by the Township Fee Schedule may be provided. The calculated fee in-lieu-of for 0.46 acres of disturbance is \$644.00. The Township shall determine if open space and/or recreational facilities shall be provided, or if a fee in-lieu-off will be acceptable. In addition, if a fee-in-lieu-off is accepted, a note shall be provided on the plans.*

BRODHEAD AND MCMICHAEL CREEKS STORMWATER MANAGEMENT ORDINANCE

The project proposes the construction of three (3) silos with associated concrete pads and MCC building on an existing asphalt paved area. No additional impervious is proposed, therefore this project is not a regulated activity per Section 365-4.E.

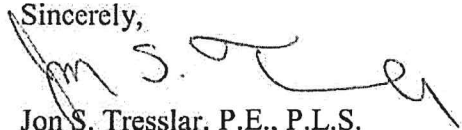
MISCELLANEOUS COMMENTS

16. Site Data Note 7 on Sheet 1 must be corrected to state “minimum lot width.”
17. The proposed development is located within Pocono Township only, however the existing property is located in Tobyhanna Township, Coolbaugh Township and Mount Pocono Borough. The Applicant must contact the neighboring municipalities to determine if they require a submission. Related correspondence shall be provided to Pocono Township.
18. The proposed silos are shown over an existing storm sewer. A note directing the contractor to verify the storm sewer location and relocate as needed is provided on Sheet 3. The Applicant shall indicate the owner of the storm sewer and whom the storm sewer serves. If the storm sewer serves adjacent neighbors as well as the Applicant, any proposed relocation must be submitted to the Township for review prior to construction.

Pocono Township Planning Commission
November 8, 2018
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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: DonnaASURE – Township Manager
Pam Tripus – Township Secretary
Michael Tripus – Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Leif Johnson, Ardent Mills, LLC – Applicant
Lackawanna County Railroad Authority c/o Ryan, LLC – Property Owner
Kwabena Addo-Boateng, P.E., Wood Environmental & Infrastructure Solutions, Inc. – Applicant's Engineer
Melissa E. Prugar, P.E., Boucher & James, Inc.