

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 24th, 2018 - 7:00 p.m.

CALL TO ORDER (Followed by the Pledge of Allegiance)

ROLL CALL:

PUBLIC COMMENT:

CORRESPONDENCE:

MINUTES: Minutes of the Pocono Township Planning Commission Meeting - 08/27/2018 *The 09/10/2018 meeting was cancelled.

DISCUSSION:

Comprehensive plan

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 Completeness Review letter dated 08/08/2018 was received. Plan was tabled at the 08/27/2018 P.C. Mtg. ***Deadline for P.C. consideration is 10/22/2018.***

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 08/27/2018 P.C. Mtg. A resubmission has not occurred. ***Deadline for P.C. consideration extended to 12/10/2018.***
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 08/27/2018 P.C. Mtg. Time extension requested until 10/20/2018. ***Deadline for P.C. consideration is 10/09/2018.***
3. Pocono Logistics LDP - Plan fees paid. Plans were administratively accepted at the 03/26/2018 P.C. Mtg. Plans were tabled at the 08/27/2018 P.C. Mtg. ***Deadline for P.C. consideration is 09/24/2018.*** Twp. Engineer's review letter #2 dated 08/13/2018 was received. Revised plans submitted 06/28/2018.

SKETCH PLANS:

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

ORDINANCES:

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.

NEW BUSINESS:

LSA Grant Application - S.R. 611 & Rimrock Drive roadway improvements. Letter of Support.

Next Meeting - The next regularly scheduled Planning Commission will be held on ***Tuesday, October 9th, 2018*** due to the Columbus Day Holiday.

COMMENTS BY AUDIENCE:

ADJOURNMENT:

POCONO TOWNSHIP PLAN STATUS

Project Name (Acceptance Date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Recommendation Approve/Deny	BOC Approved/Rejected
Kopelson Lot 3 Land Development (8/13/13)	Commercial Land Dev	Prelim	12/31/2018	12/10/2018	12/17/2018	unknown date	8/27/2018		
Spa Castle Land Development (Prelim) (12/14/15)	Commercial Land Dev	Prelim	10/20/2018	10/9/2018	10/15/2018	Planning Rev 9/9/16 Technical Rev 11/9/16	8/27/2018		
Pocono Logistics (03/26/2018)	Land Dev	Prelim/Final	10/5/2018	9/24/2018	10/1/2018	8/8/2018	8/27/2018		
Turkey Hill Mini Mart (08/13/2018)	Land Dev	Prelim/Final	11/11/2018	10/22/2018	11/5/2018	8/23/2018	8/27/2018		

Revised 9/20/2018

POCONO TOWNSHIP PLANNING COMMISSION

REGULAR MEETING MINUTES

AUGUST 27th, 2018 - 7:00 p.m.

The Pocono Township Planning Commission Regular meeting was held on August 27th, 2018 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; Scott Gilliland, present; Dennis Purcell, present; Bob DeYoung, absent; Marie Guidry, present; Jeremy Sawicki, absent; and Chad Kilby, present.

IN ATTENDANCE:

Lisa Pereira, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; Donna Asure, Township Manager; and Pamela Tripus, Township Secretary, were present.

MINUTES: S. Gilliland made a motion, seconded by D. Purcell, to approve the minutes of the 08/13/2018 regular meeting. All in favor. Motion carried.

DISCUSSION:

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 dated 08/23/2018 was received. **Deadline for P.C. consideration is 10/22/2018.** D. Purcell made a motion, seconded by C. Kilby, to table the Turkey Hill Minit Market, Store #274 Prelim/Final LDP. All in favor. Motion carried.

PRELIMINARY PLANS UNDER CONSIDERATION:

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 08/13/2018 P.C. Mtg. A resubmission has not occurred. **Deadline for P.C. consideration extended to 12/10/2018.** M. Guidry made a motion, seconded by D. Purcell, to table the Sheldon Kopelson, Commercial Development (Lot 3). All in favor. Motion carried.

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 08/13/2018 P.C. Mtg. Time extension requested until 10/20/2018. **Deadline for P.C. consideration is 10/08/2018.** S. Gilliland made a motion, seconded by C. Kilby, to table the Spa Castle Land Development Plan. All in favor. Motion carried.

PRELIM PLANS CONT:

Pocono Logistics LDP - Plan fees paid. Plans were administratively accepted at the 03/26/2018 P.C. Mtg. Plans were tabled at the 08/13/2018 P.C. Mtg. **Deadline for P.C. consideration is 09/24/2018.** Twp. Engineer's review letter #2 dated 08/08/2018 was received. Revised plans submitted 06/28/2018. Sean Policelli, Gilmore & Associates, Inc. and Joseph McDonald, Esquire, represented the plan and reviewed the Twp. Engineer's letter dated 08/08/2018.

- a) Note 5: SALDO SEC. 512.C.1 - "All parking areas and all access drives for commercial and industrial uses shall have an all-weather surface" S. Policelli noted the driveway and a portion of the parking area is paved and the remaining area is graveled. Discussion followed on maintenance of the site, truck washing, water runoff, and truck storage. Steven Van Auken, Twp. Resident, explained he had witnessed fully loaded trucks stored overnight and trucks cleaned at the property. He questioned the damage to Railroad Ave near the entrance. M. Guidry questioned the water usage from the well. C. Kilby questioned the oil capture on site. S. Policelli noted an oil separator is located near the paved parking area. J. McDonald explained he will contact the applicant to discuss the stormwater plan and the owner is working with BCRA to connect water service. Discussion followed. See m) below.
- b) SALDO Sec. 406.2 - Aerial Photo to scale. - C. Kilby made a motion, seconded by D. Purcell, to recommend the Board of Commissioners approve the waiver request from SALDO Sec. 406.2 be approved. All in favor. Motion carried.
- c) SALDO Sec. 406.3.B - Existing Conditions - C. Kilby made a motion, seconded by D. Purcell, to recommend the Board of Commissioners approve the waiver request from SALDO Sec. 406.2 be approved. All in favor. Motion carried.
- d) SALDO Sec. 406.3.C - Existing resources - S. Policelli will provide.
- e) SALDO Sec. 406.3.G - Existing resources and site analysis - Discussion followed on the visibility of the property from the neighboring residential homes. Michael Tripus, Twp. Zoning Officer, explained the Land Development plan is the first step to move forward with permitting the existing unpermitted structures. Discussion followed on the existing features and buffering of neighboring properties. Steve Van Auken, Twp. Resident, noted the trailers and equipment are visible from his property and the rear yard lacks buffers. C. Kilby made a motion, seconded by M. Guidry to recommend the Board of Commissioners deny the waiver request from SALDO Sec. 406.3.G - existing resources. All in favor. Motion carried.
- f) SALDO Sec. 406.6.D - 'All proposed offers of dedication and/or reservation of rights-of-way and land areas' J. McDonald explained the dedication of right-of-way will need to be addressed with his client. Discussion followed. No action was taken.

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- g) SALDO Sec. 406.6.G.3 - Will serve letter BCRA - S. Policelli will provide.
- h) SALDO Sec. 609.4.M.1 & Sec 610.A - S. Policelli will provide the GP-5 to the Twp. Engineer. Steven Van Auken, Twp. Resident, noted water backs up onto the neighboring property. S. Policelli explained the drainage pipe is being restored as part of MCCD requirements.
- i) SALDO Sec. 615.2 - Tree requirement - Discussion followed concerning if existing trees can be included in the requirement. C. Kilby made a motion, seconded by D. Purcell, to request the Township Engineer inspect the site to determine the requirements for trees. All in favor. Motion carried.
- j) SALDO Sec. 615.3.B.2 & 615.3.B.5 - Planting islands - Discussion followed on the requirement. J. Tresslar noted it was of limited benefit to the site. C. Kilby made a motion, seconded by S. Gilliland, to recommend the Board of Commissioners approve the waiver request from SALDO Sec. 615.3.B.2 & 615.3.B.5. All in favor. Motion carried.
- k) SALDO Sec. 615.4.C.4 - Utilize existing trees along Railroad Ave - Discussion followed on the existing landscape. S. Gilliland made a motion, seconded D. Purcell, to recommend the Board of Commissioner approve the waiver request from SALDO Sec. 615.4.C.4 conditioned upon the Twp. Engineers inspection. All in favor. Motion carried.
- l) SALDO Sec. 615.6.C - Table 615.1 Buffers - Discussion followed on the requirements for buffers. Steve Van Auken, Twp. Resident, spoke concerning the lack of buffers in the back yard of the site. S. Policelli will consult with the applicant concerning extending the rear buffer.
- m) SALDO 620.D - Paving - 'all parking areas must be paved, and associated pavement and striping details must be provided on the plan'. - R. Swink requested the Board's feeling concerning paving the total area. C. Kilby made a motion, seconded by D. Purcell, to recommend the Board of Commissioners deny waiving the requirement for pavement as per SALDO Sec. 620.D. All in favor. Motion carried.
- n) SALDO Sec. 303.I.8.a & 303.I.8.b & 303.I.8.c - Buffers along watercourses. C. Kilby made a motion, seconded by S. Gilliland, to recommend the Board of Commissioners approve the waiver request for SALDO Sections - SALDO Sec. 303.I.8.a & 303.I.8.b & 303.I.8.c. All in favor. Motion carried.

SKETCH PLANS: None

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

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ORDINANCES: None

UNFINISHED BUSINESS:

NEW BUSINESS:

The Zoning Hearing for Wesley & Stacey Wojtanowicz and Pocono Logistics is continued until 08/28/2018 at 5:00 p.m.

A Zoning Hearing will be held on 08/28/2018 at 5:00 p.m. for Camelback Four Seasons, Lots 630-633 Hunter Circle.

COMMENTS BY AUDIENCE:

ADJOURNMENT: M. Guidry made a motion, seconded by S. Gilliland, to adjourn the meeting at 8:45 p.m., until 09/10/2018 at 7:00 p.m., at the Pocono Township Municipal Building. All in favor. Motion carried.



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August 8, 2018

Pocono Township Planning Commission
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**SUBJECT: POCONO LOGISTICS
PRELIM/FINAL LAND DEVELOPMENT PLAN REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1830066R**

Dear Planning Commission Members:

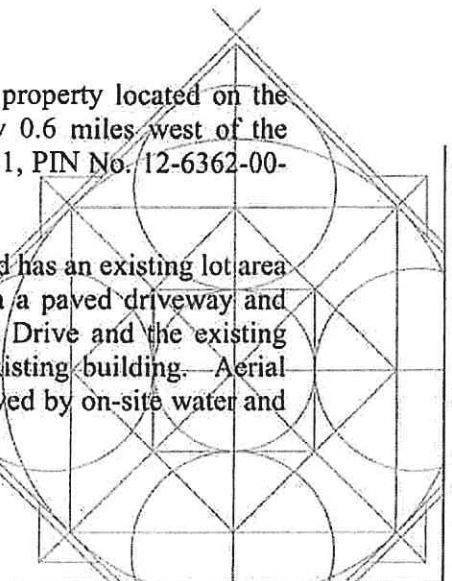
Pursuant to the Township's request, we have completed our second review of the Preliminary/Final Land Development Plan Application for Pocono Logistics. The submitted information was prepared by Gilmore & Associates, Inc. and consists of the following items.

- Response letter dated June 26, 2018.
- Appendix G, Request for Modification, SALDO Section 406.2.
- Appendix G, Request for Modification, SALDO Section 406.3.B.
- Appendix G, Request for Modification, SALDO Section 406.3.G.
- Appendix G, Request for Modification, SALDO Section 615.4.C.4.
- Appendix G, Request for Modification, SALDO Section 620.D.
- Appendix G, Request for Modification, SWMO Section 301.G.
- Site Photographs.
- Post Construction Stormwater Management Plan dated June 2018.
- Land Development Plan (8 sheets) dated February 2, 2018, revised June 26, 2018.

BACKGROUND INFORMATION

The Applicant, Pocono Logistics, is proposing a land development on its property located on the northern side of Railroad Drive across from Toccoa Road, approximately 0.6 miles west of the intersection of Railroad Drive and State Route 0715 (Parcel No. 12/10/1/37-1, PIN No. 12-6362-00-76-189).

The existing property is located within the C, Commercial Zoning District and has an existing lot area of 4.96 acres. The existing property takes access from Railroad Drive via a paved driveway and consists of an existing building, stone parking areas between the Railroad Drive and the existing building, and a large stone and asphalt parking area to the rear of the existing building. Aerial photography show tractor trailer parking exists. The existing property is served by on-site water and sewer.



The proposed development includes the designation of tractor trailer, tractor, trailer, and passenger vehicle parking spaces. **Note and Covenant 6 on Sheet 1 indicates this submission is provided to document previously constructed features, as well as proposed stormwater management and connection for public water service.** Twenty-five (25) tractor trailer parking spaces, one (1) tractor parking space, and seventeen (17) trailer parking spaces are proposed in gravel and asphalt areas. Nine (9) gravel passenger vehicle parking spaces, and twelve (12) paved passenger vehicle parking spaces are proposed. Underground stormwater management and a detention basin are also proposed. Public water service is proposed, and the on-site sewer service will remain.

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

ZONING ORDINANCE COMMENTS

1. The Applicant has identified the use as a delivery and distribution center. The Zoning Ordinance does not contain this specific use; however, we believe it is interchangeable with and can be better identified as a truck and motor freight terminal. In accordance with Section 405.B.3, these uses are not permitted except by Conditional Use.

In addition, and in accordance with Section 510.C.1, "any non-conforming use may be continued indefinitely, provided that such use: shall not be enlarged, altered, extended, reestablished, restored, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this Ordinance, without a Special Exception from the Zoning Hearing Board." *Historical aerial photography shows improvements to the property, including a building addition and parking areas and driveway, beginning in 2008 and after. The improvements occurred after the 2003 adoption of the current Zoning Ordinance. A Special Exception is required for the previous and current expansions of the existing use.*

We recommend the Zoning Officer, with the assistance of the Township Engineer, make a final determination whether a Conditional Use or Special Exception, or both, are required by this project. (Previous Comment) The response indicates a Zoning Hearing Board Decision dated April 28, 2016 determined the use to be truck storage and garage by definition and that no conditional use was required. Therefore, the use is a conforming use and no zoning relief related to a non-conforming use is required for the previous or current site improvements.

2. Comment satisfied.
3. In accordance with Section 512.A, "any building or other structure erected, enlarged, altered or used and any lot used or occupied for any of the following purposes shall be provided with the minimum off-street parking spaces as set forth herewith." *No parking requirements are listed for a truck and motor freight terminal, or similar use. The plan indicates one (1) parking space is required for each of the 10 employees, and that 12 parking spaces are proposed. The plan view shows 12 paved and 9 gravel passenger vehicle parking spaces creating a total of 21 spaces. In addition, it must be clarified whether an office, or other use, exists within the existing building which will also require parking. An office requires one (1) parking space for each 200 square feet of total floor area, plus one (1) parking space for each employee on the peak shift. Note and Covenant 10 on Sheet 1 must be revised accordingly. (Previous Comment) A total of 21 parking spaces are provided for 16 employees during the maximum shift. The Township shall determine if the current number of parking spaces is adequate*

for the use.

In addition, the response indicates the existing parking spaces will be striped. Nine (9) parking spaces exist in a gravel area and no pavement is proposed. The nine (9) spaces must be paved and striped.

4. Comment satisfied.
5. In accordance with Section 512.C.1, "all parking areas and all access drives for commercial or industrial uses shall have an all-weather surface constructed as specified in the Pocono Township Subdivision and Land Development Ordinance." *All parking areas must be paved per Section 620 of the Subdivision and Land Development Ordinance. (Previous Comment) All parking areas and access drives must be paved, or a variance obtained.*
6. Comment satisfied.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

7. Comment satisfied.
8. In accordance with Section 306.2.6.C, "the Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Planning Commission, the Monroe County Conservation District, PennDOT, and all other governing agencies." *The proposed Land Development requires the following agency approvals.*
 - a. *Pocono Township –Land Development Plan approval*
 - b. *Pocono Township – Fire Company*
 - c. *Monroe County Planning Commission – Planning review*
 - d. *Monroe County Conservation District/Pennsylvania Department of Environmental Protection – General Permit 5 for Waterline Stream Crossing A letter dated April 3, 2018 from the Monroe County Conservation District regarding erosion and sedimentation control adequacy has been received. The GP-5 must still be provided to the Township.*
 - e. *Monroe County Conservation District (if disturbance exceeds 1 acre)*
 - f. *Brodhead Creek Regional Authority – Will Serve and Water Service Connection*

All submissions, and reviews and approvals must be provided to the Township. A list of the required approvals must be provided on the plan in accordance with Section 406.6.I. (Previous Comment) This comment has been acknowledged.

9. In accordance with Section 406.2, 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 U.S.G.S.) maps, stream valleys, wetland complexes (from maps published by the U.S. Fish & Wildlife Service or the U.S.D.A. Natural Resources Conservation Service), woodlands over one-half acre in area (from aerial photographs), ridge lines, public roads, trails, utility easements and rights of way, public land, and land protected under conservation easements.” *A Site Context Map must be provided, or a waiver requested. Should a waiver be requested, an aerial photograph showing existing land uses within 1,000 feet of the site will still be required. (Previous Comment) A waiver from Section 406.2 is requested. An aerial photograph has been provided on Sheet 1, however the scale limits its readability. A larger scale aerial photograph shall be provided to clearly show the existing features within 1,000 feet of the project site. We have no objection to this request provided the aerial photograph is revised accordingly.*

10. In accordance with Section 406.3.B, the Existing Conditions Plan must include “topography, the contour lines of which shall generally be at two-foot intervals although 10-foot intervals are permissible beyond the parcel boundaries, interpolated from U.S.G.S. 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 percent and exceeding 25 percent 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 U.S.G.S. benchmarks the location and datum of which shall be shown on the plan.” *A waiver is requested from Section 406.2.B and must be revised to correctly reference Section 406.3.B. The request is seeking relief from showing topography at the rear of the site which is covered by existing woodlands. The existing topography and areas of existing steep slopes over the entire property must be shown on the plan. (Previous Comment) A waiver is requested from Section 406.3.B in order to not show contours at the rear of the site where steep slopes exist. The existing steep slopes located within existing woodlands are now shown on the plan and a steep slope easement is proposed. We have no objection to this request.*
11. In accordance with Section 406.3.C, the Existing Conditions Plan must include “the location and delineation of ponds, vernal pools, streams, ditches, drains, and natural drainage swales, as well as the 100-year floodplains and wetlands. Additional areas of wetlands on the proposed development parcel shall also be indicated, as evident from testing, visual inspection, or from the presence of wetland vegetation.” *The Wetland Presence/Absence Survey prepared by Liberty Environmental, Inc. has identified the existing manmade pond as a wetland, therefore the existing wetland must be delineated on the plan. In addition, a Waterline Stream Crossing is shown in cross section on Sheet 6, and it is indicated a General Permit 5 is required. The referenced stream must be shown in plan view. (Previous Comment) The response indicates Liberty Environmental, Inc. has now stated that the man-made pond is not a wetland which is contradictory to their Wetland Presence/Absence Survey dated January 24, 2018. A written confirmation from Liberty Environmental, Inc. must be submitted for record.*
12. In accordance with Section 406.3.G, the Existing Resources and Site Analysis must include “a viewshed analysis using GIS or other suitable methodology showing the location and extent of views into the property and along ridge lines from critical points along adjoining public roads and how the views will be affected by the proposed development and what design elements will be used to minimize the visual effects.” *A viewshed analysis must be provided, or a waiver requested. (Previous Comment) A waiver is requested from Section 406.3.G as no new buildings or building improvements are proposed, and the site improvements are at or below*

grade. Given the existing site conditions and the nature of the proposed improvements we have no objection to the request.

13. Comment satisfied.

14. Comment satisfied.

15. Comment satisfied.

16. Comment satisfied.

17. In accordance with Section 406.5.P, the Improvements Plan must include "signature blocks for the Township Engineer and Monroe County Planning Commission." *The following signature block for the Township Engineer must be provided on the plan.*

TOWNSHIP ENGINEER

(signature) _____

(date) _____

(Previous Comment) The added signature block must be revised to remove the words "Recommended By".

18. Comment satisfied.

19. Comment satisfied.

20. Comment satisfied.

21. In accordance with Section 406.6.D, "all proposed offers of dedication and/or reservation of rights-of-way and land areas with conditions attached" must be submitted with the Land Development Plan. In addition, and in accordance with Section 607.4.A, "wherever there exists a dedicated or platted portion of a road or alley along a boundary of the tract being subdivided or developed the remainder of said road or alley shall be platted to the width required by this Ordinance based on the classification of the road within the proposed development." *The existing and proposed right-of-way, and existing cartway widths must be dimensioned on the plan. Per Table VI-1, Local Roads are required to have a 50-foot wide (25-foot half width) right-of-way, and 26-foot wide cartway including two (2), 4-foot wide shoulders.*

Approximately 8-feet of additional right-of-way to create a half width of 25-feet along Railroad Drive is proposed and offered to Pocono Township. The Township shall determine if they will accept this offer of dedication. In addition, the existing cartway width is approximately 22-feet. The Township shall also determine if they will require roadway widening and striping to delineate shoulders in order to meet the requirements of a Local Road. (Previous Comment) The Township shall make a determination regarding the offer of dedication and roadway widening.

22. In accordance with Section 406.6.F, "proof of legal interest in the property, a copy of the latest deed of record and a current title search report" must be provided. *The property deed and a title search must be submitted. (Previous Comment) This comment has been acknowledged.*

23. In accordance with Section 406.6.G.3, "a letter from the water company or authority stating that the said company or authority will supply the development including a verification of the adequacy of service" must be provided. *A will serve letter from the Brodhead Creek Regional Authority shall be provided. (Previous Comment) This comment has been acknowledged.*

24. Comment satisfied.

25. In accordance with Section 500, "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 Ordinance 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 Section 503 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 503, must be provided prior to plan recordation. A construction cost estimate shall also be submitted for review. (Previous Comment) This comment has been acknowledged.

26. Comment satisfied.

27. In accordance with Section 506.2.1, land development provisions for the private operation and maintenance of all development improvements "shall be in the form of deed covenants and restrictions clearly placing the responsibility of maintenance of all development improvements with the owner of the land development." *Ownership and maintenance of the proposed improvements must be in the form of deed covenants and restrictions. (Previous Comment) This comment has been acknowledged.*

28. In accordance with Section 509, "all applicants proposing any subdivision and/or land development requiring the installation of improvements as required by this Ordinance shall, prior to final plan approval by the Board of Commissioners, and if so directed by the Board of Commissioners, enter into a legally binding development agreement with the Township whereby the developer guarantees the installation of the required improvements in accord with the approved plan and all Township requirements." *A development agreement must be executed prior to plan recordation. (Previous Comment) This comment has been acknowledged.*

29. Comment satisfied.

30. Comment satisfied.

31. Comment satisfied.

32. Comment satisfied.

33. Comment satisfied.

34. Comment satisfied.

35. Comment satisfied.

36. In accordance with Sections 609.4.H and 615.5.C, "in order to ensure proper drainage on the basin bottom, a minimum grade of two (2) percent shall be maintained for areas of sheet flow. For channel flow, a minimum grade of one (1) percent shall be maintained." "Minimum grades inside storm water basins shall be one (1) percent unless infiltration is an integral part of the design; and, maximum side slopes of the basin shall be thirty-three (33) percent (3:1) slope". *The bottom of the proposed basin and 4-inch orifice are proposed at elevation 995 creating a flat bottom basin. The proposed basin must be revised to provide positive drainage toward the proposed outlet structure to avoid ponding stormwater. In addition, proposed Swale 1 has a slope of 0.5% ± and must be revised. (Previous Comment) The basin bottom has been revised to provide a slope of 1% which is less than the required 2% slope, and Swale #1 has been revised to provide a slope of 0.7% which is less than the required 1% slope. The basin and swale must be further revised.*

37. Comment satisfied.

38. Comment satisfied.

39. Comment satisfied.

40. In accordance with Section 609.4.M.1, "all outlet pipes through the basin berm shall be reinforced concrete pipe with watertight joints". *The proposed discharge pipe is HDPE pipe and must be revised. (Previous Comment) The response indicates the pipe material was revised, however the plan view on Sheet 3 and the Construction Sequence on Sheet 6 still specify a HDPE pipe. The plan must be revised accordingly.*

41. In accordance with Section 610.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 disturbance is under 1 acre, therefore a submission to the Monroe County Conservation District is not required. The following comments are based upon our review of the Erosion and Sedimentation Control Plan, and associated report, notes, and details (Sheets 6 and 7). (Previous Comment)*

a. *Comment satisfied.*

b. *Comment satisfied.*

c. *Comment satisfied.*

d. *Comment satisfied.*

e. *Comment satisfied.*

f. *The revised Erosion and Sedimentation Pollution Control Plan narrative must be submitted. (New Comment)*

g. *The size of the proposed compost filter socks must be specified on the plan. (New Comment)*

42. In accordance with Section 615.2, “unless other provisions of this Ordinance require more trees or vegetation, each development site shall include a minimum of twelve (12) deciduous or evergreen trees for each one (1) acre. Each tree shall be two and one-half (2.5) inch caliper or greater and each evergreen tree shall be six to seven (6 to 7) feet in height or greater. As an alternate, ten (10) trees for each one (1) acre shall be required if deciduous trees are four (4) inches in caliper or greater and evergreen trees are eight to ten (8 to 10) feet in height or greater. Five (5) shrubs, two and one-half (2.5) feet in height, or greater, may be substituted for one tree of two and one-half (2.5) inch caliper for a maximum of twenty (20) percent of the tree requirement.” *Sixty (60) deciduous or evergreen trees are required for the existing 4.96 acre site. Seven (7) deciduous trees are proposed, therefore 53 trees are still required. (Previous Comment) The Applicant is proposing ten (10) new deciduous trees and indicates 50 to 75 evergreen trees were previously planted for screening. Therefore, 60 to 85 trees are proposed and/or existing which meets the Ordinance requirement.*

The Township shall determine if the existing evergreen trees can be counted toward the required sixty (60) trees. Should they determine the existing trees can count, then no further action is required. Otherwise, additional trees must be provided, or a waiver requested.

43. In accordance with Sections 615.3.B.2 and 615.3.B.5, the ends of all parking rows shall be divided from drives by 9-foot wide by 18-foot long planting islands consisting of a minimum of one (1) shade tree plus shrubs and/or ground cover sufficient to cover the area. *A planting island is required on the eastern end of the 4 space parking row behind the existing building. In addition, the plan shall be revised to clearly depict the land use between the 8 space parking row and the eastern addition of the existing building. (Previous Comment) The planting island and land use must still be provided on the plan.*
44. In accordance with Section 615.4.C.4, “trees shall be planted at a ratio of at least one (1) tree per fifty (50) linear feet of frontage or fraction thereof. Trees shall be distributed along the entire frontage of the property, although they need not be evenly spaced.” *Six (6) street trees are required and none are proposed. The required street trees must be provided. (Previous Comment) A waiver is requested from Section 615.4.C.4 to permit the use of the existing evergreen tree row along Railroad Avenue as street trees. The request indicates the evergreen tree row exists along Railroad Avenue and there is insufficient room to plant street trees. We believe the existing evergreen tree row is acceptable and no additional street trees should be required.*
45. In accordance with Section 615.6.C and Table 615-1, Property Line Buffers, property line buffers shall be required for all nonresidential land developments.
- a. Residential dwellings in the R-1, Residential Zoning District exist to the west of the property, therefore a 20-foot wide, high intensity buffer consisting of 47 evergreen trees, 19 ornamental trees, and 19 canopy trees is required along the western property line. *No buffer plantings are proposed. A 30-foot high pine tree row exists between the property and southernmost dwelling. Woodlands exist between the property and northernmost dwelling, and along the remainder of the western property line.*
 - b. A residential dwelling in the C, Commercial Zoning District exists to the east of the property, therefore a 20-foot wide, high intensity buffer consisting of 23 evergreen trees, 9 ornamental trees, and 9 canopy trees is required along the eastern property line (450-feet). In addition, commercially zoned land also exists to the east of the property,

therefore a 10-foot wide, low intensity buffer consisting of 26 evergreen trees, 11 ornamental trees, and 11 canopy trees is required along this portion of the property line (509.61 feet). *No buffer plantings are proposed. Woodlands exist between the proposed detention basin and existing dwelling, and along the northerly most 300-foot of the eastern property line. A tree row also exists between the proposed parking and existing dwelling.*

- c. Commercially zoned land exists to the north of the property, therefore a 10-foot wide, low intensity buffer consisting of 4 evergreen trees, and 2 ornamental trees must be provided along the northern property line. *No buffer plantings are proposed. Woodlands exist along the northern property line.*

Per Section 615.6.C.7, "existing healthy trees, shrubs, or woodlands may be substituted for part or all of the required plants with the approval of the Township. The minimum quantities and/or visual effect of the existing vegetation shall be equal to or exceed that of the required buffer as determined by the Township." The Applicant should demonstrate if the existing vegetation meets or exceeds Ordinance requirements to aid the Township in determining if buffers are required. (Previous Comment) Photographs have been provided demonstrating screening and woodlands exist throughout the site. The evergreen screen and woodlands appear to be dense per the photographs. The Township shall determine if the existing evergreen trees and woodlands meet the Ordinance requirements, or if additional buffers are required.

- 46. In accordance with Section 615.6.C and Table 615-1, Parking Lot Buffers Along Road Rights-of-Way, parking lot buffers shall be required for all nonresidential land development. A 20-foot wide, medium intensity buffer consisting of 5 canopy trees, 5 ornamental trees, and 5 evergreen trees is required along Railroad Drive. *No buffer plantings are proposed. A 30-foot high pine tree row exists along Railroad Drive.*

Per Section 615.6.C.7, "existing healthy trees, shrubs, or woodlands may be substituted for part or all of the required plants with the approval of the Township. The minimum quantities and/or visual effect of the existing vegetation shall be equal to or exceed that of the required buffer as determined by the Township." The Applicant should demonstrate if the existing vegetation meets or exceeds Ordinance requirements to aid the Township in determining if buffers are required. (Previous Comment) Photographs have been provided demonstrating screening and woodlands exist throughout the site. The evergreen screen and woodlands appear to be dense per the photographs. The Township shall determine if the existing evergreen trees and woodlands meet the Ordinance requirements, or if additional buffers are required.

- 47. Comment satisfied.

- 48. Comment satisfied.

- 49. Comment satisfied.

- 50. In accordance with Section 615.9.B.11, "a detailed cost estimate shall be submitted, showing the value of all proposed landscaping, including all labor and materials." *A cost estimate must be provided. (Previous Comment) This comment has been acknowledged.*

51. Comment satisfied.
52. In accordance with Section 615.7.D.2, "landscaping shall be considered an improvement for the purposes of installation and provision of a performance guarantee in accord with this Ordinance. In addition, the Developer or landowner shall provide to the Township a performance guarantee equal to the amount necessary to cover the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of eighteen (18) months following the installation and approval of the landscaping." *The required performance guarantee must be provided. (Previous Comment) This comment has been acknowledged.*
53. In accordance with Section 618.5, "where the study shows the existence of wetland areas, the delineated boundary shall be properly fenced to prevent encroachment. Snow fence or other acceptable material shall be used (the use of silt fence is not acceptable). The fence shall be properly installed, at a minimum distance of twenty (20) feet outside the delineated boundary, prior to any construction or issuance of building permits. No land shall be disturbed within any required buffer area except in accord with Township requirements. The fence must be properly maintained until all occupancy permits have been issued and/or for the extent of all construction." *The Wetland Presence/Absence Survey prepared by Liberty Environmental, Inc. has identified the existing manmade pond as a wetland. Therefore, the required fence must be shown on the plan. (Previous Comment) The response indicates Liberty Environmental, Inc. has now stated that the man-made pond is not a wetland which is contradictory to their Wetland Presence/Absence Survey dated January 24, 2018. A written confirmation from Liberty Environmental, Inc. must be submitted for record.*
54. In accordance with Section 619.B, 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 619". In addition, and in accordance with Section 619.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". *Note and Covenant 19 on Sheet 1 proposes a fee in-lieu-of open space. In accordance with Section 619.F, and if agreed upon by the Board of Commissioners and Applicant, 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 0.79 acres of disturbance is \$1,106.00. (Previous Comment) The Township shall determine if open space and/or recreational facilities shall be provided, or if a fee in-lieu-off will be accepted.*
55. In accordance with Section 620.D, off-street parking areas and perimeter travel lanes shall be designed with pavement sections as specified in this Section. *All parking areas must be paved, and associated pavement and striping details must be provided on the plan. (Previous Comment) A waiver from Section 620.D is requested to permit the existing gravel areas to remain as gravel. As discussed in Comment 5, all parking areas and access drives must be paved per Section 512.C.1 of the Zoning Ordinance.*

STORMWATER MANAGEMENT ORDINANCE COMMENTS

The proposed development is located within the McMichaels Creek Watershed and the B-2 Management District. The project site discharges to an unnamed tributary of the Pocono Creek which has a Chapter 93 Classification of High Quality Cold Water Fishery (HQ-CWF).

The Post Construction Stormwater Management Plan (report) considers the existing use as a fleet storage area which is identified as a Stormwater Hotspot in Table 304.1. We believe the truck and motor freight terminal use also includes fleet storage areas. Therefore, the groundwater recharge requirement is not applied, and the entire water quality volume must be treated.

56. Comment satisfied.

57. Comment satisfied.

58. In accordance with Section 303.I.6.b, "a 50-foot buffer, measured perpendicular to and horizontally from the edge of the delineated wetland, shall be maintained for all wetlands, with the exception of the Cranberry Bog, where the buffer shall be 75-feet measured perpendicular to and horizontally from the edge of the Cranberry Bog. In addition, where the 300 feet of land adjacent to the edge of a delineated wetland has an average upland slope greater than 5%, the minimum buffer width shall be increased by four feet for each percent of slope at or above 5%, subject to a maximum cumulative buffer of 100 feet." *The required wetland buffer must be placed along the existing wetlands identified in the Wetland Presence/Absence Study prepared by Liberty Environmental, Inc. (Previous Comment) The response indicates Liberty Environmental, Inc. has now stated that the man-made pond is not a wetland which is contradictory to their Wetland Presence/Absence Survey dated January 24, 2018. A written confirmation from Liberty Environmental, Inc. must be submitted for record.*

59. In accordance with Section 303.I.6.b.i, "Permitted Activities/Development. Stormwater conveyance required by the Municipality or other body or agency having jurisdiction; buffer maintenance and restoration; the correction of hazardous conditions; stream crossings permitted by DEP and passive unpaved stable trails shall be permitted within the wetland buffer. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted within the wetland buffer." *The proposed Detention Basin is immediately adjacent to the existing wetlands and will be constructed within the required wetland buffer. The plan must be revised accordingly. (Previous Comment) The response indicates Liberty Environmental, Inc. has now stated that the man-made pond is not a wetland which is contradictory to their Wetland Presence/Absence Survey dated January 24, 2018. A written confirmation from Liberty Environmental, Inc. must be submitted for record.*

60. In accordance with Section 303.I.6.b.ii, "the area of the wetland buffer altered by activities permitted in accordance with Section 303.I.6.b.i shall be minimized to the greatest extent practicable, as determined by the Municipality. In no case shall more than twenty (20) percent of the cumulative wetland buffer on the subject parcel be altered by the activities permitted in accordance with Section 303.I.6.b.i. This twenty (20) percent disturbance shall include both the disturbance created by the Applicant and any subsequent owner of the parcel or a portion of the parcel developed by the Applicant (i.e., lot owner)." *The required wetland buffer area (in square feet) and the proposed disturbance of the buffer (in square feet) must be listed on the plan. (Previous Comment) The response indicates Liberty Environmental, Inc. has now stated that the man-made pond is not a wetland which is contradictory to their Wetland Presence/Absence Survey dated January 24, 2018. A written confirmation from Liberty Environmental, Inc. must be submitted for record.*

61. In accordance with Section 303.I.8.a, "a 50-foot buffer, measured perpendicular to and horizontally from the top-of-bank on all sides of any stream, shall be maintained on all sides

of any stream, with the exception of the Pocono Creek, where the buffer shall be 75 feet, measured perpendicular to and horizontally from the top-of-bank on all sides of the Pocono Creek. In addition, where the 100 feet of land adjacent to the edge of a stream has an average upland slope greater than 5%, the minimum buffer width shall be increase by four feet for each percent of slope at or above 5%, subject to a maximum cumulative buffer of 100 feet. See Figure 303.1." *The existing stream and required stream buffer must be provided on the plan. Permitted activities and disturbance within the stream buffer must be in accordance with Sections 303.I.8.b and 303.I.8.c. The proposed disturbed area of the stream buffer must be indicated on the plan. (Previous Comment) A waiver is requested from Section 301.G which states "where a development site is traversed by existing watercourses, drainage easements shall be provided conforming to the line of such watercourses. The terms of the easement shall conform to the stream buffer requirements contained in Section 303.I.7 of this Ordinance." The request states that a drainage easement conforming to the top of banks of the existing stream channel will be provided and that land on both sides of the channel are improved with asphalt and gravel driveways and parking areas and other structures. The proposed easement must be shown on the plan.*

The sections listed under the Modifications on Sheet 1 are 303.I.8.a, 303.I.8.b, and 303.I.8.c. The request shall be updated to reflect these sections.

62. In accordance with Section 306.D, times of concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of Urban Hydrology for Small Watersheds, NRCS, TR-55 (as amended or replaced from time to time by NRCS). Times of concentration for channel and pipe flow shall be computed using Manning's equation. *The time of concentration paths in support of the time of concentration calculations for "Rd Culvert", "Dep 1 DA", "Below Dep 1 to 18 CMP Pre", and Below Dep 1 to 18 CMP Post" must be provided. (Previous Comment) It appears the time of concentration paths are provided on the Pre- and Post-Drainage Area Plans; however they are difficult to read at the current scale. Further review will be completed upon receipt of 24-inch by 36-inch plans as required in Section 403.B. Refer to Comment 73.*
63. In accordance with Section 306.E, "runoff Curve Numbers (CN) for both existing and proposed conditions to be used in the Soil Cover Complex method shall be obtained from Table B-2 in Appendix B of this Ordinance".
 - a. *Comment satisfied.*
 - b. *A CN value of 80 (D soils) shall be utilized for lawn areas in the post development peak flow calculations. (Previous Comment) Proposed lawn area must still be utilized in the post development peak flow calculations.*
 - c. *The CN value for woodlands in C soils must be revised in all peak flow calculations and shall be 73 as presented in Table B-2. (New Comment)*
64. *Comment satisfied.*
65. In accordance with Sections 308.A and 403.A.4, any earth disturbance must be conducted in conformance with PA Title 25, Chapter 102, "Erosion and Sediment Control", and all reviews and letters of adequacy from the County Conservation District must be submitted. *The proposed disturbance is under 1 acre, therefore a submission to the Monroe County*

Conservation District is not required. Refer to Comment 41 for our review of the Erosion and Sedimentation Control Plan, and associated report, notes, and details (Sheets 6 and 7). (Previous Comment) Refer to Comment 41.

66. In accordance with Section 403, "a note on the maps shall refer to the associated computations and Erosion and Sediment Control Plan by title and date. The cover sheet of the computations and Erosion and Sediment Control Plan shall refer to the associated maps by title and date." *Notes shall be placed on the plans and reports referencing the other documents with title and date, and any subsequent revision dates. (Previous Comment) References must be placed on the cover of the Post Construction Stormwater Management Plan report and the Erosion and Sedimentation Pollution Control Plan narrative.*
67. Comment satisfied.
68. Comment satisfied.
69. Comment satisfied.
70. In accordance with Section 701.A, "for subdivisions and land developments the Applicant shall provide a performance guarantee to the Municipality for the timely installation and proper construction of all stormwater management controls as required by the approved Stormwater Management Site Plan in the amount and method of payment provided for in the Subdivision and Land Development Ordinance." *The required performance guarantee must be provided prior to plan recording. (Previous Comment) This comment has been acknowledged.*
71. Comment satisfied.
72. In accordance with Section 703.A, "prior to approval of the site's Stormwater Management Site Plan, the Applicant shall sign and record a Maintenance Agreement in the form and substance satisfactory to the Board of Commissioners, covering all stormwater control facilities that are to be privately owned." *The required maintenance agreement must be provided prior to plan recording. (Previous Comment) This comment has been acknowledged.*

STORM SEWER AND STORMWATER MANAGEMENT DESIGN COMMENTS

73. A predevelopment drainage area plan for the project site must be provided. *(Previous Comment) Overall Pre- and Post-Development Drainage Area Plans are now provided in the Post Construction Stormwater Management Plan report. The plans are at a 1" = 200' scale which is difficult to confirm drainage areas and land uses. Section 403.B states, in part, that "map(s) of the project area shall be submitted on 24-inch by 36-inch sheets and/or shall be prepared in a form that meets the requirements for recording at the offices of the Recorder of Deeds of Monroe County." Further review of the drainage areas and land uses will be completed upon receipt of the 24-inch by 36-inch drainage area plans.*
74. Comment satisfied.
75. The location of "Dep 1" must be shown on the plan to confirm the contour areas utilized in the Dep 1 Pond Report. *(Previous Comment) The response indicates "Dep 1" is shown on the Pre- and Post-Development Drainage Area Plans, however it does not appear to have been shown or labeled. "Dep 1" must be shown and labeled on the required 24-inch by 36-inch*

plans. Refer to Comment 73.

76. The Proposed Stormwater BMPs narrative in the Post Construction Stormwater Management Plan (report) indicates the design of the proposed Detention Basin accounts for the expanded gravel area behind the existing building, however the Post-Development Basin Drainage Area Plan does not include this area. The plan and calculations must be revised. *(Previous Comment) A larger scaled 24-inch by 36-inch Post-Development Drainage Area Plan must be provided, as discussed in Comment 73.*
77. The "Above & Below Ground Basin Combined" Pond Report suggests the total storage includes both the Subsurface Detention Area and Detention Basin. Calculations in support of both storage areas must be provided. *(Previous Comment) Calculations in support of the storage volume utilized in the "Above & Below Ground Basin Combined" Pond Report must still be submitted for review.*
78. Comment satisfied.
79. Comment satisfied.
80. Comment satisfied.
81. The diameter of the 4-inch orifice specified in the Detention Basin Outlet Structure detail on Sheet 7 is inconsistent with that used in the Pond Report. The detail or Pond Report must be revised. *(Previous Comment) The diameter specified in the detail must still be revised.*
82. The invert and height of the rectangular weir shown in the Detention Basin Outlet Structure detail on Sheet 7 provides less than 12-inches of separation from the proposed top of grate elevation and must be revised based upon the Pennsylvania Department of Transportation's RC-45M. *(Previous Comment) The invert and height have been revised to provide the 12-inch separation. The width depicted in the detail is inconsistent with the label which is also shown in the detail and with the width utilized in the "Above & Below Ground Basin Combined" Pond Report. Sheet 7 and the pond report must be revised accordingly.*
83. Details of the proposed Subsurface Detention Area must be provided on the plan. The detail must show how the three (3) 36-inch HDPE pipes in the Subsurface Detention Area discharge stormwater to the proposed Detention Basin. *(Previous Comment) Details are now provided on Sheet 8. Dimensions detailing the length, width, and depth of the proposed Subsurface Detention Area must be provided. In addition, Step 6 of the Construction Sequence on Sheet 6 references a 36-inch pipe while the basin detail on Sheet 8 and the Detention Basin Detail on Sheet 3 specify a 24-inch pipe. The plans must be revised accordingly.*

84. Comment satisfied.

MISCELLANEOUS COMMENTS

85. Comment satisfied.

86. Comment satisfied.

PLAN REVISION COMMENTS

87. The emergency spillway elevation listed in the Emergency Spillway Detail and Detention Basin Detail on Sheet 8 and utilized in the Emergency Spillway Calculations is inconsistent with that provided on Sheet 3 and utilized in the "Above & Below Ground Basin Combined" Pond Report. The plans must be revised accordingly. *(New Comment)*
88. The pipe connection of the inlet in Swale #2 to the Subsurface Detention Area must be shown in plan view. *(New Comment)*
89. On Sheet 4, Note 1 in the Tree Planting Detail must be revised to specify ten (10) red maples. *(New Comment)*
90. On Sheet 7, the title of what appears to be the boulder wall detail must be provided. *(New Comment)*

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

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

We recommend the above comments be addressed to the satisfaction of Pocono Township prior to approval of the proposed Preliminary/Final Land Development Plan.

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/cg

cc: Donna Asure – Township Manager
Pam Tripus – Township Secretary
Michael Tripus – Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Wesley Wojtanowicz, Pocono Logistics – Property Owner/Applicant
Sean F. Policelli, P.E., Gilmore & Associates, Inc. – Applicant's Engineer
Melissa E. Prugar, P.E. – Boucher & James, Inc.