



## POCONO TOWNSHIP PLANNING COMMISSION

### AGENDA

August 12, 2024 6:00 p.m.

112 Township Drive | Tannersville, PA 18372

**Dial-In Option: 646 558 8656**

**Meeting ID: 892 102 5946**

**Passcode: 18372**

**Zoom Link:**

<https://us06web.zoom.us/j/8921025946?pwd=Q1VtaFVkVEpRWtUvdIFrSHJ1cE1Tdz09>

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PUBLIC COMMENT

*For any individuals wishing to make public comment tonight, please state the spelling of your name and identify whether you are a taxpayer of Pocono Township.*

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

### CORRESPONDENCE

### OLD BUSINESS

- Motion to approve the minutes of the July 8, 2024 meeting of the Pocono Township Planning Commission. **(Action Item)**

### SKETCH PLANS

**SEWAGE PLANNING MODULES:** Component 4A for the following: **(Action Item)**

- Kalahari Resort/ KR SPE

### NEW PLANS

### FINAL PLANS UNDER CONSIDERATION

### PRELIMINARY PLANS UNDER CONSIDERATION

- Sanofi Building 57 Addition (LDP #1430) – Plans were administratively accepted at the 7/8/24 P.C. meeting with approval deadline of Oct. 6, 2025. **Deadline for P.C. consideration is Sep. 9, 2024.**
- Iroquois Ridge (LDP #1431) – Plans were administratively accepted at the 7/8/24 P.C. meeting with approval deadline of Oct. 6, 2024. **Deadline for P.C. consideration is Sep. 9, 2024.**
- Simpson Minor Subdivision (LDP #1426) – Plans were administratively accepted at the 7/8/24 P.C. meeting with approval deadline of Oct. 6, 2024. **Deadline for P.C. consideration is Sep. 9, 2024.**
- Cranberry Creek Apartments Land Development Plan (LDP# 1369) – Plans were administratively accepted at the 7/25/22 P.C. meeting. Extension letter request received with approval deadline of November 13, 2024. **Deadline for P.C. consideration is 10/15/24.**
- 1124 Sky View Drive Mono-pine Tower (LDP# 1424) – Plans were administratively accepted at the 4/8/24 P.C. meeting with approval deadline of Nov. 4, 2024. **Deadline for P.C. consideration is 10/15/24.**
- Brookstead Apartments – (LDP# 1423) – Plans were administratively accepted at the 5/13/24 P.C. meeting. Approval deadline of December 9, 2024. **Deadline for P.C. consideration is 11/11/24**

Motion to table the following plans (**Action Item**):

- Tannersville Point Apartments (LDP# 1358) – Plans were administratively accepted at the 6/10/24 P.C. meeting. Approval deadline of September 10, 2024 **(Deadline for P.C. consideration is 8/12/24)**
- 611 Land Development LLC (LDP #1401) – Dual Brand Hotel – Hotel by Marriot -Plans administratively accepted at the 4/8/24 P.C. meeting. Approval deadline of Nov. 14, 2024. **Deadline for P.C. consideration is 10/15/24**
- Alaska Pete's Roadhouse Grille (173 Camelback Road) Land Development Plan (LDP# 1387) – Plans were administratively accepted at the 4/10/23 P.C. meeting. Extension request received with approval deadline of December 31, 2024. **Deadline for P.C. consideration is 12/9/24.**
- 135 Warner Road – JBAR Pocono LLC (LDP# 1414) – Plans were administratively accepted at the 2/12/24 P.C. meeting. Approval deadline of March 12, 2025. **Deadline for P.C. consideration is 3/10/25.**

## **SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS**

### **PRIORITY LIST**

- Zoning Ordinance, Zoning Map & SALDO Amendments
  - Review process will continue with Nanci Sarcinello, Sarcinello Planning & GIS Services on the 4<sup>th</sup> Monday of each month.

### **UNFINISHED BUSINESS**

## **ZONING HEARING BOARD SCHEDULE**

August 13, 2024 Beaty Variance

August 22, 2024 Lindenmere Sports Arts Center LLC

## **NEW BUSINESS**

## **PUBLIC COMMENT**

## **ADJOURNMENT**

# POCONO TOWNSHIP PLANNING COMMISSION

## Meeting Minutes

July 8, 2024

The regular meeting of the Pocono Township Planning Commission was held on Monday, July 8, 2024 and was opened at 6:00 p.m. by Marie Guidry.

### ROLL CALL

Joe Folsom, present; Marie Guidry, present; Christina Kauffman, present via Zoom; Claire Learn, present; Chris Peechatka, present; Dennis Purcell, present; Jeremy Sawicki, absent.

Planning Commission Alternates: Kyle VanFleet, present; Bruce Kilby, present.

### IN ATTENDANCE

Amy Montgomery, Twp. Engineer; Lisa Pereira, Township Solicitor; Krisann MacDougall, Township Asst. Secretary. Jerrod Belvin, Township Manager

### PUBLIC COMMENT

### CORRESPONDENCE – None

### OLD BUSINESS

D. Purcell made a motion, seconded by J. Folsom, to approve the minutes of the June 10, 2024 meeting of the Pocono Township Planning Commission. All in favor. Motion carried.

### SKETCH PLANS

### SEWAGE PLANNING MODULES

J. Folsom made a motion, seconded by C. Learn to accept the sewage planning modules, component 4A on Brookdale Spa, The Ridge PRD, and Core5 Warner Road. All in favor. Motion carried.

### NEW PLANS

- C. Learn made a motion, seconded by D. Purcell, to accept the Iroquois Ridge- Bacik minor subdivision plan for review. All in favor. Motion carried.
- D. Purcell made a motion, seconded by C. Learn, to accept the Simpson minor subdivision for review. All in favor. Motion carried.
- D. Purcell made a motion, seconded by K. VanFleet, to accept the Sanofi Building 57 Addition for review. All in favor. Motion carried.

### FINAL PLANS UNDER CONSIDERATION

### PRELIMINARY PLANS UNDER CONSIDERATION

Brookstead Apartments – (LDP# 1423) – Plans were administratively accepted at the 5/13/24 P.C. meeting. Approval deadline of December 11, 2024. **Deadline for P.C. consideration is 11/11/24**



The Planning Commission recommended the following waivers on this project:

- B. Kilby made a motion, seconded by D. Purcell, to recommend waiver 390-57.C & 365-10.1(6)(b). All in favor. Motion carried.
- C. Peechatka made a motion, seconded by B. Kilby, to recommend waiver 390-29.K. All in favor. Motion carried.
- C. Learn made a motion, seconded by C. Peechatka, to recommend waiver §390-43.A(6)(e)[2][a]. All in favor. Motion carried.
- D. Purcell made a motion, seconded by C. Peechatka, to recommend waiver 365-8.L. All in favor. Motion carried.
- J. Folsom made a motion, seconded by C. Peechatka, to recommend waiver 365-13.B. All in favor. Motion carried.
- C. Learn made a motion, seconded by C. Peechatka, to recommend waiver 390-55.B. All in favor. Motion carried.
- D. Purcell made a motion, seconded by C. Peechatka, to recommend waiver 390-55.G. All in favor. Motion carried.

J. Folsom made a motion, seconded by C. Peechatka to table the plan. All in favor. Motion carried.

Cranberry Creek Apartments Land Development Plan – Plans were administratively accepted at the 7/25/22 P.C. meeting. Extension letter request received with approval deadline of November 15, 2024. **Deadline for P.C. consideration is 11/11/24.**

C. Peechatka made a motion, seconded by C. Learn, to table the plan. All in favor. Motion carried.

611 Land Development LLC (LDP 1401) – Dual Brand Hotel – Hotel by Marriot – Plans administratively accepted at the 4/8/24 P.C. meeting. Approval deadline of September 10, 2024 **Deadline for P.C. Consideration is 8/12/24.**

135 Warner Road – JBAR Pocono LLC – Plans were administratively accepted at the 2/12/24 P.C. meeting. Approval deadline of September 12, 2024. **Deadline for P.C. consideration is 8/12/24.**

1124 Sky View Drive Mono-Pine Tower (LDP 1424) – Plans administratively accepted at the 4/8/24 P.C. meetings with approval deadline of November 5, 2024. **Deadline for P.C. consideration is 10/15/24.**

Alaska Pete's Roadhouse Grille (173 Camelback Road) Land Development Plan – Plans were administratively accepted at the 4/10/23 P.C. meeting. Extension request received with approval deadline of December 31, 2024. **Deadline for P.C. consideration is 12/9/24**

J. Folsom made a motion, seconded by D. Purcell, to table the above listed plans. All in favor. Motion carried.

## **SPECIAL EXCEPTIONS, CONDITIONAL USE, ET AL, APPLICATIONS - None**

## **PRIORITY LIST**

- Zoning Ordinance, Zoning Map & SALDO Amendments
  - The review process will continue with Nanci Sarcinello, Sarcinello Planning & GIS Services on the 4<sup>th</sup> Monday of each month. This month we will be meeting on the 28<sup>th</sup> due to the holiday.

## **UNFINISHED BUSINESS**

## **ZONING HEARING BOARD SCHEDULE**

Kelly Variance 7/23/24  
EDMA Variance 7/23/24  
Beaty Variance 8/13/24

## **NEW BUSINESS**

## **PUBLIC COMMENT**

## **ADJOURNMENT**

J. Folsom made a motion, seconded by C. Learn, to adjourn the meeting at 7:00 p.m. All in favor.  
Motion carried.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF CLEAN WATER

DEP Code #:  
2-45919260-3

**SEWAGE FACILITIES PLANNING MODULE**  
**COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW**

**Note to Project Sponsor:** To expedite the review of your proposal, one copy of your completed planning module package and one copy of this *Planning Agency Review Component* should be sent to the local municipal planning agency for their comments.

**SECTION A. PROJECT NAME** (See Section A of instructions)

Project Name

Kalahari Resort / KR SPE

**SECTION B. REVIEW SCHEDULE** (See Section B of instructions)

1. Date plan received by municipal planning agency \_\_\_\_\_
2. Date review completed by agency \_\_\_\_\_

**SECTION C. AGENCY REVIEW** (See Section C of instructions)

**Yes**      **No**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, <i>et seq.</i> )?               |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Is this proposal consistent with the comprehensive plan for land use?<br>If no, describe the inconsistencies _____                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Is this proposal consistent with the use, development, and protection of water resources?<br>If no, describe the inconsistencies _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation?                         |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Does this project propose encroachments, obstructions, or dams that will affect wetlands?<br>If yes, describe impacts _____            |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Will any known historical or archaeological resources be impacted by this project?<br>If yes, describe impacts _____                   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Will any known endangered or threatened species of plant or animal be impacted by this project?<br>If yes, describe impacts _____      |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Is there a municipal zoning ordinance?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Is this proposal consistent with the ordinance?<br>If no, describe the inconsistencies _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance?                                 |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Have all applicable zoning approvals been obtained?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Is there a municipal subdivision and land development ordinance?  |

**SECTION C. AGENCY REVIEW** (continued)**Yes****No**☐☐

13. Is this proposal consistent with the ordinance?

If no, describe the inconsistencies \_\_\_\_\_

☐☐

14. Is this plan consistent with the municipal Official Sewage Facilities Plan?

If no, describe the inconsistencies \_\_\_\_\_

☐☐

15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality?

If yes, describe \_\_\_\_\_

☐☐

16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?

☐☐

If yes, is the proposed waiver consistent with applicable ordinances?

If no, describe the inconsistencies \_\_\_\_\_

17. Name, title and signature of planning agency staff member completing this section:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Municipal Planning Agency: Tobyhanna TownshipAddress 105 Government Center Way, Pocono Pines, 18350Telephone Number: (570) 646-1212**SECTION D. ADDITIONAL COMMENTS** (See Section D of instructions)

This component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.

The planning agency must complete this component within 60 days.

This component and any additional comments are to be returned to the applicant.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF CLEAN WATER

DEP Code #:  
2-45919260-3

**SEWAGE FACILITIES PLANNING MODULE**  
**COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW**

**Note to Project Sponsor:** To expedite the review of your proposal, one copy of your completed planning module package and one copy of this *Planning Agency Review Component* should be sent to the local municipal planning agency for their comments.

**SECTION A. PROJECT NAME** (See Section A of instructions)

Project Name

Kalahari Resort / KR SPE

**SECTION B. REVIEW SCHEDULE** (See Section B of instructions)

1. Date plan received by municipal planning agency \_\_\_\_\_
2. Date review completed by agency \_\_\_\_\_

**SECTION C. AGENCY REVIEW** (See Section C of instructions)

**Yes No**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, <i>et seq.</i> )?               |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Is this proposal consistent with the comprehensive plan for land use?<br>If no, describe the inconsistencies _____                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Is this proposal consistent with the use, development, and protection of water resources?<br>If no, describe the inconsistencies _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation?                         |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Does this project propose encroachments, obstructions, or dams that will affect wetlands?<br>If yes, describe impacts _____            |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Will any known historical or archaeological resources be impacted by this project?<br>If yes, describe impacts _____                   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Will any known endangered or threatened species of plant or animal be impacted by this project?<br>If yes, describe impacts _____      |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Is there a municipal zoning ordinance?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Is this proposal consistent with the ordinance?<br>If no, describe the inconsistencies _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance?                                 |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Have all applicable zoning approvals been obtained?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Is there a municipal subdivision and land development ordinance?  |

**SECTION C. AGENCY REVIEW (continued)**

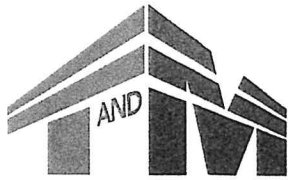
Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	13. Is this proposal consistent with the ordinance? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input type="checkbox"/>	14. Is this plan consistent with the municipal Official Sewage Facilities Plan? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input type="checkbox"/>	15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality? If yes, describe _____
<input type="checkbox"/>	<input type="checkbox"/>	16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?
<input type="checkbox"/>	<input type="checkbox"/>	If yes, is the proposed waiver consistent with applicable ordinances? If no, describe the inconsistencies _____
17. Name, title and signature of planning agency staff member completing this section: Name: _____ Title: _____ Signature: _____ Date: _____ Name of Municipal Planning Agency: <u>Pocono Township</u> Address <u>112 Township Drive, Tannersville, 18372</u> Telephone Number: <u>(570) 629-1922</u>		

**SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)**

This component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.

The planning agency must complete this component within 60 days.

This component and any additional comments are to be returned to the applicant.



YOUR GOALS. OUR MISSION.

July 25, 2024

Pocono Township Planning Commission  
112 Township Drive  
Tannersville, PA 18372

**SUBJECT: SANOFI BUILDING 57 ADDITION  
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN REVIEW NO. 1  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
POCONO TOWNSHIP LDP NO. 1430, T&M PROJECT NO. POCO-R0820**

Dear Planning Commission Members:

Pursuant to the Township's request, we have performed a completeness review of the Preliminary/Final Land Development Plan Application for the Sanofi Building 57 Addition. The submitted information consists of the following items.

- Pocono Township Land Development Application
- Waiver Request Memorandum and forms prepared by Borton Lawson, dated June 27, 2024.
- Professional Services Escrow Agreement dated June 28, 2024.
- Property Deed, Tax I.D. Nos. 12/12/2/10-2, 12/12/2/10, 12/11/1/3, 12/11A/1/89, 12/11A/1/90, and 12/11A/1/92-1.
- Erosion & Sediment Pollution Control Calculations Report prepared by Borton Lawson, dated June 27, 2024.
- Post Construction Stormwater Management Plan Report prepared by Borton Lawson dated June 27, 2024.
- Preliminary/Final Land Development Plan (13 sheets) prepared by Borton Lawson, dated January 31, 2024, last revised June 27, 2024.

### **BACKGROUND INFORMATION**

The Applicant, Sanofi Pasteur, Inc. is proposing a land development at their property located on Discovery Drive at S.R. 0611.

The existing property has an area of 213.086 acres and is located within the I, Industrial, C, Commercial, and R-1, Residential Zoning Districts. It consists of medical laboratories, medical manufacturing, and office buildings with associated parking. Swiftwater Creek traverses the northern portion of the site, and



- (1) All improvements required by this chapter 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
- (2) 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.

*The Applicant is requesting Waivers from these Sections to not be required to provide a Performance Guarantee for the proposed improvements. The request states:*

*No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the Township prior to moving forward with any site work.*

*These waivers have been granted for this Applicant for similar projects in the past.*

9. In accordance with Section 390-41, "all applicants proposing any subdivision and/or land development requiring the installation of improvements as required by this chapter shall, prior to final plan approval by the Board of Commissioners, and if so directed by the Board of Commissioners, enter into a legally binding development agreement with the Township whereby the developer guarantees the installation of the required improvements in accord with the approved plan and all Township requirements". *The Applicant is requesting a Waiver from this Section to not be required to enter into a Developer's Agreement with the Township or provide a Performance Guarantee for the proposed improvements. The request states:*

*No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the Township prior to moving forward with any site work.*

*A waiver for the Performance Guarantee has been granted for this Applicant in the past.*

10. 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 PA DEP, and shall comply with Commonwealth of Pennsylvania, Title 25, Chapter 102, Department of Environmental Protection regulations for soil erosion and sedimentation control". *An amended NPDES Permit is required. All submission to, correspondence with, and permit from the County Conservation District shall be provided to the Township.*
11. In accordance with Section 390-55.F.(3), "property line and road right-of-way buffers shall be required for all nonresidential development". *The Applicant is requesting a Waiver from this Section to not be required to provide additional landscaping as required. The request states:*

*No disturbance of tree canopy along the road ways and property lines are proposed. Dense woodlands exist along portions of all the property lines.*

*The proposed improvements are located within the Sanofi complex, and are not adjacent to property lines or rights-of-way, therefore we have no objection to this request.*





## **STORMWATER MANAGEMENT ORDINANCE COMMENTS**

12. Note 12 on Sheet CC001 indicates a 0.02 increase of impervious area is proposed as part of this project. However, the Table 5 in the Post Construction Stormwater Management Plan Report proposes a 0.25 acre reduction in impervious area. The proposed impervious area shall be confirmed and Note 12 or Table 5 shall be revised accordingly.

Should new impervious areas be added to the Pond 2 drainage area, the calculations shall be revised accordingly to show that Pond 2 complies with the requirements of the Stormwater Management Ordinance.

13. In accordance with Section 365-8.L, “roof drains and sump pumps shall discharge to infiltration or vegetative BMPs wherever feasible. Roof drains should not be connected to streets, sanitary or storm sewers or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater. Considering potential pollutant loading, roof drain runoff in most cases will not require pretreatment.” *The Applicant is requesting a Waiver from this Section to be allowed to connect the proposed roof drain to the existing storm sewer system. The request states:*

*Roof drain is ultimately conveyed to Pond 2 prior to leaving the site. The project meets DEP's requirements for water volume and water quality.*

*We have no objection to this request.*

14. In accordance with Sections 365-14.C and 365-14.D, storm sewers must be able to convey proposed conditions runoff from a fifty-year design storm without surcharging inlets, where appropriate and as supplemented by Subsection C above. *New impervious areas are directed to an existing storm sewer system, and a new inlet is proposed capturing additional drainage area. Therefore, storm sewer calculations shall be provided to show compliance with this Section.*
15. In accordance with Section 365-15, “for all regulated earth disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained during the regulated earth disturbance activities (e.g., during construction) to meet the purposes and requirements of this chapter and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (E&S Manual3), No. 363-2134-008, as amended and updated.” *An amended NPDES Permit is required. All submissions to, correspondence with, and permit from the County Conservation District shall be provided to the Township.*
16. In accordance with Section 365-27, “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 Chapter 390, Subdivision and Land Development”. *The Applicant is requesting a Waiver from this Section to not be required to provide a performance guarantee for the proposed improvements. The request states:*

*No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the Township prior to*



*moving forward with any site work.*

### **MISCELLANEOUS COMMENTS**

17. The southernmost landing area at the ADA ramp has a slope of 2.5% and shall be revised to provide a maximum slope of 2% per the 2010 ADA Standards for Accessible Design.
18. The request for a waiver from Section 365-27 is listed twice in the Summary of Requested Waivers. The Summary shall be revised accordingly. In addition, the request for a waiver from Section 365-27 shall be removed from the SALDO Modifications listed on Sheet CC001.

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

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

If you should have any questions, please call me.

Sincerely,

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

JST/arm

cc: Jerrod Belvin – Township Manager  
Lindsay Scerbo – Zoning Officer  
Leo DeVito, Esq. – Township Solicitor  
Lisa Pereira, Esq. – Broughal & DeVito, LLP  
Andrew Tom – Sanofi Pasteur, Inc., Applicant  
Aaron M. Sisler, P.E. – Borton Lawson, Applicant's Engineer  
Kristina Heaney – Monroe County Conservation District  
Amy R. Montgomery, P.E. – T&M Associates  
Melissa E. Hutchison, P.E. – T&M Associates



Making Our Client's Vision a Reality

## MEMORANDUM

LDP No. 1430

**TO:** Pocono Township Planning Commission  
**FROM:** Aaron M. Sisler  
**DATE:** July 31, 2024  
**SUBJECT:** Sanofi Pasteur – Building B-57 Addition– Summary of Requested Waivers

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As part of the Building 57 Addition, Sanofi Pasteur requests the following waivers. Waiver request forms are attached for reference.

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Requirement

*SALDO Section 390.19.M - Financial Guarantee Requirements*

Justification for Relief

No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the township prior to moving forward with any site work.

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Requirement

*SALDO Section 390.29.g(7) – A viewshed analysis using GIS or other suitable methodology showing the location and extent of views into the property and along ridgelines 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.*

Justification for Relief

The location of the proposed building is not within the viewshed of any public street. The view of the proposed building is obstructed by other campus buildings and trees.

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Requirement

*SALDO 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.*

Justification for Relief

Waiver from a title search requirement is requested based on Sanofi being the owner of the property for more than 20 years.

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Requirement

*SALDO Section 390.32.B and 390-35 - Performance Guarantee*

Justification for Relief

No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the township prior to moving forward with any site work.

Lehigh Valley  
Pittsburgh  
Wilkes-Barre

**Lehigh Valley**  
3897 Adler Place  
Bethlehem, PA 18017

P: 484.821.0470  
F: 484.821.0474

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Requirement

*SALDO Section 390.41 - Developer's Agreement*

Justification for Relief

No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the township prior to moving forward with any site work.

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Requirement

*SALDO section 390.55.F(3) - Property line and road right-of-way buffer requirements.*

Justification for Relief

No disturbance of existing tree canopy along road ways and property lines are proposed. Dense woodlands exist along portions of all of the property lines.

---

*Section 365-8.L., "Roof drains should not be connected to streets, sanitary or storm sewers, or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater."*

Justification for Relief

Roof drain is ultimately conveyed to Pond 2 prior to leaving the site. The project meets DEP's requirements for water volume and water quality.

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*Section 365-27 - Performance Guarantee*

Justification for Relief

No public improvements are proposed as part of this development. Sanofi will coordinate executing the required indemnification with the township prior to moving forward with any site work.



**APPENDIX G****REQUEST FOR MODIFICATION**Name of Applicant: Sanofi Pasteur, Inc.Name of Subdivision or Land Development: B-57 Building AdditionSection of Subdivision and Land Development Ordinance: 390.19.M

Justification for Relief: \_\_\_\_\_  
NO PUBLIC IMPROVEMENTS ARE PROPOSED AS PART OF THIS DEVELOPMENT. SANOFI WILL  
COORDINATE EXECUTING THE REQUIRED INDEMNIFICATION WITH THE TOWNSHIP PRIOR TO MOVING  
FORWARD WITH ANY SITE WORK.

Is the hardship self-imposed? \_\_\_\_ Yes ☒ NoIs 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:

**APPENDIX G****REQUEST FOR MODIFICATION**Name of Applicant: Sanofi Pasteur, Inc.Name of Subdivision or Land Development: B-57 Building AdditionSection of Subdivision and Land Development Ordinance: 390.29.G(7) Viewshed

Justification for Relief: \_\_\_\_\_  
THE LOCATION OF THE PROPOSED BUILDING ADDITION IS MORE THAN 275 AND 750 FEET FROM SR 611 AND SR 314 RESPECTIVELY ON AN EXISTING DEVELOPED PORTION OF THE CAMPUS. THE VIEW OF THE PROPOSED BUILDING FROM EACH OF THESE ROAD IS OBSTRUCTED BY OTHER CAMPUS BUILDINGS AND TREES.

Is the hardship self-imposed? \_\_\_\_ Yes ☒ NoIs 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:

**APPENDIX G****REQUEST FOR MODIFICATION**Name of Applicant: Sanofi Pasteur, Inc.Name of Subdivision or Land Development: B-57 Building AdditionSection of Subdivision and Land Development Ordinance: 390.29.J(6) Deed and Title Search

Justification for Relief: \_\_\_\_\_  
THE DEED FOR THE PROPERTY HAS BEEN PROVIDED. THE ENTITY OF SANOFI PASTEUR, INC. HAS BEEN  
THE OWNER OF RECORD FOR THE PROPERTY FOR MORE THAN 20 YEARS.

Is the hardship self-imposed? \_\_\_\_ Yes ☒ NoIs the hardship related to financial issues? \_\_\_\_ Yes ☒ NoWill relief from the referenced section of the Subdivision and Land Development Ordinance  
alter the intent of the Ordinance?Yes ☐ No ☒ Explain:

**APPENDIX G**

**REQUEST FOR MODIFICATION**

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: B-57 Building Addition

Section of Subdivision and Land Development Ordinance: 390.32.B and 390-35 Performance Guarantee

Justification for Relief: \_\_\_\_\_  
NO PUBLIC IMPROVEMENTS ARE PROPOSED AS PART OF THIS DEVELOPMENT. SANOFI WILL  
COORDINATE EXECUTING THE REQUIRED INDEMNIFICATION WITH THE TOWNSHIP PRIOR TO  
MOVING FORWARD WITH ANY SITE WORK.

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:



## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: B-57 Addition

Section of Subdivision and Land Development Ordinance: 390.41 - Developer's Agreement

Justification for Relief: \_\_\_\_\_  
NO PUBLIC IMPROVEMENTS ARE PROPOSED AS PART OF THIS DEVELOPMENT. SANOFI WILL  
COORDINATE EXECUTING THE REQUIRED INDEMNIFICATION WITH THE TOWNSHIP PRIOR TO MOVING  
FORWARD WITH ANY SITE WORK.

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:

**APPENDIX G**

**REQUEST FOR MODIFICATION**

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: B-57 Addition

Section of Subdivision and Land Development Ordinance: 390.55.F(3) Property Line Buffer

Justification for Relief: NO DISTURBANCE OF EXISTING TREE CANOPY ALONG ROAD WAYS AND PROPERTY LINES ARE PROPOSED. DENSE WOODLANDS EXIST ALONG PORTIONS OF ALL OF THE PROPERTY LINES.

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:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: B-57 Addition

Section of Subdivision and Land Development Ordinance: 365-8.L - Roof drain disconnect

Justification for Relief: \_\_\_\_\_  
Roof drain is ultimately conveyed to Pond 2 prior to leaving the site. The project meets DEP's requirements for water volume and water quality.

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:

**APPENDIX G****REQUEST FOR MODIFICATION**

Name of Applicant: Sanofi Pasteur, Inc.

Name of Subdivision or Land Development: B-57 Building Addition

Section of Subdivision and Land Development Ordinance: 365-27 Performance Guarantee

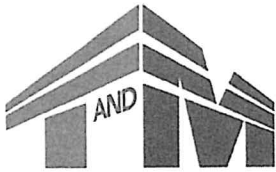
Justification for Relief: NO PUBLIC IMPROVEMENTS ARE PROPOSED AS PART OF THIS DEVELOPMENT.  
SANOFI WILL COORDINATE EXECUTING THE REQUIRED INDEMNIFICATION WITH THE TOWNSHIP PRIOR TO  
MOVING FORWARD WITH ANY SITE WORK.

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:



YOUR GOALS. OUR MISSION.

July 25, 2024

Pocono Township Planning Commission  
112 Township Drive  
Tannersville, PA 18372

**SUBJECT: IROQUOIS RIDGE/BACIK – MINOR SUBDIVISION PLAN REVIEW NO. 1  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
POCONO TOWNSHIP LDP NO. 1431, T&M PROJECT NO. POCO-R0810**

Dear Planning Commission Members:

Pursuant to the Township's request, we have performed our first review of the Minor Subdivision Application for Iroquois Ridge/Bacik. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- MCPC Subdivision and Land Development Review Checklist.
- Request for Modification.
- Tract History prepared by RKR Hess dated May 13, 2024.
- Deed of Correction Special Warranty Deed for Tax ID No. 12/16/1/30-1.
- Quit-Claim Deed for Tax ID No. 12/16/1/30.
- Lot Closure Calculations prepared by RKR Hess dated May 13, 2024.
- Minor Subdivision Plan for Lands of Iroquois Ridge Partners, LLP and Consolidation for Lands of Stephen J. & Maureen A Bacik (1 sheet) prepared by RKR Hess, dated May 13, 2024.

### **BACKGROUND INFORMATION**

The Applicant is proposing a minor subdivision of a property located on the southern side of Sullivan Trail, near Deer Run. The property is located within the R-1, Residential Zoning District.

Existing Parcel 12.16.1.30 consists of 1.06 acres and Parcel 12.16.1.30-1 consists of 19.09 acres. The submitted plan proposes to subdivide and combine the parcels to create two (2) lots. Lot 1 is proposed to have 12.87 acres and Lot 2 is proposed to have 7.28 acres. It appears one or more single family homes are proposed for construction. A 50-foot wide right-of-way is also shown on and for access to Proposed Lot 1.

***Section 390-13 of the Subdivision and Land Development Ordinance defines Land Development as:***

***a. A subdivision of land;***



*b. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:*

- (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or*
- (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of roads, common areas, leaseholds, condominiums, building groups or other features.*

*The submitted plan proposes two (2) lots intended for residential development and a right-of-way for access from Sullivan Trail (S.R. 4004), therefore it is considered a land development. Additional review of the proposed dwelling locations, grading, erosion and sedimentation controls, stormwater management, roadway design, etc., will be completed upon receipt of the revised plan.*

The plan was accepted for review by the Planning Commission at its meeting held on July 8, 2024.

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

#### **ZONING ORDINANCE COMMENTS**

1. In accordance with Section 470-8, Lot Area is defined as “the computed area contained within the lot lines, excluding space within all road rights-of-way and within all permanent drainage easements, but including the areas of all other easements, as required by Chapter 390, Subdivision and Land Development”. *The gross area of Proposed Lot 1 is noted on the plan, and the plan shall be revised to provide a net lot area that excludes the proposed 50-foot wide right-of-way. In addition, the R1 Zoning Requirement Table shall be revised to list the net area of Proposed Lot 2.*
2. In accordance with Section 470-17.C.(1) and Attachment 2, the minimum lot area is 2-acres per dwelling unit. *The existing Bacik property (Parcel 12.16.1.30) has an area of 1.06 acres and is an existing non-conformity. The proposed subdivision will combine the existing parcel with Proposed Lot 2 and the non-conformity will be removed. No action is required.*
3. In accordance with Section 470-28, “on every corner lot there shall be provided on the side street a side yard equal in depth to the required front yard depth on said street by the prevailing zoning district”. *A 50-foot wide right-of-way is proposed along the western property line of Proposed Lot 1. The side yard along the proposed right-of-way has a width of 25-feet and shall be revised to have a width of 50-feet as required.*

#### **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS**

4. In accordance with Section 390-18.B.(2)(c), the plan submission shall include “four copies of the sewage facilities planning modules and associated documentation”. *A waiver is requested stating that “no new building lots are being created, therefore land planning module is not necessary”. We have no objection to this request.*
5. In accordance with Section 390-18.B.(6), “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”. *Submissions*



*to, correspondences with, and approvals from the following outside agencies shall be provided to Pocono Township*

a. *Monroe County Planning Commission*

Per Section 390-18.E, “no official action shall be taken by the Board of Commissioners until either the Township has received the comments of the Monroe County Planning Commission or a period of 30 days has expired following transmittal of the preliminary plan to the County Planning Commission.”

b. *Monroe County Conservation District/Pennsylvania Department of Environmental Protection – PADEP NPDES Permitting, if applicable.*

6. In accordance with Section 390-27.A.(13), “reference monuments and/or lot markers shall be shown on the plan and shall be placed as required by § 390-49 of this chapter”. *A marker shall be noted at the intersection of the proposed property line and the Sullivan Trail (S.R. 4004) Right-of-Way line.*

7. In accordance with Section 390-27.A.(15), the plan shall include “the proposed building reserve (setback) lines for each lot, or the proposed placement of each building”. *The side yard setback line shall be shown along the eastern property lines of Proposed Lot 1. The setback line along the proposed 50-foot right-of-way on Proposed Lot 1 shall be truncated at the wetland buffer.*

*In addition, the submitted plan is considered a land development and the location of the proposed dwellings shall be shown on the plan.*

8. In accordance with Section 390-27.A.(22), the plan shall include “existing or proposed contour lines at an interval of not greater than 20 feet as superimposed from the latest USGS. quadrangle or from a field survey. A minimum of two contour lines are required to show direction and amount of slope.” *The proposed grading shall be shown on the plan.*

9. In accordance with Section 390-27.A.(19), the plan shall include “wetlands in accord with § 390-57, if required”. Per Section 390-57.A, “if a proposed subdivision or land development includes any area that is suspected of being a wetland, then a professional wetland delineation may be required. The Township may require that the applicant obtain a jurisdictional determination from the United States Army Corps of Engineers. Until such time as the Board of Commissioners has approved application, the wetland limits shall be visibly identified in the field.” *A wetland delineation shall be completed.*

10. In accordance with Section 390-27.A.(24), the plan shall include “the location and extent of various soil types by NRCS classification for each type”. *The existing soils shall be delineated on the plan.*

### **STORMWATER MANAGEMENT ORDINANCE COMMENTS**

11. In accordance with Section 365-10.I.(6)(a), “wetlands shall be identified in accord with the 1987 United States Army Corps of Engineers Manual for Identifying and Delineating Wetlands, as amended, and properly flagged and surveyed on site to ensure they are protected”. *The existing wetlands shall be delineated as required.*



12. In accordance with Section 365-10.I.(6), "a fifty-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 existing slopes on the project site exceed 5% and the wetland buffers shall be revised to show compliance with this Section.*

### **MISCELLANEOUS COMMENTS**

13. There is an unlabeled line along Sullivan Trail (S.R. 4004) extending from the proposed property line shared with Lots 1 and 2 and crossing the easterly property line of Proposed Lot 2. This line shall be labeled.

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

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

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/meh

cc: Jerrod Belvin – Township Manager  
Lindsay Scerbo – Zoning Officer  
Leo DeVito, Esq. – Township Solicitor  
Lisa Pereira, Esq. – Broughal & DeVito, LLP  
Stephen J. Bacik – Applicant  
Charles P. Gmiter, PLS – RKR Hess, Applicant's Surveyor  
Kristina Heaney – Monroe County Conservation District  
Amy R. Montgomery, P.E. – T&M Associates  
Melissa E. Hutchison, P.E. – T&M Associates





January 25, 2024

Pocono Township Planning Commission  
112 Township Drive  
Tannersville, PA 18372

**SUBJECT: CRANBERRY CREEK APARTMENTS (ALSO HOTEL & RESTAURANT)  
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN REVIEW NO. 4  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
POCONO TOWNSHIP LDP NO. 1369, LVL PROJECT NO. 2130150R**

**Corporate Office:**

559 Main Street, Suite 230  
Bethlehem PA 18018

**Regional Offices:**

1456 Ferry Road, Building 500  
Doylestown, PA 18901

2756 Rimrock Drive  
Stroudsburg, PA 18360  
Mailing  
P.O. Box 699  
Bartonsville, PA 18321

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our third review of the Cranberry Creek Apartments Preliminary/Final Plan Application. The submitted information consists of the following:

- Response letter from Hanover Engineering dated November 14, 2023;
- NPDES Permit No. PAD450173 issued January 17, 2024, by PADEP;
- Drainage /Stream Buffer Easement Legal Description prepared by Hanover Engineering dated October 27, 2023;
- Cranberry Creek Drainage Easement Closure Report prepared by Hanover Engineering;
- Will Serve Request Letter for WWTP Capacity from BCRA prepared by Hanover Engineering dated January 16, 2024;
- Cranberry Creek Apartments Preliminary/Final Land Development Plans (32 sheets) prepared by Hanover Engineering, dated July 13, 2022, last revised November 17, 2023.

**BACKGROUND INFORMATION**

The Applicant, AMIRE, LLC, is proposing to develop the subject property as an apartment complex, hotel, and restaurant. The proposed site is located in the C-Commercial Zoning District, on Route 0611 across from Bartonsville Avenue. The existing property has a total area of 34.25 acres and is split by Route 0080. The site consists of two existing buildings, a parking lot, an existing foundation, and an existing go-cart track. Pocono Creek and Cranberry Creek cross through the rear portions of the property, which have a stream designation of High-Quality Cold-Water Fishes, Migratory Fishes (HQ-CWF, MF). The natural resources present on the site include a wetland area, woodlands, 100-Year Floodplain, 100 Year Floodway, and steep slopes.

The Applicant proposes to construct two (2) 4-story buildings and one (1) 5-story building totaling 112 apartment units, a 76-room hotel, and a 134-seat restaurant. The proposal also includes 376 parking stalls and reserved areas for a tennis court, a pool, and a playground on the 23.9-acre portion of the property located between Routes 0611 and 0080. Infiltration trenches/level spreaders are proposed to control stormwater management, and public water and sewer will serve the project site. In accordance with Sections 470-20.B.(1)(c) and (j) and the 470 Attachment 1 Zoning Use Schedule, Multifamily dwellings (Apartments), hotels, and restaurants are permitted uses in the C Commercial Zoning District. The proposed limit of disturbance is 11.16 acres. No improvements are proposed on the portion of the property to the west of Route 0080.

Based on our review of the above information, and our previous Preliminary/Final Land Development Plan Review No. 3 dated May 22, 2023, we offer the following comments and/or recommendations for your consideration. Due to the substantial revisions to the plans since their initial acceptance in July 2022, previous comments that have been satisfied have now been removed from this letter.

**ZONING COMMENTS:**

1. In accordance with Section 470-20.C.(3), the maximum building height is 50 feet. *(Previous Comment 4) The current plan now shows Building 2, which will have the restaurant, hotel, and apartment units, to be 5 stories with a height of "<65 feet". Per Section 470-26.C., "The maximum height of nonresidential structures in C and I Districts may be increased up to 96 feet, provided the side and rear setbacks for the structure are not less than 50% of the height of the structure or the setback required for the district, whichever is greater." Due to this building being of "mixed" uses, including residential, we recommend the Township Zoning Officer review the uses and proposed height of Building 2 to determine its compliance or non-compliance with the Zoning Ordinance. (Previous Comment 4) The response letter from the design engineer indicates that they are awaiting a Zoning review from the Zoning Officer. This must be resolved prior to Preliminary/Final Plan approval.*
2. In accordance with Section 470-20.D, "Off-street parking and loading requirements shall be provided in accordance with § 470-34 of this chapter." Section 470-34.A states, 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. *The Ordinance requires 2.25 parking spaces per dwelling unit for multifamily residential. Based on 150 units, 338 spaces are required. The plan only depicts 270 spaces, with 38 of those spaces proposed to be held in reserve. Sixty-eight (68) additional spaces are required. The plans shall be revised to provide the required number of parking spaces. In addition, the reservation of 38 parking spaces shall be discussed with the Township. (Previous Comment 5) The revised plan depicts a total of 294 spaces with 30 of those being in reserve. The response letter indicates the applicant will be seeking a variance to reduce the number of parking spaces. (Previous Comment 5) Based on 112 multifamily (apartment) units, 252 spaces are required for this use. The plan proposes only 208 spaces for this use. Additional parking, in accordance with the ordinance requirements, is proposed for the other site uses. A variance is required to deviate from the multifamily parking requirements. (Previous Comment 5) The response letter from the design engineer indicates a variance has been requested. This must be resolved prior to Preliminary/Final Plan approval.*
3. In accordance with Section 470-121, no building, structure, or sign shall be erected, constructed, moved, demolished, added to, or structurally altered, nor shall any use of any land, building structure, or sign be changed or expanded, without a zoning permit therefor issued by the Zoning Officer. No such permit shall be issued except in conformity with the provisions of this chapter; and:
  - a. The applicant supplying satisfactory evidence, where applicable, that the property and the proposed use thereof in compliance of the Sewage Facilities Act of the Commonwealth of Pennsylvania and regulations promulgated pursuant thereto by the Pennsylvania Department of Environmental Protection." *All approvals required by the Pennsylvania Department of Environmental Protection shall be provided to the Township.*
  - b. Previous Comment 8.b. satisfied.

*(Previous Comment 8) The response letter acknowledges these requirements. (Previous Comment 8)*

#### **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS**

**Note that the Applicant with this submission is making a request for waivers from SALDO requirements as discussed in comments 10, 23a, 23c, 23f, 24a, 24b, 26, 29, and 33.**

4. In accordance with Sections 390-19.F.(6)(c) and (d), and 390-51.B, 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 applicant is also solely responsible for contacting utility companies, as appropriate, including the appropriate water authority if applicable. *The Applicant shall submit to and provide approvals from the following outside agencies:*

- a. Monroe County Conservation District, PADEP NPDES Permit – NPDES Permit Received*
- b. Pennsylvania Department of Environmental Protection, Sewage Facilities Planning Module*
- c. Pocono Township Sewer Authority, design, and capacity*
- d. Brodhead Creek Regional Authority, water service will-serve – Approval Received*
- e. Monroe County Planning Commission – Comments Received*
- f. Pocono Township Volunteer Fire Company*
- g. Pennsylvania Department of Transportation, Highway Occupancy Permit*
- h. Monroe County Conservation District Pennsylvania Department of Environmental Protection /US Army Corps of Engineers, Riparian buffer, and floodplain disturbance.*

*(Previous Comment 9) The response letter acknowledges these requirements. (Previous Comment 9)*

5. In accordance with Section 390-29.D, “Existing resources and site analysis. For all major subdivisions (except those in which all proposed lots are to be 10 or more acres in area), an existing resources and site analysis shall be prepared to provide the developer and the municipality with a comprehensive analysis of existing conditions, both on the proposed development site and within 500 feet of the site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies, and from aerial photographs. The Planning Commission shall review the plan to assess its accuracy, conformance with municipal ordinances, and likely impact upon the natural and cultural resources on the property. The following information shall be included:

- (7) “A viewshed analysis using GIS or other suitable methodology showing the location and extent of views into the property and along ridgelines 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 shall be provided. (Previous Comment 10) The response letter indicates a rendering by the architect will be submitted. We recommend this be submitted prior to the Township's consideration of approval of the land development plan. (Previous Comment 10) The rendering must still be submitted.*

6. In accordance with Section 390-29.I.(7), the Preliminary/Final Land Development Plans shall include “Where central water service is proposed, the proposed layout of proposed water distribution facilities including water mains, fire hydrants, storage tanks and, where appropriate, wells or other water sources.” *A proposed fire hydrant is located in front of the middle building. A copy of this plan shall be provided to the Pocono Township Volunteer Fire Company for its review and comment related to the placement of fire hydrants. (Previous Comment 13)*

7. In accordance with Section 390-29.J.(2), the Preliminary/Final Land Development Plan submission shall include “Exterior elevations of any proposed buildings including at least the front and side elevations.” *Architectural renderings of the front and side elevations of the proposed buildings shall be submitted. (Previous Comment 22) The response letter indicates a rendering by the architect will be submitted. We recommend this be submitted prior to the Township’s consideration of approval of the land development plan. (Previous Comment 22) The rendering must still be submitted.*
8. In accordance with Sections 390-29.J.(8)(a) and 390-29.J.(8)(c), the Preliminary/Final Land Development Plan submission shall include “Completed sewage facilities planning module(s) for land development and other required sewage planning documents as required by the Pennsylvania Sewage Facilities Act and PA DEP.” “If service by the Township, a sewer authority or a public utility is proposed, a letter or other written certification from the Township, the authority or the public utility stating that it will provide the necessary sewer service and verifying that its system has adequate capacity to do so.” *The completed sewage facilities planning module(s) and PADEP Act 537 approval shall be provided to the Township. In addition, the letter of capacity for sanitary sewer service from Pocono Township Sewer System shall be provided. (Previous Comment 24) The sewage facilities planning module has been included with this resubmission and will be reviewed as part of the separate sewer review. A letter of capacity is still required for sewer service from Pocono Township. (Previous Comment 24) The response letter states a “letter of capacity from Pocono Township has been included in this submission”; however, it was not included and has not been issued. The letter of capacity is still required.*
9. In accordance with Sections 390-29.J.(15) and 390-48.T.(10), where access is to a state road, a valid highway occupancy permit shall be obtained prior to plan recording. Where PennDOT standards differ from those of the Township, the more restrictive regulations shall apply. *All correspondence with, submissions to, and permit(s) from the Pennsylvania Department of Transportation shall be provided to the Township. (Previous Comment 25) The response letter indicates the information will be provided by the traffic consultant. (Previous Comment 25) It is noted that Bartonsville Avenue at SR 611 is proposed to be realigned as part of this project; however, we have not received copy of any PennDOT submissions other than Scoping for this work. (Previous Comment 25) The response letter indicates the PennDOT approval is pending; however, the Township has not received copies of any of the PennDOT submissions. The current PennDOT submissions and correspondence must be forwarded to our office and the Township for review prior to Preliminary/Final Plan approvals. It appears that easements are required from Ransha Associates and Pocono Township for the realignment of Bartonsville Avenue. These must be included with the PennDOT documentation to be provided to the Township.*
10. In accordance with Section 390-29.K, “Community/financial impact analysis. A community impact analysis including the following information shall be required for land developments containing 15 or more dwelling units or residential lots in the aggregate; all nonresidential developments (with the exception of agricultural development) with buildings containing in excess of 20,000 square feet of floor space in the aggregate; or development of any kind impacting 30 acres of land or more in the aggregate.” *The Community/Financial Impact Analysis shall be submitted as outlined in this Section. (Previous Comment 27) The response letter indicates the applicant is requesting a waiver from the requirement to submit a Community/Financial Impact Analysis. (Previous Comment 27) A waiver is being requested.*
11. In accordance with Sections 390-32.B and 390-35, No final plan shall be signed by the Board of Commissioners for recording in the office of the Monroe County Recorder of Deeds until:

- (1) All improvements required by this chapter 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
- (2) Proposed developer's agreements and performance guarantee in accord with § 390-35 and the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended,<sup>[1]</sup> have been accepted by the Board of Commissioners.

*A developer's agreement and performance guarantee for the proposed improvements shall be executed and submitted as required by this Section and prior to plan recordation. A construction cost estimate shall be submitted for review. (Previous Comment 29) The response letter acknowledges this requirement. (Previous Comment 29) It is noted that this is required prior to recordation of the Plan.*

12. In accordance with Section 390-33, "The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Pennsylvania Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law."<sup>[1]</sup> The applicant shall provide documentation that the required performance guarantee has been provided to PennDOT." *The Applicant shall provide a copy of the performance guarantee for the PennDOT Highway Occupancy Permit improvements. (Previous Comment 30) The response letter acknowledges this requirement. (Previous Comment 30)*
13. In accordance with Section 390-43.A.(6) regarding natural features, "Care shall be taken to preserve natural features such as agricultural land, woodland and specimen trees, wetlands, watercourses, views, and historical features, such as buildings and stone walls, which will maintain the attractiveness and value of the land. Damming, filling, relocating or otherwise interfering with the natural flow of surface water along any surface water drainage channel or natural watercourse shall not be permitted except with the approval of the Township and, where appropriate, the PA DEP and the United States Army Corps of Engineers." *It appears that two buildings, portions of the parking lot, and the playground encroach into the 100-year floodplain and portions of a building/patio, parking area, sidewalk, tennis court, pool and playground encroach into the Riparian buffer. Permits and approvals will be required, as noted in this Section, for the proposed improvements. (Previous Comment 31) The response letter acknowledges this requirement. (Previous Comment 31)*
14. In accordance with Section 390-43.A.(6)(b), "Stream valleys, swales, springs, and other lowland areas. Stream valleys (which include stream channels and floodplains), swales, springs and other lowland areas are resources that warrant restrictive land use controls because of flooding hazards to human life and property, groundwater recharge functions, importance to water quality, and the health of aquatic communities and wildlife habitats." *It appears that two buildings, portions of the parking lot, and the playground encroach into the 100-year floodplain and will require permits and approvals from PADEP and the United States Army Corps of Engineers. (Previous Comment 32) The response letter indicates a Letter of Map Amendment will be required. (Previous Comment 32) The response letter indicates that a CLOMR-F has been submitted to FEMA for review. Additionally, the Letter of Map Amendment will be required to be submitted to FEMA upon construction of the building. (Previous Comment 32) The FEMA response to the CLOMR-F must be provided to the Township upon receipt.*
15. In accordance with Section 390-48.S., "Clear sight triangles. At all road intersections and all land development driveways/accesses, a triangular area shall be graded and/or other sight obstructions removed in such a manner as not to obscure vision between a height of two to 10 feet above the



center-line grades of the intersecting roads.” *(New Comment) It is noted that parking, which would obstruct sight lines, is located within the clear sight triangle. A waiver would be required to permit these sight line obstructions. Also see Comment 50.*

16. In accordance with Section 390-48.Z.(1), “In nonresidential developments, or higher density residential developments, or where other similar intensive uses exist or are anticipated, curbs shall be required if deemed necessary by the Board of Commissioners for public safety.” *The plans show curb along most, but not all of the paved parking spaces and not along the entrance/access drive. It appears curbing is not proposed in areas to allow for sheet flow of stormwater. The Applicant shall discuss the need for curb with the Board of Commissioners. (Previous Comment 36) Curbing has not been provided along the eastern side of the parking lots adjacent to SR 0611, the northern driveway to the dumpster, nor near the southern dumpster. The Applicant shall discuss the need for curb with the Board of Commissioners.*
17. In accordance with Section 390-48.AA, “Sidewalks; crosswalks. Sidewalks and road crosswalks may be required where necessary to provide proper pedestrian circulation or to provide access to community facilities and common areas. Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping. Sidewalks and road crosswalks shall be constructed in accord with the most current PennDOT RC67M standard and Americans with Disabilities Act standards.” *The sidewalk shall be extended to the edge of the pool, tennis court and playground to provide pedestrian access, including ADA accessibility, for use of these facilities. (Previous Comment 37) Sidewalk shall also be extended to the tennis court if it is to be accessible to residents of all three buildings, similar to that provided to the pool/playground areas.*  
  
*In addition, the Applicant shall discuss with the Board of Commissioners if sidewalks should be installed along Route 0611 and at the entrance drive with ADA curb ramps and a cross walk. Sidewalk must still be provided along Route 0611 and connected to the internal sidewalk. It is noted this portion of Route 0611 is on a public transit route and has a bus stop along the site frontage. (Previous Comment 37) The response letter indicates that sidewalk (along Route 0611) will be discussed with the Board of Commissioners. (Previous Comment 37) The response letter indicates that “sidewalk has been added to the plans along SR-611”; however, the sidewalk is not shown on the submitted plans, nor is a connection to the internal site sidewalk. This must be clarified.*
18. In accordance with Section 390-50.C, “Compliance with state regulations. Stormwater drainage and management shall comply with all Pennsylvania Department of Environmental Protection, PennDOT, and other agency rules and regulations.” *Correspondences with, submissions to, and permits from the County Conservation District and PennDOT shall be provided to the Township. (Previous Comment 41) The response letter acknowledges these requirements. (Previous Comment 41). No PennDOT correspondence has been provided. The current PennDOT submissions and correspondence must be forwarded to our office and the Township for review prior to Preliminary/Final Plan approvals.*
19. In accordance with Sections 390-52.A.(1), 390-52.A.(2), and 390-53, All subdivisions and land developments shall be served by an adequate water supply and sewage disposal system; and the developer shall provide evidence documenting said adequacy. In the case of utilization of a publicly owned or other existing centralized water supply and/or sewage disposal system the developer shall submit at the Preliminary/Final stage a letter from the operator of such utility indicating the utility owner's willingness to supply service to the development and including a verification of the adequacy of the utility system to serve the proposed development. At the final approval stage an executed agreement with the service supplier shall be submitted.” *Letters of capacity/will serve letters for the proposed public water and sewer service shall be provided to the Township.*

*(Previous Comment 43) The response letter indicates a letter of service has been provided by BCRA, but it was not included in the resubmission. This letter and a letter from Pocono Township for sewer service must be provided. (Previous Comment 43) Will serve letters are required to be provided for water and sewer service.*

20. In accordance with Section 390-52.A.(5), "All required certificates of convenience, approvals and permits shall be obtained by the developer and/or the utility owner as a condition of Preliminary/Final approval and shall be submitted with the final plan application." *Copies of the PADEP Act 537 approval shall be provided to the Township. (Previous Comment 44)*
21. In accordance with Section 390-55.B.(1), "Preservation of existing vegetation. Each mature tree, tree mass, or woodland on the site shall be designated "TO REMAIN" or "TO BE REMOVED" and shall be shown on the plan in accord with" the criteria listed in this Section. *The plans shall be revised to clearly show and label the existing trees to remain and any trees to be removed. (Previous Comment 46) The response letter states, "very limited trees will be cleared, but a label has been added on ER-1 identifying the area to be cleared". We are unable to locate this label on the referenced plan. (Previous Comment 46) The response letter indicates a small area on the opposite side of S.R. 0611 will need to be cleared for the road realignment. It is noted that these trees appear to be located on Pocono Township's Pump Station No. 5 property. An easement is required for this work. (Previous Comment 46) The response letter states, "the proposed road grading is within the extents of the Bartonsville Road township right-of-way." Based on the limited information shown on the submitted land development plans, tree clearing and grading are shown to occur outside of the right-of-way on the pump station property. An easement is required for this work.*
22. In accordance with Section 390-55.B.(6), Clear sight triangles. "All landscaping shall comply with the sight distance requirements of this chapter, including intersections of public streets and access drives of commercial, industrial and multifamily developments." *Clear sight triangles must be shown on the Landscaping Plan. (Previous Comment 49) The clear sight triangles have been added; however, it is noted that parking, which would obstruct sight lines, is located within these areas. (Previous Comment 49) A waiver would be required to permit these sight line obstructions. Also see Comment 36.*
23. In accordance with Section 390-55.C.(2), "Lots with 10 or more stalls. All parking lots with 10 or more stalls shall be landscaped in accord with the criteria in this section.
  - a) One planting island shall be provided for every 10 parking stalls. There shall be no more than 15 contiguous parking stalls in a row without a planting island." *There are five parking rows that exceed 15 spaces without a planting island. The plan shall be revised.*

*If the eight (8) reserved spaces and the ten (10) reserved parking spaces in front of the middle building are installed, two (2) parking islands will be removed, and the rows will exceed 15 spaces. Additional parking islands will be required. The Landscape Plan (Sheet LL-1) shall be revised to demonstrate compliance with this Section. Also refer to Comment 50. (Previous Comment 49.a) The response letter indicates the Applicant will be requesting a waiver to the planting island requirements. (Previous Comment 50.a) A waiver request to Section 390-55.C. for the 15-space planting island requirement has been provided. (Previous Comment 50.a) A waiver has been requested.*

  - c) "In residential developments, large parking lots shall be divided by planting strips into smaller parking areas of no more than 40 stalls." *The Landscape Plan (Sheet LL-1) shall be revised to demonstrate compliance in the parking areas just north of the easterly building and in both parking areas north of the middle building. (Previous Comment 49.c) The response letter*

*indicates the Applicant will be requesting a waiver to the smaller parking area size. (Previous Comment 50.c) A waiver request to Section 390-55.C. for the 40-stall lot planting strip requirement has been provided. (Previous Comment 50.c) A waiver has been requested.*

e) Previous Comment 50.e satisfied.

f) “All planting strips shall be a minimum of eight feet wide. Strips shall run the length of the parking row, underlain by soil (not base course material), shall be designed to encourage the infiltration of stormwater insofar as possible, and shall be protected by curbs, wheel stops, or bollards. Planting strips shall contain plantings of street-type shade trees at maximum intervals of tree per 30 feet, plus shrubs and/or ground cover, as approved by the Township, to cover the entire area.” *The planting strips shown on the Landscape Plan (Sheet LL-1) do not comply with the requirements of this Section. The Landscape Plan shall be revised to provide eight-foot-wide planting strips with the required shade trees, shrubs, and ground cover. (Previous Comment 49.f) The response letter indicates the Applicant will be requesting a waiver to the planting strip width. Street-type shade trees plus shrubs and/or ground cover to cover the entire area of the planting strips must still be added. Currently, only minimal number of a single species of shrub is proposed. (Previous Comment 50.f) Additional trees and shrubs have been added to the planting strips; however, the trees are spaced greater than the 30 feet maximum required by ordinance in most locations and many of the trees are not “street-type shade trees” per Appendix A. The plans must be revised to show the correct street-tree species located at a maximum of 30 feet apart with shrubs and groundcover added between the trees to supplement.*

*A waiver request to Section 390-55.C. to allow the planting strips to be 5 feet wide instead of 8 feet has been provided. (Previous Comment 50.f) A waiver has been requested.*

24. In accordance with Sections 390-55.F.(3)(a) and 390-55.F.(3)(c), Property line and road right-of-way buffers shall be required for the following types of development:

(1) All multifamily development.

a. *A 15-foot-wide medium density buffer is required along the southeastern property line (728.06 feet) and shall consist of 15 canopy trees, 15 ornamental trees, and 15 evergreen trees. Alternatively, 225 shrubs can be placed instead of the 15 ornamental trees, or a combination thereof. Fifty-eight (58) canopy trees, 9 ornamental trees, 5 evergreen trees, and 68 shrubs are proposed in the Riparian Buffer, plus woodlands exist immediately adjacent to the property line. Therefore, 6 ornamental and 10 evergreen trees, or 10 evergreen trees (utilizing the shrub alternative calculation) are still required. In addition, the existing woodlands could be considered all or a part of the required buffer per Section 390-55.F.(3)(g). The Applicant shall provide a determination that the visual effect of the existing woodlands will equal or exceed that of the required buffer. (Previous Comment 52) The response letter states the “existing woodlands, in combination with the extensive planting proposed within the riparian buffer, will provide a much denser buffer than exists today”. A waiver would be required to the plant size requirements of Section 390-55.G. with respect to this buffer. We would support a waiver to permit the use of the riparian buffer plantings in conjunction with the existing trees to satisfy this buffer requirement. (Previous Comment 53.a) A waiver request to Section 390-55.G. for the plant size requirements has been provided. (Previous Comment 53.a) A waiver has been requested.*



- b. *A 15-foot-wide medium density buffer is required along the southern property line (1,907.06 feet) and shall consist of 39 canopy trees, 39 ornamental trees, and 39 evergreen trees. Alternatively, 585 shrubs can be placed instead of the 39 ornamental trees, or a combination thereof. One hundred thirty-seven (137) canopy trees, 23 ornamental trees, 17 evergreen trees, and 120 shrubs are proposed in the Riparian Buffer, plus woodlands exist immediately adjacent to the property line. Therefore, 16 ornamental and 22 evergreen trees, or 40 shrubs and 22 evergreen trees (utilizing the shrub alternative calculation) are still required. In addition, the existing woodlands could be considered all or a part of the required buffer per Section 390-55.F.(3)(g). The Applicant shall provide a determination that the visual effect of the existing woodlands will equal or exceed that of the required buffer. (Previous Comment 52) The response letter states, "There are 450 feet of existing dense woodlands between the project area and this property boundary and the view in this direction will be further enhanced by the proposed riparian buffer plantings." A waiver would be required to the plant size requirements of Section 390-55.G. with respect to this buffer. We would support a waiver to permit the use of the riparian buffer plantings in conjunction with the existing woodlands to satisfy this buffer requirement. (Previous Comment 53.b) A waiver request to Section 390-55.G. for the plant size requirements has been provided. (Previous Comment 53.b) A waiver has been requested.*
- c. *A 15-foot-wide medium density buffer is required along the northwestern property line (1,198.85 feet) and shall consist of 24 canopy trees, 24 ornamental trees, and 24 evergreen trees. Alternatively, 360 shrubs can be placed instead of the 24 ornamental trees, or a combination thereof. Six (6) ornamental trees and 7 evergreen trees are proposed, plus existing woodlands immediately adjacent to the property line. Therefore, 24 canopy, 18 ornamental and 17 evergreen trees, or 24 canopy trees, 180 shrubs, and 17 evergreen trees (utilizing the shrub alternative calculation) are still required. In addition, the existing woodlands could be considered all or a part of the required buffer per Section 390-55.F.(3)(g). The Applicant shall provide a determination that the visual effect of the existing woodlands will equal or exceed that of the required buffer. (Previous Comment 52) The response letter states "There are existing woodlands along this property for the 15-foot buffer which are to remain. Additionally, the property along this property boundary is almost entirely wetlands and floodplain and is extremely unlikely to ever be developed." A waiver would be required to not provide the required buffer. We would support the use of the existing woodlands and proposed evergreen and understory plantings. (Previous Comment 53.c) The comment response letter states a waiver request to permit the use of the existing woodlands and proposed evergreen and understory plantings for the buffer has been provided; however, there is no mention in the waiver letter regarding this specific request or its justification. (Previous Comment 53.c) Although the previous response letter stated that a waiver was going to be requested, the current response letter now states that "a waiver is not required, as the Board of Commissioners has jurisdiction over this requirement." The Board of Commissioners has jurisdiction over the granting of a waiver to use the existing woodlands and proposed evergreen and understory plantings instead of the ordinance prescribed buffer plantings. Either a waiver must be requested, or the plan revised to comply with the buffer planting requirements.*
- d. *A 30-foot-wide high-density buffer is required along the northeastern property line/right-of-way line (881.73 feet) and shall consist of 44 evergreen, 18 ornamental, and 18 canopy trees. Alternatively, 540 shrubs can be placed instead of the 18 ornamental trees. Two (2) ornamental trees and 3 shrubs are proposed. Therefore, 44 evergreen, 16 ornamental, and 18 canopy trees, or 44 evergreen trees, 477 shrubs, and 18 canopy trees*

*(utilizing the shrub alternative calculation) are still required. (Previous Comment 52) The response letter indicates the Applicant is requesting a waiver for a buffer along the right-of-way line (Route 0611). (Previous Comment 53.d) The plan now proposes 19 canopy trees, 2 ornamental trees, and 5 shrubs within the 30-foot-wide buffer area. A waiver request has been submitted to reduce the provided plant material for the front ROW/parking buffer along S.R. 0611. (Previous Comment 53.d) The plan now proposes 20 canopy trees and 4 shrubs within the 30-foot-wide buffer area. A waiver request was previously submitted to reduce the provided plant material for the front ROW/parking buffer along S.R. 0611.*

25. In accordance with Section 390-55.F.(3)(d), "Parking shall not be permitted in the buffer area." *The plans show proposed parking within 30 feet of the right of way of Route 0611. The plans shall be revised to remove the parking from the parking lot buffer along the right-of-way of Route 0611 to demonstrate compliance with the requirements of this Section. (Previous Comment 53) The response letter indicates the Applicant is requesting a waiver to permit parking within the Route 0611 buffer area. (Previous Comment 54) It is noted that if the parking spaces in the fields in front of Buildings 1 and 3 were revised to be 18 feet deep (per the ordinance minimum) instead of 20 feet as currently shown, the amount of encroachment into the required parking lot buffer could be significantly reduced. (Previous Comment 54) The design engineer has not revised the plan but has stated in their response letter that "The proposed development is improving the existing nonconformance by a significant margin." Nonconformities only apply to Zoning Ordinance requirements. Therefore, there is no "existing nonconformance" with respect to parking in the buffer area because the restriction is a requirement of the Subdivision and Land Development Ordinance. While a waiver has been requested, we still recommend the design engineer evaluate an encroachment reduction as suggested in our previous comment letter.*
26. In accordance with Section 390-55.F.(3)(f)[5], all (buffer) plants shall meet the requirements of § 390-55G. *The proposed riparian buffer plantings do not meet these minimum size requirements. A waiver would be required for the one-gallon plant sizes proposed. (New Comment) (Previous Comment 56) A waiver to Section 390-55.G. has been requested for plant size with respect to the plantings in the riparian buffer. (Previous Comment 56) A waiver has been requested.*
27. In accordance with Section 390-55.I.(2)(h), "A schedule showing all landscape requirements and plants proposed for each category." *Landscape schedules for the required street trees, screening, and buffers, required evergreen/deciduous trees, and use of the existing woodlands shall be added to the Landscape Plan to demonstrate compliance with Section 390-55. (Previous Comment 55) Landscape schedules, in a tabular or list form, clearly demonstrating how the plan complies with each of the landscaping requirements, must still be added to the plan. The schedules must show the required and provided plantings for each landscape category. (Previous Comment 59) The landscaping schedule must be revised to include the street tree requirements in addition to the buffers. (Previous Comment 59) The number of required and proposed street trees must be tabulated in the landscaping schedule.*
28. In accordance with Section 390-55.I.(2)(k), "A detailed cost estimate shall be submitted, showing the value of all proposed landscaping, including all labor and materials." *The required cost estimate shall include the proposed landscaping. (Previous Comment 56) The response letter indicates this will be provided. (Previous Comment 60) It is noted that this is required prior to recordation of the Plan.*
29. In accordance with Section 390-57.C, "Buffers. The wetland buffers required by Chapter 470, Zoning, and Chapter 365, Stormwater Management, shall be provided and shall be shown on the plan." *The Applicant is requesting a waiver from this Section. The waiver request states, "A de*

*minimis area of disturbance is proposed for driveway access.” The wetland area(s) and wetland buffer(s) shall be clearly shown and labeled on the plans and the proposed disturbance within the buffer shall be shown and labeled to confirm that the disturbance is de minimis. (Previous Comment 61) The response letter indicates the area proposed to be disturbed is in the wetland buffer and is for revegetation of the formerly paved racetrack in that area. The waiver note on the plan must be revised to clarify specifically what the waiver is for and to remove the incorrect reference to “driveway access”. (Previous Comment 65) A waiver request has been submitted for disturbance of the wetland buffer area to revegetate the former racetrack area. (Previous Comment 65) A waiver has been requested.*

30. In accordance with Section 390-58.A.(1), the purpose of this Section is “To provide adequate open spaces, recreational lands and recreational facilities to serve new inhabitants/occupants of new subdivisions/land developments, for both active and passive recreation, as is specifically authorized by Section 503(11) of the Pennsylvania Municipalities Planning Code (MPC);<sup>[1]</sup> and Section 390-58.A.(2), “To recognize and implement the Official Recreation Plan adopted by Pocono Township.” Also, as applicable in Section 390.58.B.(1), “This § 390-58 shall apply to any subdivision for which a Preliminary/Final plan or a combined Preliminary/Final/final plan and any land development for which a plan is submitted after the effective date of this § 390-58.” *The plans show active recreation facilities, which include a tennis court, a pool and playground. The intended use (i.e., public, or private) of these facilities shall be identified on the plan. The Applicant shall also discuss with the Township how the open space requirement will be met. (Previous Comment 63) The response letter has clarified that the proposed recreation areas will be for the apartment tenants only. The Applicant shall discuss with the Township how the open space requirement will be met. (Previous Comment 67) This must be discussed with the Township.*
31. In accordance with Section 390-58.C, “Submission, review, and information.
- (1) The proposal for common open space, installation of recreation facilities and/or fees shall be offered for review by the Planning Commission and the Pocono Township Park and Recreation Committee.
  - (2) The Board of Commissioners may require changes to the proposal for common open space, recreational facilities and/or fees in compliance with this § 390-58. If an applicant does not prove compliance with this § 390-58 or refuses to dedicate common open space where the Board of Commissioners does not agree to fees-in-lieu of land dedication, the Board of Commissioners shall have grounds to deny approval of the submission.
  - (3) The applicant shall submit the following with the subdivision or land development plan:
    - a) A description of the anticipated population characteristics of the future occupants of the subdivision/land development, such as likely age groups.
    - b) The method by which the applicant wishes to comply with the requirements of this § 390-58, such as payment of recreation fees, dedication of public recreation land, dedication of land to a homeowners' association, construction of recreational facilities, or another method.
  - (4) The Preliminary/Final and final plans shall contain a sheet depicting the land proposed for use in meeting common open space and recreational facilities requirements, or a note stating that the applicant proposes to pay fees-in-lieu of land. The plan shall also describe any improvements or facilities that the applicant proposes to make to the land.

*The plans show active recreation facilities, which include a tennis court, a pool, and a playground. The Applicant shall discuss with the Township if these facilities are public or private, and how the open space requirement will be met. Any recreation facilities or open space should be dedicated per Section 390-58.E unless a fee in-lieu of is offered and accepted by the Township per Section 390-58.F. The required fee in-lieu-of for 11.26 acres of disturbance is \$15,764 (11.26 acres \* \$1,400 per disturbed acre). A combination of dedicated land and fee in-lieu of could be accepted per Section 390-58.L. (Previous Comment 64) The response letter indicates the Applicant would like to discuss open space and in-lieu fees with the Board of Commissioners. (Previous Comment 68)*

32. In accordance with Section 390-59.A.(3), “Every parking area shall be arranged for orderly, safe movement. Parking areas containing 30 or more parking spaces shall have a curbed internal road system with a landscaped island or strip of a minimum width equal to one parking space separating the road system from the parking area to provide safe and orderly movement of traffic and discouragement of cross-aisle driving. The internal road system shall be designed to minimize the need for cross-pedestrian traffic.” *The plan shall be revised to increase the width of the landscaped islands and parking strips to a minimum width equal to one parking space, and as discussed in Comment 51.*

*In addition, the plans shall be revised to provide curb along all of the paved parking spaces, planting strips, and landscaped islands. It appears curbing is not proposed in areas to allow for sheet flow of stormwater. The Applicant shall discuss the need for curb with the Board of Commissioners. Also refer to Comment 36. (Previous Comment 65) A portion of the internal road from the entrance remains uncurbed. Additionally, the parking areas in front of Building 2 are located less than the width of a parking space (10') from the road system. The plan shall be revised to meet the ordinance requirements. (Previous Comment 69) The parking areas in front of Building 2 are between 2 and 6 feet from the road system and must either be revised to comply with the ordinance requirement, or a waiver obtained. (Previous Comment 69) The response letter indicates a waiver has been requested and identified on the Cover Sheet; however, there is no waiver with this section number noted. The plan must either be revised to comply with the ordinance requirement, or a waiver obtained.*

33. Per Section 390-59.B., parking spaces shall be 10 feet wide and 18 feet deep. The plan has been revised to propose parking spaces 9 feet wide and 20 feet deep. Per Section 470-8 of the Zoning Ordinance, parking spaces shall be a minimum of 9 feet wide and 18 feet deep. A waiver has been requested to allow the Applicant to use the minimum width per the Zoning Ordinance. Since there is a discrepancy between the ordinances, we have no objection to this request. *(New Comment) (Previous Comment 71) A waiver has been requested.*

#### **STORMWATER MANAGEMENT ORDINANCE COMMENTS**

**Note that the Applicant with this submission is making requests from the Stormwater Management Ordinance as discussed in comments 35, 36, and 37.**

34. In accordance with Section 365-8.G, “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 § 365-10I(7) of this chapter.” *The drainage easement along Pocono Creek and Cranberry Creek shall be provided and the plans shall be revised to clearly show and label the required drainage easements with metes and bounds. (Previous Comment 70) A legal description and lot closure calculations shall be provided for the proposed easement. (Previous Comment 74) A legal description and lot closure calculation must still be provided for verification of the easement.*

*(Previous Comment 75) Our comments based on our review of the submitted description are as follows. The discrepancies shall be revised:*

- a. The description name must be labeled identical to that shown on the plan, e.g., “drainage easement/stream buffer easement” instead of “drainage/stream buffer easement”.*
- b. The current plan revision date must be referenced in the beginning paragraph of the description.*
- c. The description must be signed and sealed by a licensed professional surveyor.*
- d. The “Beginning” paragraph of the description is a description to the “Place (or Point) of Beginning” of the easement. The Place (or Point) of Beginning must be identified within the description accordingly with all calls starting from that point.*
- e. The description must identify any monumentation that is being crossed or located at a point.*
- f. The description must identify the lands along which the calls are made.*
- g. The calls should be numbered for ease of reference. For the purposes of this letter, we have started with Call 1 as being the first call after what is the true Place (or Point) of Beginning.*
  - i. Call 1: The “point” should be referenced as being a concrete monument;*
  - ii. Call 2: The “point” should be referenced as being a concrete monument;*
  - iii. Call 11: The distance of 69.00 feet does not match the plan or the closure report which both have 59.00 feet;*
  - iv. Call 17: The bearing of N62°18’54”E is in discrepancy with the plan and the closure report which show the bearing to be N61°18’54”E.*
  - v. Call 21: This is identified as a curve in the description; however, it is a line on the plan and in the closure report.*
  - vi. Calls 21 through 39: The bearing directions on all of these calls are “backwards”. The calls should be described in a clockwise direction as Southeast instead of Northwest, etc.*
  - vii. Call 23: The bearing of N26°13’14”W is in discrepancy with the plan and the closure report which show the bearing to be S26°13’41”E.*
  - viii. Call 24: The arc length of 211.41 feet is in discrepancy with the plan and closure report which show the length to be 211.212 feet.*
  - ix. Call 30: The arc length of 88.49 feet is in discrepancy with the plan and closure report which show the length to be 88.485 feet.*
  - x. Call 40: This call incorrectly states that it returns to the “Place of Beginning”. It is unclear as to what this point is because Call 39 actually returns to the Place of Beginning and closes the description.*



35. In accordance with Section 365-8.L, "Roof drains should not be connected to streets, sanitary or storm sewers or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater. Considering potential pollutant loading, roof drain runoff in most cases will not require pretreatment." *The roof drains connect to storm sewer which will discharge into the level spreaders or connects directly to the level spreaders. It appears that a waiver will be required from this Section. (Previous Comment 71) The response letter indicates a waiver will be requested from this requirement. Since the roof drains discharge into proposed best management practice structures, we have no objection to this request. (Previous Comment 75) A waiver has now been requested. (Previous Comment 76) A waiver has been requested.*
36. In accordance with Section 365-10.I.(6)(b), "Wetland buffer delineation. A fifty-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.
- (1) 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.
- (2) The area of the wetland buffer altered by activities permitted in accordance with Subsection I(6)(b)[1] above shall be minimized to the greatest extent practicable, as determined by the municipality. In no case shall more than 20% of the cumulative wetland buffer on the subject parcel be altered by the activities permitted in accordance with Subsection I(6)(b)[1]. This twenty-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 Waiver Request (from Section 390-57.C of the Subdivision and Land Development Ordinance) listed on the Cover Sheet notes, "A de minimis area of disturbance is proposed for driveway access." However, a wetland area or wetland buffer is not shown or labeled at the driveway access, so it cannot be confirmed if the proposed disturbance is de minimis. The wetland area(s), wetland buffer(s), as well as the proposed wetland area and buffer disturbance, shall be clearly shown and labeled on the plans. A waiver may also be required from this Section 365-10.I.(6)(b).*

*(Previous Comment 73) The response letter indicates a waiver will be requested and the area proposed to be disturbed is in the wetland buffer and is for revegetation of the formerly paved racetrack in that area. The waiver note on the plan must be revised to clarify specifically what the waiver is for and to remove the incorrect reference to "driveway access". (Previous Comment 77) A waiver request has been submitted for disturbance of the wetland buffer area to revegetate the former racetrack area. (Previous Comment 78) A waiver has been requested.*

37. In accordance with Section 365-13.B, "All calculations consistent with this chapter using the Soil Cover Complex Method shall use the appropriate design rainfall depths for the various return period storms according to the region in which they are located as presented in Table B-1 in Appendix A<sup>III</sup> of this chapter. If a hydrologic computer model such as PSRM or HEC-1 is used for stormwater runoff calculations, then the duration of rainfall shall be 24 hours. The NRCS "S" curve shown in

Figure B-1, Appendix A of this chapter, shall be used for the rainfall distribution.” The Post Construction Stormwater Management Report (Page 5) states, “Rainfall data was obtained from National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Point Precipitation Frequency Estimates for Pennsylvania.” *A waiver is required from this Section with regard to the Rainfall Data requirements. We would have no objection to a waiver request to utilize the NOAA rainfall data referenced. (Previous Comment 79) A waiver has been requested to utilize the NOAA rainfall data. (Previous Comment 80) A waiver has been requested.*

38. In accordance with Section 365-27.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 Chapter 390, Subdivision and Land Development.” *The Applicant shall provide a performance guarantee. In addition, the required construction cost estimate shall include stormwater management facilities/BMP's. (Previous Comment 86) It is noted that this is required prior to recordation of the Plan.*
39. In accordance with Section 365-29, “Maintenance Agreement for Privately Owned Facilities.
- A. Prior to approval of the site's stormwater management site plan, the applicant shall sign and record a maintenance agreement in form and substance satisfactory to the Board of Commissioners, covering all stormwater control facilities that are to be privately owned.
- B. Other items may be included in the maintenance agreement where determined necessary to guarantee the satisfactory maintenance of all facilities. The maintenance agreement shall be subject to the review and approval of the municipal solicitor and Board of Commissioners.”

*The Applicant shall comply with the requirements of this Section. (Previous Comment 88) It is noted that this is required prior to recordation of the Plan.*

#### **FLOODPLAIN MANAGEMENT ORDINANCE**

40. In accordance with Section 205-17.B.(1), “No permit shall be granted for any construction, development, use, or activity within any AE Area/District without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE more than one foot at any point.” *In addition, the plans show demolition of existing buildings and paved surfaces and the construction of two buildings and the parking lot encroaching into and placing fill within the 100 Year Floodplain. Encroachment into the 100-Year Floodplain will require permits and approvals from PADEP, FEMA and the United States Army Corps of Engineers. (From Previous Comment 91) The response letter indicates a Letter of Map Amendment will be applied for. (Previous Comment 95) The response letter indicates that a CLOMR-F has been submitted to FEMA for review. Additionally, the Letter of Map Amendment will be required to be submitted to FEMA upon construction of the building. (Previous Comment 96) The FEMA response to the CLOMR-F must be provided to the Township upon receipt.*

#### **MISCELLANEOUS COMMENTS**

41. It is recommended passive recreation be considered in the area between the development and the creeks. This could include walking paths and open space. *(Previous Comment 109) The response letter indicates this will be discussed with the Commissioners. (Previous Comment 114)*

42. All comments from the Township Sewer Engineer shall be addressed to their satisfaction. *(Previous Comment 115)*

**PLAN REVISION COMMENTS**

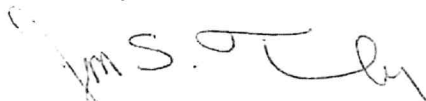
43. The Parking Requirements Tabulation on Sheet CS-1 must be revised to include the number of apartment units, restaurant seats, and hotel rooms utilized in the calculations. *(New Comment)*  
*(Previous Comment 145) The number of units, seats and rooms must be included within the calculations. Additionally, it appears there is a mathematical error in the addition of the proposed spaces as the numbers add up to 367, not 376 as indicated.*
44. Plan Sheet RP-1 now shows a “proposed riparian buffer easement” on the adjoining property to the southeast also owned by Anthony Maula. The purpose of the easement and its relationship to the current proposal must be clarified. *(New Comment)*
45. The proposed sidewalk behind Building 1 should be connected to the revised sports court area. *(New Comment)*
46. A “Prop. Wooden Guide Rail” label on Sheet RP-2 is shown on the eastern side of the site, but there does not appear to be any guide rail. This must be clarified. *(New Comment)*

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

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.

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/arm/tms

cc: Taylor Muñoz – Township Manager  
Judith Acosta – Township Zoning Officer  
Leo DeVito, Esq. – Township Solicitor  
Lisa Pereira, Esq. – Broughal & DeVito, LLP  
Salvatore A. Caiazzo, P.E., Hanover Engineering – Applicant’s Engineer  
Anthony Maula – Owner/Applicant  
Lori Kerrigan – Monroe County Conservation District  
Melissa E. Hutchison, P.E. – LVL Engineering Group



## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-50.D.5

Justification for Relief: The proposed basin on this site has been designed in compliance with the PA DEP's Stormwater Best Management Practices. We believe making the maximum side/embankment slopes 4:1 will increase the amount of tree clearing and disturbance to embankment slopes 4:1 will increase the amount of tree clearing and disturbance to the natural site vegetation.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-29.1.4

Justification for Relief: Due to the fact that the proposed access driveway is designed to follow along an existing access driveway, we feel that the provision of safe sight stopping distance information should be unnecessary. The entrance/exit to the proposed access driveway shall follow the same layout as the existing driveway, assuming that the design of the existing driveway follows all applicable PennDOT and Township specifications, to maintain compliance.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-55

Justification for Relief: With minimal tree clearing, and the absence of proposed tree/shrub planting, we are requesting a waiver for relief from §390-55 of the Township SALDO, requiring a Landscape Plan for this proposed land development project due to overall limited necessity for tree clearing and no proposed landscaping within the limits of the project site.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-48.T.12.g

Justification for Relief: We are requesting a waiver for relief from the Township SALDO §390-48.T.(12)(g) stating the necessity for the paving of driveways. In an effort to deter trespassing, we believe that it is the best course of action to keep the proposed access driveway surfaced with gravel. There will also be minimal traffic along the access driveway, thus limiting the overall disturbance of the drive surface. All stormwater runoff from the site will be appropriately treated with the implemented E&S and PCSM BMPs.

Is the hardship self-imposed?      Yes   X   No

Is the hardship related to financial issues?      Yes   X   No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-29.H

Justification for Relief: We feel that the information provided within the sketch plan and

land development plans shall be sufficient to satisfy the requirement of a Resource Impact and

Conservation Analysis, and that the proposed land development shall not cause any significant  
impacts on the site's resources.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-29.1.14

Justification for Relief: We are requesting a waiver for relief from §390-29.1.(14) of the Township SALDO, requiring the illustration of proposed tree locations. This project will see no proposed landscaping (trees, shrubs) on site with the exception of the grasses as specified in the plans. All existing vegetation to remain is clearly denoted on the Land Development Plans.

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:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-59.C.1

Justification for Relief: We are requesting a waiver for relief from §390-59.C.(1) of the Township  
SALDO, stating that all parking and loading facilities must be surfaced with asphalt. This project  
does not propose any on-site parking or off-loading facilities, only a turn-around area located  
near the monopine tower, thus we believe it negates the necessity to pave any part of the  
proposed gravel access drive and turnaround.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-50.D.8

Justification for Relief: We are requesting a waiver for relief from §390-50.D.(8) of the Township SALDO, requiring basin bottoms to have a minimum grade of 1-2%. The proposed basin for this project is an infiltration/detention basin, thus necessitating a flat bottom (0% grade) for infiltration purposes.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:



## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-55.D.1

Justification for Relief: Due to the wooded nature of this site, we feel that there will be sufficient vegetated cover to not only meet, but to exceed the requirements listed in section §390-55.D of the Township SALDO. The proposed driveway was laid out to follow an existing driveway on the site to the greatest extent possible to keep tree clearing to a minimum.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-49.A.4

Justification for Relief: This proposed project's disturbed area is well within the project  
property lines, thus in our opinion, negates the need for illustration of existing or new survey  
monuments on the plans.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 470-34.C.1

Justification for Relief: With minimal traffic planned to use the proposed gravel access drive,  
as well as adequate stormwater runoff BMPs, we are requesting a waiver for relief from  
§470.34(C)(1) of the Township Zoning Ordinance, requiring all parking areas and access  
drives for commercial or industrial uses shall have an all-weather surface.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-55.1.2.k

Justification for Relief: With minimal tree clearing, and the absence of proposed tree/shrub planting, we are requesting a waiver for relief from §390-55.1(2)(k) of the Township SALDO, requiring a landscaping cost estimate for this proposed land development project due to overall limited necessity for tree clearing and no proposed landscaping within the limits of the project site.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-29.G

Justification for Relief: We feel that the information within the Preliminary Land Development plan submission provided to the Township sufficiently details all information typically included within a requested Existing Resource and Site Analysis plan as per §390-29.G.1-12.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-29.D.2

Justification for Relief: We feel that the information within the Preliminary Land Development plan submission provided to the Township sufficiently details all information typically included within a requested Existing Resource and Site Analysis plan as per §390-29.D.2.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-48.T.12.d

Justification for Relief: Due to the fact that the project site driveway shall only see approximately one vehicle traveling its length per week, we are requesting a waiver for the aforementioned SALDO Section. We feel that the lack of vehicle traffic negates the need for an off-road parking space. Providing this parking space may also encourage trespassing on the property.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:

## APPENDIX G

### REQUEST FOR MODIFICATION

Name of Applicant: SBA Towers X, LLC.

Name of Subdivision or Land Development: Pocono Township Monopine Tower

Section of Subdivision and Land Development Ordinance: 390-58

Justification for Relief: We are requesting a waiver for relief from §390-58 of the Township SALDO, requiring applicable In-Lieu Fees. The proposed monopine tower will take up minimal surface area within the site, thus leaving most of the proposed disturbed area vegetated with grasses and small vegetation upon project completion. We believe this negates the necessity for an in-lieu fee or designated-open space.

Is the hardship self-imposed? \_\_\_\_ Yes X No

Is the hardship related to financial issues? \_\_\_\_ Yes X No

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

Yes (No) Explain:



**POCONO TOWNSHIP PLAN STATUS**

8/12/2024

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Rec. Approve/Deny	Comments
<b>Sketch Plans</b>												
		1730040R	KenBAR Investment Group (Inactive)	Commercial Land Devt					6/5/2020			
1380		2030118R	2808 Rt 0611 Apartments Land Development	Land Devt					8/5/2021			
1402		2230188R	Iroquois Ridge	Major Sub, Land Devt					6/22/2022			
1403		2230189R	Lands of D E & S Properties (Classic Quality Homes)	Major Sub, Land Devt					7/19/2022			
1380		2330219R	Lands of Yuriy Bogutskiy 2812 Rt 0611	Land Devt					5/3/2023			
1417		2330228R	Harmony Domes 310 Hallet Road	Land Devt					8/29/2023			
1422	POCO-R0619	2430243R	Exclusive Pocono Properties Transient Hotel	Land Devt					3/11/2024			
1425	POCO-R0680	-	Brookdale Spa	Land Devt					5/6/2024			
<b>Final Plans Under Consideration</b>												
1401	POCO-R0630	2330223R	611 Land Development - Dual Brand Hotel Subdivision (4/8/24)	Minor Sub	Final	9/10/2024	8/12/2024	9/3/2024	5/7/2024	7/8/2024		65 day extension from 7/7 rec'd on 6/5
1426	POCO-R0750	-	Simpson Minor Subdivision (519-520 Post Hill Road) (7/8/24)	Minor Sub	Final	10/6/2024	9/9/2024	9/16/2024	6/26/2024	7/8/2024		
1431	POCO-R0810	-	Iroquois Ridge/Back Minor Subdivision (Sullivan Trail) (7/8/24)	Minor Sub	Final	10/6/2024	9/9/2024	9/16/2024	7/25/2024	7/8/2024		
<b>Preliminary Plans Under Consideration</b>												
1430	POCO-R0820	-	Sanofi Building 57 Addition (7/8/24)	Land Devt	Prelim/Final	10/6/2024	9/9/2024	9/16/2024	7/25/2024	7/8/2024		
1358	POCO-R0730	1630008R1	Tannersville Point Apartments (2023) (6/10/24)	Land Devt/Lot Consolidation	Prelim	9/8/2024	8/12/2024	9/3/2024	7/3/2024	7/8/2024		
1423	POCO-R0614	-	Brookstead Apartments (5/13/24)	Land Devt	Prelim/Final	12/9/2024	11/12/2024	12/2/2024	6/5/2024	7/8/2024		120 day extension rec'd 7/2
1401	POCO-R0630	2330223R	611 Land Development - Dual Brand Hotel LD (4/8/24)	Land Devt	Prelim	9/10/2024	8/12/2024	9/3/2024	5/7/2024	7/8/2024		65 day extension from 7/7 rec'd on 6/5

**POCONO TOWNSHIP PLAN STATUS**

8/12/2024

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Rec. Approve/Deny	Comments
1424	POCO-R0660	-	1124 Sky View Dr. Monopine Tower (4/8/24)	Land Devt	Prelim	11/4/2024	10/15/2024	11/4/2024	5/7/2024	7/8/2024		120 day extension rec'd 5/15/24
1414	POCO-R0612	2330220R	135 Warner Rd. (Schliers Towing) (2/12/24)	Land Devt	Prelim	9/9/2024	8/12/2024	9/3/2024	2/23/2024	7/8/2024		60 day extension rec'd 5/14/24
1369	POCO-R0617	2130150R	Cranberry Creek Apartments (7/25/22)	Land Devt	Prelim/Final	11/13/2024	10/15/2024	11/4/2024	1/25/2024	7/8/2024		90 day extension rec'd 7/2
1387		2130161R	Alaska Pete's - 173 Camelback Road (4/10/23)	Land Devt	Prelim/Final	12/31/2024	12/9/2024	12/16/2024	4/27/2023	7/8/2024		

**POCONO TOWNSHIP PLAN STATUS**

8/12/2024

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Rec. Approve/Deny	Comments
<b>Pending BOC Decision</b>												
1427	POCO-R0760	-	Wehr Lot Joinder	Lot Joinder	Final				7/22/2024			
1428	POCO-R0770	-	Amazing Pocono Properties Lot Combination	Lot Comb.	Final				7/22/2024			
1429	POCO-R0780	-	Fountain Court Lot Combination	Lot Comb.	Final				7/2/2024			
1432	POCO-0880	-	Nelson Lot Consolidation (2219 Light Court)	Lot Comb.	Final				8/5/2024			
<b>Special Exceptions, Conditional Use</b>												
		2330229R	SBR Towers X, LLC (1124 Sky View Drive)	Special Exception					8/14/2023			
		2330234R	Camelback East/West Telecommunications Facilities	Special Exception					11/9/2023			
<b>Pending Item List for Planning Commission</b>												
<b>Pending Item List for Board of Commissioners</b>												

**POCONO TOWNSHIP PLAN STATUS**  
8/12/2024

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
<b>CONDITIONAL PRELIMINARY APPROVAL</b>													
1373	POCO-R0616	2130141R	CORE 5-Warner Road Warehouse (Prelim. Plan) (4/26/21)	Commercial Land Dev't	Prelim	2/15/2022	Cond. Preliminary Approval 2/28/22	Cond. Preliminary Approval 3/7/22					
1368		2130146R	Stadden Group-Pocono Creek (9/27/21)(12/26/21)	Commercial Land Dev't	Prelim	9/20/2023	Cond. Preliminary Approval 9/11/23	Cond. Preliminary Approval 9/18/23					
1381		2230174R	Westhill Villas (1/24/22)	Land Dev't	Prelim/Final	9/7/2023	Cond. Preliminary Approval 9/11/23	Cond. Preliminary Approval 9/18/23					
<b>PRD TENTATIVE PLAN APPROVAL</b>													
1388		2130154R	The Ridge PRD (Application Rec'd 10/23/23)	PRD	Tentative	Planning Bw 11/17/23		Tentative Plan Approved 1/16/24					
<b>CONDITIONAL FINAL OR PRELIM/FINAL APPROVAL - NOT RECORDED</b>													
1287	POCO-R0613	2230194R	Spirit of Swiftwater Ph. II (9/11/23)	Land Dev't	Revised Final	6/7/2024	Conditional Approval 5/13/24	Conditional Approval 7/15/24	7/15/2025				
1331			Sanofi Pasteur Discovery Drive Turn Lane (10/24/16)	Commercial Land Dev't	Prelim/Final	3/10/2017	Recommended for Approval 3/13/2017	Approved 4/3/2017	4/3/2018				
1334		1130264R	Sanofi Pasteur Discovery Drive Turn Widening (12/12/16)	Commercial Land Dev't	Prelim/Final	5/5/2017	Recommended for Approval 5/8/2017	Approved 6/5/2017	6/5/2018				
1341		1730043R	SAPA Poconos Hospitality	Land Dev't	Prelim/Final	7/19/2022		Conditional Approval 12/18/17	Approval Extended to 4/17/24	10/17/2023	1/17/2024		
1313		1730051R	Running Lane Hotel Land Dev't (8/14/17)	Commercial Land Dev't	Prelim/Final	3/19/2020	Recommended for Approval 7/23/2018	Approved 4/16/2020	Approval Extended to 2/6/25	8/6/2024	11/6/2024		Extension Requested 1/25/24
1362		1930083R	Sanofi Pasteur Perimeter Protection Phase II (4/22/19)	Commercial Land Dev't	Prelim/Final	11/7/2019	Recommended for Approval 12/9/2019	Approved 7/20/2020	7/20/2021				
1371		1630008R	Tannersville Point Apartments (10/22/18)	Residential Land Dev't	Prelim/Final	2/21/2019	Recommended for Approval 2/25/19						
1383		2130157R	Sanofi Pasteur B-55 VDL2 Loading Dock Addition (8/9/21)	Commercial Land Dev't	Prelim/Final	11/16/2021	Conditional Approval 11/22/21	Conditional Approval 12/6/21	12/6/2022				
1392	N/A	2130169R	3101 Route 611 (Joe Ronco)	Minor Sub	Final	3/23/2022	Conditional Approval 4/11/2022	Conditional Approval 4/18/22	4/18/2023				
1398		2230178R	Grossi Major Subdivision (3/28/22)	Major Sub	Prelim/Final	7/10/2023	Conditional Approval 7/10/23	Conditional Approval 11/6/23	11/6/2024	5/6/2024	8/6/2024		
1400	POCO-R0611	2230188R	Neighborhood Hospital Golden Slipper Rd (Embree) (6/27/22)	Land Dev't	Prelim/Final	9/29/2023	Conditional Approval 10/10/23	Conditional Approval 10/18/23	10/18/2024	4/18/2024	7/18/2024		
1412	POCO-R0620	2330209R	GWL Employee Housing (4/10/23)	Land Dev't	Final	8/1/2023	Conditional Approval 7/10/23	Conditional Approval 8/21/23	8/21/2024	2/21/2024	5/21/2024		
1415	POCO-R0629	2230198R	Ertle Development Wawa (10/10/23)	Land Dev't	Prelim/Final	3/19/2024	Conditional Approval 4/8/24	Conditional Approval 5/6/24	5/6/2025	11/6/2024	2/6/2025		
1419	POCO-R0623	2330233R	MCTI Conference Center Addition & Consolid. (10/10/23)	Land Dev't & Lot Consolid.	Prelim/Final	3/8/2024	Conditional Approval 3/11/24	Conditional Approval 3/18/24	3/18/2025	9/18/2024	12/18/2024		

POCONO TOWNSHIP PLAN STATUS  
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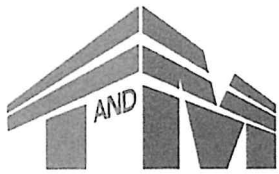
Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
1420	POCO-R0628	2330238R	Youngken Lot Consolidation	Lot Consolid.	Final	3/25/2024	N/A	Conditional Approval 4/1/24	4/1/2025	10/1/2024	1/1/2025		

**POCONO TOWNSHIP PLAN STATUS**  
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Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
<b>RECORDED</b>													
1277	POCO-R0627	1330276B	Trapasso Hotel (1/24/22)	Land Devt	Prelim/Final	2/16/2022	Conditional Approval 3/14/22	Conditional Approval 3/21/22				9/2022	
1364		1930090R	Sanofi B-78 Seed Lab (6/10/19)	Commercial Land Devt	Prelim/Final	10/15/2019	Recommended for Approval 9/23/2019	BOC Approved 10/21/2019				9/27/23	
1370		2030105R	Sanofi Pasteur B-85 Solid Waste & Recycling Bldg (06/08/2020)	Industrial Land Devt	Prelim/Final	6/19/2020	Recommended for Approval 6/22/2020	BOC Approved 7/20/2020				2/23/2021	
1372	POCO-R0621	2030104R	Camp Lindemere	Land Devt	Prelim/Final	9/28/2021	Conditional Approval 7/26/21	Conditional Approval 10/18/21				5/16/24	
1374		1930089R	Northridge at Camelback Ph 11-16 (5/10/21)	Residential Land Devt	Prelim	12/13/2021	Conditional Approval Rec 12/13/21	Conditional Approval Rec 12/20/21				6/29/23	
1375	POCO-R0624	2030115R	Swiftwater Solar (06/14/21) (9/12/21)	Commercial Land Dev't	Prelim/Final	4/20/2022	Conditional Approval 4/25/22	Conditional Approval 6/6/22				11/16/23	
1377	N/A	2130149R	Eudora Hilliard Minor Subdivision (6/28/21)	Residential Land Devt	Prelim	7/21/2021	Recommended Approval 6/28/21	Conditional Approval 8/2/21				12/21/2022	
1384	N/A	2130152	Bartonsville Ave Pump Station 5 Lot Subdivision	Subdivision	Prelim/Final		Recommended approval 8/9/21	BOC Approved 8/16/21				10/2021	
1385	N/A	2130163R	Vassallo Est. Minor/Lot Consolidation (10/12/21)	Minor Sub	Final	3/23/2022	Conditional Approval 4/11/2022	Conditional Approval 5/2/22				2/6/24	
1390		2130188R	Sanofi Pasteur B83 Cold Storage (11/22/21)	Commercial Land Dev't	Prelim/Final	8/16/2022	Conditional Approval 1/23/23	Conditional Approval 2/6/23				8/17/23	
1391		2030114R	Great Wolf Lodge Expansion (6/28/21)	Commercial Land Dev't	Prelim	12/13/2021	Conditional Approval Rec 12/13/21	Conditional Approval Rec 12/20/21				3/2022	
1393	POCO-R0625	2230179R	Cherry Lane Dev't Partners (Wawa-Tannersville Inn) (8/8/21)	Land Devt	Prelim/Final	12/21/2022	Conditional Approval 1/9/23	Conditional Approval 2/6/23				10/17/23	
1394	N/A	2130173R	Steele's Warehouse Addition (1/10/22)	Commercial Land Dev't	Final	3/24/2022	Conditional Approval 3/28/2022	Conditional Approval 4/4/22				8/2022	
1397	N/A	2230176R	Larson Resubdivision of Brookdale Road (2/28/22)	Minor Sub	Final	5/18/2022	Conditional Approval 5/23/2022	Conditional Approval 6/6/22				12/2022	
1399	N/A	2230184R	Coover Minor Subdiv./Lot Line Adjustment (5/9/22)	Minor Sub	Final	10/6/2022	Conditional Approval 10/11/22	Conditional Approval 10/17/22				12/2022	
1401	N/A	2230205R	Tannersville Plaza Retail Space (12/12/22)	Minor Sub	Final	1/4/2023	Conditional Approval 2/13/23	Conditional Approval 3/20/23				11/30/23	
1404		2230191R	Sanofi Pasteur B87 Line 10 Building (7/25/22)	Land Devt	Prelim/Final	1/17/2023	Conditional Approval 1/23/23	Conditional Approval 2/6/23				8/17/23	
1413	N/A	2330216R	BAD Properties/Fellins (5/8/23)	Minor Sub	Final	6/6/2023	Conditional Approval 6/12/23	Conditional Approval 6/19/23				8/30/23	
1418	N/A	2330231R	Fardia Realty SR 0715 (9/11/23)	Minor Sub.	Final	9/18/2023	Conditional Approval 10/10/23	Conditional Approval 10/18/23				10/31/23	
1421	POCO-R0622	2330239R	MCTA Lot Combination (Lot Line Adjustment)	Lot Line Adjust.	Final	3/26/2024	Conditional Approval 4/8/2024	Conditional Approval 4/23/24				7/2/24	

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Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
<b>DENIED</b>													
1272	N/A	1130255E	Kopelson Lot 3 Land Devt (08/13/13)	Commercial Land Dev't	Prelim	unknown date	Recommended Denial 5/24/21	BOC Rejected 06/21/21					Appealed
	N/A	2030121R	Zilro & Roni Investments	Comm/Res Land Devt	Prelim	1/8/2021	Recommended Denial 5/24/21	BOC Rejected 06/21/21					
1405	N/A	2230192R	Blessing (Munz) Subdivision (8/8/22)	Major Sub	Prelim	8/12/2022	Recommended Denial 10/11/22	BOC Rejected 10/17/22					
<b>WITHDRAWN</b>													
1366	N/A	2130160R	Dianora Minor Subdivision (9/27/21)(12/26/21)	Minor Sub	Final	9/16/2021							Notification to withdraw appl. rec'd 1/21/2022
1388	N/A	2130154R	The Ridge (8/8/22)	Land Devt	Prelim/Final	9/26/2022							LD Application Withdrawn 2/12/24
1406	N/A	2230193R	Core 5 Sladden Road Warehouse (8/8/22)	Land Devt	Prelim	10/6/2022							Application Withdrawn 5/12/23
1411	N/A	2230185R2	1328 Golden Slipper Road Minor Sub (1/9/23)	Minor Sub	Final	1/10/2023							Application Withdrawn



YOUR GOALS. OUR MISSION.

June 5, 2024

Pocono Township Planning Commission  
112 Township Drive  
Tannersville, PA 18372

**SUBJECT: BROOKSTEAD APARTMENTS PRELIMINARY/FINAL LAND DEVELOPMENT  
PLAN REVIEW NO. 1  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA  
POCONO TOWNSHIP LDP NO. 1423, T&M PROJECT NO. POCO-R0614**

Dear Planning Commission Members:

Pursuant to the Township's request, we have performed our first review of the Preliminary/Final Land Development Plan Application for the Brookstead Apartments. The submitted information consists of the following items.

- Waiver Request Letter prepared by Hanover Engineering, dated April 29, 2024.
- Pocono Township Zoning Hearing Board Decision re: Request for Dimensional Variance, dated November 22, 2023.
- Viewshed Analysis.
- PADEP Planning Module Mailer with EDU calculation.
- Property Deed, Deed Book 2630, Page 9165.
- PNDI Project Receipt dated April 5, 2023.
- Wetlands and Waters Evaluation Report prepared by Hanover Engineering, dated April 29, 2024.
- Stormwater Infiltration Test Results prepared by VW Consultants, LLC, dated January 31, 2024.
- Post Construction Stormwater Management Report prepared by Hanover Engineering dated April 29, 2024.
- Preliminary/Final Land Development Plan (26 sheets) prepared by Hanover Engineering, dated April 29, 2024.

### **BACKGROUND INFORMATION**

The Applicant, Brookstead, LLC, is proposing a land development at property located on the southeastern





corner of the S.R. 0611 and Scotrun Drive intersection.

The existing property has an area of 5.59 acres and is located within the C, Commercial Zoning District. It is bordered by S.R. 0611 to the west, Scotrun Drive to the north, and Robinwood Terrace to the east. The existing property includes the former Pangea restaurant with associated parking and driveway taking access from S.R. 0611. The 100-year floodplain of Scot Run traverses the southeastern corner of the project site. The remainder of the property consists of wetland areas and woodlands.

The proposed development includes the construction of a four-story 64-unit apartment building with associated parking. Access to the proposed development will be taken from Robinwood Terrace and an emergency access is proposed via S.R. 0611. In accordance with Section 470-20.B.(1) and Schedule A (Attachment 1), multifamily dwellings (apartment houses) are permitted within the C, Commercial Zoning District.

The plans were accepted by the Township Planning Commission at its meeting on May 13, 2024. Unless a time extension is provided by the Applicant, the Board of Commissioners must act on the plan by its meeting held on August 5, 2024.

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

### **ZONING ORDINANCE COMMENTS**

1. In accordance with Section 470-34.B, “handicapped accessible parking shall be provided in accordance with the Americans with Disabilities Act, as it may be amended from time to time”. *Per the Americans with Disabilities Act, five (5) handicap parking spaces are required for the 128 proposed parking spaces. Three (3) handicap parking spaces are proposed, and the plan shall be revised for compliance with this Section.*

### **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS**

Waivers are requested from sections of the Subdivision and Land Development Ordinance as discussed in Comments 15, 18, 33, 42, and 46.

2. In accordance with Section 390-19.F.(6)(c), “the applicant shall be responsible for submission of the plan and all required supporting documentation to the Monroe County Planning Commission, the Monroe County Conservation District, PennDOT, and all other governing agencies”. *Submissions to, correspondences with, and approval from the following outside agencies shall be provided to Pocono Township:*

- a. *Monroe County Planning Commission*

Per Section 390-19.I, “no official action shall be taken by the Board of Commissioners until either the Township has received the comments of the Monroe County Planning Commission or a period of 30 days has expired following transmittal of the preliminary plan to the County Planning Commission”.

- b. *Monroe County Conservation District/Pennsylvania Department of Environmental Protection – Erosion Control Adequacy and NPDES Permit*



c. *Pennsylvania Department of Environmental Protection – Sewage Facilities Planning Module*

Per Section 390-19.J, “the Township shall concurrently make its decision on the sewage facilities planning module, and if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Preliminary plan approval shall be conditional upon Department of Environmental Protection sewage planning approval.”

d. *Pennsylvania Department of Transportation – Highway Occupancy Permit*

Per Section 390-19.K, “if a highway occupancy permit shall be required for access to a Township or state road, approval of the preliminary plan shall be conditional upon the issuance of a highway occupancy permit by the Township and/or PennDOT, as the case may be”.

e. *Pocono Township Sewer Authority – sanitary sewer service design and capacity*

f. *Brodhead Creek Regional Authority – water service will-serve and sewage treatment capacity*

g. *Pocono Township Volunteer Fire Company*

h. *FEMA – letter of amendment*

3. In accordance with Sections 390-29.D.(2) and 390-29.G.(2), the Existing Resources and Site Analysis shall 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 major subdivisions 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.” *Steep slopes greater than 20% are delineated on the Existing Resources and Site Analysis (Sheet ER-1). The plan shall be revised to also delineate steep slopes between 15% and 25% and steep slopes greater than 25% as required.*
4. In accordance with Sections 390-29.D.(2) and 390-29.G.(7), the Existing Resources and Site Analysis shall include “a viewshed analysis using GIS or other suitable methodology showing the location and extent of views into the property and along ridgelines 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 with Observation Points identified has been provided. The views from these observation points are not clear and need to be clarified.*
5. In accordance with Sections 390-29.I.(4) and 390-48.T.(2), the plan shall include information indicating available and safe sight stopping distances for all driveways, access drives, roads, etc., which must be in compliance with the most current version Pennsylvania Department of



Transportation specifications. All sight distance obstructions, including, but not limited to, embankments and vegetation, shall be removed by the applicant to provide the required sight distance. *The provided sight distances are shown on the plan. The required sight distances shall also be shown.*

6. In accordance with Section 390-29.I.(26), the plan shall include a “graphic scale and written scale”. *The graphic and written scales on the Record Plan (Sheet RP-1) are inconsistent with the plan view scale and shall be revised.*
7. In accordance with Section 390-29.I.(32)(m), the plan shall include “a listing of any subdivision/land development waivers or modifications, zoning variances, special exceptions and/or conditional uses that have been granted, including the date of the order of the Pocono Township Zoning Hearing Board or Board of Commissioners granting the same”. *Record Note 21 and the Zoning Requirements data identify the approved variance to allow two (2) parking spaces per dwelling unit. The note shall be revised to include the condition that the “Applicant’s construction of only 1 and 2 bedroom units in the apartment complex on the Property”.*
8. In accordance with Section 390-29.J.(1)(c), the plan shall include “truck turning movement diagrams for at least a WB-50 truck”. *The fire truck turning diagram shall be provided to the Fire Company for its review.*
9. In accordance with Section 390-29.J.(2), the submission shall include “exterior elevations of any proposed buildings including at least the front and side elevations”. *Proposed building elevations shall be submitted for review.*
10. In accordance with Section 390-29.J.(6), the submission shall include “proof of legal interest in the property, a copy of the latest deed of record and a current title search report”. *A title search report shall be completed and submitted.*
11. In accordance with Section 390-29.J.(8)(a), the submission shall include “completed sewage facilities planning module(s) for land development and other required sewage planning documents as required by the Pennsylvania Sewage Facilities Act<sup>31</sup> and PA DEP”. In addition, and in accordance with Section 390-29.J.(8)(c), “if service by the Township, a sewer authority or a public utility is proposed, a letter or other written certification from the Township, the authority or the public utility stating that it will provide the necessary sewer service and verifying that its system has adequate capacity to do so”. *Approvals from Pocono Township and the Pennsylvania Department of Environmental Protection shall be received prior to plan recordation.*
12. In accordance with Section 390-29.J.(9), the plan shall include “a list of any public utility, environmental or other permits required and if none are required a statement to that effect. The Township may require a professional engineer’s certification of such list”. *The list of Required Approvals on the Cover Sheet (Sheet CS-1) shall include the Letter of Amendment from FEMA.*
13. In accordance with Section 390-29.J.(10), the submission shall include “confirmation that the soil erosion and sedimentation control plan has been accepted for review by the Monroe County Conservation District”. *All submissions to, correspondence with, and permit from the County Conservation District/PADEP shall be provided.*
14. In accordance with Sections 390-29.J.(15) and 390-48.T.(10), where access is to a state road, a



valid state highway occupancy permit shall be obtained prior to plan recording. Confirmation that the highway occupancy permit application has been accepted for review by the Township or PennDOT as applicable. *A PennDOT permit is required to remove the existing driveway and to install the proposed 20-foot geogrid emergency access. All submissions to, correspondence with, and permit from PennDOT shall be provided.*

15. In accordance with Section 390-29.K, the submission shall include “a community impact analysis including the following information shall be required for land developments containing 15 or more dwelling units or residential lots in the aggregate; all nonresidential developments (with the exception of agricultural development) with buildings containing in excess of 20,000 square feet of floor space in the aggregate; or development of any kind impacting 30 acres of land or more in the aggregate”. *A waiver is requested from Section 390-29.K to not be required to submit a community/fiscal impact analysis. The justification states:*

*The project proposes two-bedroom apartments that attract few families with children and therefore have a positive fiscal impact on the community. Preparation of a community/fiscal impact analysis requires large amounts of data to be collected from the Township, County, and State, and the result of the analysis will have no impact on the design, as proposed uses are permitted by right.*

16. In accordance with Section 390-29.N, “prior to approval of the land development plan, the applicant shall submit to the Township a land development plan 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 shall be placed on the plan.*
17. In accordance with Section 390-32.B.(2), no final plan shall be signed by the Board of Commissioners for recording in the office of the Monroe County Recorder of Deeds until proposed developer's agreements and performance guarantee in accord with § 390-35 and the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended,<sup>11</sup> have been accepted by the Board of Commissioners”. *All agreements shall be executed, and financial security posted prior to plan recordation. A construction cost estimate shall be submitted for review.*
18. In accordance with Section 390-43.A.(6)(e)[2][a], “no more than 35% of the original ground cover within any designated steep slope area on the property may be disturbed by grading, filling or other means. At least 65% of the original ground cover must remain undisturbed during the establishment, alteration or maintenance the property.” *The Resource Impact Table proposes 43.7% of the existing steep slopes be disturbed. A waiver is requested to permit the greater disturbance in steep slopes. The justification states:*

*In order to preserve the higher value of environmental resources on the site, such as riparian buffers, stream buffers, and wetland buffers, the development has been proposed to occupy the area furthest from Scot Run. While having a strong benefit to the water features, some small pockets of steep slopes will be disturbed. The*



*project proposes 0.147 acres of disturbance and it is permitting by this section to disturb only 0.118 acres. This is 0.029 acres over the allowable percentage, which is minimal, and the disturbed areas will actually be levelled out and stabilized, preventing scour and erosion of steep slopes, which is the concern that this section is meant to prevent.*

19. In accordance with Section 390-43.A.(6)(e)[2][e], “the final plan shall be recorded with a steep slope easement. The easement shall be comprised of at least 65% of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc.” In addition, and in accordance with Section 390-43.A.(6)(e)[2][f], “the final plan shall note that no structures shall be located within the easement; and that no excavation, grading, filling or other disturbance of the existing ground cover is permitted within the easement”. *While the existing undisturbed steep slopes are located in the protected wetland buffer, a steep slope easement is still required for compliance with this Section.*
20. In accordance with Section 390-43.A.(9)(a), “when trails are intended for public or private use, they shall be protected by a permanent conservation easement on the properties on which they are located. The width of the protected area in which the trail is located should be a minimum of 10 feet. The language of the conservation easement shall be to the satisfaction of the Board of Commissioners upon recommendation of the Township Solicitor.” *A 4-foot wide natural trail is proposed on the project site, and a permanent conservation easement shall be provided.*
21. In accordance with Section 390-43.A.(14), “lots and/or parcels shall be laid out and graded to provide positive drainage away from buildings and to prevent damage to neighboring lots, tracts, or parcels. Stormwater management shall be provided in accord with Township stormwater regulations”. *The proposed swale located behind the apartment building has a slope of 1%. The swale shall be revised to have a minimum slope of 2% to ensure positive flow without ponding along the swale.*
22. In accordance with Section 390-48.H.(1), “wherever there exists a dedicated or platted portion of a road or alley along a boundary of the tract being subdivided or developed the remainder of said road or alley shall be platted to the width required by this chapter based on the classification of the road within the proposed development”. *Robinwood Terrace and Scotrun Drive have rights-of-way and cartway widths of 40-feet and 23-feet ±, respectively. Robinwood Terrace and Scotrun Drive are both Local Roads. Table 390-48-1 requires right-of-way and cartway widths of Local Roads to be 50-feet and 26-feet, respectively. The plan shall be revised to show compliance with the required right-of-way and cartway widths.*

*The plan shall be revised to provide dimensions for the right-of-way and cartway widths of Robinwood Terrace, Scotrun Drive, and S.R. 0611.*

23. In accordance with Section 390-48.L, “the cartway edge at intersections shall be rounded by a tangential arc with a minimum radius of 40 feet for local roads and roads of lesser classification and 50 feet for collector roads and roads of higher classification. The right-of-way arc shall be congruent with the cartway arc.” *The existing edge of cartway and right-of-way radii at the intersection of Robinwood Terrace and Scotrun Drive shall be dimensioned on the plan to determine whether improvements at this intersection will be required for the proposed*





*development.*

24. In accordance with Sections 390-48.T.(11) and 390-48.T.(13)(c), all access driveways shall be paved in their entirety. The specifications for such pavings shall be approved by the Township as applicable for the specific use proposed in accordance with § 390-59D. Per Section 390-59.D.(5), “the applicant shall provide computations documenting expected axle loads for parking areas to support the pavement section selected”. *The proposed parking section pavement consists of 1.5-inch wearing course, 2.5-inch binder course, and 4-inches 2A modified stone. This pavement section lies between the required light load and moderate load sections provided in this Section. The applicant shall provide a calculation in support of the selected pavement section.*
25. In accordance with Section 390-48.AA. “sidewalks and road crosswalks may be required where necessary to provide proper pedestrian circulation or to provide access to community facilities and common areas. Sidewalks, where required or provided, shall be located within the road right-of-way immediately adjacent to the curbs, except as may be approved by the Township to accommodate road trees or other landscaping. Sidewalks and road crosswalks shall be constructed in accord with the most current PennDOT RC67M standard and Americans With Disabilities Act standards.” *The developer shall discuss the need for sidewalks along the existing roadways with the Township. It is noted that sidewalk is proposed along the southwesterly property line near an existing bus stop on S.R. 0611, and along the 20-foot wide emergency access at its intersection with S.R. 0611. Additional sidewalk shall be provided to provide access to the bus stop.*  
  
*In addition, the Pennsylvania Department of Transportation Publication 408 now requires Class S (4,000 psi 28-day) concrete for sidewalk. The sidewalk detail on Sheet DET-1 shall be revised.*
26. In accordance with Section 390-49.A.(4), “monuments shall be set at all outbound locations where permanent monuments did not exist at the time of the perimeter survey unless site conditions preclude the installation and the missing monument shall be noted on the final plan. Existing monuments shall not be removed.” *A monument shall be placed at the western most corner of the existing boundary shared with the PennDOT Right-of-Way.*
27. In accordance with Section 390-51, “all soil erosion and sedimentation control plans shall meet the specifications of the Monroe County Conservation District and PA DEP, and shall comply with Commonwealth of Pennsylvania, Title 25, Chapter 102, Department of Environmental Protection regulations for soil erosion and sedimentation control”. *The erosion and sedimentation control plan shall be submitted for review. All submissions to, correspondences with, and permits from the County Conservation District and Pennsylvania Department of Environmental Protection shall be provided to the Township.*
28. In accordance with Section 390-52.A.(1), “all subdivisions and land developments shall be served by an adequate water supply and sewage disposal system; and the developer shall provide evidence documenting said adequacy”. *Approvals from the Brodhead Creek Water Authority, Pocono Township, and the Pennsylvania Department of Environmental Protection shall be received in support of the water and sanitary sewer services.*
29. In accordance with Section 390-52.A.(7), “pressure testing of all collection/conveyance of any centralized water supply or centralized sewage disposal system lines shall be required as part of the inspections required in accord with Article V of this chapter. All such testing shall be conducted in accord with the procedures specified by the Township Engineer.” *Notations*



*requiring pressure testing shall be placed on the plan.*

30. In accordance with Section 390-52.E.(4)(f)[2], "all fire hydrants will be located on an eight-inch line or a looped six-inch line. Where a dead-end line contains a fire hydrant, the portion of the line between the main loop and the hydrant shall be eight inches minimum diameter." *The size of the proposed water line to the fire hydrant shall be noted on the plan. In addition, the Fire Hydrant Detail on Sheet DET-3 specifies a 6-inch waterline and shall be revised for compliance with this Section.*
31. In accordance with Section 390-52.G.(1)(b)[6], "the minimum cover [over the sanitary sewer lateral] shall be four feet to prevent crushing and freezing". *As shown in the Sanitary Lateral Profile on Sheet UP-1, the cover at C.O. 1 and C.O. 8 is less than 4-feet and the profile shall be revised.*
32. In accordance with Sections 390-52.G.(1)(e)[1] and 390-52.G.(1)(e)[2], "all sewers, including mains, laterals and manholes, shall be subjected to inspections by the Township and tested for leakage in accordance with the requirements of the Township. The applicant shall be responsible for furnishing all necessary material and equipment for testing." "Air-testing of all sewers shall be in accordance with ASTM C828." *Notes in support of these requirements shall be added to the plan.*
33. In accordance with Section 390-55.C.(2)(a), "one planting island shall be provided for every 10 parking stalls. There shall be no more than 15 contiguous parking stalls in a row without a planting island."

In addition, and in accordance with Section 390-55.C.(2)(c), "in residential developments, large parking lots shall be divided by planting strips into smaller parking areas of no more than 40 stalls".

*A waiver is requested to not provide islands every 15 parking spaces and to allow for more than 40 parking spaces in a parking area.*

*The planting island along the southeastern parking road shall be relocated to provide no more than 15 contiguous spaces in a row. A request for this requirement will not be needed if the plan is revised for compliance with Section 390-55.C.(2)(a).*

*Also, the request to allow for more than 40 parking spaces in a parking area is not applicable. The largest parking area has 40 spaces which is in compliance with Section 390-55.C.(2)(c).*

34. In accordance with Section 390-55.C.(2)(e), "planting islands shall be a minimum of nine feet by 18 feet in dimension, underlain by soil (not base course material); mounded at no more than a 3:1 slope, nor less than a 5:1 slope; and shall be protected by curbing or bollards. Each planting island shall contain a minimum of one shade tree plus shrubs and/or ground cover sufficient to cover the entire area." *All planting islands including those at the end of parking rows shall include a shade tree plus shrubs and/or groundcover. The plan shall be revised.*
35. In accordance with Sections 390-55.D.(1)(a) and (c), street trees shall be required along all existing streets abutting or within the proposed subdivision or land development and along access driveways that serve five or more residential dwelling units. In accordance with Section 390-55.D.(3)(d), "trees shall be planted at a ratio of at least one tree per 50 linear feet of frontage or



fraction thereof. Trees shall be distributed along the entire frontage of the property, although they need not be evenly spaced.”

- a. *Thirteen (13) street trees are required along Robinwood Terrace (391-feet). Three (3) street trees are proposed between 5-feet and 15-feet from the existing right-of-way line as required by Section 390-55.D.(3)(a). Therefore, 10 trees are still required.*

*In accordance with Section 390-55.D.(2), “the street tree requirement may be waived by the Township where existing vegetation is considered sufficient to provide effective screening and to maintain scenic views of open space, natural features, or other valued features”. Existing woodlands exist along Robinwood Terrace. Should the developer consider utilizing these existing trees to meet the street tree requirement, evidence shall be provided showing that the existing trees will meet the intent of the street tree requirement, and a waiver will be required.*

- b. *Seven (7) street trees are required along the proposed access drive (195-feet total both sides). No street trees are proposed along the access driveway and the plan shall be revised accordingly.*

36. In accordance with Section 390-55.F.(3)(a)[2], property line and road right-of-way buffers are required for all multifamily development.

- a. *A 15-foot wide medium intensity buffer is required along the eastern and southern property lines shared with Parcel ID No. 12.6A.2.87 (706.26-feet total), and shall consist of 15 canopy trees, 15 ornamental trees, and 15 evergreen trees. No trees are proposed. A 15-foot wide buffer of existing trees is proposed to remain along 591-feet of the existing property lines, and an area along the southern property line is part of the existing sanitary sewer easement where trees cannot be placed. A riparian forest buffer is proposed to be restored along portions of the eastern and southern property lines.*

*Per Section 390-55.F.(3)(g), “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 developer shall discuss the use of the existing woodlands as the required buffer with the Township.*

*The Buffer Trees chart on the Landscape Details (Sheet LL-2) proposes a 15-foot wide high intensity buffer. The chart shall be revised to note the required 30-foot width.*

- b. *A 30-foot wide high intensity buffer is required along the S.R. 0611 Right-of-Way (340.81-feet) and shall consist of 17 evergreen trees, 7 ornamental trees, and 7 canopy trees. Seven (7) evergreen trees, 7 ornamental trees, and 7 canopy trees are proposed, therefore 10 evergreen trees are still required. It is noted that a riparian forest buffer is proposed to be restored along a portion of the S.R. 0611 Right-of-Way.*

*The Buffer Trees chart on the Landscape Details (Sheet LL-2) proposes a 15-foot wide medium intensity buffer. The chart shall be revised.*

- c. *A 15-foot wide medium intensity buffer is required along the western property line shared*





with Parcel ID No. 12.6A.2.3 (451.22-feet total), and shall consist of 9 canopy trees, 9 ornamental trees, and 9 evergreen trees. *Ten (10) canopy trees, 6 ornamental trees, and 7 evergreen trees are proposed, therefore 3 ornamental trees and 2 evergreen trees are still required. Existing woodlands also exist along 87-feet of this property line.*

Per Section 390-55.F.(3)(g), “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 developer shall discuss the use of the existing woodlands as the required buffer with the Township.*

- d. A 30-foot wide high intensity buffer is required along the Robinwood Terrace Right-of-Way (391-feet), and shall consist of 20 evergreen trees, 8 ornamental trees, and 8 canopy trees. *Four (4) evergreen trees, 2 ornamental trees, and 6 canopy trees are proposed, therefore 16 evergreen trees, 6 ornamental trees, and 2 canopy trees are still required. Existing trees are proposed to remain along approximately 255-feet of the street frontage.*

Per Section 390-55.F.(3)(g), “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 developer shall discuss the use of the existing woodlands as the required buffer with the Township.*

*The Buffer Trees chart on the Landscape Details (Sheet LL-2) proposes a 15-foot wide medium intensity buffer. The chart shall be revised.*

37. In accordance with Sections 390-55.F.(4)(a) and (d), site element screens shall be required in all proposed land developments around parking lots when these are located partially or fully within 100 feet of a property line or existing right-of-way. “Site elements not included in the above list that have similar visual impact shall be screened in accord with requirements for the most similar elements as determined by the Township.” *A Type No. 1, No. 7, or No. 9 site element screen shall be provided between the parking lot and Robinwood Terrace and S.R. 0611. In addition, a Type No. 1 site element screen shall be provided between the parking lot and the southeastern property line shared with Parcel ID No. 12.6A.2.87.*

Per Section 390-55.F.(4)(g), “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 screen”. *Existing trees are proposed to remain along a portion of the southeastern property line. The developer shall discuss the use of the existing woodlands as the required site element screen with the Township.*

38. In accordance with Sections 390-55.G.(2)(c), (d), (e), and (f), “canopy trees, sometimes called “shade trees,” shall reach a minimum height or spread of 30 feet at maturity as determined by the AAN Standards and shall be deciduous. New trees shall have a minimum caliper of 2.5 inches at planting. “Ornamental trees or large shrubs shall reach a typical minimum height of 15 feet at maturity, based on AAN Standards. Trees and shrubs may be deciduous or evergreen and shall have a distinctive ornamental character such as showy flowers, fruit, habit, foliage, or bark. New ornamental trees shall have a minimum height of six feet or one-and-a-half-inch caliper. New large



shrubs shall have a minimum height of 2.5 feet to three feet at the time of planting”. “Small shrubs may be evergreen or deciduous and shall have a minimum height at maturity of four feet based on AAN Standards. New shrubs shall have a minimum height of 18 inches at the time of planting.” “Evergreen trees shall reach a typical minimum height of 20 feet at maturity based on AAN Standards for that species and shall remain evergreen throughout the year. New evergreens shall have a minimum height at planting of six feet to seven feet.” *A waiver is requested from Section 390-55.G to allow for trees and shrubs planted in the riparian buffer to be smaller than the requirements of this section. The riparian buffer is not required by the Subdivision and Land Development Ordinance, therefore this Section does not apply and a waiver is not required.*

39. In accordance with Section 390-55.G.(4)(a), “any tree or shrub that dies within 18 months of planting shall be replaced by the current landowner or developer. Any tree or shrub that within 18 months of planting or replanting is deemed, in the opinion of the Township, not to have survived or not to have grown in a manner characteristic of its type shall be replaced. Substitutions for certain species of plants may be made only when approved by the Township.” *General Planting Notes 7 and 17 on the Landscape Plan (Sheet LL-1) shall be revised accordingly.*
40. In accordance with Section 390-55.I.(2)(h), the landscape plan shall include “a schedule showing all landscape requirements and plants proposed for each category”. *The required site element screens shall also be listed on the Landscape Details (Sheet LL-2).*
41. In accordance with Section 390-55.I.(2)(k), “a detailed cost estimate shall be submitted, showing the value of all proposed landscaping, including all labor and materials”. *The construction cost estimate shall include landscaping.*
42. In accordance with Section 390-57.C, “the wetland buffers required by Chapter 470, Zoning, and Chapter 365, Stormwater Management, shall be provided and shall be shown on the plan”. *A waiver is requested from this Section. Refer to Comment 51.*
43. In accordance with Section 390-57.E, “where the [wetland] 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 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 existing wetlands shall be delineated with a fence prior to construction.*
44. In accordance with Section 390-58.C.(1), “the proposal for common open space, installation of recreation facilities and/or fees shall be offered for review by the Planning Commission and the Pocono Township Park and Recreation Committee”. *The developer shall address its proposal for common open space and recreation facilities, or its offer of a fee in-lieu-of.*
45. In accordance with Section 390-59.A.(8), “common parking lots serving multifamily dwellings, commercial and business uses, and other recreational uses shall provide parking for the physically disabled in accordance with the requirements of the Americans with Disabilities Act (Public Law 101-336), and local, state, and federal codes which implement the Act”. *Per the Americans with Disabilities Act, five (5) handicap parking spaces are required for the 128 proposed parking spaces. Three (3) handicap parking spaces are proposed, and the plan shall be revised for*



*compliance with this Section.*

46. In accordance with Section 390-59.B, parking spaces shall be 10-feet wide and 18-feet long. *The proposed parking spaces are 9-feet wide. A waiver is requested and the justification states:*

*The nine-foot parking space width is necessary to fit the amount of parking required. Nine feet is also the permitting minimum requirement in the zoning ordinance.*

*The request references Section 390-55.B and shall be revised to correctly reference Section 390-59.B.*

47. In accordance with Section 390-59.E, “all parking spaces and public or private drives shall comply with the setback requirements of Chapter 470, Zoning”. *Parking is proposed within the front yard setbacks along Robinwood Terrace and S.R. 0611. The parking layout shall be revised for compliance with this Section.*
48. In accordance with Section 390-60, a “traffic impact study shall be submitted to the Township, as part of a preliminary plan and final plan for any subdivision or land development application expected to generate more than 250 new trips per day; for residential subdivisions or land developments containing 15 or more dwelling units or residential lots in the aggregate; or all nonresidential developments (with the exception of agricultural development) with buildings containing in excess of 20,000 square feet of floor space in the aggregate; development of any kind impacting 30 acres of land or more in the aggregate”. *The required traffic impact study shall be submitted for review.*

### **STORMWATER MANAGEMENT ORDINANCE COMMENTS**

Waivers are requested from sections of the Stormwater Management Ordinance as discussed in Comment 49.

49. In accordance with Section 365-8.L, “roof drains and sump pumps shall discharge to infiltration or vegetative BMPs wherever feasible. Roof drains should not be connected to streets, sanitary or storm sewers or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater. Considering potential pollutant loading, roof drain runoff in most cases will not require pretreatment.” *A waiver is requested to permit roof drains to connect to the proposed storm sewer pipe. The justification states:*

*The purpose is to promote filtering of the runoff prior to discharge into waters of the Commonwealth. The roof drains will be discharging into underground basins and level spreaders which will filter the runoff from the site through 150 feet of a riparian buffer to treat stormwater runoff prior to discharge into waters of the Commonwealth.*

*We have no objection to this request.*

50. In accordance with Sections 365-8.M, 365-10.E, and 365-11.A.(2)(d), pretreatment shall be provided prior to discharge to surface or groundwater. *Water quality devices shall be provided to treat stormwater prior to entering the proposed underground basins and infiltration trench.*



51. In accordance with Section 365-10.I.(6)(b)[1], permitted activities/development within the wetland buffer include “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 building, retaining wall, and grading are proposed within the wetland buffer. A waiver is requested to allow the proposed disturbance of the wetland buffer. The justification states:*

*The southeast portion of the site is being protected as a riparian buffer, stream buffer, and wetland buffer. This forces the development to be constructed towards the northwestern property boundary. A zoning variance has already been applied for and approved to reduce the amount of required parking so that the impacts to the wetland buffer could be minimized.*

*The area of the propose permanent wetland buffer disturbance does not currently flow into the wetland. This wetland is on steeply sloping terrain, and is groundwater fed, not fed through surface water sourcing. The result is that no additional or less surface runoff will be flowing to the wetland, as the disturbed area doesn't currently runoff into the wetland and is not proposed to.*

*Lastly, in order to improve the quality of runoff into the waterways, 0.31 acres of existing pavement and lawn area are being restored to vegetative condition with grass and tree plantings. This is a 2:1 replacement of vegetative cover to the riparian buffer, and it is replacing a minimally functional wetland buffer for an isolated wetland.*

*The waiver request shall be revised to reference Section 365-10.I.(6)(b)[1].*

52. In accordance with Section 365-10.I.(6)(b)[2], “the area of the wetland buffer altered by activities permitted in accordance with Subsection I(6)(b)[1] above shall be minimized to the greatest extent practicable, as determined by the municipality. In no case shall more than 20% of the cumulative wetland buffer on the subject parcel be altered by the activities permitted in accordance with Subsection I(6)(b)[1]. This 20% 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).” *Storm sewer and a natural trail are proposed within the wetland buffers as shown on the plan. The Resource Impact Table on Sheet PRI-1 shall be revised to also present the disturbed area in percent.*
53. In accordance with Section 365-10.I.(8)(c), “the area of the [stream] buffer altered by activities permitted in accordance with § 365-10I(8)(b) shall be minimized to the greatest extent practicable, as determined by the municipality. In no case shall more than 20% of the cumulative stream buffer on the subject parcel be altered by the activities permitted in accordance with § 365-10I(8)(b). This 20% 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). *Storm sewer and a natural trail are proposed within the stream buffer as shown on the plan. The Resource Impact Table on Sheet PRI-1 shall be revised to also present the disturbed area in percent.*



54. In accordance with Section 365-11.A.(2), infiltration BMPs intended to receive runoff from developed areas shall be constructed on soils having "a minimum depth of 24 inches between the bottom of the BMP and the limiting zone". *The soil profile for the proposed Infiltration Trench indicates less than 2-feet of separation is proposed between the trench and limiting zone. This shall be addressed.*

55. In accordance with Section 365-11.A.(3), the size of the recharge facility shall be based upon the following volume criteria:

(a) NRCS Curve Number Equation.

[1] The NRCS runoff shall be utilized to calculate infiltration requirements (P) in inches.

For zero runoff:  $P = I$  (Infiltration) (in.) =  $(200/CN)$  Equation 365-11.12.

Where: CN=SCS (NRCS) curve number of existing conditions contributing to the recharge facility.

[2] This equation is displayed graphically in, and the infiltration requirement can be determined from Figure 365-11.

[3] The recharge volume ( $Re_v$ ) required would therefore be computed as:

$Re_v = I * \% \text{ impervious area}$  Equation 365-11.2

Where: I = infiltration requirements (in.)

*Recharge volume calculations shall be submitted for review.*

56. In accordance with Section 365-13.B, "all calculations consistent with this chapter using the Soil Cover Complex Method shall use the appropriate design rainfall depths for the various return period storms according to the region in which they are located as presented in Table B-1 in Appendix A<sup>III</sup> of this chapter. If a hydrologic computer model such as PSRM or HEC-1 is used for stormwater runoff calculations, then the duration of rainfall shall be 24 hours. The NRCS "S" curve shown in Figure B-1, Appendix A of this chapter, shall be used for the rainfall distribution." *A waiver is requested to utilize the NOAA Atlas data for rainfall depths. We have no objection to this request provided the NOAA Atlas data be included in the Post Construction Stormwater Management Report.*

57. In accordance with Section 365-13.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.

a. *A time of concentration calculation in support of the time of concentration path shown for Pre Offsite POI-2.*

b. *In the time of concentration calculation for POST UGB-1 (Hyd. No. 1) and when compared to the plan, the slope of the sheet flow is high, the slope of Segment A of the Shallow*





*Concentrated Flow appears low, and the slope of Segment B of the Shallow Concentrated Flow is high. The time of concentration shall be revised.*

- c. *The time of concentration path and calculation shall be extended to the high point of the Post UGB-4 drainage area.*

58. In accordance with Section 365-13.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 A of this chapter”. *The land uses associated with each CN value shall be provided to confirm the correct CN values have been utilized.*

- a. *Hyd. No. 25 for Pre Offsite POI-1 appears to utilize CN values for both C and D soils, however this drainage area does not contain D soils.*
- b. *A CN value calculation shall be provided in support of Hyd. No. 1 for Post UGB-1, Hyd. No. 2 for Post UGB-2, Hyd. No. 4 for Post UGB-4, Hyd. No. 6 for LS-2, Hyd. No. 11 for Post LS-1, and Hyd. No. 19 for Post Off Site (POI-1).*

59. In accordance with Sections 365-14.C and 365-14.D, “any other stormwater conveyance facility and/or channel that does not fall under Chapter 105 regulations must be able to convey, without damage to the stormwater structure or roadway, runoff from the fifty-year design storm with a minimum 1.0 foot of freeboard measured below the lowest point along the top of the roadway. Any facility that constitutes a dam as defined in PA DEP Chapter 105 regulations may require a permit under dam safety regulations. Conveyance facilities to or exiting from stormwater management facilities (i.e., detention basins) shall be designed to convey the design flow to or from that structure. Roadway crossings located within designated floodplain areas must be able to convey runoff from a 100-year design storm. Any facility located within a PennDOT right-of-way must meet PennDOT minimum design standards and permit submission requirements.” “Storm sewers must be able to convey proposed conditions runoff from a fifty-year design storm without surcharging inlets, where appropriate and as supplemented by Subsection C above.” *Supporting land use and Rational Coefficient calculation shall be submitted for review. In addition, the storm sewer report shall be revised to provide adequate information to confirm the drainage area and rational coefficients used in the calculations.*

60. In accordance with Sections 365-15.A and 365-19.B.(2), for all regulated earth disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained during the regulated earth disturbance activities (e.g., during construction) to meet the purposes and requirements of this chapter and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (E&S Manual), No. 363-2134-008, as amended and updated. *The erosion and sedimentation control plan shall be submitted for review. All submissions to, correspondences with, and permits from the County Conservation District and Pennsylvania Department of Environmental Protection shall be provided to the Township.*

61. In accordance with Section 365-19.B, map(s) of the project area shall be submitted on twenty-four-inch by thirty-six-inch sheets. *The drainage area plans shall be provided on 24" x 36" plan sheets with subsequent submissions.*



62. In accordance with Section 365-19.B.(20), the plan shall include “the location of all erosion and sediment control facilities”. *The erosion and sedimentation control plan shall be submitted for review.*
63. In accordance with Section 365-19.B.(22), the plan shall include “a statement, signed by the applicant, acknowledging that any revision to the approved stormwater management site plan must be approved by the municipality and that a revised E&S plan must be submitted to the Conservation District for a determination of adequacy”. *The required statement shall be provided on the plan.*
64. In accordance with Section 365-19.B.(23), the plan shall include “the following signature block for the design engineer (Pennsylvania-licensed professional engineer):

I, (Design Engineer), on this date (date of signature), hereby certify that the Stormwater Management Site Plan meets all design standards and criteria of the Pocono Township Stormwater Management Ordinance. The word 'certify' is an expression of professional opinion by the undersigned and does not constitute a guarantee or warranty.

*The required signature block shall be placed on the plan.*

#### **STORMWATER MANAGEMENT AND STORM SEWER DESIGN COMMENTS**

65. The Pond Reports for UGB-1, UGB-2, UGB-3, and UGB-4 utilize the outside dimensions of the StormTech Chamber (2.50-foot rise by 4.25-foot span). The reports shall be revised to include the interior dimensions of the chamber (2.05-foot rise by 4.00-foot span, per Technical Note TN 6.35). In addition, the Top of Chamber Elevations listed in the BMP 6.4.3 Underground Basin Detail on Sheet PCSM-3 shall be revised to note the Top of Chamber Elevation utilizing the 2.05-foot rise.
66. In Hyd. No. 24 for Pre LOD POI-1, the area of woods in C soils is high and the area of woods in D soils is low when compared to the plan. The land use areas shall be confirmed, and the hydrograph revised accordingly.
67. The area utilized in Hyd. No. 19 for Post Off Site (POI-1) is inconsistent with that shown on the plan. The hydrograph or plan shall be revised.
68. The drainage area to LS-2 shall be labeled on the Post-Development Basin Drainage Areas plan (Sheet D-2).
69. The 4-inch diameter emergency drain elevation for UGB-1 is listed as 1069.00 in the Underground Basin Outlet Control Structure Detail on Sheet PCSM-1. The Pond Report for UGB-1 utilizes a bottom of basin elevation of 1069.50. In addition, an emergency drain and 4-inch orifice shown at inlet B1-A in the Storm 8 Profile on Sheet SWP-1 both have inverts of 1068.75. The drain and orifice are the same and only one should be referenced in the profile. The detail and profile inverts shall be revised for consistency with the Pond Report.
70. Inlets B1-3, B1-2, B1-1, B2-13, and B5-1 are located within the parking area and drive aisle. The cover over the pipe is less than 2-feet. A minimum cover of 2-feet shall be provided.



71. Inlet B1-9 provide a pipe cover less than 1-foot. This pipe is located within lawn area and shall have a minimum cover of 1-foot.
72. The top of grate elevation for inlet B5-1 shown in the Storm 9 Profile on Sheet SWP-3 is low when compared to the proposed grading and the profile shall be revised.
73. A sanitary sewer crossing label is provided between inlets B1-3 and B1-4 in the Storm 1 Profile. A sanitary sewer crossing is not shown in plan view and the profile shall be revised.

#### **MISCELLANEOUS COMMENTS**

74. Prior to Final Plan recording, Record Note 13 on the Cover Sheet (Sheet CS-1) shall be completed with the date of the Stormwater Management Agreement.
75. The Sheet Index on the Cover Sheet (Sheet CS-1) lists the Landscape Plans as Sheets LS-1 to LS-2 and the Lighting Plan as LP-1. The respective plan sheets are labeled as LL-1, LL-2, and LL-3. The Sheet Index or plan sheets shall be revised for consistency.
76. Record Note 20 on the Cover Sheet (Sheet CS-1) shall be revised to include the 50-year post to the 10-year pre.
77. Notes shall be placed on the plan to ensure the existing well is sealed shut per all Pennsylvania Department of Environmental Protection regulations.
78. The total area (1.73 acres) of the wetland buffer listed under the Zoning Requirements on the Cover Sheet (Sheet CS-1) is inconsistent with the sum of the wetland buffer areas (1.386 acres) listed in the Resource Impact Table on Sheet PRI-1. In addition, the Total Restored Area (0.18 acres) and the Total Unrestored Area (0.16 acres) listed under the Zoning Requirements are also inconsistent with the sum of the Disturbed Area (0.153 acres) and Restored Area (0.20 acres) listed in the Resource Impact Table. The areas shall be revised for consistency.
79. The proposed stop sign located opposite the dumpster enclosure shall be relocated to the side of the driveway with the dumpster enclosure (on the same side of the roadway as oncoming traffic).
80. A school bus stop is proposed within the project site. The proposed location shall be discussed with the school district.
81. The driveway through the central parking area in front of the proposed apartment building dead ends. The driveway of that parking area shall be revised to connect to the southerly driveway to provide continuous movement through the parking lot.
82. The sign nomenclature for the van accessible sign listed in the Sign Tabulation on the Record Plan (Sheet RP-2) shall be revised for consistency with the Pennsylvania Department of Transportation Handbook of Approved Signs. In addition, a penalties sign is shown in the ADA Parking Sign detail on Sheet DET-1, but it is not provided in the Sign Tabulation on Sheet RP-2. The sign or tabulation shall be revised.
83. Ten (10) 'A' lights are proposed in the Luminaire Schedule on the Lighting Plan (Sheet LL-3), however only 9 are shown in plan view. In addition, one (1) light along the western parking row





of the southeastern most parking area is not labeled. The plan shall be revised.

84. Lot closure reports for the proposed easements shall be submitted for review. In addition, the line and curve designations for the stream buffer shall be provided on the Easement Plan (Sheet EAS-1).
85. Top and bottom of wall elevations of the proposed retaining wall shall be provided on the Grading and Utility Plan (Sheet GU-1).
86. Proposed spot elevations at the corners of the proposed parking area shall be provided to review slopes across the proposed parking spaces and to ensure positive drainage.
87. On Sheet DWP-1, the existing sanitary sewer crossing shown near Station 0+50 in the Main Driveway Profile is not shown within the driveway in plan view. In addition, the proposed sanitary sewer lateral shown in plan view at Station 3+00 shall be shown in the profile. The Main Driveway Profile shall be revised.
88. On Sheet DWP-2, the existing grade shall be completed and extend to Station 0+00, and the proposed sanitary sewer lateral shown in the plan view at Station 3+18± shall be shown in the Drive Loop Profile. In addition, on Sheet DWP-3, the proposed sanitary sewer lateral shown in the plan view at Station 0+50± shall be shown in the Drive Mid West Profile.
89. The color of the pavement markings shall be specified in the Handicap Access Aisles detail on Sheet DET-1.
90. On Sheet DET-1, the Dumpster Enclosure Plan and Dumpster Gate Elevation propose a 10' deep by 16'-8" wide dumpster enclosure. The dumpster enclosure in plan view is shown as 8' deep and 10' wide. The detail or plan shall be revised.
91. Note 3 on Sheet PCSM-1 references a detail specifying a soil mix, however it does not appear to be provided on the plan. The plan shall be revised to provide the referenced detail.
92. Details for the proposed 4-foot wide gravel trail, geo-grid emergency access, and "stop" shall be provided on the plan.

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 in this review, the receipt of new information may generate new comments.

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

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.



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/meh

cc: Patrick Briegel – Interim Township Manager  
Jerrod Belvin – Pocono Township  
Lindsay Scerbo – Zoning Officer  
Leo DeVito, Esq. – Township Solicitor  
Lisa Pereira, Esq. – Broughal & DeVito, LLP  
Anthony Maula, Brookstead, LLC – Applicant  
Salvatore J. Caiazzo, P.E., Hanover Engineering – Applicant's Engineer  
Kristina Heaney – Monroe County Conservation District  
Amy R. Montgomery, P.E. – T&M Associates  
Melissa E. Hutchison, P.E. – T&M Associates