

AGENDA
POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
April 10, 2017 – 7:00 p.m.

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POCONO TOWNSHIP

- A. CALL TO ORDER** (followed by the Pledge of Allegiance)
- B. ROLL CALL**
- C. NOTIFICATIONS OF COMMENTS**
- D. CORRESPONDENCE**
- E. MANAGER'S REPORT – TBD**
- F. MINUTES:** Minutes of the Pocono Township Planning Commission Meeting-3/27/2017.
- G. NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW**
- H. FINAL PLANS UNDER CONSIDERATION:**
 - 1. Farda Minor Subdivision - Plan was accepted at the 2/13/17 P.C. Meeting. Proposal for the consolidation and subdivision of five (5) existing parcels for the Summit Health Campus and existing gas station. Review No. 1 was distributed on 3/2/17. Deadline for consideration is 5/14/17. Tabled at the 3/27/17 meeting.
 - 2. Kenbar Rt 715 Minor Subdivision – Plan was accepted at the 3/27/17 P.C. Meeting. Proposal is for a minor subdivision of two (2) existing properties. Review No. 1 was distributed April 7, 2017. Deadline for consideration is June 25, 2017.
- I. PRELIMINARY PLANS UNDER CONSIDERATION:**
 - 3. Sheldon Kopelson, Commercial Development (Lot 3)- Plan was accepted at the 08/13/2013 P.C. Meeting. The configuration of the minor subdivision is dependent on the Rt. 715 realignment. Tabled at the 3/27/17 mtg. A resubmission has not occurred. Deadline for consideration extended to June 30, 2017.
 - 4. Spa Castle Land Development – Plan was accepted at the 12/14/2015 Meeting. The Planning Module for this project was rejected by the Commissioners. Deadline for consideration is October 17, 2017. Planning Review distributed 9/9/16. Technical Review distributed 11/9/16. Tabled at the 3/27/17 mtg.
 - 5. Camelback Lot 13 and Hotel – Plan was accepted at the 06/13/2016 PC Meeting. Review letter distributed 07/21/16. Tabled at the 3/27/17 mtg. Deadline for consideration extended to June 19, 2017.
 - 6. Discovery Drive Widening - The plans were administratively accepted at the December 12, 2016 P.C. Meeting. Final Plan approval contingent on approval of waiver request.

Deadline for consideration is June 8, 2017. Review No. 3 distributed 3/10/17. Tabled at the 3/27/17 mtg.

7. Summit Health Campus -- Land Development- The plans were administratively accepted at the January 9, 2017 P.C. Meeting. Deadline for consideration is May 1, 2017. Review No. 1 distributed 2/10/17. Request for Modifications recommended for approval to the BOC at the 2/13/17 and 3/13/17 P.C. Meeting. Recommended on 3/13/17 approval to BOC for installation of a gate at the emergency access. Tabled at the 3/27/17 meeting.
8. Day Star Holiness Bible Church – Land Development on Learn Road. The plans were administratively accepted at the February 13, 2017 P.C. Meeting. Deadline for consideration is 5/14/17. Review No. 1 distributed 3/10/17. Tabled at the 3/27/17 meeting

J. SKETCH PLANS

Kenbar Route 715 Land Development Sketch Plan

K. PERMITS

L. PLANNING MODULE

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

1. Conditional Use Application for Adams/Casciano – Application tabled at the 3/27/17 meeting.

N. UNFINISHED BUSINESS

O. NEW BUSINESS:

P. COMMENTS BY AUDIENCE

Q. ADJOURNMENT:

POCONO TOWNSHIP PLAN STATUS

Project Name (acceptance date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Recommendation Approve/Deny	BOC Approved/Rejected
Farda Minor Subdivision (2/13/17)	Minor Subdivision	Final	5/14/2017	4/24/2017	5/1/2017	3/2/2017	3/27/2017	Rec approval of modifications for street trees and property line buffers	
Kenbar Route 715 Minor Subdivision (3/27/17)	Minor Subdivision	Final	6/25/2017	6/12/2017	6/19/2017	4/7/2017			
Kopelson Lot 3 Land Devt (08/13/13)	Commercial Land Devt	Prelim	6/30/2017	6/12/2017	6/19/2017	unknown date	3/27/2017		
Spa Castle Land Development (Prel) (12/14/15)	Commercial Land Devt	Prelim	10/17/2017	10/9/2017	10/16/2017	Planning Rev 9/9/16 Technical Rev 11/9/16	3/27/2017		
Camelback Lot 13 and Hotel (06/13/16)	Commercial Land Devt	Prelim	6/9/2017	5/22/2017	6/5/2017	7/21/2016	3/27/2017		
Discovery Drive Widening (12/12/16)	Land Devt	Prelim*	6/8/2017	5/22/2017	6/5/2017	3/10/2017	3/27/2017		
Summit Health Center Land Development (1/9/17)								Prelim/Final Plan Waiver recommended to BOC at 2/13/17 meeting. Rec to BOC of Approval of modification of Sec 303A, BOC. Rec to BOC to approve the installation of an emerg access gate.	
Day Star Holiness Bible Church (2/13/17)	Land Devt	Prelim	5/1/2017	4/24/2017	5/1/2017	2/10/2017	3/27/2017		
	Land Devt	Prelim	5/14/2017	4/24/2017	5/1/2017	3/10/2017	3/27/2017		

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POCONO TOWNSHIP

POCONO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
March 27, 2017
7:00 P.M.

The Pocono Township Planning Commission Regular Meeting was held on March 13, 2017, at the Pocono Township Municipal Building, Tannersville, PA, and opened by Chairman Ron Swink at 7:00 p.m. followed by the Pledge of Allegiance.

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

Lisa Pereira, Solicitor, Jon Tresslar, Engineer, Charles Vogt, Township Manager, and Michael Tripus, Zoning Officer were present.

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

CORRESPONDENCE: NONE

MINUTES: R. Demarest made a motion, seconded by M. Guidry, to approve the minutes of 03/13/2017. All in favor. S. Gilliland and R. DeYoung abstained. Motion carried.

NEW PLANS AND SUBMISSIONS FOR PLANNING COMMISSION REVIEW:
Kenbar Route 715 Subdivision - R. Demarest made a motion, seconded by J. Sawicki, to accept the plan for review. All in favor. Motion carried.

FINAL PLANS UNDER CONSIDERATION:
Farda Minor Subdivision Plan - Plan accepted at the 02/13/2017 P.C. Mtg. Last P.C. meeting is 04/24/2017. M. Guidry made a motion, seconded by R. Demarest, to table the Farda Minor Subdivision Plan. All in favor. Motion carried.

PRELIMINARY PLANS UNDER CONSIDERATION:
Sheldon Kopelson, Commercial Development (Lot 3) - Plan was accepted at the 8/13/2013 P.C. Meeting. Last P.C. meeting is 06/12/2017. R. Demarest made a motion, seconded by J. Sawicki,

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POCONO TOWNSHIP

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to table the Sheldon Kopelson, Commercial Development (Lot 3).
All in favor. Motion carried.

Spa Castle Land Development Plan - Plan was accepted at the 12/14/2015 mtg. The Planning Modules was rejected by the Commissioners. **Last P.C. meeting is 04/03/2017.** R. Demarest made a motion, seconded by M. Guidry, to recommend denial of the the Spa Castle Land Development Plan unless the developer grants a time extension prior to the April 3rd BOC meeting. All in favor. Motion carried.

Camelback Lot 13 and Hotel Land Development Plan - Plan was accepted at the 06/13/2016 mtg. **Last P.C. meeting is 04/10/2017.** R. Demarest made a motion, seconded by M. Guidry, to recommend denial of the Camelback Lot 13 and Hotel Land Development Plan unless the developer grants a time extension prior to the April 3rd BOC meeting. All in favor. Motion carried.

Sanofi Pasteur Discovery Drive Widening Land Development Plan - Plan was accepted at the 12/12/2016 mtg. **Last P.C. meeting is 05/22/2017.** D. Purcell made a motion, seconded by J. Sawicki, to table the Sanofi Pasteur Discovery Drive Widening Land Development Plan. All in favor. Motion carried. S. Gilliland abstained.

Summit Health Campus Land Development Plan - Plan was accepted at the 01/09/2017 mtg. **Last P.C. meeting is 04/24/2017.** M. Guidry made a motion, seconded by J. Sawicki, to table the Summit Health Campus Land Development Plan. All in favor. Motion carried.

Day Star Holiness Bible Church Land Development Plan - Plan was accepted at the 02/13/2017 mtg. **Last P.C. meeting is 04/24/2017.** Boucher & James review letter of 03/10/2017 received. Sean Pollicelli, P.E. represented the plan. Discussion followed on the Township Engineer's review letter. Mr. Pollicelli indicated that he had initiated utilized the old SALDO, and has since learned that the new SALDO was enacted. He understands that there are engineering comments that will need to be addressed in light of the new SALDO, and requested that the plan be tabled. R. Demarest questioned the PPL lines crossing the property and whether they impacted the development. Mr. Pollicelli indicated that church buildings would not be located under the PPL lines.

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Ultimately, PPL will have to review the plan. D. Purcell made a motion, seconded by R. Demarest, to table the Day Star Holiness Bible Church Land Development Plan. All in favor. Motion carried.

SKETCH PLANS

Kenbar Route 715 Land Development Sketch Plan - Ken Schuchman appeared on behalf of the plan. He indicated that he would be appearing at the next Planning Commission meeting to discuss the sketch plan.

PERMITS - NONE

PLANNING MODULE - NONE

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

ADAMS OUTDOOR ADVERTISING CONDITIONAL USE APPLICATION

The applicant has provided a time extension and has requested this application be tabled. J. Sawicki made a motion, seconded by M. Guidry, to table the Adams Outdoor Advertising Conditional Use Application. All in favor. Motion carried.

BROOKDALE ON THE LAKE ZONING AMENDMENT

Jeff Durney, Esquire appeared on behalf of the applicants. He indicated that the zoning text amendment posted on the Township website was missing a few pages. He wanted to make sure that the Planning Commission had a complete copy. Mr. Durney provided a handout outlining key points of the Resort Re-Use Overlay District amendment. He gave a history of the petition. He indicated that the amendment is not specific to the Brookdale property. Mr. Durney explained the purpose of the overlay district. A property would need to meet all of the ordinance requirements and conditional use criteria in order to be developed in accordance with the overlay. He described a two-step process involved with the development of the proposed treatment center: (1) enactment of the overlay district zoning amendment, and (2) conditional use application (applicant has to establish that it complies with the criteria).

Mr. Durney highlighted certain items developer would need to meet under the amendment:

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1. have all relevant licenses
2. submit plot plan
3. 50% must remain open space
4. provide landscaping plan
5. site must provide security
6. provide surveillance
7. immediate family member visitors only
8. use cannot adversely affect the health and safety of residents

He indicated that treatment centers are highly regulated facilities:

- They require staffing/certifications regarding size and design of resident facilities
- Must meet all federal, state and local laws in addition to obtaining conditional use approval

Mr. Durney explained that the amendment sought to address problems with vacant resort properties in the Township. He described that closure of resorts has led to loss of jobs in the area.

Mr. Durney indicated that there were some benefits to re-using the existing vacant resorts including:

- Tax revenue
- Ancillary income/employees working
- Employees patronizing local establishments
- Job creation
- No increase in intensity of property since these properties were previously resorts

He mentioned that other permitted uses in RD District are more intense uses than the treatment center, and the Township Comprehensive Plan contemplates adaptive reuse of vacant, unused properties.

Mr. Durney went on to explain what occurred at the January 19th Meeting (provided transcript of said meeting). He discussed the speakers who appeared and spoke on behalf of the treatment center.

R. Swink asked Mr. Durney why this was not considered spot-zoning

- Mr. Durney indicated that while there are currently only two properties, there are other properties that may qualify at a later date.

S. Gilliland questioned item No. 12 on the handout supplied by Mr. Durney. Section 1006 Site Development indicates 50% of site must remain open space and deed restricted to prohibit future subdivision or development. There is a discrepancy between the handout and the text of ordinance amendment.

- Mr. Durney indicated that the developer could go back to the BOC for permission to develop recreational uses in the restricted areas.
- S. Gilliland is concerned that developer could develop the 50% restricted area as a waterpark or any other recreational use.
- Mr. Durney indicated that "recreational use" would be something other than a waterpark.

Vincent Trapasso, one of the Brookdale developers, indicated that back area of the Brookdale resort site would not be developed.

S. Gilliland questioned if the realtor and appraiser who appeared at the January 19th meeting were paid to speak on behalf of the treatment center.

- Mr. Durney indicated that he was not sure. Mr. Trapasso said one was paid and the other was not paid.

S. Gilliland questioned what the estimated taxes would be.

- Mr. Durney indicated that the property appraised at \$1M - it would be 4 to 5 times that amount with the proposed development.

S. Gilliland indicated that this ordinance amendment is specific for this property.

- Mr. Durney mentioned that another property that would apply. He conceded that ordinance did benefit this property.

S. Gilliland questioned whether anyone had spoken with the neighboring residents about their concerns?

- Mr. Durney mentioned that they did go around to speak with residents about their concerns.

S. Gilliland questioned whether any Commissioners had spoken with any residents about their concerns?

- E. Gndt indicated that she had spoken with a resident about his concerns.

S. Gilliland explained that he had nothing against the developers, but he is very concerned about the neighbors and having this kind of facility adjacent to their residences. He would like the Commissioners to weigh the benefits to the Township and the residents. How are they going to justify it?

R. Swink discussed the Monroe County Planning Commission's open space recommendation

- R. Demarest indicated that, as a prior member of the MCPC, he has never seen this issue raised by the MCPC before.

R. Swink asked Jon Tresslar if this proposal qualifies as a land development.

- J. Tresslar said this would qualify as a land development only if they are constructing new buildings/additions. The renovation of existing buildings would not qualify as land development.
- Mr. Trapasso said he is only repairing the existing buildings. No new buildings or additions are proposed.

R. Swink questioned the landscaping/buffering plans.

- Mr. Durney explained that landscaping/buffering plans would be submitted at conditional use hearing.

R. Swink questioned the proposed buffering.

- Mr. Durney indicated that existing buildings are not subject to 100 foot buffer under the proposed amendment (only new buildings).

J. Tresslar read through his memo in response to the MCPC letter.

L. Pereira explained that in granting a conditional use, the BOC could impose "reasonable" conditions. An applicant however could challenge the conditions as not being reasonable. If there is a material condition that the Township would like to attach to the conditional use they may want to consider placing it directly into the ordinance. This would minimize the possibility of having that condition deemed not "reasonable" and therefore not applicable to the applicant.

S. Gilliland explained that stormwater management is an issue at this property - the spillway and culvert cannot handle water during storm events.

Steve Keller - wanted to make a correction on the record that the Brookdale property is not abandoned. He is a resident that does not want this use developed at this site. He indicated that there are plenty of other commercial properties available. He is also concerned about how the development of this site would impact Dyson Road, which currently floods. Stormwater issues are of concern to him.

The following persons signed the sign-in sheet but declined to comment:

- Ruthann Keller
- Theresa Kline
- Janet Miller
- Gus Esposito
- Judi Coover
- Ellen Gandt

Tom Wise - lived in Scotrun for 57 years. His grandmother lived near the Brookdale site and he knows the property very well. It is a unique piece of property with beautiful topography. He indicated that overlays are designed for unique purposes to

address a problems. The proposed treatment center is the wrong idea for the wrong place. Treatment centers already permitted in the Township. He is concerned about residents being allowed to travel in and out of facility. Questioned why treatment not contained in buildings. He questioned how this ordinance can apply to another property in the Township. He is okay with the other uses that are permitted in the RD District.

Steve Larson - questioned 50% of property being open space. Also questions the overlay district and what it encompassed.

- Mr. Durney mentioned that the overlay district encompasses the entire township. The Brookdale site is 232 acres is size of Brookdale site.

Mr. Larson questioned impervious coverage of the treatment center site. He wanted to know what guarantee there is in ordinance that there will not be any court-mandated residents - only voluntary residents. Discussion of reasonable conditions.

- Mr. Durney indicated that as a practical matter the developer wants to proceed with the development and unless a condition was completely unreasonable, they will not be appealing. He also indicated that the treatment center site will be identified at the conditional use hearing.
- Mr. Trapasso mentioned that the road leading back to Brookdale site will be repaired.

Mr. Larson questioned whether there will be input from the Commissioners or the public to define the metes and bounds of site.

- Mr. Durney said that concerns from the public will be heard and if possible addressed.

S. Gilliland questioned whether the developer would consider amending the language to address the concerns raised by the public. He is concerned that there is currently no site plan.

Mike Delgrasso - questioned what is being developed on the site (80 - 100 beds; 10'x 6' buildings).

R. DeYoung - questioned what is being considered a bed/unit.

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- Mr. Durney has indicated that the developer is intending to renovate the existing buildings.

Tom Wise - wants to see the plan that is being proposed.

R. Swink questioned whether they going to tear down any buildings and use the footprints to build a new building.

- Mr. Durney indicated that may happen but this is not the intent of the developer.

M. Guidry questioned the 50% of resort re-use development.

R. Demarest indicated he grew up on a small lot in N.J. He - moved to this area to find property. In 1957 he purchased 4 acres. He kept buying additional acreage since the only property you can control is property you own. He mentioned that a group could get together to purchase the property in order to control it.

R. Swink questioned whether P.C. wanted to digest this and make a recommendation at the next meeting.

S. Gilliland questioned why the hearing was set for April 18th.

- J. Coover indicated that the solicitor advertised the hearing for April 18th.

D. Purcell would like to see changes to the proposed ordinance.

R. Swink asked the Planned Commission how many would like to vote on ordinance tonight.

R. DeYoung - doesn't understand what 50% open space will be taxed at. What is the tax rate?

Judy Sarubbi - questioned the 50% open space calculation.

- Mr. Durney indicated that the development will be at least a 50 acre subset of the total resort area.

Ed Sarubbi - suggested restricting even more land than what is being proposed.

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S. Gilliland made a motion, seconded by R. DeYoung, to recommend that the proposed zoning text amendment establishing a Resort Re-Use Overlay Zoning District not be enacted by the Board of Commissioners.

Roll Call Vote:

1. D. Purcell - yes
2. R. DeYoung - yes
3. S. Gilliland - yes
4. M. Guidry - yes
5. B. Demarest - no
6. J. Sawicki - no
7. R. Swink - yes

Motion passed (5-2)

UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

COMMENTS BY AUDIENCE: NONE

ADJOURNMENT:

D. Purcell made a motion, seconded by R. DeYoung, to adjourn the meeting until 04/10/2017 at 7:00 p.m., at the Pocono Township Municipal Building. All in favor. Motion carried.

April 3, 2017

Project No: 10438.005

Pocono Township
112 Township Drive
PO Box 197
Tannersville, PA 18372

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POCONO TOWNSHIP

ATTENTION: POCONO TOWNSHIP PLANNING COMMISSION

**SUBJECT: LANDS OF FARDA REALTY ASSOC. LP & ANTHONY M. FARDA, TRUSTEE
MINOR SUBDIVISION PLAN – REVIEW NO. 1
POCONO TOWNSHIP MONROE COUNTY, PA – PROJECT NO 1730031R**

Dear Planning Commission Members:

We are in receipt of Boucher & James Inc. March 1, 2017 review letter and offer the following responses. For clarification we have repeated the comments.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 405.C.1.a, the minimum required lot area is 1 acre. Article II defines Lot Area 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 the Pocono Township Subdivision and Land Development Ordinance." *The gross and net lot areas for the proposed lots must be provided on the plan. In addition, lot closure reports for the net lot areas must also be submitted.*

Response: Drainage areas have been indicated and the net lot areas computed. The net lot area clearly exceed the minimum required lot area.

2. In accordance with Section 405.C.1.c, the maximum permitted impervious coverage is 35% for residential uses, and 80% for other uses. *This requirement must be listed for all proposed lots in the Current Zoning Requirements table on Sheet 3.*

Response: This requirement has been added to Sheet 3.

3. In accordance with Section 405.C.2.a, the minimum required front yard depth is 75 feet. *The existing structures on Proposed Lot 2 are located within the front yard and are existing non-conformities. The proposed subdivision does not affect the existing non-conformity.*

Response: No response required.

4. In accordance with Section 405.C.2.b, the minimum required side yard width is 20 feet. *As a result of the proposed subdivision, eight (8) existing resort units will be located within the required side yard along the new property line on Proposed Lot 1. Sheet 2 indicates these units*

will be removed with future land development. The Summit Health Campus Land Development Plans proposes to remove the eight (8) existing resort units.

Response: No response required.

5. In accordance with Section 405.C.3.a, the maximum permitted principal building height is 50 feet. Per Section 504.C, for non-residential structures, this height may be increased 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. *These requirements, as they relate to the proposed subdivision, must be listed for all proposed lots in the Current Zoning Requirements table on Sheet 3.*

Response: This requirement has been added to Sheet 3.

6. In accordance with Section 562.B, Vehicle Fueling Stations, "the subject property shall have a minimum lot width of one hundred and twenty-five (125) feet." *This requirement must be listed for Proposed Lot 2 in the Current Zoning Requirements table on Sheet 3.*

Response: This requirement has been added to Sheet 3.

7. In accordance with Section 562.E, Vehicle Fueling Stations, "gasoline pump islands shall be at least thirty (30) feet from the street right-of-way line." *This requirement must be listed for Proposed Lot 2 in the Current Zoning Requirements table on Sheet 3.*

Response: This requirement has been added to Sheet 3.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

8. In accordance with Section 404.2.G, a north arrow must be provided on the plan. *A north arrow must be provided on Sheet 5.*

Response: A north arrow has been added to Sheet 5.

9. In accordance with Section 404.2.M, "reference monuments and/or lot markers shall be shown on the plan and shall be placed as required by Section 608 of this Ordinance." In accordance with Section 608.A.4, monuments must 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. *The required monumentation must be provided.*

Response: Proposed monuments have been indicated on the plans where required.

10. In accordance with Section 404.2.P, "the name and number and pavement width and right-of-way lines of all existing public roads and the name, location and pavement width and right-of-way lines of all other roads within or abutting the property" must be provided on the plan. *The source of the existing right-of-way along S.R. 0715 must be noted on the plan.*

Response: The source of the existing S.R. 0715 right of way has been noted on the plan.

11. In accordance with Section 404.2.U, "site data including, total acreage, number of lots, existing zoning district (if zoning is in effect) and tax map number" must be provided on the plan. *The tax map number and ID for the two (2) larger Farda Realty Associates, L.P. properties are switched and must be revised.*

Response: The plan has been revised.

12. In accordance with Section 601 .1.F.5.b.6, "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." *A note to this effect in support of the proposed steep slope easement must be provided on a plan to be recorded.*

Response: A note has been added to the plan.

13. In accordance with Section 61 5.4.1, street trees are required "along all existing streets abutting or within the proposed subdivision or land development." *A waiver request has been submitted for Section 615.4. The request indicates trees exist along S.R. 0715 and that the appropriate streets trees will be provided at the time of development. We have no objection to this request.*

Response: Waivers have been recommended by the Planning Commission and will be presented to the Commissioners.

14. In accordance with Section 61 5.6.A, property line buffers and site element screens are required for all subdivisions and land developments. *A waiver request has been submitted for Section 615.6. The request indicates the existing site is wooded along the property lines, and that appropriate buffers and screens will be provided at the time of development. We have no objection to this request.*

Response: Waivers have been recommended by the Planning Commission and will be presented to the Commissioners.

MISCELLANEOUS COMMENTS

15. All references to the Board of Supervisors must be revised to reference the Board of Commissioners.

Response: The plan has been revised.

16. The Current Zoning Requirements table on Sheet 3 must be revised to also include Proposed Lots 1 and 3.

Response: The Zoning Requirements table has been revised.

17. The Existing Features Plan, Sheet 2, shall not delineate nor reference the proposed lots.

Response: The Existing Features plan has been revised.

18. All required signature blocks must be placed on a plan to be recorded (i.e., Sheet 3).

Response: Sheet 3 has been revised to include all required signature blocks.

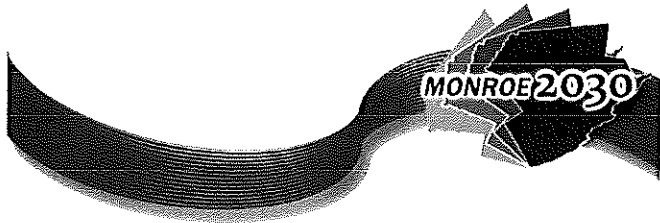
If you have any questions regarding the above comments, please contact me.

Very truly yours,

R.K.R. HESS, a division of UTRS. Inc.



Nathan S. Oiler, PE
Land Development Section Manager



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POCONO TOWNSHIP

MONROE COUNTY PLANNING COMMISSION

April 4, 2017

Charles Vogt, Township Manager
Pocono Township
112 Township Drive
PO Box 197
Tannersville, PA 18372

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

Re: Kenbar S.R. 715 Land Development
Minor Subdivision:
Pocono Township
MCPC Review #57-17

Dear Mr. Vogt:

Our office has received a copy of the above noted minor subdivision concerning a 2.01 acre site located at the westerly intersection of Sullivan Trail and Route 715. The plan is proposing to create two (2) one acre lots by adjusting the lot lines of PIN 12637201293036 and PIN 12637201291261. Lot 1 currently contains a billboard. Lot 2 is undeveloped but the provided materials suggest this may be the future site for a 2,800 Square Foot restaurant. The site is to be served by on-lot water supply and central sewage disposal systems and is located within the Commercial (C) Zoning District.

I have reviewed the proposed minor subdivision on the basis of generally accepted planning principles and environmental concern. The following comments are offered:

1. It should be noted the applicant is requesting numerous waivers for its Subdivision and Land Development Ordinance. (SALDO)
 - a. 302.4.B.-existing resources and site analysis
 - b. 302.4.C -site inspection
 - c. 404.2.GG.3. -utility, drainage and slope easement
 - d. 601.1.M -interior walkways
 - e. 602. -four step design process
 - f. 607.23. -sidewalks
 - g. 615.6.C -property line buffers
 - h. 618.3. -wetland buffers
2. The Pennsylvania Natural Diversity Inventory (PNDI) search indicates the U.S. Fish and Wildlife Service (USFWS) are requesting further review of this project with respect to potential impacts.
3. The driveway location for the newly created "Lot 1" is indicated on the plan. Because of the sites proximity and location on Route 715 it should be noted that it will be a joint use easement for both lots. However, the status of the Highway Occupancy Permit for this project is unknown at this time.

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Kenbar S.R. 715 Land Development
Minor Subdivision:
Pocono Township
MCPC Review #57-17

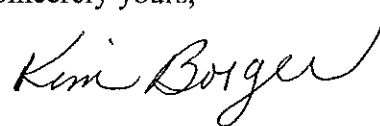
4. A billboard, currently located on the property is partially located in the ultimate right of way. Its location could prevent adequate site distance for the proposed low volume driveway.
5. Information concerning the availability for municipal sewage system for the proposed lots was not included with the submitted materials.
6. Upon review of the submitted plan it appears that the "Benchmark" engineer seal and signature has not been provided on the plan. Also not available on the plan is the required "key map."

It is recommended that approval of this plan be conditioned upon the plan achieving compliance with applicable Township ordinances, and the Township Engineer's review.

All comments are preliminary and will be acted upon by the Planning Commission at its regular meeting on April 11, 2017 at 5:00 p.m. at the Monroe County Administrative Center. This action is in keeping with the Planning Commission's review policy and allows the municipalities and other interested parties to respond to the review comments before the Planning Commission's public meeting.

If these comments are not amended and are found to be acceptable by the Board at the next meeting, they should be considered to be approved.

Sincerely yours,



Kim Borger
Planner/Addressing Coordinator

cc: Bernard Telatovich, P.L.S.

RECEIVED
APR 07 2017

MATERGIA and DUNN

*Attorneys at Law
919 Main Street
Stroudsburg, Pennsylvania 18360*

POCONO TOWNSHIP

**Ralph Anthony Matergia
John B. Dunn**

**Telephone (570) 421-7720
Fax (570) 421-8945
email: lawyers@matergiadunn.com**

March 30, 2017

Board of Commissioners of Pocono Township
Pocono Township Municipal Building
P.O. Box 197
112 Township Drive
Tannersville, PA 18372

Re: C. Castle LLC – Spa Castle Grand Pocono Resort
Time Extension – Land Development Plan Application
Our File No. 2015-107

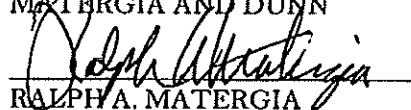
Dear Commissioners:

C. Castle LLC (the "Applicant") hereby grants the Township Board of Commissioners a time extension until close of business on October 17, 2017 to render a decision with regard to its pending land development application. The extension is requested to allow sufficient time for the Applicant to decommission its existing wastewater treatment plant on the site and to further PADEP review regarding sewerage effluent discharge limitations on the subject property.

The Applicant hereby waives any applicable provisions of the Township Ordinances or the MPC, which may require the Commissioners to render a decision concerning the land development plan application at an earlier date.

Thank you for your attention to this matter.

Very truly yours,
MATERGIA AND DUNN


RALPH A. MATERGIA

jar
enc: Steve Chon, CEO
Leo DeVito, Esq.
Lisa A. Periera, Esq.
Charles Vogt, Township Manager
Joshua Lee, Executive Director
Deanna Schmoyer, P.E. (Borton & Lawson)



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

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

www.bjengineers.com

April 7, 2017

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APR 07 2017

POCONO TOWNSHIP

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

**SUBJECT: KENBAR INVESTMENT GROUP
LAND DEVELOPMENT PLAN – SKETCH PLAN REVIEW NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1730040R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our first review of the Sketch Plan Application for Kenbar Investment Group. The submitted information consists of the following items.

- Pocono Township Land Development Application.
- Sketch Plan (1 Sheet) prepared by Benchmark Civil Engineering Services, Inc., dated March 8, 2017.

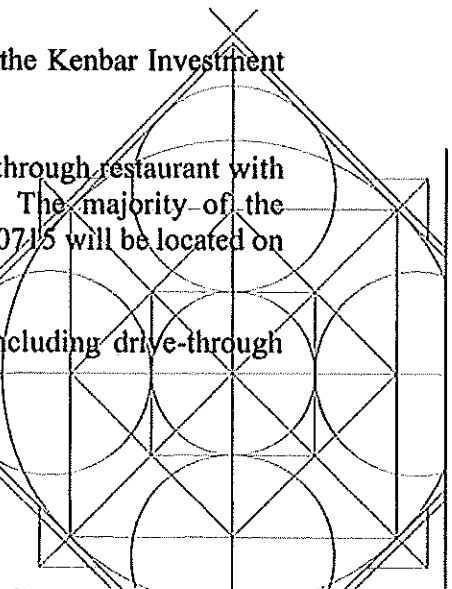
BACKGROUND INFORMATION

The Applicant, Kenbar Investment Group, is proposing a land development at the northwestern corner of the intersection of Sullivan Trail (S.R. 4004) and S.R. 0715. (PIN Nos. 12-6372-01-29-1261 and 12-6372-01-29-3036, Parcel Nos. 12/8/2/6 and 12/8/2/7) The properties are located within the C, Commercial Zoning District.

The proposed land development will occur on Proposed Lots 1 and 2 of the Kenbar Investment Group Minor Subdivision which is currently under review.

The proposed land development will consist of a 2,800 square foot drive-through restaurant with associated parking, loading area and paved access from S.R. 0715. The majority of the development will reside on Proposed Lot 2. The driveway accessing S.R. 0715 will be located on the access corridor of Proposed Lot 1.

In accordance with Section 405.B and the Use Schedule, restaurants including drive-through restaurants are permitted uses within the C, Commercial Zoning District.



Based on our review of the Sketch Plan, we offer the following comments for your review.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 405.C.2.a, the required front yard depth is 75-feet. *A front yard with a depth of 75-feet must also be provided along Sullivan Trail (S.R. 4004). In addition, the front yards shall be taken from the required Township Ultimate Rights-of-Way. As shown, the proposed restaurant will be located within the front yard along S.R. 0715. Refer to Comment 12.*

In addition, the front yard depth of 98 feet listed in the Zoning Data appears incorrect and should be revised.

2. In accordance with Section 405.C.2.d, the required well setback is 15-feet. *The required well setback must be listed in the Zoning Data and the proposed well location shall be shown on the plan.*
3. In accordance with Section 405.C.3.a, the maximum height of the principal building shall be 50-feet. *The height of the proposed restaurant must be listed in the Zoning Data.*
4. In accordance with Section 512.D.2, "an off-street truck loading space shall be a minimum of 12 feet in width and a minimum of 35 feet in length". *The proposed loading area is 10-feet wide by 60-feet long, and must be revised to provide the required 12-foot width.*
5. In accordance with Section 534.B, "drive-through lanes shall be designed for stacking of a minimum of six (6) vehicles and shall be separated from the internal circulation system for the parking facilities". *The anticipated number of vehicles accessing the proposed restaurant must be provided along with an analysis of the required queue length of the drive-through.*
6. In accordance with Section 534.D, "exterior seating and/or play areas shall be completely enclosed by a four (4) foot high fence". *Any proposed outdoor seating area or play area must be discussed. If proposed, the location(s) must be shown with the required fence on the Land Development Plan.*

SUBDIVISION AND LAND DEVELOPMENT COMMENTS

7. In accordance with Section 302.4.B, "Applicants should submit an Existing Resources and Site Analysis prepared in accord with the requirements of Section 402.3. The purpose of this key submission is to familiarize officials with the existing conditions on the Applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for conducting a site inspection. This plan should be provided prior to or at the site inspection and form the basis for the development design as shown on the Sketch Plan (or on the Preliminary Plan, if the optional Sketch Plan is not submitted). *A waiver/deferral of this requirement is requested on the plan.*

Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. Given the number of existing natural features and their proximity to the proposed development, an Existing Resources and Site Analysis Plan shall be provided with the Sketch Plan. This plan will also be a requirement of the Land Development Plan Application, and must also be submitted at that time.

8. In accordance with Section 302.4.C, "after preparing the Existing Resources and Site Analysis, Applicants should arrange for a site inspection of the property by the Planning Commission and other municipal officials, and shall distribute copies of said Site Analysis at that on-site meeting. Applicants, their site designers, and the landowner are encouraged to accompany the Planning Commission. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of designated open lands (if applicable), and potential locations for proposed buildings and street alignments. Comments made by municipal officials or their staff and consultants shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the Site Inspection." *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The Planning Commission shall determine if they wish to perform a Site Inspection with the Applicant.*

9. In accordance with Section 404.2.GG.3, "utility, drainage and slope easements" must be provided on the Final Plan. *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan.*

The drainage easements shown along the property lines and street right-of-way are no longer required and shall be removed from the plan. Any proposed utility easements must be shown on the Land Development Plan. In addition, a slope easement is required in accordance with Section 601.1.F.5.b.5 of the Brodhead and McMichael Creeks Stormwater Management Ordinance, and must be shown on the Land Development Plan.

10. In accordance with Section 601.1.M, "pedestrian interior walks may be required, where necessary, to assist circulation or provide access to community facilities (e.g., a park or school)". *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. In addition, it does not appear this Section is applicable as no adjacent community facilities exist.*

11. In accordance with Section 602, "all Preliminary Plans for major subdivisions, all commercial and industrial subdivisions, and all land developments on sites of three (3) acres or more shall include documentation of a four-step design process in determining the layout of proposed conservation open space, house and development sites, roads

and lot lines, as described below". *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. In addition, this requirement is for land developments of 3 acres or more and will not be applicable to the Land Development Plan.*

12. In accordance with Section 607.9 and Table VI-1, the required rights-of-way along S.R. 0715 and Sullivan Trail (S.R. 4004) are 60-feet. *An Ultimate Right-of-Way line is shown along S.R. 0715. It appears the right-of-way line is shown at the incorrect width and should be revised and must be dimensioned on the plan. In addition, the required Right-of-Way along Sullivan Trail (S.R. 4004) shall also be shown and dimensioned on the plan. The required front yards shall be taken from the required Ultimate Right-of-Way lines. Refer to Comment 1.*
13. In accordance with Section 607.16.A, "all driveway and access drive related improvements shall be located and constructed in such manner as to provide safe access to Township and state roads and not to impair the drainage or normal maintenance within road rights-of-way, or to alter the stability of any roadway, subgrade or roadway embankment, or to change the drainage of adjacent areas, not to interfere with the traveling public. Sufficient area for and access to off-road parking shall be provided." *An existing drainage swale directs stormwater through the property to an existing inlet located near the future centerline of the proposed driveway. The drainage of this stormwater must be addressed with the Land Development Plan. In addition, consideration shall be given to the relocation of the existing inlet to eliminate the potential for ponding and/or icing at the intersection of the proposed driveway with S.R. 0715.*
14. In accordance with Section 607.16.M.2, "access drive entrances into all non-residential and non-agricultural use properties shall be no less than twenty-four (24') feet in width, shall not exceed thirty-six (36') feet in width at the road line, unless provided with a median divider, and shall be clearly defined by curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of twenty (20') feet from where they intersect a road." *Curbing shall be provided along the proposed driveway.*
15. Landscaping shall be provided in accordance with Section 615. Additional comments may be provided upon review of proposed landscaping.
 - a. In accordance with Section 615.3.B.1, "one (1) planting island shall be provided for every ten (10) parking stalls. There shall be no more than fifteen (15) contiguous parking stalls in a row without a planting island." *A planting island is required along the row of 18 parking spaces adjacent to S.R. 0715.*
 - b. In accordance with Section 615.3.B.2, "the ends of all parking rows shall be divided from drives by planting islands". *The proposed 6 space parking row must include a planting island on its western end.*

- c. In accordance with Section 615.6.C and Table 615-1, a 10-foot wide medium buffer is required along the property line shared with Grace United Church of Christ. *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The required buffer must be provided on the Land Development Plan.*
16. In accordance with Section 618.1, "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 U.S. Army Corps of Engineers. Until such time as the Board of Commissioners has approved the application, the wetland limits shall be visibly identified in the field." *A Wetland Report prepared by Brand Environmental Consulting Services, Inc. was submitted with the Minor Subdivision Plan and recommends a Jurisdictional Determination be completed to verify the results of their study. The existing wetlands are in close proximity to the area of development and the required wetland buffer will be impacted by the development. Refer to Comment 17. A Jurisdictional Determination should be completed.*
17. In accordance with Section 618.3, "the wetland buffers required by the Township Zoning Ordinance and Stormwater Regulations shall be provided and shall be shown on the plan." *The required 50-foot wetland buffer must be shown on the plan in accordance with Section 303.I.6.b of the Brodhead and McMichael Creeks Stormwater Management Ordinance. In accordance with Section 303.I.6.b.i, "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 5 space parking row, driveway, drive-through lane, and loading area will be located within the required 50-foot wetland buffer.*
- A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The wetland buffer must be shown on the Land Development Plan.*
18. Common open space and/or recreation land will be required in accordance with Section 619.
19. In accordance with Section 620.H.1, "each off-street loading and unloading space shall be either (a) at least fourteen (14') feet in width by forty (40') feet in depth or (b) at least ten (10') feet in width by sixty (60') feet in depth". *The proposed loading space is 10-feet wide by 60-feet long, however the Zoning Ordinance requires a 12-foot width and the width of the loading space must be revised. Refer to Comment 4.*
20. In accordance with Section 622.A, 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 fifteen (15) or more dwelling units or residential lots in the aggregate; or all non-residential developments (with the exception of agricultural development) with buildings containing in excess of twenty (20,000) thousand square feet of floor space in the aggregate; development of any kind impacting thirty (30) acres of land or more in the aggregate.” *The number of new trips per day must be provided and, if required, a Traffic Impact Study submitted. As previously discussed in Comment 5, regardless of the need for a Traffic Impact Study, a queuing analysis must be submitted for the proposed drive-through.*

Given the existing congestion along S.R. 0715, the submitted Traffic Impact Study shall also include neighboring future development. In addition, PennDOT funded improvements are being planned along S.R. 0715. An analysis shall also be completed to show the impacts of the development on S.R. 0715 without the planned PennDOT funded improvements.

21. In accordance with Section 607.23 “sidewalks and 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.” *A waiver/deferral of this requirement is requested on the plan. Waivers/deferrals are not required in the Sketch Plan phase and the Waiver/Deferral list shall be removed from the plan. The requirement for sidewalk along S.R. 0715 shall be discussed in preparation of the Land Development Plan submission.*

STORMWATER MANAGEMENT ORDINANCE COMMENTS

The proposed development is located within the McMichael Creek Watershed and is required to comply with the Brodhead and McMichael Creeks Stormwater Management Ordinance. Stormwater management must be provided with the Land Development Plan Application.

22. In accordance with Section 303.I.8.b, “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, fish hatcheries, wildlife sanctuaries and boat launch sites constructed so as not to increase the flood plain elevation, and unpaved trails, shall be permitted providing no buildings are involved. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted.” *A description of the Waters of the Commonwealth must be provided on the plan. If identified as a stream, the required 50-foot stream buffer must be provided on the plan in accordance with Section 303.I.8.a. The proposed 5 space parking row, driveway, drive-through lane, and loading area will be located within this 50-foot stream buffer.*

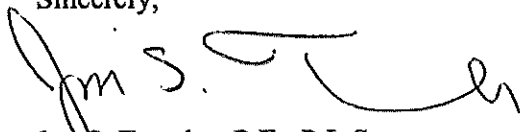
MISCELLANEOUS COMMENTS

23. The proposed lots on the Minor Subdivision Plan have been situated such that access to the restaurant on Proposed Lot 2 is not located on the same lot. Access to the restaurant will be located on Proposed Lot 1.
24. The existing utility pole and signage located within the proposed driveway must be relocated.
25. Truck turning movements must be submitted for the vehicles accessing the site, including trash, delivery, and emergency vehicles.
26. Agreements for the continued use and maintenance of the existing billboard shall be provided.
27. All references to the Board of Supervisors must be revised to reference the Board of Commissioners.

The above comments represent a Sketch Plan Review to document Zoning, Subdivision and Land Development, and Stormwater Management Ordinance requirements that may affect the subsequent submission of a Land Development Plan Application. A thorough and comprehensive review will be provided upon receipt of a formal Land Development Plan submission.

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

Sincerely,



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

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Tripus, Township Secretary
Michael Tripus, Township Zoning Officer
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Bernard M. Telatovich, P.E., Benchmark Civil Engineering Services, Inc. – Applicant's Engineer
Ken Schuchman, Kenbar Investment Group – Applicant/Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.

EXTENSION OF TIME PURSUANT TO SECTION 508(3) OF THE PENNSYLVANIA
MUNICIPALITIES PLANNING CODE

TO: Board of Commissioners
Pocono Township Municipal Building
P.O. Box 197
Tannersville, PA 18372

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

FROM: Kolby Kauffman, Adams Outdoor Advertising
6053 Route 209
Stroudsburg, PA 18360

Pursuant to Section 508(3) of the Pennsylvania Municipalities Planning Code, 53 P.S. 10508(3),
the undersigned applicant/attorney for applicant/engineer for applicant/other agent for applicant
[circle applicable representative] hereby agrees to an extension of time for decision by the
Pocono Township Planning Commission and the Pocono Township Board of Commissioners
concerning the approval of the subdivision and/or land development and/or Conditional use
application/plan entitled:

Casciano - V-Shaped Digital Billboard Structure

ADAMS requests a general continuance of the Planning Commission meeting to be rescheduled at the
request of ADAMS and meanwhile ADAMS waives any time limitations under the PA Municipalities
Code. If an agent, the undersigned verifies that this extension agreement is executed with the authorization
of the applicant.

Kolby Kauffman
(Signature)

Kolby Kauffman
(Print Name)

Dated: 4/7/17

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APR 07 2017
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