

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION NOTES
June 5, 2018

The work session was called to order by Chairman William Weimer at 6:00 pm in the meeting room of the Coolbaugh Township Municipal Office, 5520 Municipal Drive, Tobyhanna, PA.

Board Members present:

William Weimer, Anthony Lamantia, Lynn Kelly, Alma I. Ruiz-Smith and Clare Colgan

Board Members absent:

None

Staff present:

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary Tomas Keane Codes/Zoning Officer, Joe Brady, Zoning Officer and Meredith Thompson, Assistant Business Manager

Staff absent:

None

Mr. Weimer announced that this work session is being recorded to aid in the preparation of the notes.

1. Discussion on Building Code Inspection Companies- Barry Isett & Associates

Ms. Ruiz-Smith stated that she was approached by Barry Isett & Associates at PSATS regarding building codes. Ms. Ruiz-Smith stated that she believes that with the projects in Tobyhanna Township that are up and coming that having an additional option available will only benefit the Township. Ms. Ruiz-Smith stated that legislation allows for more than one building codes company to serve in a Township. Mr. Rick Harmon was in attendance from Barry Isett's office in Stroudsburg stating that they step into what the Township already has in place as far as procedures and fees, stating that they have excellent lines of communication with their Municipalities as well as a multitude of services that they are able to provide. Mr. Harmon stated that they currently work with over 80 Municipalities. John Decusatis stated that he is very familiar and active in Monroe County through many organizations including the Mount Pocono Borough, Pleasant Valley School District and PMEDC, stating that their company offers pro-bono grant writing along with having the expertise of many professionals in all areas available at all times. Ms. Ruiz-Smith stated that it is the practical thing for the Township to review the information provided as we have some big projects that are going to be coming forth in the near future as well.

- **Discussion:** None

2. Other Business

Mr. Weimer stated that he invited Nadia from Mama Maria's to attend the work session this evening as there is a lot of back and forth going on regarding the issues with the sign at the gas station on Memorial Boulevard. Mr. Weimer asked Mr. Keane, Coolbaugh Township Code Enforcement/ Zoning Officer and Mr. Brady, Coolbaugh Township Zoning Officer to discuss the issues regarding the situation. Mr. Keane stated that the previous sign at the gas station location was removed and a new location was chosen in which a new sign was installed without applying for a permit, stating that the location is not appropriate for the sign according to the Township Ordinance and this would have been determined had a permit application been submitted. Mr. Keane stated that the original sign that was at the location was a 26 square foot sign and the new one is 110 square foot. Ms. Barzeva stated that she went out and checked the sign sizes at other gas

stations in the area stating they are all much larger than the ordinance one is measured at 97.6 square feet. Mr. Brady stated that he was in the area and saw the work being done and issued a stop work order due to their being no permits issued. Mr. Weimer read the letter which outlined issues with the size of the sign, location, landscaping among other issues that had been submitted to the Zoning Hearing Board as this issue is currently being reviewed by them and is under a continuance to see if a resolution can be met. Ms. Barzeva stated that she has a meeting tomorrow with Bill Burton from BV to discuss the issues as there are also concerns regarding the pouring of the concrete footer for the new sign being installed and never inspected as necessary. Solicitor Armstrong stated that a pre-existing non-confirming structure has the right to remain, but once it is removed that right no longer exists, and it sounds like the sign was voluntarily removed with no intent to replace. Solicitor Armstrong stated that if a zoning application is denied that the next step is to go to the Zoning Hearing Board, stating that because the case is before the ZHB, there is nothing that the Board of Supervisors can do except to weigh in on their position but they cannot decide the case, stating that is up to the ZHB. Discussion ensued on possible solutions which included a smaller sign in the original location or ordering a custom sign that meets the ordinance requirements. Mr. Weimer stated that the short answer would be to remove the sign and the Township could issue the certificate of use. Mr. Keane stated that the zoning staff is paid to do a job and want to do it correctly so as to protect the Township, stating that the Township will not issue the certificate of use until the certificate of occupancy has been issued by BV. Ms. Barzeva stated that they received a fine from DEP in the amount of \$3,000.00 due to having fuel in the tanks and not being opened to sell it, stating that she wants to come to an agreement to resolve the issue. Ms. Barzeva stated that she has already purchased the sign and that it is a standard size sign that is used stating that it would cost thousands of dollars to order a custom made sign.

- **Discussion:** D. Pope stated that it will cost them a fortune to have a custom ordered sign made. Ms. Barzeva stated that if someone replaces a sign, why wouldn't the owner change it with one that is bigger. Mr. Weimer stated that he wants to make sure this issue is not a personal vendetta and that the correspondence states the facts and not a person's opinion. Ms. Ruiz-Smith stated that the Zoning Officer is supposed to state his professional opinion in his correspondence. Mr. Keane stated that the dangerous issue as referred to in the letter is in relation to the closeness to the power lines. Ms. Barzeva stated that she wants to come to a resolution in this matter.

3. Public Input

Nothing was heard

The Work Session ended at 7:10 pm.