

**Coolbaugh Township
Planning Commission Meeting
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The Coolbaugh Township Planning Commission Meeting of September 14, 2009 was held in the Township Municipal Center, in Building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Mr. Horne called the meeting to order at approximately 6:30 p.m. and led those in attendance in the recitation of the Pledge of Allegiance to the Flag.

Members present included: Mr. Wayne Horne, Ms. Alma I. Ruiz-Smith, Mr. Ronald Kluge, Mr. Bernard Kozen and Mr. Andrew Sterner. Also present were PC Solicitor Clark Connor, PC Engineer Russ Kresge and Recording Secretary Jeri Inness.

Approval of August 10, 2009 Meeting Minutes

Motion: Mr. Sterner moved to approve the August 10, 2009 Meeting Minutes and dispense with the reading. Seconded by Ms. Ruiz-Smith. Discussion - none. The motion carried 5-0

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Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan

No one was present on behalf of the project referenced above. Mr. Horne summarized a letter from August Antol, EIT of Liberty Engineering, Inc. requesting that the Planning Commission recommend to the Board of Supervisors that they approve a time extension until December 15, 2009 on the Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan, as the applicant waives the benefit of deemed decision through that date.

Motion: Mr. Kozen moved to recommend to the Board of Supervisors that they approve an extension until December 15, 2009 for the Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan, as the applicant waives the benefit of deemed decision through that date. Seconded by Ms. Ruiz-Smith. Discussion - none. The motion carried 5-0.

Preliminary Land Development Plan - Square One Markets, Inc.

No one was present on behalf of the plan referenced above. Mr. Horne confirmed that the Board of Supervisors granted the applicant an extension until December 3, 2009.

Motion: Mr. Horne moved to table discussion of the Preliminary Land Development Plan for Square One Markets, Inc. Seconded by Mr. Kozen. Discussion - none. The motion passed 5-0.

Summerall Estates - Preliminary/Final Land Development Plan

Shawn K. Langen of Arcadia Properties, LLC was present on behalf of the project referenced above. Mr. Langen said the applicant agrees to address all outstanding comments in a letter dated July 30, 2009 from Township Engineer Russ Kresge and noted that a revised plan had been sent out. It was confirmed that the revised plan was received at the Township today, but that Mr. Kresge had not yet received a copy at his office.

Mr. Langen said he was here to ask for a preliminary approval. Discussion followed in which it was the consensus of the Planning Commission members that they would not take action to make that recommendation until Township Engineer Russ Kresge has reviewed the revised plans.

Motion: Mr. Horne made a motion to table discussion of the Summerall Estates - Preliminary/Final Land Development Plan. Seconded by Mr. Sterner. The motion was called and carried 5-0.

Further discussion ensued in which the PC members acknowledged that the time frame for review of the project was up on September 15, 2009 and there was no extension letter. Solicitor Connor noted that the Board meeting will be held tomorrow on September 15th and the Supervisors will have to take action at that time. If there is no extension letter, the PC should make a motion indicating what they would like the Board to do in that circumstance. Mr. Langen was no longer present, so the PC Recording Secretary was directed to call Arcadia Properties regarding an extension letter.

Motion: Mr. Horne moved that if an extension letter is received for the Summerall Estates project before the meeting of the Board of Supervisors on September 15, 2009, the Planning Commission recommends that the Supervisors approve an extension until December 15, 2009; if not, the Planning Commission recommends that the Board of Supervisors deny the plan. Seconded by Mr. Sterner.

Discussion - Solicitor Connor said that this recommendation is based upon the engineer's comments in his July 30, 2009 letter. Township Engineer Russ Kresge also noted that the July 30, 2009 review was of a partial plan, so his previous correspondence should be added. The Recording Secretary confirmed that "all previous correspondence" would cover the additional comments. The motion with the additional information was seconded by Mr. Sterner and carried 5-0.

The Cross, Inc. - Land Development Plan

No one was present on behalf of the plan referenced above. Mr. Horne summarized a letter from Pastor Lakeram Sahadeo requesting a recommendation for an extension on The Cross, Inc. Land Development Plan until December 15, 2009.

Motion: Mr. Kozen moved to recommend to the Board of Supervisors that they grant an extension until December 15, 2009 for The Cross, Inc. Land Development Plan, as the applicant waives the benefit of deemed decision through that date. Seconded by Mr. Kluge. Discussion - none. The motion carried 5-0.

Motion: Mr. Kluge moved to table discussion of The Cross, Inc. Land Development Plan. Seconded by Mr. Sterner. Discussion - none. The motion carried 5-0.

Bulk Fuel Storage

Joseph O'Brien, Esq., Emmett Mantinelli and John Occhipinti were present on behalf of the Bulk Fuel Storage - JoJo Oil Company/Airline Petroleum project. Mr. O'Brien explained that this is a site plan for the installation of an above-ground propane storage tank, submitted as an expansion of an existing non-conforming use (bulk fuel storage). He went on to say that this site is a pre-emptive area with many of the issues being regulated by the state rather than a municipality.

The engineer for the project, Emmett Mantinelli, went over comments in a letter dated September 9, 2009 from Township Engineer Russ Kresge.

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Discussion followed about the extension or enlargement of a non-conforming use being limited to 33_% and the need for clarification on the plan of calculations regarding this issue, location and capacity of the propane tank, billboards on the site being removed, scheduling, parking and loading issues, the number of vehicles entering and exiting the site, snow removal, landscaping, fencing, surface material for the loading/unloading area, security lighting, outstanding miscellaneous plan requirements that will be addressed, including revising the inaccurate plan scale, working with PennDOT on any low volume traffic issues, the proposition of a joinder of the two lots, the suggestion to forward the plan to the Fire Company and inform them that training will be provided, etc.

Further discussion followed about comments in a Memo from Zoning Officer Joe Brady dated September 8, 2009 regarding many of the issues previously discussed. It was also the consensus of the PC members that 8' chain link fencing topped with barbed wire should enclose the area and landscaping should be done, as the owner is willing to plant pine trees for screening. Mr. Occhipinti confirmed compliance. Solicitor Clark Connor noted that the PC recommendations will be sent to the Zoning Office and not the Board of Supervisors.

Motion: Mr. Kozen moved to recommend to the Zoning Officer to look at the existing non-conforming use of JoJo Oil Company, based upon doing the following things: 1) revise the plan scale to determine setbacks and other things; 2) provide the location of the underground tanks that are currently on the property; 3) provide a plan for screening of the tank with some sort of drawings; 4) the chain link fence is to be 8' in height plus the barbed wire; 5) the billboards are to be eliminated; 6) parking/proposed loading and unloading areas be shown on the plan; 7) that the two lots be joined together into one parcel. Seconded by Mr. Sterner. Discussion - none. The motion passed 5-0.

Pocono Mountain Public Library Building Project

Ann Shincovich, Director of the Pocono Mountain Public Library and Dan Ferguson of the Library Board of Trustees were present on behalf of the project referenced above.

Ms. Shincovich explained that the library is seeking grant funding for the new library building project, which will be located on Municipal Center grounds. The grant applications require Letters of Support from the Planning Commission confirming that this project conforms to the goals of the Regional Comprehensive Plan. Discussion followed about the many ways the project conforms to these goals.

Motion: Mr. Kozen moved to approve signing Letters of Support for the grant applications of the Pocono Mountain Public Library Building Project. Seconded by Ms. Ruiz-Smith. Discussion - none. The motion passed 5-0.

Sketch Plan - Land Development Plan for Lowe's Home Centers, Inc.

Mike Gavin of Gavin Law LLC, Cornelius Brown of Bohler Engineering and Dave Koerner, Senior Site Development Manager for Lowe's were present on behalf of the Sketch Plan referenced above.

Mr. Gavin summarized the proposed project, which had been before the Planning Commission before, but has since undergone several changes. Discussion followed about a different placement for the building on the property, parking, ADA requirements, out parcels, grading and stormwater issues, landscaping, traffic improvements, etc. It was noted that the building is now in the Borough of Mount Pocono and stormwater management issues and the out parcels, for which there is no proposed use at this time, are in Coolbaugh Township. He also confirmed that if there was to be any future development of the out parcels, they will return to the Township with a Land Development Plan.

Mr. Gavin stressed that the future of the Lowe's project rests with the decisions of the Borough; however, they are here tonight to keep the PC informed and ask for a recommendation to the Board to waive the Land Development process, as long as they come back with the Final Land Development Plan from Mt. Pocono Borough with all stormwater management issues in compliance with Coolbaugh's Code of Ordinances.

Motion: Mr. Kozen moved to recommend to the Board of Supervisors that they waive the Land Development process for Lowe's Home Centers, Inc., provided the applicant comes back with the Final Land Development Plan approved by Mt. Pocono Borough and with a stormwater management plan that complies with Coolbaugh Township's Code of Ordinances. Seconded by Ms. Ruiz-Smith. Discussion - none. The motion carried 5-0.

Consistency of Zoning Ordinance, SALDO and Regional Comprehensive Plan

Mr. Horne confirmed that no further information was received regarding this matter.

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Public Input - none.

Township Engineer Russ Kresge - will not be attending the next PC meeting, as he will be on vacation.

Ms. Ruiz-Smith - will not be able to attend the next two PC meetings, and wanted to make this known to the other members to ensure quorums.

Adjournment

Motion: *With no further business before the Commission, Mr. Kluge made a motion to adjourn the meeting. Seconded by Ms. Ruiz-Smith. Discussion - none. The motion carried 5-0.*

The Meeting adjourned at approximately 7:45 p.m.

Respectfully submitted,

Jerilyn Inness
Administrative Assistant

Wayne C. Horne
PC Chairman