

COOLBAUGH TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MONDAY, AUGUST 12, 2019
MINUTES

The meeting was called to order by Planning Commission Chairman Bernard Kozen at 6:30pm in the meeting room of the Coolbaugh Township Municipal Center, 5520 Municipal Drive, Tobyhanna, PA.

Mr. Kozen led those present in the Pledge of Allegiance.

Board Members present:

Bernard Kozen, Dennis Noonan, Kevin Ambrogio, Ann Shincovich and Steve Baker

Board Members absent:

None

Staff present:

Solicitor H. Clark Connor, Township Engineer Russ Kresge and Acting Recording Secretary, Erin Masker.

Staff absent:

None

1. Approval of July 8, 2019 Meeting Minutes

Mr. Baker made a motion second by Mr. Noonan to approve the minutes of the July 8, 2019 meeting as presented.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

2. Recommendation of Conditional Use Request- Messer, LLC.

Attorney Tim McManus was in attendance along with Brian Mattingly- Messer, LLC, Joseph Havelin-Messer, LLC and Nate Oiler, Engineer, RKR Hess to discuss the request for conditional use stating that the Ordinance that was passed by the Board of Supervisors at their meeting on August 6th would allow industrial use as a conditional use in a C2 zone. An overview of the project and location were presented which also reviewed coordination of fire safety aspects with the Fire Chief, site security, lighting and fencing. N. Oiler stated that there are three submissions presented to the commission this evening which includes the conditional use request, minor subdivision plan and the conditional use request stating that initial comments were received from the fire chief with other comments also being received from the MCCD with regard to the soil infiltration issues and the Pocono Mountain Municipal Airport engineer relating to the height requirements of the building. B. Mattingly discussed the product that is being manufactured as gases that are manufactured into a recipe and provided to other companies including Samsung. B. Mattingly stated that truck traffic would include one cylinder trailer, FedEx and UPS deliveries daily. Discussion ensued on the safety measures that are in place internally and externally.

Ms. Shincovich made a motion second by Mr. Baker to recommend approval to the Board of Supervisors for the Messer, LLC conditional use request to allow their Industrial Use in the C2 Zoning District as presented.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

3. Acceptance of Minor Subdivision Plan Submission- Messer, LLC.

Nate Oiler from RKR Hess stated that all plans are being submitted concurrently due to the time restraints on this project stating that this is being submitted as a minor subdivision plan as there is one piece of property that is located outside of the recorded subdivision as there are three pieces of property that are being combined for this project. N. Oiler stated that the property will be served by Public Water and Sewer and stated that there are no wetlands located on the property.

Mr. Kozen asked Mr. Kresge, Township Engineer if the submission is complete, being advised that it is stating that there are certain easements that would be extinguished through the elimination of the lot lines stating that he will also be discussing with the Township the overhead utilities stating that there is no PPL easement.

Mr. Noonan made a motion second by Mr. Baker to accept the minor subdivision plans of Messer, LLC. for review.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

4. Acceptance of Land Development Plan Submission- Messer, LLC.

Nate Oiler reviewed the submission with Township Engineer, Russell Kresge confirming that the submission was complete.

Mr. Noonan made a motion second by Mr. Baker to accept the Messer, LLC. Land Development Plan submission for review.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

5. Review Land Development Plan - PMBP South Section 2- Lot #28- LPC Pocono I, LLC.

Rik Longacre, Schlouch Inc. was in attendance along with Pete Terry, Benchmark Traffic representing LPC Pocono I, LLC. R. Longacre stated that the plan submitted is the same as the sketch plan that was originally discussed a few months ago with the exception of the changes to the parking stating that the site will be serviced by public water and sewer. P. Terry stated that the traffic impact study was performed on two scenarios, one being a warehouse as the tenant and the other as a distribution center as the tenant. Mr. Terry stated that the scenarios are based on a worst case scenario as far as including the shift change, peak times and traffic incurred from school buses on the roads. Discussion ensued on the installation of a traffic signal at Market Way stating that they would be reactive to traffic and not on a loop which would be timed. Mr. Longacre stated that if the Township believes that the traffic signal is a good idea they would appreciate the support when presenting the request to PennDot. The anticipated time frame of the project would be that the permitting will be complete this year with the site clearing occurring during the winter and construction beginning in the spring of 2020. Discussion ensued on the comments in Township Engineer, Russell Kresge's review letter with many items having resolutions in the works and others which will require waivers. Waivers that were determined to be needed include but are not limited to: comment number 13 referencing an internal road which is believed to be able to be considered a driveway, waiver of the four step NPDES process (comment #17), waiver of the parking requirement as the developer is proposing more than the minimum requirement(comment #29), waiver of the landscaping requirements based on the submission of an acceptable landscaping plan which will be reviewed (comment #32), waiver of the buffer requirement for access roads and parking areas with regard to the 20' of fill that is proposed which will affect the grade(comments #36 A & B). Mr. Longacre stated that these waiver requests will be submitted for the next meeting stating that he anticipates receiving the comments from the Mount Pocono Borough Engineer and will schedule a meeting with the two Municipality Engineers to review the comments in order to make a revised submission based on the comments. Discussion ensued on comment #39A regarding the addition of a fence around the basin with the commission determining that was not necessary due to the basin location.

Ms. Shincovich made a motion second by Mr. Baker to table agenda item number 5- Review Land Development Plan- PMBP South Section 2- Lot 28- LPC Pocono I, LLC.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

6. Review Land Development Plan- Tobyhanna Self Storage

Mr. Noonan made a motion second by Mr. Baker to table the Review of the Land Development Plan for Tobyhanna Self Storage.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

7. Review Land Development Plan- Food Express Convenience Store/Dunkin Donuts

Mr. Baker made a motion second by Mr. Noonan to table the review of the Land Development Plan of Food Express Convenience Store/ Dunkin Donuts

- **Discussion:** None
- **Vote:** All in favor, motion passes.

8. Request for Waiver of Procedural Time Requirements- Food Express Convenience Store/ Dunkin Donuts

Mr. Baker made a motion second by Mr. Noonan to recommend the waiver of procedural time requirements for Food Express Convenience Store/Dunkin Donuts until December 9, 2019 per their request dated July 30, 2019.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

9. Short Term Rental Ordinance Discussion

Discussion ensued on the short term rental ordinance with discussion on the upcoming work session with the Homeowner Associations before the Board of Supervisors in order to get feedback on the draft ordinance. The Commission would like the following changes made to the draft ordinance: Short Term Rentals would be allowed in all zoning districts, inspections would be based on safety for the renters and the community, accurate contact information must be provided for the homeowner or homeowner representative and removal of camera requirement that is listed. Ms. Masker will request that these items be added or changed in the draft for the September 3rd work session.

- **Discussion:** Director of Codes and Zoning, Tomas Keane was in attendance and stated that the HOA's seem to be pleased with the draft ordinance and have some minor comments at this point stating that the work session will bring everyone together which will help the Board get a better understanding of the procedures that are currently in place within the HOA's which may offer some ideas for the Township Ordinance. Mr. Keane discussed the safety inspections and stated that Solicitor Connor has a good idea about allowing the HOA's to complete the safety inspections in cases when they have the staff to do so stating this will alleviate the work load on Township staff. The commission is interested to see the information that is gathered at the work session in order to continue working on the draft ordinance.

10. Public Input

Nothing was heard

11. Adjournment

There being no further business, a motion was made by Mr. Baker second by Ms. Shincovich to adjourn the meeting. All in favor, motion passed. Meeting adjourned at 8:47 PM.

NEXT REGULAR COMMISSION MEETING: Monday, September 9, 2019 at 6:30pm.

Submitted by: _____
Steve Baker, Planning Commission Secretary

Compiled by: **Erin M. Masker, Acting Recording Secretary**

Witnessed by: _____
Bernard Kozen, Planning Commission Chairman

Date: _____