

**COOLBAUGH TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING**  
**MONDAY, SEPTEMBER 9, 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, Ann Shincovich and Steve Baker

**Board Members absent:**

Kevin Ambrogio

**Staff present:**

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

**Staff absent:**

None

**1. Approval of August 12, 2019 Meeting Minutes**

*Mr. Baker made a motion second by Mr. Noonan to approve the minutes of the August 12, 2019 meeting as presented.*

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

**2. Review of Minor Subdivision Plan Submission- 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 minor subdivision plan which would join three pieces of property with one of them being located outside of the recorded subdivision. Nate Oiler discussed the comments in the review letter from Township Engineer, Russell Kresge dated August 30, 2019 stating that there was no record found relating to comment #1 on the status of any mineral, oil, gas or other similar subsurface agreement of lease, easement or sale and that a note will be included on the plan that none exists. The Monroe County Planning Commission review letter was received and was favorable. Mr. Oiler reviewed the easements that they are requesting to have extinguished on the properties. Mr. Havelin stated that there are walking trail easements that would need to be extinguished as there will be security fencing and cameras around the property and allowing people to walk the perimeter would cause false alarms for the security system. Mr. Noonan stated that the walking trail easements were put in place when passed on to the EDC as a requirement for the redevelopment plan stating that this was never the intent of the property and that there are walking trails across the street that allow them to meet the requirement. Mr. Noonan said that it is just a note on the plan. Solicitor Connor stated that the issue with the easements is being handled by the Township Solicitor and stated that he would like a recommendation from the Planning Commission on the request.

*Mr. Noonan made a motion second by Mr. Baker to recommend conditional approval of the minor subdivision plan of Messer, LLC. conditioned on the review letter of Township Engineer, Russell Kresge dated August 30, 2019 and the submission of the new deeds and signed plans once the ownership has been transferred to Messer, LLC. and recommend the extinguishment of the requested easements.*

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

### **3. Review of Land Development Plan - Messer, LLC.**

Nate Oiler discussed the comments as outlined in Township Engineer, Russell Kresge's letter dated August 30, 2019 discussing the fencing, security and stating that all improvements, stormwater management and parking will be constructed in phase one of the project and will not phase the plan. Mr. Oiler stated that they have coordinating with the fire chief on fire lanes and hydrants, PA American water about water service to the location and the Industrial Authority regarding adequate sewage capacity for the project. Discussion ensued about parking and the deliveries that will be received with Mr. Oiler stating that there will not be any backlog or queuing as the deliveries are received from FedEx, UPS and then a couple deliveries throughout the week. They had their conditional use hearing with the Board of Supervisors and it was approved subject to conditions stating that the decision is being written at this time by the Township Solicitor. They are working on the FAA approval and have submitted a plan with the height and coordinates for review. Mr. Oiler stated that comment #4 states that the Planning Commission or the Board of Supervisors could require an environmental and community impact assessment which after some discussion the commission stated that they would not be requiring as the concerns have been addressed in the plan. Mr. Kozen confirmed with Mr. Kresge that he has no issues with not requiring the assessment with Mr. Kresge being in agreement. Many of the stormwater and drainage comments have been addressed through the submission to the MCCD and will be included in the revised submission that will be submitted to Russell Kresge for review. Mr. Oiler requested a waiver of the Four Step Design Process which is comment #14 and a waiver of the landscaping requirement stating that they intended to meet all the requirements but have not met them according to the review letter stating that they will work with the Township Engineer to provide adequate landscaping. Mr. Oiler discussed comment #21 (§355-59.C3.e & f) regarding the automatic control of the exterior lighting, including the reduction to security level after hours stating that they are able to reduce the lighting in some areas but due to homeland security requirements they would only be able to reduce the lighting to a level that is acceptable to homeland security regulations in other areas due to the security that is required on the premise. Mr. Oiler stated that they are downward facing box lights which will not have spillover to other properties which is also required due to the airport. Mr. Kresge had no issue with these requests.

*Mr. Noonan made a motion second by Mr. Baker to recommend approval of the requested waiver of the Four Step Design Process for Messer, LLC.*

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

*Ms. Shincovich made a motion second by Mr. Noonan to recommend waiving the landscape requirement for the Messer, LLC. Land Development Plan with adequate landscaping to be coordinated with the Township Engineer.*

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

*Mr. Noonan made a motion second by Ms. Shincovich to recommend conditional approval of the Messer, LLC. Land Development Plan conditioned on the addressing of all comments in the review letter of Township Engineer, Russell Kresge dated August 30, 2019, and recommending the allowance of the level of lighting to be required as outline by homeland security guidelines and requiring all outside agency approvals and permits be obtained.*

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

Mr. Baker left due to fire emergency at 7:15pm

#### 4. Review of Land Development Plan- LPC Pocono I, LLC.

*Ms. Shincovich made a motion second by Mr. Noonan to table the review of the LPC Pocono I, LLC. land development plan.*

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

#### 5. Request for Waiver of Procedural Time Requirements- LPC Pocono I, LLC.

*Mr. Noonan made a motion second by Ms. Shincovich to recommend approval of the waiver of procedural time requirement for LPC Pocono I, LLC. until December 17, 2019.*

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

#### 6. Review of Land Development Plan- Tobyhanna Self Storage

*Ms. Shincovich made a motion second by Mr. Noonan to table the review of the Tobyhanna Self Storage land development plan.*

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

#### 7. Request for Waiver of Procedural Time Requirements- Tobyhanna Self Storage

*Mr. Noonan made a motion second by Ms. Shincovich to recommend approval of the waiver of procedural time requirement for Tobyhanna Self Storage until December 17, 2019.*

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

#### 8. Review of Land Development Plan- Food Express Convenience Store/Dunkin Donuts

*Mr. Kozen made a motion second by Ms. Shincovich to table the review of the land development plan for Food Express Convenience Store/Dunkin Donuts.*

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

#### 9. Short Term Rental Ordinance Discussion

Ms. Masker stated that the Board of Supervisors held a work session in which many homeowner association representatives attended and stated that there were good discussions held. Many of the associations are very pleased with the draft and look forward to working with the township on the enforcement. Ms. Masker stated that there was discussion on only allowing the short term rentals in residential areas and not in WC, Industrial, Commercial and other areas as well as concerns about the window clings being on short term rentals as they could draw unwanted criminal activity if they are identified as vacant. The commission reviewed the revised draft of the Short Term Rental Ordinance presented with Ms. Shincovich asking for clarification on the number of cars allowed and the amount of people allowed at a property stating that those two sections may contradict themselves. Mr. Noonan stated that it is usually how an ordinance is written so that the violation could occur from either the amount of people or the amount of vehicles. Ms. Shincovich also questioned that there is no information in the ordinance relating to subletting being advised by Mr. Noonan that would usually be addressed in the agreement between the tenant and the owner and would not be enforced by the codes or zoning dept. Ms. Shincovich suggested that there be a requirement that an informational sheet be required to be in the residence in case there was an emergency, the renters

would know the property address of where they are located which may also include other important names and information. Solicitor Connor suggested that Ms. Shincovich provide her questions or suggestions in an email and circulate them to the Commission and Ms. Masker so that they may be passed on to the Board of Supervisors for consideration at the next work session. Ms. Masker stated that there will be a work session scheduled in the future after the ordinance is reviewed by the Township Solicitor and stated that she will let the commission know when that will be, if they are interested in attending.

**10. Public Input**

Nothing was heard.

**11. Adjournment**

There being no further business, a motion was made by Mr. Kozen and second by Mr. Noonan to adjourn the meeting. All in favor, motion passed. Meeting adjourned at 7:56 PM.

**NEXT REGULAR COMMISSION MEETING: Monday, October 14, 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:** \_\_\_\_\_