

**COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
WORK SESSION MINUTES  
July 20, 2021**

The work session was called to order by Chairman William Weimer at 6:00pm in the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna.

**Board Members present:**

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

**Board Members absent:**

None

**Staff present:**

Patrick Armstrong, Township Solicitor, Erin Masker, Township Secretary, Darren Dixon, Controller and Meredith Thompson, Business Manager

**Staff absent:**

None

**1. Discussion on Lynch Property Development- Sarah Bue Morris**

Sarah Bue- Morris, Civil Engineer, was in attendance along with Elliot Ogulnick and Allan Light to discuss the proposed development on the Lynch property located on Route 423, Prospect Street and Memorial Boulevard. Ms. Bue-Morris reviewed the plans which include a hotel, travel plaza, distribution center, senior living center, strip mall and pharmacy. She provided a power point presentation which reviewed items such as the lot coverage, building coverage, waivers that would be requested to allow the development on the properties and open space information in Coolbaugh Township. Ms. Bue- Morris stated that there is property that is zoned industrial but the location 4 miles down that road is not feasible for this proposed development as the businesses are interested in property located right off the highway.

- **Discussion:** Ms. Ruiz-Smith stated that at the last meeting the Board advised you to come back with a proposal that has uses that are allowed in the C3 zoning district, you did not. This evening you gave a presentation that is the same information you have been giving us all along. Ms. Ruiz-Smith stated that the Board has no interest in changing the zoning to accommodate the uses that you are proposing. Ms. Bue-Morris stated that her client is asking for a Distribution Center and a Travel Plaza to be allowed in the C3 as a conditional use or special exception. Solicitor Armstrong stated that Ms. Bue-Morris provided this presentation which has nothing to do with the request to allow the uses in the C3 zoning district, allow the height to be increased from 35' to 45', increase building coverage area from 20% to 25% and increase the land coverage allowed from 40% to 60%. He stated that there is nothing to act on, but stated that the Board may be inclined to tell the applicant whether or not they are interested in entertaining any zoning changes. Ms. Ruiz-Smith stated that there is a property that is zoned Industrial close to wear we are now and a developer that is going to put a travel plaza on the property where it is a permitted use. Ms. Kelly asked about the structure of Lion Capital being advised that it is an LLC; she also stated that the first presentation they were representing themselves as Pinnacle Hood being advised that AAD would be the applicant and developer of this project. Ms. Kelly asked if these companies are under the same ownership being advised by Mr. Ogilnick that they are single entities with the same ownership. Ms. Kelly asked how many distribution centers have you built being advised that under this company there are none, but they have built them and other chain warehouses under other companies that they have. Ms. Kelly stated that in this business model you are projecting to do, are you going to buy or rent the businesses once they are built, being advise that they will retain ownership and have a third party management company that will run the operations. They are

going to rent the space at the going rate which at this time is \$6.00 per square foot. She asked if they have ever spoken to the EDC regarding grants with construction being advised that they have and that Chuck Leonard had discussed opportunities for LSA grants for the project. Ms. Kelly stated that she recently learned that Tom Ford was their attorney being advised that he was their attorney until a few months ago when it became a conflict of interest due to his newspaper that he has due to his coverage and reporting on the projects in this area. Ms. Kelly stated that the Board of Supervisors previously approved a minor subdivision plan for the Lynch property and asked if that was ever recorded being advised by Attorney Michelin that the plan was recorded at the courthouse, but that the deed has not yet been recorded. Ms. Kelly asked if the developer was aware that the Township has to complete a new Act 537 for the WWTP stating that this is a lengthy study that is very expensive and time consuming which will not be completed right away, being advised that they were not aware. Mr. Weimer stated that the updating of the Act 537 is needed at this time. Ms. Kelly stated that the uses that are proposed if hooked up to the Township sewer system could require a pretreatment plant on the property for testing and maintenance. Ms. Colgan was asked her thoughts on the project and advised that due to her employment she will not be voting or commenting on the project. She stated that her employer builds travel plazas and has had discussions with this developer. Mr. Weimer stated that out of the proposed uses you presented to us, you are permitted to build a senior living facility, a hotel and shopping plaza, stating that there are a lot of other things that you can do on the property that are allowed in the C3 zoning district stating that we need to work within the confines of our zoning ordinance. Attorney Michelin stated that the Board is being presented with an opportunity for development within the Township stating that the property has not been developed and this is a great opportunity. He stated that zoning has been changed throughout the years to stop progress due to fear and not facts. There are opportunities to be responsible stewards of the township. Ms. Ruiz-Smith stated that we are basing the options on what is available on the schedule of permitted uses and some of the proposed development is not on the list. Solicitor Armstrong stated that we need to stay on point, any land use of development needs to comply with the zoning ordinance, stormwater and all other Township requirements. All the Board has to consider is whether you have an interest in this project, what is before you is whether you want to consider the zoning changes, if not you can let them know. Mr. Lamantia stated that he is not in favor of the changes. Kelsey Beehler-Hovi suggested a disclaimer on silencing phones before the meeting starts. She presented the Board with a petition against changing the zoning for the proposed development stating that there are over 1,000 signatures. K. Beehler-Hovi stated that everything in the presentation is proposed and nothing is set in stone. She stated that the developer can go down the road and find land that is industrial which will accommodate the uses that are proposed. State Representative Maureen Madden stated that there are laws about video gaming terminals stating that a truck plaza that sells over 50,000 gallons per month and three acres of property qualifies for video gaming terminals, stating that the developers need to be aware of this and be forthcoming if that is what they are looking to do. Representative Madden also stated that she is in attendance with Tom Calpin and asked if the jobs that are being created for this development will be union jobs and pay a livable wage stating that we need jobs that are good paying. She stated that if the developers come to her for funding from an LSA grant it will be dead on arrival. She stated that she is not going to lecture the Board as they are very transparent. Bill Leonard stated that he is in attendance on behalf of the Tobyhanna Conservation Association which is made up of 80 members. He voiced the concerns of his association on stormwater runoff, changes to the pervious and impervious surfaces as well as the 20 plus acres of runoff into the creek. He stated that there was discussion about spray irrigation and commented there is no room for one. The developer and civil engineer are asking why we need additional open space in the Township, it is not additional open space, it is preserving the open space that we have. Residents choose to live here because of the open space and the opportunity to enjoy the land, hunting, fishing and just being able to explore nature. He stated that this development would take away all of the

land and ability to hunt due to the state game land requirements on acreage and distance from a structure for hunting requirements.

Chris Vincent stated that the Board needs to listen to the locals, the developers do not care about the residents, their actions will not be something that they are affected by; the residents suffer. He stated that we have a beautiful township. The trucks that use their jake brake scare the deer and other animals away.

Jim Collazzi stated that the developer asked why we need open space, the true question is why we need more development. He stated that the lights, noise, traffic, smell of the car exhaust, water pollution all impact the wildlife and human health.

Andrea Flaherty thanked Ms. Ruiz-Smith for her statement in the beginning to uphold the zoning. People choose to live here and the zoning that is put in place is crucial. Our strength is the beautiful area that we have and the developers that come into the community need to work within the zoning ordinance that is in place which is what will fit the area. This proposed development will take away from our beautiful community.

Jeff Keokkee stated that he watched the same thing happen in his home town with the zoning. The development over ran the community and the police department was disbanded due to the corruption. He thinks that the board is doing a great job and needs to stick by not changing the zoning.

Frank Whalen stated that it is the responsibility of the Board to uphold the ordinance on the books. The public concerns about the disruption to their way of life and the impacts to the waterways have been voiced. He stated that he can personally hear trucks on 380 and the gunshots from the shooting range on Route 423. He stated that the traffic at five points in Mount Pocono is already an issue, the Airbnb's are an issue, and the proposed truck plaza will become an issue as well. These are all things that need to be considered.

Anna Lopez asked what is considered buildable land stating that we need to find a medium where we can all come together to allow development. She stated that she moved here for a good place for her family to live and stated that we need to come out and work with our board members and be able to understand each other. She stated that maybe the tax money would help to have a paid fire company. Ms. Ruiz-Smith stated that the information on buildable land is on our website and Mr. Weimer stated that there are 68 permitted uses that they can put on the land, a truck plaza and distribution center are not one of them. A. Lopez stated that she is not in favor of rezoning.

Kelsey Beehler-Hovi stated that the developers wanted to hear them out, yet one of the gentlemen was on his phone the entire time and left the meeting. She stated that she knows of a family that lives right next to the property that will be greatly affected by the proposed development. Any zoning changes that are requested should not only benefit the developers but they need to benefit the residents.

Elliott Ogulnick stated that the idea was to work with the town on this project. It was our understanding that the town needed a mid-priced hotel, senior housing was needed, understood that DC's and warehouses were in the area which warranted a travel plaza for drivers to park, rest and eat. As far as the jobs, we wanted to offer jobs to the local residents, we thought that we understood the needs of the town but if it is a no go, we at least wanted to try.

Kelsey Beehler-Hovi stated that you have now heard from the community and they are not in favor of this project or the rezoning request.

## 2. Other Business

Nothing was heard.

## 3. Public Comment

F. Whalen asked Chairman Weimer how we go about changing the speed limit on Lakeside Drive. Mr. Weimer stated that he will speak to our Township Engineer and our PennDot representative regarding the legalities. He

stated that Ms. Masker sends an email to the MCPC for traffic counts annually on roads that we would like checked, stating that we will add that one to the list.

P. Williams stated that DPW did a great job on the trails on the Wiley Property and she would like to thank them.

Work Session ended at 7:24pm.