

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION MINUTES
August 17, 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:

Will Oettinger, Solicitor, Erin Masker, Township Secretary, Darren Dixon, Controller, Meredith Thompson, Business Manager, Tomas Keane, Director of Codes and Zoning and Thomas Rohan, Codes and Zoning Officer

Staff absent:

None

1. Discussion on Proposed Development at 479 Memorial Boulevard- Five Times a Week, LLC.

Lance Mirkin was in attendance and is the owner of Five Times a Week, LLC. stating that he purchased the Darlak Property that is just down from the Municipal Complex. He stated that he would like to build a travel plaza on that property and stated that the property is located directly across from the Walmart Distribution Center and lands that are zoned Industrial. He stated that there are no creeks on the property and that there is a small area of wetlands, stating that the location of his proposed building will not be near them. Mr. Mirkin stated that he purchased 395 acres and would like to put a first class operation truck plaza with a restaurant, a dog park and a place for the trucks to park in order to rest. He stated that he would have to run sewer to his property across 611. He stated that there is one home on one side of his property, a mobile home park on the other side and the railroad tracks behind it.

- **Discussion:** Ms. Ruiz-Smith stated that the property is zoned C3; it does not allow for a travel plaza. She stated that the Board denied the request for the Lynch property for the same reason and stated that there are 68 other uses to choose from that are permitted in that zoning, and for that reason she is not in favor of this project on that property. Mr. Weimer stated that the request for the Lynch property was denied because there are no Industrial zoned areas next to that property, asking Solicitor Oettinger if this property could be rezoned to Industrial since there is Industrial zoned lands directly across from it. Solicitor Oettinger responded that would be an option, but stated that he would be more comfortable with the applicant requesting a variance in which case conditions could be put on the approval. Mr. Weimer stated that in this case it would not be spot zoning, stating that some of the concerns with the previous proposed development were water runoff, hazardous materials, gas leaks and noise. Mr. Mirkin stated that he could put up a buffer for the noise and stated that it will be a first class operation that he will own himself. He stated that he is not building it to sell it. He stated that with all the warehouses and the Walmart Distribution Center in the community, a truck plaza is needed so that the truck drivers have a place to go to rest and eat as well as to alleviate the truck parking on the roads. Ms. Colgan stated that she works for a company that builds truck plazas, asking if Mr. Mirkin thought about building it on his property that is across the street that allows this use. Mr. Mirkin stated that he did consider it, but stated that with Veterans Drive being a privately owned road, he would not have the ability to have the entrance off of it. He stated that the easiest thing to do was put it directly across the street so that he could utilize the traffic signal that is already in place. Ms. Kelly stated that if the township took over the Walmart sewer line in the front yard, we would be able to run a connection to his property under Veterans Drive. She asked the Board if they would consider looking into that possibility. L. Mirkin stated that it would be great if he could connect to the sewer. Ms. Ruiz-Smith stated that the Township is looking to sell the sewer plant and stated that this may affect him negatively in the future. Mr. Weimer asked Solicitor Oettinger about the

Township taking over Veterans Drive in its entirety or can we take over just a portion, being advised the Township does not have to take it all. Ms. Kelly stated that Pocono Township has an agreement with Camelback for the road that goes to Camelback that Camelback will plow it as they need it for access. Solicitor Oettinger stated that the Township would want to have a maintenance agreement with Walmart Distribution Center if the Township is unable to maintain the road in bad weather. Ms. Kelly stated that this project has the possibility to help grow economic development. Mr. Lamantia stated that he is in favor of working with Walmart DC to gain access to the property for the proposed development. Mr. Weimer stated that he works for Walmart DC and that he will not be a part of the discussions, but asked if two Supervisors will work with our Business Manager to get the conversations started. Ms. Ruiz-Smith asked Mr. Mirkin if he is looking for tax abatement on the property being advised that he is not. Mr. Mirkin stated that he would be willing to give Walmart DC 5-10 acres of the land he owns for additional truck parking. P. Williams stated that if the establishment he is building looks anything like the building that is there now, we do not want it. Mr. Mirkin advised that he just purchased the property 3-4 weeks ago and is in the process of having that building taken down. D. Pope asked if Mr. Mirkin owns property behind the Walmart DC stating that they cannot deny your access to your property. Mr. Mirkin stated that is correct they cannot deny him access but they can limit the type of access. Mr. Mirkin stated that if he can get access to Veterans Drive then the project location is a no brainer stating that he is not asking for a bunch of waivers and exceptions, just to build a truck plaza on his land.

2. Other Business

- Ms. Colgan stated that she spoke with Mr. Keane regarding the bins at the gas station on Memorial Boulevard which have garbage thrown all over. She would like to have the staff and Solicitor Armstrong work on updating the ordinances to control the dumping. Mr. Lamantia stated that there are also bins on Route 196 that have garbage all over them. The Board agreed that this ordinance should be worked on.
- Mr. Weimer stated that he also has some ordinances that he would like worked on which include the snow emergency ordinance that needs to have some changes made to allow for removal of vehicles off the roads during snow events. He stated that the snow emergency routes also need to be updated. Mr. Keane stated that in speaking with the DPW Foreman and Assistant Foreman there are roads that are direct routes of travel that are not listed on the snow emergency route list. He would like to see this updated. Mr. Weimer stated that DPW will provide a list to be sent to Solicitor Armstrong to update. He also stated that there needs to be some verbiage put into place regarding basketball hoops in the Township Right of Way that need to be removed or fines that would be imposed for those that do not. Ms. Ruiz-Smith asked if there is a date that he has in mind for removal stating that there is not. Mr. Keane stated that they should be removed year round. Mr. Lamantia stated that he agrees, stating that if they are in the right of way and we determine a date of removal and something happens outside of that date, we could be liable. Lastly, Mr. Weimer stated that he would like an ordinance put in place to allow the Pocono Mountain Regional Police Department to issue citations and fines for vehicles that are parked in no parking zones. Mr. Keane stated that after reviewing the ordinances, there are only violations that can be cited for parking in the fire lanes, but nothing for parking in no parking zones. He stated that there are issues with trucks that are parking on the side of the road where it is posted "No Parking".

3. Public Comment

Nothing was heard

Work Session ended at 6:43pm.