

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION MINUTES
April 5, 2022

The work session was called to order by Chairman William Weimer at 6:00pm in the Coolbaugh Township Volunteer Firehouse located at 652 Laurel Drive, Tobyhanna, PA.

Board Members present:

William Weimer, Clare Colgan, Lynn Kelly, Alma I. Ruiz-Smith and Joseph Rogan

Board Members absent:

None

Staff present:

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary, Meredith Thompson, Business Manager, and Tomas Keane, Director of Codes and Zoning

Staff absent:

None

1. Discussion with Developer Landston Equities, LLC. (394 & 396 Memorial Blvd)

Erich Schock of Fitzpatrick, Lentz & Bubba, P.C. was in attendance along with project engineers representing Landston Equities. They are proposing to build two warehouse/distribution centers totaling 2.7 million square feet, tenants are not identified at this time. They are in attendance to discuss three items that require input from the Board of Supervisors in order to determine what needs to be shown on the plan. The first item pertains to the location of the emergency access road which they propose would be 350' from the main entrance, across from Laurel Drive off Route 611. It would be a gated driveway that they proposed to be grass so that it would not appear to be a public access. Mr. Weimer stated that he would prefer that the surface be paved for safe access of the emergency vehicles that may have to enter. The second item is the sewer issue which they are proposing to provide an on-lot septic for the facilities. The flows would be no more than 5,000 gallons per day per building, stating that it would be located closer to the entrance of 611 and they would install a stub out to Route 611 in case the opportunity should become available to connect to central sewer if they chose to connect to it at that time. The third item is the community environmental impact study of the zoning ordinance, which they want to review with the Board to discuss the items that do not pertain to them as they are building a permitted use on industrial property. Attorney Schock stated that they are willing to put together something that addresses a lot of the items but stated that he is unsure why an applicant that is building a permitted use that is not requesting a zoning change would be required to complete the study. The applicant stated that this is not required as per the SALDO and is in the Township Zoning Ordinance stating that they will work in good faith to complete the items that pertain to them but not agreeing to everything in the study. A lengthy discussion was held with respect to each section of the community environmental assessment.

• **Discussion:**

- A Shincovich stated that the community is not against development, but that they would like developers to be mindful that it does affect the features of the township as well as the quality of life for the residents. She stated that some of the items in the study may be covered in submissions to outside agencies and stated that the developer could simply cut and paste that information into this study that we are requesting so that everything can be in one document. She stated that we have a high-water table in this area and acidic soils which may not require testing on every 5 acres of land but should be required in the parking and building areas. She discussed the soil issues that were had at the library site when building and the sink hole that occurred in the parking lot near the retention basin. Ms. Shincovich discussed her concerns with the traffic that will impact the area. She stated that developers come to the Planning Commission requesting waivers to cut down on costs and time and

stated that it is not our job to help them cut costs but stated that we need to be sure that things are completed properly and be prepared for when this warehousing industry falls apart and we are left with empty buildings; we need smart development.

- M. Miller stated that she believed that trucks were not supposed to go south on Route 611 from the Walmart DC and stated that they do, and traffic is terrible. She stated that the roads also have a lot of school buses on them, and we need to take into consideration all the truck traffic and the impacts that come along with these warehouses.
- M. Kelly stated that if the emergency access is paved, how will you keep the public off while also allowing for a quick response by the emergency responders being advised that there will be a key system or quick disconnect system in place for access.
- J. Smith-Hughes stated that she is concerned with the building of warehouses and the impacts that it will have on the community stating that we should be willing to work with those that are willing to work with us and what our requirements as a township are. She gave history on the Trooper Joshua Miller roadway on Memorial Blvd and another accident that claimed the lives of high school students this year.
- D. Miller provided information on water studies that are pertinent to not only the township but also the county with respect to runoff water, stormwater and infiltration systems. He discussed the forests that are located on the proposed property as well as the wildlife that are located in that area.
- A. Flaherty stated that she craves development but not from developers that do not care about the residents and the quality of life. She stated that many have given up a lot of conveniences to live here because of the beautiful area. She discussed concerns with the future and the potential for empty buildings.
- J. Cloyd finds it troubling that developers are saying that they will not pay for water studies when the residents will be the ones paying for it in the future. He stated that the developers say that they will not be touching 100 acres of the land asking if there is a way to come up with an agreement to ensure this, being advised there is not.
- Ms. Kelly had additional questions with relation to the development and study asking about providing a blasting schedule should it be required on the property: DEP requirement of a 1 for 1 tree planting ratio for each tree cut down on the property when located in wetlands; being advised that they do not anticipate touching the wetlands, expected total of truck trips daily; will be provided in traffic impact study, Landston will be required to cover the cost for installation and upgrades to traffic signals being advised that they are aware of that. She discussed the Township's notice of DEP WWTP violations which resulted in Walmart having to install a pre-treatment plant; being advised that they would provide whatever was necessary should they choose to hook up in the future. Ms. Kelly asked for clarification on the decrease in the number of flows from 20,000 which was listed in the will serve request letter that was submitted to the township to this evening's discussion about on-lot septic; based on projected employment count (10 gallons per person per day), she asked about PA American Water request for service being advised that they requested 10,000 gallons per day.

2. Discussion on Planning Commission Guidance for Future Development

Mr. Weimer stated that we had a discussion last week about providing guidance to the Planning Commission stating that we have one member in attendance. Ms. Kelly stated that she believes the Board should consider making it a policy that large projects that will impact our community are required to complete the community environmental assessment based on the 12 criteria; we could determine what the number would be out of the 12 items. Mr. Weimer asked Solicitor Armstrong if this would be case by case being advised when an application is submitted and it falls under one of these twelve categories, it should be captured in the Township Engineer's review letter, it could be required across the board or it could be the submission of an assessment by the developer to determine which apply

to them and which do not. Ms. Ruiz-Smith stated that she doesn't think that every developer will be required to complete the same thing as someone else. Mr. Weimer stated that there is value to this study so we should give them guidance as to how to move forward with future development. Ms. Kelly stated that this is something that a developer should be aware of at the start of their project, so that it is not a surprise down the road. Applicants that fall under these categories will be required to prepare this assessment and submit a written explanation and waiver of the sections that they believe do not apply them.

- **Discussion:** A. Shincovich stated that we need the same requirements across the board so that there is no appearance of favoritism, developers should be aware of this up front. If there is something captured in another study, they can copy and paste so that everything is in one location. There are waivers constantly being requested by developers to the Planning Commission, requiring this study removes the bias. She asked why we should care about saving them money. Ms. Ruiz-Smith stated that when she was on the PC a developer came in with waiver requests and she stated that she was opposed to them, and the PC did not recommend them. Solicitor Armstrong stated that waivers do not have to be granted. D. Pope asked if there is anyone on the Board that is against requiring them to complete this study, stating one size doesn't fit all.

The Board requests that all plans/projects that meet the criteria set forth in Sections 400-51. A.(1) – (12) on page 1 of the attached Section 400-51, shall be required to complete the Environment and Community Assessment. For any item and/or information required in §400-51 that the applicant/developer feels does not pertain to the subject land development plan/project submission, the developer/applicant must provide in writing the reason that the specific item and/or section does not apply to them. All submissions will be reviewed by the Township Engineer to determine whether further action is required on the part of the applicant or the Township.

3. Request for Zoning Change- 3411 Drexel Road, Property Owner(s) Vicky Shung and Sunny Liu (R1-R2)

Jon Tressler was in attendance representing the property owners of 3411 Drexel Road stating that they have a lot that is currently 3 acres, and they would like to change the zoning from R1 to R2 and then subdivide them into two 1.5 acre lots. They would like to put a structure on each property with access off Drexel for each property. Ms. Ruiz-Smith asked if they are selling them individually or building on them; being advised that they will be building on each. Ms. Kelly asked if the access would be off 611 or Drexel being advised both would be accessed from Drexel. Mr. Weimer stated that DPW has received a driveway application for the front lot for review already.

- **Discussion:** S. Swingle stated that she was told the last two times that the property was sold that there would be a driveway installed onto Drexel and it has not happened yet and expressed her concerns with the lack of access for emergency vehicles and others turning around on her property. She stated that now that the building has burned down they would have to go by setbacks currently in place and stated that they are building a foundation in the same location as before. Discussion took place on setbacks requirements for both zoning districts. Another unidentified individual asked about the uses on each zoning district (R1 and R2).

This agenda item will be on the April 19, 2022 meeting agenda.

4. Request for Zoning Change- 2698 Church Street, Property Owner Dustin Sturts (WC-R1)

No discussion was had as property owner or representative was not in attendance.

5. Public Comment

Nothing was heard.

Work Session ended at 8:11pm