

**COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION MINUTES
March 29, 2022**

The work session was called to order by Chairman William Weimer at 7:00pm in the Coolbaugh Township Volunteer Firehouse located at 652 Laurel Drive, Tobyhanna.

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, Clark Connor, Planning Commission Solicitor, Russell Kresge, Township Engineer, Erin Masker, Township Secretary, Meredith Thompson, Business Manager, Tomas Keane, Director of Codes and Zoning, Planning Commission Members: Bernie Kozen, George Dobson and Ann Shincovich

Staff absent:

None

1. Discussion on Development in the Township:

- **Discussion on Requiring an Environmental and Community Assessment study as per Coolbaugh Township Zoning Ordinance §400-51**

Ms. Kelly read a statement addressing the need to require community environmental impact studies to be completed by developers that wish to build in Coolbaugh Township. She expressed concerns with the noise pollution, air pollution, water pollution and excessive truck traffic that occurs with most of the proposed development. She requested that the Board consider these items when determining whether a developer should be required to submit this study and the important information that will come from the results.

Solicitor Armstrong stated that this evening's discussion is not project specific as the developers were not asked to attend and stated that it would be in accordance with the Township Ordinance that these studies would be able to be required and based on the guidance from the Board. This section of the Ordinance §400-51 references that the Planning Commission, Zoning Hearing Board or Board of Supervisors can require an Environmental Community Impact Study if the project presented falls into one of the 12 categories outlined in the ordinance. He stated that some of the items required will be captured in other studies and permits that the applicant may have to apply for through outside agencies and some are not. Mr. Weimer asked Solicitor Connor and Township Engineer, Mr. Kresge if this is something that we have required in the past being advised by Mr. Connor that this item was included in the revised ordinance based on a recommendation from the County. He stated that this is an item that is included in the Township Engineer's review letter and the times that we have recommended waiving it, the development has been in industrial parks where the studies were not warranted. Mr. Kresge stated that if a developer is building in an industrial park with sewer, water and roads this is usually not required, stating that for other areas in the Township where there is development in the categories outlined that meet the requirements, this study should be a requirement. Solicitor Armstrong stated that the Board could give the Planning Commission guidance that they would like to see this tool exercised in certain situations. Ms. Ruiz-Smith confirmed with Solicitor Armstrong that we are looking at broad scope and not at specific developer this evening. Ms. Kelly stated that we as a Board have been approached by a developer's attorney asking if we are going to require this study and we now need to determine if we will or will not require it. Mr. Weimer asked for clarification if multiple warehouses were in a line on the street would that make it an industrial park, being advised that it would not. Solicitor Connor reviewed the submission process and confirmed with

Township Engineer, Mr. Kresge that the process for the community environmental impact study takes longer than the 90-day review period in which the Planning Commission has to act on a plan without a waiver of procedural time requirement being in place, being advised that is correct. Solicitor Armstrong stated that the submission of a sketch plan could trigger this requirement, but that sketch plans are not mandatory to be submitted. Ms. Ruiz-Smith suggested making a sketch plan a part of the submission process being advised by Solicitor Armstrong that he is not sure that we can make that mandatory.

Discussion:

Ms. Shincovich- Coolbaugh Township Planning Commission stated that what Ms. Ruiz-Smith is saying is very valuable stating that the PC and BOS need to come up with a streamlined process as currently developers are submitting information in pieces and are requesting approvals of waivers and of plan approvals conditioned on other items. She stated that some things are rushed. Ms. Shincovich stated that the Messer project was very organized and had amicable decisions made throughout the whole process. Other projects were addressed during Covid, through Zoom meetings and sometimes making a quorum was even challenging. She stated that we cannot target specific developers and need to have it be the same across the board, stating that we have assets in the community, we need to look for smart development and developers that have respect for our area, the residents and the guidelines that is put in place through our ordinances. Ms. Kelly stated that maybe we as a Board could come up with a list of projects which would require the study to be completed, stating that she has concerns about whether we would be receiving an unbiased study. Solicitor Armstrong stated that the developer has the right to choose their own professionals to perform the study for them, stating that the township will then be able to have their professionals review what is submitted and can have their professionals give a second opinion. It is the same process as with anything that is submitted by developers, stating that Solicitor Connor or Township Engineer Kresge would be able to review the submission and notify the township when they believe that we need to take a further look at something that they believe requires it.

M. Kelly asked for clarification on the meeting stating that he was under the impression that the meeting was relating to a change in zoning, Mr. Weimer stated that this meeting in particular is relating to the Township Ordinance §400-51 and that it is not relating to zoning changes at this time. Ms. Kelly stated that items #2 & 3 on the agenda could lead to a change in zoning.

S. Bue-Morris, Civil Engineer stated her concerns about the cost of the study and how it would relate to certain projects. She stated that she could see the township requiring the study for large projects, but not for a small storage unit project which is not located in a residential area. She stated her concerns with the study and specific parts of the study that would be required in accordance with the ordinance currently in place. Ms. Ruiz-Smith stated that the study would be required to ensure the quality of life for residents. Solicitor Connor stated that there are parts that can be waived.

K. Hovi stated that her group is in favor of accountable growth in the community and not against development. She stated that her group the Citizens for Responsible Growth want the study to be looked at for big projects that will affect the quality of life stating that it is the Supervisors' job to serve the residents. She asked the board to decide what would trigger a study.

B. Leonard commended the Board for holding this meeting stating that we need to use prudence when issuing waivers. He stated that the community environmental study would encompass all items in one place and stated that if the report is covered somewhere else through another agency submission, then it can be copied and included in this report.

F. Whalen asked about including lighting in this study being advised that lighting is in the Township ordinance §400-49 and is a separate plan submission.

D. Miller is a resident of Monroe County and stated that these studies affect all of the county. He discussed stormwater management, water runoff and salt build up and the affects that they have on the streams and waterways. He stated that large box facilities without stricter regulations will prove to have detrimental impacts to the municipalities.

- **Definition of Warehouse vs. Distribution Center**

Solicitor Armstrong read the definitions of a warehouse and a distribution center and stated that they are separate and distinct from each other. Ms. Kelly reviewed the warehouse and distribution center memo that she handed out which included the traffic counts stating that she would prefer to remove warehouses as a permitted use in the C1 and C3 zoning districts. Ms. Ruiz-Smith asked about the owners that purchased properties in C1 or C3 with the intent of building a warehouse on them since it is a permitted use, how will this affect them. Solicitor Armstrong stated that there would be a public notice and public hearing held to review the proposed change to the zoning ordinance and for the public to be heard. He stated that if a property owner does not have an improvement currently on the property or a plan submitted to the township when the change goes into effect, they would be under the new list of permitted uses for developing their property.

Supervisor Rogan stated that he is in favor of removing warehouses from the C1 and C3 zoning districts and is also in favor of requiring the community environmental impact study. Supervisor Rogan is in favor of doing what is in the best interest of the residents in the Township.

Discussion:

A Flaherty supports Ms. Kelly's suggestion to remove warehouses from C1 and C3 zoning districts asking Ms. Ruiz-Smith why we should be concerned about the developers "holding the bag". She stated that she purchased property in the Township with the intent of the wastewater lines being installed along the street and there were no lines installed, they can't use the property and now they are left "holding the bag".

K. Hovi stated that there cannot be more truck traffic on Route 196 stating that as a paramedic she fears for her life when there are calls on Route 196 and they are on scene. She stated all else aside traffic is a major concern.

M. Cucciniello expressed his concerns with the truck traffic from Route 196 and onto Green Road also asking when taxes are going down.

- **Discussion on building heights in the various zoning districts**

Mr. Weimer reviewed the heights allowed in the current zoning ordinance stating that the fire company has the tools and apparatus to meet the demand should a waiver be granted for any projects in the township He stated that there are areas near the airport in which the FAA regulates the height of the buildings that are built in that area. Ms. Kelly stated that she likes the current heights that are in the ordinance stating that they fit the flavor of the community. She stated that there is no value to go higher in any of the areas in the township. Ms. Ruiz-Smith stated that it would be beneficial to have a hotel in the township stating that they would build within the footprint and be able to go up instead of out. She stated that the fire company and first responders would be able to get to them. Ms. Kelly stated that a 6 or 8 story hotel does not fit the aesthetics in the township, with Ms. Ruiz-Smith stating that the village appearance went away when the Board chose to remove the parking requirements and allow parking in the front of businesses. Ms. Colgan stated that we need a hospital on the mountain.

Discussion:

K. Hovi stated that we are kidding ourselves if we believe that they will not build their buildings wider simply because they can go higher. She asked the Board why they are so concerned with developers and hotels; what about the residents that live here.

Mr. Weimer asked Solicitor Armstrong what if a hospital wanted to build here and needed a waiver of the height requirement and was advised that they would request a variance from the Zoning Hearing Board it would not be a waiver from the Board of Supervisors.

Ms. Shincovich stated that as a member of the Planning Commission she wants to be able to work with the Board for guidance on waivers, studies and the development in the township. She stated that we need to make developers work within our guidelines. She stated that we need to plan for the future and the plan should be based on the vision that we have for Coolbaugh Township.

M. Kelly stated that people buy properties and want to make changes to the zoning without any thought to the future.

2. Public Comment

D. Pope asked how much land is left in the Industrial Park with Township Engineer, Russell Kresge stating not much that is usable.

D. Pope thanked Ms. Ruiz-Smith for the plaque that was presented to the VFW on behalf of the Board.

Ms. Kelly stated that now that we are finished with discussing these topics in general, we will need to visit property specific conversations at our next meeting on April 5th..

Work Session ended at 9:09pm