

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION MINUTES
March 7, 2023

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, PA.

Board Members present:

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

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 on Lot 1 & 2- PMCC North Warehouse- Wetlands (Jim Miller)

Jim Miller was in attendance to discuss the concerns with the wetlands and the request for a jurisdictional determination on the property. He stated that the attorney for Penn Future that was scheduled to speak was unable to attend. He stated that the applicant has requested the JD but that it is unknown when it will be scheduled for. He reviewed the documents that were submitted for inclusion in the meeting packet and provided the Board with additional information. He discussed the buffers, erosion and disturbances that would take place during construction as well as outside agency approvals/permits that are still required which include the PennDot HOP, NPDES and MCCC. He also stated that the public comment window has been extended by the DEP to 15 days past the confirmed hearing date which has not been scheduled yet. J. Miller reviewed the list of ordinances provided to the Board which he had concerns with relating to the project. Mr. Miller thanked the Board for hearing the concerns of the residents. Bill Leonard presented the Board with a review that he provided on the proposed project discussing the exceptional value wetlands and the requirements that he believes must be met prior to the issuance of any permits by the township. He stated that no permits should be issued until all outside agency approvals are obtained. He discussed the possibility of an escrow for protected trees that should be replaced and potential hotspot management measures relating to the project. Mr. Weimer thanked both Mr. Miller and Mr. Leonard for their concerns. Ms. Kelly asked Solicitor Armstrong about case law regarding final land development approval when outside agency approvals are still required, with Solicitor Armstrong stating that he will look into it.

- **Discussion:** Attorney Marc Kaplan was in attendance representing his client PMCC North stating that they received a very clean review letter from the township engineer, stating when the township requirements are fulfilled we are entitled to an approval which would be conditioned on outside agency approvals being granted. He stated that outside entities are separate from the township approval for land development and SALDO approvals, stating that conditional approval will not allow them to apply for permits or record the plan until all items have been satisfied. Attorney Kaplan stated that they are scheduled to be on the meeting agenda for consideration on March 21, 2023. Mr. Weimer stated that they are on the meeting agenda and that the attorney that was unable to attend this evening could speak at the work session that evening if she is available stating that he would like to allow everyone to be heard. Solicitor Armstrong stated that the meeting on March 21st will be the first time that the Board is seeing the revised plan and asked if the applicant would consider allowing the Board to review the plan and act on it at the April 7, 2023 meeting, stating that it would require a waiver of procedural time to be granted as the current waiver expires on March 31, 2023. Attorney Kaplan stated that he would have to speak to his client about that. Lisa Buchholtz, resident of Jackson Township was in attendance in support of the Coolbaugh Township residents that are opposing the

warehouses in the community. She read a statement and stated that she is working with the Pocono Township Commissioner on some of the same issues that are happening there. She stated that the group that she is a part of advocated for the residents in her community. M. Hintelmann was in attendance and expressed his concerns with the warehouses. D. Miller from Pocono Heritage Land Trust was in attendance stating that the Board has the hard task of dealing with zoning and land development that you did not ask for. He discussed the species that were found on the property that is proposed for development which included the Indiana Bat and also discussed the permitting process. D. Miller stated that the Board needs to look at the lands that are left in the community and determine how to zone them in a manner that will protect them moving forward. He stated that the Board's job is very difficult and expressed how the process is flawed when it comes to protecting the environment. Mr. Weimer stated that he would like for the county to work on a countywide comprehensive plan, stating that development needs to occur but there are certain things that people want and things that we need. These developments need to be strategically placed in the community and he would like to petition the county to take on this task with the assistance of all municipalities. D. Miller stated that the Board has the ability to start an official map for Coolbaugh Township. Mr. Weimer thanked everyone for their concerns and comments. Ms. Ruiz-Smith reminded the residents that if land is privately owned and the property owner has the chance to sell that property, they are entitled to do so.

2. Public Input

Nothing was heard.

Work Session ended at 6:48pm