

**COOLBAUGH TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MONDAY, APRIL 10, 2023
MINUTES**

The meeting was called to order by Chairman, Bernard Kozen at 6:30pm at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna, PA.

Board Members present:

Bernard Kozen, Ann Shincovich, Michael Schlegel, Mike Peterson and David Pope

Board Members absent:

None

Staff present:

Solicitor H. Clark Connor, Township Engineer, Russ Kresge, Township Engineer, Greg Haas and Acting Recording Secretary, Erin Masker.

Staff absent:

None

1. Approval of February 13, 2023 Meeting Minutes

Mr. Peterson made a motion second by Mr. Schlegel to approve the meeting minutes from the February 13, 2023 meeting as presented.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

2. Review of Imperial Realty Property Group LLC, Sewage Planning Module (Corporate Center Drive East/ Kolb Ct. & Belmont Avenue)

Attorney Marc Kaplan was in attendance and reviewed the Sewage Planning Module review letter and sewage operations and maintenance agreement that was provided for the Township Solicitor and SEO to review. He stated that this is a standard agreement that they use in other municipalities, and they do not anticipate that there will be many comments on it. He stated that they are requesting that the Planning Commission sign component 4A and forward it on to the Board of Supervisors to pass the required resolution to send it to DEP for review and approval.

Mr. Pope made a motion second by Mr. Kozen to Sign the Sewage Planning Module Component 4A and recommend that the Board of Supervisors Consider Approving and Submitting it to DEP for Review.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

3. Review of Imperial Realty Property Group LLC, Land Development Plan (Corporate Center Drive East/ Kolb Ct. & Belmont Avenue)

Attorney Marc Kaplan was in attendance and reviewed the comments in the review letter provided by Township Engineer, Greg Haas dated April 6, 2023 stating that most comments are outside agency approvals and waiver requests that would need to be considered by the Board of Supervisors before a final plan could be submitted. The outside agency approvals that are called out in the review letter are an NPDES, Erosion and Sediment Pollution Control Plan from the MCCD and the Sewage Planning Module approval from DEP. Discussion took place on the waivers that are being requested which include the berm of the basin that will need to be constructed with modifications which will require onsite inspections/oversite. Township Engineer, Greg Haas stated that the Township Engineer will also be required to be on site throughout the process which the applicant

would need to cover the expense for as well. Discussion took place on the O&M Agreement and the required inspections throughout the first number of years that the township would like to require with Mr. Haas stating that at any time an inspections was to take place and there were any issues, the applicant would be required to fix it.

Mr. Kozen made a motion second by Mr. Schlegel to recommend that the Board of Supervisors consider granting conditional approval of the Land Development Plan for Imperial Realty Property Group, LLC. Land Development Plan conditioned on all waivers being granted and comments in the Township Engineer's letter dated April 6, 2023 being addressed.

- **Discussion:** L. Kelly asked what the gallons per day is for comment #12; being advised 3500 gpd. Discussion took place on the previous letter regarding the requirement to maintain Corporate Center Drive with L. Kelly asking who would determine how much of the road would be included, with Attorney Kaplan asking if there is a program that they would be contributing to or if it would be something else. He stated that this is a conversation that would have to be discussed with the Board of Supervisors. Solicitor Connor stated that these are waivers/issues that we cannot negotiate at the PC level and would need to be worked out with the Board of Supervisors.
- **Vote:** 2-2-1, motion failed. (Mr. Peterson abstained)

Solicitor Connor stated that due to the waiver of time requirement expiring on April 30, 2023, the plan will go to the Board of Supervisors without a recommendation from the Planning Commission.

4. Review of Karl Pope Minor Subdivision Plan

Mr. Peterson made a motion second by Ms. Shincovich to Recommend that the Board of Supervisors consider Granting Conditional Approval of the Karl Pope Minor Subdivision Plan conditioned on approval of the requested waivers and that all comments in the Township Engineer letter dated February 27, 2023 are addressed. .

- **Discussion:** Mr. Kresge stated that this plan has three parcels with the middle parcel being split to make a 10 plus acre lot and a 26.7-acre lot. Mr. Pope was in attendance and stated that he wants to make a lot that is 10+ acres to be clean and green and then the larger lot. He stated that the properties will be in his family, and they are not going to be building on them. Mr. Kresge stated that there are notes that were added to the plan to reflect that and that there is no sewage planning for the property at this time either. Mr. D. Pope stated that he will be abstaining from the vote.
- **Vote:** 4-0-1, motion passes. (Mr. Pope abstained)

5. Review of WGH Trucking, LLC. Land Development Plan

Mr. Kozen made a motion second by Mr. Peterson to table the review of WGH Trucking, LLC. Land Development Plan.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

6. Review of Northampton Farms, LLC. Major Subdivision Plan (394/396 Memorial Blvd, Tobyhanna)

P. Szewczak and Attorney Erich Schock was in attendance representing Northampton Farms, LLC. to discuss the revised plan, stating that he will be submitting revised subdivision plans for the Township Engineer to Review for the next meeting. He stated that they are still working through some items for the land development plan (Landston Equities) as there are access issues. He stated that they had a conversation with Walmart Distribution

Center and they are not interested in allowing them access to the property from Veterans Drive, therefore their access will be off of Route 611 which will require some additional work due to the wetlands that were created by water from the township property. He stated that they are continuing to work on the comments and stated that they have made most of the previous requested waivers unnecessary. He stated that they want to make this plan compliant with the township ordinance. Mr. Kresge asked about the testing on the lots being advised that they are completing the testing on both lots as requested by the township but stating that lot 2 will not be used but that they will create a buildable lot in accordance with the ordinance. Discussion took place on the DEP testing that will impact the subdivision plan with P. Szewczak stating that they are at the DEP's mercy, and the staffing issues at DEP are slowing the process. Discussion took place on the sewage planning module which proposes 20,000 gpd (10,000 per building) and the waiver of time being granted until September 2023.

Mr. Peterson made a motion second by Mr. Kozen to Table the Review of Northampton Farms, LLC. Major Subdivision Plan and Accept the Waiver of Procedural Time until April 30, 2023. Pope to table the Review of the Land D

Mr. Peterson made a motion second by Mr. Kozen to Table the Review of Northampton Farms, LLC. Major Subdivision Plan and Accept the Waiver of Procedural Time Requirements until April 30, 2023.

- **Discussion:** None
- **Vote:** 4-0-1, motion passes. (Ms. Shincovich abstained)

7. **Review of Landston Equities, LLC. / Proposed 611 Industrial Center Land Development Plan- Request to Table (394/396 Memorial Blvd, Tobyhanna)**

Mr. Peterson made a motion second by Mr. Pope to Table the Review of the Landston Equities, LLC./ Proposed 611 Industrial Center Land Development Plan and Consider the Waiver of Procedural Time at the Next Meeting.

- **Discussion:** None
- **Vote:** All in favor, motion passes.

8. **Public Input**

Nothing was heard.

9. **Executive Session**

- Monday April 10, 2023 from 7:40-7:43 Re: Legal

10. **Adjournment**

There being no further business, a motion was made by Mr. Pope second by Mr. Schlegel to adjourn the meeting. All in favor, motion passed. Meeting adjourned at 7:36pm.

Next Regular Commission Meeting: Monday, May 8, 2023 at 6:30pm at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna.

Submitted by: _____ Date: _____
David Pope, Planning Commission Secretary

Compiled by: Erin M. Masker, Acting Recording Secretary

Witnessed by: _____ Date: _____
Bernard Kozen, Planning Commission Chairman