

Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

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In Re: Combined Reorganization Meeting and Regular Meeting

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Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania, 18350  
Thursday, February 6, 2014, beginning at 5:32 p.m.

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PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
ANNE LAMBERTON, Secretary  
PATRICIA M. RINEHIMER, Board Member  
  
ROBERT McHALE, P.E., Township Engineer  
  
PATRICK ARMSTRONG, ESQUIRE, Solicitor

ALSO PRESENT: Maureen Minnick, Assistant Zoning Officer

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PANKO REPORTING  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

2

1 MR. SINCAVAGE: Okay. I'll call  
2 the regularly scheduled -- I'll call the  
3 organization -- reorganizational meeting of Tobyhanna  
4 Township Planning Commission to order. I'm going to  
5 dispense with the formalities, if that's okay with

6 everyone.

7 MS. LAMBERTON: Yes.

8 MR. SINCAVAGE: And I'll just

9 move in to entertain a motion to reappoint the

10 present officers; myself as chair, Joe Miller as

11 vice-chair and Annie Lambertson as secretary.

12 Do I have a motion?

13 MS. LAMBERTON: I guess I can

14 make the motion, right? I'll make a motion.

15 MR. SINCAVAGE: I have a motion.

16 Do I have a second?

17 MR. MILLER: Second.

18 MR. SINCAVAGE: Motion and

19 seconded.

20 All those in favor, please say

21 aye?

22 THE BOARD: Aye.

23 MR. MILLER: See what you're

24 going to miss, Rob?

25 MR. SINCAVAGE: I'll adjourn the

3

1 reorganizational meeting and call to order the

2 regularly scheduled meeting of the Tobyhanna Township

3 Planning Commission.

4 Any public comment? Public?

5 MR. ROBERT BAXTER: No. Oh, I'll

6 be sure and invite you all to the first big cookout,

7 so you can see why I'm not here.

8 MR. SINCAVAGE: Okay.

9 MS. LAMBERTON: Okay. That is

10 fair.

11 MR. SINCAVAGE: First order of

12 business is to consider the minutes of November 7,

13 2013.

14 Do I have a motion to approve as

15 submitted?

16 MS. MINNICK: I have no changes.

17 MR. SINCAVAGE: No changes?

18 MS. LAMBERTON: Motion to accept

19 the minutes from November 17 (sic), 2013.

20 MR. SINCAVAGE: I have a motion.

21 Do I have a second to the motion?

22 MS. RINEHIMER: I'll second.

23 MR. SINCAVAGE: Motion and

24 second.

25 All those in favor, please say

4

1 aye?

2 MS. LAMBERTON: Aye.

3 MS. RINEHIMER: Aye.

4 MR. MILLER: Abstain.

5 MR. SINCAVAGE: Noted. And we

6 have the resignation of Rob Baxter.

7 And, Rob, I want to say it was a

8 pleasure serving with you for many years, whatever it

9 was, six or seven. We're certainly going to miss you

10 and I hope that if you know of someone that can serve

11 in your capacity or similar capacity, we'd certainly

12 love to have a recommendation.

13 MR. ROBERT BAXTER: I would

14 certainly do that. I enjoyed my time very much and

15 regret, you know, having to tender that resignation,

16 but rules are rules.

17 MS. LAMBERTON: I hear that the

18 other township has a planning commission too, Robbie.

19 I expect to see you on that.

20 MR. ROBERT BAXTER: Stay tuned.

21 MR. ARMSTRONG: The board will

22 accept it and then appoint --

23 MR. SINCAVAGE: Okay. Under old

24 business, Creek View minor subdivision. There's no  
25 one here --

5

1 MS. MINNICK: Somebody's pulling  
2 in now, so --

3 MR. SINCAVAGE: Someone is  
4 supposed to attend?

5 MS. MINNICK: Yeah, I think.  
6 That looks like Mr. Berardi coming in now.

7 MR. SINCAVAGE: Okay. While  
8 we're waiting for -- well, let's give the public a  
9 couple minutes, I guess, or the applicant a couple  
10 minutes. We can move on to the visioning. I just  
11 ask that this be placed on the agenda again.

12 Maureen, do you have any updates  
13 for us of where this might stand?

14 MS. MINNICK: Just I got the  
15 prices and I gave them to Phyllis. That's the last  
16 thing I heard. And then I think the cost was -- I  
17 think the cost was the major problem of it, but  
18 nothing else.

19 MR. SINCAVAGE: Is there -- do  
20 you know if there's any grant monies available to do  
21 these programs?

22 MS. MINNICK: That I don't know.

23 MR. SINCAVAGE: Annie, you're on  
24 the board. Maybe you -- you come in contact with a  
25 lot of different people.

6

1 MS. LAMBERTON: Yeah. Why don't  
2 we go to the county and ask?

3 MR. SINCAVAGE: That's a

4 good idea.

5 MS. LAMBERTON: Yeah.

6 MR. SINCAVAGE: Could we ask the  
7 Monroe County Planning Commission if they have any --

8 MS. LAMBERTON: Or if they can  
9 lead us in the right direction of where to look for  
10 it, for planning.

11 MS. MINNICK: Um-hmm. I can do  
12 that.

13 MR. SINCAVAGE: I really think  
14 that it was necessary to do this, especially in the  
15 I-380 interchange area. That was direction that we  
16 had received from the board of supervisors. We need  
17 to look at that.

18 MS. LAMBERTON: It would make  
19 sense to get something in place there.

20 MR. SINCAVAGE: I just ask that  
21 this be placed on there because I don't want it to  
22 fall by the wayside again. Unfortunately, it's  
23 taking a lot more time than I think this board had  
24 hoped, but we don't have any funds to spend. So it's  
25 up to the board of supervisors to find funds, but if

7

1 we can reach out to the Monroe County Planning  
2 Commission, that would be great.

3 MS. MINNICK: Okay. We could do  
4 that.

5 MR. SINCAVAGE: All right. Now  
6 we'll go back to Creek View.

7 MR. FRANK SMITH, JR.: We  
8 apologize for being a little bit late. We had a  
9 little traffic issue back in Marshalls Creek,  
10 Interstate 80.

11 MS. LAMBERTON: How's that  
12 bypass? How's that working out for you?

13 MR. FRANK SMITH, JR.: Whatever  
14 you do, don't let them put a roundabout in, in your  
15 township.

16 MS. LAMBERTON: No. Really?

17 MR. SINCAVAGE: Did you receive  
18 the February 6 minute -- review letter from the  
19 township engineer?

20 MR. MIKE BERARDI: February what?

21 MR. SINCAVAGE: February 6.

22 MR. MIKE BERARDI: That's today.

23 MS. MINNICK: Today's review  
24 letter.

25 MR. MIKE BERARDI: No.

8

1 MR. FRANK SMITH, JR.: I have not  
2 received --

3 MS. MINNICK: We had a problem  
4 with our internet and our e-mail. I did fax a copy  
5 down to you. If you don't have one, I will --

6 MR. MIKE BERARDI: What --  
7 what -- to who? To --

8 MS. MINNICK: Frank, yeah.

9 MR. MIKE BERARDI: Frank?

10 MR. FRANK SMITH, JR.: I did not  
11 get it.

12 MS. MINNICK: That's okay. I'll  
13 get you a copy. I'll make a copy right now for you.

14 MR. SINCAVAGE: Bob, is there  
15 anything you care to highlight for them?

16 MR. McHALE: Mostly at this  
17 point, Pat and I spoke this afternoon and it appears  
18 to be just notations on the plan and items that could  
19 be cleaned up. So my letter is to recommend approval  
20 based on them making those modifications or



2 115.

3 MR. SINCAVAGE: Um-hmm.

4 MR. ARMSTRONG: So Bob and I --  
5 you know, we talked about maybe -- and I don't know  
6 if the applicant has given much thought to it, to  
7 where Lot 1 would actually take access off that  
8 easement would be behind those two lots, rather than  
9 across there. There's nothing -- that's more so a  
10 driveway --

11 MR. MIKE BERARDI: I don't  
12 understand. I'm not understanding all what you're  
13 trying to say.

14 MR. ARMSTRONG: Bob can probably  
15 explain it.

16 MR. MIKE BERARDI: I know the  
17 line for the easement. You said go around what?

18 MR. McHALE: Well, as an  
19 alternate, currently you're showing the main access  
20 driveway coming in this way.

21 MR. MIKE BERARDI: Yeah. Right.

22 MR. McHALE: There's also this  
23 portion that's on the east side.

24 MR. MIKE BERARDI: That's the  
25 access, this side.

11

1 MR. McHALE: That's correct.

2 MR. MIKE BERARDI: Right.

3 MR. McHALE: But this easement is  
4 already in place. It comes back to these parcels.

5 And if you run into a problem with that crossing over  
6 that easement, we don't know that. You'd have to  
7 investigate something regarding that and --

8 MR. MIKE BERARDI: There's  
9 nothing there. It's a road. So how is there --



10 MR. ARMSTRONG: It probably says  
11 it's a driveway.

12 MR. McHALE: It says nine foot  
13 wide easement.

14 MR. MIKE BERARDI: Yeah, but --  
15 but the easement is from this property to this  
16 property.

17 MR. McHALE: No, no.

18 MR. FRANK SMITH, JR.: See, these  
19 two guys here have the right to use --

20 MR. MIKE BERARDI: No, no.  
21 Here's what I'm saying. In order for them to have an  
22 easement, it has to come across the owner of this  
23 property, because that easement is on this owner's  
24 property.

25 MR. ARMSTRONG: Right. But they

12

1 probably already have that easement.

2 MR. MIKE BERARDI: I realize  
3 that.

4 MR. ARMSTRONG: Okay.

5 MR. MIKE BERARDI: I'm agreeing  
6 with that. I'm saying that that easement can be  
7 changed to this.

8 MR. McHALE: Well, as long as  
9 they --

10 MR. MIKE BERARDI: As long they  
11 have access -- as long as they have access and better  
12 access than what exists, I don't see why they -- why  
13 I wouldn't just say to them, I don't want -- you  
14 know, we'd like to change that and have them come  
15 into here.

16 MR. ARMSTRONG: Depending upon  
17 what that easement says, though, they may have to  
18 agree to that. So what --

19 MR. MIKE BERARDI: And if they  
20 don't, then what happens?

21 MR. ARMSTRONG: They have an  
22 easement, it's --

23 MR. McHALE: If they don't agree  
24 to it, then we're just simply saying that as an  
25 alternate, you could still bring access to Lot 1 back

13

1 here --

2 MR. ARMSTRONG: Right.

3 MR. McHALE: -- if need be, so  
4 that's all we're saying.

5 MR. ARMSTRONG: What we're saying  
6 is, maybe to --

7 MR. MIKE BERARDI: You mean they  
8 can -- you mean after this is developed commercially,  
9 they would be able to drive through that nine foot  
10 easement?

11 MR. ARMSTRONG: If depending -- I  
12 don't know. I haven't seen the easement. I  
13 haven't --

14 MR. MIKE BERARDI: It doesn't  
15 make sense.

16 MR. ARMSTRONG: I have not seen  
17 the easement.

18 MR. MIKE BERARDI: That doesn't  
19 make sense.

20 MR. ARMSTRONG: I have not seen  
21 the easement. Right here it's saying there's a nine  
22 foot easement.

23 MR. MIKE BERARDI: Yeah.

24 MR. ARMSTRONG: So if there's an  
25 easement granting them the right to access this

1 property through this nine foot easement, they have  
2 that right. Unless there's -- there could be a  
3 provision in there saying that the owner of this  
4 property can terminate it at any time.

5 MR. MIKE BERARDI: Or provide  
6 other -- other access.

7 MR. ARMSTRONG: I don't have that  
8 easement. I haven't seen the easement.

9 MR. MIKE BERARDI: I see.

10 MR. ARMSTRONG: So I don't know.

11 MR. McHALE: It sounds like no  
12 one here has seen or --

13 MR. MIKE BERARDI: No.

14 MR. McHALE: -- read the  
15 easement.

16 MS. LAMBERTON: Yeah.

17 MR. SINCAVAGE: All right.

18 MR. McHALE: But it's noted on  
19 the plan, so --

20 MR. ARMSTRONG: What we're  
21 saying, as Bob just said, it might make more sense to  
22 provide Lot 1 with access behind them, so you're not  
23 even interrupting this nine foot easement.

24 MR. MIKE BERARDI: For now.  
25 Okay.

1 MR. McHALE: But the plan, as  
2 it's shown, we just wanted to highlight that. It is  
3 okay the way it's shown. We're just saying that if  
4 you run into a problem --

5 MR. MIKE BERARDI: Right.

6 MR. McHALE: -- with that  
7 easement --

8 MR. MIKE BERARDI: I got you.  
9 MR. McHALE: -- that we're going  
10 to recognize that you could take access back here and  
11 you're not trying to come off of 115, that you're  
12 still going to utilize this easement that you're  
13 showing.  
14 MR. MIKE BERARDI: Why not -- why  
15 don't we just take that off and not give any access?  
16 Because this automatically has access. I just -- we  
17 just added that as additional road.  
18 MR. McHALE: It's okay the way it  
19 is. Just we're saying, if you run into a problem --  
20 MR. MIKE BERARDI: Right.  
21 MR. McHALE: -- you have an  
22 alternate. That's all.  
23 MR. MIKE BERARDI: An  
24 alternate --  
25 MR. McHALE: Way to get to that

16

1 part without crossing over the easement.  
2 MR. MIKE BERARDI: We're not  
3 developing -- I'm not developing the property at all.  
4 What I'm looking to do is to just make sense of the  
5 property so if somebody comes along and wants to buy  
6 this side or this side, then they would submit a  
7 regular plan and they would go through this easement  
8 process and how they're gonna access it and  
9 everything. This, to me, is simply a lot line change  
10 so that it's two lots. This was two lots this way,  
11 now it's two lots this way.  
12 MR. McHALE: And we're simply  
13 saying that whoever develops --  
14 MR. MIKE BERARDI: Needs to do  
15 that.

16 MR. McHALE: -- whenever --  
17 MR. MIKE BERARDI: Absolutely.  
18 MR. McHALE: Whenever they  
19 develop, there could be an issue with the easement --  
20 MR. MIKE BERARDI: I got you.  
21 MR. McHALE: -- so therefore we  
22 want to say we're recognizing that they can either  
23 take access here as shown or anywhere along that  
24 property.  
25 MR. MIKE BERARDI: Anywhere along

17

1 the back. Absolutely.  
2 MR. McHALE: There you go.  
3 MR. MIKE BERARDI: Absolutely.  
4 MR. McHALE: Then we're good.  
5 We're in agreement.  
6 MR. MIKE BERARDI: I'm in  
7 agreement with that, yes.  
8 MR. McHALE: Okay. Good.  
9 MR. MIKE BERARDI: Yes. Okay.  
10 Which one was yours? That one's  
11 yours.  
12 MR. FRANK SMITH, JR.: While  
13 we're up here, is there any other issues?  
14 MR. SINCAVAGE: You want to go  
15 over the letter step by step or --  
16 MR. McHALE: Why don't you just  
17 take a minute to look over there and see if you have  
18 any questions?  
19 As Pat indicated earlier, several  
20 of the items are just carry-overs that did not occur  
21 from the old subdivision to the new subdivision plan.  
22 And since it states on there it's gonna be  
23 superceded, we just wanted to make sure we got all  
24 the information, as much as we could, off of the old

25 plan onto the new one.

18

1 As long as the applicant's in  
2 agreement with what's in the letter, then --

3 MS. LAMBERTON: No more issues.  
4 Good.

5 MR. McHALE: One of the other  
6 items as -- you know, we were looking at these two  
7 internal parcels. Since they're being used for  
8 residential purposes right now -- they are zoned  
9 commercial, so someday someone purchased them or  
10 perhaps the owners of these lots purchase them  
11 sometime in the future, then there would be no need  
12 for a landscape buffer around the perimeter; but  
13 until such time, the way the ordinance reads is that  
14 there would need to be, around residential areas, a  
15 25 foot landscape buffer. And it was shown on your  
16 originally approved and recorded plan, but they  
17 didn't transpose that onto this plan.

18 MS. LAMBERTON: It's missing.

19 MR. McHALE: Correct. That's the  
20 kind of item that we're talking about that needs to  
21 be addressed.

22 MS. LAMBERTON: Okay.

23 MR. MIKE BERARDI: No. 1 of your  
24 note, or F -- what you're calling F? No, no. One --

25 MR. FRANK SMITH, JR.: That's 1.

19

1 MR. MIKE BERARDI: 1 F.

2 MR. FRANK SMITH, JR.: Oh.

3 That's the section --

4 MR. MIKE BERARDI: The one where

5 it says Lot 3, Lot 3 is the one in the back, is that  
6 correct?

7 MR. McHALE: Correct.

8 MR. MIKE BERARDI: Okay. And  
9 there is access to it. Is that what you're looking  
10 for, access to that?

11 MR. ARMSTRONG: I think all he's  
12 indicating is that it doesn't include Lot 3 in the  
13 note.

14 MR. McHALE: Correct.

15 MR. ARMSTRONG: We want to insure  
16 that the access will be also granted to the Tobyhanna  
17 Township property beyond. It's just a matter of  
18 including that part.

19 MR. MIKE BERARDI: Absolutely.

20 MR. ARMSTRONG: That's all.

21 MR. MIKE BERARDI: Yes. Okay.

22 MR. FRANK SMITH, JR.: There's a  
23 triangle.

24 MR. McHALE: And that's for Plan  
25 Note No. 14.

20

1 MR. FRANK SMITH, JR.: Right.

2 MR. McHALE: It does not need to  
3 be a part of Note 16 because 16 is speaking to the  
4 construction and maintenance of the future driveway  
5 or access.

6 (Discussion off the record was  
7 held between Mr. Mike Berardi and Mr. Frank Smith,  
8 Jr.)

9 MR. FRANK SMITH, JR.: You were  
10 just discussing a landscaping issue?

11 MR. McHALE: Yes.

12 MR. FRANK SMITH, JR.: We asked  
13 for a waiver on that. Is that okay on that?

14 MR. McHALE: No. You need to  
15 depict it because it was on the original plan shown  
16 as such, so it's just a matter of showing that 25  
17 foot buffer around the residential areas --

18 MR. FRANK SMITH, JR.: Right.

19 MR. McHALE: -- adding the notes  
20 back the way they were on the original approved plan  
21 and we're good.

22 MR. FRANK SMITH, JR.: Good.

23 MR. ARMSTRONG: And those waivers  
24 that you're requesting, they're more so temporary  
25 waivers.

21

1 MR. McHALE: From a time  
2 standpoint. You'll still need -- or the developer,  
3 whoever it is that comes in with a land development  
4 plan, or further subdivision --

5 MR. FRANK SMITH, JR.:  
6 Absolutely.

7 MR. McHALE: -- they will still  
8 need to comply with those items. It's like a  
9 temporary time waiver of submitting that information.  
10 We still want that information at some point in time.  
11 It's not like they're just waiving it saying you  
12 don't have to comply with it.

13 MR. FRANK SMITH, JR.: Yeah.  
14 When the land development plan would come in and then  
15 -- then that would have to kick back in, so the  
16 landscaping would be shown as part of the land  
17 development plan.

18 MR. McHALE: Right.

19 MR. ARMSTRONG: Landscaping, as  
20 well as the access road itself.

21 MR. FRANK SMITH, JR.: Yes. That



22 whole thing would blossom out of --

23 MR. McHALE: And the reason we  
24 wanted to clarify that point is because in the past,  
25 the planning commission has granted waivers where

22

1 they basically said, we don't even need that  
2 information, so those are sometimes when we end up  
3 with driveways, utilities, things within 500 feet of  
4 the property. Those are the typical waivers.

5 So that kind of waiver, even  
6 though it's included in that, it's not like they're  
7 waiving all the information in that waiver list  
8 request.

9 (Discussion off the record was  
10 held between Mr. Mike Berardi and Mr. Frank Smith,  
11 Jr.)

12 MR. SINCAVAGE: So are you good?

13 MR. MIKE BERARDI: Yeah, seems to  
14 be -- seems to be okay.

15 MR. FRANK SMITH, JR.: Okay.

16 Thank you.

17 MR. ARMSTRONG: So you've  
18 reviewed the February 6, 2014 review letter from the  
19 township engineer?

20 MS. LAMBERTON: That was nicely  
21 done, Pat.

22 MR. ARMSTRONG: And everything is  
23 a will comply on the part of the applicant?

24 MR. MIKE BERARDI: Yes.

25 MR. ARMSTRONG: And you're

23

1 agreeable with the access easement issues that we  
2 discussed earlier?

3 MR. MIKE BERARDI: Yes.  
4 MR. FRANK SMITH, JR.: Yes.  
5 MR. SINCAVAGE: I'm not clear on  
6 how the motion should be stated.  
7 MR. ARMSTRONG: If the --  
8 MR. SINCAVAGE: Make sure the --  
9 MS. LAMBERTON: Contingent upon  
10 those items being --  
11 MR. ARMSTRONG: Yep. If the  
12 planning commission were inclined to recommend  
13 approval -- or recommend that the board consider  
14 approval, this plan could be conditional upon the  
15 applicant complying with the comments and  
16 requirements set forth in the February 6, 2014  
17 township engineer review letter, as well as adding  
18 the additional notes from the original subdivision  
19 plan onto the proposed revised subdivision plan as  
20 deemed appropriate by the township engineer and  
21 solicitor.  
22 And further, conditional upon the  
23 applicant agreeing to and executing the access  
24 easement, as well as the declaration of covenants to  
25 address the easement, as well as the temporary  
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11 it separately.  
12 MR. SINCAVAGE: Okay. I have a  
13 motion.  
14 Do I have a second to the motion?  
15 MR. MILLER: Second.  
16 MR. SINCAVAGE: Motion and  
17 seconded.  
18 All those in favor, please say  
19 aye?  
20 THE BOARD: Aye.  
21 MR. SINCAVAGE: Okay. Then we --  
22 well, I'll entertain a motion to recommend  
23 approval -- or waiver -- temporary waiver of Section  
24 135.15.A.15, .25, .27; Section 125.17.L and M -- I'm  
25 sorry, 135, Section 135.17.U and V; Section

25

1 135.18.B.13; and Article 19, general provisions of  
2 Chapter 124, Storm Water Management, Part 2 of the  
3 Tobyhanna Creek Watershed Plan.  
4 Do I have a motion to that  
5 effect?  
6 MS. LAMBERTON: I'll make that  
7 motion.  
8 MR. SINCAVAGE: I have a motion.  
9 Do I have a second to the motion?  
10 MS. RINEHIMER: I'll second.  
11 MR. SINCAVAGE: Motion and  
12 seconded.  
13 All those in favor, please say  
14 aye?  
15 THE BOARD: Aye.  
16 MR. SINCAVAGE: Okay. Thank you,  
17 gentlemen.  
18 MR. MIKE BERARDI: Thank you.  
19 MR. SINCAVAGE: Good luck.

20 MR. MIKE BERARDI: Thank you.  
21 MR. FRANK SMITH, JR.: We can  
22 make this correction and then we'll get it over to  
23 the engineer.  
24 MR. MIKE BERARDI: Okay, guys.  
25 Thank you.

26

1 MS. LAMBERTON: Thank you. Have  
2 a good evening.  
3 MS. MINNICK: Good night.  
4 MR. SINCAVAGE: Under -- under  
5 new business, we have Anthony --  
6 MR. FRANK SMITH, JR.: I'll get a  
7 copy of that easement to you folks on that nine foot  
8 access --  
9 MR. ARMSTRONG: The nine foot --  
10 do you have a copy?  
11 MR. FRANK SMITH, JR.: I think  
12 it's here someplace.  
13 MR. ARMSTRONG: Okay. Perfect.  
14 MR. FRANK SMITH, JR.: If not,  
15 I'll get it over to Bob and he can give it to you --  
16 MR. ARMSTRONG: Perfect.  
17 MR. FRANK SMITH, JR.: -- and  
18 we'll handle it from there.  
19 MR. ARMSTRONG: Thank you.  
20 MR. FRANK SMITH, JR.: Thank you.  
21 MR. SINCAVAGE: Under new  
22 business, Anthony Morroni, minor subdivision.  
23 There's no applicant present.  
24 Bob, do you have anything to  
25 comment on this?

27

1                   MR. McHALE: Maureen, you might  
2 want to kind of touch base on that subdivision. I  
3 looked at it this afternoon and with both the  
4 Morrionis and the Evans minor subdivisions, they're  
5 really lot line adjustments like we did with Sean  
6 Dean property last year.

7                   MS. LAMBERTON: Okay.

8                   MR. McHALE: I looked at items  
9 like the notes looking for -- on one there was a  
10 nonconforming lot that's being adjusted. I had some  
11 questions. I was hoping Brian Courtright was going  
12 to be here tonight to ask, you know, what and why  
13 he's doing some of that. Maybe Maureen could shed  
14 some light on it. I can go through a couple of the  
15 items that I had found, that I think he needs to  
16 address, but they're mostly housekeeping items.

17                   The biggest thing on the Morrioni  
18 property that I had seen was that he's depicting on  
19 the smaller tract that's going to be consolidated  
20 with that little sliver, Parcel 1, and he has the  
21 location of the existing well, an existing trailer  
22 and then the S, which is the septic tank, basically.

23                   But then over on the adjoining  
24 parcel, that is where that sliver property is coming  
25 from, they have area of septic testing. And I'm

28

1 assuming that -- you know, that might be an elevated  
2 sand mound. I don't know. But if it is and it goes  
3 with the existing trailer, then my question is, are  
4 they -- what is the full purpose in making the lot  
5 line adjustment if they own both of these parcels?  
6 If they're gonna sell it off, then there probably  
7 needs to be -- and if that is in fact an elevated  
8 sand mound, then I would think there would need to be

9 some kind of an easement that would grant that right  
10 to the other parcel.

11 MR. MIKE BERARDI: I'm sorry.

12 MR. McHALE: Yes?

13 MS. RINEHIMER: It's okay.

14 MR. MIKE BERARDI: Just a  
15 question. Once he submits that to you, do we come  
16 back again?

17 MS. LAMBERTON: No. You're done.

18 MR. MIKE BERARDI: So we submit  
19 that to you and then when you feel that's it's done,  
20 then what happens?

21 MR. ARMSTRONG: You still have  
22 to -- this was a recommendation. This was a  
23 recommendation from the planning commission. This is  
24 a recommend -- a --

25 MS. LAMBERTON: A recommending

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1 body.

2 MR. ARMSTRONG: -- a recommending  
3 body. You still need to go before the board of  
4 supervisors.

5 MR. MIKE BERARDI: Oh.

6 MR. ARMSTRONG: The actual final  
7 action will come from the board of supervisors; but  
8 once you get that easement in, it'll probably be  
9 their March meeting.

10 MS. MINNICK: March agenda.

11 MR. ARMSTRONG: Yeah.

12 MR. MIKE BERARDI: Okay. Okay.  
13 Thank you.

14 MR. ARMSTRONG: But I would  
15 follow up with Phyllis and Maureen to see when you  
16 can get --

17 MR. MIKE BERARDI: Okay.  
18 MR. ARMSTRONG: -- on the agenda.  
19 MS. MINNICK: It's probably going  
20 to be March because they have a meeting on Monday,  
21 and I think it's kind of --  
22 MR. MIKE BERARDI: Sure.  
23 MS. MINNICK: -- time limitations  
24 are a little --  
25 MR. MIKE BERARDI: Okay.

30

1 Thank you.  
2 MS. MINNICK: You're welcome.  
3 MR. FRANK SMITH, JR.: Thank you.  
4 MS. MINNICK: Have a good night.  
5 MR. SINCAVAGE: Okay. So  
6 there's --  
7 MR. McHALE: Maureen, do you know  
8 why they're wanting to move the lot plan --  
9 MS. MINNICK: I --  
10 MR. McHALE: -- other than the  
11 edge of the existing trailer encroaches into that  
12 parcel?  
13 MS. MINNICK: I don't know, but  
14 Phyllis had mentioned that she's been trying to get  
15 them to come in for quite some time. I don't know if  
16 it has -- well, it definitely has zoning issues. And  
17 I believe that there is a house on Lot 1 that they  
18 built in 2009, so I don't know if that has something  
19 to do with it as well.  
20 MR. ARMSTRONG: Wait. There is a  
21 house?  
22 MR. McHALE: There's a house on  
23 the larger tract?  
24 MS. MINNICK: Yeah.  
25 MR. McHALE: Well, he's not

1 showing that. He should depict that as an existing  
2 improvement, if there is.

3 MS. MINNICK: Yeah. The file  
4 that I -- yeah, it's showing that there's a house on  
5 it. It was built in 2009 -- or the permit was pulled  
6 in 2009, excuse me. I don't have a C of O on file,  
7 so I don't know if, per se, it was built.

8 MR. SINCAVAGE: So we don't know  
9 if there's a house on that --

10 MS. MINNICK: No. There is a  
11 zoning permit for it and a building permit for it.

12 MR. SINCAVAGE: But is there an  
13 actual structure?

14 MS. MINNICK: That I don't know.

15 MR. McHALE: So, again, that's an  
16 item that'll -- will need to be addressed. If  
17 they're looking to sell off the other parcel, they're  
18 going to have to have accommodation for the on-lot  
19 system, if it is in fact tied into that. That area  
20 of septic testing could have been for that particular  
21 lot --

22 MR. SINCAVAGE: Right. Right.

23 MR. McHALE: -- not for the  
24 adjoining side, so I don't know at this point.

25 MS. MINNICK: And there is a

1 valid septic permit for it.

2 MR. SINCAVAGE: For the larger  
3 lot?

4 MS. MINNICK: For the larger lot.  
5 That was issued in 2008.



6 MR. ARMSTRONG: When did they --  
7 MS. LAMBERTON: We don't really  
8 know what they're trying to do here. We don't really  
9 know what they want to do here.  
10 MS. MINNICK: No, I'm not sure.  
11 I know Phyllis had something to do with it.  
12 MS. LAMBERTON: Okay. Maybe we  
13 should table this until she has chance to talk to  
14 them.  
15 MR. ARMSTRONG: And Maureen, it  
16 looks like they filed their subdivision application  
17 in January 23 of 2014 --  
18 MS. MINNICK: Yeah.  
19 MR. ARMSTRONG: -- not the August  
20 date that's on here? That looks like it's been --  
21 MS. MINNICK: They originally  
22 submitted in August. I kicked it back out because I  
23 didn't have the appropriate documents for it.  
24 MR. ARMSTRONG: Okay. Okay.  
25 MR. SINCAVAGE: Well, we still

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1 don't have the appropriate documents for it.  
2 MS. MINNICK: No.  
3 MR. SINCAVAGE: All right. I  
4 don't know what we're supposed to do with this.  
5 MR. ARMSTRONG: Well, I think at  
6 this point in time, it sounds like we may not have an  
7 accurate depiction on the plan --  
8 MS. MINNICK: Right.  
9 MR. ARMSTRONG: -- because there  
10 may be an improved structure on this larger lot.  
11 MS. MINNICK: There could be.  
12 MS. LAMBERTON: I could drive out  
13 there tomorrow and see if there's a house on this  
14 lot. Seriously.

15 MR. ARMSTRONG: And I would  
16 suggest contacting Mr. Courtright and request that he  
17 come to your next meeting? That's up to the planning  
18 commission.

19 MR. SINCAVAGE: That's up to the  
20 applicant.

21 MR. ARMSTRONG: Yeah.

22 MR. SINCAVAGE: Whatever the  
23 applicant wants. This is nothing, as far as I'm  
24 concerned.

25 MS. MINNICK: Yeah. And the

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1 plans were submitted after the cut off date --

2 MR. SINCAVAGE: Right.

3 MS. MINNICK: -- so --

4 MS. LAMBERTON: Okay. So maybe  
5 we need to communicate with this guy a little bit.

6 MR. SINCAVAGE: Or Bob reviews  
7 what's been submitted, but it sounds like Bob has  
8 questions.

9 MS. LAMBERTON: It's not  
10 accurate. Yeah. We need to see what we're talking  
11 about here.

12 MR. SINCAVAGE: Okay.

13 Do we need to take any action on  
14 that?

15 MR. ARMSTRONG: No. It was --  
16 the plan was applied for January 23, 2014. There's  
17 no action required at this point in time. I would  
18 suggest, though, when we reach out to the applicant  
19 and inquire as to some of these missing pieces, to  
20 send them an extension of time waiver, so they can  
21 execute it, so we're not pushed -- so we're not under  
22 the gun with respect to acting on it.

23 MS. MINNICK: We'll get that to  
24 him.

25 MR. ARMSTRONG: You guys should

35

1 have a form.

2 MS. MINNICK: I do.

3 MR. SINCAVAGE: Okay. And what  
4 about the Evans'? It looks like the application was  
5 received on January 30, so that was after the cutoff  
6 date also?

7 MS. MINNICK: Right.

8 MR. SINCAVAGE: Okay.

9 Bob, do you have anything to  
10 comment on this?

11 MR. McHALE: Again, just a few  
12 housekeeping things, so that I noticed the deed of  
13 record -- usually can page reference -- is not  
14 correct, and the setback needs to be adjusted a  
15 little bit. My understanding is that they want to  
16 sell off Lot 35 or at least --

17 MS. MINNICK: They want to  
18 sell -- the owner that's in there now, he's looking  
19 to sell the property, but before he dies, he wants to  
20 clean up the lot line.

21 MR. McHALE: Because when they  
22 constructed the home on Lot 35, it was -- 35 and 36  
23 was under the same ownership and they just built it  
24 over the lot line. And now they want to be able to  
25 separate the parcels so that they're conforming.

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1 MR. SINCAVAGE: Um-hmm.

2 MS. MINNICK: Lot 35, the house  
3 was built in 1968, which was prior to our zoning, and

4 the previous owner on Lot 35 and Lot 36, so -- no  
5 zoning, I can build the house wherever I want, I own  
6 both of the properties. That's the story that we're  
7 getting, and they built the house right on top of the  
8 lot line.

9 MR. SINCAVAGE: And now they want  
10 to sell one and --

11 MS. MINNICK: Well, it's a  
12 different --

13 MR. SINCAVAGE: -- we have a  
14 problem?

15 MS. MINNICK: Yeah. It's a  
16 different owner now. The kid wants to clean it up so  
17 he could --

18 MR. SINCAVAGE: Okay.

19 MS. MINNICK: -- he can sell it.

20 MR. SINCAVAGE: I mean, that's  
21 straightforward and I don't have a problem with that,  
22 but we need to have -- we need to have this reviewed  
23 and --

24 MS. MINNICK: Um-hmm.

25 MR. SINCAVAGE: Okay? Same

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1 situation. We need to send a time waiver. It will  
2 be on our agenda for next month?

3 MS. MINNICK: Yep.

4 MR. McHALE: There's also a  
5 similar situation where on Lot 36 they show an  
6 existing elevated sand mound that is on the same lot  
7 as obviously the dwelling of 36, but on 35 there's  
8 nothing designated --

9 MR. SINCAVAGE: Right.

10 MR. McHALE: -- so we'll also get  
11 with John Brogan, our sewage enforcement officer, and

12 look to see if there is any historical records for  
13 that 1968 dwelling.

14 MS. MINNICK: I think, Bob, if  
15 I'm not mistaken, Lot 36, the C of O for the house  
16 was issued in 1988, and I believe that septic system  
17 was issued for solely that house, for Lot 36.

18 MR. McHALE: Okay.

19 MR. SINCAVAGE: But Lot 35 still  
20 needs a septic system --

21 MS. MINNICK: Right.

22 MR. SINCAVAGE: -- or show  
23 something.

24 MR. McHALE: They show something  
25 off to the corner of the house there that shows where

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1 the septic tank is, but there's nothing else unless  
2 it was an in-ground system exit.

3 MR. SINCAVAGE: Okay?

4 MS. LAMBERTON: Um-hmm.

5 MR. SINCAVAGE: We'll have it on  
6 our agenda for next month.

7 Anything else?

8 MS. MINNICK: That's it.

9 MR. SINCAVAGE: Any commission  
10 member have anything they want to bring before us?

11 MS. LAMBERTON: Yes. I sent an  
12 e-mail out and I just wanted to get your thoughts on  
13 what we might want to take back to the county  
14 planning level that might be some ideas for overall  
15 planning for the region versus just Tobyhanna  
16 Township, and maybe how we can tie it together.

17 They're trying to take a look at  
18 537 plans and where sewage is needed and where it can  
19 and cannot be and so on and so forth. So if anybody  
20 has any input on how we'd like to view the growth.

21 And I had mentioned with our visioning, we have our  
22 own views on how we wanted to see certain areas and  
23 we're interested in talking about it a little  
24 further.

25 MR. SINCAVAGE: Right.

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1 MS. LAMBERTON: I don't know.

2 MR. SINCAVAGE: Yeah. I think  
3 Tobyhanna Township and this planning commission have  
4 been pretty proactive in showing where --

5 MS. LAMBERTON: One of few.

6 MR. SINCAVAGE: Right.

7 MS. LAMBERTON: Yeah. I think  
8 that's what they're trying to stimulate, because they  
9 know they need to do something.

10 MR. SINCAVAGE: You're asking for  
11 a more regional view?

12 MS. LAMBERTON: They are. I  
13 personally like to keep ours on a smaller level  
14 because it's just easier to achieve, you know? If  
15 you wait for the whole county to be developed, you  
16 know --

17 MR. SINCAVAGE: Well, I don't see  
18 how we would tie into any regional plan, I mean, in  
19 terms of sewage, because that goes into a separate  
20 watershed and there's a lot of issues over that.

21 MS. LAMBERTON: Understood.

22 MR. SINCAVAGE: So we would have  
23 to have our own sewer system in here. And correct me  
24 if I'm wrong, though.

25 MS. LAMBERTON: No.

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1 MR. SINCAVAGE: But they like to  
2 keep it in the watershed, so it has to stay in the  
3 Tobyhanna Township -- or the Tobyhanna Creek  
4 Watershed, which is substantially Tobyhanna Township.

5 MS. LAMBERTON: Um-hmm.

6 MR. SINCAVAGE: So we have to  
7 have our own sewer system.

8 MS. LAMBERTON: Which we do.

9 MR. SINCAVAGE: And water, we  
10 couldn't tie into the Brodhead water system.

11 MS. LAMBERTON: No.

12 MR. SINCAVAGE: So we have our own  
13 water system.

14 MS. LAMBERTON: That's just what  
15 they were portraying --

16 MR. SINCAVAGE: Right.

17 MS. LAMBERTON: -- and they want  
18 to come and make a more regional approach to things.  
19 And I just suggested that every township kind of has  
20 their own design on -- like you just see -- you know  
21 what I mean? Just the watershed alone.

22 MR. SINCAVAGE: Right. But that  
23 watershed does take in a lot of townships. If you  
24 look at the Brodhead Watershed --

25 MS. LAMBERTON: I understand.

41

1 MR. SINCAVAGE: -- that I can see  
2 regional planning.

3 MS. LAMBERTON: I don't want to  
4 be forgotten.

5 MR. SINCAVAGE: I agree with  
6 that. And Tobyhanna Creek Watershed is supposed to  
7 be the next studied watershed because our plan is a  
8 little out of date. I mean, it's been talked about.

9 MS. LAMBERTON: Um-hmm. I was

10 just looking for input.

11 MR. SINCAVAGE: Yeah. I don't  
12 know if we really want to open up that -- no. We  
13 don't want to really open that up.

14 MS. LAMBERTON: We'll let that  
15 go. That's all I have.

16 MR. SINCAVAGE: Okay. Anything  
17 else?

18 MS. RINEHIMER: Nope.

19 MR. SINCAVAGE: Okay. We're  
20 adjourned then.

21 (Meeting concluded at 6:05 p.m.)

22 ---

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I hereby certify that the  
8 proceedings and evidence are contained fully and  
9 accurately in the notes taken by me, to the best of  
10 my ability, at the meeting in the above matter; and  
11 that the foregoing is a true and correct transcript  
12 of the same.

13

14

15

16

JESSICA L. HOLT, C.R.

17



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Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

---

In Re: Regular Meeting

---

Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, May 1, 2014, beginning at 5:30 p.m.

---

PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
ANNE LAMBERTON, Secretary  
PATRICIA M. RINEHIMER, Board Member  
MICHELLE BISBING, Board Member

ROBERT McHALE, P.E., Township  
Engineer

PATRICK ARMSTRONG, ESQUIRE,  
Solicitor

ALSO MAUREEN MINNICK, Assistant Zoning  
PRESENT: Officer

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PANKO REPORTING  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

2

1 MR. SINCAVAGE: Okay. It looks  
2 like we're all here. I'll call the regularly  
3 scheduled meeting of the Tobyhanna Township  
4 Planning Commission to order for May 1, 2014.

5 Any public comment?

6 I'd like to welcome Michelle  
7 Bisbing as a member of the commission. She  
8 certainly brings a lot of experience to the board  
9 and we look forward to working with you.

10 MS. BISBING: Thank you.

11 MR. SINCAVAGE: So welcome.

12 MS. BISBING: Good to be here.

13 MR. SINCAVAGE: Thank you.

14 We'll consider the minutes of  
15 February 6. There is one correction on Page 3 --

16 I'm sorry, not Page 3. Page 4, Line 17, it's a  
17 double at. The one at should be the. That should  
18 be corrected.

19 With that correction, do I have  
20 a motion to approve the minutes of --

21 MS. LAMBERTON: I'll make --

22 MR. SINCAVAGE: -- February 6,  
23 2014?

24 MS. LAMBERTON: I'll make a  
25 motion to approve the minutes of February 6, 2014.

3

1 MR. SINCAVAGE: I have a motion.  
2 Do I have a second to the  
3 motion?

4 MR. MILLER: Second.

5 MR. SINCAVAGE: Motion and  
6 seconded.

7 All in favor, please say aye?

8 MR. SINCAVAGE: Aye.

9 MR. MILLER: Aye.

10 MS. LAMBERTON: Aye.

11 MS. RINEHIMER: Aye.

12 MS. BISBING: I will abstain  
13 because I was not present.

14 MR. SINCAVAGE: So noted.

15 Visioning. I think with the  
16 last time we left that, we were going to go back  
17 to the board of supervisors and find out if we --

18 MS. MINNICK: We can go to the  
19 county. Phyllis asked me not to do anything as of  
20 yet.

21 MR. SINCAVAGE: Okay.

22 MS. MINNICK: So I'm just  
23 waiting for the direction of the township manager  
24 and the board of supervisors.

25 MR. SINCAVAGE: Okay. You

4

1 haven't gone to the planning commission at all  
2 for any grant monies that may be available?

3 MS. MINNICK: No. She asked me  
4 not to.

5 MR. SINCAVAGE: Okay.

6 Any comment on that from the  
7 commission?

8 MS. LAMBERTON: Nope.

9 MR. SINCAVAGE: Any comment  
10 from the public on that?

11 Okay. Hearing none, we'll move  
12 on to new business. The first item on our agenda  
13 is Anthony Morroni, minor subdivision.

14 Is anyone here representing --  
15 Brian?

16 MR. BRIAN COURTRIGHT: Yes.  
17 They're having some title issues, so I would like  
18 to have it tabled.

19 MR. SINCAVAGE: Okay.

20 MR. BRIAN COURTRIGHT: There's  
21 a title issue with one piece of it.

22 MR. SINCAVAGE: Okay. The  
23 applicant has requested that the application for  
24 minor subdivision that is before the township be  
25 tabled. Is there any timing issues?

1 MR. ARMSTRONG: No. I believe  
2 the applicant executed a time waiver. If you  
3 just give me a second to make sure that was --

4 MS. MINNICK: I think it was an  
5 indefinite time waiver.

6 MR. ARMSTRONG: We have an  
7 indefinite time waiver. They -- in the event  
8 that they want to, you know, cancel that, it's a  
9 60 day written notice requirement; so there's no  
10 timing issue.

11 I do have just two questions,  
12 since you're here.

13 MR. BRIAN COURTRIGHT: Sure.

14 MR. ARMSTRONG: Are there any  
15 revised plans? Do we have revised plans on this?  
16 Nothing since the original --

17 MR. BRIAN COURTRIGHT: No,  
18 because I -- that's the biggest issue --

19 MR. ARMSTRONG: Okay.

20 MR. BRIAN COURTRIGHT: -- the  
21 title issue.

22 MR. ARMSTRONG: Okay. And the  
23 septic on the one lot, is that being looked into

24 as well? It --

25 MR. BRIAN COURTRIGHT: Yes.

6

1 I'm not sure where it is, but I'm -- I have to  
2 get with them when they're up here and --

3 MR. ARMSTRONG: Okay.

4 MR. BRIAN COURTRIGHT: -- they  
5 live in Philadelphia. They don't come up all  
6 that often.

7 MR. ARMSTRONG: Okay. But all  
8 that is -- you're anticipating resolving all of  
9 that when you submit your revised plans?

10 MR. BRIAN COURTRIGHT: Yep.

11 MR. ARMSTRONG: Okay.

12 MR. SINCAVAGE: Okay.

13 Any further questions or  
14 comments on that item?

15 Hearing none, I'll entertain a  
16 motion to table the minor subdivision of Anthony  
17 Morroni.

18 MR. MILLER: So moved.



19 MS. LAMBERTON: Second.  
20 MR. SINCAVAGE: Motion and  
21 seconded.  
22 All in favor, please say aye?  
23 THE BOARD: Aye.  
24 MR. SINCAVAGE: Forest Glen Lot  
25 No. 35 and 36, minor subdivision.

7

1 Brian, you're also representing  
2 them?

3 MR. BRIAN COURTRIGHT: Yep.  
4 And here are the latest and greatest.

5 MR. ARMSTRONG: Is this the  
6 Evans?

7 MR. BRIAN COURTRIGHT: Yep.  
8 You can see if that -- it's not on there.

9 MR. ARMSTRONG: There's more  
10 than one.

11 (Inaudible discussion.)

12 MR. BRIAN COURTRIGHT: What  
13 we're doing here is, the house -- the house is

14 over the line, so we're moving the line. That's  
15 the whole idea of this.

16 MS. LAMBERTON: Oh, okay.

17 MR. BRIAN COURTRIGHT: The  
18 original line went right through the house,  
19 and it's funny because they've been aware of it  
20 for a long while.

21 MS. LAMBERTON: (Inaudible  
22 comment.)

23 MR. ARMSTRONG: So the proposal  
24 is to --

25 MR. BRIAN COURTRIGHT: Get rid

8

1 of that.

2 MR. ARMSTRONG: -- move that  
3 line and --

4 MR. BRIAN COURTRIGHT: And put  
5 that in, yeah, exactly.

6 MR. SINCAVAGE: Bob, do you  
7 have any comment on the plan?

8 MR. McHALE: Brian had

9 resubmitted this plan and I took a quick look at  
10 it. Mostly he and I talked earlier about some  
11 housekeeping items, but there's two items that I  
12 did want to talk to Pat about, and that is the  
13 driveway easement that encroaches onto the  
14 property and the shed in the rear of the  
15 property.

16 MR. BRIAN COURTRIGHT: Yeah. I  
17 think I put a note on the plan about the easement  
18 for the driveway.

19 MR. ARMSTRONG: Have you  
20 provided a copy of that easement to the township?

21 MR. BRIAN COURTRIGHT: No.  
22 Well, just --

23 MR. McHALE: He was just doing  
24 a note.

25 MR. BRIAN COURTRIGHT: There's

9

1 a note --

2 MS. LAMBERTON: It doesn't say  
3 anything about the shed.

4 MR. ARMSTRONG: Oh, you mean an  
5 easement is grant -- oh, you're asking that that  
6 be sufficient for the easement?

7 MR. BRIAN COURTRIGHT: Yes.

8 MR. ARMSTRONG: I would suggest  
9 an actual written easement. The question is, do  
10 you have --

11 MR. McHALE: But the other  
12 thing, Brian, is that without bearings and  
13 distances, I mean, this thing could grow or  
14 change over the years. And it's something  
15 that --

16 MR. BRIAN COURTRIGHT: Well, it  
17 probably has, because it's all -- it's gravel and  
18 it's beginning to grow in.

19 MR. McHALE: Well, if they're  
20 going to continue to use it and someone sells one  
21 of the two lots, you could have an issue. And  
22 we --

23 MR. BRIAN COURTRIGHT: We  
24 already sold it. That's the whole point of it.

25 MR. ARMSTRONG: You already

1 sold what?

2 MR. BRIAN COURTRIGHT: This  
3 lot. I originally started this with the original  
4 owner of this. He has since sold it to -- to who  
5 owns it. They --

6 MR. ARMSTRONG: Evans?

7 MR. BRIAN COURTRIGHT: No, not  
8 Evans. Evans is --

9 MR. McHALE: Are they not  
10 related?

11 MR. BRIAN COURTRIGHT: No.

12 MR. McHALE: Oh, okay.

13 MR. ARMSTRONG: So there's  
14 separate ownership?

15 MR. BRIAN COURTRIGHT: Yep.

16 MR. ARMSTRONG: The Evans own  
17 this property?

18 MR. BRIAN COURTRIGHT: Yep.

19 MR. ARMSTRONG: And they're  
20 conveying this little strip to this property  
21 owner right now?

22 MR. BRIAN COURTRIGHT: Right.

23 MR. ARMSTRONG: The Evans,  
24 they're agreeable to granting this easement to  
25 this property?

11

1 MR. BRIAN COURTRIGHT: Yep.

2 MR. ARMSTRONG: Okay. What I  
3 would suggest is, it can be a very simple written  
4 easement that will need to be recorded. In the  
5 event that they don't want to -- you're pretty  
6 late in the game to change the lot line on the  
7 subdivision.

8 MR. BRIAN COURTRIGHT: Well,  
9 they -- well, that was the whole thing, is they  
10 didn't want to push it any further --

11 MR. ARMSTRONG: Right.

12 MR. BRIAN COURTRIGHT: --  
13 because they're starting to get -- eat up a lot  
14 more territory.

15 MR. ARMSTRONG: So I understand  
16 what you're saying. You have a note on the plan

17 designating the easement. It would be more  
18 appropriate to have a written -- when I say a  
19 written easement, it's -- it won't be significant  
20 given the extent of this. The question is, how  
21 are we going to describe it on the written  
22 easement? It doesn't look like you have  
23 legals --

24 MR. McHALE: He could add --

25 MR. BRIAN COURTRIGHT: I could

12

1 do --

2 MR. McHALE: He could add

3 bearing distances.

4 MR. BRIAN COURTRIGHT: What I

5 could do is, I could number it and put a --

6 MR. ARMSTRONG: It wouldn't be

7 a major feat to get --

8 MR. BRIAN COURTRIGHT: No.

9 MR. ARMSTRONG: What I would

10 suggest is, if you can, get the bear -- the

11 legal -- I call it the legal -- get the legal

12 description to Bob just so he could take a look  
13 at it and we'll attach to that to the written  
14 easement agreement.

15 MR. BRIAN COURTRIGHT: Okay.

16 MR. ARMSTRONG: Okay? And then  
17 what I'll do is, we'll forward it on. Who -- are  
18 you --

19 MR. McHALE: Are you going to  
20 draft the easement?

21 MR. ARMSTRONG: Yeah.

22 MR. McHALE: Okay.

23 MR. ARMSTRONG: I mean, we  
24 have -- it will kind of be like a shared drive --  
25 not really a shared driveway, but at least very

13

1 similar, like an access easement.

2 MR. BRIAN COURTRIGHT: Yeah.

3 MR. ARMSTRONG: And then are  
4 you the point of contact?

5 MR. BRIAN COURTRIGHT: Might as  
6 well be.



7 MR. McHALE: And you could get  
8 both property owners to --

9 MR. BRIAN COURTRIGHT: Yeah.

10 MR. McHALE: -- sign off?

11 MR. BRIAN COURTRIGHT: I can  
12 just call.

13 MR. ARMSTRONG: Really the  
14 important people to sign off for it --

15 MR. BRIAN COURTRIGHT: Right,  
16 yeah.

17 MR. ARMSTRONG: -- are the  
18 owners of Lot 36.

19 So what's your -- do you have  
20 an e-mail?

21 MR. BRIAN COURTRIGHT: Yeah.

22 MR. ARMSTRONG: Okay.

23 What's --

24 MR. BRIAN COURTRIGHT: It's

25 B-D-C --

1 MR. ARMSTRONG: B-D-C --

2 MR. BRIAN COURTRIGHT: --

3 surveying, S-U-R-V-E-Y-I-N-G, at Verizon dot net.

4 MR. ARMSTRONG: And your name

5 again, I'm sorry?

6 MR. BRIAN COURTRIGHT: Brian.

7 MR. ARMSTRONG: Courtright?

8 MR. BRIAN COURTRIGHT: Yep.

9 MR. ARMSTRONG: Okay. And then

10 the other item is the shed that's encroaching on

11 the neighbor's property.

12 MR. BRIAN COURTRIGHT: Yep.

13 MR. McHALE: You indicated the

14 shed might not be in very good condition?

15 MR. BRIAN COURTRIGHT: Well, I

16 don't think that -- I don't know that you can

17 move it, let's put it that way.

18 MR. ARMSTRONG: I mean,

19 typically what my recommendation would be, to the

20 planning commission or board of supervisors, is a

21 condition of the approval would be for the

22 property owner to move the shed on their property

23 within the setbacks. That would be a normal

24 condition for the board and PC to consider and

25 likely include in their approval.

15

1 MR. BRIAN COURTRIGHT: Yeah.  
2 Usually what most solicitors have told me -- and  
3 I told this to Bob -- that's a -- that's a civil  
4 matter between those two parties. And the  
5 township doesn't want to get involved.

6 MR. ARMSTRONG: Well, you're  
7 coming before the township for --

8 MR. BRIAN COURTRIGHT: Right.

9 MR. ARMSTRONG: -- a request  
10 for the approval of a subdivision; and if we see  
11 things on your plan that doesn't make -- that's  
12 not appropriate, meaning a shed that's not only  
13 encroaching on a neighbor's property, but more  
14 important -- maybe not more importantly, but more  
15 importantly from the township's perspective, well  
16 within the setback requirements --

17 MR. BRIAN COURTRIGHT: Right.

18 MR. ARMSTRONG: -- of the  
19 township ordinances, you know, that's really the

20 concern of the township.

21 Now, you're saying not --

22 MR. BRIAN COURTRIGHT: It's an  
23 existing nonconforming structure. How's that?

24 MR. ARMSTRONG: You'll have to  
25 get the zoning officer to agree, but you're

16

1 requesting approval for a subdivision --

2 MR. BRIAN COURTRIGHT: Yeah.

3 MR. ARMSTRONG: -- before the  
4 planning commission, as well as the board of  
5 supervisors.

6 So, I mean, obviously the  
7 planning commission, you know, you can make a  
8 recommendation as you see appropriate, but  
9 normally you would try to, you know --

10 MS. LAMBERTON: Clean it up.

11 MR. ARMSTRONG: -- when  
12 something like this comes before you, you take  
13 the opportunity to try and get the property  
14 owners to clean it up.

15 MS. LAMBERTON: I wouldn't want  
16 some big shed --

17 MR. SINCAVAGE: No, the shed  
18 needs to be brought in with conformity before  
19 we --

20 MR. BRIAN COURTRIGHT: Okay.

21 MR. SINCAVAGE: -- before we'll  
22 approve it.

23 MR. ARMSTRONG: Is it -- what  
24 kind of shed is it? I mean, do we know -- I'm  
25 assuming you've been out there.

17

1 MR. BRIAN COURTRIGHT: Yeah.  
2 It's just a -- you know, it's an old shed that's  
3 been there for probably 20 years.

4 MR. ARMSTRONG: Like a shed  
5 that you can buy at --

6 MR. BRIAN COURTRIGHT: Yeah.

7 MR. ARMSTRONG: Okay. It  
8 wasn't built on a foundation or --

9 MR. BRIAN COURTRIGHT: I don't

10 think so. I didn't look under it really but --  
11 because the grass is growing around it.

12 MR. ARMSTRONG: Okay.

13 MR. BRIAN COURTRIGHT: I'll  
14 make them aware of it.

15 MR. McHALE: There appears to  
16 be a utility pole there too. Is that --

17 MR. BRIAN COURTRIGHT: Yeah.  
18 There was -- I think that was a light so you can  
19 see when you were going into it, but it's a pole.

20 MR. McHALE: But it's a PP&L  
21 pole.

22 MR. ARMSTRONG: It looks like,  
23 because -- yeah. It's got a number, a sign  
24 number there.

25 MR. BRIAN COURTRIGHT: Yeah.

18

1 MR. ARMSTRONG: Okay.

2 MR. BRIAN COURTRIGHT: I'll  
3 take -- I'll let them know that they gotta move  
4 the shed.

5 MR. ARMSTRONG: No other issues  
6 except the on-lot septic for Parcel A is on  
7 Parcel A? I'm looking for it. I see --

8 MR. BRIAN COURTRIGHT: Yeah.

9 MR. ARMSTRONG: What's that?

10 MR. BRIAN COURTRIGHT: We --  
11 that's the sand mound for this.

12 MR. ARMSTRONG: For this one.  
13 Where's this one?

14 MR. BRIAN COURTRIGHT: That  
15 we're not sure. We think it's over here.

16 MR. ARMSTRONG: You think?

17 MR. BRIAN COURTRIGHT: No one  
18 knows.

19 MR. ARMSTRONG: No one knows  
20 where the on-lot septic is?

21 MR. BRIAN COURTRIGHT: Nope.

22 MR. ARMSTRONG: It's not over  
23 here, is it?

24 MS. LAMBERTON: It's not  
25 shared, is it?

1 MR. BRIAN COURTRIGHT: Nope.

2 MR. ARMSTRONG: They're not  
3 sharing the same sand mound, are they?

4 MR. BRIAN COURTRIGHT: Nope.  
5 Nope.

6 MR. McHALE: You do have, it  
7 looks like, a septic tank location --

8 MR. BRIAN COURTRIGHT: Right.

9 MR. McHALE: -- at the corner  
10 of the building there.

11 MR. BRIAN COURTRIGHT: And we  
12 think it's somewhere in this area.

13 MS. LAMBERTON: Oh, here.

14 MR. ARMSTRONG: Okay.

15 MR. BRIAN COURTRIGHT: But this  
16 is about the third owner since it's -- since the  
17 house was built, and no one knows.

18 MR. ARMSTRONG: Is it hard to  
19 find out?

20 MS. LAMBERTON: John Brogan's  
21 been here for 30 years, he should know.

22 MR. BRIAN COURTRIGHT: It's an



23 in-ground system.

24 MR. McHALE: It's in-ground.

25 MR. ARMSTRONG: Isn't there

20

1 something -- there should be something, though,  
2 right?

3 MR. BRIAN COURTRIGHT: Nope.

4 MR. ARMSTRONG: No? Huh.

5 MR. BRIAN COURTRIGHT: The only  
6 way to find it is to dig. And then usually you  
7 wind up wrecking it.

8 MS. LAMBERTON: Well, it  
9 appears that it's indicated, so it appears that  
10 there is one.

11 MR. SINCAVAGE: Yeah, but  
12 they're not showing the location of the sand bed.

13 MR. BRIAN COURTRIGHT: Yeah.  
14 That's the -- that's the tank. We think it's  
15 back there. It's an in-ground system.

16 MS. LAMBERTON: Did you -- did  
17 you contact John Brogan to see if --

18 MR. BRIAN COURTRIGHT: Yeah.

19 He has -- he has no clue.

20 MS. LAMBERTON: Okay.

21 MR. BRIAN COURTRIGHT: This

22 is --

23 MS. LAMBERTON: How else would

24 you know?

25 MR. ARMSTRONG: A long time

21

1 ago?

2 MR. BRIAN COURTRIGHT: Yeah.

3 Well --

4 MR. ARMSTRONG: Okay. No

5 proposed --

6 MS. LAMBERTON: I say, if it

7 ain't broke, don't fix it.

8 MR. ARMSTRONG: No new --

9 MR. BRIAN COURTRIGHT: At least

10 we're getting the house off the property.

11 MS. LAMBERTON: Yeah.

12 MR. ARMSTRONG: It sounds like

13 a majority of the purpose is to --

14 MS. LAMBERTON: Yeah, baby  
15 steps, right?

16 MR. ARMSTRONG: -- to bring the  
17 boundary line out --

18 MR. BRIAN COURTRIGHT: Yes.

19 MR. ARMSTRONG: -- side of  
20 the -- within the structure. And now there's no  
21 new improvements getting --

22 MR. BRIAN COURTRIGHT: No.

23 MR. ARMSTRONG: -- put in and  
24 no impervious surfaces?

25 MR. BRIAN COURTRIGHT: Nope.

22

1 MR. ARMSTRONG: Okay.

2 MR. SINCAVAGE: Okay. So the  
3 applicant is going to make those corrections to  
4 the plans and submitting the easement for the  
5 driveway and having the shed moved or removed.

6 MR. ARMSTRONG: Have you --  
7 you've reviewed the February 25, 2014 review

8 letter from the township engineer?

9 MR. BRIAN COURTRIGHT: Yes.

10 MR. ARMSTRONG: Everything is a  
11 will comply in that letter?

12 MR. BRIAN COURTRIGHT: Yep.

13 MR. ARMSTRONG: I guess if the  
14 planning commission --

15 MR. SINCAVAGE: I -- I would  
16 like to see cleaner plans. I'm not --

17 MR. ARMSTRONG: You're not  
18 comfortable making it a condition of the  
19 subdivision approval for them to move the shed?

20 MR. SINCAVAGE: Is there any  
21 rush on this?

22 MR. BRIAN COURTRIGHT: Not that  
23 I know of --

24 MS. LAMBERTON: Is there --

25 MR. BRIAN COURTRIGHT: -- but I

23

1 don't know for sure.

2 MS. LAMBERTON: -- a sale

3 pending?

4 MR. BRIAN COURTRIGHT: No.  
5 They already sold it.

6 MS. LAMBERTON: Really? We  
7 should move this forward for these guys so they  
8 can record a proper deed.

9 MR. BRIAN COURTRIGHT: No,  
10 because I started this with the other owner. I  
11 submitted -- no, I sent them the plans, to have  
12 them sign it. In the meantime, they sold it; so  
13 that's when I submitted it with one set of  
14 signatures, because I wasn't even sure --

15 MR. ARMSTRONG: Does the new  
16 owner know that the property line goes  
17 through the --

18 MR. BRIAN COURTRIGHT: Well,  
19 yeah, he signed the plan.

20 MS. LAMBERTON: And they were  
21 okay --

22 MR. BRIAN COURTRIGHT: Yeah.

23 MS. LAMBERTON: -- purchasing  
24 it as it is and just --

25 MR. BRIAN COURTRIGHT: I guess

1 they're all friends.

2 MS. LAMBERTON: Yeah. That's  
3 how it all starts.

4 MR. MILLER: Yeah.

5 MS. LAMBERTON: Just saying. I  
6 would -- I would -- I would make a motion to  
7 conditionally approve this based on Bob's --

8 MR. ARMSTRONG: I'm not sure  
9 which way the planning commission will go, but if  
10 you would consider conditionally recommending its  
11 approval this evening, it would be conditional  
12 upon the applicant complying with the  
13 requirements and conditions set forth in the  
14 February 25, 2014 review letter, as well as the  
15 applicant agreeing to executing and recording a  
16 written access easement for purposes of the  
17 little out --

18 MR. McHALE: Encroachment of  
19 the gravel driveway.

20 MR. ARMSTRONG: Encroachment,

21 yes, as well as a condition requiring the  
22 owner/applicant to move the existing shed onto  
23 Lot 36 within the setback.

24 MS. LAMBERTON: Yes.

25 MR. ARMSTRONG: And again, it's

25

1 depending upon whether or not the commission's --

2 MS. LAMBERTON: That would be  
3 my motion.

4 MR. SINCAVAGE: I have a  
5 motion.

6 Do I have the second to the  
7 motion?

8 MS. RINEHIMER: I'll second.

9 MR. SINCAVAGE: Okay. Motion  
10 and seconded.

11 Any discussion?

12 All those in favor, please say  
13 aye?

14 THE BOARD: Aye.

15 MR. SINCAVAGE: We also have

16 several waivers for this project in a written  
17 form dated 14 April 2014. It's for waivers  
18 requesting -- it's a waiver for Sections  
19 135-12.D.2; Section 135-15.A.15; Section  
20 135-17.I; Section 135-17.K; Section 135-17.L;  
21 Section 135-17.M; Section 135-18.B.15, which are  
22 related to the 500 -- structures within 500 feet.

23 Do I have a motion to recommend  
24 approval of the waiver for those sections?

25 MS. LAMBERTON: So moved.

26

1 MR. SINCAVAGE: I have a  
2 motion.

3 Do I have a second to the  
4 motion?

5 MS. RINEHIMER: I'll second.

6 MR. SINCAVAGE: Motion and  
7 seconded.

8 All those in favor, please say  
9 aye?

10 THE BOARD: Aye.



11 MR. BRIAN COURTRIGHT: Thank  
12 you, folks.

13 MS. LAMBERTON: You're welcome.

14 MR. SINCAVAGE: Next item on  
15 our agenda is the Pocono Pines Dollar General  
16 preliminary final land development plans.

17 Anyone here representing them?

18 MR. MATTHEW ROTHER: Yes, I am.

19 MR. SINCAVAGE: Would you  
20 please state your name for the record?

21 MR. MATTHEW ROTHER: Matt  
22 Rother, Civil & Environmental Consultants.

23 THE REPORTER: Could you spell  
24 your name for me, please?

25 MR. MATTHEW ROTHER: Sure.

27

1 R-O-T-H-E-R.

2 THE REPORTER: Your first name  
3 is Matthew?

4 MR. MATTHEW ROTHER: Yes.

5 THE REPORTER: Thank you.

6 MR. SINCAVAGE: Okay. You  
7 received the township review letter of April 30,  
8 2014?

9 MR. MATTHEW ROTHER: Yes, I  
10 did.

11 MR. SINCAVAGE: Do you have any  
12 questions or comments on that?

13 MR. MATTHEW ROTHER: No  
14 questions. We're just -- we just reviewed the  
15 comments and the questions. We're working to  
16 address them. And I really don't see any  
17 problems. We may have --

18 MR. McHALE: Do you want to put  
19 the layout plan up here and then --

20 MR. MATTHEW ROTHER: I can do  
21 that.

22 MR. McHALE: -- you can explain  
23 to the planning commission what -- you can set it  
24 up here if you like.

25 MR. MATTHEW ROTHER: Okay.

1 Access would be coming off of State Route 940  
2 with a building located in the back. I believe  
3 we have 38 parking stalls. And it's -- it's one  
4 of -- it's a Dollar General prototype building  
5 layout. It's what they -- they like to do for  
6 all of their stores across the country.

7 MS. LAMBERTON: We have one in  
8 Blakeslee, are you aware?

9 MR. MATTHEW ROTHER: I'm not  
10 aware.

11 MS. LAMBERTON: West on 940.

12 MR. MATTHEW ROTHER: Okay.

13 MS. LAMBERTON: Probably, what,  
14 another eight miles, would you say?

15 MR. McHALE: Probably --

16 MS. MINNICK: Seven, eight  
17 miles, yeah.

18 MS. LAMBERTON: Just for your  
19 information.

20 MR. MATTHEW ROTHER: Okay.

21 Thank you.

22 MS. LAMBERTON: You're welcome.

23 MR. SINCAVAGE: There was a

24 problem with the setback of the parking area, I  
25 believe?

29

1 MR. MATTHEW ROTHER: Yes.

2 MR. SINCAVAGE: It was 8.7. Do  
3 you feel you can comply with the 10 feet?

4 MR. MATTHEW ROTHER: Yes. We  
5 are going to adjust the -- the aisle width here,  
6 which is now 36 feet, to 34 feet, to bring the  
7 parking within the -- to meet the 10 foot  
8 setback.

9 MR. SINCAVAGE: Okay. Just in  
10 general, we also required at the general --  
11 Dollar General in Blakeslee -- I'm not sure if  
12 you're aware of this -- that the store have a  
13 stone front, so we will want to see elevation  
14 plans of the building.

15 MR. MATTHEW ROTHER: Okay. I  
16 could provide elevation plans. And I -- I  
17 believe it's -- again, that was one of Dollar  
18 General's prototype buildings. They like to

19 stick to that for --

20 MS. LAMBERTON: They were

21 good --

22 MR. MATTHEW ROTHER: --

23 maintenance and operations.

24 MS. LAMBERTON: -- about it.

25 They were very cooperative in Blakeslee.

30

1 MR. MATTHEW ROTHER: I will --

2 I'll let the developer know --

3 MR. McHALE: And the signage.

4 MS. LAMBERTON: And the

5 signage, yeah.

6 MR. SINCAVAGE: Yeah. The

7 signage will have to be a monument-type sign,

8 just like they used in Blakeslee.

9 MR. MATTHEW ROTHER: Okay.

10 MR. McHALE: Just briefly go

11 over the utility plan and the landscape, Matt.

12 MR. MATTHEW ROTHER: Okay.

13 MR. McHALE: And show them

14 where things are, if you don't mind, disposal

15 and --

16 MR. MATTHEW ROTHER: Sure.

17 For the utilities, they will be

18 served by a well located up in the front of the

19 building. There's an on-lot -- on-site septic

20 down here in the southeast corner. And we're

21 controlling all of the storm water runoff in an

22 underground infiltration bed, which will outlet

23 towards the back of the property.

24 MR. SINCAVAGE: Where's your

25 backup area?

31

1 MR. MATTHEW ROTHER: For the --

2 MR. SINCAVAGE: For the septic?

3 MR. McHALE: It's right --

4 MR. MATTHEW ROTHER: Right in

5 here.

6 MR. SINCAVAGE: Oh, okay.

7 MR. MATTHEW ROTHER: So we have

8 the primary here and the secondary --

9 MR. SINCAVAGE: Okay.

10 MR. MATTHEW ROTHER: -- just  
11 north of that.

12 MR. SINCAVAGE: Okay. And it's  
13 an elevated sand mound, I assume?

14 MR. MATTHEW ROTHER: Yes. The  
15 plans have been submitted to the sewage  
16 enforcement officer and they are under review; as  
17 well we do have plans in to PennDOT and the  
18 county and the conservation district.

19 MR. SINCAVAGE: Okay. The  
20 other item Bob mentioned to you briefly, I heard  
21 him say it to you, is the landscaping. We will  
22 want to see landscaping plans.

23 MR. MATTHEW ROTHER: We will  
24 provide those within the next submittal --

25 MR. McHALE: You can just flip

32

1 that page. The landscaping's underneath it.

2 MR. MATTHEW ROTHER: With the  
3 comments that -- that Bob provided, we -- we

4 would like to propose some type of shrubbery in  
5 the front. We would like to stay away from  
6 street trees because of the -- there's an  
7 overhead power PPL easement, and we feel that  
8 that would be --

9 MR. McHALE: You can plant  
10 certain trees that don't grow to that height.  
11 And usually the planning commission likes to see  
12 some sort of trees in the front. The shrubs are  
13 basically just for headlights and such, parking  
14 and facing 940, but the street trees are  
15 something -- maybe you could put together a  
16 little sketch or concept and then submit that to  
17 the planning commission to look at further.

18 MR. MATTHEW ROTHER: Yes, we  
19 can do that.

20 MR. SINCAVAGE: Where's the  
21 right of way line for the highway?

22 MR. MATTHEW ROTHER: The  
23 highway?

24 MR. SINCAVAGE: Yeah.

25 MR. MATTHEW ROTHER: It would



1 be right here.

2 MR. SINCAVAGE: Okay. Is there  
3 adequate space for future sidewalks?

4 MR. McHALE: They'll have 10  
5 feet of green area --

6 MR. MATTHEW ROTHER: Yep.

7 MR. McHALE: -- between the  
8 right of way line and the parking area.

9 MR. SINCAVAGE: Okay. So there  
10 would be adequate area for a --

11 How did we have Dollar General  
12 in Blakeslee do that? Did we show -- have them  
13 show it as possible future or just -- we just  
14 wanted to make sure the space was available?

15 MR. McHALE: I think we made  
16 sure there was adequate space available.

17 MR. SINCAVAGE: We're not  
18 requiring you to put in sidewalks --

19 MR. MATTHEW ROTHER: Okay.

20 Mr. SINCAVAGE: -- but we  
21 wanted to make sure there's space in the future

22 if we do require it.

23 Any questions?

24 MS. LAMBERTON: I have no more  
25 questions, no.

34

1 MR. SINCAVAGE: Okay. So if we  
2 could see on your future plans, the elevations of  
3 the building shown -- depicting a stone-type  
4 front, landscaping plan and a monument sign  
5 depiction --

6 MR. MATTHEW ROTHER: Okay.

7 MR. SINCAVAGE: -- so that we  
8 can approve that.

9 MR. MATTHEW ROTHER: Sure.

10 MS. LAMBERTON: Which way do  
11 you go home? Do you go west --

12 MR. MATTHEW ROTHER: I go --

13 MS. LAMBERTON: -- or east?

14 MR. MATTHEW ROTHER: -- east  
15 and 380 north.

16 MR. SINCAVAGE: Okay.

17 Bob, do you have any comments

18 or questions --

19 MR. McHALE: No, sir.

20 MR. SINAVAGE: -- for him at

21 this time?

22 Pat?

23 MR. McHALE: You can call any

24 time and we can go over the view comments or --

25 MR. MATTHEW ROTHER: Okay.

35

1 Thank you.

2 MS. MINNICK: I also have some

3 pictures of the Dollar General up there, I can

4 e-mail them to you, if you want.

5 MR. MATTHEW ROTHER: That would

6 be great.

7 MS. MINNICK: Then you can get

8 some kind of concept.

9 MR. McHALE: We have their --

10 their signage plan also that they had submitted.

11 MS. LAMBERTON: Yeah.

12 MR. McHALE: The pictures would  
13 probably be better, actually, to see the finished  
14 product.

15 MR. SINCAVAGE: What is that?  
16 I'm sorry.

17 MR. McHALE: We have the sign  
18 plans that the Dollar General had installed, but  
19 Maureen said she had photos, and that would  
20 actually be better --

21 MS. LAMBERTON: Yes.

22 MR. McHALE: -- to see the  
23 finished product.

24 MS. MINNICK: They might be on  
25 Facebook too.

36

1 MR. MATTHEW ROTHER: Okay. I  
2 can check.

3 MS. MINNICK: I'll put them on  
4 Facebook.

5 MR. SINCAVAGE: Okay. Yeah,  
6 the landscaping plan, I think we had some

7 guidelines that we were providing to them.

8 MR. MCHALE: We can get him a  
9 copy of the landscape plan from that Dollar  
10 General.

11 MS. LAMBERTON: It will just  
12 make your life easy.

13 MR. MATTHEW ROTHER: Thank you.

14 MS. LAMBERTON: You're welcome.  
15 We try to do that here.

16 MR. SINCAVAGE: Yeah, they --  
17 they did do some things over there. If you can  
18 take this back to them -- I'm disappointed -- the  
19 building came out nice, but then on the side of  
20 the building, which everyone sees when you're  
21 traveling west on 940, is, they ran utility lines  
22 all along the back of the building. It looks  
23 just horrible. You know, you built a nice front  
24 of the building, you put in nice landscaping, and  
25 now you see these -- you know, they appear to be

1 for the water or for the --

2 MR. McHALE: They're downspout  
3 collectors that are attached to the building to  
4 bring that water to the front so it gets to the  
5 infiltration basin that the conservation district  
6 wanted at the front of the site.

7 MR. SINCAVAGE: Yeah.

8 MR. MATTHEW ROTHER: All of  
9 our -- all of our downspouts are in the back of  
10 the building here --

11 MR. SINCAVAGE: That's good.

12 MR. MATTHEW ROTHER: -- and we  
13 will be piping them into the system, so it will  
14 be underground. You should not be able to see  
15 anything. As well as, I believe the plan has  
16 been submitted with overhead wires, but we -- I  
17 believe we will be modifying the plans to make  
18 that underground, so all of the utilities would  
19 be underground.

20 MS. BISBING: That's nice.

21 MR. SINCAVAGE: Are you going  
22 to be using the natural gas line, though?

23 MR. MATTHEW ROTHER: I do not  
24 believe so.

25

MR. SINCAVAGE: Do you know if

38

1 they're going to -- there's natural gas there --  
2 the natural gas line -- or does it turn at Pocono  
3 Pines and go out 423?

4 MR. MATTHEW ROTHER: We weren't  
5 aware of the natural gas --

6 MS. LAMBERTON: No.

7 MR. SINCAVAGE: I'm sorry, it  
8 turns at 423 and goes up that way.

9 MS. LAMBERTON: We can try to  
10 bring you one. The gas project.

11 MR. SINCAVAGE: We're getting  
12 closer.

13 MS. LAMBERTON: We're getting  
14 it closer. Good.

15 MR. ARMSTRONG: So you reviewed  
16 the engineer's April 30 review letter as --

17 MR. MATTHEW ROTHER: I have.

18 MR. ARMSTRONG: You're going to  
19 respond accordingly?

20 MR. MATTHEW ROTHER: Yes, I am.

21 MR. ARMSTRONG: As well as the  
22 requests from the commission this evening?

23 MR. MATTHEW ROTHER: Yes.

24 MR. SINCAVAGE: If we can see  
25 those plans next month -- I'm not ready to make

39

1 it conditional. There's too many comments  
2 outstanding.

3 MR. ARMSTRONG: All right.

4 MR. McHALE: And, Matt, it  
5 might be a good idea to get your first initial  
6 comments -- I saw you had an inadequate letter  
7 from the conservation district; but once you get  
8 their comments, then you can bring them all  
9 together and that will probably save you a lot of  
10 time and effort.

11 MR. MATTHEW ROTHER: Well, we  
12 plan on submitting back to the conservation  
13 district after we make all of your corrections,  
14 to try to get those back at the same time.



15 MR. SINCAVAGE: Make sure you  
16 use the Tobyhanna Creek Watershed plan instead of  
17 the McMichaels.

18 MR. MATTHEW ROTHER: Yeah, I  
19 did see that.

20 MR. SINCAVAGE: Okay. I don't  
21 think there's very many -- many differences,  
22 but --

23 Anything else? Do you have any  
24 further comments to us?

25 MR. MATTHEW ROTHER: No, I do

40

1 not.

2 MR. SINCAVAGE: Okay. I'll  
3 entertain a motion to table the preliminary/final  
4 land development plan for Pocono Pines Dollar  
5 General.

6 MR. MILLER: So moved.

7 MS. BISBING: Second.

8 MR. SINCAVAGE: Motion and  
9 seconded.

10 All those in favor, please say  
11 aye?

12 THE BOARD: Aye.

13 MR. SINCAVAGE: So we'll see  
14 you back next month, we hope?

15 MR. MATTHEW ROTHER: That's the  
16 hope.

17 MR. SINCAVAGE: Okay. Do you  
18 have a construction time frame?

19 MR. MATTHEW ROTHER: I think  
20 it's -- it hasn't been set in stone. I know  
21 they -- their client -- or the developer, is  
22 eager to get moving, so I do anticipate they will  
23 be moving shortly after they receive all of the  
24 approvals.

25 MR. SINCAVAGE: Okay. Yeah,

41

1 well, you've got PennDOT and the conservation  
2 district.

3 MR. MATTHEW ROTHER: Right.

4 MR. SINCAVAGE: Those are your

5 biggest challenges. We're your least  
6 challenging.

7 Anything else to come before  
8 the commission?

9 Nothing else, Maureen?

10 Bob?

11 Pat?

12 I'll entertain a motion to  
13 adjourn.

14 MS. LAMBERTON: So moved.

15 MR. SINCAVAGE: Do I have a  
16 second?

17 MS. RINEHIMER: I'll second.

18 MR. SINCAVAGE: All those in  
19 favor, please say aye?

20 THE BOARD: Aye.

21 MR. SINCAVAGE: We're  
22 adjourned.

23 (Meeting concluded at 5:56  
24 p.m.)

25 ---

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7

I hereby certify that the  
proceedings and evidence are contained fully and  
accurately, to the best of my ability, in the  
notes taken by me, at the meeting in the above  
matter; and that the foregoing is a true and  
correct transcript of the same.

13

14

15

16

JESSICA L. HOLT, C.R.

17

18

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22

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24

25

Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

---

In Re: Regular Meeting

---

Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, June 5, 2014, beginning at 5:30 p.m.

---

PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
ANNE LAMBERTON, Secretary  
PATRICIA M. RINEHIMER, Board Member  
MICHELLE BISBING, Board Member

ROBERT McHALE, P.E., Township  
Engineer

PATRICK ARMSTRONG, ESQUIRE,  
Solicitor

ALSO PRESENT: MAUREEN MINNICK, Assistant Zoning  
Officer

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PANKO REPORTING  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

2

1                                   MR. SINCAVAGE: All right.  
2 I'll call to order the Tobyhanna Township  
3 Planning Commission meeting for June the 5th,  
4 2014.

5                                   Any public comment?  
6                                   We don't really have any  
7 public.

8                                   On the minutes, I see there are  
9 two corrections. On Page 27, Line 19, it reads,  
10 there's an on-light. It should be on-lot, and  
11 then the sentence continues; so that's the only  
12 correction. And then on Page 28, Line 24,  
13 provide those within the next submittal, not  
14 middle. Okay?

15                                   With those corrections, do I  
16 have a motion to approve the minutes --

17                                   MS. LAMBERTON: Motion to  
18 approve --

19 MR. SINCAVAGE: -- as

20 submitted?

21 I have a motion.

22 Do I have a second to the

23 motion?

24 MS. RINEHIMER: I'll second.

25 MR. SINCAVAGE: Motion and

3

1 seconded.

2 All those in favor, please say

3 aye?

4 THE BOARD: Aye.

5 MR. SINCAVAGE: Under old

6 business, Anthony Morroni --

7 MS. LAMBERTON: Nothing?

8 MR. SINCAVAGE: -- minor

9 subdivision?

10 MS. MINNICK: Nothing.

11 MR. SINCAVAGE: Anyone here

12 representing?

13 MS. MINNICK: No.

14 MR. SINCAVAGE: Anything we

15 need to do?



16 MR. ARMSTRONG: I believe you  
17 have an indefinite time extension for action on  
18 the plan, so there's no pressing timing  
19 limitations.

20 MR. SINCAVAGE: Can you remind  
21 me what this is about? I forgot.

22 MR. ARMSTRONG: It's a lot line  
23 adjustment.

24 MS. MINNICK: Lot line.

25 MR. SINCAVAGE: Oh, this isn't

4

1 the one in Pine Crest?

2 MR. McHALE: No.

3 MS. MINNICK: No, off of --

4 MR. McHALE: Slutter Road.

5 MS. MINNICK: Slutter Road.

6 MR. SINCAVAGE: Oh, right.

7 Okay.

8 Okay. Under new business, the  
9 Pocono Pines Dollar General.

10 Anyone here representing them?

11 State your name for the record.

12 MR. MATTHEW ROTHER: Matt  
13 Rother, R-O-T-H-E-R.

14 From the previous meeting, we  
15 resubmitted addressing the review comments  
16 provided by the township, as well as the  
17 conservation district and Monroe County.  
18 Currently we have approvals for our on-lot  
19 septic. We have a verbal approval of the  
20 building permit. We have received comments from  
21 PennDOT. We resubmitted addressing those  
22 comments, so we're waiting to hear there, and  
23 we're still waiting for additional comments from  
24 the conservation district.

25 MS. LAMBERTON: What -- why

5

1 additional comments, if they responded to you  
2 already?

3 MR. MATTHEW ROTHER: Their  
4 first review was a completeness review, so they  
5 have to conduct their technical review.

6 MR. SINCAVAGE: All right. The  
7 planning commission, at the last meeting, made a  
8 couple comments. We asked to see the elevation

9 plan, which you were kind enough to submit, but  
10 these are not what we were looking for. I had  
11 mentioned, or one of us had mentioned that we  
12 wanted it to look like the Blakeslee one. This  
13 does not.

14 MR. MATTHEW ROTHER: Correct.  
15 This is a different developer. It's not the same  
16 developer that -- that has that Dollar General  
17 down the road.

18 MR. SINCAVAGE: Um-hmm.

19 MR. MATTHEW ROTHER: This is  
20 what they believe fits within the ordinance and  
21 what they would like to propose.

22 Is there any specifics that  
23 you'd like to bring to my attention, maybe I  
24 could help address?

25 MR. SINCAVAGE: Yeah. The

6

1 Blakeslee -- if you all can see this, this is  
2 just a pretty generic brick -- I'm sorry, what  
3 material is in the front? Maybe I shouldn't  
4 speak.

5 MR. MATTHEW ROTHER: It's a  
6 split stone block.

7 MR. SINCAVAGE: Okay. I think  
8 they used the split stone block in Blakeslee, but  
9 the bottom half, they used the field stone.

10 MS. LAMBERTON: Lick 'em, stick  
11 'em.

12 MR. SINCAVAGE: Yeah.

13 MR. MATTHEW ROTHER: Okay.

14 MR. SINCAVAGE: You know, we  
15 want to have that look, you know, so it would be  
16 that field stone look. If you go to Blakeslee, I  
17 mean --

18 MR. MATTHEW ROTHER: After the  
19 previous meeting, I -- I did stop by --

20 MR. SINCAVAGE: Right.

21 MR. MATTHEW ROTHER: -- and  
22 look.

23 MR. SINCAVAGE: Right.

24 MR. MATTHEW ROTHER: I took --  
25 I did take photographs and submitted those to the

7

1 developer.

2 MR. SINCAVAGE: Yeah. We only  
3 need -- well, I mean, personally, I'm only  
4 looking for the front, that's viewed from the  
5 road. I understand you guys just use a standard  
6 metal building, I get that, and that's what  
7 Blakeslee is, it's a standard metal building;  
8 but, you know, they did dress it up a little bit  
9 better. That's what the planning commission was  
10 looking for.

11 MR. MATTHEW ROTHER: Just on  
12 the front side of the building?

13 MR. SINCAVAGE: Um-hmm. Yeah.  
14 That's the viewable side, so --

15 MS. LAMBERTON: I mean, we  
16 can't require it, but we can certainly request  
17 it, so --

18 MR. SINCAVAGE: Right. That's  
19 what we're requesting.

20 MS. LAMBERTON: Um-hmm.

21 MR. MATTHEW ROTHER: Okay.

22 MR. SINCAVAGE: And they did do  
23 a nice landscaping plan.

24 MR. ARMSTRONG: Just something  
25 to keep in mind, I understand you're the

1 developer's representative, but the planning  
2 commission -- and I see in the review letter,  
3 they are requesting a number of waivers from our  
4 ordinance, and usually the planning commission  
5 and board of supervisors are more inclined to  
6 grant those waivers if you made certain small  
7 revisions, like you see --

8 MR. MATTHEW ROTHER: Right.  
9 And with regards to the stone in the front, I did  
10 talk to the developer about that. They -- they  
11 wanted me to, one last time, push their standard  
12 building; but push come to shove, they will be  
13 willing to do the front of the building.

14 MR. ARMSTRONG: I think you can  
15 let them know, that's what the commission is  
16 looking for.

17 MR. SINCAVAGE: Yeah, and  
18 that's following under the visioning plan that  
19 was done for the Blakeslee area, but we're  
20 following that throughout the township --

21 MR. MATTHEW ROTHER: Right.

22 MR. SINCAVAGE: -- because we

23 are going to be pushing that throughout the whole  
24 township, you know, and we want that type of  
25 look.

9

1 MR. MATTHEW ROTHER: Right.

2 MR. SINCAVAGE: So we

3 appreciate their cooperation on that.

4 MR. MATTHEW ROTHER: There's --  
5 they're acceptable to having the stone in the  
6 front.

7 MR. SINCAVAGE: Yeah, I mean,  
8 you know, it's a pretty simple application for  
9 that location.

10 The landscaping, if you all  
11 want to look at this, I'm -- it looks like they  
12 put several trees across the front here. Bob  
13 pointed out that they did put some low bushes all  
14 across the front to help block the headlights,  
15 so --

16 Do you know what you call that  
17 there -- I don't know -- the type of bushes are  
18 across the front, the low bushes?

19 MS. LAMBERTON: Syringa

20 reticular (phonetic) --

21 MR. MATTHEW ROTHER: Type of a  
22 juniper.

23 MR. SINCAVAGE: Right.

24 MS. LAMBERTON: That's what it  
25 says.

10

1 MR. MATTHEW ROTHER: We went  
2 with the juniper for blocking the headlights and  
3 we tried to pick one, I think I mentioned -- or I  
4 heard earlier about berries, and we tried to pick  
5 one that we --

6 MS. LAMBERTON: Deer food.

7 MR. MATTHEW ROTHER: -- that  
8 would not have those, so that's why we decided to  
9 go with the junipers.

10 MR. SINCAVAGE: And I'm  
11 assuming you checked to make sure that these were  
12 trees that aren't going to be hard to get in the  
13 zone?

14 MR. MATTHEW ROTHER: Yes.

15 MR. SINCAVAGE: Okay.



16 MR. MATTHEW ROTHER: We did  
17 have our -- our landscape architects lay this out  
18 and pick the trees and shrubs.

19 MR. SINCAVAGE: Okay. That was  
20 a good job.

21 The other comment that we had  
22 made was that we were looking for a monument sign  
23 similar to the one in Blakeslee.

24 MR. MATTHEW ROTHER: Correct.

25 MR. SINCAVAGE: I see that

11

1 there's a note called out saying that it's a  
2 pylon sign.

3 MR. MATTHEW ROTHER: The  
4 sign -- the developer would like to handle that  
5 as a separate issue and submit a separate permit  
6 for the sign. So the sign that's shown on the  
7 plans is just a -- a representation of a sign.  
8 They would like to work out those details at a  
9 later date, if that's acceptable.

10 MR. SINCAVAGE: That's fine,  
11 but we want to see a monument sign, and we're  
12 going to direct the zoning officer that that's

13 what we're going to want to see, similar to  
14 Blakeslee.

15 MR. MATTHEW ROTHER: Okay. I  
16 will let him know.

17 MR. SINCAVAGE: That would be  
18 our recommendation, obviously, to the board of  
19 supervisors.

20 MR. MATTHEW ROTHER: I'll pass  
21 that along as well.

22 MR. SINCAVAGE: I think that  
23 monument sign is very visible in Blakeslee. It's  
24 actually more eye-catching than the one that's  
25 up because you see that right on. I think that's

12

1 very visible.

2 MS. BISBING: I agree on that.

3 MR. SINCAVAGE: I think it's  
4 more visible than the pylon.

5 MR. McHALE: Did you want to  
6 bring up the deed restriction, just to -- because  
7 that was a discussion at the last meeting about  
8 flipping the building layout.

9 MR. MATTHEW ROTHER: There is a  
10 deed restriction on this property. I guess the  
11 typical setback required in the ordinance is only  
12 50 feet from the front. This deed has a 75 foot  
13 requirement, so the -- that 75 foot setback, it  
14 says here --

15 MS. LAMBERTON: So what takes  
16 precedent?

17 MR. McHALE: It goes through  
18 about the middle of the parking spaces in the  
19 front.

20 MR. MATTHEW ROTHER: Right  
21 through here, just past the head of the  
22 handicapped guide.

23 MS. LAMBERTON: Can we waive  
24 that?

25 MR. ARMSTRONG: The deed

13

1 restriction is a private -- I mean, the township  
2 can't waive that restriction. It looks like it's  
3 a --

4 MS. LAMBERTON: But don't we  
5 supersede it? I mean, it gives them 25 more

6 feet. I don't know, I'm asking. I don't know.

7 No? That's just wrong.

8 Sorry. I was working for you  
9 there.

10 MR. ARMSTRONG: Unless the  
11 property owners, both the current and the -- I  
12 mean, you'd have to go back to see what the  
13 purpose of that deed restriction was, but if  
14 those private property owners were all on the  
15 same page, it would be possible, but the township  
16 cannot unilaterally --

17 MS. LAMBERTON: Okay.

18 MR. ARMSTRONG: -- waive  
19 something like that.

20 MR. McHALE: It was actually  
21 written in the deed for that 75 foot setback when  
22 they also allowed in that same language, that  
23 paragraph, the motel to be constructed. So it  
24 was prior to the motel --

25 Joe, you might help us out

14

1 there. I don't know when that was constructed,

2 but it was probably decades ago.

3 MR. MILLER: I don't -- I don't  
4 recall it.

5 MR. McHALE: But it's --

6 MS. LAMBERTON: They're  
7 obviously aware --

8 MR. McHALE: -- actually  
9 written in the deed that the 75 foot setback and  
10 the motel would be allowed on the property. And  
11 I think it was with some other facilities --

12 MR. MATTHEW ROTHER: Okay. But  
13 with -- in regards to the previous comment about  
14 trying to locate the building more towards the  
15 front of the lot, with the current deed  
16 restriction and also with the septic, we were --

17 MS. LAMBERTON: That's  
18 understandable --

19 MR. MATTHEW ROTHER: -- we do  
20 have our septic approved. We don't know -- we  
21 did evaluate -- in the preliminary septic layout,  
22 we did evaluate other areas on site, and we  
23 believe we have the best location and we don't  
24 know -- we're not 100 percent sure if we could  
25 get septic to work in the other locations.

1 MR. ARMSTRONG: You're still --  
2 the PennDOT HOP, that's still pending?

3 MR. MATTHEW ROTHER: Correct.

4 MR. ARMSTRONG: What are the  
5 improvements that are -- did you go through that?

6 MR. MATTHEW ROTHER: Yeah.  
7 It's just -- currently the only improvements  
8 would just be the driveway and some minor grading  
9 in the right of way.

10 MR. McHALE: Shown on the plan,  
11 that's shaded and there may be shoulder  
12 improvements to that extent.

13 MR. MATTHEW ROTHER: Correct.  
14 We are 100 feet each side of the driveway. We're  
15 repaving the shoulder.

16 MR. SINCAVAGE: What's the  
17 width of the shoulder there, do you know?

18 MR. MATTHEW ROTHER: Nine and a  
19 half feet -- or roughly nine feet.

20 MR. SINCAVAGE: Did you have  
21 any questions on the review letter of June the  
22 4th, 2014 from the township?

23 MR. MATTHEW ROTHER: I did not.

24 MR. SINCAVAGE: You did receive  
25 a copy?

16

1 MR. MATTHEW ROTHER: I did  
2 receive it. I -- I did glance through it.  
3 Preliminarily I do not have any questions, but as  
4 I dive into the details, I may have some  
5 questions that I -- I may call at that time.

6 MR. ARMSTRONG: Can you  
7 represent that it's all a will comply at this --

8 MR. MATTHEW ROTHER: Correct.

9 MR. ARMSTRONG: Okay.

10 MR. SINCAVAGE: I don't see  
11 anything here major. And the recommendation of  
12 the township engineer is for approval.

13 MS. LAMBERTON: I'll make a  
14 motion to that.

15 MR. ARMSTRONG: This is -- it's  
16 two lots being consolidated into one?

17 MR. MATTHEW ROTHER: Correct.

18 MR. ARMSTRONG: Where are the  
19 lots -- where are the lot lines right now?

20 Oh, okay. There's a little  
21 sliver. Okay.  
22 MR. MATTHEW ROTHER: Yep.  
23 MR. ARMSTRONG: Okay.  
24 MR. McHALE: It actually wraps  
25 around the back of the other lot as well.

17

1 MR. ARMSTRONG: Oh, that  
2 little --  
3 MR. MATTHEW ROTHER: It comes  
4 down here and over to there.  
5 MS. LAMBERTON: Who was the map  
6 guy then?  
7 MR. McHALE: Matt, were you  
8 planning on utilizing that drawing and just  
9 adding lot consolidation to it as well or were  
10 you going to create a separate sheet?  
11 MR. MATTHEW ROTHER: I believe  
12 our plan is, we were trying to utilize this  
13 drawing.  
14 MR. McHALE: Well, you can use  
15 the entire set --  
16 MR. MATTHEW ROTHER: Yeah, it's



17 the whole -- it's this plan set that we were  
18 trying to use as the lot consolidation plan in  
19 conjunction with the land development plans. We  
20 do call out on the existing condition plans which  
21 property lines are to be extinguished.

22 MR. McHALE: Right. Is the lot  
23 line to be extinguished noted on that drawing as  
24 well, the cover sheet? Is it shown on that  
25 layout?

18

1 MR. MATTHEW ROTHER: I don't  
2 think we have a specific note of the lot line  
3 that is --

4 MR. McHALE: Okay.

5 MR. MATTHEW ROTHER: -- is  
6 going to be extinguished.

7 MR. McHALE: On the existing  
8 conditions, you might just add to it lot  
9 consolidation plan, and then we can go on with  
10 the rest of it, just so that if somebody wanted  
11 the pull one drawing and have it for record  
12 purposes for Monroe County, once it gets

13 recorded, they can pull that sheet.

14 MR. MATTHEW ROTHER: Okay. We  
15 could do that.

16 MR. SINCAVAGE: And this is a  
17 subsurface infiltration bed?

18 MR. MATTHEW ROTHER: Correct.

19 MR. ARMSTRONG: Are there any  
20 other questions from the commission at this time?

21 MS. LAMBERTON: I have none.

22 MR. ARMSTRONG: If the  
23 commission were to consider entertaining a motion  
24 to recommend approval of the proposed Dollar  
25 General Pocono Pines land development plan and

19

1 lot consolidation plan this evening, the  
2 commission could condition that recommendation on  
3 the applicant complying with the June 4, 2014  
4 review letter of the township engineer, as well  
5 as the applicant providing and agreeing to the  
6 architectural depictions on the plan as expressed  
7 by the planning commission this evening with  
8 respect to, including the field stone look, as  
9 shown on the similar Dollar General store within

10 the township, as well as providing a  
11 monument-type sign at the time when the applicant  
12 applies for a sign permit with the township.

13 And further conditional upon  
14 the applicant providing the appropriate  
15 consolidating deed, consolidating those two lots  
16 into one.

17 MS. LAMBERTON: So moved.

18 MR. SINCAVAGE: I have a  
19 motion.

20 Do I have a second?

21 MS. BISBING: Second.

22 MR. SINCAVAGE: Motion and  
23 seconded.

24 All those in favor, please say  
25 aye?

20

1 THE BOARD: Aye.

2 MR. SINCAVAGE: And also the  
3 waivers?

4 MR. ARMSTRONG: And the waivers  
5 that have been requested, to my knowledge, if the

6 commission were to so agree to recommend a  
7 waiver, would be to SALDO Section 135 dash  
8 15.A.15, SALDO Section 135-17.L & M. I believe  
9 those are the only waivers that have been  
10 requested.

11 MR. MATTHEW ROTHER: I believe  
12 so.

13 MS. LAMBERTON: I'll make a  
14 motion.

15 MR. SINCAVAGE: I have a  
16 motion.

17 Do I have a second to the  
18 motion?

19 MR. MILLER: Second.

20 MR. SINCAVAGE: Motion and  
21 seconded.

22 All those in favor, please say  
23 aye?

24 THE BOARD: Aye.

25 MR. SINCAVAGE: All right?

21

1 MR. MATTHEW ROTHER: Thank you.

2 MR. SINCAVAGE: All right.

3 Good luck. Thank you.

4 MR. ARMSTRONG: One other item,  
5 the board meets next week.

6 MS. MINNICK: Right.

7 MR. ARMSTRONG: And you  
8 submitted -- I anticipate you getting on the  
9 board of supervisors' agenda probably for their  
10 July meeting. I do have a time waiver here for  
11 you to sign --

12 MR. MATTHEW ROTHER: Okay.

13 MR. ARMSTRONG: -- in the event  
14 that we're cutting it close for the time for the  
15 township to act on the plan. Would you be  
16 agreeable to agreeing with that time extension?

17 MR. MATTHEW ROTHER: Um --

18 MR. ARMSTRONG: What that is,  
19 it's an indefinite time extension. If you feel  
20 more comfortable putting in a date certain,  
21 that's fine, maybe the end of July.

22 MR. MATTHEW ROTHER: Yeah, I  
23 feel --

24 MS. LAMBERTON: When do they  
25 want to get going?

1 MR. MATTHEW ROTHER: The  
2 developer's eager. I mean, he would like to get  
3 going this summer.

4 MS. LAMBERTON: Absolutely,  
5 yeah.

6 MR. McHALE: But they still  
7 have to get conservation district and PennDOT --

8 MR. MATTHEW ROTHER: PennDOT,  
9 correct.

10 MR. ARMSTRONG: Any approval  
11 from the board of supervisors is going to be  
12 conditional upon you getting the additional  
13 approvals you need from the other entities.

14 MS. LAMBERTON: Yeah, but we  
15 shouldn't hold them up. I mean -- okay.

16 MR. ARMSTRONG: I don't know if  
17 they're going to get on their agenda for next  
18 week. So then you're going to be -- you're going  
19 to be looking at their first meeting in July,  
20 whatever that date is --

21 MR. MATTHEW ROTHER: Right.

22 MS. MINNICK: That's your --

23 MR. ARMSTRONG: -- and I just

24 don't want -- I mean, I don't want anybody to be  
25 under a time crunch --

23

1 MR. MATTHEW ROTHER: Okay.

2 MR. ARMSTRONG: -- from the  
3 township's point of view. You're familiar with  
4 the MPC, the township has a certain amount of  
5 time --

6 MR. MATTHEW ROTHER: Yes.

7 MR. ARMSTRONG: -- to act on  
8 the plan? That's the purpose of me handing you  
9 that time extension tonight.

10 MR. MATTHEW ROTHER: Yeah,  
11 I'm --

12 MR. ARMSTRONG: Otherwise, I  
13 mean, what could happen is, if the board is  
14 forced with making a decision before they have  
15 ample time to review the plan, they could end  
16 up -- they could deny the plan because they  
17 haven't had a chance to review it.

18 MR. MATTHEW ROTHER: Right.

19 MR. ARMSTRONG: And I don't  
20 want that to happen to you.

21 MR. MATTHEW ROTHER: Yeah, I'm  
22 comfortable.

23 MR. ARMSTRONG: Okay. Just  
24 before you leave tonight, I guess, just sign it,  
25 hand it in.

24

1 MR. MATTHEW ROTHER: All right.

2 MR. ARMSTRONG: Actually, you  
3 can hand it to Maureen.

4 MR. MATTHEW ROTHER: All right.  
5 Thank you.

6 MR. ARMSTRONG: Thank you.

7 MR. SINCAVAGE: Okay. Next  
8 item on our agenda is Timber Trails.

9 Terry?

10 MR. TERRY MARTIN: Good  
11 afternoon, everyone.

12 MS. LAMBERTON: Hey, Terry.

13 MR. TERRY MARTIN: I'm here on  
14 behalf of Lake Naomi Club this afternoon, with a  
15 conditional use application. It's for two small  
16 expansions that the club is proposing to



17 undertake this summer in the Timber Trails  
18 Community. One is at a golf pro shop. They'd  
19 like to expand existing building and construct an  
20 outdoor pavilion; and the other one is at the  
21 Timber Trails Clubhouse, where they'd like to  
22 construct a small building expansion.

23 In your zoning ordinance, these  
24 are classified as development amenities, and as  
25 such, they're subject to a conditional use

25

1 application. So the club went before the board  
2 of supervisors with the request and initially  
3 they asked the board of supervisors -- given the  
4 nature of these two construction projects, how  
5 small they are in size, they asked the board of  
6 supervisors if they would grant a waiver for the  
7 requirement to come in with land development  
8 plans, and the supervisors agreed to do so; but  
9 we still have to comply with the conditional use  
10 approval. And part of that conditional use  
11 approval is the submission of site development  
12 plans.

13 So that's what we have before



10 the board of supervisors, I met with Bob and  
11 Maureen to go over what items they would like to  
12 see as far as the site development plan, and Bob  
13 did generate a letter with a couple of things  
14 that we've added this afternoon to the plan, and  
15 I think we have everything on there that's  
16 required other than the owner's signature  
17 certification, which we'll add to the plan.

18                                 This sheet is just the --  
19 illustrates the expansion, the proposed expansion  
20 of the golf pro shop. We have it shaded, the  
21 area where the expansion -- most of it is for  
22 where they house the carts in the old stable  
23 portion of the building. And you'll also see  
24 what they'd like to do is, when they have  
25 tournaments there, they really don't have a

27

1 convenient location to have a cookout and small  
2 award ceremony following the tournament, so  
3 that's the purpose for the outdoor pavilion, so  
4 that when they do have a function like that, they  
5 can entertain the guests with a small cookout and  
6 awards ceremony presentations there.

7 MS. LAMBERTON: Very nice.

8 MR. SINCAVAGE: So the septic  
9 doesn't get affected and --

10 MR. TERRY MARTIN: Again, no.  
11 There's no increase in the occupancy.

12 And other than, you know, just  
13 the small building expansions, there's really  
14 nothing that's going to change on either one of  
15 the sites. We did include a little bit of  
16 erosion and sedimentation, pollution control  
17 details for around the building during the  
18 construction.

19 MR. SINCAVAGE: Where is the  
20 deck? Is that on the pro shop? I read the --

21 MR. TERRY MARTIN: The deck is  
22 on the clubhouse --

23 MR. SINCAVAGE: Clubhouse.

24 MR. TERRY MARTIN: -- in here.

25 MR. SINCAVAGE: Okay.

28

1 MR. TERRY MARTIN: It's being  
2 moved back --

3 MR. SINCAVAGE: So this is the  
4 building --

5 MR. TERRY MARTIN: Yes.

6 MR. SINCAVAGE: -- expansion,  
7 this is the deck expansion.

8 MR. TERRY MARTIN: That's  
9 correct.

10 MR. SINCAVAGE: Okay.

11 MR. TERRY MARTIN: This would  
12 be the new entrance here that would meet the ADA  
13 standards from the parking lot.

14 MR. McHALE: Terry, is that an  
15 enclosed deck?

16 MR. TERRY MARTIN: No.

17 MR. McHALE: Like a screened  
18 in --

19 MR. TERRY MARTIN: No, it's  
20 going to be outdoors, to my knowledge, yeah.

21 MR. SINCAVAGE: And this is an  
22 existing deck that goes around the --

23 MR. TERRY MARTIN: Yes, yep.  
24 It's going to be enlarged in the back.

25 MR. SINCAVAGE: And this paver

1 area is existing?

2 MR. TERRY MARTIN: That is  
3 existing.

4 MR. SINCAVAGE: All right.

5 MR. TERRY MARTIN: And I think  
6 the conditional use hearing is scheduled for  
7 20 --

8 MR. McHALE: July 12, I  
9 believe?

10 MR. TERRY MARTIN: Oh, is it  
11 July? Okay.

12 MR. ARMSTRONG: It was  
13 initially scheduled for the June 9 board meeting;  
14 however, I think they were having a problem with  
15 making sure that they were going to have a quorum  
16 --

17 MR. TERRY MARTIN: Okay.

18 MR. ARMSTRONG: -- so it has  
19 been since rescheduled to the July meeting.

20 MR. TERRY MARTIN: That's fine.  
21 I don't think they're planning on construction  
22 till later in the summer, so it shouldn't be a  
23 problem.

24 MR. SINCAVAGE: Any questions

25 or comments from the commission?

30

1 MS. RINEHIMER: (Ms. Rinehimer  
2 shook her head.)

3 MS. BISBING: (Ms. Bisbing  
4 shook her head.)

5 MR. SINCAVAGE: Okay. And you  
6 received the June 5 letter?

7 MR. TERRY MARTIN: Yep.

8 MR. SINCAVAGE: You referred to  
9 that? And there's no waivers from anything? I  
10 don't see waivers. Okay.

11 MR. ARMSTRONG: What this is,  
12 is it's a conditional use application. If you  
13 recall, the applicant's representative indicated  
14 in the beginning that the board of supervisors  
15 actually agreed to waive -- conditionally waive a  
16 land development requirement subject to them  
17 complying with the zoning and other ordinances in  
18 coming before the board for their conditional use  
19 hearing. Pursuant to the ordinance, the  
20 applicant is required to come before the planning

21 commission to receive any recommendations or  
22 comments on the conditional use application,  
23 which is the purpose of their attendance this  
24 evening.

25 I did notice -- or you're aware

31

1 of the storm water requirements that have to be  
2 met?

3 MR. TERRY MARTIN: I think  
4 those would qualify for a waiver of those.

5 MR. ARMSTRONG: Okay. Do these  
6 fall under --

7 MR. McHALE: It's only a waiver  
8 of a plan submission, so they still need to  
9 comply with the storm water regs, but they don't  
10 need to submit a formal drainage plan to the  
11 township for review and approval.

12 MR. SINCAVAGE: And you said  
13 you made provisions for the storm water during  
14 construction?

15 MR. McHALE: E&S controls.

16 MR. TERRY MARTIN: That would  
17 be --



18 MR. ARMSTRONG: The storm water  
19 requirements would be post --

20 MR. McHALE: In the letter --  
21 yes, in the letter I provided the website for the  
22 DEP or the Pennsylvania Best Management Practices  
23 Manual, and there's a number of different things  
24 they could utilize -- rain gardens, infiltration  
25 beds, that kind of thing -- and they just need to

32

1 review that and just implement something, some  
2 landscaping and, you know, it will look nice out  
3 there, mitigate some of the impacts of the  
4 impervious area; but there is no formal  
5 submission requirement.

6 MR. TERRY MARTIN: That's no  
7 problem. We'll do that.

8 MR. SINCAVAGE: So what action  
9 do we take?

10 MR. ARMSTRONG: Well, to be  
11 quite honest, if you don't want to do anything,  
12 you don't have to do anything. You can provide  
13 comments, you can make a recommendation, you can

14 do whatever the commission feels like doing.

15                               There's nothing requiring you  
16 to actually -- if the applicant would have their  
17 conditional use hearing and the board would  
18 decide it regardless of -- if they didn't go  
19 before you, it wouldn't have prevented them from  
20 having their hearing and getting approval; but if  
21 there are any comments or concerns that the  
22 commission has, now is the time to make the board  
23 aware of it before their conditional use hearing  
24 in July.

25                               MR. SINCAVAGE: The only thing

33

1 I would stress is that the storm water has to be  
2 complied with. You know, we understand no formal  
3 submission is required, but you do have to  
4 comply.

5                               MR. TERRY MARTIN: We'll  
6 certainly do that before we obtain the building  
7 permits.

8                               MR. ARMSTRONG: What we can do,  
9 if the commission doesn't want to do a formal  
10 motion, we can just let the minutes reflect and

11 forward that on to the board, that that was the  
12 one issue that the commission had a concern with.  
13 Not a concern but --

14 MR. SINCAVAGE: Just stressing  
15 it.

16 MR. ARMSTRONG: Right. Right.  
17 There's no new parking, no anticipated increased  
18 traffic.

19 MS. LAMBERTON: So they don't  
20 need anything from us?

21 MR. ARMSTRONG: If you want to  
22 let the board know that you want to see it, you  
23 can make a recommendation --

24 MS. LAMBERTON: I'll make a  
25 motion for recommendation to the board of

34

1 supervisors for approving the -- subject to the  
2 applicant's satisfactory response to these items  
3 on our township's engineer letter dated June 5,  
4 which you've already responded to.

5 MR. MILLER: Second.

6 MR. SINCAVAGE: I have a motion

7 and seconded.

8 All those in favor, please say

9 aye?

10 THE BOARD: Aye.

11 MR. SINCAVAGE: Okay?

12 MR. TERRY MARTIN: Thank you.

13 MR. SINCAVAGE: Okay. We're in

14 open forum. Would any commission member like to

15 bring anything board before the board?

16 I will make a comment that I

17 did notice the Dollar General cleaned up

18 Blakeslee.

19 MS. LAMBERTON: Yes.

20 MR. SINCAVAGE: They picked up

21 the garbage. That was very good. The

22 landscaping still needs a little maintenance, but

23 we're getting there.

24 MS. MINNICK: It looks good,

25 though.

35

1 MR. SINCAVAGE: It's better.

2 That's true.

3 MS. MINNICK: They're really

4     having a hard time out there. I said, can you  
5     put a garbage can out? And they said, our  
6     manager won't let us.

7                     MS. LAMBERTON: Everybody and  
8     their brother would use it.

9                     MR. SINCAVAGE: That's the  
10    problem.

11                    MS. MINNICK: It wasn't all  
12    Dollar General garbage, it was WaWa, Dunkin  
13    Donuts, it was everybody's garbage.

14                    MR. SINCAVAGE: Yeah.

15                    MS. LAMBERTON: That's a bummer  
16    for them.

17                    MR. SINCAVAGE: I noticed that  
18    they're having some problems getting the grass to  
19    grow around the back, and I know the conservation  
20    district has made comments on that. I guess  
21    they're going to be addressing that, because  
22    they're not getting the growth along the side  
23    there between the Dollar General and the  
24    Palmerton Bank.

25                    MR. McHALE: Did they repair

1 that roof collector line that looked like ice  
2 fell and broke it?

3 MR. SINCAVAGE: I did not  
4 notice. Last time I saw it, it was still broken,  
5 but I don't know --

6 Did anyone notice along the  
7 Dollar General the roof drain along the back that  
8 was cracked? Did anyone notice if that had been  
9 repaired? I saw it last week and it was -- still  
10 had not been repaired.

11 MS. LAMBERTON: I don't. Yeah,  
12 I don't go that way, I'm sorry.

13 MS. BISBING: I haven't driven  
14 by there in a while.

15 MR. MATTHEW ROTHER: Previously  
16 you asked that we hold off --

17 MR. SINCAVAGE: We can go off  
18 the record.

19 Do you want it on the record  
20 or --

21 MR. MATTHEW ROTHER: No, that's  
22 okay.

23 MR. SINCAVAGE: We can go off  
24 the record.

25

(Discussion off the record.)

37

1 MR. SINCAVAGE: Okay. We're  
2 back on the record.

3 Anything else?

4 MS. LAMBERTON: No.

5 (Ms. Minnick left the room.)

6 MR. SINCAVAGE: No. I know  
7 what I wanted to talk about -- Maureen leaves the  
8 room -- we had talked about doing the Welcome to  
9 Tobyhanna Township signs, and maybe Annie, you  
10 could tell us where the board of supervisors  
11 is with that?

12 MS. LAMBERTON: No, I don't  
13 think it was brought on our agenda for quite some  
14 time. We could have Phyllis put it on for the  
15 next meeting on Tuesday.

16 MR. SINCAVAGE: I was actually  
17 down in Jim Thorpe area --

18 MS. LAMBERTON: Okay.

19 MR. SINCAVAGE: -- yesterday,  
20 and they have some signs up. And they're not  
21 like the wide ones like you typically see for the

22 Welcome to the Township, they're more narrow,  
23 but, I mean, they're very nicely done. It's like  
24 a six by six and --

25 MS. LAMBERTON: Double sided?

38

1 MR. SINCAVAGE: -- has some  
2 nice depth to it and has the seal on it. They  
3 look nice. I mean, I can't imagine that they  
4 would cost --

5 MS. LAMBERTON: I think Phyllis  
6 got some prices.

7 MR. SINCAVAGE: Yeah, but she  
8 had like the big long ones.

9 (Ms. Minnick reentered the  
10 room.)

11 MR. SINCAVAGE: Maureen, we're  
12 talking about the Welcome to Tobyhanna Township  
13 signs. I don't know where that is. I mean --

14 MS. LAMBERTON: Did Phyllis get  
15 prices, do I remember?

16 MS. MINNICK: We did get  
17 prices, and we got a couple prices and they were



18 expensive, like the monument signs?

19 MR. SINCAVAGE: Yes.

20 MS. MINNICK: They were a  
21 couple thousand dollars each.

22 MR. SINCAVAGE: Yeah.

23 MS. LAMBERTON: Yeah. I was  
24 surprised at that as well.

25 MR. SINCAVAGE: But I was

39

1 saying --

2 MS. LAMBERTON: Don't forget,  
3 this is what we're requiring people to do, okay?  
4 That's all I'm saying.

5 MS. MINNICK: Yeah, they were  
6 really nice.

7 MS. LAMBERTON: Let me just say  
8 that.

9 MR. SINCAVAGE: But I was  
10 saying that I was down in Jim Thorpe and their  
11 signs aren't like the really long ones like the  
12 depictions that I recall seeing from Phyllis.  
13 These were a little bit more narrow and more like  
14 a -- it was still a monument sign, but it was --

15 MS. LAMBERTON: On a smaller  
16 scale.

17 MR. SINCAVAGE: On a smaller  
18 scale --

19 MS. LAMBERTON: Do you see the  
20 Mount Pocono Borough sign?

21 MR. SINCAVAGE: More like a  
22 square.

23 MS. LAMBERTON: The Borough of  
24 Mount Pocono, have you --

25 MR. McHALE: (Inaudible), I

40

1 believe --

2 MS. LAMBERTON: Right? It's  
3 beautiful, right? I'm with you, Bob. It's  
4 narrow, nicely done.

5 MR. SINCAVAGE: So I'm  
6 wondering if we could look at maybe getting a  
7 different --

8 MS. MINNICK: Something  
9 smaller. I think they were only -- were they  
10 only four foot wide, maybe?

11 MS. LAMBERTON: I thought they  
12 were six. I thought they were six foot.

13 MS. MINNICK: I didn't think  
14 they were that big.

15 MS. LAMBERTON: The monument  
16 ones you got prices on. I don't remember, to be  
17 honest. Can you mention that to her and then --

18 MS. MINNICK: Yeah, we'll look  
19 around again.

20 MS. LAMBERTON: And then put  
21 something on --

22 MR. SINCAVAGE: Our agenda.  
23 Let's put it on our agenda. At least we can make  
24 a recommendation to the board of supervisors.  
25 And if I get a chance, I'll take a photo and send

41

1 it over, of that Jim Thorpe sign.

2 MS. MINNICK: I was just down  
3 there too.

4 MR. SINCAVAGE: Did you see  
5 those?

6 MS. MINNICK: I didn't even  
7 notice them, to be honest with you.

8 MS. LAMBERTON: I'll swing  
9 through Mount Pocono. Mount Pocono Borough  
10 has -- isn't it nice?  
11 MR. McHALE: Yeah, 196/611.  
12 MS. LAMBERTON: That's nice.  
13 Yeah. But even in front of their building, it's  
14 a narrow, kind of dual, little --  
15 MR. SINCAVAGE: Yep.  
16 MS. LAMBERTON: -- cut  
17 finial on the top.  
18 MR. SINCAVAGE: This was even  
19 more simple than that. It was just the square --  
20 There's Phyllis.  
21 MS. PHYLLIS HAASE: Hello.  
22 MS. LAMBERTON: Hey, our signs  
23 for Welcome to Tobyhanna Township, I know we got  
24 prices on them.  
25 MS. PHYLLIS HAASE: We got

42

1 prices on them and we -- it's kind of at a  
2 standstill. We were looking at sponsors and  
3 locations, and that's as far as we went.

4 MS. LAMBERTON: Do you remember  
5 the prices?

6 MS. PHYLLIS HAASE: Oh, they  
7 vary, but I think they were around threeish.

8 MS. MINNICK: They were quite  
9 expensive.

10 MS. PHYLLIS HAASE: Three or  
11 four thousand a sign.

12 MR. SINCAVAGE: Do you remember  
13 how -- were they wide? They seemed to me, they  
14 were like six foot wide, maybe?

15 MS. PHYLLIS HAASE: I don't  
16 think they were that big.

17 MR. SINCAVAGE: No?

18 MS. MINNICK: I think they were  
19 five by four.

20 MS. PHYLLIS HAASE: I was  
21 shocked at the price of them.

22 MR. SINCAVAGE: I was just  
23 saying that we saw -- I saw the ones down in Jim  
24 Thorpe, and even the Mount Pocono ones, they're  
25 small.

1 MS. LAMBERTON: Borough of  
2 Mount Pocono, you know how they have their --  
3 kind of like maybe a two foot -- just in front of  
4 their building there?

5 MS. PHYLLIS HAASE: We could --  
6 we could look into that again. It really would  
7 be nice to have.

8 MR. SINCAVAGE: And maybe  
9 contact the Borough of Jim Thorpe and the Borough  
10 of Mount Pocono and see who they used and maybe  
11 we can get --

12 MS. LAMBERTON: Maybe they'll  
13 donate one to us.

14 MR. McHALE: Put it right --

15 MR. SINCAVAGE: I'm sure we  
16 could get them -- you've got some business  
17 sponsors, I know I said I would do and -- you  
18 know, a certain amount of money, certainly not  
19 3,000, but --

20 MS. LAMBERTON: So Mark's going  
21 to buy a sign, okay?

22 MR. SINCAVAGE: Up to a  
23 thousand dollars.

24 I mean, yeah, I really think we  
25 should look at that.

1                   MS. PHYLLIS HAASE: It's the  
2 location -- we need to find locations, which I  
3 think we can. It's more funding it --

4                   MR. SINCAVAGE: Right.

5                   MS. PHYLLIS HAASE: -- right  
6 now.

7                   MR. SINCAVAGE: Yep.

8                   MR. MILLER: It depends what  
9 they're made of and all that kind of stuff.

10                  MS. LAMBERTON: I could build a  
11 little something out in my workshop for you.

12                  MS. PHYLLIS HAASE: Some was a  
13 prefabbed, almost like -- I don't want to say  
14 styrofoam, but it was actually a coated --

15                  MS. LAMBERTON: Polyethylene or  
16 something?

17                  MS. PHYLLIS HAASE: Yeah,  
18 something like that. And we looked at one that  
19 was wood. There was also a resin one, but they  
20 were expensive. I think the lowest we found was  
21 around three, and they went up from there.

22 MS. MINNICK: And I got prices  
23 from --

24 MS. LAMBERTON: You want  
25 something that is maintenance free, resin is the

45

1 ticket to --

2 MS. BISBING: How many would  
3 you --

4 MR. SINCAVAGE: How many  
5 locations, do you know, did we identify?

6 MS. PHYLLIS HAASE: Well, we  
7 were looking at three, eastern/western corridor  
8 of 940, we have the rotary sign down by New  
9 Ventures, by the Best Western, so we were looking  
10 at going down to the opposite end of 115.

11 And then once we got those  
12 three funded, then we would go back up towards  
13 New Venture and place another one there. So  
14 right now we're looking at three. At the end of  
15 the project we'd like to see four.

16 MR. SINCAVAGE: Okay. If we  
17 can just put that on our agenda for next month,  
18 so I'd like to try to push that, if the



19 commission's agreeable.

20 MS. LAMBERTON: I think that  
21 would be nice.

22 MR. SINCAVAGE: I think it  
23 would be nice.

24 Okay? Anything else?

25 All right. We're adjourned.

46

1 Thank you.

2 (Meeting concluded at 6:06  
3 p.m.)

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I hereby certify that the  
proceedings and evidence are contained fully and  
accurately, to the best of my ability, in the  
notes taken by me, at the meeting in the above  
matter; and that the foregoing is a true and

12 correct transcript of the same.

13

14

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JESSICA L. HOLT, C.R.

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Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

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In Re: Regular Meeting

---

Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, November 6, 2014, beginning at  
5:30 p.m.

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PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
ANNE LAMBERTON, Secretary  
PATRICIA M. RINEHIMER, Board Member  
MICHELLE BISBING, Board Member

ROBERT McHALE, P.E., Township  
Engineer

PATRICK ARMSTRONG, ESQUIRE,  
Solicitor

ALSO PRESENT: MAUREEN MINNICK, Assistant Zoning  
Officer

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PANKO REPORTING  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

2

1 MR. SINCAVAGE: Okay. I'll  
2 call the regularly scheduled meeting of the  
3 Tobyhanna Township Planning Commission to order  
4 for November 6, 2014.

5 Any public comment?

6 Move on to approval of the  
7 minutes of June 5, 2014. We received them  
8 electronically.

9 MS. MINNICK: No changes. No  
10 corrections.

11 MS. LAMBERTON: Motion to  
12 approve?

13 MS. BISBING: Second.

14 MR. SINCAVAGE: Motion and  
15 seconded.

16 All those in favor, please say  
17 aye?

18 THE BOARD: Aye.

19 MR. SINCAVAGE: And for old  
20 business, Anthony Morrano (phonetic)?

21 MS. LAMBERTON: Morrioni.

22 MR. BRIAN COURTRIGHT: Morrioni.

23 MR. SINCAVAGE: Morrioni, minor  
24 subdivision.

25 MR. McHALE: Actually, Brian's

3

1 working on that also.

2 MR. SINCAVAGE: Oh, yeah?

3 MR. McHALE: He can give us an  
4 update.

5 MR. BRIAN COURTRIGHT: The --  
6 the main problem that Mr. Morrioni has is -- has  
7 to do with the title of -- of the property we're  
8 subdividing, and he can't find his title company,  
9 title -- the title company up here. So I told  
10 him -- we have told him, you know, go to your  
11 title insurance company, they're -- I'm sure  
12 they're still around, and go after them to make  
13 this -- make the corrective deed that they're  
14 gonna need. And that's where it sits right now.

15 MR. SINCAVAGE: Right. Right.

16 That matter did come before us in June; right?

17 MR. BRIAN COURTRIGHT: Yeah,  
18 um-hum.

19 MS. LAMBERTON: Is this the one  
20 on Locust Ridge Road?

21 MR. BRIAN COURTRIGHT: Yes.

22 MS. LAMBERTON: Okay.

23 MR. BRIAN COURTRIGHT: Yep.

24 Yeah, it's -- whoever wrote --

25 MR. SINCAVAGE: It has nothing

4

1 to do with the township.

2 MR. BRIAN COURTRIGHT: It has  
3 nothing to do with the township, it has nothing  
4 to do with me and it has all to do with what  
5 happened 10 years ago or 12 years ago.

6 MR. SINCAVAGE: All right.  
7 That's legal matters.

8 MR. BRIAN COURTRIGHT: Yes.

9 MR. SINCAVAGE: Okay. Then  
10 I'll entertain a motion.

11 Do you want it tabled or --

12 MR. BRIAN COURTRIGHT: Yes.

13 MR. SINCAVAGE: Okay. I'll

14 entertain a motion to --

15 MS. LAMBERTON: So moved.

16 MR. SINCAVAGE: -- table that

17 item. I have a motion.

18 Do I have a second to the

19 motion?

20 MR. MILLER: Second.

21 MS. RINEHIMER: I'll second.

22 MR. SINCAVAGE: Motion and

23 seconded.

24 All those in favor, say aye?

25 THE BOARD: Aye.

5

1 MR. SINCAVAGE: Blakeslee Home

2 Improvement preliminary/final land development

3 plan.

4 All right. Do you want to go

5 over --

6 MR. BRIAN COURTRIGHT: Sure.

7 MR. SINCAVAGE: And you -- you

8 received Mr. McHale's letter --



9 MR. BRIAN COURTRIGHT: Yes.

10 MR. SINCAVAGE: -- of October  
11 the 29th, 2014?

12 MR. BRIAN COURTRIGHT: Yeah.  
13 Let me give you a little preliminary --

14 MR. SINCAVAGE: Yep.

15 MR. BRIAN COURTRIGHT: --  
16 what's going on here and then I'll address this  
17 letter.

18 This is going to be a builder's  
19 office, okay? There'll be clients. They don't  
20 really meet that many clients, but they need a  
21 place to do it; and they had to get out of  
22 their -- where they're at now. This is right  
23 next to -- is that the pharmacy?

24 MR. SINCAVAGE: No.

25 MR. BRIAN COURTRIGHT: It's a

6

1 commercial building to the -- to the west.

2 MR. SINCAVAGE: Yeah. It was  
3 the old veterinarian's office.

4 MR. BRIAN COURTRIGHT: Right.

5 MS. LAMBERTON: Oh, okay.

6 Church's? Dr. Church? Okay.

7 MR. BRIAN COURTRIGHT: But this  
8 is the edge of the parking lot, actually.  
9 Anyway, it's an old house that they -- that they  
10 totally gutted; they gut the inside. And  
11 basically -- basically this whole area in the  
12 back was just stone at one time, this trade  
13 (phonetic) line, this line here, okay? And we're  
14 just proposing to add a couple of parking places  
15 and handicap accessibility and a couple of  
16 lights. That's really the extent of it. Most of  
17 the work is going on, on the inside.

18 MS. LAMBERTON: It's a dirt  
19 road going in there, so --

20 MR. McHALE: Access directly to  
21 940 --

22 MR. BRIAN COURTRIGHT: Right.

23 MR. McHALE: -- PennDOT HOP  
24 obtained.

25 MR. BRIAN COURTRIGHT: Yep. We

7

1 have all that. Like I said, the majority of



1 plans he's going to include another photometric  
2 to demonstrate compliance --

3 MR. BRIAN COURTRIGHT: Yeah.

4 MR. McHALE: -- with that  
5 section of the ordinance.

6 The only thing I wanted to  
7 highlight was, in the back, the rear of the  
8 property there is required to be a 25 foot buffer  
9 area that is kind of a screening buffer from --  
10 adjacent to a residential area. In the past, if  
11 there was adequate vegetation -- tree, shrub,  
12 such -- on a property, you all had said if the  
13 applicant went out, looked at that, took some  
14 photos and said, okay, it's dense enough to where  
15 they don't have to add a lot of additional  
16 landscaping, that would suffice.

17 However, if you see where the  
18 tree line is noted on the plan, there is not a  
19 whole lot back there. And you do have a house  
20 that's directly behind.

21 MR. BRIAN COURTRIGHT: Of  
22 course, yeah.

23 MR. McHALE: So Maureen and I  
24 had talked about that. Our recommendation was to  
25 just take that 25 foot line, run it straight

9

1 through. Obviously you have a shed that it's  
2 going to have to go on either side of, but then,  
3 you know, Brian could add some additional  
4 landscaping, or if you all wanted to recommend  
5 something in that area to make it a little  
6 denser, a few more trees like the pines or  
7 something that would --

8 MR. BRIAN COURTRIGHT: Yeah.

9 MR. McHALE: -- be more of a  
10 shield and a screening effect.

11 MR. SINCAVAGE: What about  
12 along the east side?

13 MR. McHALE: That's --

14 MR. BRIAN COURTRIGHT: If you  
15 look at the second sheet --

16 MR. McHALE: That's a platted  
17 roadway.

18 MR. SINCAVAGE: Yeah, but  
19 there's -- there's no -- doesn't the 25 foot also

20 have to be there?

21 MR. McHALE: No, because  
22 they're -- it's all commercially formed.

23 MR. BRIAN COURTRIGHT: I did  
24 put trees on --

25 MR. McHALE: Yeah, but --

10

1 MR. SINCAVAGE: Oh, it is  
2 commercially zoned.

3 MR. McHALE: Yes --

4 MR. SINCAVAGE: All right.

5 MR. McHALE: -- to the east.

6 MR. BRIAN COURTRIGHT: It's  
7 behind the property. Both sides of 940 are zoned  
8 commercial, I believe, all the way through there,  
9 from there all the way to the light.

10 MR. SINCAVAGE: Right, right.  
11 I didn't know if this was --

12 MR. BRIAN COURTRIGHT: It's  
13 zoned commercial, but it's a residence.

14 MR. SINCAVAGE: Right.

15 MR. BRIAN COURTRIGHT: He's got

16 a whole bunch -- this whole thing is lined with  
17 these gigundo (phonetic) fir trees --

18 MR. SINCAVAGE: Okay.

19 MR. BRIAN COURTRIGHT: -- at  
20 least right in here where we really --

21 MR. McHALE: And Brian had  
22 added some along the east side as well, as you  
23 can see.

24 MR. BRIAN COURTRIGHT: Yeah.

25 MR. McHALE: But, again, the

11

1 back is what we were concerned with. Even the  
2 space that is alongside the garage should  
3 probably be clipped to the 25 feet and vegetation  
4 put in that area, because otherwise, if you get a  
5 comment or complaint from the adjoining  
6 residential use, you wouldn't have the 25 feet  
7 exclusively for screening.

8 MR. BRIAN COURTRIGHT: And you  
9 lose that parking place.

10 MR. McHALE: Well --

11 MR. BRIAN COURTRIGHT: The  
12 problem --

13 MR. McHALE: -- but the  
14 garage -- you don't need it, but the -- the shed  
15 or the garage, whatever it is, I assume there's a  
16 door in the front; right?

17 MR. BRIAN COURTRIGHT: Yeah.

18 MR. McHALE: That could act as  
19 a parking space too, if it --

20 MR. BRIAN COURTRIGHT: True.

21 MR. McHALE: -- if it's open  
22 and accessible.

23 MR. BRIAN COURTRIGHT: It's  
24 junk right now, but --

25 MR. ARMSTRONG: He would comply

12

1 with the zoning, the parking requirements and --

2 MR. BRIAN COURTRIGHT: Yeah.

3 We have one extra as it is.

4 MR. McHALE: Correct.

5 MR. BRIAN COURTRIGHT: I just  
6 figured it was there.

7 MR. SINCAVAGE: And I don't  
8 think two foot in height is adequate to create



9 the screen.

10 MR. BRIAN COURTRIGHT: Correct,

11 but the --

12 MR. McHALE: It has to be

13 within two years, it has to --

14 MR. BRIAN COURTRIGHT: Right.

15 MR. McHALE: -- create that

16 dense --

17 MR. BRIAN COURTRIGHT: But that

18 particular type of tree grows a lot in the year.

19 MR. SINCAVAGE: Not that much.

20 MR. BRIAN COURTRIGHT: If you

21 look it up, yeah, it does.

22 MR. McHALE: Typically, I think

23 we have people put in at least four foot high.

24 MR. BRIAN COURTRIGHT: Four

25 foot high is the minimum within two years; right?

13

1 MR. McHALE: Well, it needs to

2 be -- that four feet is to create a dense screen.

3 MR. BRIAN COURTRIGHT: Okay.

4 MR. McHALE: And you're going

5 to have gaps in between.

6 MR. BRIAN COURTRIGHT: Without  
7 a doubt. We can change that to four feet.  
8 That's --

9 MR. McHALE: And you should  
10 probably have something staggered, I would guess.

11 MR. SINCAVAGE: Yes. We don't  
12 want to see straight lines anymore. No more  
13 straight line of trees.

14 MR. McHALE: But staggering up  
15 to where it creates that screen, unless you're  
16 going to put shrubs in between --

17 MR. SINCAVAGE: Right.

18 MR. McHALE: -- like something  
19 that would --

20 MR. BRIAN COURTRIGHT: When  
21 those trees start to grow out, you're not going  
22 to have the room there. They're going to crowd  
23 each other.

24 MR. ARMSTRONG: That's why --

25 MR. McHALE: Well, that's why

14

1 we're staggering them.

2 MR. ARMSTRONG: -- they're  
3 proposing staggering. The larger tree is  
4 staggered, staggered --

5 MR. BRIAN COURTRIGHT: That's  
6 what I'm saying. You don't have the room this  
7 way to stagger them.

8 MR. McHALE: Well, those I'm  
9 not as concerned about staggering as the --

10 MR. BRIAN COURTRIGHT: Here.

11 MR. McHALE: -- ones in the  
12 back.

13 MR. BRIAN COURTRIGHT: Oh,  
14 yeah, in the back for sure.

15 MR. McHALE: Yeah. The ones  
16 along the side are more street trees than  
17 anything.

18 MR. SINCAVAGE: Yes.

19 MR. BRIAN COURTRIGHT: Okay.

20 MR. SINCAVAGE: I'll agree with  
21 that.

22 MR. BRIAN COURTRIGHT: So you  
23 want a staggered row in the back?

24 MR. SINCAVAGE: And I'm  
25 wondering, instead of just doing white pines

1     there, could we do a mix like every other one be  
2     a deciduous screen? Because if it's not acting  
3     as a screen, it's not a buffer?

4                     MR. McHALE: It is going to be  
5     a buffer. That's what -- he has to create a  
6     dense enough screen to create that as a buffer.  
7     It's a 25 foot landscape --

8                     MR. SINCAVAGE: No, no, no.  
9     Here, Bob. On the east side --

10                    MR. McHALE: Oh, I'm sorry.

11                    MR. SINCAVAGE: I'm sorry, on  
12     the east side.

13                    MR. McHALE: Oh, the east side.

14                    MR. SINCAVAGE: On the north  
15     side, I agree.

16                    MR. McHALE: Okay.

17                    MR. SINCAVAGE: On the east  
18     side, though --

19                    MR. McHALE: Yes. He could do  
20     that.

21                    MR. SINCAVAGE: Should we --  
22     what does the planning commission think of that?  
23     If we do one, two, maybe three deciduous trees

24 instead of having all evergreens?

25 MR. BRIAN COURTRIGHT: What

16

1 would you like?

2 MR. SINCAVAGE: Probably like a  
3 red maple, you know, something that's native to  
4 the area.

5 MR. BRIAN COURTRIGHT: Okay.

6 MR. SINCAVAGE: And I think the  
7 diameter, I can't remember -- we need our  
8 landscaper.

9 MR. McHALE: Inch and a half to  
10 two inch caliber --

11 MR. SINCAVAGE: That's usually  
12 what we ask for, okay? And as long as we're  
13 talking about landscaping, we're asking for  
14 landscaping in the front.

15 MR. BRIAN COURTRIGHT: Okay.  
16 That's one thing I wanted to ask.

17 MR. SINCAVAGE: Right.

18 MR. BRIAN COURTRIGHT: I didn't  
19 know --

20 MR. SINCAVAGE: Right.

21 MR. BRIAN COURTRIGHT: -- what  
22 you --

23 MR. SINCAVAGE: We're looking  
24 for something similar to what Dollar General has  
25 done there in the front. There's some trees,

17

1 shrubs.

2 MR. BRIAN COURTRIGHT: Okay.

3 MR. SINCAVAGE: You know, we're  
4 trying to get things dressed up a little bit.

5 MR. BRIAN COURTRIGHT: Okay.  
6 I'll think of something.

7 MR. SINCAVAGE: Look at -- see  
8 what Dollar General's done. They did a pretty  
9 good job.

10 Who else did we make do  
11 landscaping? Do you -- anybody remember? I know  
12 Dollar General.

13 MS. RINEHIMER: I don't  
14 remember.

15 MR. McHALE: We can forward  
16 that plan to Brian that the Dollar General

17 provided to us. That's public record.

18 MR. BRIAN COURTRIGHT: A couple  
19 days -- every couple days I go by. If you can  
20 e-mail it to me, that's fine.

21 MS. MINNICK: I have it  
22 digitally.

23 MR. McHALE: Okay. Maureen  
24 will send it.

25 MR. BRIAN COURTRIGHT: Okay.

18

1 MR. SINCAVAGE: Yeah. Just --  
2 just a couple trees out there, deciduous trees  
3 and some shrubs --

4 MR. BRIAN COURTRIGHT: Okay.

5 MR. SINCAVAGE: -- and  
6 landscape it.

7 Do we have -- does the planning  
8 commission agree with that, landscape the front  
9 there?

10 MR. MILLER: Yeah.

11 MS. LAMBERTON: But I don't  
12 want to totally hide the front of their business.

13 MR. SINCAVAGE: No, no, no, no.  
14 That's why I'm saying a deciduous tree, not  
15 evergreens.

16 MR. BRIAN COURTRIGHT: Yeah.

17 MR. SINCAVAGE: You know, just  
18 a couple --

19 MS. LAMBERTON: I mean, they  
20 want to be visible too.

21 MR. BRIAN COURTRIGHT: Yeah.

22 MS. LAMBERTON: We understand  
23 that.

24 MR. SINCAVAGE: And the sign,  
25 it's going to have to be a monument sign? Well,

19

1 we would recommend a monument sign.

2 MR. BRIAN COURTRIGHT: I don't  
3 think -- we're not even that far along --

4 MR. SINCAVAGE: Well, it has  
5 proposed sign here, so --

6 MR. BRIAN COURTRIGHT: Well,  
7 they know what size -- they know what size they  
8 want it to be, but that's about it. As big as  
9 they can put there.



10 MR. SINCAVAGE: We don't have  
11 any detail -- right. Of course.

12 MR. BRIAN COURTRIGHT: No,  
13 there is no detail because they have to go for a  
14 permit for it eventually.

15 MR. SINCAVAGE: Okay. See what  
16 you did here?

17 MR. BRIAN COURTRIGHT: Yep.

18 MR. SINCAVAGE: You could  
19 probably do that out front with the tree.

20 MR. BRIAN COURTRIGHT: Okay.

21 MR. SINCAVAGE: Because there's  
22 probably trees in there too --

23 MS. BISBING: I can't picture  
24 the one, when I'm going by it --

25 (Inaudible discussion between

20

1 Ms. Bisbing, Ms. Lamberton and Ms. Rinehimer.)

2 MR. SINCAVAGE: -- isn't there,  
3 Bob?

4 And the rain garden?

5 MR. McHALE: Yes.

6 MR. BRIAN COURTRIGHT: Not a  
7 problem. I did look at the --

8 MR. SINCAVAGE: It doesn't have  
9 to be as dense as the evergreen --

10 MR. BRIAN COURTRIGHT: Right,  
11 right.

12 MR. SINCAVAGE: -- but we need  
13 the landscaping.

14 And we all agree that we want  
15 to keep the monument signs in the Blakeslee area;  
16 correct?

17 MS. LAMBERTON: That's our  
18 goal. That is what we're trying to work towards,  
19 yes.

20 MR. BRIAN COURTRIGHT: I'll let  
21 them know that.

22 MR. SINCAVAGE: Again, just  
23 look at Dollar General's. They did a monument  
24 sign. Actually --

25 MS. LAMBERTON: Moose Crossing.

21

1 MR. SINCAVAGE: Moose Crossing  
2 has a monument sign.

3 MR. BRIAN COURTRIGHT: Okay.

4 MR. McHALE: They look nice.

5 MR. SINCAVAGE: What's the --

6 MS. LAMBERTON: Yeah, that is  
7 nice with the pillar.

8 MR. SINCAVAGE: What's the  
9 other one?

10 MS. LAMBERTON: Keswick?

11 MR. SINCAVAGE: No, the -- the  
12 bank. I forget the name of the bank.

13 MS. LAMBERTON: First National?

14 MR. SINCAVAGE: First --

15 MS. LAMBERTON: First Northern.

16 MR. SINCAVAGE: First Northern.

17 MS. LAMBERTON: Sorry, yeah.

18 MR. SINCAVAGE: The one next to  
19 Dollar General. That's a monument sign.

20 MR. BRIAN COURTRIGHT: Okay.

21 MR. SINCAVAGE: They're low and  
22 they're very visible. I mean, when you drive  
23 down 940, they almost hit you right in the face.

24 MR. BRIAN COURTRIGHT: Okay.

25 I'll let them know. I don't think they've done

1 anything. They just said they wanted a sign.

2 I said, okay, where do you want  
3 it?

4 Right in front.

5 Okay.

6 MR. SINCAVAGE: Just tell them  
7 you want a monument --

8 MR. BRIAN COURTRIGHT: Okay.

9 MR. SINCAVAGE: -- when they're  
10 doing their planning.

11 MR. BRIAN COURTRIGHT: Yep.  
12 They all have work to do on the inside before  
13 they move in.

14 (Inaudible discussion between  
15 Ms. Lamberton and Ms. Bisbing.)

16 MR. BRIAN COURTRIGHT: Should  
17 we go on to --

18 MR. SINCAVAGE: Was there any  
19 other comments from the planning commission at  
20 this point on the general plan, on the general  
21 idea?

22 MS. LAMBERTON: No. Actually,  
23 no.

24 MR. SINCAVAGE: This rain  
25 garden, it's all just going to infiltrate? Is

23

1 that the plan? Is there discharge?

2 MR. McHALE: Yes. They were  
3 not required due to the size and that it was an  
4 existing facility, they were not required to  
5 submit a formal drainage plan; but they did  
6 accommodate roof leaders. There's an existing  
7 ditch along the west side and they're going to  
8 direct that water and they have their little six  
9 inch --

10 MS. LAMBERTON: Oh.

11 MR. McHALE: -- outlet pipe  
12 that's going to come from the rain garden and  
13 infiltrate most of that water.

14 MR. SINCAVAGE: So that's what  
15 this --

16 MR. BRIAN COURTRIGHT: Yeah,  
17 yep.

18 MR. SINCAVAGE: That goes in  
19 the rain garden to the swale?

20 MR. McHALE: Yes.

21 MR. SINCAVAGE: And the sewer  
22 is going to be into the central system?

23 MR. BRIAN COURTRIGHT: Yes, as  
24 it already is.

25 MR. SINCAVAGE: It's already

24

1 connected. Okay. But they -- they have to pay  
2 the commercial rate then; right?

3 MS. MINNICK: They'll go from  
4 residential to commercial.

5 MR. SINCAVAGE: Commercial.  
6 But they have to pay the difference in the  
7 assessment.

8 MS. MINNICK: I thought they  
9 were all assessed the same.

10 MR. ARMSTRONG: I don't know  
11 how quickly the -- I don't know how quickly that  
12 will be implemented.

13 MS. MINNICK: I haven't done  
14 them in a long time, so --

15 MS. LAMBERTON: I'm sorry?

16 MS. MINNICK: The assessed --

17 the sewer assessment.

18 MR. SINCAVAGE: Going from  
19 commer -- from residential to commercial for the  
20 sewer. Yeah, just check with them. Check with  
21 the sewer department --

22 MR. BRIAN COURTRIGHT: Yep.

23 MR. SINCAVAGE: -- on that.

24 MR. ARMSTRONG: It will  
25 probably be triggered when you file for your

25

1 zoning and building permit.

2 MR. SINCAVAGE: And building  
3 permit.

4 MR. ARMSTRONG: Yeah, zoning  
5 and building permit.

6 MR. BRIAN COURTRIGHT: Yeah.  
7 And they couldn't do -- they couldn't do any --  
8 they couldn't even work on the inside until they  
9 got the plans -- the plans are approved --

10 MS. LAMBERTON: Yeah.

11 MR. BRIAN COURTRIGHT: -- which  
12 is --

13 MS. LAMBERTON: I know.

14 MR. BRIAN COURTRIGHT: -- it  
15 has nothing to do with --

16 MS. LAMBERTON: I honestly  
17 don't get --

18 MR. BRIAN COURTRIGHT: -- the  
19 price of tea in China.

20 MS. LAMBERTON: No, I  
21 understand that.

22 MR. SINCAVAGE: Okay.  
23 Anything -- anything else from the planning  
24 commission?

25 MS. LAMBERTON: No.

26

1 MR. SINCAVAGE: Okay. We'll go  
2 to the letter.

3 MR. McHALE: Well, actually, we  
4 covered most of the items of import on the  
5 letter.

6 MR. BRIAN COURTRIGHT: Yeah.

7 MR. McHALE: So other than the  
8 waivers requested, and, Pat, if he has any  
9 additional comment or agreements that will be



10 forwarded --

11 MR. BRIAN COURTRIGHT: One  
12 thing about the clear site triangle?

13 MR. McHALE: Yes. That's in  
14 the zone.

15 MR. BRIAN COURTRIGHT: Well,  
16 yeah, but the problem with it is, is because the  
17 right of way is so wide and shoulders are so  
18 wide, by the time you draw that out, it's all  
19 encompassed by that original -- by the -- by this  
20 triangle. It's on the first page, all  
21 encompassed by this triangle here. In other  
22 words, if you put it back 15 feet from here,  
23 you're only to here.

24 MR. McHALE: Right. Well,  
25 what's shown in the zoning ordinance is to show

27

1 the 15 feet from the cartway and then --

2 MR. BRIAN COURTRIGHT: Right.

3 MR. McHALE: -- that 500 foot  
4 distance. And that's the one we should show on  
5 there.

6 MR. BRIAN COURTRIGHT: But it's

7 encompassed within this one. That's what I'm  
8 saying. You know?

9 MR. SINCAVAGE: You just need  
10 show it.

11 MR. McHALE: It's part of the  
12 zoning. If it was part of the SALDO, we'd say,  
13 yeah, no problem; but it's part of the zoning, so  
14 it needs be reflected on there.

15 MR. BRIAN COURTRIGHT: Okay.

16 MR. SINCAVAGE: So you're  
17 saying it's encompassed in the roadway?

18 MR. BRIAN COURTRIGHT: It's  
19 encompassed in the --

20 MR. McHALE: Well --

21 MR. BRIAN COURTRIGHT: -- in  
22 this clear site triangle --

23 MR. McHALE: When he goes to  
24 show --

25 MR. BRIAN COURTRIGHT: Because

28

1 we have a corner road.

2 MR. McHALE: This is for the

3 road.

4 MR. SINCAVAGE: Oh, I see. I  
5 see.

6 MR. McHALE: -- when he shows  
7 it back here, it's going to go out like this.

8 MR. SINCAVAGE: Right.

9 MR. McHALE: And this is going  
10 to go out like that. And except for maybe a  
11 sliver --

12 MR. SINCAVAGE: Right.

13 MR. McHALE: -- most of it will  
14 be in there, so -- so he should just show that.

15 MS. LAMBERTON: It just needs  
16 to be indicated, is what he's saying.

17 MR. BRIAN COURTRIGHT: Yeah.  
18 Because the --

19 MR. McHALE: He has text. He  
20 states it in one of the notes, but --

21 MR. BRIAN COURTRIGHT: Yeah.

22 MR. McHALE: -- just reflect it  
23 and we'll be good.

24 MS. LAMBERTON: Okay.

25 MR. SINCAVAGE: Yeah, really.

1 MS. LAMBERTON: We'll take care  
2 of it.

3 MR. SINCAVAGE: All right?

4 MR. BRIAN COURTRIGHT: That  
5 really was all the ones that -- we have to do a  
6 developer's agreement for the maintenance of  
7 the -- and for a maintenance monitoring agreement  
8 through the --

9 MR. ARMSTRONG: Yeah. The  
10 stormwater maintenance monitoring, that will be  
11 pretty straightforward. The development  
12 agreement, that doesn't look like there's going  
13 to be much associated with this.

14 You know, I guess maybe a cost  
15 estimate for the landscaping, Bob? I don't know.  
16 The parking's already there for the most part;  
17 right?

18 MR. McHALE: Yeah. I mean,  
19 there'll be paving, which the board hasn't been  
20 holding monies on, so I don't really know other  
21 than the landscaping. That's about it.

22 MR. BRIAN COURTRIGHT: We're  
23 not gonna -- by the time they get around to  
24 paving it, they're not going to be able to pave.

25

MR. ARMSTRONG: And there's no

30

1 stormwater improvements proposed, so it's mainly  
2 just the landscaping, the trees that you  
3 discussed this evening.

4 MR. McHALE: I mean, the rain  
5 garden is actually -- that's going to handle --  
6 accommodate the stormwater, in fact.

7 MR. ARMSTRONG: So you're  
8 agreeable with all the requirements and comments  
9 set forth in the October 29, 2014 review letter  
10 from the township engineer?

11 MR. BRIAN COURTRIGHT: Yes.

12 MR. ARMSTRONG: And you're  
13 agreeable to -- I believe there was indicated  
14 with the lighting you're going to install at  
15 least one shield to --

16 MR. BRIAN COURTRIGHT: Yeah, a  
17 shield on the light to the easterly -- easterly  
18 side.

19 MR. McHALE: He has it noted on  
20 the plan, but he's going to provide photometrics

21 with the final.

22 MR. BRIAN COURTRIGHT: Yeah,  
23 because all it's going to do is cut it off.

24 MR. ARMSTRONG: And you're  
25 agreeable to the discussion this evening with

31

1 respect to the increased landscaping with white  
2 pines --

3 MR. BRIAN COURTRIGHT: Yep.

4 MR. ARMSTRONG: -- deciduous  
5 and shrubbery in accordance or to the  
6 satisfaction of the township engineering staff?

7 MR. BRIAN COURTRIGHT: Sure.

8 MR. ARMSTRONG: Okay. And the  
9 monument-type sign?

10 MR. BRIAN COURTRIGHT: Yep.

11 MR. ARMSTRONG: Okay.

12 MR. SINCAVAGE: Okay. So I  
13 will entertain a motion to approve the  
14 preliminary/final land development plan, the  
15 Blakeslee Home Improvement, with a condition that  
16 the township engineer letter dated October 29,  
17 2014, all conditions be complied with, in

18 addition to the landscaping and monument-type  
19 sign and the lighting shield, just to make --  
20 reiterate that again.

21 Do I have a motion to that?

22 MS. LAMBERTON: So moved.

23 MR. SINCAVAGE: I have a  
24 motion.

25 Do I have a second to the

32

1 motion?

2 MS. RINEHIMER: I'll second.

3 MR. SINCAVAGE: All those in  
4 favor, please say aye?

5 THE BOARD: Aye.

6 MR. SINCAVAGE: In regards --

7 MR. BRIAN COURTRIGHT: Thank  
8 you, folks.

9 MR. SINCAVAGE: -- on the  
10 preliminary/final land development plan of  
11 Blakeslee Home Improvement several waivers are  
12 requested. I'll entertain recommending that the  
13 waivers be approved -- be waived to Section

14 135-15.A.15, Section 135 dash 17.I, Section 135  
15 dash 12.D.2 and Section 135-17.L and M, along  
16 with the develop -- oh, the development agreement  
17 was already there. Just those waivers.

18 Do I have a motion to those  
19 waivers?

20 MS. LAMBERTON: So moved.

21 MR. SINCAVAGE: I have a  
22 motion.

23 Do I have a second to the  
24 motion?

25 MR. MILLER: Second.

33

1 MR. SINCAVAGE: Motion and  
2 seconded.

3 All those in favor, please say  
4 aye?

5 THE BOARD: Aye.

6 MR. SINCAVAGE: We're all good.

7 MR. BRIAN COURTRIGHT: Thanks.

8 MR. ARMSTRONG: Two things --  
9 two things, Mr. Courtright. First, I don't --  
10 the board meets on Monday. Chances are, I don't



11 think you're going to be on the agenda.

12 MR. McHALE: We're trying,  
13 Maureen was trying to get that worked out.

14 MS. MINNICK: Yeah.

15 MR. ARMSTRONG: Okay. So he  
16 may be on for Monday?

17 MS. MINNICK: He's going to be  
18 on, on Monday.

19 MR. ARMSTRONG: Okay. What I  
20 would suggest is to get -- are you going to do  
21 like a quick sketch plan as to the revised  
22 landscaping?

23 MR. BRIAN COURTRIGHT: Yeah.

24 MR. ARMSTRONG: If you can get  
25 that to the township as soon as you can so the

34

1 board will have that for the meeting on Monday  
2 night. And I also have this -- you submitted  
3 your plan in August, right, pursuant to the MPC?  
4 I need to be sure that the township's going to  
5 act within the time period; so that's just a  
6 waiver in the event that for some reason it's not

7 acted upon on Monday night.

8 MS. MINNICK: Pat, I think I  
9 received one of them from him. I think I --

10 MR. ARMSTRONG: I didn't see --  
11 I didn't see one for this plan.

12 Oh, you did?

13 MS. MINNICK: I think I -- I  
14 think I sent it to him.

15 MR. BRIAN COURTRIGHT: Yeah,  
16 yeah, yeah.

17 MS. MINNICK: Just fill out  
18 another one.

19 MR. ARMSTRONG: I know we have  
20 one for Morrioni.

21 MR. BRIAN COURTRIGHT: Morrioni.

22 MS. MINNICK: Morrioni.

23 MR. ARMSTRONG: I didn't see  
24 one for this.

25 MS. MINNICK: I think I

35

1 have it.

2 Just fill --

3 MR. BRIAN COURTRIGHT: It might

4 have been in that pile that I dropped off the  
5 other day.

6 MS. MINNICK: I don't know.  
7 Just fill it out again, in case.

8 MR. ARMSTRONG: All right. I  
9 didn't see it, so I don't know.

10 MS. MINNICK: That's okay. I  
11 might not have sent it to you.

12 MR. ARMSTRONG: I always get  
13 nervous with time clocks.

14 MS. MINNICK: Brian, if you  
15 could just send those copies over to me  
16 digitally, we'll print them out here.

17 MR. BRIAN COURTRIGHT: Okay.

18 MR. SINCAVAGE: Okay. Next  
19 item on our agenda is approval of the 2015  
20 planning commission meeting schedule. We have  
21 the schedule before us.

22 Does everything look okay with  
23 everyone?

24 MS. LAMBERTON: Yeah.

25 MR. SINCAVAGE: I'll entertain

1 a motion to approve the 2015 meeting schedule as  
2 presented.

3 MS. LAMBERTON: So moved.

4 MR. SINCAVAGE: I have a  
5 motion.

6 Do I have a second to the  
7 motion?

8 MS. BISBING: Second.

9 MR. SINCAVAGE: Motion and  
10 seconded.

11 All those in favor, please say  
12 aye?

13 THE BOARD: Aye.

14 MR. SINCAVAGE: I see we have a  
15 reminder on the workshop by -- I always forget  
16 this guy's name --

17 MS. LAMBERTON: Randall Arendt.

18 MR. SINCAVAGE: -- Randall  
19 Arendt.

20 MS. LAMBERTON: Yes.

21 MR. SINCAVAGE: So I know I'm  
22 attending. Annie's going to be there.

23 MS. RINEHIMER: I'll be there.

24 MR. SINCAVAGE: Joe?

25

MR. MILLER: Probably.

37

1

MR. SINCAVAGE: Michelle?

2

MS. BISBING: I haven't

3

registered yet, but I think I will be.

4

MR. SINCAVAGE: Okay. Great.

5

Yeah, he's definitely worth it and it's great

6

he's coming to Tobyhanna Township. I don't know

7

how you all did that, but that's great.

8

MS. LAMBERTON: I was down at

9

the county planning commission --

10

MS. BISBING: And he's on the

11

planning commission, so that helps, the Monroe

12

County Planning.

13

MS. LAMBERTON: I said, jeez,

14

Christine, it'd be really nice if he came up to

15

Tobyhanna Township.

16

MR. SINCAVAGE: I mean, this is

17

very informative.

18

MS. LAMBERTON: It is. I said

19

with what we have coming our way, we need him to

20

sit down with us, especially coming from Pocono

21

Summit and what we want to do to Blakeslee. And

22 we need to move forward on something.

23 MR. SINCAVAGE: Yes, we do.

24 MS. LAMBERTON: So that's why  
25 he's coming.

38

1 MR. SINCAVAGE: That's great.

2 All right. So that's just a reminder November  
3 18, five to seven. Thank you.

4 MS. MINNICK: Does anybody want  
5 me to register them? I have to call the county  
6 anyway.

7 MS. BISBING: I'll do it  
8 tomorrow.

9 MS. MINNICK: Okay.  
10 You're good?

11 MS. LAMBERTON: I did mine  
12 online.

13 MR. SINCAVAGE: I did mine  
14 online.

15 MS. MINNICK: Okay.

16 MS. LAMBERTON: Shake up the  
17 board. Send the board of supervisors a

18 notification and say you'll register them all.

19 MS. MINNICK: Okay. I can do

20 that.

21 MR. SINCAVAGE: We did the

22 meeting.

23 MS. MINNICK: Oh, okay.

24 MR. SINCAVAGE: We're all

25 registered now.

39

1 MS. MINNICK: Good. Good deal.

2 MR. SINCAVAGE: Except for

3 Michelle.

4 All right. We'll move on.

5 Anything that any of the commission would like to

6 discuss?

7 MS. LAMBERTON: I think we

8 should all have some ideas that we want to throw

9 at this so we get something productive done at

10 the end as we reinvent our corridor.

11 MR. SINCAVAGE: Yeah. I just

12 ask where the money's coming from. That's all

13 I've got to ask.

14 MS. LAMBERTON: I'm working on

15 that.

16 MR. SINCAVAGE: I bet you are.

17 We just need some money.

18 Yes, Pat?

19 MR. ARMSTRONG: I do have one  
20 thing. You guys -- we didn't meet in September  
21 or October; right? The board has on their agenda  
22 for Monday night the public hearing on the  
23 electronic sign ordinance.

24 Did you all get a copy of that  
25 and receive it? Does anyone have any comments on

40

1 that? Pursuant to the MPC, the county and the  
2 township planning commission can comment on it,  
3 if they'd like. I didn't know if anyone had any  
4 comments on the proposed ordinance.

5 MR. SINCAVAGE: It looked okay.

6 MS. LAMBERTON: It's fine.

7 MR. ARMSTRONG: Okay.

8 MR. SINCAVAGE: We did it all  
9 by e-mail.

10 All right. Anything else?



11 MR. ARMSTRONG: We discussed  
12 a lot -- we've discussed a lot tonight with  
13 respect to landscaping and street trees, and the  
14 commission members who were on the commission  
15 from a couple years ago, remember, the draft  
16 zoning and SALDO that you came up with has a list  
17 of approved trees.

18 And, Annie, you're on the  
19 board. And the board has been talking about  
20 getting that back up and scheduling like special  
21 meetings, to potentially move forward and adopt  
22 those ordinances that you guys worked on a few  
23 years ago. I just -- every time a plan comes in  
24 and we're talking informally about it, it would  
25 make more sense to get --

41

1 MS. LAMBERTON: Get it done.

2 MR. ARMSTRONG: The board --  
3 it's on the board's radar, to my understanding --

4 MS. LAMBERTON: Yes.

5 MR. ARMSTRONG: -- because --  
6 I'm not sure, I know we had a -- probably a list  
7 of approved plannings in those ordinances. Just

8 something that came to mind tonight when we were  
9 having that discussion. That's all.

10 MR. SINCAVAGE: Because we had  
11 a landscaper on the board at that time so that  
12 was helpful, but, okay.

13 MR. ARMSTRONG: That's all I  
14 have.

15 MR. SINCAVAGE: Anything else?  
16 We're adjourned.

17 (Meeting concluded at 5:55  
18 p.m.)

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me, to the best of my ability, at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

---

JESSICA L. HOLT, C.R