

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 5, 2015 beginning at 5:30 p.m.

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

ROBERT J. McHALE, Township Engineer

PATRICK M. ARMSTRONG, ESQUIRE  
Solicitor

ALSO PRESENT: Maureen Minnick, Zoning Officer

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Panko Reporting  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

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1 MR. SINCAVAGE: Call the  
2 Tobyhanna Township Planning Commission to order for  
3 February 5, 2015. I would suggest that we dispense  
4 with the appointment of a temporary chair.

5 MS. LAMBERTON: I'll make a  
6 motion that we reappoint everyone in the same  
7 positions as last year.

8 MR. SINCAVAGE: Which would be  
9 myself as chairman, Joe Miller as vice-chairman,  
10 and Annie Lamberton as Secretary.

11 MS. BISBING: I'll second that.

12 MR. SINCAVAGE: I have a  
13 second.

14 All those in favor, please say  
15 aye?

16 BOARD MEMBERS: Aye.

17 MR. SINCAVAGE: Then I will  
18 adjourn the reorganizational meeting and I'll call

19 to order the regularly scheduled meeting of the  
20 planning commission of Tobyhanna Township. I'll  
21 entertain a motion for the November 6, 2014.

22 Was there any corrections or  
23 additions?

24 MS. MINNICK: No corrections.

25 MS. LAMBERTON: I'll make a

3

1 motion to approve.

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

4 MS. RINEHEIMER: Second.

5 MR. SINCAVAGE: Motion and  
6 seconded.

7 All those in favor, say aye?

8 BOARD MEMBERS: Aye.

9 MR. SINCAVAGE: Under new  
10 business, A&C Flooring, there's no one present.  
11 Let's give them -- do we have anything under --  
12 we'll give them a couple of minutes, but is there  
13 anything under Anthony Morrioni?

14 There's nothing under that  
15 either?

16 MS. MINNICK: No.  
17 MS. LAMBERTON: Do we need to  
18 table?  
19 MR. SINCAVAGE: Do we need to  
20 table --  
21 MS. LAMBERTON: Do we need to  
22 do anything with Morrioni or no?  
23 MR. SINCAVAGE: Yeah, do we  
24 need to table Morrioni?  
25 MR. ARMSTRONG: I'm looking at

4

1 Morrioni. My notes indicate conditional approval of  
2 the plan from back in November. Are they still  
3 pending before the planning commission?  
4 MS. MINNICK: There were issues  
5 with them, titles issues, I believe, and deed  
6 issues.  
7 MR. ARMSTRONG: They may be  
8 pending before the board of supervisors, but did  
9 the -- maybe my notes are wrong. I have -- maybe  
10 I'm wrong.  
11 MR. SINCAVAGE: No, I think

12 you're right. We put the conditions on it, we said  
13 we would pass it with these conditions.

14 MS. LAMBERTON: Yeah, I think  
15 we did too.

16 MR. ARMSTRONG: What I'll do  
17 is, I'll double-check and if the planning  
18 commission made a recommendation it could still be  
19 pending before the board of supervisors. I'm not  
20 sure, but I'll double-check to see. I would hold  
21 off on, you know, taking any action.

22 MS. LAMBERTON: Okay.

23 MR. ARMSTRONG: I mean, if  
24 they're still before you, they'll still be before  
25 you; but if they're not, they're not.

5

1 Those are my notes from No --  
2 Maureen, looks like November -- November 6.

3 MS. MINNICK: I have the minutes  
4 right here.

5 (Discussion off the record.)

6 MS. MINNICK: Pat, I don't think  
7 so.

8 MR. ARMSTRONG: Yeah, I'm

9 looking at the min -- the minutes is what you sent  
10 out in an email, right?

11 MS. MINNICK: Yeah.

12 MR. ARMSTRONG: There's the  
13 Blakeslee Home Improvement.

14 MS. MINNICK: There was  
15 Blakeslee Home Improvement and then we talked about  
16 -- I don't even think we discussed Morroni. I just  
17 said that we had a time waiver for that.

18 MR. ARMSTRONG: I'm thinking  
19 this is --

20 THE REPORTER: Are we still on  
21 the record? Off the record?

22 MR. SINCAVAGE: No, we're off.  
23 (Discussion off the record.)

24 MR. ARMSTRONG: Looks like  
25 after reviewing the minutes, Blakeslee Home

6

1 Improvement was the one -- was the plan that  
2 received recommendation from the planning  
3 commission.

4 MS. LAMBERTON: Okay.

5 MR. ARMSTRONG: Morrioni still  
6 is before the planning commission. What was  
7 discussed was whether or not there was a time  
8 extension at that point in time. So it is still  
9 pending before the planning commission.

10 MR. SINCAVAGE: Then I'll  
11 entertain a motion to table the minor subdivision  
12 of Anthony Morrioni.

13 MS. BISBING: I'll make that  
14 motion.

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

17 MS. LAMBERTON: Second.

18 MR. SINCAVAGE: Motion and  
19 second.

20 All in favor, please say aye?

21 BOARD MEMBERS: Aye.

22 MR. SINCAVAGE: All right. Mr.  
23 Niclaus.

24 MR. CHUCK NICLAUS: Good  
25 evening.

7

1 MR. SINCAVAGE: Good evening.

2 THE REPORTER: Can you just  
3 state --

4 MR. CHUCK NICLAUS: I'm Chuck  
5 Niclaus, from Niclaus Engineering. I'm expecting  
6 Cindy Hineline here who's the business manager over  
7 the business.

8 MS. LAMBERTON: We were -- Mark  
9 was holding off to see if maybe you guys were on  
10 your way.

11 MR. CHUCK NICLAUS: She knew it  
12 was at 5:30, just talked an hour ago. So I expect  
13 her any minute.

14 MR. SINCAVAGE: Do you want to  
15 get started? You're our only item.

16 MR. CHUCK NICLAUS: Sure.

17 MR. SINCAVAGE: We finished up  
18 the rest of it.

19 MS. LAMBERTON: We saved the  
20 whole night for you, Chuck.

21 MR. CHUCK NICLAUS: They have a  
22 pretty low-key operation out there, A&C Flooring.  
23 Any questions on the operation, specifically, I  
24 will leave to her; but it's mostly just the  
25 warehouse, very little office space.



1                   The -- I think it's around 8,000  
2 square foot and they're looking to put up  
3 approximately 8,000 square foot of additional  
4 storage in a separate building, same lot, directly  
5 adjacent to the existing parking lot that's out  
6 there. There's no new employees proposed. There's  
7 an on-site well that's hooked up to the central  
8 sewer, but it's pretty low use with only five  
9 employees, I believe. So there's not a whole lot  
10 of utility use coming out of it.

11                   We proposed self-contained  
12 system, an infiltration trench, take the roof  
13 leaders, put them right into that trench and took  
14 the predevelopment and post-development right from  
15 that section of area. And there is an existing  
16 swale out in the back that takes the runoff from  
17 Route 80 and brings it around to the side of the  
18 lot and it eventually goes under Commercial  
19 Boulevard. So there shouldn't be any impact at  
20 all. Everything is going directly into that  
21 infiltration trench.

22                   Other than that, there's no

23 changes to the driveway. It's just the building  
24 the -- most of the lot looks to be disturbed. It's  
25 surrounded by a road that was built for the

9

1 subdivision, the original road that came up and  
2 accessed the building. No changes have been made  
3 since the present occupants/owners Trios/A&C  
4 Flooring have been in there. It's the same  
5 building, this is the first expansion they're  
6 doing.

7 Other than that, I mean, we've  
8 submitted to the county planning commission, got  
9 the comments back yesterday. Conservation district  
10 reviewed it, it's adequate; but I have to give them  
11 the -- you know, the -- the final plans so they can  
12 process them. I just got to wait to see if there's  
13 any minor revisions. I know there was a couple  
14 minor comments on the stormwater where I'm changing  
15 the detail by a couple of tenths. So after I make  
16 those, then I'll submit those as the formal copies,  
17 but pretty much it's straightforward and ready to  
18 go.

19 Not too much outside agency

20 input, the -- 'cause just the 8,000 square foot,  
21 the total disturbance, I think, is under 20,000  
22 square foot, it's not much going on. The only  
23 utility's going to be the electric and that's  
24 running over from the existing building off the  
25 same service, as far as I know.

10

1 MR. SINCAVAGE: Did you receive  
2 the township engineer letter of February 4?

3 MR. CHUCK NICLAUS: Yes, I did.

4 MR. McHALE: Mark, if I --  
5 should I interject just of a couple things just  
6 roughly here?

7 MR. SINCAVAGE: Yep.

8 MR. McHALE: The declaration of  
9 covenants, conditions and restrictions, we obtained  
10 a copy and I forwarded it to you, Chuck.

11 MR. CHUCK NICLAUS: Okay.

12 MR. McHALE: I don't know if  
13 you had a chance to look at it today or not, but  
14 there's a couple items in there that need to be  
15 addressed on the plan; and make reference to this

16 document because it was recorded, looks like,  
17 February 26 of 1999. The setbacks are more  
18 stringent in this document than the township's  
19 requirements --

20 MR. CHUCK NICLAUS: Correct.

21 MR. McHALE: -- so those should  
22 be shown on there.

23 MR. CHUCK NICLAUS: Yeah.

24 Right now what I did was, I actually had a chance  
25 to do some of the revisions that were in your

11

1 letter in preparation for tonight. I can bring  
2 those out.

3 MR. McHALE: Okay. Well, I  
4 just wanted to cover kind of the main items are  
5 basically that document. And then really lighting,  
6 paving and landscaping are really the three items  
7 that I thought would be appropriate to talk about  
8 tonight.

9 MR. CHUCK NICLAUS: Right.

10 MR. McHALE: One of the things  
11 in the ordinance is that for any of the parking  
12 areas, driveways and such, they're supposed to be

13 paved. And rather than maybe paving the entire  
14 graveled area that's out there right now, maybe you  
15 could -- planning commission could look at this and  
16 say there's a provision in the zoning under the  
17 parking section that allows a waiver, if you will,  
18 for smaller projects, less than 280T, I believe it  
19 is, to where they wouldn't necessarily have to be  
20 paved; but there are areas like maybe the drive  
21 access and up to where the parking is that should  
22 be paved, proper lighting, and then leave the other  
23 area alongside the buildings as turnaround and  
24 leave those gravel.

25 MS. LAMBERTON: So our --

12

1 MR. McHALE: Landscaping -- I'm  
2 sorry.

3 MS. LAMBERTON: Our ordinance  
4 requires it, but we can waive certain areas --

5 MR. McHALE: You can waive --

6 MS. LAMBERTON: -- as long as  
7 it meets whatever --

8 MR. McHALE: -- the surface

9 requirements --

10 MS. LAMBERTON: -- the  
11 restriction is?

12 MR. McHALE: -- right. You can  
13 waive and naturally provide a reduction in the  
14 spaces, which I don't think is necessary; but you  
15 could -- you can waive the surface treatment  
16 requirement rather than the typical cross section  
17 that's requested -- or not requested, but required  
18 in the zoning.

19 Lighting, the area at least  
20 coming in the driveway to the parking area should  
21 be properly lit according to the ordinance, which  
22 is like three-quarters of a foot candle average and  
23 no more than a half foot candle over the property  
24 lines. There are a couple, what appears to be,  
25 maybe floodlights on the existing building and I

13

1 think they're trying to emulate something similar  
2 to that on the new building. But there's quite a  
3 bit of area out there that employees are going to  
4 be driving in and out of that basically have no  
5 lighting.



2 be put in there that -- just like we did over  
3 Venezia for their trailer parking, that in the  
4 future if the township decides that it's a nuisance  
5 and there's dust being created and things like  
6 that, that maybe the rest or a portion of it should  
7 be paved. You know, there's those type of things  
8 that should be taken into account.

9                                   Landscaping, we've asked people  
10 -- I know this is a private road, but we have asked  
11 in the past that they plant some street trees. And  
12 I think there's actually a provision in these  
13 declaration where it speaks to the owner of the  
14 property submitting a landscape plan to S.I.D.E.  
15 Corporation to review, as well as building  
16 elevations. And actually S.I.D.E. Corporation is  
17 supposed to review and approve the building that's  
18 actually going to be placed on the property. And  
19 that's -- that's what I was reading out of that.

20                                   MS. LAMBERTON: That's their  
21 deed and restrictions, though, that is --

22                                   MR. McHALE: Right. And in  
23 addition, like the side yard setbacks, it's 15 feet  
24 per our ordinance but it's 25 in the declaration of  
25 covenants, conditions and restrictions. Rear



1 setback is only 25 for us, but, again, the CCR says  
2 50 feet. The building is far enough away to  
3 accommodate that, but it still needs to be shown  
4 and reflected that those are the setbacks required  
5 by this ordinance.

6 MS. LAMBERTON: So really it's  
7 just notes on the plan that need to be updated?

8 MR. McHALE: Mostly this is  
9 just, you know, notes and -- the biggest items are  
10 going to be the lighting, how much to pave, I  
11 think, and granting, you know, kind of quasi-waiver  
12 with the stipulation that in the future -- again,  
13 if there's a nuisance created by the gravel lot  
14 that, you know, be considered.

15 MS. LAMBERTON: If you see like  
16 puffs of smoke coming off of 80. I understand  
17 that, but --

18 MR. McHALE: Those parking  
19 spaces also there -- it looks like there might have  
20 been a loading space over there before and by  
21 putting the parking spaces there, it looks like the  
22 loading spaces placed on the east side of the  
23 building, which --

24 MR. CHUCK NICLAUS: Yeah. They  
25 told me their loading space was on the side where I

16

1 showed, but I mean --

2 Cindy? Cindy, come on up.

3 MR. SINCAVAGE: Can you state  
4 your name for the record, please?

5 MS. CINDY HINELINE: Cindy  
6 Hinline, for Trios.

7 THE REPORTER: Can you spell  
8 your name?

9 MS. CINDY HINELINE:  
10 H-i-n-e-l-i-n-e.

11 THE REPORTER: Thank you.

12 MR. CHUCK NICLAUS: Okay. We  
13 were just getting into the operations of it.  
14 Question came up about the loading area. When I  
15 talked to Carl, he told me that this door was  
16 basically the loading area. Someone was asking  
17 about a loading area.

18 MR. SINCAVAGE: There's a  
19 loading dock shown at the front of the building.

20 MS. CINDY HINELINE: Yeah, this  
21 is our existing plan. There is a loading dock  
22 there that we don't currently use. We load all of  
23 our trucks on this side here.

24 MR. SINCAVAGE: Right. All of  
25 the loading is being done from the front of the

17

1 building? There's a loading dock right in this  
2 area, Chuck, that needs to be illuminated and this  
3 used as the loading area?

4 MR. McHALE: If the loading  
5 dock is going to be used on the north face of the  
6 building, then you can't put the parking there  
7 'cause it's going to conflict with the parking.

8 MS. LAMBERTON: Where do they  
9 park now?

10 MR. SINCAVAGE: They park at  
11 the front of the building.

12 MS. LAMBERTON: With the  
13 loading dock?

14 MR. SINCAVAGE: With the  
15 loading dock.

16 MR. CHUCK NICLAUS: But that is

17 not --

18 MR. McHALE: That shows, I  
19 think, spaces all the way across.

20 MR. SINCAVAGE: Yeah. This is  
21 incorrect. I don't know if you actually did a  
22 survey of it?

23 MR. CHUCK NICLAUS: My surveyor  
24 was out there, but that's the sketch I got back, so  
25 I'm not sure.

18

1 MR. SINCAVAGE: Yeah. There's  
2 a loading dock in here.

3 MR. CHUCK NICLAUS: Okay.

4 MR. SINCAVAGE: That needs to  
5 be illuminated and this paving, you know, done  
6 adequately for the employee parking. That's what  
7 we're saying, we have to discuss that, but I mean  
8 that's what we're talking about right now.

9 MR. CHUCK NICLAUS: Sure.

10 MS. CINDY HINELINE: Right now  
11 we have a tractor-trailer backed in there.

12 MR. SINCAVAGE: Right.

13 MS. CINDY HINELINE: We have to  
14 get rid of it?

15 MR. SINCAVAGE: I would assume  
16 that's why you're cleaning up the storage building,  
17 'cause I would assume you use it --

18 MS. CINDY HINELINE: The  
19 tractor-trailer we use for the recycle pad. We put  
20 the recycle pad in there so that we can just send  
21 it back to the company.

22 MR. McHALE: Well, then the  
23 parking would have to move if you're going to use  
24 that loading space.

25 MR. SINCAVAGE: Then you need

19

1 to show that loading space and then that would have  
2 to be paved, I'm thinking, 'cause it's in front of  
3 the building.

4 MR. CHUCK NICLAUS: Then show  
5 that we'll have parking spaces elsewhere.

6 MS. LAMBERTON: What he said,  
7 Bob, just move the parking spaces around the corner  
8 or whatever.

9 MR. McHALE: Yeah, 'cause it's

10 for -- I think there's five employees and they need  
11 five parking spaces, that's it.

12 MS. LAMBERTON: Okay.

13 MR. McHALE: I think it's one  
14 per employee for that.

15 MR. CHUCK NICLAUS: Okay. So  
16 we'll revise that up.

17 MR. ARMSTRONG: Where would --

18 MR. McHALE: Then we're going  
19 to need lighting from the edge of the property line  
20 to wherever the parking ends and the drive that  
21 leads to and from that parking to the zoning  
22 required standards. And then that area along the  
23 east side that Mark's pointing to right now is what  
24 I was talking about as possibly, you know, just  
25 foregoing any requirement for paving at this point

20

1 in time, but put some notes on the plans or in the  
2 development agreement that states that in the  
3 future if --

4 MS. LAMBERTON: Yeah, 'cause  
5 that -- it explains they don't need to include it

6 right now, I agree.

7 MR. McHALE: Exactly. We did  
8 that for Venezia, as you recall, for the trailer  
9 parking area.

10 MR. ARMSTRONG: So just -- so  
11 just so I'm clear, there's a loading dock here  
12 right now, right in the front?

13 MS. LAMBERTON: Existing,  
14 right.

15 MR. SINCAVAGE: I have  
16 pictures.

17 MR. McHALE: It's not shown on  
18 that drawing because there's five parking spaces on  
19 the north side.

20 MR. SINCAVAGE: This is the  
21 loading dock she's talking about the trailer's  
22 parked into.

23 MR. ARMSTRONG: Okay. What I'm  
24 getting from the commission and maybe what you're  
25 agreeable to is keeping that loading dock there;

21

1 however, adequately paving it pursuant to the  
2 ordinance and flipping that proposed parking spaces

3 to a different location.

4 Do we know where you'd flip  
5 them?

6 MR. CHUCK NICLAUS: You leave  
7 it right at about the corner of the building, move  
8 it right here.

9 MR. McHALE: You could just put  
10 two on the side and three in the front, vice-versa,  
11 whatever you want.

12 MS. CINDY HINELINE: I can't do  
13 that either. I have a carpet recycle truck that I  
14 park on this side of the road. I mean, I guess I  
15 could move that over once the new building is up.

16 MR. CHUCK NICLAUS: Where would  
17 five cars park?

18 MS. CINDY HINELINE: Well, if --  
19 'cause this is going to be our proposed building, I  
20 could put parking over here and parking here.

21 MR. McHALE: But the farther  
22 you put the parking away from the road, the more  
23 you're going to be paving because the ordinance  
24 says --

25 MS. LAMBERTON: Yeah, we're



1 trying to save you that.

2 MR. McHALE: -- you got to pave  
3 the parking and driving.

4 MR. CHUCK NICLAUS: I mean, you  
5 have a lot of area here, is there any place in --

6 MR. SINCAVAGE: This could be  
7 squared out.

8 MS. CINDY HINELINE: I could do  
9 that.

10 MS. LAMBERTON: There you go.

11 MR. CHUCK NICLAUS: So keep the  
12 ADA space right by your door, which you need, then  
13 we'll make the other parking spaces across.

14 MS. CINDY HINELINE: We're going  
15 to have to eliminate this one and make them over  
16 here.

17 MR. McHALE: And then --

18 MR. SINCAVAGE: Wait. I want  
19 to go back do this loading dock. I don't think  
20 you're going to be able to foot -- show the turning  
21 to get that in here on this site.

22 MR. CHUCK NICLAUS: Do you  
23 currently maneuver in the parking lot, back into

24 that spot?

25 MS. CINDY HINELINE: I think

23

1 what they do is, is they kind go up here somewhere,  
2 they turn around, come back down and then they back  
3 in.

4 MR. McHALE: They really  
5 shouldn't be backing off of the roadway because in  
6 the future, which probably in the near future,  
7 there's going to be a lot of large scale  
8 development going on in Lots 100 and 110. And if  
9 the warehouse distribution facility that has come  
10 before the board, that they've already approved  
11 preliminarily, once that moves forward, you're  
12 going to have 1.2 million square feet of  
13 warehousing back there and another 600,000 on the  
14 other lot.

15 So a lot more truck traffic's  
16 going to be coming in and out of there and you  
17 really -- our ordinance, if it was our street or  
18 such, you wouldn't be able to back off of the  
19 highway -- or the roadway into the --

20 MS. CINDY HINELINE: If we

21 square off more, 'cause we do have this, would it  
22 make the room for the truck to do that?

23 MR. SINCAVAGE: Yes, yes. If  
24 you use -- if you squared this off here, Bob -- I  
25 think I'm correct, you're the engineer, I'm not an

24

1 engineer, but I think if she squared this off like  
2 this, then they would have adequate space to come  
3 in --

4 MR. CHUCK NICLAUS: And back  
5 up.

6 MR. SINCAVAGE: -- and back in.  
7 I don't know, you'd have to check that square --

8 MR. CHUCK NICLAUS: What size  
9 truck?

10 MS. CINDY HINELINE: It's a 50  
11 foot --

12 MR. CHUCK NICLAUS: Regular  
13 tractor-trailer?

14 MS. CINDY HINELINE: Yeah.

15 MR. SINCAVAGE: You'd have to  
16 check that swing there to see if --

17 MR. McHALE: That's a blind  
18 side backup for the tractor-trailer rig. If he  
19 comes in that other access, noses up to the edge of  
20 the property or goes left and then backs in, that's  
21 his good side that he's --

22 MR. SINCAVAGE: This could be  
23 the -- to swing.

24 MR. CHUCK NICLAUS: Yep. You  
25 can't stop in the road and do your turning

25

1 movements. If you can keep it all on your  
2 property, that would probably work.

3 MR. SINCAVAGE: So this might  
4 have to get squared up across there.

5 MR. McHALE: There you go,  
6 that's what I was going to say.

7 MS. LAMBERTON: Does that mean  
8 that they would have to pave that?

9 MS. CINDY HINELINE: Just have  
10 to watch, here is the septic.

11 MR. SINCAVAGE: Yeah, but  
12 that's deep enough. It's deep, it's adequate. I  
13 mean, you're not -- your loading dock isn't -- you

14 have a flat area here.

15 MS. CINDY HINELINE: Well, the  
16 flat area right at the corner, the flat area is the  
17 septic.

18 MR. SINCAVAGE: Right. Yeah,  
19 but it's deep. You know what I'm saying? You  
20 might want to look at squaring this up here. This  
21 is going to have to be paved here across the front.  
22 And then -- you know, then you might have to square  
23 this area out too to get this --

24 MR. CHUCK NICLAUS: Is the  
25 loading dock here?

26

1 MR. SINCAVAGE: It's right  
2 here. It's right on the corner of the building.

3 MR. CHUCK NICLAUS: It's right  
4 on the corner.

5 (Inaudible discussion.)

6 MR. SINCAVAGE: That's what I  
7 was asking because they also didn't locate the old  
8 sign, which has to be shown, according to the  
9 ordinance. I mean, if you're going to use that

10 sign, that's fine, but if you're not --

11 MS. CINDY HINELINE: No, I plan  
12 on putting that back up.

13 MR. McHALE: That should be  
14 shown on the plan also.

15 MR. CHUCK NICLAUS: Put on the  
16 plan, the size, right? I saw that comment.

17 MR. SINCAVAGE: Yeah. That's  
18 need to be shown and the commission has been going  
19 to monument signs. So it needs to be converted to  
20 a monument sign, right? I mean, that's --

21 MS. LAMBERTON: Yeah, that's  
22 actually what the proposed visual will be for the  
23 township out in the -- it will be nicer.

24 MR. SINCAVAGE: I mean, it can  
25 stay in there, but it just has to be a monument.

27

1 It's -- a monument sign is like the hotel.

2 MR. McHALE: Dollar General.

3 MR. SINCAVAGE: Dollar General  
4 has it, they're down to the ground.

5 MS. LAMBERTON: They're just  
6 lower.

7 MS. CINDY HINELINE: Like  
8 Dairy, the Dairy just put --

9 MR. SINCAVAGE: Theirs is more  
10 of a monument sign, but theirs isn't low enough.  
11 You know the Best Western sign?

12 MS. CINDY HINELINE: Yeah.

13 MR. SINCAVAGE: That's a  
14 monument sign, it's right to the ground.

15 MS. LAMBERTON: First National.

16 MR. CHUCK NICLAUS: So if you  
17 have a 10 foot by 10 foot sign and it's up here,  
18 can you just fill in the bottom and have extra  
19 space or does that have to now get shorter?

20 MR. ARMSTRONG: I think what  
21 the commission is --

22 MS. MINNICK: The sign's  
23 already there, it's preexisting.

24 MR. SINCAVAGE: There's no sign  
25 there.

28

1 MR. McHALE: The frame is  
2 there.

3 MS. MINNICK: The frame is  
4 there. We've had that happen before and it's just  
5 a replacement.

6 MR. SINCAVAGE: Yeah, but for  
7 this --

8 MS. MINNICK: That's entirely  
9 up to you, but --

10 MR. SINCAVAGE: Right, but it's  
11 a new land development plan. I would want to see  
12 it as a monument with the rest of the commission  
13 because that's the way we've been asking everybody  
14 else to do. So I want to keep in uniform.

15 MS. CINDY HINELINE: So  
16 basically I just move my sign down here versus up  
17 top?

18 MR. SINCAVAGE: And you finish  
19 off the bottom and it needs to be landscaped.

20 MS. CINDY HINELINE: Okay.  
21 Like a flower bed.

22 MR. SINCAVAGE: Yeah -- well,  
23 not so much a flower bed. I mean, it be more  
24 landscaping across the front there. Chuck can take  
25 a look at that for you. I think that would be



1     adequate --

2                     MS. LAMBERTON:    The ordinance  
3     does require a certain amount of plantings, just --

4                     MR. CHUCK NICLAUS:   Where do I  
5     find that?  I did look, it's unclear --

6                     MR. McHALE:     It's really left  
7     between you and the planning commission to talk  
8     through.  There's no specific like number of trees  
9     and number of shrubs.

10                    MS. LAMBERTON:    Yeah, but in  
11    our land development don't we have landscaping  
12    and --

13                    MR. SINCAVAGE:    It just says we  
14    can require landscaping.

15                    MR. McHALE:     We speak to street  
16    trees and other landscaping.

17                    MR. ARMSTRONG:    Yeah, we've  
18    talked a lot about specific types of trees, but  
19    that was -- that's in a proposed --

20                    MS. LAMBERTON:    Okay.

21                    MR. McHALE:     According to the  
22    --

23                    MS. LAMBERTON:    That's why you  
24    didn't find it.

25

MR. CHUCK NICLAUS: They're

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1 adjacent to a residential area, there's all kinds  
2 of requirements and a buffer has to be designated,  
3 but I was having trouble finding --

4 MS. LAMBERTON: That's okay. I  
5 understand what you're saying.

6 MR. SINCAVAGE: What we're  
7 looking for, Chuck, is -- well --

8 MR. McHALE: According to this  
9 document here, you're supposed to submit a  
10 landscape plan to S.I.D.E. Corporation for their  
11 review and approval.

12 MR. CHUCK NICLAUS: Okay.

13 MR. SINCAVAGE: So I mean, that  
14 will cover what the commission is asking for here.

15 One of my big questions for you,  
16 though, and, Cindy, this is probably for you: Why  
17 did you orient the building this way? Is there a  
18 reason? Why would you orient the building to be --  
19 line up to front of this building?

20 MS. CINDY HINELINE: Because

21 when the tractors come in to load, I didn't want  
22 them to be too close to either building, 'cause  
23 they got to back in to unload the carpet. So I  
24 thought if we put them too close together, that  
25 might cause problems.

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1 MR. SINCAVAGE: Is it an  
2 adequate area --

3 MS. LAMBERTON: There's now  
4 traffic internally to --

5 MS. CINDY HINELINE: -- the  
6 kind of carpets --

7 MR. CHUCK NICLAUS: That was  
8 just for a single unit truck.

9 MR. SINCAVAGE: This is, this  
10 isn't for a tractor-trailer?

11 MR. CHUCK NICLAUS: Correct.

12 MR. SINCAVAGE: Why couldn't  
13 the building be a little bit oriented over this way  
14 more?

15 MR. CHUCK NICLAUS: Carl told  
16 me to stick it as far back as possible.

17 MS. CINDY HINELINE: 'Cause we

18 didn't want to mess with this.

19 MR. CHUCK NICLAUS: He actually  
20 laid it out where he wanted it.

21 MS. CINDY HINELINE: Yeah,  
22 'cause we didn't want to disturb the recycle --

23 MR. CHUCK NICLAUS: Located  
24 where he wanted it --

25 MR. SINCAVAGE: Yeah, yeah, you

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1 wouldn't be. I mean, if you oriented the building  
2 up in the front here, like this way so that there's  
3 a line across the front, and then this would be  
4 paving in here, 'cause this -- I mean, not paved,  
5 but just parking in here, that should be adequate  
6 for tractor-trailer turning. To me this looks more  
7 random.

8 MS. CINDY HINELINE: I have no  
9 problems with it, but I just have to check with  
10 Trios.

11 MR. SINCAVAGE: I understand,  
12 but you have to submit the plan to us. We can  
13 determine the orientation of the building.

14 MR. McHALE: That landscape  
15 plan is Section 6.04 and there's a copy if you'd  
16 like, of the declaration. And the setbacks are  
17 Section 5.12. I was just mentioning it for the  
18 record and the written approval from S.I.D.E. is  
19 Section 5.03.

20 MR. SINCAVAGE: I would like to  
21 take a --

22 MS. LAMBERTON: Just so you  
23 know what you're doing.

24 MR. SINCAVAGE: I would like to  
25 take a closer look at that, but that's probably

33

1 between S.I.D.E. and us (inaudible), but I would  
2 like to look at that. I wouldn't understand why  
3 you want that. I would rather it up here, so that  
4 it lines up in the front, sort of getting a line  
5 up. Okay? All right.

6 MR. ARMSTRONG: Well, given the  
7 apparent need for some revisions to the plan, I  
8 mean, I'll ask the applicant --

9 Would you rather go back, maybe  
10 have your meeting with S.I.D.E or if you're going

11 to reorient the layout of the building, reorient  
12 it, figure out the paving, figure out the dock and  
13 the parking; and maybe when you have all that  
14 finalized, maybe then resubmit for the planning  
15 commission to make the final recommendation to the  
16 board, rather than -- I don't know if -- a lot of  
17 this I think hinges on -- I mean, I don't know if  
18 there's any finality right now as to -- the  
19 discussion I just overheard, as to how this plan is  
20 going to end up.

21 Right?

22 MR. CHUCK NICLAUS: Right. If  
23 the building orientation changes, that's kind of a  
24 major item.

25 MR. ARMSTRONG: So I don't know

34

1 if the planning commission would be in a position  
2 tonight to make a recommendation until we know --

3 MR. CHUCK NICLAUS: How quickly  
4 can you meet with Carl or whoever?

5 MR. SINCAVAGE: I can meet next  
6 week.

7 MS. LAMBERTON: Then you need  
8 to talk to your folks too see what --

9 MS. CINDY HINELINE: It's Carl.

10 MS. LAMBERTON: I didn't  
11 realize that. I'm sorry.

12 MR. CHUCK NICLAUS: Yeah, they  
13 were going to ask for waivers when I talked to  
14 Carl.

15 MR. McHALE: 'Cause this  
16 declaration does include everything from  
17 elevations, plan, design, colors and location. So  
18 I mean, it covers pretty much how it's going to be  
19 positioned and what is going to be on it.

20 MS. LAMBERTON: Oh, okay, and  
21 that wasn't a document that we had for you to --  
22 use to draw this.

23 MR. ARMSTRONG: No, that's  
24 actually a document between the owners and S.I.D.E.  
25 Corporation.

35

1 MS. LAMBERTON: Okay.

2 MR. ARMSTRONG: So probably the  
3 best way to handle this is, get together with

4 S.I.D.E., make sure all of you are on the same page  
5 and then come back to the planning commission with  
6 a revised plan that's satisfactory to S.I.D.E.  
7 because a lot of it's going to be governed by  
8 S.I.D.E., from what I'm gathering.

9 MR. CHUCK NICLAUS: I have one  
10 request. If we have to move the building, my  
11 stormwater system is directly alongside of it.  
12 Doesn't really matter, if you move the building,  
13 whether it goes to another side; but the conditions  
14 are frozen and they might not improve in a month.  
15 And they're kind of in a tighter time line than  
16 that. My infiltration results are very slow,  
17 they're .01 CFS is going into the ground, which is  
18 -- it's nothing in the drainage requirement.

19 All I would ask is that the --  
20 the infiltration test passed, flow was okay, but  
21 very slow. I'd ask that I'd be able to just use  
22 the same test without having to redo them for time  
23 sake.

24 MR. McHALE: I think that's  
25 mentioned on there, most of the site was a fill



1 site?

2 MR. CHUCK NICLAUS: Yeah.

3 MR. McHALE: So you probably  
4 have fairly consistent materials even if -- and  
5 you're only moving it probably --

6 MR. CHUCK NICLAUS: It's not  
7 going to affect the size of the stone --

8 MR. McHALE: -- 1500 feet.

9 MR. CHUCK NICLAUS: -- or  
10 anything else. The point I want to see if that  
11 does literally nothing because that happens -- the  
12 storm comes so quick and, you know, it gets dragged  
13 out over a long period of time, the point I want to  
14 see, the test does nothing.

15 MS. LAMBERTON: I don't want to  
16 do anything to hold them up, I know what that's  
17 like.

18 MR. CHUCK NICLAUS: I think  
19 that would be the only time consuming thing. I'll  
20 have to talk to Carl about --

21 MS. LAMBERTON: Bob, does that  
22 make sense to you?

23 MR. McHALE: Oh, yeah.

24 MS. LAMBERTON: I don't have a

25 problem with that, if they move forward, absolutely

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1 not at all.

2 MR. McHALE: 'Cause it's so  
3 negligible that, you know --

4 MS. CINDY HINELINE: I mean --

5 MR. McHALE: Some can  
6 infiltrate -- 'cause they're Type D soils, which is  
7 the worst to have for infiltration, and it's not  
8 going to impact anything major.

9 MR. CHUCK NICLAUS: Now, what  
10 I've done on other plans and what I propose to do  
11 here is, when there's two different sets of  
12 requirements, ordinance requirements are more  
13 restrictive, I'm just going to put down both on the  
14 plan.

15 MR. McHALE: Yes, that would be  
16 fine, and to note which are which.

17 MR. CHUCK NICLAUS: Yeah.

18 MR. McHALE: Correct.

19 MR. SINCAVAGE: But the  
20 setbacks don't affect your plan.

21 MR. CHUCK NICLAUS: No. No,

22 the setbacks are all fine. It's just a matter of  
23 showing the two, where they differ.

24 MR. SINCAVAGE: Then address  
25 the other items in this letter to the township.

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1 MR. McHALE: And make reference  
2 to this on the plans.

3 MR. CHUCK NICLAUS: Now, the  
4 one thing we were planning on putting modification  
5 requests in was, there was several comments --

6 MR. SINCAVAGE: The waivers?

7 MR. CHUCK NICLAUS: -- on --  
8 yeah -- things within 500 feet.

9 MR. McHALE: The SALDO items,  
10 yes, you can just put those on the plans.

11 MR. CHUCK NICLAUS: I do have  
12 --

13 MR. ARMSTRONG: You mean the  
14 actual sections?

15 MR. CHUCK NICLAUS: We need a  
16 written request, that's what I think is -- I do  
17 have multiple copies of the format of the letter,

18 even though the letter's going to have to change.

19 MR. McHALE: This is good.

20 MR. CHUCK NICLAUS: The paving  
21 portion would be modified just to be the one that's  
22 -- it would just apply to the area where it's not  
23 the parking. Basically, if the area out front  
24 could be paved, we'd put in a waiver request on the  
25 remainder.

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1 MS. LAMBERTON: Yeah. I don't  
2 have an issue with that at all. It's a substantial  
3 amount --

4 MR. SINCAVAGE: That's fine.

5 MR. CHUCK NICLAUS: Carl said  
6 that's a big part of the budget --

7 MS. LAMBERTON: That's a deal  
8 breaker, absolutely, I understand.

9 MR. CHUCK NICLAUS: -- if he  
10 had to do that entire area that's shown.

11 MS. LAMBERTON: We were just  
12 talking about that earlier too.

13 MR. CHUCK NICLAUS: We would  
14 dress it up, make the driveway -- and I mean, for

15 --

16 MS. LAMBERTON: I don't have a  
17 problem with that.

18 MR. CHUCK NICLAUS: --  
19 longevity and maintenance and everything else and  
20 make it a lot better and it'll hold up better too.

21 MR. McHALE: Pretty much from  
22 the north face of the building out to the roadway.

23 MR. SINCAVAGE: So it'd be  
24 right across that squaring this off, right?

25 MR. CHUCK NICLAUS: Yes.

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1 MR. SINCAVAGE: In terms of the  
2 number of parking spaces, I know you said you have  
3 five employees; but I know you get a whole bunch of  
4 cars in there sometimes and trucks and vans.

5 MS. CINDY HINELINE: Well, the  
6 vans are there in the morning loading up the  
7 carpet.

8 MR. SINCAVAGE: Right.

9 MS. CINDY HINELINE: I have two  
10 company cars and a van -- well, I have two vans and

11 two cars that are owned by the company, they stay  
12 parked there.

13 MR. SINCAVAGE: Right. So you  
14 get pretty jammed up there in the front. I mean,  
15 there was cars --

16 MS. CINDY HINELINE: That's why  
17 we have parking by both.

18 MR. SINCAVAGE: Right, but I'm  
19 wondering if five spaces are going to be adequate.

20 MR. McHALE: The five is just  
21 the requirement by the zoning ordinance and then  
22 anything beyond that, you all figure out where's  
23 going to best to locate --

24 MR. CHUCK NICLAUS: Take the  
25 plan, go over it with Carl and mark up for me where

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1 these things are.

2 MS. CINDY HINELINE: We have  
3 four vehicles of our own in-house.

4 MR. SINCAVAGE: Once you square  
5 this up here, 'cause that's what the commission's  
6 is asking for, you're going to have adequate area  
7 for parking.

8 MR. CHUCK NICLAUS: There's no  
9 problem with finding the area, it's just --

10 MR. SINCAVAGE: Then you'd  
11 designate if that should be paved.

12 MS. LAMBERTON: -- additional  
13 paving too.

14 MR. SINCAVAGE: Right. So  
15 maybe, you know, set up the meeting, you know, with  
16 Carl and let me know when we'll set up that  
17 meeting.

18 Chuck, if you could be there,  
19 but that's up to you, but I think Chuck should be  
20 there so he can follow through with everything.

21 MR. CHUCK NICLAUS: Got to get  
22 the plan right.

23 MS. LAMBERTON: It's not that  
24 it's not right, it's just that you may get some  
25 other ideas because of the deed restrictions on

42

1 the --

2 MR. McHALE: And from --  
3 wherever the areas that are paved should be

4 properly lit according to ordinance too.

5 MS. LAMBERTON: Keep it small  
6 so it doesn't cost you much.

7 MR. SINCAVAGE: We're trying to  
8 keep it small. If you want to light the sign too,  
9 that's a consideration while you're doing that too,  
10 you can have the electric done. That's one other  
11 thing, the electric for the service here has to be  
12 underground, so you're going to have to show that.

13 MR. CHUCK NICLAUS: Do you know  
14 how the electric's being run? That was one of the  
15 questions I had that did not get answered.

16 MS. CINDY HINELINE: I think we  
17 were going to go underground, 'cause with the  
18 tractor-trailer --

19 MR. SINCAVAGE: It has to be  
20 shown. It has to be shown.

21 MS. CINDY HINELINE:  
22 Underground. I'm not an electrician, I don't know.

23 MR. SINCAVAGE: Well, it has to  
24 be underground to be covered.

25 MS. LAMBERTON: You will cover



1 that in your meeting on Tuesday, at 9 a.m.

2 MR. SINCAVAGE: No, not Tuesday  
3 at 9 a.m., but sometime.

4 MS. LAMBERTON: I'll make the  
5 meeting time.

6 MR. SINCAVAGE: All right? Do  
7 you have any other questions on the letter from the  
8 township?

9 MR. CHUCK NICLAUS: I don't  
10 think so.

11 MR. McHALE: They'll be  
12 submitting a landscape plan to S.I.D.E. also.  
13 Anything that S.I.D.E. requires as far as  
14 landscaping, Chuck, if you just reflect that on  
15 your drawing as well for the township.

16 MR. CHUCK NICLAUS: Okay. I  
17 know, where do you get issuance dates and  
18 certificates of occupancy and approvals?

19 MR. McHALE: That's straight  
20 out of the zoning. So if you have anything that  
21 you're aware of that was passed along -- the only  
22 thing we found was, Maureen, I guess the county  
23 indicated the first building was probably built in  
24 1984. If you don't have any of that information,  
25 then I would just note that.

1 MR. CHUCK NICLAUS: Okay.

2 MR. McHALE: That you couldn't  
3 find --

4 MR. CHUCK NICLAUS: Just put a  
5 note on the plan?

6 MR. SINCAVAGE: Carl should  
7 have that information. We can discuss that at the  
8 meeting too, but Carl should have that information.

9 MR. CHUCK NICLAUS: Okay. I  
10 specifically asked him if he had any copies of  
11 previous plans, permit approvals, anything. I got  
12 nothing.

13 MR. SINCAVAGE: We can look in  
14 our files. And the shed --

15 MR. CHUCK NICLAUS: Is that  
16 something Cindy can come over to the township and  
17 meet with somebody to look for them?

18 MR. SINCAVAGE: No, off my  
19 files.

20 MR. CHUCK NICLAUS: Oh, your  
21 files.

22 MS. MINNICK: Anything before, I  
23 couldn't find anything.

24 MR. McHALE: The shed that's  
25 depicted on the south side of the building, again,

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1 if that wasn't one of the original items that were  
2 approved by S.I.D.E., that's something that you're  
3 going to have to work out with S.I.D.E. And also  
4 accessory use structures, like a shed, are supposed  
5 to be a minimum, I think it's eight feet away from  
6 the principal building, that's in the zoning  
7 ordinance.

8 MR. CHUCK NICLAUS: Can that be  
9 moved?

10 MS. CINDY HINELINE: Yeah.

11 MR. SINCAVAGE: It requires a  
12 permit from the township.

13 MR. CHUCK NICLAUS: That should  
14 be minor. So I'll show that as proposed instead of  
15 existing.

16 MR. SINCAVAGE: Well, or to be  
17 relocated, 'cause it is existing. I would put  
18 should be relocated so the township understands.

19 Anything else in the letter?

20 MR. McHALE: Just to note the  
21 fire lane access and a couple signs to keep the  
22 buildings free and open around them, which it looks  
23 like you're going to be doing anyway, if the  
24 parking's moved over to the other side. So that's  
25 good, but we'll have to denote what we're going to

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1 do on that side.

2 (Inaudible discussion.)

3 MS. LAMBERTON: He's already  
4 working on it.

5 MR. CHUCK NICLAUS: This space  
6 and this space filled with fire lane signs?

7 MR. McHALE: Yep, that would be  
8 good. Okay. This is going to be gravel, so you're  
9 not going to be able to stripe anything, but if you  
10 hang some signs on the building that should work.

11 MR. CHUCK NICLAUS: We'll show  
12 the location's within 50 feet, but here's an  
13 example of the easement that was required from the  
14 subdivision plans and the one that was from the

15 deed.

16 MR. McHALE: Okay. You're also  
17 going to have the two setbacks. You're going to  
18 have the 15 that's going be the township and  
19 zoning, then you're going to have the 25 that's  
20 actually --

21 MR. CHUCK NICLAUS: Right.

22 MR. SINCAVAGE: Do you have any  
23 other questions of the commission? Do you have  
24 your direction to go?

25 MR. CHUCK NICLAUS: I believe

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1 so. Oh, the township building code official  
2 review, do I make a separate application? Does he  
3 already have a copy of the plans or --

4 MR. McHALE: We didn't provide  
5 that to him. I would get with Bill Burton, Maureen  
6 can forward or talk to you about who to get that  
7 to.

8 MS. MINNICK: I'll provide you  
9 with that information by email tomorrow.

10 MR. CHUCK NICLAUS: Okay. Does  
11 he require more than what's on the plans already?

12 I have nothing as far as floor plans or building  
13 sections or -- that would be something --

14 MS. MINNICK: He'll review part  
15 of the -- you know, for land development and then  
16 once the building -- you're ready to submit  
17 application for the building plans, then he'll look  
18 at them.

19 MR. CHUCK NICLAUS: So he just  
20 --

21 MS. MINNICK: They're two  
22 separate reviews.

23 MR. CHUCK NICLAUS: He'll get a  
24 building permit, right?

25 MR. McHALE: He'll look at --

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1 once you get the building location finalized, he'll  
2 look at it, the site layout from the International  
3 Fire Code standpoint from the exterior of the  
4 building. And then once you go through the  
5 building permit process, that'll be everything  
6 inside the building and relate it. This is just an  
7 exterior review that he does of the site layout to

8 make sure there's adequate room for vehicles and  
9 turnaround and such.

10 MR. CHUCK NICLAUS: The amount  
11 of financial security determined by the board of  
12 supervisors, do I do a cost estimate for review?

13 MR. McHALE: Yes.

14 MR. CHUCK NICLAUS: That's it.

15 MR. SINCAVAGE: Any other  
16 questions or comments from the commission?

17 I'll entertain a motion to table  
18 the land development plan of A&C Flooring  
19 warehouse.

20 MS. LAMBERTON: So moved with a  
21 comment that if you get it done in a week and you  
22 need a special meeting, just call us.

23 MR. SINCAVAGE: Do I have a  
24 second to the motion?

25 MS. BISBING: Second.

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1 MR. SINCAVAGE: Motion and  
2 second.

3 All those in favor, please say  
4 aye?

5 BOARD MEMBERS: Aye.  
6 MR. CHUCK NICLAUS: Thank you.  
7 (Discussion off the record.)  
8 MR. SINCAVAGE: Is there  
9 anything else coming before the commission?  
10 Any comment? We're adjourned.  
11 (Meeting concluded at 6:13 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 correct transcript of the same.

TARA WILSON, C.R.

Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

---

In Re: Regular Meeting

---

Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, March 5, 2015, beginning at 5:30 p.m.

---

PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
ANNE LAMBERTON, Secretary  
MICHELE BISBING, Board Member  
  
ROBERT J. McHALE, Township Engineer  
  
PATRICK M. ARMSTRONG, ESQUIRE,  
Solicitor

ALSO  
PRESENT: Maureen Minnick, Zoning Officer

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

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1 MR. SINCAVAGE: I'll call the  
2 regularly scheduled meeting of the Tobyhanna  
3 Township Planning Commission to order for March  
4 the 5th, 2015.

5 Is there any public comment on  
6 any agenda item?

7 Hearing none, we'll move on to  
8 consider the minutes of February the 5th. We  
9 received them electronically. There's two  
10 corrections. On Page 12, Line 4, it should read  
11 it's "a" nuisance, not it's "s" nuisance; and on  
12 Page 31, Line 19, it should say "all", not  
13 "alls".

14 With those two corrections, do  
15 I have a motion to approve the minutes?

16 MS. LAMBERTON: So moved.

17 MR. MILLER: Second.

18 MR. SINCAVAGE: Motion and

19 seconded.

20 All those in favor, please say  
21 aye?

22 BOARD MEMBERS: Aye.

23 MR. SINCAVAGE: Move on to  
24 Pocono Manor's subdivision first.

25 MR. RALPH MATERGIA: Good

3

1 evening. Ralph Matergia for Pocono Manor. Mr.  
2 Jim Cahill is with me this evening.

3 So what we have before the  
4 township are a series of applications. First is  
5 a subdivision application. We're creating a  
6 separate lot out of the Pocono Manor parcel for  
7 the purpose of supporting the use and  
8 construction of a water tower tank that will be  
9 actually conveyed and owned by public utility.  
10 It will be owned and operated by BCRA, Brodhead  
11 Creek Regional Authority; and that tank will  
12 service the Kalahari Resort.

13 So in that regard, with respect  
14 to the subdivision application, we have a  
15 subdivision plan and a map that we've presented.

16 And if you take a look at this for me.

17 MR. SINCAVAGE: Which one is  
18 it?

19 MR. RALPH MATERGIA: I think I'd  
20 like to show you this one here first.

21 MR. SINCAVAGE: Do you all have  
22 that?

23 MR. RALPH MATERGIA: You  
24 have the -- that's -- there's -- that's with the  
25 application.

4

1 (Inaudible discussion.)

2 MR. SINCAVAGE: Go ahead,  
3 Ralph.

4 MR. RALPH MATERGIA: Okay. So  
5 with respect to the configuration of the -- of  
6 the parcel, as you know, you have a two acre  
7 minimum in this zone; and this lot is undersized,  
8 admittedly. We're asking for a variance as well.  
9 And what we've created is a lot that is 1.322  
10 acres; 57,600 square feet. And in addition to --  
11 and that's what will be conveyed to BCRA. We're

12 proposing that will be conveyed to them, Lot 1-A.

13 In addition, we will convey an  
14 easement over the -- an additional 40,000 square  
15 foot to the rear of the lot, to support future  
16 maintenance of the tank. And that's really just  
17 in the event that the tank ruptures. If the tank  
18 ruptures, they have to have a way to get in and  
19 to place a bladder -- put a bladder in place that  
20 would hold the water until the tank could be  
21 reconstructed. And so that's why that's in an  
22 easement area, you know.

23 Frankly, from a standpoint of  
24 the variance, what creates the necessity here is,  
25 if you look to the left of Lot 1-A, you've got a

5

1 fairly large wetland area that abuts the size of  
2 the lot; so we really couldn't stretch the lot  
3 out, if you will, to the south because to be  
4 honest with you, BCRA doesn't want to own a  
5 wetland, you know, they don't want to be involved  
6 in that.

7 With respect to going deeper  
8 over the maintenance easement area, this

9 particular part of the manor is scheduled for use  
10 as a modem for transportation. And we want to be  
11 able to preserve the ability in the future, if  
12 the need -- if the need arises or the occasion,  
13 the opportunity presents, to be able to access  
14 the railroad in that location. So that's the  
15 reason why the lot is configured the way it is,  
16 that's the reason why the lot is undersized.

17 The location of the -- of this  
18 tank, you know -- I mean, the manor has thousands  
19 of acres of ground, so, you know, you take a look  
20 at where you want to site this thing. It's,  
21 frankly, situate where it's -- where it's  
22 proximate or near to the drain tower. And  
23 it's an elevated area that is well suited for the  
24 tank, in addition to which, from a standpoint of  
25 it's -- you know, being able to view it, if you

6

1 will, it -- it fits in, if you will, because of  
2 the location of the drain tower, rather than to  
3 put it in an area that might subsequently be  
4 developed either commercially or residentially.

5 MR. MILLER: Could I ask a  
6 question?

7 MR. RALPH MATERGIA: Yes.

8 MR. MILLER: What would be the  
9 mean sea level at the top of that tower?

10 MR. RALPH MATERGIA: Bob  
11 actually pointed that out. The elevation is --

12 MR. McHALE: It's 7 --

13 MR. RALPH MATERGIA: The top of  
14 the tower is 1770 42, and the elevation at the  
15 base is 17 -- excuse me, 1770.42 and the  
16 elevation of the base is 1740; so it's roughly 42  
17 feet.

18 MR. MILLER: I was just  
19 concerned about --

20 MS. LAMBERTON: The airport.

21 MR. MILLER: -- the airport,  
22 Mount Pocono, being an intrusion --

23 MR. RALPH MATERGIA: Yeah.

24 MR. MILLER: -- but it does  
25 not?

7

1 MR. RALPH MATERGIA: That won't



2 present a problem.

3 MR. SINCAVAGE: Where is the  
4 grain mill on here? If you could get me where I  
5 am. I see the railroad is here.

6 MR. JAMES CAHILL: It's  
7 right acro -- it's right on the --

8 MR. SINCAVAGE: Yeah.

9 MR. JAMES CAHILL: Shall I  
10 identify myself?

11 MR. RALPH MATERGIA: Yes, sure.

12 MR. SINCAVAGE: Yeah.

13 MR. JAMES CAHILL: James  
14 Cahill, managing partner, Pocono Manor Investors.  
15 The grain mill is right on the other side of the  
16 railroad tracks.

17 MR. SINCAVAGE: Okay.

18 MR. RALPH MATERGIA: Would it  
19 show on this map?

20 MR. JAMES CAHILL: Yes, you  
21 can -- if you look at Sheet S-2, you can see the  
22 railroad side then widening out and the parking  
23 lot.

24 MR. SINCAVAGE: Oh, okay.

25 MR. JAMES CAHILL: And the

1 grain mill is in the lower right corner of that  
2 drawing.

3 MR. SINCAVAGE: Right. Okay.

4 All right. So it is right there?

5 MS. LAMBERTON: Um-hum.

6 Um-hum.

7 MR. RALPH MATERGIA: Okay.

8 Now, with respect to the subdivision, Mr. McHale  
9 has written a review letter and, you know, I can  
10 go down this review letter point by point, if you  
11 wish. I can tell you that we will comply with  
12 every review comment that's been made in the  
13 review letter. There's nothing in the review  
14 letter that we will not comply with. Most of  
15 them are things that we have to simply clean up  
16 on the plan or address on the plan by way of  
17 notes.

18 MR. SINCAVAGE: Okay. I mean,  
19 since you're willing to do that, I mean, there's  
20 no sense going through it point by point, unless  
21 anybody on the commission has a question.

22 Is there any rush on this? I

23 mean, there's always rushes to everything, but --

24 MR. RALPH MATERGIA: Well, to

25 this extent, I mean, we're at the zoning hearing

9

1 board on the 11th.

2 MR. SINCAVAGE: Okay.

3 MR. RALPH MATERGIA: We'd like

4 to be able to get a recommendation --

5 MR. SINCAVAGE: Okay.

6 MR. RALPH MATERGIA: -- on the

7 record there, if possible. I will tell you that

8 with respect to the special exception

9 application, which this is a special exception

10 use, there is a -- there is a site plan that's in

11 preparation. It will be available, we're told,

12 Monday and the thought is to transmit that to the

13 planning commission members via e-mail. We'll

14 have it at the township on Monday. We'll see

15 that you get the site plan.

16 I mean, the essence of the site

17 plan, if you will -- I can go over this. If you

18 will look at the map that actually shows the plan

19 profile of the tank, I mean, there's not much on

20 this site from a site plan standpoint other than  
21 the foundation for the water tank and the gravel  
22 access road, which will -- which in fact will be  
23 gated. The entire lot, this will have a chain  
24 link fence around it so that the water tank  
25 system can comply with the federal requirements

10

1 for, you know, people who want to do bad things.

2 MS. LAMBERTON: Safety. Sure.  
3 People that want to do bad things.

4 MR. RALPH MATERGIA: That's the  
5 extent of the improvements that are going to be  
6 shown on the site plan. We'll make sure that the  
7 site plan also complies with the zoning code  
8 requirements that Bob has outlined in his letter,  
9 so it'll show the setbacks.

10 There was really only one  
11 issue. You have a five foot planting or  
12 screening buffer requirement, and this is all --  
13 basically this is screened with natural growth.  
14 We don't intend to remove any of the growth.

15 MR. JAMES CAHILL: Well, it's

16 wetlands, you can't, so --

17 MR. RALPH MATERGIA: We really  
18 can't touch it anyway, but -- I'm sorry.

19 MR. JAMES CAHILL: Yeah, the  
20 property that sits on it is isolated because it  
21 lies between the railroad and the wetlands, so  
22 it's not like we could build a house next to it  
23 or anything. So the natural wetlands will serve  
24 as a buffer and the other side as a railroad,  
25 so --

11

1 MR. SINCAVAGE: Okay. I want  
2 to take one issue at a time, though, and I want  
3 to take the subdivision first.

4 MR. ARMSTRONG: Let's stick  
5 with the subdivision and then we'll move on to  
6 the special exception.

7 MR. RALPH MATERGIA: Okay.  
8 Very well.

9 MR. SINCAVAGE: I'm sorry. I  
10 kind of messed you up there, so I apologize.

11 MR. RALPH MATERGIA: No  
12 problem. We'll address any questions --

13 MR. SINCAVAGE: Okay. So let's  
14 finish the subdivision.

15 Do you have any questions, Pat?

16 MR. ARMSTRONG: So the access  
17 is going to be onto 314 via that easement?

18 MR. RALPH MATERGIA: Yes.

19 MR. ARMSTRONG: Is there an  
20 existing gravel driveway there now?

21 MR. McHALE: There's actually  
22 an HOP to allow the access, which --

23 MR. ARMSTRONG: There is an  
24 HOP?

25 MR. McHALE: -- Mr. Cahill

12

1 provided to us by e-mail.

2 MR. ARMSTRONG: And you'll be  
3 providing a copy of that access easement, utility  
4 easement, to the township?

5 MR. RALPH MATERGIA: Yes.

6 MR. ARMSTRONG: Okay.

7 MR. SINCAVAGE: Bob, did you  
8 have anything to highlight?

9 MR. McHALE: No, sir. I think  
10 everything's pretty straightforward. They're  
11 willing to comply with all the ordinance  
12 provisions.

13 MR. SINCAVAGE: Okay. So we  
14 were first looking at the subdivision.

15 MR. McHALE: Right, but -- now,  
16 the subdivision is going to be contingent upon  
17 the zoning hearing board approving the size of  
18 the lot --

19 MR. SINCAVAGE: Right.

20 MR. McHALE: -- as a variance.

21 MR. ARMSTRONG: Any  
22 recommendation this commission makes this evening  
23 with respect to the subdivision will be  
24 conditional upon the applicant complying with the  
25 township engineer review letter dated February

13

1 27, 2015 together with complying with any zoning  
2 requirements and securing the necessary zoning  
3 relief from the township zoning hearing board  
4 associated with the proposed use, as well as  
5 providing additional information to the township

6 with respect to the access easement and utility  
7 easement as shown on the plan, just to ensure  
8 that that lot that they're creating is not going  
9 to be landlocked.

10 MR. SINCAVAGE: Okay. I  
11 have --

12 Do I have a motion?

13 MS. LAMBERTON: So moved.

14 MR. SINCAVAGE: Okay.

15 Do I have a second?

16 MS. BISBING: Second.

17 MR. SINCAVAGE: Just under  
18 further discussion, is the -- is the access road  
19 part of the subdivision -- subdivided land or is  
20 that just going to be an easement also?

21 MR. RALPH MATERGIA: It's an  
22 easement.

23 MR. McHALE: The easement is  
24 part of -- yes.

25 MR. SINCAVAGE: So the road

1 is --



2 MR. McHALE: Because they've  
3 got to have the easement in order to make that an  
4 assessable lot.

5 MR. SINCAVAGE: Okay. So the  
6 only lot that would be created --

7 MR. McHALE: Is Lot 1-A.

8 MS. LAMBERTON: Is 1-A.

9 MR. SINCAVAGE: That square  
10 right there?

11 MS. LAMBERTON: Right.

12 MR. ARMSTRONG: Lot 1-A is  
13 showing 1.322 plus or minus acres on the plan.

14 MR. SINCAVAGE: Okay.

15 MR. McHALE: And the zoning  
16 hearing board's decision granting whatever they  
17 may should also be reflected on the subdivision  
18 plan, which Pocono Manor has done in the past,  
19 where they simply insert the -- an image of the  
20 correspondence or the decision of the zoning  
21 hearing board.

22 MS. LAMBERTON: Okay.

23 MS. SINCAVAGE: Right.

24 MS. LAMBERTON: That's good.

25 MR. SINCAVAGE: Any further

1 discussion or questions? Okay.

2 All those in favor, please say  
3 aye?

4 BOARD MEMBERS: Aye.

5 MR. SINCAVAGE: Okay.

6 MR. RALPH MATERGIA: Okay.

7 MR. SINCAVAGE: Now, the  
8 special exception.

9 MR. RALPH MATERGIA: So the  
10 special exception is a zoning requirement because  
11 of the public utility use of the -- of the  
12 property, so I really don't have much to add. I  
13 mean, you know, I told you how the property is  
14 being used for purposes of the subdivision; same  
15 applies here with respect to the special  
16 exception. And -- and, again, there -- Bob  
17 raised some comments in his review letter. We  
18 will comply with all of his comments, including  
19 the submission of a site plan at the time of  
20 the hearing.

21 MR. SINCAVAGE: Is there a land  
22 development plan required or --

23 MR. McHALE: Actually the board

24 of supervisors is planning to consider waiving  
25 that requirement.

16

1 Annie, is that correct?

2 MS. LAMBERTON: Yes, that is  
3 correct.

4 MR. SINCAVAGE: Okay.

5 MR. ARMSTRONG: For the water  
6 tower itself.

7 MR. McHALE: For the water  
8 tower itself, that lot, correct.

9 MR. ARMSTRONG: Okay. What's  
10 before you is, pursuant to the ordinance, you're  
11 able to provide some review and comments on the  
12 special exception use application to the zoning  
13 hearing board before that hearing takes place. I  
14 don't know if you want to -- specifically some  
15 of the -- already discussed this evening were  
16 some of the potential considerations that you may  
17 want to consider.

18 One is the buffer strip of five  
19 feet in width; another one is to make sure that

20 there's adequate off-street parking associated  
21 with the use; design of any building in  
22 connection with such a facility. Are there  
23 any -- there's a water tower.

24 Are there any buildings  
25 associated with it?

17

1 MR. JAMES CAHILL: There's a  
2 generator -- a building that houses a generator  
3 and also a --

4 MR. McHALE: Booster pump.

5 MR. JAMES CAHILL: -- jockey  
6 pump, a booster pump, if you would, at the base  
7 of the tower.

8 MR. RALPH MATERGIA: And as far  
9 as off-street parking, I mean, it's -- it's  
10 basically for maintenance vehicles.

11 MS. LAMBERTON: That's to --

12 MR. RALPH MATERGIA: Yeah, you  
13 know.

14 MR. MILLER: Is that generator  
15 for emergency purposes?

16 MR. JAMES CAHILL: Yes, yes.

17 MR. ARMSTRONG: There's also  
18 reference to attractive fencing and noise  
19 barriers.

20 You indicated there is going to  
21 be a fence?

22 MR. RALPH MATERGIA: There will  
23 be a fence.

24 MR. ARMSTRONG: Where is that  
25 going to be located?

18

1 MR. RALPH MATERGIA: It's going  
2 to be on the perimeter of the lot.

3 MR. JAMES CAHILL: It's shown  
4 on the plan.

5 MR. SINCAVAGE: It's not the  
6 perimeter of the lot, it's the perimeter of the  
7 tower.

8 MR. McHALE: Yes.

9 MR. SINCAVAGE: It's out here.

10 MR. ARMSTRONG: Is that going  
11 to be chain link?

12 MR. JAMES CAHILL: Yes.

13 MR. ARMSTRONG: Chain link.

14 MR. JAMES CAHILL: Yeah, yes.

15 And that's a -- now a federal requirement for  
16 soft targets.

17 (Discussion off the record.)

18 MR. ARMSTRONG: Are you  
19 proposing any landscaping for the buffer or --

20 MR. RALPH MATERGIA: No.

21 MR. ARMSTRONG: None?

22 MR. SINCAVAGE: So it's just  
23 going to be grassed area around the tower? Like  
24 this area outside the fence, is it going to be  
25 grassed?

19

1 MR. McHALE: Well, the  
2 undisturbed areas of what they're going to leave,  
3 some of it's wetlands and some of it will be  
4 natural vegetation.

5 MR. SINCAVAGE: Yeah, but I'm  
6 saying this disturbed area like in here.

7 MR. McHALE: Correct, that's  
8 just the --

9 MR. JAMES CAHILL: It would

10 be --

11 MR. SINCAVAGE: Grass?

12 MR. McHALE: -- grass.

13 MR. RALPH MATERGIA: Yeah.

14 There's a vegetative swale, if you noticed,

15 it's -- let me see if I --

16 MR. SINCAVAGE: Yeah, I see

17 that up here.

18 MR. RALPH MATERGIA: Right.

19 MR. SINCAVAGE: I mean, all of

20 this area?

21 MR. RALPH MATERGIA: Right.

22 And apparently outside of the foundation of the

23 tower, they just basically will grass that.

24 MR. SINCAVAGE: Okay. Does

25 that get maintained then?

20

1 MR. RALPH MATERGIA: Yes.

2 MR. JAMES CAHILL: They have

3 to -- it's not going to be maintained like a

4 lawn, but it will be maintained. You know,

5 they'll mow it twice a year to keep the second

6 growth from occurring.

7 MR. SINCAVAGE: Okay. All  
8 right.

9 MR. JAMES CAHILL: That's what  
10 they plan to do.

11 MR. ARMSTRONG: It looks like  
12 the majority of the properties that are actually  
13 occupied are probably to the northwest, is there  
14 exist -- on the other side of the railroad?

15 MR. JAMES CAHILL: Right. And  
16 they're all commercial uses. On the other side  
17 of --

18 MR. ARMSTRONG: They are?

19 MR. JAMES CAHILL: -- the  
20 railroad is the parking lot for the grain mill;  
21 there's a water tank that Pennsylvania American  
22 has over there; and then you get into the former  
23 site that was environmentally --

24 MS. LAMBERTON: Oh, yes.

25 MR. JAMES CAHILL: -- had to be

21

1 cleaned up.

2 MR. SINCAVAGE: Superfund --



3 Superfund site.

4 MR. JAMES CAHILL: It was a  
5 Superfund site, right, which is now a -- I guess  
6 a garbage hauler uses it to store containers on  
7 it or --

8 MR. SINCAVAGE: I remember  
9 that.

10 MS. LAMBERTON: I do too.

11 MR. SINCAVAGE: Okay.

12 MR. JAMES CAHILL: It's not in  
13 view of any houses that I know of.

14 MR. ARMSTRONG: Yeah. I was  
15 looking at the subdivision plan. It looks like  
16 it's all northwest. And if you're telling me --  
17 if the board -- if the commission's acceptable  
18 that it's all commercial industrial.

19 MR. SINCAVAGE: Yeah, it is.  
20 What color is the tower going  
21 to be?

22 MR. JAMES CAHILL: You know, I  
23 was sitting here thinking you might ask me that,  
24 and I'm not sure --

25 Steve, have we decided yet?

1 MR. STEVE PINE: Kind of a --

2 MR. JAMES CAHILL: It was

3 either that light sky blue color or the tan

4 color, and my vote was the tan --

5 MR. STEVE PINE: I think that's  
6 what it ended up being.

7 MR. JAMES CAHILL: -- light  
8 beige color.

9 MR. STEVE PINE: Yeah, it's  
10 kind of a -- what they call a tan or a putty  
11 color.

12 MR. SINCAVAGE: What about  
13 white? It'll match the snow.

14 MS. LAMBERTON: I'm fine with  
15 that, yeah.

16 MR. SINCAVAGE: Do you have any  
17 experience with that, Michele?

18 MS. BISBING: Not really.

19 MR. SINCAVAGE: I was just  
20 wondering.

21 MS. BISBING: Because what  
22 would blend --

23 MR. SINCAVAGE: Because most

24 the -- yeah, what would blend. Most of the ones  
25 I've seen are blue.

23

1 MS. BISBING: Yeah. I would  
2 think that the tan or a putty color would be  
3 better than blue.

4 MR. SINCAVAGE: Okay.

5 MR. ARMSTRONG: If you want to  
6 consider a recommendation that the zoning hearing  
7 board ensure that it's some kind of earth tone,  
8 some color that's not --

9 MR. SINCAVAGE: It's probably  
10 going to be a standard color that comes from the  
11 manufacturer.

12 MR. STEVE PINE: Well,  
13 typically they make them blue when they're  
14 elevated and up in the air, and they try to make  
15 them an earth tone when they're on the ground  
16 and --

17 MR. SINCAVAGE: Oh, oh. I'm  
18 envisioning this as one of those bubbles, it's  
19 not, it's just an up and down --

20 MR. JAMES CAHILL: No, this is

21 a ground storage tank.

22 MR. SINCAVAGE: Okay.

23 MR. STEVE PINE: It's on a --  
24 on the belly of a hill, but it's not elevated any  
25 way beyond that.

24

1 MR. JAMES CAHILL: Originally,  
2 the original plan was to have one as high as the  
3 grain mills across the street, but we've decided  
4 to make it lower. It's actually -- the trees  
5 around it will be higher --

6 MR. STEVE PINE: Yeah.

7 MR. JAMES CAHILL: -- than it,  
8 and -- but in order to do that, we had to have  
9 the jockey pump and the generator at the bottom  
10 of the tank, in case you lose power, so --

11 MS. LAMBERTON: That makes  
12 sense. I'm fine.

13 MS. BISBING: That's better  
14 anyway.

15 MR. JAMES CAHILL: Not that we  
16 ever lose power in the Poconos.

17 MR. SINCAVAGE: Did they make a  
18 note that that lawn would be cut every -- twice  
19 in a season?

20 MR. McHALE: Well, there's a  
21 number of notes that need to be added to that  
22 special exception use plan that goes to the  
23 zoning hearing board. They can certainly add  
24 that on your recommendation.

25 MR. SINCAVAGE: Yeah, just to

25

1 make sure it gets maintained.

2 MR. RALPH MATERGIA: That's not  
3 a problem.

4 MR. JAMES CAHILL: We would  
5 have to put that in our convey -- or a document  
6 to BCRA --

7 MR. SINCAVAGE: BCRA, yeah, I'm  
8 sure they do. I'm sure they have --

9 MR. JAMES CAHILL: -- that it's  
10 your recommendation that it be done, yes.

11 MR. SINCAVAGE: And there are  
12 other recommendations, I would say 15 that we  
13 concur with -- the putty color, you call it?

14 MR. STEVE PINE: It's a nat --  
15 earth tone, they call it.

16 MR. SINCAVAGE: Earth --

17 MR. STEVE PINE: Yeah, it's an  
18 earth tone.

19 MR. SINCAVAGE: Earth tone  
20 color, that would be another recommendation.

21 MS. LAMBERTON: Sounds good.

22 MR. SINCAVAGE: What about the  
23 fence? Because nobody's really going to see it  
24 back there.

25 MS. LAMBERTON: No. And

26

1 they're doing it for safety reasons, which is  
2 fine for me. I mean, I'd rather be safe. Yep.

3 MR. SINCAVAGE: Is there any  
4 barbed wire or anything to put on top? What's  
5 that other thing called? Razor wire?

6 MR. JAMES CAHILL: That I don't  
7 know, what BCRA's requirement is.

8 MR. McHALE: A lot of times  
9 it's three strands of barbed.

10 MR. SINCAVAGE: But I've been  
11 seeing a lot of that barbed wire --

12 MR. McHALE: Oh, have you seen  
13 the razor wire?

14 MR. SINCAVAGE: -- from -- PP&L  
15 used it on Long Pond.

16 MR. McHALE: Keswick Pointe, I  
17 thought they did the --

18 MR. SINCAVAGE: I think they  
19 did the strands, yeah. I'm seeing more of the  
20 other stuff than -- okay. It doesn't really  
21 matter, right?

22 MS. LAMBERTON: Uh-uh.

23 MR. SINCAVAGE: No. So that  
24 would be in our recommendation.

25 If you want to phrase it for

27

1 us?

2 MR. ARMSTRONG: Sure. It's my  
3 understanding that the commission, to the extent  
4 that you're providing comments to the zoning  
5 hearing board for consideration in association  
6 with the special exception application of Pocono

7 Manor would be: That they comply with the  
8 February 27, 2015 review letter from the township  
9 engineer; further, that they comply with the  
10 specific requirements of the public utility use  
11 with the exception of the buffer strip --

12 Right? Everyone's okay with  
13 them not providing the buffer strip in accordance  
14 with the discussion this evening.

15 -- together with the tower  
16 shall be painted a -- an earth tone in a manner  
17 acceptable to the township. And the requirement  
18 that the owner slash applicant routinely maintain  
19 the property and the landscaping area around the  
20 facility in a manner acceptable to the township;  
21 and compliance with any and all other ordinance  
22 requirements of Tobyhanna Township.

23 We didn't talk about the gravel  
24 road. Everyone's okay with maintaining the  
25 existing gravel road? No pavement?

28

1 MR. McHALE: They'll be sending  
2 that to you. They'll be submitting the easement



3 to you.

4 MR. ARMSTRONG: Okay. Well, in  
5 association with the subdivision application.

6 MR. SINCAVAGE: Yeah, we don't  
7 want it -- that paved. I wouldn't want it paved  
8 for an access road, no.

9 MR. JAMES CAHILL: We don't  
10 want to pave that either.

11 MR. ARMSTRONG: Did I miss  
12 anything?

13 MR. SINCAVAGE: Uh-uh.

14 Do I have a motion?

15 MS. LAMBERTON: So moved.

16 MR. SINCAVAGE: I have a  
17 motion.

18 Do I have a second to the  
19 motion?

20 MR. MILLER: Second.

21 MR. SINCAVAGE: Motion and  
22 seconded.

23 All those in favor, please say  
24 aye?

25 BOARD MEMBERS: Aye.

1 MR. RALPH MATERGIA: Thank you  
2 for time and your consideration.

3 MS. LAMBERTON: Good luck.

4 MR. SINCAVAGE: Good luck.

5 Next item on our agenda is  
6 under old business, Anthony Morroni.

7 Anything about that? Are we  
8 still carrying it?

9 MS. MINNICK: We're still  
10 carrying it. Table.

11 MR. SINCAVAGE: Table it?

12 I'll entertain a motion to  
13 table the Anthony Morroni minor subdivision plan.

14 MR. MILLER: So moved.

15 MR. SINCAVAGE: I have a  
16 motion.

17 Do I have a second to the  
18 motion?

19 MS. LAMBERTON: I'm sorry --

20 MR. SINCAVAGE: Do I have a  
21 second to the motion?

22 MS. LAMBERTON: So moved.

23 Second. Second. Did somebody have a motion?

24 I'm sorry. I apologize.

25 MR. SINCAVAGE: Okay. We have

30

1 a motion and a second.

2 All those in favor, please say  
3 aye?

4 BOARD MEMBERS: Aye.

5 MR. SINCAVAGE: Okay. Move on  
6 to A&C Flooring preliminary/final land  
7 development plan.

8 Chuck?

9 MR. CHUCK NICLAUS: Good  
10 evening.

11 MR. SINCAVAGE: Good evening.

12 MR. CHUCK NICLAUS: Chuck  
13 Niclaus, Niclaus Engineering. Good to see you  
14 again.

15 MS. LAMBERTON: Thanks for  
16 coming back.

17 MR. CHUCK NICLAUS: The  
18 weather -- the weather is almost better than last  
19 time.

20 MS. LAMBERTON: That's right, I

21 know. You guys had lousy weather to come out in.

22 Sorry.

23 MR. CHUCK NICLAUS: We did get  
24 comments. We've addressed most of the comments.  
25 We got another comment letter, and I have some

31

1 minor adjustments that are even in response to  
2 that plan. I don't know if you want me to pass  
3 them out or --

4 MR. SINCAVAGE: This one?  
5 Which plan do you want us to look at? You said  
6 you had submitted revised plans again, so --

7 MR. CHUCK NICLAUS: I have some  
8 for tonight that I e-mailed.

9 MR. SINCAVAGE: Oh, you have  
10 them. Okay.

11 MR. CHUCK NICLAUS: I just have  
12 a couple copies. It's only the two sheets; three  
13 of the sheets didn't change.

14 MR. SINCAVAGE: Do you think  
15 this is the updated one?

16 MS. LAMBERTON: Yeah, that's  
17 what I'm thinking.

18 MR. CHUCK NICLAUS: This is the  
19 updated one that I just e-mailed.

20 MR. SINCAVAGE: Go ahead,  
21 Chuck.

22 MR. CHUCK NICLAUS: Okay. The  
23 latest revisions, there's nothing real major, but  
24 we did take -- on the second sheet that I just  
25 passed out, the lighting plan, the pole went a

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1 little bit higher and the wattage on the old one  
2 went a little bit higher, to spread out where it  
3 was .5 foot -- we got an average of .75 instead  
4 with a minimum of .5 at the edge of the parking  
5 places.

6 We didn't change the wall packs  
7 on the -- the building. The comments seemed to  
8 be targeted at that main aisle. In -- I had to  
9 use what I had from another plan because I didn't  
10 have time to get it out to a manufacturer. You  
11 know, if wanted, we can have, when they actually  
12 know what they're going to -- the actual  
13 manufacturer and the bulb, if you want something

14 submitted that shows that --

15 MR. McHALE: Chuck, what do you  
16 have as far as lighting here in -- just the paved  
17 area, I think, is what the PC had spoken to at  
18 the last meeting, was the access drive coming in  
19 and not to exceed the .5 at the property line,  
20 but to light that area plus that small -- and  
21 then the rest of it was going to not be lighted.

22 MR. CHUCK NICLAUS: Okay. I  
23 can go a little bit higher and a little bit  
24 brighter. You know, if we can make that a  
25 condition, I'll send it out to an actual lighting

33

1 guy rather than use something I had --

2 MR. SINCAVAGE: Why can't you  
3 just put another post up?

4 MR. CHUCK NICLAUS: Well,  
5 they're \$5,000 a piece.

6 MR. SINCAVAGE: What kind of  
7 poles are you using?

8 MS. LAMBERTON: \$5,000 poles.

9 MR. CHUCK NICLAUS: By the --  
10 by the time you wire them and start spreading

11       them out, that's what they cost in the average  
12       shopping center.

13                               MS. BISBING:   Wow.

14                               MR. CHUCK NICLAUS:  I mean,  
15       maybe they can get something out --

16                               MS. LAMBERTON:  That's a lot.

17                               MR. CHUCK NICLAUS:  I'd put a  
18       regular aluminum pole rather than a timber one,  
19       but I mean, there's -- I guess I could put  
20       telephone poles in, the old fashioned --

21                               MR. SINCAVAGE:  No, you  
22       won't --

23                               MS. LAMBERTON:  I don't think  
24       Mark wants that.

25                               MR. SINCAVAGE:  No.  I mean, it

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1       should be like the ones along the street out  
2       there and the ones that the hotel uses.  I mean,  
3       everybody has them out there.

4                               MR. CHUCK NICLAUS:  Okay.  We  
5       have a use that they don't even work after dark.  
6       It's our -- lighting something that they haven't

7 had a need for --

8 MR. SINCAVAGE: Well, the  
9 township requirement is to light that, so --

10 MR. CHUCK NICLAUS: Okay. I  
11 mean, we're agreeable. I just didn't have time  
12 to send it out to a lighting manufacturer, so  
13 I'll send something out. But the intent is we  
14 want to meet the ordinance requirement and we'll  
15 do that.

16 MR. McHALE: That's a zoning  
17 item, Chuck, it's not SALDO, where we have some  
18 flexibility. It's got to be whatever it's stated  
19 unless you get a variance or something; and you  
20 don't want to go through that process --

21 MR. CHUCK NICLAUS: Right.

22 MR. McHALE: -- I don't think.

23 MR. CHUCK NICLAUS: Okay.

24 MR. McHALE: It's just a small  
25 amount of light we're talking about too.

35

1 MR. CHUCK NICLAUS: Yep.

2 MR. McHALE: And run the  
3 photometrics all the way out and it'll be good.



4 MR. CHUCK NICLAUS: Yep, will  
5 do.

6 MS. LAMBERTON: Is that the  
7 motion?

8 MR. CHUCK NICLAUS: No. That  
9 was the first one.

10 MS. LAMBERTON: Just trying  
11 to be easy --

12 MR. CHUCK NICLAUS: Elevations  
13 of floor plans may be required.

14 MR. McHALE: Only if they're  
15 asked for.

16 MR. CHUCK NICLAUS: We don't  
17 have much of anything. It's a building exactly  
18 like the one that's there. There's no floor plan  
19 yet. We did go over an elevation drawing or a  
20 typical drawing with Mark in a meeting separate  
21 for now to go over the color scheme. It's going  
22 be pretty similar to the building that's out  
23 there. I don't know if you want to --

24 MR. SINCAVAGE: It's just that  
25 prefab in that old building, nothing fancy.

1 MS. LAMBERTON: Okay.

2 MR. SINCAVAGE: I'm fine with  
3 that, if you're all --

4 MS. LAMBERTON: No, I don't  
5 have an issue with that at all.

6 MR. SINCAVAGE: No, we're good.  
7 We don't need to see the elevations. Thanks.

8 MR. CHUCK NICLAUS: On the  
9 first page, there's also a fine requirement that  
10 goes with the ADA signs, so we added the -- right  
11 next to it, the fine detail for Pennsylvania. We  
12 had asked for waivers on showing existing  
13 development including streets, buildings within  
14 500 feet. There's two different sections of  
15 that, that was written in the last letter. We  
16 have the -- a waiver requested on the parking as  
17 well, to just pave the areas where the parking  
18 spaces are.

19 One of the things that came up  
20 in our meeting was to also pave at least the 20  
21 foot on the second driveway so that the  
22 intersection with the road itself is protected,  
23 because the gravel breaks it all up. So it's  
24 typical to a PennDOT permit where you always pave

25 at least that first part, so we added that in.

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1 MS. LAMBERTON: Okay. I'm good  
2 with that.

3 MR. CHUCK NICLAUS: The letter  
4 brings up that supervisors may require some kind  
5 of maintenance or security, which we'll discuss  
6 with them, as far as the maintenance on the rest  
7 of it, if it doesn't hold up outside the paving  
8 area. We did send the -- for the International  
9 Fire Code, we did send a set of the plans out to  
10 Bureau Veritas. I haven't heard back, but we did  
11 make a submittal to them.

12 We're agreeable to the  
13 agreements and financial security for the  
14 developer's agreement, stormwater management. We  
15 did meet on the revised declaration of covenants  
16 section and then there's another letter from Mark  
17 on that. As far as the sign, the plans were to  
18 just put back up -- the sign was taken down to be  
19 maintained, it's a 10 foot by 10 foot sign, we  
20 show the present location. What's proposed is to  
21 put the same sign back.

22 MR. SINCAVAGE: The only thing  
23 that the commission had asked before was that you  
24 put -- you try to mound it up underneath there --

25 MR. CHUCK NICLAUS: Right.

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1 MR. SINCAVAGE: -- so that the  
2 landscaping will make it blend in.

3 MR. CHUCK NICLAUS: Right.

4 MR. SINCAVAGE: I mean, we  
5 would like to see a monument sign, but since you  
6 already have an existing sign, I think the  
7 commission is agreeable that we're not going to  
8 make you take it down and put up a new one.

9 MR. CHUCK NICLAUS: If you go  
10 to the second sheet, it's blown up a little bit  
11 on the second sheet; but you'll see where we have  
12 the grading line around the sign to mound that  
13 up.

14 MS. LAMBERTON: Okay.

15 MR. CHUCK NICLAUS: There's a  
16 grading line around the sign to try and mound  
17 that up.

18 MR. SINCAVAGE: I mean, it's  
19 not going to be a monument.

20 MR. CHUCK NICLAUS: And then we  
21 would put the landscaping. The junipers would go  
22 below the sign to try and fill that in.

23 MR. SINCAVAGE: Yeah.

24 MR. CHUCK NICLAUS: And then we  
25 put the barberries on the side to be decorative.

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1 And, I mean, we can submit it, the landscape plan  
2 when the landscaper's actually going to do it, in  
3 case he's got -- some suggestions. I just wanted  
4 to get something on there to show the intent.

5 MS. LAMBERTON: Sure, yeah.

6 MR. CHUCK NICLAUS: We really  
7 want to dress that area up because once it's  
8 paved, if that's all landscaped and looking good,  
9 it's going to make a -- a big difference from  
10 what there is now.

11 MR. SINCAVAGE: Agreed.

12 MR. CHUCK NICLAUS: The intent  
13 is to freshen that up.

14 We added a note that the wooded

15 area, all dead trees to be removed and natural  
16 area to be maintained for this entire area. We  
17 called out, you know, what is the actual  
18 landscaped area, and then in addition to that, we  
19 put a note to clean up that natural area.

20 For stormwater, we have a note;  
21 and I took a look at it out there. There's like  
22 a little mound here. If we take that little berm  
23 out, it almost looks like that's already a low  
24 area; but when this gets paved, if they have to  
25 shave that down, it wouldn't be any more than six

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1 inches; but it goes that way by eye, so I don't  
2 think it would be any problem to get that --

3 MR. SINCAVAGE: I just want to  
4 make sure that this grade out here is sloping  
5 back.

6 MR. CHUCK NICLAUS: Okay.

7 MR. SINCAVAGE: Yeah.

8 MR. CHUCK NICLAUS: Okay. No  
9 problem at all, yep.

10 MR. SINCAVAGE: Exactly. Just

11 like with PennDOT.

12 MR. CHUCK NICLAUS: Yep. Two  
13 percent minimum slope we'll call out.

14 MR. SINCAVAGE: That's what it  
15 calls out for in the restrictive deeds and  
16 covenants, you follow the township and PennDOT  
17 specifications. So that's all you've got to do  
18 there.

19 MS. LAMBERTON: Is it on the  
20 other apron too, Mark? Is it --

21 MR. SINCAVAGE: Yeah, I had  
22 made a note of that in my comment letter, that  
23 this apron also has to meet -- make sure that the  
24 grade is away from the road.

25 MR. CHUCK NICLAUS: Yep.

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1 MR. SINCAVAGE: And that swale  
2 goes along Commercial Boulevard -- well, actually  
3 there's a big catch basin right here, existing  
4 inlet basin, just so it's sloped to get it into  
5 there.

6 MR. CHUCK NICLAUS: To it?

7 MR. SINCAVAGE: Yep.

8 MR. CHUCK NICLAUS: Okay. And  
9 I'll add that before it gets to the supervisors,  
10 the two percent minimum grade. I added a note  
11 that delivery vehicles and tractor-trailers  
12 cannot make turns on Commercial Boulevard. That  
13 was --

14 MS. LAMBERTON: Yeah. That's  
15 over there.

16 MR. SINCAVAGE: So, Chuck --

17 MR. CHUCK NICLAUS: -- 16.

18 MR. SINCAVAGE: -- show me how  
19 the movement is going to occur for this. The  
20 truck -- tractor-trailer comes in here. How are  
21 they going to make that movement to get that  
22 trailer in there?

23 MR. CHUCK NICLAUS: There's --  
24 if it's just the cab --

25 MR. SINCAVAGE: So he's going

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1 to drop the trailer there?

2 MR. CHUCK NICLAUS: -- that's  
3 here. If it's coming in with the trailer --



4 MR. SINCAVAGE: Right.

5 MR. CHUCK NICLAUS: -- comes  
6 in. Now, he's turning right here. It fits a  
7 WB-55 --

8 MR. SINCAVAGE: That will fit?

9 MR. CHUCK NICLAUS: -- because  
10 there's nothing there, if it's the full trailer.  
11 If the trailer is there, then it's just the cab.

12 MR. SINCAVAGE: Right. I  
13 agree.

14 MR. CHUCK NICLAUS: You know --

15 MR. SINCAVAGE: I agree. So  
16 there's enough area here to make that movement --

17 MR. CHUCK NICLAUS: Um-hum.

18 MR. SINCAVAGE: -- with the  
19 trailers? That's what I'm asking.

20 MR. CHUCK NICLAUS: Right. It  
21 turns here. It turns where this space is shown,  
22 it turns here, then it turns there.

23 MR. SINCAVAGE: Okay.

24 MR. CHUCK NICLAUS: It's kind  
25 of unique. It's the only spot on the site that's

1 got that four-foot loading dock. That's -- we  
2 talked long and hard. And, I mean, I suggested  
3 to Carl that he give you a call and talk about  
4 it, but it's like the only --

5 MR. SINCAVAGE: I understand  
6 it's a tight spot.

7 MR. CHUCK NICLAUS: Okay.

8 MR. SINCAVAGE: I'm just trying  
9 to make it look more attractive. Annie was out  
10 there too and, you know, it's just not attractive  
11 to me. I mean, maybe we get some landscaping  
12 there, we get it paved and then that's going to  
13 be --

14 MS. LAMBERTON: Oh, I think  
15 with what they're proposing now, I think it'll be  
16 just fine.

17 MS. BISBING: It will be much  
18 better.

19 MS. LAMBERTON: Yes.

20 MR. SINCAVAGE: It will make it  
21 look better.

22 MR. CHUCK NICLAUS: Right. He  
23 wants to cooperate, it just -- it's an integral  
24 part of the business right now, he's not sure how  
25 to --

1 MR. SINCAVAGE: Got it.

2 MR. CHUCK NICLAUS: -- undo

3 that, but --

4 MS. LAMBERTON: Well, you've  
5 got to be cost effective too. I mean, you don't  
6 want to go crazy.

7 MR. CHUCK NICLAUS: Right.

8 MS. LAMBERTON: And apparently  
9 it's working so --

10 MR. SINCAVAGE: Well, no,  
11 because the movements are happening on Commercial  
12 Boulevard, and that can't happen. That's why  
13 we're doing this.

14 MS. LAMBERTON: I noticed  
15 here that you added some --

16 MR. SINCAVAGE: That's why  
17 you've got to do all of this.

18 MR. CHUCK NICLAUS: Well, yeah.  
19 I mean, right now they're actually pulling up and  
20 just backing up in there.

21 MR. SINCAVAGE: Yeah.

22 MS. LAMBERTON: Oh, they're  
23 backing --

24 MR. CHUCK NICLAUS: So he  
25 understands that it's got to be done on-site.

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1 MS. LAMBERTON: I understand.  
2 Okay. Well, it appears that's been addressed.

3 MR. McHALE: Currently there's  
4 not as much truck activity as there will be in  
5 the future once Lots 100 and 110 develop, and  
6 then there'll be a lot of truck driving.

7 MS. LAMBERTON: Right.

8 MS. BISBING: Right.

9 MR. SINCAVAGE: And they just  
10 did that on Tuesday. There was trucks stopped on  
11 the road there doing something.

12 MS. CINDY HINELINE: They all  
13 showed up at the same time.

14 MS. LAMBERTON: Problem.

15 MS. CINDY HINELINE: I never  
16 have deliveries all show up at one time.

17 MS. LAMBERTON: This will help  
18 you move them around a little bit too.

19 MS. CINDY HINELINE: Yeah.  
20 MR. SINCAVAGE: Well, you keep  
21 doing this, you can stack them then.  
22 MS. CINDY HINELINE: Right.  
23 MR. SINCAVAGE: You can have  
24 them stacking off the lot, off the high -- off  
25 the road --

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1 MS. CINDY HINELINE: Right.  
2 MR. SINCAVAGE: -- so that they  
3 can stack them here.  
4 MS. CINDY HINELINE: Correct.  
5 MR. CHUCK NICLAUS: Now,  
6 there's ways -- I mean, even if they pull in this  
7 way, there's plenty of room to turn around. They  
8 just have to get the drivers --  
9 MS. LAMBERTON: Used to it.  
10 MR. CHUCK NICLAUS: -- used to  
11 it.  
12 MS. LAMBERTON: Yeah.  
13 MR. ARMSTRONG: Did you say you  
14 sent this to Bureau Veritas --

15 MR. CHUCK NICLAUS: Yes.

16 MR. ARMSTRONG: -- to look at?  
17 You didn't get anything back?

18 MR. CHUCK NICLAUS: No.

19 MR. ARMSTRONG: You -- okay.

20 MR. McHALE: With the two  
21 points of access off Commercial Boulevard and the  
22 maneuvering that they just described and they're  
23 keeping the building fairly clean around the  
24 outside edge, I don't anticipate any major issues  
25 with the fire code.

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1 MS. LAMBERTON: Good.

2 MR. McHALE: But that's going  
3 to be left to BV obviously to provide their  
4 comments.

5 MR. SINCAVAGE: So you provided  
6 10 parking spaces? That's what I just counted.  
7 There's 10 parking spaces on here; correct?

8 MS. CINDY HINELINE: I believe  
9 so. I didn't count.

10 MR. SINCAVAGE: Is that going  
11 to be adequate?

12 MS. CINDY HINELINE: I believe  
13 so, yeah. With my company vehicles, it should be  
14 plenty.

15 MR. SINCAVAGE: Yeah, because,  
16 I mean, the stacking of the vans here, that's  
17 great too, because they just park all over the  
18 place in the morning when they're getting loaded.

19 MS. CINDY HINELINE: Well,  
20 they're only there for two hours.

21 MR. SINCAVAGE: It is --

22 MS. CINDY HINELINE: I mean,  
23 you load them and then --

24 MR. SINCAVAGE: -- but, I mean,  
25 the stacking, if you can get them to stack up

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1 over here like that --

2 MS. CINDY HINELINE: Okay.

3 MR. SINCAVAGE: -- like shown  
4 on the plan, that will help alleviate the problem  
5 that occurs there --

6 MS. CINDY HINELINE: Right.

7 MR. SINCAVAGE: -- okay, out in

8 the front.

9 MR. CHUCK NICLAUS: We added --  
10 we clarified the utility line, it would be  
11 proposed underground and it goes from the  
12 existing building over to the proposed once that  
13 was added on. The other underground line would  
14 be to the -- the light pole, but I'm not sure if  
15 he's going to be coming from the building or  
16 coming directly from the pole, that's got to be  
17 discussed directly with PPL; but it will be  
18 underground.

19 And then we extended out on  
20 Sheet 2 the area to be maintained, on the grass,  
21 to be wider.

22 MR. SINCAVAGE: I just wanted  
23 you to pick up the tree. I wanted you to pick up  
24 the tree -- the tree line.

25 MR. CHUCK NICLAUS: Oh, okay.

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1 MR. SINCAVAGE: That's all I  
2 was trying to get to.

3 MR. CHUCK NICLAUS: Yep. And  
4 we switched out the type of shrubs. And, again,



5 we can put the proposed plants the time the  
6 landscapers coming in. If there's something  
7 better and greater and whatever everybody's  
8 decided on --

9 MR. SINCAVAGE: We proposed  
10 rhododendrons and dogwoods and -- you know how  
11 much the deer love all those.

12 MS. BISBING: I was gonna  
13 say --

14 MR. CHUCK NICLAUS: They were  
15 perfect on 611 in Bartonsville.

16 MS. BISBING: Barberries where  
17 you can put them. Good with the barberries.

18 MR. CHUCK NICLAUS: You should  
19 have made us put those in on the latest plan, in  
20 Bartonsville on 611. They're good native plants.  
21 The natives love them.

22 MR. SINCAVAGE: Uh-huh.

23 MS. LAMBERTON: Absolutely.

24 MR. CHUCK NICLAUS: And I think  
25 that was it.

1 MS. LAMBERTON: Good.

2 MR. SINCAVAGE: Okay. Anything  
3 else from the commission? Comments? Questions?

4 Go ahead. You're ready, I can  
5 tell.

6 MR. ARMSTRONG: Yeah. I guess  
7 if the commission is ready to consider  
8 recommendation on this plan, I guess we can start  
9 with the waivers.

10 MR. SINCAVAGE: Okay.

11 MR. ARMSTRONG: The requested  
12 waivers, if the commission is agreeable to  
13 recommending their -- granting the waivers, would  
14 be from Section 135-15.A.15, Section 135-12.D.2  
15 and Section 135-17.L and M from the township  
16 subdivision and land development ordinance  
17 together with the requested waiver of the asphalt  
18 surfacing requirement under Section 155-55 of the  
19 zoning ordinance, pursuant to the language within  
20 the zoning ordinance and subject to and  
21 conditional upon the applicant posting the  
22 requisite financial security to ensure that in  
23 the event that that additional payment is  
24 necessary, the funds are there to provide it.

25 MR. SINCAVAGE: Just so you

1 understand, we're recommending waiver to the  
2 paving of not the entire parking lot.

3 MR. CHUCK NICLAUS: Right.

4 MR. SINCAVAGE: But you still  
5 have to pave the area shown and it has to be to  
6 the township's specification.

7 MR. CHUCK NICLAUS: Yes.

8 MR. SINCAVAGE: You understand  
9 that? Okay.

10 MR. ARMSTRONG: And you  
11 understand that you'll be posting a financial  
12 security? I don't know if we know what that  
13 amount is yet --

14 MR. SINCAVAGE: Who calculates  
15 it?

16 MR. ARMSTRONG: -- to secure  
17 it.

18 MR. McHALE: Well, that is only  
19 if they went along with a paved section that's  
20 less than the township requires.

21 MR. ARMSTRONG: Is that not  
22 what we're doing?

23 MS. LAMBERTON: I'm following  
24 Bob, yeah.

25 MR. McHALE: What's the

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1 proposal? I mean, are you going to put it in  
2 with the inch of wearing, inch and a half of  
3 binder --

4 MR. CHUCK NICLAUS: Yeah.

5 MR. McHALE: -- and six  
6 inches --

7 MR. CHUCK NICLAUS: We're going  
8 to meet the township requirements for the  
9 areas --

10 MS. LAMBERTON: So then they  
11 don't need to post --

12 MR. CHUCK NICLAUS: -- that  
13 were recommended by --

14 MR. McHALE: Then they don't  
15 need to post any financial securities.

16 MR. CHUCK NICLAUS: Okay.

17 MR. McHALE: I didn't see a  
18 revised detail, so I don't --

19 MR. CHUCK NICLAUS: Okay.

20 MR. McHALE: The original one  
21 only had an inch and a half of asphalt. By the  
22 time the trucks drive over this, over and over it  
23 again, you could have some issues in the very  
24 near future, but --

25 MS. LAMBERTON: So to clarify,

53

1 as long as it's an as per township spec, there is  
2 no financial --

3 MR. McHALE: Then you don't  
4 need to post anything.

5 MS. LAMBERTON: Okay. Good.

6 MR. ARMSTRONG: Then to make it  
7 clear, the waivers being requested and the  
8 waivers that the commission will --

9 MR. McHALE: Pat, I'm sorry,  
10 because they're limiting --

11 MR. SINCAVAGE: Right.

12 MR. McHALE: -- the paving only  
13 to what's shown on the plan and not the other  
14 driveway portions --

15 MR. SINCAVAGE: Right.

16 MR. McHALE: -- it's for the  
17 amount of surfacing, not the cross section of the  
18 pavement.

19 MR. SINCAVAGE: Right.

20 MR. ARMSTRONG: Okay. All  
21 right.

22 MR. McHALE: I would include  
23 that.

24 MR. ARMSTRONG: Okay. So  
25 consistent with the township engineer's

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1 explanation of the proposed paving of the plan,  
2 the waivers, if the commission is okay with  
3 recommending their approval, would still be SALDO  
4 Sections 135-15.A.15; 135-12.D.2; and 135-17.L  
5 and M together with 155 dash 55 consistent with  
6 the explanation as to the limited paving as set  
7 forth on the plan.

8 MS. LAMBERTON: I'll make that  
9 recommendation.

10 MR. SINCAVAGE: Okay. I have a  
11 motion.

12 Do I have a second to the  
13 motion?

14 MR. MILLER: Second.

15 MR. SINCAVAGE: Motion and  
16 seconded.

17 All those in favor, please say  
18 aye?

19 BOARD MEMBERS: Aye.

20 MR. SINCAVAGE: Okay. Waivers  
21 are done.

22 MR. ARMSTRONG: Okay. And then  
23 if the commission would like to entertain a  
24 motion recommending approval of the proposed  
25 preliminary and final land development plan, it

55

1 would be conditionable upon the applicant  
2 complying with all the comments and requirements  
3 set forth in the March 3, 2015 review letter from  
4 the township engineer, together with the  
5 applicant revising the lighting plan to comply  
6 with the township's ordinance, in mounding up and  
7 landscaping around the existing signage in a  
8 manner acceptable to the township and revising

9 the grading, for purposes of stormwater, to  
10 direct the water away from the road from the  
11 proposed entrance and -- two entrances to the  
12 property as shown on the plan; and together -- to  
13 comply with and secure any necessary approvals  
14 from S.I.D.E. Corporation pursuant to the  
15 existing declaration of covenants, restrictions  
16 and easements; and satisfactory -- satisfactorily  
17 installing the underground utility line as set  
18 forth on the plan.

19 MR. SINCAVAGE: You're okay  
20 with that?

21 MR. CHUCK NICLAUS: Yes.

22 MR. SINCAVAGE: Okay. Do I  
23 have a motion?

24 MS. LAMBERTON: So moved.

25 MR. SINCAVAGE: I have a

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1 motion.

2 Do I have a second to the  
3 motion?

4 MS. BISBING: Second.



5 MR. SINCAVAGE: Motion and  
6 seconded.

7 All those in favor, please say  
8 aye?

9 BOARD MEMBERS: Aye.

10 MR. CHUCK NICLAUS: Thank you  
11 very much.

12 MS. CINDY HINELINE: Thank you  
13 for your time.

14 MS. LAMBERTON: Good luck on  
15 your project.

16 MS. CINDY HINELINE: Thank you.  
17 I just need the weather to break.

18 MR. SINCAVAGE: I know.

19 MS. LAMBERTON: We know. We're  
20 with you on that one.

21 MR. SINCAVAGE: Okay. I had  
22 asked that we put on the agenda the next two  
23 items with the planning commission.

24 MS. LAMBERTON: Bye. Have a  
25 good night, you guys.

1 MR. SINCAVAGE: If the planning

2 commission would like to discuss them a little  
3 bit. I don't know where we are with them and I  
4 know we've been kicking them around for quite  
5 some time.

6 So the Village Overlay  
7 District, do we know where we are with that or  
8 whether -- I guess, it's really where the  
9 supervisors are, because they have to provide  
10 funding. We don't have any money.

11 MS. LAMBERTON: Actually --  
12 actually just a sideline to this, we -- I have  
13 found out at the Monroe County Planning  
14 Commission level that there are funds available,  
15 and there was a study of 940 that has supposedly  
16 been done down at the county for a few years now.  
17 So I suggested that the NEPA representative who  
18 has the funding available for Monroe, Pike,  
19 Schuylkill, and I want to say Carbon. Is that  
20 the --

21 MS. BISBING: For the  
22 transportation plan?

23 MS. LAMBERTON: Right.

24 MS. BISBING: Yeah, it's  
25 Carbon.

1 MS. LAMBERTON: So if we're  
2 going to do an overlay, I'd like to know what the  
3 transportation plan is and how maybe we can  
4 integrate that and maybe get some of that money  
5 up here where we need it. So we have a meeting  
6 on Tuesday --

7 MS. BISBING: Tuesday.

8 MS. LAMBERTON: -- the 10th  
9 down at Monroe County Planning. This gentleman  
10 is joining us to inform newcomers as to what's  
11 available, what we can use the money for, and  
12 when the agreement's going to be signed to get  
13 these four counties involved and find out what  
14 we're going to do with that.

15 MS. BISBING: They're engaging  
16 a consultant to put together a transportation  
17 plan for the -- those counties, so --

18 MS. LAMBERTON: Yes. So I  
19 think that could be --

20 MS. BISBING: Al Baranski.

21 MS. LAMBERTON: Yeah.

22 MS. LAMBERTON: It's two years

23 ago.

24 Off the record.

25 (Comment off the record.)

59

1 MS. LAMBERTON: On the record.

2 So I found out about it and --

3 MS. BISBING: He's coming to  
4 address that on Tuesday.

5 MS. LAMBERTON: So he is. He  
6 is coming to address it. I'm not blaming him,  
7 please don't think I am. But I think it's great.  
8 I mean, if there's money out there, let's use it.  
9 I mean, then we, you know, get some money for  
10 signs and things like that; and then we'll be  
11 able to move forward with this. I mean, it's all  
12 based on funding.

13 MR. SINCAVAGE: I understand.

14 MS. LAMBERTON: And this has  
15 been out there and they actually -- the county  
16 has had a plan for 940 -- now, I don't know what  
17 sections, I don't know what's involved, but we're  
18 looking to get that presented to the township  
19 engineer and manager so they can at least present

20 something to planning and the board of  
21 supervisors, so we know what the county has in  
22 mind for us, which would be nice to share with  
23 everybody. And then maybe we have something that  
24 we could -- why reinvent the wheel?

25 MR. SINCAVAGE: Right.

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1 MS. LAMBERTON: If it's already  
2 been done, let's embrace it and move forward with  
3 it, as long as it meets with what our ideas are  
4 that we've discussed for the last year or two.

5 MR. SINCAVAGE: I agree.

6 MS. LAMBERTON: So we'll know  
7 more on Tuesday.

8 MR. SINCAVAGE: Well, that's  
9 good. Okay. So maybe at the next meeting we're  
10 going to have some more information?

11 MS. LAMBERTON: Absolutely.  
12 We'll bring back whatever they discuss. Michele  
13 comes to every meeting too, so -- I just thought  
14 that was really interesting.

15 MR. SINCAVAGE: Are you saying

16 then the same thing with the welcoming signs to  
17 the township?

18 MS. LAMBERTON: Well, I'm just  
19 saying if we get some study that's already been  
20 done, that might eliminate some money that we  
21 need to spend on our planning end of things.  
22 It's already been designed.

23 MR. SINCAVAGE: I'm now talking  
24 about the welcoming signs.

25 MS. LAMBERTON: Welcome signs?

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1 Well, we need to get them funded.

2 MR. SINCAVAGE: Right. We do.

3 MS. LAMBERTON: So let's see,  
4 we get everybody at each end of the township to  
5 buy one.

6 MR. SINCAVAGE: We talked  
7 about -- we talked about approaching --

8 MS. BISBING: Like a  
9 sponsorship thing.

10 MS. LAMBERTON: Absolutely. We  
11 will have some additional tax revenue coming in,  
12 Kalahari is going to move forward with Phase 2.

13 MR. SINCAVAGE: That's good

14 news.

15 MS. LAMBERTON: Now.

16 MR. SINCAVAGE: So why can't we  
17 earmark some of that money for --

18 MS. LAMBERTON: And you know  
19 what, absolutely. We'll be looking at our budget  
20 for the next year, and with that staying here,  
21 you know, we'll have some property tax --

22 MR. SINCAVAGE: Did you --

23 MR. McHALE: The TIF was tied  
24 to Phase 1.

25 MS. BISBING: Yes, only Phase

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1 1.

2 MS. LAMBERTON: Only Phase 1,  
3 that's correct. So we'll see a little bit more  
4 revenue. You know, we're going to have 600 more  
5 jobs starting there, so hopefully there'll be  
6 local people. We'll have one percent earned  
7 income tax coming back into the township.

8 MR. SINCAVAGE: Right.

9 MS. LAMBERTON: We should see a  
10 number of transfer taxes going on now. Real  
11 estate's starting to pick up because they're, you  
12 know, relocating. And so that might be -- that  
13 might be the time that we can gain some funding  
14 that we need to do these things, the sooner the  
15 better. I agree with that, absolutely.

16 MR. SINCAVAGE: Maureen, did  
17 you ever look into -- I don't know where we left  
18 it because it was between you and Phyllis,  
19 designs for the signs. I know Phyllis did some  
20 work, and I actually looked at -- and she came up  
21 and she said they were very expensive, which I  
22 understand. But I looked at like Jim Thorpe --  
23 Jim Thorpe Borough signs and those are very  
24 attractive to me. And they're circle, you know  
25 which ones I mean?

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1 MS. LAMBERTON: Did you see  
2 Mount Pocono Borough ones? The same as Jim  
3 Thorpe.

4 MS. BISBING: Eldred or Polk, I  
5 don't know if it's Eldred or Polk has them --



6 MR. SINCAVAGE: Yeah.

7 MS. LAMBERTON: Did you see

8 them in front of the township --

9 MS. BISBING: -- and they're

10 really nice.

11 MR. SINCAVAGE: Yeah, I saw it,

12 it's simple --

13 MS. LAMBERTON: It's a little

14 outdated, but it's cute with the gold leaf

15 lettering and --

16 MR. SINCAVAGE: Yeah.

17 MS. BISBING: Yes.

18 MR. SINCAVAGE: Eldred is the

19 same?

20 MS. BISBING: I think it's

21 Eldred. I was out there for a meeting. I think

22 it's Eldred.

23 MS. LAMBERTON: I can't tell

24 you the last time I went out there. I remember

25 saying, oh, that's a really nice sign, I'll have

1 to --

2                                    Maybe we should have you on a  
3 mission just to go around and take pictures.  
4 Seriously, Jim Thorpe, you know, maybe out in the  
5 West End, Eldred, whatever you think somebody  
6 could already be using and then maybe contact  
7 them directly and find out what the cost of those  
8 signs were?

9                                    MS. MINNICK: We did --

10                                   MS. LAMBERTON: I know Mount  
11 Pocono Borough has a really cute one in front of  
12 their borough building.

13                                   MS. MINNICK: The signs that we  
14 did look at, they were very simple, very nice,  
15 but they were expensive.

16                                   MS. LAMBERTON: Right. Well,  
17 we were looking at something, I think if I  
18 remember correctly, it was like \$3500 and it was  
19 quite large. Maybe we need to just look at some  
20 different sizes and, you know, make it a little  
21 bit more affordable.

22                                   MR. SINCAVAGE: Yeah, 'cause  
23 Jim Thorpe's were only like --

24                                   MS. BISBING: I don't think it  
25 has to be huge.

1 MS. LAMBERTON: No, it doesn't.

2 MR. SINCAVAGE: It does not  
3 have to be huge, no. I'm not thinking that at  
4 all.

5 MS. LAMBERTON: So let's send  
6 Maureen on a mission.

7 MS. BISBING: Not like just a  
8 metal sign.

9 MR. SINCAVAGE: I was going to  
10 stop on -- but that 903 is dangerous, that road  
11 goes down into Jim Thorpe, but I was going to  
12 stop.

13 MS. MINNICK: Where is it? Is  
14 it on the right or on the left?

15 MR. SINCAVAGE: On the right.

16 MS. LAMBERTON: Yeah, we're not  
17 sending Mark, we'll send Maureen.

18 MR. SINCAVAGE: Yes, because  
19 she's a township employee.

20 MS. LAMBERTON: No, and you'll  
21 know -- you know what I mean? You'll know.

22 MR. ARMSTRONG: You might want  
23 to clear it with Phyllis before you start going

24 on field trips.

25 MS. LAMBERTON: I'll call

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1 Phyllis in the morning, don't worry. No, I think  
2 that's a great idea and maybe we can get some  
3 options.

4 MS. MINNICK: I'll be down that  
5 way in April, Lehighton.

6 MS. LAMBERTON: You might have  
7 to wait for snow to go away.

8 MR. SINCAVAGE: Yeah, that's  
9 true too.

10 MS. LAMBERTON: Yeah. No, I'm  
11 fine, just in the next month or two --

12 (Discussion off the record.)

13 MR. SINCAVAGE: Okay. Well, I  
14 just wanted to put those items on there.

15 MS. LAMBERTON: No, and I  
16 respect that, yeah. Yeah, I think we start with  
17 the -- like the 940 corridor planning --

18 MR. SINCAVAGE: Yes.

19 MS. LAMBERTON: -- and we need

20 to look at that sooner than later.

21 MR. SINCAVAGE: And the signs,  
22 I don't understand why these signs are so  
23 complicated. I really don't.

24 MS. LAMBERTON: The what,  
25 the --

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1 MR. SINCAVAGE: The welcoming  
2 signs.

3 MS. LAMBERTON: The welcoming  
4 signs.

5 MR. SINCAVAGE: I mean, I  
6 understand it's money, I always get that; but I  
7 mean, it's not that much money. You know?

8 MS. LAMBERTON: I'll stand out  
9 on 940 with a cup for us.

10 MR. SINCAVAGE: I said approach  
11 some of the businesses, but, okay.

12 Anything else? Does any other  
13 commission member have anything that they want to  
14 discuss or --

15 MS. LAMBERTON: I'm actually --  
16 we'll have more next month after the county.

17 MR. SINCAVAGE: All right. We  
18 stand adjourned. Thanks.

19 (Meeting concluded at 6:25  
20 p.m.)

21 ---

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

13

14

15

16

JESSICA L. HOLT, C.R.

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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, April 9, 2015, beginning at 5:30 p.m.

---

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

ROBERT J. McHALE, Township Engineer

PATRICK M. ARMSTRONG, ESQUIRE,  
Solicitor

ALSO

PRESENT: Maureen Minnick, 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 for April  
4 9, 2015 to order. No public's here.

5 I'll entertain a motion to  
6 approve the minutes of March the 5th, 2015.

7 MR. MILLER: So moved.

8 MR. SINCAVAGE: I'll second the  
9 motion.

10 All those in favor, please say  
11 aye?

12 THE BOARD: Aye.

13 MR. SINCAVAGE: And you want to  
14 abstain?

15 MS. RINEHEIMER: Oh, I'll  
16 abstain. I'm sorry.

17 MR. SINCAVAGE: Pat abstains  
18 because she was not present.

19                   Going on to new business.  
20                   We'll just take care of these  
21 items really quick and then we'll get to you.  
22                   The proposed overlay district  
23 for Pocono Manor is --  
24                   MS. MINNICK: They request to  
25 table.

3

1                   MR. SINCAVAGE: The applicant  
2 has requested to be tabled. I'll entertain a  
3 motion to table that item.  
4                   MR. MILLER: So moved.  
5                   MR. SINCAVAGE: I have a  
6 motion.  
7                   Do I have a second to the  
8 motion?  
9                   MS. RINEHEIMER: I'll second.  
10                  MR. SINCAVAGE: Motion and  
11 seconded.  
12                  All those in favor, say aye?  
13                  THE BOARD: Aye.  
14                  MR. SINCAVAGE: Anthony  
15 Morrioni?

16 MS. MINNICK: I have nothing on  
17 them.

18 MR. SINCAVAGE: Nothing on  
19 Anthony Morroni we need to review? Okay. Then  
20 I'll entertain a motion to table Anthony Morroni,  
21 minor subdivision.

22 MS. RINEHEIMER: I'll make that  
23 motion.

24 MR. MILLER: Second.

25 MR. SINCAVAGE: Motion and

4

1 seconded.

2 All in favor, please say aye?

3 THE BOARD: Aye.

4 MR. SINCAVAGE: Okay.

5 T-Mobile?

6 MR. MICHAEL GRAB: Good  
7 evening, commission members. My name is Mike  
8 Grab. I represent T-Mobile in connection with  
9 the application. And I've met with the planning  
10 commission before, but it's been several years  
11 since I've been here.

12                               This is an application for a  
13 wireless communication facility on the Boy Scout  
14 camp property. And the use is permitted by  
15 conditional use under the zoning ordinance, so  
16 we're meeting with the planning commission this  
17 evening to seek a recommendation to the board of  
18 supervisors for the conditional use application.

19                               Do each of you have a copy of  
20 the zoning drawings? It looks like maybe --  
21 okay. Very good. I know that Mr. McHale has  
22 issued a review letter dated today; we can  
23 certainly take a look at that. But what I'd like  
24 to do is just kind of familiarize you with what  
25 the proposal is. So if you take a look at the

5

1 plan you have before you, the cover sheet, of  
2 course, is just the -- the standard cover sheet  
3 which shows the address, which is technically 106  
4 Camp Minsi Road.

5                               And if you go to the next  
6 sheet, which is Z-1, that shows the proposed  
7 location of the site, which is right off of Route  
8 940, back Camp Minsi Road and then a little to

9 the -- to the west. If you follow the existing  
10 road down there, you can see there's another  
11 little road that comes off of that to the  
12 compound where that's identified. Okay?

13                                   And then if you go to the next  
14 page, which is Z-2, that's kind of a top-down  
15 look at the compound. And I know the commission  
16 has seen these kinds of proposals before. It's a  
17 fairly standard wireless telecommunication  
18 facility. It has the fenced-in gated compound;  
19 and then within that, there is the monopole tower  
20 with the antennas and then room for various  
21 equipment, shelters that would -- that would go  
22 in there.

23                                   The next page is Z-3, and that  
24 shows an elevation view of the proposed monopole,  
25 which is a hundred and fifty-five feet. And the

6

1 applicant has already met with the zoning hearing  
2 board. We filed an application for certain  
3 dimensional variances, all of which were granted  
4 by the zoning hearing board. Now, that was an

5 oral decision that was announced -- I think it  
6 was March 24, I think we met with them. So we  
7 don't have the written decision yet, but those  
8 all were granted at the conclusion of the  
9 meeting.

10 So, again, the tower will be  
11 constructed in accordance with current standards,  
12 which is the EIA/TIA-222-G standard for steel  
13 structures. And, of course, there'll be a  
14 geotechnical investigation done at the site to  
15 design the foundation and all of that's fairly  
16 standard stuff. If you go to the next page then,  
17 which is the last sheet, Z-4, that shows you,  
18 again, the compound, fence detail, as well as the  
19 antenna.

20 Now, one of the variances that  
21 we requested was from the size limitation for  
22 antennas in the ordinance. The size limitation  
23 is three feet by five feet. There's been kind of  
24 an evolution in the industry where the antennas  
25 are getting slightly larger because they have to

7

1 handle more capacity. So the variance that we

2 received was for antennas that are eight feet in  
3 height by four feet in width; instead of three by  
4 five, it's four by eight. So in brief, that is  
5 the zoning drawings.

6                   And then I also have for the  
7 planning commission the radio frequency  
8 propagation maps, which I don't believe that you  
9 have, just to show you what the current gap in  
10 coverage looks like for T-Mobile in the area and  
11 how they propose to fill that. So if you look at  
12 Page 1, that's the existing coverage that shows  
13 the coverage T-Mobile currently has with its  
14 existing sites. And the green -- green area  
15 shows the best in-building coverage, the yellow  
16 shows, what we call, the in-vehicle coverage.

17                   The proposed site is located  
18 right in the middle. That's the red dot. It  
19 says 2MN 80 0 -- 8801A, and you can see there's  
20 no coverage currently in that area at all. And  
21 then if you go to Page 2, Page 2 shows you what  
22 coverage would be provided by the proposed site,  
23 so it's pretty significant. And the -- the -- or  
24 the vehicle coverage does link up, at least with  
25 the site, to the -- to the northeast, but there

1 will be other infill sites that may occur; but  
2 the idea is to fill that gap as much as possible,  
3 which is what this site does.

4                                   And that's why we sought the  
5 variance for the height of the tower as well, to  
6 permit that coverage. And when we met with the  
7 zoning hearing board, we did show them the  
8 reduction in coverage that would have occurred if  
9 we would have built a tower at a lower elevation,  
10 like at a hundred feet or 120 feet. So this is  
11 the minimum height necessary in order to provide  
12 that minimum radio frequency coverage objective.  
13 Okay?

14                                   So in terms of the site, that's  
15 really the -- the summary of it, in terms of the  
16 design and layout and the radio frequency need  
17 for it at the location. And, again, I know  
18 Mr. McHale has prepared a review. I don't know  
19 if you -- the planning commission wants to take a  
20 look at that or discuss that.

21                                   MR. McHALE: We briefly started  
22 to speak to this before the meeting, but we don't



23 need to go through every item. I think most of  
24 it is, add notes --

25 MR. MICHAEL GRAB: Sure.

9

1 MR. McHALE: -- confirm a few  
2 things, provide information and the structural  
3 calculations and things like that. And I just  
4 want to kind of start at the beginning. Nothing  
5 really major on the second page. The variances  
6 were granted.

7 Michael, there's one variance  
8 that when Maureen and I were looking at this,  
9 this afternoon, we had a question as far as the  
10 1,050 feet separation from the tower to the  
11 property line.

12 MR. MICHAEL GRAB: Um-hum.

13 MR. McHALE: And that actually  
14 takes you to the -- the street, Tanglewood Drive.  
15 It's about 770 feet from where the tower's being  
16 proposed to the property line to the west; and I  
17 wasn't sure how that was presented to the zoning  
18 hearing board because they granted you to the  
19 next residential district, if you will, which is

20 an R-2 Zone, and the R-2 Zone changes over at the  
21 property line. So I don't know if you have any  
22 insight to that, but --

23 MR. MICHAEL GRAB: Well, that's  
24 an issue that actually just came up only at the  
25 time of the zoning hearing.

10

1 MR. McHALE: Yeah. Here's the  
2 sketch. You might want to hold it up there,  
3 Michael, but the site -- the tower's here. It  
4 measures about 770 to here, but somebody must  
5 have spoken to 1,050, which took them to the  
6 street rather than that adjacent --

7 MR. MICHAEL GRAB: Gotcha.

8 MR. McHALE: -- boundary. So I  
9 don't know how that would get resolved.

10 MR. MICHAEL GRAB: Well, I can  
11 tell you that the -- the discussion was to permit  
12 the variance to the boundary line.

13 MR. McHALE: Okay.

14 MR. MICHAEL GRAB: And what  
15 happened was, there was a kind on-the-fly

16 measurement that was taken at the time of the  
17 hearing to determine what that distance was. So  
18 clearly somebody erroneously measured it --  
19 T-Mobile must have erroneously measured that. We  
20 had the engineer here with us.

21 MR. McHALE: Because even on  
22 this site plan, Z-1, it actually shows 730 feet  
23 from the tower to the property line.

24 MR. MICHAEL GRAB: To the  
25 property line?

11

1 MR. McHALE: Well, actually  
2 just a little bit inside the property line. So,  
3 again, it wouldn't have exceeded 800 feet, but,  
4 again, if the intent of the zoning hearing board  
5 was just to take it to the property line, as  
6 you're speaking to --

7 MR. MICHAEL GRAB: Yes.

8 MR. McHALE: -- then perhaps  
9 the decision letter should clarify that a little  
10 bit; and that should take care of it.

11 MR. MICHAEL GRAB: Yeah. The  
12 measurement wasn't intended to be the actual

13 dimension. The actual measurement reflected what  
14 we thought was to the property line, which was  
15 the discussion with the zoning hearing board.

16 MS. MINNICK: Right.

17 MR. McHALE: Okay.

18 MR. ARMSTRONG: Okay. So  
19 just -- just so I'm clear, the zoning hearing  
20 board level, the distance that was, I guess,  
21 represented to the zoning hearing board, was not  
22 the 770, it was --

23 MR. McHALE: 1,050.

24 MR. ARMSTRONG: -- 1,050.

25 MR. MICHAEL GRAB: 1,050, but

12

1 that was presented by the T-Mobile engineer.  
2 When the issue about the setback distance was  
3 raised, we kind of took a recess, reviewed that  
4 distance, came back on, requested an amendment to  
5 the application to permit that variance. And  
6 everybody said to the property line, but  
7 apparently the measurement was incorrect, which I  
8 wasn't made aware of until -- until right now.

9 MR. ARMSTRONG: Okay.

10 MR. MICHAEL GRAB: And actually

11 I shouldn't say the property line. I think that

12 the intent was to --

13 MR. McHALE: The district

14 line --

15 MR. MICHAEL GRAB: -- to the

16 district line --

17 MR. McHALE: -- which is the

18 property line.

19 MR. MICHAEL GRAB: Right.

20 -- is what the discussion was with the zoning

21 hearing board.

22 MR. ARMSTRONG: And based on

23 the verbal -- because obviously there's no

24 written decision yet, but based on the verbal,

25 they granted that requested variance distancewise

13

1 to the property line.

2 MR. MICHAEL GRAB: That's

3 correct.

4 MR. ARMSTRONG: Okay.

5 MR. MICHAEL GRAB: Yeah, they

6 granted both the amendment to the application and  
7 then the actual variance.

8 MR. McHALE: Okay. At the  
9 bottom of Page 4, there's a requirement to  
10 demonstrate good faith effort that they look to,  
11 within a half a mile radius, mount an antenna on  
12 a facility within that area. And there was a  
13 note in the supplemental narrative that was  
14 provided by Attorney Grab that they had done  
15 that.

16 Pat, I don't know if you need  
17 something more than just a statement or what to  
18 demonstrate that.

19 MR. ARMSTRONG: Yeah. I'm  
20 actually -- I don't -- I don't think I have a  
21 copy of that.

22 MR. McHALE: Maureen, do you  
23 have --

24 MR. ARMSTRONG: Is there an  
25 extra?

14

1 MR. McHALE: -- any extra

2 copies of the --

3 MS. MINNICK: I gave it to him.

4 MR. ARMSTRONG: Here we go.

5 MR. McHALE: You got it? Okay.

6 MR. MICHAEL GRAB: And at the  
7 time of the zoning hearing, we actually presented  
8 sworn testimony from the site acquisition  
9 consultant to confirm, you know, where she had  
10 conducted her investigation and where she had  
11 looked and what the existing towers or tall  
12 structures were within that radius. But we can  
13 certainly provide something in writing --

14 MR. McHALE: Something --

15 MR. MICHAEL GRAB: -- so that  
16 the board has that for the conditional use  
17 hearing.

18 MR. McHALE: Okay. There's a  
19 couple of sections that speak to providing the  
20 ability for collocations on this particular  
21 tower.

22 MR. MICHAEL GRAB: Um-hum.

23 MR. McHALE: And that would  
24 come in somewhat with the structural analysis in  
25 the early design that's done. But what we should

1 probably see is how many antenna arrays are being  
2 proposed, maybe even sketch it on the elevation  
3 or some notes that speak to that, and that  
4 there's provisions made for the compound itself,  
5 that it can accommodate those additional --

6 MR. MILLER: Bob, is there any  
7 way to know how many additional antennas are  
8 allowed? I mean, is there any way to tell that?

9 MR. MICHAEL GRAB: Well, I can  
10 tell you generally these are going to be designed  
11 to permit up to four collocators; so they're  
12 going to be designed for a minimum of that. And  
13 the area of the compound would be sufficient for  
14 that too. And we can certainly add a note to the  
15 plans that says that it will be designed to hold  
16 a minimum of -- so it will be T-Mobile plus three  
17 additional.

18 MR. SINCAVAGE: Okay.

19 MR. MILLER: That would be at  
20 the max then?

21 MR. MICHAEL GRAB: That would  
22 be generally the max. Now, they can be designed  
23 to hold even more than that, but usually for a



24 tower of this height, you'll find that no more  
25 than four are going to be interested anyway

16

1 because the fourth --

2 MR. MILLER: Getting too low.

3 MR. MICHAEL GRAB: -- one is  
4 going to be so low that -- yeah.

5 MR. McHALE: At the bottom of  
6 Page 5, Element U, which is basically saying that  
7 you have a lease agreement for the parcel. If  
8 you could provide that to our township solicitor,  
9 that would be great.

10 MR. MICHAEL GRAB: Sure.

11 MR. ARMSTRONG: And the owner  
12 is Bethlehem Boy Scouts of Council, BSA?

13 MR. MICHAEL GRAB: Correct,  
14 yeah.

15 MR. ARMSTRONG: Okay.

16 MR. MICHAEL GRAB: And we did  
17 provide a copy of the lease to the zoning hearing  
18 board as part of that hearing, but we will go  
19 ahead -- we'll present that again to the board of

20 supervisors at the time of the conditional use  
21 hearing.

22 MR. McHALE: At the bottom of  
23 Page 6, Item CC, there's a visual impact analysis  
24 that's to be done. And, again, in his  
25 supplemental narrative, Attorney Grab had

17

1 indicated that they would be providing a balloon  
2 test or visual impact analysis to the board of  
3 supervisors at the time of the hearing.

4 Some clarifications basically  
5 on the color. It does speak to, and I think you  
6 also reference this in your supplemental  
7 narrative, that the proposed monopole tower will  
8 have a galvanized gray finish. The ordinance  
9 actually speaks to a matte finish, so if we can  
10 make it a matte finish rather than a shiny --

11 MR. MICHAEL GRAB: Sure.

12 MR. McHALE: -- nice type.

13 Just some clarifications,  
14 there's no other towers, notes to the plan,  
15 within a thousand feet of this tower. And I  
16 think most of the rest -- I mean, existing

17 proposed contours, just to show the compound, how  
18 they're going to plan to grade.

19 The storm water management  
20 portion of it, they had some notes that is de  
21 minimis. They do not need to submit a drainage  
22 plan --

23 MR. MICHAEL GRAB: Okay.

24 MR. McHALE: -- according to  
25 the ordinance due to the size, but they do need

18

1 to comply with the regulations nonetheless. So I  
2 wanted to take those notes off and put some  
3 clarity in there that they're going to comply,  
4 you know, with Chapter 124.

5 MR. MICHAEL GRAB: Okay.

6 MR. McHALE: Has this been  
7 submitted to Monroe County Planning Commission?

8 MR. MICHAEL GRAB: It has not  
9 at this point. We're going to go through the  
10 zoning process first and then deal with the land  
11 development issues at that point.

12 MR. McHALE: Okay. Other items

13 like approval blocks, PA One Call design serial  
14 number, those kind of items need to be added.

15 Maureen, I don't know if there  
16 was anything else you wanted to speak to  
17 regarding that?

18 Or if you had any questions,  
19 planning commission, on the comments? A lot of  
20 notes and additional information will be  
21 provided.

22 MR. SINCAVAGE: Is this all  
23 wooded between 940 and the proposed tower?

24 MR. MICHAEL GRAB: It is.  
25 Yeah. Yeah, the proposed site is surrounded

19

1 significantly by -- by a wooded area. And the  
2 idea would be to remove the minimum number of  
3 existing trees necessary to put the compound in  
4 there because that's going to provide a lot of  
5 the basic screening. And, again, we did do a  
6 balloon test and so that will depict and show  
7 exactly what those existing trees look like.

8 MR. McHALE: And I believe the  
9 terrain falls off from 940 down into the camp.

10 And you could look at the USGS maps, but it's  
11 probably more than 20 feet.

12 MR. MICHAEL GRAB: Yes.

13 MR. McHALE: List item -- if we  
14 could add the property identification number.  
15 There's a tax map number on here, but if you  
16 could add the pin, that would be --

17 MR. MICHAEL GRAB: You want the  
18 pin on there?

19 MR. McHALE: Yeah. And other  
20 than that, this is just basically a checklist of  
21 items to go through.

22 MR. MICHAEL GRAB: And, again,  
23 in terms of those housekeeping items and adding  
24 the notes, that won't be a problem. We can put  
25 all those on there.

20

1 MR. SINCAVAGE: Okay. Bob,  
2 according to your letter, you're recommending  
3 that we table this?

4 MR. McHALE: Yes.

5 MR. ARMSTRONG: I was actually



3 have the actual written zoning hearing board  
4 decision yet. So assuming everything is as it  
5 appears, there might not be any zoning issues.  
6 You know, we still need the lease agreement, but  
7 it sounds like you provided that for purposes of  
8 the zoning hearing board.

9 MR. MICHAEL GRAB: Um-hum.

10 MR. ARMSTRONG: You know,  
11 you're --

12 MR. McHALE: They've been  
13 granted variances, they're showing the setbacks  
14 that are required. Many of the elements that  
15 they need to provide are on the drawings, and  
16 pretty well depict, you know, a clean site. So  
17 really it's the structural design, the calcs, the  
18 certifications, the notes to be added, those type  
19 of things.

20 MR. ARMSTRONG: Did anyone show  
21 up at the zoning hearing board, any residents?

22 MR. MICHAEL GRAB: No, there  
23 was no opposition. There weren't any interested  
24 parties that were there.

25 MR. ARMSTRONG: Okay. The

1 access road --

2 MR. MICHAEL GRAB: It's not  
3 like it used to be.

4 MR. McHALE: The balloon test  
5 will really give a picture of what you're going  
6 to be able to see from 940 and assuming they  
7 probably shot from both directions to --

8 MR. MICHAEL GRAB: Correct.

9 MR. ARMSTRONG: The access  
10 road, it might be in here, is it gravel?

11 MR. MICHAEL GRAB: It is, yeah.  
12 It's always gravel, yeah.

13 MR. ARMSTRONG: Okay.

14 MR. McHALE: And they got a  
15 fenced in compound and that meets the criteria.

16 MR. SINCAVAGE: Yeah. The only  
17 thing I was looking at was landscaping, but  
18 that's heavily wooded, so, you know, there's no  
19 need for landscaping.

20 MR. ARMSTRONG: Is there going  
21 to be a gate or anything at the entrance?

22 MR. MICHAEL GRAB: There is.  
23 We'll, there's a locked gate on the compound, but



24 I don't believe that there is a gate down at the  
25 entrance to the road because that's used for the

23

1 camp access as well.

2 MR. ARMSTRONG: Oh, it's a  
3 preexisting access road?

4 MR. MICHAEL GRAB: Yeah, it's  
5 preexisting off of 940 --

6 MR. ARMSTRONG: Okay.

7 MR. MICHAEL GRAB: --  
8 preexisting access, yeah.

9 MR. McHALE: Pat, there is a  
10 note in here, but I think maybe you and Attorney  
11 Grab ought to discuss how the maintenance of --  
12 there should be something that stipulates how  
13 this access out to 940 is going to be shared,  
14 because I know we can end up in a situation  
15 where, like we did many years ago, that -- an ice  
16 storm; and if the Boy Scout camp is not being  
17 plowed open during the winter months, then how do  
18 you get access to the tower to check and verify  
19 that everything is structurally sound?

20 MR. ARMSTRONG: Is that

21 addressed in the lease agreement?

22 MR. MICHAEL GRAB: It is.

23 That's addressed in the lease agreement that --

24 MR. ARMSTRONG: Are you doing  
25 like a shared driveway easement or is it just

24

1 you're addressing it in the lease agreement and  
2 that's it?

3 MR. MICHAEL GRAB: In the lease  
4 agreement and that's it. So there wasn't going  
5 to be a separate specific easement that is  
6 recorded, but it's part of a lease agreement.  
7 And, again, I can pull the language out of there  
8 so that you can see that.

9 MR. ARMSTRONG: Okay.

10 MR. MICHAEL GRAB: Okay.

11 MR. ARMSTRONG: And you've  
12 looked at, I assume, Section 155-59, as well as  
13 155-106 of the township zoning ordinance?

14 MR. MICHAEL GRAB: Sure. In  
15 terms of all the requirements and the general  
16 requirements?

17 MR. ARMSTRONG: In all of the  
18 requirements it's the intent of you and your  
19 client to comply with, with the exception of  
20 those that you receive or may receive zoning  
21 relief from the zoning hearing board?

22 MR. MICHAEL GRAB: That's  
23 absolutely correct.

24 MR. McHALE: And if there are  
25 elements in the SALDO only that you wish to ask

25

1 for waiver relief on, then that should be  
2 submitted to the attention of the chairman and  
3 identify each of those and put that on the plan.

4 MR. ARMSTRONG: I spoke with  
5 Attorney Grab a little bit before about  
6 potentially requesting a waiver of land  
7 development, and it sounds like that might be the  
8 direction your client would go.

9 MR. MICHAEL GRAB: Yeah. For  
10 these kinds of sites, we customarily do that. So  
11 what we do is, go through the zoning process  
12 first and then address with the township, in the  
13 appropriate way, any land development waivers.

14 So that would entail, most likely, an application  
15 for the waiver, you know, whatever fee  
16 accompanies that and then that could be reviewed  
17 by the solicitor and by the engineer.

18 MR. ARMSTRONG: Yeah. Usually  
19 a letter to the attention of the township --

20 MR. MICHAEL GRAB: Okay.

21 MR. ARMSTRONG: -- just  
22 requesting it.

23 MR. McHALE: The ordinance,  
24 actually in that first Section A, on Page 2, it  
25 actually links the Chapter 135, the SALDO, into,

26

1 you know, complying with the plan requirements of  
2 that -- the SALDO. So unless you're looking at  
3 individually, you know, addressing those elements  
4 of the SALDO as a waiver on, I mean, I don't know  
5 if --

6 MR. ARMSTRONG: Where are you  
7 referring to, Bob, on your letter?

8 MR. McHALE: A.

9 MR. ARMSTRONG: A.

10 MR. McHALE: So I guess you  
11 could waive the land development, but it still  
12 includes the criteria within the zoning portion  
13 of it to comply with 135, I guess is what I'm  
14 saying. So it's not like it all goes away, and  
15 that's why I was thinking if you individually --  
16 like the typical items, like within 500 feet of  
17 the property, then identify, you know, utility  
18 lines and things like that. Since they are more  
19 remote on this, it's not really necessary. So  
20 there's probably half a dozen elements that could  
21 be provided a modification or a waiver.

22 MR. ARMSTRONG: Okay. Are  
23 you -- just so I'm clear, it's 2-A in your  
24 letter?

25 MR. McHALE: That's out of the

27

1 zoning section, but it makes --

2 MR. ARMSTRONG: Right.

3 MR. McHALE: -- reference to  
4 the SALDO.

5 MR. ARMSTRONG: And you're  
6 referencing -- or it's referencing the plans to

7 be submitted, to be in compliance with the  
8 subdivision and land development ordinance?  
9 Is --

10 MR. McHALE: Well, in this  
11 review, I kind of combined both. And under Item  
12 B on Page 8, we started the SALDO portion of it  
13 in the compliance with Chapter 135; and any of  
14 the elements that weren't included or might need  
15 a waiver are all identified there.

16 MR. ARMSTRONG: Okay.

17 MR. McHALE: So --

18 MR. ARMSTRONG: I'll look  
19 at it.

20 MR. McHALE: -- you can look at  
21 and decide that.

22 MR. MICHAEL GRAB: Yeah. We  
23 can look at that and discuss the best way to  
24 proceed with those kind of waiver issues.

25 MR. SINCAVAGE: Personally, I

28

1 would like to see the zoning hearing board  
2 opinion, especially since there's a question on

3 that -- the setback, on how that was worded or  
4 how that was phrased, so I'd like that clarified.  
5 So if there's no problem, which it doesn't sound  
6 like there would, we'll consider this at our May  
7 meeting, which would be on May the 7th.

8 MR. MICHAEL GRAB: Okay.

9 MR. ARMSTRONG: This was the  
10 discrepancy that was discovered just today, Bob.

11 MR. McHALE: Yes.

12 MR. ARMSTRONG: So the zoning  
13 hearing board and the zoning hearing board  
14 solicitor probably don't even know it.

15 MR. McHALE: Correct.

16 RM. ARMSTRONG: So maybe what  
17 I --

18 Go ahead.

19 MR. MICHAEL GRAB: I was going  
20 to say, what I will do is send a letter, based  
21 upon our discussion this evening, to the zoning  
22 hearing board; to you, Maureen; and to the  
23 solicitor, to advise them that we just became  
24 aware of this measurement discrepancy and ask  
25 that that be addressed in the written decision.

1 MR. ARMSTRONG: And perhaps ask  
2 for leave of the board to supplement the record.

3 MR. MICHAEL GRAB: To amend  
4 that to the record, exactly, yes.

5 MR. SINCAVAGE: I'd rather see  
6 that cleared up before this board takes any  
7 action, though.

8 MR. ARMSTRONG: Okay. I guess  
9 a question to the commission, do you want  
10 Mr. Grab to attend your May meeting to further  
11 discuss this?

12 MR. SINCAVAGE: I think as long  
13 as those kind of things are addressed, we don't  
14 need you here.

15 MR. MICHAEL GRAB: Okay. Very  
16 good.

17 MR. SINCAVAGE: If you don't  
18 want to come see us, that's okay.

19 MR. MICHAEL GRAB: Well, it's  
20 not that I don't want to come see you, but I will  
21 be back up in May too with the board of  
22 supervisors, so -- yeah.

23 MR. SINCAVAGE: That's fine.

24 MR. MICHAEL GRAB: Okay.



25 Great.

30

1 MR. SINCAVAGE: That's fine.

2 We can take action then.

3 MR. MICHAEL GRAB: Okay.

4 MR. SINCAVAGE: Okay. So I'll  
5 entertain a motion to table the conditional use  
6 application of T-Mobile Northeast.

7 MS. RINEHEIMER: I'll make that  
8 motion.

9 MR. SINCAVAGE: I have a  
10 motion.

11 Do I have a second to the  
12 motion?

13 MR. MILLER: Second.

14 MR. SINCAVAGE: Motion and  
15 seconded.

16 All those in favor, please say  
17 aye?

18 THE BOARD: Aye.

19 MR. MICHAEL GRAB: Thanks for  
20 your time, commission. We appreciate it. Have a

21 good evening.

22 MR. SINCAVAGE: Yep.

23 (Discussion off the record.)

24 MR. SINCAVAGE: Anything else  
25 to come before the commission?

31

1 MS. MINNICK: That's it.

2 MR. SINCAVAGE: No?

3 MS. MINNICK: Nothing.

4 MR. SINCAVAGE: Nothing.

5 Then we stand adjourned. Thank  
6 you.

7 (Meeting concluded at 5:51

8 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 correct transcript of the same.

14

15

16

JESSICA L. HOLT, C.R.

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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 7, 2015, beginning at 5:30 p.m.

---

PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
ANNE LAMBERTON, secretary  
PATRICIA M. RINEHIMER Board Member  
MICHELE BISBING, Board Member  
  
ROBERT J. McHALE, Township Engineer  
  
PATRICK M. ARMSTRONG, ESQUIRE,  
Solicitor

ALSO PRESENT: Maureen Minnick, Zoning Officer  
Phyllis Haase, Township Manager

Panko Reporting  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

2

1 MR. SINCAVAGE: Okay. So I'm  
2 going to call the regularly scheduled meeting of  
3 Tobyhanna Township Planning Commission to order for  
4 May 7, 2015.

5 Is there any public comment in  
6 any agenda item at this time? Hearing none. We'll  
7 move on.

8 Consider the minutes of April  
9 the 9th, 2015. We received them electronically.

10 Do I have a motion to approve?

11 MR. MILLER: So moved.

12 MR. SINCAVAGE: I have a  
13 motion. Do I have a second to the motion?

14 MS. RINEHIMER: I'll second.

15 MR. SINCAVAGE: Motion and  
16 seconded.

17 All in favor, please say aye?

18 BOARD MEMBERS: Aye.

19 MS. LAMBERTON: I'll abstain.

20 I wasn't here.

21 MS. BISBING: Me too.

22 MR. SINCAVAGE: Two

23 abstentions.

24 Anthony Morroni, minor

25 subdivision. Any update on that?

3

1 MS. MINNICK: Yeah, real quick.

2 I sent him an e-mail out. He said last that he

3 heard that he -- Morroni got an attorney involved.

4 He spoke with the attorney probably about two

5 months ago and he understands the situation and

6 will try to move forward with it.

7 MR. SINCAVAGE: All right. So

8 they would like it tabled again, I assume?

9 MS. MINNICK: Yeah.

10 MR. SINCAVAGE: I'll entertain a

11 motion to table the Anthony Morroni minor

12 subdivision?

13 MS. LAMBERTON: So moved.

14 MR. SINCAVAGE: I have a

15 motion. Do I have a second to the motion?

16 MS. BISING: Second.  
17 MR. SINCAVAGE: Motion and  
18 seconded.  
19 All in favor, please say aye?  
20 BOARD MEMBERS: Aye.  
21 MR. SINCAVAGE: Moving on to  
22 new business of proposed overlay district for the  
23 Kalahari, Pocono Manor area.  
24 Before we get started,  
25 gentlemen, I want to just bring to the -- put on

4

1 the record, that I did contact the Monroe County  
2 Planning Commission and we received some sample  
3 ordinances from them on Chestnuthill, which has a  
4 similar overlay district there. Theirs is a little  
5 more extensive in that it gets into village,  
6 commercial, et cetera, but I wanted to -- in  
7 reviewing your proposed ordinance, there's  
8 landscaping requirements and sign requirements that  
9 require action by this board and I wanted to have  
10 some guidance about what -- what is out there and  
11 what are those standards.  
12 The Pocono -- I'm sorry, the



13 Monroe County Planning Commission did forward  
14 comments to us with a review -- with a summary  
15 letter and I hope you all have received that. I  
16 know with the -- and I just sent it out today so --  
17 no, you guys didn't get it so --

18 MR. RALPH MATERGIA: I'll ask  
19 if I can have a copy of it.

20 MR. SINCAVAGE: We can provide  
21 that. Did I provide you --

22 MR. ARMSTRONG: Yeah, what I'll  
23 do -- Ralph, I was copied on it this afternoon,  
24 I'll forward that --

25 Are you okay with me forwarding

5

1 that e-mail directly to Ralph?

2 MR. SINCAVAGE: Yes.

3 MR. RALPH MATERGIA: Thank you.

4 MS. HAASE: And, Mr. Chair, and  
5 just to clarify --

6 MR. ARMSTRONG: And Steve.

7 MS. LAMBERTON: And Steve.

8 He's waiving.

9 MS. HAASE: Just to clarify  
10 these comments that will constitute the comments  
11 that are required through the MPC in view of the  
12 ordinance, it still would have to go for --

13 MR. SINCAVAGE: Okay.

14 MS. HAASE: Okay. Just for  
15 clarification.

16 MR. SINCAVAGE: Okay. Very  
17 good.

18 All right. Well, let's get  
19 started with you, gentlemen, and then we can jump  
20 back and forth between us.

21 MR. ARMSTRONG: Well, actually  
22 before they get started, I was just talking with  
23 Ralph and Phyllis before the meeting, and one thing  
24 just before we get started, and I think the entity  
25 that's requested this change is agreeable in

6

1 theory, in order to tailor this down significantly.

2 If you look at this, a lot of  
3 this was taken from your existing commercial resort  
4 section of the ordinance and the idea or the  
5 purpose behind this overlay is to allow for these

6 three specific uses and some additional signage and  
7 height -- additional regulations addressing them,  
8 it's for the resort, the gaming resort and this  
9 PCRED, this planned commercial retail entertainment  
10 and dining development use.

11 Those three uses would be able  
12 to come into this overlay district and be subject  
13 to these specific sign -- I wouldn't say regulate  
14 -- the more lenient sign regulations under this  
15 proposed ordinance rather than restating all of the  
16 individual uses that are already permitted in that  
17 district, we'll just make clear that the PCRED  
18 portion of this, that new use, incorporates -- can  
19 be a combination of these permitted uses under the  
20 commercial district. Okay?

21 And that way we can take out a  
22 lot of this language that was taken from the  
23 existing ordinance, which they'd be able to --  
24 they'd be able to move forward with anyway under  
25 the commercial district. They don't have to be

7

1 within this overlay district in order to proceed

2 with that.

3 One -- one discussion point when  
4 we were talking about that, you know, in order to  
5 be considered this PCRED, which is a planned  
6 commercial development, whether or not you should  
7 require a minimum amount of these commercial uses  
8 allowed under the commercial development to be part  
9 of this new development use, and what was kicked  
10 around, nothing's been -- obviously this is up to  
11 the planning commission and the board, but a five  
12 use would be part of this commercial --

13 MALE VOICE: Minimum.

14 MR. ARMSTRONG: So -- yeah,  
15 like a minimum amount of these permitted uses in  
16 the commercial district to be incorporated into one  
17 development in order to qualify as this PCRED.

18 Does everyone -- be like a  
19 combination of a few commercial uses.

20 MR. SINCAVAGE: Does the  
21 applicant have a schematic of what you're proposing  
22 to --

23 MR. RALPH MATERGIA: Yes.

24 MR. SINCAVAGE: Or a -- can you  
25 give the commission an idea?

1 MR. RALPH MATERGIA: Yes. And  
2 Jim Cahill will present that, keeping in mind that  
3 this is a concept. I mean, admittedly with the  
4 development of the Kalahari Resort, the plan for a  
5 shared infrastructure was designed to facilitate a  
6 development, a commercial development of substance  
7 on this 384 acre lot.

8 There could be additional  
9 subdivision. There could be uses that aren't  
10 necessarily contemplated right now, but the idea is  
11 to attract commercial retail and entertainment type  
12 of development to this property. It's believed by  
13 my client that's the highest and best use of the  
14 property, given the attraction of the Kalahari  
15 Resort and given the incredible expense that's been  
16 undertaken by both of these companies to bring  
17 infrastructure to this otherwise virgin territory.

18 So with that caveat, if you  
19 understand its concept, and that concept could --  
20 it will be somewhat malleable but nevertheless this  
21 is the intention.

22 MR. JAMES CAHILL: The ways  
23 these projects are developed is, you come up with a

24 concept and you go out and you find anchors. And  
25 as each anchor commits or gives you a letter of

9

1 interest, indicating they would like to enter into  
2 a letter of intent, then you start refining the  
3 site plan and then when you get to about 60 or 70  
4 percent, then you start submitting formal plans and  
5 the rest we'll fill in, so to speak, but the big  
6 anchors that you're gonna attract are gonna want  
7 input to where you really are and where they go on  
8 the project.

9                   So that being said, we've had  
10 our architect prepare four different master plan  
11 type layouts. This happens to be the one that we  
12 like and we're working with right now, but it's --  
13 again, it's just a concept. This is Kalahari  
14 Boulevard going back into Kalahari. This is 380  
15 and 940 and Route 314. And what you see here is a  
16 mix of retail, dining and entertaining.

17                   In fact, if any of you've been  
18 to Myrtle Beach and been to Broadway at the Beach in  
19 Myrtle Beach, that's where we -- this concept kind

20 of began. Broadway at the Beach started the  
21 retail, dining and entertainment type of  
22 developments. It's still, 25 years later, the  
23 pinnacle of it, everybody goes in, looks at it  
24 before they try to duplicate it, including Disney,  
25 who went there and studied and looked at Broadway

10

1 at the Beach before they designed and built  
2 Downtown Disney, so --

3                                 We're fortunate to have Bill  
4 Pritchard on our team who is a retired president of  
5 Burroughs & Chapin. Who -- Broadway at the Beach  
6 was his brainchild. He conceived it, designed it,  
7 got it approved, built it, leased it up and  
8 operated it. So he's the first consultant we  
9 hired. He's retired now and works as a consultant,  
10 so --

11                                 What you see here, the purple  
12 type boxes are various entertainment venues and  
13 they can be anything from a multiplex theater,  
14 showing a concept here that we'd like to get called  
15 TopGolf, which is a -- think of it as bowling but  
16 golf, where you show up for an hour and -- instead

17 of taking five hours to play a round of golf, you  
18 play against four buddies in a booth and your golf  
19 balls have a computer chip in them and they score  
20 where your -- how close you land to a target, so --

21 But there's all kinds of  
22 entertainment venues mixed in with restaurants,  
23 which are shown in the yellow color boxes; and  
24 retail, which is -- the small retail is in a  
25 disperse -- this is an outlet type development

11

1 where you have outlet stores; and then we did allow  
2 for one big box to go on the site.

3 Originally Bass Pro was looking  
4 at our property but they have now since signed with  
5 Bethlehem, so we won't be getting a Bass Pro.  
6 They're gonna go by Sands. But we're talking to  
7 outlets like Field and Stream, another Bass Pro  
8 type store. We're talking to like a PGA superstore  
9 since there's so much golf activity here in the  
10 Poconos, that type of thing. So the retail, dining  
11 and entertainment center is someplace where people  
12 go. The kids will go to a movie or they'll go to



13 WonderWorks or they'll go to another type  
14 attraction.

15                                   You know, the mother may do some  
16 power shopping, the husband could be watching a  
17 game and then they all meet up and go to dinner and  
18 next thing you know they're there for six hours and  
19 they go home missing 500 bucks out of their wallet.  
20 It's not power type shopping, it's entertainment  
21 and leisure type shopping. This, of course, is a  
22 different -- those are very -- power shoppers, so  
23 we have them side-by-side on the -- on the same  
24 property.

25                                   But that's what's contemplated

12

1 at this time, so --

2                                   MR. SINCAVAGE: One comment  
3 that I have on your concept plan now is, the  
4 parking is all located right along the highways and  
5 that's one thing we're trying to get away from so  
6 that you're not seeing that from the highway.

7                                   Perhaps, I understand you need  
8 that volume of parking for a complex like that, but  
9 maybe -- I don't know if you've contemplated

10 putting a berm around that parking to hide it from  
11 the highway.

12 MR. JAMES CAHILL: We could.  
13 But certainly we'll have excess material. We plan  
14 to build ponds on the property as part of the  
15 amenities and along the -- we cleaned out several  
16 ponds for the babbling brook, if you would, a  
17 man-made brook, and we want to kind of keep it and  
18 make it look like the Poconos, so --

19 MR. SINCAVAGE: Right. And  
20 that's great for -- I assume that that yellow area  
21 is walking area only?

22 MR. JAMES CAHILL: Yes. The --  
23 what they call hardscape, it's walkways, that type  
24 of thing.

25 The parking is evenly dispersed

13

1 primarily around the project, so this is -- this is  
2 the property line between Kalahari and us. So we  
3 have parking pretty much all the way around it and,  
4 you know, the people want to park their cars and  
5 get out and go. The concept of malls is, you know,

6 disappearing in the United States.

7 So, yes, we can work on certain  
8 things but also the stores want to be seen from the  
9 highway, you know --

10 MR. SINCAVAGE: I'm more  
11 concerned about -- I have no problem with the  
12 stores being seen from the highway, but mainly -- I  
13 mean, this board has talked about that before, is  
14 trying to block this land -- parking areas and if  
15 we could get a berm around there to, you know,  
16 soften that area. And also I think we -- I  
17 personally would be looking for landscaping within  
18 the parking area, you know, with some trees and  
19 that type of thing and --

20 MR. JAMES CAHILL: Well, yeah,  
21 we've left natural -- well, again, it's not  
22 designed yet, but what we've tried to do is instead  
23 of having underground piping to have the water  
24 drain into grass swells and clean the water on the  
25 way to a storage facility, we planned to help with

14

1 the recharge requirements. Part of our idea and  
2 concept now is to do a pond possibly in this area,

3 take the storm water from here, put it in the pond  
4 and then filter it once and use it to irrigate the  
5 golf course, which will help with the recharge  
6 requirements from the conservation district.

7 So we're looking at trying --  
8 you know, if we got to recharge, you might as well  
9 make lemonade out of lemons.

10 MR. SINCAVAGE: Sure. How  
11 about rain gardens within the parking area, have  
12 you looked at --

13 MR. JAMES CAHILL: Too early to  
14 tell but, yes, that's something that we would look  
15 at, in the design. Again, this is not a design,  
16 this is just a concept. You know, the purpose of  
17 this is to go fishing, is to go out and show people  
18 what you're doing and try to get letters of  
19 interest to convert to letters of intent so --

20 MR. RALPH MATERGIA: Excuse me.  
21 While you're on that subject of parking, one of the  
22 changes that was suggested by your solicitor and  
23 your manager was to strike -- I think it's 4F,  
24 which is on Page 14, which refer to 155, 115F as  
25 not applying. When you go to that section, it

1 takes you to the parking provisions which, as I  
2 read it, limit parking to 60 spaces, so you have to  
3 buffer and landscape at 60 at a time, that's what  
4 your ordinance has now. So the first draft of this  
5 says that didn't apply, the suggestion was to bring  
6 that back in.

7 I assume that was intentional,  
8 right, Phyllis?

9 MS. HAASE: That was not my  
10 suggestion.

11 MR. RALPH MATERGIA: Well,  
12 somebody brought that up.

13 MR. ARMSTRONG: Yeah, I'm not  
14 exactly sure why. I think a lot of it has to do  
15 with what we started with this evening, is that a  
16 lot of this can be taken out because it -- that  
17 language is taken directly from the commercial  
18 section.

19 MR. RALPH MATERGIA: Well,  
20 yeah. The point being that when you take that out,  
21 what you're left with is, you're left with the  
22 parking requirements, design requirements of the  
23 commercial district. So unless you wanted to see a

24 different type of regulation for that, that's what  
25 would apply.

16

1 Now, also keep in mind, that  
2 this is being proposed as a conditional use, so  
3 projects in my opinion, as a land use lawyer,  
4 projects of magnitude like this, they deserve  
5 specific attention and recommendations through  
6 planning and the board of supervisors where you can  
7 give and take a little on what the community wants  
8 or what the governing body wants against  
9 necessarily what the ordinance states as opposed to  
10 this just drawing down a building permit for a  
11 bilevel use.

12 So there will be -- I guess what  
13 I'm suggesting to you is, there is -- within the  
14 context of this as a conditional use, you know,  
15 once this gets beyond concept to a plan, there will  
16 be an ability to have input on the design criteria  
17 of the ordinance.

18 MR. SINCAVAGE: And, Ralph, as  
19 you know, that's the struggle with planning --

20 MR. RALPH MATERGIA: It is.

21 MR. SINCAVAGE: -- is how  
22 specific do you get in when you're writing an  
23 ordinance and how broad -- or how broad do you keep  
24 it. And that's the struggle. And I discussed that  
25 yesterday with Christine Meinhart from the Monroe

17

1 County Planning Commission.

2 I'll refer the commission to  
3 Page -- in Document No. 4, Page 98 dot 131, that is  
4 parking area, landscaping.

5 MS. LAMBERTON: I didn't bring  
6 a copy of all those.

7 MR. SINCAVAGE: I'm sorry.

8 MS. LAMBERTON: It's all right.

9 MR. SINCAVAGE: It talks about  
10 the islands and the spacing and how often there has  
11 to be a tree and it does refer to the best  
12 management practices for the stormwater, for rain  
13 gardens to be incorporated in that.

14 I'll read out of this ordinance,  
15 which is 98 dash 71 for parking area, landscaping,  
16 A-1. Applicants are encouraged to incorporate

17 stormwater best management practices into the  
18 required parking lot landscape areas in accordance  
19 with Chapter 92 with the stormwater management.  
20 These may include, but are not limited to, rain  
21 gardens, vegetated swales or other nonstructural  
22 methods described in the Pennsylvania DEP water  
23 stormwater BMP manual, which you're going to have  
24 to look at anyhow. So, you know, that's already  
25 incorporated into this ordinance. And this is

18

1 under subdivision and land development.

2 MR. RALPH MATERGIA: Right.

3 MR. SINCAVAGE: So it's not  
4 zoning.

5 MR. ARMSTRONG: Yeah. What I  
6 would suggest is, if the planning commission has  
7 certain provisions that they'd like from these  
8 samples that you've gotten, this -- the proposed --  
9 at least for purposes of the proposed PCRED use,  
10 that's a conditional use, and typically when you  
11 have a conditional use, you have a separate  
12 section, PCRED with a list of items, you know, that  
13 need to be addressed and satisfied by that



14 particular conditional use and maybe these types of  
15 uses -- or these types of provisions would be  
16 appropriate for that section of the zoning  
17 ordinance going forward.

18                                 That's one thing, you know, the  
19 suggested ordinances provided by the applicant  
20 didn't really have -- didn't have a separate  
21 conditional use section with certain elements for  
22 the PCRED, but if we go forward in that manner, you  
23 know, we can address some of these items that Mr.  
24 Sincavage is bringing up this evening, as well as,  
25 you know, the five -- the minimum five use,

19

1 commercial use provision we discussed earlier in  
2 the evening.

3                                 MR. STEVE PINE: Can I ask a  
4 question on that, Mr. Chairman? I'm not  
5 understanding that. I missed that somehow.

6                                 MR. ARMSTRONG: With -- it was  
7 discussed just briefly before the meeting but --  
8 and the planning commission hasn't made a  
9 recommendation either way, but with the PCRED,

10 that's a new use, it's proposed as a new use, and  
11 the idea, to my understanding behind it, is it's a  
12 proposed new commercial development taking a number  
13 of commercial uses and using them in a -- kind of  
14 like a master plan as shown in that depiction.

15 And the thought was, well, how  
16 do we ensure that this PCRED, someone doesn't come  
17 in with one or maybe two uses and say that  
18 qualifies for a PCRED and really the only way to  
19 prevent that is to come up with a minimum amount of  
20 commercial uses that will be part of this specific  
21 use.

22 Does that make sense?

23 MR. STEVE PINE: Yes, but  
24 wouldn't -- wouldn't the Kalahari already have  
25 qualified for that for the --

20

1 MR. ARMSTRONG: Oh, yeah,  
2 Kalahari's a resort.

3 MR. STEVE PINE: -- for the  
4 entire property? Because you have one layover map,  
5 I didn't see them segmented off on that map. I  
6 just saw it --

7 MR. ARMSTRONG: You're not a --

8 MR. STEVE PINE: -- layover

9 from 940 all the way down to Swiftwater Creek and  
10 it's --

11 MR. ARMSTRONG: This would  
12 apply for a PCRED use, you're a resort use.

13 MS. LAMBERTON: You're resort,  
14 Steve.

15 MR. STEVE PINE: So that map is  
16 not accurate then? You're -- two separate parcels?

17 MR. ARMSTRONG: I'm not  
18 following.

19 MR. STEVE PINE: I thought I  
20 seen the layover map and that's where they brought  
21 all the property as one, from 940 all the way to  
22 Swiftwater. I didn't see it broken up in any way  
23 unless that doesn't apply anymore. So I'm  
24 wondering, you know, with us already having five  
25 uses, doesn't that kind of qualify as a whole

21

1 layover area or do we have two separate layovers

2 here and I'm --

3 MR. ARMSTRONG: The three --  
4 the three uses that would be permitted in this  
5 overlay as proposed would be a resort, which you  
6 would qualify for, a gaming resort or a -- this new  
7 use of PCRED. You'd be qualified as a resort under  
8 the overlay.

9 MR. STEVE PINE: Right. So  
10 what I'm asking though is, I've understood that  
11 this overlay, whatever was good for us, was good  
12 for them, so to speak, and it's gonna be one giant  
13 overlay all the way from here to there but not  
14 crossing 380, so that's not correct?

15 MR. RALPH MATERGIA: That's  
16 correct. It would be on the -- the suggested --  
17 the map that's on the petition --

18 MR. STEVE PINE: 'Cause I  
19 thought we --

20 MR. RALPH MATERGIA: -- is  
21 broader --

22 MR. STEVE PINE: I thought  
23 we're only speaking of one overlay here tonight and  
24 so I assumed that by us having about seven  
25 activities that already covered the five activities

1 on the overlay.

2 MS. LAMBERTON: Oh, I see what  
3 you're saying.

4 MR. SINCAVAGE: I see what  
5 you're saying.

6 MS. LAMBERTON: You're trying  
7 --

8 MS. HAASE: It is one overlay.  
9 Just to be clear, it is one overlay but there's  
10 different uses. You're a resort use and --

11 MS. LAMBERTON: Everything you  
12 already have in your resort, Steve, is your resort  
13 use.

14 MR. ARMSTRONG: Yeah, they're  
15 accessories to your --

16 MS. LAMBERTON: It's not  
17 pulling your restaurant out as a use, it's not  
18 pulling a gift shop out as a use, you are a resort.

19 MR. JAMES CAHILL: What they're  
20 saying, in order for us to qualify for this new  
21 overlay, the retail, dining and entertainment, we  
22 have to have at least five users on our property to  
23 qualify for this overlay zoning.

24 Is that what you're --

25

MR. ARMSTRONG: Yes. And it

23

1 looks like --

2 MR. STEVE PINE: When I read  
3 it, I thought -- I wasn't concerned about that at  
4 all because I said well, Kalahari already has seven  
5 so it doesn't matter what our neighbors do 'cause  
6 this is one overlay and not being broken up, so  
7 that's why I got confused.

8 So that's where I'm coming from  
9 unless this is two separate overlays now. I'm not  
10 sure.

11 MR. ARMSTRONG: It's one  
12 overlay but there's three separate types of uses  
13 that will be permitted within this overlay, and  
14 resort, which you currently have, is one of them,  
15 so you're --

16 MR. STEVE PINE: I know we're  
17 fine. I'm just -- I just -- that just confused me  
18 'cause I thought -- we're talking about one overlay  
19 so it qualified for the whole piece, but okay.

20 MS. LAMBERTON: So what are we

21 trying, we're trying to tell the new portion of the  
22 development what they can put there?

23 MR. STEVE PINE: No, the  
24 minimum number of items they have --

25 MR. RALPH MATERGIA: That's

24

1 correct. But part of this -- part of this  
2 amendment is to give some different treatment  
3 zoningwise for this specific area of your township  
4 from your commercial zoning.

5 MS. LAMBERTON: I think we've  
6 already --

7 MR. RALPH MATERGIA: And the  
8 different treatment starts with a new use class and  
9 that new use class is this sort of master  
10 commercial --

11 MS. LAMBERTON: Entertainment  
12 --

13 MR. RALPH MATERGIA: Retail,  
14 entertainment development.

15 MS. LAMBERTON: Resort overlay.

16 MR. RALPH MATERGIA: Right.

17 Now, what comes along with this, the other change

18 that happens with this overlay, which is optional,  
19 overlay is optional zoning; so the landowner can  
20 look at this and say, I'll just develop under the  
21 commercial zone and I'll live with those rules and  
22 I'll draw down zoning permit based upon compliance  
23 with the ordinance. And they may come before you  
24 with a land development application because it  
25 would be land development, but that's the end of

25

1 zoning.

2 MR. SINCAVAGE: But under the  
3 master plan we, the township, wants to encourage  
4 that type of development because we want that  
5 compact development, which is proposed here, and we  
6 should be giving them incentive to go that  
7 direction as opposed to going to the commercial.  
8 And that's why it's a little bit more lenient, such  
9 as the signage, which the applicant is requesting.  
10 So we become -- we the township come a little bit  
11 more lenient on that to encourage that type of  
12 development. That's my understanding.

13 MR. RALPH MATERGIA: That's



14 correct. And the other part of this change really  
15 and what does create the incentive to develop under  
16 the overlay, as apposed to just a series of  
17 permitted uses, on an otherwise land development  
18 plan, is to get different treatment on signage,  
19 that's one of the major features here. And we want  
20 to talk about that tonight to make sure that the  
21 planning commission gives us and the supervisors  
22 some input on what is being proposed on the  
23 signage.

24 To Kalahari's needs, the current  
25 ordinance doesn't meet their need to place Kalahari

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1 signage on property that Kalahari doesn't own  
2 because you have off-premises prohibition on  
3 commercial signage. So they find themselves in the  
4 same boat, so to speak, as perhaps with Wawa.

5 If Wawa wanted to put a sign on  
6 Pocono Manor's property advertising Wawa in  
7 Blakeslees Corner, they can't do that. Wawa is  
8 unable to do that. Kalahari's equally unable to  
9 cross the road onto the Pocono Manor property to  
10 put up a Kalahari sign even though there's common

11 access designed here for both of these projects,  
12 these one in existence and one in concept here.

13 MR. SINCAVAGE: So with the  
14 overlay you're creating a master plan and what I'm  
15 going to refer to that as the master sign program,  
16 that can be developed for that whole overlay, which  
17 will give the applicant the ability to do that.

18 MR. RALPH MATERGIA: That would  
19 be our intention, although I'm not so sure if the  
20 ordinance requires that, if the ordinance  
21 recommends and suggests a master plan for signage;  
22 but in -- if the ordinance is -- Kalahari doesn't  
23 care so much about a master plan as they care about  
24 getting their signs on the Pocono Manor property.

25 MR. STEVE PINE: That's being

27

1 blunt but, yes.

2 MR. SINCAVAGE: Whereas I'm  
3 coming from a viewpoint, I'm more concerned about a  
4 master plan for the signage for the overall  
5 overlay.

6 MR. RALPH MATERGIA: And as far

7 as the the Manor's concerns, you know, we -- we are  
8 under agreement to extend to Kalahari some signage  
9 easement rights on Manor property. We want it.  
10 This is all part of an attraction so that when  
11 we're attracting the public to Kalahari, we want to  
12 attract the public to our project as well.

13 MR. SINCAVAGE: Yes.

14 MR. RALPH MATERGIA: That's how  
15 these -- that's how this project was designed and  
16 developed.

17 MR. SINCAVAGE: And I think the  
18 commission is in agreement with that, with that  
19 concept. We are in agreement on that.

20 MR. RALPH MATERGIA: I don't  
21 think anybody -- anybody would take offense to  
22 that, it's just that we need to do it in some way.

23 MR. SINCAVAGE: Right.

24 MR. RALPH MATERGIA: So rather  
25 than to affect this with an amendment of your

28

1 commercial zone signage provisions, which then  
2 would extend those concepts zonewise, we're trying  
3 to create an overlay where we just allow that

4 treatment to occur in one particular section of the  
5 township and --

6 MR. SINCAVAGE: We're in  
7 agreement.

8 MR. RALPH MATERGIA: Right.  
9 And in the commercial retail, entertainment and  
10 dining use, we know that your signage provisions in  
11 the commercial zone will be restrictive. Not only  
12 to invite off-premises signage into the Manor  
13 property, but also to get the kinds of signage and  
14 the quantity of signage that's desirable for a  
15 project of this kind of magnitude.

16 So the real thing is, is once we  
17 get the use created and the overlay district map  
18 acceptable to the township, what is going to drive  
19 the incentive to utilize that as opposed to just  
20 by-right commercial development will in fact be the  
21 signage.

22 Before we get to the signage and  
23 while we're still on the uses, your solicitor and I  
24 and your manager talked about not only just a  
25 general incorporation of the commercial uses in the

1 overlay by reference rather than restating them  
2 all, and that's what Pat was referring to by  
3 cleaning up, shortening this amendment or this --  
4 you know, this section of the code, but we want to  
5 permit three additional uses, which would be day  
6 care, if somebody was thinking that that would be  
7 appropriate to resorts and maybe large scale  
8 commercial activity like this, so that would be  
9 permitted in the overlay zone as it's proposed.

10 We would also like to permit  
11 park and ride. Not that we really have any  
12 specific intention for that, but we never know.  
13 There could be -- that could be something that is  
14 appropriate. And then we had a catch-all, which is  
15 in your underlying ordinance, it just says other  
16 uses which are similar, so that would just be sort  
17 of -- I think we should -- either we get that in,  
18 Pat, by reference to the commercial uses or we make  
19 it separate. Either way, I don't care.

20 MR. ARMSTRONG: What I  
21 anticipated it basically being changed to is, when  
22 we're talking about the PCRED, this new planned  
23 commercial use, we basically say it involves a  
24 combination of at least five of the permitted uses

25 in the commercial district, which would be -- it

30

1 actually would include that provision, Ralph,  
2 talking about other uses which are similar to the  
3 above.

4 MR. RALPH MATERGIA: By  
5 incorporation.

6 MR. ARMSTRONG: By  
7 incorporation.

8 MR. RALPH MATERGIA: Okay.  
9 That's fine.

10 MR. ARMSTRONG: As well as park  
11 and ride, commuter lots and day-care centers  
12 because those two are special exceptions in the  
13 commercial, so they wouldn't have been included in  
14 that reference to permitted uses, but if we  
15 specifically call them out, that's how I anticipate  
16 doing that, Ralph.

17 MR. RALPH MATERGIA: Right.

18 MR. ARMSTRONG: So that would  
19 already include that provision that you just  
20 discussed.

21 MR. RALPH MATERGIA: Does that

22 make sense to the planning commission?

23 MS. LAMBERTON: Yes.

24 MR. SINCAVAGE: Yes.

25 MR. RALPH MATERGIA: Because if

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1 so, I think we've settled two of the three --

2 MR. JAMES CAHILL: Two pages, I  
3 would say.

4 MR. RALPH MATERGIA: We  
5 simplified the ordinance.

6 MS. LAMBERTON: Keep it going.  
7 Keep it going.

8 MR. RALPH MATERGIA: Right.  
9 Keep it going.

10 MR. ARMSTRONG: Well, actually  
11 towards the end, you're taking -- we're gonna end  
12 up taking a significant portion out of the end of  
13 the ordinance as well because the resort -- I mean,  
14 I can talk to Ralph about this, but a lot of it  
15 towards the end is already in the commercial  
16 district, so I don't necessarily think it's  
17 necessary to include it other than maybe -- you

18 know, it relates to the resort use, maybe a simple  
19 incorporation statement, making it clear that, that  
20 can be included in the proposed overlay district  
21 for these three uses as well. You know, I think it  
22 can be handled that way rather than restating it  
23 and --

24 What? What did I do?

25 MS. LAMBERTON: No, no, I just

32

1 said, did he just say simple? I like that,  
2 Patrick.

3 MR. ARMSTRONG: But, yeah,  
4 that's how I really per -- so really when you get  
5 down to it, the basics of this ordinance should  
6 really be the fact that you're creating this  
7 overlay district, there's three uses that are going  
8 to be permitted in this overlay district and  
9 entitled to these special sign and height  
10 restrictions, those three uses are the resort,  
11 gaming resort and the PCRED. A little bit on the  
12 PCRED and what it is and, you know, the five  
13 commercial use restriction, maybe if the planning  
14 commission wants to make some recommendations as



15 Chairman Sincavage was referencing earlier and then  
16 the signage requirements, which I think we should  
17 probably get into at some point tonight in making  
18 sure that the planning commission is agreeable to  
19 what's being proposed or if they have a different  
20 perspective as to what the size is and restrictions  
21 should be.

22 MR. SINCAVAGE: Okay. So --

23 MR. RALPH MATERGIA: Let me  
24 make a comment.

25 MR. SINCAVAGE: I'm sorry. Go

33

1 ahead, Ralph.

2 MR. RALPH MATERGIA: Sorry. I  
3 think that if the stormwater best management  
4 practices and landscaping requirements are in the  
5 SALDO, then let's not try to bring them into the  
6 zoning ordinance. Let's leave them where they are  
7 and your -- in your conditional use application,  
8 you're going to address land development issues  
9 even though you're not at land development because  
10 of the detail nature of the plan. It just comes

11 with the territory.

12 MR. ARMSTRONG: Maybe the way  
13 to handle that is, if we're going to have this sep  
14 -- what I'm envisioning now, I mean, now that we're  
15 having a chance to actually think this through, is  
16 you're going to have a separate provision in here  
17 for the PCRED in elements that the conditional use  
18 hearing will go through. Maybe not to the extent  
19 involving the SALDO, but you could require as part  
20 of that is landscape --

21 You know, if you want to see  
22 what they're proposing with respect to landscaping  
23 and -- you know, we can put general requirements  
24 for submissions of this master plan at that point  
25 in time. I don't -- because to be honest, SALDO

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1 probably doesn't have anything specifically  
2 addressing that because there's no specific use  
3 that's being proposed at this time.

4 MR. RALPH MATERGIA: Does not  
5 your current conditional use section talk about  
6 submission of the plan?

7 MR. ARMSTRONG: It does. But

8 you and I both know that usually if you have a  
9 conditional use, it's a good idea if -- there may  
10 be specific requirements under this type of  
11 conditional use and one of them we just talked  
12 about, the five commercial use restriction.

13 MR. RALPH MATERGIA: You're  
14 saying you don't want to put in a definition?

15 MR. ARMSTRONG: We can put in a  
16 definition. I mean --

17 MR. RALPH MATERGIA: I'm trying  
18 to make this easy.

19 MR. ARMSTRONG: I know. I  
20 know.

21 MR. RALPH MATERGIA: Because at  
22 the end of the evening, I'm going to have to  
23 explain to Steve Pine when he can get his signs and  
24 he is an impatient fellow. He's a nice fellow, but  
25 he's impatient. He's got a deadline --

35

1 MR. STEVE PINE: I only care  
2 about two right now, then if I can get that, then  
3 we can work this all out at your own pace.

4 MR. RALPH MATERGIA: He keeps  
5 showing me the neck burns from the rope.

6 MR. ARMSTRONG: Well, I guess  
7 that's really -- that's up to the planning  
8 comission, if you're confident we can address the  
9 specific issues for the PCRED in the definition  
10 section, you know, we can probably try and put that  
11 together and maybe where you reference -- you know,  
12 we can reference some kind of a terminology with  
13 respect to a master plan in there, we can. That's  
14 really --

15 MR. STEVE PINE: I'm really --  
16 Kalahari has really one concern tonight, and I  
17 understand that all of this is very important and  
18 that their needs are very different than ours even  
19 though we're going to have good synergy back and  
20 forth, they're totally different type of  
21 development with totally different rules and  
22 regulations that they need from what we need.

23 But all right now what my main  
24 concern is, is I need to put two entry signs, one  
25 on either side of Kalahari Boulevard, off of

1 Kalahari Boulevard's right of way, off of PennDOT's  
2 right of way. I've got it all mapped out. I've  
3 got Jim's, you know, approval, visual approval and  
4 head nodding when he sees it. One's located where  
5 the signs were, they weren't in the right place, so  
6 we moved them 15 feet to the west, it would be; but  
7 they're still visual to the road.

8                                 But I need to be able to move  
9 ahead with two of those. And I need to be able to  
10 move ahead with the sign that we already, and I'll  
11 be honest you, mistakenly put up already without  
12 the proper documentation on our park this year,  
13 that simply has individual letters that spell out  
14 Kalahari and I did that by accident, that was my  
15 fault, that was a misunderstanding between Maureen  
16 and Bill Burton (phonetic) and I -- but, unless  
17 it's there and I'm hoping that that falls within  
18 that and that's all I need to accomplish tonight.

19                                 Now, I understand this is all  
20 important and it'll give us more time to delve into  
21 it, but I need to find a way to do that because the  
22 hope is, as many of you seen in an e-mail that I  
23 sent out to you today, for us to be able to open on  
24 June 26 and I understand anything that happens here  
25 has a 30-day approval process, Pat, and it depends

1 on Monroe County and everything, that at very best,  
2 because it has to go to the board next Monday, you  
3 know, the very best I can hope for right now is  
4 June 12 to start building and these are fairly  
5 large structures.

6                                   They're 17 feet tall, they're 22  
7 feet wide and they'll say Kalahari Resorts and  
8 whatever Jim's is, on both sides, right now it will  
9 just say Kalahari Resort. But when Jim's property  
10 opens, then they'll combine that both onto the same  
11 structure, so two structures, so that -- that's  
12 really what I need out of tonight. I'm just laying  
13 it on the line.

14                                   So if you can find a way for me  
15 to do this, we have more time to go over all of  
16 this if you need more time and more research to do.  
17 That's it in a nutshell.

18                                   MR. SINCAVAGE: So the signage  
19 you're proposing, is it a monument type sign or is  
20 it --

21                                   MR. STEVE PINE: Yes.

22 MR. SINCAVAGE: Oh, it is?

23 MR. STEVE PINE: Yes. It's  
24 monument type signs. They're stone structures and  
25 they're --

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1 MR. SINCAVAGE: I kind of  
2 envisioned that.

3 MR. STEVE PINE: It looks like  
4 what I would call a redwood sort of sand blasted  
5 sign, but in fact it's hard foam and -- hard coated  
6 foam, and et cetera. But it's a very large sign.  
7 It's probably the size of that wall behind you and  
8 twice as tall. So it's a very large sign and it's  
9 two of them and it's sort of greeting you and it's  
10 the same signs that we have at our Ohio resort but  
11 a little larger so it can accommodate whatever  
12 Jim's development is called when it comes along.

13 MR. ARMSTRONG: So why don't we  
14 do this, you all have at least one version or  
15 another of the proposed ordinance as provided by  
16 the applicant requesting this change, why don't we  
17 skip right to the sign section and if the PC has  
18 comments or concerns with some of the provisions or

19 restrictions in there --

20 MR. SINCAVAGE: Okay. I agree  
21 with that, but I want to just officially say the  
22 commission approves the -- or is acceptable with  
23 the permitted uses. Okay? So I think I saw all  
24 the heads nodding, we're all in agreement with  
25 those changes. So the first two pages is -- what I

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1 think Ralph pointed out or Jim, we're okay with.

2 Is that correct?

3 MR. RALPH MATERGIA: And you're  
4 okay with the map?

5 MR. SINCAVAGE: We're okay with  
6 the map.

7 MS. LAMBERTON: This map?

8 MR. RALPH MATERGIA: Yes.

9 MS. LAMBERTON: I like the map.

10 MR. RALPH MATERGIA: So it's  
11 everything east of 380 and south of 940 down to the  
12 stream. That becomes your overlay.

13 You hear that?

14 MR. SINCAVAGE: So this one



15 freestanding digital sign, it's in blue, 1200  
16 square foot, is that the existing Kalahari sign?

17 MR. STEVE PINE: I'm not sure  
18 what you're --

19 MS. HAASE: Yes.

20 MR. SINCAVAGE: And then the  
21 Pocono Manor's asking for one -- not the Pocono  
22 Manor, the applicant is asking for one more  
23 additional?

24 MS. HAASE: No, not additional.

25 MR. SINCAVAGE: That's this

40

1 blue one?

2 MS. HAASE: No. This is --  
3 this is reflecting what this ordinance would allow.

4 MR. SINCAVAGE: Okay. Thank  
5 you.

6 MS. HAASE: So it -- so we  
7 currently in our ordinance, as it speaks, the  
8 parcel would be allowed to have a digital sign of  
9 1200 square feet, which has currently been  
10 installed. The applicant had also requested  
11 additional freestanding signs, which it's denoted

12 adjacent to 380 at the same size and that's what's  
13 denoted in the orange color.

14 With regards to the off-premise  
15 signage, we have worded it or it needs to be  
16 amended in your copy, that the parcel would be  
17 allotted two off-premise signs; however, if the  
18 parcel abuts 340 and -- or, I'm sorry, 314 and 940,  
19 they would have an additional two off-premise  
20 signs. So they'd have the advertisement on both  
21 940 and 315.

22 MR. SINCAVAGE: Phyllis, when  
23 this says off-premise sign, it's only gonna be an  
24 off-premise sign for something that is in that  
25 overlay district?

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1 MR. HAASE: No.

2 MR. SINCAVAGE: No. So they  
3 can put up a sign for WaWa going back to --

4 MS. HAASE: Pocono Manor --  
5 their intent is to advertise for the Inn and the  
6 Inn is not part of this so that would be -- also be  
7 included and then designate that as an off-premise

8 sign.

9 MR. JAMES CAHILL: Especially  
10 in this location, we just wanted to have a sign  
11 that says Kalahari, whatever our commercial project  
12 is. Right now we're toying with the Summit at  
13 Pocono Manor and Inn at Pocono Manor, just ding,  
14 ding, ding. The Inn at Pocono Manor isn't in Toby,  
15 it's in Pocono.

16 MR. SINCAVAGE: And I don't  
17 have a problem with that concept, but I want to  
18 make sure that it's understood that I wouldn't want  
19 to see a use advertising WaWa down the -- down in  
20 Blakeslee. I don't think that's your intent, but  
21 when I look at this, that could be a permitted use.

22 MS. HAASE: I had that as a  
23 note as well.

24 MR. SINCAVAGE: It's noted?

25 MS. HAASE: I had made a note

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1 on my copy that that was my concern. Speaking with  
2 Ralph, I mean, he definitely feels that's not going  
3 to happen, which I agree, but it's how we word that  
4 --

5 MS. LAMBERTON: -- property  
6 owners, owners of the properties?

7 MR. STEVE PINE: I know that at  
8 our resorts, for example, in Wisconsin Dells, we  
9 don't own a ski hill, the resort doesn't, and a lot  
10 of our guests come up for skiing; so we do have  
11 off-premise signage there for Christmas Mountain,  
12 Christmas ski hill about five miles from us. It  
13 would be something that would compliment our guests  
14 is what we're going for. We're not talking about  
15 where the nearest McDonald's is or where Walmart is  
16 or any of that. But -- so we do have other  
17 entertainment type things that we do advertise on  
18 our property. If you tell us no, then you tell us  
19 no, but --

20 MR. ARMSTRONG: Yeah, what I  
21 have here is, it says off-premise signs shall be  
22 permitted within, you know, the overlay district,  
23 provided such off-premise signs shall relate to the  
24 resort, gaming resort or PCRED uses occurring on  
25 the property located within the overlay district.

1 MS. LAMBERTON: But in the  
2 overlay district though.

3 MR. HAASE: That's the issue --

4 MR. RALPH MATERGIA: Now, watch  
5 --

6 MS. LAMBERTON: Go ahead.

7 MR. RALPH MATERGIA: -- this is  
8 how you get there, with the exception of uses  
9 occurring on property immediately adjacent to,  
10 there is only one property immediately adjacent to  
11 the zone is Pocono Manor.

12 MS. LAMBERTON: That would  
13 solve it.

14 MR. STEVE PINE: So that would  
15 allow you to do the golf and the stable --

16 MR. RALPH MATERGIA: That would  
17 allow us to advertise the golf course, the stables,  
18 the Inn.

19 MS. LAMBERTON: Okay. Yeah,  
20 I'm fine with it. Yeah.

21 Okay. Page 4.

22 MR. SINCAVAGE: Well, we're not  
23 quite there yet, but close.

24 MS. LAMBERTON: I'm just trying  
25 to move along.

1 MR. SINCAVAGE: Yes, we're good  
2 -- I'm good with that.

3 MS. HAASE: I have a question  
4 for Jim though, is the property -- there's multiple  
5 homeowners that are in between there, is that --  
6 the property that the Manor sits on, does that soup  
7 around and contiguous to that? I don't think it  
8 is.

9 MR. JAMES CAHILL: The Manor  
10 sits on 3,000 acres --

11 MR. HAASE: Right.

12 MR. JAMES CAHILL: -- which is  
13 all one deed to Pocono Manor Investors.

14 MS. HAASE: Understood. But --

15 MR. JAMES CAHILL: It includes  
16 the land in Toby, the land in Pocono.

17 MS. HAASE: But isn't there  
18 lots individually owned between? There's homes.

19 MR. STEVE PINE: I think their  
20 golf course goes all the way down until it hits the  
21 corner of Fairview where it hits your -- the  
22 (inaudible) road all the way to the Manor, doesn't

23 it?

24 MR. SINCAVAGE: Could we say  
25 only for a commercial use, only for immediate

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1 adjacent commercial use?

2 MR. STEVE PINE: Sure.

3 MR. SINCAVAGE: And then that  
4 would eliminate residential.

5 MS. HAASE: No, I'm just trying  
6 to think if that is the same parcel --

7 MS. LAMBERTON: Oh, if it's  
8 contiguous is what she's worried about.

9 MR. JAMES CAHILL: Of course  
10 it's contiguous because we own the roads. Those  
11 houses are postage stamped out parcels but we own  
12 all the roads so of course the Manor sits on land  
13 --

14 MS. HAASE: And you still  
15 retain ownership of -- well --

16 MR. STEVE PINE: And you own  
17 both sides of the stream all the way down to the --

18 MS. HAASE: We're gonna have to

19 look because what currently is owned by PennDOT is  
20 being vacated, is turning into a walking path, so  
21 is that -- that road there that would be contiguous  
22 -- you know what I'm saying, that's not --

23 MR. STEVE PINE: Phyllis, if  
24 you have the golf course here, it goes up to the  
25 drive that they own, that goes all the way around

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1 back and all the way down by the creek, that's all  
2 owned and back up to the Manor and it goes around  
3 that way without even thinking about the road.

4 MR. JAMES CAHILL: Phyllis,  
5 here is -- here's the Tobyhanna Township boundary  
6 line.

7 MR. HAASE: Correct.

8 MR. JAMES CAHILL: So this land  
9 right here is all Poc -- it's Pocono Manor  
10 Investors, it's adjacent --

11 MR. HAASE: And that is the  
12 same as the -- where the Inns on? That's all I'm  
13 questioning.

14 MS. LAMBERTON: Yes, she wants  
15 to know if the property runs all the way around to



16 where the Inn is located.

17 MR. JAMES CAHILL: Yes.

18 MS. LAMBERTON: Actually it  
19 does, it goes around Cliff (phonetic) Road and --

20 MR. JAMES CAHILL: This --

21 MS. LAMBERTON: Yeah.

22 MR. JAMES CAHILL: This pin  
23 number --

24 MS. HAASE: Is the same?

25 MR. JAMES CAHILL: -- is --

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1 well, the hotel they put on a separate pin number  
2 because they bill it at a higher rate, but all the  
3 vacant land and everything is all one pin number.

4 MR. McHALE: The 386 acres  
5 that's identified on this sketch and what Jim has  
6 on his concept doesn't end at the Kalahari  
7 Boulevard nor the Tobyhanna Township municipal  
8 boundary, it continues like Jim states, further to  
9 the east and south.

10 MS. HAASE: Right. But that  
11 was the point I was just making, is Jim saying that

12 the Inn is on a separate -- has a separate --

13 MR. JAMES CAHILL: Tax parcel.

14 MS. HAASE: -- tax number. So  
15 that parcel is not contiguous, that's the point I'm  
16 trying to make. That --

17 MR. JAMES CAHILL: But --

18 MR. McHALE: But this parcel --

19 MR. JAMES CAHILL: It's not  
20 subdivided.

21 MS. HAASE: So we need to make  
22 the language work.

23 MR. JAMES CAHILL: It's not  
24 subdivided. It's all one deed. We have many tax  
25 parcels in there, but it's all one deed.

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1 MS. HAASE: We can make that  
2 work somehow but --

3 MS. LAMBERTON: I understand  
4 your concern --

5 MR. McHALE: But, Jim, does the  
6 389 acres join the Manor?

7 MR. JAMES CAHILL: The 389  
8 acres is part of the deed of 3,000 so this land

9 right -- this is part of our golf course.

10 MR. McHALE: That's all part of  
11 the 389, what you're pointing to right there.

12 MR. SINCAVAGE: Okay.

13 MR. JAMES CAHILL: Yeah --

14 MS. HAASE: That can -- that  
15 can --

16 MS. LAMBERTON: That will work.

17 MR. SINCAVAGE: We'll make it  
18 work. So we're in agreement, correct?

19 MS. LAMBERTON: Because we are.

20 MR. SINCAVAGE: We are.

21 MS. LAMBERTON: Because we are.

22 MR. RALPH MATERGIA: Okay. So  
23 now we know where they can -- who can be there, now  
24 we just need to figure out the number.

25 MR. ARMSTRONG: Yeah. The next

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1 item -- commission members, the next issue is, if  
2 you can see, it was proposed by the applicant, that  
3 there shall be no limitation on the number of the  
4 off-premise signs. You know, we struck that out

5 thinking there probably should be some limitation.

6 MR. LAMBERTON: I understand  
7 that.

8 MR. ARMSTRONG: So the question  
9 is, you know, what the commission is comfortable  
10 with, knowing what you're looking at as the  
11 overlay. You know, we kicked around some ideas as  
12 to kind of tying it to the amount of interstate or  
13 state routes that they abut, the number of four,  
14 four potential such off-premise signs was  
15 discussed. I don't know if the planning commission  
16 has any comments on this.

17 MR. JAMES CAHILL: This is  
18 really a Steve issue.

19 MR. RALPH MATERGIA: Yes.

20 MR. JAMES CAHILL: He's the one  
21 --

22 MR. ARMSTRONG: Well, no, it  
23 would be --

24 MR. STEVE PINE: No, not  
25 really. It would be yours too.

1 MR. ARMSTRONG: It would be

2 both.

3 MR. RALPH MATERGIA: It could  
4 be ours if we subdivided the tract.

5 MR. ARMSTRONG: That's actually  
6 -- I'm glad Ralph brought that up, because we kind  
7 of -- we kind of --

8 MR. STEVE PINE: I'm fine with  
9 what they're suggesting, but I don't think that  
10 fits your needs.

11 MR. ARMSTRONG: We skimmed over  
12 the size requirement in the PCRED. Right now  
13 there's a 25 acre requirement in order to qualify  
14 as the PCRED, which is that planning commercial  
15 development use.

16 What was the current acreage of  
17 the Pocono Manor property within the overlay?

18 MR. JAMES CAHILL: We have 174  
19 and then there's a 25 on the other side of the  
20 boulevard and then there's 28 acres down below in  
21 Kalahari that is primarily gonna be open space, but  
22 we may do some of our spray irrigation there to  
23 meet our stormwater requirements.

24 MR. ARMSTRONG: Right. So the  
25 question is, this 25 acres, does the commission

1 think it would be, you know, appropriate to  
2 increase that acreage limitation for the PCRED? If  
3 you increase that, you know, it limits the amount  
4 of PCRED uses that could be potentially put on that  
5 overlay tract of land; and therefore -- because if  
6 you think about it, if they subdivide it into a  
7 number of different -- 25 different parcels, you  
8 get four off-premise signs per -- you know, it  
9 could increase significantly. So that's something  
10 the planning commission may want to consider as  
11 well. We kind of glazed over that acreage  
12 requirement for the PCRED.

13 MR. JAMES CAHILL: Let me tell  
14 you what my concern is. I don't have a problem  
15 with 25 acres and 5 uses qualifying for it, but  
16 then once it qualifies and it's developed, you may  
17 find a tenant that for their own financing purposes  
18 needs to subdivide off there and own their 10 acres  
19 or 15 acres but of the 25 or whatever that you  
20 already have and qualify for, so it would be part  
21 of the planned community; but for financing or  
22 leasing for purposes such as that, we may, you know

23 -- sometimes the big box tenants want to own their  
24 pick, sometimes they want a lease.

25 MR. ARMSTRONG: I think that's

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1 probably something that can be -- I don't know if  
2 that would be a hurdle. I mean, if it's coming  
3 before the board for a conditional use, if that's  
4 one of the conditions of approval, you know, that's  
5 fine.

6 MR. JAMES CAHILL: Right. I'm  
7 okay with the 20 acres to qualify -- 20 acres and 5  
8 uses to qualify, but once it qualifies and we come  
9 before the board with a plan, if we need to  
10 subdivide off 5 acres of that planned community to  
11 -- for financing purposes or whatever --

12 MR. ARMSTRONG: I'm sure  
13 there's a way -- go ahead.

14 MR. RALPH MATERGIA: Well, I  
15 think the -- first we got to get to the wording.  
16 So your suggestion was off-premises signs within  
17 the overlay district shall be limited to a maximum  
18 of four. Four what? Four --

19 MR. ARMSTRONG: That's the

20 question.

21 MR. RALPH MATERGIA: Per lot?

22 Per --

23 MR. ARMSTRONG: Per use?

24 MR. RALPH MATERGIA: Per

25 district overall?

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1 MR. ARMSTRONG: For overlay

2 district?

3 MR. SINCAVAGE: So what this

4 master sign plan from Chesnuthill states is that

5 it's based on the footage.

6 MR. RALPH MATERGIA: Right.

7 MR. SINCAVAGE: So if it's the

8 footage of that, Bob and I talked about this

9 briefly before the meeting, the front footage of

10 the lot of the overlay district limits the number

11 of signs. So if we can calculate it by based on

12 the footage -- the front footage of the overlay

13 area.

14 MR. RALPH MATERGIA: I can

15 assure you, I know a little bit about that overlay



16 ordinance, I didn't write it, I wasn't involved in  
17 it, but I can assure you that it is very liberally  
18 drafted for signage.

19 MR. SINCAVAGE: It is because  
20 that's when the -- it encourages to get people to  
21 do this and I agree with that.

22 MR. HARRY FORBES: Is there a  
23 maximum number of signs per square footage?

24 MR. SINCAVAGE: It states the  
25 maximum number and area of the main identification

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1 sign shall be one freestanding sign per arterial  
2 street of no more than 100 square feet or one  
3 monument sign per arterial street of no more than  
4 150 square feet or one wall sign facing each  
5 arterial street no more than 125.

6 MR. HARRY FORBES: Let's use  
7 Steve's example.

8 MR. SINCAVAGE: Right. We got  
9 to make sure --

10 MR. HARRY FORBES: How do you  
11 do those two monument signs in that particular area  
12 working under what that ordinance proposes?

13 MR. SINCAVAGE: Right. We can  
14 say it's an arterial street then. Is that defined  
15 as an arterial street coming in?

16 MR. McHALE: 940 is an  
17 arterial.

18 MR. SINCAVAGE: 940 is, but is  
19 the Kalahari Drive an arterial?

20 MS. HAASE: No.

21 MR. SINCAVAGE: No, it's just a  
22 driveway?

23 MR. STEVE PINE: It's a  
24 boulevard --

25 MR. RALPH MATERGIA: That's a

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1 public road.

2 MR. SINCAVAGE: Oh, it is.

3 MR. RALPH MATERGIA: It's a

4 public road.

5 MR. STEVE PINE: It will be.

6 MR. SINCAVAGE: What's it  
7 identified as, a public road? Is it a collector?

8 MS. HAASE: Arterial? An

9 arterial road would be 611, 940, 115 and 196.

10 MS. LAMBERTON: Okay.

11 MR. McHALE: 314 can be a major  
12 collector --

13 MS. HAASE: A collector road  
14 provides lower degree of mobility than arterials.

15 MR. SINCAVAGE: So is Kalahari  
16 Boulevard considered a collector?

17 MR. McHALE: It's a local road.

18 MR. ARMSTRONG: Well, it hasn't  
19 been --

20 MR. McHALE: The collector as  
21 defined in the comprehensive plan that Phyllis is  
22 reading from would be something more like 314  
23 because you have an arterial of 940 and you have  
24 another arterial of 611 and it interconnects the  
25 two. Just as 423 does with 940 and 611, so -- but

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1 it's not listed in the comprehensive plan, but  
2 they're state routes.

3 MR. SINCAVAGE: Okay. It's a  
4 local road, it's a local road because local roads  
5 provide basic access between residential and

6 commercial properties connecting with higher order  
7 highways. So let's say it's a local street. So if  
8 we take this language and say that you're allowed  
9 two monument signs of the height that you asked for  
10 with the square footage that you need -- which how  
11 many square foot is that? You said 17 but --

12 MR. STEVE PINE: I don't recall  
13 exactly what it is, but the point is, is that --

14 MR. SINCAVAGE: Engineer?

15 MR. STEVE PINE: It's -- it's  
16 -- our portion of it is gonna be an off-premise  
17 sign, their portion of it is gonna be an on-premise  
18 because they own the property.

19 MS. HAASE: It still will be  
20 considered an off-premise sign, that's how it would  
21 be looked at, as off-premise sign.

22 MR. STEVE PINE: But how do you  
23 figure it? It's two different owners, you figure  
24 separate square footage per face? That's what I'm  
25 asking.

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1 MS. HAASE: It is a sign that

2 would be considered off-premise.

3 MR. STEVE PINE: You're not  
4 answering my question. You were talking about  
5 trying to figure out square footages, so how do you  
6 figure my square footage because it's only half of  
7 the sign?

8 MS. HAASE: No. It is a sign  
9 and how you want to separate, if you want to put  
10 ten different businesses on that --

11 MS. LAMBERTON: I think what  
12 he's asking -- and correct me if I'm wrong, but  
13 what I'm hearing is, Kalahari you're thinking is  
14 the off-premise, Pocono Manor would be the  
15 on-premise sign.

16 MR. STEVE PINE: She's saying  
17 no, that that's not it. All I'm asking is, when  
18 you're figuring out the square footage, you're  
19 saying we're gonna do the signs by square footage  
20 and size of the parcel, how do you figure my end of  
21 it? Because if you figure out the overall parcel,  
22 we're somewhere near 500 acres, correct? 'Cause  
23 there's 386 plus my 150?

24 MR. SINCAVAGE: Right. The way  
25 I'm looking at it is, that that local road is

1 accessing the overlay district.

2 MR. STEVE PINE: Right.

3 MR. SINCAVAGE: Okay. So I'm

4 looking at is as one. So it really becomes mute

5 whether or not it's on-premise or off-premise.

6 It's advertised --

7 MR. STEVE PINE: I don't care

8 about that, that doesn't --

9 MR. SINCAVAGE: You know what

10 I'm saying?

11 MR. STEVE PINE: I'm just

12 trying to figure out per square footage face that

13 you were trying to figure out.

14 MR. SINCAVAGE: Right. So what

15 I'm saying is in the ordinance, put in that that's

16 a collector street, on that collector street you're

17 allowed a sign of this size and this height and it

18 has to be a monument type sign, which you're --

19 MR. STEVE PINE: And I can get

20 you the square footages first thing in the morning.

21 MS. LAMBERTON: Okay.

22 MS. HAASE: Here's the issue

23 with that --

24 MR. SINCAVAGE: Do you  
25 understand what I'm saying?

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1 MS. HAASE: Here's the issue  
2 with that.

3 MR. SINCAVAGE: Okay.

4 MS. HAASE: This is gonna be  
5 carved out for eateries, okay, they're gonna be  
6 smaller -- this is a little confusing because it's  
7 not showing the pads that are gonna be put in here.  
8 So this may be say a 25 acre.

9 MR. SINCAVAGE: I see.

10 MS. HAASE: That's the issue,  
11 where this they may develop the whole site down  
12 Kalahari Boulevard and you have all additional  
13 eateries, so you don't want to have those 400  
14 square foot monument signs for the smaller parcels,  
15 so that's where perhaps you need to look at saying  
16 lots or areas --

17 MS. LAMBERTON: What about just  
18 at the intersection?

19 MS. HAASE: Well, the way it's

20 currently written it's for each drive so each one

21 --

22 MS. LAMBERTON: Well, we'll  
23 change that.

24 MS. HAASE: You could, but I  
25 think what they're hoping for is each individual --

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1 MS. LAMBERTON: You want each  
2 one to have a 400 square foot sign?

3 MR. ARMSTRONG: No, I don't --

4 MR. JAMES CAHILL: No.

5 MS. LAMBERTON: That's not what  
6 I'm hearing.

7 MR. ARMSTRONG: When you say  
8 each, not each individual eatery use but each  
9 individual PCRED, which would incorporate a number  
10 of those.

11 MS. HAASE: Then this needs to  
12 be different.

13 MR. ARMSTRONG: Well, what I  
14 have -- we're still on Subsection A, right?  
15 Off-premise? I had inserted overlay district  
16 provided such off-premises sign shall relate to the



17 resort, gaming resort or PCRED uses occurring  
18 within the overlay. So the resort will have, you  
19 know, so many off-premise signs permitted.

20 MS. HAASE: Correct. And just  
21 to be clear, I'm not speaking of off-premise, I'm  
22 talking about signage completely.

23 MR. ARMSTRONG: Freestanding.

24 MS. HAASE: Monument signs.

25 Because our ordinance speaks to each driveway or

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1 access is allowed the monument sign, so all the way  
2 down Kalahari Boulevard, I'm not saying it should  
3 have a signage, but I think that the smaller lots,  
4 the amount of the size of the sign needs to be  
5 restricted.

6 MR. RALPH MATERGIA: Those are  
7 on-premises signs?

8 MS. HAASE: Correct. That's  
9 what I'm saying, I'm not speaking of off-premise,  
10 but they still should be allowed to have the  
11 signage.

12 MR. ARMSTRONG: Well, I think

13 the way we could handle that, and I don't think it  
14 was the intent, I hope it wasn't the intent, to  
15 allow each one of those specific uses, large  
16 monument sign per entrance. If that's what the  
17 current ordinance has in there, we can simply put  
18 -- I mean, I think it's inferred but, this section,  
19 this Subsection D --

20 MS. HAASE: It's under  
21 freestanding.

22 MR. ARMSTRONG: D1B, all of  
23 that can be viewed as, this is what's gonna govern  
24 these three uses in the overlay district. They  
25 don't get this plus the other sign requirements or

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1 restrictions. They only get this.

2 MR. RALPH MATERGIA: So the  
3 beginning sentence, the PCRED resort and gaming  
4 resorts shall be permitted the following signage.

5 MR. HARRY FORBES: Almost like  
6 destination locations.

7 MR. RALPH MATERGIA: So let's  
8 go back --

9 MR. HARRY FORBES: You got a

10 mall environment or an entertainment environment  
11 and you got a resort environment, monument signs,  
12 correct?

13 MR. RALPH MATERGIA: So let's  
14 go back to the off-premise because you want some  
15 limitation on off-premise signs. We know that  
16 Kalahari needs two, right?

17 MR. STEVE PINE: Actually  
18 three. We were hoping for a minimum of three but  
19 we prefer four.

20 MR. RALPH MATERGIA: Okay. So  
21 let's just say Kalahari needs four off-premise  
22 signs.

23 MR. SINCAVAGE: Where would  
24 they be located? I see the two pink at the main  
25 entrance and there was two -- two more along the

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1 940.

2 MR. JAMES CAHILL: These would  
3 be the monument signs at Kalahari Boulevard. This  
4 would be an off-premises sign at the slip ramp of  
5 940 onto 314 and then I always thought -- Steve,

6 correct me if I'm wrong -- when you get -- coming  
7 down the boulevard, we would want to direct people  
8 into our project and Kalahari would want a sign  
9 that says -- our sign would say the Summit at  
10 Pocono Manor and then under it'd say Kalahari  
11 straight ahead.

12 MS. LAMBERTON: Isn't that a  
13 directional sign, though, Phyllis, isn't that how  
14 that -- that would be worded differently, right?

15 MR. JAMES CAHILL: Picture it a  
16 little bit bigger than a directional, but it could  
17 be directional.

18 MS. HAASE: Yeah, it's -- Jim's  
19 correct. It's bigger than a directional sign. Jim  
20 is correct.

21 MR. SINCAVAGE: I have no  
22 problem with the concept.

23 MS. LAMBERTON: I don't either.  
24 I think we just need to decide on how to word it  
25 and what sizes you want to put on certain signage.

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1 MR. SINCAVAGE: Right.

2 MR. McHALE: And just for

3 reference purposes, you see the piece of blue tape  
4 that's over the doorway?

5 MS. LAMBERTON: Yes.

6 MR. McHALE: And the edge of  
7 the clock?

8 MS. LAMBERTON: You put that  
9 there for a reason.

10 MR. McHALE: That point to the  
11 back wall is 20 feet and the height of the lower  
12 ceiling there is like 9 foot 11. So call it 10  
13 feet. So that's 10 by 20. Okay? That's 200  
14 square feet.

15 MS. LAMBERTON: Okay.

16 MR. McHALE: So as we're  
17 looking at these numbers, you begin to equate and  
18 proportion out what you're looking at as compared  
19 to that size.

20 MR. SINCAVAGE: Okay. Well,  
21 what this ordinance says is 100 square foot for an  
22 individual, so when we talk about this eatery ones,  
23 100 square foot, which is 10 by 10.

24 MR. McHALE: That would be the  
25 second blue tape on the -- just above, that would

1 be a 10 by 10.

2 MR. SINCAVAGE: That's massive  
3 for the individual, not for the main identification  
4 sign.

5 MR. STEVE PINE: You know,  
6 signs are -- when you talk about signs, it's all  
7 about distance from the edge of the road and the  
8 speed limit on that road is and how many words  
9 because most people will tell you, if you put more  
10 than five words on a billboard, you're not getting  
11 the message across.

12 MR. SINCAVAGE: I agree. Yep.

13 MR. STEVE PINE: So -- but  
14 again, if you're traveling 15 miles an hour, the  
15 speed limit ends up being 25, then you can go with  
16 smaller lettering because assumably you're gonna be  
17 driving slower than -- be more easily able to read  
18 it.

19 MR. RALPH MATERGIA: I have an  
20 idea.

21 MR. ARMSTRONG: Let's --

22 MR. RALPH MATERGIA: I have an  
23 idea.

24 MR. ARMSTRONG: Go for it.

25 MR. RALPH MATERGIA: So why

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1 don't we just eliminate the concept of fixing the  
2 number and just say off-premises signs shall be  
3 permitted with the approval of the board of  
4 supervisors so that when any use applicant in the  
5 overlay district wants off-premises signs, they  
6 have to come in and satisfy the board of  
7 supervisors.

8 MR. SINCAVAGE: Ralph, you're  
9 on the right track, the only thing I would want to  
10 do is, I would want a master plan then of the signs  
11 that are gonna be on that whole overlay district.

12 MR. RALPH MATERGIA: Well, that  
13 is possible today because there are only two  
14 owners, that might not be so possible in the  
15 future. There could be other owners in the overlay  
16 district.

17 MR. JAMES CAHILL: But signage  
18 would all be approved as part of the master plan  
19 when you come in, right?

20 MR. RALPH MATERGIA: I mean,

21 the concept of a master plan is fine, but you can't  
22 have a master plan and then it never changes.

23 MR. SINCAVAGE: Right. Say  
24 that the master plan --

25 MS. LAMBERTON: It's a

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1 guideline.

2 MR. SINCAVAGE: Well, that  
3 would be up to the board of supervisors.

4 MR. RALPH MATERGIA: Well, I'll  
5 tell you what --

6 MR. ARMSTRONG: Well, let me  
7 make sure -- let's make sure we're all on the same  
8 page. The off-premise sign, okay, that's -- you're  
9 looking for a large -- getting people's attention  
10 from off of a road, right? It's going to be what's  
11 currently up for Kalahari Boulevard, right? Am I  
12 right? The freestanding --

13 MR. RALPH MATERGIA: Well,  
14 there's several. There's one at the entrance of  
15 Kalahari Boulevard, there's one as you come off the  
16 highway.



17 MR. ARMSTRONG: But it's more  
18 of a billboard -- that's a billboard type sign,  
19 right? It's not -- these aren't the type -- these  
20 off-premise --

21 MR. RALPH MATERGIA: 400 square  
22 feet.

23 MR. ARMSTRONG: That's pretty  
24 big. The freestanding signs, okay, the -- right  
25 now the way it looks is two freestanding signs, 600

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1 square feet on either side of the sign, which is a  
2 significant size, and then the additional potential  
3 one or two monument type signs, these are -- well,  
4 actually the monument type signs are the kind  
5 you're gonna put -- and correct me if I'm wrong --  
6 the kind you're gonna put at an entrance accessway,  
7 so when people coming in, it's not gonna have one  
8 use, it's gonna have a list or it's gonna have a  
9 number of uses on this monument type sign.

10 So there's that. And then each  
11 of these individual uses that are part of this  
12 potential PCRED that Mr. McHale put up on there,  
13 those individual signs won't be additional

14 individual freestanding signs, they'll be wall  
15 signs, potential -- right? You're not proposing or  
16 suggesting that each of these individual uses get  
17 additional freestanding signs.

18 MR. RALPH MATERGIA: No.

19 MR. JAMES CAHILL: No.

20 MR. ARMSTRONG: If it's all  
21 part of the same use. Okay?

22 MR. STEVE PINE: Well, the  
23 monument signs that we're requesting, the current  
24 agreement that we have in theory with Jim is, there  
25 will only be two on there, whatever Jim's

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1 development is called, Summit at Pocono Manor and  
2 the Kalahari, that's it on those two signs --

3 MR. ARMSTRONG: And that would  
4 be the off-premise, correct, Ralph?

5 MR. STEVE PINE: Yeah, the ones  
6 you're referring to that would be your entrance  
7 signs. They're very attractive. They'll be  
8 landscaped around. They look like a national --  
9 actually they look a lot like a national park sign,

10 if you've seen the ones that -- both stone and wood  
11 concept and shrubberies and et cetera.

12 MS. MINNICK: There's only  
13 gonna be one way in and one way out of this area?  
14 Can you label them something else, like the  
15 entrance signs, label them entrance signs?

16 MS. LAMBERTON: Oh, I see what  
17 you mean.

18 MR. STEVE PINE: That's true  
19 with our property but that's not true with Pocono  
20 Manor Investors.

21 MS. LAMBERTON: You mean right  
22 off of 314?

23 MS. MINNICK: Right off of  
24 314. Instead of labelling them off-premise signs,  
25 label them entrance signs.

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1 MR. HARRY FORBES: Destination  
2 signs, that's what they are.

3 MR. STEVE PINE: I think some  
4 of Jim's concepts have additional access off of  
5 314.

6 MR. JAMES CAHILL: Yeah, we do

7 have a -- maybe not in the first phase, but we do  
8 have an additional entrance here, at least an  
9 entrance, maybe an entrance and exit, so we would  
10 want to put, you know, an entrance monument there  
11 that says the Summit at Pocono Manor, which means  
12 less traffic would be turning in here. We would  
13 intercept them before they get to Kalahari  
14 Boulevard.

15 MS. MINNICK: How about local  
16 road entrance signs?

17 MR. JAMES CAHILL: Also, we are  
18 looking into getting a slip ramp off of 940, which  
19 will require some work to do, but we are looking at  
20 the possibility of just getting a slip ramp off of  
21 940 into our site. So that is a possibility.

22 MR. SINCAVAGE: Well, what they  
23 refer to in here as a main identification sign, so  
24 it's more or less a development sign.

25 MR. ARMSTRONG: As the

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1 freestanding that would --

2 MS. LAMBERTON: I think if you

3 would use Maureen's terminology of a local road to  
4 tie it and be done with it.

5 MR. SINCAVAGE: Yep. So the  
6 local roads, which that -- where the green is on  
7 there, that you're talking about, would be a local  
8 road. The one where Kalahari wants to put their  
9 signs is a local road. We'd allow a main  
10 identification sign at that point, which would have  
11 just the name of the development, the Summit at  
12 Pocono Manor and Kalahari and Summit at Pocono  
13 Manor, so that would be allowed. Am I correct?

14 MS. MINNICK: The green -- the  
15 green ones we had them marked, I think we call them  
16 like a driveway, I think we're calling them a  
17 driveway sign or something.

18 MS. LAMBERTON: And I think  
19 what we're saying is take two more pink marks and  
20 make those the same along 314.

21 MR. SINCAVAGE: Right, right,  
22 that would be allowed. They don't have to put it  
23 in that phase, that's just the maximum size.

24 MS. LAMBERTON: Right.

25 MR. SINCAVAGE: You don't have

1 to put it in at 400 square feet.

2 MR. HARRY FORBES: You're gonna  
3 need those for 911 anyhow.

4 MR. SINCAVAGE: Right.

5 MR. Ralph MATERGIA: I think  
6 the simplest thing to do is to simply state,  
7 off-premises signs shall be permitted in the  
8 commercial overlay district with the approval of  
9 the board of supervisors on submission of the  
10 master plan, we call it master signage plan, which  
11 may be amended from time to time.

12 MR. ARMSTRONG: I have that  
13 written down as --

14 MR. STEVE PINE: Except --

15 MS. LAMBERTON: Except.

16 MR. STEVE PINE: -- how do I  
17 get my first two signs up because I can't wait till  
18 June 12 to come back to you and get another  
19 variance?

20 MR. RALPH MATERGIA: Well,  
21 we're gonna rush this through.

22 MR. STEVE PINE: And get  
23 another variance.

24 MR. RALPH MATERGIA: We haven't

25 given up on that yet.

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1 MR. STEVE PINE: Okay.

2 MS. LAMBERTON: Can we  
3 preliminarily allow that, make a suggestion to  
4 allow that to the board of supervisors? I don't  
5 see why not. It doesn't need -- I just asked if  
6 there's a way that we can preliminarily make a  
7 recommendation --

8 MR. RALPH MATERGIA: Can we go  
9 off the record for a moment?

10 MR. SINCAVAGE: Off the record.  
11 (Discussion off the record.)

12 MR. SINCAVAGE: Okay. Back on  
13 the record.

14 The commission is in agreement  
15 that we have no objection to the sign, it's the  
16 matter of the attorneys getting to the the right  
17 language.

18 MS. LAMBERTON: Yes.

19 MS. BISBING: Agreed.

20 MR. SINCAVAGE: We have no

21 objection to the concept, it's just getting --

22 MR. STEVE PINE: I appreciate  
23 that.

24 MR. ARMSTRONG: And what I  
25 foresee it being is, we're going to put it in the

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1 hands of the board at the time -- at least for the  
2 the PCRED, the conditional use hearing, right,  
3 Ralph? -- as to how many of these off-premise signs  
4 will be permitted and for the resort and gaming  
5 resort with the understanding that I don't think  
6 those are conditional uses right now. We'll have  
7 to figure out another triggering point from the  
8 board.

9 I mean, that's really the --  
10 unless we tie them into a conditional use, but you  
11 already have the existing resort in this overlay,  
12 so we got to come up with another way to trigger  
13 that, but I think we can figure it out. Ralph is  
14 pretty easy to get along with. All right.

15 So I think we figured out that  
16 we're going to kind of leave the number of these  
17 off-premise signs open at least to the board's



18 discretion at the time of these applications.

19                                   Next on the ordinance are these  
20 freestanding signs and the sizes of these  
21 freestanding signs.

22                                   MR. RALPH MATERGIA:    Before you  
23 get to the freestanding signs, the revision -- my  
24 revision to your revision provides at the end of  
25 Subparagraph B, where it says delineating design

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1 standard, we're inserting subject of (Inaudible)  
2 the board of supervisors waiver thereto, so that  
3 will make it clear that within the conditional use  
4 process that there will be waiver provisions,  
5 provisions for waiver.

6                                   MR. JAMES CAHILL:    This is the  
7 sign master plan language.

8                                   MR. ARMSTRONG:    The one thing I  
9 do have, since you brought that Subsection B up,  
10 Ralph, is, that's just right now just worded for  
11 the PCRED use. And if you look at that, then it  
12 goes into these freestanding signs, wall signs and  
13 roof signs, we probably want to incorporate resorts

14 and gaming resorts in that, if that's the intent.

15 MR. RALPH MATERGIA: Right.

16 MR. ARMSTRONG: Right? Or are  
17 we just assuming that the resorts and gaming  
18 resorts fall under -- well, no, because you  
19 reference them further down below.

20 MR. RALPH MATERGIA: Maybe  
21 that's where you want to bring in the PCRED resort  
22 and gaming resorts in the overlay district shall  
23 conform to the following sign regulation.

24 MR. ARMSTRONG: Okay. The one  
25 thing I will say is, you know, we're putting a lot

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1 of discretion on the board with respect to the  
2 number of these signs. The more we talk this  
3 through, the more the resort and gaming resorts are  
4 going to probably fall under -- will probably have  
5 all three of these uses as a conditional use.

6 You're already there. There's  
7 already a resort there so that's -- we're not going  
8 to make you come back before us for a conditional  
9 use, but going forward, in order to put this  
10 ordinance together that makes sense, Ralph, I think

11 we're going to have to incorporate those three uses  
12 in this overlay district as conditional uses not  
13 just permitted.

14 So they have to come before the  
15 board and then the board is then able to make these  
16 reasonable conditions, maybe allow them three or  
17 four, how many off-premise signs, but make it part  
18 of that process.

19 MS. LAMBERTON: At that time  
20 you'll know what it's gonna be.

21 MR. ARMSTRONG: Right. Right.  
22 Does that make sense to everyone? Everyone -- I  
23 don't want to surprise anyone when I plug all that  
24 into a conditional use.

25 MR. JAMES CAHILL: No, I don't

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1 have a problem with that.

2 MR. ARMSTRONG: Okay.

3 MR. JAMES CAHILL: We hope  
4 everybody's still here but if not, I'm sure whoever  
5 sits on the chair, is gonna want a successful  
6 project on their hand.

7 MS. LAMBERTON: Yes, we will  
8 hope so.

9 MR. JAMES CAHILL: We would  
10 hope so.

11 MR. ARMSTRONG: All right. So  
12 the first item under this is the freestanding  
13 signs. You know, let's talk about the first. The  
14 max -- right now it has a maximum of -- well,  
15 actually they were proposing four. If you look at  
16 what they were proposing, they were proposing four  
17 freestanding signs and the suggested revision is  
18 the maximum of two freestanding signs, but again,  
19 this is -- does the PC have any recommendations  
20 with respect to the number of these freestanding  
21 signs that these uses would be permitted?

22 MS. LAMBERTON: I don't.

23 MR. SINCAVAGE: They're asking  
24 for four.

25 MR. ARMSTRONG: Four signs, 600

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1 square feet on either side of the sign, 12,000  
2 square feet total per freestanding sign. I'm  
3 sorry, 1200. 1200.

4 MS. LAMBERTON: I was gonna say  
5 12,000.

6 MR. ARMSTRONG: That would be  
7 big. That would be big.

8 MS. LAMBERTON: Then I would  
9 understand why you'd have heartburn over that if it  
10 was 12,000 square feet.

11 MR. RALPH MATERGIA: Nobody  
12 would look at it. It would be too big.

13 MS. LAMBERTON: It would be too  
14 big. You'd have to back up.

15 MR. ARMSTRONG: So they put in  
16 their petition, they're asking for four of these  
17 600 square foot side signs, which is a total of  
18 1200. And, you know, we plugged in too -- I don't  
19 know if the commission has -- if you're okay with  
20 four, if you rather two, it's up to you.

21 MR. SINCAVAGE: I'm okay with  
22 four because again, we're saying the maximum size,  
23 it does not have to --

24 MS. BISBING: It doesn't mean  
25 it has to be four, up to four.

1 MR. SINCAVAGE: Up to four.

2 But I'm also saying that it doesn't have to be that  
3 maximum size of 600 square foot. It's up to.

4 MS. BISBING: It could be less.

5 MS. LAMBERTON: Sounds fair.

6 MR. SINCAVAGE: Okay. So we're  
7 good with four? Oh, I think I got that.

8 MR. McHALE: If you look along  
9 the 380 corridor there, the sketch is showing two  
10 freestanding digital, two freestanding nondigital  
11 and each of those maximum square footage is 1200 or  
12 600 a side as everyone's been discussing. There's  
13 two on the Pocono Manor and two on the Kalahari.  
14 If you make this four, now you're gonna look at  
15 eight along the interstate.

16 MR. JAMES CAHILL: No. Because  
17 you have to have 1,000 feet separating them.

18 MR. STEVE PINE: 500.

19 MR. JAMES CAHILL: 500 by  
20 PennDOT, yeah.

21 MS. LAMBERTON: You can't even  
22 have four.

23 MR. ARMSTRONG: Well, let's --

24 MR. STEVE PINE: But I thought

25 this was -- if these two signs, Bob, I thought you

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1 had to call them 600 per face so --

2 MR. McHALE: Per face.

3 MR. STEVE PINE: So we've  
4 already got the one up that has double sided, that  
5 was permitted by PennDOT, plus we have to meet all  
6 of PennDOT's regulations because that's a  
7 controlled area of PennDOT, which I think is around  
8 the same square footage.

9 So this other sign that we had  
10 -- the second one that you're referring to, if it  
11 were double face would be the maximum that we could  
12 have four 600 face, correct?

13 MR. McHALE: No.

14 MS. LAMBERTON: Oh, I see what  
15 he's saying. So he's --

16 MR. McHALE: The way this is  
17 written here, the copy I have, is two freestanding  
18 signs that are separate structures and on each of  
19 those you can have a maximum of 600 and 600; 600  
20 and 600.

21 MR. STEVE PINE: So -- but

22 that's what this shows --

23 MR. McHALE: Schematically,  
24 yes.

25 MR. STEVE PINE: -- that's

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1 where you lost me.

2 MR. McHALE: Well, Pat was  
3 saying that instead of making that two freestanding  
4 signs, make it four.

5 MR. STEVE PINE: Oh, oh, oh,  
6 okay. I see.

7 MR. McHALE: And if you make it  
8 four, it's gonna double that.

9 MR. ARMSTRONG: Well, I wasn't  
10 suggesting the four.

11 MR. McHALE: No, no, I'm saying  
12 you had indicated that it was written prior to that  
13 as four, which is for that size sign, that's --

14 MS. LAMBERTON: This map  
15 matches what the changes are that Phyllis and  
16 Patrick, I'm assuming, would like to see.

17 MR. HARRY FORBES: Is the four



18 per property owner or the Kalahari Resort or --

19 MR. ARMSTRONG: I was just  
20 going to get into that. The four would be per  
21 resort, gaming resort or PCRED, and this goes back  
22 to the acreage requirement for the PCRED. If you  
23 keep it at 25, potentially you can -- how many  
24 PCREDS could you create there times four, I mean,  
25 that's what you're potentially, worse case

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1 scenario, would be looking at. So it goes back to  
2 the acreage requirement for the PCRED as well.

3 MS. MINNICK: How many acres  
4 are out on your development?

5 MR. JAMES CAHILL: 174 and 25.

6 MS. MINNICK: So 1700.

7 MR. ARMSTRONG: So that's  
8 divided by 25 -- 3 -- or, I'm sorry, 7.

9 MR. JAMES CAHILL: Seven.

10 MR. ARMSTRONG: Times four.

11 MS. MINNICK: If we put a  
12 distance in between them then --

13 MR. SINCAVAGE: Yeah, but then  
14 you have the distance requirement.

15 MS. MINNICK: We could add the  
16 distance requirement as well. That would solve  
17 that problem.

18 MR. STEVE PINE: With a PennDOT  
19 regulated road, it's 500 feet, but Highway 314 is  
20 not PennDOT regulated but 940 --

21 MR. SINCAVAGE: But we could use  
22 that same standard.

23 MR. STEVE PINE: Right, we  
24 could use the same standard. But 940 and I-380  
25 aren't.

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1 MR. SINCAVAGE: Right.

2 MR. ARMSTRONG: What distance  
3 requirement, am I --

4 MR. JAMES CAHILL: 500 by  
5 PennDOT.

6 MR. STEVE PINE: PennDOT is --

7 MR. ARMSTRONG: Oh, by PennDOT,  
8 not by --

9 MR. STEVE PINE: That's  
10 correct.

11 MR. ARMSTRONG: -- not by  
12 ordinance?

13 MR. STEVE PINE: I think Mark's  
14 just saying that we could add that following  
15 PennDOT standard.

16 MR. SINCAVAGE: Right. So that  
17 brings it to 500 square -- 500 --

18 MS. MINNICK: Jim, do you know  
19 how much footage is from 380 to 940, 314, the  
20 frontage?

21 MR. JAMES CAHILL: It's about  
22 1400 feet, I think. If I remember correctly.

23 MS. MINNICK: So how many --

24 MS. LAMBERTON: Two  
25 technically.

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1 MR. SINCAVAGE: Two. Right.  
2 Two.

3 MS. LAMBERTON: Right. So  
4 there's two that we allow, 500 feet.

5 MR. JAMES CAHILL: Originally I  
6 thought the offset was a thousand feet and I got  
7 excited with Steve because he put a sign so close

8 to our property line and a thousand feet would've  
9 been about where this gold sign is; so this is  
10 probably 15, 1800 feet if you include the ramp.

11 MR. ARMSTRONG: Is that  
12 requirement -- I'm not familiar with the PennDOT  
13 requirement, but is it -- does that only apply if  
14 the signage within a certain amount of distance  
15 from a PennDOT road right of way?

16 MR. STEVE PINE: Yes, and I  
17 forget how many feet off the sign.

18 MR. ARMSTRONG: Yeah, it's  
19 going to limit the amount of freestanding signs  
20 along the PennDOT road right of way, but there's a  
21 lot of potential for additional space on that  
22 parcel that potentially could have these additional  
23 freestanding signs.

24 MS. LAMBERTON: No --

25 MS. MINNICK: Pat, if -- you

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1 can only get seven lots, additional lots, at 25  
2 acres. You're only gonna be able to -- even if you  
3 do it per lot, you might only get three signs out

4 on 940 and you might only get another one or two  
5 signs off of 380. So I don't think in district and  
6 per lot it's gonna matter. Just throwing that out  
7 there.

8 MR. RALPH MATERGIA: It's one  
9 of those things in theory, if you just do the math,  
10 it's 28 signs. In reality, when you try to erect  
11 the signs within the other regulations --

12 MS. MINNICK: It's not gonna  
13 happen.

14 MR. RALPH MATERGIA: It's never  
15 going to happen. It's three signs.

16 MS. LAMBERTON: Yeah. Yeah.

17 MR. SINCAVAGE: Because they're  
18 gonna want their signs visible from 380 and 940 so  
19 it's probably gonna fall within the PennDOT  
20 standard. I think it's 600 feet from the right of  
21 way.

22 MR. JAMES CAHILL: The e-mail I  
23 got said 500.

24 MR. SINCAVAGE: Okay.

25 MR. STEVE PINE: No, but he's

1 talking from the right of way in from the highway.

2 MR. SINCAVAGE: Not the  
3 distance between.

4 MR. JAMES CAHILL: You're not  
5 500 feet in?

6 MR. RALPH MATERGIA: The  
7 regulations apply.

8 MR. JAMES CAHILL: Oh, the  
9 regulations apply.

10 MR. SINCAVAGE: The regulations  
11 apply within 600 feet of the PennDOT right of way.

12 MS. LAMBERTON: That's the  
13 right of way? Wow.

14 MR. SINCAVAGE: Yes.

15 MS. LAMBERTON: Okay.

16 MR. SINCAVAGE: I think that's  
17 what it is. So, I mean, that covers quite a bit  
18 there. So Ralph is right, in theory, you can get  
19 28, in reality you're only gonna get two, maybe  
20 four, three. Three.

21 MR. JAMES CAHILL: Well, no one  
22 would put one on the off-ramp probably.

23 MR. SINCAVAGE: Right.

24 MR. JAMES CAHILL: So it's just  
25 380 and 940.

1                   MR. SINCAVAGE:    So just bring  
2    in the PennDOT standard that Ralph referred to.

3                   MS. LAMBERTON:    Along 940 as  
4    well.

5                   MS. MINNICK:     And I think --

6                   MR. McHALE:     Why make it four  
7    signs then, why not just leave it at two if you're  
8    not gonna get it anyway so --

9                   MS. LAMBERTON:    That's probably  
10   where the two came from.

11                  MR. SINCAVAGE:    Well, because  
12   of 314, Bob.  314 is not a state highway, you're  
13   saying.

14                  MR. JAMES CAHILL:   Yes, it is.

15                  MR. STEVE PINE:    It's a state  
16   highway, but it's not --

17                  MS. MINNICK:     It's a state  
18   route.

19                  MR. STEVE PINE:   -- the signage  
20   along that is not administered by PennDOT.  They  
21   don't consider that traffic high enough.  I -- I

22 have a sign on there, a temporary one, on Jim's  
23 property across from -- from the end of the  
24 boulevard right now and I went to get that  
25 permitted by them and they said we do not regulate

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1 Highway 314. So it depends on, I guess, the  
2 traffic counts as to what they regulate by a sign  
3 so --

4 MR. ARMSTRONG: There's also  
5 Kalahari Boulevard, don't forget, that's going to  
6 be a township road.

7 MR. SINCAVAGE: Right.

8 MR. RALPH MATERGIA: We're  
9 going to put 28 signs going down --

10 MS. LAMBERTON: Okay. Let's  
11 make some sense. What do we need to know?

12 MR. ARMSTRONG: Okay. So  
13 what's the commission want to do with respect to  
14 this, the number of the freestanding?

15 MR. SINCAVAGE: Not more than  
16 four; are we okay with that?

17 MS. LAMBERTON: Yes.

18 MS. BISBING: Yes.



19 MR. ARMSTRONG: Per use.  
20 Whether PCRED, resort, per use.  
21 MS. LAMBERTON: Yes.  
22 MS. MINNICK: Per use or per  
23 lot?  
24 MR. SINCAVAGE: No, per use.  
25 That should work for you guys and that probably

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1 gives you more than you need because of the PennDOT  
2 requirements.  
3 MR. JAMES CAHILL: You'll never  
4 get that many on the property nor will we probably  
5 want that many on the property.  
6 MR. SINCAVAGE: All right. Are  
7 we okay? All right. Let's move on.  
8 MR. ARMSTRONG: Commission, the  
9 1200 square feet, 600 on either side, you're okay  
10 with that?  
11 MR. SINCAVAGE: Yes.  
12 MR. ARMSTRONG: Then the  
13 additional, the monument type signs, the maximum  
14 area of 400 square feet per sign with a maximum

15 height of -- it looks like you --

16 Ralph?

17 MR. RALPH MATERGIA: Yeah, it  
18 was 35, which is what your current ordinance is and  
19 then I thought, well, if we're increasing the  
20 number, we'll reduce the height; so I threw out ten  
21 feet, but I think when I did that, I might have  
22 tripped over what Steve needs.

23 MR. SINCAVAGE: Right. So,  
24 Steve, how high is your sign?

25 MR. STEVE PINE: Right now the

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1 top of it is around 20.

2 MR. SINCAVAGE: Let's make it  
3 20.

4 MR. ARMSTRONG: And this is for  
5 your entrance monument type sign?

6 MR. STEVE PINE: Yeah.

7 MR. ARMSTRONG: The rock --

8 MR. STEVE PINE: Right. Because  
9 we --

10 MR. SINCAVAGE: 25.

11 MR. STEVE PINE: -- because we

12 have to have two --

13 MR. SINCAVAGE: 25?

14 MR. STEVE PINE: -- stacked on

15 top of each other, you know what I'm saying?

16 MR. SINCAVAGE: Yep.

17 MR. STEVE PINE: Because we're

18 gonna have Kalahari and we're gonna have Summit, or

19 whatever it's called --

20 MR. SINCAVAGE: 25?

21 MR. JAMES CAHILL: 25's good.

22 MR. STEVE PINE: I'm fine with

23 25.

24 MR. ARMSTRONG: Commission, 25?

25 MS. LAMBERTON: Yep.

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1 MR. HARRY FORBES: You want to

2 wait on the square footage until he gets the

3 calculation?

4 MR. SINCAVAGE: Yes, now we're

5 going to insert.

6 MR. HARRY FORBES: Okay.

7 MR. SINCAVAGE: Good point

8        though.

9                               MR. STEVE PINE:    I'm gonna get  
10       a note fired up to everybody tomorrow.

11                              MR. SINCAVAGE:    Just make sure  
12       that the 600 square foot, 1200 feet total, works  
13       for what they need.

14                              MR. ARMSTRONG:    Well, actually  
15       for this one that we're talking about, it would be  
16       the 400; 200 per side, right?

17                              MR. STEVE PINE:    Yeah, I'm not  
18       sure -- let me get you the calculations.  I don't  
19       want to be talking off the top of my head.

20                              MR. SINCAVAGE:    We're okay with  
21       the size of -- the dimensions would be.

22                              MR. ARMSTRONG:    Commissions's  
23       okay with the dimensions?

24                              MS. LAMBERTON:    Yes.

25                              MR. STEVE PINE:    I did that

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1       once before with the color of the water (inaudible)  
2       and I'll never do it again.

3                              MR. ARMSTRONG:    The wall signs.

4                              MR. STEVE PINE:    I had a

5 question there, and -- because as long as we're  
6 revamping it -- otherwise I wouldn't bother to  
7 bring it up -- in the two other states where we  
8 have resorts, wall signs are not even asked to be  
9 permitted if they're not visible from a public  
10 roadway and we have some signs that are that, where  
11 you cannot see them. There are some that you can  
12 still see from a public roadway because Kalahari  
13 Boulevard, where it turns around, where you're  
14 going to take possession of, comes up quite aways.  
15 But there are some other wall signs that are on  
16 like the outside of the property that is intended  
17 for people coming in from the outdoor waterpark and  
18 et cetera. Where in the two other states we work  
19 in, if they're not visible from a public roadway,  
20 we don't even have to permit them.

21                               So I don't know how you guys  
22 feel about it. Anything that's visible from --  
23 that's part of what I was gonna ask -- the other  
24 one I -- whatever regulations are, I believe that  
25 everything we have now, the wall sign that we're

1 applying for now, Maureen, we're well within  
2 compliance of, correct?

3 MS. MINNICK: The wall sign?

4 MR. STEVE PINE: The one we  
5 just talked about --

6 MS. LAMBERTON: Yeah, yeah.

7 MR. STEVE PINE: -- the  
8 convention center sign. So it's about 200 and some  
9 odd square feet, I figured. It's on a 7100 square  
10 foot building face.

11 MS. LAMBERTON: I think  
12 whatever you --

13 MR. STEVE PINE: That's just my  
14 two cents.

15 MS. LAMBERTON: No, I agree  
16 with it. I don't think that we need to worry about  
17 and dictate each individual sign.

18 MR. SINCAVAGE: On the  
19 interior.

20 MR. JAMES CAHILL: We can put  
21 up a sign that says their restaurant stinks --

22 (Inaudible discussion.)

23 MS. LAMBERTON: I would not be  
24 imposed to inserting that language.

25 MR. ARMSTRONG: And just so I'm

1 clear, what's --

2 MR. STEVE PINE: But some of  
3 the wall signs -- we will have to get into a  
4 conversation on this, 'cause some of the wall signs  
5 are visible from a public road. Like the one I  
6 just applied for with Maureen, where it will say  
7 convention center, I believe the road -- I believe  
8 the road comes up close enough -- it comes up,  
9 turns around right here and the convention center  
10 sign is here. Well, what I'm saying is, there  
11 might be some signage needed here and here and here  
12 and none of that is visible from a public roadway.

13 MS. LAMBERTON: I don't think  
14 we should concern ourselves with any of your wall  
15 signs.

16 MR. RALPH MATERGIA: That would  
17 be acceptable, but, I mean, you know, what's  
18 visible to a public roadway?

19 MR. ARMSTRONG: Right.

20 MR. RALPH MATERGIA: I can see  
21 the sign.

22 MR. ARMSTRONG: We'd have to --

23 if that's --

24 MR. RALPH MATERGIA: I can see  
25 the color of the sign.

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1 MS. LAMBERTON: I don't think  
2 the board is concerned with any of your wall signs.

3 Say it out loud. Joe's okay  
4 with it. We're not concerned with it.

5 MR. ARMSTRONG: You do have  
6 provisions in your existing sign ordinance for wall  
7 signs. Now granted, this would just be for the  
8 overlay district.

9 MS. LAMBERTON: Right. Right.

10 MR. ARMSTRONG: It could be a  
11 relief. I mean, you know, it's kind of like, we'll  
12 sort of let -- we'll let you do what you want with  
13 wall signs in the overlay district.

14 MR. ARMSTRONG: I mean, if --  
15 listen, if the commission is really referencing  
16 wall signs that are beyond a certain distance from  
17 a public road, you know, we can make that reference  
18 -- this -- if you look at this, it's one square



19 foot of sign for each linear foot of wall sign  
20 exposed to a street, I mean, you -- or if the  
21 commission wants to go in the opposite direction  
22 and just, you know, not regulate wall signs, it's  
23 up to the commission.

24 MS. LAMBERTON: I have no need  
25 --

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1 MR. STEVE PINE: All of our  
2 wall signs will be visible to the people within the  
3 parking lot but not the street.

4 MS. LAMBERTON: Are you guys  
5 okay with that?

6 MR. ARMSTRONG: I mean, the  
7 only -- before --

8 MS. RINEHIMER: If you say let  
9 it go now, what's gonna happen --

10 MR. STEVE PINE: But most of  
11 their signs will be visible from 380 and 940.

12 MR. ARMSTRONG: Well, remember  
13 though, there was a --

14 MS. RINEHIMER: Exactly. The  
15 wall signs will be seen from the other building.

16 MR. STEVE PINE: Yeah, but then  
17 that will kick back in. This is only if they're  
18 not visible from a public roadway and it doesn't --  
19 it doesn't say local or state or interstate or  
20 anything, it just says a public roadway so --

21 MR. SINCAVAGE: Okay. Let me  
22 propose this, hearing the concern of two members,  
23 this proposed ordinance read: Individual occupant  
24 wall signs, so this would be each business.  
25 Number: There shall be not more than one wall sign

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1 for each principal business occupant except that  
2 where a principal occupant abuts two or more  
3 street, one additional such sign oriented to each  
4 abutting street shall be permitted.

5 Maximum area, the area -- the  
6 surface area of a wall sign shall not exceed nine  
7 square feet. Location: May be located on the  
8 outer most wall of the -- any principal building.  
9 Location arrangement of any and all wall signs  
10 shall be subject to review and approval of the  
11 zoning officer. Height: A wall sign shall not

12 project higher than the parapet wall -- parapet  
13 line of the wall to which the sign is affixed.

14 And that's all it says.

15 MS. MINNICK: What was the  
16 size, the height of the requirement?

17 MR. SINCAVAGE: Maximum area or  
18 the height?

19 MALE VOICE: Height.

20 MR. SINCAVAGE: Height. A wall  
21 sign shall not project higher than the parapet line  
22 of the wall to which the sign is being affixed. So  
23 in other words, when you have your wall height, you  
24 can't go above your wall.

25 MS. MINNICK: No, that would be

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1 a roof sign.

2 MR. SINCAVAGE: You guys  
3 wouldn't do that anyway.

4 MR. HARRY FORBES: Is there a  
5 square footage on -- use the convention as an  
6 example, the size of the lettering?

7 MR. SINCAVAGE: No, it just  
8 says the surface area of the wall should not exceed

9 nine square feet.

10 MR. HARRY FORBES: Ninety?

11 MR. SINCAVAGE: Nine.

12 MS. MINNICK: Nine square feet.

13 MR. SINCAVAGE: Yes. This is

14 for individually -- what I'm envisioning for

15 Kalahari --

16 MS. MINNICK: No. He had an

17 individual use, the convention center and his sign

18 was 260 square feet so we wouldn't be able to apply

19 that in --

20 MR. SINCAVAGE: Right.

21 MR. STEVE PINE: These are --

22 these are the letters that spell out the two words,

23 convention center. They're roughly five and a half

24 feet tall by four and a half feet wide. It's a

25 total of 227 square feet but the face of that

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1 particular part of the building, just the

2 convention center alone, is over 7100 square feet.

3 So it's all about percentages there.

4 So we -- we already are getting

5 a sign permit tomorrow because it's regulated -- it  
6 fits within --

7 MR. SINCAVAGE: Currently.

8 Well, I think what we're saying is we can -- if  
9 it's not visible from a highway, it's not  
10 regulated.

11 MS. LAMBERTON: Okay.

12 MR. MILLER: That's fair.

13 MS. LAMBERTON: Yeah.

14 MR. SINCAVAGE: Okay? But if it  
15 is, to address the concern of the other members,  
16 then you have to follow the standard. And we can  
17 modify this. We can modify this.

18 MR. STEVE PINE: Works for me.

19 MR. ARMSTRONG: I guess before  
20 we move on -- correct me if I'm wrong, Steve -- did  
21 you just say that what you're proposing, which is  
22 apparently a 200 square feet wall sign, currently  
23 fits within the existing commercial wall sign regs?

24 MR. STEVE PINE: Yes.

25 MS. MINNICK: It's under the

1 resort regs --

2 MR. ARMSTRONG: So why -- would  
3 you just want to refer to that? If it fits that,  
4 why don't -- you can just refer to that.

5 MS. LAMBERTON: Okay.

6 MR. ARMSTRONG: I don't know  
7 what it says, but if you're telling me that fits --

8 MR. STEVE PINE: Maureen would  
9 be -- she's the one --

10 MR. SINCAVAGE: But the concern  
11 is the other -- the other sided development.

12 MS. LAMBERTON: They're saying  
13 if properties are built here on 940 and 314, you  
14 don't want signs behind the building facing 940 and  
15 314, you would rather keep it on the interior where  
16 it's not visible from the roadway, am I correct by  
17 saying that?

18 MR. STEVE PINE: They'd be  
19 regulated.

20 MR. SINCAVAGE: Or they'd be --

21 MR. STEVE PINE: Anything  
22 that's not visible from a public roadway wouldn't  
23 be.

24 MS. LAMBERTON: Right, exactly.  
25 Then they would be regulated.

1                   MR. STEVE PINE: That would in  
2 turn mean that if Jim wants to put a sign on the  
3 side of the building that's facing only the  
4 Kalahari, that if it's not seen from a public  
5 roadway, you wouldn't regulate it then.

6                   MR. SINCAVAGE: That's correct.

7                   MR. STEVE PINE: Which is fine.  
8 It's only gonna be seen by our guests.

9                   MR. JAMES CAHILL: Our signs  
10 are gonna say, look, Kalahari Boulevard --

11                   MR. STEVE PINE: Yeah, but I'm  
12 talking about like the parking lot --

13                   MS. LAMBERTON: 940 and 314.

14                   MR. SINCAVAGE: Yeah.

15                   MR. ARMSTRONG: All right. The  
16 current --I just need to make sure I know where  
17 we're going. The current wall sign section, the  
18 language in the existing ordinance is actually  
19 pretty close, if not the same as what was  
20 proposed,.

21                   MR. RALPH MATERGIA: Where is  
22 that, Pat?

23 MR. ARMSTRONG: One square foot  
24 of sign for each linear foot of a wall area exposed  
25 to a street with no limit on the number of signs,

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1 right?

2 MR. RALPH MATERGIA: Which  
3 section is that?

4 MR. ARMSTRONG: Of the existing  
5 ordinance?

6 MS. MINNICK: It's 155, 7.

7 MR. ARMSTRONG: Seven and then  
8 under wall signs. It's one sentence.

9 MS. MINNICK: Wall signs. It's  
10 under resort.

11 MS. LAMBERTON: I like one  
12 sentences.

13 MR. ARMSTRONG: 155, 32?

14 MR. RALPH MATERGIA: 155, 32.

15 MR. SINCAVAGE: And then under  
16 wall signs, Ralph.

17 MR. ARMSTRONG: Subsection 7.

18 MR. RALPH MATERGIA: That  
19 works.



20 MR. SINCAVAGE: All right.

21 We're not rewriting --

22 MR. JAMES CAHILL: It's all  
23 proportional to the building.

24 MR. SINCAVAGE: Only if it's  
25 exposed to a street. If it's not and that's what

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1 the current -- okay? So we're gonna just keep to  
2 the language of the current.

3 Bob, why didn't you bring that  
4 up a half hour ago?

5 Okay. We're good. Next.

6 MR. ARMSTRONG: Directional  
7 signs. In order to maybe save some time, the  
8 existing ordinance and the directional sign, I  
9 believe -- is this the resort, gaming resort? It's  
10 the same section, 155 -- 155, 32, directional  
11 signage shall not exceed 10 square feet per sign  
12 with no limit on the number of directional signs.  
13 All directional signs shall be located within the  
14 property limits of the resort or gaming resort and  
15 then we'll add and/or PCRED.

16 MR. RALPH MATERGIA: That's  
17 exactly what I wrote until you changed it.

18 MR. ARMSTRONG: May be.

19 MR. STEVE PINE: There's a  
20 directional sign --

21 MR. RALPH MATERGIA: I took it  
22 word for word from that section.

23 MS. LAMBERTON: I know.

24 MR. SINCAVAGE: Steve, what's  
25 your question?

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1 MR. STEVE PINE: Does a  
2 directional sign -- is that affected by the former  
3 regulation of not visible from a public roadway?

4 MR. SINCAVAGE: No.

5 MR. ARMSTRONG: No. No.

6 MR. STEVE PINE: Then ten feet  
7 is probably not adequate for us because we're gonna  
8 have several different directional signs within the  
9 property where we're gonna be directing somebody  
10 toward the loading dock, toward the -- a double cut  
11 steak house, toward HR, and et cetera. And ten  
12 square feet is what? Two by five, five by two --

13 MR. JAMES CAHILL: Three by  
14 three square.

15 MR. STEVE PINE: It's pretty  
16 small. It's just that --

17 MR. SINCAVAGE: How big do you  
18 need?

19 MR. STEVE PINE: It's this big  
20 so --

21 MR. RALPH MATERGIA: 20.

22 MR. STEVE PINE: The -- what we  
23 had planned is something roughly five foot by --  
24 tall by five foot wide is what we had planned.

25 MR. SINCAVAGE: 25 square feet.

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1 MR. JAMES CAHILL: I also have  
2 some more concerns, you know, you come into a  
3 T-intersection and you want to go, you know,  
4 Margaritaville or WonderWorks, you know, direct  
5 people which way to turn so --

6 MR. SINCAVAGE: It's in the  
7 current ordinance.

8 MR. RALPH MARGERIA: Do I hear

9 20?

10 MR. SINCAVAGE: The -- all it  
11 says is that all directional signs will be --  
12 there's no limit on the number.

13 MS. LAMBERTON: Oh, okay.

14 MR. SINCAVAGE: But it does  
15 limit the size.

16 MS. LAMBERTON: Oh, I see.  
17 Okay.

18 MR. SINCAVAGE: So the only  
19 thing we're saying is that under the -- because, as  
20 Ralph pointed out earlier, under this concept,  
21 we're more lenient on signs so we can make that 25  
22 square foot with no limit on the number and they  
23 have to be within the property line.

24 MR. ARMSTRONG: Is the  
25 commission okay with that?

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1 MR. JAMES CAHILL: Sold.

2 MR. STEVE PINE: We're talking  
3 about boulevard sign -- boulevard -- after it's not  
4 public boulevard within the property line and  
5 that's what we're asking for.

6 Thank you.

7 MR. ARMSTRONG: That next  
8 Subsection C, the height -- you know, the  
9 freestanding sign section did go into the height so  
10 I'm not sure if we wanted that additional section,  
11 Ralph. Is there a reason that's in there?

12 MR. RALPH MATERGIA: Yeah, we  
13 can probably take it out.

14 MR. STEVE PINE: So that's aside  
15 from the monument sign, correct? Because my  
16 monument sign --

17 MR. SINCAVAGE: That's  
18 separate, that's different.

19 MR. STEVE PINE: Thank you.

20 MR. SINCAVAGE: This is just --  
21 this is under the directional sign.

22 MR. ARMSTRONG: So we'll take  
23 that out, the height.

24 MR. SINCAVAGE: Yep.

25 MR. ARMSTRONG: Okay.

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1 MR. SINCAVAGE: Maximum with

2 the 20 feet, that should be plenty. The  
3 directional signs. We're only talking the  
4 directional signs.

5 MR. JAMES CAHILL: All  
6 freestanding directional signs?

7 MR. SINCAVAGE: Yes. Well, I'd  
8 like to see all those directional signs be monument  
9 signs; can you live with that or no?

10 MR. STEVE PINE: Some of ours  
11 are just (inaudible), you know, that we're looking  
12 at.

13 MR. SINCAVAGE: Can you make it  
14 a monument?

15 MR. STEVE PINE: I guess. I'm  
16 not sure what you mean by monument.

17 MR. SINCAVAGE: I don't want to  
18 see a post sticking up. I'd rather see it in the  
19 ground.

20 MR. STEVE PINE: And that's  
21 what we're talking about. We're talking about the  
22 same thing right now.

23 MR. ARMSTRONG: Do you want to  
24 put a height restriction on the mon -- if it's a  
25 monument, typically it's a low level ground sign.

1                           MR. SINCAVAGE:   That's correct.  
2   We don't need the height, but what I'm saying is  
3   structure size, I think it says --

4                           MR. STEVE PINE:    The only issue  
5   we would have with that, Mark, is that the  
6   plantings that we have all the way down the  
7   Boulevard, some of those grasses are two to three  
8   feet tall.  So they would be covering a bottom  
9   portion of the sign if they had to be in the  
10  ground.

11                          MR. SINCAVAGE:    Usually you  
12  hump it up, berm it.  Berm it.

13                          MR. JAMES CAHILL:   Or you put a  
14  support on each side.

15                          MR. SINCAVAGE:    Yeah.

16                          MR. STEVE PINE:    And that's  
17  fine too if that all can -- is considered monument  
18  sign, that's fine too.  I have no issue with that.

19                          MR. SINCAVAGE:    Now, wait.  
20  Wait.  I don't want Jim confused.  You can't put  
21  posts on this sign 'cause it has to look as if it's  
22  coming out of the ground like a monument, like a  
23  tombstone.

24 MR. JAMES CAHILL: So you want  
25 it stoned or decorative or --

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1 MR. ARMSTRONG: What we'll do  
2 is -- I have --

3 MS. LAMBERTON: (Inaudible  
4 comment.)

5 MR. SINCAVAGE: The monument  
6 sign we did render as a monument, did we? Well, we  
7 did under the proposed.

8 MR. ARMSTRONG: There's  
9 definitions out there we can plug into this for  
10 monument low level sign.

11 MR. SINCAVAGE: But you can  
12 hump it up.

13 MR. HARRY FORBES: But if you  
14 raise it, is that part of the overall 25 feet or --  
15 or 20 feet or whatever --

16 MS. LAMBERTON: No.

17 MR. SINCAVAGE: We're not  
18 saying -- we're eliminating the height requirement.

19 MR. JAMES CAHILL: On the



20 directional signs we're taking the height out.

21 MR. STEVE PINE: Aren't some of  
22 the signs that we currently have -- and I'm not  
23 saying we're gonna use that, but I'm wondering how  
24 that fits -- like our signs in Ohio, for example,  
25 is the post, which is made and painted to look like

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1 a tree or wood, comes up on an angle, it almost  
2 creates a second and then the signs hang from that.  
3 But they're very decorative, they're very  
4 attractive.

5 MR. SINCAVAGE: But that's not  
6 a monument sign.

7 MR. STEVE PINE: That's not a  
8 monument sign.

9 MR. ARMSTRONG: Let me -- let  
10 me read -- we actually have a definition in our  
11 zoning ordinance.

12 MR. STEVE PINE: Okay.

13 MR. ARMSTRONG: I actually  
14 forgot we had it. It's a freestanding sign with  
15 low overall height that stands directly on the  
16 ground or at ground level and which is generally

17 supported by an integrated width, a solid base or  
18 what visually appears to be a solid base, where the  
19 entire bottom of the sign visually appears to be  
20 affixed to the ground. Everyone get that?

21 MR. RALPH MATERGIA: Where are  
22 you reading from?

23 MR. ARMSTRONG: Definition of  
24 the existing zoning ordinance. Okay? So the only  
25 thing under directional signs that I hear --

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1 MR. STEVE PINE: I think we  
2 want our signs to match and right now our sign --  
3 our sign package is already done for the interior  
4 directional sign and I'm happy to send them to you.  
5 They're very attractive, they're -- they have an  
6 African design to them. And I've got to be honest  
7 with you, I can't remember --

8 MR. ARMSTRONG: Yeah, you know  
9 what? There's a separate definition for  
10 directional sign.

11 MR. STEVE PINE: Okay. All of  
12 mine are directional that I'm talking about.

13 MR. SINCAVAGE: How can we get  
14 around the -- the commission has been asking for  
15 monument signs, monument signs from everybody,  
16 okay? And I appreciate what you're saying, that  
17 you have a decorative sign. Can we put in -- but  
18 that would be creating a new definition of a  
19 decorative directional sign.

20 MR. STEVE PINE: What does your  
21 directional sign say?

22 MR. ARMSTRONG: It doesn't  
23 really --

24 MR. SINCAVAGE: It doesn't say  
25 anything about the type. I was trying to put into

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1 this overlay district that it has to be a monument  
2 sign.

3 MR. STEVE PINE: I want to say  
4 that our signs now have two posts on them. They  
5 come up and they -- it looks like raw board that  
6 are overlapping each other, you know what I'm  
7 saying? And then within that structure -- they're  
8 very attractive and I'm happy to send you pictures  
9 of them because they're already made.

10 MR. SINCAVAGE: Okay. Then we  
11 just leave out the monument sign for the  
12 directional signs. Okay.

13 MR. STEVE PINE: I'm happy to  
14 send those to you so you can see what they look  
15 like.

16 MR. SINCAVAGE: Kalahari does a  
17 fine job and we're very glad to have you here so --

18 MR. STEVE PINE: Thank you.

19 MR. ARMSTRONG: Okay. So  
20 we'll just basically leave the directional sign --

21 MS. LAMBERTON: As is.

22 MR. ARMSTRONG: Right.

23 MS. BISBING: Yeah, I mean, I  
24 think what you read before describes what Steve is  
25 describing so --

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1 MR. RALPH MATERGIA: Do we need  
2 the width and the structure size in here as  
3 governing all signs or we're just eliminating  
4 those?

5 MR. SINCAVAGE: I think we

6 should -- or is that eliminated from the current  
7 ordinance? Is there any height --

8 MR. ARMSTRONG: No, that's in  
9 there in the current --

10 MR. SINCAVAGE: Oh, that is  
11 current?

12 MR. ARMSTRONG: I think so.

13 MR. SINCAVAGE: I think that  
14 meets with what you need though. This is only  
15 directional signs.

16 MR. RALPH MATERGIA: Yeah. No,  
17 I don't think it is. I think it applies -- it's  
18 just directional signs then --

19 MR. ARMSTRONG: Well, no, I  
20 mean, if you look at it, it's under -- the way it  
21 reads is, it's under Subsection D --

22 MR. RALPH MATERGIA: Right.

23 MR. ARMSTRONG: -- 1, which is  
24 advertising or other signs and A, B, C -- and  
25 that's why we took C out because C conflicted with

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1 --

2 MR. RALPH MATERGIA: Right.

3 Right.

4 MR. HARRY FORBES: What are you  
5 taking out now?

6 MR. SINCAVAGE: Taking D and E  
7 out. That's what the applicant is asking for.

8 MR. ARMSTRONG: So you don't  
9 want to limit the width of any of the signs?

10 MR. SINCAVAGE: Bob, you're  
11 saying something.

12 MR. McHALE: That's how it's  
13 described in the existing current ordinance.

14 MR. SINCAVAGE: That's under  
15 the current ordinance so can we just leave it in  
16 then?

17 MR. RALPH MATERGIA: You want to  
18 leave it in?

19 MR. SINCAVAGE: Are you guys  
20 okay with that? The width is 20 feet not to exceed  
21 20 feet. You're not proposing anything wider than  
22 20 feet, are you?

23 MR. STEVE PINE: For  
24 directional sign?

25 MR. SINCAVAGE: Nope.

1 MR. RALPH MATERGIA: No, no,  
2 no, any sign.

3 MR. STEVE PINE: Well, yeah,  
4 the monument signs are bigger -- I mean, the two  
5 entrance signs are bigger than that.

6 MR. JAMES CAHILL: Some of the  
7 wall signs and roof signs could be.

8 MR. STEVE PINE: Well, the one  
9 roof sign is, I think, 110 feet wide.

10 (Inaudible discussion.)

11 MR. ARMSTRONG: That was in  
12 your petition. You asked for it. You asked her  
13 for it to be in there.

14 MR. RALPH MATERGIA: Hey,  
15 listen, I let you take one out, you have to let me  
16 take one out. That's how it works.

17 MR. SINCAVAGE: Okay. The  
18 commission is okay with taking out E and D.

19 MR. JAMES CAHILL: D and what?

20 MR. SINCAVAGE: D and E.

21 MS. LAMBERTON: D and E.

22 MR. SINCAVAGE: We're cutting  
23 down on the size of this ordinance.

24 Okay. Roof signs.

25 MR. STEVE PINE: I put in my

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1 suggestions in my notes. A maximum of 12 feet and  
2 the reason I'm saying that is because right now at  
3 -- the letters that I -- I told you I put up, for  
4 example, already are ten feet and I got to tell  
5 you, they look like they could have been a little  
6 taller. If you -- if you take into consideration  
7 that that building is 100 feet tall, a two foot  
8 letter is about that big and even standing at the  
9 lowest part of the building on the roof, you would  
10 have to be as close as 15 feet or 20 feet away from  
11 it to see it so --

12 MS. LAMBERTON: Yeah.

13 MR. STEVE PINE: So that's why

14 --

15 MR. SINCAVAGE: The way the  
16 proposal is that you get another foot for every ten  
17 feet.

18 MR. STEVE PINE: That's fine.  
19 It depends on, I guess -- like my building that --  
20 that covers fine because my building, like I said,



21 is 100 feet tall; but what do you do with a small  
22 portion -- like one of these smaller buildings  
23 that's like 12 feet tall, and yet it's an  
24 individual business? It covers me fine so -- from  
25 that standpoint I guess I'll let Ralph and Jim

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1 address it.

2 MR. RALPH MATERGIA: So here's  
3 the suggestion, this is the suggested change. For  
4 building height of 29 feet or less, the maximum  
5 size may not exceed an area calculated by the  
6 following. Two times one half the distance of the  
7 wall face frontage for that specific use in length.

8 So if you had a --

9 MR. JAMES CAHILL: 50 foot long  
10 building, you could have a --

11 MR. RALPH MATERGIA: 100 square  
12 feet. 25 times 2; 50 square feet.

13 MR. JAMES CAHILL: 50 square  
14 feet.

15 The way this is written is the  
16 sign would be 2 by 25. We want it just limit the

17 square footage because some companies may have a  
18 logo and then smaller lettering or it may -- you  
19 know, a little bit of it may want to exceed the --  
20 so, and then --

21 MR. McHALE: You don't want a  
22 sign that's totally disproportionate to a building.  
23 In Mount Pocono Borough they have a 50 square foot  
24 max and if you look at the Walmart Supercenter, the  
25 Walmart lettering is so small that it -- it just

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1 doesn't look right.

2 MS. LAMBERTON: It's not  
3 proportionate.

4 MR. McHALE: Correct. So more  
5 along the lines with --

6 MR. SINCAVAGE: I like making  
7 it tied in to the --

8 MS. LAMBERTON: Yeah. It has  
9 to look right.

10 MR. STEVE PINE: What does that  
11 do to the signs like we use on our buildings which  
12 are individual letters?

13 MR. SINCAVAGE: That becomes an

14 overall sign.

15 MR. STEVE PINE: It doesn't  
16 mount.

17 MR. SINCAVAGE: Oh, it doesn't?

18 MR. STEVE PINE: You don't have  
19 to use all the space between letters as far as I  
20 know.

21 MS. MINNICK: Well, I don't  
22 think we calculated it like that. No, 'cause it  
23 was only -- it was --

24 MR. STEVE PINE: 200 --

25 MS. MINNICK: 'Cause it said --

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1 MR. STEVE PINE: 220. You know  
2 what I'm saying? If it's -- like in our case, the  
3 letter K, it's simply cut out of the letter K. And  
4 I don't have to go with five and a half by four and  
5 a half as my -- because more than half of that  
6 space is -- is not a sign in any way so --

7 MS. LAMBERTON: So what Bob is  
8 saying makes sense, being proportionate to your  
9 building size?

10 MR. STEVE PINE: Right. And  
11 that's -- I think that's what Ralph's saying too,  
12 which is fine. I wanted you to understand that  
13 ours frequently are individual letters as opposed  
14 to a block sign.

15 MR. McHALE: Okay. And that's  
16 what Jim was saying. Rather than restrict the  
17 height, you just go with an area.

18 MR. RALPH MATERGIA: Now, then  
19 we go on to say for a building above 29 feet,  
20 keeping in mind that you can only go 40 feet.

21 MR. SINCAVAGE: Right.

22 MR. RALPH MATERGIA: Right?  
23 For a building above 29 feet, the maximum size  
24 cannot exceed an area calculated by the formula,  
25 three times one half the distance of the wall face

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1 frontage for that specific use and length.

2 MR. SINCAVAGE: That seems to  
3 make sense.

4 MR. JAMES CAHILL: So if the  
5 building is 10 feet higher, you get an additional  
6 -- multiply on the sign and, again, keeping with

7 the proportion theory.

8 MR. SINCAVAGE: I'm okay with  
9 that.

10 MR. JAMES CAHILL: Good.

11 MR. SINCAVAGE: We're okay with  
12 it?

13 MS. LAMBERTON: Yep.

14 MR. SINCAVAGE: Yes.

15 Okay. Next?

16 MR. RALPH MATERGIA: Now I  
17 guess, Pat, I'm gonna kick over to you because, you  
18 know, we are again restating the off-street parking  
19 type --

20 MR. ARMSTRONG: Right.

21 MR. RALPH MATERGIA: --  
22 landscaping and so forth, all of which are the same  
23 in the overlay as in the gaming. You want to just  
24 make a reference to incorporate to eliminate all  
25 that, right?

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1 MR. ARMSTRONG: Yeah. I think  
2 there's a way -- the rest of it we can incorporate

3 by reference the existing resort regulations in the  
4 commercial district for these three specific uses  
5 in the overlay. Because that's what you did,  
6 Ralph, right, you basically copied and paste?

7 MR. RALPH MATERGIA: Exactly.

8 MR. ARMSTRONG: So long as the  
9 commission's okay with those resort -- existing  
10 resort regulations in the commercial district  
11 applying to these additional uses in the overlay.

12 MR. JAMES CAHILL: Check his  
13 contract, see if he gets paid by the water.

14 MR. RALPH MATERGIA: By the  
15 pound.

16 MS. LAMBERTON: Pardon?

17 MR. RALPH MATERGIA: By the  
18 pound.

19 MR. LAMBERTON: By the pound.

20 MR. ARMSTRONG: Now, there is  
21 one -- although there was one -- at the very end,  
22 at the very end, you added something that's not in  
23 the existing ordinance, and that's with respect to  
24 stormwater. You know, you're going to have to  
25 comply with the stormwater ordinance irregardless.

1                                   What's that?

2                                   MR. JAMES CAHILL:   This is 16.

3                                   MS. LAMBERTON:    Page 16.

4                                   MR. RALPH MATERGIA:  Yeah, why  
5    don't you explain that.

6                                   MR. JAMES CAHILL:  We -- like I  
7    explained earlier, we like to try and make -- with  
8    the recharge requirements and everything, trying to  
9    make lemonade out of lemons so we'd be able to  
10   irrigate our golf course with the runoff of the  
11   parking lots, et cetera, et cetera.  So we want the  
12   flexibility to use land for that purpose that is  
13   not in the zone but adjacent to the zone.

14                                   So we understand that it all has  
15   to comply with the township stormwater regulations,  
16   but maybe I'm not on the exact property but  
17   adjacent property.

18                                   MR. McHALE:    We can't just  
19   change the -- Chapter 124, and I think there's  
20   flexibility built into that to work within  
21   subwatershed areas.  We would have to look at it  
22   specific to what you're trying to accomplish and  
23   address it at that point in time, but I wouldn't  
24   confuse things.

25

MR. ARMSTRONG: Yeah, I would

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1 foresee that being part of the conditional use  
2 hearing before the board. If you have specific --  
3 a specific proposal at that point in time from the  
4 stormwater facilities, you know, that can be  
5 addressed at the conditional use level.

6 MR. RALPH MATERGIA: So you're  
7 saying take J out completely and refer to the  
8 existing regulations and then address that at the  
9 presentation for the conditional use.

10 MR. ARMSTRONG: I would.  
11 Because I don't think we can agree to anything  
12 different at this point in time.

13 MR. RALPH MATERGIA: Okay. Can  
14 I suggest we take about a ten minute break and let  
15 -- just ten minutes, and let Pat and I figure out  
16 how we're going to keep Steve pacified.

17 MS. LAMBERTON: Oh, okay.

18 MR. HARRY FORBES: Well, before  
19 we go, there's one other question that Steve had,  
20 it's a real simple one, and it's on Page 8, Ralph,



21 it deals with -- he's questioning, is there height  
22 restrictions for the shrubs and locations, existing  
23 shrubs, tree signs and structures that will impede  
24 the clear site distance for exiting the property.  
25 It's letter H under commercial district --

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1 MR. STEVE PINE: I don't know  
2 if it needs to be brought up here, and not because  
3 the -- the landscape plan did go in front of the  
4 board and was approved, but I don't know if the  
5 board realized that some of those decorative  
6 grasses are sometimes three to five feet tall, they  
7 will be in the median of the road, but they are  
8 lowered where they're any kind of turn-around or  
9 intersection, if you understand what I'm saying,  
10 they become lower. There's gonna be some -- some  
11 point where a normal height person might only --  
12 may not be able to see depending on how the grass  
13 is growing, you see what I'm saying.

14 MS. LAMBERTON: It's a safety  
15 issue.

16 MR. STEVE PINE: Cutting  
17 across, but there's no -- there's only sidewalks on

18 one side of the road so it doesn't encourage them  
19 to cross over in any way until Jim's property is  
20 developed and then it might encourage them to take  
21 a shortcut over there, et cetera.

22 So I just wondered if there was  
23 any kind -- even though you've approved the plan,  
24 if whether there was any kind of height  
25 restrictions. Obviously we're there for safety as

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1 well.

2 MR. McHALE: Well, this states  
3 the clear line of sites for traffic entering and/or  
4 exiting the property, so as long as the vehicles  
5 can see getting in and out properly without  
6 creating a --

7 MR. STEVE PINE: But they --  
8 the car may -- if it's a Sedan, you may not be able  
9 to see the person on the other side because there's  
10 no intersection --

11 MS. LAMBERTON: Yeah, that's  
12 what Bob's saying, then you adjust it, right?

13 MR. McHALE: But this is for

14 the entrances and exits and making sure -- I mean,  
15 traveling along the Boulevard is not --

16 MR. STEVE PINE: As long it's  
17 clarified there.

18 MR. SINCAVAGE: I did.

19 MR. STEVE PINE: Thank you.

20 MS. LAMBERTON: All right.

21 MR. SINCAVAGE: Okay. Ten  
22 minute.

23 (Short recess was taken.)

24 MR. SINCAVAGE: Okay. We're  
25 back on the record.

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1 MR. ARMSTRONG: So Ralph and I  
2 spoke. What the intention is at this point, so  
3 long as the commission makes a recommendation to  
4 proceed with revising this ordinance as discussed  
5 this evening, I'll proceed and make my best effort  
6 to get this out to not only the planning commission  
7 but also the board of supervisors, as well as Ralph  
8 and Steve sometime over the weekend with the  
9 revisions that we discussed this evening, with the  
10 understanding that hopefully Ralph will have some



7 motion. Do I have a second to the motion?

8 MS. RINEHIMER: I'll second it.

9 MR. SINCAVAGE: Motion and  
10 seconded.

11 All in favor say aye?

12 BOARD MEMBERS: Aye.

13 MS. LAMBERTON: I'll abstain.

14 MR. SINCAVAGE: One abstention.

15 MR. STEVE PINE: Thank you  
16 very much.

17 MR. SINCAVAGE: Okay. Just  
18 very quickly. The ordinances I provided you in  
19 your e-mail today, we should start taking a look at  
20 those for the village commercial overlays. I read  
21 through at least the sign and landscaping. Bob and  
22 I both scanned over the design standard of SALDO  
23 and the design standards for zoning. So if we can  
24 just take a look at those so we can start thinking  
25 about those overlays for the village. And these

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1 look pretty good to me from what I read and I think  
2 they're well written. They're simple and they're  
3 pretty straightforward.

4 All right. Anything else to  
5 come before the board? If not, we stand adjourned.  
6 Thank you.

7 (Meeting concluded at 8:00 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 correct transcript of the same.

\_\_\_\_\_  
COURTNEY L. ROGERS





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 4, 2015, beginning at 5:30 p.m.

---

PRESENT: MARK SINCAVAGE, Chairperson  
JOSEPH MILLER, Vice-Chairperson  
PATRICIA M. RINEHIMER Board Member  
MICHELE BISBING, Board Member

ALSO PRESENT: Maureen Minnick, Zoning Officer

---

Panko Reporting  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

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

5 Is there any public comment on  
6 any agenda item before we get started?

7 Hearing none. We'll move on to  
8 considerations of the minutes of May 7, 2015. We  
9 all received them electronically. Do I have motion  
10 to approve?

11 MS. BISBING: Just one minor  
12 thing that I saw that should be changed. On Page  
13 10, Line 6, it says grandchild and I think it  
14 should say brainchild.

15 MR. SINCAVAGE: Okay.

16 MR. BISBING: It was when Mr.  
17 Cahill was discussing the -- the consultant that  
18 they hired to do his design, it should say  
19 brainchild.

20 MR. SINCAVAGE: Okay.  
21 MS. MINNICK: And, I'm sorry,  
22 Michele, what was --  
23 MS. BISBING: It was Page 10,  
24 Line 6.  
25 MR. SINCAVAGE: Do I have

3

1 motion then to approve the minutes with the  
2 correction?  
3 MS. RINEHIMER: I'll make the  
4 motion.  
5 MR. SINCAVAGE: I have a  
6 motion. Do I have a second to the motion?  
7 MR. MILLER: Second.  
8 MR. SINCAVAGE: Motioned and  
9 seconded. All those in favor please say aye?  
10 BOARD MEMBERS: Aye.  
11 MR. SINCAVAGE: We'll move on  
12 to Anthony Morroni, minor subdivision. I assume  
13 there's nothing further on that?  
14 MS. MINNICK: No.  
15 MR. SINCAVAGE: I'll entertain  
16 a motion to table the Anthony Morroni minor

17 subdivision.

18 MS. BISBING: So moved.

19 MR. SINCAVAGE: I have a  
20 motion. Do I have a second to the motion?

21 MR. MILLER: Second.

22 MR. SINCAVAGE: Motion and  
23 seconded.

24 All those in favor please say  
25 aye?

4

1 BOARD MEMBERS: Aye.

2 MR. SINCAVAGE: Move on to  
3 sketch plan of John V Flea Market.

4 You want to give us an overview  
5 so we know where we are and whatever else you want  
6 to present to the board?

7 MS. SARAH BUE-MORRIS: The  
8 property is literally -- this is the ramp from 314  
9 to get on 940 going west and then this is Norton  
10 Pryor Road and Summit Avenue.

11 This is actually -- it -- I'm  
12 not sure yet whether it's two properties but John

13 owns it all. And what he wants to do is construct  
14 a flea market in three phases.

15 This is Phase 1 where he put in  
16 the first two buildings and what we're proposing is  
17 that because the buildings are relatively close  
18 together, that he put in the concrete pad for the  
19 other -- for the next two buildings.

20 And then --

21 MR. SINCAVAGE: Sorry to  
22 interrupt you, Sarah, but I see three buildings.  
23 There's a center piece there.

24 MS. SARAH BUE-MORRIS: Oh, no,  
25 that's just a -- the -- yeah, the orange color is

5

1 the vendor areas, the outdoor vendor areas. The  
2 brown is the buildings, and then the white is the  
3 walkways.

4 MR. SINCAVAGE: Okay. So  
5 there's no pad on that center piece between the two  
6 oranges?

7 MS. SARAH BUE-MORRIS: No. No.  
8 It's just vendor areas.

9 MR. SINCAVAGE: But you want to

10 put the pads in for those two in the first phase?

11 MS. SARAH BUE-MORRIS: For the  
12 future buildings, yes.

13 The parking is probably going to  
14 be porous asphalt or something similar. So Phase 2  
15 we put in two more buildings and then the pads for  
16 the other three buildings, the final three, and  
17 what John is proposing to do is put them in when  
18 there's need.

19 Now, it's gonna be a flea  
20 market, but it's also gonna be somewhat of a  
21 farmer's market, is the idea. And then what we've  
22 got is the final build-out, we have seven  
23 buildings, large parking area. This is an  
24 extension of the existing road, which has a  
25 cul-de-sac here right now and then this is paved

6

1 and it provides access for the vendors in here.

2 But the white areas, again, the  
3 on-colored areas are the walkways and there will be  
4 a walkway across the road extended. And the  
5 handicap parking will be here.

6                   The lighter gray area is the  
7 porous asphalt; the darker gray will be  
8 conventional asphalt.

9                   The use is a special exception  
10 use so we have to go to the zoning hearing board,  
11 so I prepared a long list of waivers that are  
12 variances, and as long as I'm going to the zoning  
13 hearing board, I want to try to get everything at  
14 one time. But it says in the ordinance that I  
15 should get input from the planning commission.

16                   Do you want to discuss it first  
17 or do you want to go through the list?

18                   MR. SINCAVAGE: Does anyone  
19 have any questions on that general presentation?

20                   These lots are currently -- I  
21 think they're currently processing topsoil on them  
22 or some sort of dirt, not necessarily --

23                   MS. SARAH BUE-MORRIS: No,  
24 that's actually the neighboring property.

25                   MR. SINCAVAGE: Okay. All

7

1 right. So is the land all cleared up to the ramp,  
2 up to the property line or the state?

3 MS. SARAH BUE-MORRIS: No.

4 MR. SINCAVAGE: Is it wooded?

5 MS. SARAH BUE-MORRIS: It's  
6 wooded.

7 MR. SINCAVAGE: Okay. I don't  
8 see the wood line on here so that's why I wasn't  
9 sure.

10 MS. SARAH BUE-MORRIS: It's all  
11 pretty well wooded.

12 MR. SINCAVAGE: It's all  
13 wooded? Oh, okay.

14 MS. SARAH BUE-MORRIS: And the  
15 woods will remain in the areas where it's possible.  
16 I should have told you that we're planning storm  
17 water management here in the blue and then the  
18 septic systems, septic fields will be up here. The  
19 bathrooms will be in this first building; and then  
20 if we need another bathroom, they'll be another one  
21 in one of these other buildings as we go.

22 MR. SINCAVAGE: All right. In  
23 regard to your letter, I just want to clarify that  
24 we were presented this as a sketch plan.

25 MS. SARAH BUE-MORRIS: Yeah.



1 MR. SINCAVAGE: So this board  
2 will not take any action tonight on any item.

3 MS. SARAH BUE-MORRIS: Okay.

4 MR. SINCAVAGE: And nothing  
5 official.

6 MS. SARAH BUE-MORRIS: Okay.  
7 So we need to come back next month for an official  
8 input on --

9 MR. SINCAVAGE: Yes. Yes,  
10 because you need to have more detailed plans as you  
11 point out. You know, we can give you our guidance  
12 --

13 MS. SARAH BUE-MORRIS: Right.

14 MR. SINCAVAGE: -- on the use.

15 MS. SARAH BUE-MORRIS: Yes.

16 MR. SINCAVAGE: Does anyone have  
17 an objection -- anyone on the commission have an  
18 objection to the proposed use in this location or a  
19 comment on these?

20 It is a special exception so we  
21 can make just about any comments we want to. If  
22 the board doesn't want to even discuss that, we  
23 don't have to.

24 MS. BISBING: The access is --  
25 at the bottom there is where -- that's the entrance

9

1 where you would come in or what's the -- what's the  
2 traffic flow?

3 MS. SARAH BUE-MORRIS: Okay.  
4 Right now if you look at the little tiny map here  
5 in the corner, the traffic comes in off of Summit  
6 Avenue down by the bowling alley and then it's  
7 paved to where you turn off to go to what used to  
8 be 84 Lumber.

9 MS. BISBING: Right.

10 MS. SARAH BUE-MORRIS: But if  
11 you continue down that road -- if you take a left  
12 rather than a right, it's dirt and that's the road  
13 we would be extending all the way through to Norton  
14 Pryor so that we would have two ways in and out.  
15 One would be to turn out of the parking lot and  
16 come around down Summit Avenue and the other would  
17 be to go through Norton Pryor to -- directly to  
18 314.

19 MR. SINCAVAGE: What's the name  
20 of that road that you're connecting onto? Is that

21 a road or a driveway?

22 MS. SARAH BUE-MORRIS: It's  
23 actually a road. It's privately owned. John owns  
24 it.

25 MR. JOHN VALINOTE: Development

10

1 Park Drive.

2 MR. SINCAVAGE: Development  
3 Park Drive is the name of it? Okay. But it's  
4 privately owned?

5 MS. SARAH BUE-MORRIS: Yes.

6 MR. SINCAVAGE: Okay. But does  
7 it service any other properties?

8 MS. SARAH BUE-MORRIS: Yes.  
9 The entire industrial subdivision.

10 MR. JOHN VALINOTE: The  
11 Kalahari temporary office --

12 MS. BISBING: (Inaudible)  
13 office where 84 Lumber used to be.

14 MR. SINCAVAGE: So traffic can  
15 flow on that road?

16 MS. SARAH BUE-MORRIS: Yes.

17 MS. BISBING: -- goes this way  
18 and this way.

19 MR. SINCAVAGE: Okay.

20 MS. SARAH BUE-MORRIS: Yes.

21 MS. BISBING: But there would  
22 be another -- would have another way in and out at  
23 the top there, to Norton Pryor is what you're  
24 saying?

25 MS. SARAH BUE-MORRIS: Yes.

11

1 MS. BISBING: It's not just the  
2 one access?

3 MS. SARAH BUE-MORRIS: This  
4 would connect to Norton Pryor so that we would have  
5 -- we would not necessarily be increasing the  
6 traffic on Summit Avenue very much, if at all.

7 MS. BISBING: That was one --  
8 just one of the one things that I thought of when I  
9 saw this.

10 MR. SINCAVAGE: How do you  
11 figure that? To get onto Summit Avenue you have to  
12 be on 314 to get to Summit Avenue to get into this  
13 location.

14 MS. BISBING: Right. But you  
15 don't have to go down as far as what she's saying.

16 MS. SARAH BUE-MORRIS: You  
17 don't have to go -- yeah, you can come right out  
18 Norton Pryor, come out this way and get on 314.

19 MS. BISBING: You don't have to  
20 go down and through the stop signs and then turn to  
21 the bowling alley, you can turn before that on  
22 Norton Pryor.

23 MS. MINNICK: Right.

24 MR. SINCAVAGE: So the traffic  
25 could flow in on Norton Pryor to this Development

12

1 Drive, was it?

2 MR. JOHN VALINOTE: Right. And  
3 I own two of the properties on Norton Pryor.

4 MS. MINNICK: Right now, John,  
5 that road isn't fully accessible from Norton Pryor  
6 to the bowling alley, is that --

7 MR. JOHN VALINOTE: Correct.

8 MS. SARAH BUE-MORRIS: Correct,  
9 yeah.

10 MR. SINCAVAGE: Would that get  
11 improved under this project?

12 MS. SARAH BUE-MORRIS: Yes.

13 MR. SINCAVAGE: So Norton Pryor  
14 is the township road, though, we think?

15 MS. MINNICK: I believe it is.

16 MS. SARAH BUE-MORRIS: I  
17 thought it was.

18 MR. SINCAVAGE: So you would  
19 have to bring it up to standard for the township?

20 MS. SARAH BUE-MORRIS: Yes.  
21 John's aware of that.

22 MR. SINCAVAGE: Okay. What is  
23 the surface currently on Norton Pryor?

24 MS. SARAH BUE-MORRIS: Oh,  
25 Norton Pryor, are we talking about bringing Norton

13

1 Pryor up to township standard?

2 MR. SINCAVAGE: Yep.

3 MS. SARAH BUE-MORRIS: Oh,  
4 well, it's short.

5 MR. JOHN VALINOTE: It's my  
6 money.

7 MR. SINCAVAGE: Well, I'm just  
8 trying to -- my question was, is Norton Pryor an  
9 improved road all the way to 314?

10 MS. SARAH BUE-MORRIS: Yes.  
11 It's only one block long.

12 MR. SINCAVAGE: Okay.

13 MS. SARAH BUE-MORRIS: It's --  
14 it's literally -- 314 is like right here. I think  
15 there's only like probably four properties on  
16 Norton Pryor Road.

17 MR. SINCAVAGE: Okay.

18 MS. SARAH BUE-MORRIS: Is in  
19 here.

20 MS. BISBING: Does it dead end  
21 or does it come out other --

22 MS. SARAH BUE-MORRIS: It comes  
23 around. It goes over to Summit, it's --

24 MS. BISBING: From 3 -- so it  
25 connects 314 to Summit?

14

1 MS. SARAH BUE-MORRIS: Yes.

2 MS. BISBING: Okay.

3 MR. SINCAVAGE: But if you're  
4 gonna propose to put the traffic on there, then it  
5 should be to township standard, which is the  
6 standard -- even that road that you're going to be  
7 extending through the middle of your property has  
8 to come to township standards according to the  
9 code.

10 MS. SARAH BUE-MORRIS: Yes.

11 MR. SINCAVAGE: So I would  
12 think Norton Pryor would also have to be brought up  
13 to that standard because of the level of traffic  
14 you're going to be bringing in here.

15 MR. JOHN VALINOTE: Right.

16 MR. SINCAVAGE: Obviously it  
17 wouldn't have to be done -- well, I don't even  
18 know, Norton Pryor may have to be to township code  
19 all the way through, I mean, because traffic could  
20 come up off of Summit Avenue to access this too.  
21 It may be to the standard, I don't know. You're  
22 not showing that, so I don't know.

23 MS. SARAH BUE-MORRIS: Yeah, we  
24 -- I don't have a rough survey so --

25 MR. SINCAVAGE: Right.



1 MS. SARAH BUE-MORRIS: -- you  
2 know, I know it's not real wide. It -- I doubt  
3 there's ten houses on Norton Pryor.

4 MR. SINCAVAGE: Right. Right.

5 MS. SARAH BUE-MORRIS: I mean  
6 --

7 MR. SINCAVAGE: Well, the one  
8 thing you're gonna have to do is definitely go to  
9 Bureau Veritas and determine the fire code and what  
10 they're gonna require on that road. I mean, that's  
11 gonna be part of the fire code, is the access  
12 points to this development so you're gonna have to  
13 check that too. And, you know, the -- let me just  
14 say, previous developments I've done it had to be  
15 26 feet of hard surface, counting the shoulders.

16 MS. SARAH BUE-MORRIS: Right.  
17 Yeah.

18 MR. SINCAVAGE: So it's 20 but,  
19 I believe, the township standard is that the  
20 roadway is 20 foot wide of blacktop and then the  
21 shoulders, both three feet, but it's whatever the  
22 township code is. So that gives you your 26 feet  
23 surface. And that driveway, what is that proposing  
24 -- it's road, it's gonna be a road. I'm sorry,

25 refer to it as a driveway because to me it looks

16

1 like a driveway, but, okay, that road going  
2 through, what are you proposing that to be at?

3 MS. SARAH BUE-MORRIS: 20 feet.

4 MR. SINCAVAGE: Right. With  
5 shoulders?

6 MS. SARAH BUE-MORRIS: With  
7 three foot shoulders.

8 MR. SINCAVAGE: So you get your  
9 26 feet?

10 MS. SARAH BUE-MORRIS: Yes.

11 MR. SINCAVAGE: What I'm saying  
12 is that Norton Pryor would probably -- they're  
13 probably gonna ask for that too, for fire safety  
14 and emergency vehicles to get in there obviously.

15 Okay. Anything else on the  
16 roadways, driveways?

17 MS. BISBING: Not regarding the  
18 road.

19 MR. SINCAVAGE: Okay.

20 MS. MINNICK: I do have -- what

21 is the purpose of running this road completely  
22 through this area?

23 MS. SARAH BUE-MORRIS: Part of  
24 it is just so --

25 MS. MINNICK: I'm just thinking

17

1 future.

2 MS. SARAH BUE-MORRIS: People  
3 can find it.

4 MS. MINNICK: Either from the  
5 bowling alley or --

6 MS. SARAH BUE-MORRIS: Yes.  
7 Yes. All the businesses back there always had a  
8 problem -- you know, that's why 84 Lumber wanted to  
9 get right out onto 940. You know, it's hard to  
10 find the business park back there. I'm sure if you  
11 talk to the guy that owns the bowling alley, he  
12 would verify that. And John already does have the  
13 neighboring business. He owns the storage and  
14 moving company that's located in the property next  
15 door.

16 MR. SINCAVAGE: Okay.

17 MS. MINNICK: Now -- and you

18 feel comfortable leaving that road open to the  
19 public from the bowling alley so they can use it at  
20 any time or do you plan on --

21 MR. JOHN VALINOTE: Sure.

22 MS. MINNICK: -- gating it at a  
23 certain point?

24 MR. JOHN VALINOTE: Well, we  
25 could gate it. We were -- we were talking about

18

1 that and seeing what kind of input it is 'cause we  
2 didn't even know if you'll let us do that. Make  
3 the road go all the way down.

4 MR. SINCAVAGE: Which road?

5 MS. MINNICK: The proposed  
6 road.

7 MR. JOHN VALINOTE: From the  
8 cul-de-sac out to Norton Pryor.

9 MR. SINCAVAGE: I think that's  
10 logical. You need two points of ingress and egress  
11 --

12 MS. BISBING: For safety  
13 reasons.

14 MR. SINCAVAGE: -- for safety  
15 reasons --

16 MS. MINNICK: Well, they would  
17 have -- they would have the two points of access;  
18 one from State Avenue and one from 314, correct?

19 MS. SARAH BUE-MORRIS: No.

20 MR. JOSEPH BRAGINSKY: There is  
21 no access from 314.

22 MS. MINNICK: There is no  
23 access from 314?

24 MS. BISBING: No. It's via  
25 Norton Pryor. You have to turn on Norton Pryor

19

1 from 314.

2 MS. SARAH BUE-MORRIS: That  
3 whole industrial park right now only has one access  
4 point.

5 MR. SINCAVAGE: Right.

6 MS. SARAH BUE-MORRIS: That's  
7 off of Summit Avenue.

8 MS. BISBING: -- from Summit  
9 Avenue.

10 MR. SINCAVAGE: Right.

11 MS. MINNICK: To the bowling  
12 alley.

13 MS. BISBING: Right.

14 MR. SINCAVAGE: Right. That's  
15 why the fire code's gonna require the two points of  
16 access, so Norton Pryor would have to be improved  
17 and I would -- I would advocate for the Norton  
18 Pryor and that extends to State Avenue, the bottom  
19 part of your map? What road -- does that extend to  
20 another road that goes out to Summit Avenue or no?

21 MS. SARAH BUE-MORRIS: No. He  
22 owns the whole thing.

23 MR. SINCAVAGE: No, no, I  
24 understand that. But where does that access --  
25 when you go out and around, would you come out to

20

1 Summit Avenue?

2 MS. BISBING: To summit.

3 MR. JOHN VALINOTE: By the  
4 bowling alley.

5 MS. SARAH BUE-MORRIS: By the  
6 bowling alley.

7 MR. SINCAVAGE: Oh, by the bowl  
8 -- where's the bowling alley?

9 MS. BISBING: It's down below.

10 MS. SARAH BUE-MORRIS: The  
11 sign's right here and the bowling alley's right  
12 here.

13 MR. SINCAVAGE: Oh, back there?  
14 So that road would access --

15 MS. SARAH BUE-MORRIS: Yes.

16 MS. BISBING: -- it comes out  
17 on Summit.

18 MS. SARAH BUE-MORRIS: John  
19 literally owns it all.

20 MR. SINCAVAGE: And I  
21 understand that. I'm just trying to establish  
22 there's two points of access --

23 MS. SARAH BUE-MORRIS: Yes.

24 MR. SINCAVAGE: -- which there  
25 would be. So, I mean, logical planning would say

21

1 you should extend that roadway so, yeah, I have no  
2 objection to that roadway being extended.

3 MR. JOHN VALINOTE: The

4 residents -- the residents -- there's two residents  
5 there that are on that road and they might object  
6 to it.

7 MR. SINCAVAGE: On which road?

8 MS. MINNICK: Norton Pryor.

9 MR. JOHN VALINOTE: Norton  
10 Pryor.

11 MR. SINCAVAGE: Well --

12 MR. JOE BRAGINSKY: If you  
13 wish, I can show you the aerial?

14 MR. SINCAVAGE: Yes, that will  
15 be great.

16 THE REPORTER: Can you state  
17 your name, please?

18 MR. JOSEPH BRAGINSKY: Joe  
19 Braginsky.

20 MS. BISBING: I know what it  
21 looks like.

22 MR. SINCAVAGE: You know what  
23 it looks like? All right.

24 MR. JOSEPH BRAGINSKY: This  
25 here is the property we are talking about.



1 MR. SINCAVAGE: Right.

2 MR. JOSEPH BRAGINSKY: This is  
3 the bowling alley right here, here is the --

4 MR. SINCAVAGE: Park Drive,  
5 it's called.

6 MR. JOSEPH BRAGINSKY: Well, by  
7 Google.

8 MR. SINCAVAGE: Okay.

9 MR. JOSEPH BRAGINSKY: The road  
10 proposed to extend is from this point to Norton  
11 Pryor. Okay? Norton Pryor is the one that  
12 connects Summit Avenue to 314 by cutting out this  
13 chunk, as you can see.

14 MR. SINCAVAGE: Right. So what  
15 we're saying, what the planning commission is  
16 saying, is that you would have an access point here  
17 and you would have an access point here --

18 MR. JOSEPH BRAGINSKY: Correct.

19 MR. SINCAVAGE: -- to come in  
20 and out, so you would have a nice loop through  
21 there?

22 MR. JOSEPH BRAGINSKY: Yes.

23 MR. SINCAVAGE: Okay. And  
24 you're saying, where are the residents located? On

25 here.

23

1 MR. JOHN VALINOTE: These.

2 MR. SINCAVAGE: These here.

3 MR. JOHN VALINOTE: There's one

4 right on the corner and then there's one -- there's

5 a summer house there and then that's a vacation --

6 there's a guy there that comes up on weekends.

7 There's a little short dead-end road from when this

8 was Pocono Manor property. Now I own this lot.

9 There's two lots here on Norton Pryor and then

10 there's a mobile home right there on the corner

11 that I own, so we can widen it if we had to. The

12 road's fairly wide.

13 MR. SINCAVAGE: Norton Pryor is

14 owned by you?

15 MS. SARAH BUE-MORRIS: No.

16 MR. SINCAVAGE: No, no, it's

17 owned by the township?

18 MR. JOSEPH BRAGINSKY: John

19 owns this road here that brings it into the

20 property.

21 MR. SINCAVAGE: I see that.

22 MR. JOHN VALINOTE: I wound up  
23 with that when I bought the last piece of property.

24 MR. SINCAVAGE: Okay.

25 MR. JOHN VALINOTE: And that's

24

1 the cell tower.

2 MR. SINCAVAGE: That may become  
3 an issue because you're not allowed to access a  
4 commercial development through a residential area.

5 MS. SARAH BUE-MORRIS: Correct.  
6 But it presently does. Summit Avenue's got  
7 residences all the way down it and it's got 20, 30,  
8 40 houses on it versus 3.

9 MR. SINCAVAGE: That was prior  
10 codes.

11 MS. SARAH BUE-MORRIS: Right.

12 MR. SINCAVAGE: I'm sure that's  
13 -- did you check that code?

14 MS. SARAH BUE-MORRIS: Yes,  
15 it's one of the variances on the list.

16 MS. MINNICK: Is that the same  
17 issue that 84 Lumber had as well --

18 MS. SARAH BUE-MORRIS: Yeah.

19 MR. SINCAVAGE: Yeah.

20 MS. MINNICK: -- 'cause it is a  
21 residential area?

22 MR. SINCAVAGE: Yeah.

23 MS. SARAH BUE-MORRIS: So in  
24 some respects we'd be making it better because  
25 you'd be affecting less residents and as John said

25

1 he owns two of them.

2 MR. SINCAVAGE: Well, Norton  
3 Pryor then definitely would have to be brought up  
4 to township's specifications in my mind.

5 So are you requesting a rezoning  
6 for the -- because I see the boundary line goes  
7 right through the middle -- well, at least the one  
8 end of the two buildings.

9 MS. SARAH BUE-MORRIS: No, no.  
10 We're allowed to go 100 feet into it with approval  
11 from the zoning hearing board.

12 MR. SINCAVAGE: You're allowed  
13 to go 100 feet into the residential district?

14 MS. SARAH BUE-MORRIS: Yes, as

15 long as the property's owned by the same person, so  
16 that's what this line is. This line is what we --  
17 where we believe the zoning boundary line is  
18 because this is the old property line between these  
19 two properties. So we are in build-out coming --  
20 not to the 100 foot setback but close to it here or  
21 the 100 foot in.

22 MR. SINCAVAGE: Maureen, I'm  
23 lost because I don't recall that in the code that  
24 there's -- you can extend a boundary 100 foot, a  
25 commercial boundary, 100 foot into a residential

26

1 boundary.

2 MS. MINNICK: There is a  
3 stipulation in the zoning book when they do have  
4 boundary line discrepancy, boundary lines between a  
5 commercial and residential. I don't know exactly  
6 what it is.

7 MS. SARAH BUE-MORRIS: Yeah.  
8 It's Section 155 dash 9. It's my Comment No. 4.

9 MR. SINCAVAGE: Of the record,  
10 at the time of the enactment of the zoning

11 ordinance.

12 MS. SARAH BUE-MORRIS: Right.

13 And it was, it was owned by William Cramer.

14 MR. SINCAVAGE: So Mr. Cramer

15 owned both of these pieces at the time of the

16 zoning?

17 MS. SARAH BUE-MORRIS: Yes.

18 And John now owns them both. He bought them from

19 William Cramer.

20 MS. BISBING: Is this going to

21 be a year-round operation or seasonal or both?

22 Like the outdoor, I would assume, would be

23 seasonal; but the indoor, is that gonna be a

24 year-round --

25 MR. JOHN VALINOTE: The

27

1 buildings that we have closest to the road, we hope

2 it would be like a farmer's market where you can

3 come and -- might have a butcher in there or a

4 potter's guy, you know, like you would go to a

5 farmer's market. I don't see it open all week

6 long. I probably, in my mind, think of Wednesday,

7 or Thursday, Friday, Saturday, Sunday.

8 MR. SINCAVAGE: But all year?  
9 MR. JOHN VALINOTE: All year,  
10 yeah.  
11 MS. BISBING: So kind of like  
12 the Reading Market in Philly?  
13 MR. JOHN VALINOTE: I was never  
14 at that one but --  
15 MS. SARAH BUE-MORRIS: Reading  
16 Terminal.  
17 MS. BISBING: Reading Terminal.  
18 MS. SARAH BUE-MORRIS: Yes,  
19 that's what I said.  
20 MS. BISBING: That kind of  
21 concept?  
22 MS. SARAH BUE-MORRIS: Yes.  
23 MS. BISBING: It's right by the  
24 convention center.  
25 MR. JOHN VALINOTE: Right. I

28

1 was -- I was in that one. Okay.  
2 MS. BISBING: There's vendors  
3 and all kinds of food and cheese and --

4 MR. JOHN VALINOTE: This won't  
5 be that big though.

6 MS. BISBING: But that kind of  
7 concept?

8 MR. JOHN VALINOTE: Right.

9 MR. SINCAVAGE: Okay. I would  
10 ask that our -- to direct Maureen to contact the  
11 solicitor about that issue, specifically the  
12 Comment No. 4 on the letter dated May 22, 2015,  
13 under zoning Section 155 dash 9, to determine  
14 whether or not that can be interpreted to mean, at  
15 the time of the ordinance, the owner has the right  
16 to extend it or if that extends to any prior -- any  
17 future owners. We just want to make sure you guys  
18 are covered, we're covered.

19 MS. SARAH BUE-MORRIS: Yes.  
20 Yes, 'cause if we need to rezone it then --

21 MR. SINCAVAGE: You would  
22 request a rezone.

23 MS. SARAH BUE-MORRIS: -- we  
24 would want to know that up front, yes.

25 MR. SINCAVAGE: That's odd that



1 the boundary line doesn't go -- was never extended  
2 over to Lot B.

3 MS. SARAH BUE-MORRIS: It is.  
4 It's -- it is kind of strange.

5 MR. SINCAVAGE: What's the size  
6 of Lot B?

7 MS. SARAH BUE-MORRIS: Lot --  
8 Lot B is actually the remaining land, this is one  
9 lot and then this all was the other lot and I  
10 believe this lot is like 11 acres and this is --

11 MR. JOHN VALINOTE: Five.

12 MS. SARAH BUE-MORRIS: -- five.  
13 And it was all in the industrial park.

14 MR. SINCAVAGE: Right. Okay.  
15 What's on the corner of Summit Avenue and Norton  
16 Pryor? There appears to be some residual land  
17 there also, this piece?

18 MS. SARAH BUE MORRIS: Oh,  
19 those are residences.

20 MR. SINCAVAGE: This is  
21 residential property or residents?

22 MS. SARAH BUE-MORRIS: Yes.

23 MR. JOHN VALINOTE: Yes.

24 MS. SARAH BUE-MORRIS: Yes.

25 MR. JOHN VALINOTE: If you draw

1 that line there, I own that property --

2 MR. SINCAVAGE: Okay.

3 MR. JOHN VALINOTE: -- and that  
4 Sopack's property.

5 MR. SINCAVAGE: Okay.

6 MS. SARAH BUE-MORRIS: So what  
7 do we need to do to get to review all my things for  
8 the zoning hearing board? Because we don't want to  
9 have to create a full land development plan, take  
10 six months or three months or whatever it's gonna  
11 take, to do all the engineering and then find out  
12 we can't do what John wants to do. You know, I  
13 really want to go to the zoning hearing board with  
14 the sketch.

15 MR. SINCAVAGE: Okay. When is  
16 our next meeting? Our next meeting is July the  
17 9th, I would assume, 'cause the 2nd is the -- I  
18 think we changed that one to July 9.

19 MS. MINNICK: I believe so.

20 MR. SINCAVAGE: Our next  
21 meeting would be July 9. At that meeting we can

22 take official action if -- once -- does Bob -- I  
23 haven't seen a review letter so Bob probably hasn't  
24 reviewed this nor has the attorney 'cause it was  
25 not submitted three weeks prior to the meeting, so,

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1 which I think you acknowledge in your letter.

2 So you're gonna have to come  
3 back to the next meeting so we can take official  
4 action. At that time we would take official action  
5 and make the recommendation on the use and all the  
6 other items. Tonight we can have an in --  
7 tonight's an informal discussion as sketch plans  
8 are, which I'm sure you're aware of.

9 MS. SARAH BUE-MORRIS: Yes.

10 MR. SINCAVAGE: Okay. All  
11 right. So that's our input so far on the roads.  
12 You understand where we are?

13 Okay. Moving on to -- I would  
14 like to go on to drainage. I notice that you  
15 hadn't done any testing yet, which I understand --

16 MS. SARAH BUE-MORRIS: Correct.

17 MR. SINCAVAGE: -- for  
18 infiltration. That could become an issue on this

19 site. I mean, you acknowledge that -- you haven't  
20 done a wetland delineation yet either?

21 MS. SARAH BUE-MORRIS: No.

22 MR. SINCAVAGE: Which I think  
23 you've acknowledged.

24 MS. SARAH BUE-MORRIS: No. The  
25 soil though -- the seasonal ground water is a foot

32

1 and a half down. So I'm not expecting any  
2 wetlands.

3 MR. SINCAVAGE: Let's start  
4 with your letter. Okay. So we're over one where  
5 we can't take any official action on that tonight  
6 so -- okay?

7 2A. Sketch plan -- okay, you're  
8 gonna survey the property. That's fine.

9 2B. You're gonna do the  
10 contours once you do the planning of course?

11 MS. SARAH BUE-MORRIS: Yeah.

12 MR. SINCAVAGE: I'm sorry.

13 MS. SARAH BUE-MORRIS: The  
14 property does drain, it's really flat but it does

15 drain this way to this corner.

16 MR. SINAVAGE: So you're  
17 proposing piping, I assume, and catch basins to get  
18 the water down that direction or into that basin?

19 MS. SARAH BUE-MORRIS: We will  
20 probably have some catch basins and either drain it  
21 to swales or piping, yeah. But remember the whole  
22 parking lot's gonna be porous asphalt.

23 MR. SINCAVAGE: Right.

24 MS. SARAH BUE-MORRIS: So it  
25 won't need any additional storm water management.

33

1 MR. SINCAVAGE: Okay. But the  
2 main road and, I believe, that access road that's  
3 proposed around it would all be hard surface.

4 MS. SARAH BUE-MORRIS: Yes.

5 MR. SINCAVAGE: So that's the  
6 whole drainage area, that you have to address that  
7 water runoff.

8 MS. SARAH BUE-MORRIS: Yes.

9 Yes.

10 MR. SINCAVAGE: So it's got to  
11 go somewhere.

12 MS. SARAH BUE-MORRIS: Yeah,  
13 we're probably looking into doing something like a  
14 wet bottom basin or wet ones basin.

15 MR. SINCAVAGE: You're probably  
16 gonna have to do rain gardens too, some sort of  
17 rain gardens.

18 MS. SARAH BUE-MORRIS: Yeah.

19 MR. SINCAVAGE: Yeah, 'cause  
20 you'll -- obviously you'll have the water coming  
21 off the roof buildings so you need to address that  
22 too obviously.

23 Okay. Anything else on B --

24 MS. SARAH BUE-MORRIS: No.

25 MR. SINCAVAGE: -- the storm

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1 water?

2 Any questions on that, the storm

3 water?

4 MS. BISBING: Nope.

5 MR. SINCAVAGE: Okay. Okay.

6 You're gonna do the wetland delineation of course

7 at some point?

8 MS. SARAH BUE-MORRIS: Yes.

9 MR. SINCAVAGE: Percolation  
10 test will have to be completed at some point.  
11 You'll obviously identify any of the utilities.

12 MS. SARAH BUE-MORRIS: Yeah.

13 MR. SINCAVAGE: Fencing,  
14 landscaping and screening.

15 MS. SARAH BUE-MORRIS: See, our  
16 planning -- the sketch does show we're fencing all  
17 along here because one of the things that I see  
18 that could very well happen is you get tourists who  
19 think it's okay to stop on state highways and I  
20 don't want them parking on the side of the ramp to  
21 314, so we're gonna fence it for the entire length.

22 MR. SINCAVAGE: What type of  
23 fencing are you envisioning?

24 MS. SARAH BUE-MORRIS: Probably  
25 just chain link. I like black and green plaids,

35

1 vinyl.

2 MR. SINCAVAGE: This is a very  
3 important part of the township in terms of  
4 visibility. Okay? The township has talked about

5 trying to see what we can do to improve this whole  
6 area, that whole area given that the development  
7 that's going on at Kalahari and the possible  
8 development at Pocono Manor's remaining sites. So  
9 we're gonna want it to have a nice visual impact.

10 MS. SARAH BUE-MORRIS: Right.  
11 Which is why I would require vinyl plaid fencing  
12 and not just the chain link.

13 MR. SINCAVAGE: Yeah, and  
14 further, my input would be, and I believe the rest  
15 of the board would go with me on this, is that we  
16 are gonna want to see extensive landscaping along  
17 there to make it visually attractive. Now, I  
18 understand you need the chain link fence, and I  
19 think that is a good idea, if you do the probably  
20 black vinyl cladding, the green vinyl cladding,  
21 we'll get into that later.

22 But I would want that landscaped  
23 with maybe shrubs along there so that eventually  
24 you wouldn't even see the fencing, you know? My  
25 idea would be forsythia, although I'm no biologist



1 in that regard, you'll want to check with a  
2 landscaper about that. But that creates a nice  
3 barrier, it would be a nice visual impact.

4 Also, while we're on landscaping  
5 there, I would want to see a tree line along there.  
6 I assume that you would propose that you're gonna  
7 cut the trees right up to the right of way where  
8 that access road goes around the site, so I'm gonna  
9 wanna -- I would like to see a tree line along  
10 there and I guess the rest of the board would go  
11 with that?

12 MS. BISBING: Along where the  
13 ramp is?

14 MR. SINCAVAGE: Yes.

15 MS. BISBING: Yeah.

16 MR. SINCAVAGE: Yeah, we've  
17 been -- we're asking everyone else to do trees too  
18 throughout the township, so it's not --

19 MS. SARAH BUE-MORRIS: Yeah.  
20 If we put down the trees, we'll plant some with  
21 real shade trees, not the trees that are there.  
22 The trees that are there are -- you know, the area  
23 was clear cut probably 30 years ago, there's  
24 nothing there, it's dense, the trees are not high  
25 quality, pretty trees.

1 MR. JOHN VALINOTE: It's mostly  
2 white birch.

3 MR. SINCAVAGE: Right. Which  
4 is not a good tree. Yeah, but, I mean, you could  
5 create a tree line along there. So there would be  
6 shrubbery and perhaps a tree line.

7 MS. SARAH BUE-MORRIS: Yeah.

8 MR. SINCAVAGE: Also because it  
9 is gonna be in as access, we may want to consider  
10 requesting a berm now, so that the headlights don't  
11 go through. You have enough area there to do a  
12 berm? Not a high berm, maybe, you know --

13 MS. SARAH BUE-MORRIS: What  
14 we're planning is keeping all of this wooded.

15 MR. SINCAVAGE: Yes. Okay.

16 MS. SARAH BUE-MORRIS: Okay.  
17 So -- and there will be along here -- John already  
18 has a bunch of evergreen trees behind his other  
19 property. I think they might be arborvitae, in  
20 which case we'll continue them all along here, as  
21 well as leaving the over 50 feet of woods.

22 MR. SINCAVAGE: Okay. I'm

23 talking about the ramp though.

24 MS. SARAH BUE-MORRIS: Oh,  
25 we're not gonna want to do a lot there because he

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1 wants the visibility on the ramp and 940.

2 MR. SINCAVAGE: I understand  
3 that. And that's why I'm saying a mound not too  
4 high, maybe this high, three, four feet high, just  
5 so that the headlights aren't going out to the  
6 highway.

7 MR. JOHN VALINOTE: There won't  
8 be -- there won't be no cars in there.

9 MR. SINCAVAGE: But you're  
10 proposing traffic to travel -- well, vendors to  
11 travel on there.

12 MR. JOHN VALINOTE: That would  
13 only be pretty much in the daytime.

14 MS. SARAH BUE-MORRIS: Yeah.  
15 Only vendors will be traveling on that and they  
16 won't be there at night, not on the outside, even  
17 though we are gonna light it.

18 MR. SINCAVAGE: I mean, if you

19 have a -- you said a butcher there, and on the  
20 weekends, I mean, are you gonna close by the time  
21 it's dark?

22 MR. JOHN VALINOTE: They'll be  
23 in the front buildings, they wouldn't be in back.

24 MS. SARAH BUE-MORRIS: They'd  
25 be in one of these two buildings.

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1 MR. SINCAVAGE: Okay. Does  
2 anyone else have any opinion on that? Go ahead.

3 MS. RINEHEIMER: What about  
4 under those two green boxes? What are your  
5 intentions for there, between the -- I know you  
6 said to the left of the road that you're gonna  
7 leave it all wooded but you have another big space  
8 that --

9 MS. SARAH BUE-MORRIS: Oh,  
10 yeah, those are the septic systems.

11 MS. RINEHEIMER: But below  
12 that, are you gonna clear that? Because if you've  
13 ever gone to the Homestead Flea Market, people park  
14 arbitrarily and they just -- wherever there's a  
15 flat spot and you can't get down any of the roads.

16 So any space you leave, people will park. So in my  
17 opinion in a flea market, like Mark was saying, not  
18 only berms on that side, but you're gonna have to  
19 kind of quarter in any empty space; otherwise  
20 you're just gonna have people in trucks and stuff  
21 everywhere.

22 MR. JOHN VALINOTE: Swales in  
23 the road that will be prohibited.

24 MR. SINCAVAGE: Are you  
25 planning on leaving that tree -- that's really the

40

1 question, that area.

2 MS. RINEHEIMER: So underneath  
3 the green, between those roads, to the right of the  
4 proposed road, are you clearing that or is that  
5 gonna stay wooded as well?

6 MS. SARAH BUE-MORRIS: We'll  
7 probably clear this area here but leave the  
8 residential portion of the property, existing tree,  
9 other than what we need for the sand mounds and the  
10 --

11 MS. RINEHEIMER: 'Cause that

12 could help with some of the light too as long as  
13 they don't clear that spot.

14 MR. JOHN VALINOTE: We only  
15 clear what we needed to clear for the septic and  
16 the retention basin.

17 MR. SINCAVAGE: Yeah, but  
18 you're gonna have swales going down through that.  
19 You have to. I mean, that storm water has to get  
20 down to that basin somehow so if it's not by pipes,  
21 then it's gonna be by swales. You're gonna have  
22 swales going through.

23 MS. SARAH BUE-MORRIS: Yeah.  
24 But, you know, I mean, this -- this is one inch  
25 equals 50 feet.

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1 MR. SINCAVAGE: Right. Yeah.

2 MS. SARAH BUE-MORRIS: So, you  
3 know, you've got 50 feet here between these two,  
4 which we're required to have by law. So, I mean,  
5 you can see that you've got, you know, a fair  
6 amount of woods left.

7 MR. SINCAVAGE: But you're  
8 saying that that woods is mainly white birch, you

9 said, Sarah?

10 MS. SARAH BUE-MORRIS: Yeah.

11 MR. JOHN VALINOTE: The more  
12 you get closer to the other houses, they turn into  
13 trees. I couldn't swear what trees are where but I  
14 know that -- they get bigger as you get closer to  
15 the residential spot.

16 MR. SINCAVAGE: Okay. Maureen,  
17 you had a question or a comment?

18 MS. MINNICK: Yeah, I just --  
19 at flea markets and you start -- if you don't have  
20 that adequate parking, they're gonna start --  
21 you're gonna see them out on the roads. I'd rather  
22 see empty spaces --

23 MS. RINEHEIMER: But my concern  
24 was if they kept the trees there, that would help  
25 with the lighting that Mark is saying, instead of

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1 building new buffers, keep some of the old buffers  
2 that are there.

3 MS. MINNICK: Right. Well,  
4 that was my concern --

5 MR. SINCAVAGE: Obviously  
6 you're gonna have to have signs along that roadway,  
7 Development Drive, because it's gonna have to have  
8 no parking signs all along that.

9 MS. SARAH BUE-MORRIS: Yeah.  
10 Well, and we are providing the maximum number of  
11 parking spaces that's allowed in the ordinance  
12 rather than demand, and we are -- one of the  
13 comments later on is we provided trailer parking  
14 here above and beyond the maximum parking, so I  
15 wanted to know if that's okay. But that was  
16 something that Bob McHale had mentioned it, it  
17 would be really good for us to have, would be  
18 trailer parking.

19 MS. SINCAVAGE: Agreed.

20 MS. SARAH BUE-MORRIS: So we  
21 have 19 spaces for trailers.

22 MR. SINCAVAGE: And RVs, I  
23 mean, a lot of RVs seem to go to flea markets.

24 MS. SARAH BUE-MORRIS: Yeah.

25 MR. SINCAVAGE: So that could

1 handle RVs too? Okay. All right.



2 MS. SARAH BUE-MORRIS: Yeah,  
3 they're basically signs for like loading areas.

4 MR. SINCAVAGE: So I guess our  
5 feedback is the fence is good. We would want it  
6 landscaped along there as best we can including  
7 along Summit Avenue. I mean, I'm not thinking just  
8 arborvitae. I don't want to see -- we don't --  
9 this commission does not like lines of trees.

10 MS. SARAH BUE-MORRIS: You want  
11 --

12 MR. SINCAVAGE: Yes, we want  
13 staggered and we want it to look attractive.

14 MS. SARAH BUE-MORRIS: Okay.

15 MR. SINCAVAGE: So don't come  
16 in with X's all next to each other. We won't go  
17 for that. There's a whole list in Chestnuthills of  
18 landscaping that are good native plants. Obviously  
19 you want to plant native plants, native trees and  
20 shrubs in that area. They have some really good  
21 criteria in there. We were just looking at that to  
22 adopt.

23 Okay. Anything else on that for  
24 right now? We can always make further comments.

25 Okay. We're on to G then. 2G,

1 which is signs. You said you want some more time  
2 to research, you're gonna be considering that?

3 MS. SARAH BUE-MORRIS: Yeah.  
4 Basically John's gonna want an electronic sign.

5 MR. SINCAVAGE: Well, the  
6 township ordinance does allow that so you can take  
7 a look at that, what's required under that. I know  
8 there's a whole bunch of criteria for it. I don't  
9 recall what it is. I'm assuming you're referring  
10 to something like the Kalahari sign?

11 MS. SARAH BUE-MORRIS: Yeah.

12 MR. SINCAVAGE: Yeah. You can  
13 see what all the requirements are for that.

14 MS. SARAH BUE-MORRIS: Is there  
15 a separate sign ordinance because I looked in the  
16 zoning and there was nothing --

17 MS. MINNICK: That just  
18 pertains to the resort area but you could request  
19 that variance for them to allow you to have the LED  
20 sign.

21 MS. SARAH BUE-MORRIS: Okay.  
22 So, yeah --

23 MR. SINCAVAGE: And then any  
24 other signage that you would need, I would assume  
25 you would want to put something on Norton Pryor and

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1 Development Drive for -- you know, if you want to  
2 put something there, the only thing we would  
3 request is, it would be a monument type sign.  
4 That's what we're pushing for extensively.

5 MS. SARAH BUE-MORRIS:  
6 Monument?

7 MR. SINCAVAGE: Like a --

8 MS. BISBING: Low to the  
9 ground.

10 MR. SINCAVAGE: Low to the  
11 ground. Yes, low to the ground.

12 MS. BISBING: Not something  
13 high on a pole --

14 MS. SARAH BUE-MORRIS: Right.  
15 Yeah. Yeah, I was thinking just a directional sign  
16 there. What he does want to do is right here, you  
17 know how when you go to Disney World, they have the  
18 --

19 MR. SINCAVAGE: Yes.

20 MS. SARAH BUE-MORRIS: --  
21 looping thing with the sign on top?  
22 MR. JOHN VALINOTE: Like an  
23 archway sign.  
24 MS. SARAH BUE-MORRIS: Yeah, an  
25 archway. We were thinking of an archway sign right

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1 here.  
2 MR. SINCAVAGE: Yeah. I think  
3 that --  
4 MS. SARAH BUE-MORRIS: But  
5 nobody would be able to see it other than people  
6 coming to the flea --  
7 MR. SINCAVAGE: That would  
8 already be on site. I think that's logical. I  
9 mean, this is gonna be a destination based on the  
10 size that you're proposing, it's certainly gonna  
11 become a destination and we want your business to  
12 succeed and, you know -- so we can understand that.  
13 I can understand that. Right? So we want it to be  
14 attractive. We want it to be attractive because  
15 that will help your business as well.

16                               So just the monument type signs.  
17       Even the directional signs, if you're gonna have  
18       more directional signs within there for parking or,  
19       you know, RV parking and trailer parking, all those  
20       directional signs should be monument type, low to  
21       the ground, landscaped, attractive.

22                               MS. SARAH BUE-MORRIS:    Yes.

23                               MR. SINCAVAGE:     Okay.  G.  I  
24       notice you didn't have any sidewalks proposed so, I  
25       mean, how are the pedestrian flow going to occur

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1       from the parking lots to that walkway?

2                               MS. SARAH BUE-MORRIS:    We're  
3       putting a walkway right here.

4                               MR. SINCAVAGE:     I understand  
5       there's the walkway, but how are you gonna get the  
6       flow from the parking lot into that?

7                               MS. SARAH BUE-MORRIS:    They're  
8       gonna walk in the aisles.

9                               MR. SINCAVAGE:     Right.

10                              MS. SARAH BUE-MORRIS:    What we  
11       did for the traffic flow is we made all of this,  
12       the main drive all the way around 24 feet wide.

13 MR. SINCAVAGE: Okay.

14 MS. SARAH BUE-MORRIS: And then  
15 the others are what's required by the township  
16 ordinance. One of the things we did do is ask --  
17 John's attorney, who has not gotten back to me yet  
18 -- if I need to stay ten feet away from the  
19 easement --

20 MR. SINCAVAGE: Right.

21 MS. SARAH BUE-MORRIS: -- to  
22 the cell tower. If we can, then we'll have more 90  
23 degree parking, if we can move closer to it and  
24 less angle parking.

25 MR. SINCAVAGE: I would like

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1 you to look as an engineer at somehow to control  
2 the -- guide the pedestrian traffic in that parking  
3 area. Okay?

4 MS. SARAH BUE-MORRIS: Okay.

5 MR. SINCAVAGE: I don't know if  
6 that could be a small -- an aisle between the rows  
7 of parking, you know --

8 MS. SARAH BUE-MORRIS:

9 Unfortunately if I do that, I'm gonna lose parking  
10 and then I won't have the maximum allowed by the  
11 ordinance because, you know, we -- we literally  
12 maxed out the space --

13 MR. SINCAVAGE: Yes, you have.

14 MS. SARAH BUE-MORRIS: --  
15 without getting this rezoned. You know, the other  
16 thing is, people don't want to walk very far and we  
17 wanted to separate the vendor and their driving  
18 totally from the visitor parking.

19 MR. SINCAVAGE: Well, then I  
20 think you could get a sidewalk along Development  
21 Drive, along the -- between the parking lot and  
22 Development Drive, yes.

23 MS. SARAH BUE-MORRIS: Yes.

24 MR. SINCAVAGE: -- in there --

25 MS. SARAH BUE-MORRIS: We can

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1 do that.

2 MR. SINCAVAGE: -- to get the  
3 pedestrians onto that sidewalk so everyone's not  
4 funneling into that one point but they could get to  
5 that sidewalk. Whether or not they're gonna get

6 that, I don't know. But, you know, maybe you can  
7 look at doing that.

8 MS. SARAH BUE-MORRIS: Yeah.  
9 Yep.

10 MR. JOHN VALINOTE: I kind of  
11 thought that I would fence that part off and have  
12 just the one spot where they had crosswalk over so  
13 they weren't crossing over.

14 MR. SINCAVAGE: Then I would  
15 ask you, you're gonna have to look at the  
16 pedestrian traffic being all funneled into that  
17 area.

18 MR. JOHN VALINOTE: In this  
19 area?

20 MR. SINCAVAGE: Well, in from  
21 the parking lot. I'm not so worried once they get  
22 into where you have your vendors.

23 MR. JOHN VALINOTE: So I'll put  
24 a sidewalk there.

25 MR. SINCAVAGE: Something in

1 there.



2 MS. BISBING: That brings them  
3 into that point, that center point.

4 MR. SINCAVAGE: Whatever you  
5 can come up with to control all that pedestrian  
6 traffic. I mean, you have an engineer and she can  
7 be creative.

8 MS. SARAH BUE-MORRIS: I  
9 thought you were talking about on this side.

10 MR. SINCAVAGE: I am.

11 MS. SARAH BUE-MORRIS: Okay.

12 MR. SINCAVAGE: I am.

13 MS. SARAH BUE-MORRIS: This  
14 side they got this walkway here.

15 MR. SINCAVAGE: I understand  
16 and you're gonna funnel them through that arch and  
17 into the area.

18 MS. SARAH BUE-MORRIS: Yes.

19 MR. SINCAVAGE: That makes  
20 sense, but I'm worried about them coming from that  
21 parking area. So if you could take a look -- maybe  
22 you can come up with something creative. I don't  
23 know if any of the commission has any experience  
24 with something like that. I mean, we need to do  
25 something with those pedestrians, to get them

1 flowing --

2 MR. JOHN VALINOTE: All the  
3 shopping centers, you know, they just have parking  
4 spots and they walk -- walk in.

5 MR. SINCAVAGE: Well, under the  
6 old designs, I would agree with that. But if you  
7 go into newer designed parking lots, they do have  
8 aisles for them to walk between the cars, you know,  
9 to provide a place for --

10 MR. JOHN VALINOTE: I was at  
11 Kinsley's and they have them and the cars were  
12 parked in them and blocking them and they really  
13 don't --

14 MR. SINCAVAGE: Right. And  
15 then if you raise it with curbs, then you've got  
16 the plowing issue. We've heard it all. And, I  
17 mean, to be realistic with you, I think that -- I  
18 know it's per -- no, it's pervious surface in the  
19 parking area, but I don't know if that's how that's  
20 gonna fly at the conservation district, you may end  
21 up with rain gardens in that parking lot. I'm not  
22 sure. You know, they do sometimes make you put the  
23 rain gardens so they can catch some of that flow

24 coming out there even along the edges 'cause your  
25 still gonna have some sort of flow coming off that

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1 pervious.

2 MS. SARAH BUE-MORRIS: No.

3 MR. SINCAVAGE: Everything goes  
4 there.

5 MS. SARAH BUE-MORRIS:  
6 Everything goes in. We've already designed two  
7 porous asphalt. One is down in Stroud Township at  
8 where -- on 611, it's an Adams Jewelry. And the  
9 other is at -- what's the name of the restaurant?  
10 Pine Hollow at -- by the -- on 390, just on the  
11 other side of 447, on the (inaudible). They've got  
12 storage units and the porous asphalt that we  
13 designed.

14 MR. SINCAVAGE: Okay. And that  
15 absorbs all the rainfall? Obviously you know you  
16 have the maintenance issues with the porous.

17 MS. SARAH BUE-MORRIS: Yes.

18 MR. SINCAVAGE: But you'll  
19 write those all in there too?

20 MS. SARAH BUE-MORRIS: Yes.

21 MR. SINCAVAGE: So getting back  
22 to that, I would still want to see some landscaping  
23 definitely around that parking lot.

24 MS. SARAH BUE-MORRIS: Oh, yes.

25 MR. SINCAVAGE: On both sides.

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1 MS. SARAH BUE-MORRIS: Yes.

2 MR. SINCAVAGE: Since  
3 Development Drive is going to be quasi-public, you  
4 know, I want it to be attractive. You want it  
5 attractive for your business too.

6 MR. JOHN VALINOTE: Right.

7 MR. SINCAVAGE: So some  
8 landscaping along that roadway where your  
9 development -- where the parking is and where your  
10 buildings are.

11 Okay. Anything further on the  
12 driveways? Sidewalks? What else was thrown in  
13 there? And parking areas? Okay.

14 We're onto I, landscaping. I  
15 think we've discussed that.

16 Okay. J. You know you have to

17 comply with outside agencies?

18 MS. SARAH BUE-MORRIS: Yeah.

19 (Inaudible).

20 MR. SINCAVAGE: Yeah.

21 MS. SARAH BUE-MORRIS:

22 Basically Bob hasn't stated outright because it's  
23 not his decision to make, but porous asphalt is not  
24 pervious -- or is not impervious so that's one  
25 reason why we're planning on using it so that the

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1 parking lot totally falls out of the 30 percent.  
2 Okay? But depending on how the road -- because he  
3 owns the roads, so I'm kind of hoping the road  
4 falls out as well, the right of way for the road,  
5 because that also affects my 30 percent. And I'm  
6 gonna need to make some of this area over here  
7 basically pervious and we have yet to determine how  
8 we're gonna do that.

9 MR. SINCAVAGE: What is gonna  
10 be the walkway finish in between the buildings  
11 then?

12 MS. SARAH BUE-MORRIS: We're

13 still talking about that. You know, it's a flea  
14 market so, you know, we can't be spending an  
15 inordinate amount of money to develop this, you  
16 know, so we have budgetary constraints but we are  
17 thinking of putting in some of the areas -- some of  
18 the walkways that people are gonna drive on using  
19 basically a -- what's called geogrid, which you put  
20 pea gravel in and it's -- it doesn't allow -- it's  
21 a pea gravel to become compacted because it  
22 distributes the weight, the load, over the entire  
23 areas.

24 MR. SINCAVAGE: The walk -- in  
25 between --

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1 MS. SARAH BUE-MORRIS: The  
2 white areas.

3 MR. SINCAVAGE: -- the  
4 buildings, the white areas, so where the people are  
5 walking, you're saying there's gonna be vehicle  
6 traffic there too? I'm a little confused.

7 MS. SARAH BUE-MORRIS: The  
8 vendors when they come in and leave --

9 MR. SINCAVAGE: They set up?

10 MS. SARAH BUE-MORRIS: Yeah.  
11 Set up and break down at the end of the day.  
12 MR. SINCAVAGE: Okay. But  
13 their cars aren't gonna be in there?  
14 MS. SARAH BUE-MORRIS: Oh, no.  
15 MR. SINCAVAGE: Okay.  
16 MS. SARAH BUE-MORRIS: But we  
17 left -- Joe, how much -- can you go over the  
18 spacing.  
19 MR. JOSEPH BRAGINSKY: You mean  
20 the --  
21 MS. SARAH BUE-MORRIS: Yeah.  
22 MR. JOSEPH BRAGINSKY: How  
23 wide?  
24 MS. SARAH BUE-MORRIS: Yes.  
25 MR. JOSEPH BRAGINSKY: Okay.

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1 Most spaces -- wider spaces are about 20 feet wide,  
2 minimal is 12 in some areas. So we've left ample  
3 amount of clear space for walking, for moving  
4 around without being obstructive.  
5 MS. SARAH BUE-MORRIS: Right.

6 And also for the vendors to load and unload, that's  
7 why -- the areas here, the main areas going this  
8 way are almost all 20 feet wide so that if somebody  
9 is loading, you can still drive around them and you  
10 won't be stuck during the loading and unloading.

11 MR. SINCAVAGE: You're gonna  
12 have to look at the fire code for that too.

13 MR. JOSEPH BRAGINSKY: Well,  
14 that was one of the reasons why the spaces were  
15 left so wide, to accommodate for emergency vehicle  
16 traffic, if need be.

17 MS. SARAH BUE-MORRIS: Yeah.  
18 The driveways this way are 12 feet but they're 12  
19 feet when there -- another driveway they could use,  
20 it's not very long. So like this one's only 12  
21 feet between here and here, but it's -- if  
22 somebody's in that one, they can come over here and  
23 use that one. We did a lot of research on flea  
24 markets and what seems to work and what doesn't.

25 MR. SINCAVAGE: Okay. Well,

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1 that's gonna be a function of the codes and the  
2 fire codes.



3 MS. SARAH BUE-MORRIS: We'll  
4 talk to Bureau Veritas.

5 MR. JOSEPH BRAGINSKY: But as I  
6 said, that was taken into considering during the  
7 layout.

8 MR. SINCAVAGE: The surface  
9 inside there, you're trying to make it pervious so  
10 that it falls out of the 30 percent also?

11 MS. SARAH BUE-MORRIS: Yeah.

12 MR. SINCAVAGE: That's gonna  
13 be a function of the engineering too?

14 MS. SARAH BUE-MORRIS: Yeah.

15 MR. SINCAVAGE: Okay. We'll  
16 move on to 3 then. Oh, I'm sorry, not 3, that was  
17 3. I'm sorry, I missed my mark. 4 --

18 MS. BISBING: We talked about  
19 that one already.

20 MR. SINCAVAGE: -- which was  
21 the -- the line, where the check's at, you might  
22 want to have your attorney check that too.

23 Section -- or No. 5, landscape,  
24 screening, 20 feet is a buffer strip less than a  
25 hundred feet in width in commercial industrial from

1 -- okay. I think as long as you get the  
2 landscaping in there and make it attractive as we  
3 discussed, you're gonna be providing the buffer.  
4 You might have to do a mixture of shrubs and trees  
5 to get that buffer affect, okay? Especially if the  
6 trees are of poor quality that are currently there.

7 MS. SARAH BUE-MORRIS: Yeah.

8 MR. SINCAVAGE: Any other  
9 comment from the board? We're good?

10 Okay. Item 6. Okay. That's  
11 the sign. You can take a look at that.

12 B. Allows for one -- okay.  
13 What's your question there? I don't -- you're  
14 allowed a 25 foot square sign with two sides.

15 MS. SARAH BUE-MORRIS: Well,  
16 the thing is, is that, you know, it defines the  
17 size of the sign that you're allowed based on the  
18 square footage, indoor square footage of the  
19 building, well, why can't we use the outdoor square  
20 footage that -- it's gonna be sales area to, you  
21 know, -- 'cause we have as much outdoor vendor area  
22 as we have buildings.

23 MR. SINCAVAGE: Okay. Wait,

24 Sarah. I think you jumped onto B.

25 MS. SARAH BUE-MORRIS: Oh,

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1 yeah. Oh.

2 MR. SINCAVAGE: I was still on

3 A.

4 MS. SARAH BUE-MORRIS: Oh. I

5 just wanted guidance on what a temporary sign is.

6 You know, advertise -- is a sign that says coming

7 soon, Johnny V's Flea Market, is that a temporary

8 sign and is that limited to 25 feet or is it the

9 under construction by so and so construction

10 company and so and so engineers, the temporary

11 construction sign?

12 MR. SINCAVAGE: Maureen, that's

13 --

14 MS. MINNICK: I would have to

15 look that up. Usually like a coming soon sign.

16 MR. SINCAVAGE: That's what I'm

17 thinking. Coming -- you know, the future site of.

18 MS. BISBING: Yeah. That's

19 what I envisioned. Yeah.

20 MR. SINCAVAGE: Yeah, I don't

21 think it's a sign that says this site being  
22 constructed by Sincavage Corporation to do a --

23 MS. MINNICK: I'll look into  
24 that a little bit further, but I think that would  
25 be fine.

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1 MR. SINCAVAGE: Okay. Now B --  
2 okay, now I understand your issue. You want to  
3 include the outdoor area?

4 MS. SARAH BUE-MORRIS: Yes. And  
5 maybe even be considered a resort type business to  
6 get the electronic sign.

7 MR. SINCAVAGE: That requires  
8 an overlay. The --

9 MS. MINNICK: No, the resort  
10 that's already in the zoning ordinance?

11 MR. SINCAVAGE: Yes.

12 MS. MINNICK: Yeah, that's not  
13 gonna fly, Sarah.

14 Sarah, what I could tell you to  
15 do is propose something to the planning commission  
16 and myself, I'll take a look at it, tell me exactly

17 what you want, give me some kind of designs,  
18 locations on where you want these signs and we can  
19 try to work with you that way.

20 MS. SARAH BUE-MORRIS: We only  
21 see one big sign that's electronic and that's right  
22 here in the corner on -- right off 940. This is  
23 the corner of 940 and 80 ramp.

24 MS. MINNICK: All right. Put  
25 something together and we'll take a look at it.

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1 MR. SINCAVAGE: I'm sorry, I  
2 think the ordinance is pretty clear that's it's  
3 only based on the heated square footage.

4 MS. SARAH BUE-MORRIS: Right.  
5 So we would ask for a variance from the zoning  
6 hearing board on that.

7 MR. SINCAVAGE: Good luck.

8 MS. BISBING: You can ask.

9 MR. SINCAVAGE: You can ask.

10 MS. SARAH BUE-MORRIS: Yes, but  
11 we'll be asking next month for guidance from you  
12 guys on it so --

13 MR. JOHN VALINOTE: He just

14 told you.

15 MR. SINCAVAGE: Yeah. I did,  
16 right, John?

17 MR. JOSEPH BRAGINSKY: We can  
18 provide outdoor heaters for --

19 MS. BISBING: Now, that's a  
20 stretch.

21 MR. SINCAVAGE: Yeah. Yeah.  
22 No. The township has -- we understand businesses  
23 need exposure, we can totally understand that, but  
24 we're also concerned about oversignage so --

25 MS. SARAH BUE-MORRIS: Right.

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1 MR. SINCAVAGE: My direction --  
2 my comment would be that it's pretty clear that it  
3 says heated square footage and I -- does the board  
4 have any -- does anyone else have any other  
5 opinion?

6 MS. RINEHEIMER: I would agree.  
7 I would definitely agree on that.

8 MR. SINCAVAGE: So, I mean, this  
9 board is not gonna make a suggestion that it be

10 changed.

11 Okay. We'll move on to 7.

12 Right. Okay. That comes to the cell tower issue.

13 Yeah, you're gonna have to look at, if the cell  
14 tower had any other conditions placed on it? I  
15 don't know that it would have, but I don't know if  
16 you've looked at it.

17 MS. SARAH BUE-MORRIS: The only  
18 other thing is that a building can't be within 180  
19 feet of it so we did show that and that's -- for  
20 the visibility the buildings would have been over  
21 here anyway.

22 MR. SINCAVAGE: Mr. Valinote,  
23 do you own that cell tower or is that on your  
24 property?

25 MR. JOHN VALINOTE: Yes.

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1 MR. SINCAVAGE: Okay. All  
2 right. So you're familiar with whatever access  
3 they may require and all that and -- I mean, some  
4 sort of access point has to be shown to get to that  
5 cell tower. I don't see it.

6 MS. SARAH BUE-MORRIS: Yeah,

7 the existing access is right here. It is shown and  
8 their lease is up, so John's in the process of  
9 rewriting it so we'll just move their access to the  
10 road and then pull it right off here.

11 MR. SINCAVAGE: Right. And  
12 make a nice intersection instead of ziggy, zaggy  
13 road there, yeah. And that can be gravel. I mean,  
14 I don't think we -- we don't require those to be  
15 paved to go in there so --

16 MS. BISBING: No.

17 MR. SINCAVAGE: It would be  
18 nice if it lines up to your 20 -- directly across  
19 from your 20 foot access driveway.

20 MS. SARAH BUE-MORRIS: Oh,  
21 okay. We can do that.

22 MR. SINCAVAGE: Because we like  
23 intersections, nice 90 degree intersections, but  
24 that can be gravel.

25 MS. SARAH BUE-MORRIS: Yeah.

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1 MR. SINCAVAGE: That's an  
2 attorney question so, you know, you have to see



3 about that ten foot.

4 MS. SARAH BUE-MORRIS: Yeah.

5 Yeah.

6 MR. SINCAVAGE: Okay. 8.

7 MS. SARAH BUE-MORRIS: Basically  
8 what we're asking for here is to be able to do the  
9 entire parking lot in Phase 2 because with it being  
10 porous asphalt, it's not like you can gravel it and  
11 then put porous asphalt on top later. You can't.  
12 It's got to be clean stone underneath because you  
13 need the voids.

14 So we will be asking for  
15 permission to build the entire parking lot in Phase  
16 -- in Phase 1, we are only proposing to do part of  
17 the parking lot but with Phase 2 -- because we're  
18 already developing the entire site, just not  
19 putting up all the buildings, we're asking to be  
20 able to do the whole por -- rest of the porous  
21 asphalt. Porous asphalt cost more because they  
22 have to shut down the plant for the day. They can  
23 only do porous asphalt that day.

24 So it's -- you want to do as  
25 much of it in one day as you can do. You don't

1 want -- you know, and you can't gravel beyond it.  
2 There's a lot of restrictions with it so we're just  
3 asking to be able to do the rest of the parking lot  
4 in Phase 2.

5 MS. BISBING: So for Phase 1,  
6 what you're showing there is parking would be  
7 sufficient per Phase 1?

8 MS. SARAH BUE-MORRIS: Yes.  
9 Yes.

10 MR. SINCAVAGE: And you're not  
11 gonna surface that?

12 MS. SARAH BUE-MORRIS: What?

13 MR. SINCAVAGE: You're not gonna  
14 surface that under Phase 1?

15 MS. SARAH BUE-MORRIS: Oh, no,  
16 we will. The light gray is the porous asphalt.

17 MR. SINCAVAGE: Right.

18 MS. BISBING: They don't want  
19 to do the whole thing.

20 MS. SARAH BUE-MORRIS: In Phase  
21 2 we're like 20 parking spaces short of what we'll  
22 need for Phase 3 and I can't do 20 parking spaces  
23 and porous asphalt and shut down a plant for a day  
24 for 20 parking spaces. It would be financially



21 at 3 then. Okay. I have somewhat of a concern.  
22 What is the distance between your edge of paving  
23 for your 20 foot access road and the right of way  
24 line?

25 MS. SARAH BUE-MORRIS: Ten

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1 feet.

2 MR. SINCAVAGE: Ten feet.

3 You're showing vendor spots, which I assume are  
4 those orange things within the building setback?

5 MS. SARAH BUE-MORRIS: Yes.

6 MR. SINCAVAGE: Okay. To me  
7 when a vendor goes out, they're gonna put up a  
8 tent. They could put up a tent.

9 MS. SARAH BUE-MORRIS: They  
10 could put up a tent.

11 MR. SINCAVAGE: I'm worried  
12 about the attractiveness of that from the highway.  
13 When I looked at this and I saw -- I have no  
14 objection to the buildings, we're gonna want a -- I  
15 will -- the board is gonna want to see elevations  
16 on that because we're gonna want these to be  
17 attractive looking buildings. Okay? Especially

18 because of the visibility that you're asking for  
19 from the exit ramp. I don't know what you're  
20 envisioning them to be, but they're gonna have to  
21 be attractive. Like we said earlier, it's gonna  
22 become a destination point so we're gonna want them  
23 to have some character to them not just slab  
24 buildings.

25 MS. BISBING: Just like a

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1 warehouse.

2 MR. SINCAVAGE: Right. We  
3 don't want it to look like just a warehouse. You  
4 can dress it up somehow, especially if you're --

5 MR. JOHN VALINOTE: -- blows on  
6 it and that kind of --

7 MR. SINCAVAGE: Something like  
8 that and maybe some stone frontage, maybe, you  
9 know, stone at least in the front of the buildings  
10 that are visible to the public, you know, the fake  
11 type stone. It looks -- just to make it look --  
12 have some character.

13 Okay. But those stalls there, I

14 have a problem with that.

15 MS. BISBING: That line down --

16 MR. SINCAVAGE: Yes.

17 MS. BISBING: -- along the ramp

18 is what --

19 MR. SINCAVAGE: Yeah, 'cause

20 that's gonna be visible from the exit ramp.

21 MR. JOHN VALINOTE: We're kind

22 of thinking that's part of the attraction. People

23 are gonna see people there and then want to come

24 around; otherwise if it's just a building with

25 signs saying flea market, they might not pay

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1 attention.

2 MS. MINNICK: They're not gonna

3 be up seven days a week either.

4 MR. JOHN VALINOTE: You know

5 it's a flea market 'cause you see all the people

6 with their stuff sitting around. I know it will

7 only be the weekends where that pretty much

8 (inaudible), but otherwise it will be the farmer's

9 market.

10 MR. SINCAVAGE: I don't know.

11 Am I being silly? Does any of the other planning  
12 commission have any issues?

13 MS. BISBING: You don't want it  
14 to look junky.

15 MR. SINCAVAGE: But how do you  
16 stop that? Flea markets to me, especially if you  
17 have random spots out there -- I think contained  
18 within the buildings, that can be attractive, that  
19 can be okay; but then when you get these free  
20 stalls out there, it's -- anything goes from what  
21 I've seen going to flea markets.

22 MS. BISBING: Yeah, they're  
23 renting the space, they can do whatever they want  
24 within that space.

25 MS. SARAH BUE-MORRIS: Yes.

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1 Yes. What I found out from going to several flea  
2 markets is that the indoor vendors tend to be there  
3 for years. I went to one flea market that the  
4 woman that had been inside the building the longest  
5 had been there 47 years. I almost fell over. The  
6 outside vendors are there normally just for the

7 day.

8 MR. SINCAVAGE: Right.

9 MR. JOHN VALINOTE: Or the  
10 weekend.

11 MS. SARAH BUE-MORRIS: Yeah,  
12 yeah. Having said that, we wouldn't be upset if  
13 one of the things said that there'll be nothing  
14 left out visible overnight.

15 MR. JOHN VALINOTE: Well, I was  
16 just gonna bring that point up. If you go to flea  
17 markets where people rent the space for Saturday  
18 and Sunday, they usually just put blue tarps over  
19 their tables and with them spring clips --

20 MR. SINCAVAGE: Yeah.

21 MR. JOHN VALINOTE: -- just to  
22 cover up the table if it gets damp or wet. I'm  
23 sure that's what you're talking about not looking  
24 attractive.

25 MR. SINCAVAGE: Yeah, I have no

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1 objection to the ones down below there, it's the  
2 ones along the ramp that are gonna be visible from  
3 the ramp.



4 MS. SARAH BUE-MORRIS: Well,  
5 what we would --

6 MR. JOHN VALINOTE: It depends  
7 on the shrubbery.

8 MR. SINCAVAGE: That's true  
9 too. You're right.

10 MS. SARAH BUE-MORRIS: Yeah.  
11 Yeah. Either that or say that these people that  
12 are along here won't be able to leave their stuff  
13 out overnight. That the people between the  
14 buildings would be able to but the people right  
15 along the entrance ramp to 314 would be limited.

16 MR. SINCAVAGE: Wait. Are you  
17 proposing vendors outside the buildings?

18 MS. SARAH BUE-MORRIS: Oh,  
19 yeah. All the orange spaces are outside vendors.  
20 You can't have a flea market and not have a whole  
21 bunch of outdoor vendors.

22 MR. SINCAVAGE: So when those  
23 outdoor vendors -- I'm sorry?

24 MS. MINNICK: It's not a flea  
25 market then.

1 MS. SARAH BUE-MORRIS: Yeah,  
2 it's an antique dealer.

3 MR. SINCAVAGE: But when you  
4 have those outdoor vendors, do you still have 20  
5 foot of drive through then?

6 MS. SARAH BUE-MORRIS: Oh, yes.

7 MR. SINCAVAGE: Okay. Does  
8 anybody else have any comment on that along there?  
9 I think if we get the landscaping along the ramp --

10 MS. BISBING: Yeah, and you're  
11 gonna have some screening there --

12 MS. RINEHEIMER: And you have  
13 the fence too, the fence is coming down --

14 MR. SINCAVAGE: The fence is  
15 gonna be there, yes. And that's why I was thinking  
16 of a small mound there too, like ten foot is tight  
17 'cause then you end up with a fence on top of a  
18 mound, which looks horrendous.

19 MS. BISBING: Yeah. Oh, yeah.  
20 I wouldn't want to see that. The fence over top of  
21 it, I rather just see the fence with the  
22 landscaping.

23 MR. SINCAVAGE: Yeah. So if  
24 you put a tree -- I think the normal -- do you know

25 what tree spacing is for street trees?

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1 MS. SARAH BUE-MORRIS: It  
2 depends on the type of tree.

3 MR. SINCAVAGE: Right.

4 MS. SARAH BUE-MORRIS: Normally  
5 if you're looking at oaks, you're looking anywhere  
6 from 30 to 50 feet depending on the type of oak  
7 because they get that big.

8 MR. SINCAVAGE: Right. And, I  
9 mean, I can see you want to keep them cut up.

10 MS. SARAH BUE-MORRIS: Yes.

11 MR. SINCAVAGE: Which is --  
12 which I can understand, but underneath there, along  
13 that fence, where you have that fence, then I would  
14 want that with the forsythia, I said, as an  
15 example.

16 MS. SARAH BUE-MORRIS: Yeah.

17 MR. SINCAVAGE: You can mix it  
18 up and that would create a visual block there and  
19 then you have the canopy of the trees. I mean, it  
20 would look at least a little more attractive and I  
21 like the idea that those people can't stay set up

22 overnight, it's only during operational hours,  
23 which he says is gonna be -- I assume you're gonna  
24 -- you said you wouldn't be open at night so you're  
25 gonna end by six, seven o'clock.

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1 MR. JOHN VALINOTE: Six, seven.  
2 Dusk. Usually at the Saylorburg Flea Market,  
3 they're out of there by three, four o'clock in the  
4 afternoon. The big push is usually from six  
5 o'clock in the morning to --

6 MS. BISBING: Early in the  
7 morning.

8 MR. JOHN VALINOTE: -- noonish,  
9 one o'clock and --

10 MS. MINNICK: Agreed.

11 MR. SINCAVAGE: Okay. The  
12 landscaping, I think, is gonna --

13 MS. SARAH BUE-MORRIS: Yeah.

14 MR. SINCAVAGE: In that  
15 condition will get me through it.

16 Do you need to have lighting in  
17 between there then? You're gonna have lighting

18 around the buildings and stuff?

19 MS. SARAH BUE-MORRIS: Yes.

20 And the buildings themselves we do not envision  
21 being tall. The -- they'll probably only gonna be  
22 12 feet high.

23 MR. SINCAVAGE: To the peak?

24 MS. SARAH BUE-MORRIS: No, to  
25 the --

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1 MR. SINCAVAGE: To the roof?

2 MS. SARAH BUE-MORRIS: To the  
3 roof. And the roof, because the buildings are 50  
4 feet wide, will be relatively flat so --

5 MR. SINCAVAGE: Wait. You're  
6 not gonna do peak buildings, you're gonna do flat  
7 roof building? Is that what I heard you --

8 MS. SARAH BUE-MORRIS: No, no,  
9 it's gonna be peaked.

10 MR. SINCAVAGE: It's gonna be  
11 peaked.

12 MS. SARAH BUE-MORRIS: You know,  
13 because the buildings are 50 feet --

14 MR. SINCAVAGE: Right. It's

15 not gonna be a high peak.

16 MR. JOSEPH BRAGINSKY: Right.

17 Yeah.

18 MR. SINCAVAGE: I understand.

19 MS. SARAH BUE-MORRIS: Yeah.

20 MR. JOSEPH BRAGINSKY: Shallow

21 pitch roof.

22 MR. SINCAVAGE: I'm sorry, sir?

23 MR. JOSEPH BRAGINSKY: Shallow

24 pitch roof.

25 MR. SINCAVAGE: Yes.

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1 MS. SARAH BUE-MORRIS: Yeah.

2 So the lights -- other than on the ends of each of  
3 the building, there'll be lights, but of course all  
4 the lights will be nonglare.

5 MR. SINCAVAGE: Yeah.

6 MS. SARAH BUE-MORRIS: We  
7 haven't decided what type of other lights we're  
8 gonna put in.

9 MR. SINCAVAGE: Yeah, and, I  
10 mean, if you can make the lighting attractive --

11 MS. SARAH BUE-MORRIS: Yes.

12 MR. SINCAVAGE: -- again, to  
13 try to create that character. They -- I think in  
14 the building industry sense of place, you know, so  
15 you can create that cohesive development, that it's  
16 attractive, that it's a -- it's an attraction  
17 because I can see this easily becoming an  
18 attraction here.

19 I wish you most luck possible to  
20 have a successful business and we want to make it  
21 successful, but people today are looking for  
22 something -- they're looking for Disney Land, you  
23 know what I mean? You know, something clean,  
24 something attractive, and that's what the township  
25 was gonna be looking for too. Something unique.

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1 Something unique. And you can do it within your  
2 budget, I know you can.

3 MR. JOHN VALINOTE: I can just  
4 borrow more money.

5 MR. SINCAVAGE: It's all it  
6 takes.

7 All right. I think you still

8 have a lot of work to do, obviously. I hope we've  
9 given you some guidance and some feedback.

10 Anything else you want to bring  
11 before the board?

12 MS. SARAH BUE-MORRIS: That was  
13 it.

14 MR. JOHN VALINOTE: That was  
15 good. Thanks.

16 MR. SINCAVAGE: Okay. Any other  
17 comments from the board or feedback?

18 Okay. So we -- just to clarify,  
19 we've taken no official actions. All our  
20 comments are just direction. We'll see you next  
21 month where we will take official action and make  
22 recommendations to the zoning hearing board.

23 Okay? Fair enough?

24 MR. JOHN VALINOTE: Thank you.

25 MR. SINCAVAGE: Okay. Is there

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1 anything else to come before the board?

2 MS. BISBING: Nothing.

3 MR. SINCAVAGE: Then we're



4 adjourned.

5

(Meeting concluded at 6:40

6 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 correct transcript of the same.

\_\_\_\_\_  
COURTNEY L. ROGERS



Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

---

In Re: Regular Meeting

---

Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, August 6, 2015 beginning at 5:30 p.m.

---

PRESENT: JOSEPH MILLER, Vice-Chairperson  
PATRICIA M. RINEHEIMER, Board Member  
MICHELLE BISBING, Board Member

ROBERT J. McHALE, Township Engineer

PATRICK M. ARMSTRONG, ESQUIRE  
Solicitor

ALSO PRESENT: Maureen Minnick, Zoning Officer

---

Panko Reporting  
537 Sarah Street, Second Floor  
Stroudsburg, Pennsylvania 18360  
(570) 421-3620

2

1 MR. MILLER: Call the meeting  
2 to order, Tobyhanna Township Planning Commission,  
3 August 6, 2015.

4 First item would be any public  
5 comment. Okay.

6 Third item, consider the minutes  
7 of June 4, 2015.

8 Any comments concerning these  
9 minutes?

10 MS. RINEHEIMER: No.

11 MS. MINNICK: No corrections.

12 MR. MILLER: Well, I guess we  
13 consider them acceptable the way --

14 MR. ARMSTRONG: If you want to  
15 entertain a motion to approve.

16 MS. BISBING: I'll move the  
17 minutes.

18 MS. RINEHEIMER: I'll second.

19 MR. MILLER: All in favor?

20 BOARD MEMBERS: Aye.

21 MR. MILLER: Under old  
22 business, Anthony Morroni, minor subdivision.

23 MR. ARMSTRONG: I don't think  
24 we received anything. I think there's an  
25 open-ended time extension. So if you wanted to --

3

1 you could table it or you could just let it sit,  
2 it's up to the planning commission.

3 MR. MILLER: Well, let's table  
4 it and see what happens.

5 MR. ARMSTRONG: Is there a  
6 motion to table?

7 MS. BISBING: So moved to table  
8 Anthony Morroni's minor subdivision.

9 MS. RINEHEIMER: I'll second.

10 MR. MILLER: All in favor, aye?

11 BOARD MEMBERS: Aye.

12 MR. MILLER: Under new  
13 business, special exception, Speed Zone.

14 MR. ARMSTRONG: Yeah. Just, I  
15 guess, before the applicants start, I don't know if  
16 Bob wanted to talk about -- but you do have a

17 review letter. The reason this is before the  
18 planning commission, they're applying for a special  
19 exception use. The proposed use, motor vehicle  
20 repair shop or something to that extent, is  
21 permitted as a special extension use in the CI  
22 District, which is where this property is at.

23 Part of the special exception  
24 procedure is the planning commission has the  
25 ability to review the plan, review the use and

4

1 provide comments to the zoning hearing board prior  
2 to the special exception hearing. Special  
3 exceptions are -- it's going to be a hearing before  
4 the zoning hearing board at some point in time. I  
5 don't know if that's been scheduled yet.

6 MS. MINNICK: It's scheduled  
7 for August 27, Thursday, at five o'clock p.m.

8 MR. ARMSTRONG: Okay. So  
9 basically this is the planning commission's ability  
10 to review the plan and provide any comments or  
11 suggestions for purposes of the zoning hearing  
12 board hearing coming up towards the end of August.





10 inspections will be made.

11 MR. McHALE: But it's not like  
12 gas island -- fuel islands and bay doors or  
13 anything like that, correct?

14 MS. KATHY STORCH: Well,  
15 there's bay doors.

16 THE REPORTER: Can I just have  
17 your name? I'm sorry.

18 MR. McHALE: Are they in the  
19 back?

20 MS. KATHY STORCH: No, they're  
21 right in front. They're right in front of the  
22 building.

23 MR. JERRY KEDZIERSKI: And the  
24 one is right inside and two --

25 THE REPORTER: Excuse me.

6

1 Sorry. I need your names. I'm sorry.

2 (Discussion off the record.)

3 MR. McHALE: Well, let's go  
4 ahead and finish your summary and then we'll talk  
5 about just one item that needs to be addressed.

6 And I think in the letter you can see that most  
7 everything is pretty straightforward. It's just  
8 adding some notes, changing a few things on a plan  
9 before you go to the zoning hearing board. That  
10 way, as they go through all these elements, they'll  
11 see that everything's been completed.

12 But do you want to explain how  
13 you're going to use the facility or --

14 MR. JERRY KEDZIERSKI: It'll be  
15 open five -- six days a week from eight to five;  
16 and Saturday from eight to one. And we do oil  
17 change, inspections, tire rotations, exhausts,  
18 mufflers.

19 MS. KATHY STORCH: All sorts of  
20 car repairs. All repairs, no body work.

21 MR. McHALE: Where are the bay  
22 doors?

23 MR. JERRY KEDZIERSKI: One's in  
24 the first entrance and then there's two of them  
25 behind the building.

7

1 MS. KATHY STORCH: There's one  
2 door here, another door here. This is where the

3 loading dock is. There is an existing door right  
4 here and one door here.

5 MR. ARMSTRONG: Have you had a  
6 chance to review the township engineer's review  
7 letter --

8 MS. KATHY STORCH: Yes.

9 MR. JERRY KEDZIERSKI: Yes.

10 MR. ARMSTRONG: -- dated August  
11 5, 2015?

12 MS. KATHY STORCH: Umm-hmm.

13 MR. ARMSTRONG: To the extent  
14 that there's additional requirements, all these  
15 requirements set forth in this letter are  
16 will-comply, meaning you'll comply with the  
17 requirements of the township?

18 MS. KATHY STORCH: Yes.

19 MR. ARMSTRONG: The one item  
20 that was just called out and it's the last page of  
21 the review letter, it references the setback. Now,  
22 under the zoning ordinance for this proposed use  
23 there's a 25 foot setback?

24 MR. McHALE: Yes. And  
25 previously with the previous use, I believe it was

1 15 feet. So what it does is with the new use being  
2 proposed under the special exception, the building  
3 as it was constructed will encroach into that  
4 setback by -- just looking at the drawing there's  
5 no dimensions, but it's probably about eight to ten  
6 feet.

7 MR. JERRY KEDZIERSKI: Right.

8 MR. McHALE: So --

9 MR. ARMSTRONG: So what I was  
10 -- Bob and I were just speaking, you know, the  
11 setback is a requirement of the zoning ordinance.  
12 This planning commission and the board of  
13 supervisors can't waive a requirement of the zoning  
14 ordinance. I'm assuming you've already applied for  
15 your special exception application?

16 Has that been advertised yet?

17 What I would suggest is, it  
18 looks like you'll likely need a variance as well  
19 due to this setback issue from the zoning hearing  
20 board. And what you could potentially do is -- I'm  
21 not sure if it's been advertised yet or not.

22 MS. MINNICK: It has been.

23 MR. ARMSTRONG: It has?

24 MS. MINNICK: No. I'm sorry,  
25 it hasn't.

9

1 MR. ARMSTRONG: The reason I  
2 ask that is, if it hasn't, you know, first you're  
3 going to have to formally request to the township  
4 that you want it to be not only for a special  
5 exception use application, but also a variance from  
6 the setback requirement. And then have Maureen, as  
7 the zoning officer, at least contact maybe the  
8 zoning hearing board solicitor to ensure that the  
9 advertisement calls out not only the special  
10 exception but also the variance for the setback.

11 MS. MINNICK: We could take  
12 care of that.

13 MR. ARMSTRONG: Does that make  
14 sense?

15 MR. JERRY KEDZIERSKI: I don't  
16 know if it makes sense, it doesn't because there's  
17 already putting existing on it, so what are you  
18 going to do now?

19 MS. KATHY STORCH: No. They  
20 just have to tell everybody that it's beyond the --

21 MR. ARMSTRONG: Right. I think  
22 the building is within -- it's within the 15 foot  
23 setback which was compliant with the prior use.

24 MR. McHALE: Correct.

25 MR. ARMSTRONG: But now with

10

1 this new proposed use, with the new use comes an  
2 additional setback requirement, which is 25 instead  
3 of the 15. And it looks like it encroaches a  
4 little bit into that 25 foot setback. So, I mean,  
5 it could be maybe you want to request that the  
6 zoning hearing board either consider a variance or  
7 maybe an interpretation in your favor with respect  
8 to that setback?

9 MS. KATHY STORCH: Okay.

10 MR. ARMSTRONG: I would -- I  
11 would -- if I -- if I were you, I'd do that now  
12 rather than wait to the hearing and have the zoning  
13 hearing board tell you that you're -- you're inside  
14 the setback and they can't grant you --

15 MR. McHALE: If you don't get a  
16 variance or you don't get some kind of a -- like

17 Pat was indicating, some kind of an interpretation  
18 from the zoning hearing board, you know, two,  
19 three, five years down the road a neighbor could  
20 say, well, wait a minute, you don't meet the  
21 setback, that building encroaches and you never had  
22 anything in writing that said you're okay with that  
23 situation. Then it could pose some problems, so --  
24 MS. KATHY STORCH: Being as it  
25 was, when it was built --

11

1 MR. McHALE: It was in  
2 compliance.

3 MS. KATHY STORCH: It was. So  
4 is that like grandfathered in or --

5 MR. McHALE: Well, it is for  
6 that use, but now you're ch -- you're asking to  
7 change the use to this special exception motor  
8 vehicle service station and that's what creates the  
9 conflict.

10 MS. KATHY STORCH: Okay.

11 MS. BISBING: You just want it  
12 to be on the record that it was approved and  
13 reviewed and okayed.

14 MR. McHALE: And properly  
15 addressed.

16 MR. ARMSTRONG: Again,  
17 unfortunately it's nothing that this commission can  
18 act on. The only people that can waive or make an  
19 interpretation with respect to that setback is the  
20 zoning hearing board.

21 MS. KATHY STORCH: Okay.

22 MR ARMSTRONG: Aside from that,  
23 does the planning commission have any specific  
24 questions or comments for the applicant?

25 MS. BISBING: I have none.

12

1 MS. RINEHEIMER: None.

2 MR. MILLER: No? Nobody has  
3 any questions?

4 MR. ARMSTRONG: Do you want to  
5 make any specific comments or recommendations to  
6 the zoning hearing board or just let the record  
7 show that you didn't take the position either way?

8 MR. MILLER: Let the record  
9 show we listened to it and we approve it so far.



10 MS. BISBING: No problem with  
11 it.

12 MR. ARMSTRONG: That's it.  
13 Unless, Bob, if you have additional --

14 I mean, I guess maybe what you  
15 could do is, you could make a motion that you don't  
16 have any concerns so long as it complies with the  
17 comments and requirements set forth in the August  
18 5, I think -- August 5, 2015 review letter from the  
19 township engineer in addition to resolving that  
20 setback issue.

21 MS. BISBING: So moved.

22 MS. RINEHEIMER: I'll second.

23 MR. MILLER: All in favor?

24 BOARD MEMBERS: Aye.

25 MR. JERRY KEDZIERSKI: Thank

13

1 you so much. God bless you.

2 MR. ARMSTRONG: Now, this is a  
3 recommending body, so they didn't take final  
4 action. Your final approval in action --

5 MS. BISBING: A step in the  
6 process.

7 MR. JERRY KEDZIERSKI: I've  
8 waited for three years to do this.

9 MR. ARMSTRONG: Maureen, you'll  
10 --

11 MS. MINNICK: It wasn't that  
12 bad.

13 MR. ARMSTRONG: -- you'll reach  
14 out and make sure that when they advertise it --

15 MS. MINNICK: I'll take -- I'll  
16 take care of it now.

17 MR. ARMSTRONG: Before she does  
18 that you'll have -- I'd suggest you formally  
19 request.

20 MS. MINNICK: We'll do it  
21 tonight before they leave the building. We'll take  
22 care of that. I have the application right here,  
23 we can just revise it. With the public notice  
24 we'll include the variance. It's not an issue, so  
25 we'll be okay.

14

1 MR. ARMSTRONG: Do you guys  
2 have any questions or comments for us?

3 MR. JERRY KEDZIERSKI: Thank  
4 you.

5 MR. ARMSTRONG: So is it going  
6 to be like a Jiffy Lube kind of thing?

7 MS. KATHY STORCH: Oh, gosh, no.

8 MR. ARMSTRONG: We can go off  
9 the record.

10 (Discussion off the record.)

11 MR. MILLER: Motion to adjourn?

12 MS. RINEHEIMER: I make that  
13 motion.

14 MR. MILLER: Do I hear a  
15 second?

16 MS. BISBING: I second.

17 MR. MILLER: All in favor?

18 BOARD MEMBERS: Aye.

19 MR. MILLER: Motion passed.

20 (Meeting concluded at 5:45 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 correct transcript of the same.

TARA WILSON, C.R.



Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

---

In Re: Regular Meeting

---

Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, December 3, 2015, 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 J. McHALE, Township Engineer

MATTHEW J. McHUGH, ESQUIRE, Solicitor

ALSO PRESENT: Maureen Minnick, Zoning Officer

---

Panko Reporting

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

2

1 MR. SINCAVAGE: Okay. It's  
2 5:30. We'll call the regularly scheduled meeting  
3 of the Tobyhanna Township Planning Commission to  
4 order.

5 Any public comment? Hearing  
6 none.

7 We'll move on to consideration  
8 of the minutes of August the 6th, 2015. You all  
9 had the opportunity to look at them? Do I have a  
10 motion to approve?

11 MS. BISBING: So moved.

12 MR. SINCAVAGE: I have a  
13 motion. Do I have a second to the motion?

14 MR. MILLER: Second.

15 MR. SINCAVAGE: Motion and  
16 seconded.

17 All in favor, please say aye?

18 BOARD MEMBERS: Aye.

19 MS. LAMBERTON: I'm gonna  
20 abstain. I wasn't present.

21 MR. SINCAVAGE: We'll move on  
22 to old business. Anything on Morrioni?

23 MS. MINNICK: Morrioni,  
24 nothing.

25 MR. SINCAVAGE: I'll entertain

3

1 a motion to table Morrioni minor subdivision.

2 MS. LAMBERTON: So moved.

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

5 MS. RINEHIMER: I'll second.

6 MR. SINCAVAGE: Motion and  
7 seconded.

8 All in favor, please say aye?

9 BOARD MEMBERS: Aye.

10 MS. LAMBERTON: Is there any  
11 reason that it's like not moving forward, Maureen,  
12 or are we, I mean --

13 MS. MINNICK: There's some  
14 legal issues on the property I know, so, I know  
15 that he was trying to work them out.

16 MR. SINCAVAGE: But that's been



17 almost a year now.

18 MS. MINNICK: Yeah.

19 MR. SINCAVAGE: Should we have  
20 our attorney contact them like we have done in the  
21 past and say we need some movement or please  
22 withdraw the application --

23 MS. LAMBERTON: I mean, what's  
24 it hurting?

25 MR. SINCAVAGE: It doesn't hurt

4

1 us.

2 MS. LAMBERTON: No, it doesn't  
3 hurt. I'd say let him go, see how he -- just keep  
4 in contact with him, I guess, I would like to see,  
5 Maureen, maybe instead of --

6 MS. MINNICK: I do on a monthly  
7 basis I reach out to him.

8 MS. LAMBERTON: Okay.

9 MS. MINNICK: Hey, are we going  
10 anywhere?

11 MS. LAMBERTON: Thank you.

12 MS. MINNICK: Yep.

13 MR. SINCAVAGE: Okay. Move on

14 to the conditional use application for the Monroe  
15 County Transit Authority. It's a bus shelter at  
16 Kalahari.

17 Mr. Forbes, do you have anything  
18 you would like to comment on or --

19 MR. HARRY FORBES: I'm just  
20 here doing my job.

21 MR. SINCAVAGE: Okay. Bob, do  
22 you have anything?

23 MR. McHALE: No, sir.

24 MR. SINCAVAGE: Any questions  
25 from the commission?

5

1 MS. BISBING: I couldn't tell  
2 like on the map, where is it gonna go exactly? I  
3 can't really tell by looking at this.

4 MS. LAMBERTON: Right when you  
5 come in the main entrance --

6 MS. BISBING: Yeah.

7 MS. LAMBERTON: -- you go to  
8 the roundabout underneath the porte-cochere, right  
9 to the right there. Right --

10 MS. BISBING: Oh, okay.  
11 MS. LAMBERTON: Right in the  
12 front of --  
13 MS. BISBING: Okay.  
14 MS. LAMBERTON: And you know  
15 where the three little elephants are?  
16 MS. BISBING: Yep.  
17 MS. LAMBERTON: A little bit  
18 past them.  
19 MS. BISBING: Okay.  
20 MS. LAMBERTON: It's a perfect  
21 spot.  
22 MS. BISBING: Okay. That's  
23 fine. I just -- I couldn't tell by this.  
24 MS. LAMBERTON: Hey, it's  
25 giving people public transportation for jobs.

6

1 MS. BISBING: Oh, hey, I'm all  
2 for it.  
3 MS. LAMBERTON: I think it's  
4 wonderful.  
5 MS. BISBING: They -- I mean,  
6 they did a special route for their employees --

7 MS. LAMBERTON: Yeah,  
8 absolutely.

9 MS. BISBING: -- so I'm all for  
10 it.

11 MS. LAMBERTON: I think it's  
12 great.

13 MR. SINCAVAGE: And this is the  
14 temporary location, from what I understand, because  
15 it will get moved after Phase 2 is completed?

16 MS. BISBING: That's the way I  
17 was --

18 MS. LAMBERTON: Do we know to  
19 where?

20 MR. HARRY FORBES: I don't have  
21 it.

22 MS. LAMBERTON: They didn't  
23 determine that yet? Okay.

24 MR. HARRY FORBES: No --

25 MS. LAMBERTON: Okay. I was

7

1 just curious.

2 MR. HARRY FORBES: -- located

3 it.

4 MS. LAMBERTON: Well, wherever  
5 it worked for them, works for me.

6 MR. McHALE: This was the most  
7 recent approved land development set.

8 MR. SINCAVAGE: So that's where  
9 they have the valet parking, correct?

10 MS. LAMBERTON: Before you go  
11 under the --

12 MR. SINCAVAGE: No, the valet  
13 parking --

14 MS. LAMBERTON: Yes, yes,  
15 you're absolutely right, that's the parking lot for  
16 it.

17 MR. HARRY FORBES: Where all  
18 the employees come and go right now.

19 MS. LAMBERTON: Makes sense.

20 MR. SINCAVAGE: And they're  
21 asking for a waiver for all the permit fees. I  
22 guess that's up to the supervisors, whether or not  
23 they're going to accept that or not.

24 MS. MINNICK: Yeah, I believe  
25 that was taken -- they were approved.

1 MS. LAMBERTON: Yes, they were  
2 at our last meeting. It's already been approved.

3 MR. McHALE: Just one quick  
4 note. Maureen, the specifications for the shelter  
5 that was submitted, it has a roof load of 25 and  
6 exposure category of B; basic wind speed looks  
7 appropriate, 90 -- but I assume you're going to  
8 have Bill Burton or -- look at this or he would  
9 have to issue a permit or something, so he'll check  
10 those numbers?

11 MS. MINNICK: He would 'cause  
12 it is commercial.

13 MR. McHALE: Okay.

14 MR. SINCAVAGE: Are they gonna  
15 have any advertisement on this? I mean, I know  
16 it's (inaudible) an issue with the bus shelters.

17 MS. MINNICK: It hasn't been  
18 proposed to me so --

19 MR. HARRY FORBES: I don't  
20 think Kalahari would agree to it with the transit  
21 authority for that reason so --

22 MS. LAMBERTON: Keep it clean  
23 looking.

24 MR. HARRY FORBES: Yeah. You

25 know how they are anyhow. You don't want

9

1 (inaudible) or somebody coming up and putting their  
2 name --

3 MS. LAMBERTON: Absolutely.

4 MR. HARRY FORBES: -- so I  
5 don't think you're gonna see that.

6 MR. SINCAVAGE: Well, then if  
7 the applicant doesn't have any objection, I'd like  
8 to see one of the conditions be that there'll be no  
9 advertisement on the structure.

10 MS. LAMBERTON: What if  
11 Kalahari wants to put something on it?

12 MR. SINCAVAGE: That's what I  
13 was thinking but --

14 MR. HARRY FORBES: I haven't  
15 heard -- nobody's talked about this.

16 MS. LAMBERTON: How about any  
17 off-site signs?

18 MR. SINCAVAGE: No, off -- I'll  
19 agree with off-site.

20 MS. LAMBERTON: 'Cause then

21 that gives them --

22 MR. HARRY FORBES: Yeah, that  
23 gives them the op --

24 MS. LAMBERTON: -- the freedom  
25 to put maybe for this -- for, you know, Kalahari

10

1 bus stop, you know what I mean? If they want to  
2 designate -- I don't know. I'm just throwing that  
3 out.

4 Do you know if anybody had any  
5 thoughts of putting -- okay.

6 MR. HARRY FORBES: I haven't  
7 heard --

8 MS. MINNICK: No, I don't.

9 MS. LAMBERTON: I'd be okay --  
10 I'd agree with Mark and just make it for any  
11 off-premise signage.

12 MR. HARRY FORBES: No off  
13 signage.

14 MS. LAMBERTON: Not to  
15 advertise something else on that bus stop that's  
16 not Kalahari.

17 MR. SINCAVAGE: Okay. And I



18 don't even know if it's allowed under our  
19 ordinance.

20 MS. LAMBERTON: It probably  
21 wouldn't be.

22 MR. SINCAVAGE: But I'm not  
23 sure, but I don't want to see advertisement all  
24 over from -- from someone else. It's a temporary  
25 structure, so I guess it's okay.

11

1 Okay. So I'll entertain a  
2 motion to approve the conditional use application  
3 for the Monroe County Transit Authority bus shelter  
4 at Kalahari.

5 (Inaudible comment by Mr.  
6 Sincavage whispered to Mr. McHugh.)

7 MR. McHUGH: Yeah, I had to  
8 double-check myself.

9 MR. SINCAVAGE: With the  
10 condition, one, that the township building codes  
11 officials review the structure plans and verify the  
12 -- the structural integrity of the structure; and  
13 two, that no advertisement are allowed on this

14 structure except for on-site businesses.

15 MS. BISBING: I'll make that  
16 motion.

17 MR. SINCAVAGE: I have a  
18 motion. Do I have a second to the motion?

19 MR. MILLER: Second.

20 MR. SINCAVAGE: Motion and  
21 seconded.

22 All in favor, please say aye?

23 BOARD MEMBERS: Aye.

24 MR. SINCAVAGE: We're good?

25 Next item on our agenda is

12

1 Blakeslee Overlay. I asked that this be put on the  
2 agenda, just we haven't met in a while and Michelle  
3 and I are serving on the committee.

4 Yes, Annie, I see you smiling.  
5 I know who got us on there.

6 MS. LAMBERTON: Sorry. It  
7 makes sense.

8 MR. SINCAVAGE: Sure. Just  
9 like we needed another --

10 MS. LAMBERTON: It happens when

11 you're not in the room.

12 MR. SINCAVAGE: -- committee to  
13 go to.

14 So I think it's moving ahead  
15 fine. I did make the last meeting. I don't know  
16 what happened at the last meeting, but the first  
17 meeting we had the -- just initial input and stuff  
18 like that.

19 MS. BISBING: We had a lot of  
20 discussion. We were -- it was like two and a half  
21 hour meeting, I would say.

22 Right, Maureen?

23 MS. MINNICK: Um-hum.

24 MS. BISBING: Discussion  
25 about, you know, what we'd like to see; you know,

13

1 looked at pic -- photos of, you know, this versus  
2 this signage; you know, placement of -- of where  
3 parking is, that whole -- whole thing and just kind  
4 of open discussion about, you know, ideas that  
5 people might have for what we could do. We didn't  
6 really come to any decisions. We're meeting -- not

7 meeting again until --

8 MS. MINNICK: January.

9 MS. BISBING: -- January.

10 MS. MINNICK: Right. And  
11 there was some direction that we needed to get from  
12 the board, from the board of supervisors. There  
13 was some issues with our zoning ordinance, that  
14 they're too lenient to do a village overlay. If we  
15 were to put a village overlay in now, it wouldn't  
16 work because our zoning is so lenient to begin  
17 with. So there were some restrictions -- or some  
18 questions that -- that we had to ask for, you know,  
19 ask to the board to move forward.

20 MS. BISBING: We also talked  
21 about the -- like what the actual area would be,  
22 what would the boundary look like. We -- someone  
23 said, well, what's the -- maybe it's the area that  
24 has access to sewer and then we said well, no,  
25 that's -- maybe that's not it, maybe it's from this

14

1 point to this point, you know, on 115 and this  
2 point to this point on 940.

3 I think there is some mapping in

4 -- in the document that was produced from the last  
5 visioning session and I think we were kind of  
6 leaning toward the one that had the -- designated  
7 all of the commercial area around, you know, in  
8 Blakeslee Corners, but anything past that would not  
9 be included.

10 What else did we talk about?

11 MS. MINNICK: That was pretty  
12 much it. And then --

13 MS. BISBING: Yeah.

14 MS. MINNICK: -- trying to get  
15 over that hump with the zoning and how to move  
16 forward with that.

17 MS. BISBING: Phyllis forwarded  
18 to us the traffic counts too. They were -- I think  
19 they were dated 2011.

20 MS. MINNICK: Yeah, they were  
21 race weekend. They did it on race weekend --

22 MS. LAMBERTON: How many cars?

23 MS. MINNICK: -- the traffic  
24 count, if I do remember.

25 MS. LAMBERTON: How many cars?

1 MS. BISBING: Oh, I don't know.  
2 There were several files that she sent and we have  
3 to -- I'd have to go open each one up and look at  
4 them.

5 MS. MINNICK: The traffic  
6 counts were --

7 MR. McHALE: PennDOT's data is  
8 generally about 7500.

9 MS. BISBING: They weren't as  
10 high as what we were expect -- like I think they  
11 expected them to be a lot higher for some reason  
12 than what they were.

13 When talking to potential --  
14 either developers or folks that are interested in  
15 doing retail, they want to see a certain number and  
16 it evidently wasn't what they were looking for.  
17 But I think, you know, we could request the Monroe  
18 County Planning Commission to do some updated  
19 counts if the committee or the board so chooses.

20 They ask us all the time, the  
21 Economic Development Corporation, where do we want  
22 traffic counts done. They do them annually. They  
23 won't do anymore this year because of weather. If  
24 it snows the -- you know, the plows come through

25 and dig up the things, but in the spring we could

16

1 request updated counts.

2 MS. MINNICK: Yeah, absolutely.

3 MS. LAMBERTON: Yeah, because  
4 when you -- check with Wawa, but I think that their  
5 traffic is the highest traffic in that Wawa, in  
6 Blakeslee.

7 MS. BISBING: It is.

8 MS. LAMBERTON: That's amazing  
9 to me.

10 MS. MINNICK: We've talked  
11 about that.

12 MS. BISBING: We've talked  
13 about that.

14 MS. MINNICK: You know, we're  
15 all right.

16 MS. BISBING: It's a busy  
17 Dunkin' Donuts, it's a busy Wawa and it's a busy  
18 CVS.

19 MS. LAMBERTON: I mean, so for  
20 on a retail aspect if you had, you know, clients --

21 MR. SINCAVAGE: Yeah, but the

22 funny thing is, when those businesses built, the  
23 traffic counts were not there. They --

24 MS. LAMBERTON: They took a  
25 chance. They took a chance.

17

1 MS. BISBING: It's a chick and  
2 an egg, what, you know --

3 MR. SINCAVAGE: I know. And  
4 it's very strange because I've had traffic counts  
5 done multiple times out at my site to try to get  
6 businesses in and -- through the planning  
7 commission, 'cause they are very helpful with that;  
8 and the traffic counts do not meet their models and  
9 some of them just won't do it, but yet when they  
10 build here, they're one of the busiest in their  
11 whole existence.

12 MS. BISBING: Right.

13 MS. LAMBERTON: Could we ask  
14 Maureen to reach out to Wawa, CVS and that Dunkin'  
15 Donuts and get some sort of annual report on how  
16 that location --

17 MS. MINNICK: Differs from



18 other locations?

19 MS. LAMBERTON: -- differs from  
20 other locations and maybe we can use that as a  
21 township --

22 MR. SINCAVAGE: Right. That's  
23 a good idea.

24 MS. LAMBERTON: -- to help with  
25 like economic development for you guys when people

18

1 come in and say I know this is hard to believe --

2 MS. BISBING: To help build the  
3 case --

4 MR. SINCAVAGE: Right.

5 MS. LAMBERTON: Exactly. That  
6 might help us.

7 MS. BISBING: -- you know, a  
8 developer who might be interested in coming in --

9 MS. LAMBERTON: Look at it,  
10 there's nothing there, what can -- you know, what  
11 kind of traffic could there possibly be.

12 I have another question too, and  
13 I contacted PennDOT and they allow bike lanes, and  
14 they will allow them on 940 and 115 if we as a

15 township apply for them. I don't know how  
16 everybody else feels about that, but I'd like to at  
17 least look into that and, I mean, if we're getting  
18 into like the walkable, the Pocono thing where, you  
19 know, you can go from Pocono Lake Preserve, go out  
20 to Blakeslee, do a little shopping, you know what I  
21 mean?

22 MS. BISBING: Well, and part of  
23 our thought was too, is going -- you have Austin  
24 Blakeslee Natural Area, south of Blakeslee Corners,  
25 and then there's another -- I forget the name of

19

1 it.

2 MS. MINNICK: Thomas -- Thomas  
3 Darling --

4 MS. BISBING: North of it --

5 MS. MINNICK: -- Preserve.

6 MS. LAMBERTON: Yeah.

7 MS. BISBING: -- so that was  
8 kind of our 115 boundary as far as -- and then, you  
9 know, you kind of build from there; so bike paths  
10 through there would be -- I mean, if we could do

11 that --

12 MS. LAMBERTON: It's a matter  
13 of a permit. I called down to Allentown, I was so  
14 surprised, I'm like nothing --

15 (Reporter directed to go off the  
16 record by Ms. Lambertson.)

17 MS. LAMBERTON: Okay. You can  
18 go back.

19 MR. SINCAVAGE: Yes, but -- we  
20 -- I was part of the committee that we looked in  
21 doing the bike lanes --

22 MS. LAMBERTON: Okay.

23 MR. SINCAVAGE: -- and, yeah,  
24 they'll tell you, yeah, you can do them, in the  
25 township you can do them; but the requirements to

20

1 do them are pretty stringent.

2 MS. LAMBERTON: Well, it was a  
3 matter of maintenance, as far as maintaining --

4 MR. SINCAVAGE: No, no, but  
5 actually constructing them 'cause there has to be  
6 so much buffer. Bob could correct me if I'm wrong,  
7 but there's buffers that have to be maintained

8 between the actual traffic and the actual bike  
9 lane. It can't go -- you know, we would -- 'cause  
10 we wanted to put it in that eight foot paved  
11 shoulder that we have all the way down from  
12 Blakeslee, all the way to Pocono Lake --

13 MS. LAMBERTON: Right.

14 MR. SINCAVAGE: -- you know,  
15 the shoulder on both sides is eight foot wide. And  
16 we wanted to just put bike lines in there and they  
17 said no.

18 MS. LAMBERTON: They might have  
19 changed their tune.

20 MR. SINCAVAGE: Okay.

21 MS. BISBING: That would be  
22 good.

23 MR. SINCAVAGE: That would be  
24 good.

25 MS. LAMBERTON: Because they

21

1 said then what we would have is the burden of the  
2 maintenance of it, so the painting of the  
3 indicators showing, you know, the hash marks and

4 the bike --

5 MR. McHALE: Signage.

6 MS. LAMBERTON: -- and signage,  
7 yes. And I did explain the same argument. I said,  
8 you know, what do we need to keep them away from  
9 the traffic and they're like nothing, you would  
10 just use the eight or ten foot berm that you have.  
11 And I'm like it's all paved all the way, I mean,  
12 it's -- it's perfect.

13 MR. McHALE: The shoulder all  
14 the way --

15 MS. LAMBERTON: The shoulder's  
16 amazing.

17 MR. SINCAVAGE: Yeah, it is.

18 MS. LAMBERTON: So if we maybe  
19 could --

20 MR. SINCAVAGE: That would be a  
21 great start.

22 MS. LAMBERTON: -- have Maureen  
23 and Bob take a look at that and I will look in my  
24 notes and forward you the gentleman that I talked  
25 to. Okay?

1 MR. SINCAVAGE: But the problem  
2 is around 115 because the shoulders are not eight  
3 foot (inaudible). They're sectioned through, but  
4 it's not eight foot all the way through.

5 MS. LAMBERTON: You're just  
6 gonna have to get beefier tires.

7 MR. SINCAVAGE: Well, I was --  
8 I mean, why don't you look and see if you can get  
9 grant money to build them --

10 MS. LAMBERTON: Right. Yeah.  
11 And connect them where --

12 MR. SINCAVAGE: Widen it out  
13 because the right of way's there.

14 MS. LAMBERTON: Right.  
15 Exactly.

16 MR. SINCAVAGE: There's plenty  
17 of right of way there.

18 MS. LAMBERTON: Right.

19 MS. BISBING: It would be the  
20 multimodal -- PennDOT multimodal --

21 MR. SINCAVAGE: Yep.

22 MS. BISBING: I mean, this  
23 round, the applications are due December 18 or 19,  
24 so we wouldn't be able to do it this round, but  
25 maybe next round. I think they do them twice a

1 year, so it will probably be -- I'm thinking July  
2 maybe.

3 MS. LAMBERTON: Okay.

4 MS. BISBING: And then if not,  
5 it will be next year or so.

6 MS. LAMBERTON: We'll try for  
7 whatever we can.

8 MS. BISBING: But that's --  
9 that's one of the eligible type projects for that  
10 -- that money, multimodal transportation fund  
11 encourages.

12 MR. SINCAVAGE: The Darling  
13 Preserve, you have to do that on -- on Burger Road,  
14 right? So -- right?

15 MS. MINNICK: I don't know.

16 MR. SINCAVAGE: There's a --  
17 there's a trail --

18 MS. MINNICK: It's off of --  
19 it's off of Caughbaugh. It's off of Caughbaugh  
20 Road.

21 MR. SINCAVAGE: Yeah, but I

22 think there's a trailhead too at Burger --

23 MS. MINNICK: Oh, is there?

24 There might be.

25 MR. SINCAVAGE: Yeah, but --

24

1 going back Transco, at the end there?

2 MS. MINNICK: There might --  
3 there might be, but it would be nice to be able to  
4 connect those two --

5 MR. SINCAVAGE: So we would  
6 want to go all the way to Caughbaugh if we could.

7 MS. MINNICK: Yeah.

8 MS. LAMBERTON: That would be  
9 neat.

10 MR. SINCAVAGE: We could all go  
11 from the Blakeslee Preserve all the way to  
12 Caughbaugh Road along there with a bike path. And  
13 that would open up Blakeslee too. And of course  
14 take the one down 940 to bring people in from  
15 Pocono Lake, Pocono Pine --

16 MS. LAMBERTON: Right.

17 MR. SINCAVAGE: -- because they  
18 would bike over.



19 MS. LAMBERTON: Okay.

20 MR. SINCAVAGE: Okay. Good

21 ideas. Anything else?

22 All right. We have to approve

23 our 2016 planning commission schedule. It was

24 submitted to us. I took a look at it. I didn't

25 have any problem. Does anyone else?

25

1 Do I have a motion to approve

2 the schedule for 2016 as presented?

3 MR. MILLER: Moved.

4 MS. LAMBERTON: So moved.

5 MR. SINCAVAGE: I have a

6 motion. Do I have a second to the motion?

7 MS. LAMBERTON: Second.

8 MR. SINCAVAGE: Motion and

9 seconded.

10 All those in favor, please say

11 aye?

12 BOARD MEMBERS: Aye.

13 (Reporter directed to go off the

14 record by Mr. Sincavage.)

15 MR. SINCAVAGE: Okay. Anything  
16 else to come before the board then? All right.  
17 We stand adjourned.

18 (Meeting concluded at 5:50  
19 p.m.)

20 ---

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

12 of the same.

13

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COURTNEY L. ROGERS

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