

Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

In Re: Reorganization Meeting;
Regular Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Thursday, January 7, 2016, beginning at 5:30 p.m.

PRESENT:

MICHELLE BISBING, Vice-Chairperson
ANNE LAMBERTON, Board Member
PATRICIA M. RINEHIMER, Board Member
JOSEPH MILLER, Board Member

ROBERT McHALE, P.E.,
Township Engineer

JONATHAN J. REISS, 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 planning
2 commission meeting to order, this is January 7,
3 2016. We'll start off with the reorganization
4 meeting.

5 We want you to do that.

6 MS. LAMBERTON: We are going to
7 hand it over to Jonathan and he can start the
8 meeting.

9 MR. REISS: So I'll be the
10 temporary chair?

11 MS. LAMBERTON: Yes, please.

12 MR. REISS: With that, I'll ask
13 for a nomination for chair of the planning
14 commission.

15 MS. LAMBERTON: I will make a
16 nomination for Mark Sincavage as chair for the
17 planning commission.

18 MR. REISS: A second of that?

19 MS. RINEHIMER: I'll second

20 that.

21 MR. REISS: Is there any
22 comment? None? Okay. I'll call for a vote.

23 All in favor?

24 MS. LAMBERTON: Aye.

25 MS. RINEHIMER: Aye.

3

1 MS. BISBING: Aye.

2 MR. MILLER: Aye.

3 MR. REISS: Any opposed? None.
4 Nomination for vice chair?

5 MS. LAMBERTON: I would like to
6 nominate Michelle Bisbing for vice chair of the
7 Tobyhanna Township Planning Commission.

8 MR. REISS: Second to that
9 nomination?

10 MR. MILLER: I'll second that.

11 MR. REISS: Any public comment?
12 None?

13 All in favor?

14 MS. LAMBERTON: Aye.

15 MS. RINEHIMER: Aye.

16 MR. MILLER: Aye.
17 MR. REISS: Any opposed?
18 MS. BISBING: I abstain.
19 MR. REISS: And then nomination
20 for secretary of the planning commission.
21 MS. LAMBERTON: I will nominate
22 Patty Rinehimer for secretary.
23 MS. BISBING: Second.
24 MR. REISS: Is there any comment
25 on that?

4

1 There being none, all in favor?
2 MS. LAMBERTON: Aye.
3 MS. RINEHIMER: Aye.
4 MR. MILLER: Aye.
5 MS. BISBING: Aye.
6 MR. REISS: Any opposed? None.
7 Okay.
8 So I'll turn the meeting over to
9 the chair.
10 MS. LAMBERTON: Since the chair
11 is absent, Michelle, would you please take it from
12 there?

13 MR. REISS: Vice-chair.
14 MS. BISBING: We'll adjourn the
15 reorganization meeting.
16 MS. LAMBERTON: I'll make that
17 motion.
18 MS. RINEHIMER: I'll second.
19 MS. BISBING: All in favor?
20 MS. LAMBERTON: Aye.
21 MS. RINEHIMER: Aye.
22 MR. MILLER: Aye.
23 MS. BISBING: Opposed? Motion
24 carried.
25 Any public comment on any agenda

5

1 items? Hearing none, we'll move on to the minutes
2 of December 3.
3 MS. LAMBERTON: I'll make a
4 motion to consider the minutes of December 3, 2015
5 meeting.
6 MS. BISBING: I have some
7 corrections. Just little minor ones before we --
8 MS. MINNICK: Okay. Do you want

9 mine?

10 MS. BISBING: I wrote it down.
11 On Page 9, Line 19 off site should be onsite. We
12 were talking about the signage or the sign on the
13 MCTA bus shelter, and it was reversed, it should be
14 onsite not off site.

15 Then on Page 10, Line 11, off
16 premise should be on premise, same thing. And on
17 Page 11, Line 6 and 7 I think it should say McHale
18 instead of McHugh. Bob's name. Those are my
19 changes.

20 MS. MINNICK: And I just have
21 two more. On Page 3, Line 24, hurt should be
22 hurting. And Page 13, Line 11, go should be to
23 get.

24 MS. BISBING: With those changes
25 added to the minutes, I'll entertain a motion.

6

1 MS. LAMBERTON: I'll make that
2 motion.

3 MS. BISBING: Second?

4 MS. RINEHIMER: I'll second.

5 MS. BISBING: All in favor?

6 MS. LAMBERTON: Aye.
7 MS. RINEHIMER: Aye.
8 MS. BISBING: Aye.
9 MR. MILLER: Aye.
10 Ms. BISBING: Opposed? Motion
11 carries. Thank you.
12 Old business, update on
13 Anthony Morroni?
14 MS. MINNICK: None.
15 MS. BISBING: Nothing. Okay.
16 So we'll table that again.
17 And the Blakeslee overlay, I can
18 comment. We didn't meet again since our last
19 meeting and I think we have a meeting coming up the
20 end of this month.
21 MS. MINNICK: The 25th.
22 MS. BISBING: Monday the 25th.
23 So we would have more to report next month.
24 MS. LAMBERTON: Good.
25 MS. BISBING: New business.

7

1 Conditional use application for Lake Naomi Club.

2 You want to make some comments, Terry?

3 MR. TERRY MARTIN: Sure. Good
4 evening everyone and happy New Year.

5 My name is Terry Martin, I'm
6 with Martin & Robbins. I'm here on behalf of the
7 Lake Naomi Club for a conditional use application
8 for proposed expansion of the Logan Steel Community
9 Center. I have a revised plan from changes that
10 were made to it from the original submission that
11 addressed some of Bob McHale's review comments.

12 I'll give you a little
13 background on the site. And also with me is Robert
14 Jones, the general manager of Lake Naomi Club. He
15 can give you some information on the proposed
16 additions, what their functions will be, the
17 reasoning behind those, and then if you'd like we
18 can go over Bob's review letter and I can address
19 some of the comments that he's made.

20 The site is located on State
21 Route 423. The entrance into it is directly across
22 from the Timber Trails community entrance. Joe
23 will certainly remember this, back some ten years
24 ago we made an application for the original
25 development of the parcel, came before the

1 commission with a conditional use application and
2 followed up with land development plans. The
3 township approved those. It was built in -- 2007?

4 MR. ROBERT JONES: Seven, yes.

5 MR. TERRY MARTIN: So, yeah,
6 time flies. And the communities, it serves the
7 communities of Lake Naomi and Timber Trails. And
8 those residents find now that they'd like to do
9 some changes, put some additions onto the existing
10 building and also construct a detached building.

11 In your zoning ordinance
12 development amenities are considered conditional
13 uses, and as such, we need to come before --
14 present an application to the zoning officer, along
15 with the supplemental data, come before the
16 commission for recommendation, and then ultimately
17 before the board of supervisors at a hearing for
18 the use before the zoning officer can issue a
19 permit for that use. We've prepared the site
20 development plan which is what you have in front of
21 you this evening that accompanied the application.

22 You'll see on the plan that we
23 have four areas of improvements. Three are at the

24 existing building, two actually enlarge the
25 footprint. There's one out to the west side or the

9

1 rear of the building in this location, and then
2 there's also one that will enlarge the footprint to
3 the south side of the building, which is actually
4 adjacent to the indoor swimming area. The third
5 addition is actually in place with the existing
6 footprint of the building now. It's a covered
7 portion here that they're going to now enclose. So
8 it doesn't enlarge the existing footprint of the
9 building, it'll just enclose a portion it. And
10 lastly, the fourth addition is a detached outdoor
11 pavilion, which will be constructed right between
12 the two parking areas there.

13 Architectural plans have pretty
14 much been completed for all the improvements. We
15 have the square footages. Those were adjusted from
16 our initial submission, initial plan, we adjusted
17 those slightly as per the architect's last set of
18 plans to bring those up to date. I spoke with
19 Maureen regarding any zoning issues. She doesn't

20 seem to have any at this point, that everything
21 should be in place. We're not going to have to
22 enlarge the parking. So we're good there.

23 Sewage should be okay because we
24 don't look at increasing the occupancies, just to
25 enhance the existing building, the facilities that

10

1 are there. And we also had -- Linder Engineering
2 will be doing the stormwater for this section here,
3 and he did meet earlier this year, I think, with
4 Bob and Maureen just to go over some concepts on
5 how we're going to handle stormwater when we get to
6 the land development stages. So we're here this
7 evening just for a recommendation on the use
8 itself.

9 Robert, I'll ask you to explain
10 to the commission what the additions are for, the
11 purpose and the reasoning.

12 MR. ROBERT JONES: Good evening,
13 everyone. Robert Jones, Lake Naomi Club, General
14 Manager. Basically what you see in front of you
15 with the new plans is all of the mistakes that we
16 made in the original building. After running it

6 want to get into the aquatics. Well, if you're a
7 young child learning how to swim, that becomes the
8 playground. And we tried numerous different types
9 of swim platforms to get the younger kids to learn
10 how to swim and things like that and it's just not
11 working for us. So the concept was to take our
12 outdoor patio that we have now, enclose that and
13 then do a zero entry little swim area for the kids.
14 We're not looking to compete with all the water
15 parks in different areas, but if our membership are
16 there and they have younger kids, it would be nice
17 to let them have their own little area.

18 We see this as the final last
19 thing-- never say that -- for the community center.
20 As Terry said, it is not to expand the occupancy,
21 it's to try and better the lifestyle of our members
22 and make the whole community center, which has
23 become the heart and sole of our community, just to
24 run a little bit smoother between all of our
25 different programs.

14

1 I hope that made sense.

2 MS. LAMBERTON: Absolutely, yes.

3 MS. BISBING: It makes perfect
4 sense.

5 MS. LAMBERTON: I think it's
6 great.

7 MR. ROBERT JONES: Any specific
8 questions?

9 MR. MILLER: This is only open
10 to club memberships, right?

11 MR. ROBERT JONES: Only to club
12 memberships and their guests. A club member is
13 permitted to bring a guest up to 20 times a year.
14 On that 21st time sirens start to go off.

15 MS. LAMBERTON: Anything from
16 you Bob?

17 MR. BOB McHALE: No.

18 MR. ROBERT JONES: Thank you,
19 everyone.

20 MR. REISS: Let me just say, for
21 the conditional use hearing, when you present that,
22 just make sure you address Items A through J in
23 your testimony of Section 155-101.

24 MR. ROBERT JONES: Yes, sir.
25 We're on that, right?

1 MR. TERRY MARTIN: Yes, we are.

2 MS. LAMBERTON: I have no
3 questions. Anyone else?

4 MS. RINEHIMER: No.

5 MS. LAMBERTON: I'll make a
6 motion to make a recommendation to the board of
7 supervisors.

8 MS. BISBING: Is there a second?

9 MS. RINEHIMER: I'll second.

10 MS. BISBING: Any other
11 discussion?

12 MS. LAMBERTON: I think it's
13 wonderful.

14 MS. BISBING: All in favor?

15 MS. LAMBERTON: Aye.

16 MS. RINEHIMER: Aye.

17 MR. MILLER: Aye.

18 MS. BISBING: Aye. Opposed?

19 MR. ROBERT JONES: Thank you,
20 everyone for your time.

21 MS. BISBING: Motion carried.

22 MS. LAMBERTON: Good luck with
23 your project.

24 MR. ROBERT JONES: Thank you.

25 MS. BISBING: Planning

16

1 Commission Ordinance No. 8 and the bylaws.

2 Okay, Maureen. I thought when I
3 sat down and I saw them and I said, gee, it looks
4 like it's been a while since they looked at these.

5 MS. LAMBERTON: What do we need
6 to know, Maureen.

7 MS. BISBING: And Maureen said,
8 that's why it's on the agenda.

9 Were there specific things that
10 you wanted to talk about? Do we need to look at
11 these and then come back with suggestions?

12 MS. MINNICK: Yeah. I don't
13 know so much about the ordinance. I really didn't
14 see anything that stood out that needed to be
15 changed, but there's always room to change stuff in
16 the ordinance. But the bylaws definitely have to
17 be changed. Under membership it says a member of
18 said commission shall be appointed for a term of
19 five years. We've been doing that every four
20 years. I don't think these have ever been changed.

21 MS. LAMBERTON: Okay.

22 MS. MINNICK: So that was one.

23 That stood out to me. The other one was for our

24 reorg meeting, it shall be held on the first

25 regular meeting in April of each year. We're doing

17

1 that in every January.

2 MS. LAMBERTON: Why April?

3 MS. MINNICK: I'm thinking maybe

4 that's when the planning commission was formed.

5 MS. LAMBERTON: Oh, it could be.

6 But isn't that like a rule the first session in

7 January for all --

8 MR. REISS: Well, for the

9 supervisors. For the planning commission, for

10 instance, if we didn't have any business before for

11 January, you could reorganize the first time you

12 actually had business. So you wouldn't have to

13 come just to reorganize.

14 MS. BISBING: Ordinance 8 was

15 signed in April of 1964, so maybe that's why.

16 MR. REISS: So under the MPC the

17 term for planning commission members is four years.
18 And the planning commission provisions were just
19 amended within the last couple of months that if
20 the board of supervisors wanted to they can now
21 appoint alternate members to the planning
22 commission who only are authorized to sit by
23 designation by the chair of the planning commission
24 if there isn't a quorum. So even though one person
25 is not here you still have a quorum, so that your

18

1 alternate member wouldn't be sitting until there's
2 actually a need to fill a quorum. And you can
3 appoint up to three alternate members.

4 MS. LAMBERTON: That's a great
5 idea.

6 MR. REISS: The alternate
7 members can also participate when they're not
8 sitting but they just can't vote. So if you want
9 to, for instance, have someone who starts to get
10 some experience, they could still participate they
11 just couldn't vote.

12 MS. LAMBERTON: Okay.

13 MR. REISS: But that's a

14 consideration for the supervisors to decide, but
15 since you're talking about this, you may want to
16 talk about it at the supervisors level before you
17 amend your bylaws and everything.

18 MS. MINNICK: Okay.

19 MS. LAMBERTON: I think maybe
20 you should just bring some suggestions to us and
21 then we can review this, if you guys are okay with
22 that?

23 MS. MINNICK: Yeah, we can do
24 that.

25 MS. LAMBERTON: I mean, you're

19

1 more in tune with what needs to be cleaned up here.

2 MS. MINNICK: That's fine.

3 One other thing that I did
4 notice about the meetings. It states in here that
5 the meetings should be held every Wednesday. Of
6 course that's going to be changed.

7 That was all I'd seen.

8 MS. BISBING: I'm sure Mark
9 would want to have a look at this too so we can all

10 just maybe review it and then at our next meeting
11 bring any edits back and I can get it to Mark or
12 somebody can get him a copy.

13 MS. MINNICK: I'll email it to
14 Mark on Monday.

15 MS. BISBING: And we can bring
16 back our edits or suggestions or whatever at the
17 next meeting. Does that sound like a plan?

18 MS. LAMBERTON: Yeah, that's
19 great.

20 MS. BISBING: Good idea to dig
21 them out of the archives.

22 MS. LAMBERTON: What made you do
23 that? I have to ask.

24 MS. MINNICK: Phyllis asked me
25 to take a look at them.

20

1 MS. LAMBERTON: Sure. That's
2 great.

3 MS. MINNICK: I never even knew
4 they existed.

5 MS. BISBING: Any other open
6 discussion items?

7 MS. LAMBERTON: Did we do our
8 calender?

9 MS. MINNICK: Yes.

10 MS. LAMBERTON: We did that last
11 time, right?

12 MS. MINNICK: Yes.

13 MS. LAMBERTON: I have nothing
14 else.

15 MS. BISBING: Obviously no other
16 public comment since our public left. So I'll
17 entertain a motion to adjourn?

18 MS. LAMBERTON: So moved.

19 MS. BISBING: Second?

20 MR. MILLER: Second?

21 MS. BISBING: All in favor?

22 MS. LAMBERTON: Aye.

23 MS. RINEHIMER: Aye.

24 MS. BISBING: Aye.

25 MR. MILLER: Aye.

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1 (Meeting concluded at 5:55 p.m.)

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I hereby certify that the proceedings are contained fully and accurately, 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.

JOSEPHINE HOLLMAN, C.R.

Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Thursday, March 3, 2016, beginning at 5:30 p.m.

PRESENT: MARK SINCAVAGE, Chairperson
JOSEPH MILLER, Vice-Chairperson
MICHELLE BISBING, Board Member

ROBERT J. McHALE, P.E., Township
Engineer

PETER NELSON, 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. I'll
2 call the regularly scheduled meeting of the
3 Tobyhanna Township Planning Commission to order for
4 March 3, 2016.

5 Any public comment? Hearing
6 none.

7 We'll move on to consideration
8 of the minutes of January 7.

9 I didn't hear any.

10 FEMALE VOICE: Used to having
11 no public, are you?

12 MR. SINCAVAGE: January 7,
13 2016, I do have one correction on Line -- on Page
14 6, Line 12, should read old business, any updates
15 on.

16 So with that correction, do I
17 have a motion to approve the minutes?

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 in favor, please say aye?

25 BOARD MEMBERS: Aye.

3

1 MR. SINCAVAGE: Okay. I'm
2 going to change the order of business. We'll bring
3 the Lake Naomi Club first, so we can get you guys
4 out of here earlier and we can have our time on the
5 other stuff.

6 MR. TERRY MARTIN: Thank you.

7 MR. SINCAVAGE: You're welcome.

8 MR. TERRY MARTIN: Good
9 afternoon, everyone. We're here on behalf of the
10 Lake Naomi Club with preliminary and final land
11 development plans for the proposed expansions at
12 the Logan Steele Community Center.

13 We came before the commission
14 back in January for recommendation on the
15 conditional use approval. These plans are a result

12 District. I believe Bob has reviewed the plans and
13 has prepared a review letter. We did receive
14 comments back, the review back from the county
15 planning commission. The conservation district has
16 accepted the plans. They haven't completed their
17 review yet.

18 Bob did have some minor
19 comments. We feel we've addressed those with a
20 revised plans, which you have in front of you this
21 evening. That was mainly the addition of some
22 notes on the land development plan and notes to
23 both the drainage and the erosion and sedimentation
24 control plan.

25 If anyone has any questions, I'd

5

1 be glad to answer what I can and --

2 MR. SINCAVAGE: Are you doing
3 this in phases or are you doing it all at one time?

4 MR. TERRY MARTIN: All at one
5 time --

6 MR. SINCAVAGE: Okay.

7 MR. TERRY MARTIN: -- for
8 approval, yes. And we're coming in -- initially we

9 had submitted, Mark, just preliminary plans 'cause
10 I felt that it may be subject to some securities
11 that the club would have to post for final
12 approval, but in speaking with Bob and Maureen,
13 that's not the case, so we're asking for both
14 preliminary and final approval for this set of
15 plans.

16 MR. SINCAVAGE: Okay. Bob, do
17 you want to go over your letter of February 25?

18 MR. McHALE: Yes, sir.
19 Everything's in order as far as the land
20 development plan goes. They have an existing
21 detention basin that a portion of the improvements
22 are draining to. The pavilion, that's
23 freestanding. It will have a subsurface
24 infiltration basin beneath it. So they've met the
25 criteria of the Act 167. All the other notes were

6

1 added as we requested. Everything's in order
2 except for maybe the agreements that our township
3 solicitor would put together and work with them on.

4 MR. SINCAVAGE: Do you have the

5 waivers request and written --

6 MR. TERRY MARTIN: I have a
7 letter here to submit. We've listed those on the
8 plan as well.

9 MR. McHALE: He e-mailed those
10 back to us and, Maureen, I believe you got a copy
11 of that as well.

12 MS. MINNICK: Uh-hum.

13 MR. SINCAVAGE: Does any
14 commission member have any comment or question?

15 MR. MILLER: I don't.

16 MS. BISBING: I don't.

17 MR. SINCAVAGE: You okay?

18 MR. NELSON: No, I'm good, yeah.

19 MR. TERRY MARTIN: Request and
20 writing.

21 MR. SINCAVAGE: You got it?

22 MR. NELSON: Yep.

23 MR SINCAVAGE: Okay.

24 MR. NELSON: I have them too.

25 MR. SINCAVAGE: Oh, you have

7

1 them?

2 MR. NELSON: Yep.

3 MR. SINCAVAGE: All right. It
4 looks like everything's in order. I'll entertain a
5 motion to approve the Lake Naomi Club Logan Steele
6 Community Center expansion, land development plan
7 application with the waiver to SALDO Section
8 135-12.D.2; SALDO Section 135-15.A.15; SALDO
9 Section 135-17.L; and SALDO Section 135-17.M and
10 with the condition that any securities that have to
11 be worked out with the solicitor shall be done and
12 that the applicant comply with all the comments in
13 the February 25, 2016 engineer -- township engineer
14 letter.

15 MS. BISBING: 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 in favor, please say aye?

24 BOARD MEMBERS: Aye.

25 MR. SINCAVAGE: Easy enough.

1 MR. TERRY MARTIN: Thank you.

2 FEMALE VOICE: Thank you.

3 MR. SINCAVAGE: Thank you. You
4 can hang around for the rest of the fun if you
5 want.

6 MR. TERRY MARTIN: Thank you.
7 Good night.

8 MR. SINCAVAGE: Good night.

9 MS. BISBING: Good night.

10 MR. SINCAVAGE: Okay. Anthony
11 Morroni, land -- minor subdivision.

12 Any update?

13 MS. MINNICK: No updates.

14 MR. SINCAVAGE: A motion to
15 table?

16 MR. MILLER: So moved.

17 MR. SINCAVAGE: I have a
18 motion.

19 Do I have a second to the
20 motion?

21 MS. BISBING: Second.

22 MR. SINCAVAGE: Motion and

23 seconded.

24 All in favor, please say aye?

25 BOARD MEMBERS: Aye.

9

1 MR. SINCAVAGE: Blakeslee
2 Overlay. Is there anything you want to discuss in
3 particular, Maureen?

4 MS. MINNICK: No, just that
5 we're gonna -- we'll be moving forward with our
6 project, so that's it. Nothing new.

7 MR. SINCAVAGE: Okay. Any
8 comments from the commission?

9 The bylaws. What do you have
10 for us, Maureen?

11 MS. MINNICK: So the bylaws
12 that we have in front of you tonight, they've been
13 established in 1964 and I don't think they have
14 been updated since then. There were a couple
15 updates that I suggested in here. One was to
16 include the powers and duties of the planning
17 commission. These come directly out of our
18 ordinance.

19 The other item was under

20 officers. It does speak to the secretary, that
21 they should keep the minutes and records of the
22 commission. A lot of that work is prepared by
23 township staff. There are duties of a secretary
24 that the planning com -- that we would need, so I
25 don't know how you would want to write that.

10

1 And under Paragraph 5, we don't
2 have a treasurer any longer, if you want to omit
3 that.

4 MR. SINCAVAGE: I think we
5 should just change that under Article -- 4?

6 MS. MINNICK: Uh-hum.

7 MR. SINCAVAGE: Section 4, I
8 think we should just change it to secretary may
9 keep the minutes and records of commission.

10 MS. MINNICK: Okay.

11 MR. SINCAVAGE: And it -- just
12 change all the shalls to may and then we -- then we
13 may have the flexibility to do it either way.

14 MS. MINNICK: Okay.

15 MR. SINCAVAGE: Does that sound

16 okay to you, Mr. --

17 MR. NELSON: Yes, that works
18 perfectly for me.

19 MS. MINNICK: Okay.

20 MR. SINCAVAGE: And same thing
21 with the treasurer, just change shall to may.

22 MR. NELSON: I guess my only
23 comment is -- 'cause I questioned this, one, if you
24 had one; and two, is there actually any money that
25 the planning commission controls?

11

1 MR. SINCAVAGE: No.

2 MS. MINNICK: No.

3 MR. SINCAVAGE: So just --

4 MS. BISBING: Just eliminate
5 it.

6 MR. SINCAVAGE: We either just
7 eliminate it or just leave it. I can't see -- in
8 the future, do you see --

9 MS. BISBING: Is there any time
10 where we would need it?

11 MR. SINCAVAGE: Right. Is
12 there any time in the future that we may need that,

13 that's what I was wondering?

14 MR. McHALE: If they do, they
15 can always amend it.

16 MR. NELSON: Yeah, you can
17 always amend this at any time, you know, if things
18 change, if your powers change and you need a
19 treasurer at that time, you can enact.

20 MR. SINCAVAGE: Okay. So let's
21 -- we'll eliminate Section 5?

22 MS. MINNICK: Okay.

23 MR. SINCAVAGE: But we shall
24 keep 4 and just put may.

25 MS. MINNICK: Okay. Article 5,

12

1 election of officers is to be done in January of
2 each year?

3 MR. SINCAVAGE: Yep.

4 MR. NELSON: I would recommend
5 the saying, the first meeting of each year.

6 MS. MINNICK: Okay.

7 MR. NELSON: Since, you know,
8 based on last year, you guys meet only about half

9 the time, you don't want to have to come in, in
10 January just to reorganize.

11 MS. BISBING: Right.

12 MR. SINCAVAGE: That's a good
13 point.

14 MS. BISBING: Yeah, if there's
15 no other items of business.

16 MR. SINCAVAGE: That's a good
17 idea.

18 MR. NELSON: Thank you.

19 MS. MINNICK: Article 6, it
20 just states in here, meetings will be held on the
21 first Thursday of every month at 5:30, at the
22 government center building, Tobyhanna Township
23 Government Center Building.

24 Article 7, order of business.

25 I'm -- I went off of what we previously used as our

13

1 agenda items. Call the meeting to order; B, public
2 comment; C, action of previous months minutes; D,
3 old business; E, new business; F, open discussion;
4 G, public comment; and H, adjournment.

5 MR. SINCAVAGE: Uh-hum.

6 MS. MINNICK: And I believe
7 that was all.

8 MR. SINCAVAGE: I don't know
9 why we used to do the roll call. I see that a lot.
10 I guess it was to establish a quorum.

11 MS. BISBING: For a matter of
12 record maybe that everyone had to say they were
13 present, but it's recorded in the minutes as an
14 attendance.

15 MS. MINNICK: Yeah.

16 MR. SINCAVAGE: Okay. All
17 right.

18 MS. MINNICK: Do you have
19 anything to add, Mark?

20 MR. SINCAVAGE: No, I did --
21 no, I think you picked up what I had too. Right.

22 MS. MINNICK: Oh, I'm sorry,
23 under Article 3, a member of said planning
24 commission shall be appointed for a term of four
25 years. Originally it was five years. That was the

14

1 other additional change I had.

2 MR. SINCAVAGE: That's fine.

3 MS. MINNICK: Okay.

4 MR. SINCAVAGE: And where are
5 we getting our stipend? Is that --

6 MS. HAASE: Where?

7 MR. SINCAVAGE: That the
8 members will get a stipend from --

9 MS. HAASE: Yeah. I have to
10 talk to the board about that.

11 MS. BISBING: Did you miss
12 that, Maureen?

13 MR. SINCAVAGE: Did you miss
14 that section?

15 MS. MINNICK: I must have.

16 MR. SINCAVAGE: No, you picked
17 up the sections I did. These powers and duties you
18 said came from the MPC?

19 MR. McHALE: Yes.

20 MS. MINNICK: They came from
21 our ordinance, but they are part of the MPC as
22 well.

23 MR. NELSON: Your ordinance
24 basically copies what's in the MPC.

25 MS. MINNICK: Yeah.

1 MR. SINCAVAGE: Okay. I'm not
2 quite sure what the proper procedure is for bylaws.
3 Do we just --

4 MR. NELSON: Yeah, these are
5 your own bylaws. You can adopt them as you wish.
6 So all you need is a motion and a second and then a
7 vote.

8 MR. SINCAVAGE: Okay.

9 MR. NELSON: Before you do
10 that, just one thing I would add. Under Article 2,
11 authorization, you reference only the Second Class
12 Township Code, which probably back in the '60s was
13 the only thing in existence; but now really what
14 you're authorized under is the MPC, so I think that
15 probably should be mentioned there.

16 And you also have a much newer
17 ordinance. You enacted an ordinance, I think, back
18 in the 9 -- '93, Ordinance 169 -- oh, sorry, 369,
19 and that's what you actually -- is actually in your
20 code, so you might want to update that.

21 I have the ordinance here,
22 Maureen, if you just want it.

23 MS. MINNICK: Okay.

24 MR. NELSON: Now you can have
25 -- so I'll give it to you after the meeting --

16

1 MS. MINNICK: Okay. And then
2 I'll change that as well.

3 MR. NELSON: But other than
4 that, everything else looked good to me. It
5 matches actually pretty well with some sample
6 bylaws I've seen put out by the state and like I
7 said, all you need is a motion and second and a
8 vote.

9 MR. SINCAVAGE: Did anyone have
10 any comments? We can always change it.

11 MS. BISBING: Yeah, I think the
12 things that I had -- I mean, other than adding all
13 the powers and duties, I pretty much had the same
14 kind of edits that Maureen had in hers.

15 MS. MINNICK: Okay.

16 MR. SINCAVAGE: Okay. So I'll
17 entertain a motion to approve the bylaws as
18 presented with the corrections and additions except
19 under Article 2, we'll add the MPC and most

20 up-to-date ordinance and I guess that's it.

21 Do I have a motion?

22 MR. MILLER: So moved.

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

25 MS. BISBING: Second.

17

1 MR. SINCAVAGE: Motioned and
2 seconded.

3 All those in favor, please say
4 aye?

5 BOARD MEMBERS: Aye.

6 MR. SINCAVAGE: Joe, you were
7 probably here in 1964 when they adopted these first
8 bylaws.

9 MR. MILLER: I hope not.

10 MR. SINCAVAGE: Is there
11 anything else to come before the board, commission?

12 Well, I'd like to take a moment
13 to publicly thank Joe Miller for all his years of
14 service. I've worked with Joe on both sides of
15 this table for many, many, many years and we were
16 just saying we've been here at least a thousand

17 years each. So it's a pleasure to have worked with
18 Joe and it's sad to see you leave, but I'm sure
19 we'll see you around the community and come see us
20 once in a while.

21 MR. MILLER: It's time to
22 leave, that's all I can say.

23 MR. SINCAVAGE: Yes, I know the
24 feeling.

25 MR. MILLER: Time -- time to

18

1 leave.

2 MR. SINCAVAGE: All right.
3 Well, thank you very much for your service.

4 MR. MILLER: Thank you very
5 much. I appreciate it.

6 MR. SINCAVAGE: With that,
7 we'll adjourn the meeting.

8 (Meeting concluded at 5:50 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

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

14

15

16

COURTNEY L. ROGERS, C.R.

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Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Thursday, April 7, 2016, beginning at 5:30 p.m.

PRESENT: MARK SINCAVAGE, Chairperson
MICHELLE BISBING, Vice-Chairperson
ANNE LAMBERTON, Board Member
PATRICIA M. RINEHIMER, Board Member
BRENDON J. E. CARROLL, Board Member

ROBERT J. McHALE, P.E., Township
Engineer

JONATHAN J. REISS, 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. Let's
2 get this meeting started. Sorry for that delay.
3 I'll call the regularly scheduled meeting of the
4 Tobyhanna Township Planning Commission to order for
5 April 7, 2016.

6 First of all, I want to welcome
7 our new board member, Brendon Carroll. Welcome.

8 MR. CARROLL: Thank you very
9 much.

10 MR. SINCAVAGE: Certainly a
11 family --

12 MR. CARROLL: Looking forward
13 to working with you all.

14 MR. SINCAVAGE: Well, certainly
15 a family that has been in the township for a long
16 time and we look forward to his input during the
17 commission's meetings.

18 I also want to announce that the

19 -- I was notified by the township that we will be
20 starting to videotape and audiotape all meetings.
21 I guess that's not happening tonight, but we'll be
22 happy --

23 MS. LAMBERTON: I believe it
24 is.

25 MS. MINNICK: It is happening

3

1 tonight.

2 MR. SINCAVAGE: I don't see the
3 cameras.

4 MR. REISS: It's up there.

5 MR. SINCAVAGE: Okay.

6 MS. LAMBERTON: For your
7 information, that's audio right there, Mark.

8 MR. SINCAVAGE: Okay.

9 MR. REISS: Above you.

10 MR. SINCAVAGE: Thank you. I
11 don't know these things.

12 MS. LAMBERTON: Yeah. And then
13 --

14 MR. SINCAVAGE: I'm old school,
15 I want to see the big things --

16 MS. LAMBERTON: And then at our
17 work session it was also announced that they'll be
18 put on the website --

19 MR. SINCAVAGE: Yes.

20 MS. LAMBERTON: -- for folks
21 that are unable to come out and attend --

22 MR. SINCAVAGE: Yes.

23 MS. LAMBERTON: -- and if
24 anybody wants to know what had occurred, you know,
25 at least it's available to the public.

4

1 MR. SINCAVAGE: Yes. I want to
2 make that clear also, that it's not anything that
3 we're doing, it's to make transparency with the
4 public, so we are even more disconnected than we
5 are already, but that's not my decision. But it
6 does help with transparency.

7 The other thing is, policy
8 concerning the receiving of information prior to
9 our meetings. I thought we had in place an
10 understanding that all information will be provided
11 to us by the Friday be -- by the end of business

12 Friday before the meeting so that the commissioners
13 had a chance to review that information prior to
14 the meeting. That kind of, I guess, just slipped
15 by.

16 Bob, my question to you is, when
17 do you receive the plans for the meeting? How many
18 days before the actual meeting?

19 MR. McHALE: The plans are
20 supposed to be submitted in order to be on your
21 agenda 15 business days or working days prior to
22 the meeting. And then it also states in the SALDO
23 that the review -- from the time I receive them,
24 the review would be conducted within 12 business
25 days. So that would put us about three business

5

1 days out from the PC meeting.

2 MR. SINCAVAGE: Okay. Is there
3 any -- can you meet that Friday deadline?

4 MR. McHALE: It -- it depends
5 on workload, but I try to hit that if I can. If
6 not, then, you know, I stay with --

7 MR. SINCAVAGE: Okay. I don't
8 see -- I don't see why the agenda can't be out by

9 that Friday and any related information --

10 MS. MINNICK: We'll get
11 everything to you by then.

12 MR. SINCAVAGE: -- and Bob will
13 make every effort possible to provide us with that
14 information the Friday before, comments the Friday
15 before.

16 MR. McHALE: And I can even do
17 that in draft form if I don't have things
18 finalized.

19 MR. SINCAVAGE: Maybe that
20 would be good to at least -- we -- we would get it
21 in draft, that wouldn't be given to the consultant
22 until -- or the applicant until such time as we
23 take a look at it -- or you finalize it really.
24 But at least that would give us some transparency.

25 So, Maureen, if you would please

6

1 relay that to the township manager that that would
2 be our pol -- that we would like that to be our
3 policy. She -- she said she was going to draft
4 something.

5 MS. MINNICK: Yep.

6 MR. SINCAVAGE: Okay. That's
7 the housekeeping items.

8 Any public comment on any agenda
9 item?

10 Okay. Hearing none.

11 Well, I'll move on to
12 consideration of the March 3, 2016 minutes. We've
13 received them electronically and there's a copy
14 available for the public if you wish to see them.

15 Do I have a motion to approve?

16 MS. LAMBERTON: So moved.

17 MR. SINCAVAGE: I have a
18 motion. Do I have a second to the motion?

19 MS. BISBING: Second.

20 MR. SINCAVAGE: Motion and
21 seconded.

22 All in favor, please say aye?

23 BOARD MEMBERS: Aye.

24 MR. SINCAVAGE: Brendon, you
25 will abstain because you were not present.

7

1 MR. CARROLL: I did read them.

2 MR. SINCAVAGE: Okay.

3 MS. LAMBERTON: So therefore he
4 can vote.

5 MR. CARROLL: We asked the
6 attorney for --

7 MS. LAMBERTON: Yeah, we asked
8 --

9 MR. SINCAVAGE: Oh.

10 MS. LAMBERTON: -- Jonathan.

11 MR. CARROLL: I thought I
12 should abstain but --

13 MR. SINCAVAGE: I thought he
14 should abstain too, but if Jonathan overrules me,
15 he's the attorney. I'm only a member here.

16 Okay. We'll move on to old
17 business. Anthony Morroni, anything new?

18 MS. MINNICK: Nothing.

19 MR. SINCAVAGE: Hearing none.
20 I'll consider a motion -- I'll entertain a motion
21 to table Anthony Morroni, minor subdivision.

22 MS. BISBING: So --

23 MS. LAMBERTON: So moved.

24 MR. SINCAVAGE: Annie, I have a
25 motion. Do I have a second?

1 MS. RINEHIMER: I'll second.

2 MR. SINCAVAGE: I have a second
3 from Pat.

4 All those in favor, please say
5 aye?

6 BOARD MEMBERS: Aye.

7 MR. SINCAVAGE: Blakeslee
8 overlay. I don't know that there's anything new to
9 report.

10 Michelle, do you have anything?
11 I don't think since --

12 MS. BISBING: No. I think -- I
13 think we had a meeting though since our last
14 planning commission meeting with a consultant and
15 she's draft -- working on drafting documents. We
16 went through --

17 MS. MINNICK: Changes.

18 MS. BISBING: All of the --
19 yeah, the changes that we would need to --
20 suggested changes to make to the zoning and she's
21 revising that and we're meeting again the end of
22 April, right?

23 MS. MINNICK: I believe so.

24 MS. BISBING: Thursday --

25 MR. SINCAVAGE: Yes.

9

1 MS. BISBING: Thursday not a

2 Monday --

3 MR. SINCAVAGE: Yeah.

4 MS. BISBING: -- this time, so

5 --

6 MR. SINCAVAGE: All right.

7 MS. BISBING: In pro -- in

8 process.

9 MR. SINCAVAGE: John, do you
10 have anything to add to that or no?

11 MR. JOHN HOLAHAN: No, sir.

12 MR. SINCAVAGE: Thank you, sir.

13 We'll move on to -- one thing I
14 did miss, I see there's bylaws are on here, is this
15 just for our information? We adopted these
16 already.

17 MS. MINNICK: You adopt them,
18 you have copies --

19 MR. SINCAVAGE: Okay.

20 MS. MINNICK: -- and I need
21 signatures from both you and Patty --

22 MR. SINCAVAGE: Okay.

23 MS. MINNICK: -- after the
24 meeting. If you don't mind. I have them here.

25 MR. SINCAVAGE: Okay. Make

10

1 sure you get us.

2 Next item on our agenda under
3 new business is Liberty Petroleum.

4 Gentlemen.

5 MR. JOE STACHOKUS: Good
6 evening. My name is Joe Stachokus.

7 THE REPORTER: Can you spell
8 that?

9 MR. JOE STACHOKUS: Sure. It's
10 S-T-A-C-H-O-K-U-S. And I'm with SM Design Group
11 and I'm presently with the company and I'm the
12 civil engineer designing the project.

13 MR. SINCAVAGE: This is the New
14 Ventures commercial lot, Lot 1, which is the
15 entrance to the park.

16 MR. SONNY SINGH: And I'm Sonny
17 Singh, S-I-N-G-H is the last name, from Liberty
18 Petroleum. I plan on building this project.

19 MR. JOE STACHOKUS: So just to
20 give the board --

21 MR. SINCAVAGE: I'm sorry,
22 before you start, I just wanted to announce that I
23 will not -- I will abstain from voting on this
24 issue because I may or may not have a financial
25 gain from the project in -- on the abundance of

11

1 clarity, I will make sure that I do not vote on the
2 issue. Thank you.

3 MR. JOE STACHOKUS: Just to
4 give the board an overview, there's actually two
5 projects. The first project's a final/minor
6 subdivision plan, which involves a lot adjustment
7 plan. So this common lot line between Lot 1 and
8 Lot 2 is going to be shifted 75 feet onto Lot 2.

9 So basically the property -- the
10 landowners, Great Bend Holdings that own -- that
11 owns Lot 1, which is a three acre parcel, and Trios
12 owns Lot 2, which is a 4 -- currently a 4.8 acre

9 cars and then there's gonna be four fueling
10 positions for tractor-trailers.

11 The building -- there's also
12 gonna be a full Burger King restaurant along with
13 the project and right now that will have a
14 drive-through and on the plan we currently have 11
15 spaces for stacking for the drive-through lane.
16 What's proposed on the site, we have a total of 49
17 parking spaces for cars, we have 5 spaces for
18 busses and 13 spaces for tractor-trailers.

19 To give a little bit of over --
20 overview, I mean, of the 3.566 acres, we're
21 actually gonna be disturbing 3.33 acres of that
22 property. We are also gonna be disturbing another
23 -- it's a little over .4 acres on the opposite side
24 of the road.

25 If you see on the plan right in

13

1 this area here, there's this dotted line and this
2 other dash line, that represents this line here I'm
3 talking about and this line here. This past year
4 DEP changed the laws with a riparian buffer that
5 we're no longer able to ask for a waiver. They

6 eliminated all the waiver process. If you're -- in
7 our case, our property would have qualified for
8 that because we're redeveloping this parcel because
9 this used to be formerly Sincavage Lumberyard, but
10 because they changed the laws, what now we -- what
11 we have to do is, because we're impacting between
12 zero and a hundred feet of Bruce Run, which is on
13 the opposite side of the road of us, we now have to
14 plant a forested riparian buffer.

15 S.I.D.E. Corporation has been in
16 agreement with Great Bend Holdings to allow them to
17 plant that riparian buffer on the opposite side and
18 that's what you see there, there's roughly gonna be
19 90 trees planted in that roughly four tenths of an
20 acre parcel of land to comply with the DEP
21 regulations. So like our total disturbance now
22 will be -- it's about 3.75 acres for the whole
23 project.

24 To control the storm water
25 runoff for the property, I just -- I made another

14

1 color plan just to show it up, so it shows it

1 of -- S.I.D.E. Corporation did provide us a comment
2 letter. There's a few comments that we have to
3 address. I did receive a comment letter from L & V
4 Engineering, your traffic consultant.

5 One of the things I know in --
6 in Bob's review letter was they wanted a note on
7 the plan that basically the development could not
8 open up until the signal, the traffic signal is
9 actually in operation.

10 Our -- our traffic engineer is
11 Riley Engineering, that's who prepared the traffic
12 study. He's gonna be updating the traffic study
13 per L & V's comments, but he's also gonna -- he's
14 gonna actually look at what the impact of this
15 development is with no other development going on
16 in Arcadia Park because -- or with Arcadia and then
17 with all the other parcels that aren't developed at
18 this time just to see what that impact is because
19 the owner really was hoping to try get approval
20 sometime in -- by June for the project and he would
21 like to be completed by December.

22 One other -- one of the other
23 comments that you had, Bob --

24 MR. McHALE: You might want to
25 mention that the PennDOT project and when that's

16

1 anticipated to be completed.

2 MR. JOE STACHOKUS: Currently
3 right now June 23rd the project is going to be let
4 by PennDOT, which means they're gonna work -- the
5 bids are already out, but that's when they're gonna
6 receive the bids on June 23, and I believe they're
7 gonna end up -- it probably takes a six to eight
8 weeks in PennDOT's realm, to actually award the bid
9 to get a contractor on board. I don't envision --
10 even if they started in -- even if they started in
11 June, the signal wouldn't be up until next spring
12 just because there's a six month lead time just to
13 order the mast arms of a traffic signal.

14 MS. LAMBERTON: Is there
15 anything we can do with PennDOT or --

16 MR. McHALE: I think that with
17 our traffic engineer, she had found that it's not
18 likely that they would be completed with all the
19 roadway improvements along 115, Commercial

20 Boulevard and the traffic signal until sometime
21 near the end of 2017; so that's why it's gonna be
22 prudent to have an interim plan if they didn't want
23 to hold off on development until the timing of
24 PennDOT coincided with theirs, then we would need
25 to check, which Joe's doing now, with this

17

1 alternate plan, if you will, and --

2 MS. LAMBERTON: Because isn't
3 that 115 signalization, that's a separate issue?

4 MR. McHALE: It was set up to
5 handle traffic from the entire development, New
6 Ventures Park, which includes Arcadia.

7 MS. LAMBERTON: So --

8 MR. McHALE: So there was
9 traffic assigned to this lot.

10 MS. LAMBERTON: -- just stand
11 alone, it might not warrant that traffic signal, is
12 what I'm understanding?

13 MR. JOE STACHOKUS: Correct.
14 There could be a possibility where --

15 MS. LAMBERTON: And that's a
16 study --

17 MR. JOE STACHOKUS: -- and
18 that's what I'm having the traffic -- our traffic
19 engineer analyze and I wanted to see where we're at
20 with that threshold, so that way I can come back at
21 next month's meeting to a have a better answer to
22 your --

23 MS. LAMBERTON: Sure.

24 MR. JOE STACHOKUS: -- to the
25 planning commission.

18

1 MR. McHALE: They would be
2 analyzing basically almost like a traffic study if
3 -- if we didn't even know about the PennDOT project
4 and that traffic study then would reveal if any
5 improvements are required for either roadway or
6 traffic signal if the warrants were met at that
7 intersection and if -- well, we'll just cross that
8 bridge when we get to it. We'll wait and see what
9 happens.

10 MR. JOE STACHOKUS: Because one
11 of the -- 'cause one of the issues is, Riley
12 Engineer, they're the engineering firm that

13 actually did the overall study for Arcadia and did
14 the signal and Sonny actually hired them to do his
15 part for the traffic impact study, 'cause part of
16 this project, we do have to go in front of the
17 zoning hearing board for our special exception
18 approval to allow this type of use within the C-1
19 Zone because it's a -- a gas station, they -- they
20 require that.

21 MR. SINCAVAGE: It's a CI Zone,
22 just --

23 MR. JOE STACHOKUS: Or a CI
24 Zone. I -- I just said it -- thank you for
25 correcting me.

19

1 MR. SONNY SINGH: I did want to
2 point out, we have a similar size in Mount Cobb and
3 Gouldsboro, and when we were building them, there's
4 similar traffic flow is there, we are not required
5 for a signal there. And we did a traffic impact
6 study there, especially at Gouldsboro, there is
7 industrial park down the road. And at that time
8 they considered that -- it's not as big as this one
9 is proposed, so what's warranting a traffic signal

10 here is the full blown industrial park here down
11 the road. So with our development, we actually
12 have actual traffic (inaudible) from our sites to
13 submit to L & V or to whosoever, you know, just so
14 we have all that data.

15 MR. SINCAVAGE: I would also
16 like to also comment as president of S.I.D.E
17 Corporation, that we currently have an HOP for
18 Phase 1 and 2 of the commercial park, which is in
19 effect, and we do not have a -- neither -- neither
20 Phase 1 nor 2 warranted a signal at that time and
21 there is a note on the subdivision -- or the land
22 development plan -- no, sorry, it's subdivision
23 plan for Phase 2 that a traffic study would be
24 completed upon Phase 3, which is the Arcadia
25 project, then we would do the traffic study to see

20

1 if a traffic light was warranted at that time.
2 That is the note on there.

3 I will -- full disclosure, it
4 also does say, or when deemed necessary by the
5 board of supervisors, so -- I just want to note

6 that those -- those two things are -- so there is a
7 highway occupancy permit for the existing
8 Commercial Boulevard as it is.

9 MS. LAMBERTON: Is it the same
10 scenario at your other locations where you're
11 getting off an exit ramp --

12 MR. SONNY SINGH: Yes, ma'am.

13 MS. LAMBERTON: -- and a state
14 highway?

15 MR. SONNY SINGH: It is. It is
16 identical.

17 MS. LAMBERTON: Oh, okay.

18 MR. SONNY SINGH: And we just
19 opened a site on Interstate 11 and 15 close to
20 Harrisburg. It was very similar, right off the
21 highway and nothing -- they didn't even make us
22 post any signs or deceleration lanes or anything.

23 MR. JOE STACHOKUS: 'Cause I
24 think from the standpoint of the data that's used
25 in the traffic study, was the same data based off

21

1 of the Arcadia study, but I think the actual
2 traffic volumes have come -- are down on 115 since

3 that study was developed. So he's gonna look at
4 that too, that that might play into it for -- just
5 the -- the interim because we're probably looking
6 at a -- maybe looking at a six to eight -- eighth
7 month difference from when the signal would be up
8 and operation, so that's kind of where we're at.

9 One other comment that you --
10 you did have in your comments, Bob, was pertaining
11 to providing a water quality, the water supply
12 permit. The one issue that we're gonna have is,
13 the proposed well location for the project is
14 actually located right here, which is part of the
15 land being acquired from Trios and that grading and
16 tree removal has to occur before we can put the
17 well in.

18 There is currently a well on the
19 property that did serve the commercial. I mean, we
20 plan -- fully planned, and we did reach out to DEP,
21 Jim Sposito (phonetic), is going to be taking care
22 of the water quality -- the water supply permit for
23 Sonny and he did reach out to DEP and got all the
24 information that he wanted, but I don't know if
25 we're gonna -- we're not gonna be able to have a

1 water supply permit unless the township allows us
2 to go in there and clear some trees and grade that
3 to get it down to grade so we can drill our well.

4 MR. McHALE: Well, it also
5 speaks to in the SALDO that both the planning
6 commission can recommend or the board can approve
7 with conditions that it would be subject to the
8 receipt of that permit.

9 MR. JOE STACHOKUS: Right. But
10 in order to get that permit, we have to go and do
11 disturbance, which then that -- we -- we wouldn't
12 be a -- you wouldn't grant us -- 'cause that's a
13 condition of doing --

14 MS. LAMBERTON: Is there a way
15 we can allow it?

16 MR. SINCAVAGE: Well, but
17 you're saying --

18 MR. REISS: I think what you're
19 saying is, you want -- your -- you need to record
20 the plan before you get the permit?

21 MR. JOE STACHOKUS: Correct.
22 We need to do disturbance on the plan in -- if it's
23 a condition of approval, we technically can't start

24 construction.

25 MR. McHALE: Well, but they can

23

1 make a condition of receipt of a building permit or
2 something to that effect.

3 MR. JOE STACHOKUS: Okay. No,
4 and that's fine.

5 MR. McHALE: I mean, just --
6 just so that --

7 MR. JOE STACHOKUS: If it's
8 worded that way, that -- that would be great.

9 MR. McHALE: You just want to
10 make sure that you have all permits in hand and
11 make sure that you satisfy the DEP as a part of
12 that before you're, you know, beginning extensive
13 amount of work and you start your building process.

14 MS. LAMBERTON: And is there a
15 reason they can't use the existing well across from
16 there?

17 MR. McHALE: Location.

18 MR. JOE STACHOKUS: Well, we're
19 gonna be relo -- relocating it.

20 MS. LAMBERTON: I understand

21 that but --

22 MR. JOE STACHOKUS: -- and the
23 well classification's gonna be different from what
24 Mark had because we're gonna be considered a -- I
25 believe it's called a nontransient well, because

24

1 our operation is proposed to be a 24-hour facility,
2 we'll have more than 25 employees over a 24 hour
3 period, so it's a lot more higher testing level
4 that DEP requires for the -- the water testing.

5 MR. CARROLL: That's new this
6 year.

7 MR. JOE STACHOKUS: No, it's --
8 I believe it's been in place for a while.

9 MR. SONNY SINGH: Actually they
10 redone the law for everyone now, so whether you're
11 a nontransient or --

12 MR. JOE STACHOKUS: Oh, okay.

13 MR. SONNY SINGH: Yeah, so now
14 they've -- they just came out with the new
15 requirements just now.

16 MR. CARROLL: Yeah, I just got

17 the notice --

18 MR. SONNY SINGH: Yes, everyone
19 got it.

20 MR. McHALE: Yeah.

21 MR. SINCAVAGE: Yeah, and that
22 well is very shallow because, I mean, it was
23 drilled back in the '60s and it doesn't --

24 MR. McHALE: But Brendon is
25 correct in that they have changed the requirements

25

1 and that they've increased the testing from
2 quarterly to monthly.

3 MR. CARROLL: Monthly, yeah.

4 MR. JOE STACHOKUS: So my plan
5 is, I -- I did receive all the comments from him.
6 I did also receive a comment letter from the
7 conservation district. Our plan is to address
8 every -- all the concerns and hopefully we can be
9 back here for next month's meeting and have most --
10 most of everything addressed.

11 MS. LAMBERTON: It's a perfect
12 location for that project.

13 MR. CARROLL: Yeah, right.

14 MR. JOE STACHOKUS: Is there
15 any other questions any of the board members have
16 for me?

17 MR. SINCAVAGE: Unfortunately I
18 do.

19 MR. JOE STACHOKUS: No problem.

20 MR. SINCAVAGE: The lighting,
21 I'd like you to explain the lighting. What type of
22 lighting will be on the lot?

23 MR. JOE STACHOKUS: What is
24 proposed right now -- the photometrics that we're
25 proposing, per one of the comments, we're getting

26

1 those addressed. It's gonna be -- the
2 manufacture's Cree lighting. They're all gonna be
3 LED lights. They're gonna be mounted on 28 foot
4 high poles. The -- the concrete pedestal that the
5 pole will be mounted on will be two and a half feet
6 above grade and the -- the light base will be
7 mounted on that.

8 They'll be more like a flat --
9 it will look like a flat type head, but it'll be

10 all LED lighting and then underneath the canopy,
11 it's all LE -- LED lighting as well.

12 MR. SINCAVAGE: And that's all
13 down lighting so --

14 MR. JOE STACHOKUS: Correct.

15 MR. SINCAVAGE: -- it doesn't
16 go -- nothing goes up?

17 MR. JOE STACHOKUS: Correct.

18 There's no up lighting. It's all down lighting.
19 Anything along the property lines will actually
20 have the back shields, so it's all pushed into the
21 development not spilling over on the property line.
22 But I know there was a couple areas on the
23 photometrics that we exceeded -- I mean, it was
24 really within a two or three foot -- .2 or 3 foot
25 candles.

27

1 MR. McHALE: Maybe a little
2 more, but it -- it's adjustable. You can -- you
3 can --

4 MR. JOE STACHOKUS: Yeah.
5 Well, it's just a matter of changing the --

6 MR. McHALE: Shields, the type

7 of fixture.

8 MR. JOE STACHOKUS: -- type of
9 fixtures.

10 MR. McHALE: Yep. Exactly.

11 MR. SINCAVAGE: And the other
12 thing is signage, if you could explain the signage
13 to the commission?

14 MR. JOE STACHOKUS: Basic -- I
15 mean, right now what we're looking at is, we're
16 anticipating putting a pylon sign. It doesn't show
17 up on this.

18 MR. McHALE: It shows on the
19 site plan.

20 MR. JOE STACHOKUS: Right.
21 That's what I'm -- I'm trying to get there. Right
22 now we were anticipating installing a pylon sign
23 right here on -- on the property, which would be a
24 --

25 MR. SONNY SINGH: It will be

28

1 something like this.

2 MR. JOE STACHOKUS: It would

3 probably be similar to this.

4 MR. SINCAVAGE: Is there any
5 way it could be changed into a monument?

6 MR. JOE STACHOKUS: I -- I --

7 MR. SINCAVAGE: The commission
8 has moved towards trying to do monument signs. If
9 you noticed throughout the township, our recent
10 projects, such as Dollar General, they have a
11 monument type sign and that -- that's the push of
12 the township right now. It's the lower the impact
13 of it, get landscaping around it. I know you have
14 the landscaping proposed but to keep that down. I
15 don't know if that would work in this situation of
16 a fueling station or not.

17 MR. JOE STACHOKUS: I mean, I
18 guess one of the -- one -- my question would be, if
19 -- if a monument sign is proposed here, if we put
20 something in the rear of our property along there
21 as a high mark -- marker sign, would the planning
22 commission --

23 MS. BISBING: To see from the
24 interstate.

25 MR. JOE STACHOKUS: Yeah, to

1 see from the interstate, would you have issues with
2 that?

3 MS. BISBING: That would be --
4 that would be acceptable.

5 MR. SINCAVAGE: Yeah, yeah.
6 No, I don't have a problem with the high sign.

7 MS. LAMBERTON: Just along 115.

8 MS. BISBING: Something lower
9 like at the entrance or --

10 MR. SINCAVAGE: Yeah, because
11 currently the -- the Best Western sign -- the
12 entrance sign is a monument type, the New Ventures
13 sign is going to be gone -- go away, but that is
14 monument type, in that it comes out of the ground.
15 It's all one monolith coming out of the ground, as
16 is the directional sign at Parkside Avenue. It's
17 monolithic, meaning just one piece coming up so you
18 don't see that it's a pylon.

19 MR. SONNY SINGH: See -- see,
20 Mark, my only thing is, you know, with the snow we
21 have here and the drifts, snow drifts we have, a
22 monument sign gets covered up with snowbanks. You
23 know, I've seen it in Carlisle during the last
24 snowstorm we had. And for us, you know, the price

25 to be visible to a customer is very important.

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1 MR. SINCAVAGE: Yeah.

2 MR. SONNY SINGH: So it might
3 work in a particular kind of use. If I was a
4 doctor's office, it might work; but to us, having
5 that price sign at the entrance is very important
6 so people can see it all the time.

7 MR. SINCAVAGE: Could you blank
8 out the areas or at least make it monolithic
9 looking, you know what I'm saying?

10 MR. SONNY SINGH: We could, we
11 could. You know, we want to work with --

12 MR. JOE STACHOKUS: So like the
13 bottom of it could be -- look like a brick wall and
14 then have the sign attached like on --

15 MR. SINCAVAGE: Not brick --

16 MR. JOE STACHOKUS: Something
17 like that.

18 MR. SINCAVAGE: -- stone would
19 be nice.

20 MR. JOE STACHOKUS: Or stone,

21 yeah, but something. Well, I'm just saying like
22 something like that or whatever.

23 MR. SONNY SINGH: We'll make it
24 look nice. You know, whatever you want us to do.
25 The only thing is when they're too low to the

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1 ground --

2 MR. SINCAVAGE: Yeah, because
3 of the price.

4 MR. SONNY SINGH: -- they get
5 covered by snow.

6 MS. LAMBERTON: Yeah, because
7 of the type of business, he's got to have --

8 MR. McHALE: There's actually
9 --

10 MR. SINCAVAGE: I can't say
11 that I've ever seen a gasoline station in -- going
12 into other parts, like Vermont and stuff, that I've
13 ever seen them monument type.

14 MR. CARROLL: Nope.

15 MS. LAMBERTON: I don't think
16 it works for that type of use.

17 MS. BISBING: Not real low.

18 MR. SONNY SINGH: No, I -- I
19 saw one in Carlisle, it was all covered up in snow,
20 you know, the township made them put it up and
21 so --

22 MS. BISBING: And that defeats
23 the purpose.

24 MR. McHALE: Mark, there's also
25 -- with the special exception, there's some

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1 restrictions too because Maureen can elaborate a
2 little further if she wish, but under motor vehicle
3 service station, which they're needing to obtain
4 that use as a special exception through the zoning
5 hearing board, is because they have the fuel
6 islands and are dispensing or for the sale of
7 petroleum products, so that's gonna kind of add to
8 -- because they have a land development, they have
9 a subdivision, the minor subdivision is really just
10 a lot line adjustment, but the land development
11 with the special exception --

12 MS. MINNICK: Which they're
13 limited to the size and types of signs that they

14 could put in, but they can request relief from the
15 zoning hearing board.

16 MR. SINCAVAGE: Well, as a fuel
17 service station, they're -- are they permitted to
18 have the 80 foot pylon sign 'cause it's on the
19 interstate.

20 MS. MINNICK: That's what
21 they're allowed as part as the special exception.

22 MR. SINCAVAGE: Right. And so
23 you're saying that the -- the sign isn't -- the
24 pricing sign is not allowed?

25 MS. MINNICK: Whatever --

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1 whatever's on the special -- whatever listing's on
2 that special exception, that's what they're
3 allowed.

4 MR. JOE STACHOKUS: 'Cause this
5 would be similar to like the traditional -- like
6 the larger sign that you're talking about, like the
7 80 foot pylon, that's how like the stand -- you
8 usually don't put the price on that one.

9 MS. LAMBERTON: No --

10 MR. JOE STACHOKUS: Because you

11 can't read it.

12 MS. LAMBERTON: -- that's just
13 interstate exposure. Yeah.

14 MR. McHALE: Well, they do have
15 -- they do have places that they put the pricing up
16 like others. Loves on the way down to Lebanon
17 along I-81 and there's -- where they have the gas
18 logo and then just beneath it are those huge --

19 MR. SONNY SINGH: Huge price --

20 MR. McHALE: Price sign.

21 MR. SONNY SINGH: They just get
22 so expensive, you know, so we always try not to do
23 it in the (inaudible), maybe later on we can --

24 MR. McHALE: So your preference
25 is to just stay with the gas logo and then have a

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1 pricing sign close to the --

2 MR. JOE STACHOKUS: Correct.

3 MR. McHALE: -- facility or --

4 MR. SONNY SINGH: For -- for
5 now that's the plan. And if it changes, we can
6 come back to you folks.

7 MR. McHALE: Well, you may want
8 to speak to --

9 MS. MINNICK: Whatever request
10 -- whatever request outside of the special
11 exception, request it from the zoning hearing board
12 as part of that special exception use.

13 MR. JOE STACHOKUS: Okay.

14 MR. McHALE: So when you go
15 before them --

16 MR. JOE STACHOKUS: Right. To
17 ask for whatever we need for signage.

18 MS. MINNICK: Yeah.

19 MS. LAMBERTON: So as it is --

20 MR. JOE STACHOKUS: Okay.

21 MS. MINNICK: And whatever
22 recommending -- recommendations that the planning
23 commission has, we'll pass that along to the zoning
24 hearing board.

25 MS. LAMBERTON: So you're

35

1 saying now they're not allowed to have that sign?

2 MS. MINNICK: Whatever's on the
3 special --

4 MS. LAMBERTON: They'd have to
5 request that?

6 MS. MINNICK: Yeah. They'll
7 need to request that through the zoning hearing
8 board.

9 MS. LAMBERTON: Just so you're
10 cool.

11 MR. JOE STACHOKUS: Correct.

12 MS. MINNICK: As part of the
13 special exception.

14 MR. SINCAVAGE: So the 80 foot
15 --

16 MS. LAMBERTON: You recommend
17 --

18 MR. SINCAVAGE: -- is allowed,
19 but the pricing sign would not.

20 MR. JOE STACHOKUS: Well, the
21 pricing sign -- I think a sign is allowed there,
22 it's just how much square footage, that we probably
23 exceed the square footage.

24 MS. LAMBERTON: Oh, okay.

25 MS. BISBING: It says --

1 MR. SINCAVAGE: I'm --

2 MS. BISBING: It says 48 square

3 feet --

4 MR. JOE STACHOKUS: But that

5 was for --

6 MS. BISBING: -- not to exceed

7 --

8 MR. JOE STACHOKUS: But that

9 would be for the --

10 MR. SINCAVAGE: The pylon sign.

11 MR. JOE STACHOKUS: -- the

12 pylon sign.

13 MS. BISBING: One free-standing

14 IB sign. It doesn't really -- two signs -- oh,

15 that's on the -- on the facade of the building.

16 Yeah, it doesn't really address --

17 MR. SINCAVAGE: I thought there

18 was something about the gas station that they --

19 you know, for the pricing because, I mean, that's

20 traditional. Maybe I'm missing something.

21 MR. JOE STACHOKUS: I thought

22 there was another article under the signing

23 requirement. Like that's separate from the -- the

24 motor vehicle one.

25

MS. MINNICK: Yeah.

37

1 MR. REISS: It's Section 155
2 dash 40, says, premises which dispense retail bulk
3 petroleum products by pump shall be permitted one
4 additional double face sign on the premises
5 announcing the price per gallon of no more than
6 four products with characters not exceeding 12
7 inches in height.

8 MR. SONNY SINGH: Okay. So --

9 MR. JOE STACHOKUS: So that's
10 very close to --

11 MR. SINCAVAGE: So you are
12 allowed that because it's a fueling station.

13 MS. MINNICK: You are, but as
14 far as what's allowed signagewise --

15 MR. JOE STACHOKUS: We would
16 have to make --

17 MS. MINNICK: -- it would have
18 -- it would have to --

19 MR. JOE STACHOKUS: We have to
20 make sure that our lettering is 12 inches high to
21 meet that ordinance requirement.

18 It's like the gateway into our area. That's true.

19 That's true.

20 MR. SINCAVAGE: We want a
21 welcome to Tobyhanna Township sign up.

22 MR. SONNY SINGH: Put a nice --
23 nice big flag pole too, you know.

24 MR. SINCAVAGE: There you go.

25 MR. SONNY SINGH: Typically we

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1 put a 80 foot flag pole. I don't know if that's
2 permitted here.

3 MS. MINNICK: It is.

4 MR. SONNY SINGH: It is?

5 MS. MINNICK: It is.

6 (Inaudible Comments.)

7 MS. LAMBERTON: So do we need

8 -- do we need any action? Do we do --

9 MR. SINCAVAGE: We need
10 recommend --

11 MS. MINNICK: Recommendation to
12 the zoning hearing board because they will be
13 meeting April 20, at five o'clock.

14 MS. LAMBERTON: I will make the

15 recommendation that we are in agreement with moving
16 forward and the special exception needs for their
17 signage as however you would indicate, as far as
18 what your needs would be, if you need larger
19 lettering or what have you. If that's what he's
20 going to ask for and recommend the minor
21 subdivision as well.

22 MS. BISBING: So we have a
23 motion.

24 MR. REISS: Did you want to
25 move the minor subdivision along with the land

40

1 development at the same time?

2 MR. JOE STACHOKUS: I know
3 there's a couple of few comments on the minor
4 subdivision as far as adding a couple extra
5 signature lines on the -- on the signature page,
6 but if you want to --

7 MR. McHALE: You could move it
8 ahead if you wish.

9 MR. JOE STACHOKUS: If you want
10 to move ahead with that, that's fine with me.

11 MR. McHALE: Or run it
12 concurrently. It doesn't matter.

13 MR. JOE STACHOKUS: It doesn't
14 -- it doesn't matter to me. I -- I mean, it
15 probably will make it easier to run -- to move that
16 along with that.

17 MS. MINNICK: Well, if you move
18 it ahead, the minor subdivision and lot line
19 adjustment, you can get it recorded, get on that
20 property.

21 MR. JOE STACHOKUS: Correct.
22 And do the well and everything.

23 MS. LAMBERTON: Yeah.

24 MS. MINNICK: And move for the
25 well testing.

41

1 MR. JOE STACHOKUS: So that --
2 that we would probably be looking at moving that.

3 MR. REISS: The motion for --
4 there should be a separate motion regarding the
5 special exception and then the motion regarding the
6 minor subdivision should be subject to the April 6,
7 2016 township engineer review letter.

8 MS. LAMBERTON: I'll amend my
9 motion.

10 MR. REISS: Well, let's deal
11 with the special exception first. So the motion I
12 think that you made for the special exception was
13 to recommend approval of the special exception plus
14 approval of any signage request, correct?

15 MS. LAMBERTON: Correct.

16 MR. REISS: And then I guess
17 the question would be, does the planning commission
18 want to include any conditions with that mo -- with
19 that recommendation?

20 MS. LAMBERTON: It was just
21 indicated that if possible Mark wanted it wrapped
22 with a stone exterior?

23 MR. REISS: Stone base.

24 MS. LAMBERTON: Stone face?

25 MR. SINCAVAGE: Stone base.

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1 Base.

2 MS. LAMBERTON: Base, I'm

3 sorry.

4 MR. SINCAVAGE: Yes.

5 MS. LAMBERTON: If that's

6 acceptable.

7 MR. SINCAVAGE: We'll work it

8 out for you.

9 MR. SONNY SINGH: We'll try to

10 make it happen.

11 MS. BISBING: So we have a

12 motion.

13 MS. LAMBERTON: We have a

14 motion. We need a second.

15 MS. BISBING: Second?

16 MS. RINEHIMER: I'll second.

17 MS. BISBING: I got a motion

18 and a second.

19 Other additional comments?

20 MS. LAMBERTON: I have none.

21 MS. BISBING: All in favor?

22 BOARD MEMBERS: Aye.

23 MR. SINCAVAGE: I'll abstain.

24 MS. BISBING: Motion carries.

25 One abstention, yes. One abstention.

1 MS. LAMBERTON: Go ahead,
2 Jonathan.

3 MR. REISS: Now, the minor
4 subdivision you would need a motion to recommend to
5 the supervisors conditional approval subject to --
6 the conditional preliminary/final approval subject
7 to the April 6, 2016 township engineer review
8 letter.

9 MS. LAMBERTON: That is my
10 motion.

11 MS. BISBING: We have a motion.
12 Do we have a second?

13 MS. RINEHIMER: I'll second.

14 MS. BISBING: Motion and a
15 second.

16 Any further discussion?

17 MR. JOE STACHOKUS: Not to --
18 should that be reworded just final minor
19 subdivision? 'Cause it's only a minor subdivision,
20 because you indicated preliminary slash final.

21 MR. McHALE: Well, you've
22 covered both of them, preliminary and final in one
23 --

24 MR. JOE STACHOKUS: Well, no
25 that's for the land development but for --

1 MR. McHALE: No.

2 MR. JOE STACHOKUS: -- for the
3 minor subdivision, that's kind of like --

4 MR. McHALE: Okay. So just the
5 minor subdivision --

6 MR. JOE STACHOKUS: Right.

7 MR. McHALE: -- this is a
8 final minor subdivision, but it's also a lot line
9 adjustment plan that's with it, so concurrently
10 they're going to be establishing a line that
11 creates a lot and then they're going to be
12 extinguishing it on the other side so that they
13 basically have the two lots; one enlarged and one's
14 reduced in size.

15 MR. JOE STACHOKUS: Correct.

16 MS. BISBING: So would you like
17 to amend your motion?

18 MS. LAMBERTON: I don't know
19 that I need to amend my motion.

20 MR. REISS: No, you don't --

21 MS. LAMBERTON: Thank you.

22 MR. REISS: Yeah, you can just
23 add the word minor but --

24 MS. LAMBERTON: I will amend my
25 motion to include the word minor.

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1 MS. BISBING: Amend your
2 second?

3 MR. RINEHIMER: I will second
4 again.

5 MS. BISBING: Okay. We have a
6 motion and a second.

7 Any other discussion?

8 MS. LAMBERTON: No.

9 MS. BISBING: Okay. All those
10 in favor, signify by saying aye?

11 BOARD MEMBERS: Aye.

12 MR. SINCAVAGE: And I'll --
13 I'll abstain.

14 MS. BISBING: And one
15 abstention. Motion carried.

16 MR. JOE STACHOKUS: Thank you.

17 MS. LAMBERTON: Good luck with
18 your project.

19 MR. JOHN HOLAHAN: I do have to
20 say, I do like the name.

21 MS. LAMBERTON: Liberty. Why?

22 (Discussion off the record.)

23 MR. SINCAVAGE: Sorry. One
24 more order of business.

25 MS. BISBING: The next item is

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1 the preliminary/final land development plan to --
2 we recommended that we table that. Would somebody
3 like to make a motion to that effect?

4 MS. LAMBERTON: So moved.

5 MS. BISBING: Is there a
6 second?

7 MR. CARROLL: Second.

8 MS. BISBING: Motion's been
9 made and seconded.

10 All those in favor?

11 BOARD MEMBERS: Aye.

12 MS. BISBING: Opposed?

13 MR. SINCAVAGE: And I'll
14 abstain.

15 MS. BISBING: And one
16 abstention. Motion carries.

17 MR. SINCAVAGE: Okay. Off the
18 record.

19 (Discussion off the record.)

20 MR. SINCAVAGE: Going back on
21 the record.

22 You may be asking the township
23 to be co-permitee on --

24 MR. JOE STACHOKUS: They're
25 actually -- the way it's worded, the way PennDOT

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1 requires any storm water improvements that occurred
2 within their right of way, is that the township is
3 the applicant on the application, then there's an
4 agreement written between the owner of the property
5 and the township who's responsible to maintain it,
6 so it falls back on the owner to maintain it and
7 not the township.

8 But -- but PennDOT wanted it --
9 they were trying to put -- they were trying to put
10 the municipalities on the hook for it because
11 there's some owners that don't do the maintenance

12 but --

13 MR. McHALE: We already have an
14 agreement in place with Arcadia for what you just
15 said --

16 MR. JOE STACHOKUS: Okay.

17 MR. McHALE: -- however that
18 wouldn't cover your --

19 MR. REISS: We'll have to
20 prepare a separate agreement, but that would be
21 done as part of the land development documents --

22 MR. JOE STACHOKUS: Correct.

23 MR. REISS: -- at that time.

24 MR. JOE STACHOKUS: Right. And
25 then -- and then I do know we'll still have to

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1 probably enter -- there's a -- I know you mentioned
2 that storm water -- there's a storm water
3 maintenance agreement that the township puts
4 together that --

5 MR. REISS: Right. So actually
6 I take that back. If you're gonna -- you're gonna
7 be making your permit application obviously to

8 PennDOT before you get final approval, so we'll
9 prepare that agreement at that time when you --
10 when you're ready to final --

11 MR. JOE STACHOKUS: Okay.
12 Because we're gonna be requesting the township to
13 be the applicant for that permit application so --

14 Thank you.

15 MS. BISBING: Thank you.

16 MR. SINCAVAGE: Okay. I guess
17 I'll take control again.

18 MS. BISBING: Go right ahead.

19 MR. SINCAVAGE: Let's see, our
20 next thing is the proposed sign ordinance. We did
21 receive a copy of that and I guess this is coming
22 from the board of supervisors to make some changes
23 to the current sign ordinance.

24 MS. MINNICK: Correct.

25 MR. SINCAVAGE: Is that

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1 correct? I spoke to the township manager to --
2 earlier on the other issues, as I mentioned at the
3 beginning of the meeting. And I said that, you
4 know, I was uncomfortable making any recommendation

5 at this meeting because we just received these
6 yesterday, I think, and actually there was a
7 revised one sent out later on today or later today.

8 MS. BISBING: Is this -- this
9 is different from what we got --

10 MR. SINCAVAGE: Yep.

11 MS. BISBING: -- the email?

12 MS. MINNICK: Yes. Yes.

13 MR. SINCAVAGE: Yes.

14 MS. MINNICK: The one sitting
15 on the table is different. It's the revised one.

16 MR. SINCAVAGE: Yeah. The only
17 thing I -- there was some typos in the sign -- in
18 the sandwich part -- I don't know if you picked
19 those up -- when I looked at it on the internet
20 one, I don't know about this one, if they got
21 corrected.

22 I would suggest at this point --
23 especially on the electronic one, I don't know -- I
24 would like to --

25 MS. BISBING: There's a lot of

1 changes there.

2 MR. SINCAVAGE: Yeah. It's on
3 -- it's this big page here with all the yellow on
4 it.

5 MR. CARROLL: (Inaudible) on
6 it.

7 MR. SINCAVAGE: Yeah, there's
8 -- there's a lot of information.

9 MS. LAMBERTON: They're tricky
10 too.

11 MR. SINCAVAGE: Yeah. So --

12 MS. MINNICK: Mark, let me just
13 explain to you what we did with the electronic sign
14 ordinance. We took mostly the brief description
15 that was given from the resort district. I went
16 through a couple ordinances. Bob, Phyllis and I
17 sat together and we combined everything, worked
18 some of the terminology out. They're allowed in an
19 CI -- CI District. If they're in a residential
20 zone -- that borders a residential zone, it would
21 have to be a hundred feet away from the residential
22 use with a sign under 65 square feet. The rest of
23 the stuff came from -- directly from our resort.

24 MR. SINCAVAGE: I'm sorry. Is
25 it a hundred feet from the use or from the property

1 line?

2 MR. McHALE: It should be the
3 property line.

4 MR. SINCAVAGE: That's what I
5 would think. That's not how she --

6 MS. MINNICK: We have a
7 residential use --

8 MR. SINCAVAGE: I saw the 100
9 foot, but the way you said it --

10 MS. MINNICK: Oh, that was
11 changed --

12 MR. McHALE: It says from --
13 from any residential boundary on the same road.

14 MR. SINCAVAGE: Right.

15 MR. REISS: Right.

16 MR. SINCAVAGE: Okay.

17 MS. MINNICK: Yeah, but we
18 talked about that sign being under 65 feet, right?

19 MS. LAMBERTON: Bob, correct me
20 if I'm wrong, what you did was you took our current
21 ordinance with the sizes and everything that are
22 existing --

23 MS. MINNICK: Correct.

24 MS. LAMBERTON: -- and made it
25 optional to be either digital or a regular wooden

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1 sign?

2 MR. McHALE: Essentially, yeah.

3 MS. LAMBERTON: Right.

4 MR. McHALE: So that if you --
5 if you currently have --

6 MS. LAMBERTON: So they
7 wouldn't be asking to be bigger or anything
8 different, so the square footage that's in the
9 current ordinance would be the same, but you'd have
10 an option.

11 MR. McHALE: So folks that have
12 -- currently have conforming signs on their
13 property, if they wanted to switch to electronic --

14 MS. LAMBERTON: Electronic,
15 they could.

16 MR. McHALE: -- that's what the
17 intent is to allow.

18 MS. LAMBERTON: Right. And the

19 designs have really been nice and maintained.

20 MR. McHALE: This is a little

21 -- just FYI for --

22 (Inaudible comments.)

23 MR. McHALE: -- when it comes

24 to the brightness portion of the sign, this little

25 handout would -- is very helpful on identifying

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1 luminance versus illuminance and light projected on

2 an object versus light emanating from an object and

3 -- so if you wanted to go through some of the

4 ordinance, then when we get to that point --

5 Maureen's done research on this, I've done some

6 research, there's some Federal Highway

7 Administration, American Planning Association,

8 there's all kinds of literature that speaks to the

9 brightness of these signs and I think that overall,

10 that 5,000 nits is pretty average, Maureen --

11 MS. MINNICK: Um-hum.

12 MR. McHALE: -- for what you've

13 seen and what we currently have in the -- in the

14 ordinance as a maximum level.

15 MR. CARROLL: 5,000, Bob?

16 MR. McHALE: Yes, sir.
17 MR. REISS: During daylight
18 hours.
19 MR. McHALE: During -- yes.
20 MR. SINCAVAGE: Is that what
21 the current Kalahari sign is?
22 MR. McHALE: That's what the
23 resort ordinance speaks to, yes.
24 MS. MINNICK: Yes.
25 MR. SINCAVAGE: So their --

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1 their daytime brightness is 5,000 nits and their
2 nighttime brightness is 500 nits.
3 MS. MINNICK: Correct.
4 MR. SINCAVAGE: Just so we have
5 a reference.
6 MS. MINNICK: Um-hum.
7 MS. LAMBERTON: You could -- I
8 mean, that could also be something that you could
9 look at, to tone it down in different area.
10 Or, Jonathan, correct me if I'm
11 wrong, I know you were talking about supreme court

12 ruling that what is allowed and does that allow
13 brightness too, to be maybe looked at differently
14 if you're going down -- I mean, 380 is a different
15 corridor than a 940 would be.

16 MR. REISS: That's what I was
17 thinking. I know when Williams Township adopted
18 their provisions, billboard companies came out
19 'cause they borderize (phonetic) 78 and they were
20 comfortable -- they weren't comfortable with the
21 longer time period that they have in their
22 ordinance for changing of the sign, but they were
23 comfortable with 150 nits at nighttime.

24 MS. LAMBERTON: So it is less.
25 Okay.

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1 MR. REISS: But you're right, I
2 would be a little -- it could be subject to
3 challenge if you allow 5,000 in one zone -- well,
4 although, you know what, you could -- if it's in
5 different zones, you probably could go with
6 different levels of brightness.

7 MS. LAMBERTON: It was brought
8 to our attention at the supervisors meeting, that's

9 what Jonathan's speaking of, that there was a
10 recent ruling where if you have allowed it in a
11 commercial district, you have to allow it in every
12 commercial property.

13 MR. REISS: You can't make
14 exceptions so if --

15 MS. LAMBERTON: You can't --
16 you can't pick and choose. You can't say like
17 along the corridor of 380 or 80.

18 MR. REISS: Well, you could
19 probably do an overlay type of thing for that.

20 MS. LAMBERTON: Okay.

21 MR. REISS: But the bigger
22 thing is, if you allow -- the best example is --
23 temporary signs for rummage sales at churches, that
24 means you have to allow temporary signs for
25 everything. That -- that's probably the best

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1 example. So you can't make distinctions between
2 the type of speech in the sign.

3 MR. CARROLL: Bob, I have a
4 question with the -- with the National Federal

5 Safety Highway Traffic Administrative Manual 2014,
6 do they not have specifications that we should use
7 as a guideline, on like at least the 940 corridor
8 as far as nits and -- I would -- I would imagine
9 they would have reference just like speeds on
10 certain highways and it's an extensive -- I'm just
11 wondering if anybody looked at it. I -- I'm not --

12 MR. McHALE: Well, the
13 literature that -- the Federal Highway
14 Administration, there was one article that I was
15 reading that actually referenced several other --
16 actually it was American Planning Association
17 article and it had a reference to the Federal
18 Highway Administration, as well as ordinances from
19 North Dakota; Mobile, Alabama; Tulson (sic),
20 Arizona, and in the memorandum for guidance for
21 off-premise changeable message signs, they didn't
22 really provide a whole lot from the federal highway
23 administration. They gave duration.

24 As far as changing out the
25 message, there was information on that. The

1 brightness, they just said adjust brightness in

2 response to changes in lighting levels so the signs
3 are not unreasonably bright for the safety of the
4 motoring public.

5 And that's where this little
6 handout that I provided to you, if you want to just
7 take a quick look at that just to get an idea of
8 some things. But essentially between the
9 ordinances that I looked through, Maureen, Phyllis,
10 that we gathered all this data, the range that we
11 have for that daytime 5,000 nits is pretty
12 standard.

13 But anyway, if you look at that
14 luminance again on the top of that first page
15 speaks to the amount of light that an object is
16 giving off, which in this case that's what we're
17 speaking to. Illuminance is what we talk about
18 when Joe was here a little while ago, the amount of
19 light that's cast and actually hits the surface of
20 the ground and usually that's measured in foot
21 candles, which is typically a one foot separation
22 of a standard candle on a surface, that distance
23 away gives you that one foot candle. And what he
24 would be proposing out in a parking lot might be
25 anywhere from 4 to 16 or 12 foot candle, but the

1 luminance portion is what's coming from the sign.

2 So if you see there in the
3 second paragraph, it speaks to a comparison. It
4 says to capture drivers' attention, digital signs
5 must be set to very high luminance levels as they
6 are essentially competing with the sun, which has
7 an illuminance level of 6,500 nits. So then they
8 talk also about adjusting that for nighttime. If
9 you flip over to the second page, they give you
10 various products, your information sources, and
11 then the product type and then they give the
12 luminance or surface brightness.

13 They also mention in the first
14 paragraph on that page just below the chart, that
15 it says, as roadway lighting and automobile
16 headlights provide ambient nighttime lighting
17 levels about one nit. They speak to not having a
18 contrast much greater than 40 -- 40 to 1 ratio.

19 But if you look at the chart,
20 you'll see Virginia Tech Transportation Institute
21 identifies the sun, this is about a little over
22 halfway down, that 6,500 nits. Then you look at

23 several different billboards, full color LEDs, 14
24 feet by 48, 8,000 nits, 8500, a couple other
25 billboard panels up around 11,000.

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1 The second paragraph near the
2 end of Page 2 there, they also speak to, in many
3 areas including Philadelphia, brightness levels are
4 currently unregulated and many manufacturers
5 publicize their sign capabilities reaching 11,000
6 nits, so that would be more than twice of what
7 we're -- we're looking to -- to do. So with --
8 with that in mind, there are ordinances that --
9 they vary a little bit less, a little more. The
10 5,000 seems to be, you know, reasonable.

11 One of the things that captures
12 people's attention probably more so than just the
13 brightness is gonna be how quickly those signs
14 change messages and if you have those things
15 changing every couple of seconds and you're driving
16 down the road, you're gonna see three or four
17 changes before you get past it. Our ordinance
18 speaks to 15 seconds, so chances are -- I mean,
19 you're driving down 940, that's gonna be on, you're

20 gonna see the message and you will probably drive
21 past it before it flips and changes again.

22 So again, the technology is
23 continuing to move forward, the prices of these
24 signs continually being driving down because of
25 competition and advancements in technology and, you

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1 know, if the board has questions or you want to dig
2 into the ordinance a little further, Maureen,
3 myself --

4 MS. LAMBERTON: I mean, if you
5 think about it, if you look at a lit up sign, it's
6 no different than that message being on a digital
7 sign for 15 seconds.

8 MR. SINCAVAGE: I agree. In --

9 MS. BISBING: A sign that -- a
10 sign that has a light shining on it.

11 MS. LAMBERTON: Or in it.

12 MS. BISBING: Or a backlit
13 sign, you're saying.

14 MR. SINCAVAGE: Yes. And it
15 does say that there's no off-premises advertising

16 allowed on the sign.

17 MS. MINNICK: Correct.

18 MR. McHALE: Correct.

19 MR. SINCAVAGE: Okay. And I
20 thought we had discussed that we'd like to see it
21 in a frame, though. And I did see that it would --
22 a monument is requested where possible, which I
23 think is reasonable, since that's the move of the
24 township.

25 MS. LAMBERTON: I think one of

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1 the concerns that kept coming back is where -- for
2 instance, and I don't mean to beat up the Liberty
3 -- the Liberty Plaza, but you know how it sits down
4 --

5 MR. SINCAVAGE: Yes.

6 MS. LAMBERTON: -- in the hole
7 and that sign --

8 MR. SINCAVAGE: Yes.

9 MS. LAMBERTON: -- if that had
10 the ability to have digitalization --

11 MR. SINCAVAGE: Yes.

12 MS. LAMBERTON: -- it would

13 allow those folks to have better visibility --

14 MR. SINCAVAGE: Yes.

15 MS. LAMBERTON: -- on what's
16 available there for those stores.

17 MR. SINCAVAGE: And it'll
18 probably be less size than what's there now, 'cause
19 everybody's name has to be on there whereas you can
20 change the message for --

21 MS. LAMBERTON: Exactly.

22 MR. SINCAVAGE: -- everybody
23 that's in there. I agree with that.

24 MS. LAMBERTON: So I'm thinking
25 certain instances, it makes a lot of sense.

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1 MR. SINCAVAGE: It does.

2 MS. LAMBERTON: But then
3 Jonathan has to make sure that we realize where we
4 allow it in commercial, it could be on any
5 commercial.

6 MR. SINCAVAGE: Right.

7 MS. LAMBERTON: So then you
8 have to just take into consideration the sizes that

9 they currently have. Like I like how you guys did
10 that.

11 MS. MINNICK: Yeah. There was
12 also --

13 MS. LAMBERTON: It made a lot
14 of sense.

15 MS. MINNICK: -- and I don't
16 see it in here, where we spoke to, if they had a
17 digital sign, that they wouldn't use any banners or
18 flags, that they'd have the ability to use
19 something --

20 MS. LAMBERTON: That's
21 something that you could also look at.

22 MS. MINNICK: Yeah. I don't
23 see it in --

24 MR. SINCAVAGE: I think that's
25 reasonable. If you're -- if we're gonna allow you

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1 a digital sign --

2 MS. BISBING: You don't need to
3 supplement it with something --

4 MR. SINCAVAGE: -- then you
5 don't need to supplement it with those ugly things.

6 MS. LAMBERTON: They -- they
7 were at the topic of the conversation at our work
8 session.

9 MR. SINCAVAGE: I'm sure they
10 were. They have been -- they're always at the top
11 of the conversation on signs, especially those --

12 MS. LAMBERTON: But I think --

13 MR. SINCAVAGE: -- feath --
14 feather ones.

15 MS. LAMBERTON: -- there's a
16 way to work both those things out.

17 MS. BISBING: Should have
18 another name for them.

19 MS. LAMBERTON: I think it is,
20 like you say, if there is the option for the
21 digital, you have a lot more advertising
22 opportunity.

23 MR. SINCAVAGE: Yeah.

24 MS. MINNICK: Yeah.
25 Absolutely.

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1 MS. LAMBERTON: You know?

2 MS. MINNICK: It would be that
3 -- like the same thing like the car wash
4 advertising their daily special.

5 MS. LAMBERTON: Absolutely.

6 MR. SINCAVAGE: Right.

7 MS. LAMBERTON: Yes. This is
8 what we have when you have a bakery, you know?

9 MS. MINNICK: There's no need
10 for the banners and the flags if you could
11 advertise it when needed.

12 MR. McHALE: The ordinance also
13 --

14 MS. LAMBERTON: And I feel it
15 would be tasty. I'm sorry, Bob.

16 MR. McHALE: No, that's okay.
17 The ordinance also speaks to things as it not just
18 changing out every 15 seconds a new display, but it
19 also says that there's no flashing, no fading, you
20 can't -- you know, anything that's gonna distract
21 the motorist pretty much is not allowed.

22 MS. LAMBERTON: Right.

23 MR. SINCAVAGE: I thought that
24 was good too. But I want to get back to this nits
25 at night in the residential area, 'cause if we're

1 looking along the commercial corridor on 115 and
2 940, and you're saying that the Kalahari sign at
3 night is 500 nits currently, that seems -- I mean,
4 I've seen that sign, that's bright.

5 MS. MINNICK: It is bright.

6 MR. SINCAVAGE: And that's on
7 an interstate and I can understand why it would
8 have to be that bright on an interstate and be --
9 given the distance and everything, but the 115 and
10 940 corridor is a much more narrow and in only two
11 lanes opposed to four lanes.

12 MS. LAMBERTON: So then,
13 Jonathan, to make that work, would you make that
14 like a different district out there for like the
15 resort, commercial or --

16 MR. McHALE: Well, the resort
17 signs are separate.

18 MS. LAMBERTON: See, that was
19 my --

20 MR. McHALE: That's a separate
21 -- that's a separate ordinance.

22 MS. LAMBERTON: That was my
23 understanding --

24 MS. BISBING: The resort
25 overlays is --

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1 MS. MINNICK: What if it -- if
2 -- if it was bounding a residential district, can
3 we drop those nits down?

4 MR. SINCAVAGE: Yeah, but
5 almost everything's gonna bound a residential
6 district.

7 MR. REISS: I guess the --

8 MS. MINNICK: Well, I mean, if
9 you have a commercial property and a residential
10 property, you don't want -- you really don't want
11 the same brightness shining into somebody's bedroom
12 window.

13 MR. REISS: I think if --

14 MS. LAMBERTON: We just need to
15 know that legally we can do that in --

16 MR. REISS: I think the --

17 MS. LAMBERTON: -- an
18 ordinance.

19 MR. REISS: -- question though

20 is, is if you're on one of these state highways
21 that have two lanes and a shoulder and the signs
22 just off the right of way, is 500 gonna be too
23 bright on the road -- on the driver's eyes, right?

24 MR. SINCAVAGE: Correct. I
25 mean, they -- they go down to 150, I see, in some

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1 areas that was on that schedule that Bob just
2 pointed out to us.

3 MS. LAMBERTON: Can we do nits
4 per size? Because if you have a smaller commercial
5 property, you know, the sign's smaller, so could it
6 be based -- could the brightness be based on the
7 size of the sign? I don't know.

8 MR. McHALE: Several of these
9 --

10 MS. MINNICK: Just reduce the
11 nits --

12 MR. McHALE: Yeah, several --

13 MS. MINNICK: -- all -- all
14 around.

15 MR. McHALE: Several of the
16 ordinances that we had seen speak to the 500 as

17 being kind of like the default. If there's a
18 problem with the sign, it's to default back to 500,
19 is that correct?

20 MR. SINCAVAGE: Yeah, but if we
21 look at the schedule, Bob, it's saying
22 traditionally lit static billboards are like 150,
23 100, 125. Recommendation for digital billboard
24 illuminance, 250 day, 125 night. You see that?
25 That's -- I'm on the fourth line down or fourth --

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1 fifth section down.

2 MS. LAMBERTON: But that's
3 billboard, right?

4 MR. SINCAVAGE: Digital
5 billboard, right. I'm just worried that that's
6 gonna be too bright on 115 and 940.

7 MS. LAMBERTON: I don't know
8 what it looks like. I don't have a comparison.
9 Like I'd need to look at it.

10 MR. SINCAVAGE: The Kalahari's
11 sign is 500 they said at night.

12 MS. LAMBERTON: I thought that

13 was day?

14 MR. JOHN HOLAHAN: But how many
15 square feet is that?

16 MR. SINCAVAGE: No, it's 5,000
17 during the day.

18 MS. BISBING: No, it's 5,000
19 they said in day.

20 MS. LAMBERTON: That's true.
21 Look at the size of it.

22 MS. BISBING: And it's --

23 MR. SINCAVAGE: That's right.

24 MS. BISBING: -- it's big.

25 MS. MINNICK: It's 600 square

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1 feet.

2 MR. SINCAVAGE: Yeah.

3 MS. LAMBERTON: So you're not
4 gonna have a 600 square foot digital sign --

5 MR. SINCAVAGE: Right.

6 MS. LAMBERTON: -- on 115, so
7 that will reduce the brightness as well because --

8 MR. SINCAVAGE: Does it?

9 MS. LAMBERTON: -- of the

10 overall surface.

11 MR. McHALE: Well --

12 MS. LAMBERTON: Well, it's less
13 sign.

14 MR. McHALE: What may be
15 helpful too is if, I mean, we had a location to go
16 to, to see what that looks like, if somebody
17 already has in place for the last year or two and
18 has a few commercial signs that are already
19 converted to electronic signs, it would be nice to
20 see it in that setting.

21 MS. LAMBERTON: Yeah.

22 MR. McHALE: I mean, we do have
23 that situation where we're more rural, so we don't
24 get that background lighting that we would normally
25 see in a -- in a city setting or something,

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1 urbanized setting.

2 MR. SINCAVAGE: Do you have any
3 idea where that might be?

4 MR. McHALE: Actually I was
5 gonna turn to Jonathan saying where have you done

6 the ordinances in the last two years so --

7 MS. MINNICK: Yeah, we can just
8 drop that nit down at night to --

9 MR. SINCAVAGE: Yeah, but I
10 don't want to do it for Kalahari because that makes
11 sense on an interstate --

12 MR. McHALE: That's a separate
13 --

14 MS. MINNICK: They're in a
15 totally different --

16 MR. McHALE: That's a separate
17 ordinance.

18 MS. MINNICK: They're under the
19 resort overlay, so we're fine with them. It's just
20 --

21 MR. SINCAVAGE: But I don't
22 want to hurt them either.

23 MS. LAMBERTON: No, no, no.

24 MS. MINNICK: You're not gonna
25 hurt -- you're not gonna hurt them.

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1 MS. LAMBERTON: I didn't
2 realize, I thought they had the -- everybody would

3 have to conform to the same --

4 MS. MINNICK: No, because
5 they're already in that resort overlay.

6 MR. McHALE: Right.

7 MS. MINNICK: This is strictly
8 commercial and commercial industrial.

9 MR. McHALE: Correct.

10 MS. LAMBERTON: Okay.

11 MR. SINCAVAGE: So let's say
12 that Liberty Petroleum --

13 MS. LAMBERTON: Yeah, see
14 that's what I'm thinking of too.

15 MR. SINCAVAGE: Right. If
16 they -- I mean, they had digital stuff going on
17 there. I mean -- well, I don't know what they had,
18 but, you know, they could. In that situation would
19 150 be sufficient or do they need it brighter
20 'cause it's a long -- a busier -- I don't --

21 MS. MINNICK: Well, and if
22 that's the case and if they want it brighter, they
23 can go in front of the zoning hearing board to
24 request that.

25 MR. SINCAVAGE: Yeah, but

1 what's their hardship?

2 MS. LAMBERTON: Visibility.

3 MR. McHALE: But that's another
4 good point, what Mark's bringing up is, once
5 Liberty Plaza turns on all their site -- outdoor
6 lighting and that brightens up -- the canopy
7 lighting, the actual --

8 MR. REISS: But it's not to
9 supposed to bleed off the property.

10 MR. McHALE: Well --

11 MR. SINCAVAGE: You know, when
12 the hotel comes on or when the street lights go on,
13 there's light -- the streets are lit too. I mean,
14 you have all that lighting there.

15 MR. McHALE: But that half a
16 foot candle is at the property and that's the
17 actual illuminance that hits that property line so
18 you can go there with a meter and read it as long
19 as they're at a half a foot candle or less, they're
20 okay. But it still -- you get that glow from there
21 --

22 MR. SINCAVAGE: Glow. You do.

23 MR. McHALE: -- that is what we

24 normally see from facilities like that. You see it
25 from any retail --

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1 MR. SINCAVAGE: -- you need --
2 you want it lit.

3 MS. LAMBERTON: Absolutely,
4 yeah. You feel safe. There's a safety issue that
5 goes along with that.

6 MR. SINCAVAGE: That's why we
7 have the entrance coming into commercial -- New
8 Ventures Commercial Park lit.

9 MR. McHALE: So when you drive
10 into Gouldsboro or Mount Cobb or wherever the
11 locations are that he has already and you have that
12 type of a setting with the brightness levels that
13 would be for that facility, and then you drop in an
14 electronic sign --

15 MS. LAMBERTON: You won't even
16 notice it.

17 MR. McHALE: -- you're gonna --

18 MR. REISS: Well, here's a
19 question for you --

20 MR. McHALE: You're not gonna

21 be totally dark and --

22 MR. REISS: -- are there any
23 local banks that have digital time and temperature
24 signs?

25 MS. LAMBERTON: Um-hum.

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1 MS. BISBING: ESSA in
2 Blakeslee.

3 MR. REISS: It would be
4 interesting to find out what their nits are --

5 MS. LAMBERTON: Oh, yeah.

6 MR. REISS: -- and to drive by
7 that and compare that.

8 MS. LAMBERTON: (Inaudible
9 comment).

10 MR. SINCAVAGE: That's a good
11 one.

12 MS. MINNICK: Just -- just
13 reading this --

14 MS. LAMBERTON: Class trip for
15 tomorrow, Bob, you're gonna go out and check the
16 banks.

17 MS. MINNICK: Just briefly
18 reading -- reading what Bob distributed to us, it
19 states in here the Outdoor Advertising Association
20 of America has deemed 300 to 350 nits is acceptable
21 level of brightness. Then they go on in stating
22 that traditionally floodlit static billboards
23 rarely exceed 100 nits, so we all know what just a
24 regular billboard's --

25 MR. McHALE: So that --

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1 MS. BISBING: That's just a
2 regular billboard sign along the street with --

3 MR. McHALE: And that would be
4 --

5 MS. BISBING: -- like a
6 floodlight shining on it.

7 MR. McHALE: With the
8 floodlight that would be reflecting off of that
9 sign and that's pretty much what you would see.

10 MS. MINNICK: That's at 100 nits
11 and they're saying 300 to 350 nits will be
12 acceptable for night brightness.

13 MR. SINCAVAGE: Yeah, but if

14 you go on and read that, it says experts on both
15 driver distraction and light pollution recommend
16 that, as a means of compromise, the new technology
17 not exceed this value, meaning the 100 nits.

18 MS. MINNICK: Okay.

19 MR. REISS: Now, you have to be
20 careful with standards from the Outdoor Advertising
21 Association, the Pennsylvania Supreme Court has
22 said those are not -- those don't govern what
23 municipalities could do.

24 MS. MINNICK: Right. And our
25 original ordinance that we use for the resort

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1 overlay, I think --

2 MS. LAMBERTON: We need a nit
3 test.

4 MS. MINNICK: -- we use a lot
5 of PennDOT regs for that, right, Bob? I think
6 that's what we used.

7 MR. SINCAVAGE: You asked for
8 --

9 MS. LAMBERTON: I don't think

10 we have the capability to do that.

11 MR. SINCAVAGE: You asked for
12 the nit test.

13 MS. LAMBERTON: I'm gonna ask
14 for the nit test.

15 MR. SINCAVAGE: Can we find out
16 possibly what the nits are of the ESSA sign? Maybe
17 you could just give them a call, and the Wawa sign.

18 MS. LAMBERTON: There you go.

19 MR. CARROLL: Neith -- neither
20 are LED though, I don't believe, they're --

21 MR. SINCAVAGE: No, but would
22 they have nits from those?

23 MR. JOHN HOLAHAN: They're
24 LEDs.

25 MR. CARROLL: They are?

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1 MR. JOHN HOLAHAN: I think so.
2 The bank, I think -- well, I think you should take
3 a look at them, look at the bank, you'd be looking
4 at the temp or -- or the time is -- that it's
5 either red or white on a black background, it's
6 very thin. They are not illuminating that whole

7 area, just sections of it. I think that's -- I
8 don't think that's gonna be a --

9 MS. LAMBERTON: Good
10 comparison.

11 MR. JOHN HOLAHAN: -- fair
12 comparison.

13 MR. SINCAVAGE: Well, what
14 about the Wawa sign? Where they have the -- the
15 numbers are digital, I think.

16 MR. CARROLL: Yeah, that's it.
17 I think the rest -- I don't think there's a sign
18 like this -- Kalahari's the --

19 MR. HOLAHAN: Desaki's, doesn't
20 Desaki's have an LE -- a --

21 MS. LAMBERTON: Yeah.

22 MR. CARROLL: Yeah, that's
23 true.

24 MS. BISBING: Oh, yeah, the one
25 down off the exit there.

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1 MS. LAMBERTON: They have one
2 at the restaurant too that --

3 MR. JOHN HOLAHAN: At the
4 restaurant.

5 MS. LAMBERTON: Yeah. Yeah.

6 MR. JOHN HOLAHAN: I have to
7 look at that.

8 MS. LAMBERTON: Yeah. Yeah.

9 MR. SINCAVAGE: Now, is that
10 bright -- have you seen it in night?

11 MS. LAMBERTON: I have.

12 MR. SINCAVAGE: And?

13 MS. LAMBERTON: I'm not
14 offended by it.

15 MR. SINCAVAGE: And what's the
16 nits of that sign?

17 MS. LAMBERTON: That we could
18 go to Pocono Township and see what their ordinance
19 is.

20 MR. SINCAVAGE: Yeah. There we
21 go.

22 MS. LAMBERTON: 'Cause they
23 have one coming off the exit ramp at Scotrun as
24 well, Dasaki does.

25 MR. SINCAVAGE: Yes.

1 MR. JOHN HOLAHAN: Or call
2 Vince.

3 MS. LAMBERTON: Yeah.

4 MS. BISBING: We could call
5 Vince.

6 MR. SINCAVAGE: Well, Maureen,
7 you can take care of that for us and -- so we have
8 it at the next planning commission meeting?

9 MS. MINNICK: Yep.

10 MR. SINCAVAGE: So we can see
11 what the nits are for those digital type signs.
12 And at least that gives us a perspective.

13 MS. LAMBERTON: Yes.

14 MS. MINNICK: Right.

15 MS. LAMBERTON: Some
16 comparison.

17 MS. BISBING: To go by.

18 MS. LAMBERTON: I agree.

19 MR. SINCAVAGE: Okay. You okay
20 with that?

21 MR. REISS: Sure.

22 MR. SINCAVAGE: Okay. But then
23 on the other hand, I mean, they're in darker areas.
24 When you get into brighter areas, like we're saying

25 Liberty Plaza -- or Liberty -- I'm sorry, John --

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1 Liberty Petroleum, you know, that's gonna be a
2 brighter area.

3 MR. CARROLL: There's no
4 highway lights out there, is there?

5 MR. SINCAVAGE: No, just the
6 street lights and the lights from the hotel.

7 MR. CARROLL: But not -- not
8 along the --

9 MR. SINCAVAGE: No, there's a
10 --

11 MS. LAMBERTON: I got to tell
12 you, it's sorely needed.

13 MR. SINCAVAGE: It is.

14 MR. CARROLL: It's dark there.

15 MR. SINCAVAGE: It's dark.

16 MS. LAMBERTON: And I don't
17 think travelers -- it's not, you know, bringing
18 people into the area. I think that's gonna be such
19 a God sent having that up.

20 MR. SINCAVAGE: Light that up.

21 MS. LAMBERTON: Absolutely.

22 MR. SINCAVAGE: Yeah. Because
23 the hotel is lit up adequately, but they're using
24 the older technology, which our street lights are
25 too, but we plan on changing them to the LED 'cause

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1 it's -- it's a cleaner looking light and it's
2 obviously more energy efficient.

3 MR. CARROLL: Are they your
4 lights?

5 MR. SINCAVAGE: Yeah, they're
6 our lights.

7 MR. CARROLL: I was offered a
8 thing to come in and -- we rent -- or we own some
9 of them and rent some of them but they -- they have
10 a program to change them to LED and I think it's
11 not that expensive. You have to --

12 MR. SINCAVAGE: Yep.

13 MR. McHALE: If you think about
14 just traveling along the interstate at night, you
15 know, when you go to get off an exit, you look for
16 those --

17 MS. LAMBERTON: Absolutely.

18 MR. McHALE: -- brighter, well
19 lit --
20 MS. LAMBERTON: You feel safer.
21 MR. McHALE: -- intersections.
22 MR. CARROLL: Specially at
23 night. And that's kind of a lonely stretch of
24 highway there too between -- out there to attract
25 people.

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1 MR. SINCAVAGE: Yeah, and, I
2 mean, you constantly see people come off that
3 highway and they turn around immediately --
4 MR. CARROLL: Yeah, they don't
5 know where to go.
6 MR. SINCAVAGE: -- 'cause
7 there's nothing there. If they're not going to the
8 hotel, they're not going to Wawa. They turn
9 around. They turn around at the Frontier building,
10 the old State Police station. They'll -- they'll
11 go to the -- you can see them go to the state --
12 the old State Police station, the Frontier building
13 now, and they turn around there and go back. And I

14 see it all the time.

15 I think it's a great asset to
16 have. But anyhow, so we will discuss this further
17 at our next planning commission meeting.

18 Anything else that any planning
19 commission member would like to bring before us?

20 MS. BISBING: No.

21 MR. SINCAVAGE: Jonathan, you
22 have anything?

23 MR. REISS: No.

24 MR. SINCAVAEG: We're all good?

25 We stand adjourned. Thank you.

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1 MS. LAMBERTON: Do we want
2 public comment?

3 MR. SINCAVAGE: No, there's no
4 public here. Oh, I'm sorry. Did you have public
5 --

6 MR. MIKE CHRISTIAN: Yeah.

7 MR. SINCAVAGE: I'm sorry.
8 Oh, I asked for public comment earlier. I'm sorry.
9 My -- I'm sorry, open it back
10 up. I take back my adjournment. I'm sorry, sir.

11 Go ahead.

12 MR. MIKE CHRISTIAN: Oh,
13 Thanks. Yes, good evening. I'm Mike Christian.
14 I'm a resident. I have a home here for 31 years
15 and this is a great discussion. Very interesting
16 to listen to, but I'm actually coming from the
17 business world and I've sat before boards promoting
18 signs on buildings because that's what I did.

19 But I have a concern here and --
20 you know, I'm not sure -- this is still early days
21 hopefully -- just as far as the -- the nature of
22 the area and how some of this will change the
23 nature and especially, you know, you're hitting
24 what I think is a concern, is the nighttime nits on
25 this. Nits or nips, I'm not sure the -- the -- you

84

1 know, how you spell that but --

2 MR. SINCAVAGE: It's nits,
3 N-I-T-S.

4 MR. MIKE CHRISTIAN: N-I-T-S.
5 I'd like to get that definition, but I think that's
6 a big concern. I'm just worried about changing the

7 character. I mean, just reading some of the stuff
8 here and know that the township's economic
9 well-being is heavily dependent upon the resort and
10 tourist industry and I'm just not sure how, you
11 know, changing the character and getting away from
12 a rural nature and having, you know, more
13 electronic signs especially in areas where they
14 cluster.

15 I'm not even sure it's great for
16 businesses. I mean it's the argument that some of
17 the signs are dilapidated and that can be handled
18 other ways. I'm not saying I'm opposed to this,
19 I'm just saying that -- something that has to be
20 looked at very carefully.

21 There was a comment made at the
22 supervisors meeting that we have over 4 -- we don't
23 need sign police because we have over 4,000 of them
24 in the area and that just seems -- shows to me that
25 this is something that the public probably are very

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1 concerned about.

2 So I think the nighttime and
3 just, I mean, the long-term plan for the township

4 is, but just as far as maintaining a rural nature
5 and that's why people come here. I think over 50
6 percent of the homes here and the township are
7 people coming for second homes so, you know, how
8 does this change?

9 I'm in Lake Naomi and we've done
10 some small changes and I was at a meeting a couple
11 weeks ago and people were complaining about the
12 changes we're making, it's just like Coney Island
13 because we have a community center there, so just
14 -- just consideration, that's all.

15 Thank you for the time.

16 MR. SINCAVAGE: You know, and I
17 really appreciate your comment, sir, but one of the
18 complaints we hear from businesses constantly is
19 that the local people and the tourist people don't
20 see the businesses. They don't even realize
21 they're here. We constantly hear that from
22 businesses. So we're trying to figure out as a
23 commission, how do -- and the supervisors, how do
24 you balance those two things and your comments are
25 very timely but --

1 MR. MIKE CHRISTIAN: Is it
2 sometimes those -- because it's a plethora of
3 signs? I mean, I've come down --

4 MR. SINCAVAGE: I agree with
5 that.

6 MR. MIKE CHRISTIAN: -- there's
7 so many signs, it's hard to say which one I'm
8 looking for. And quite frankly, in this day in age
9 with everybody with electronic devices, it pretty
10 much take you right to where you're going if you're
11 looking for a business.

12 MS. LAMBERTON: Maybe we should
13 have one electronic sign with a long indicator on
14 it and when people put it on their cell phones it
15 pings when they go by. Pull in. Hey, it's coming.
16 It's coming. There's an app for that. My wheels
17 are turning.

18 MR. MIKE CHRISTIAN: Thanks.

19 MR. SINCAVAGE: I appreciate
20 that. And you can see, we are having discussion on
21 it because it is a big concern. But I --
22 unfortunately I -- fortunately or unfortunately
23 it's -- I think it's the wave of the future is that
24 these digital signs are coming, you know --

1 necessarily. A lot of townships aren't having
2 them. I mean, there's townships all over the
3 place. Just go down to Radnor. I just came back
4 yesterday and there's no electronic signs there.
5 Reading Township doesn't allow them and their
6 businesses are thriving so it's not necessarily --
7 especially the rural areas.

8 MR. JOHN HOLAHAN: And to echo
9 that if I can say, drive into Clarks Summit now.
10 Have you gone in there recently? These signs, the
11 businesses are looking for attention so what
12 they're trying to do is outshout the other guy and
13 it looks -- it really looks like hell. Pulling
14 into Clarks Summit, a nice town, you get into the
15 historic area of Clarks Summit, it's nice; but
16 coming into it, it's terrible.

17 MR. SINCAVAGE: You're talking
18 about --

19 MR. JOHN HOLAHAN: With all the
20 signs.

21 MR. SINCAVAGE: -- on that 6/11

22 corridor, 6/11 coming in.

23 MR. JOHN HOLAHAN: Right.

24 MR. SINCAVAGE: 6 and 11 coming

25 in.

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1 MR. JOHN HOLAHAN: Yeah, 6/11

2 MS. LAMBERTON: I think the --

3 the only thing that concerns me is that not of --

4 all of our businesses are set 15 feet from 940 --

5 MR. SINCAVAGE: Right.

6 MS. LAMBERTON: -- do you know,

7 like some sit back 150 feet, some are maybe down in

8 a -- you know, on a grade or nothing is a perfect

9 flat surface to go sign, sign, sign, sign, that's

10 -- my -- I think my only concern, to help those

11 folks. Maybe something that can help their

12 business be seen a little bit. I think that's

13 where we got to find a balance.

14 MR. JOHN HOLAHAN: But to think

15 that signs are gonna save a business is not --

16 MS. LAMBERTON: Oh, that's not

17 what I'm saying.

18 MR. JOHN HOLAHAN: -- is not
19 what does it, so said to be business friendly,
20 saying that we need -- we do need to change our
21 signs. We need to be business friendly, but we
22 also have to be friendly to the residents and the
23 visitors of this community and we have to take that
24 into consideration as well.

25 MR. SINCAVAGE: That's true.

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1 We've got to figure out a compromise somewhere
2 somehow.

3 MS. LAMBERTON: A balance.

4 MR. JOHN HOLAHAN: Agreed. And
5 that's just where the difficulty lies.

6 MR. SINCAVAGE: Obviously. And
7 then always getting it into language too is the
8 hard thing. We can all think -- envision what we
9 want it to look like, but getting it into words is
10 always the problem and then you have attorneys that
11 mess you all up.

12 MS. LAMBERTON: That'll be
13 Jonathan's job.

14 MR. McHALE: And that's why it

15 would be good to --

16 MR. JOHN HOLAHAN: And Mr.
17 McHale has said before, with the change in
18 technologies, I know it's -- be careful what we
19 look for because I think we'll be sitting here
20 probably in five years discussing are we gonna
21 allow holograms.

22 MR. SINCAVAGE: Yeah.

23 MR. JOHN HOLAHAN: Right?
24 Where -- did you see like back to the future or
25 something like this --

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1 MR. SINCAVAGE: Yeah.

2 MR. JOHN HOLAHAN: -- where the
3 -- the thing comes out and talks to you on the
4 sidewalk.

5 MR. SINCAVAGE: Yep.

6 MR. JOHN HOLAHAN: That's
7 certainly what we'll deal -- dealing with that kind
8 of stuff.

9 MR. SINCAVAGE: Yep. Okay.
10 Anything else? Sorry I missed the public.

11 MS. LAMBERTON: Sorry we missed
12 the public.

13 MR. SINCAVAGE: All right.

14 MS. LAMBERTON: Motion to
15 adjourn.

16 MR. SINCAVAGE: Okay. If you
17 want to make a motion.

18 MS. LAMBERTON: I did.

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

21 MS. BISBING: Second.

22 MR. SINCAVAGE: I have a motion
23 and second.

24 All in favor, please say aye?

25 BOARD MEMBERS: Aye.

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1 MR. SINCAVAGE: I'd like to
2 declare my meeting's closed.

3 MS. LAMBERTON: So be it.

4 (Meeting concluded at 6:35
5 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, C.R.

Before

THE TOBYHANNA TOWNSHIP PLANNING COMMISSION

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Thursday, September 1, 2016, beginning at 5:30 p.m.

PRESENT: MARK SINCAVAGE, Chairperson
MICHELLE BISBING, Vice-Chairperson
ANNE LAMBERTON, Board Member
BRENDON J. E. CARROLL, Board Member

ROBERT J. McHALE, P.E., Township
Engineer

JONATHAN J. REISS, 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. I'll
2 call the regularly scheduled meeting of the
3 Tobyhanna Township Planning Commission to order for
4 September 1, 2016.

5 Seeing no public, there is no
6 public comment.

7 I'll entertain a motion to
8 approve the minutes of April 7, 2016.

9 MS. BISBING: So moved.

10 MR. SINCAVAGE: I have a
11 motion.

12 Do I have a second to the
13 motion?

14 MR. CARROLL: I'll second the
15 motion.

16 MR. SINCAVAGE: Motion and
17 seconded.

18 All those in favor, please say

19 aye?

20 BOARD MEMBERS: Aye.

21 MS. LAMBERTON: And I'll

22 abstain. I was not there.

23 MR. SINCAVAGE: Under old

24 business. Anything on Anthony Morroni?

25 Bob?

3

1 MR. McHALE: No, sir.

2 MR. SINCAVAGE: I'm gonna
3 entertain a motion to table Anthony Morroni, minor
4 subdivision.

5 MS. LAMBERTON: So moved.

6 MR. CARROLL: I second the
7 motion to table the minor subdivision for Anthony
8 Morroni.

9 MR. SINCAVAGE: I have a motion
10 and a second.

11 All those in favor, please say
12 aye?

13 BOARD MEMBERS: Aye.

14 MR. SINCAVAGE: Blakeslee
15 Overlay, that's an ongoing process. I know we've

16 been meeting regularly. Unfortunately, I did not
17 make the meeting and Michelle didn't make the
18 meeting --

19 MS. BISBING: Yeah, we had a --

20 MR. SINCAVAGE: -- this week.
21 I know they went over some ordinances.

22 MS. BISBING: Were you there,
23 Maureen?

24 MS. MINNICK: Yeah, we went
25 over some ordinance in regards to parking,

4

1 landscaping. We finally narrowed down the two
2 zones that we're discussing. The zoning, Zone B or
3 Zone 1 and Zone 2, so we finally got them together.

4 We'll be meeting October 5 at
5 five o'clock. Ann Hutchins -- Hutchinson's gonna
6 stay for a sign committee meeting as well, so
7 that's about it.

8 Bob, do you have anything?

9 MR. McHALE: Nope. That was
10 pretty much the summary.

11 MS. BISBING: She was gonna

12 meet with the conservation district too or
13 something --

14 MS. MINNICK: Oh, yeah. She
15 was gonna meet with the conservation district. I
16 think that was today. I haven't heard anything --

17 MR. SINCAVAGE: Was it the
18 conservation district or the storm water --

19 MS. MINNICK: The storm water
20 --

21 MR. SINCAVAGE: -- consultant?

22 MS. MINNICK: -- consultant.

23 MR. SINCAVAGE: And were they
24 from --

25 MS. BISBING: Oh, it was

5

1 consultant.

2 MR. SINCAVAGE: Where were they
3 from? Do you -- I didn't think that it was the
4 conservation district but it was another firm.

5 MS. MINNICK: No, it's a
6 consulting firm.

7 MS. BISBING: Okay.

8 MR. McHALE: They work through

9 the Natural Lands Trust.

10 MR. SINCAVAGE: That's it,
11 yeah.

12 MS. MINNICK: I don't remember
13 the company.

14 MS. LAMBERTON: And that's gonna
15 be regional storm water?

16 MR. SINCAVAGE: Yes.

17 MS. LAMBERTON: Okay.

18 MS. MINNICK: For that area.

19 MS. LAMBERTON: Yeah,
20 absolutely. No, I think it's wonderful.

21 MR. SINCAVAGE: Yeah, if -- I
22 think the committee would like to see if they could
23 find a -- or seek an NPDS for that entire area.

24 MS. LAMBERTON: Absolutely.

25 MR. SINCAVAGE: And then if

6

1 they do it, then the individual developer would not
2 have to do that. They'd only have to do the
3 individual lot plan. That's what we did in New
4 Ventures and it worked fairly well for Phases 1 and

5 2, we seek -- we had an NPDS permit for the entire
6 project and then there's just minor --

7 MS. LAMBERTON: Modifications.

8 MR. SINCAVAGE: Minor -- what
9 do they call it? It's minor --

10 MR. McHALE: Minor and major
11 modifications.

12 MR. SINCAVAGE: Right. To the
13 -- to the FPDS.

14 MR. McHALE: I did caution her
15 about, that in the Act 167, which is our Chapter
16 124, that that area, the discharge rates are direct
17 release.

18 MR. SINCAVAGE: Yes.

19 MR. McHALE: And to be cautious
20 that -- I mean, we'll have to do some water quality
21 containment, but if they can provide safe
22 conveyance to the -- to the water course --

23 MR. SINCAVAGE: Yes.

24 MR. McHALE: -- they're allowed
25 to do that.

7

1 MR. SINCAVAGE: Yes.

2 MR. McHALE: And we don't want
3 to add to the flood hydrograph in this region by
4 just holding back water and then releasing it so
5 that it adds to that --

6 MR. SINCAVAGE: Right.

7 MR. McHALE: -- flood.

8 MR. SINCAVAGE: Right. And I
9 think that's why that modeling was done under the
10 storm water for Tobyhanna Town -- Tobyhanna Creek
11 Watershed.

12 MR. McHALE: So it's gonna
13 conflict a little bit with the NPDS requirements
14 'cause they made them do pre versus post in all
15 storm events. So I just mentioned to her that they
16 need to think through that a little.

17 MR. SINCAVAGE: Yeah, 'cause I
18 think that is a good thing about the Blakeslee
19 area, it is direct release because they want to get
20 rid of it before it comes down from the watershed,
21 the upper watershed.

22 Yes, we've modeled Tobyhanna
23 Creek several times under my projects, so --

24 MR. McHALE: The majority of
25 the township is in (inaudible), but then there are

1 portions of the upper watershed --

2 MR. SINCAVAGE: Right.

3 MR. McHALE: -- that they
4 actually over detain and have to pull back more
5 water than the predeveloped rate, which is another
6 issue, but that's --

7 MR. SINCAVAGE: Okay.

8 MR. McHALE: Doesn't seem fair
9 to --

10 MR. SINCAVAGE: All right. So
11 that's Blakeslee Overlay update. I appreciate
12 that.

13 Liberty Petroleum, have we heard
14 anything from them any further?

15 MS. SINCAVAGE: Is this Sonny
16 Singh?

17 MR. SINCAVAGE: Yes.

18 MS. MINNICK: Yeah.

19 MS. LAMBERTON: I have a
20 question.

21 Hi, Jonathan.

22 MR. REISS: Hi.

23 MS. LAMBERTON: How are you?
24 MR. REISS: Good.
25 MS. LAMBERTON: Good. Since

9

1 this is -- the traffic's being -- leaving the site
2 onto a private road, why -- can we bypass PennDOT's
3 requirements? Why?

4 MR. REISS: Because it's got --
5 got -- it's going onto a PennDOT road.

6 MS. LAMBERTON: I understand
7 that but doesn't the industrial --

8 MR. REISS: Already have a --

9 MS. LAMBERTON: Yes.

10 MR. REISS: -- highway
11 occupancy --

12 MS. LAMBERTON: Yes.

13 MR. REISS: -- permit.

14 MS. LAMBERTON: Yes.

15 MR. REISS: I don't know if it
16 includes this additional traffic.

17 MR. McHALE: Well, one of the
18 things I think --

19 MR. REISS: I haven't seen

20 that.

21 MS. LAMBERTON: You know, I
22 would just try to find -- I'm trying to find a way
23 to help this move forward 'cause I think it's a
24 great project.

25 MR. McHALE: What I remember --

10

1 and, Mark, correct me if I'm wrong, but the ADT
2 that was actually written into the HOP, the highway
3 occupancy permit, was gonna be exceeded by this
4 being a greater intensity of use, as opposed to
5 what was originally planned when the first traffic
6 impact study was done including the Arcadia
7 projects, so that's where I think they ran into
8 having to go back and revisit that.

9 MS. LAMBERTON: And that I
10 understand, but can we take it one step further and
11 say, how do we know what's gonna be going into the
12 industrial park? We don't know that yet. So why
13 hold up Sonny Singh? That's all I'm asking.

14 MR. McHALE: Right. Well,
15 they're not holding him up as far as I know at this

16 point.

17 MR. REISS: They probably have
18 to mod -- seek modification of that because they'd
19 have to go back and say, okay, we're not gonna do
20 this now in these other places. Do you see what
21 I'm saying?

22 MS. LAMBERTON: But, I mean,
23 there's nothing on the charts for it yet.

24 MR. SINCAVAGE: Right.

25 MR. REISS: Well, but it was

11

1 planned.

2 MR. McHALE: They have
3 preliminary --

4 MS. LAMBERTON: I understand
5 that.

6 MR. McHALE: -- approval and it
7 would be --

8 MS. LAMBERTON: But let's say
9 it's less than what they anticipated in the
10 original --

11 MR. McHALE: They have a
12 preliminary land development.

13 MR. REISS: But they have
14 preliminary land development approval, so --

15 MR. McHALE: With conditions.

16 MR. REISS: So they -- that's
17 why they were included in the highway occupancy
18 permit because they're approved -- once they
19 satisfy the conditions, they get final approval and
20 start construction.

21 MS. LAMBERTON: Do you
22 understand what I'm asking though? I'm just trying
23 to show a way that maybe their traffic and what
24 might be developed won't exceed what's already
25 approved.

12

1 MR. SINCAVAGE: Right.

2 MR. McHALE: I don't think
3 that's what's holding the process up --

4 MR. CARROLL: It's a storm
5 water thing, isn't it? Didn't they --

6 MR. SINCAVAGE: No, no, no,
7 it's not storm water. No, they worked through
8 that.

9 MR. REISS: Isn't it the
10 traffic light?

11 MR. SINCAVAGE: It's the
12 traffic light, right. But what it was is that our
13 current HOP for New Ventures Park included Phases 1
14 and 2. Some of those lots were acquired by
15 adjacent property owners and therefore won't have
16 anymore intensity of development; or those lots are
17 still vacant and they may -- as Annie points out,
18 may or may not have a higher intensity use, so that
19 was my argument, you know, even though it is for
20 the Phases 1 and 2, all that traffic is not
21 developed at this point.

22 So why can't that project, Lot
23 1, Liberty Petroleum, move forward with the
24 understanding that that light is going to be put in
25 at some point?

13

1 MR. McHALE: I -- I don't
2 remember it -- that PennDOT issue holding them up
3 right now. I thought Jerilyn was satisfied with
4 their new traffic study that was revised and
5 updated. I mean, that's our traffic engineer, and

6 I thought PennDOT was okay with it. I hadn't heard
7 that they weren't.

8 MR. REISS: I thought it was
9 just the actual installation of the traffic light.

10 MR. SINCAVAGE: Right. But
11 then I thought that Jer -- that they did -- they,
12 Liberty Petroleum, did some further studies and it
13 showed that their project could go without the
14 traffic light and Jerilyn was okay with that --

15 MR. McHALE: Correct. That's
16 my understanding.

17 MR. SINCAVAGE: -- and PennDOT
18 was okay with that.

19 MR. REISS: If PennDOT wants to
20 change their -- I mean, if PennDOT changes their
21 permit, the township's not holding them up. Do you
22 see what I'm saying? The township just has, as one
23 of their conditions is, that there has to be an HOP
24 permit that allows for that business to access the
25 --

14

1 MR. McHALE: We haven't heard

2 from their engineer, Joe Stachokus, in a while.
3 But again, I agree with what Mark's saying, I don't
4 think it's related to traffic and PennDOT at this
5 point.

6 MS. LAMBERTON: Okay. Then
7 that's my misunderstanding. I apologize for that.

8 MR. SINCAVAGE: No, it was mine
9 too, that they're still being held up.

10 MS. LAMBERTON: That's what I
11 thought.

12 MR. McHALE: With PennDOT?

13 MR. SINCAVAGE: Yes.

14 MR. REISS: But if PennDOT said
15 they were okay with the traffic --

16 MR. SINCAVAGE: I don't
17 remember it officially written anywhere. I didn't
18 see anything official.

19 MS. LAMBERTON: Well, I hate to
20 see a project owner of that type of project be
21 frustrated and leave our township, so I guess
22 that's the only reason I wanted to bring it up
23 because I wasn't sure what the issue was. So
24 maybe, could we have somebody -- can one of you
25 reach out to them and just --

1 MS. MINNICK: I'll reach out to
2 Sonny --

3 MS. LAMBERTON: -- reel them
4 back in?

5 MS. MINNICK -- and John.

6 MS. LAMBERTON: I mean, it's a
7 great project.

8 MS. MINNICK: I did talk to him
9 in July and I think he was just waiting on, for a
10 couple things to come back in, and that was the
11 last time I heard from him. And I said, well, Joe,
12 you know, if you need to, to get these plans in, I
13 said, you know, we can have a special meeting or
14 whatever, so I did try to accommodate them --

15 MS. LAMBERTON: Okay.

16 MR. McHALE: And I know he was
17 revising some of the storm water but other than
18 that, I haven't heard from him in several weeks.

19 MS. MINNICK: I'll reach out.

20 MS. LAMBERTON: Yeah, would you
21 mind reaching out to him. I would appreciate that,
22 just --

23 MR. SINCAVAGE: And I'll --

24 I'll hit him too.

25 MS. LAMBERTON: I think it's a

16

1 good way to approach things as being more customer
2 service oriented. That'd be great. Thank you.

3 MS. MINNICK: You got it.

4 MR. SINCAVAGE: Okay. Do we
5 need any action on that? I don't know that we've
6 been tabling that one.

7 Do you know, Jonathan?

8 MR. REISS: I think the last
9 time we met we talked about it, didn't we?

10 MR. SINCAVAGE: We did --

11 MR. REISS: It was -- this is
12 the first time it's been on the agenda since.

13 MS. MINNICK: And we have a
14 time -- and we do have a time waiver for it.

15 MR. SINCAVAGE: Okay. So we
16 should just table it like we have been the other
17 pro --

18 Okay. I'll entertain a motion
19 to table the Liberty Petroleum land development

20 plan.

21 MS. LAMBERTON: So moved.

22 MR. SINCAVAGE: I have a

23 motion.

24 Do I have a second to the

25 motion?

17

1 MS. BISBING: Second.

2 MR. SINCAVAGE: Motion and

3 seconded.

4 All those in favor, please say

5 aye?

6 BOARD MEMBERS: Aye.

7 MR. SINCAVAGE: Proposed sign

8 ordinance. We have before us a proposed sign

9 ordinance from the -- I guess this comes from the

10 township supervisors?

11 MS. LAMBERTON: Actually --

12 actually can I -- I just asked Maureen if she'd

13 give us an overview --

14 MR. SINCAVAGE: Okay.

15 MS. LAMBERTON: -- of her

16 interpretation of it. That way we'd have an

17 understanding --

18 MR. SINCAVAGE: Sounds good.

19 MS. LAMBERTON: -- and I

20 believe it's a sign committee --

21 MS. MINNICK: Yes.

22 MS. LAMBERTON: -- that was

23 appointed.

24 MR. SINCAVAGE: Okay.

25 MS. LAMBERTON: Not the

18

1 supervisors. They're bringing it to the

2 supervisors, just for everybody's information.

3 MR. SINCAVAGE: Okay.

4 MS. MINNICK: So the board of

5 supervisors asked the sign committee to get

6 additional signage for business owners. Currently

7 we have raceway banners, special events, that

8 include going out of business sales, sales, grand

9 openings, yadda, yadda, and they were just limited.

10 The board said, well, can you expand it to

11 holidays, give us some federal holidays and a

12 couple other dates.

10 looking at spreadsheets, but Maureen also came up
11 with and thought about maybe online permitting --

12 MS. LAMBERTON: Oh.

13 MR. McHALE: -- where we can
14 look into some software where somebody could just
15 go online, they put in the, you know, pertinent
16 information, they pay their fee and they can put
17 their banner up for whatever days and that was --

18 MR. REISS: But that's not --
19 that's the --

20 MS. BISBING: And it would keep
21 track of that -- that person --

22 MR. McHALE: What you do is
23 then --

24 MS. BISBING: -- and how many
25 days they used?

20

1 MR. McHALE: Then you just take
2 -- you take the day -- they can only max out at 50
3 days in the program and then you take that
4 particular day, say September 1st, and you just go
5 down, you count up, you look at all the businesses

6 that have the banners that were selected for that
7 day. And if you have three times as many banners
8 out there, then you know the people that are not
9 part of that, so it would be -- that's one way to
10 do it.

11 MR. CARROLL: As -- well, as
12 part of the process, I think we were -- we were
13 gonna try to give incentive, request or recommend
14 to the board to give incentive to the people to
15 apply for their 50 days all at once for a
16 discounted fee.

17 MS. BISBING: Go like all out
18 for the whole year.

19 MR. CARROLL: So again, Maureen
20 could say, here, on January 1, I'm gonna apply for
21 a permit for my 50 days and I'm gonna tell you what
22 they are and if I do -- if the business has -- or
23 whatever, has their act together, we would offer an
24 incentive, then Maureen could put it on a
25 spreadsheet and know -- so we were trying to make

21

1 it simple for enforcement for Maureen, as well as
2 to -- and, you know, try to get some time frame for

3 the businesses to operate and then give them the op
4 -- they have 50 tickets, they can use them however
5 they want. They can do it all in two months or
6 throughout the year or --

7 MR. SINCAVAGE: Why is the
8 number 50 selected?

9 MR. CARROLL: I thought it was
10 40, but I'm getting old.

11 MR. McHALE: They actually had
12 looked at several other locations.

13 MS. MINNICK: We --

14 MR. McHALE: This one --

15 MR. CARROLL: Like once a week
16 or I think that was the --

17 MS. MINNICK: The reason that
18 we looked at these numbers is what we took what was
19 already permitted, what the board was trying to
20 accomplish, to allowing them to use them for
21 federal holidays, you know, on the weekends or --
22 well, if we give them like 50 calendar days, they
23 can use the --

24 MS. BISBING: One day a
25 weekend.

1 MR. CARROLL: We figured that
2 would be one day a weekend, it would cover all the
3 holidays that anybody may come up with. We're
4 assuming race days, holidays, sales.

5 MS. MINNICK: Or run them every
6 other weekend or --

7 MS. LAMBERTON: Or until the
8 ground freezes and then it thaws and you can't
9 stick them in the ground.

10 MS. MINNICK: Yeah, then this
11 way we weren't getting phone calls either, you
12 know, well, so and so had their sign up --

13 MR. CARROLL: We were trying to
14 balance the needs of the businesses, the request of
15 the board of supervisors and trying to help Maureen
16 to make something reasonable to --

17 MS. BISBING: To manage it,
18 yeah.

19 MR. CARROLL: -- to manage --

20 MS. LAMBERTON: Right.

21 MR. CARROLL: -- and of course

22 --

23 MS. MINNICK: Yeah. The other

24 -- the other thing that we did add in there was,
25 new business owner comes in, to allow them an extra

23

1 20 days to advertise their business and this way it
2 gives them the opportunity to get their signs out
3 without me going, can't have that, can't have that,
4 can't have that; so that's what we're looking for.
5 The only thing is, it's gonna require a permit and
6 a fee and that would have to be set by the board.

7 The other thing that we did
8 include on this ordinance was to allow A-frame
9 signs.

10 MR. SINCAVAGE: Well, wait,
11 before we go on with the ban -- away from the
12 banners, so a banner is defined as what? I'm
13 looking here and I see it can't be more than 40
14 square feet, 20 square feet per sign face. It has
15 to be -- it can't be on a utility pole or within
16 ten feet of the cartway.

17 MR. REISS: Banner's already
18 defined in the ordinance, so it's not in the
19 amendment.

20 MR. SINCAVAGE: Oh, I see.

21 That's what I saw here.

22 MR. REISS: Banners, pennants
23 and balloons, any animated, rotating fluttering or
24 nonstationary device made of flexible materials
25 designed to attract attention.

24

1 MR. SINCAVAGE: That's a
2 banner? Okay.

3 MS. BISBING: And it is
4 intended to be something temporary. It's not --

5 MS. MINNICK: Yeah, it's --

6 MS. BISBING: -- hang a banner
7 out in the front yard and it stays there --

8 MR. SINCAVAGE: Right.

9 MS. BISBING: -- it's supposed
10 -- designed --

11 MR. CARROLL: No.

12 MS. LAMBERTON: It could stay
13 here.

14 MR. CARROLL: We had a time
15 limit to put it up and take it down.

16 MR. SINCAVAGE: Right. That's

17 all --

18 MR. CARROLL: Right?

19 MR. SINCAVAGE: Yep.

20 MS. BISBING: Like 'cause it

21 says promoting special events or community

22 activities or special celebrations, not -- not

23 intended to be a permanent type sign.

24 MS. MINNICK: Right.

25 MR. McHALE: And it would also

25

1 help in situations where not -- I mean, for the

2 race weekends, of course, but they also have large

3 craft festivals and things like that, that people

4 may want to put a few --

5 MR. CARROLL: We were looking

6 at any specific event, I think is what we tried to

7 define it as rather than another race or -- you

8 know, because there's Porsche Club and Indy and

9 NASCAR and Maserati Club and -- you know, but there

10 could be a jazz fest or a beer fest or --

11 MR. McHALE: Yep. There you

12 go.

13 MS. MINNICK: Right. And right

14 now how -- how this is written it -- written, it
15 just allows for business owners. It doesn't extend
16 it to nonprofit organizations or any type of
17 organizations, it's just for purposes --

18 MS. LAMBERTON: Church bazaars
19 --

20 MS. BISBING: Churches --

21 MS. MINNICK: Right.

22 MR. McHALE: So there's a
23 little bit of a struggle to go with either
24 commercial, commercial/industrial or all districts.

25 MS. MINNICK: Yeah, it's

26

1 allowed in all district -- in all district, but the
2 main purpose for it is to allow the business owners
3 in all districts to use this. When we go into
4 temporary signs, that's a whole other nightmare and
5 there's different restrictions for that.

6 MR. CARROLL: Yeah, we've --
7 we've had some interesting debates.

8 MS. BISBING: -- had some fun
9 names.

10 MR. REISS: I don't know,
11 Maureen, the purpose says that it's to allow for
12 business owners, but nowhere in the actual
13 substantive provision of the ordinance does it
14 restrict this to business owners.

15 MS. MINNICK: No, you're right.
16 It just speaks to the purpose of it, is to allow
17 established business owners.

18 MR. McHALE: We had two
19 requests from the sign regulations advisory
20 committee and Mike Christian had asked -- I guess
21 Sam had pointed out that in the first banners A1 is
22 worded, allowing established business owners to
23 advertise with the most special events. He said we
24 need to add and organizations because somehow
25 through the course of all of our discussions, it

27

1 was intended that these organizations would be a
2 part of that, but we didn't get that added to it,
3 so we'll need to add and organizations right after
4 business owners.

5 And, Maureen, there was a second
6 item too they mentioned on Page 3, had you --

7 bottom of the page, banner --

8 Do you remember, Brendon, what
9 that was?

10 MR. CARROLL: I believe it was
11 --

12 MR. McHALE: Banner --

13 MR. CARROLL: -- BH needed to
14 change banners to the word sandwich board, it got
15 --

16 MR. SINCAVAGE: Right.

17 MR. McHALE: And then they were
18 gonna duplicate that up in the banner section,
19 right?

20 MR. CARROLL: Yeah. I think it
21 was -- I think they duplicated it under sandwich
22 board signs as banner, they just didn't change the
23 --

24 MS. LAMBERTON: Banner --

25 MR. CARROLL: I think banner --

28

1 MR. SINCAVAGE: Yeah, they did.

2 MR. CARROLL: -- sandwich

3 board.

4 MR. SINCAVAGE: It's 2E.

5 MS. LAMBERTON: Yeah, 2E. Bob,
6 it's -- 2E is --

7 MR. McHALE: Got you.

8 MR. LAMBERTON: Okay. Article
9 4.

10 MR. SINCAVAGE: So we have two
11 corrections, recommended corrections.

12 MR. CARROLL: There's also been
13 -- Jonathan was informing us of some pretty
14 restrictive case law that has just been approved or
15 -- yeah. Has an order approved by the supreme
16 court on signs and what we can regulate and what
17 can't be and content has to be neutral and
18 nonrestrictive and things like that, so there's a
19 bunch of that stuff going on that's -- has been the
20 driver of some of these things here.

21 MS. MINNICK: 'Cause we can't
22 actually label special event signs, real estate
23 signs, political signs. It can't be labeled.
24 There's a way to go about it and it's been a
25 struggle.

1 MS. LAMBERTON: I'm sure.

2 MS. MINNICK: But I did find
3 some -- it's on the printer, I did some -- find
4 some literature today that hopefully will help our
5 sign committee out. It's -- it's rough, 'cause our
6 goal -- our goal is, we want to allow our
7 organizations to advertise for 5Ks, the church
8 picnics and this and that, but we can't allow it
9 per special event labelling the sign, special event
10 sign. We can't do that anymore. So --

11 MR. CARROLL: Is that -- is
12 that correct, Jonathan? That -- that's not my
13 understanding of -- of what we discussed. I
14 thought we could say special event, just not what
15 the -- we had the discussion over versus nonprofits
16 or affiliates of the township.

17 MR. REISS: If you had a
18 category for special events, it would have to be
19 for all entities. It would have to be the same
20 uniform regulations for business owners,
21 not-for-profits, churches.

22 MR. CARROLL: That was my
23 understanding of our intent, is trying to embrace
24 everybody's different needs under one -- on a

25 blanket -- well, I think it was -- you just have to

30

1 be careful about how you word it so --

2 MS. MINNICK: Yeah.

3 MR. REISS: Well, and I think
4 going to banner days kind of gets you away from
5 having to deal with defining a special event
6 because what may be special to some people may not
7 be to others.

8 MS. LAMBERTON: Yeah.

9 MS. MINNICK: Well, the other
10 -- the other thing is, our special event signs
11 aren't banners, so just to clarify that. Our
12 special event signs are that of a sign like we have
13 advertising our movie night, that's our special
14 event signs. Banner days are just strictly for
15 banners. You know, our volunteer fire company had
16 signs out on --

17 MR. CARROLL: Beef roast or --

18 MS. MINNICK: Yeah, they had
19 plywood, you know, that's how they advertise.

20 MR. CARROLL: What do you call

21 that? Tricky Tray?

22 MS. MINNICK: Tricky Trays.

23 Our 5ks, they just stick those little things in the

24 ground, they're just little signs, you know. And

25 that's what we want -- we want to keep that and we

31

1 want to be able to say you can advertise there. We

2 don't want to give them any problems.

3 MR. McHALE: Because we do that

4 for our community events, Tobyhanna Township does

5 that.

6 MR. SINCAVAGE: Right.

7 MS. MINNICK: Yeah.

8 MR. SINCAVAGE: Are they the

9 sandwich boards?

10 MS. MINNICK: No, they're just

11 --

12 MR. CARROLL: That's just a

13 temporary or --

14 MS. MINNICK: The signs that

15 stick in the ground, you know, on those metal

16 brackets.

17 MR. SINCAVAGE: Yeah, is there

18 anything to highlight there? I see it's only
19 allowed in the commercial and
20 commercial/industrial, correct?

21 MR. CARROLL: We had -- I
22 thought we had changed that to all zones?

23 MR. SINCAVAGE: That's what 1A
24 says.

25 MR. REISS: No, that was for

32

1 banners only.

2 MR. CARROLL: I thought we
3 couldn't differentiate --

4 MR. REISS: You could
5 differentiate.

6 MR. CARROLL: You can?

7 MR. REISS: Those are different
8 types of signs.

9 MR. McHALE: You can have
10 different signs within different zones.

11 MR. REISS: Right.

12 MR. McHALE: But once you're in
13 a zone, you have to treat everything the same.

14 MR. REISS: Right.
15 MS. LAMBERTON: Oh, so sandwich
16 boards in commercial only.
17 MR. SINCAVAGE: Well, it's all
18 commercial/industrial.
19 MS. BISBING: Commercial,
20 commercial/industrial.
21 MS. MINNICK: Commercial/
22 industrial.
23 MR. CARROLL: Then we have
24 restriction --
25 MS. BISBING: And it has to be

33

1 taken down at the end of the day?
2 MR. CARROLL: -- you have to
3 take it down when you close and then that --
4 MS. LAMBERTON: You know what?
5 I mean, I would think that an owner would want to,
6 if they spend the money to have a nice sandwich
7 board.
8 Can we dictate what it's made
9 of?
10 MR. CARROLL: You can actually.

11 You can't dictate what it says, but you can dictate
12 the aesthetics.

13 MS. LAMBERTON: Right? I
14 mean, we can --

15 MR. REISS: To a certain
16 extent.

17 MS. LAMBERTON: That would
18 certainly keep it --

19 MR. CARROLL: Well, that's a
20 whole other meeting.

21 MS. BISBING: Not cheesy, not
22 --

23 MS. LAMBERTON: I --

24 MR. CARROLL: That was also the
25 thing, because people's taste was hard to --

34

1 MS. LAMBERTON: Yeah, talking
2 to Joe Miller, he always said you can't dictate
3 taste.

4 MS. MINNICK: Yeah.

5 MS. LAMBERTON: But --

6 MR. SINCAVAGE: Well, I would

7 like to see that too though --

8 MS. LAMBERTON: Yeah, I would
9 like to see what type of materials could be
10 utilized, 'cause when I picture a sandwich board,
11 you know, I see some really nice --

12 MR. CARROLL: There's
13 chalkboards and there's --

14 MS. BISBING: Chalk or --

15 MS. LAMBERTON: Yes.

16 MS. BISBING: -- wood or --

17 MR. McHALE: Yep.

18 MS. LAMBERTON: You know, could
19 we list like maybe three types? I mean, are we
20 allowed to do that, Jonathan, as far as --

21 MR. REISS: Well, you could say
22 as part of your definition of what a sandwich board
23 is, and then you can describe it, and then you
24 could add that -- and it's made of one of the
25 following materials or something like that.

35

1 MS. LAMBERTON: Must have a
2 frame with message contained inside.

3 MR. REISS: Well, it says now

4 portable sign consisting of two faces, which are
5 connected and/or hinged.

6 MS. LAMBERTON: See what I'm
7 trying to get away from -- and then not that that
8 plywood thing is a bad idea. I'm not saying that,
9 I'm just --

10 MR. CARROLL: I'll say it.

11 MS. LAMBERTON: It is a bad
12 idea. But if you would say that it would be a
13 framed sign, you know how to describe like --

14 MR. McHALE: Metal frame sign?

15 MR. REISS: Well, nowadays,
16 especially if somebody wants to advertise more than
17 just one thing on there, you can get a plastic sign
18 that you then put letters in to do your
19 advertising. I don't know --

20 MR. CARROLL: Changeable letter
21 sign, changeable message sign.

22 MR. REISS: That way -- that
23 way if you have it, you're not limited to that one
24 message that you have on there without having to
25 repaint it.

1 MR. SINCAVAGE: Those I think
2 are tacky.

3 MS. LAMBERTON: That's
4 something that I'd -- I would like to see.

5 MR. SINCAVAGE: I picture it
6 more as a one message type thing that you take --
7 put it out for that day or the chalkboard, I can
8 see that for a cafe or something --

9 MS. BISBING: If you want to --

10 MR. SINCAVAGE: -- to change
11 their menu.

12 MS. BISBING: If you want to
13 write in your special or something.

14 MR. SINCAVAGE: Right. That I
15 can see, you know, and that would take care of the
16 -- but I'm not sure what you mean by framed.

17 MS. LAMBERTON: Well, I just
18 don't want it to be --

19 MR. SINCAVAGE: Two pieces of
20 plywood.

21 MS. LAMBERTON: -- homemade.

22 MR. McHALE: You want to have a
23 border?

24 MS. LAMBERTON: Yes. You

25 know, like something that we can stay away from

37

1 somebody coming and putting two pieces of plywood
2 on a two by four with a hinge on it, rusty, and a
3 rusty hinge.

4 MS. BISBING: No rusty hinges.

5 MS. LAMBERTON: Actually it's
6 very country so -- but, do you know what I mean?
7 Am I being too picky or --

8 MR. McHALE: We just need to
9 describe it to Jon so he can tweak it --

10 MS. BISBING: Yeah, get the
11 right language.

12 MR. McHALE: -- to bring it
13 back to the board.

14 MR. CARROLL: Yeah, we didn't
15 -- we --

16 MS. BISBING: I mean, you don't
17 want it to look junky.

18 MR. SINCAVAGE: Okay. So we're
19 making recommendations --

20 MR. CARROLL: Yeah, yeah.

21 MR. SINCAVAGE: -- back to the

22 sign committee?

23 MR. CARROLL: Yeah.

24 MR. SINCAVAGE: Okay. Well --

25 MR. CARROLL: This was put --

38

1 MR. McHALE: It goes --

2 MR. CARROLL: -- for where we
3 were so far --

4 MR. McHALE: It goes back to
5 the -- it goes not back to, it goes to the board of
6 supervisors 'cause Jonathan has stated, we went
7 through several meetings at the sign committee and
8 now Jonathan -- they said, okay, forward it on to
9 the board and the planning commission, so now it's
10 --

11 MR. SINCAVAGE: So the planning
12 commission can say that we think it should go back
13 to the sign committee and they work on the
14 following definition, correct?

15 MR. REISS: Yes.

16 MS. LAMBERTON: We're just
17 fine-tuning it.

18 MR. SINCAVAGE: Yes.
19 MR. CARROLL: Well, part of it
20 was I think to meet here, schedule the board --
21 MS.LAMBERTON: Six months we
22 gave them.
23 MR. CARROLL: -- work -- well,
24 we have six months and then this was kind of in the
25 side from what we started to do.

39

1 MR. SINCAVAGE: Right. Well --
2 MS. LAMBERTON: Yeah, we
3 changed the rules as we were going.
4 MR. CARROLL: So I think the
5 intent was to get this to the work session, board
6 of supervisors work session on --
7 MS. MINNICK: Tuesday.
8 MR. CARROLL: -- Tuesday, but
9 that's fine-tuning --
10 MS. LAMBERTON: And if it
11 doesn't, it doesn't.
12 MR. SINCAVAGE: We can
13 recommend otherwise.
14 MS. LAMBERTON: Absolutely.

15 MR. CARROLL: Oh, yeah, yeah.

16 I'm just tell --

17 MR. SINCAVAGE: I understand

18 and I appreciate --

19 MS. LAMBERTON: -- Brendon's

20 goals. I understand that too.

21 MR. SINCAVAGE: Yeah, but I --

22 I think that the points that have been brought up

23 tonight are valid and that we should have a better

24 definition of the -- definition description of the

25 sign board, the two changes that were suggested

40

1 earlier.

2 MR. REISS: Right.

3 MR. SINCAVAGE: And anything

4 else that the commission would want to recommend to

5 the sign committee and/or --

6 MR. CARROLL: Just -- just for

7 further -- our -- our intent as we go through the

8 redraft of -- that we're in the -- pretty much the

9 definitions phase of trying to define the revised

10 sign ordinance to get -- you guys I guess have done

11 quite a bit of work, so we took a model ordinance
12 that Jonathan presented to us to try to really
13 develop a -- definitions of -- of the sign that --
14 that is -- that is perceived by everyone that reads
15 it the same way rather than requiring an attorney
16 to have to interpret.

17 MR. SINCAVAGE: Good luck with
18 that.

19 MR. CARROLL: But part of --
20 part of where our goal is, is not only like, what
21 you guys are suggesting is, to not only provide the
22 definition, but maybe a picture of a suggested --

23 MR. REISS: I think if you do
24 --

25 MR. CARROLL: -- what it is,

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1 what a --

2 MS. LAMBERTON: Yes.

3 MR. CARROLL: What an A-frame
4 should look like, what -- what is --

5 MS. LAMBERTON: This is our
6 interpretation.

7 MR. CARROLL: -- recommended by

8 the -- try to guide the sign permittee in the
9 direction of --

10 MR. REISS: I think if you come
11 up with --

12 MR. CARROLL: -- positive
13 aesthetics.

14 MR. REISS: -- materials that
15 should -- I mean, you've already defined the size
16 of it.

17 MR. SINCAVAGE: Right.

18 MR. REISS: You've already
19 limited the size of it, I think if you just come up
20 with materials that you think are aesthetically
21 pleasing and that will wear pretty well, 'cause the
22 other thing is, you don't want it after like five
23 years not to look so great anymore.

24 MR. CARROLL: They forgot to
25 add that it should be in good repair, maintained --

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1 MR. SINCAVAGE: Good
2 maintenance, yeah. That's a good --

3 MR. CARROLL: I know, like we

4 had some other discussion, but that's something we
5 missed.

6 MR. SINCAVAGE: Maybe that the
7 -- all surfaces have to be painted or somehow
8 sealed so you don't have the raw plywood in the
9 back, you know --

10 MR. CARROLL: Oh, that's a good
11 point.

12 MR. McHALE: Unless it's a
13 chalkboard.

14 MR. SINCAVAGE: Well, the
15 chalkboard even the backside should be painted, you
16 know --

17 MR. CARROLL: You may have a
18 frame or --

19 MR. McHALE: Unless they have
20 chalkboard on both sides.

21 MR. SINCAVAGE: Oh, chalk on
22 both, that would be fine. Right. Right.

23 MR. CARROLL: Yeah, that's a
24 good --

25 MR. McHALE: Which if they're

1 gonna do an A-Frame, you'd probably have
2 chalkboard.

3 MS. LAMBERTON: You'd have
4 advertisement on both sides, yes.

5 MR. SINCAVAGE: Yeah, but I
6 mean, on the inside.

7 MR. McHALE: Oh.

8 MR. SINCAVAGE: On the inside
9 it should be finished, so it looks finished.

10 MS. LAMBERTON: Well, that
11 actually -- I remember --

12 MS. BISBING: I like the
13 sampling --

14 MS. LAMBERTON: I remember, Bob,
15 I think it was you that brought that up once
16 before, that if there was a photo next to --

17 MR. McHALE: Yes.

18 MS. LAMBERTON: -- what you were
19 describing, it just was so much clearer to the
20 applicant on what the interpretation of that actual
21 --

22 MR. SINCAVAGE: Well, then
23 let's -- let's --

24 MS. BISBING: Right. Or if
25 they're going to a sign company to get something

1 made, they can take a picture with them that says,
2 this is what I'm looking for.

3 MR. SINCAVAGE: Okay. Let's
4 make that a recommendation that the photos of --
5 examples of what --

6 MS. LAMBERTON: Banners and
7 sandwich boards or whatever it is.

8 MR. SINCAVAGE: -- should be
9 included in there.

10 MR. CARROLL: It's a sketch or
11 some things are sketched, is that --

12 MS. LAMBERTON: A rendering?

13 MR. CARROLL: A rendering, you
14 know --

15 MS. LAMBERTON: I'm okay with a
16 rendering. Sure.

17 MR. SINCAVAGE: Something. I
18 mean, there has to be pictures.

19 MR. McHALE: Well, in the
20 Montgomery County Planning Commission --

21 MR. CARROLL: Yeah. I mean,

22 there's exam --

23 MR. McHALE: -- model

24 ordinance, they would offset it with a text and

25 they'd have --

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1 MR. SINCAVAGE: The picture.

2 MR. McHALE: -- the dos and

3 don'ts of --

4 MS. LAMBERTON: Right.

5 MR. CARROLL: I -- I thought

6 that was very helpful in reading because, you know,

7 even -- even in our group, some -- some of the

8 members interpreted some of the examples --

9 MR. McHALE: That happened last

10 night, exactly.

11 MR. CARROLL: Yeah.

12 MR. McHALE: It had to do with

13 the shingle versus --

14 MR. CARROLL: Yeah. And again,

15 we were all kind of on a different page.

16 MR. McHALE: And we flipped

17 through the model ordinance and there was actually

18 an arrow pointing to an example and then it was

19 like, oh, okay, now we understand what they were
20 talking about so --

21 MR. CARROLL: Yeah, so that
22 made a difference 'cause everybody's definition --
23 it was that and like a blade sign, which to some
24 people they were the same and they're different.
25 Or a marquee, that's the one I had the problem

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1 with.

2 MR. SINCAVAGE: Okay. I think
3 that's all we have from -- so with that we'll make
4 those recommendations to the sign committee and/or
5 board of supervisors.

6 Moving on to zoning ordinance
7 amendment to allow church use in commercial zoning
8 districts.

9 MS. LAMBERTON: Is there any
10 downside to that Jonathan?

11 MR. REISS: Well, this all came
12 about because I think approximately two months ago
13 there was an application made for a church to go
14 into one of the existing strip malls in the

15 township, in one of the commercial districts, and
16 it's not -- not allowed -- it is not an allowed
17 use.

18 However, there's a state law and
19 a federal law that says you have to make reasonable
20 accommodations for religious uses in zoning, and you
21 have to -- if you allow -- the simple rule is, if
22 you allow other places of assembly in a zoning
23 district, you have to allow for the religious use
24 too because that's a place of assembly.

25 So when you go through your

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1 zoning district -- zoning districts, you allow them
2 in some of the residential zoning districts,
3 churches. Then in your commercial districts,
4 you're allowed, for instance, municipal uses, which
5 could be a place of assembly.

6 So I think by -- what this
7 amendment does, it would put it into the C,
8 commercial district, but in each of your other less
9 restrictive zoning districts, like your
10 commercial/industrial, that each permitted use in
11 the prior article is a permitted use in the lesser

12 restrictive district. So it always says in
13 addition to all the uses permitted in the
14 commercial district, this is for the C-1 District.
15 So by changing this one definition, you're actually
16 allowing it in the commercial and industrial
17 district.

18 MR. SINCAVAGE: Yeah.

19 MR. REISS: I don't know that
20 -- I mean, there's nobody, to my knowledge, I
21 haven't heard from the township that there's
22 anybody threatening a lawsuit or anything like
23 that, but it does make sense to bring your
24 ordinance into compliance.

25 MS. LAMBERTON: Okay.

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1 MR. SINCAVAGE: That's kind of
2 surprising 'cause I thought both the -- well, the
3 previous Catholic Church and the Methodist Church,
4 aren't those in commercial district?

5 MS. MINNICK: They are.

6 MR. SINCAVAGE: That's what I
7 thought.

8 MR. CARROLL: I thought it was.

9 MR. SINCAVAGE: Yeah. But
10 going into a strip center, if a church goes into a
11 strip center, then you have to accommodate that
12 traffic or parking.

13 MS. MINNICK: This was a small
14 congregation of maybe 20 people.

15 MR. SINCAVAGE: Yeah, but this
16 was, but --

17 MS. MINNICK: Yeah.

18 MR. SINCAVAGE: That's mine --
19 would be my concern of allowing it to go into a
20 strip center, is the parking.

21 MS. LAMBERTON: But you got to
22 think when those other businesses open and you have
23 an eight o'clock service.

24 MR. McHALE: On a Sunday
25 morning.

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1 MS. LAMBERTON: It's like our
2 same thing we're trying to do in Blakeslee with
3 mixed use.

4 MR. SINCAVAGE: Right.

5 MS. LAMBERTON: You know?

6 Sharing the --

7 MR. SINCAVAGE: Parking.

8 MS. LAMBERTON: --

9 infrastructure, yeah. Yeah, I don't have a problem
10 with it and if it keeps us in compliance.

11 MR. SINCAVAGE: Okay. So I'll
12 entertain a motion to recommend to the board of
13 supervisors acceptance of the proposed zoning
14 ordinance amendment to allow church use in a
15 commercial zoning district.

16 MS. LAMBERTON: So moved.

17 MR. SINCAVAGE: I have a
18 motion.

19 Do I have a second to the
20 motion?

21 MS. BISBING: Second.

22 MR. SINCAVAGE: Motion and
23 seconded.

24 All those in favor, please say
25 aye?

1 BOARD MEMBERS: Aye.

2 MR. SINCAVAGE: Okay. Open
3 discussion. Anyone have anything to bring before
4 the commission?

5 MS. LAMBERTON: Yeah, actually
6 I just -- I like the aggressive 50 day, I just
7 don't want to think that that's too much for people
8 every weekend to see the flag advertisement.

9 MR. SINCAVAGE: The banner,
10 yeah.

11 MS. LAMBERTON: You know? I'm
12 not saying it's a bad thing.

13 MS. MINNICK: We were gonna
14 allow them, I think it was, 56 days just on holiday
15 weekends, that was just for holidays.

16 MR. CARROLL: I thought we
17 ended up with 40 and then -- well, it was 50 plus
18 20 and then I think we went back to just 50 --

19 MS. MINNICK: Well, the
20 original concept was to allow them to advertise
21 more so on the holiday weekends because that's --

22 MR. CARROLL: So it was all
23 the federal holidays --

24 MS. MINNICK: It was all the
25 federal holidays.

1 MR. CARROLL: -- which was after
2 that.

3 MS. MINNICK: And I think it
4 was like that Thursday to that Tuesday or Monday,
5 which was like 56 additional days, so I think
6 that's why we came up with the number 50, to make
7 use --

8 MR. CARROLL: Well, I think
9 part of -- part of it too was -- is the board of
10 supervisors, as I understand, are getting pushed
11 back from business owners, so we figured if you
12 allow it and you restrict it, that's all that --
13 'cause you're chasing down phone calls and banners,
14 in the parking lot and on somebody's car every day
15 and making a management nightmare for the zoning
16 officer, so we thought if we gave them a reasonable
17 thing with a time frame that would cover a broad
18 base of any specific event or business grand
19 opening, going out of business, open --

20 MS. MINNICK: It's very --
21 however they want to use it.

22 MR. CARROLL: -- that kind of

23 thing, that -- that it would be followed and if it
24 was permitted and then it won't be abused and then
25 turn in -- so I think that was the -- I thought it

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1 was a lot too, but when you think about it, it's
2 once a week really.

3 MS. LAMBERTON: Right. And I'm
4 all for helping businesses, however they think --

5 MR. CARROLL: You know, but
6 some businesses may not do it at all, but they'll
7 do it just on the holidays 'cause they won't want
8 to pay the annual permit fee.

9 MS. LAMBERTON: Okay.

10 MR. CARROLL: And again, it was
11 designed to get everybody to get it all together,
12 but if you do one at a time, it's gonna be a little
13 bit more costly and a little bit more procedure.

14 MS. BISBING: Time consuming.

15 MR. REISS: Most people are
16 probably not gonna go one day and then skip a
17 number of days and go one day. They're gonna want
18 maximum bangs, so they're gonna go maybe five days

19 leading up to something or during some event.

20 MR. McHALE: So you have ten
21 weekends.

22 MR. REISS: Yeah, so you have
23 -- yeah, exactly.

24 MS. LAMBERTON: Okay.

25 MR. CARROLL: But, I mean,

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1 they're doing it illegally anyway, really. I mean
2 -- I mean, that -- that seemed to be --

3 MS. LAMBERTON: The general.

4 MR. CARROLL: I'm not crazy
5 about it either, but if they're in good and we
6 restrict it and it has to be in good repair and not
7 all straggly and --

8 MS. LAMBERTON: Yeah. No, I
9 understand that part. I just was trying to
10 determine what made you arrive at 50. I guess I
11 was trying to understand that.

12 MR. SINCAVAGE: I think that
13 makes sense now it's explained, 'cause I thought 50
14 was a lot too, but once you explained --

15 MR. CARROLL: It seems like a

16 lot, but again --

17 MS. BISBING: But when you take
18 a whole weekend --

19 MS. MINNICK: Right.

20 MR. CARROLL: -- all the
21 federal -- federal holidays --

22 MS. MINNICK: And to be honest
23 -- and to be honest with you, they're actually
24 getting gypped out of days, to be honest with you.
25 50 looks like a great number on paper, but when you

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1 start adding up what we're already giving them,
2 they're actually getting gypped, so --

3 MR. SINCAVAGE: That's not so
4 bad.

5 MS. LAMBERTON: Well, I'm
6 looking at -- I'm looking at --

7 MS. MINNICK: Well, I'm just --
8 I mean, I'm just --

9 MS. LAMBERTON: -- the times of
10 the years that it would be important for them. So
11 really you have to look at your spring through your

12 Labor Day, like right now, and if you take ten
13 weekends out of that like you're stating, and you
14 go five days in a row, I think that gives a
15 business a good exposure to be seen and then
16 hopefully their business grows where they might
17 find a different way to advertise.

18 MR. SINCAVAGE: Right.

19 MR. McHALE: The banners aren't
20 something they just put up like the sandwich boards
21 and take down at night. Once they hang it, they
22 want it to stay up for a few days or a week or --

23 MS. LAMBERTON: And we're okay
24 with the description of what the banner -- I'm
25 going back to this, I'm sorry.

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1 MR. SINCAVAGE: Well, I think
2 as long as you put in the -- you know, a
3 description of the sign -- of what a banner is with
4 a picture, which we recommended, and that it be in
5 good repair, as you said, Brendon.

6 MS. LAMBERTON: Yeah.

7 MS. MINNICK: The banner
8 definition, when the sign committee is going

9 through the definition, I believe that was changing
10 anyway.

11 MR. CARROLL: Yeah, we did mod
12 -- we did modify the definition.

13 MS. MINNICK: So maybe --

14 MR. REISS: Well, do you want
15 to include it in this then? You might as well.

16 MS. MINNICK: I -- I think so.
17 It'd be --

18 MR. CARROLL: Yeah, that's good
19 if we're gonna do it.

20 MR. REISS: Right.

21 MR. CARROLL: Yeah, that'd be
22 --

23 MR. REISS: You want to send
24 that to me and I'll put it in?

25 MS. MINNICK: Yeah, absolutely.

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1 MS. LAMBERTON: Okay. That's
2 all I have.

3 MS. MINNICK: I think it looks
4 better on paper and then they said, oh, well, we

5 can do it whenever we want, the township zoning
6 officer is not gonna be harassing us and I think
7 that's --

8 MS. LAMBERTON: That's our goal
9 too, to take that away. We have other things that
10 we'd rather see the township working on.

11 MS. MINNICK: You know, and as
12 far as enforcement, you're gonna see them pushing
13 the limits, (inaudible) is a day gonna hurt?

14 MS. LAMBERTON: Yeah.

15 MS. MINNICK: By the time I get
16 out there, send the sign violation, they're gonna
17 have another 30 days.

18 MR. CARROLL: But the time line
19 has been -- you know, put in to a reasonable --

20 MS. MINNICK: Yeah, I think
21 it's good.

22 MS. LAMBERTON: Yeah, keep
23 everybody happy.

24 MS. MINNICK: I don't know if
25 it's solid, but we'll find out.

1 MS. LAMBERTON: Well, I just

2 was curious how you got to that. It makes sense.

3 MR. CARROLL: Group discussion.

4 That's what it was.

5 MS. LAMBERTON: Yep. That's

6 where you get to --

7 MR. CARROLL: Extend the rules.

8 MS. LAMBERTON: Right. That's

9 true.

10 MR. CARROLL: I don't know if

11 it was --

12 MS. MINNICK: It was actually

13 --

14 MR. McHALE: It was good. I

15 mean --

16 MR. CARROLL: Bob and Maureen

17 have been awesome in helping us and being the sound

18 board for the group and we got a lot of different

19 perspectives. So I think that so far the group was

20 a good experience and I think everybody has -- it's

21 pretty much on the same page with trying to balance

22 the needs of --

23 MS. LAMBERTON: And that's

24 good because we picked quite a --

25 MR. CARROLL: Yeah, it's a

1 diverse group.

2 MS. LAMBERTON: -- diverse
3 group just for that reason.

4 MS. BISBING: To get different
5 perspectives.

6 MS. LAMBERTON: Yes.

7 MR. CARROLL: Yeah, everybody
8 has a little, you know --

9 MR. McHALE: What's nice about
10 this group is that you -- all the difference of
11 opinion and things that go on during the meeting,
12 when they walk out, everybody's in good spirits and
13 they --

14 MR. CARROLL: Yeah, we've
15 agreed to disagree but there's been no --

16 MS. LAMBERTON: That's what you
17 should be able to do.

18 MR. CARROLL: No, it's been --
19 you know, there's been some good debates --

20 MR. McHALE: Yeah.

21 MR. CARROLL: -- back and
22 forth.

23 MR. McHALE: Healthy debates.
24 MR. CARROLL: Yeah, it's all --
25 it's all good.

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1 MS. MINNICK: Bob's the only
2 hostile one there is.
3 MR. SINCAVAGE: Okay. Anything
4 else to come before the commission?
5 Hearing none. We stand
6 adjourned.
7 MS. LAMBERTON: Thank you very
8 much.
9 (Meeting concluded at 6:15
10 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.

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COURTNEY L. ROGERS, C.R.

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