

TOBYHANNA TOWNSHIP PLANNING COMMISSION  
REORGANIZATIONAL & REGULAR BUSINESS MEETING  
JANUARY 7, 2020

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The January 2021 Reorganizational and Regular Business Meeting of the Tobyhanna Township Planning Commission (“Commission”) was held on January 7, 2021, via the platform GoToMeeting due to the COVID-19 pandemic.

Present are Michelle Bisbing, Rachel Schickling, Marlin “Sam” Keiper, Alfred Kerrick, and Edwin Miller. Also Present is Solicitor Jonathan Reiss joined by Tina Downs and Township Engineer Bob McHale.

1. Jonathan Reiss calls the meeting to order at 5:32PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Appoint Chairman: Edwin Miller motions to appoint Sam Keiper as Chairman of the Planning Commission, Alfred Kerrick seconds. Vote: all in favor; motion carries. Jonathan Reiss turns the meeting over to Sam Keiper.
4. Appoint Vice Chairman: Rachel Schickling motions to appoint Michelle Bisbing as Vice Chairman, Edwin Miller seconds. Vote: all in favor; motion carries.
5. Appoint Secretary: Michelle Bisbing motions to appoint Rachel Schickling as Secretary, Alfred Kerrick seconds. Vote: all in favor; motion carries.
6. Welcome New Members of the Planning Commission: Sam Keiper welcomes the new members to the Planning Commission and Edwin Miller and Alfred Kerrick introduce themselves.
7. Old Business – none.
8. New Business
  - a. Consider Keswick Pointe Minor Subdivision: Bob McHale mentions he discussed with Jonathan Reiss time extension requirements for PRDs and noted several items missing as required from Keswick Pointe’s prior tentative plan approval for land development. Jonathan Reiss recommends sending an email to the applicants with the missing items from prior approval. Bob McHale states the submission was for a minor sub division/lot line adjustment but this area is a PRD and this change would essentially be an amendment to their plan. Jonathan Reiss agrees as it is a modification needing an amendment. Rachel Schickling motions to table, Michelle Bisbing seconds. Vote: all in favor; motion carries. Bob McHale request Jonathan Reiss to cc the Planning Commission on the correspondence with the applicant in regards to the time extension and the missing items mentioned earlier.
  - b. Consider Tobyhanna Township Zoning Ordinance Amendment for Permit Issuance Time Frame: Jonathan Reiss states the townships ordinance is stricter than the MPC 30-day

requirement. He continues by stating if the permits are not issued in 7 business days the fees are refunded. The Draft amendment is requesting to increase to 15 days. Sam Keiper clarifies the MPC 30-day is calendar days. He asks Crystal Butler how many permits get issued a year. She states it ranges from 15 to upwards of 30 permit applications per month. Rachel Schickling asks about the fees. Crystal Butler explains the zoning fee as 20 cents a square foot and a \$70-dollar Certificate of Occupancy fee. Sam Keiper asks if the Certificate of Occupancy fee would be refunded. Jonathan Reiss believes all the fees are returned. Alfred Kerrick asks why the township is looking to change the time frame. Crystal Butler states the township recently lost their in-house Zoning Officer and has needed to switch to a third party for zoning. Sam Keiper express concerns stating 15 days can easily turn into 3 weeks if holidays are involved. Michelle Bisbing asks if using the third party is a temporary or permanent plan for the townships zoning. Crystal Butler responds that there is currently a 2-year contract being negotiated. Alfred Kerrick states the time clock shouldn't start until it gets to the Zoning Officer as the ordinance is written. Jonathan Reiss states the clock starts once it is received and filed with the township.

Crystal Butler reviews the process of issuing permits once applications are received. Sam Keiper states the process should be streamlined. He continues stating the application is supposed to be made to the Zoning Officer. Jonathan Reiss states again the Zoning Officer is the Township and once an application is received the clock starts. Sam Keiper states he could understand increasing to 10 days to issue the permit but 15 days may be too long. Bob McHale recommends removing the fee refund from the ordinance. Jonathan Reiss states the Commission can recommend to remove portions of the ordinance in regards to the fee refund. Alfred Kerrick states he would be in favor of removing that section and utilizing the MPC's 30 days or deemed approval. Sam Keiper agrees about removing the fee refund portion but still thinks 30 days is too long. He asks how many refunds have been issued for missing the deadline. Crystal Butler does not have those numbers.

Jonathan Reiss states the Commission has three options; recommending adoption as the draft ordinance is written, recommending adoption with changes, not recommend adoption, or recommending appealing Chapter 155- Section 133 Subsection a) to remove the refund clause. Michelle Bisbing asks if there is a set amount charged by the third party for their review. Crystal Butler states they are paid per hour. The Commission discusses possible penalties if the third party does not process the permit in time. They express concerns about paying the third party even if they fail to issue the permit within the time frame. Sam Keiper motions to recommend 10 days for permit issuance and for there to be a flat penalty in the third party contract for failure to issue in time, Alfred Kerrick seconds. Vote: all in favor; motion carries.

9. Open Discussion: Sam Keiper asks the Commission for their input on meeting times. Rachel Schickling and Alfred Kerrick state it's hard to get here for the start time of 5:30PM. The Commission would like to change the meeting time to 6:00PM. Sam Keiper would like the Conference set up half an hour prior to the meeting with all the documents for the meeting.

10. Public Comment: Jonathan Reiss introduces Tina Downs to the Planning Commission as the new Solicitor for the Commission.

11. Michelle Bisbing motions to adjourn, Sam Keiper seconds. Meeting adjourned at 6:30PM.

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Minutes recorded by Crystal Butler, edited by Autumn Canfield