

TOBYHANNA TOWNSHIP PLANNING COMMISSION/ BOARD OF SUPERVISORS
SPECIAL JOINT MEETING
MARCH 10, 2021

The March 2021 Joint Meeting of the Tobyhanna Township Planning Commission (“Commission”) and Tobyhanna Township Board of Supervisors (“Board”) was held on March 10, 2021, via the platform GoToMeeting due to the COVID-19 pandemic.

Present are Michelle Bisbing, Marlin “Sam” Keiper, Rachel Schickling, Alfred Kerrick, Edwin Miller from the Planning Commission and John Kerrick, Brendon Carroll, John Holahan, and Dave Carbone from the Board of Supervisors. Also present are Solicitors Frank D’Amore and Jonathan Reiss, Township Manager Robert Bartal and Township Engineer Bob McHale.

John Kerrick calls the meeting to order at 6:00PM. A quorum is present.

Zoning District Abbreviations:

R1- Low-Density Residential

R2 - Medium-Density

RR - Rural Residential

OS - Open Space/ Resource Conservation

C - Commercial

CI - Commercial/ Industrial

TDP - Tourist Development Project

1. There is no flag available for the Pledge of Allegiance.
2. Old Business
 - a. Zoning Map Changes Discussion

Ms. Canfield explains the background of the project. This meeting is to bring the new members of the Planning Commission up to date as well as provide a summary for members of the Board and Commission who have previously seen the proposed changes. The synopsis was drafted with notes, e-mails, summaries, and other information that was left by the previous zoning officers and zoning administration the worked to get the project where it stands now.

Mr. Reiss discusses the process for the changes to this point. The changes were presented at public meetings to groups of those in the affected areas. The vast majority were in favor of the changes and supported the project. Ms. Nichols also reached out to affected owners who did not attend.

Ms. Canfield defines the goal of the evening as developing a phasing plan to move forward. In regards to the process, a draft ordinance is in the works but Grim, Biehn, and Thatcher need a list of affected properties to complete the draft. The Township will have

to work with the County GIS contact to obtain a zoning map with the proposed changes. The property owner list will need to be updated. The Board will have to authorize to send the information to the Planning Commissions, both County and Township, for review. It will then go to the Board for Public Hearing. Personal notification of the hearing is needed as well as posting in conspicuous areas. Our phasing plan needs to be effective in size while also avoiding numerous map changes that would require this process to be completed multiple times.

Slide 4 - Map change discussions begin in the Pocono Summit West area where the Township is undertaking a large transportation initiative. With this project in the works, staff felt the area would be appropriate for Phase 1. Four properties are suggested to be included in the commercial area that are not currently on the map. There are Economic Development Authority owned properties in the area as well as a property to be taken to accommodate a new roadway, and two lots where the front lots are already commercially zoned. Mr. Keiper discusses pushing the zoning district line back further to better accommodate the new road. It would solve various setback challenges. After some discussion and clarification, the group agrees.

Slide 5 - The next map shows the south side of State Route 940 in the Pocono Summit West area reflecting a misalignment of the zoning district with the property lines. Staff is suggesting the zoning district line match the property lines, creating uniformly zoned C and CI lots. There are properties identified on Long Pond Road for change to CI. The change would cause the lots to be non-conforming creating size, setback, and use implications. Mr. Keiper discusses the need for property owners to be well aware of the implications. After discussion, in favor of expediting the proposed phase 1, the two properties in question to change to CI from residential will remain residential.

Mr. Reiss suggests all other map changes beyond the proposed phase 1 be completed as an entire phase.

(Board action) Mr. Holahan motions to move the Phase 1 zoning map changes as described forward to the Monroe County Planning Commission. Mr. Carroll seconds. 5-0 motion carries.

(Commission action) Ms. Bisbing motions to recommend approval of the two maps presented as Phase 1. Mr. Al Kerrick seconds. 5-0 motion carries.

Items for recommended Phase 2 to follow.

Slide 6 - Property next to Route 380. There is an area of RR zoned property amidst R2 properties all around. Staff suggests uniform zoning to R2. All okay, no comments.

Slide 7 - The next map depicts split zoning on a CI lot where a portion is in CI and a small piece in R1. Staff suggests uniform zoning of the lot to CI. All okay, no comments.

Slide 8 - The next map shows a split zoned parcel where part is R2 and part is R1. Staff suggests zoning as all R1. The property owner is okay with this change. There is a comment regarding amenity space but consensus is all are still okay with the change.

Slide 9 - The next map is an area that shows a number of parcels that appear to lend themselves to a residential district are located in the OS district. This has been a topic of conversation for some time as owners are severally limited in their ability to use their properties. Staff suggests extending the R2 district to incorporate these parcels. Mr. Carroll provides some background as the issue has been long standing and it is assumed to be a previous error that created the issue. In the general vicinity there is a camp and some properties that were discussed for potential change. At this point, the consensus is to focus on the area currently shown on the map. All okay with change.

Slide 10 – The school property is a split zoned parcel. Staff suggests zoning the entire property commercial. Mr. Carroll asks about the cemetery property. The Cemetery is C. All okay with proposed change.

Slide 11 - The next map depicts an area around Third Street, Kipp Ave, and Magargle. Some properties are split zoned, some are zoned in RR district. Staff suggests changing to R1 and cleaning up lot line for split zone so the district follows property lines. There is a question regarding if the properties meet the RR size requirements. It is believed they may meet the requirement. All are okay with the change.

Slide 12 – Depicts a split zoned parcel where a portion is in the RR district and part in the R2 district. Staff suggests uniform zoning to RR. All okay with change.

Slide 13 - Area by Locust Lake Village. Two sections of changes combined on one map where one property is located in both the R1 and OS districts. Staff suggests changing so entire property is OS. The property owner is okay with the change. The other section shows properties zoned and split zoned in OS that are more appropriately zoned as R2 to match rest of Locust Lake Village. All okay with changes.

Slide 14 - Split zone in R2 and R1 districts. Staff suggests following property lines to match R2 where the majority of the properties already exist. All okay with changes.

Slide 15 - Map of Austin T. Natural Blakeslee Area where the front three lots are zoned C and the rest is zoned R2. In discussions of the maps, there were comments regarding possibly changing the area to OS but it is currently suggested to make all lots R2. There is discussion regarding additional buffer requirements for adjacent property owners if the area changes to R2 or OS. A question was raised regarding how the lots were purchased and if they were a joint venture. Ms. Canfield is unsure but ownership is listed as Tobyhanna Township. There is a suggestion to leave in the C district. All agree to remove the map from consideration and leave the zoning as it is.

Slide 16 – A parcel zoned in both the OS and R2 districts. Staff suggests changing the entire property to OS. All okay with change.

Slide 17 - Area with lots of varying sizes in the OS district. Staff suggests changing to RR to match area adjacent. It is discussed that the Nature Conservancy owns a number of the lots. The smaller lots would be non-conforming no matter what is done because of the size. The change would not affect the smaller property owners regardless as they will remain non-conforming. Setbacks are less stringent in RR than in OS. Mr. Al Kerrick

questions if the members are able to make changes even though it will not change the non-conforming situation. Mr. Reiss indicates zoning can be changed to make non-conforming and if it is currently non-conforming and remains non-conforming, there is no reason it cannot be changed. All okay with changes.

Slide 18 - Area near the Luzerne County line on SR 115. Lots are currently zoned as OS. Staff suggests changing to RR to match surrounding area. While there are numerous lots, there are three property owners. Two of the three properties owners are okay with the change, the last owner did not reply. All okay with the change.

Slide 19 - Map depicts changing an OS area to RR zoning to match the rest of the PRD. Per the notes on the plan, the area is a nature preserve and notes indicate that the previous Zoning Officer felt changing the zone did not change the plan restriction/status. Mr. Carroll discusses that the property was changed to the OS district even though it is part of the original PRD without property owner consent. The proposed change would return it to the original state. All okay with the change.

Slide 20 - Map shows zoning misalignment between C and R1 districts and property lines. Staff had some questions on this map. The C zoning line bisects a number of residential properties. In another area part of a C lot is in a R1 district. Staff suggests rezoning the R1 lots as fully R1 and the C as fully C. Notes for the map indicate 9 letters were sent to property owners, 6 were received back. Of the 6, 4 owners were undecided on the change, 1 did not care, and 1 was okay with the change. If the Board and Commission decide to move forward with the changes, all affected property owners would receive notification. All okay with change.

Slide 21 - Pocono Summit East area. A few clarifications are needed for this map. The identifying color indicates a change to a C district but the written block indicates change to a CI district. Property owners in the triangle area were contacted, but the response was a split decision. Ms. Canfield asks the opinion of the Board and Commission regarding the desired zoning in the area. Should the properties be C or CI and what properties should be included? Mr. Keiper discusses the implications of the small lots being changed to C or CI and creating non-conforming lots. He questions if property owners understand the ramifications, such as buffer requirements. There were discussions of extending the PCRED in this area. One section was zoned PCRED. It was rezoned the MUTCD and then rezoned again to the TDP. Staff suggests the TDP extend to the ROW off-ramp area. The property owner should be contacted. Something else in the area that was considered was Village Commercial zoning, however subdivisions preclude the change. Zoning in Coolbaugh in the area across the road should be checked. Mr. McHale reminds the group a significant amount of CI land was lost with the school district construction. Ms. Bisbing discusses the lack of Industrial property available. The Commission and Board discuss changing the area to CI and changing the small residential properties to CI if the property owners are okay with the change. Mr. Keiper questions the setbacks issue. Mr. McHale believes it would be likely they would be sold and consolidated. Mr. Keiper questions the willingness to purchase with the setback requirements. Tax questions are abated as the taxes charged will change when the use

changes. Ultimately, the Board and Commission decide the appropriate zoning for the area would be CI and to the South of SR 940, TDP to match the other TDP area.

Slide 22 - Blakeslee Village is discussed. Blakeslee Village 1 and 2 was changed to Village Commercial 1 and 2 so it could be used elsewhere in the Township. Staff suggested this area as Phase 3 due to other implications that would hold up a map change such as a separate sign ordinance. Although we discussed two total phases, it may be better to keep the village zoning to the side until other items can be addressed. Mr. Keiper discusses a property owner who is opposed to the change. Mr. Keiper discusses his concerns with a project such as this in an already developed area. At this time, this map will not be considered.

Mr. McHale requests someone reach out to Pocono Manor Investors regarding the property proposed for a change.

3. Open Discussion: none
4. Public Comment: none

Mr. Holahan motions to adjourn. Meeting adjourned at 7:23PM.

Minutes recorded by Autumn Canfield