

MOUNT POCONO BOROUGH PLANNING COMMISSION
RE-ORGANIZATION & REGULAR MEETING AGENDA
Wednesday, February 16, 2022 – 7:00 PM

LOCATION: Borough Building located at 1361 Pocono Blvd, Mount Pocono

1. Call to Order
2. Pledge of Allegiance
3. Reorganization
 - a. Chair
 - b. Vice Chair
 - c. Borough Council Liaison
 - d. Zoning Hearing Board Liaison
4. Roll Call
____ M. Penn, ____ P. Bucco, ____ R. Dorkoski, ____ Vacant, ____ A. M. Harris,
____ D. Staples, ____ Vacant, ____ C. Connor, ____ C. Niclaus, ____ A. Wilkinson, ____ J. Walker
5. Preliminary Announcements
6. Consider Approval of Minutes – Regular Meeting Minutes
 - a. December 15, 2021
7. Unfinished Business
 - a. Bizio
 - i. Review Minor Subdivision Plan
 - ii. Review Land Development Plan
 - b. Clarius
 - i. Recommend Waivers to Borough Council
 - ii. Recommend Land Development Plan to council conditioned upon the approval of the outside agencies and remaining comments from the engineer.
 - c. Harbor Freight
 - i. Recommend Waivers to Borough Council
 - ii. Recommend Land Development Plan
8. New Business
 - a. Rezoning for 94 Winona
 - b. Annual Report
9. Project Updates
10. Liaison Reports
 - a. Borough Council
 - b. Zoning Hearing Board
11. Public Participation
12. Adjournment

**MOUNT POCONO PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, DECEMBER 15, 2021
7:06 P.M.**

Chair M. Penn opened the meeting at 7:06 P.M. at the Pocono Mountain Volunteer Fire Hall with the following members present: Vice Chair P. Bucco; Commissioners; H. Velasco and, D. Staples; Commissioner A.M. Harris via Google Meet. Also, present were; Solicitor H. C. Connor; Zoning Officer A. Wilkinson; and, Planning Commission Secretary J. Walker.

Absent: Commissioner R. Dorkoski; Borough Engineer C. Niclaus.

PRELIMINARY ANNOUNCEMENTS - None

APPROVAL OF MINUTES

Vice Chair P. Bucco moved to approve the regular Planning Commission minutes of October 27, 2021, as presented. Commissioner H. Velasco seconded. Motion carried unanimously.

Vice Chair P. Bucco moved to approve the regular Planning Commission minutes of November 17, 2021, as presented. Commissioner D. Staples seconded. Motion carried unanimously.

OLD BUSINESS

Clarius – Land Development Plan/ Minor Subdivision Plan

Planning Commission acknowledged the time extension request from the Applicant.

Commissioner D. Staples moved to accept the time extension until February 24, 2022 or thirty days beyond the current ninety-day expiration date of January 25, 2022 for process the subdivision and land development plans for the Clarius project. Vice Chair P. Bucco seconded. Motion carried unanimously.

Bizio Land Development Plan

Per the suggestion from Solicitor H. C. Connor, Vice Chair P. Bucco moved to amend the agenda to include the Bizio Land Development Plan. Commissioner D. Staples seconded. Motion carried unanimously.

Vice Chair P. Bucco moved to table the Bizio Land Development Plan. Commissioner D. Staples seconded. Motion carried unanimously.

NEW BUSINESS

Conditional Use – 39 Seneca Road – Short-Term Rental

After Zoning Officer A. Wilkinson explained that the Applicant is seeking approval of conditional use for the short-term rental at 39 Seneca Road. There was discussion on possible conditions.

Vice Chair P. Bucco moved to recommend to Borough Council the following conditions for the Conditional Use 39 Seneca Road Short-Term Rental: insert a bear box for the trash; erect a fencing in the backyard; a minimum 24-hour waiting period in between rentals to allow for proper cleaning; and, the Applicant must notify additional neighbors for the Conditional Use Hearing. Commissioner D. Staples seconded. Motion carried unanimously.

PROJECT UPDATES

Zoning Officer A. Wilkinson gave an update on all the listed projects. She added an item regarding conversations she had with the new owner of 153 Sterling (old site of Malcolm's Hairdressing). He purchased that parcel, which is zoned C-1, but also purchased some of the adjoining lots, which are currently zoned R-1 since they back up to the Pine Hill

**MOUNT POCONO PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, DECEMBER 15, 2021
7:06 P.M.**

residential development. Zoning Officer sent owner some basic information regarding pursuing re-zoning, nothing has been received to date.

LIAISON REPORTS

Borough Council - None

Zoning Hearing Board - None

PUBLIC PARTICIPATION

Borough Secretary J. Walker – noted that there is one vacancy and that he contacted both Commissioners R. Dorkoski and H. Velasco as their term ends on December 31, 2021 and asked if they would be interested on staying on the Board. Commissioner H. Velasco may be interested in being an Alternate Member. He also noted that he hasn't received a response from Commissioner R. Dorkoski.

None

There being no public participation and no further business coming before the Planning Commission, Vice Chair P. Bucco moved to adjourn at 8:11 P.M. Commissioner D. Staples seconded. Motion carried unanimously.

Respectfully submitted,

Joshua Walker
Planning Commission Secretary



Land Development Application

Project Information

Name of Proposed Development: Minor Subdivision Plan, Lands of Stanislaw Bizio

PIN # 10-6355-08-89-1353, 10-6355-08-89-0279, 10-6355-08-89-1233

Proposed Number of Lots 1 Location/Street 22 Sterling Street

Other _____

Applicant/Owner

First Name Stanislaw

Last Name Bizio

Address 3 Candlewood Avenue

City/State/Zip Mount Pocono, PA 18344

Phone 646-208-3301 Alt Phone _____

Email stbizio@aol.com

RECEIVED

NOV 03 2021

MT. POCONO BOROUGH

Engineer/Contact

First Name Nate

Last Name Oiler

Company RKR Hess, a division of UTRS Inc.

Cell Phone 570-656-3393 Work Phone 570-421-1550 ex 1101

Email noiler@rkrhess.com

FILE COPY

Office Use Only:

Application Fee (\$) ~~\$350~~ \$150 (CK #107) Date Paid: 11/2/21

Deposit (\$) ~~\$250~~ \$1,000 (CK #108) Date Paid: 11/2/21



100 West Broad Street, Suite 200, Hazleton, PA 18201
570.455.2999 570.454.9979
barryisett.com

February 3, 2022
Project #313618.008

Planning Commission
Mount Pocono Borough
1361 Pocono Boulevard
Mount Pocono, PA 18344

RECEIVED
FEB 03 2022
MT. POCONO BOROUGH

Dear Planning Commission Members:

RE: B PLAZA IMPROVEMENTS

Mount Pocono Borough, Monroe County, Pennsylvania
Land Development Plan Review #2 (revised)

Materials Submitted for Review

- Letter of Transmittal, dated 1/26/22
- Land Development Plan Response Letter, dated 1/26/22, prepared by RKR Hess
- Waiver Requests, 4, dated 1/26/22
- Trip Generation Calculations
- Land Development Plan Set, dated 1/26/22, prepared by RKR Hess
- Consumptive Use Form, dated 1/26/22
- Drainage Application, dated 1/26/22

The project proposes an addition to an existing commercial building located on the west side of Rt. 196 (Sterling Road) approximately 1,000 feet north of the intersection with Rt. 611 and Rt. 940 (FivePoints), bearing the tax map parcels 10-6355-08-89-1353, 6355-08-89-0279 and 63-55-08-89-1233. It appears a residential structure would be removed that fronts Rt. 611 to facilitate parking for the expansion. The subject lots include 0.58 acres in area that is proposed to be combined and are located adjacent to an existing gas station where a new access point is proposed. The lots are within the C-2 Commercial - General zoning district.

The submission is being reviewed for conformance with the Borough Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO), and Stormwater Management Ordinance. The following comments are offered in *italics* for the revisions received:

Zoning Ordinance

1. The existing building has non-conforming front yard setbacks. Dimensions should be shown. (215-Attachment 2). *Addressed, dimensions have been added to Sheet C.EX.01.*
2. A traffic impact study is required for 50 trip ends peak hour or 500 trip ends per day (215-41). A trip generation analysis for the proposed use should be provided to confirm whether this would apply. *Addressed, trip generation calculations submitted.*

3. The fire department should be consulted on the suitability of circulation for the site. **Has the Fire Department responded?**
4. A residential driveway from Rt. 611 and a commercial driveway from Rt. 196 are being removed in favor of a single access to a PennDOT right-of-way (r.o.w.) opposite a driveway of the adjacent gas station. PennDOT will have to approve any changes to their highway r.o.w. and access through a Highway Occupancy Permit application (215-22 H. [3]). The status of this application should be discussed. *A copy of the application is to be provided upon submission. PennDOT approval is necessary.*

The above comments are informational only. The Zoning Officer shall be the jurisdictional entity on Zoning requirements.

Subdivision and Land Development Ordinance (SALDO)

1. Sewage service construction plan approval is required from the Mount Pocono Municipal Authority (MPMA) if a new service line to the addition is planned along with confirmation of EDU payment (187-29.F (6)). *Addressed, no new lines proposed.*
2. Water service construction plan approval is required from PA American if a new service line to the addition is planned or a new meter pit (187-29.F (7)). *Addressed, no new lines proposed.*
3. Easements should be shown for the drainage improvements outside of the lot area and PennDOT approval of such (187-29.G (4)). **PennDOT easements are to be provided and PennDOT approval is necessary.**
4. A Highway Occupancy Permit is needed for the proposed driveway (187-29.G (15)). *A copy of the permit is to be provided. PennDOT approval is necessary.*
5. A trip generation analysis should be provided to confirm if a traffic impact study is necessary (187-29.G (17)). *Addressed, trip generation calculations provided.*
6. The Planning Commission can comment on the necessity of an environmental impact statement, but this is a mostly disturbed site with limited natural resources (187-29.G (18)). *The response letter indicates that this should not be necessary. The Planning Commission should confirm.*
7. Clear sight triangles should be shown and noted for intersections (187-30.C (1)f) and (2)b). *Unique configuration of the site is the basis of a requested waiver. The Planning Commission should review this request and make a recommendation to Borough Council for consideration of approval, for which I have no objection.*
8. A note should be added to the plan stating: *All lots shown on this plan are subject to the rules and regulations contained in the Borough of Mount Pocono Zoning Ordinance. (187-30.C (2)h). Addressed.*
9. A note should be added to the plan stating: *The developer and/or the lot purchaser(s) assumes full responsibility for obtaining any local, state, and federal permits and/or approvals relating to wetlands. Approval by the Borough Council shall not in any manner be construed to be an approval of compliance with statutes or regulations relating to wetlands. The Borough of Mount Pocono shall have no liability or responsibility for the same to the developer or purchaser(s). Addressed.*

10. As-Built plans will be required after construction. The cost of as-built plans should be included in the Development Agreement and Cost Opinion (187-33.1 and 187-37). *A note has been added to Sheet C.S.01. **The cost and as-built requirement will be included in the Development Agreement when submitted.***
11. An Improvements Construction Guarantee is required (187-34 and 187-37). **The cost and security requirement will be included in the Development Agreement when submitted.**
12. A Land Development Improvements Agreement is required (187-42). **The Development Agreement will be required before Final Plan approval.**
13. The distance between the centerlines of the driveway and nearest intersecting streets will need a waiver request (187-48 (Q)). As previously discussed, this was considered a preferred location for the driveway. *A waiver request has been submitted for the unique configuration of this property* **The Planning Commission should review this request and make a recommendation to Borough Council for consideration of approval, for which I have no objection.**
14. Sidewalks have been provided around three sides of the property along existing roads. The Planning Commission may wish to discuss why the sidewalks were left just short of the property lines in two areas (187-48.W and X). *The response letter suggests providing an easement for the shortage due to grading concerns.* **The Planning Commission should review this request.**
15. Monuments and Markers are proposed at missing lot corners. It is recommended that a monument be set at the Route 611 boundary where it is less likely to be disturbed by a nearby travelway (187-49). *Addressed.*
16. Drainage easement width and location for natural drainageways should be reviewed by the Planning Commission (187-50.D (5)). *The response letter indicates there are no natural drainageways. The existing features plan has grading, and the Stormwater report has calculations that indicate pre-existing storm flows cross the existing parking lot and enter the PennDOT right-of-way. The plans propose a bypass storm system within the subject property to effectuate the flow discharge. A drainage easement assures that the Borough can gain access to or maintain conditions that might prevent the natural pre-existing drainage flow path in the event the property owner fails to maintain such. A stormwater covenant per comment 20 below would also address this concern.* **Not addressed.**
17. Drainage improvements in the PennDOT right-of-way need to be approved (187-50.D(8)). **A copy of the HOP application will be provided upon submission along with a copy of the permit when received.**
18. Drainage easements should be provided along lot lines (187-50.D(10)). *Addressed.*
19. A stormwater maintenance agreement will be required (187-50.E (1)). **See attached sample agreement and memorandum of fee for the agreement.**
20. Stormwater maintenance shall be included as part of a deed to the property (187-50.E (3)). **A stormwater covenant on plan sheet C.S.01 that will be recorded could serve the same purpose.**
21. Soil erosion and sedimentation control plans shall be approved as adequate by the Monroe County Conservation District (MCCD) (187-51). **Approval by MCCD is required.**

22. At the final approval stage, an executed agreement with the MPMA shall be submitted for Sewer service (187-53). *Addressed.*
23. The 20' buffer plantings shown appear to meet 187-56.F requirements but were not tabulated like the other Landscape requirements noted. *Addressed.*
24. A recreation facility fee will be applicable for this project in the amount of \$0.25 per square foot of impervious area (187-61, Res #8 2017). **The approximate proposed 15,000 sf of impervious area, if lessened by the 11,000 sf of existing impervious area, would equate to \$1,000.00 for the recreation fee if interpreted that way by Borough Council.**
25. A waiver request has been submitted for a smaller size than the specified 10' x 20' parking spaces for the parking lot. The waiver justification is reasonable given the pre-existing parking conditions and unique lot configuration (87-62.1.B(4)). ***The Planning Commission should review this request and make a recommendation to Borough Council for consideration of approval, for which I have no objection.***
26. The number of parking spaces proposed exceeds the average constructed number of 17 and proposes the maximum reserve number of 20 (187-62.1(d)). ***Borough Council should review this modification.***
27. Access to the site requires a Highway Occupancy Permit (187-62.1.H(3)). ***PennDOT approval is necessary.***

Stormwater Management Ordinance

1. Stormwater management facilities are subject to PennDOT approval (179-10.I) ***PennDOT approval is necessary.***
2. Limiting Zones (LZ) were left blank on the infiltration forms. It appears that the intent was to use the full depth of the excavations as the LZ. The third infiltration test was subject to a water seep and failed but is not being used for infiltration design (179-13). Other requirements of this section are not met, but the limitations of the site leaves very few, if any, options otherwise. A waiver request is recommended or a note could be added to the plan requiring testing during construction when the site is at somewhat finished grade and more conducive to perform the testing. *A waiver request has been submitted with reasonable justification. The Planning Commission should review this request and make a recommendation to Borough Council for consideration of approval, for which I have no objection.*
3. A 1.0 ft. freeboard is required for all stormwater facilities (179-16.A). A waiver would be appropriate for the specific conditions of this project if requested. *A waiver request has been submitted with reasonable justification. The Planning Commission should review this request and make a recommendation to Borough Council for consideration of approval, for which I have no objection.*
4. A blanket stormwater easement is recommended for the site in the form of a note on the Site Plan (179-16.F). ***A more comprehensive Stormwater covenant is recommended that covers other noted concerns herein. Feel free to call me on this.***
5. A Consumptive Use Tracking Report has not been submitted (179-18). *Addressed.*
6. A plan note should be added acknowledging that any revision to the approved drainage plan must be approved by the municipality and that a revised E&S Plan must be submitted to the conservation district for a determination of adequacy (179-21.B(24)). *Addressed.*

7. The following certification should be added to the plan: "*I, (Design Engineer), on this date (date of signature); hereby certify that the drainage plan meets all design standards and criteria of the Brodhead/Tobyhanna Watershed Act 167 Stormwater Management Ordinance.*" (179-21). *Addressed.*
8. A declaration of adequacy and highway occupancy permit from the PennDOT District Office when utilization of a PennDOT storm drainage system is proposed (179-21(5)). ***PennDOT approval is necessary.***
9. A Municipal Stormwater maintenance fund will be required (179-32). ***See attached sample agreement and memorandum of fee for the agreement.***
10. A Drainage Plan application is required with the appropriate fee (App C and 179-27). ***An application has been submitted; the fee can be addressed with the Borough. The application was reviewed and would be considered satisfactory if signed.***

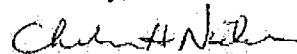
General

1. ***The PennDOT Highway Occupancy permit required for this project will likely take a long review time and affects numerous required features of this project. Time extension waivers for approval should allow for this timeframe.***
2. ***The applicant shall file the final record plan with the Monroe County Recorder of Deeds within 90 calendar days of the date of endorsement by the Council and provide to the Borough proof of such recording within 15 calendar days of such recording. If the applicant fails to record the final record plan in the Recorder's office within the required ninety-calendar-day period, the action of the Council shall be deemed null and void and a resubmission of the plan shall be made to the Planning Commission (187-24.0). The Drawing Index should check the plans to be recorded and the Owner's signature date should coincide with the Final Plan date.***

These comments are made with the understanding that all features are accurately displayed on the submitted plans and that they comply with all current laws, regulations, and currently acceptable professional land surveying and engineering practices. Other comments may be added as additional information becomes available or should changes occur.

Please do not hesitate to contact me at our office (272-200-2012) if you should have any questions regarding this letter.

Sincerely,



Charles Niclaus, P.E.
Borough Engineer
Barry Isett & Associates, Inc.



525 Main Street, Suite 200, Stroudsburg, PA 18360
272.200.2050 272.200.2051
barryisett.com

RECEIVED
FEB 02 2022
MT. POCONO BOROUGH

February 1, 2022
Project #313618.008

Mount Pocono Borough Council
1361 Pocono Boulevard
Mount Pocono, PA 18344

Dear Council Members:

RE: B PLAZA IMPROVEMENTS

Mount Pocono Borough, Monroe County, Pennsylvania
Stormwater Maintenance Agreement

In accordance with Section 179-32A of the Mt. Pocono Borough Code, the developer is required to make a payment to the municipal storm water maintenance fund to help defray the cost of periodic inspections and maintenance costs. Pursuant to Section 179-32A(1), the cost for periodic inspections over a 10 year period has been estimated at \$750.00 per year for a total escrow fund requirement of \$7,500.00. See also the following Code sections for reference:

1. A stormwater maintenance agreement is required (187-30 G.).
2. A drainage facilities maintenance escrow fund is required (187-40 A(3)).
3. Maintenance of stormwater control facilities must be noted and become a deed covenant (187-50 E.).
4. The execution of a maintenance agreement is required before final approval, along with an associated maintenance fund (179-29, 31 & 32 & Appendix A). See 179 Attachment 1 form (following 3 pages).

Please do not hesitate to contact me at our office at 272-200-2012 if you should have any questions regarding this letter.

Sincerely,

Charles Niclaus, P.E.
Borough Engineer
Barry Isett & Associates, Inc.

RKRHESS

A DIVISION OF  UTRS

RECEIVED
JAN 19 2022
MT. POCONO BOROUGH

January 18, 2022
Project No. 10622.004

Mount Pocono Borough
1361 Pocono Borough, Suite 100
Mount Pocono, PA 18344

ATTENTION: ALEXIS WILKINSON, ZONING OFFICER

**SUBJECT: B PLAZA IMPROVEMENTS
LAND DEVELOPMENT & MINOR SUBDIVISION APPLICATION REVIEW WAIVER**

Dear Alexis:

I am writing to you on behalf of Stanislaw Bizio to waive the specific requirement as set forth in the Mount Pocono Borough Subdivision and Land Development Regulations and the Municipalities Planning Code requiring a decision by you within ninety (90) days from the date of the Land Development Plan and Minor Subdivision submission receipt date.

We agree to waive the requirement that the Board of Commissioners render a decision on our plan within the time specified in the Ordinance and Municipalities Planning Code until May 3, 2022.

Very truly yours,

R.K.R. HESS, a division of UTRS. Inc.



Nathan S. Oiler, PE
Director of Land Development Engineering Services

P:\PA\Monroe Co\Mt Pocono Bor\Bizio\10622.004 Lot Imp Subd-LD App\Project Info\Permit Applications\2022-01-18 MPB Rev Time Waiver LTR.docx

MOUNT POCONO BOROUGH SALDO WAIVER REQUEST
Bizio Land Development
1-26-2022

Stormwater Management Ordinance (SWMO) Section: 179-13.A.1.(c) and 179-13.A.2

179-13.A.1.(c) - Site specific infiltration tests shall be run at the level of the proposed infiltration surface and shall be in accordance with ASTM Guide No. D5126 to determine the appropriate hydraulic conductivity rate.

179-13.A.2 - A minimum depth of 24 inches shall be maintained between the bottom of the infiltration BMP and the limiting zone of the soil.

Waiver Request: Three (3) soil probes were performed along the downhill side of the existing property. These test pits were dug to a depth of 11-feet with no limiting zone encountered. The infiltration tests were performed at depths of 78" (TP1), 90" (TP2) and 72" (TP3). In order to meet the infiltration requirement of the stormwater management ordinance, a sub-surface infiltration facility (Basin B) is proposed. Basin B is proposed with a bottom elevation at 1832.50. TP1 is located within the proposed limits of Basin B.

179-13.A.1.(c) - Although, the bottom of Basin B only provides approximately 1.3-feet of separation from the soil probe bottom, no limiting zone was encountered. In addition, it is not anticipated that a limiting zone will be encountered within the next 0.7-feet given the soil horizons found in TP1. Therefore, we are requesting a waiver from providing a minimum depth of 24 inches between the bottom of the infiltration BMP and the limiting zone of the soil.

179-13.A.2 - The soil probe depth at TP1 was down to approximate elevation 1831.2 while the infiltration test was performed at approximate elevation 1835.70. However, given the soil probe results showed a consistent soil horizon from depths of 72" down to the bottom, it is reasonable to assume the infiltration rates would be consistent throughout the soil horizon. Therefore, we are requesting a waiver from providing an infiltration test at the level of the proposed infiltration surface.

Recommended for approval:

Mount Pocono Borough Planning Commission

Date

Approved by:

Mt Pocono Borough Council

Date

MOUNT POCONO BOROUGH SALDO WAIVER REQUEST
Bizio Land Development
1-26-2022

Stormwater Management Ordinance (SWMO) Section: 179-16.A

The height of embankment must provide a minimum of 1 foot of freeboard above the maximum pool elevation, computed when the facility functions for the one-hundred-year proposed conditions inflow.

Waiver Request: Basins C and D are provided to meet the release rate reductions required by the Stormwater Management Ordinance. Basin C is only 2-feet deep and captures runoff from a small upslope drainage area consisting of mostly pervious surface. In addition, the water surface elevation (WSE) in Basin C is approximately 1.2-feet and provides approximately 0.8-feet of freeboard during the 100-year design storm. Likewise, a majority of Basin D is only 2.4-feet deep and captures upslope offsite runoff from the PennDOT ROW. In addition, the water surface elevation (WSE) in Basin D is approximately 1.7-feet and provides approximately 0.7-feet of freeboard during the 100-year design storm. Given the SR 196 spur downslope of the proposed development, required sidewalk along the property frontage and inverts of the existing stormwater conveyance system, it is not practical to modify the basins to accommodate this requirement. Therefore, we are requesting a waiver from providing the required freeboard in this ordinance section.

Recommended for approval:

Mount Pocono Borough Planning Commission

Date

Approved by:

Mt Pocono Borough Council

Date

MOUNT POCONO BOROUGH SALDO WAIVER REQUEST
Bizio Land Development
1-26-2022

Subdivision and Land Development Ordinance (SALDO) Section: 187-48(Q)(8)

Minimum distance from non residential driveway to nearest intersecting street right of way – Arterial – 300 ft

Waiver Request:

The property is unique as it is located between SR 611 and SR 196 with right of ways along 3 sides of the property. At the PennDOT Scoping Meeting, PennDOT indicated that access to the property would be limited to the SR 196 spur as shown on the land development plans. The distance between the nearest right of way lines for SR 611 & SR 196 is +/-122 ft.

A waiver is requested to allow the driveway to be closer than 300 ft to the nearest right of way lines.

Recommended for approval:

Mount Pocono Borough Planning Commission

Date

Approved by:

Mt Pocono Borough Council

Date

MOUNT POCONO BOROUGH SALDO WAIVER REQUEST
Bizio Land Development
1-26-2022

Subdivision and Land Development Ordinance (SALDO) Section: 187-48(P)

Clear Sight Triangle

Waiver Request:

The property is uniquely configured being fronted on three sides by PennDOT roads (SR 611 and SR 196). The driveway will be located on the short spur of SR 196 with controlled stop sign intersections in both directions along the spur. The sight triangle/distance requirements at the driveway will be controlled by PennDOT.

A waiver is requested from the Borough's clear sight triangle requirements.

Recommended for approval:

Mount Pocono Borough Planning Commission

Date

Approved by:

Mt Pocono Borough Council

Date

January 26, 2022
Project No: 10622.004

Mount Pocono Borough
1361 Pocono Boulevard
Mount Pocono, PA 18344

ATTENTION: PLANNING COMMISSION

**SUBJECT: B PLAZA IMPROVEMENTS
LAND DEVELOPMENT PLAN, REVIEW #1**

Dear Planning Commission Members:

We are in receipt of Barry Isett & Associates Inc 12-14-2021 review letter and offer the following responses. For clarification we have repeated the comments.

Zoning Ordinance

1. Commercial Retail and Offices are permitted uses in the C-2 zone.

Response: No response required.

2. The existing building has non-conforming front yard setbacks. Dimensions should be shown. (215-Attachment 2).

Response: Dimensions have been added to sheet C.EX.01

3. The size of parking spaces proposed does not meet the 10 feet x 20 feet minimum (215-22B. [4]), unless designed as required in the specified section. Specified section requirements appear to have been met for this unique lot with pre-existing parking conditions. See also SALDO comments for a Waiver Request.

Response: A waiver has been previously requested for the parking space size.

4. The number of parking spaces proposed meets 85th percentile requirements for retail and office (215, Attachment 4). The average values would require 3 less spaces. See SALDO comment 28.

Response: No response required.

5. A traffic impact study is required for 50 trip ends peak hour or 500 trip ends per day (215-41). A trip generation analysis for the proposed use should be provided to confirm whether this would apply.

Response: Trip generation calculations are provided with this submission.

6. The fire department should be consulted on the suitability of circulation for the site.

Response: The fire department has been provided a copy of the land development plan for comments.

7. A residential driveway from Rt. 611 and a commercial driveway from Rt. 196 are being removed in favor of a single access to a PennDOT right-of-way (r.o.w.) opposite a driveway of the adjacent gas station. PennDOT will have to approve any changes to their highway r.o.w. and access through a Highway Occupancy Permit application (215-22 H. [3]). The status of this application should be discussed.

Response: An application for a Highway Occupancy Permit is being prepared and a copy will be provided to the Borough upon submission to PennDOT.

Subdivision and Land Development Ordinance (SALDO)

1. Sewage service construction plan approval is required from the Mount Pocono Municipal Authority (MPMA) if a new service line to the addition is planned along with confirmation of EDU payment (187-29.F (6)).

Response: It is anticipated that the existing sewer line will be utilized for the new addition. The project is being coordinated with MPMA.

2. Water service construction plan approval is required from PA American if a new service line to the addition is planned or a new meter pit (187-29.F (7)).

Response: It is anticipated that the existing water line will be utilized for the new addition.

3. Easements should be shown for the drainage improvements outside of the lot area and PennDOT approval of such (187-29.G (4)). A blanket easement should be noted for access and maintenance to the facilities (187-29.G (13)).

Response: The drainage improvements in the PennDOT right of way will be included as part of the PennDOT HOP application and any required PennDOT easements will be provided.

4. A Highway Occupancy Permit is needed for the proposed driveway (187-29.G (15)).

Response: An application for a Highway Occupancy Permit is being prepared and a copy will be provided to the Borough upon submission to PennDOT.

5. A Plan for maintenance of improvements is required (187-29.G (16)).

Response: There is no open land or recreation land proposed on this site (187-41).

6. A trip generation analysis should be provided to confirm if a traffic impact study is necessary

(187-29.G (17)).

Response: Trip generation calculations are provided with this submission. It is not anticipated that a traffic impact study will be required.

7. The Planning Commission can comment on the necessity of an environmental impact statement, but this is a mostly disturbed site with limited natural resources (187-29.G (18)).

Response: The site is currently developed and we don't believe an environmental impact statement outlining impacts to natural resources is necessary for this site.

8. Clear sight triangles should be shown and noted for intersections (187-30.C (1)f) and (2)b).

Response: The sight distance requirements will be controlled by PennDOT. Due to the unique configuration of this site, the sight distance requirements do not apply. The driver at the driveway can see to the stop sign controlled intersection either side of the driveway. A waiver request has been included with this submission.

9. A note should be added to the plan stating: *All lots shown on this plan are subject to the rules and regulations contained in the Borough of Mount Pocono Zoning Ordinance.* (187-30.C (2)h).

Response: The note has been added to Sheet C.S.01 (Note 7).

10. A note should be added to the plan stating: *The developer and/or the lot purchaser(s) assumes full responsibility for obtaining any local, state, and federal permits and/or approvals relating to wetlands. Approval by the Borough Council shall not in any manner be construed to be an approval of compliance with statutes or regulations relating to wetlands. The Borough of Mount Pocono shall have no liability or responsibility for the same to the developer or purchaser(s)."*

Response: The note has been added to Sheet C.S.01 (Note 8).

11. As-Built plans will be required after construction. The cost of as-built plans should be included in the Development Agreement and Cost Opinion (187-33.1 and 187-37).

Response: A note has been added to Sheet C.S.01 (Note 10) that as built plans will be required after construction. The cost will be included in the Development Agreement and the Opinion of Cost.

12. An Improvements Construction Guarantee is required (187-34 and 187-37).

Response: An Improvements Construction Guarantee will be provided prior to final approval.

13. A Land Development Improvements Agreement is required (187-42).

Response: A Land Development Improvements Agreement will be provided prior to final approval.

14. The distance between the centerlines of the driveway and nearest intersecting streets will

need a waiver request (187-48 (Q)). As previously discussed, this was considered a preferred location for the driveway.

Response: **A waiver request for the distance between the driveway centerline and the nearest intersecting streets is included with this submission.**

15. Sidewalks have been provided around three sides of the property along existing roads. The Planning Commission may wish to discuss why the sidewalks were left just short of the property lines in two areas (187-48.W and X).

Response: **Due to the grading impacts on the adjoining properties that will be required to construct a compliant sidewalk, the sidewalk have been stopped short of the property line. The applicant is willing to provide a grading/sidewalk easement on his property to allow for the extension of the sidewalk onto the adjoining properties if desired in the future.**

16. Monuments and Markers are proposed at missing lot corners. It is recommended that a monument be set at the Route 611 boundary where it is less likely to be disturbed by a nearby travelway (187-49).

Response: **A monument has been added on the Route 611 boundary.**

17. Stormwater Management is governed by Chapter 179 (187-50.A).

Response: **No response required.**

18. Drainage easement width and location for natural drainageways should be reviewed by the Planning Commission (187-50.D (5)).

Response: **There are no natural drainageways on the site.**

19. Drainage improvements in the PennDOT right-of-way need to be approved (187-50.D(8)).

Response: **The drainage improvements in the PennDOT right of way will be included as part of the PennDOT HOP application.**

20. Drainage easements should be provided along lot lines (187-50.D(10)).

Response: **A drainage easement has been provided along the side/rear lot lines.**

21. A stormwater maintenance agreement will be required (187-50.E (1)).

Response: **Please confirm if Borough will draft the agreement or if a sample agreement will be provided to the Applicant. A Stormwater Maintenance Agreement will be provided prior to final approval.**

22. Stormwater maintenance shall be included as part of a deed to the property (187-50.E (3)).

Response: See comment 21.

23. Soil erosion and sedimentation control plans shall be approved as adequate by the Monroe County Conservation District (MCCD) (187-51).

Response: The plans have been submitted to the Monroe County Conservation District. The approval will be provided to the Borough upon receipt.

24. At the final approval stage, an executed agreement with the MPMA shall be submitted for Sewer service (187-53).

Response: MPMA has indicated an agreement is not required if the existing line is utilized.

25. The 20' buffer plantings shown appear to meet 187-56.F requirements but were not tabulated like the other Landscape requirements noted.

Response: The Landscape Requirement Table has been updated to include the buffer plantings.

26. A recreation facility fee will be applicable for this project in the amount of \$0.25 per square foot of building (187-61, Res #8 2017).

Response: The recreation facility fee will be paid prior to final approval. Please confirm the required fee for the project.

27. A waiver request has been submitted for a smaller size than the specified 10' x 20' parking spaces for the parking lot. The waiver justification is reasonable given the pre-existing parking conditions and unique lot configuration. **The Planning Commission should review this request and make a recommendation to Borough Council for consideration of approval 187-62.1.B(4).**

Response: No response required.

28. The number of parking spaces proposed exceeds the average constructed number of 17 and proposes the maximum reserve number of 20. **Borough Council should review this modification (187-62.1(d)).**

Response: No response required.

29. Access to the site requires a Highway Occupancy Permit (187-62.1.H(3))

Response: An application for a Highway Occupancy Permit is being prepared and a copy will be provided to the Borough upon submission to PennDOT.

Stormwater Management Ordinance

1. Stormwater management facilities are subject to PennDOT approval (179-10.I)

Response: The stormwater management facilities in the PennDOT right of way will be included as part of the PennDOT HOP application.

2. Limiting Zones (LZ) were left blank on the infiltration forms. It appears that the intent was to use the full depth of the excavations as the LZ. The third infiltration test was subject to a water seep and failed but is not being used for infiltration design (179-13). Other requirements of this section are not met, but the limitations of the site leaves very few, if any, options otherwise. A waiver request is recommended or a note could be added to the plan requiring testing during construction when the site is at somewhat finished grade and more conducive to perform the testing.

Response: A waiver request for the limiting zones is included with this submission.

3. A 1.0 ft. freeboard is required for all stormwater facilities (179-16.A). A waiver would be appropriate for the specific conditions of this project if requested.

Response: A waiver request for the 1 ft freeboard is included with this submission.

4. A blanket stormwater easement is recommended for the site in the form of a note on the Site Plan (179-16.F).

Response: A blanket stormwater easement has been added to Sheet C.S.01 (Note 9).

5. A Consumptive Use Tracking Report has not been submitted (179-18).

Response: The Consumptive Use Tracking Report has been included with this submission.

6. A plan note should be added acknowledging that any revision to the approved drainage plan must be approved by the municipality and that a revised E&S Plan must be submitted to the conservation district for a determination of adequacy (179-21.B(24)).

Response: A note has been added to Sheet C.S.01 (Note 11).

7. The following certification should be added to the plan: "*I, (Design Engineer), on this date (date of signature); hereby certify that the drainage plan meets all design standards and criteria of the Brodhead/Tobyhanna Watershed Act 167 Stormwater Management Ordinance.*" (179-21).

Response: A note has been added to Sheet C.G.01.

8. A declaration of adequacy and highway occupancy permit from the PennDOT District Office when utilization of a PennDOT storm drainage system is proposed (179-21(5)).

Response: The PennDOT HOP permit, including the storm water facilities, will be provided to the Borough upon receipt.

9. A Municipal Stormwater maintenance fund will be required (179-32).

Response: A Municipal Stormwater Maintenance Fund will be provided prior to final approval. Please confirm the basis for the fund amount.

10. A Drainage Plan application is required with the appropriate fee (App C and 179-27).

Response: The Drainage Plan application is included with this submission. The fee will be provided upon confirmation from the Borough on the fee resolution or agreement that the drainage application fee will be provided from the concurrent land development application escrow.

General

1. The Natural features plan should have contour elevations shown.

Response: Contour Elevations have been added to the Sheet C.EX.01.

If you have any questions regarding the above comments, please contact me.

Very truly yours,

R.K.R. HESS, a division of UTRS. Inc.



Nathan Oiler, PE
Director of Land Development Engineering Services

Cc Stan Bizio

Via Hand Delivery & E-mail

February 7, 2022

Ms. Alexis Wilkinson, Zoning Officer
Mount Pocono Borough
1361 Pocono Boulevard, Suite 100
Mount Pocono, PA 18344

RECEIVED

FEB 07 2022

MT. POCONO BOROUGH

Re: Waiver Requests Letter
Land Development Plan
Clarius Park I-380
CP MT Pocono, LLC
c/o Clarius Partners, LLC
Mount Pocono Borough, Monroe County, PA

Dear Ms. Wilkinson:

With reference to the above and as a follow-up to our discussions held at the February 2, 2022 Planning Commission Meeting, we are requesting the following waivers from the Borough's Subdivision & Land Development Ordinance for this Land Development Plan:

1. Section 187-20 – Submission of a Separate Preliminary Plan
2. Section 187-29.B.(4) – Plan Sheet Size
3. Section 187-29.C – Site Context Map Scale
4. Section 187-48.G.(2) – Maximum Length of Cul-De-Sac Street
5. Section 187-48.K – Maximum Street Width
6. Section 183-11B.(1) – Sidewalks on Both Sides of a New Street
7. Section 187-56.B – Minimum Number of Trees (Partial Waiver)
8. Section 187-56.C.(2)(d) & (f) – Planting Strips
9. Section 187-56.G.(1)(e) – Irrigation System or Frost Proof Hydrants
10. Section 187-56.G.(2)(c), (d) & (f) – Plant Specifications Tree Size

With regards to Section 187-20 – Submission of a Separate Preliminary Plan, the applicant is requesting a waiver of this requirement due to consolidating / subdividing two (2) existing parcels into a single development tract for purposes of constructing a new warehouse / distribution facility and related improvements. Further, no phasing is being proposed and all of the requirements of both the preliminary and final plan can be adequately addressed in one plan submission.

With regards to Section 187-29.B.(4) – Plan Sheet Size, the applicant is requesting a waiver of this requirement to provide a maximum sheet size of 24” x 36” due to the large size of the subject properties involved. The total area of the subject properties is 84.687 acres and the larger 30” x 42” sheet allows the project to be presented at a larger scale without the use of excessive match lines or multiple plan sheets permitting easier review and use during construction. It should also be noted that the plan set will be reduced to a 24” x 36” sheet size for recording in the Monroe County Recorder’s Office. A note will be added to the Cover Sheet indicating that the recorded land development plan was prepared on 30” x 42” plan sheets and is not to scale.

With regards to Section 187-29.C – Site Context Map Scale, the applicant is requesting a waiver of this requirement to provide a site context map at a scale of 1” = 200’ due to the large size of the subject properties involved. The total area of the subject properties is 84.687 acres which would require the site context map to take up most of the plan cover sheet, thus not allowing for signature blocks, certifications, etc. As such, the site context map on the plan cover sheet is provided at a scale of 1” = 2000’; however, the overall plan sheets within the land development plan set are provided a scale of 1” = 100”.

With regards to Section 187-48.G.(2) – Maximum Length of Cul-De-Sac Street, the applicant is requesting a waiver of this requirement which requires a cul-de-sac street to have a maximum length of 800 feet. Approximately 1,800 feet of Pocono Star Boulevard is being constructed by the applicant as agreed upon as part of the Conditional Use Application process. Further, the cul-de-sac is planned to be a temporary scenario until the public roadway eventually gets extended in the future by the Borough. Furthermore, there are multiple access points onto Pocono Star Boulevard which would allow for vehicles to get to Route 940 through the site in the event of an emergency.

With regards to Section 187-48.K – Maximum Street Width, the applicant is requesting a waiver of this requirement to provide a maximum street width (with curb) of 26 feet for Pocono Star Boulevard. Pocono Star Boulevard has been designed to accommodate truck turning maneuvers from intersecting streets and driveways. As such and in order to provide safety for all vehicles, a street width of 34 feet is being proposed. This width is similar to what is proposed for the project’s site access driveways where truck traffic is anticipated.

With regards to Section 183-11B.(1) – Sidewalks on Both Sides of a New Street, the applicant is requesting a partial waiver of this Sidewalks Ordinance requirement along the northern side of Pocono Star Boulevard. Sidewalk is being proposed along the southern side of Pocono Star Boulevard and along the northern frontage of existing S.R. 940. Sidewalk is also being proposed from the right-in / right-out driveway up to the site’s building as well as to connect with the Pocono Star Boulevard sidewalk in order to accommodate potential employees walking to work.

With regards to Section 187-56.B – Minimum Number of Trees, the applicant is requesting a partial waiver of this requirement which requires a minimum of twelve deciduous or evergreen trees for each one acre of the gross area of the development tract. The development tract totals 78.1 acres, which would require 937 proposed trees. The plan proposes 260 trees, due to the large area that is needed for meadow and stormwater management facilities to meet NPDES requirements.

With regards to Section 187-56.C.(2)(d) & (f) – Planting Strips, the applicant is requesting a waiver of this requirement for the proposed parking lot. The addition of the eight-foot-wide planting strips to break up parking areas into smaller parking areas of no more than 100 stalls would greatly decrease the amount of parking stalls. Employee parking is essential for a warehouse use to ensure the amount of workers have enough parking spots

between shift changes. Further, the number of total parking spaces proposed is equivalent to the number of total parking spaces required. Furthermore, all other landscape islands are being provided and there is a large amount of green space provided around the perimeter of the overall parking lot.

With regards to Section 187-56.G.(1)(e) – Irrigation System or Frost Proof Hydrants, the applicant is requesting a waiver of this requirement to provide an irrigation system or frost proof hydrants at 200 feet apart since the project is proposing over one acre of landscaping. Given the native, drought tolerant trees or plants being proposed for the project, an irrigation system is not necessary for the vegetation to survive. The anticipated annual rainfall in Pennsylvania is sufficient to provide hydration for the proposed vegetation being provided.

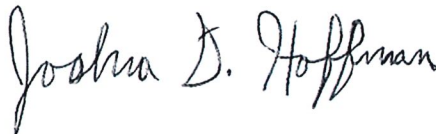
With regards to Section 187-56.G.(2)(c), (d) & (f) – Plant Specifications Tree Size, the applicant is requesting a waiver of the minimum caliper of planting for canopy trees at 4” (187-56.G.(2)(c)), ornamental trees at 2.5” (187-56.G.(2)(d)), and evergreen trees having a minimum planting height of 8-10 feet (187-56.G.(2)(f)). We are asking that a standard nursery trade size of trees be allowed of 2-2.5” caliper for canopy trees, 1.5-2” caliper for ornamental trees and 6-7’ height for evergreen trees at time of planting. This will help prevent the viability of smaller trees to withstand the transplanting from nursery to site along with the availability of plants that are grown at a standard nursery size.

Please include these waiver requests on the agenda of the Planning Commission for their regularly scheduled meeting on February 16, 2022 so the waivers can formally be recommended to Borough Council. Also, please include these waiver requests on the agenda for Borough Council for their regularly scheduled meeting on March 1, 2022. We will be in attendance at the Borough Council meeting to present the waiver requests and answer any questions that Council or Borough Staff may have in this regard.

If you have any questions or require further information in this regard, please feel free to contact me. Thank you.

Sincerely,

SNYDER SECARY & ASSOCIATES
A DIVISION OF PENNONI



Joshua D. Hoffman, P.E.
Senior Engineer

cc: Mr. Christopher P. McDermott, P.E., Reilly Associates (w/Encl., Via E-mail)
Mr. Taivo E. Tammaru, AIA, LEED AP, Clarius Partners, LLC (w/Encl., Via E-mail)
Mr. James S. Snyder, P.E., Snyder, Secary & Associates, a Division of Pennoni (w/Encl., Via E-mail)
File

Sent Via E-mail

February 7, 2022

Ms. Alexis Wilkinson, Zoning Officer
Mount Pocono Borough
1361 Pocono Boulevard, Suite 100
Mount Pocono, PA 18344

RECEIVED

FEB 07 2022

MT. POCONO BOROUGH

Re: Time Extension
Subdivision & Land Development Plans
Clarius Park I-380
CP MT Pocono, LLC
c/o Clarius Partners, LLC
Mount Pocono Borough, Monroe County, PA

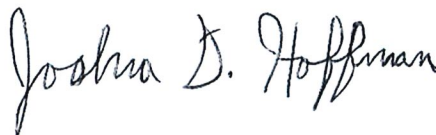
Dear Ms. Wilkinson:

With reference to the above project and on behalf of our client, we are granting Mount Pocono Borough Council a time extension until March 26, 2022 or thirty (30) days beyond the current 90-day expiration date of February 24, 2022 for processing the above referenced Subdivision and Land Development Plans.

If you have any questions or require further information in this regard, please feel free to contact me. Thank you.

Sincerely,

SNYDER SECARY & ASSOCIATES
A DIVISION OF PENNONI



Joshua D. Hoffman, P.E.
Senior Engineer

cc: Mr. Christopher P. McDermott, P.E., Reilly Associates (w/Encl., Via E-mail)
Mr. Taivo E. Tammaru, AIA, LEED AP, Clarius Partners, LLC (w/Encl., Via E-mail)
Mr. James S. Snyder, P.E., Snyder, Secary & Associates, a Division of Pennoni (w/Encl., Via E-mail)
File

December 30, 2021

BOMPX 19003

Joshua Walker
Borough Manager
Mount Pocono Borough
1361 Pocono Boulevard, Suite 100
Mount Pocono, PA 18344

RECEIVED
FEB 10 2022
M.T. POCONO BOROUGH

**RE: TRAFFIC IMPACT STUDY REVIEW #5
POCONO STAR PROPERTIES, LP/CLARIUS PARTNERS WAREHOUSE & COMMERCIAL
DEVELOPMENT
MOUNT POCONO BOROUGH, MONROE COUNTY, PA**

Dear Mr. Walker:

As requested, we have completed our traffic engineering review of the Transportation Impact Study (TIS) noted above that was received on December 2, 2021.

SUBMISSION:

The submission consisted of the Transportation Impact Study (TIS) dated November 24, 2021, prepared by Traffic Planning and Design, Inc. for the development of a 1,195,880 SF warehouse on the north side of PA 0940 east of the Walmart Supercenter. The TIS was revised to no longer propose the fulfillment center. The TIS now only proposes a traditional warehouse, which has considerably lower traffic volume compared to a fulfillment center.

The applicant should address the following comments.

TRAFFIC ENGINEERING COMMENTS:

1. The consultant provided an alternative transportation plan (ATP) proposing the construction of approximately 1800 linear feet of the connector road and is proposing dedication of the additional right-of-way to the Borough through the remainder of the subject property to facilitate future construction of the bypass road toward SR 611. Since this proposal does not provide immediate relief of the impacts and leaves the remaining improvements to be made by the Borough, we recommend further discussions with PennDOT regarding this proposal.
2. Please continue to copy the Borough on all submissions to PennDOT.
3. Continue coordination with the adjacent developer to ensure the Lot 28 secondary access can be made on the portion of the bypass road to be constructed with this project, per the requirements of the Conditional Use Decision.
4. The ATP shall contain the following information per the Policies and Procedures for Transportation Impact Studies Related to Highway Occupancy Permits, Appendix E:
 - a. Proposed project overview

- i. Provide a map that encompasses the proposed development site as well as the impacted area.
 - ii. Provide the development description.
 1. Type of land use, size, trip generation.
 2. Trip assignment figure.
 3. Total traffic volume assignment figure.
 4. Additional information as needed to describe the extent of the development.
 - b. LOS table highlighting the specific impacts.
 - c. Picture(s) of intersection(s) impacted.
 - d. Construction cost estimate for highway improvements, including, but not limited to, R/W and utility costs, which will fully mitigate impacts.
 - e. Conceptual plans at a reasonable scale that depicts the highway improvements which will fully mitigate impacts.
 - f. Conceptual plans at a reasonable scale that depicts highway improvements the applicant intends to implement which will partially but not completely mitigate impacts (as applicable).
 - g. Detailed justification as to why all or a portion of the highway improvements are not feasible.
 - h. Detailed justification as to why foregoing the particular highway improvements will jeopardize neither public safety nor the highway/bridge infrastructure.
 - i. Proposed ATP
 - i. Description of the ATP.
 - ii. Description how the ATP addresses mitigation (Is it reasonable?).
 - iii. Explanation/documentation of how the ATP will be legally enforced.
 - iv. Cost estimate to implement the ATP.
 - v. ATP implementation schedule
 - vi. Evidence that all key stakeholders concur.
 - j. Signature lines for District Executive and Central Permit Office Approval
5. We recommend the applicant work with the Borough to improve the alignment of the Right-of-Way being dedicated for a future connector road to SR 0611. The route should provide minimal impact to the adjacent properties.

If you have any questions regarding our review, please do not hesitate to contact me.

Sincerely,

PENNONI



Earl W. Armitage III, P.E.
Borough Traffic Engineer

cc: Borough Council
Alexis Wilkinson, Borough Zoning Officer
Rob Hoffman, PE, Traffic Planning & Design

1500 JFK Boulevard
Suite 222
Philadelphia, PA 19102
Main: 877 627 3772

RECEIVED

FEB 11 2022



February 11, 2022

MT. POCONO BOROUGH

Joshua Walker, Borough Manager
Mount Pocono Borough
1361 Pocono Boulevard, Suite 100
Mount Pocono, PA 18344

Harbor Freight
Mount Pocono Borough, Monroe County, PA
Colliers Engineering & Design Project No. 21005348A

Dear Joshua, Regarding the above referenced project, below please find a list of the requested Waivers:

LIST OF REQUESTED WAIVERS

1. Waiver from §187-29.D.3 and §189-59 to not provide information on wetlands due to the scope of the improvements.
2. Waiver is requested from §187-30.A, to not provide an existing resource and site analysis plan due to the scope of the improvements. (i.e. renovation)
3. Waiver is requested from 187-30.B, to not provide a Final Resource and Impact and Conservation Plan due to the scope of the improvements. (i.e. renovation)
4. Partial Waiver from §187-48 W. and X., to not provide curb and sidewalk along the property frontage, as Oak Street has minimal grass areas to install a sidewalk and a drainage swale, and steep slopes exist along the Oak Street frontage. The applicant is proposing sidewalk from the existing McDonald's sidewalk to the existing ADA ramp at the northeast corner of the parcel.
5. Waiver is requested from §187-61 to not provide the recreational facility fee due to the scope of the improvements.
6. Waiver from §187-17 to process the application for both Preliminary and Final Land Development approval, due to the scope of the improvements.
7. Waiver from §187-51 to not require a submission to the Monroe County Conservation District due to the minimal disturbance and associated improvements. The earth disturbance is less than 8,000 sf and mostly within existing impervious areas.
8. Waiver from §187-56.G.2.f. to provide 2.5" caliper trees in lieu of the 4" caliper trees due to the difficulty to install large trees with the large caliper size and associated root-ball. The industry standard is 2.5".
9. Waiver from §187-33-39 and §187-42 to not provide the developer's agreement and improvement securities, due to the nature of the building renovation and very limited site work. We request to limit any performance/maintenance guarantee to the required landscaping only.

If you should have any questions, or require additional information, please do not hesitate to contact this office.

Sincerely, Colliers Engineering & Design

A handwritten signature in black ink, appearing to read "Rhett Chiliberti".

Rhett Chiliberti, PE
Geographic Discipline Leader

cc: Pablo Medeiros, Jason Lazar, Marc Wolfe, File/correspondence
R:\Projects\2021\21005348P - Harbor Freight\Correspondence\OUT\220211 Waiver Request Letter -revised.docx

BOROUGH OF MOUNT POCONO

1361 POCONO BOULEVARD, SUITE 100
MONROE COUNTY, PENNSYLVANIA

PLANNING COMMISSION SUBMISSION APPLICATION FORM

Name of Proposed Development: 94 Winona rd
Proposed Number of lots: 1 Location/Street: 94 Winona rd mt pocono
Pin #: 10635508999838
Applicant/Owner: Khaleem Mohammed
Address: 94 Winona rd mount pocono pa
Telephone: 5707305888 Fax #: _____
Email: Kmohd16@ptd.net

Engineer/Contact: _____
Address: _____
Telephone: _____ Fax #: _____
Email: _____

Borough Application Fee: \$ 550 Date Fee Paid: 01/05/2022 *CK# 566*
Deposit (if applicable): \$ _____ Date Paid: NA

RECEIVED
JAN 11 2022
MT. POCONO BOROUGH

Narrative of Project (attached sheet can be used): _____

Looking to rezone property as needed to short term rent
94 Winona rd

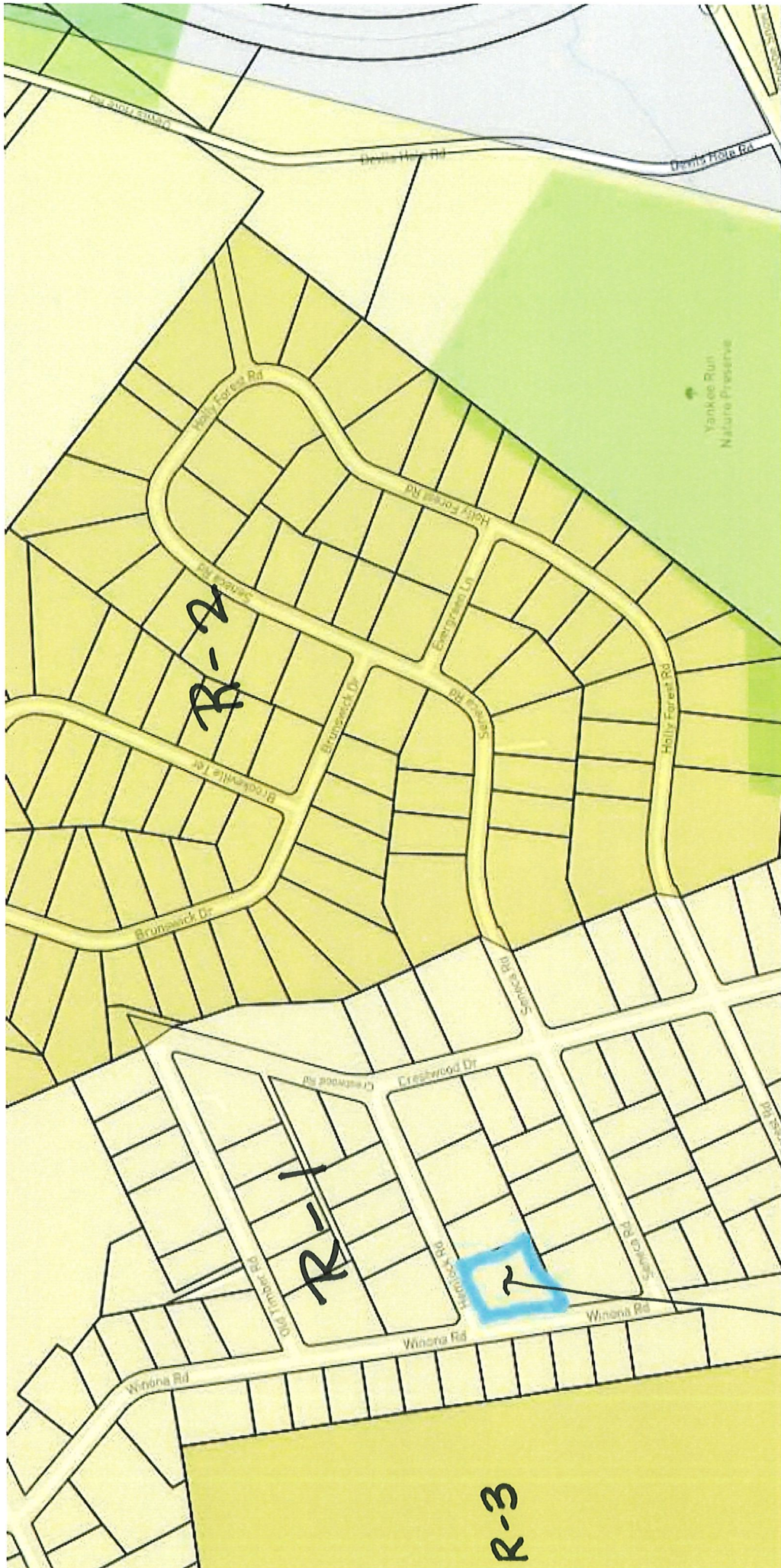
RECEIVED
JAN 11 2022
MT. POCONO BOROUGH

BOROUGH OF MT. POCONO
MUNICIPAL BUILDING
1361 Pocono Blvd. Suite 100
Mt. Pocono, PA 18344

RECEIPT		DATE <u>Jan 11, 2022</u>	No. <u>966960</u>
RECEIVED FROM <u>PRO TECH ELECTRIC LLC</u>		\$ <u>550</u>	
<u>FIVE HUNDRED AND FIFTY ^{XX/100}</u>		DOLLARS	
FOR <input type="radio"/> RENT		<u>APP/DEPOSIT - STR 94 WINONA (PC)</u>	
FOR <input type="radio"/> _____		_____	
ACCOUNT	<input type="radio"/> CASH	FROM	TO
PAYMENT	<input checked="" type="radio"/> CHECK	<u>D. Jankowicz</u>	
BAL. DUE	<input type="radio"/> MONEY ORDER	BY	
	<input type="radio"/> CREDIT CARD		

CK# 566

3-11



— SUBJECT PARCEL : 94 WINONA

R-3

R-2

R-1

MOUNT POCONO BOROUGH PLANNING COMMISSION 2021 ANNUAL REPORT

In accordance with the Pennsylvania Municipalities Planning Code (PMPC), the Mount Pocono Borough Planning Commission hereby submits the following 2022 Annual Report to the Mount Pocono Borough Council.

The Planning Commission held a total of nine (9) Regular Monthly Meetings during 2021. Note: The Planning Commission increased its members from five (5) to seven (7). Also, the Planning Commission accepted two (2) new members.

DISCUSSIONS:

- Park & Recreation – Dog Park Proposal – Sent to Borough Council Per Solicitor’s Advice (4/21/21)
- Planning Commission Members Back to Seven (7) Members (8/18/21) & (9/15/21)

CONDITIONAL USE:

- Clarius Land Development Plan reviewed & recommended with conditions to Borough Council (2/17/21)
- Pocono Trailer – 5360 SR 611 reviewed (6/16/21)

IMPROVEMENTS: None

SITE PLAN: None

SKETCH PLAN:

- Sparkle Car Wash reviewed (2/17/21)
- Arya Village proposed mixed use reviewed (8/18/21)
- Bizio proposed retail/office space reviewed (9/15/21)
- Harbor Freight (Mount Pocono Plaza) reviewed (11/17/21)
- Popeye’s (Mount Pocono Plaza) reviewed (11/17/21)

MINOR SUBDIVISION PLAN:

- Clarius accepted & tabled (11/17/21), extension request accepted (12/15/21)
- Bizio accepted & tabled (11/17/21)

PRELIMINARY LAND DEVELOPMENT & LAND DEVELOPMENT PLANS:

- Taco Bell LDP Modification reviewed & recommended to Borough Council (4/21/21)
- Sparkle Car Wash reviewed & tabled (7/21/21), reviewed & recommended LDP with waivers to Borough Council (8/18/21)
- Clarius LDP accepted & reviewed also recommended to Applicant that minor subdivision plan should be submitted separately (10/27/21), review & tabled (11/17/21), extension request accepted (12/15/21)
- Bizio LDP accepted (11/17/21)

FINAL PLANS: None

SEWAGE FACILITIES PLANNING MODULES: None

ORDINANCE REVIEWS & RECOMMENDATIONS:

- Per Clarius request - change the height requirements & Zoning District C-2 as a Conditional Use for warehouses reviewed & recommended to Borough Council (7/21/21)
- Recommended to Borough Council to amend Ordinance to have seven (7) members on the Planning Commission (9/15/21)

MISCELLANEOUS: None

WORK SESSIONS: None

WORKSHOPS ATTENDED: None

PRESENTATIONS: None

Respectfully submitted by,

Michael Penn, Planning Commission Chairman