

**MOUNT POCONO PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, JUNE 19, 2019
7:00 P.M.**

Commissioner K. Kirkwood opened the Regular Meeting at 7:00 P.M. with the following members present: Commissioners; M. Penn; H. Velasco; R. Varney; and, P. Bucco. Also, present were Solicitor H. C. Connor; Zoning/ Codes Enforcement Officer D. Noonan; and, Planning Commission Recording Secretary D. Jackowski.

Vice Chair R. Dorkoski and Commissioner N. DeLano were absent as well as Borough Engineer C. Niclaus.

Representing Borough Council was Councilmember D. Casole.

In the audience was: Mr. Michael Reardon of 14 Cedar Road.

Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

Chairman K. Kirkwood thanked everyone for attending this evening.

APPROVAL OF MINUTES

Commissioner P. Bucco moved to accept the Regular Meeting minutes of Wednesday, April 17, 2019, as presented. Commissioner M. Penn seconded. Motion carried unanimously.

OLD BUSINESS

Shopping Carts Ordinance

The Planning Commission is in receipt of a request from Borough Council to review the Shopping Carts Ordinance that included some concerns that need to be reviewed, including:

1. Fine be included and set yearly on the Permit Fee Scheduled
2. Pick up carts prior to business notification or after business notification
3. Cart inventory requirement that carts be marked with store name and phone number
4. Yearly reports be filled with the number of carts lost or stolen each year
5. Require business to come up with a way to prevent carts from leaving their property and further require the business to file a plan of action on a yearly basis.

A discussion ensued regarding Borough Council's request that the Planning Commission review the previously referred Shopping Cart Ordinance and consider suggested items for inclusion or not. The following priorities were identified:

1. Removing carts from rights of way/ streets.
2. Not imposing excessive costs on the Borough.
3. Not imposing undue costs on businesses.
4. Ease of enforcement, especially given only one (1) employee to enforce the Ordinance.

It is recommended that that three (3) of the five (5) suggestions would unnecessarily impose undue burdens on local business owners.

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It was also noted that there were some sample Ordinances from different municipalities were included to compare with. One being a Nuisance Ordinance that included Shopping Carts from Stroud Township.

Solicitor H. C. Connor recommended that the Borough Code allows for the enforcement of a Nuisance Ordinance, and within it, a paragraph or section on uncontrolled use of shopping carts – a more enforceable and efficient way of dealing with the problem.

Zoning/ Codes Enforcement Officer D. Noonan stated that a standalone Shopping Cart Ordinance is not needed and could be included in another Ordinance such as a Nuisance Ordinance. He suggested that he or the road crew pick up abandoned shopping carts and then he would contact the business owners to inform them on a quarterly basis at which time he would give them a timeline on when to pick up the shopping carts.

After a lengthy discussion, Commissioner M. Penn moved to recommend that Borough Council forego all standalone Shopping Cart Ordinances and consider the adoption of a more encompassing Nuisance Ordinance to consolidate the many standalone nuisance type Ordinances now on the books that would include shopping carts. Commissioner P. Bucco seconded. Motion carried unanimously.

NEW BUSINESS

Anti-Litter Ordinance

The Planning Commission acknowledged receipt of a request from Monroe County Waste Management Authority (MCWMA) to review and adopt an Anti-Litter Ordinance.

Solicitor H. C. Connor stated as the Solicitor of the MCWMA that the attached Anti-Litter Ordinance is a draft and needs to be worked on more. He noted that he will be forwarding a revised Ordinance.

Commissioner M. Penn moved to table review and consideration of the Anti-Litter Ordinance until such time that the Planning Commission receives language clarification from the County. Commissioner R. Varney seconded. Motion carried unanimously.

DISCUSSION

None

PROJECT UPDATES

Hirshland

Councilmember D. Casole reported that Hirshland project has received a ninety-day extension. She noted that a discussion with the Applicant's attorney was had with him requesting that Borough Council consider a text amendment regarding signs.

Zoning/ Codes Enforcement Officer D. Noonan left the meeting at 8:05 P.M.

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LIAISON REPORTS

Borough Council

Councilmember D. Casole reported: Borough Council held a work session Monday, June 17, 2019. She noted that in attendance was Attorney Lewis who represents the Hirshland project, where he asked Borough Council, as reported earlier, to consider a text amendment to the Sign Ordinance. She also noted that Borough Council and Borough residents had a lengthy discussion regarding establishing a Sidewalk and Safety Commission.

Zoning Hearing Board

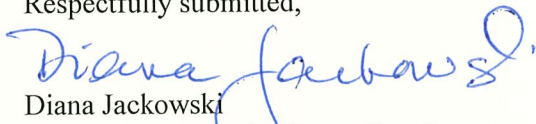
No report.

PUBLIC PARTICIPATION

None

There being no public participation and no further business coming before the Planning Commission, Commissioner P. Bucco moved to adjourn at 8:15 P.M. Commissioner H. Velasco seconded. Motion carried unanimously.

Respectfully submitted,


Diana Jackowski
Planning Commission Recording Secretary

