

**MOUNT POCONO PLANNING COMMISSION
RE-ORGANIZATION & REGULAR MEETING MINUTES
WEDNESDAY, JANUARY 15, 2020
7:00 P.M.**

Commissioner K. Kirkwood opened the Re-Organization & Regular Meeting at 7:00 P.M. with the following members present: Commissioners M. Penn; P. Bucco, and, H. Velasco. Also, present were Solicitor H. C. Connor; Borough Engineer C. Niclaus, Zoning/ Codes Enforcement Officer D. Noonan; and, Borough Secretary/Treasurer L. Noonan.

Commissioner R. Dorkoski and Recording Secretary D. Jackowski were absent.

Pledge of Allegiance was said by all.

RE-ORGANIZATION

Nominations

Solicitor H. C. Connor asked for nominations for Chairman of the Planning Commission.

Commissioner P. Bucco nominated Kevin Kirkwood as Chairman for 2020. Commissioner H. Velasco seconded. Solicitor H. C. Connor asked if there were any other nominations for Chairman.

Solicitor H. C. Connor asked one (1) more time if there were any more nominations for this position. There being none, Solicitor H. C. Connor closed the nominations for Planning Commission Chairman. Motion carried unanimously.

Solicitor H. Connor turned the gavel over to Chairman K. Kirkwood.

Chairman K. Kirkwood asked for nominations for Planning Commission Vice Chair, noting that Rich Dorkoski has not been able to attend meetings on a regular basis and suggested that someone else be nominated as Vice-Chair.

Commissioner H. Velasco moved to nominate Patty Bucco as Vice Chair. Commissioner M. Penn seconded. Chairman K. Kirkwood asked if there were any more nominations for this position. There being none, motion carried unanimously.

Chairman K. Kirkwood asked for nominations for Planning Commission Secretary.

Commissioner M. Penn moved nominate Vice-Chair P. Bucco as Secretary. Commissioner H. Velasco seconded. Chairman K. Kirkwood asked if there were any more nominations for this position. There being none, motion carried unanimously.

Chairman K. Kirkwood discussed that due to several Planning Commission members attending the Borough Council meetings regularly a liaison would not be needed. He noted that there has been at least one (1) Councilmember in attendance at the meetings to update the Planning Commission.

As far as the Zoning Hearing Board Liaison, he noted that the Zoning Hearing Board hardly meets and suggested leaving this position open.

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PRELIMINARY ANNOUNCEMENTS

None

APPROVAL OF MINUTES

Commissioner M. Penn moved to accept the Regular Meeting minutes of Wednesday; October 16, 2019 as presented. Commissioner H. Velasco seconded. Motion carried unanimously.

Chairman K. Kirkwood read a memo he sent to the Borough Council regarding the Planning Commission membership. Chairman K. Kirkwood recommended to borough council that the membership be reduced from 7 members to 5 members. Chairman K. Kirkwood discussed the history of the planning commission membership over the years he has been on the commission.

Commissioner M. Penn stated that the Mount Pocono Municipal Authority (MPMA) recently reduced the Authority from 7 to 5 and he wishes the MPMA had 7 instead of 5 as it makes for a more diverse conversation.

OLD BUSINESS

POSH Properties (SR 940)

Mr. Michael Jeitner, PE with Bohler Engineering, Joe and Jason Posh and John Wichner, Traffic Engineer, McMahon Associates were present on behalf of the POSH Properties (SR 940) Land Development.

Borough Engineer C. Niclaus reviewed his most recent review letter. The applicant agreed to comply or address the outstanding items by the next Planning Commission Meeting.

Mr. Jeitner reviewed with the Commission the waivers for relief the applicant was requesting. Borough Engineer C. Niclaus agreed with the request.

Vice-Chair P. Bucco moved to grant the following waivers for the POSH Properties LDP:

1. A Waiver from Section 187-30. A – To not provide an Existing Resources and Site Analysis plan as part of the final plan approval requirements, due to the nature of the existing graded pad site.
2. A Waiver from Section 187-30. B – To not provide of a Final Resource Impact and Conservation plan as part of the final approval plan requirements, due to the nature of the existing graded pad site.
3. A Waiver from Section 187-56. E. (4) – To provide a minimum 0-foot wide buffer in lieu of the required 10-foot wide low buffer along the western property line.
4. A Waiver from Section 187-56. E. (4) – To provide a minimum 3.7-foot wide buffer in lieu of the required 10-foot wide low buffer along the northern property line.
5. A Waiver from Section 179-11 M. & 179-18 & 179-23 C – To not provide a Consumptive Use Tracking Report.

Commissioner H. Velasco seconded. Motion carried unanimously.

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Noted for the record: the waiver from Section 187-48. W & X – to not provide sidewalk along the Walmart Entrance Drive was removed from the request as the Planning Commission was not in favor of eliminating this sidewalk.

The following two waivers were tabled and will be reviewed at the next meeting:

1. A Waiver from Section 187-56. F.3.e – To provide eight (8) evergreen trees, three (3) ornamental trees, and nine (9) canopy trees in lieu of the required eighteen (18) evergreen trees, seven (7) ornamental trees, and seven (7) canopy trees (30' wide high buffer along the Route 940 frontage).
2. A Waiver from Section 187-56. F.3.e – To provide two (2) canopy trees in lieu of the required four (4) canopy trees and two (2) ornamental trees (10' wide low buffer along the western property line).

Mr. Jeitner requested the Planning Commission grant a 90-day time extension.

Vice-Chair P. Bucco moved to grant a 90-day time extension to the POSH Properties (SR 940) Land Development. Commission M. Penn seconded. Motion carried unanimously.

McDonald's Rebuild Land Development Plan

Mr. Michael Jeitner, PE with Bohler Engineer and Rich Berkhart, McDonald's Director of Operations was present on behalf of the McDonald Rebuild Land Development.

Borough Engineer C. Niclaus reviewed his most recent comment letter. Mr. Jeitner agreed to comply/address the outstanding items.

Commissioner M. Penn moved to grant the following waivers to the McDonald's Rebuild Land Development:

1. A Waiver from Section 187-30. A. To not provide an Existing Resources and Site Analysis plan as part of the final plan approval requirements due to the nature of the existing graded pad site.
2. A waiver from Section 187-30. B – To not provide a Final Resource Impact and Conservation plan as part of the final approval plan requirements, due to the nature of the existing graded pad site.
3. A Waiver from Section 187-44 – To not require a Four-Step design Process

Vice-Chair P. Bucco seconded. Motion carried unanimously.

Mr. Jeitner agreed to work with Borough Engineer C. Niclaus on the following requested waivers as they may become partial waivers:

4. A waiver from Section 187-56.D (3)(e) – to not provide trees, shrubs, and/or grasses/perennials along the eastern and southern property line buffers due to limited planting area and vehicle overhang.
5. A waiver from Section 187-56.F (3)(e) – To not provide trees, shrubs, and/or grasses/perennials along the eastern and southern property line buffers due to limited planting area and vehicle overhang.

Borough Engineer C. Niclaus discussed the existing non-conformities that will continue with the project and that the non-conformities are handled by the Zoning Officer. The existing non-conformities to continue are:

EXISTING NON-CONFORMITIES TO CONTINUE

1. §215-16.C Attachment 2.3 Schedule of Development Standards
 - o Lot depth of 192.2 Ft in lieu of the minimum required 200 Ft.

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2. §215-16.D Table of Uses
 - o To permit a use of a Restaurant with Drive-In services to continue.

3. §215-22.G – To permit less than the required amount of buffering required by the Borough’s SALDO (§187-56.F (2) Table 615-1):
 - o To permit a buffer of 6.3 Ft in lieu of the minimum required 30 Ft along the north property line.
 - o To permit a buffer of 1.4 Ft in lieu of the minimum required 10 Ft along the eastern property line.
 - o To permit a buffer of 1.4 Ft in lieu of the minimum required 10 Ft along the southern property line.

Borough Engineer C. Niclaus stated that the following Existing Non-Conformities that have been improved are:

EXISTING NON-CONFORMITIES IMPROVED

1. §215-16.C Attachment 2.4 Schedule of Development Standards
 - o Impervious coverage of 82.8% in lieu of the maximum 70%. Existing 89.4%; **Reduction of 6.6% of impervious coverage.**

2. §215-22.G To permit less than the required amount of buffering required by the Borough’s SALDO (§187-56.F. (2) Table 615-1):
 - o To permit a buffer of 1.9 Ft. in lieu of the minimum 10 Ft along the western property line.; Existing is 0 Ft.
 - o To permit a buffer of 9.0 Ft in lieu of the minimum 15 Ft for an accessory structure. Existing is 1.6 Ft.

The Planning Commission agreed that the existing non-conformities will continue or be improved upon and these will be handled by the Zoning Officer.

Vice-Chair P. Bucco moved to table the McDonald’s Rebuild Land Development to allow the Borough Engineer and the applicant’s engineer time to work on the two (2) remaining waivers. Commissioner H. Velasco seconded. Motion carried unanimously.

NEW BUSINESS

None

DISCUSSION

None

PROJECT UPDATES

Hirshland Land Development – It was noted that off-site stormwater work continues on Mountain Drive & Heath Lane.

LIAISON REPORTS

Borough Council

None

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Zoning Hearing Board

None

PUBLIC PARTICIPATION

None

There being no public participation and no further business coming before the Planning Commission, Vice Chair P. Bucco moved to adjourn at 8:50 P.M. Commissioner H. Velasco seconded. Motion carried unanimously.

Respectfully submitted,



Lori Noonan
Borough Secretary/Treasurer

