

MOUNT POCONO BOROUGH PLANNING COMMISSION
REGULAR MEETING AGENDA
Wednesday, June 21, 2023 – 7:00 PM

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

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
____ A. M. Harris, ____ E. Melbert, ____ M. Penn, ____ R. Dorkoski, ____ S. Speno,
____ D. Noonan (Alternate), ____ C. Connor, ____ C. Niclaus, ____ D. Jackowski
4. Preliminary Announcements
5. Consider Approval of Minutes – Regular Meeting Minutes
 - a. May 17, 2023
6. Unfinished Business - None
7. New Business
 - a. Pocono Pride – Sketch Plan Review
8. Project Updates
9. Liaison Reports
 - a. Borough Council
 - b. Zoning Hearing Board
10. Public Participation
11. Adjournment

**MOUNT POCONO PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MAY 17, 2023
7:00 P.M.**

Chair A. Harris opened the Planning Commission meeting at 7:00 P.M.

Pledge of Allegiance – was said by all.

Roll Call – The following were present: Chair A. Harris; Commissioner M. Penn; and, Commissioner S. Speno. Vice Chair E. Melbert; Commissioner R. Dorkoski; and, Alternate Commissioner D. Noonan were absent. Also, present were Solicitor C. Connor; and, Recording Secretary D. Jackowski.

PRELIMINARY ANNOUNCEMENTS – None

APPROVAL OF MINUTES – Commissioner M. Penn moved to accept the Re-Organization and Regular Meeting minutes of Wednesday, March 15, 2023, as presented. Commissioner S. Speno seconded. Motion carried unanimously.

UNFINISHED BUSINESS - None

NEW BUSINESS

Shivers – 130 View Court #204 – Short-Term Rental, Conditional Use Review – Applicant was not in attendance.

Baronov – 31 Seneca Road – Short-Term Rental, Conditional Use Review – the Applicant, Mr. Dimitry Baronov was in attendance who explained his submission and that he will be using the property for his personal use besides a short-term rental. He also handed in the receipts of the certified mail notifications to the neighbors. It was noted that this short-term rental is scheduled for Conditional Use Public Hearing on Tuesday, June 6, 2023, at 5:30 P.M. with Borough Council. Upon the Applicant's explanation and the Planning Commission review, Commissioner M. Penn moved to recommend the 31 Seneca Road, Short-Term Rental, Conditional Use with the following conditions:

1. 24-hour waiting period between rentals
2. Comply with Borough Ordinance regarding fire pits
3. Trash within 24-hour – out for pick up and brought back from road
4. To have an open discussion regarding the property manager's distance of the property at 31 Seneca Road
5. Maximum of eight (8) people per rental period.

Commissioner S. Speno seconded. Motion carried unanimously.

Beyond Hello Cannabis Dispensary, 3192 SR 940 #101, Conditional Use Review – In attendance were Attorney Rich Williams and Justin Carey, Vice President of Real Estate representing this project. Attorney R. Williams handed out some additional information including photos and floor layouts. He also handed in the receipts of the certified mail notifications to the neighbors. At this time, Mr. J. Carey explained in more detail the operation of the dispensary, including hours of operation, that there are eighteen (18) dispensaries in Pennsylvania including one (1) in Stroudsburg and other states. The patients are required to have a medical patient card, that there are multiple layers of security which include extensive video camera coverage and security guard presence one (1) hour before opening and two (2) hours after closing.

After its review and the comment letter from the Zoning Officer indicating that the location of this project complies with the Borough Ordinances, Commissioner M. Penn moved to recommend to Borough Council that the Beyond Hello Cannabis Dispensary, 3192 SR 940, Suite #101, be approved with no conditions. Commissioner S. Speno seconded.

Ms. Nickeisha Brown of 38 Summit Drive stated that after listening to the presentation she had no problem with this project however there is an opening of the fence in back of the building that this project will be located and feels that this could be a safety issue. She asked if the Borough could take a look at this and possibly fix it.

Motion carried unanimously.

**MOUNT POCONO PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MAY 17, 2023
7:00 P.M.**

The Planning Commission reminded the Applicant that Borough Council has scheduled a Conditional Use Public Hearing on June 7, 2023, at 6:30 P.M. for this project.

PROJECT UPDATES – It was noted that the Borough hasn't heard back from the Applicant regarding the Arya Village project regarding the third and final notice of amount owed and that Solicitor J. Fareri suggested a civil suit against them.

Shivers – 130 View Court #204 – Short-Term Rental, Conditional Use Review Continued – With no representation at this time, the Planning Commission continued with its review as this is scheduled for a Conditional Use Public Hearing on June 6, 2023, at 6:30 P.M. It was noted that no proof of the neighbors being contacted by certified mail regarding their plan for a short-term rental. Upon reviewing the Zoning Officer's comments and the application, Commissioner S. Speno moved to recommend the Shivers – 130 View Court #204, Short-Term Rental, Conditional Use with the following conditions:

1. 24-hour waiting period between rentals
2. Comply with the maxim amount of occupancy of six (6) people per rental period
3. No more than two (2) parking spaces per rental period
4. Comply with Home Owners Association rules and regulations
5. Notifications to neighbors via certified mail are required and copied to the Borough

Commissioner M. Penn seconded. Motion carried unanimously.

LIAISON REPORTS

Borough Council – No report.

Zoning Hearing Board – It was reported that the Zoning Hearing Board will meet on June 27, 2023, to review the following: Mr. Fazard regarding fence dispute with the Zoning Officer's determination; and, Mr. Barone, who is disputing the Zoning Officer's determination regarding his three (3) undersized lots that can't be built individually as they are too small.

PUBLIC PARTICIPATION – None

Adjournment – The Planning Commission adjourned at 8:23 P.M.

Submitted by,

Diana Jackowski
Recording Secretary

BOROUGH OF MOUNT POCONO

1361 POCONO BOULEVARD, SUITE 100
MONROE COUNTY, PENNSYLVANIA

PLANNING COMMISSION SUBMISSION APPLICATION FORM

Name of Proposed Development: Proposed Indoor Practice Building at Fields of Dreams Fastpitch

Proposed Number of lots: _____ Location/Street: Deerfield / Oak Park - 138 Fairview Avenue

Pin #: 10.12.1.15

Applicant/Owner: Applicant: Pocono Pride Owner: Mount Pocono Borough

Address: 24 Whippoorwill Drive 1361 Pocono Boulevard, Suite 100
Saylorsburg, PA 18353

Telephone: 570.977.6393 Fax #: _____ Mount Pocono, PA 18344

Email: dboc596@aol.com

Engineer/Contact: Charles H. Unangst, PE, PLS
Hanover Engineering Associates, Inc.

Address: 252 Brodhead Road, Suite 100
Bethlehem, PA 18017-8944

Telephone: 610.691.5644 Fax #: _____

Email: cunangst@hanovereng.com

Borough Application Fee: \$ 200.00 Date Fee Paid: _____

Deposit (if applicable): \$ 1,500.00 Date Paid: 5/18/23 CH 1477
(Escrow)

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

Installation of a 6,000 SF accessory structure for the purpose of indoor sports

practice with associated stormwater (2 dry wells), drainage, and erosion and

sedimentation controls.

FEES WAIVED
BY B.C. 6/6/23

RECEIVED
MAY 22 2023
MT. POCONO BOROUGH



HanoverEngineering

252 Brodhead Road • Suite 100 • Bethlehem, PA 18017-8944
Phone: 610.691.5644 • Fax: 610.691.6968 • HanoverEng.com

May 22 2023

Planning Commission
Mount Pocono Borough
1361 Pocono Boulevard, Suite 100
Mount Pocono, PA 18344

RECEIVED
MAY 22 2023
MT. POCONO BOROUGH

RE: Proposed Indoor Practice Building at
Deer Field Park - 138 Fairview Avenue
Mount Pocono Borough
Hanover Project 5016

Dear Planning Commission Members:

Pocono Pride is proposing to construct a 6,000 SF pole building as an indoor practice field within Deer Field Park located at 138 Fairview Avenue. The property is owned by Mount Pocono Borough. The project includes associated site improvements and two (2) dry wells for stormwater management.

For the Borough's review, please find enclosed the following supporting documents for the above-referenced project:

1. Five (5) copies of the Proposed Indoor Practice Building Plans, May 11, 2023, Sheets 1 and 2 of 2, prepared by Hanover Engineering Associates, Inc.
2. One (1) copy of the Borough of Mount Pocono Planning Commission Submission Application Form.
3. Checks in the amount of \$200.00 for the application fee and \$1,500.00 for the escrow account will be delivered to the Borough under separate cover.
4. Digital copies of the submission have been forwarded via E-mail to diana@mountpocono-pa.gov.

Upon completion of construction, the building will become the property of the Borough to be used as an accessory structure for the overall park.

In review of the Borough Ordinances, an accessory use or structure is defined as a use or structure customarily incidental and subordinate to the principal use of the land and located on the same lot with such principal use.

Based on this definition it is felt that the building being proposed will be an accessory structure within the park property and use, and therefore by definition, the requirement of processing this application for the proposed building as a land development is not required.

Though this plan will not be reviewed as a land development, the plans still include stormwater design and calculations with two (2) stormwater dry wells and associated grading to address the stormwater requirements of the Ordinances. The design plans also include the proper erosion and sedimentation control features to address runoff during the construction process.

With the stormwater dry well calculations and details being included within the project plans, we are hereby requesting a waiver of Borough SALDO Chapter 179, Stormwater Management, Article IV, Drainage Plan Requirements. The plans include the stormwater design for the proposed accessory structure and the area of disturbance associated with the project. There is no impact to other areas of the park property and to include detailed information and mapping is not felt necessary. We would like to request the needed waivers be granted to provide the detailed information and calculations for the area associated with this project only.

We appreciate your consideration of this waiver request.

Upon receipt and review, should you have any questions or require additional information, please don't hesitate to contact the undersigned.

Respectfully,

HANOVER ENGINEERING



Charles H. Unangst, PE, PLS
Project Engineer

chu:djn

S:\Projects\Private\Beth-Priv\5016-FieldOfDreamsPoconoFastpitch\Submission\Submission_01\20230522_MIPoconoBoro.doc

Enclosure(s)

cc: (Via E-mail With Enclosures)
Dan Boccia, Pocono Pride, dboc596@aol.com
Charles Niclaus, PE, Barry Isett & Associates, Inc., cniclaus@barryisett.com

RECEIVED
MAY 22 2023
MT. POCONO BOROUGH

PSM Standard Note:

GENERAL NOTES AND SPECIFICATIONS

- 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.
- 2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
- 3. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE FOLLOWING:
- 4. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ENGINEER.
- 5. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE FOLLOWING:
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- 7. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE FOLLOWING:
- 8. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE FOLLOWING:

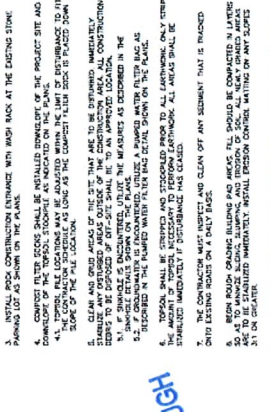
BMP 6.4.6 AGGREGATE DRY WELL NOTES:

- 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.
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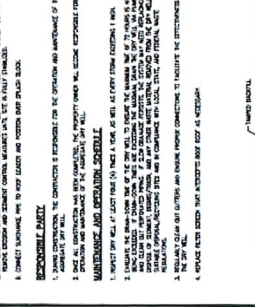
SEQUENCE OF CONSTRUCTION

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STANDARD CONSTRUCTION DETAIL # 4-1 CONCRETE CURB AND WALKWAY



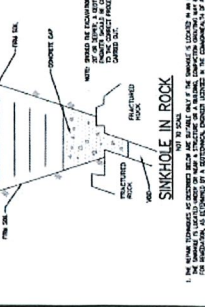
BMP 6.4.6 DRY WELL #1 CROSS SECTION



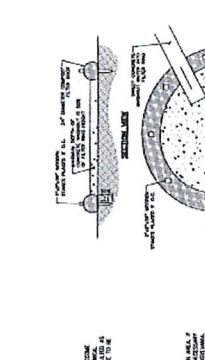
BMP 6.4.6 DRY WELL #2 CROSS SECTION



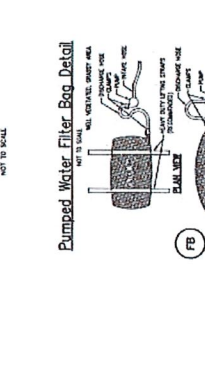
SINKHOLE IN ROCK



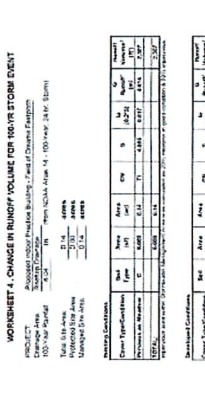
Concrete Washout



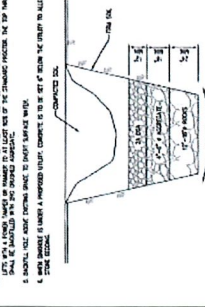
Pumped Water Filter Bag Detail



STANDARD CONSTRUCTION DETAIL # 11-1 PERSONAL CONTROL BLANKET INSTALLATION



STANDARD CONSTRUCTION DETAIL # 3-2 ROCK CONSTRUCTION ENTRANCE WITH WASH BACK



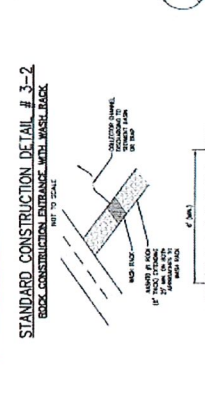
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DRY WELL STORAGE VOLUME CALCULATIONS:

NO.	DESCRIPTION	AREA (SQ. FT.)	VOLUME (CU. YD.)	REMARKS
1
2
3
4
5
6
7
8
9
10

FIELD OF DREAMS FASTPITCH



NOTES & DETAILS

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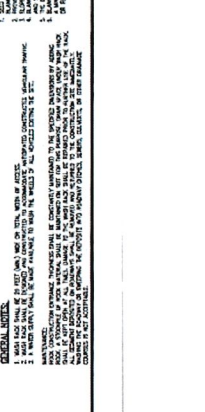
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STANDARD CONSTRUCTION DETAIL # 4-1 CONCRETE CURB AND WALKWAY





📍 525 Main Street, Suite 200, Stroudsburg, PA 18360

☎ 272.200.2050 📠 272.200.2051

🌐 barryisett.com

June 1, 2023
Project #313623.007

RECEIVED
JUN 01 2023
MT. POCONO BOROUGH

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

Dear Planning Commission members:

RE: 138 Fairview Ave Indoor Practice Building
Mount Pocono Borough, Monroe County, Pennsylvania
Sketch Plan Review

Materials Submitted for Review

1. Indoor Practice Building Sketch Plan, 2 sheets, dated 5/11/23, prepared by Hanover Engineering
2. Application form
3. Letter of Transmittal, dated 5/22/23
4. Zoning Permit Application email, dated 2/22/23, sent by Zoning Officer

The project proposes a 60' x 100' shell type building for the purpose of baseball practice and storage to an existing sports field complex located at the end of Deerfield Oak Street with an address of 138 Fairview Ave. The subject lot includes an unidentified number of acres in area and the proposed building is to be located directly upstream from an existing stormwater basin. The site is located within the R-1 Residential zoning district.

The project was submitted as a Zoning Permit application (Site Plan) to the Zoning Officer. The Zoning Officer questioned whether the application should be a Land Development Plan and I recommended that the Planning Commission review it as a sketch plan to advise the applicant the extent to which it conforms more, as a Zoning or Land Development Plan application. The below language appears in the Sketch Plan requirements of the Ordinance:

The Planning Commission shall review the sketch plan in accordance with the criteria contained in this chapter and with other applicable ordinances of the Borough. Its review shall informally advise the applicant of the extent to which the proposed subdivision or land development conforms to the relevant standards of this chapter and may suggest possible plan modifications that would increase its degree of conformance. The Commission shall submit its written comments to the applicant.

Based upon our review, the following comments are offered for the purpose of an informal review by the Planning Commission:

Zoning Ordinance Review

1. The building use is being proposed as accessory to the primary use of the lot as a ballfield.
2. The definition of Land Development in the Zoning (and SALDO) Ordinance is as follows:
 - B.** *The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:*
 - (1)** *A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or*
 - (2)** *The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.*
 - C.** *The definition of "land development" shall also include the expansion or addition to a nonresidential building which involves any of the following as measured cumulatively from the effective date of this provision:*
 - (1)** *The addition of 25% or more of floor area to the structure; or*
 - (2)** *The increase by 25% or more of impervious area (including building area) on the parcel; or*
 - (3)** **Any increase in impervious area which will result in the generation of stormwater in such volume as will not be controlled by existing stormwater facilities pursuant to the requirements of this chapter.**
 - D.** *The definition of "land development" shall not include the following:*
 - (1)** *The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than two residential units, unless such units are intended to be a condominium.*
 - (2)** **The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.**
3. While virtually any improvement to a property could be included per the Section B inclusions above, the Ordinance goes on to specifically include and exclude certain activities that could be more impactful than what is proposed. Ultimately, the Planning Commission is providing guidance on whether the plans need to be further reviewed through the Land Development process or the submitted plans already reasonably meet the objectives of the Ordinances and have the application reviewed as a Zoning permit.
4. If the Use is acceptable as Accessory to the Primary Use of Ballfield and Recreational Facilities as a structure, the **highlighted** area of the D.(2) definition above would apply.
5. The requirements of ZO 215-39 must be met for earth disturbance greater than 2,500 sf:
 - A Soil Erosion and Sedimentation Control Plan with grading has been provided. The on-site plan should be available on-site at all times during construction.
 - Stormwater improvements are proposed. An exemption request has been submitted for parts of the Stormwater Management Ordinance. Design details for two seepage

beds have been provided to prevent excessive stormwater volume that could trigger the process of Land Development as defined in C.(3) above. The design appears reasonable and meets the intent of the Stormwater Ordinance. The exemption request should be reviewed by the Planning Commission for a recommendation.

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

Subdivision and Land Development Ordinance (SALDO)

1. The sketch plan does not meet all requirements of Section 187-28. As a substantially developed site, the existing and proposed improvements appear to be adequately displayed and suitable for the purpose of this review.

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. This may not be a comprehensive list under Sketch Plan review and other comments may be added as additional information becomes available or should change.

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

Sincerely yours,



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