

**MOUNT POCONO PLANNING COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY OCTOBER 18, 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.

**PRELIMINARY ANNOUNCEMENTS** – None

**Roll Call** – The following were present: Chair A. Harris; Vice Chair E. Melbert; Commissioner S. Speno; and, Commissioner K. Hart. Commissioner R. Dorkoski was absent. Also, present were Solicitor C. Connor; Borough Engineer C. Niclaus; and, Recording Secretary D. Jackowski.

**APPROVAL OF MINUTES** – Commissioner K. Hart moved to accept the Regular Meeting minutes of Wednesday, September 20, 2023, as presented. Commissioner S. Speno seconded. Motion carried unanimously.

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

**CP MT Pocono, LLC – Emergency Access Recommendation Review** – Presenting the project were: Mr. Matthew Frank, Newland Capital Group and current owner; Applicant’s Traffic Engineer Mr. Robert Hoffman, Traffic Planning & Design, Inc.; and, Applicant’s Engineer Mr. Mitchell Brady, Pennoni Associates.

Mr. M. Frank proposed to close the right-in/right-out driveway on SR 940, which functioned in part as an emergency vehicle access point to the proposed Clarius Park I-380 Warehouse project. The emergency access point is proposed to be relocated by extending the access driveway between Advance Auto and Wal-Mart. It was acknowledged to support his proposal, his attorney provided a traffic memorandum from TPD and sketches from Pennoni Associates. Mr. M. Frank explained that this would be easier access for emergency vehicles and trucks.

Also in attendance representing Reilly Associates was Ms. Lori Foglio, who was available for any questions regarding their review letter. It was acknowledged that review letters were received from the Borough Traffic Engineer, Jerrid Dinnen with Barry Isett & Associates and the Borough’s Alternate Engineer Christopher McDermott of Reilly Associates as follows:

Borough Traffic Engineer, Jerrid Dinnen with Barry Isett & Associates:

**TRAFFIC COMMENTS**

1. *As depicted in the Alternative Emergency Access Plan prepared by Pennoni Associates, the applicant is proposing to extend the access driveway between Advance Auto and Wal-mart by providing a 7.7% slope, which is approximately 8 feet higher than the existing road surface, into the warehouse property. An emergency gate access is shown at the top of the slope with no level landing for the emergency vehicle to park prior to entering the warehouse parking lot. It should be noted that there are 2 existing stormwater detention basins on either side of the existing access driveway that will be elevated to accommodate the proposed alternative emergency access driveway. These basins and supporting drainage system should also be analyzed when evaluating if relocating the emergency access driveway is feasible. Especially when considering a portion of this system will be buried by an additional 4 – 5 feet of fill material and future maintenance could be limited.*
2. *The elimination of the SR 0940 right-in/right-out driveway, which served as an alternative access point to Industrial Drive and emergency access, will concentrate the anticipated site generated traffic to Industrial Drive. According to TPD’s Revised Access memorandum, the intersection of SR 0940 & Industrial Drive can support this increase in traffic with minimal change in the level of service and 95<sup>th</sup> percentile vehicle queue length.*
3. *Isett recommends consulting the Fire Chief to determine the impacts of the alternative emergency access location to their emergency response vehicles. The provided Fire Truck Turning Radius Plan depicts a “Pumper Fire Truck” navigating the SR 0940 & Oak Street (Wal-Mart/Advance Auto Driveway); however, the dimensions of this vehicle were not provided.*
4. *PennDOT would support the elimination of an access driveway on their State Routes. However, if an emergency event occurred at Wal-Mart this could impact Clarius Park I-380’s only site access to Industrial Drive.*

Borough’s Alternate Engineer Christopher McDermott of Reilly Associates:

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1. *The Borough's Traffic Engineer has provided comments in regard to traffic impacts by the proposed amendments. These comments should be considered.*
2. *During the initial presentation of the development, it was anticipated many of the warehouse employees would come from S.R. 0611. That traffic, in addition to truck traffic, will now be redirected to Industrial Park Dr. and Pocono Star Blvd.*
3. *In regard to the emergency access point, the applicant is proposing to regrade a portion of the access drive adjacent to AutoZone and land within the Walmart shopping plaza common driveway.*
  - a. *The concept plan indicates a 60 ft. wide access easement through the AutoZone parcel. Proof of the easement must be provided. It is not shown on the recorded subdivision plan. The Solicitor should be consulted regarding the rights of the applicant to regrade and utilize the Wal-Mart shopping plaza driveway.*
  - b. *There is an approximate 6-foot elevation difference at the land adjacent to AutoZone parcel. Applicant is proposing to regrade in that area. Fill would cover exiting storm water facilities. Existing stormwater inlets may need to be adjusted and additional inlets may be needed.*
  - c. *The emergency spillway from the Wal-Mart stormwater facility is located immediately up slope and adjacent to the area of the proposed driveway. The applicant should address how release from the stormwater basin will be accommodated and not affect the emergency access point.*
  - d. *At this time, a substantial portion of the driveway onto S.R. 0940, including curbing and base grading, has been installed. It is unclear if the applicant intends to remove those improvements and restore S.R. 0940 to previous conditions. Revised Highway Occupancy Permits will be required.*
4. *The applicant should review the revised pedestrian access sidewalk with the Planning Commission. The applicant will need to revise the grading plan to include the sidewalk.*
5. *If the Borough is in favor of the proposal the applicant will need to provide amended Land Development, Grading, Drainage, ESPC and PCSM Plans showing the revisions in detail. They should be provided prior to granting approval for the proposed revisions.*

Upon reviewing and discussing the emergency access proposal, Commission K. Hart recommend that Borough Council to approve the emergency access proposal from CP MT Pocono, LLC, behind AutoZone and to stop work on the right-in/ right-out on SR 940; to defer to Borough Council from an amended Land Development to an As-Built Plan as per the review letters from the Borough's Traffic Engineer and Alternate Engineer as presented and with the following conditions: sidewalks along property on SR 611; written response of adjacent property owners; contact Fire Chief for approval; and, Borough Council final approval. Vice Chair E. Melbert seconded. Motion carried unanimously.

**Mount Pocono Maintenance Building – Land Development Plan** – Borough Engineer C. Niclaus presented the land development plan for the Borough's maintenance building with a letter explaining the waiver requests. Also in attendance representing Reilly Associates was Ms. Lori Foglio, who aided the Planning Commission with her firm's review of the project. Borough Engineer C. Niclaus explained that due to this project would add to the existing structure and current utility locations, there wouldn't be a need to have sidewalks and add landscaping. See below the list waiver requests:

**LIST OF REQUESTED WAIVERS**

1. *Waiver from §187-17 to process the application for both Preliminary and Final Land Development approval, due to the limited scope of the improvements.*
2. *Waiver is requested from §187-29&30.A, to not provide an Existing Resource and Site Analysis Plan due to the site being an existing disturbed and improved area.*
3. *Waiver is requested from 187-29.A&30.B, to not provide a Resource and Impact and Conservation Plan due to the site being an existing disturbed and improved area.*
4. *Waiver from 187-29.C to not provide a Site Context Map due to the minimal changes in use and the site.*
5. *Waiver from §187-29.D.3 and §189-59 to not provide information on wetlands due to the site being disturbed and improved with impervious surface in the areas of development.*
6. *Waiver from 187-30.D.(9) & 187-51 to not submit the E&S Plan to the MCCD due to the minor amount of disturbance in an already disturbed and improved area. An on-site E&S Plan is being provided per PaDEP regulations.*
7. *Waiver from 187-30.D.(13) to not contact PPL due to the improvements being outside the r.o.w.*



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8. *Waiver from 187-30.G, 187-39 to not provide Maintenance of improvements or an Improvement Maintenance Guarantee because the Borough is the Owner.*
9. *Waiver from 187-37 to not provide Construction Improvements Guarantee because the Borough is the Owner.*
10. *Waiver from 187-42 to not provide Land Development Improvements Agreement because the Borough is the Owner.*
11. *Waiver from 187-44 Four-Step Design process due to developed nature of project.*
12. *Waiver from 187-45 Conservation Open Space process due to developed nature of project.*
13. *Waiver from 187-46 Conservation Standards process due to developed nature of project.*
14. *Waiver from §187-48 W. and X., to not provide curb along the property frontage, and to not provide sidewalk along the property frontage, as Knox Ave. does not have curb along the project frontage and adding curbing would impact the existing drainage patterns. The applicant is not proposing sidewalk along the project frontage due to the front of the site facilities not changing and all improvements are to the rear and replacing existing uses.*
15. *Waiver from 187-49 Monuments and Markers requirements due to continual shared active use of project area by Borough and surrounding properties/easements.*
16. *Waiver from §187-56. & 187-74.B.(3) to not provide landscaping. The rear of the building to the north has a utility line running along the boundary and the adjacent property is wooded. The east end of the property is active storage and staging shared by ppl and the Borough. It is existing and needed for continued operations. The south area in front of the proposed building is also an active storage and staging area shared by PPL and the Borough. The applicant is not proposing landscaping along the project frontage (west) due to the front of the site facilities not changing and all improvements are to the rear.*
17. *Waiver from 187-61 to not provide Recreation Facility Fees due to the fee being based on impervious area and the impervious area is not being increased.*
18. *Waiver from 187-62.2 & 187-74.B.(7) Lighting requirements to only use building mounted lighting as proposed where public health, safety and welfare are not potential concerns and past historical use of the site confirms such.*
19. *Waiver is requested from 187-50, 187-74.B.(4) and §179 Stormwater Management Requirements, per 179-20.A(4), to exempt the project for no increase in impervious surface. All site improvements are proposed in existing impervious areas. In an effort to aid water quality, the roof runoff from the new office building is proposed to drain to a seepage pit designed to receive a 2-year storm volume.*
20. *Waiver from 187-76.1 Drifting Snow requirements since the existing use includes managing not only the site snow, but also a significant portion of the Borough streets and the extensive techniques vary greatly dependent on the amount of snow.*

After some discussion and review of the plans waiver requests, Commissioner S. Speno moved to recommend to Borough Council all the waiver requests submitted and that sidewalks and landscaping not needed for this project. Commissioner K. Hart seconded. Motion carried unanimously.

Ms. L. Foglio acknowledged the request of the waivers would be recommended to the Planning Commission.

Commissioner K. Hart moved to recommend Mount Pocono Maintenance Building Land Development Plan to Borough Council subject the engineer's comments. Commissioner E. Melbert seconded. Motion carried unanimously.

**PROJECT UPDATES** – None

**LIAISON REPORTS**

**Borough Council** – Chair A. Harris reported that Mr. Norman DeLano was appointed Vice President of Borough Council and that Mr. Joe Simeone was appointed as a Councilmember. She also reported that the class that she requested that Planning Commission members could attend would be on the 2024 Budget.

**Zoning Hearing Board** – It was reported that Mr. Guastella at 113 Ward Avenue withdrew his appeal to the Zoning Hearing Board (ZHB). The Borough Maintenance Building is scheduled to be on the next ZHB to ask for a variance.

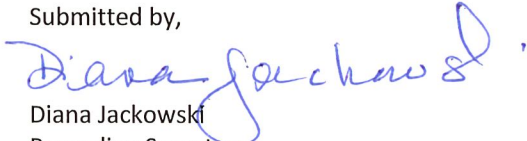
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**PUBLIC PARTICIPATION** – Commissioner K. Hart, noted that the Borough may want to define a warehouse/ distribution center. He stated that other municipalities have adopted overlays and that we may want to explore that option and that he would be interested in doing so.

Chair A. Harris noted that was a good idea however the Planning Commission would need to seek direction from Borough Council. Commissioner K. Hart noted that he would approach Borough Council as a resident regarding this matter.

**Adjournment** – The Planning Commission adjourned at 8:34P.M.

Submitted by,

  
Diana Jackowski  
Recording Secretary