

The regular meeting of the Middle Smithfield Township Planning Commission was held on Thursday, March 18, 2010 at 7:00 p.m. at the Schoonover Municipal building with Mark Oney presiding.

Members present, Mark Oney, Bob Early, Parin Shah, Scott Schaller, John Petrizzo and Bob Chartock. Bob Vandercar was absent. Also present were Attorney Jennifer Ann Wise, R. Douglas (Doug) Olmstead, Jr. P.E., Michele Clewell and several interested parties.

Parin Shah made a motion to approve the February 18, 2010 minutes. Bob Early seconded the motion. Motion carried 6-0.

### **Plan Submission**

Children's Education and Learning Center: Doug Olmstead stated that a Site Alteration Plan for Frank Riccobono's Children's Education and Learning Center is complete and would recommend acceptance of the plan. No representative for the project was present. Parin Shah made a motion to accept the Children's Education and Learning Center Site Alteration Plan for submission. Bob Early seconded the motion. Motion carried 6-0.

### **Plan Reviews and Unfinished Business**

Evergreen Estates II Conservation Subdivision: No representatives were present for Evergreen Estates II conservation Subdivision Plan; Doug Olmstead reviewed his twenty-two page review letter.

Mr. Olmstead stated that he would recommend conditional approval on the plan subject to:

- addressing the comments of the Township Engineers second review letter dated March 17, 2010;
- getting approval from the East Stroudsburg School District, the Monroe County Conservation District and the PA DEP before the start of any construction;
- addressing any outstanding issues raised by the Township Solicitor; and
- Planning Commission action the Requests for modification of regulations.

Mr. Olmstead stated that the applicant has submitted five (5) requests for modifications of regulations as follows:

1. Proposed cul-de-sac is designed with a vegetative island inside the cul-de-sac. Mark Oney made a motion to approve the request for modification. Bob Early seconded the motion. Motion carried 6-0.
2. Proposed cul-de-sac length is 1,965 lineal feet; the SALDO permits a maximum. Of 1,600 lineal feet for a cul-de-sac. Bob Early made a motion to approve the request for modification. Scott Schaller seconded the motion. Motion carried 6-0.

3. Locating trees with a diameter over 18". Bob Early made a motion to deny the request for modification. Parin Shah seconded the motion. Motion carried 6-0.
4. Reduce the travel way width from 24 feet to 18 feet. Bob Early made a motion to approve the request for modification. Bob Chartock seconded the motion. Motion carried 6-0.
5. Use plastic web fence instead of the required wood fencing as required by 170-79.E.(1) of the current ordinance for tree protection. Mark Oney made a motion to approve the request for modification. Bob Chartock seconded the motion. Motion carried 6-0.

There was general discussion regarding temporary retention fencing and permanent detention basins.

Mr. Olmstead stated that there are numerous items to be addressed with regard to outside agency comments.

Mark Oney made a motion to conditionally approve the Evergreen Estates II Conservation Subdivision Plan stating that the following conditions be met: (1) addressing the comments of the Township Engineers second review dated March 17, 2010; (2) getting approval from the East Stroudsburg School District, the Monroe County Conservation District and the PA DEP before the start of any construction; (3) addressing any outstanding issues raised by the Township Solicitor; (4) installing temporary fencing during construction for the storm water basins if they hold water; and (5) approval of the listed four requests for modifications and one denial of the listed request for modification. Bob Early seconded the motion. Motion carried 6-0.

### **Tabled Plan**

John M. & Van D. Yetter Minor Subdivision: A letter was received from James. J. Holzinger Attorney for John M. & Van D. Yetter requesting the John M. & Van D. Yetter Minor Subdivision Plan be tabled and requesting a 90 day time extension to render a decision. Bob Early made a motion to table the plan and deny the additional 90 day time extension. Parin Shah seconded the motion. Motion carried 6-0.

Great Bear Hotel Addition Land Development Plan: A letter was received from Attorney Ralph Matergia requesting the Great Bear Hotel Addition be tabled.

John Petrizzo stated that the Planning Commission members were emailed a copy of a letter written by Attorney Tim McManus on behalf of The Estates at Great Bear Community Association and asked Attorney Wise if there is any merit to the letter. Attorney Wise responded that she had requested copies of the deed from the applicant at the last Planning Commission meeting and has not received anything to date. Mr. Olmstead stated that he has not be given anything new to address his or the solicitors comments to date.

Michele Clewell reported that the Planning Commission received a letter dated February 22, 2010 from Attorney Matergia to extend the time period for review of its land development application to April 30, 2010. However the Board of Supervisors meets on April 8, 2010 and not again until May 13, 2010, which would be after the April 30, 2010 time extension noted in Attorney Matergia letter.

After lengthy discussion Bob Early made a motion to reject the Estates at Great Bear Hotel Addition Land Development Plan if the applicant does not supply the Township with an extension letter tomorrow and if they present an extension letter they must be present at the April 2010 meeting. Bob Chartock seconded the motion. Motion carried 6-0.

### **Reviews and Recommendations**

Proposed Ordinance No. 172: Revised Zoning Ordinance #172 was presented to the MST Planning Commission members for their review and will be discussed at the next meeting. Attorney Wise stated that the Board of Supervisors has scheduled a public hearing for the Revised Zoning Ordinance #172 on May 5, 2010 at 9:00 a.m.

### **Public Comment**

The Estates at Great Bear Hotel Addition storm water, traffic issues and sewer system were discussed.

The Crossings at Marshalls Creek water and sewer was discussed. Mr. Olmstead stated that the water and sewer issue is still before PA DEP. Mr. Olmstead stated that and PA American Water is to supply the water and water line as the water will be coming from Country Club of the Poconos, the township will run the sewer line.

There being no further business, Mark Oney made a motion to adjourn the meeting at 8:20 p.m. Parin Shah seconded the motin. Motin carried 6-0.

Respectfully submitted,

Michele L. Clewell,  
Recording Secretary