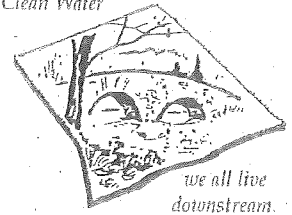


Eldred Township Planning Commission

MONROE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolcek
Secretary

Planning Commission Minutes November 8, 2023

On Wednesday November 8, 2023 the Eldred Township Planning Commission met in a regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. 18058

In Attendance: In attendance were Robert Boileau, Chairman, Scott Clark, James Leiding, Megan Yarashas, Alicia Greico Miers and Solicitor Michael Gaul

Call to Order: The meeting was called to order at 7:00 P.M. by Chairman Robert Boileau

Approval or Additions to the Agenda: There were no changes or additions to the Agenda

Public Comment on Non-Agenda Items: There was no public comment at this time.

Announcement of Recording: Mr. Boileau announced that the meeting was being recorded.

Approval of Minutes:

- There was a motion by Scott Clark and seconded by James Leiding to approve the minutes of October 11, 2023. Motion carried (5-0).

New Business: There was no new business.

Old Business: **Frantz Minor Subdivision, Jonathan Shupp, Representing:**
Extension request (2/1/2024) (current extension until December 1, 2023).

Solicitor Gaul stated that the Township's current deadline for a decision on this plan is December 1. The Plan should not be approved or recommended for approval at this time because the submitted documentation does not establish the existence of a right of way between the lots to be subdivided and a public road. The applicant's

representatives are aware of the issue, and are working on a solution. The Township has requested that the applicant grant an extension of time to the Township, but no response has been received yet. Since this meeting is the Planning Commission's last regular meeting before the current deadline expires, the Planning Commission should take some action tonight.

- There was a motion by Robert Boileau and seconded by Megan Yarashas to recommend to the Board of Supervisors denial of the proposed Frantz proposed Minor Subdivision Plan for the following reasons:
 - Deficiencies noted in the Township Engineer's review letter of June 12, 2023;
 - Deficiencies noted in the Solicitor's memorandum of June 14, 2023, an additional copy of which is enclosed herewith; and
 - The Application's failure to demonstrate record access between the property and a public street.

Motion carried (5-0).

Notwithstanding the Planning Commission's recommendation, the Planning Commission was in agreement that, if the applicant or their representative were to provide an extension for Township review of the Plan, which was accepted by the Board of Supervisors, then the Planning Commission would be amenable to having the Plan being sent back to the Planning Commission for review going forward. A re-application would not be necessary if an extension was granted.

Review of Commercial Solar Farms, Use and Zoning Requirements: deferred

Draft Zoning Ordinance Amendment regarding Warehouses: Solicitor Gaul presented a draft Zoning Ordinance Amendment regarding Warehouses, which incorporated some provisions from the Monroe County Model Ordinance, and an alternative Ordinance, which incorporated provisions from the PennFuture's Model Ordinance.

There was a lengthy discussion about zoning regulation of warehouses, including definitions, approval process, permitted locations, and supplementary regulations.

The Planners were asked to study the documents that have been presented, the Jackson Township Proposed Ordinance, the Monroe County Model Ordinance and the Penn Futures Model Ordinance as well as the Comparison chart and be prepared to discuss and vote on a recommendation to the Board of Supervisors at the next meeting.

The Planners were asked to provide any questions, comments or proposed modifications to Solicitor Gaul a week in advance of the next meeting, so that a list of issues could be prepared, and reviewed, prior to the next meeting.

Public Comment: There was no Public Comment at this time.

Adjournment:

- There was a motion by Scott Clark and seconded by Megan Yarashas to adjourn. Motion carried.(5-0) Meeting adjourned at 8:15 P.M.

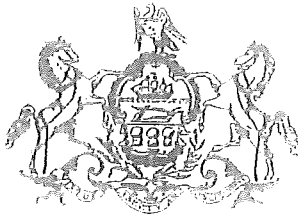
Respectfully submitted,

E. Ann Velopolcek, Recording Secretary

Eldred Township Planning Commission

MONROE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolcek
Secretary

Planning Commission Minutes October 11, 2023

On Wednesday, October 11, 2023 the Eldred Township Planning Commission met in a regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA.

In Attendance: In attendance were Robert Boileau, Chairman, Scott Clark, Megan Yarashas, James Leiding, Debby York and Alicia Greico-Miers.

Call to Order: The meeting was called to Order at 7:00 P.M. by chairman Robert Boileau. Mr. Boileau announced that the meeting was being recorded.

Approval or Additions to the Agenda: There were no changes to the Agenda.

Public Comment on Non-Agenda Items: There was no public comment on non-agenda items at this time.

Approval of Minutes: (Note: the meeting of September 13, 2023 was cancelled)

- There was a motion by James Leiding and seconded by Megan Yarashas to approve the minutes of August 16, 2023 as presented. Motion carried (6-0).

Resignation: Mr. Boileau reported that the Township received a letter of resignation from Ellie Sanchez for health reasons.

- There was a motion by Debby York and seconded by Megan Yarashas to send a letter of thanks to Ms. Sanchez for her service, Motion carried (6-0).

New Business: Review of Commercial Solar Farms, Use and Zoning Requirements: Mr. Boileau reported that CJERP is also reviewing this subject with the goal of creating updated standards and definitions. Polk and Chestnuthill each have applications pending for solar farms.

One of the considerations is whether the solar panel installed as ground-based systems should be considered "impervious surfaces" which would affect how many units could be used on any given area of land.

Other areas of concern are proximity to residential zones, egress and regress to the areas, the effects of clear cutting (is the carbon exchange favorable?), the effect on wildlife, maintenance and longevity.

Old Business: Frantz Minor Subdivision, Jonathan Shupp, Representing
(extension until December 1, 2023). Deferred

Model Ordinance for Warehouses/Truck Terminals

Mr. Boileau referred the Committee to a comparison of model ordinances, provided by Solicitor Gaul, from the Penn Future Organization, the Monroe County Model and the recently passed Jackson Township Ordinance, which provides an overview of the (proposed) Ordinances of the various entities.

Solicitor Gaul also provided a model Ordinance based largely on the Monroe County Model with sections specific to his understanding of the requirements of Eldred Township.

The Planners will review this material for discussion at the next meeting.

Public Comment: there was no public comment at this time.

Adjournment:

- There was a motion by Scott Clark and seconded by James Leiding to adjourn. Motion passed 6-0. Meeting adjourned at 8:15 P.M.

Respectfully submitted,

E. Ann Velopolcek, Recording Secretary

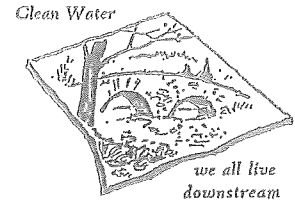
September Meeting Cancelled



Eldred Township Zoning Office

Monroe County, Pennsylvania

SFM Consulting, LLC
Shawn McGlynn, Codes, Zoning, UCC



Planning Commission Minutes August 9, 2023

On Wednesday, August 9, 2023 the Eldred Township Planning Commission held its regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. The meeting was held in person and via the Microsoft Teams Application.

In Attendance: In attendance were Robert Boileau, Chairman, Scott Clark, Vice Chairman, James Leiding, Megan Yarashas, Alicia Greico Myers, Also in attendance was Michael Gaul, Solicitor and by Teams Brigette Meyers: PennFuture.

Call to Order: The meeting was called to order at 7:00 PM. by Chairman Robert Boileau.

Additions or Amendments to the Agenda: There were no additions to the agenda.

Public Comment on Non-Agenda Items: There was no public comment at this time.

Announcement of Recording: Mr. Boileau announced that the meeting was being recorded.

Approval of Minutes:

- There was a motion by Megan Yarashas and seconded by Scott Clark to approve the minutes of July 12, 2023. Motion carried (5-0).

Old Business: Frantz Minor subdivision- By consensus, the Plan was tabled to the next Planning Commission.

New Business: Model Ordinance for Warehouses/Truck Terminals / PennFuture

Brigette Meyers of PennFuture joined the meeting via Teams and there was a discussion about the PennFuture Report “Living with Logistics”, including the Model Ordinance incorporated into the Report.

Mr. Boileau, having read through the Model Ordinance, said he liked the way they handled the issue of the definitions of Truck terminal vs. Warehouse vs. Distribution Centers by advancing the view that the size of the lots and buildings would take precedence over internal activity in the building. Mr. Boileau thought this was a much more viable and consistent policy than trying to create very concise definitions that could still be open to interpretation.

Mr. Boileau asked Solicitor Gaul whether the Township should prepare an Ordinance that regulates Truck Terminal / Distribution Center in the event that a landowner challenges the CJERP regional zoning plan and is successful. Solicitor Gaul said he did not think that it was practical to make plans based on a remote possibility, but the definitions could be updated, as Truck Terminals are not a permitted use in Eldred and Warehouses are only permitted in the Industrial Zone.

This opened a brief discussion about regional Zoning and any challenges that might be made in the future.

This is a concern of Mr. Boileau.

Ms. Velopolcek said that, recently, a representative from Casella, the new owner of the former GFL property, indicated that that company might wish to expand its use of the property to include a transfer station. When told that a transfer station is not a permitted use in Eldred, the Casella representative commented that the company could challenge the Zoning Ordinance regarding this topic.

Solicitor Gaul stated that the Pennsylvania Municipal Planning Code (PMPC) grants a municipality authority to participate in a regional comprehensive plan, which lends support to the principle that municipalities can participate in regional zoning plans. Further, there are other regional comprehensive plans and zoning plans in Pennsylvania. CJERP is not unique in that respect.

Mr. Boileau then stated that he feels Warehouses of any size or type should be conditional uses so the Board of Supervisors could impose conditions should they feel it necessary.

Robert Boileau made a motion, seconded by James Leiding to recommend to the Board of Supervisors that the warehouse zoning use be changed from permitted by right in the Industrial District to conditional use. Motion carried (5-0).

Adjournment:

- There was a motion by Scott Clark and seconded by James Leiding to adjourn. Motion carried (5-0). Meeting adjourned at 7:50 P.M.

Respectfully submitted,

E. Ann Velopolcek

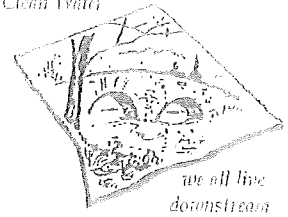
Eldred Township Planning Commission

MONROE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolcek
Secretary



Planning Commission Minutes July 12, 2023

On Wednesday, July 12, 2023 the Eldred Township Planning Commission held its regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. The meeting was held in person and via the Microsoft Teams Application.

In Attendance: In attendance were Robert Boileau, Chairman, James Leiding, Debby York and Scott Clark, Vice Chairman.

Also in attendance was Michael Gaul, Solicitor

Call to Order: The meeting was called to order at 7:10 PM. by Chairman Robert Boileau.

Additions or Amendments to the Agenda: Mr. Boileau requested to add Transportation Impact Fees to the Agenda.

Public Comment on Non-Agenda Items: There was no public comment at this time.

Announcement of Recording: Mr. Boileau announced that the meeting was being recorded.

Approval of Minutes:

- There was a motion by Debby York and seconded by James Leiding to approve the minutes of June 14, 2023. Motion carried (4-0).

New Business: There was a lengthy discussion about the subject of Warehouses and Truck Terminals. This topic has become an issue in surrounding Township with the advent of many very large warehouses/terminals being constructed. The county recently published a Model Ordinance for Warehouses/Truck Terminals. The Eldred

Township Zoning Ordinance as a part of our regional uses agreement, does not allow Truck Terminals in the township. There are currently two of these in the Township, both in existence prior to Zoning in 2004, GFL waste and one owned by Martin Mehlig.

The discussion then centered around warehouses. This is a permitted use in Eldred's Industrial Zone (only).

Mr. Boileau will be working on an amendment to our Zoning Ordinance to create new more specific definitions for these uses, and any other regulations that seem appropriate for Eldred Township, (height, size, impervious surfaces, parking facilities etc.

This will be on the agenda for the next meeting for further discussion.

Transportation Impact Fees: There has been discussion previously on the subject of Traffic Impact Fees should a large commercial use be created in Eldred. Solicitor Gaul had his associate Richard Campbell research the process of creating a Traffic Impact Fee. Mr. Campbell created a Solicitor opinion document that (briefly) states that the cost and burden of creating such a fee would not be in the best interest of the Township.

Old Business: Frantz Minor Subdivision, Jonathan Shupp, Representing: Deferred.

Public Comment: There was no public comment.

Adjournment: There being no further business:

- There was a motion by Scott Clark and seconded by Debby York to adjourn. Motion carried (4-0). Meeting adjourned at 8:30 P.M.

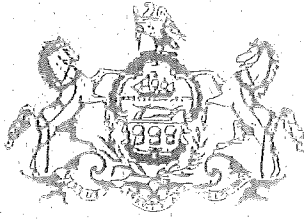
Respectfully submitted,

E. Ann Velopolcek, Recording Secretary

Eldred Township Planning Commission

MONROE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolcek
Secretary



Planning Commission Minutes June 14, 2023

On Wednesday, June 14, 2023 the Eldred Township Planning Commission held its regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. The meeting was held in person and via the Microsoft Teams Application.

In Attendance: In attendance were Robert Boileau, Chairman, Megan Yarashas, James Leiding, Alicia Grieco Myers, Ellie Sanchez and by phone, Scott Clark, Vice Chairman.

Also in attendance were Michael Gaul, Solicitor and Brien Kocher, Engineer.

Call to Order: The meeting was called to order at 7:00 PM. by Chairman Robert Boileau.

Approval or Additions to the Agenda: Solicitor Gaul asked whether the Planning Commission desired to add an agenda item regarding King Spry's Memorandum to the Planning Commission on establishment of Transportation Impact Fees.

By consensus, the Planning Commission approved the Agenda with the additional Transportation Impact Fee item, for expediency.

Public Comment on Non-Agenda Items: There was no Public Comment on Non-Agenda Items.

Approval of Minutes:

- There was a motion by Megan Yarashas and seconded by James Leiding to approve the minutes of May 10, 2023. Motion carried (6-0).

New Business: MCCD Letter re: Act 167 and Buffer Zones (EV Buffer Zones)

The Township received a letter from Monroe County Conservation District (dated 3/20/2023) regarding a requirement that all townships adopt an Ordinance consistent with the amended Act 167 plan adopted and approved last year. They provided a model Ordinance for this purpose. Included in that plan is the suggestion that Townships adopt stream buffer zones of 150 Feet as a minimum buffer. Eldred also has an EV Stream that carries this requirement.

Solicitor Gaul stated that his understanding is that the MCCD correspondence is only applicable to municipalities where the MCCD created revised watershed plans in 2022. Eldred was not one of those municipalities, however. At some point in the near future the MCCD is expected to revise the watershed plan for the Aquashicola, at which point Eldred will have to amend its Act 167 Ordinance.

Solicitor Gaul is working on an amendment to our SALDO to reflect the new stream buffer requirements.

Old Business: GFL- Land Development Plan Dated 5/31/2023

GFL submitted a Preliminary/Final Plan for review.

After some discussion:

- There was a motion by Megan Yarashas and seconded by James Leiding to recommend to the Board of Supervisors the approval of waiver requests of SALDO Sections 403.1, 403.2 and 615.3. Motion carried (6-0).
- There was a motion by Megan Yarashas and seconded by James Leiding to recommend to the Board of Supervisors the conditional approval of the GFL Land development plan dated 5/31/2023 with the following conditions:
 - Compliance with the Hanover Engineering letter dated June 12, 2023.
 - Receipt of a Sewage Permit for the new hookup/work to the existing system.
 - PNDI clearance
 - Required Improvements be completed prior to final approval, or if not completed before approval, GFL must execute an improvements agreement, and provide satisfactory financial security. Required improvements shall include demolition of the existing barn.
 - Provide a proposed list of required improvements (including demolition), satisfactory to the Twp Engineer, including cost estimates if the work will not be completed prior to final plan approval.

Motion carried (6-0).

Extension of Time:

- There was a motion by Megan Yarashas and seconded by Scott Clark to accept GFL's offer of an extension of time until September 1, 2023 for Township review and decision on GFL's Plan. Motion carried (6-0).

Frantz Minor Subdivision, Jonathan Shupp, Representing

Mr. Shupp stated that he did not intend to address all of the Township Engineer and Solicitor review comments at this time. Instead, he requested clarification and guidance regarding the stream buffer depiction and whether a wetland delineation was required. Mr. Shupp questioned whether the stream buffers needed to be shown on the plan, since the stream does not actually exist. There is a small area of seasonal runoff that is shown on the maps.

Mr. Kocher replied that it should be shown as it exists bank to bank.

Mr. Shupp asked for a waiver of wetland delineation since no building will be taking place on the property.

The Township Engineer did not have an objection to the waiver provided that a delineation was required prior to any further development. The Planning Commission also did not express any objection to the waiver.

Solicitor Gaul stated that there should be a note on the plan and in the deeds effectuating the lot adjustment/consolidation, that a delineation study would be required prior to any additional development on the property.

Solicitor Gaul also had the following comments :

- Additional information would need to be provided on the plan regarding the various easements. Mr. Shupp stated that he intended to add center lines descriptions and show the widths of the access easement(s).
- The prior Plan Note stating " no further subdivision to take place" should be addressed in this Plan, even if no subdivision was taking place. Mr. Shupp stated that the landowner intended to carry through the restriction to the current proposed Plan.
- Was the applicant intending to apply for a non-building waiver? Mr. Shupp stated that the SEO was satisfied that planning was not required because subdivision was not occurring. He asked the Twp Engineer what the best way was to get the SEO's determination documented for purposes of Plan review. The Twp Engineer stated that the easiest way to process the matter was for the applicant to add a non-building waiver note to the Plan.

- A change of title from “subdivision” to “Lot Line Adjustment / Lot Consolidation”

Mr. Shupp stated that a formal easement agreement is being worked out with the neighbor on Engler Lane. There was an initial delay, but it is now progressing.

Extension:

- There was a motion by Robert Boileau and seconded by James Leiding to accept the applicant's offer of an extension of time until October 1, 2023, for Township review and decision on the Frantz Plan. Motion carried (6-0).

Additional Agenda Item: Traffic Impact Fee Memo (King Spry)

Following up on previous discussion, Solicitor Gaul requested his associate Richard Campbell research and produce a memo about the procedures and requirements for a municipality to establish a Transportation Impact Fees.

Mr. Campbell produced a comprehensive Memorandum explaining the purpose, and process of creating a Transportation Impact Fee Ordinance, which was circulated to the Planning Commission and Board of Supervisors.

The Memorandum concludes that the costs and requirements of creating such an Ordinance in a small, largely rural municipality, not in the path of development, would likely outweigh the benefits. Solicitor Gaul agreed.

There was brief discussion on the Memorandum and possible pros and cons of proceeding with development of a Transportation Impact Fee Ordinance.

No action was taken.

Public Comment: There was no public comment at this time.

Adjournment: There being no further business:

- There was a motion by James Leiding and seconded by Megan Yarashas to adjourn. Motion carried. The meeting adjourned at 8:30 P. M.

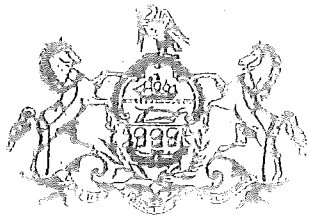
Respectfully submitted,

E. Ann Velopolcek, Recording Secretary

Eldred Township Planning Commission

MONROE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolček
Secretary



Planning Commission Minutes May 12, 2021

On Wednesday, May 12, 2021 the Eldred Township Planning Commission met in a regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. Due to the Governor's restrictions during the COVID-19 pandemic emergency, the meeting was held both in person and virtually through the Microsoft Teams application, including telephone option.

In Attendance (all in-person): Robert Boileau, Chairman; Donna Mikol, Vice-Chairman; Scott Clark; Cathy Martinelli; Megan Yarashas, James Leiding, Solicitor Michael Gaul and Brien Kocher, Hanover Engineering.

Others in Attendance (In person or virtually): William Anderson, resident, Dean Zimmerman, Keystone Consulting Engineers, Mary Lou Kocher and Sterling Borger.

Call to Order: The meeting was called to order at 7:00 P.M. by Chairman Robert Boileau.

Approval of the Minutes:

- There was a motion by Scott Clark and seconded by James Leiding to approve the minutes of April 14, 2021. Motion carried (6-0).

Public Comment: Wm. Anderson asked the Planners to begin a discussion about changing the Zoning Ordinance with regard to Section 707.7, Regulated Uses Within the Wellhead Protection Area, making ground based geo-thermal heat sources special exceptions requiring a hearing before the Zoning Hearing Board (and the related fees).

There was some discussion about the advances in the technology of this type of system, now a closed loop collection system that does not pose (known) threats to the surrounding water supplies.

- There was a motion by Scott Clark and seconded by Donna Mikol to request the Supervisors review section 707.7 and determine if this should remain a Special Exception or if it might become a permitted use in some districts. Motion carried (6-0).

Old Business: Land Development Plan/ Dollar General-Deferred
Subdivision Plan/ Dollar General- Deferred

Kocher/Borger Minor Subdivision: Dean Zimmerman explained that the current proposal is basically the same as the one the Planners looked at in November, the difference being that several parcels will be annexed to adjacent parcels currently owned by the applicants.

Brien Kocher, referencing the Hanover review letter of May 5, stated that he was unsure if the residual tract waiver submitted would also waive the requirement for an alternate septic site for Lot 2, where there is an existing home. He suggested Mr. Zimmerman get an opinion from the DEP.

Solicitor Gaul asked if the applicant would wish at this time to create a separate Lot (Lot 4) for all the property north of Meixsell Valley Rd. Mr. Borger declined the suggestion.

- There was a motion by Cathy Martinelli and seconded by James Leiding to approve the Minor Subdivision of the lands of Sterling Sr. and Frances Borger conditionally, as submitted, the conditions being:
 - Compliance with the Hanover review letters of November 6, 2020 and May 5, 2021 and the comments of the Monroe County Planning Commission letter of November 17, 2020.
 - The execution of a road (easement) maintenance agreement acceptable to the solicitor.
 - The required sewage facilities planning including the approval of a non-building waiver.
 - Approval of a waiver for SALDO Sections 606.5(b).
 - Approval of a waiver for SALDO Section 606.5(c)

Motion carried(5-0).

Robert Boileau abstaining due to his personal relationship with the applicants.

- There was a motion by Cathy Martinelli to approve the recommendation of the above plan, with conditions, to the Eldred Township Board of Supervisors. Motion carried (5-0).

Robert Boileau abstaining due to his personal relationship with the applicants.

New Business: Mr. Boileau updated the Planners on the status at CJERP of the Marijuana, Agri-Tourism and Fireworks topics. No action was taken.

There being no further business:

Adjournment:

- There was a motion by James Leiding and seconded by Scott Clark to adjourn. Motion carried (6-0). Meeting adjourned at 8:35.P.M.

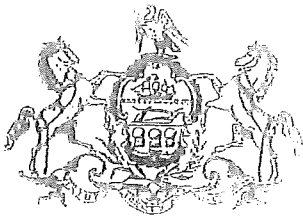
Respectfully submitted,

E. Ann Velopolcek
Recording Secretary

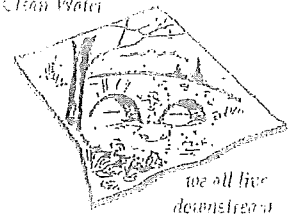
Eldred Township Planning Commission

MONROE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolcek
Secretary



Planning Commission Minutes April 14, 2021

On Wednesday, April 14, 2021 the Eldred Township Planning Commission met in a regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. Due to the Governor's restrictions during the COVID-19 pandemic emergency, the meeting was held both in person and virtually through the Microsoft Teams application, including telephone option.

Planning Commissioners In Attendance (all in -person): Robert Boileau, Chairman; Donna Mikol, Vice-Chairman; Scott Clark; Cathy Martinelli' Megan Yarashas; and James Leiding.

Others in Attendance (In person or virtually): Solicitor Michael Gaul, Travis Martin, Justin Lang and Justin Ross, Livic Civil (for Dollar General); David Martino (for Kraus); Supervisors JoAnn Bush and Gary Hoffman; and residents Roy Bollinger, Dieter Metzger, Matt Hoskings, Joseph Chillari, Donna Deihl and Terry Van Buskirk. Also in attendance was Amy Leap (Times News).

Call to Order: The meeting was called to order at 7:00 P.M. by Chairman Robert Boileau.

Approval of the Minutes:

- There was a motion by Scott Clark and seconded by James Leiding to approve the minutes of February 10, 2021. Motion carried (6-0).

Appeal of the Zoning Officers Decision/Review: Robert Kraus is appealing a decision by Zoning Officer Shawn McGlynn and Zoning Administrator Jeff Snyder regarding a Violation Notice sent to Mr. Kraus on January 13, 2021. Mr. Kraus and his wife have installed a travel trailer on their property and their father is living in it without permits.

After a brief discussion, it was unclear if the applicant wished to appeal the decision or to apply for Building and Zoning Permits under § 606 of the Eldred Township Zoning Ordinance of 2014. Solicitor Gaul said he does not believe the Planning Commission review is appropriate and the matter was deferred, with no action taken.

- There was a motion by Cathy Martinelli and seconded by Donna Mikol to grant an extension of the appeal hearing deadline until May 30, 2021. Motion carried (6-0).

Dollar General Plan Review: Solicitor Gaul asked Mr. Martin if Livic wished the Planners or the BOS to act upon their waiver requests. Mr. Martin replied that he was using the comments of the Township and County's Engineers to prepare a revised submission and was not yet ready to ask for a final decision on waivers from either body.

Dollar General Minor Subdivision Review: There was a brief discussion about the status of the subdivision since the previous subdivision in 2015 had not been "activated" for assessment purposes, and as a result, there were discrepancies in the records for this property regarding acreage. Mr. Martin said the applicant was aware of the issue and he believes this has since been resolved. Solicitor Gaul is unsure whether the County will wish to review the previous subdivision as well as the proposed subdivision.

Solicitor Gaul questioned whether there would be two highway Occupancy Permits issued by PennDot for the proposed and remainder lots. Mr. Martin advised that he was still waiting for comments from PennDot.

Mr. Boileau indicated that he still has concerns about the proposed truck access. He feels that the proposed area is insufficient in size and configuration. Mr. Boileau also remarked that as the remainder property is a farm in the Agricultural Security Area, there will be protected farming activities on the residual property.

Mr. Boileau said the Township will wait on any decisions until the County review is complete.

Resident Joseph Chillari spoke in opposition to the plan. He stated that he sees no reason for a Dollar General in Kunkletown as there are six dollar stores within a 10 mile radius. His other concerns are traffic (due to the road conditions in that spot), and the related truck traffic, noise, the accessibility of emergency service vehicles (since the nursing home is so close to the site), crime, diminished property values and the loss of aesthetic value to the local residents. He added that he was unaware of the project until the Township Secretary notified the residents earlier in the week.

Solicitor Gaul responded that the Planning Commission values the input of residents, that in the case of land development plans, the Township has no requirement to notify residents, but that the Township went beyond its requirements and did notify the surrounding property owners so they could comment. He also told Mr. Chillari that the approval of a plan is a process, and that we are still in the beginning phases of the review of this plan. Mr. Gaul invited Mr. Chillari to continue to come to meetings and express any concerns he has with this or any proposed development in the Township.

- Solicitor Gaul reported that Dollar General had requested, through a letter dated April 14, 2021, that the Planning Commission accept an extension on the Township's review and decision of its plans through June 30, 2021. Dollar General agreed to waive any decision time deadlines under the MPC and Township SALDO. There was a motion by Donna Mikol and seconded by Cathy Martinelli to approve the request for an extension of the review period through June 30, 2021. Motion carried (6-0).

Mr. Terry Van Buskirk then expressed his concerns and they are, snow drifts and water runoff, the existing utility poles, the grading of the existing banks, traffic/safety control, the hours and days of operation and the idling of trucks (noise fumes), and the impact on native wildlife. Mr, Van Buskirk stated that he is not opposed to the project, but he wishes to see that these concerns are addressed.

Adjournment: There being no further business:

- There was a motion by Cathy Martinelli and seconded by Donna Mikol to adjourn, Motion carried (6-0). Meeting adjourned at 9:05 P.M.

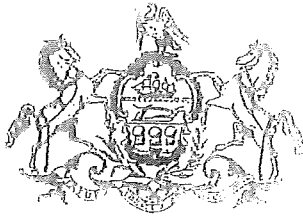
Respectfully submitted,

E. Ann Velopolcek

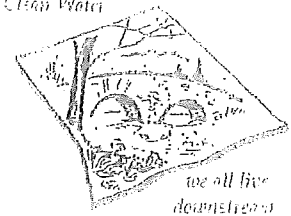
Eldred Township Planning Commission

MCDARROW COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolcek
Secretary



Planning Commission Minutes February 10, 2021

On Wednesday, February 10, 2021 the Eldred Township Planning Commission met in a regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa. The meeting was held both in person and virtually using the Microsoft Teams application.

Call to Order: The meeting was Called to Order by Chairman Robert Boileau at 7:00 P.M.

In Attendance: In attendance were Robert Boileau, Chairman; Donna Mikol, Vice-Chairman, Scott Clark, Michael Gaul Solicitor and virtually, James Leiding and Brien Kocher, Engineer.

Also In Attendance: Also in attendance were Supervisors JoAnn Bush and Gary Hoffman, Justin Lang, Justin Ross and Travis Martin of LIVIC for Dollar General, (virtually) and Steve Hawk (Keystone Engineering) for the Moyer property at Kuehner Fields.

Approval of the Minutes:

- There was a motion by Scott Clark and seconded by Donna Mikol to approve the minutes of January 13, 2021. Motion carried (4-0).

Mr. Boileau announced the resignation of Michael Kolba from the Planning Commission.

Old Business:

Revision of an approved subdivision, Lots 18,19,20,21. – Steve Hawk appeared for the applicant. Mr. Hawk advised the commission that he has a revised NPDES permit into the MCCD. Hanover Engineering has provided a review letter date February 5, 2021.

Mr. Hawk questioned the requirement for the improvement construction guarantee. (item 10). Mr. Kocher explained that the subdivision has an improvement agreement as part of the original NPDES permit.

Solicitor Gaul stated that it will need to be determined who will be responsible to the on-lot post construction storm water management and maintenance.

Mr. Hawk has proposed infiltration berms in place of the infiltration basin shown on the plan.

Solicitor Gaul said that an wastewater management agreement should be signed, and that there should be a revision to the developers NPDES permit, making the lot owners responsible for their own NPDES plan and maintenance.

Mr. Hawk then proposed a waiver for the proposed driveway as it will cross property lines and not meet setback requirements.

There was discussion about a Home-Owners Association (HOA), which was referenced on the plan. The HOA was organized when the subdivision was first approved. Bylaws were written but no organization exists.

There were some other notes on the plan that regarding a conservation easement area, and whether those lots should sign the plan due to the changes.

Solicitor Gaul suggested a change of wording for those notes that reference lot(s) that are not affected by the proposed amendment to the original subdivision plan..

Brien Kocher said that he believes the Township should make sure the HOA is functioning as it has responsibilities as noted in its organization documents.

After lengthy discussion:

- There was a motion by Robert Boileau and seconded by Donna Mikol to recommend a conditional approval of the plan to the Eldred Township Supervisors.

The conditions are;

A modified NPDES plan including an Erosion and Sediment Control Plan
A satisfactory review by the Solicitor of the HOA documents
A revision of any plan notes as recommended by the Township Engineer and Solicitor
An improvement construction and maintenance agreement
A post construction storm water management plan
Financial security acceptable to the Township Solicitor for the required improvements
Compliance with the comments of the Hanover Review Letter of February 5, 2021
Motion carried (4-0).

- There was a motion by Scott Clark and seconded by James Leiding to accept an extension request of Keystone Engineering until May 31, 2021. Motion carried (4-0).

Dollar General:

Justin Ross gave an overview of the project. There was some discussion about the details of the project. Mr. Boileau asked about the truck entrance,

Brien Kocher asked if turning templates were available and was told they would be delivered to the Township.

Solicitor Gaul asked for a reciprocal easement agreement to appear on the plan.

Mr. Boileau expressed his concerns about truck traffic. He has spoken to representatives from the CJERP group and they all have issues with this problem, and he pointed out that at this location on Kunkletown Rd. there is no place for extra trucks to park off road.

The developers will look at that and add an extra lane.

Mr. Ross discussed landscaping and requested the following waivers:

- (i) maintain the existing buffer on the west side, rather than cut it down.
- (ii) not install islands between parking spaces, and in place of the islands, add landscaping in other areas.
- (iii) Not plant 5 trees in the front of the property, as it would block the building from sight
- (iv) Use the embankment (on Kunkletown Rd.) instead of plantings

Solicitor Gaul asked Dollar General to supply a comparison plan which would depict (i) the plantings as required by the Ordinance and (ii) the landscaping if the waivers are granted.

Mr. Kocher will address this in his review.

Mr. Boileau asked if the company uses a landscape service.

Mr. Ross stated that he had a meeting with MCCD and they requested one outlet into the creek which would require a modification of the plan.

Mr. Boileau asked who the contact person for third party inspection would be. Mr. Lang responded that he would be that contact.

Mr. Hoffman asked about fire suppression, fire alarms and propane storage tanks.

Mr. Ross answered that there is a propane tank, and alarms but there will not be sprinklers.

There was brief discussion about having a standpipe.

435 Duke Lane: Solicitor Gaul said that Mr. McGlynn (Zoning Officer) will withdraw his Notice of Violation since a Certificate of Non-Conformity was issued and that would end the appeal. The applicant is still required to apply for a permit and comply with the STR Ordinances.

Lot Joinder: Burger Parcels 06/3/1/23/7 and 06/3/1/23-5

There was a brief discussion about the request for a lot joinder. There were no objections.

Solicitor Gaul will prepare a Resolution.

Other: Agritourism: Mr. Boileau described the discussion at CJERP regarding agritourism. Mr. Boileau believes the Township might wish to have its own Ordinance with only the definitions being consistent with the CJERP townships since this is not a shared use. Mr. Boileau will take this back to CJERP for simplification.

Adjournment: There being no further business:

- There was a motion by Scott Clark and seconded by James Leiding to adjourn. Motion carried (4-0), Meeting adjourned at 9:10 P.M.

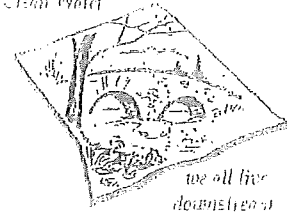
Eldred Township Planning Commission

WILKES-BARRE COUNTY, PENNSYLVANIA

Clean Water



Ann Velopolček
Secretary



Planning Commission Minutes Organizational and Regular Meeting January 13, 2021

On Wednesday, January 13, 2020 the Eldred Township Planning Commission met in its Organizational and regular meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. Due to the Covid 19 restriction of limited seating, the meeting was held both in person and through the Microsoft Teams interactive application.

In Attendance: In attendance were planners Robert Boileau, Donna Mikol, Scott Clark, Mike Kolba, Megan Yarashas, Solicitor Michael Gaul and by phone, James Leiding.

Call to Order: The meeting was called to order at 7:00 by previous Chairman Robert Boileau.

Nomination of Officers:

- There was a motion by James Leiding and seconded by Mike Kolba to reappoint Robert Boileau as Chairman, Donna Mikol as Vice-Chairman and Scott Clark as Secretary. Motion carried (6-0).

Meeting Date and Time for 2021:

- There was a motion by Robert Boileau and seconded by James Leiding to affirm the meeting date and time as the second Wednesday of each month at 7:00 P.M. at the Municipal Building. Motion carried (6-0).

Approval of the Minutes:

- There was a motion by Robert Boileau and seconded by Scott Clark to approve the minutes of December 9, 2020. Motion carried (6-0).

Old Business:

Kocher/ Borger Minor Subdivision:

- There was a motion by Robert Boileau and seconded by Megan Yarashas to accept a letter from Keystone Engineering waiving the 90-day requirement for a decision on the submitted plan. Motion carried (6-0).

Sterling Borger presented to the Board an informal sketch of the proposed subdivision with changes marked and asked the opinion of the Planners on these changes. Solicitor Gaul and Mr. Boileau explained that the new lots must meet the requirement of our Zoning and SALDO Ordinances and the due to a building close to the proposed new lot line, that this plan would not be approved.

Mr. Borger had a concern about the proposed easement interfering with his use of his property. Mr. Gaul pointed out that although the lot line would change (on paper) the entire easement would be deeded to Mr. Borger, so in fact, he would not be losing any property and no change was required in the current use.

Solicitor Gaul also asked who the Authorized Representative of the estate was. Mary Lou Kocher (present) said she is the executrix .

Dollar General: Mr. Boileau read the determination letter from SFM Consulting (Zoning) approving the number of parking places proposed for the project (30), which exceeded the minimum number by 3.

New Business: There was discussion about a Village Overlay District in the business area of Kunkletown. (Kunkletown Rd.) Megan Yarashas presented a proposed sign Ordinance for such a District.

Mr. Boileau said he feels that creating a plan for future growth of the area was a bigger project than just creating a new sign ordinance. He stated a committee should be formed to research, review and plan this change. He suggested that within such an Overlay District, uses need to be defined, perhaps building type, size and design should be considered and the overall idea needs to be more thoroughly thought out.

Solicitor Gaul suggested that the Township may wish to apply for grant funding for a study of this nature.

Mike Kolba added that while creating a "Business District" is a worthwhile project, the Township would then need to have a plan to attract businesses and fund any public projects with that will support that goal.

Mr. Boileau restated that it will be the uses not simply signage that will create a "village" atmosphere.

Review of Ms. Yarashas proposed Ordinance was tabled, pending further discussion.

Mr. Boileau will compose a letter to the Board of Supervisors suggesting this project will require a committee or other advisory Board.

Adjournment:

- There was a motion by Mike Kolba and seconded by Megan Yarashas to adjourn. Motion carried (6-0). Meeting adjourned at 8:25.

Respectfully submitted.

E. Ann Velopolcek, Recording Secretary