

East Stroudsburg Borough, November 26, 2013

A special meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, November 26, 2013. The following members were in attendance: Peter Begley, Roger DeLarco, William Reese, Don Repsher, and Sonia Wolbert. Ed Flory was absent. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; and Codes Official Marvin Walton.

Call to Order/Pledge of Allegiance – President DeLarco

President DeLarco called the meeting to order at 7:33 p.m. The pledge of Allegiance was led by Troy Nauman.

Proposed Minor Subdivision – Buff-Nauman, LLC Tract – 10.5 acres off of Franklin Hill Road, R-1 District

Troy Nauman was present on behalf of the applicant, Buff-Nauman, LLC. Mr. Nauman said he has a letter from Smithfield Township saying they can take sewage from these lots under the Intermunicipal Sewage Agreement with the Borough. Mr. Prevoznik said that is not the issue, but instead whether the Borough or Township Act 537 Plan provides for this service area.

Mr. Nauman said he has applied for an exception from the DEP Planning Module requirements. Mr. Prevoznik said without determining if a replacement area for a septic system is available, it is not reasonable to expect that the (future) owners of these residential lots could extend a sewerline to serve their dwelling if the septic system on the lot fails and needs replaced.

Mr. Walton arrived at this time, and reviewed the letter stating his written recommendations on the waiver requests from the SALDO Code submitted by the applicant:

1. Section 140-12.m. – Sidewalks: No waiver needed as the criteria in Ordinance would exclude requiring sidewalks in this area.
2. Section 140-15.b. – Minimum Driveway widths: Mr. Walton said the Plan indicates existing driveway widths of 6.5 ft., and 8 ft., and the Code specifies 12-15 ft.; he cannot recommend granting this waiver. Mr. Nauman said he believes the actual widths are not that narrow.
3. Section 140-15.c. - Minimum setback for driveways from property line: The driveway for Lot 2 crosses over a portion of Lot 1, creating the need for a cross easement; Mr. Walton said he would not recommend this waiver. Mr. Nauman stated he is trying to avoid any construction that would require stormwater controls because of the Flory Pond special district requirements. Mr. Nauman stated he could change the lot line to avoid the easement; but then the alignment of the driveway with the road would still not be ideal. Mr. Nauman said if he changes the lot line, he would agree to having a note placed on the Plan stating that any future development of Lot 1 would require relocation of the driveway and extinguishment of the cross easement.
4. Section 140-24. – Required connection to public water system: Mr. Walton stated that the two dwellings could be permitted to utilize wells, if a note is placed on the plan that any future development of the lots would require connection to the public water system. Mr. Nauman said he has no problem with that condition. Mr. Begley made a motion, seconded by Mr. Repsher, to grant this waiver, with the condition discussed; the motion carried unanimously.
5. Section 140-24 - Required connection to public sewer system: Mr. Walton suggested that the same condition be made for the grant of this waiver, as for water. Mr. Nauman again indicted no objection to that resolution. Mr. Reese made a motion, seconded by Mr. Begley, to grant this waiver, on condition that a note be placed on the plan that any future development of the lots would require connection to the public sewer system. The motion carried unanimously.
6. Appendix C – Additional landscaping requirements: Mr. Reese made a motion, seconded by Mr. Begley, to grant this waiver, because of the existing landscaping on site; the motion carried unanimously.
7. Section 140-7 – Requirement for separate preliminary and final approval submittals. This waiver is no longer needed since the applicant now acknowledges he will have to submit preliminary, then final, plans.

8. Provision of new well for Lot 2 – Mr. Walton recommends that either the well be installed prior to final approval, or it will have to be bonded as an improvement. Mr. Nauman indicated he would post a performance guarantee for the well.
9. Mr. Walton said he recommends that the applicant proceed with the sewage facilities planning module requirements of the PA DEP.
10. Mr. Walton noted that the time limits for Borough action on this subdivision plan is December 12, 2013. Mr. Nauman indicated he will submit a letter requesting a time extension by the December 3, 2013 Council meeting.

Adjournment

With no further business, Mr. Reese made a motion, seconded by Mr. Begley to adjourn the special meeting at 8:20 p.m.; the motion carried unanimously.

James S. Phillips, Secretary