

MOSCOW BOROUGH PLANNING COMMISSION

REGULAR MEETING

MINUTES OF MAY 31, 2022

A meeting of the Moscow Borough Planning Commission was held on May 31, 2022 at the Moscow Borough Building, 123 VanBrunt Street, Moscow, Pennsylvania at 7:00 P.M.

Members of the Planning Commission present or absent were:

Joseph Fesolovich (Chair)	Absent
Barry Gabello (Vice Chair)	Present
Marc Gaughan (Secretary)	Present
Judy Castrogiovanni	Present
David Martin	Present

Also, in attendance were Constance Sanko (Secretary), Mary Liz Donato (Planning Consultant), George Parker (Zoning and Code Enforcement Officer), Arthur Pencek (Alternate), and James P. Kelley, P.E. (Barry Isett & Associates, Inc, representing Moscow Family Dollar – Pocono Management LLC)

CALL MEETING TO ORDER: Barry Gabello, Vice-Chair, called the May 31, 2022 meeting to order.

MINUTES OF THE April 25, 2022 MEETING: Marc Gaughan made a motion to accept the minutes of the April 25, 2022 meeting as written. Judy Castrogiovanni seconded the motion. The motion carried unanimously.

GEORGE PARKER (ZONING AND CODE ENFORCEMENT OFFICER): George Parker submitted the Zoning and Code Enforcement Officer's report for the month of May 2022. He went over some of the specific issues that he addressed during the month:

- George met with Mr. Mario Rodriquez, 410 North Main Street, who is interested in having ongoing yard sales and advised him that everything he is planning to do needs to be put in writing. Mr. Rodriquez wants to have a flea market type sale in the rear of the building on the dirt parking lot where people can rent tents, and port-a-potties would be available. He also wants to put used items for sale at the front and side of the building and he was told that everything would have to be taken in at night. Mary Liz Donato said this use is not allowed in a C1 zone but is conditionally in a C2 zone. George Parker said the owner of the property needs to make the presentation rather than the tenant, Mr. Rodriquez. George had spoken to Mr. Baker, the owner of the property, in the past regarding the parking lot at the rear of the building.
- George sent a certified letter to Mr. Loren Busteed, 237 North Main Street, advising that his grass needs to be maintained and that the two buildings at the rear of the building need to be torn down. Mr. Busteed returned the green certified card back but still has not contacted George. A brief discussion was held on this ongoing situation and how to rectify the problem. Marc Gaughan made a motion to send information to Borough Council for review by Attorney Bruce Zero. Dave Martin seconded the motion. The motion carried unanimously.

MOSCOW FAMILY DOLLAR (POCONO MANAGEMENT LLC, 208 South Main Street): Planning Commission members were provided with the following documents:

- Letter dated May 3, 2022 from Greenman-Pedersen, Inc. regarding the Moscow Family Dollar Addition and the engineer's review.
- Subdivision and Land Development Evaluation dated May 12, 2022 from the Lackawanna County Planning Commission.
- Letter dated May 16, 2022 from the Lackawanna Conservation District regarding the Moscow Family Dollar Addition and the results of its plan review.

Marc Gaughan reported that he was speaking with Robert Bochicchio, Greenman – Pedersen, Inc., who said that all the items in his engineering review letter have been addressed with the exception of two items that remain outstanding:

1. The plan must be signed by the surveyor before final approval.

2. There are three waiver requirements:

- A proposed 10' drainage and utility easement is shown along SR435 and an incomplete Restriction and Covenant Note is shown on the plans. The Borough may elect to waive the requirement for this easement as the proposed improvements do not affect this area. Provided the Borough elects to require the easement the note should be revised to remove (maintained by) and note Moscow Borough as the owner of the Easement.
- A waiver is requested for relief from providing a site context map. The context map would have limited benefit given the nature of the existing site and the proposed development.
- A waiver is requested to provide relief from providing an existing resources and site analysis plan. Showing natural and manmade resources within 500 feet of the site would have limited benefit given the nature of the existing site and proposed development. However, the plan should clearly indicate existing conditions including existing lawn, meadow, or bare earth conditions. Additionally, contours outside of the property boundaries need to be shown to clearly indicate existing drainage patterns.

James Kelley, representing Moscow Family Dollar, said he has not applied for a for a Zoning Hearing yet because he is waiting to see that all other issues have been addressed as recommended by Greenman – Pedersen, Inc.

Barry Gabello asked if there are plans for improvements to the exterior of the building. Mr. Kelley said he received a draft plan showing new signs, security lights, and cleaning up the appearance of the building and that Family Dollar must have standards to meet for its buildings. He will provide a copy to the Borough for its records. George Parker said a lighting plan needs to be submitted.

Marc Gaughan thanked Mr. Kelley for his excellent presentation and said that he addressed everything that Greenman – Pedersen, Inc. had asked for in its review.

George Parker suggested that the Planning Commission recommend to Borough Council to conditionally approve the plans submitted by Family Dollar contingent on the variances being approved and a submitted lighting plan. Bob Bochicchio recommended the same as well. Marc Gaughan made a motion to conditionally accept the plans of Family Dollar and to recommend that Borough Council conditionally approve them based upon variances and a lighting plan. Dave Martin seconded the motion. The motion passed unanimously.

Art Pencek inquired about the lighting on top of the building. Mr. Kelley said that it will be pack lights on the roof that have to be hooded. He advised the architect of this requirement from the zoning ordinance.

Barry Gabello thanked Marc Gaughan for working with Bob Bochicchio on this matter.

HARMONY HILLS, PHASE III (MARKOZ REALTY): MarKoz Realty will be requesting an additional 120-day extension. Art Pencek recommended that after this extension that no more extensions be granted until MarkOz Realty comes to a Planning Commission meeting. Judy Castrogiovanni made a motion to recommend to Borough Council that another additional 120-day extension be granted to MarkOz Realty. Dave Martin seconded the motion. The motion carried unanimously.

JBAR REALTY, INC. (RLE ENTERPRISES)(457 NORTH MAIN STREET): JBAR Realty has until June 1, 2022 to submit a Stormwater Management Plan. Barry Gabello said he believes that Mr. Gentile has the impression from the previous meetings that there is nothing more required for him to submit. George Parker said that was taken away with the two letters he sent to Mr. Gentile clarifying what the additional requirements are. This matter needs to be taken up with Bruce Zero at a Council meeting.

DOLLAR GENERAL (328 SOUTH MAIN STREET): George Parker said that he is continuing to have difficulty reaching a contact person for Dollar General, and determining who the actual owner is. Marc Gaughan said that there is a safety issue inside the store and suggested having the fire company look into the matter. Barry Gabello said George has enough documentation to show that he has been trying to work with Dollar General with his many attempts to reach a contact person and suggested getting Attorney Bruce Zero involved. Mary Liz Donato said to discuss this matter at a Borough Council meeting.

MOSCOW SEWER AUTHORITY (Subdivision of lands for a trailhead for the Roaring Brook Trail - New Street Park Replacement): This matter is still pending.

OLD BUSINESS:

- Fee Schedule – Pending
- Roaring Brook Township Drainage Permit Application – A brief discussion was held. Art Pencek said that Council did not express much interest at the May 4, 2022 meeting Council meeting. Barry Gabello had some concerns and said that even a small amount of earthmoving can cause a lot of problems. Marc Gaughan said Attorney Zero said drainage onto another property owner's property is already covered with the Borough's Subdivision and Land Development Ordinance and is a civil issue, and that the Borough is only responsible for water on the streets.
- Art Pencek said that with regard to Senate Bill #477 pertaining to the reporting of building and demolition permits which was discussed at a previous meeting that Lackawanna County is only interested in reporting for houses or substantial expansions, and is not interested in pools and other smaller things.

COMPREHENSIVE PLAN: A special meeting was held on May 19, 2022 to discuss the Comprehensive Plan. Mary Liz Donato said the Planning Commission needs to wait to see what Council's input will be regarding a possible regional approach to the Comprehensive Plan through an invitation to the surrounding townships for a presentation on regional plans and zoning at a future North Pocono Council of Governments meeting.

ADJOURNMENT: Judy Castrogiovanni made a motion to adjourn the meeting. Dave Martin seconded the motion. The motion carried unanimously.

Minutes submitted by Constance Sanko