

**PARADISE TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
APRIL 3, 2023**

Call to Order

Chair Gonze called the meeting to order at 6:00 p.m.

Public Comment Statement

Gonze read the public comment statement "*Ladies and gentlemen, before the Board of Supervisors votes on any matter, the Board will allow for public comment on that particular item. If you wish to be heard at that time, please raise your hand, and you will be recognized*".

Gonze stated that the meeting is being recorded for the limited purpose of preparing the official minutes.

Special Note

Gonze announced that to meet the requirements established by the Office of Open Records for virtual meetings, this meeting is being audio and video recorded via Zoom from the initial announcement of the meeting until its end. The meeting Zoom link was posted on the Township's website where the public may join the Zoom meeting, interact, and ask questions in real time.

Roll Call

Officials Present:

Peter Gonze – Chair

Reda Briglia – Vice Chair

Michael Stein – Supervisor

John C. Prevoznik – Solicitor

Charles Unangst – Engineer

Tina Transue – Secretary

Approval of Minutes

Motion: Briglia moved and Stein seconded to approve the March 16, 2023, Board of Supervisors special meeting minutes as presented.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to approve the March 20, 2023, Board of Supervisors hearing meeting minutes as presented.

Motion carried 3-0.

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Motion: Briglia moved and Stein seconded to approve the March 20, 2023, Board of Supervisors regular meeting minutes as presented.

Motion carried 3-0.

Executive Session

Solicitor Prevoznik stated that an Executive Session was held at 5:44 p.m. and all three Supervisors were present. Solicitor Prevoznik stated that a legal discussion was held regarding land use regulations. The Executive Session ended at 5:54 p.m.

No decisions were made.

Work Session

Mount Airy Remediation/Forestry Management Plan Discussion/Any Action – Gonze stated that the Board discussed Mount Airy's Remediation and Forestry Management Plan and matrix with several members of the Environmental Advisory Council (EAC). Gonze stated that the final preparation of the matrix was in process and would be submitted to the Township in a few weeks.

Unfinished Business

Act 167 Stormwater Management Ordinance/Any Action – Solicitor Prevoznik stated that there was a brief discussion in the Work Session concerning the Act 167 Stormwater Management Ordinance. Solicitor Prevoznik stated that Hanover Engineering had a conversation with the Monroe County Conservation District in regard to drafting an ordinance that would keep the bulk of our current ordinance while adding parts of the MCCD and DEP recommendations to keep the ordinance more compatible with Paradise Township's current Code of Ordinances.

Motion: Stein moved and Briglia seconded to approve Solicitor Prevoznik and Hanover Engineering to work together on drafting an amended Act 167 Stormwater Management Ordinance using the bulk of our current ordinance while adding parts of the MCCD and DEP recommendations to keep the ordinance more compatible with Paradise Township's current Code of Ordinances.

Motion carried 3-0.

PennDOT TSMA Resolution 02-2023/Agreement/Any Action – Transue presented Resolution 02-2023 which is a resolution approving and authorizing Chair Gonze to sign and submit the PennDOT Traffic Signal Maintenance Agreement (TSMA), as discussed at the March 20, 2023 meeting. Transue informed the Board that the TSMA will be forwarded to PennDOT once executed.

Motion: Stein moved and Briglia seconded to pass Resolution 02-2023 and to approve and execute the Traffic Signal Maintenance Agreement.

Motion carried 3-0.

Mr. Unangst stated that Paradise Township's ordinance does not require the use of Accessible Pedestrian Signals (APS) push buttons (audible tone or voice message) to assist the visually impaired. Transue will note that in the submission of the agreement.

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Cranberry Associates. License Agreement – Status Update/Any Action - Solicitor Prevoznik stated that he sent a copy of the License Agreement update to Attorney German in regard to a request for an extension of time for the License Agreement with Cranberry Associates. The time extension would be until December 1, 2023. Solicitor Prevoznik has not yet received a signed agreement yet however expects to receive it in the near future. Solicitor Prevoznik stated that Hanover Engineering submitted two letters to the Township regarding the emergency status of the Browns Hill Road Restoration Project. Solicitor Prevoznik asked Mr. Unangst why if the Township filed for an emergency permit from DEP in November 2022 to complete the restoration and it has not been done that the condition still constitutes an emergency. Mr. Unangst explained that i) the condition has worsened since November 2022; ii) that the condition will continue to deteriorate with high water/storm events; and iii) Browns Hill Road is the only road access for two communities to a public street. Mr. Unangst opined that the repair should be completed as soon as possible to avoid further deterioration of the site and the potential for a pipe washout (collapse of the road) in the event of heavy rains in the spring. Mr. Unangst again stated that the conditions can only get worse with each storm.

Solicitor Prevoznik stated that the reason for the addition to the agenda was the emergency nature of the letters received from Hanover Engineering, dated March 30, 2023, and March 31, 2023, which were not received in time for the Secretary to add the item to the agenda in a timely manner. Transue will post the updated agenda to the website the next morning.

Motion: Briglia moved and Stein seconded to add to the agenda the discussion of the Browns Hill Road Restoration Project and to accept the two letters from Hanover Engineering regarding the Emergency Nature of the project to stabilize Browns Hill Road. The basis for the emergency addition on the agenda shall be added to the agenda and published on the Website by the next day.

Motion carried 3-0.

Motion: Stein moved and Briglia seconded to accept the proposal from Melvin Fish to perform emergency repairs to Browns Hill Road, culvert, and surrounding eroded property in an amount not to exceed \$36,000.00 contingent on Mr. Fish providing the appropriate insurance information to the Township.

Motion carried 3-0.

New Business

Unique Pocono Properties, LLC Sketch Plan - Discuss/Any Action – Engineer Sarah Bue-Morris was in attendance on behalf of her client, Unique Pocono Properties, LLC. Ms. Bue-Morris presented a sketch plan of a Preliminary Land Development Plan of Motel Buildings for Unique Pocono Properties, LLC. Ms. Bue-Morris stated that the applicant had submitted a Conditional Use Application for the property. The Board discussed whether

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they would require a traffic impact study, an environmental impact study, and a community impact study to be completed. Ms. Bue-Morris stated that she would withdraw the applicant's Conditional Use Application and enter into a Professional Services Agreement with the Township so she can work with the Township Professionals in order to address any requirements that need to be fulfilled before reapplying for a Conditional Use Hearing.

Motion: Stein moved and Briglia seconded to accept the withdrawal of the Unique Pocono Properties, LLC Conditional Use Application.

Motion carried 3-0.

Motion: Stein moved and Briglia seconded to authorize Hanover Engineering to work with Unique Pocono Properties, LLC once a Professional Services Agreement is signed, based on the sketch plan that was presented tonight.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to direct Hanover Engineering to write a letter to Unique Pocono Properties, LLC that it is required to submit, pursuant to section 160-10A(9), a traffic impact analysis, an environmental impact analysis, and a community impact analysis as part of its new conditional use application.

Motion carried 3-0.

M&M Realty Highway Occupancy Permit/Discuss/Any Action – Solicitor Prevoznik stated that M&M Realty Partners, LP was attending a scoping meeting with PennDOT for a Highway Occupancy Permit for its existing driveway that was not done as part of the Conditional Use Decision in 2008. Mr. Unangst questioned whether the Board wanted Hanover Engineering to attend the scoping meeting.

Motion: Stein moved and Briglia seconded to authorize Hanover Engineering to attend a scoping meeting requested by M&M Realty Partners, LP with PennDOT concerning its application for a Highway Occupancy Permit for its existing driveway.

Motion carried 3-0.

Solicitor Prevoznik stated that the Township received M&M Realty Partner, LP's joinder plan and that Attorney Wolfe acknowledged that they have until August 31, 2023 to complete the process.

Solicitor Prevoznik stated that DEP contacted SEO Jake Schray to mediate the septic dispute which is the subject of the Board of Supervisors Appeal Hearing. Solicitor Prevoznik stated that both Attorney Kidwell's and Attorney Wolfe's clients would agree to mediation with DEP.

Resolution 03-2023 – Disposal of Records/Discuss/Any Action – Transue stated that Resolution 03-2023 lists the records to be disposed of by way of shredding at Spring Clean Up.

Motion: Stein moved and Briglia seconded to approve the adoption of Resolution 03-2023.

Motion carried 3-0.

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Other Business/Public Comment

Resident Trevor Sopko was in attendance to inquire about the status of the Route 390 rezoning. Solicitor Prevoznik stated that Steve Dellinger, from Hanover Engineering, was working on a memorandum to the Board with the changes discussed at a prior Work Session.

Reports

Roadmaster – The Board reviewed the Roadmaster's report.

Solicitor – Solicitor Prevoznik stated that the follow-up dates for the Hawthorne Conditional Use hearing needed to be set. The Board discussed in the Work Session three dates including May 23, June 8, and June 22, 2023, from 6:00 p.m. to 9:00 p.m. at the Paradise Township Municipal Building.

Motion: Briglia moved and Stein seconded to schedule follow-up Conditional Use Hearing dates for Hawthorne Mount Pocono Resort to include May 23, June 8, and June 22, 2023, from 6:00 p.m. to 9:00 p.m. at the Paradise Township Municipal Building.

Motion carried 3-0.

Mr. Unangst stated that Hawthorne Mount Pocono Resort does not want to include the intersection of Route 314 and Route 611 and the entrance to the proposed commercial site with ingress and egress from Route 611, be studied to determine how that would affect the traffic flow at the Woodland Road and Route 611 traffic-lighted intersection, as requested by the Board. The Board discussed holding a Work Session with Hawthorne representatives to discuss the request by the Board to include the added intersections.

Motion: Briglia moved and Stein seconded to schedule a Work Session with the Hawthorne representatives on April 17, 2023, at 4:30 p.m.

Motion carried 3-0.

Motion: Briglia moved and Stein seconded to authorize Hanover Engineering to send a letter to Hawthorne Mount Pocono Resort stating that the Board wants the intersection of Route 314 and Route 611 and the entrance to the proposed commercial site with ingress and egress from Route 611 to be studied, as previously requested. The Board authorized Solicitor Prevoznik to contact Attorney Karpowich to make him aware that a Work Session has been scheduled for April 17, 2023, at 4:30 p.m.

Motion carried 3-0.

Engineer – Mr. Unangst stated that he had nothing further.

PARC – Briglia stated that there was a meeting on March 23, 2023. Briglia stated that PARC will be reviewing the Master Site Plan for Seven Pines Park to decide what will be included in the next phase. Briglia stated that the April meeting was rescheduled to the second Thursday of the month at 6:00 p.m. and that a group from Yetter Disc Golf will be attending to do a presentation on installing a Disc Golf Course at Skywood Park.

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Correspondence/Miscellaneous

None.

Adjournment

Motion: Stein moved and Briglia seconded to adjourn the meeting at 7:03 p.m.

Motion carried 3-0.

Respectfully submitted,

Tina Transue

Tina Transue

Secretary