



## Ross Township Planning Commission

PO Box 276 • Saylorsburg, PA 18353  
Phone: 570-992-4990 Fax: 570-992-4440

### ROSS TOWNSHIP PLANNING COMMISSION AGENDA May 23, 2023

ROLL CALL:

APPROVAL OF MINUTES:

COMMUNICATIONS:

OLD BUSINESS:

- 1) Kirk Estate - Minor Subdivision Plan (deadline 7/3/2023)
  - a) Extension granted by BOS ( 5/1/2023 )
  - b) Revised Plan
  - c) Engineer's Report ( 5/16/2023)
  - d) Correspondence from Solicitor Gaul ( 5/19/2023)
  
- 2) Arsha Vidya – Preliminary Plan (deadline 6/19/2023)
  - a) Zoning Letter discussion
  - b) Extension request

NEW BUSINESS:

OPEN TO THE PUBLIC:

PENDING:

ADJOURNMENT:

ROSS TOWNSHIP PLANNING COMMISSION  
MONTHLY MEETING  
April 18, 2023

The Ross Township Planning Commission meeting scheduled for April 18, 2023, was called to order by Chairman Roger Christman, at 7:00 pm. The meeting was held at the Township Municipal Building.

In attendance were the following Planning Commission members: Chairman Roger Christman, Vice Chairman Rick Meixsell, Dave Labar, Frank Piraino, Herb Stecker, Lauri Lapping and Roger Green.

Also in attendance were Attorney Michael Gaul, of King Spry law firm, Planning Commission Solicitor, and Township Engineer Russ Kresge.

**Approval of Minutes:**

A motion to approve the minutes from the March 21, 2023 meeting was made by Frank Piraino, and seconded by Dave Labar. The motion was carried unanimously.

**COMMUNICATIONS:**

None

**OLD BUSINESS:**

Kirk Estate Minor Subdivision: (deadline: 5/22/2023)

Mike Lalli was present representing the applicant. Jodi Kirk and counsel for the applicant was also present. Plan needs to be revised to meet Engineer's review and waivers are needed for driveway and access. It was the consensus of the Planning Commission that they would recommended approval of waivers pending revised plans being submitted for review. A request was made by the applicant to extend the plan to the July Board of Supervisors meeting. A motion to forward the request for extension to the Board for approval was made by Rick Meixsell and seconded by Frank Piraino. Motion carried unanimously.

Christman– Lot Line Adjustment (deadline: 7/25/2023)

Johnathan Shupp was present to represent the applicants. Applicant Roger Christman was also present at the meeting. All the comments from April 11, 2023 Engineer's report have been addressed. The Monroe County Planning Commission letter was received and shared with the Commission. Rolling Hills Road was a dirt road and the GIS tax map created the division. The plan is to subdivide Parcel A (0.1024-acre), largely within the road right of way from the Johnson property (Lot 1) and attach it to the Christman property (Lot 2) with the new property line being along the centerline of Rolling Hills Road. Frank Piraino made a motion to recommend approval of the plans and forward to the Board of Supervisors for approval at the next meeting. The motion was seconded by Roger Green and carried with one abstention, Roger Christman.

Meixsell – Lot Line Adjustment (deadline: 7/25/2023)

The above referenced plan proposes to subdivide Lot 3 into Parcel A (16.4800 acres) and Parcel B (16.4802 acres) and to combine parcel A with existing Lot 1 and Parcel B with existing Lot 2. Lot 1 and Lot 2 are along the southerly side of Kunkletown Road (SR 3004). Assessment office has been contacted. All the properties are within the R-1 zoning district. A motion to recommend approval of the plan to be presented to the BOS at the next meeting, with the condition that Comment No. 4 in the engineer's report dated April 11, 2023, be addressed, was made by Frank Piraino and seconded by Dave Labar. Motion carried unanimously.

Arsha Vidya – Preliminary Plan (deadline 7/25/2023)

Representatives of the plan were not present for the meeting. A request to table was submitted by the applicant's engineer prior to the meeting. The Planning Commission was given a letter from the Zoning office that was discussed briefly. The Commission discussed requesting the Township Zoning Officer to attend the next meeting to address questions regarding whether the project would be granted a zoning permit, without the need for any relief or other approvals under the Zoning Ordinance, and the impact of any difference between the square footage of new space as compared to the square footage of existing buildings on the property proposed to be replaced. The Planning Commission members and the Engineer also stated they had not been provided a copy of Exhibit B referenced in the certificate of non-conforming use, and would like a copy to complete their review of the development plan. A motion was made by Frank Piraino to request Township Zoning Officer Shawn McGlynn attend the next Planning Commission and seconded by Dave Labar. Motion carried unanimously. Chairman Roger Christman made a motion to table the plan to next meeting seconded by Frank Piraino. The motion was carried unanimously.

**NEW BUSINESS:**

Reschedule May Planning Commission Meeting – Election Day Tuesday May 16, 2023 conflicts with the regular scheduled Planning Meeting. The Committee discussed moving the meeting to the Tuesday after election, Tuesday May 23, 2023 at 7pm. Public notice will be advertised. A motion to move the meeting to Tuesday May 23, 2023 at 7pm was made by Rick Meixsell and seconded by Dave Labar. The motion was carried unanimously.

**OPEN TO THE PUBLIC:**

Resident Howard Beers raised a question about the Arsha Vidya certificate of non-conformity. He stated that some single family homes built on the parcels along Faulstick Road were converted into multifamily after zoning without a permit.

**PENDING:**

- Next meeting is scheduled for May 23, 2023 at 7PM.

**ADJOURNMENT:**

- There being no further business, the meeting adjourned at 8:20 PM. The motion to adjourn was made by Herb Stecker, seconded by Dave Labar and carried unanimously.

Respectfully Submitted,

Deb Brown  
Planning Commission Secretary



## ROSS TOWNSHIP SUPERVISORS

MONROE COUNTY, PENNSYLVANIA

P.O. Box 276 • Saylorsburg, PA 18353

Municipal Garage & Office Phone: (570) 992-4990

www.rosstwpmpa.gov Fax: (570) 992-4440

email: rosstwp@ptd.net

JAMES ZAHOROIKO  
Chairman

DAVID SHAY  
Vice Chairman

RANDY DETRICK  
Supervisor

DEB BROWN  
Secretary/Treasurer

May 20, 2023

Roger and Sandra Christman  
5185 Rolling Hills Road  
Saylorsburg PA 18353

Re: Roger M. & Sandra Christman and Martin C. & Elsie I. Johnson Lot Line Adjustment Plan

Dear Applicant:

This letter is to provide formal notification to you that the Ross Township Board of Supervisors, at its meeting on May 1, 2023, approved the above-referenced Plan.

Very truly yours,

A handwritten signature in blue ink that reads "Deb Brown".

Deb Brown  
Ross Township Secretary/Treasurer

cc: Jonathan Shupp, PLS



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DAVID SHAY  
Vice Chairman

RANDY DETRICK  
Supervisor

DEB BROWN  
Secretary/Treasurer

May 20, 2023

Vance E. Meixsell  
1736 Kunkletown Road  
Saylorsburg PA 18353

Re: Meixsell, Mugavero & Altenbach Subdivision & Lot Line Adjustment Plan

Dear Applicants:

This letter is to provide formal notification to you that the Ross Township Board of Supervisors, at its meeting on May 1, 2023, approved the above-referenced Plan.

Very truly yours,

A handwritten signature in blue ink that reads "Deb Brown".

Deb Brown  
Ross Township Secretary/Treasurer

cc: Jonathan Shupp, PLS



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Chairman

DAVID SHAY  
Vice Chairman

RANDY DETRICK  
Supervisor

DEB BROWN  
Secretary/Treasurer

May 20, 2023

Jody E. Kirk  
PO Box 663  
Gilbert, PA 18331

Re: Kirk (Estate) Property – Minor Subdivision Time Extension

Dear Applicant:

This letter is to provide formal notification to you that the Ross Township Supervisors, at their monthly meeting on May, 1 2023, granted your extension of time request. The extension shall be until the July 5, 2023 Board of Supervisors meeting. If an additional extension of time is requested, please notify the Ross Township Planning Commission and provide an update on the progress of the subdivision plans.

If you should have any questions, please don't hesitate to contact me.

Very truly yours,

Deb Brown  
Ross Township Secretary/Treasurer

cc: Timothy McManus, Ross Township Solicitor

Michael A. Gaul, Ross Township Planning Commission Solicitor

Ross Township Planning Commission



**Civil Engineers & Surveyors**  
**P.O. Box 639, 863 Interchange Road, Suite 101**  
**Kresgeville, PA 18333**  
**(610) 681-5233 | Fax: (610) 681-5248**

ROSS-21-020

May 16, 2023

Ross Township Planning Commission  
P.O. Box 276  
Saylorsburg, PA 18353

**RE: KIRK (ESTATE) PROPERTY - MINOR SUBDIVISION PLAN, REVISED 5/04/2023  
REVIEW #4**

Dear Commission Members:

The above-referenced plan is for the subdivision of an 89.87-acre property located along both sides of Blue Ridge Road, T-375, into three lots: Lot 1, containing 10.006 acres with an existing dwelling accessed by a shared driveway through Lot 2; Lot 2, containing 53.052 acres on the south side of Blue Ridge Road with a commercial use; and Lot 3, containing 26.812 acres on the north side of Blue Ridge Road with what appears to be a continuation of the commercial use.

The plan consists of Sheets 1, 2 and 3. The following comments are offered for your consideration with respect to the Ross Township Ordinances:

**Zoning Ordinance**

1. §307.A. The front yard building setback has been corrected, based on the classification of Blue Ridge Road as a collector street, however, the 13.5' strips for future widening are not plotted to scale on the plan.
2. The Zoning Officer's review, dated December 20, 2021, must be considered.

**Subdivision and Land Development Ordinance**

3. §702.B.4. The MCPC review, dated December 14, 2021, must be considered.
4. §703.B.3, E.1 & E.3. It must be clearly shown, with line segments rather than with points, if the northeast lines of Lot 2 are along the centerline of Blue Ridge Road (as indicated in the closure/area sheet and in the table) or if Lot 2 extends to the tract line east of Lot 3. An explanation must be provided for the intended disposition of this tract line which was previously labeled with a bearing and distance.



**KIRK (ESTATE) PROPERTY - MINOR SUBDIVISION PLAN, REVISED 5/04/2023**

5. §703.H.2 and §1009. A Planning Module was submitted, in which a residual tract waiver is requested, and the Residual Tract Waiver statement is provided on the plan. The Township Sewage Enforcement Officer (S.E.O.) must review these items. The statement on the plan must be revised to include the precise language in the attached PA DEP Form 3850-FM-BCW0349, and supplemented to indicate which lot is considered the residual tract to which the waiver statement refers.
6. §703.H. The proposed shared access easement must be clearly shown on the plan and addressed in the notes/covenants. An agreement will be required.
7. §1004.L. A portion of the south side of Lot 1 abuts Stacia Way and it has been verified that Stacia Way is a township road (which should be labeled as T-472 on the plan). It must be determined if the existing shared driveway serving Lot 1 will still be considered as a Private Access Street, which would require the consideration of a waiver request (length and serving a commercial facility), or only as a shared driveway, which would require only a shared access agreement. This determination may affect the note which is "Restrictive Covenant" No. 8.
8. §1007. It must be determined if this subdivision is subject to recreation fees.

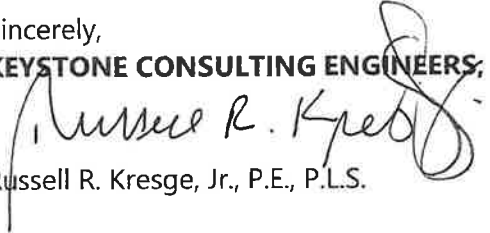
**General Comments**

9. The applicant had stated to the Planning Commission that the Monroe County Assessment Office has been consulted regarding the impact of this plan on the Act 319 assessment, but any approval of the plan should include a reminder.
10. The following minor plan items must be corrected:
  - A. Lot 1 must be labeled (this was lost in one of the revisions).
  - B. The remaining reference to Kyle A. Nordmeyer should be removed.
  - C. The shared driveway easement should terminate at the Lot 1 lot line.
  - D. Shady Oak Drive must be "West" and must be labeled as T-442.
  - E. The township line should be labeled with "Approximate Location".
  - F. T-485 must be changed to T-375 in Restrictive Covenant No. 1.
  - G. The typos should be corrected in Restrictive Covenants Nos. 6, 7 and 8.
  - H. The Solicitor should review the language in the various certifications.
  - I. The Residual Tract Waiver language must be revised as indicated above.

11. It must be determined if Chestnuthill Township will review and/or sign the plan. It is my understanding that the surveyor will provide a written direction from Chestnuthill Township.

Sincerely,

**KEYSTONE CONSULTING ENGINEERS, INC.**

  
Russell R. Kresge, Jr., P.E., P.L.S.

Attachment

Copy: Michael P. Lalli, P.L.S. (via email)  
Michael A. Gaul, Esquire (via email)  
David C. Berger, Esquire (via email)

## Ross Township

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**From:** Michael A. Gaul, Esq. <mag@kingspry.com>  
**Sent:** Friday, May 12, 2023 11:38 AM  
**To:** David C. Berger, Esq.  
**Cc:** pmlalli@ptd.net; Russ Kresge; Thomas H. Dinkelacker, Esq.; sandrog@ptd.net; Robin Koehler; Ross Township  
**Subject:** FW: KIRK-5-4-2023  
**Attachments:** SUBDIVISION-revised-5-4-2023REVISION-page 1.pdf; SUBDIVISION-revised-5-4-2023REVISION-page 2.pdf; SUBDIVISION-revised-5-4-2023REVISION-page 3.pdf

Dave - Can you please review the notes/certifications. When you review them, you'll note that there are some obvious changes that need to be made. It doesn't make sense for me to be doing that work. Also as mentioned at the meeting, the Plan notes/covenants need to describe the easement/ROW rights being created, and future use and maintenance. A separate agreement may be required as well, but there should also be something on the Plan. Can you please do a redline revised copy of the notes/certifications accomplishing the above. I expect that Mike L. has a copy of the notes/certifications in a computer file. Thanks.

Best regards,

Michael A. Gaul, Esquire  
KING, SPRY, HERMAN, FREUND & FAUL, LLC  
One West Broad Street, Suite 700  
Bethlehem, PA 18018  
Phone: (610) 332-0390 x 208  
Fax: (610) 332-0314  
E-mail: [mag@kingspry.com](mailto:mag@kingspry.com)

**From:** Ross Township <[rosstwp@ptd.net](mailto:rosstwp@ptd.net)>  
**Sent:** Thursday, May 11, 2023 10:00 AM  
**To:** Michael A. Gaul, Esq. <[mag@kingspry.com](mailto:mag@kingspry.com)>  
**Cc:** [sandrog@ptd.net](mailto:sandrog@ptd.net)  
**Subject:** FW: KIRK-5-4-2023

Hello,  
Attached please see revised Kirk plans received yesterday, I have also put a hard copy in the mail to you today.

Thanks,  
Deb

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**From:** Russ Kresge [<mailto:rkresge@kceinc.com>]  
**Sent:** Wednesday, May 10, 2023 2:18 PM  
**To:** Ross Township  
**Subject:** Fw: KIRK-5-4-2023

Deb,

Please see Mike Lalli's email and plans forwarded herewith so that you have pdf's of the plans.

Copies going to Ross Twp. This afternoon.

Mike

**From:** George Fetch [mailto:fetchgeorge@gmail.com]  
**Sent:** Monday, May 8, 2023 2:57 PM  
**To:** Michael lalli  
**Subject:** Re: KIRK-5-4-2023

On Mon, May 8, 2023 at 2:55 PM George Fetch <fetchgeorge@gmail.com> wrote:  
made new pdf's. take a look before I make the 6 copies

On Sat, May 6, 2023 at 4:51 PM Michael lalli <pmlalli@ptd.net> wrote:  
George

Excellent. Just two minor items.

1. Under Notes – there is an overlap going north/south covering notes 1-5
2. In the residual tract waiver Julian is the Executor.

Wil need 6 sets.

Tank you

**From:** George Fetch [mailto:fetchgeorge@gmail.com]  
**Sent:** Thursday, May 4, 2023 2:15 PM  
**To:** Michael lalli; George Fetch  
**Subject:** KIRK-5-4-2023

Excellent. Just two minor items.

1. Under Notes – there is an overlap going north/south covering notes 1-5
2. In the residual tract waiver Julian is the Executor.

Wil need 6 sets.

Tank you

**From:** George Fetch [mailto:[fetchgeorge@gmail.com](mailto:fetchgeorge@gmail.com)]

**Sent:** Thursday, May 4, 2023 2:15 PM

**To:** Michael Ialli; George Fetch

**Subject:** KIRK-5-4-2023

## Ross Township

---

**From:** Michael A. Gaul, Esq. <mag@kingspry.com>  
**Sent:** Friday, May 19, 2023 3:54 PM  
**To:** Russ Kresge; Ross Township  
**Cc:** Mike Lalli; David C. Berger, Esq.; Robin Koehler; rosstwp@ptd.net; sandrog@ptd.net  
**Subject:** RE: Kirk (Estate) Minor Subdivision

All - I reviewed Russ's Review #4. In particular I read his comment regarding the non-building waiver. The DEP's required nonbuilding declaration contains a blank "use" statement that needs to be completed. In my opinion, the proposed Kirk Plan's use of the phrase "personal use" is unacceptable, as it is too ambiguous, and fails on its face to reasonably establish that sewage will not be discharged on the property in connection with its intended use. If the property is going to be used for a tree farm, then presumably the use would be agricultural or silvicultural. But the property owner should propose the terminology in the first place. I also note that there is a maintenance building, barn, and storage building shown on Lot 3. While a barn and "storage" building may suggest storage, and no ongoing human activity on the site, a maintenance building may be a different animal. I will ask about that at the meeting, unless you prefer to advise me more about the use of the building before then. Obviously, use of the property for a maintenance building on an ongoing basis, without connection to the prior sewage facilities on the original combined property, raises a question as to how sewage needs will be met.

Next, the Plan should specifically refer to a "Non-Building Declaration", and not to an informal "Residual Tract Waiver".

Lastly, I don't recall seeing the completed Request for Building Waiver form, or a planning module. Russ's review letter indicates there was a planning module. The subdivision is creating three lots, not just two. The one with a commercial use has an office on its, and will have a public business. Has/is sewage planning/testing being done for that lot and/or the residential lot (assuming that the non-building waiver is for the other non-residential lot).

Thanks.

Best regards,

Michael A. Gaul, Esquire  
KING, SPRY, HERMAN, FREUND & FAUL, LLC  
One West Broad Street, Suite 700  
Bethlehem, PA 18018  
Phone: (610) 332-0390 x 208  
Fax: (610) 332-0314  
E-mail: [mag@kingspry.com](mailto:mag@kingspry.com)

**From:** Russ Kresge <[rkresge@kceinc.com](mailto:rkresge@kceinc.com)>  
**Sent:** Tuesday, May 16, 2023 3:53 PM  
**To:** Ross Township <[rosstwp@ptd.net](mailto:rosstwp@ptd.net)>  
**Cc:** Mike Lalli <[pmlalli@ptd.net](mailto:pmlalli@ptd.net)>; Michael A. Gaul, Esq. <[mag@kingspry.com](mailto:mag@kingspry.com)>; David C. Berger, Esq. <[dberger@norris-law.com](mailto:dberger@norris-law.com)>  
**Subject:** Kirk (Estate) Minor Subdivision

Deb,

Attached, please find the review of the Kirk (Estate) minor subdivision plan, revised 5/04/2023, for the next Planning Commission meeting.

**REQUEST FOR EXTENSION OF TIME**

**DATE May 18, 2023**

**I, Casey Bond, P.E. of Base Engineering Inc, Agent for the Applicant,**

**Hereby grant an extension of time, under the Municipalities Planning code, for**

**Review of sketch/final plan of ““Buildings Replacement at Arsha Vidya Gurukulam”**

**which plan was accepted for review by the Planning Commission on the 21st day of March, 2023**

**I agree to waive the requirement that a decision be made by the Board of Supervisors within ninety (90) days from the acceptance date above. This**

**Waiver will be acted on at the Planning Commission meeting scheduled for May 23, 2023 and at the Ross Township Supervisors meeting of June 5, 2023.**

**The extension to review the development plans shall be until the August 7, 2023**

**Board of Supervisors meeting.**

  
\_\_\_\_\_  
**Applicant/Agent for Applicant**