

FERNWOOD HOTEL & RESORT RESORT COMPLEX SKETCH (MASTER) PLAN SEPTEMBER 27, 2005

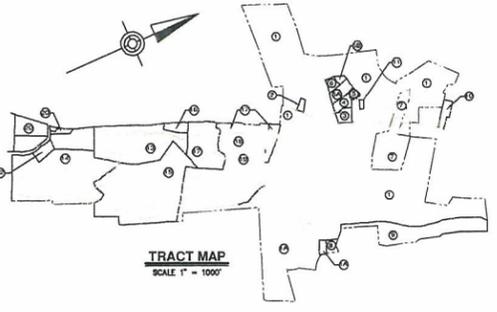
SITE DATA

1. NAME OF RESORT COMPLEX - FERNWOOD HOTEL & RESORT
 2. DEVELOPER/OWNER: RESORTS USA, INC.
 P.O.B. #447
 BIRKBECK, PA. 18324
 CORPORATE OFFICERS FOR RESORTS USA, INC.
 W. ANDREW WORTHINGTON, PRESIDENT
 KEVIN LAMMELLE, VICE PRESIDENT
 THOMAS CASALE, VICE PRESIDENT, SECRETARY
 CURTIS ROGERS, ASSISTANT SECRETARY
 LAND OWNER: HARA CORP.
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3. PLAN PURPOSE - IN GENERAL, THIS PLAN IS SUBMITTED TO SECURE UNIFORM RECOGNITION OF THE EXISTING FERNWOOD HOTEL & RESORT AS AN APPROVED RESORT COMPLEX UNDER THE MIDDLE SMITHFIELD TOWNSHIP ZONING ORDINANCE. THE PURPOSE IS FURTHER DETAILED IN THE WRITTEN REQUEST FOR PLAN APPROVAL SUBMITTED WITH THIS PLAN.
 4. ZONING DISTRICT - RESORT COMMERCIAL, COMMERCIAL INDUSTRIAL, AND COMMERCIAL.
 5. WATER SUPPLY IS PROVIDED BY A CENTRAL WATER SYSTEM OPERATED BY THE DEVELOPER/OWNER.
 6. SEWER DISPOSAL IS PROVIDED BY A CENTRAL SEWER SYSTEM OPERATED BY THE MIDDLE SMITHFIELD TOWNSHIP SEWER AUTHORITY.
 7. SOIL INFORMATION FROM THE USES SURVEY OF MONROE COUNTY.
 8. THIS PLAN HAS BEEN COMPILED FROM SURVEYS, APPROVAL PLANS, CONSTRUCTION PLANS, AND SKETCHES PROVIDED BY RESORTS USA. ADDITIONAL INFORMATION PROVIDED BY FRANK SMITH JR., P.E., IS INTENDED FOR PLANNING PURPOSES ONLY. THE PRESENCE OR ABSENCE OF HISTORIC SITES AND OR STRUCTURES WILL BE DETERMINED UPON APPLICATION TO THE PAHS.
 9. THE PRESENCE OR ABSENCE OF HISTORIC SITES AND OR STRUCTURES WILL BE DETERMINED UPON APPLICATION TO THE PAHS.
 10. TOPOGRAPHIC SURVEY INFORMATION FROM FRANK J. SMITH, JR., INC.
 11. NONCONFORMING STRUCTURES EXIST IN THE RESORT COMPLEX. ANY CHANGES TO THE STRUCTURES IN THE FUTURE WILL BE IN COMPLIANCE WITH ZONING ORDINANCE AS AMENDED.
 12. DEVELOPMENT DEPICTED WITHIN THE OVERALL RESORT COMPLEX IN GENERAL, AND THE SHARED USE AREAS IN PARTICULAR, REFLECT EXISTING CURRENTLY APPROVED OR PROPOSED USES. FUTURE USE AREAS THAT DO NOT REFLECT CURRENT OR PROPOSED USES ARE INTENDED FOR FUTURE DEVELOPMENT. FUTURE DEVELOPMENT IS SUBJECT TO THE MIDDLE SMITHFIELD TOWNSHIP ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCES AS AMENDED.
 13. THIS PLAN IS NOT INTENDED TO, AND DOES NOT, EXPAND, ENLARGE, MODIFY, LIMIT, RESTRICT, OR SUPERSEDE DEVELOPER/OWNER'S RIGHTS OR OBLIGATIONS ARISING FROM APPROVED, NONCONFORMING, EXISTING OR APPROVED USES, OR OPERATION OF LAW. SIMILARLY, THE PLAN DOES NOT RESTRICT THE ABILITY OF DEVELOPER/OWNER TO EXPAND, MODIFY, REDUCE, REMOVE OR REPLACE CURRENT OR PROPOSED USES, REVISE AND USE ITS AND OR TRACTS, PARCELS, FRONTS, OR OTHERWISE ALTER THE RESORT COMPLEX, MODIFY THE PLAN, OR SEEK FUTURE APPROVALS IN ACCORDANCE WITH THE MIDDLE SMITHFIELD TOWNSHIP ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCES AS AMENDED, AND APPLICABLE LAW.
 14. ADVERTISEMENTS OWNED BY DEVELOPER/OWNER, CURRENT ADVERTISEMENTS AND ADVERTISEMENTS DEPICTED ON THE PLAN, LIKE THE CURRENT USES, STRUCTURES, AND BUILDINGS, ADVERTISEMENTS AND ADVERTISEMENTS ARE SUBJECT TO CHANGE, MODIFICATION, EXPANSION, ALTERATION, REPLACEMENT, REDUCTION, REMOVAL, RECONFIGURATION, AND DEVELOPMENT OF OTHER ALLOWED USES.

PROPERTY INFORMATION TABLE

HARA	MAP ID #
1A.	02735400137430
2.	02735400240209
3.	02735400320119
4.	02735400440204
5.	02735400540123
6.	02735400640173
7.	02735400740197
8A.	02735400840244
9.	02735400940259
10.	02735401040113
11.	02735401140182
12.	02735401240279
13.	02735401340309
14.	02735401440111
15.	02735401540204
16.	02735401640198
17.	02735401740204
18.	02735401840183
19.	02735401940204
20.	02735402040183
TOTAL HARA ACREAGE:	385.2454
TOTAL HRP ACREAGE:	142.7864
TOTAL HARA AND HRP ACREAGE COMBINED:	473.0218

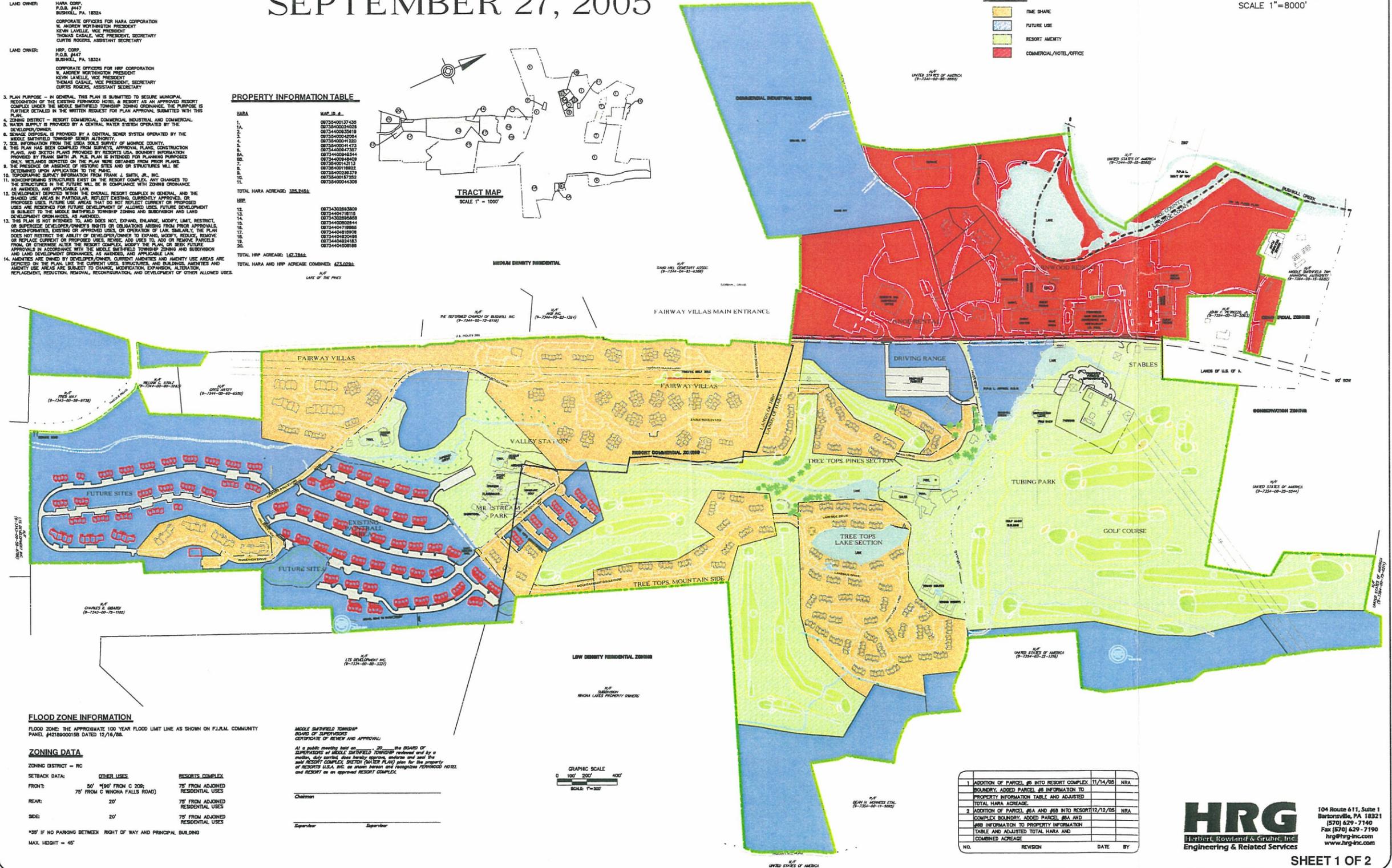
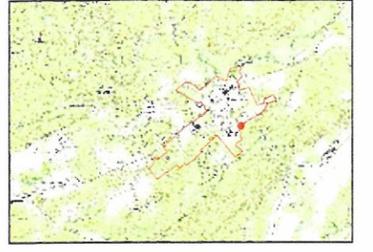


LEGEND

- RESORT COMPLEX BOUNDARY
- PROPERTY LINE
- WETLANDS STREAM/LAKE
- 100 YEAR FLOOD PLAIN
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- ZONING BOUNDARY
- CART PATH
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED PAVEMENT
- EXISTING WATER FEATURE

LAND USES

- TIME SHARE
- FUTURE USE
- RESORT AMENITY
- COMMERCIAL/HOTEL/OFFICE



FLOOD ZONE INFORMATION

FLOOD ZONE: THE APPROXIMATE 100 YEAR FLOOD LIMIT LINE AS SHOWN ON F.J.R.M. COMMUNITY PANEL #4218000158 DATED 12/16/04.

ZONING DATA

ZONING DISTRICT - RC

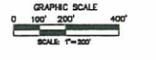
SETBACK DATA:	OTHER USES:	RESORTS COMPLEX:
FRONT: 50' (50' FROM C 205; 75' FROM C WINONA FALLS ROAD)		75' FROM ADJACENT RESIDENTIAL USES
REAR: 20'		75' FROM ADJACENT RESIDENTIAL USES
SIDE: 20'		75' FROM ADJACENT RESIDENTIAL USES

*30' IF NO PARKING BETWEEN FRONT OF WAY AND PRINCIPAL BUILDING
 MAX. HEIGHT = 45'

MIDDLE SMITHFIELD TOWNSHIP BOARD OF SUPERVISORS CERTIFICATE OF REVIEW AND APPROVAL:

At a public meeting held on _____, 2005, the BOARD OF SUPERVISORS of MIDDLE SMITHFIELD TOWNSHIP reviewed and by a majority vote, duly certified, this master plan, and approved the same. RESORTS USA, INC. as shown herein and recognizes FERNWOOD HOTEL and RESORT as an approved RESORT COMPLEX.

Chairman _____
 Supervisor _____



NO.	REVISION	DATE	BY
1	ADDITION OF PARCEL #8 INTO RESORT COMPLEX BOUNDARY, ADDED PARCEL #8 INFORMATION TO PROPERTY INFORMATION TABLE AND ADJUSTED TOTAL HARA ACREAGE.	11/14/05	NRA
2	ADDITION OF PARCEL #6A AND #6B INTO RESORT COMPLEX BOUNDARY, ADDED PARCEL #6A AND #6B INFORMATION TO PROPERTY INFORMATION TABLE AND ADJUSTED TOTAL HARA AND COMBINED ACREAGE.	12/12/05	NRA

HRG

Harbert Rowland & Grubic, Inc.
 Engineering & Related Services

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 Bortonsville, PA 18321
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 Fax (570) 629-7190
 hr@hrg-inc.com
 www.hrg-inc.com

FERNWOOD HOTEL & RESORT RESORT COMPLEX SKETCH (MASTER) PLAN SEPTEMBER 27, 2005

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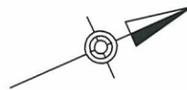
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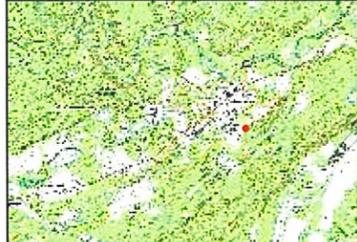
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SOILS:

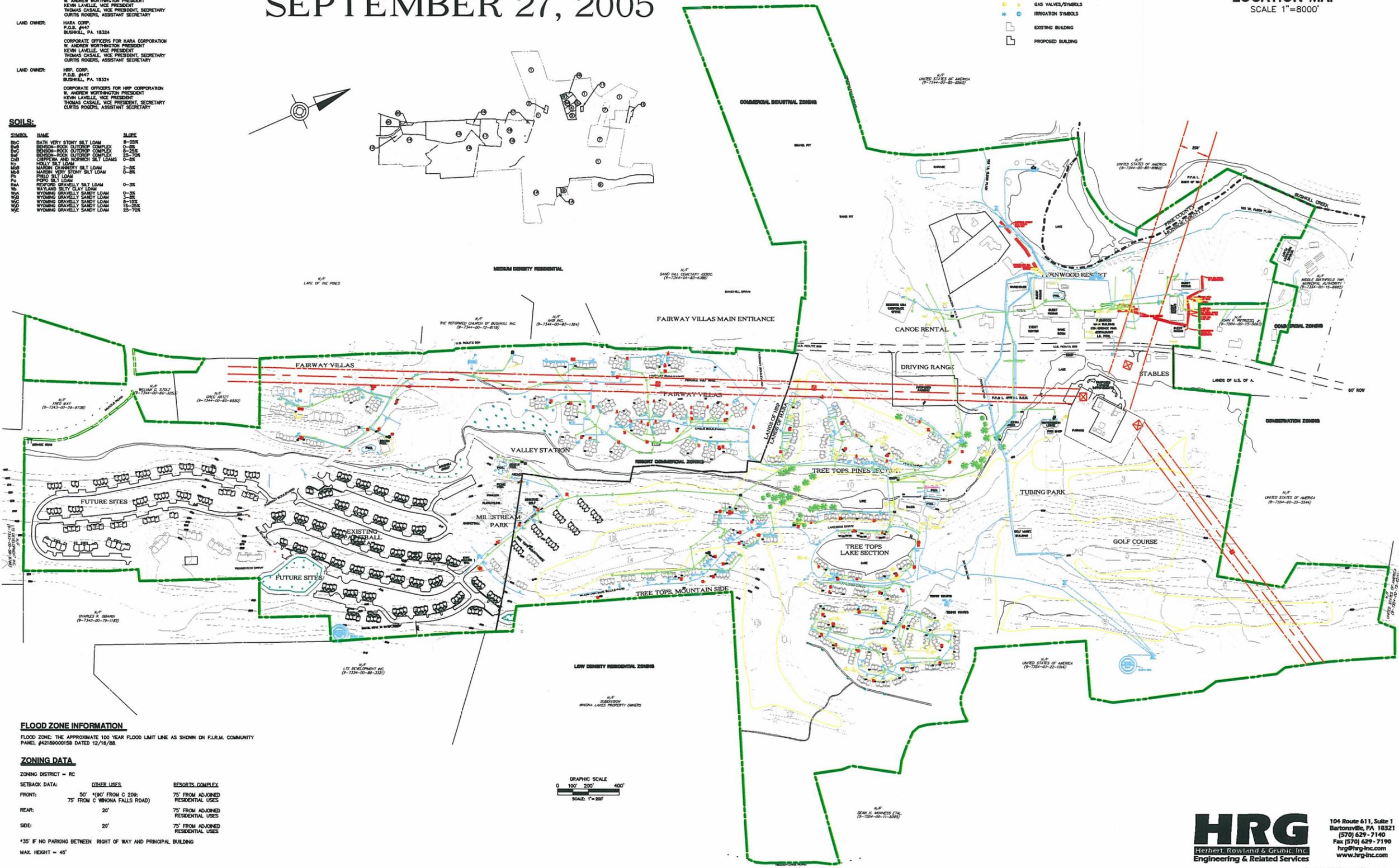
SYMBOL	NAME	CLASS
BS1C	BATH VERY STONY SILT LOAM	U-20X
BS1B	BENSON-ROCK OUTCROP COMPLEX	U-20X
BS1C	BENSON-ROCK OUTCROP COMPLEX	U-20X
BS1D	BENSON-ROCK OUTCROP COMPLEX	U-20X
BS1E	CHIFFINIA AND WOODHOLM SILT LOAMS	U-20X
BS1F	HOLLY SILT LOAM	U-20X
BS1G	MARION CHANNERY SILT LOAM	U-20X
BS1H	MARION VERY STONY SILT LOAM	U-20X
BS1I	PUBLIC SILT LOAM	U-20X
BS1J	POCONO GRAVELLY SILT LOAM	U-20X
BS1K	POCONO SILT LOAM	U-20X
BS1L	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1M	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1N	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1O	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1P	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1Q	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1R	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1S	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1T	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1U	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1V	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1W	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1X	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1Y	WYOMING GRAVELLY SANDY LOAM	U-20X
BS1Z	WYOMING GRAVELLY SANDY LOAM	U-20X



- ### LEGEND
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 - PROPERTY LINE
 - WETLANDS STREAM/LAKE
 - 100 YEAR FLOOD PLAN
 - EXISTING EDGE OF PAVEMENT
 - PROPOSED EDGE OF PAVEMENT
 - ZONING BOUNDARY
 - CART PATH
 - WATER LINES
 - WATER VALVES/SYMBOLS
 - SANITARY LINES
 - SANITARY MANHOLES/SYMBOLS
 - ELECTRIC LINES/FEATURES
 - ELECTRIC SYMBOLS
 - GAS LINES/FEATURES
 - GAS VALVES/SYMBOLS
 - IRRIGATION SYMBOLS
 - EXISTING BUILDING
 - PROPOSED BUILDING



LOCATION MAP
SCALE 1"=8000'



FLOOD ZONE INFORMATION

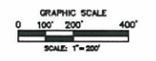
FLOOD ZONE: THE APPROXIMATE 100 YEAR FLOOD LIMIT LINE AS SHOWN ON F.L.R.M. COMMUNITY PANEL #421890015B DATED 12/18/88.

ZONING DATA

ZONING DISTRICT - RC

SETBACK DATA:	OTHER USES	RESORTS COMPLEX
FRONT:	50' *190' FROM C 209; 75' FROM C WYONKA FALLS ROAD	75' FROM ADJOINED RESIDENTIAL USES
REAR:	20'	75' FROM ADJOINED RESIDENTIAL USES
SIDE:	20'	75' FROM ADJOINED RESIDENTIAL USES

*35' F NO PARKING BETWEEN RIGHT OF WAY AND PRINCIPAL BUILDING
 MAX. HEIGHT = 45'



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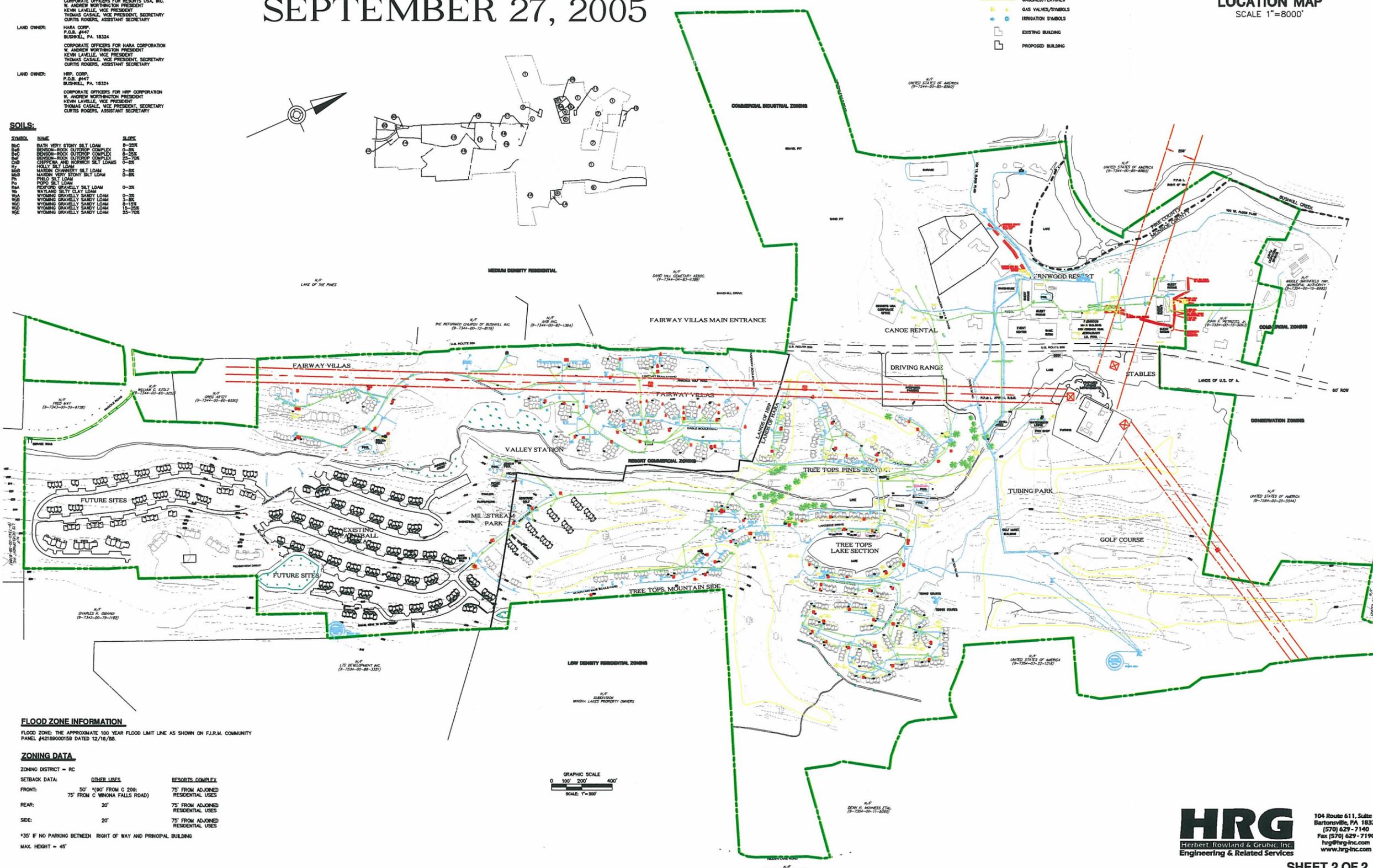
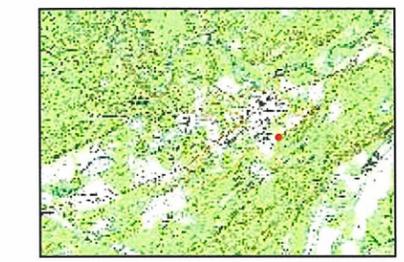
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SOILS:

SYMBOL	NAME	SLICE
8-20C	BATH VERY STONY SILT LOAM	8-20C
8-20E	BRONSON-ROCK OUTCROP COMPLEX	0-20E
8-20F	BRONSON-ROCK OUTCROP COMPLEX	0-20F
8-20G	BRONSON-ROCK OUTCROP COMPLEX	0-20G
8-20H	CHIFFIN AND KIRKBY SILT LOAMS	0-20H
8-20I	HOLLY SILT LOAM	0-20I
8-20J	HARDEN GRANITEY SILT LOAM	0-20J
8-20K	HARDEN GRANITEY SILT LOAM	0-20K
8-20L	FIELD SILT LOAM	0-20L
8-20M	ROCKFORD GRAVELLY SILT LOAM	0-20M
8-20N	WELAND SILTY CLAY LOAM	0-20N
8-20O	WYOMING GRAVELLY SANDY LOAM	0-20O
8-20P	WYOMING GRAVELLY SANDY LOAM	0-20P
8-20Q	WYOMING GRAVELLY SANDY LOAM	0-20Q
8-20R	WYOMING GRAVELLY SANDY LOAM	0-20R
8-20S	WYOMING GRAVELLY SANDY LOAM	0-20S
8-20T	WYOMING GRAVELLY SANDY LOAM	0-20T
8-20U	WYOMING GRAVELLY SANDY LOAM	0-20U
8-20V	WYOMING GRAVELLY SANDY LOAM	0-20V
8-20W	WYOMING GRAVELLY SANDY LOAM	0-20W
8-20X	WYOMING GRAVELLY SANDY LOAM	0-20X
8-20Y	WYOMING GRAVELLY SANDY LOAM	0-20Y
8-20Z	WYOMING GRAVELLY SANDY LOAM	0-20Z

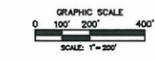


- ### LEGEND
- RESORT COMPLEX BOUNDARY
 - PROPERTY LINE
 - WETLANDS STREAM/LAKE
 - 100 YEAR FLOOD PLAN
 - EXISTING EDGE OF PAVEMENT
 - PROPOSED EDGE OF PAVEMENT
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 - WATER LINES
 - WATER VALVES/SYMBOLS
 - SANITARY LINES
 - SANITARY MANHOLES/SYMBOLS
 - ELECTROCLINES/FEATURES
 - ELECTRIC SYMBOLS
 - GAS LINES/FEATURES
 - GAS VALVES/SYMBOLS
 - IRRIGATION SYMBOLS
 - EXISTING BUILDING
 - PROPOSED BUILDING



FLOOD ZONE INFORMATION
 FLOOD ZONE: THE APPROXIMATE 100 YEAR FLOOD LIMIT LINE AS SHOWN ON F.J.R.M. COMMUNITY PANEL #42189000159 DATED 12/18/88.

ZONING DATA
 ZONING DISTRICT = RC
 SETBACK DATA: OTHER USES, RESORTS COMPLEX
 FRONT: 50' (90' FROM C 206; 75' FROM C WINONA FALLS ROAD) 75' FROM ADJOINED RESIDENTIAL USES
 REAR: 20' 75' FROM ADJOINED RESIDENTIAL USES
 SIDE: 20' 75' FROM ADJOINED RESIDENTIAL USES
 *35' IF NO PARKING BETWEEN RIGHT OF WAY AND PRINCIPAL BUILDING
 MAX. HEIGHT = 45'



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The regular meeting of the Middle Smithfield Board of Supervisors was held at 6:30 p.m., Tuesday, October 11, 2005 at the Schoonover Municipal Center. Debbie Kulick presided.

Members present: Debbie Kulick, Fred May and Ron Clewell. Also present were Richard Deetz, Fred Courtright, Sherry Predmore, Deb Ogden and several interested parties.

Debbie Kulick called to order a public hearing for the conditional use application for Cingular Wireless. Donna Kenderdine took a stenographic record. Attorney Deetz explained the conditional use procedure and asked that anyone other than the applicant that wants to participate to in the proceedings to enter their appearance. There were no appearances filed by the half dozen people in attendance.

Attorney Debra Shulski represented the applicant. She explained that Cingular is proposing a 180 ft monopole telecommunication tower on property owned by the Borough of East Stroudsburg. The property is located in a Conservation Zoning District. She explained that their witnesses would demonstrate that they comply with the applicable standards in the ordinance and will demonstrate justification for the proposed increase in the height of the tower.

It was noted that the township Planning Commission had given a favorable recommendation subject to the lease agreement being changed to a license agreement.

Ms. Shulski called Jay Young, a radio frequency expert for the wireless communications provider who testified regarding the licenses by the FCC. Reliable coverage was explained along with the factors for choosing the location. He described the map of existing coverage noting that there is a significant gap in coverage. With the proposed site there would be only minor gaps and calls should not drop. Vastly improved service would be accomplished throughout the township. The height of tower would be 180 ft., the minimum height to solve the problem. He explained that if the tower were lowered holes open up. The 180 ft tower is absolutely necessary to cover holes and there would be below standard service if the tower is lower. Cingular allows co-location on their towers and they market towers for co-location.

He testified that there would be no interference from the tower as they have an exclusive license in their band and are guarded from interference.

It was noted that FAA approval is not required as they are within all criteria of the regulations. The tower should not require marking or lighting.

When questioned how close the tower would be to Fire Company landing zones Mr. Young stated that he does not know. It was noted that they could light if required. Co-location for emergency services and municipality would be provided.

Site acquisition specialist Suzanne Allen testified regarding the process of locating a site. She advised that she looks for available candidates and noted that a lease in place with Borough of East Stroudsburg. They are in process of changing the lease to a license agreement per the recommendation of the Planning Commission Solicitor.

Phillip Burtner the Engineer for the project reviewed the site plan and described location and access points. He noted that the site is a 200 acre wooded tract with access off Reservoir Ridge Rd and Pine Hill Rd. The tower is to be located 2000 ft from the subdivision. He described the compound plan as a 60 x 60 area enclosed with a chain link fence and equipment shelter and a 180 ft monopole tower. They will upgrade the access driveway. When completed perhaps one vehicle will visit the site per month for maintenance. Two parking spaces will be located outside the compound. No water or sewer will be provided. The tower complies with standards of the ordinance. There will be minimal visual impact and there will be no major cuts or fills. An E & S plan will be prepared. The normal tower color is gray however they would be willing to provide another color. Brown was suggested to blend with wooded area. Electric will more than likely be underground. The driveway would be plowed only when necessary. The tower would be monitored from a central switching location.

Tammy Love of Reservoir Ridge asked that a balloon test be done. Mr. Burtner explained that it is not customary to do balloon tests particularly when it is a wooded site.

Colin Love had questions relating to the construction and the risks.

Scott Schaller questioned if the tower could be moved to be double the distance from the homes. It was noted that the tower is already 2000 ft away from any residence and if it were moved they could not guarantee that coverage could be met.

John Ferro had questions regarding frequency interference. Mr. Young explained that there will not be interference as they have their own licensed band.

Fred May ask that the monopole antenna's be explained along with the separation between antennas. It was noted that a stealth applications (tree limbs) could be done. Such an application is being proposed for a site near Penn Hills.

The solicitor called for anyone in opposition to the application. No one appeared in opposition.

Jim Phillips testified in behalf of the Borough noting that the agreement is for a 25 year period. It will help support the property and improve in cell phone service. He advised that the Borough Council except for one individual was in favor of the proposal.

There was no further testimony. Attorney Deetz recommended that the Board close the hearing and review testimony. Ron Clewell made a motion to close the public hearing with the decision at date to be scheduled. Fred May seconded the motion and it was unanimously carried.

Fred May made a motion to approve the minutes from meetings held September 26, September 27, September 28 and October 3, 2005 as presented. Ron Clewell seconded the motion and it was unanimously carried.

Fred May made a motion to authorize payment of the listed bills. Ron Clewell seconded the motion and it was unanimously carried. A copy of the list is attached and made a part of these minutes.

Deb Ogden summarized the zoning officer's report for the month of September. The report was accepted as presented.

Correspondence:

A letter was from Marshalls Creek Fire Company advising that they had requested a grant in the amount of \$76,139 through homeland security. The matching funds would be \$4007. The fire company is asking for 1/3 of the match from each municipality that they serve or an amount of \$1335.67. Ron Clewell made a motion to give the \$1335.67 donation as requested. Fred May seconded the motion and it was unanimously carried.

The tentative budget for 2006 was received from the Monroe County Control Center along with the cost estimates for municipalities.

Notice of a refund due to Edward Gonsalves was received from the County Assessor. The amount of the township tax refund is \$82.43. Fred May made a motion to authorize the refund. Ron Clewell seconded the motion and it was unanimously carried.

A letter was received from the Eastern Monroe Public Library thanking the Supervisors for their assistance at the local branch.

Notice of the permit renewal application for the Shawnee combustion turbine facility was received from Reliant Energy. No action was required.

Solicitor's Report:

Attorney Deetz gave a summary of the background and history of public hearings held for the dangerous structure on the Napier property. Deb Ogden informed the Supervisors that the property has been secured, everything has been boarded up and signs have been placed. Ron Clewell made a motion to declare the matter resolved with no further action to be taken at this time and direct the solicitor to inform the property owners. Fred May seconded the motion and it was unanimously carried.

Attorney Deetz summarized the conditional use application of John Somma and described the proposed decision to grant the conditional use based on the site plan and subject to conditions and safeguards. Ron Clewell suggested moving a planter to

facilitate deliveries. Ron Clewell made a motion to approve the decision as presented. Fred May seconded the motion and it was unanimously carried.

The dangerous structure on the Anthony Marcano property at the intersection of Timothy Lake Road and Navaho Road and the public hearings held to date were summarized by the Solicitor. It was noted that the Board has requested several times that the owner present a statement from an Engineer certifying to the condition of the structure. Mr. Marcano was not present. The Zoning Officer advised that the structure is boarded up so that no one can get in to the building. Attorney Deetz described the various options available to the Supervisors. Fred May made a motion to give Mr. Marcano until the November 9 meeting at 7:00 p.m. and that he be sent notice that he must participate by attending the meeting and present written reports as requested. Ron Clewell seconded the motion and it was unanimously carried.

Engineer's Report:

Fred Courtright advised that he had reviewed the Monroe County Disaster Mitigation plan and summarized the requirement to adopt the plan to remain eligible for grants under the program. He recommended that the Township adopt the plan. Fred May made a motion to adopt the plan as recommended by the Engineer. Ron Clewell seconded the motion and it was unanimously carried.

John Briggs presented the plans for designation of Resort Complex on behalf of Resorts USA. He advised that the resort has been in business 76 years and that no change to the zones is being requested but as required in the Zoning Ordinance Resorts is requesting recognition of their facility under the Resort Complex umbrella. The plan designates what they own, their zones and uses and how they intend to move forward.

Fred May made a motion to accept the plan presented by Resorts USA and grant their request for designation of the properties depicted on the plan as a Resort Complex. Ron Clewell seconded the motion and it was unanimously carried.

Debbie Kulick advised that she spoke with Dr. Brown who informed her that the Stormwater ordinance is nearly complete however new regulations are to be released this week. Dr. Brown suggested that these regulations be reviewed prior to taking any action on the ordinance.

Debbie Kulick noted that Community Night has been scheduled for November 14, 2005 at 7:00 p.m. The evening will be dedicated to review of the Comprehensive Plan update along with review of the survey and committee reports.

Debbie Kulick advised that representatives from the Chazen Companies will meet with the Supervisors to review their planning proposal on October 26, 2005.

It was noted that the next two meeting dates need to be rescheduled. Fred May made a motion to reschedule the October 25 meeting to October 26 at 9:00 a.m. and the

November 8 meeting to November 9 at 7:00 p.m. Ron Clewell seconded the motion and it was unanimously carried.

Fred May gave his report on the road department and advised that recent storms had caused a lot of damage in Wooddale. He gave an update on recent road work and there was general discussion regarding drainage and stormwater.

Debbie Kulick advised that the Open Space Advisory Committee had been on the docket to receive funding for the Scott family property however the property is no longer available. It was suggested that the township seek reimbursement from Scott family for the costs expended by the township.

It was noted that the L&B will be announcing this year's outstanding business award at Community Night. The EAC has a new topic of interest in protection of the watershed. They are looking to work with the watershed group on the project.

It was noted that the Park Commission has recommended the purchase of modular park equipment. The equipment is ADA compliant and can be purchased under state contract. Debbie Kulick made a motion to purchase the recommended equipment under state contract. Ron Clewell seconded the motion and it was unanimously carried.

It was note that research is continuing on the purchase of an ice skating rink. Action was on the rink was tabled

It was noted that notice had been received from John Siptroth that the township has been approved for a \$5000 grant for the purchase of park equipment.

Other comments:

Larry Dymond informed the Supervisors that he had suggested the School District to contact the township to discuss winter road maintenance. He also questioned the status of the Engineer's research regarding Country Club of the Poconos. Fred Courtright reported that he had not completed the research.

Joseph Catalfamo questioned the estimated cost of the bridge repairs on Primrose Lane. Fred May estimated that the repairs would cost approximately \$10,000 and would require one week to complete, weather permitting.

Debbie Kulick announced upcoming events.

There being no further business, the meeting adjourned in regular order.

Respectfully submitted,

Sherry Predmore, Secretary
October 11, 2005

Zoning District: Type of Use	Minimum Lot Area (square feet)	Minimum Building Setback Line (feet.)	Minimum Lot Width Measured at Minimum Building Setback Line (feet.)	Minimum Front Yard Setback (feet) (Note D) (See also § 200-72)	Minimum Rear Yard Setback (feet) **	Minimum Side Yard Setback ** (each) (feet)	Maximum Percent Building Coverage	Maximum Percent Impervious Coverage
b1) Without either Township-approved central water service or Township-approved central sewage service	b1) 43,560	b1) 150						
b2) With Township-approved central water or Township-approved central sewage service	b2) 39,000	b2) 150						
b3) With both Township-approved central water and Township-approved central sewage services:	b3) 20,000	b3) 100						
c) The following housing types, each of which shall require Township-approved central water and Township-approved central sewage services if they have a density of more than 1 acre per dwelling unit:				c) 30	c) 30	c) 20, except 0 at the shared lot line of lawfully attached dwellings	c), d) and e): 30%. See note in left-hand column.	c), d) and e): 40%. See note in left-hand column.
c1) Townhouse			c1) 20 feet per interior dwelling unit, 40 feet for each end dwelling unit (Note B)					
c2) Apartments, which shall be detached from other buildings.			c2) 150					
d) Within the C District, a manufactured/mobile home park shall comply with the provisions for such use in § 200-45.								
e) Other allowed principal use	e) 2.5 acres	e) 200		e) 40	e) 50	e) 20		

For c), d) and e): the maximum building and impervious coverages may be calculated based upon the average for the entire subdivision or land development at the time of completion of the development.

6. RC Resort Commercial District:

a) For single-family detached and twin dwellings, the provisions in this § 200-34 for the MDR District shall apply.

Zoning District: Type of Use	Minimum Lot Area (square feet)	Minimum Lot Width Measured at Minimum Building Setback Line (feet.)	Minimum Front Yard Setback (feet) (Note D) (See also § 200-72)	Minimum Rear Yard Setback (feet) **	Minimum Side Yard Setback ** (each) (feet)	Maximum Percent Building Coverage	Maximum Percent Impervious Coverage
b) The following housing types, each of which shall require Township-approved central water and Township-approved central sewage services if there is a density of more than 1 dwelling unit per acre:	b) The maximum density shall be the Adjusted Tract Area of Section 310 divided by 12,000 square feet to equal the maximum number of dwelling units. (Note C).		b) 30	b) 30	b) 20, except 0 at the shared lot line of lawfully attached dwellings	b, c and d): 45%. See note in bottom of left-hand column.	b, c and d): 50%., except 65% with central water and sewage services. See note in bottom of left-hand column.
b1) Townhouse			b1) 20 feet per interior dwelling unit, 40 feet for each end dwelling unit (Note B).				
b2) Apartments, which shall be detached from other buildings.			b2) 150.				
c) Manufactured/mobile home park - shall comply with the provisions for such use in § 200-45.							
d) Other allowed use, unless stricter requirements are established by § 200-45, such as for a resort complex or a small resort	d) 1.5 acres (65,340 sq. ft.) except 1 acre for a lot that does not have its own vehicle driveway involving left-hand turns onto an arterial street.	d) 200 feet, except 150 feet for a lot that does not have its own vehicle driveway involving left-hand turns onto an arterial street.	d) 50, except 35 if there will not be any vehicle parking between the principal building and the front lot line.	d) 20 (Note A)	d) 20 (Note A)		
<p>The maximum building and impervious coverages may be calculated based upon the average for the entire subdivision or land development at the time of completion of the development.</p>							
<p>7. VC Village Center District: The provisions of § 200-41 shall apply.</p>							
<p>8. C Commercial District or CI Commercial-Industrial Districts:</p>							
a) single-family detached dwelling	a) 2 acres	a) 250 feet	a) 50	a) 30	a) 20	a) 20%	a) 30%

Table 306.B.1 Allowed Uses in Primarily Residential Zoning Districts

Types of Uses (See definitions in Article III)	Zoning Districts			
	CON	CR	LDR	MDR
All uses that will be unable to comply with the performance standards of this chapter. See the environmental protection requirements of Article VI	N	N	N	N

NOTES:

¹Except as may be allowed by the conservation development provisions in Section 311.

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts

Types of Uses (See definitions in Article III)	Zoning Districts					
	H	VC	C	CI	RE	RC
a. RESIDENTIAL USES						
Single-family detached dwelling (Note: Manufactured/mobile homes shall meet the additional requirements of § 200-45)	P	P	P	P	P	P
Conservation development option meeting § 200-38 (Note: This typically allows a higher density and smaller lot sizes, and may allow various types of housing.)	P	P	N	N	P	P
Twin dwelling (side-by-side)	P	P	N	N	¹	P
Townhouse (rowhouse) (S. 200-45)	N	P	N	N	¹	P
Apartments (S. 200-45), other than conversions of an existing building	N	P	N	N	¹	P
Manufactured/ mobile home park (S. 200-45)	N	N	N	N	N	C
Boardinghouse (includes rooming house) (S. 200-45)	N	N	SE	N	^{1, 3}	^{1, 3}
Group home within a lawful existing dwelling unit (S.200-45), not including a treatment center	P	P	P	P	P	P
Conversion of an existing Building to result in an increased number of dwelling Units (See also unit for care of relative under Accessory Uses)	N	C	C	N	SE	SE

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
b. COMMERCIAL USES						
See also the standards in § 200-45 for a resort complex which allows a mix of commercial and residential uses.						
Adult use (S. 200-45)	N	N	N	C	N	N
After hours club (Note: This use is effectively prohibited by State Act 219 of 1990)	N	N	N	N	N	N
Airport (S. 200-45) (see also heliport)	N	N	N	C	N	N
Amusement arcade	N	N	C	N	P ⁴	P ⁴
Amusement park or water park	N	C	C	N	P ⁴	P ⁴
Animal cemetery (S. 200-45)	N	N	P	P	N	N
Auditorium (commercial), arena, performing arts center or exhibition-trade show center	N	C	C	C	'	P
Auto repair garage or auto service station (S. 200-45)	N	N	C	C	N	'
Auto, boat or mobile/manufactured home sales (S. 200-45)	N	N ⁵	C	C	N	SE
Bakery, retail	P ²	P	P	P	'	P
Bed-and-breakfast inn (S. 200-45)	P	P	P	P	P	P
Betting use ⁶	N	'	P	P	'	'
Beverage distributor (wholesale and/or retail)	N	SE	P	P	N	SE
Bus maintenance or storage yard	N	N	P	P	N	N
Bus stop for local bus or shuttle service	P	P	P	P	P	P
Bus stop for intercity bus service (other than bus maintenance or storage yard)	N	N	P	P	N	'
Camp (S. 200-45), other than recreational vehicle campground	N	SE	P	P	P	P
Campground, recreational vehicle (S. 200-45), which may include an accessory camp store that is primarily for use by campers	N	N	SE	SE	SE	P
Car wash (S. 200-45)	N	N	P	P	N	SE
Catering, custom, for off-site consumption	P	P	P	P	'	P
Communications tower/antennae, commercial (S. 200-45)						
Meeting § 200-45A(14)(a) pertaining to antenna placed on certain existing structures	P	P	P	P	P	P

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Antennae/tower that does not meet § 200-45A(14)(a) (such as freestanding towers)	N	C	C	C	C	C
Note: Section 200-45A(14) also allows towers serving emergency services stations						
Conference center						
With a total meeting capacity of over 2,000 persons	N	C	C	C	'	P
With a total meeting capacity of 2,000 or fewer persons	N	P	P	P	'	P
Construction company or tradesperson's headquarters (including but not limited to landscaping, building trades or janitorial contractor). See also as home occupation. Accessory outdoor storage shall be permitted provided it meets the screening requirements of § 200-68.	N	P	P	P	'	'
Crafts or artisan's studio (see also as home occupation)	P	P	P	P	P	P
Custom printing, copying, faxing, mailing or courier service	P	P	P	P	'	P
Exercise club	P	P	P	P	P	P
Fairgrounds	N	SE	P	P	'	'
Financial institution (S. 200-45; includes banks), with any drive-through facilities meeting § 200-46	P ²	P	P	P	'	P
Flea market/ auction house	N	N	P	P	N	C
Funeral home (S. 200-45)	N	P	P	P	N	P
Garden center, retail (see also wholesale greenhouses")	P	P	P	P	'	P
Gas station - See auto service station						
General commercial vehicle parking (as principal or accessory use) (S. 200-45)	N	N	SE	SE	N	N
Golf course (S. 200-45), with a minimum lot area of 25 acres	P	P	P	P	P	P
Heliport (S. 200-45)	N	N	N	SE	SE	SE
Horse riding academy - See stable under Miscellaneous Uses						

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Hotel or motel (S. 200-45)	N	P	P	P	P	P
Kennel (S. 200-45)	N	N	SE	SE	'	'
Laundromat	P ²	P	P	P	'	P
Laundry, commercial or industrial	N	N	P	P	'	P
Lumber yard	N	N	P	P	N	N
Motor vehicle race track (S. 200-45)	N	N	N	C	N	N
Nightclub	N	C	C	C	'	P
Office (May include medical labs, see also home occupations)	P	P	P	P	'	P
Pawn shop	N	N	P	N	N	N
Personal services (includes tailoring, custom dressmaking, haircutting/styling, dry leaning, shoe repair, massage therapy, certified and closely similar uses) (See also home occupation)	P	P	P	P	P	P
Picnic grove, private (S. 200-45)	SE	P	P	P	P	P
Plant nursery (other than a retail garden center)	P	P	P	P	P	P
Propane retail distributor, with a maximum storage capacity of 100,000 cubic feet and a 150 feet minimum setback between any storage or dispensing facilities and any residential district, and with fire company review.	N	N	C	C	N	C
Recording studio, music	N	P	P	P	P	P
Recreation, commercial indoor (S. 200-45) (includes bowling alley, roller or ice skating rink, batting practice, and closely similar uses); other than uses listed separately in this § 200-33	N	SE	P	P	SE	P
Recreation, commercial outdoor (including miniature golf course, golf driving range, archery, paintball and closely similar uses); other than uses listed separately in this § 200-33	N	SE	P	P	SE	P
Repair service, household appliance						
Less than 10,000 sq. ft. of building floor area	N	P	P	P	N	'
10,000 sq. ft. or more of building floor area	N	SE	P	P	N	'

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Resort complex (S. 200-45)	N	C	C	C	C	C
Resort, small (S. 200-45)	N	P	P	P	P	P
Restaurant or banquet hall (S. 200-45)						
With drive-through service (S. 200-46)	N	C ⁷	P	P	SE	SE
Without drive-through service	P ²	P ⁷	P	P	P	P
Retail store (not including uses listed individually in this § 200-33) or shopping center	P ⁹	P ⁹	P	P	P ⁸	P ²
Self-storage development	N	N	P	P	N	SE
Ski area, downhill (includes tubing and snowboarding)	N	N	N	N	1	P
Target range, firearms						
Completely indoor and enclosed	N	P	P	P	1	P
Other than above (S. 200-45)	N	N	N	SE	1	SE
Tattoo or body piercing establishment (other than temporary tattoos or ear piercing, which are personal service uses)	N	N	P	N	N	1
Tavern which may include a state-licensed micro-brewery (not including an after hours club or nightclub)	N	SE	SE	SE	1	P
Theater, indoor movie, other than an adult use	N	P	P	P	1	P
Trade/ hobby school	N	P	P	P	1	P
Veterinarian office (S. 200-45)	N	P	P	P	P	P
Wholesale sales - see under Industrial Uses						
c. INSTITUTIONAL/ SEMIPUBLIC USES						
Cemetery (see crematorium listed separately)	C	P	P	P	P	P
Clubhouse for a residential community association	P	P	P	P	P	P
College or university - educational and support buildings (other than environmental education center)	N	C	C	C	N	P
Community recreation center (limited to a government sponsored or nonprofit facility) or Library	P	P	P	P	P	P
Crematorium	N	N	SE	SE	N	N
Cultural center or museum	C	C	P	P	P	P
Day-care center, adult (S. 200-45)	SE	C	P	P	P	P

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Day-care center, child (S. 200-45) (See also as an accessory use)	SE	C	P	P	P	P
Dormitory as accessory to a college, university or primary or secondary school	N	N	SE	N	N	N
Emergency services station	SE	SE	SE	SE	P	P
Hospital or surgery center	N	C	P	P	N	P
Hunting and fishing club	P	N	P	P	P	P
This term shall not include uses listed separately in this § 200-33.						
Maintenance facilities for residential community associations, which shall be required to be separated by landscaped screening from any dwellings	P	C	P	P	P	P
Membership club meeting and noncommercial recreational facilities, provided that an after hours club, tavern" or uses listed separately in this § 200-33 shall only be allowed if so listed in this table and if the requirements for that use are also met.	P	P	P	P	P	P
Nursing home or personal care home/assisted living (S. 200-45)	SE	SE	P	P	N	P
Place of worship (S. 200-45) (includes church)	C	SE	P	P	P	P
School, public or private, primary or secondary (S.200-45)	C	P	P	P	P	P
Treatment center (S. 200-45)	N	N	SE	SE	N	N
d. PUBLIC/ SEMIPUBLIC						
Township government uses, other than uses listed separately in this § 200-33	P	P	P	P	P	P
Government facility, other than uses listed separately in this § 200-33	SE	SE	SE	SE	SE	
Prison or similar correctional institution	N	N	N	SE	N	N
Publicly owned or operated recreation park	P	P	P	P	P	P
Public utility facility (See also § 200-21) other than uses listed separately in this § 200-33	SE	SE	SE	SE	SE	SE
Swimming pool, nonhousehold (S. 200-45)	P	P	P	P	P	P
United States Postal Service facility, which may include a leased facility	P	C	P	P		P

e. INDUSTRIAL USES

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Asphalt plant	N	N	N	SE	N	N
Assembly or finishing of products using materials produced elsewhere (such as products from plastics manufactured off-site)	N	N	C	P	N	N
Building supplies and building materials, wholesale sales of	N	N	P	P	N	N
Distribution as a principal use (other than trucking company terminal)	N	N	N	SE	N	N
Industrial equipment sales, rental and service, other than vehicles primarily intended to be operated on public streets	N	N	P	P	N	N
Junk - outdoor storage, display or processing of, other than within an approved junkyard or solid waste disposal area	N	N	N	N	N	N
Junkyard (S. 200-45)	N	N	N	C	C	C
Liquid fuel storage, bulk, for off-site distribution, other than: auto service station, retail propane distributor involving storage of 100,000 cubic feet or less, prepackaged sales or fuel tanks for company vehicles	N	N	N	C	C	C
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:						
Agricultural chemicals, fertilizers or pesticides	N	N	N	SE	N	N
Apparel, textiles, shoes and apparel accessories (see also crafts studio)	N	N	C	P	N	N
Cement manufacture	N	N	N	SE	N	N
Ceramics products (other than crafts studio)	N	N	C	P	N	N
Chemicals, manufacture or bulk processing of toxic or extremely hazardous substances in amounts in excess of the U.S. EPA Threshold Planning Quantity or substances with similar characteristics	N	N	N	SE	N	N
Chemical products, other than pharmaceuticals and types listed separately (see above)	N	N	N	SE	N	N
Clay, brick, tile and refractory products	N	N	N	P	N	N

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Computers and electronic and microelectronic products	N	N	C	P	N	N
Concrete, cement, lime and gypsum products, other than actual manufacture of cement	N	N	N	SE	N	N
Electrical equipment, appliances and components	N	N	C	P	N	N
Explosives, fireworks or ammunition	N	N	N	SE	N	N
Fabricated metal products (except explosives, fireworks or ammunition) and/or machine shops	N	N	N	SE	N	N
Food (human) and beverage products, at an industrial scale as opposed to a clearly retail scale, including but not limited to processing, bottling and related trucking of water removed from a site (not including uses listed individually in this § 200-33)	N	N	P	P	N	N
Food products for animals	N	N	N	P	N	N
Gaskets	N	N	C	P	N	N
Glass and glass products (other than crafts studio)	N	N	C	P	N	N
Incineration, reduction, distillation, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animals or offal (other than within an approved solid waste facility)	N	N	N	N	N	N
Jewelry and silverware	N	N	C	P	N	N
Leather and allied products (other than crafts studio or tannery)	N	N	C	P	N	N
Machinery	N	N	C	P	N	N
Manufactured or modular housing manufacture	N	N	N	P	N	N
Medical equipment and supplies	N	N	C	P	N	N
Metal products, primary	N	N	N	SE	N	N
Mineral products, nonmetallic (other than mineral extraction)	N	N	N	SE	N	N
Paper and paper products (including recycling, but not including manufacture of raw paper pulp)	N	N	C	P	N	N

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Paper - raw pulp	N	N	N	SE	N	N
Paving materials, other than bulk manufacture of asphalt	N	N	N	SE	N	N
Pharmaceuticals and medicines	N	N	N	P	N	N
Plastics, polymers, resins, vinyl, coatings, cleaning compounds, soaps, adhesives, sealants, printing ink or photographic film	N	N	N	SE	N	N
Products from previously manufactured materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	N	N	C	P	N	N
Roofing materials and asphalt saturated materials or natural or synthetic rubber	N	N	N	SE	N	N
Scientific, electronic and other precision instruments	N	N	C	P	N	N
Sporting goods, toys, games, musical instruments or signs	N	N	C	P	N	N
Transportation equipment	N	N	N	P	N	N
Wood products and furniture (not including raw paper pulp)	N	N	C	P	N	N
See § 200-12 for uses that are not listed						
Manufacturing, very light small meeting the requirements for such use in § 200-45	N	N	C	P	SE	N
Mineral extraction (S. 200-45) and related processing, stockpiling and storage of materials removed from the site, but including groundwater or spring water withdrawals	N	N	C	C	N	N
Packaging	N	N	P	P	N	N
Package delivery services distribution center	N	N	N	SE	N	N
Petroleum refining	N	N	N	SE	N	N
Photo processing, bulk	N	P	P	P	N	N
Printing or bookbinding	N	P ¹¹	P	P	N	N
Recycling center, bulk processing, provided all operations of an industrial scale occur within an enclosed building (this use does not include a solid waste disposal or transfer facility)	N	N	C	P	N	N

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Research and development, engineering or testing facility or laboratory (other than medical laboratories, which is considered an office use)	N	N	P	P	N	N
Sawmill/ planing mill	N	N	P	P	N	N
Slaughterhouse, stockyard or tannery, with a 400 feet minimum setback from all lot lines	N	N	N	SE	N	N
Solid waste landfill (S. 200-45)	N	N	N	C	N	N
Solid waste transfer facility or waste-to-energy facility (S. 200-45)	N	N	N	C	N	N
Trucking company terminal (S. 200-45)	N	N	N	SE	N	N
Warehousing or storage as a principal use	N	N	N	P	N	N
Warehousing or storage as an on-site accessory use	N	P ¹¹	P	P	P	P
Welding	N	N	P	P	N	N
Wholesale sales (other than motor vehicles)	N	N	P	P	N	N
f. ACCESSORY USES						
See list of additional permitted uses in § 200-33C, such as residential accessory structure or use						
See additional requirements in § 200-46 for specific accessory uses.						
Bus shelter (S. 200-46) to shelter persons waiting for a bus	P	P	P	P	P	P
Day-care center accessory to and on the same lot as an existing lawful place of worship, with a minimum lot area of 2 acres	C	P	P	P	P	P
Day care (S. 200-46) as accessory to a dwelling:						
Day care of a maximum of 3 adults or youth, in addition to relatives of the caregiver	P	P	P	P	P	P
Group day-care home	SE	SE	SE	P	P	P
Family day-care home	SE	SE	P	P	P	P
Home occupation, general (S. 200-46)	SE	SE	SE	P	P	P
Home occupation, light (S. 200-46)	P	P	P	P	P	P

Table 306.B.2 Allowed Uses in Primarily Business Zoning Districts
Zoning Districts

Types of Uses (See definitions in Article III)	H	VC	C	CI	RE	RC
Outdoor storage and display as accessory to a business use shall also comply with §§ 200-46, 200-68 and 200-69						
Parking lot for carpooling (see also Miscellaneous Uses below)	N	P	P	P	P	P
Temporary retail sales - See § 200-10G	P	P	P	N	P	P
Unit for care of relative (S. 200-46)	P	P	P	P	P	P
g. MISCELLANEOUS USES						
Crop farming and wholesale greenhouses	P	P	P	P	P	P
Groundwater or springwater withdrawal, averaging more than 10,000 gallons per day removed from a tract for off-site consumption (S. 200-45)	C	C	C	C	C	C
(See also requirements for food and beverage bottling and processing under Industrial Uses)						
Nature preserve or environmental education Center, with a 10 acre minimum lot area for any use involving a principal building	P	P	P	P	P	P
Parking lot or structure as an accessory use	P	P	P	P	P	P
Parking lot or structure as a principal use that does not primarily serve tractor-trailer trucks or trailers	N	P	P	P		P
Parking lot or structure as a principal use that primarily serves tractor-trailer trucks or trailers	N	N	N	SE	N	N
Raising of livestock (S. 200-45)	N	N	P	P	P	P
Sewage sludge, land application of	N	SE	SE	SE	SE	SE
Sewage treatment plant	C	C	C	C	C	C
Stable, nonhousehold (S. 200-45; includes horse riding academy)	N	SE	P	P	P	P
Timber harvesting (S. 200-45)	P	P	P	P	P	P
All uses that will be unable to comply with the performance standards of this chapter. See the environmental protection requirements of Article VI	N	N	N	N	N	N

NOTES:

¹This use shall only be allowed within an approved resort complex. See "resort complex" in § 200-45, which describes when conditional use approval must first be obtained.

²Limited to a maximum of 4,000 square feet of building floor area.

³A boardinghouse shall be limited to occupancy by bona fide employees of the resort complex during months when they are actively working at the resort.

⁴If an amusement arcade covers more than 4,000 square feet of building floor area or an amusement park or water park covers more than 5 total acres, then conditional use approval shall be required.

⁵Limited to auto sales that are primarily indoor and with a maximum building floor area of 8,000 square feet.

⁶This use shall only be allowed in compliance with state law and if there is a maximum of one betting device or table for each hotel/motel/inn guest unit offered on the property for rent to transient visitors.

⁷Conditional use approval shall be required if the restaurant will include over 75 seats for customers. Drive-through service shall not be open to customers between 11:00 p.m. and 6:00 a.m.

⁸This use shall only be allowed within an approved resort complex. See "resort complex" in § 200-45. In the RE District, the total land area covered by all retail store(s) or shopping center(s) and their parking areas shall not exceed 5% of the total lot area of a resort complex as a permitted by right use, except this percentage may be increased to a maximum of 10% as a conditional use.

⁹A retail store shall not exceed a maximum building floor area per establishment of 4,000 square feet in the H District and 75,000 square feet in the VC District, except that such maximum floor area shall not apply in the VC District if conditional use approval is obtained.

¹⁰If an individual retail store or a shopping center includes a total of more than 50,000 square feet of new or expanded retail building floor area, then conditional use approval shall be required.

¹¹This use shall only be allowed if it has a maximum building floor area of 10,000 square feet.

C. Permitted accessory uses in all districts. An accessory use of a dwelling is only permitted if such use is customarily incidental to the residential use and is specifically permitted by this chapter. The following are permitted by right as accessory uses to a lawful principal use in all districts, within the requirements of § 200-46 and all other requirements of this chapter:

- (1) Standard antennas, including antennae used by contractors to communicate with their own vehicles.*
- (2) Fence* or wall.*
- (3) Garage, household
- (4) Garage sale.*

- (5) Pets, keeping of.*
- (6) Parking or loading, off-street, only to serve a use that is permitted in that district.
- (7) Recreational facilities, limited to use by: residents of a development or students at a primary or secondary school or center for the care and treatment of youth and their occasional invited guests.
- (8) Residential accessory structure (see definition in Article III).*
- (9) Signs, as permitted by Article VIII.
- (10) Swimming pool, household.*
- (11) Such other accessory use or structure that the applicant proves to the satisfaction of the Zoning Officer is clearly customary and incidental to a permitted by right, special exception or conditional principal use.

*NOTE: See standard for each in § 200-46.

D. Permitted accessory uses to business and institutional uses. The following are permitted by right accessory uses only to a permitted by right, special exception or conditional commercial, industrial or institutional use, provided that all requirements of this chapter are met:

- (1) Storage of fuels for on-site use or to fuel company vehicles.
- (2) The following accessory uses, provided that the use is clearly limited to employees, patients, residents and families of employees of the use and their occasional invited guests:
 - (a) Internal cafeteria without drive-through service;
 - (b) Day-care center; or
 - (c) Recreational facilities.
- (3) Bus shelters meeting § 200-46.
- (4) Automatic transaction machine.
- (5) Storage sheds meeting the requirements of § 200-34A.

§ 200-34. Dimensional requirements in each district.

A. The following area, yard and building requirements shall apply for the specified zoning district unless a more restrictive requirement for a specific use is required by § 200-45 or 200-46 or another section of this chapter. All measurements shall be in feet unless otherwise stated. See definitions of terms (such as lot width) in § 200-27. The maximum number of dwelling units on a tract of land shall be determined based upon the adjusted

secondary school, a place of worship or a Township-owned use, subject to the limitations of this section.

- (f) Materials to be collected shall be of the same character as the following materials: paper, fabric, cardboard, plastic, metal, aluminum and glass. No garbage shall be stored as part of the use except for that generated on site and that accidentally collected with the recyclables. Only materials clearly being actively collected for recycling may be stored on site.
 - (g) The use shall only include the following operations: collection, sorting, baling, loading, weighing, routine cleaning and closely similar work. No burning or landfilling shall occur. No mechanical operations shall routinely occur at the site other than operations such as baling of cardboard.
 - (h) The use shall not include the collection or processing of pieces of metal that have a weight greater than 50 pounds except within an industrial district.
 - (i) The use shall include the storage of a maximum of 50 tons of materials on the site if the use is within a residential district and within 500 feet of an existing dwelling.
- (38) Residential conversions. See conversions of an existing building within this section.
- (39) Resort complex.
- (a) A resort complex may extend into a zoning district that does not specifically allow a resort complex if the uses within that zoning district are allowed by the regulations of that zoning district. For example, a golf course of a resort complex may extend into a LDR District.
 - (b) To be eligible for approval as a new resort complex, the applicant shall submit a master plan, as provided below, that describes existing and proposed land uses in sufficient detail to document coordinated planning. No such master plan shall, however, be required to continue existing uses, expand or modify existing facilities or develop individual uses otherwise permitted under this chapter, provided such activity would not involve more than five total acres of additional impervious coverage in any one calendar year.
 - (c) Minimum requirements.
 - [1] The land area and parcels to be included within a resort complex shall be determined by the applicant, provided that the resort complex shall include a minimum of 30 acres in lot area for all lots combined for tax assessment purposes. Smaller noncontiguous lots may also be part of one resort complex, provided those lots meet § 200-34 and have coordinated traffic access with the resort complex using one or more existing or preapproved accesses as provided in the master plan. Any parcel or land area that does not require access from or through the resort complex may be excluded.

- [2] Nothing herein shall preclude the ownership of individual parcels by different owners provided such lots are required to be developed in conformance with the approved master plan for the resort complex or are to be used for a land use that is not required to be within a resort complex under § 200-33.
 - [3] Land areas occupied by nonresidential uses and related parking shall not count towards land areas used to determine residential density.
- (d) Master plan.
- [1] To obtain approval of a new resort complex, the applicant shall provide sufficient information to show the feasibility of the development, the methods of traffic access, the approximate locations of various uses by category(ies) (e.g., retail stores), and the methods that will be used to buffer uses and nuisances from neighboring dwellings. Similar information describing existing and proposed uses shall be provided in the case of an existing resort complex, but such master plan shall be submitted in the form of a sketch plan as provided under the Township Subdivision and Land Development Chapter and may be modified to add land to the resort complex or revise the overall site plan in the same manner.
 - [2] An application for approval of a new resort complex or for approval to expand an existing resort complex is not required to include fully engineered plans if fully engineered plans will be submitted later as part of a subdivision or land development application.
 - [3] To obtain approval for a new resort complex or to secure recognition of an existing resort complex, the applicant shall demonstrate the uses are being developed according to a master plan.
 - [4] Any new resort complex submitted for approval after the enactment of this section shall have fully coordinated site layout, stormwater management, utilities, trails, parking and traffic access with other parts of the resort complex.
 - [5] An existing resort complex shall, to the maximum extent practicable, coordinate site layout, stormwater management, utilities, trails, parking and traffic access with respect to new development proposed within the resort complex, provided that redevelopment of existing developed areas shall not be required.
 - [6] Conditional use approval shall not be required to change or modify allowed uses, relocate uses, construct or establish new categories of uses provided for under a master plan meeting these standards, add accessory uses, make minor structural alterations or to modify allowed outdoor uses of an existing developed resort complex, provided other required building permits and land development approvals as may be required are obtained. Conditional use approval shall also not be

required to add land to the resort complex or to remove from the resort complex any parcel that is not essential in providing access to or through remaining portions of the resort complex and is not otherwise essential to meeting minimum development standards.

- (e) Uses. Recreation, entertainment and dining facilities are not required to be limited to guests or residents of the resort complex.
- [1] A master plan may include a range of uses and use categories to be allowed within various areas and buildings and may also include a range of sizes of buildings. For example, a master plan may provide for a hotel within a certain land area that would be no greater than X square feet and no greater than Y guest rooms and no more than Z feet from the property line. The exact dimensions and size would then be established in the future as part of a subsequent detailed land development or building permit application and approval. Or, a master plan may provide for X square feet of various retail uses with the exact dimensions and nature of those uses specified in a subsequent detailed land development or building permit application and approval.
 - [2] Once a master plan for a resort complex has been approved, then individual uses listed as allowed in a resort complex by § 200-33 shall be permitted by right and may be developed without conditional use approval, provided that otherwise applicable building permit and land development requirements are met.
 - [3] An approved master plan for a resort complex shall remain valid until modified with the approval of Middle Smithfield.
- (f) Buffer. Any principal commercial principal building shall be set back a minimum of 75 feet from any contiguous lot line of an existing dwelling that is not part of the resort complex. Within a minimum of 75 feet of any perimeter lot line or street right-of-way of a resort complex, other than along an arterial or collector street or abutting a commercial use, a buffer shall be maintained. This buffer width shall be reduced to 40 feet abutting the CON District. The applicant shall demonstrate that any existing healthy trees within this buffer will be maintained and preserved to the maximum extent feasible. Where healthy mature trees do not exist within this buffer, and if practical considering soil and topographic conditions, new trees shall be planted within this buffer.
- [1] The screening of evergreens provided in § 200-68 between business and residential uses is not required if the tree buffer would essentially serve the same purpose or if removal of mature trees would be needed to plant the shrubs.
 - [2] Removal of trees within this buffer shall be allowed for necessary approximately perpendicular street, stormwater channel, driveway and utility crossings and to provide safe sight distance.

- (g) **Coverage.** An applicant may calculate the maximum building coverage and maximum impervious coverage based upon the entire resort complex, as opposed to each individual lot. However, in that case, appropriate deed restrictions or conservation easements shall be established that are enforceable by the Township to prove that the coverage limitations will be met over time. For example, a golf course on one lot may count towards meeting the impervious coverage limit of a hotel on another lot within the same resort complex.
- (h) **Trails and pedestrian walkways.** A resort complex shall include a nonmotorized trail system, which at a minimum shall be open to guests, customers and/or residents of the resort complex. Improved pedestrian walkways shall also be provided between principal uses likely to produce cross visits (e.g., a hotel and restaurant).
- (i) **Traffic access.**
- [1] The number of traffic access points from a resort complex to an arterial street shall be held to the minimum that is reasonably feasible, considering both immediate and long-term access. Extensions of internal streets, local streets and interconnections of parking areas shall be used to provide the safest traffic access that is feasible with the minimum interruption of traffic flow on existing public streets.
 - [2] If an internal traffic connection is not feasible immediately, provisions shall be incorporated into each development approval to provide for the eventual connection in phases.
 - [3] The applicant shall demonstrate that the resort complex includes sufficient access from exterior streets and around buildings and facilities for emergency vehicles.
- (j) **Maximum height:** § 200-34B shall apply.
- (k) **Maximum size.** A resort complex shall not include more than 150 guest units in a hotel/motel unless the hotel/motel would be within 1.5 miles from the center line of Route 209.
- (l) **Density.** The maximum density provisions for dwellings are provided for each zoning district in § 200-34A. A higher density and/or smaller lot sizes may be possible by using the conservation design development provisions of § 200-38 or the transfer of development rights provisions of § 200-40. The conservation development provisions of § 200-38 also include a possible density bonus for age-restricted or timeshare dwellings.
- [1] If dwellings are located within a resort complex having an approved master plan that maximizes use of internal roads and interconnected driveways and parking areas, then the maximum total number of dwelling units that otherwise would be allowed may be increased by 20%.

- (40) Resort, small.
- (a) Minimum lot area: 10 acres.
 - (b) All commercial buildings shall be set back a minimum of 50 feet from any existing dwelling that is not part of the resort.
 - (c) The applicant shall prove that the uses are being developed according to an overall unified plan, including fully coordinated traffic access and a logical and compatible arrangement of uses.
 - (d) A resort may, but is not required to, include combinations of the following: a hotel/motel, restaurant, museum, picnic grove, amusement arcade, living history exhibit areas, commercial indoor or outdoor recreation uses, golf courses, golf driving range, miniature golf, horse riding stable, auditorium, conference facility, amphitheater and a tavern. A resort shall not include drive-through facilities for retail sales or restaurants nor any adult use. Any campground shall also meet the requirements for such use, such as being allowed in that district.
 - (e) Residential uses shall only be allowed if all of the applicable requirements of the zoning district are met for residential uses, including but not limited to allowed housing types, maximum density and minimum lot area requirements. The maximum density and lot area of any residential uses shall be determined after deleting the land areas occupied by nonresidential uses and related parking.
 - (f) A resort may also include personal services and accessory retail sales of gifts, apparel and household items that primarily serve overnight guests and persons visiting other attractions of the resort.
 - (g) Maximum impervious coverage: 30%, except 10% in the CON District. Land on an adjacent lot may be used to meet the impervious and building coverage requirements, provided the land is protected by a permanent conservation easement.
 - (h) Maximum building coverage: 20%, except 8% in the CON District.
 - (i) A resort shall include a recreational trail system for use by guests.
 - (j) Buffer. Any principal commercial building shall be set back a minimum of 75 feet from any contiguous lot line of an existing dwelling that is not part of the small resort. Within a minimum of 75 feet of any perimeter lot line or street right-of-way of a small resort, other than along an arterial street or abutting a commercial use, a buffer shall be maintained. This buffer width shall be reduced to 40 feet abutting the CON District. Within this buffer, the applicant shall prove to the maximum extent feasible that any existing healthy trees will be maintained and preserved. Where healthy mature trees do not exist within this buffer, and if practical considering soil and topographic conditions, new trees shall be planted within this buffer.

- [1] The screening of evergreens provided in § 200-68 between business and residential uses is not required if the tree buffer would essentially serve the same purpose or if removal of mature trees would be needed to plant the shrubs.
- [2] Removal of trees within this buffer shall be allowed for necessary approximately perpendicular street, stormwater channel, driveway and utility crossings and to provide safe sight distance.

(41) Restaurant.

- (a) Screening of dumpster and waste containers: see § 200-71.
- (b) See drive-through service in § 200-46.
- (c) Drive-through service shall only be provided where specifically permitted in the applicable district regulations.

(42) School, public or private, primary or secondary.

- (a) Minimum lot area: 2.5 acres in a residential district. In any other district, the use shall meet the standard minimum lot area requirement for that district.
- (b) No children's play equipment, basketball courts or illuminated recreation facilities shall be within 50 feet of a residential lot line.
- (c) The use shall not include a dormitory unless specifically permitted in the district.

(43) Self-storage development.

- (a) All storage units shall be of fire-resistant construction.
- (b) Outdoor storage shall be limited to recreational vehicles, boats and trailers. No junk vehicles shall be stored within view of a public street or a dwelling.
- (c) Trash, radioactive or highly toxic substances, garbage, refuse, explosives or flammable materials, hazardous substances, animal carcasses or skins or similar items shall not be stored.
- (d) Nothing shall be stored in interior traffic aisles, required off-street parking areas, loading areas or accessways.
- (e) The use shall not include a commercial auto repair garage unless that use is permitted in the district and the use meets those requirements.
- (f) Adequate lighting shall be provided for security, but it shall be directed away or shielded from any adjacent residential uses.
- (g) See § 200-68 concerning buffer yards. In addition, any outdoor storage or garage doors within 200 feet of a street right-of-way and visible from the street shall be screened from that street by a buffer yard meeting § 200-68. Any fencing shall be placed on the inside of the plantings.



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JUNE 1, 2007

ENVIRONMENTAL IMPACT REVIEW REPORT

FOR

**FERNWOOD HOTEL & CASINO
MIDDLE SMITHFIELD TOWNSHIP**

**BUSHKILL GROUP, INC.
MONROE COUNTY, PENNSYLVANIA**

HRG Project No. 2773.065

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**ENVIRONMENTAL IMPACT REVIEW REPORT
FOR
BUSHKILL GROUP, INC. - FERNWOOD HOTEL & CASINO
MIDDLE SMITHFIELD TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

I. INTRODUCTION

A. Project Description

The Bushkill Group, Inc. is proposing to renovate existing facilities and redevelop an approximate 11-acre portion of their existing Fernwood Resort Facility (Fernwood) located in Middle Smithfield Township, Monroe County, Pennsylvania. The renovation and redevelopment is associated with the Bushkill Group, Inc. seeking a slots casino gaming license. The project will not involve the creation of any new structures and or the demolition of any existing buildings. The project is focusing on the renovation of the existing Event Center, a 35,718 ft² building which will become the casino area. The remainder of the project will focus on redevelopment of existing parking facilities to accommodate the additional patrons that are expected as a result of the new casino operations.

The project area will involve portions of several larger parcels and will incorporate the entire 0.38 acre area of parcel having the Tax Parcel ID of 09-7354-00-04-4308. Table 1, below, identifies the project area parcels by tax map identification number and approximate acreage of the project area within this parcel that will be utilized for the project. The parcels are also identified on the Appendix E – Tax Map.

Table 1 – Project Area Parcel Identification

Map ID#	Parcel ID# (Tax Map)	Parcel Size (Acres)	Parcel Usage
1	09-7354-00-04-4308	0.38	0.38 acres
2	09-7354-00-14-3113	13.79	Approx. 2 acres
3	09-7354-00-13-7435	158.73	Approx. 9 acres

The majority of the proposed area for redevelopment/renovation is situated just northeast of the intersection of Winona Falls Road and State Route 209 (SR 209). There is a small portion of the proposed area that will be utilized for additional parking facilities that extends south of SR 209 – see Appendix A1 and A2, Site Location Topographic and Aerial Photo Maps for the project area location and approximate boundary.

The project consists of the complete renovation of the resort’s existing Event Center facility, a 35,718 square foot facility, minor renovations to existing maintenance and warehouse buildings and the addition/redevelopment of parking facilities. No new land will be disturbed and there are minimal earth disturbance activities planned as a result of the project. Earth disturbance activities will consist of the demolition of existing structural facilities, such as existing asphalt parking surfaces for new

parking facilities. The project will not involve the demolition of any existing buildings. All renovation activities, to include parking facilities, are located within the existing developed footprint of the resort property. In addition, the redevelopment and addition of parking facilities associated with the project completion have received prior approval (see Appendix C plans). The redevelopment and addition of parking facilities will not deviate from the approved plans. Upon project completion, the new resort development area activities are anticipating to result in a net increase of eight-hundred fifty (850) additional daily trips (ADT) to the facility. The 850 ADT increase will be used to calculate the effects of several of the environmental receptors being evaluated in this report.

B. Topography and Existing Conditions

The project area is fairly flat and maintains a consistent elevation of approximately 440 feet throughout the project site. Based upon topographic contours, there is less than a twenty (20) foot change in elevation across the project area. However, there are steep slopes greater than 25% located along the northern boundary of the project area that slope down toward the Bushkill Creek. Photographs of these areas can be seen in the Appendix B – Site Photographs. There is a man-made pond located north of the project area at the base of the steep slope. The man-made pond is not located within the project area. The Sand Hill Creek runs through the portion of the project area located south of SR 209. The remainder of the project area consists of the developed resort area and associated improvements, such as: paved parking areas, recreational facilities and internal roads.

C. Purpose of Potential Environmental Impact Evaluation

The purpose of the potential environmental impact evaluation is to look at various environmental receptors that could potentially be impacted from the project activities and the redevelopment. The environmental receptors are being evaluated as to the effects that the actual project completion will present and the post completion effects of the renovated resort facility. Based upon the results of the potential impacts, mitigation measures will be recommended for implementation to minimize the impacts of the project completion. It shall be noted that many of the recognized environmental impacts associated with land development have “built-in” mitigation measures and permitting requirements. These mitigation measures/plans and permits must be approved and received prior to project initialization. Individual plans and permits required for the initialization/completion of this project will be identified within the contents of this report under the applicable environmental receptor. Applicable approvals and coordination letters are contained in Appendix F of the report. Individual permits such as stormwater National Pollutant Discharge Elimination System (NPDES) permits are contained in the applicable appendices of the report.

The Environmental Impact Evaluation Report will also provide documentation that a specific environmental receptor was evaluated and considered in the context of the project. When applicable, documentation in the form of a separate report or finding document is provided for each applicable environmental receptor.

II. EVALUATION OF ENVIRONMENTAL RECEPTORS/CONCERNS

A. Water Resources

The following water resources are being evaluated in relationship to the project completion. These water resources include: surface water, ground water, wetlands and stormwater related items.

- i. **Surface Water** – *Surface waters* are defined under the PA Department of Environmental Protection's (PADEP) regulations at 25 Pa. Code §93.1 (Chapter 93 Water Quality Standards) as perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds and constructed wetlands used as part of a wastewater treatment process. As defined under the Chapter 93 Water Quality Standards, there are surface water sources located within the project area boundaries. The Sand Hill Creek is located just south of SR 209 and is located within the boundaries of the southern portion of the project area. The Sand Hill Creek is designated as a HQ-CWF (High Quality Cold Water Fishery) stream under the PADEP's Chapter 93 Water Quality Standards. In addition, the Bushkill Creek is located approximately one-hundred (100) feet northeast of the project area. There is also a man-made pond approximately five (5) acres in size, located just north of the project area. The pond then discharges to the Bushkill Creek located northeast of the project area. The Bushkill Creek is designated as a HQ-TSF (High Quality Trout Stocking Waters) stream under the PADEP's Chapter 93 Water Quality Standards. A copy of the Chapter 93 stream designation can be found in Appendix L of the report.

There is a very low potential for impact to these surface waters associated with the proposed redevelopment and renovation project. Approvals for the excavation of the former parking facilities in preparation of the new parking facilities have been obtained and include the area within proximity of the Sand Hill Creek. The approvals specify controls that must be implemented during the excavation and construction activities. The potential impacts and mitigation measures are addressed in the approval submittals and are discussed in greater detail under the *Stormwater Controls* portion of this section. In addition to the potential stormwater related items, surface water pollution is also possible from petroleum related spills and releases associated with vehicular incidents within the immediate vicinity. These potential impacts will be mitigated by the slope of the paved parking areas and engineered stormwater controls. All on-site generated stormwater will be collected prior to being discharged to surface waters.

- ii. **Ground Water** – The project area is located within the Marcellus Formation. The Marcellus Formation has groundwater yields that range from 10-30 gallons/minute (gpm), (Fleeger, McElroy and Moore, 2001). Fernwood holds a Public Water Supply Operations Permit issued by the PADEP. The permit identifies Fernwood as utilizing three (3) groundwater withdrawal wells for their community water supply system – wells 3, 6 and 9. A copy of the permit is included with the Appendix H documents. The wells have a combined safe yield capacity of 794,880 gallons/day (gpd). The total estimated average daily demand for the proposed facility is approximately 276,499 gpd. Based on these calculations, the existing system and groundwater resources will be adequate to meet the demands of the redevelopment. A full evaluation of the existing water system and the proposed demand is provided in Appendix H – Domestic Water and Central Sewer System Evaluations Report.

Fernwood currently reports groundwater withdrawal information to the PADEP and the Delaware River Basin Commission (DRBC) as part of the Pennsylvania ACT 220 – Water Resources Planning Act requirements. The facility’s redevelopment will place a minor increase in demand on the community water supply system, yet even with the increased demand, total daily demand will remain below the safe-yield limits of the system. Other than increased groundwater withdrawal due to the demand of the new resort activities, there are no other groundwater issues that have been identified as potential impacts. It has been recommended that a new production well be installed for redundancy purposes. While not needed to meet the increased demand, a new primary production well would allow for system redundancy. In the event the facility would install a new production well, PADEP and Delaware River Basin Commission (DRBC) approvals would be required.

- iii. **Wetlands** – The project area has been surveyed and delineated for the presence of wetlands. A complete copy of the Project Area Wetlands Report is included in Appendix D. The wetlands delineation concluded that there are several mapped wetlands within close proximity of the project area. The Wetlands Report identifies a broader project area than that indicated on the Appendix A2 – Site Location Aerial Photo Map. The implementation of controls and BMP associated with the project’s erosion and sedimentation control plan will protect adjacent wetland areas from potential environmental impacts. There are no impacts to wetlands expected as a result of project completion.
- iv. **Stormwater Controls** – Fernwood has been issued a National Pollutant Discharge Elimination System (NPDES) stormwater construction permit (Permit No. PAS10S009-R2) for previous construction activities associated with the project – see Appendix L for a copy of the NPDES Permit. The additional earth disturbance activities associated with the renovation and redevelopment project will require the implementation of stormwater controls. An Erosion Control and Sedimentation Plan (E&S Plan) has been developed and has been approved MCCD and PADEP for the proposed site redevelopment activities. The E&S Plan establishes BMP for stormwater controls and the protection of surface waters and will be

implemented throughout project completion. Copies of the approval correspondence letters from the various agencies can be found in Appendix F of the report. In addition, the stormwater management controls will also control potential pollution associated with runoff from paved parking areas. These controls are addressed in detail in the E&S Plan, Post Construction Stormwater Management Plan and associated NPDES Permit.

- v. **Wastewater Systems** – The resort facilities discharge sewage to the Middle Smithfield Township Sewer Authority waste water treatment plant (WWTP). The collection of sewage from the facility is via a private collection system and lines that are owned and maintained by the resort facility. The collection lines tie into the Middle Smithfield Township WWTP line to the northeast of the resort facility. Fernwood has a reserved capacity of 400,000 gallons/day (gpd) with the Middle Smithfield Township WWTP. Fernwood’s current flow is approximately 164,000 gpd. The proposed renovations and resulting increase in patrons would increase the flow by approximately 15,894 gpd. The total combined flow including build out of already approved timeshares and the new casino development is 236,475 gpd. Based upon the projected sewage increases, the 400,000 gpd reserved capacity will be more than adequate to handle the projected increases. A full evaluation of the existing wastewater system and the proposed demand is provided in Appendix H – Domestic Water and Central Sewer System Evaluations Report.

B. Air Resources

- i. **Localized Emissions Impact** – The Federal government established National Ambient Air Quality Standards (NAAQS) under Title 40, Code of Federal Regulations (CFR), Part 50-99. The NAAQS were developed with the goal of protecting public health and welfare from air pollutants. The primary air pollutants (criteria pollutants) evaluated by the NAAQSs are Carbon Monoxide, Lead, Nitrogen Dioxide, Ozone, Particulate Matter < 10 microns in size (PM 10), Particulate Matter < 2.5 microns in size (PM 2.5) and sulfur dioxide. At the state level, the PADEP enforces these federal air quality standards and has developed regulations under Title 25, Chapters 121 – 129 and 131 – 145. Based on the current attainment status for the criteria pollutants, Monroe County is “in attainment” for all criteria pollutants, except ozone, which is designated as “basic”. The U.S. Environmental Protection Agency defines “basic” as an area where national and regional implementation measures are expected to bring the area into containment.

Mobile Source Emissions – When completed, the new resort facility is expected to increase the amount of vehicular traffic within the localized area by approximately 850 additional daily trips (ADT). This increase in vehicular traffic will in-turn result in a net emissions increase of the following primary pollutants associated with vehicular emissions: volatile organic compounds (VOC), carbon monoxide (CO), nitrogen oxides (NO_x) and particulate matter (US EPA, 1998). The Appendix G – Mobile Source Emissions Calculations, identifies the net emissions increases for these pollutants associated with the 850 ADT increase. While

there are calculated air emissions increases associated with the renovation and redevelopment project, the increases are not considered to be significant in the terms of resulting in an area-wide non-attainment status of the NAAQS. Traffic controls will be put in place to help minimize localized traffic congestion. These controls will help reduce the localized vehicular emissions impact.

Stationary Source Emissions – Fernwood does not currently have any air emissions sources that trigger a state regulated permit threshold. Other than combustion unit sources for the purpose of comfort heating requirements, the renovation and redevelopment activities will not result in any net increase in stationary source air emissions. 25 Pa. Code §127.14, emissions sources exempt from permitting requirements, include combustion unit sources rated at a capacity of less than 10 million Btus/hour heat input fueled by No. 2 or lighter viscosity fuel oil and liquefied petroleum gas (LPG). There are two (2) new HVAC systems planned for the renovated Event Center that will be fueled by LPG. The proposed units are rated at less than 10 million Btus/hour and are exempt from permitting requirements.

- ii. **Asbestos Related** – 40 CFR Part 61, Subpart M – National Emissions Standards for Hazardous Air Pollutants; Asbestos, requires all facilities being planned for demolition to be inspected by a certified asbestos building inspector to confirm/deny the presence of asbestos. There are no structures within the project area boundary that are being planned for demolition as a result of the renovation and redevelopment activities. However, there are going to be extensive renovations planned for the Event Center building (future casino gaming floor). Asbestos sampling has been completed for the sprayed on fireproofing material that is located throughout the building. The Sampling and Resulting Analytical Report concluded that the fireproofing did not contain asbestos. A copy of the Analytical Report is included in Appendix G. In the event asbestos containing materials (ACMs) are encountered during building renovation activities, the ACMs must be removed by a certified asbestos abatement contractor prior to disturbing the material and rendering the material friable. The U.S. EPA, PA Department of Labor and Industry and PADEP also require that an Asbestos Abatement and Demolition/Renovation Notification Form be submitted prior to any regulated renovation projects.
- iii. **Fugitive Emissions** – Fugitive air contaminants are defined in the PADEP's Air Quality regulations at 25 Pa. Code §121.1 as an air contaminant of the outdoor atmosphere not emitted through a flue, including, but not limited to, industrial process losses, stock pile losses, reentrained dust and construction/demolition activities. Fugitive emissions could potentially be generated during the redevelopment project from the excavation of existing facilities and on-site vehicular movement. Fugitive emissions are regulated under 25 Pa. Code §123.1 & 2 and require that all reasonable controls be implemented to minimize the generation and off-site migration of fugitive emissions. Controls such as water sprays and dust suppressants will be utilized to comply with the PADEP's fugitive emissions regulations during all project activities.

C. Land Resources

Land resources include the evaluation of/for agricultural lands and soils, vegetation, geologic resources, parks and recreational facilities and solid waste facilities. These items will be evaluated in the context of the project area boundary and scope of the project to determine if there will be any recognized impacts.

- i. **Agricultural Lands** – The entire extent of the project area has been previously developed and contains no agricultural lands. The soils identified within the boundary of the project area are not considered to be prime agricultural soils. Appendix C contains a copy of the soil map and descriptions. The Monroe County Conservation District (MCCD) has approved the redevelopment plans. Copies of all approval correspondence, to include approvals issued by the MCCD, are contained in Appendix F.
- ii. **Vegetation** – Existing vegetation consists of primarily grass covered lands with landscaped areas around the existing resort structures. There are some mature trees scattered throughout the project area, however, not a significant amount. There were no threatened or endangered plant species identified within the project area. There will be very limited overall impacts to any vegetation within the project area as a result of the renovation and redevelopment project. In addition, the Pennsylvania Natural Diversity Inventory (PNDI) search did not identify any threatened or endangered plant species within the project area.
- iii. **Geologic / Soil Resources** – The project area is located within the Marcellus Formation (Dm) which was formed in the Middle and Lower Devonian Periods. The Marcellus Formation is described as a black shale; sparse marine fauna and siderite concentrations. The formation contains local limestone from the Purcell member, (Berg & others, 1980). The area geology will not impact or present adverse conditions for the renovation and redevelopment project. The following soils area located within the project area (USDA Soil Data Mart):
 - Philo silt loam, Map unit (Ph). The Philo component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on flood plains. The parent material consists of coarse-loamy alluvium derived from sandstone and siltstone. Depth to a root restrictive layer, bedrock, lithic, is 48 to 99 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 27 inches during January, February, March, April, December. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.

- Wyoming gravelly sandy loam, 0 to 3 percent slopes Map unit (WyA). The Wyoming component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on terraces. The parent material consists of sandy and gravelly glaciofluvial deposits derived from sandstone and siltstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded it is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 3s. This soil does not meet hydric criteria.
 - Wyoming gravelly sandy loam, 3 to 8 percent slopes Map unit (WyB). The Wyoming component makes up 85 percent of the map unit. Slopes are 3 to 8 percent. This component is on terraces. The parent material consists of sandy and gravelly glaciofluvial deposits derived from sandstone and siltstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded it is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 3s. This soil does not meet hydric criteria.
 - Wyoming gravelly sandy loam, 25 to 70 percent slopes Map unit (WyE). The Wyoming component makes up 100 percent of the map unit. Slopes are 25 to 70 percent. This component is on terraces. The parent material consists of water sorted gravelly outwash derived from sandstone and siltstone and/or shale. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded it is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 7e. This soil does not meet hydric criteria.
- iv. **Parks & Recreational Facilities** – There are no parks or public recreational facilities within the proposed project area boundaries. However, Bushkill Group, Inc. does own property that is adjacent to the United States Park Service’s – Delaware Water Gap National Recreation Area, a 67,000 acre park that spans 40-miles of the Delaware River in Pennsylvania and New Jersey. Other than increasing the number of visitors entering the park, the project is not expected to cause any adverse effects to the park.

- v. **Solid Waste Facilities** – There are no known solid waste facilities located within the proposed project area. In the event solid waste was to be uncovered during Site redevelopment activities, the waste would be removed and taken to an approved/permitted landfill for disposal. The facility currently utilizes Waste Management Corporation's Grand Central Sanitary Landfill located in Plainfield Township, Northampton County, Pennsylvania as their waste disposal facility.

Based upon the U.S. Environmental Protection Agency's 2005 per capita daily Waste Generation Report, there will be an anticipated increase in the facility's daily waste generation. The EPA's 2005 Report estimated that the average amount of waste generated in the United States is 4.5 pounds per person per day (US EPA, 2005). The new resort facility is estimated to generate an average 625 person per day increase. This increase translates to an estimated net increase of 2,812 pounds or 1.4 tons of municipal waste per day (US EPA Report, 2005). The 4.5 pounds per person per day value is for a 24-hour day for an average American resident. The patron increase as a result of the resort renovation and redevelopment will be primarily transient in nature and is expected to be significantly less than the 4.5 lbs/day. For planning purposes, 70% of the daily value is being used to conservatively estimate the net increase of the facility's municipal waste generation. The net increase caused from the facility's renovation and redevelopment is being estimated at 1,968 pounds/approximately one (1) ton of municipal waste per day.

Waste Management, Inc. was contacted to determine if they would be able to manage the projected municipal waste increase at their Grand Central Sanitary Landfill location. Mr. Bill Adams from the company's industrial group was contacted to confirm/deny that the landfill could handle an approximate 1-ton/day increase from the Fernwood Resort Facility. Mr. Adams noted that this is a fairly insignificant increase and the landfill could accommodate this increase in the volume of waste. A copy of the phone conversation log is provided in the Appendix F documents. The facility's annual volume of waste generation for 2006 was 1,212 tons, which equates to 3.3 tons/day or approximately 3.12 lbs/person per day. This is in-line with the 70% estimate used in the overall net volume of waste increase. These are estimated volumes of municipal waste that were provided by Waste Management, Inc.

Additional waste storage capacity will be required to handle the increase in waste generation. The daily increase in patrons to the new casino facility will also increase the potential for on-site/off-site litter generation. Outside facilities, including vehicle parking areas, walkways and sitting areas should be designed for and equipped with trash receptacles. The addition of recycling receptacles could also help encourage proper disposal of waste and minimizes costs associated with waste disposal. In addition to the patron recycling receptacles, the addition of cardboard recycling dumpsters for commercial operations would also help minimize the amount of waste being generated by the facility.

The Middle Smithfield Township General Ordinance, Chapter 155 – Solid Waste and Recycling, requires the separation of the following recyclables by commercial, municipal and institutional establishments: clear glass containers, brown glass containers, green glass containers, aluminum cans, corrugated paper, newspapers, magazines and high-grade office paper. Adherence to the Middle Smithfield Township ordinance and implementing the required recycling program will assist with the prevention of off-site litter and minimize the amount of solid waste generated by the facility and help lessen the increase in waste volume resulting from the renovation and redevelopment activities.

D. Wildlife Resources

Threatened and Endangered Species – A PNDI search was performed for the project area. The PNDI search was run using “The PNDI Environmental Review Tool”. The search satisfies the environmental review coordination with the U.S. Fish and Wildlife Service, PA Fish & Boat Commission, the PA Game Commission and the PA Department of Conservation & Natural Resources. The PNDI search concluded that there were two (2) Potential Impacts, under the jurisdiction of the US Fish and Wildlife Service and the Pennsylvania Fish and Boat Commission, identified within the project area. The PNDI receipt states that if avoidance measures are taken, no further contact with the jurisdictional agencies is required. The appropriate avoidance measure associated with the potential impacts is “not conduct project activities within 50-feet of any streams, rivers, creeks, or tributaries”. While the avoidance measure can be implemented in the portion of the project area to the north of SR 209, avoidance with the Bushkill Creek, avoidance cannot be maintained in the portion of the project area south of SR 209. The project area passes over the Sand Hill Creek in the south. While the renovation and redevelopment activities are not expected to impact the stream, additional notification to the jurisdictional agencies is required to de-conflict the potential impacts. Letters were sent to the US Fish & Wildlife Service and PA Fish & Boat Commission on May 18, 2007. To date, a response has not been received from either of the agencies. A copy of the PNDI Project Environmental Review Receipt and coordination letters are attached in Appendix K.

In addition, the PA Fish & Boat Commission in their March 10, 2003 letter noted that the project area would not impact any bog turtle (*Clemmys muhlenbergii*) habitat areas. A copy of the PA Fish & Boat Commission letter is provided in Appendix K.

E. Cultural Resources

A complete Cultural Resource Notice form and supplemental materials package was submitted to the Pennsylvania Historical and Museum Commission (PHMC) on October 24, 2005 for their review. The submittal was made as part of the environmental evaluation for the initial proposed “new construction” site. There were several structures located within this area that were greater than 50-years in age and met the age criteria for cultural significance evaluation.

In response to the October 24, 2005 Cultural Resource Notice form submittal, the PHMC stated in their November 16, 2005 response that “a high probability exists that archaeological resources may occur within the proposed permit area”. While the response letter recommends that an archaeological survey be performed on the project area, a survey is not required. However, in the event that archaeological resources are encountered on the Site during site preparation activities, the project must be stopped and notification made to the PHMC and PA DEP. The PHMC will then have 60-days to perform a survey to determine the significance of the archaeological resources. In the event the PHMC determines that significant archaeological resources exist on the Site, a mitigation plan will need to be developed and submitted to the PHMC for review. The letter also requested additional information regarding the existing structures which was submitted to the PHMC in a December 1, 2005 submittal. The PHMC responded in their January 26, 2006 letter stating that there were no National Register eligible or listed historic structures in the proposed project area. In addition, the PHMC responded in an April 3, 2003 letter regarding the redevelopment of the project parking area, that no evaluation of historic structures was necessary. Copies of these letters are included in Appendix F.

III. RECOGNIZED IMPACTS & PROPOSED MITIGATION

A. Surface Water Pollution

There is a potential for impact to adjacent surface waters in the form of sedimentation from stormwater erosion and minor petroleum spills that could result from the parking of vehicles on paved parking areas within the completed project area. Due to the proximity of the Bushkill and Sand Hill Creeks to the project area and the area topography, controls will be necessary to capture and redirect stormwater from the project area. The facility’s NPDES Permit – see Appendix L, and E&S control plan specify BMP that will be implemented at the Site during construction activities to prevent environmental damage and impact from occurring. The BMPs identified in the plans will be implemented during the duration of the project completion and stormwater controls will be developed in a manner to prevent the accidental discharge of petroleum products that accumulate on paved parking areas from the routine parking of vehicles.

B. Groundwater Resources

The renovation and redevelopment activities and resulting projected resort density increases will place an additional burden on the groundwater resources in the immediate area. The Appendix H – Domestic Water and Central Sewer System Evaluation study outlines the current groundwater system capacity and the proposed capacity after the increased demand. The evaluation concluded that the current system will be able to handle the additional volume. While the current system design appears to be adequate for the increased demand, Resorts USA, Inc will be required to report the increase in groundwater withdrawal to the PADEP and the DRBC.

C. Wildlife Resources

The PNDI search determined that there are two (2) potential conflicts within the project area. Avoidance measures can be implemented in the vicinity of the Bushkill Creek, however, cannot in the vicinity of the Sand Hill Creek. Previous US Fish & Wildlife Service and PA Fish & Boat Commission approvals had been granted for work that was to be performed in the vicinity of the Sand Hill Creek. However, the PNDI is only valid for one (1) year and the approvals were provided in 2003. Additional letters have been sent to the jurisdictional agencies to de-conflict the potential impacts. Recommended measures will be taken to minimize any potential impacts, if applicable.

D. Air Resources

Based on an 850 additional daily trips (ADT) net increase of passenger vehicle traffic as a result of the project completion, there will be a localized net increase in vehicular air emissions. The Appendix G – Mobile Source Air Emissions Calculations itemize the vehicular emissions increases per pollutant. While there are no specific area emissions standards for mobile sources, in comparisons to a stationary source facility, these annual increases would be determined to be *de-minimus* in nature (as defined in 25 Pa. Code §121.1 and explained in 25 Pa. Code §127.203), and will not lead to non-attainment of the National Ambient Air Quality Standards (NAAQS) for the identified priority pollutants. The flow of local traffic will be designed in a manner as to limit vehicle congestion within the area. This will help minimize the effects of vehicular emissions within the project area.

E. Fugitive Dust Emissions

The potential generation of fugitive dust emissions during excavation activities is possible. These emissions are regulated under the State's Air Quality regulations and proper controls must be implemented to minimize to the maximum extent possible, the generation of these emissions. Water sprays, stone entrance access ways and dust suppressants are controls that should be implemented in order to comply with the fugitive emissions requirements. The overall impact to the environment from this source, as it pertains to this project, is minimal.

F. Soil Contamination from Spills

There is a potential during site redevelopment activities for petroleum related spills to occur from construction equipment, fuel storage tanks and site re-fueling operations. Preventive measures to include, secondary containment structures for tanks and fuel storage containers will be used on the Site. Spill response materials will be maintained at all vehicle refueling locations. In the event a spill does occur, the spill will be contained immediately using available equipment. The resulting contaminated soil will be excavated from the impacted area and taken to an approved landfill for disposal. If the contractor or person responsible for the spill does not feel the contaminated soil is impacted to the extent that it has to be landfilled, the responsible person must have the soil sampled and analyzed against the PA Department of Environmental Protection's Management of Fill Policy

requirements. Spill response materials must remain on-site during the duration of the redevelopment project.

G. Solid Waste

An estimated daily increase of 1 ton of municipal waste is expected from the operation of the renovated resort and casino facility. Additional waste storage facilities/containers will be obtained from the facility's waste hauler, Waste Management of PA, to adequately address the daily waste volume increase. The establishment of a "resort-wide" recycling program as directed by the Middle Smithfield Township Solid Waste and Recycling ordinance could potentially offset the net increase in waste generation. In addition, with the increased patron volumes, the potential for on-site / off-site litter generation also increases. The design and installation of recycling/waste disposal receptacles in vehicle parking areas, walkways and sitting areas will help minimize the extent of littering at the facility.

H. Cultural Resources

As stated in the PHMC's November 16, 2005 letter "a high probability exists that archaeological resources may occur within the proposed permit area". While the response letter recommends that an archaeological survey be performed on the project area, a survey is not required. However, in the event that archaeological resources are encountered on the Site during site preparation activities, the project must be stopped and notification made to the PHMC and PA DEP. The PHMC will then have 60-days to perform a survey to determine the significance of the archaeological resources. In the event the PHMC determines that significant archaeological resources exist on the Site, a mitigation plan will need to be developed and submitted to the PHMC for review. It shall also be noted that the original project area for "new development" has been revised and all areas within the renovation and redevelopment project area have underwent some sort of prior development activity. There is minimal probability that any cultural resources will be impacted as a result of the project completion.

IV. CONCLUSIONS

The results of the project area environmental impact evaluation concluded that there are several environmental receptors within or adjacent to the project area that have a potential for being impacted. The most significant potential impact being to surface waters located just northeast of the project area. While the potential for impact exists, mitigation controls and BMP will be implemented to minimize the potential impacts throughout the duration of the project completion. The E&S Plan and NPDES Permit will be the primary documents establishing BMPs and other controls to minimize environmental impact during the construction phase of the project. The NPDES Permit will identify additional controls for the construction phase through project completion and future resort operations.

Both of these documents are in place and have been approved by the applicable regulatory/planning agencies. The other environmental receptors evaluated as part of the study should not be subjected to significant impacts throughout the duration of the project and after project completion.

V. REFERENCES / WEB-RESOURCES

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<http://middlesmithfield.com/>
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<http://www.dep.state.pa.us/dep/deputate/airwaste/wm/RECYCLE/Coordinators/Corner.htm>
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<http://www.emappa.dep.state.pa.us/emappa/viewer.htm>
10. PA DEP – Drinking Water Reporting System (PaGWIS)
http://www.drinkingwater.state.pa.us/dwrs/HTM/DEP_frm.html
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