



TOBYHANNA CREEK TUNKHANNOCK CREEK WATERSHED ASSOCIATION

April 29, 2022

Board of Supervisors
Tobyhanna Township
105 Government Center Way
Pocono Pines, PA 18350

RE: Comments for Public Hearing (May 2, 9:30 a.m.) on
Proposed Amendment of Zoning Ordinance Sections 155-5 and 15
Adding Country Resort as a Permitted Use to
Zoning District OS: Open Space/Resource Conservation

Dear Tobyhanna Township Board of Supervisors:

We, the undersigned, urge you to reject this proposed zoning ordinance amendment to add "Country Resort" as a permitted use in the township's Open Space/Resource Conservation District. Do not open up the township's most pristine, vulnerable lands to commercial development.

The proposal before Tobyhanna Township is in direct conflict with Monroe County's Plan for Clean Water 2020 and the Monroe County Comprehensive Plan Update (2014); and the Updates to the Monroe County Open Space, Greenway & Recreation Plan (2014). The Comprehensive Plan identifies these areas as "conservation lands" and "lands vital to water quality."

The Monroe County Planning Commission's own review of the proposed amendment (memorandum dated February 18, 2022) questioned "if the proposed land use would be consistent with the intent of the OS district."

The proposed addition of more intensive uses to Tobyhanna Township's Open Space District is inconsistent with the Regional Comprehensive Plan's Vision and Future Land Use Map (2005). The Map identifies most of Tobyhanna Township's affected Open Space properties as Conservation lands. The Plan's Regional Vision is that Tobyhanna, Tunkhannock, Coolbaugh and Mt Pocono municipalities will "maintain and enhance the quality of life, beauty, diverse natural areas and open spaces that attract people to this region. To retain natural areas and open spaces, the municipalities will manage and control growth, directing it to existing centers and existing developments where adequate public infrastructure will be available. Efforts to preserve, protect and acquire critical natural areas and open spaces will continue."

The lands that will be affected by this change are the most environmentally sensitive lands in the township. They have wetlands, high-quality streams, intact forests, and rare species. They are lands that are *least* appropriate for commercial development.

Adding "Country Resort" as a permitted use is contrary to the township's defined Purpose of the township's Open Space District, which is to "protect fragile environmental and unique natural areas from development."



Within Tobyhanna Township, there are already plenty of other places, other zoning districts, that can accommodate the type of development that is proposed including the Commercial and Commercial/Industrial districts where resorts are permitted by right. They are also permitted by Special Exception in the RR, R1 and R2 districts. The township's new Tourism District permits similar uses (Section 155-16). In these other districts, a developer of a "commercial resort" must provide adequate roads, drives, potable water, sanitary and drainage facility; maintain existing natural features, drainage and vegetation and meet additional Special Exception standards. No such standards are imposed on the new "Country Resort."

The unique natural aspects currently protected within the Open Space District are critical to the economic vitality of the other zoning districts that already permit resorts and commercial development. This zoning amendment threatens to undermine the natural areas that draw visitors to the Poconos and contribute to the local economy by permitting intensive development not anticipated in County or regional plans or in the Township's own stated Zoning Ordinance purpose.

Permitting this commercial use within the Township's Open Space District would be a violation of Pennsylvania's Environmental Rights Amendment (Article I, Section 27 of the Pennsylvania Constitution): *"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people now and in the future."*

For these reasons, we urge the Tobyhanna Township Supervisors to reject the proposed "Country Resort" amendment. We look forward to working with the township in continuing to protect the area's extraordinary lands and waters, which are vital for the health and welfare of all who live here.

Thank you for your consideration.

Sincerely,

Geoffrey A. Rogalsky, President
Tobyhanna Creek / Tunkhannock Creek Watershed Association
On behalf of co-signers:

Brodhead Trout Unlimited #289, Eric Baird, President
Brodhead Watershed Association, Alexander Jackson, PhD, Executive Director
Delaware Riverkeeper Network, Maya K. van Rossum, the Delaware Riverkeeper
Natural Lands, Oliver Bass, President
North Pocono CARE, Rich Trosciancki, President
Pocono Heritage Land Trust, William McGlone, President
Wildlands Conservancy, Christopher M. Kocher, President