

Flagstaff Development Receives Conditional Final Plan Approval

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A four-phase development at the top of Flagstaff Mountain in Jim Thorpe received conditional final plan approval from the Carbon County Planning Commission recently.

During the commission's monthly meeting on Tuesday, members voted to recommend conditional final plan approval provided all conditions pointed out by the commission are addressed on the final record plan for Canyon Rim Estates. The project is proposed by Jacob B. Arner.

Prior to the vote, Ivan O. Meixell Jr., county planner, outlined his findings and the background of the plan, which has been before the commission numerous times since 2003.

Meixell noted that the planning commission reviewed final plan reviews of the project and recommended final plan approval on April 18, 2006; and again on Feb. 20, 2007. The plans call for 84 lots to be created in four phases.

Meixell pointed out that this final plan review is based on the current Jim Thorpe Land Development Ordinances and with additional review of final plan records including phase one through four grading/utility plans and road profiles prepared by Keystone Consulting Engineers Inc.; the stipulation and settlement agreement dated June 30, 2005, as a result of a court case between Arner and the Borough of Jim Thorpe; an addendum to the settlement agreement dated June 30, 2005; and a proposed tax assessment exhibit.

Additionally, it was noted that Jim Thorpe provided conditional plan approval on May 25, 2007 contingent upon certain conditions, including an approved DEP Sewage Planning Module; Approved DEP NPDES Stormwater Management Permit; and an approved Carbon County Conservation District Soil and Erosion Control Plan.

Meixell said that after review, "the Carbon County Planning Commission believes the plan and accompanying supporting documents and plan notes meet the conditions noted in the Jim Thorpe Borough Approval Letter dated May 25, 2007." He pointed out that the letter was "very vague" and "did not note if the conditional approval was a preliminary or final, nor did it note what section or sections of the proposed subdivision that were approved."

He continued that the county "did not review the plan per the stipulation and settlement agreement and the addendum to settlement agreement."

"We respectfully defer review/approval of the requirements noted in the agreement to Jim Thorpe Borough Planning Commission and Jim Thorpe Borough Council," Meixell wrote, adding that this action was something between the Borough and Arner and felt the county should not get in the middle of it.

Arner also requested a review to review tax parcel numbers before final plan approval and that review was not completed by the commission because it would have allowed the plans to be recorded as a final plan before a proper review by the county planning commission, Jim Thorpe Planning Commission and Jim Thorpe Borough Council could be completed.

Meixell pointed out to the commission that in reviewing the plans per the proposed tax assessment revisions, there were a few areas that needed to be addressed.

They included: the final record plan submission did not include the proposed tax parcel revisions requested; several sheets do not show the correct tax parcel number requested for the lot 1 residual tract; the proposed tax exhibit should be properly submitted and included with the record final plan and recorded as such.

Several areas proposed also were not shown and should be, including a proposed nine-acre organic farm; two-acre compost area, vineyard area and existing access road, right-of-way traversing through residual lot 1.

The commission then suggested that Jim Thorpe Borough request more information on the proposed organic farm/compost area to determine if a land development plan is required.