



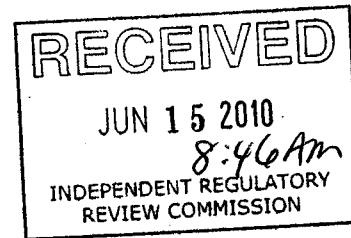
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HC 89 BOX 289 • STATE AVENUE • POCONO PINES PA • 18350

570-646-1212  
570-839-8632  
Fax: 570-646-9025  
E-Mail: tobytwp@epix.net  
www.tobyhannatownship.org

June 15, 2010

Arthur Coccodrilli, Chairman  
Independent Regulatory Review Commission  
33 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101



Dear Chairman Coccodrilli:

The Board of Supervisors, after discussion at our June 14, 2010 regular business meeting, wish to **unanimously** express our serious reservations related to the Erosion and Sediment Control and Stormwater Management regulations (7-440) being considered by the IRRC. Specifically, we are gravely concerned with the economic impact the proposed buffer requirements (Section 102.14) will have on Tobyhanna Township.

In Tobyhanna Township, the imposition of a 150 foot buffer on High Quality and Exceptional Value watersheds will result in a drastic limitation on development considering the extensive quantity of such watersheds. Specifically, there are two projects that are currently in the entitlement process that would likely result in termination or at a minimum significant revision.

We believe water quality protections can be adequately achieved with a more balanced and intelligent approach that can be embedded in a case by case examination of applications. We also feel this regulation is redundant given the buffer requirements imposed by the ACT 167 Stormwater Management regulations.

Where is the equity? This regulation will impose significant economic impact on property owners and municipalities because they have been able to preserve the quality of the Waters of the Commonwealth. Why should we as the impacted ones pay for all who benefit? If these regulations are to be imposed, we feel there should be just compensation, not only to the property owners, but also to the affected municipalities that will lose the ability to generate sustainable tax revenues to support your ever increasing budgets.

For these reasons, we respectfully request IRRC to reconsider these regulations in order to move to a less rigid approach.

Sincerely,

Tobyhanna Township Supervisors

  
John Kerrick, Chairman

CC: State Rep. Mike Carroll  
State Senator Ralph Musto

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**From:** Heidi Pickard [tobysecy@epix.net]  
**Sent:** Tuesday, June 15, 2010 8:46 AM  
**To:** IRRC; Smith, James M.  
**Cc:** mcarroll@pahouse.net; musto@pasenate.com  
**Subject:** Tobyhanna Township Opposition to Proposed Buffer Requirements 102.14  
**Attachments:** DOC061510.pdf

