



PARADISE TOWNSHIP

MONROE COUNTY, PENNSYLVANIA

SUPERVISORS

Dennis Keesler, Chairman
Charles DePue, Vice Chairman
Reda Briglia, Supervisor

Office: (570) 595-9880

Fax (570) 595-3090

E-Mail Address: paraship@ptd.net

Web-site: www.paradisetownship.com

November 30, 2005

Robert T. Corby, Jr.
Sewage Planning Specialist
Water Quality Program
Pennsylvania Department of Environmental Protection
HC 1, Box 95-B
Swiftwater, PA 18370

Dear Mr. Corby,

With this letter please find the Planning Module for Mount Airy #1, LLC, DEP Code No. 2-45912186-3, along with the review fee of \$1,500.00 in accordance with Component 3, Section R. Included in this package is a signed contract between the developer and the Township constituting a Sewage Management Program assuring the long-term proper operation and maintenance of the proposed sewage facility in accordance with Chapter 73.72.

Please allow this letter to serve as notice to the Department that the Township received no comments following the public notice concerning this Planning Module.

Finally, please allow this letter to serve as confirmation that the service area for Mount Airy from the most current Township Act 537 Official Sewage Facilities Plan, dated August 18, 1992 and amended June 17, 1997, includes Mount Airy Lodge and the (former) Strickland's Mountain Inn Resort Community. I have attached the description of the Mount Airy plant and service area from the Plan, along with a portion of the map showing the service area.

The Paradise Township Board of Supervisors approved this Planning Module on September 20, 2005. No sewage or building permits shall be issued for construction at this site until the planning has been properly completed and the Department concurs with the Township's approval.

Please call me at 570-595-8840 if you have any questions.

Sincerely,

Debra Brady
Zoning Officer

Mr. Dennis Keesler, Chairperson

2

Oct. 11, 2005

CERTIFICATION STATEMENT:

I certify that this submittal is complete and includes all requested items. Failure to submit a complete module package will result in return of the package.

Signed: Reda Bughai Date: 11-30-05

Title: Supervisor / Secretary



Pennsylvania Department of Environmental Protection

HC 1, Box 95-B
Swiftwater, PA 18370
October 11, 2005

(570) 895-4040
FAX(570)895-4041

Pocono District Office

Mr. Dennis Keesler, Chairperson
Paradise Township, Board of Supervisors
RR 1, Box 1226
Cresco, PA 18326

RE: Mount Airy #1 LLC
16,300 GPD
DEP Code No: 2-45912186-3
Paradise Township, Monroe County

Dear Secretary:

The Department has received and reviewed the revision to your official plan for the above-referenced development. The review has determined that the project does not meet the requirements of Chapter 71 for a plan revision. Therefore, the planning modules are being returned for the following reasons:

1. Please provide a planning module review fee of \$1,500.00 according to Component 3, Section R.
2. Please provide a Sewage Management Program that assures the long-term proper operation and maintenance of the proposed sewage facility according to Chapter 73.72.
3. Please provide a letter from Paradise Township acknowledging if any comments were received from the public notice, and how these comments were addressed.
4. Please provide documentation that confirms the service area for Mount Airy from the most current Township Act 537 Official Sewage Facilities Plan.

Please be advised that until planning has been properly completed and approved by the municipality and concurred with by the Department, no sewage or building permits should be issued for construction at this site.

Should you have any question, you may contact me at this office.

Sincerely,

Robert T. Corby, Jr.
Sewage Planning Specialist
Water Quality Program

Enclosure

Cc: Louis DeNaples
Ceco Associates, Inc.

RECEIVED

OCT 13 2005

..... OF.....



ceco associates inc.
consulting engineers

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

October 14, 2005

Paradise Township Board of Supervisors
Mr. Dennis Keesler, Chairman
RR#1, Box 1226
Cresco, Pennsylvania 18326

RE: PaDEP Correspondence dated October 11, 2005
Mount Airy #1 L.L.C.
DEP Code No. 2-45912186-3

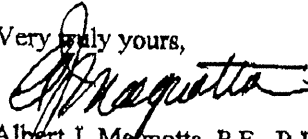
Honorable Chairman Keesler:

With reference to the issues set forth in the subject correspondence, be advised of the following:

- Attached is a check in the amount of \$1500.00 to reimburse Paradise Township for the PaDEP Planning Module Fee.
- As noted in our correspondence dated October 11, 2005, copy attached, we are prepared to meet as soon as possible with designated representatives of Paradise Township to develop the required Sewage Management Program. Please contact me to coordinate a meeting of the necessary parties:
- Our firm did not receive any public comments related to the subject Planning Module update.
- Based upon the data available to the undersigned, the service area for Mount Airy is designated in Paradise Township Resolution No. 92-03 dated August 18, 1992.

If you have any questions, please feel free to call our office at 570-342-3101.

Very truly yours,


Albert J. Magnotta, P.E., P.L.S.
President

AJM/lmz
Enclosure

c Paradise Township Supervisors, R. Briga, C. DePue
D.Brady, Paradise Township Zoning Officer
Attorney J. Prevoznik, Solicitor Paradise Township
L.DeNaples, Mount Airy #1 L.L.C.
R. Rossi, CPA
Attorney Jeffrey Belardi
J. Pocius, P.E., P.L.S., CECO Associates, Inc.
D.Osborne, P.E., CECO Associates, Inc.
File

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MOUNT AIRY #1 L.L.C. PROPERTY DEVELOPMENT

SEWAGE FACILITIES PLANNING MODULE

SUBMITTED TO

**PARADISE TOWNSHIP PLANNING COMMISSION
C/O MR. DENNIS KEESLER, CHAIRMAN
RR #1 BOX 1226
CRESCO, PENNSYLVANIA**

AND

**MONROE COUNTY PLANNING COMMISSION
C/O MR. JOHN WOODLING, PLANNING DIRECTOR
1 QUAKER PLAZA
STROUDSBURG, PENNSYLVANIA 18360-2164**

PREPARED BY:

**CECO ASSOCIATES
P.O. BOX 995
SCRANTON, PENNSYLVANIA 18501
(570)342-3101**

AUGUST 2005

REVISED SEPTEMBER 2005



ceco associates inc.

consulting engineers



ceco associates inc.
consulting engineers

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

September 21, 2005

Mr. Dennis Keesler, Chairman
Paradise Township Board of Supervisors
RR 1 Box 1226
Cresco, Pennsylvania 18326

**RE: PaDEP Sewage Facilities Planning Module
Mount Airy #1 L.L.C.
PaDEP Code No. 2-45912186-3**

Honorable Chairman Keesler:

As requested at the Paradise Township Board of Supervisors Regular Meeting held on Tuesday, September 20, 2005, and as a condition for the approval of the "Resolution for Plan Revision for New Land Development" for the above referenced project, Mount Airy #1 L.L.C. agrees to submit a revised Sewage Facilities Planning Module as required by PaDEP Regulations if the specified use and/or allocation is significantly changed.

On behalf of Mount Airy #1 L.L.C., we would like to express our appreciation to the officials, agents and staff of Paradise Township for their cooperation in this endeavor.

Please contact the undersigned, if you have any questions.

Very truly yours,

John J. Focius, P.E., P.L.S.
Vice President/Engineering Director
Quality Improvement Manager

AJM/lmz

Enclosure

Mt. Airy- Keesler 9-21-05

c Albert J. Magnotta, P.E., P.L.S., CECO Associates, Inc.
Dave Osborne, P.E., CECO Associates, Inc.
L. DeNaples
R. Rossi, CPA
QA/QC C. File
File

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consulting engineers

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

September 20, 2005

Mr. Dennis Keesler, Chairman
Paradise Township Planning Commission
RR 1 Box 1226
Cresco, Pennsylvania 18326

RE: *PaDEP Sewage Facilities Planning Module*
Mount Airy #1 L.L.C.
PaDEP Code No. 2-45912186-3

Honorable Chairman Keesler:

We are here with forwarding five (5) copies of the above noted Module and support documentation. Subject to an affirmative action by the Board of Supervisors, three (3) copies of the Planning Module and supporting documentation are to be forwarded to PaDEP, Water Management Program, HCI Box 95-B Swiftwater Pennsylvania.

The above noted Planning Module and supporting documentation have been supplemented from the information provided to the Planning Commission on August 5, 2005 with the following:

- a. PaDEP Transmittal Letter.
- b. Completeness Checklist.
- c. Resolution for Plan Revision for New Land Development .
- d. PaDEP Water Management Program correspondence dated June 28, 2005.
- e. Planning modules Section 4A & 4B as provided by the Paradise Township and Monroe County Planning Commissions.
- f. Proof of Publication of the Public Notice.

Please note that items a, b, c, & d require execution by the Paradise Township Municipal Secretary.

The Public Notice was published in the Pocono Record on August 8 and 14, 2005. Our office didn't receive any comments generated by the public notice. If the Paradise Township Supervisors and/or Planning Commission received comments in this matter, they should be included in the transmittal to PaDEP.

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Honorable Chairman Keesler
September 20, 2005

Page 2

On behalf of Mount Airy #1 L.L.C., we would like to express our appreciation to the officials, agents and staff of Paradise Township for their cooperation in this endeavor.

Please contact the undersigned, if you have any questions.

Very truly yours,

Albert J. Magnotta, P.E., P.L.S.
President

AJM/lmz

Enclosure

Mt. Airy- Keesler 9-20-05

c L. DeNaples
R. Rossi, CPA
J. Pocius, P.E., P.L.S., CECO Associates, Inc.
Dave Osborne, P.E., CECO Associates, Inc.
QA/QC C. File
File



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT

**TRANSMITTAL LETTER
 FOR SEWAGE FACILITIES PLANNING MODULE**

DEP USE ONLY				
DEP CODE #	APS ID #	CLIENT ID #	SITE ID #	AUTH. ID #
2-45912186-3				

TO: Approving Agency (DEP or delegated local agency)
Water Management Program
HCI Box 95-B
Swiftwater, PA. 18370-9723

Date _____

Dear Sir:

Attached please find a completed Sewage Facilities Planning Module prepared by Albert Magnotta, P.E.
(Name)
President, CECO Associates, Inc. for Mount Airy #1 L.L.C.
(Title) (Name) Scranton, PA.
 a subdivision, commercial, or industrial facility located in Paradise Township
Monroe County.
(City, Borough, Township)

Check one

- (i) The Planning Module, as prepared and submitted by the applicant, is approved by the municipality as a proposed revision supplement for new land development to its "Official Sewage Facilities Plan", and is adopted for submission to the Department of Environmental Protection transmitted to the delegated local agency for approval in accordance with the requirements of Chapter 71 and the Sewage Facilities Act, OR
- (ii) The Planning Module will not be approved by the municipality as a proposed revision or supplement for new land development to its "Official Sewage Facilities Plan" because the project described therein is unacceptable for the reason(s) checked below.

Check Boxes

- Additional studies are being performed by or on behalf of this municipality which may have an effect on the Planning Module as prepared and submitted by the applicant. Attached hereto is the scope of services to be performed and the time schedule for completion of said studies.
- The Planning Module as submitted by the applicant fails to meet limitations imposed by other laws or ordinances, officially adopted comprehensive plans and/or environmental plans (e.g., zoning, land use, Chapter 71). Specific reference or applicable segments of such laws or plans are attached hereto.
- Other (attach additional sheet giving specifics)

Municipal Secretary: Indicate below by checking appropriate boxes which components are being transmitted to the Approving Agency.

- 2. Individual Onlot Disposal
- 3. Sewage Collection/Treatment
- 4.A. Municipal Planning Agency Review
- Adoption Resolution
- 3s Small Flow Treatment Facility
- 4.B. County Planning Agency Review
- 4.C. Health Department Review

Reda Briaglia
 Municipal Secretary (print)

Reda Briaglia
 Signature

9-20-05
 Date

Note: Please remove and recycle the instructions portion of the Sewage Facilities Planning Module prior to mailing the appropriate completed components and supporting documents to the approving agency.

Completeness Checklist

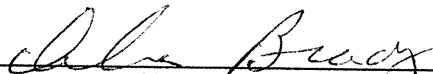
The individual completing the component should use the checklist below to assure that all items are included in the module package. The municipality should confirm that the required items have been included within 10 days of receipt, and if complete, sign and date the checklist.

Sewage Collection and Treatment Facilities

- Name and Address of land development project.
- U.S.G.S. 7.5 minute topographic map with development area plotted.
- Project Narrative.
- Letter from water company (if applicable).
- Alternative Analysis Narrative.
- Details of chosen financial assurance method.
- Proof of Public Notification (if applicable).
- Name of existing collection and conveyance facilities.
- Name and NPDES number of existing treatment facility to serve proposed development.
- Plot plan of project with required information.
- Total sewage flows to facilities table.
- Signature of existing collection and/or conveyance Chapter 94 report preparer.
- Signature of existing treatment facility Chapter 94 report preparer.
- Letter granting allocation to project (if applicable).
- Signature acknowledging False Swearing Statement.
- Completed Component 4 (Planning Agency Review) for each existing planning agency and health department.
- Information on selected treatment and disposal option.
- Permeability information (if applicable).
- Preliminary hydrogeology (if applicable).
- Detailed hydrogeology (if applicable).

Municipal Action

- Component 3 (Sewage Collection and Treatment Facilities).
- Component 4 (Planning Agency Comments and Responses).
- Proof of Public Notification.
- Long-term operation and maintenance option selection.
- Comments, and responses to comments generated by public notification.
- Transmittal Letter



Signature of Municipal Official

a/20/05

Date submittal determined complete



DEP Code No.
2-45912186-3

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Paradise
(TOWNSHIP) (BOROUGH) (CITY), Monroe COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Mt. Airy # 1 L.L.C. has proposed the development of a parcel of land identified as
land developer

Mt. Airy, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify). A New Sewage Conveyance System

WHEREAS, Paradise Township finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (Commissioners) (Councilmen) of the (Township)

(Borough) (City) of Paradise hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I Reda Buglia, Secretary, PARADISE TOWNSHIP
(Signature)

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 08-2005, adopted, 9-20, 2005.

Municipal Address:

Paradise Township Municipal Building
RRI Box 1226
Cresco, PA 18326
Telephone 570-595-9880

Seal of
Governing Body

6/28/05

WATER MANAGEMENT PROGRAM
HC1 Box 95B
Swiftwater, PA 18370-9723

POCONO DISTRICT OFFICE

717/895-4040
FAX 717/895-4041

CECO ASSOCIATES, INC.
SCRANTON ELECTRIC BUILDING
PO BOX 995
SCRANTON, PA 18501

RE: Planning Module for New Land Development
Subdivision: MT. AIRY
COMMERCIAL 120000sqft
PARADISE TWP, MONROE County
DEP Code No. 2-45912186-3

Dear

In response to your postcard application, enclosed are the applicable planning modules required for the proposed development. Please submit the completed planning modules and supporting information to the municipality(ies) in which the project is located. The Department must receive 3 copies. Please answer all questions. Do not answer "N/A" or "Not Applicable." If you feel a question does not apply, explain all reasons to support that answer.

A copy of this letter MUST be attached to the planning module when resubmitted through the municipality to the Department. This letter is to be used as a completion checklist and guide to completing the planning modules and does not supersede the rules and regulations found in Chapter 71. The municipality must submit the complete module package to the Department, (see end of letter for certification statement).

Effective December 15, 1995 Act 149 required the Department to assess planning module review fees. This fee is based on the type of development and total equivalent dwelling units proposed. The applicant will be billed upon Department approval or denial of the project.

JUN 30 2005

PAGE..... OF.....

If you are applying for a planning module exemption for this project the exemption was not granted for the following reason:

Materials Required	Municipal Checklist	DEP Completeness Review
X	Department cover/Checklist letter.	
X	Transmittal letter, completed and signed by the Municipality secretary.	
X	Resolution of Adoption, completed and signed by the Municipal Secretary and containing the municipal seal.	
X	Component 2 - Follow attached guidance	
X	Component 3 - Follow attached guidance	
X	Component 3s - Follow attached guidance	
X	Component 4a - Municipal Planning Agency Review	
X	Component 4b - County Planning Agency Review	
	The Department has conducted a preliminary search of the Pennsylvania Natural Diversity Inventory based upon your topographic location.	
<p>Our search indicated that rare, threatened or endangered species of plants and/or animals may exist in your project area. You must contact the Pennsylvania Fish Commission and Pennsylvania Game Commission for detailed information to determine if such species are in this project location. Attach verification from these agencies stating that no problem exists or attach documentation showing resolution on this conflict.</p>		
	Sewage management program as per 25 PA. Code Subsection 71.72. (see attachment)	
	Land Based Alternative Analysis - As per the Anti-Degradation Guidance located at www.dep.state.pa.us	

Materials
Required

Municipal
Checklist

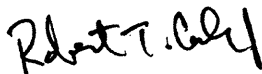
DEP
Completeness
Review

_____	_____	Socio-economic justification.	_____
_____	_____	Letter indicating the treatment plant as the interim regional treatment facility (sample copy included).	_____

In all cases address the immediate and long range sewage disposal needs of the proposal and comply with 25 Pa. Code, Chapter 71, Subchapter C relating to New Land Development Plan Revisions.

Please note that the Department will return the planning module package if an incomplete revision is submitted.

Sincerely,



Robert T. Corby
Sewage Planning Specialist
Water Management Program

CERTIFICATION STATEMENT

I certify that this submittal is complete and includes all requested items. Failure to submit a complete module package will result in return of package.

Municipal Address RR1 Box 1224
CRESCO PA 18326

Municipal Telephone Number 595-9880 (570)

Signed: Reda Bugha, Municipal Secretary

List below any individuals and address that should be copied if the planning module is returned to the municipality (If address is not provided, no copy will be sent):

cc: Water Quality Specialist



ceco associates inc.
consulting engineers

**Mount Airy #1 LLC
Pa DEP Sewage Facilities Planning Module**

Table of Contents

Paradise Township Planning Commission Transmittal Letter
Monroe County Planning Commission Transmittal Letter
Sewage Facilities Planning Module Component 3
 Exhibit C - Site Information
 Exhibit F- Project Narrative
 Exhibit G- Proposed Wastewater Facilities Plot Plan & Attachments
 Exhibit H - Alternative Sewage Facilities Analysis
 Exhibit I - Rare, Endangered or Threatened Species
 Exhibit O- Sewage Management
 Exhibit P- Public Notification

List of Drawings Exhibit G

PM-1 Site Plan
PM-2,3, & 4 Sanitary Sewer System Plan, Profiles
PM-5 Soils Classification
PM-6 Master Plan - Greenway/Development Areas.



ceco associates inc.
consulting engineers

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

August 5, 2005

Mr. Dennis Keesler, Chairman
Paradise Township Planning Commission
RR 1 Box 1226
Cresco, Pennsylvania 18326

RE: *Mount Airy #1 LLC*
PaDEP Sewage Facilities Planning Module

Honorable Chairman Kessler:

In conjunction with the proposed development of a Hotel/Gaming Facility at the site of the former Mount Airy Lodge, we are forwarding five (5) copies of the below listed information for review and responses:

- PaDEP Sewage Facilities Planning Module -Component 3 and supporting documentation.
- PaDEP Sewage Facilities Planning Module-Component 4B County Planning Agency Review.

PaDEP Regulations provide the Planning Commission with a 60 day period from receipt of the above noted information to return Component 4B to the Applicant, i.e. Mount Airy #1, LLC c/o CECO Associates, Inc., P.O. Box 995, Scranton, Pennsylvania 18501. Upon receipt of Component 4A from Paradise Township Planning Commission, and Component 4B from Monroe County Planning Commission, Mount Airy will forward the Sewage Facilities Planning Modules Components 3, 4A, 4B and related PADEP Forms to the Paradise Township Supervisors for review and action.

Please note that the documentation in PaDEP Component 3, Exhibit P contains the Public Notification which we have forwarded to the Pocono Record for publishing.

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Mr. Dennis Keesler, Chairman
August 5, 2005

Page 2

If you have any questions, please contact me at 570-342-3101. As always we appreciate the cooperation of Paradise Township Officials in our endeavor to make this Project a reality.

Very truly yours,

Albert J. Magnotta, P.E., P.L.S.
President

AJM/lmz

Enclosure

Mt. Airy- Keesler 6-28-05

c Mount Airy #1 LLC c/o Louis DeNaples
Monroe County Planning Commission c/o John Woodling, Director
Paradise Township Planning Commission c/o Kathleen Kelly Administrative Secretary
John J. Pocius, P.E., P.L.S., CECO Associates, Inc.
Dave Osborne, P.E., CECO Associates, Inc.
File



PARADISE TOWNSHIP
MONROE COUNTY, PENNSYLVANIA

SUPERVISORS
Dennis Keesler, Chairman
Charles DePue, Vice Chairman
Reda Briglia, Supervisor

Office: (570) 595-9880
Fax (570) 595-3090
E-Mail Address: paraship@ptd.net
Web-site: www.paradisetownship.com

ACKNOWLEDGEMENT FORM

8/11/04

FOR ALL SUBMITTALS DELIVERED IN-OFFICE

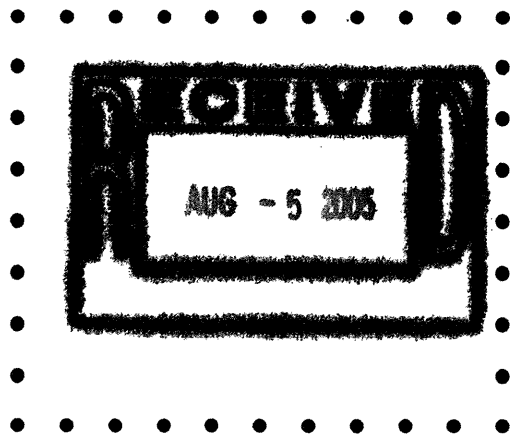
TYPE OF SUBMITTAL: Planning Module
Mt. Airy #1 LLC

APPLICANT'S NAME: Mt. Airy

TO BE FORWARDED TO: P.C.

John P. P...
Signature of Person Delivering

DATE STAMP BELOW



J. Brax
RECEIVED IN OFFICE BY

Original to Person Submitting -Make Copy for Office



DEP Code # _____

**SEWAGE FACILITIES PLANNING MODULE
 COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW
 MUNICIPAL PLANNING AGENCY REVIEW**

Note to Project Sponsor: To expedite the review of your proposal, one copy of your completed planning module package and one copy of this *Planning Agency Review Component* should be sent to the existing local municipal planning agency for their comments.

SECTION A. PROJECT NAME (See Section A of instructions)

Project Name

MOUNT AIRY # 1 LLC

SECTION B. REVIEW SCHEDULE (See Section B of instructions)

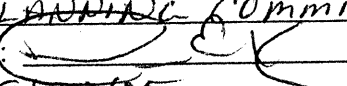
1. Date plan received by municipal planning agency. 08/05/05

2. Date review completed by agency. 09/13/05

SECTION C. AGENCY REVIEW (See Section C of instructions)

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, <i>et seq.</i>)? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Is this proposal consistent with the comprehensive plan for land use?
If no, describe the inconsistencies _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Is this proposal consistent with the use, development, and protection of water resources?
If no, describe the inconsistencies _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Does this project propose encroachments, obstructions, or dams that will affect wetlands?
If yes, describe impacts _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Will any known historical or archaeological resources be impacted by this project?
If yes, describe impacts _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Will any known endangered or threatened species of plant or animal be impacted by this project?
If yes, describe impacts _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Is there a municipal zoning ordinance? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9. Is this proposal consistent with the ordinance?
If no, describe the inconsistencies _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Are any zoning ordinances that are applicable to this project currently subject to any type of legal proceeding? |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Have all applicable zoning approvals been obtained? <i>NA</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13. Is there a municipal subdivision and land development ordinance? |

SECTION C. AGENCY REVIEW (continued)

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Is this proposal consistent with the ordinance? If no, describe the inconsistencies _____
		15. Will the project involve any of the following:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15.1 a site under DEP's land Recycling Program?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15.2 reclamation or remining of a previously mined site?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15.3 a Keystone Opportunity Zone, Select Site, or Enterprise Development Area?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15.4 a Designated Growth Area?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16. Is this plan consistent with the municipal Act 537 Official Sewage Facilities Plan? If no, describe the inconsistencies _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality? If yes, describe _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?
<input type="checkbox"/>	<input type="checkbox"/>	If yes, is the proposed waiver consistent with applicable ordinances? <i>NA</i>
		19. Name, title and signature of planning agency staff member completing this section: Name: <u>DENNIS KEESLER</u> Title: <u>PLANNING COMMISSION CHAIRMAN</u> Signature: <u></u> Date: <u>9/20/05</u> Name of Municipal Planning Agency: <u>PARADISE TOWNSHIP PLANNING COMMISSION</u> Address: <u>RR 1, Box 1226, Cresco, PA 18326</u> Telephone Number: <u>570 595 9880</u>

SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)

This Component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are desired, attach additional sheets.

The planning agency must complete this Component within 60 days.

This component and any additional comments are to be returned to the project sponsor.



ceco associates inc.
consulting engineers

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

August 5, 2005

Mr. John Woodling, Planning Director
Monroe County Planning Commission
Administrative Center
1 Quaker Plaza
Stroudsburg, Pennsylvania 18360-2164

RE: *Mount Airy #1 LLC*
PaDEP Sewage Facilities Planning Module

Dear Mr. Woodling:

In conjunction with the proposed development of a Hotel/Gaming Facility at the site of the former Mount Airy Lodge, we are forwarding two (2) copies of the below listed information for review and responses:

- PaDEP Sewage Facilities Planning Module -Component 3 and supporting documentation.
- PaDEP Sewage Facilities Planning Module-Component 4B County Planning Agency Review.

PaDEP Regulations provide the Planning Commission with a 60 day period from receipt of the above noted information to return Component 4B to the Applicant, i.e. Mount Airy #1, LLC c/o CECO Associates, Inc., P.O. Box 995, Scranton, Pennsylvania 18503. Upon receipt of Component 4A from Paradise Township Planning Commission, and Component 4B from Monroe County Planning Commission, Mount Airy will forward the Sewage Facilities Planning Modules Components 3, 4A, 4B and related PADEP Forms to the Paradise Township Supervisors for review and action.

Please note that the documentation in PaDEP Component 3, Exhibit P contains the Public Notification which we have forwarded to the Pocono Record for publishing.

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ceco associates inc.
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Mr. John Woodling, Planning Director
August 5, 2005

Page 2

If you have any questions, please contact me at 570-342-3101. As always we appreciate the cooperation of Paradise Township Officials in our endeavor to make this Project a reality.

Very truly yours,

Albert J. Magnotta, P.E., P.L.S.
President

AJM/lmz

Enclosure

Mt. Airy-Woodling 7-12-05

c Mount Airy #1 LLC c/o Louis DeNaples
Monroe County Planning Commission c/o John Woodling, Director
Paradise Township Planning Commission c/o Kathleen Kelly Administrative Secretary
John J. Pocius, P.E., P.L.S., CECO Associates, Inc.
Dave Osborne, P.E., CECO Associates, Inc.
File

RECEIPT OF PLANS ACCEPTED BY
MONROE COUNTY PLANNING COMMISSION OFFICE

Date Received 8/5/05

Fee nc Check No. _____

Developer _____

Type of Plan Planning Module

Owner _____

No. of Acres _____

Name of Subdivision _____

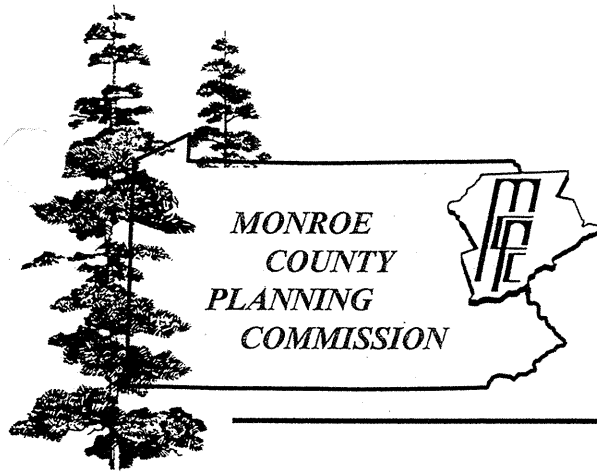
No. of Lots _____

Mount Airy

Fee Paid Yes ___ No ___

Plans Complete Yes ___ No ___

Received by Judy Cameron



MONROE
COUNTY
PLANNING
COMMISSION

September 1, 2005

Dennis Kessler, Chairman
Paradise Township Board of Supervisors
RR1, Box 1226
Cresco, PA 18326

ADMINISTRATIVE CENTER
1 QUAKER PLAZA, ROOM 106
STROUDSBURG, PA 18360-2169
TELEPHONE: 570-517-3100
FAX: 570-420-3564
mcpcc@co.monroe.pa.us

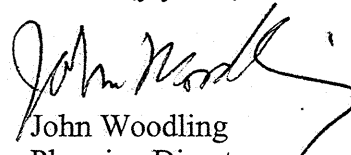
Re: Mount Airy #1 L.L.C.
Planning Module
Paradise Township
MCPC review #204

Dear Mr. Kessler:

In accordance with established procedures, we have reviewed the above noted Planning Module. We are returning herewith one copy of the original Planning Module which has been completed and signed.

If you have any questions or require additional information, please contact me.

Sincerely yours,


John Woodling
Planning Director

JW/pr
cc: Ceco Associates Inc.

RECEIVED
SEP 02 2005
PAGE..... OF.....



**SEWAGE FACILITIES PLANNING MODULE
COMPONENT 4B - COUNTY PLANNING AGENCY REVIEW
(or Planning Agency with Areawide Jurisdiction)**

Note to Project Sponsor: To expedite the review of your proposal, one copy of your completed planning package and one copy of this **Planning Agency Review Component** should be sent to the existing county planning agency or planning agency with areawide jurisdiction for their comments.

SECTION A. PROJECT NAME (See Section A of instructions)

Project Name

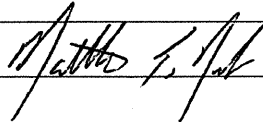
Mount Airy #1 L.L.C.

SECTION B. REVIEW SCHEDULE (See Section B of instructions)

1. Date plan received by county planning agency. August 5, 2005
2. Date plan received by planning agency with areawide jurisdiction _____
Agency name _____
3. Date review completed by agency September 1, 2005

SECTION C. AGENCY REVIEW (See Section C of instructions)

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Is there a county or areawide comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101 <i>et seq.</i>)? |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Is this proposal consistent with the comprehensive plan for land use? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Does this proposal meet the goals and objectives of the plan?
If no, describe goals and objectives that are not met _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Is this proposal consistent with the use, development, and protection of water resources?
If no, describe inconsistency _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Is this proposal consistent with the county or areawide comprehensive land use planning relative to Prime Agricultural Land Preservation?
If no, describe inconsistencies: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Does this project propose encroachments, obstructions, or dams that will affect wetlands?
If yes, describe impact _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Will any known historical or archeological resources be impacted by this project?
If yes, describe impacts _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Will any known endangered or threatened species of plant or animal be impacted by the development project? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is there a county or areawide zoning ordinance? |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Does this proposal meet the zoning requirements of the ordinance?
If no, describe inconsistencies <u>N/A</u> |

Yes	No	SECTION C. AGENCY REVIEW (continued)
<input type="checkbox"/>	<input type="checkbox"/>	11. Have all applicable zoning approvals been obtained? <u>N/A</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Is there a county or areawide subdivision and land development ordinance?
<input type="checkbox"/>	<input type="checkbox"/>	13. Does this proposal meet the requirements of the ordinance? If no, describe which requirements are not met <u>N/A</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Is this proposal consistent with the municipal Act 537 Official Sewage Facilities Plan? If no, describe inconsistency _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality? If yes, describe _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?
<input type="checkbox"/>	<input type="checkbox"/>	If yes, is the proposed waiver consistent with applicable ordinances. If no, describe the inconsistencies _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Does the county have a stormwater management plan as required by the Stormwater Management Act? <u>Brodhead Creek Watershed</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, will this project plan require the implementation of storm water management measures?
		18. Name, Title and signature of person completing this section: Name: <u>Matthew T. Neeb</u> Title: <u>Planner</u> Signature:  Date: <u>September 1, 2005</u> Name of County or Areawide Planning Agency: <u>Monroe County Planning Commission</u> Address: <u>Administrative Center, 1 Quaker Plaza, Room 106, Stroudsburg, PA 18360</u> Telephone Number: <u>(570) 517-3100</u>

SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)

This Component does not limit county planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.

The county planning agency must complete this Component within 60 days.

This Component and any additional comments are to be returned to the applicant.

While the existing WWTP is permitted for 220,000 gallons per day and appears to be sufficient for Segment No.1, the alternatives analysis for Segment No.3 and its corresponding expansion to 792,000 is somewhat vague. It is recommended that further analysis of any expansion be provided.



SEWAGE FACILITIES PLANNING MODULE

Component 3. Sewage Collection and Treatment Facilities

(Return completed module package to appropriate municipality)

DEP USE ONLY				
DEP CODE #	CLIENT ID #	SITE ID #	APS ID #	AUTH ID #

This planning module component is used to fulfill the planning requirements of Act 537 for the following types of projects: (1) a subdivision to be served by sewage collection, conveyance or treatment facilities, (2) a tap-in to an existing collection system with flows on a lot of 2 EDU's or more, or (3) the construction of, or modification to, wastewater collection, conveyance or treatment facilities that will require DEP to issue or modify a Clean Streams Law permit. Planning for any project that will require DEP to issue or modify a permit cannot be processed by a delegated agency. Delegated agencies must send their projects to DEP for final planning approval.

This component, along with any other documents specified in the cover letter, must be completed and submitted to the municipality with jurisdiction over the project site for review and approval. All required documentation must be attached for the Sewage Facilities Planning Module to be complete. Refer to the instructions for help in completing this component.

REVIEW FEES: Amendments to the Sewage Facilities Act established fees to be paid by the developer for review of planning modules for land development. These fees may vary depending on the approving agency for the project (DEP or delegated local agency). Please see section R and the instructions for more information on these fees.

NOTE: All projects must complete Sections A through H, and Sections O through R. Complete Sections I, J, K, L, M and/or N if applicable or marked .

A. PROJECT INFORMATION (See Section A of instructions)

1. Project Name MOUNT AIRY #1 L.L.C.

2. Brief Project Description INITIAL SEGMENT TO INCLUDE 2,795 LF, 12" AND 3,367 LF 8" SANITARY SEWER PIPE. SECOND WORK SEGMENT TO INCLUDE 3,620 LF 8" SANITARY SEWER PIPE, AND 2,832 LF 4" FORCE MAIN AND ONE PUMP STATION.

B. CLIENT (MUNICIPALITY) INFORMATION (See Section B of instructions)

Municipality Name	County	City	Boro	Twp
PARADISE TOWNSHIP	MONROE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Municipality Contact Individual - Last Name	First Name	MI	Suffix	Title
BRIGLIA	REDA	-		SECRETARY
Additional Individual Last Name	First Name	MI	Suffix	Title
BRADY	DEBRA	-		ZONING OFFICER
Municipality Mailing Address Line 1	Mailing Address Line 2			
PARADISE TWP. MUNICIPAL BUILDING	SAME			
Address Last Line -- City	State	ZIP+4		
RR1 BOX 1226 CRESCO	PA	18326		
Phone + Ext.	FAX (optional)	Email (optional)		
570-595-9880	570-595-3090			

C. SITE INFORMATION (See Section C of instructions)**Site (Land Development or Project) Name**

MOUNT AIRY #1 L.L.C.

Site Location Line 1

42 WOODLAND ROAD

Site Location Line 2

Site Location Last Line -- City

MT. POCONO

State

PA

ZIP+4

18344

Latitude

410641

Longitude

751923

Detailed Written Directions to Site FROM THE INTERSECTION OF S.R. 611 AND WOODLAND ROAD, PROCEED NORTHEAST APPROXIMATELY 1 MILE TO THE FORMER MT. AIRY LODGE SITE.

Description of Site

CONSTRUCTION OF A 200 ROOM HOTEL AND GAMING FACILITY WITH ASSOCIATED INFRASTRUCTURE IMPROVEMENTS.

Site Contact (Developer/Owner)

Last Name

DeNAPLES

First Name

LOUIS

MI

A

Suffix

Mr.

Phone

570-876-2300

Ext.

Site Contact Title

MEMBER

Site Contact Firm (if none, leave blank)

-

FAX

570-876-5153

Email

Mailing Address Line 1

229 MAIN STREET - STURGIS

Mailing Address Line 2

Mailing Address Last Line -- City

OLYPHANT

State

PA

ZIP+4

18447

D. PROJECT CONSULTANT INFORMATION (See Section D of instructions)

Last Name

MAGNOTTA

First Name

ALBERT

MI

J

Suffix

P.E., P.L.S.

Title

PRESIDENT

Consulting Firm Name

CECO ASSOCIATES, INC.

Mailing Address Line 1

P.O. BOX 995

Mailing Address Line 2

Address Last Line -- City

SCRANTON

State

PA

ZIP+4

18501

Country

USA

Email

amagnotta@cecoassociates.com

Phone

570-342-3101

Ext.

FAX

570-342-3940

E. AVAILABILITY OF DRINKING WATER SUPPLY

The project will be provided with drinking water from the following source: (Check appropriate box)

- Individual wells or cisterns.
 A proposed public water supply.
 An existing public water supply.

If existing public water supply is to be used, provide the name of the water company and attach documentation from the water company stating that it will serve the project.

Name of water company: Mount Airy #1 LLC is submitting an Application to PaDEP to provide a central water system for the 890 acre parcel.

F. PROJECT NARRATIVE (See Section F of instructions)

A narrative has been prepared as described in Section F of the instructions and is attached.

The applicant may choose to include additional information beyond that required by Section F of the instructions.

G. PROPOSED WASTEWATER DISPOSAL FACILITIES (See Section G of instructions)

Check all boxes that apply, and provide information on collection, conveyance and treatment facilities and EDU's served. This information will be used to determine consistency with Chapter 93 (relating to wastewater treatment requirements).

1. COLLECTION SYSTEM

a. Check appropriate box concerning collection system

- New collection system Pump Station Force Main
 Grinder pump(s) Extension to existing collection system Expansion of existing facility

Clean Streams Law Permit Number 4577402

b. Answer questions below on collection system

Number of EDU's and proposed connections to be served by collection system. EDU's 408

Connections 5 (Initial Construction)

Name of:

existing collection or conveyance system MT. AIRY LODGE

owner MOUNT AIRY #1 L.L.C.

existing interceptor MT. AIRY LODGE

owner MOUNT AIRY #1 L.L.C.

2. WASTEWATER TREATMENT FACILITY

Check appropriate box and provide requested information concerning the treatment facility

- New facility Existing facility Upgrade of existing facility Expansion of existing facility

Name of existing facility MT. AIRY LODGE

NPDES Permit Number for existing facility -60054

Clean Streams Law Permit Number 4577402

Location of discharge point for a new facility. Latitude 41-00-48 Longitude 75-18-54

(Existing WWTP Discharge Point)

3. SOCIAL ECONOMIC JUSTIFICATION

Yes No

- Will the proposed project result in a new or increased discharge into special protection waters as identified in Title 25, Pennsylvania Code, Chapter 93? If yes, attach the Social or Economic Justification (SEJ) required by Section 93.4c.

G. PROPOSED WASTEWATER DISPOSAL FACILITIES (Continued)**4. PLOT PLAN** Refer to Exhibit G

The following information is to be submitted on a plot plan of the proposed subdivision.

- | | |
|---|--|
| a. Existing and proposed buildings. | j. Any designated recreational or open space area. |
| b. Lot lines and lot sizes. | k. Wetlands - from National Wetland Inventory Mapping and USGS Hydric Soils Mapping. |
| c. Adjacent lots. | l. Flood plains or Floodprone areas, floodways, (Federal Flood Insurance Mapping) |
| d. Remainder of tract. | m. Prime Agricultural Land. |
| e. Existing and proposed sewerage facilities. Plot location of discharge point, land application field, spray field, COLDS, or LVCOLDS if a new facility is proposed. | n. Any other facilities (pipelines, power lines, etc.) |
| f. Show tap-in or extension to the point of connection to existing collection system (if applicable). | o. Orientation to north. |
| g. Existing and proposed water supplies and surface water (wells, springs, ponds, streams, etc.) | p. Locations of all site testing activities (soil profile test pits, slope measurements, permeability test sites, background sampling, etc. (if applicable). |
| h. Existing and proposed rights-of-way. | q. Soils types and boundaries when a land based system is proposed. |
| i. Existing and proposed buildings, streets, roadways, access roads, etc. | r. Topographic lines with elevations when a land based system is proposed |

5. WETLAND PROTECTION

YES NO

- a. Are there wetlands in the project area? If yes, ensure these areas appear on the plot plan as shown in the mapping or through on-site delineation.
- b. Are there any construction activities (encroachments, or obstructions) proposed in, along, or through the wetlands? If yes, identify any proposed encroachments on wetlands and identify whether a General Permit or a full encroachment permit will be required. If a full permit is required, address time and cost impacts on the project. Note that wetland encroachments should be avoided where feasible. Also note that a feasible alternative **MUST BE SELECTED** to an identified encroachment on an exceptional value wetland as defined in Chapter 105. Identify any project impacts on streams classified as HQ or EV and address impacts of the permitting requirements of said encroachments on the project.

6. PRIMARY AGRICULTURAL LAND PROTECTION

YES NO

- Will the project involve the disturbance of prime agricultural lands?
If yes, coordinate with local officials to resolve any conflicts with the local prime agricultural land protection program. The project must be consistent with such municipal programs before the sewage facilities planning module package may be submitted to DEP.
If no, prime agricultural land protection is not a factor to this project.
- Have prime agricultural land protection issues been settled?

7. HISTORIC PRESERVATION ACT

YES NO

- Sufficient documentation is attached to confirm that this project is consistent with DEP Technical Guidance 012-0700-001 *Implementation of the PA State History Code* (available online at the DEP website at www.dep.state.pa.us, select "subject" then select "technical guidance"). As a minimum this includes copies of the completed Cultural Resources Notice (CRN), a return receipt for its submission to the PHMC and the PHMC review letter.

H. ALTERNATIVE SEWAGE FACILITIES ANALYSIS (See Section H of instructions) Exhibit H

- An alternative sewage facilities analysis has been prepared as described in Section H of the attached instructions and is attached to this component.
The applicant may choose to include additional information beyond that required by Section H of the attached instructions.

I. PROTECTION OF RARE, ENDANGERED OR THREATENED SPECIES (See Section I of instructions)

The Pennsylvania Natural Diversity Inventory (PNDI) has identified a protected plant or animal species in the vicinity of the project area. Contact the appropriate protective agency for this specie(s) to determine what options are available to resolve the conflict.

- Documentation supporting contact with the appropriate agency having jurisdiction over the rare, threatened, or endangered species of concern and resolution of all potential conflicts is attached.

J. CHAPTER 94 CONSISTENCY DETERMINATION (See Section J of instructions)

Projects that propose the use of existing municipal collection, conveyance or wastewater treatment facilities, or the construction of collection and conveyance facilities to be served by existing municipal wastewater treatment facilities must be consistent with the requirements of Title 25, Chapter 94 (relating to Municipal Wasteload Management). If not previously included in Section F, include a general map showing the path of the sewage to the treatment facility. If more than one municipality or authority will be affected by the project, please obtain the information required in this section for each. Additional sheets may be attached for this purpose.

1. Project Flows 220000 gpd
2. Total Sewage Flows to Facilities (pathway from point of origin through treatment plant)

When providing "treatment facilities" sewage flows, use Annual Average Flow for "average" and Maximum Monthly Average Flow for "peak" in all cases. For "peak flows" in "collection" and "conveyance" facilities, indicate whether these flows are "peak hourly flow" or "peak instantaneous flow" and how this figure was derived (i.e., metered, measured, estimated, etc.).

- a. Enter average and peak sewage flows for each proposed or existing facility as designed or permitted.
- b. Enter the average and peak sewage flows for the most restrictive sections of the existing sewage facilities.
- c. Enter the average and peak sewage flows, projected for 5 years (2 years for pump stations) through the most restrictive sections of the existing sewage facilities. Include existing, proposed (this project) and future project (other approved projects) flows.

To complete the table, refer to the instructions, Section J.

	a. Design and/or Permitted Capacity (gpd)		b. Present Flows (gpd)		c. Projected Flows in 5 years (gpd) (2 years for P.S.)	
	Average	Peak	Average	Peak	Average	Peak
Collection						
Conveyance						
Treatment	220000		12000		220000	

3. Collection and Conveyance Facilities

The questions below are to be answered by the sewer authority, municipality, or agency responsible for completing the Chapter 94 report for the collection and conveyance facilities. These questions should be answered in coordination with the latest Chapter 94 annual report and the above table. The individual(s) signing below must be legally authorized to make representation for the organization.

YES NO

- a. YES NO This project proposes sewer extensions or tap-ins. Will these actions create a hydraulic overload within five years on any existing collection or conveyance facilities that are part of the system?

J. CHAPTER 94 CONSISTENCY DETERMINATION (Continued)

If yes, this sewage facilities planning module will not be accepted for review by the municipality, delegated local agency and/or DEP until all inconsistencies with Chapter 94 are resolved or unless there is an approved Corrective Action Plan (CAP) granting an allocation for this project. A letter granting allocations to this project under the CAP must be attached to the module package.

If no, a representative of the sewer authority, municipality, or agency responsible for completing the Chapter 94 report for the collection and conveyance facilities must sign below to indicate that the collection and conveyance facilities have adequate capacity and are able to provide service to the proposed development in accordance with both §71.53(d)(3) and Chapter 94 requirements and that this proposal will not affect that status.

b. Collection System

Name of Agency, Authority, Municipality (N/A, OWNERSHIP IS PRIVATELY HELD) By: Mount Airy

Name of Responsible Agent Louis DeNaples #1 L.L.C.

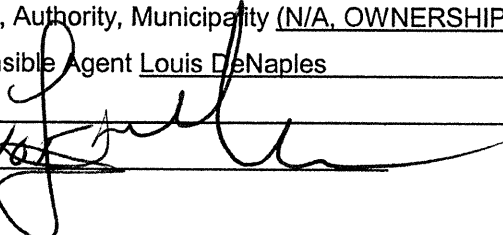
✓ Agent Signature 

Date 8/3/05

c. Conveyance System

Name of Agency, Authority, Municipality (N/A, OWNERSHIP IS PRIVATELY HELD) By: Mount Airy #1

Name of Responsible Agent Louis DeNaples L.L.C.

✓ Agent Signature 

Date 8/3/05

4. Treatment Facility

The questions below are to be answered by a representative of the facility permittee in coordination with the information in the table and the latest Chapter 94 report. The individual signing below must be legally authorized to make representation for the organization.

Yes No

- a. This project proposes the use of an existing wastewater treatment plant for the disposal of sewage. Will this action create a hydraulic or organic overload within 5 years at that facility?

If yes, this planning module for sewage facilities will not be reviewed by the municipality, delegated local agency and/or DEP until this inconsistency with Chapter 94 is resolved or unless there is an approved CAP granting an allocation for this project. A letter granting allocations to this project under the CAP must be attached to the planning module.

If no, the treatment facility permittee must sign below to indicate that this facility has adequate treatment capacity and is able to provide wastewater treatment services for the proposed development in accordance with both §71.53(d)(3) and Chapter 94 requirements and that this proposal will not impact that status.

b. Name of Agency, Authority, Municipality (N/A, OWNERSHIP IS PRIVATELY HELD) By: Mount Airy #1
L.L.C.

Name of Responsible Agent Louis DeNaples

✓ Agent Signature 

Date 8/3/05

K. TREATMENT AND DISPOSAL OPTIONS (See Section K of instructions)

This section is for land development projects that propose construction of wastewater treatment facilities. Please note that, since these projects require permits issued by DEP, these projects may NOT receive final planning approval from a delegated local agency. Delegated local agencies must send these projects to DEP for final planning approval.

K.TREATMENT AND DISPOSAL OPTIONS (continued)

Check the appropriate box indicating the selected treatment and disposal option.

- 1. Spray irrigation or other land application is proposed, and the information requested in Section K.1. of the planning module instructions are attached.
- 2. A discharge to a dry stream channel is proposed, and the information requested in Section K.2. of the planning module instructions are attached.
- 3. A discharge to a perennial surface water body is proposed, and the information requested in Section K.3. of the planning module instructions are attached. No change is requested from the discharge volume and effluent limits contained in NPDES Permit No. PA006 054

L.PERMEABILITY TESTING (See Section L of instructions)

The information required in Section L of the instructions is attached. On lot disposal system is not proposed

M. PRELIMINARY HYDROGEOLOGIC STUDY (See Section M of instructions)

The information required in Section M of the instructions is attached. Soil dependent treatment method not proposed.

N. DETAILED HYDROGEOLOGIC STUDY (See Section N of instructions)

The detailed hydrogeologic information required in Section N. of the instructions is attached. Soil dependent treatment is not proposed.

O. SEWAGE MANAGEMENT (See Section O of instructions) Exhibit O

(1-2 for completion by the developer, 3-4 for completion by the non-municipal facility agent and 5 for completion by the municipality)

Yes No

- 1. Connection to, or construction of, a DEP permitted, non-municipal sewage facility or a local agency permitted, community onlot sewage facility is proposed.

If Yes, respond to the following questions, attach the supporting analysis, and an evaluation of the options available to assure long-term proper operation and maintenance of the proposed non-municipal facilities. If No, skip the remainder of Section O.

- 2. Project Flows 220,000 gpd

(For completion by non-municipal facility agent)

- 3. Collection and Conveyance Facilities

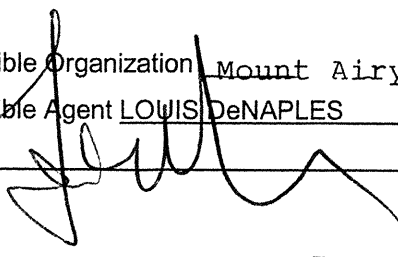
The questions below are to be answered by the organization/individual responsible for the non-municipal collection and conveyance facilities. The individual(s) signing below must be legally authorized to make representation for the organization.

Yes No

- a. If this project proposes sewer extensions or tap-ins, will these actions create a hydraulic overload on any existing collection or conveyance facilities that are part of the system?

If yes, this sewage facilities planning module will not be accepted for review by the municipality, delegated local agency and/or DEP until this issue is resolved.

If no, a representative of the organization responsible for the collection and conveyance facilities must sign below to indicate that the collection and conveyance facilities have adequate capacity and are able to provide service to the proposed development in accordance with Chapter 71 §71.53(d)(3) and that this proposal will not affect that status.

- ✓ b. Collection System
 - Name of Responsible Organization Mount Airy #1 L.L.C.
 - Name of Responsible Agent LOUIS DeNAPLES
 - Agent Signature 

c. Conveyance System

Name of Responsible Organization Mount Airy #1 L.L.C.
 Name of Responsible Agent Louis DeNaples
 ✓ Agent Signature [Signature]
 Date 8/3/08

4. Treatment Facility

The questions below are to be answered by a representative of the facility permittee. The individual signing below must be legally authorized to make representation for the organization.

Yes No

- a. If this project proposes the use of an existing non-municipal wastewater treatment plant for the disposal of sewage, will this action create a hydraulic or organic overload at that facility?

If yes, this planning module for sewage facilities will not be reviewed by the municipality, delegated local agency and/or DEP until this issue is resolved.

If no, the treatment facility permittee must sign below to indicate that this facility has adequate treatment capacity and is able to provide wastewater treatment services for the proposed development in accordance with §71.53(d)(3) and that this proposal will not impact that status.

b. Name of Facility Mount Airy #1 L.L.C.
 Name of Responsible Agent LOUIS DeNAPLES
 ✓ Agent Signature [Signature]
 Date 8/3/08

(For completion by the municipality)

5. The **SELECTED OPTION** necessary to assure long-term proper operation and maintenance of the proposed non-municipal facilities is clearly identified with documentation attached in the planning module package.

P. PUBLIC NOTIFICATION REQUIREMENT (See Section P of instructions) **Exhibit P**

This section must be completed to determine if the applicant will be required to publish facts about the project in a newspaper of general circulation to provide a chance for the general public to comment on proposed new land development projects. This notice may be provided by the applicant or the applicant's agent, the municipality or the local agency by publication in a newspaper of general circulation within the municipality affected. Where an applicant or an applicant's agent provides the required notice for publication, the applicant or applicant's agent shall notify the municipality or local agency and the municipality and local agency will be relieved of the obligation to publish. The required content of the publication notice is found in Section P of the instructions.

To complete this section, each of the following questions must be answered with a "yes" or "no". Newspaper publication is required if any of the following are answered "yes".

Yes No

1. Does the project propose the construction of a sewage treatment facility ?
2. Will the project change the flow at an existing sewage treatment facility by more than 50,000 gallons per day?
3. Will the project result in a public expenditure for the sewage facilities portion of the project in excess of \$100,000?
4. Will the project lead to a major modification of the existing municipal administrative organizations within the municipal government?
5. Will the project require the establishment of *new* municipal administrative organizations within the municipal government?
6. Will the project result in a subdivision of 50 lots or more? (onlot sewage disposal only)

P. PUBLIC NOTIFICATION REQUIREMENT cont'd. (See Section P of instructions)

- 7. Does the project involve a major change in established growth projections?
 - 8. Does the project involve a different land use pattern than that established in the municipality's Official Sewage Plan?
 - 9. Does the project involve the use of large volume onlot sewage disposal systems (Flow > 10,000 gpd)?
 - 10. Does the project require resolution of a conflict between the proposed alternative and consistency requirements contained in §71.21(a)(5)(i), (ii), (iii)?
 - 11. Will sewage facilities discharge into high quality or exceptional value waters?
- Attached is a copy of:
- the public notice,
 - all comments received as a result of the notice,
 - the municipal response to these comments.
- No comments were received. A copy of the public notice is attached.

Q. FALSE SWEARING STATEMENT (See Section Q of instructions)

I verify that the statements made in this component are true and correct to the best of my knowledge, information and belief. I understand that false statements in this component are made subject to the penalties of 18 PA C.S.A. §4904 relating to unsworn falsification to authorities.

ALBERT J. MAGNOTTA, PE, PLS
Name (Print)

Albert J. Magnotta
Signature

PRESIDENT CECO ASSOCIATES, INC.
Title

2/3/05
Date

P.O. BOX 995 SCRANTON, PA 18503
Address

570 342 3101
Telephone Number

R. REVIEW FEE (See Section R of instructions)

The Sewage Facilities Act establishes a fee for the DEP planning module review. DEP will calculate the review fee for the project and invoice the project sponsor **OR** the project sponsor may attach a self-calculated fee payment to the planning module prior to submission of the planning package to DEP. (Since the fee and fee collection procedures may vary if a "delegated local agency" is conducting the review, the project sponsor should contact the "delegated local agency" to determine these details.) Check the appropriate box.

- I request DEP calculate the review fee for my project and send me an invoice for the correct amount. I understand DEP's review of my project will not begin until DEP receives the correct review fee from me for the project.
- I have calculated the review fee for my project using the formula found below and the review fee guidance in the instructions. I have attached a check or money order in the amount of \$_____ payable to "Commonwealth of PA, DEP". Include DEP code number on check. I understand DEP will not begin review of my project unless it receives the fee and determines the fee is correct. If the fee is incorrect, DEP will return my check or money order, send me an invoice for the correct amount. I understand DEP review will NOT begin until I have submitted the correct fee.
- I request to be exempt from the DEP planning module review fee because this planning module creates **only** one new lot and is the **only** lot subdivided from a parcel of land as that land existed on December 14, 1995. I realize that subdivision of a second lot from this parcel of land shall disqualify me from this review fee exemption. I am furnishing the following deed reference information in support of my fee exemption.

County Recorder of Deeds for _____ County, Pennsylvania

Deed Volume _____ Book Number _____

Page Number _____ Date Recorded _____

R. REVIEW FEE (continued)

Formula:

1. For a new collection system (with or without a Clean Streams Law Permit), a collection system extension, or individual tap-ins to an existing collection system use this formula.

$$\# \underline{\hspace{2cm}} \text{ Lots (or EDUs) X } \$50.00 = \$ \underline{\hspace{2cm}}$$

The fee is based upon:

- The number of lots created or number of EDUs whichever is higher.
- For community sewer system projects, one EDU is equal to a sewage flow of 400 gallons per day.

2. For a surface or subsurface discharge system, use the appropriate one of these formulae.

- A. A new surface discharge greater than 2000 gpd will use a flat fee:

- \$ 1,500 per submittal (non-municipal)
- \$ 500 per submittal (municipal)

- B. An increase in an existing surface discharge will use:

$$\# \underline{\hspace{2cm}} \text{ Lots (or EDUs) X } \$35.00 = \$ \underline{\hspace{2cm}}$$

to a maximum of \$ 1,500 per submittal (non-municipal) or \$ 500 per submittal (municipal)

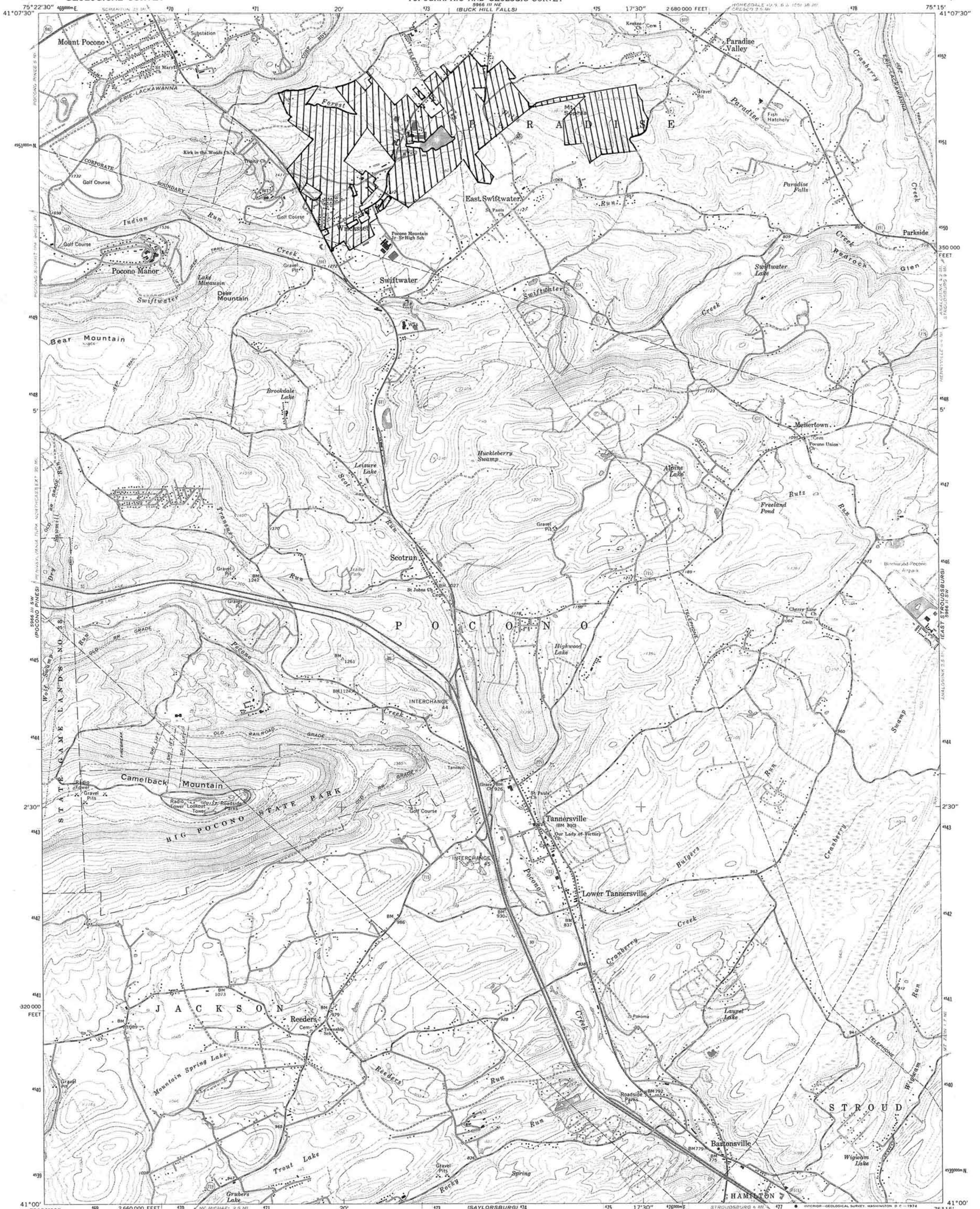
The fee is based upon:

- The number of lots created or number of EDUs whichever is higher.
- For community sewage system projects one EDU is equal to a sewage flow of 400 gallons per day.
- For non-single family residential projects, EDUs are calculated using projected population figures

- C. A sub-surface discharge system that requires a permit under The Clean Streams Law will use a flat fee:

- \$ 1,500 per submittal (non-municipal)
- \$ 500 per submittal (municipal)

MOUNT AIRY #1 LLC
PaDEP SEWAGE FACILITIES PLANNING MODULES
EXHIBIT C - SITE INFORMATION



Mapped, edited, and published by the Geological Survey

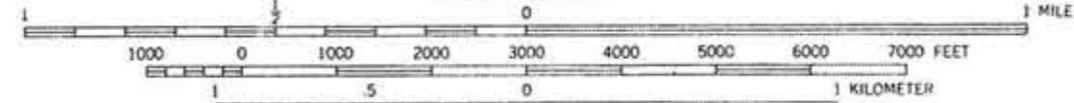
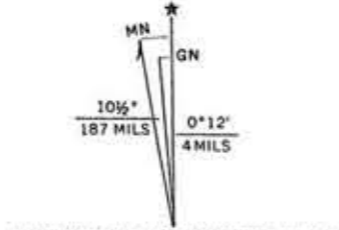
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1963 and 1965. Field checked 1966

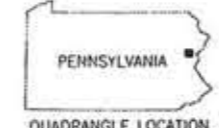
Polycyclic projection. 1927 North American datum
10,000-foot grid based on Pennsylvania coordinate system, north zone
1000-meter Universal Transverse Mercator grid ticks,
zone 18, shown in blue

Fine red dashed lines indicate selected fence and field lines where generally visible on aerial photographs. This information is un-checked

Revisions shown in purple; compiled in cooperation with State of Pennsylvania agencies from aerial photographs taken 1973. This information may have changed



CONTOUR INTERVAL 20 FEET
DATUM IS MEAN SEA LEVEL



ROAD CLASSIFICATION

Heavy-duty	Light-duty
Medium-duty	Unimproved dirt
Interstate Route	U.S. Route
	State Route

MOUNT POCONO, PA.

N4100—1775

1966
PHOTOGRAPHED 1973
AIS-1066 III P.E.-EMPER V&I

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

MOUNT AIRY #1 LLC
PaDEP SEWAGE FACILITIES PLANNING MODULE
EXHIBIT F - PROJECT NARRATIVE

EXHIBIT F

PaDEP COMPONENT 3 SEWAGE COLLECTION AND TREATMENT FACILITIES SECTION F - PROJECT NARRATIVE

Mount Airy # 1 L.L.C. purchased, in December 2004, approximately 890 acres in Paradise Township, Monroe County. This property was formerly the land holdings of Mount Airy et.al. Refer to Street No. PM-1 (Exhibit G). The development of said parcel will be undertaken in Phases over the next 5 to 10 years. The first Phase will encompass a 200 room Resort Hotel/Casino encompassing 437,262 s.f. on approximately 30 acres. Related infrastructure improvements will include on site both garage and surface parking for guests, and employees, roadway improvements along Woodland Road, replacement of the existing sanitary sewer collection and pumping system, rehabilitation of the existing wastewater treatment plant, a new central water/fire supply system, demolition of all existing buildings and construction of new stormwater management facilities using best management practices.

The work area will be confined to the former Mount Airy Lodge and Woodland Road Corridor (refer to attached Sheet No. PM-2, PM-3, PM-4). The installation of the sanitary sewer collection system will be accomplished in two segments. The initial segment will start at the Wastewater Treatment Plant (Mh No.1) and extend to Mh No.12 at Woodland Road and the Main Access Intersection to the Hotel/Casino. It will then extend along Woodland Road to Mh No. 15 adjacent to the Bus/RV/Employee Parking Lot and to Mh No.30 to provide service connections to the Villa of Our Lady and the Golf Course Pro Shop/Restaurant. Included in the initial segment will be 2795 lf, 12" pipe, 3367 lf of 8" pipe. Service connections will be made to the Hotel/Casino Complex, Bus/RV/Employee Parking Area the Villa of Our Lady and Golf Course Pro Shop/Restaurant. Please note that a temporary connection will be made to the existing Maintenance Facility. The initial segment is scheduled to commence construction in 2006. The second segment will commence at Mh No. P near Bowman Road and extend to the intersection of Woodland Road and S.R. 611 at Mh No.F. Included in this portion of the construction will be 3620 lf of 8" pipe a pumping station and 2832 lf of 4" forcemain. Gravity connections will be extended across Woodland Road to potentially provide service to existing privately owned home both residential and commercial and for future development along the Woodland Road Corridor. The second segment is scheduled to commence construction in 2006/2007 in conjunction with the Woodland Road Improvement Project. The initial segment of construction is projected to contribute approximately 163,000 gallons per day - Refer to Table F1.

Based upon conformance with Paradise Township Ordinances, the Master Plan for development includes 212 acres for resort uses and 210 acres for residential uses (refer to Sheet No.PM-5. "ERSAP"). The balance of the Mount Airy #1 L.L.C. lands; i.e., 468 acres, will be dedicated "Greenway" through a conservation easement. Active and passive recreational facilities, utility process and stormwater easements are an allowable use in the Greenway Area. However, these land use parcels, trails, recreational facilities, etc. would generate a very limited wastewater flow.

Within the 210 acres specified for residential use, a maximum of 535 units can be constructed during subsequent phase development of the Mount Airy #1 L.L.C. property.

The wastewater generated from the Phase I and subsequent phases of development will be conveyed on onsite wastewater treatment plant with an existing NPDES Permit capacity of 220,000 gallons/day- NPDES Permit No. PA-0060054. Sheet No. PM 2&3 identifies the routing and design details of the collection system for Phase I and the location of the wastewater treatment plant and discharge point on Forest Run Creek. It should be noted that PaDEP WQMP No. 4579402 allows the wastewater treatment plant effluents to be used for spray irrigation of the Mount Airy Golf Course from May through October.

Previously, we identified the projected wastewater flows to be generated as a consequence of the Phase I development; i.e., Hotel/Resort/Casino Facility, RV Center, and Golf Course Pro Shop and Restaurant, Villa of Our Lady and a temporary connection to the existing Maintenance Building to be 163,000 gpd. In addition, the sanitary sewer collection system is proposed to be extended along Woodland Road from the vicinity of the Hotel/Resort/Casino Facility to S.R. 611. The sanitary sewer construction along Woodland Road is planned to be installed in conjunction with major roadway improvements to be undertaken on this portion of Woodland Road. Also, lateral connections for existing and future residential and non residential improvements along the Woodland Road corridor will be installed. This action will eliminate the need to make pave cuts in the upgraded Woodland Road in the future.

Immediately adjacent to the new sanitary sewer collection system along the Woodland Road Corridor, the following parcels have the potential for development immediately subsequent to the completion of Phase I (refer to Sheet No. PM-3 and PM-4)

<u>Residential</u>	<u>Dwelling Units</u>
D13	16
D14	<u>7</u>
Total	23

Additionally, there are six (6) additional residential units adjacent to Woodland Road which are not owned by Mount Airy #1 L.L.C. that could be provided access to the new sanitary sewer system. Thus, total potential residential wastewater flow would be 29 units x 400 $\frac{\text{gpd}}{\text{Unit}}$ = 11,600 gpd.

The non-residential parcels include the following:

Designation	Area (acres)
R1	2.6
R2	5.4
R3	7.2
R4	4.7
R5	28.2

R6	4.1
R8	63
R9	6.4

R10	<u>2.8</u>
-----	------------

Total - 124.4 Acres

Note: R11 is the location of the Hotel/Resort/Casino Facility.

Presently, there are no projects that are planned to be constructed on these parcels. However, for planning purposes using a maximum building coverage of 50 percent and a projected wastewater contribution from commercial retail facilities of 0.1 g/d/sf, the maximum wastewater flow contribution from the non-residential parcels along the Woodland Road corridor would be $124.4 \text{ ac} \times \frac{43,560 \text{ sf}}{\text{ac}} \times 0.5 \times 0.1 \frac{\text{gal}}{\text{day}} = 270,943 \text{ gal/day}$.

Thus, the maximum potential wastewater contribution from the tributary drainage area adjacent to the proposed alignment of the new sanitary sewer system is as follows:

Hotel/Resort/Casino Facility, Villa, RV Parking Lot & Golf Course	163,000 gpd
Residential Usage	11,600 gpd
Non Residential/Commercial Usage	270,943 gpd
Total Wastewater Volume	445,543 gpd
Phase I Maximum	

In the short term, as the existing permitted capacity of the Wastewater Treatment Plant is 220,000 gpd, the maximum build out of the lands adjacent to the new sanitary sewer will be delayed. Initially, the Hotel/Resort/Casino Facility, Golf Course Complex, RV Park along with the Villa of Our Lady and a temporary connection to the existing Maintenance Building will be the only units to generate wastewater that will be conveyed to the onsite Wastewater Treatment Plant. A new flow recorder has been installed in the Wastewater Treatment Plant. When the wastewater flows are documented, any excess capacity will be released on a individual project controlled basis until the permitted flow of 220,000 gallons per day is reached.

If we use the above noted methodology to estimate the ultimate potential wastewater volume for the entire 890 acre parcel, this value would be as computed below:

Phase I Development - Maximum	445,543 gpd
Future Development - Maximum	

Residential
535 Units - 23 Units x 400 gpd = 204,800 gpd
Unit

Non-Residential Parcels
R7,R12,R13,R14
65 acre x 43,560 sf.x 0.5 x0.1 g/d/sf= 141,592 gpd

Total Project Maximum Flows 791,935 gpd

Accordingly, in the long term, Mount Airy #1 L.L.C. must implement a program to provide additional adequate wastewater treatment capacity of approximately a maximum of 571,935 gallons per day. Presently, we are exploring the following options:

- Expansion of the existing wastewater treatment facility with a process that will be environmentally sensitive and responsible.
- Connection to a planned municipal wastewater treatment plant that will be constructed by Pocono Township.
- Connection to the sanitary sewer conveyance system from Safin Pasteur to the facilities of the Mt. Pocono Wastewater Treatment Plant

We recognize that obtaining regulatory approval to obtain the ultimate potential maximum wastewater treatment capacity for the Mount Airy Parcel will be a complex issue. Thus, it is a priority matter for Mount Airy #1 L.L.C.. However, in the short term we are of the professional opinion that adequate wastewater capacity is available at the onsite wastewater treatment plant for the Hotel/Resort/Casino Facility, Golf Course Complex, RV Park, Villa of Our Lady existing Maintenance Building, and limited residential and non residential development along the Woodland Road Corridor. Please note that the Mount Airy # 1 L.L.C. is currently rehabilitating, in kind, the existing wastewater treatment plant. Thus, the stream discharge location will be into Forest Run as contained in NPDES Permit No. Pa-0060054. Additional upgrading of the disinfection system is being evaluated. This work will be completed prior to the opening of the Hotel/Resort/Casino Facility in 2007. The Mount Airy Wastewater Treatment Facilities is included in the 1997 revisions to the Paradise Township Act 537 Official Sewage Plan. The Service Area will be the same as noted in said document.

Mount Airy Casino

TABLE F-1

HOTEL / CASINO

AREA	Area sq.ft.	Daily Water Consumption	
		Water loadings	Total gpd
GAMING	65,411	1.0gpd/sf	65,411
CASINO SUPPORT	2,860	0.125 gpd/sq.ft.	358
24 HR REST (520 seats)	22,000	45 gpd/seat	23,400
12 HR REST (160 seats)	9,270	35 gpd/seat	5,600
Lounge (300seats)		20gpd/seat	6,000
KITCHENS	7,443		
MEETING ROOMS	6,264	1.25 gpd/sq.ft.	7,830
ENTERTAINMENT	8,697	1.0gpd/sf	8,697
PUBLIC SPACE	34,497		
RETAIL SHOPS	406	0.125 gpd/sq.ft.	51
BOH	39,614	0.125 gpd/sq.ft.	4,952
HOTEL (200 rooms)	114,400	120 gpd/rm	24,000
GARAGE	126,400		
EQUIPMENT			
TOTAL AREA	437,262		146,298

ADDITIONAL PHASE I FLOW

AREA	Area sq.ft.	Daily Water Consumption	
		Water loadings	Total gpd
VILLA	16,910	0.125 gpd/sq.ft.	2,114
CLUB HOUSE	1,500	0.125 gpd/sq.ft.	188
12 HR REST (100 seats)	5,794	35 gpd/seat	5,600
RV PARKING (18 spaces)		100gpd/space	1,800
MAINTENCE BUILDING	53,814	0.125 gpd/sq.ft.	6,727
TOTAL AREA	78,018		16,428

TOTAL	515,280		162,726
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MOUNT AIRY #1 LLC
PaDEP SEWAGE FACILITIES PLANNING MODULES
EXHIBIT G - PROPOSED WASTEWATER FACILITIES
PLOT PLAN AND ATTACHMENTS

2601 North Front Street
Harrisburg, PA 17110-1185

Email: skellyloy@skellyloy.com
Internet: www.skellyloy.com



Phone: 717-232-0593
800-892-6532
Fax: 717-232-1799

June 14, 2005

Mr. Richard Hassel
Assistant Chief, Regulatory Branch
U.S. Army Corps of Engineers
Wanamaker Building
100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

Re: Wetland Identification/
Delineation Report for the
Mount Airy Lodge Project
Mount Pocono, Monroe County

Dear Mr. Hassel:

On behalf of Mount Airy No. 1 L.L.C. and CECO Associates, Skelly and Loy, Inc. is enclosing two copies of the Wetland Identification/Delineation Report for the Mount Airy Lodge Project in Mount Pocono, Monroe County. Skelly and Loy would like to schedule a jurisdictional wetland determination field view with the U.S. Army Corps of Engineers to verify the study results. Should you have any questions, please contact us at your convenience.

Sincerely yours,

SKELLY and LOY, Inc.

Paul J. DeAngelo
Director of Natural Resource Analysis

Enclosures

cc: Robert McNicols Sr.
Albert J. Magnotta, P.E., P.L.S. ✓
Andy Longenecker
Ben Berra
1605054
File: HASSEL_PJD.doc

RECEIVED

JUN 16 2005

PAGE OF

2601 North Front Street
Harrisburg, PA 17110-1185

E-mail: skellyloy@skellyloy.com
Internet: www.skellyloy.com



Phone: 717-232-0593
800-892-6532

Fax: 717-232-1799

June 14, 2005

Ms. Jean Cutler
The Bureau for Historic Preservation
The Pennsylvania Historical and Museum Commission
Commonwealth Keystone Building, Second Floor
400 North Street
Harrisburg, Pennsylvania 17120-0093

Re: Mount Airy Lodge Project
Paradise Township
Monroe County, Pennsylvania

Dear Ms. Cutler:

Skelly and Loy, Inc. is assisting Mount Airy No. 1 LLC and CECO Associates, Inc. with environmental work for the Mount Airy Lodge Project. Mount Airy No. 1 LLC proposes to demolish the existing Mount Airy Lodge main building complex and, in its place, construct a seven-story hotel and casino. The highway (S.R. 1013, Woodland Road) leading from S.R. 0611 to the new hotel and casino will also be improved. Skelly and Loy conducted background research and a windshield survey to identify and evaluate the historic resources within and near the proposed project.

PHMC FILE REVIEW

The investigation of potential historic properties began with a review of Pennsylvania Archaeological Site Survey files at the Bureau for Historic Preservation, part of the Pennsylvania Historical and Museum Commission (PHMC) in Harrisburg, Pennsylvania. The review revealed no previously identified archaeological sites within the Mount Airy project area. In 1991, Skelly and Loy conducted archeological studies and completed a Phase I report for a project just south of the Mount Airy project area and found no significant archaeological remains.

Within the Mount Airy project area, there are no properties previously listed or determined eligible for listing in the National Register of Historic Places. No properties within the Mount Airy project area were recorded on the 1996 Monroe County Historical Association historic building survey.

Three properties near the project area have been previously surveyed as a part of a Monroe County Planning Commission Comprehensive Historic Sites Survey. No determinations were made regarding their eligibility.

AREA OF POTENTIAL EFFECTS

The development of the Area of Potential Effects (APE) began with a windshield survey of the area of the proposed project. The APE is defined as "the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist" [36 CFR §800.16(d)]. Additionally, the APE "is influ-

enced by the scale and nature of an undertaking and may be different for different kinds of effects" [36 CFR §800.16(d)].

The proposed project consists of the demolition of the existing main building of Mount Airy Lodge and the construction of a new hotel and casino. The highway connection between the proposed hotel and casino, S.R. 1013 (Woodland Road), and its intersection with S.R. 0611 will also be improved. The APE includes the approximate area where construction would occur (Figures 1 and 2). It begins at the intersection of S.R. 0611 and S.R. 1013 and runs to the south-southeast along the eastern edge of pavement of S.R. 0611 for approximately 300 feet. The APE then parallels S.R. 1013 to the east and northeast for approximately 4,500 feet. It then turns to the east, making a wide arc to the north, for approximately 750 feet. The APE then turns to the east, again making a slow curve to the northeast for approximately 1,800 feet, across the lake besides the main lodge building.

The APE then turns to the north for approximately 600 feet. It then turns to the northwest then west for approximately 650 feet, then to the northwest for approximately 800 feet. The APE then turns to the southwest for approximately 550 feet, then to the northwest again for approximately 525 feet. It then turns to the southwest for approximately 750 feet. The APE then follows a long curve to the south and southeast for approximately 950 feet. From there, the APE turns south for approximately 700 feet, and then jogs east for approximately 55 feet. The APE then turns south and southeast for approximately 4,600 feet back to the eastern edge of pavement of S.R. 0611. From there, it follows the eastern edge of pavement of S.R. 0611 back to the point of origin.

The APE encompasses the proposed construction and its immediate environs.

ON-SITE REVIEW

Skelly and Loy undertook a windshield survey of the Mount Airy project area, which consisted of the Mount Airy Lodge and Strickland's Mountain Inn properties. Approximately 56 buildings that are at least 50 years old stand on the Mount Airy Lodge and Strickland's Mountain Inn property. Some of the Strickland's Mountain Inn buildings date from the 1890 to 1910 period. The Mount Airy buildings began circa 1920. Both properties experienced extensive expansion beginning about 1954. This expansion resulted in many new buildings, and the old ones were remodeled. Mount Airy Lodge acquired Strickland's Mountain Inn about this time.

Mount Airy began as the concept of John and Suzanne Martens, Slovak-born entrepreneurs from Brooklyn. According to two newspaper articles (December 31, 2004, in the *Scranton Times Tribune* by David Falchek, and March 6, 2005, in *The Morning Call* by Matt Birkbeck), the Martens purchased a 15-room boarding house in 1936. They converted the boarding house into a hotel, the originally called Mount Airy House. The Martens operated Mount Airy House by themselves for about 15 years.

In 1951, Suzanne's nephew, Emil Wagner, joined the Martens' operation at Mount Airy House. Wagner, according to his obituary published in the *Pocono Record* on November 5,

1999, had escaped Czechoslovakia before the Communist coup of 1948, moving to Switzerland. Wagner's father had been in the hotel business, and this experience had been further strengthened by attendance at the Hotel School in Lausanne, Switzerland. There, Wagner learned the business styles of the great Swiss resorts.

Wagner's education and experience became a catalyst for a transformation of Mount Airy House. Wagner reformed the House into a European-styled Mount Airy Lodge. With the Martens, Wagner pioneered the concept of the Pocono resort. They advertised in New York City and Philadelphia area papers, offering inexpensive, activity-filled, romantic getaways. Wagner and the Martens became the first to equip their resort with novelty tubs and mirror-ceiling rooms. After the Martens' deaths, Wagner operated Mount Airy Lodge and Strickland's Mountain Inn until his death in 1999. By then, competition from a renovated Atlantic City, cruise ships, and newer Pocono resorts had edged Mount Airy Lodge and Strickland's Mountain Inn near bankruptcy. The combined resort operated under Chapter 11 of the Bankruptcy Code after 1999; after a sharp decrease in bookings following the terrorist attacks of September 11, 2001, it closed. The resort has been closed since 2001, although the golf course remains operating.

Consideration of Criterion A

Looking at Criterion A, Mount Airy Lodge made a contribution to the long-term trend of Pocono resorts. The Martens and Wagner pioneered the concept of romantic getaways. However, the Pocono Mountains had been a tourist destination for half a century prior to Mount Airy. According to Monroe County's Web site (under *History*), hotels to accommodate tourists began to be built following the arrival of the railroad in what is now East Stroudsburg in 1871. By 1900, a special fast train brought tourists from New York City. Although the Martens' and Wagner's contributions changed the face of Pocono resorts, it does not reach the level of a significant contribution to the broad patterns of our nation's history. Mount Airy Lodge should not be considered significant under Criterion A.

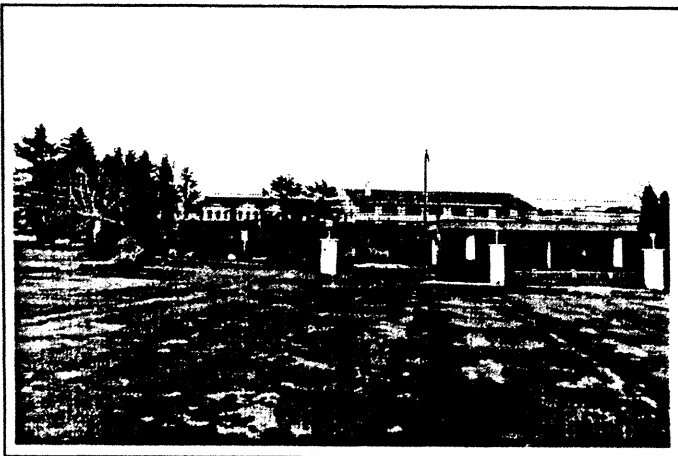
Strickland's Mountain Inn began as a few resort homes at a crossroads, now called East Swiftwater, in the period between 1890 and 1900. Additional buildings were added slowly until after World War II, when several additional buildings, including the main buildings, were constructed. Catering to couples, Strickland's Mountain Inn was acquired by Mount Airy Lodge in the mid-1950's. As such, Strickland's Mountain Inn does not pose a significant contribution to the broad patterns of our nation's history and should not be considered significant under Criterion A.

Consideration of Criterion B

Looking at Criterion B, John and Suzanne Martens and Emil Wagner became locally important persons, and their contribution, as noted in the discussion of Criterion A, changed the area from small crossroads hotels into sprawling resorts. However important to the local area the Martens' and Wagner's contributions were, it does not reach the level of a significant person in our nation's history. As a result, the Martens, Wagner, and Mount Airy Lodge should not be considered significant under Criterion B.

Consideration of Criterion C

Looking at Criterion C, the buildings of Mount Airy Lodge that are 50 years old and over have either been extensively altered or are common examples of unremarkable buildings. For example, the original Mount Airy Lodge is barely recognizable behind a circa 1970 reception area and porte-cochère (Photograph Nos. 1 and 2). Other buildings, like the circa 1930 gable-end cottage along S.R. 1013 (Photograph No. 3) and the camp buildings across the road from the lodge (Photograph No. 4), retain their original form and fabric but are undistinguished examples of common resort buildings of the period. As a result, Mount Airy Lodge should not be considered significant under Criterion C.



Photograph No. 1 – The main entrance of Mount Airy Lodge, looking east. The original boarding house is visible at the left center with its gable-end dormers.



Photograph No. 2 – The northern end of the main building, looking south. The original boarding house can be seen in the right center, with the gable-end dormers. This view shows the back of the original boarding house while the view in Photograph No. 1 shows the front.



Photograph No. 3 – A circa 1930 resort cottage, looking south.



Photograph No. 4 – Circa 1930 resort lodges, looking northwest.

Strickland's Mountain Inn followed a similar course to the Mount Airy Lodge. Older buildings were extensively altered; porches were enclosed, additions grafted onto older fabric. One of the earlier buildings, for example, a late Victorian cottage near to the intersection of Carlton and Upper Swiftwater Roads, has an enclosed porch that obscures its detailed entrance and first-floor windows (Photograph No. 5). It has an addition on the back; its layout, fabric, and fenestration have all been altered. The original Strickland's Mountain Inn, circa 1920, with its gable-end dormers, has been extensively altered with additions on the back and the one-story full-front porch enclosed (Photograph No. 6). All of the buildings 50 years old and older of Strickland's Mountain Inn have been extensively altered. As a result, it should not be considered significant under Criterion C.



Photograph No. 5 – Late Victorian cottage, looking southeast. This is one of the properties of Strickland's Mountain Resort.



Photograph No. 6 – Original main building of Strickland's Mountain Resort, looking northeast. The gambrel roof and gable-end dormers suggest a date of circa 1920.

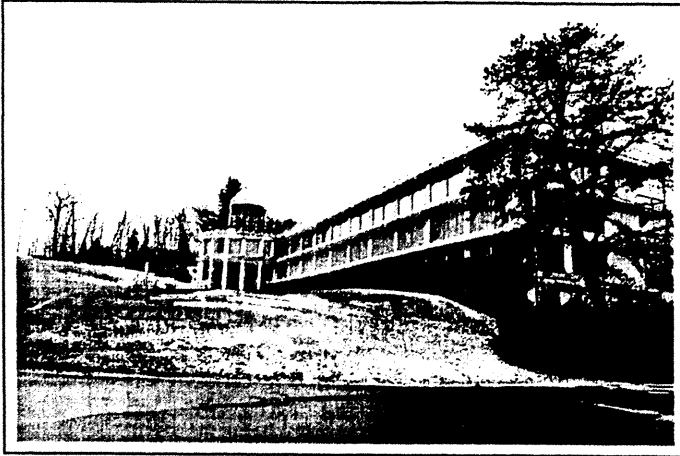
Consideration of Criterion D

Looking at Criterion D, little potential exists for historic archaeological remains. The original landscape has been altered by continuous construction through the years. The proposed construction will occur in areas that have or have recently had buildings on them. The area of the main building of Mount Airy Lodge has been extensively altered by the construction of the resort buildings and parking areas. Skelly and Loy recommends that no additional survey occur.

Consideration of Historic Districts

Considering historic districts, neither Mount Airy Lodge nor Strickland's Mountain Inn qualifies as historic districts. Both have collections of buildings 50 years old and over; however, modern buildings stand among the historic ones. Immediately to the southwest of the main building of Mount Airy Lodge stands a circa 1965 hotel (Photograph No. 7). The circa 1975

southern façade of the main building of the Mount Airy Lodge, facing the lake, exhibits the Post-Modern style (Photograph No. 8).



Photograph No. 7 – A circa 1965 hotel with a gold dome, looking south.

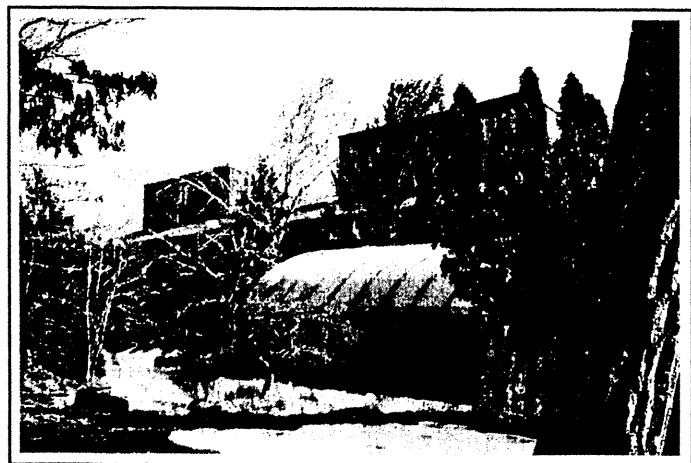


Photograph No. 8 – Circa 1975 southern façade of the main lodge, looking northeast.

Similarly, at Strickland's Mountain Inn, modern cottages form the outer of three concentric circles of construction (Photograph No. 9). Near the center of Strickland's Mountain Inn, a modern recreational complex stands across a path from the original Inn (Photograph No. 10). In addition, as noted above, many of the historic ones are virtually unrecognizable as historic buildings because of the many alterations. As a result, historic districts do not exist at Mount Airy Lodge or Strickland's Mountain Inn.



Photograph No. 9 – Circa 1975 resort buildings at Strickland's Mountain Resort, looking west. Modern buildings are scattered among older ones.



Photograph No. 10 – Modern recreation buildings, circa, 1980, looking southeast. The dome in the foreground encloses a swimming pool.

Consideration of Designed Landscapes

Designed landscapes are another type of property recognized by the National Park Service as potentially eligible for the National Register. A portion of Mount Airy Lodge around the main building is a designed landscape, anchored by the Mount Airy Golf Club. In addition to the golf club, a 46-acre lake, statuary, and trails fill a valley in which Forest Hills Run flows (Photograph Nos. 11 and 12). However, most of this designed landscape, including the golf club and the lake, dates from the 1972 construction of the golf course.



Photograph No. 11 – The Hal Purdy-designed golf course, looking north.



Photograph No. 12 – A circa 1960 building with lights and statuary in front, looking northeast.

Noted golf course architect Hal Purdy designed the Mount Airy Golf Club. However, its 1972 date means that it post-dates the 1955 cutoff for historic consideration by 17 years. Although properties younger than the 50-year-old cutoff can be considered to be eligible for inclusion in the National Register, the property must be shown to be exceptional. Although picturesque, the designed landscape adjacent to the main building of Mount Airy Lodge is not exceptional and should not be considered to be significant or eligible for inclusion in the National Register.

SUMMARY OF HISTORIC RESOURCE EVALUATION

In summary, the Mount Airy Lodge and Strickland's Mountain Inn, which include the buildings within the APE, have approximately 56 buildings at least 50 years old or older. These buildings have either been extensively altered or they do not possess enough significance to qualify them as eligible for inclusion in the National Register. There is no National Register-eligible historic district or designed landscape within the Mount Airy project area.

A 1996 Monroe County Historical Association survey did not include any Mount Airy Lodge or Strickland's Mountain Inn buildings. Skelly and Loy recommends that no additional cultural resource work be performed within the Area of Potential Effects.

Ms. Jean Cutler
Page 8
June 14, 2005

Please do not hesitate to contact me if you have any questions.

Sincerely yours,

SKELLY and LOY, Inc.

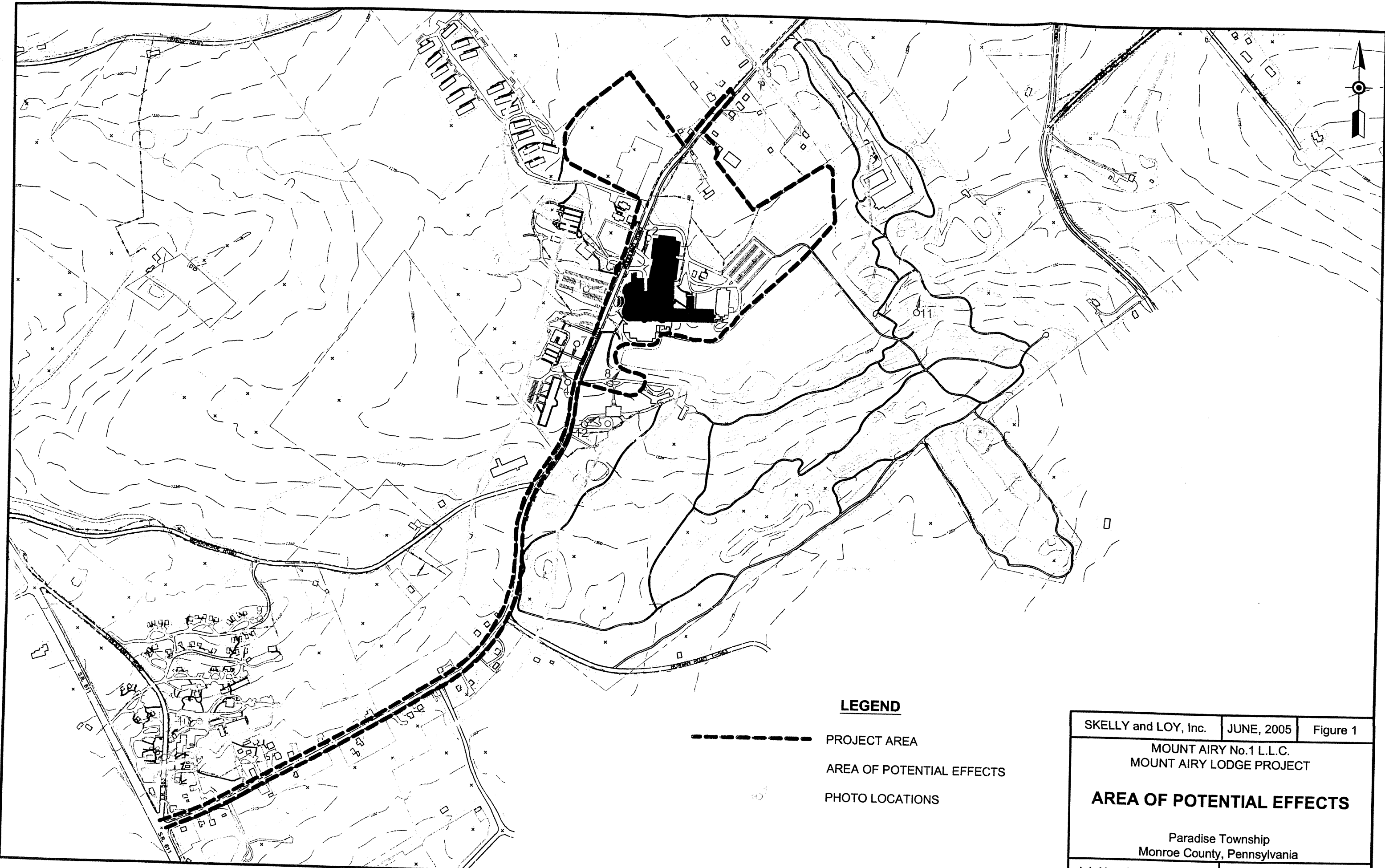
Douglas Dinsmore, Ph.D.
Cultural Resource Specialist

cc: Paul DeAngelo
Albert Magnotta, P.E. CECO ✓
1605054
File: Mount Airy PHMC Letter.doc

RECEIVED

JUN 15 2005

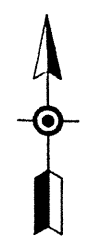
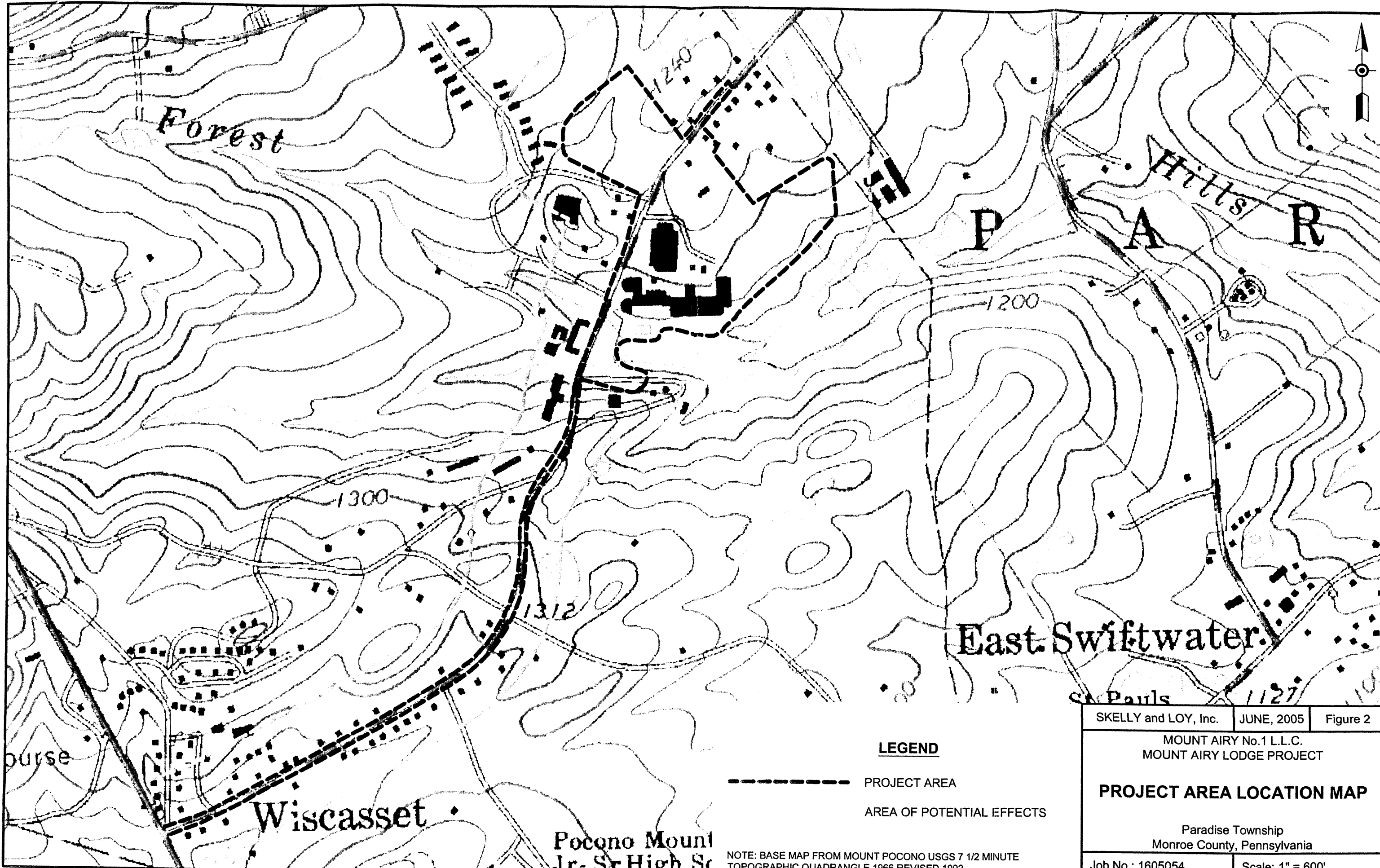
PAGE..... OF.....



LEGEND

- PROJECT AREA
- _____ AREA OF POTENTIAL EFFECTS
- x PHOTO LOCATIONS

SKELLY and LOY, Inc.	JUNE, 2005	Figure 1
MOUNT AIRY No.1 L.L.C. MOUNT AIRY LODGE PROJECT		
AREA OF POTENTIAL EFFECTS		
Paradise Township Monroe County, Pennsylvania		
Job No.: 1605054	Scale: 1" = 600'	



LEGEND

- PROJECT AREA
- AREA OF POTENTIAL EFFECTS

NOTE: BASE MAP FROM MOUNT POCONO USGS 7 1/2 MINUTE TOPOGRAPHIC QUADRANGLE 1966 REVISED 1992.

SKELLY and LOY, Inc.	JUNE, 2005	Figure 2
MOUNT AIRY No.1 L.L.C. MOUNT AIRY LODGE PROJECT		
PROJECT AREA LOCATION MAP		
Paradise Township Monroe County, Pennsylvania		
Job No.: 1605054	Scale: 1" = 600'	



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

July 25, 2005

Douglas Dinsmore
Skelly and Loy
2601 North Front Street
Harrisburg, PA 17110-1185

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

Re: ER 05-2325-089-A
COE: Mount Airy Lodge Project, Paradise Twp., Monroe Co.

Dear Mr. Dinsmore:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

In our opinion no archaeological investigations are necessary in this project area.

Your request does not include sufficient information. We are unable to proceed with our review for historic structures. Although you have provided a good history of the property, the photographs, physical description, and site map are not adequate. You will need to provide this information on a Pennsylvania Historic Resource Survey Form. Please provide 35mm or digital photographs, set on high resolution, of each building, keyed to a site map. Photographs should be no smaller than 3x5. Some buildings may require more than one view. In addition, please explain which buildings will be affected by the proposed project.

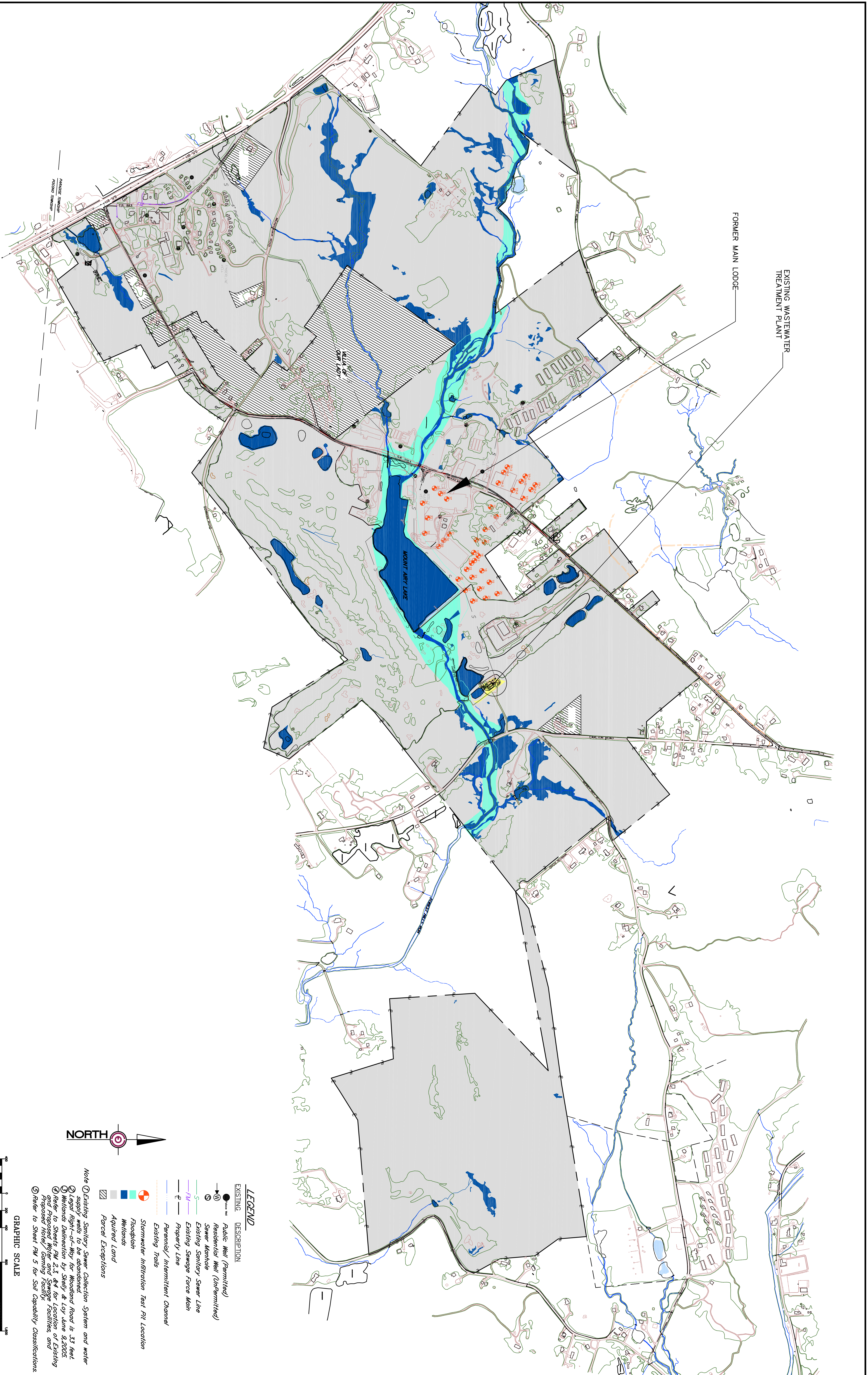
If you need further information please consult Ann Safley at (717) 787-9121.

Sincerely,

A handwritten signature in cursive script that reads "Ann Safley for".

Douglas McLearn, Chief
Division of Archaeology & Protection

DMcL/ras

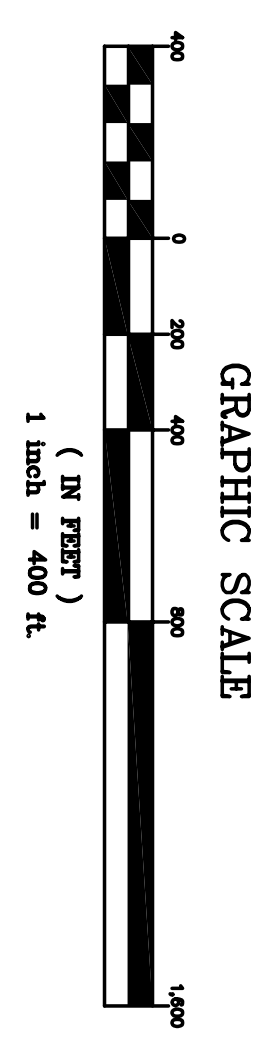
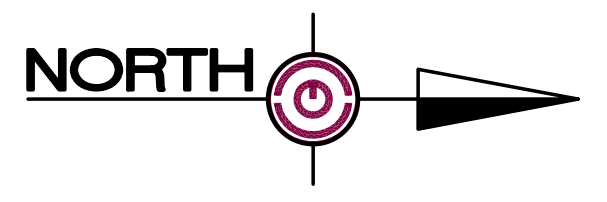


EXISTING WASTEWATER TREATMENT PLANT

FORMER MAIN LODGE

HILLTOP C&W LOT

MOUNT AIRY LAKE



GRAPHIC SCALE

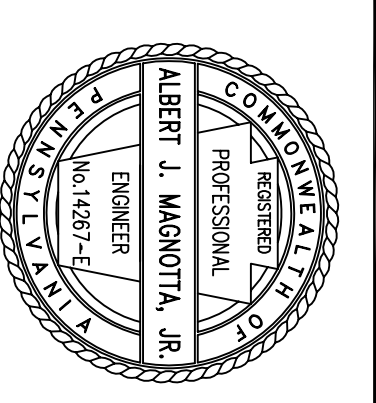
LEGEND

- | EXISTING | DESCRIPTION |
|----------|---|
| ● | Public Well (Permitted) |
| ○ | Residential Well (Unpermitted) |
| ⊙ | Sewer Manhole |
| — | Existing Sanitary Sewer Line |
| — | Existing Sanitary Sewer Man |
| — | Property Line |
| — | Perennial/Intermittent Channel |
| — | Existing Trails |
| — | Stormwater Infiltration Test Pit Location |
| ■ | Floodplain |
| ■ | Wetlands |
| ■ | Acquired Land |
| ■ | Parcel Exceptions |
- Note: ① Existing Sanitary Sewer Collection System and water supply wells to be abandoned.
 ② Legal right-of-way for Woodland Road is 33 feet.
 ③ Wetlands Delineation by Skelly & Lov Lane 9.2005
 ④ Refer to Sheets PM 2.1 & 4 for Location of Existing and Proposed Water and Sewage Facilities, and Proposed Hotel/Gaming Facility.
 ⑤ Refer to Sheet PM 5 for Soil Capability Classifications.

OVERALL SITE PLAN

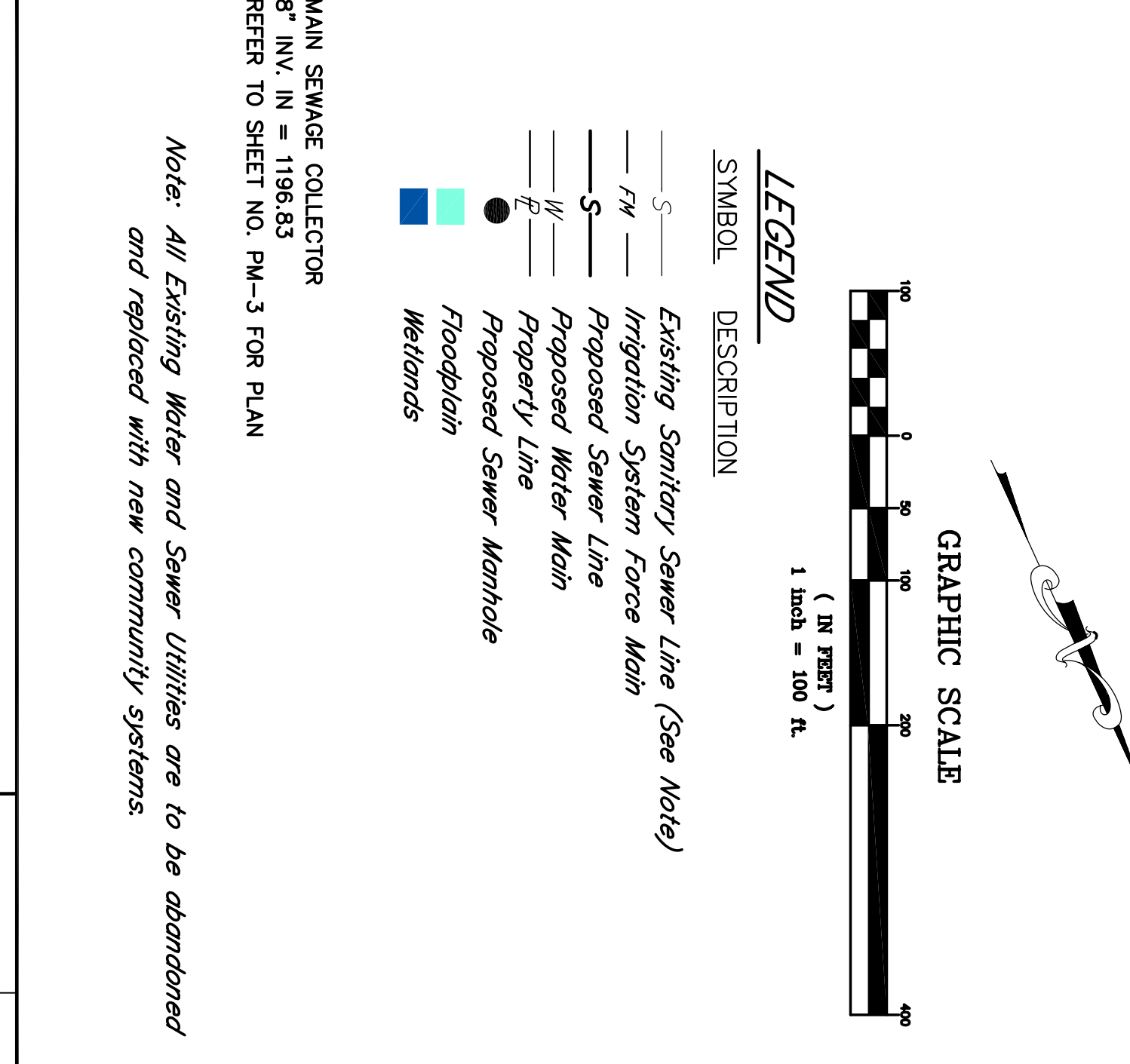
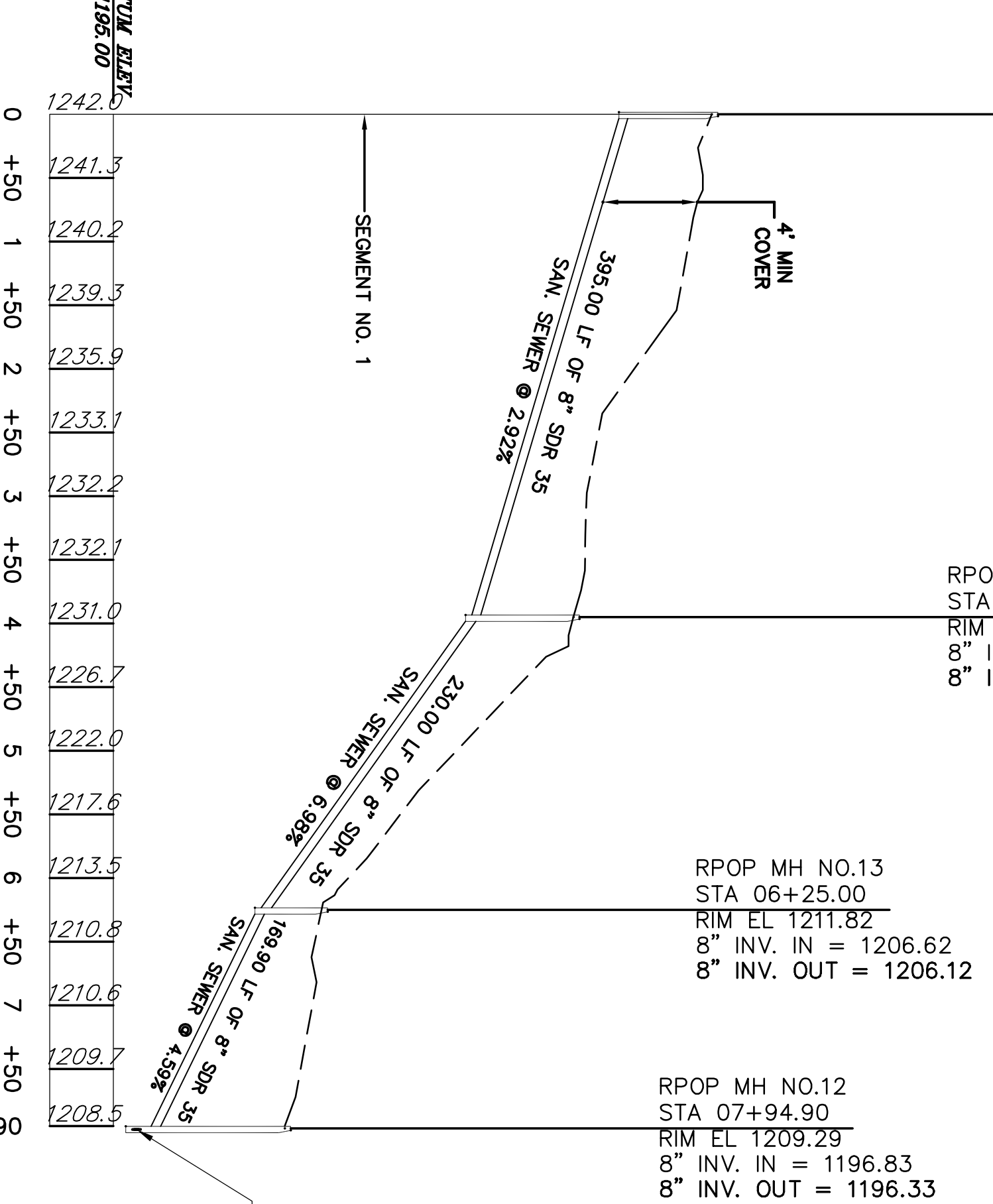
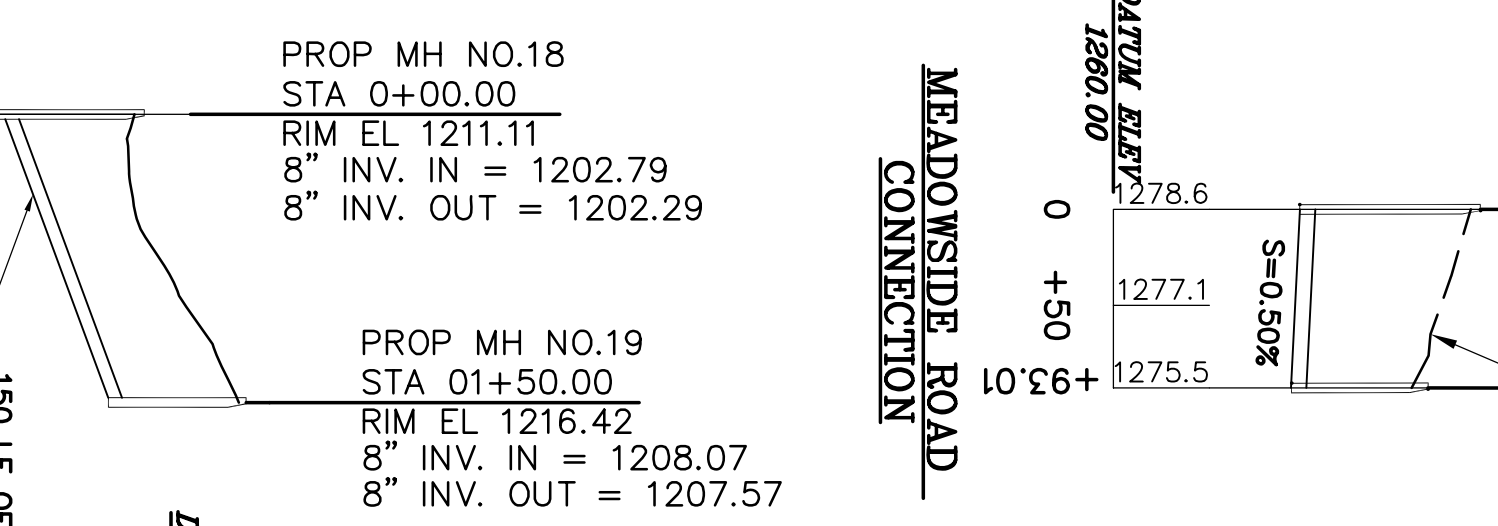
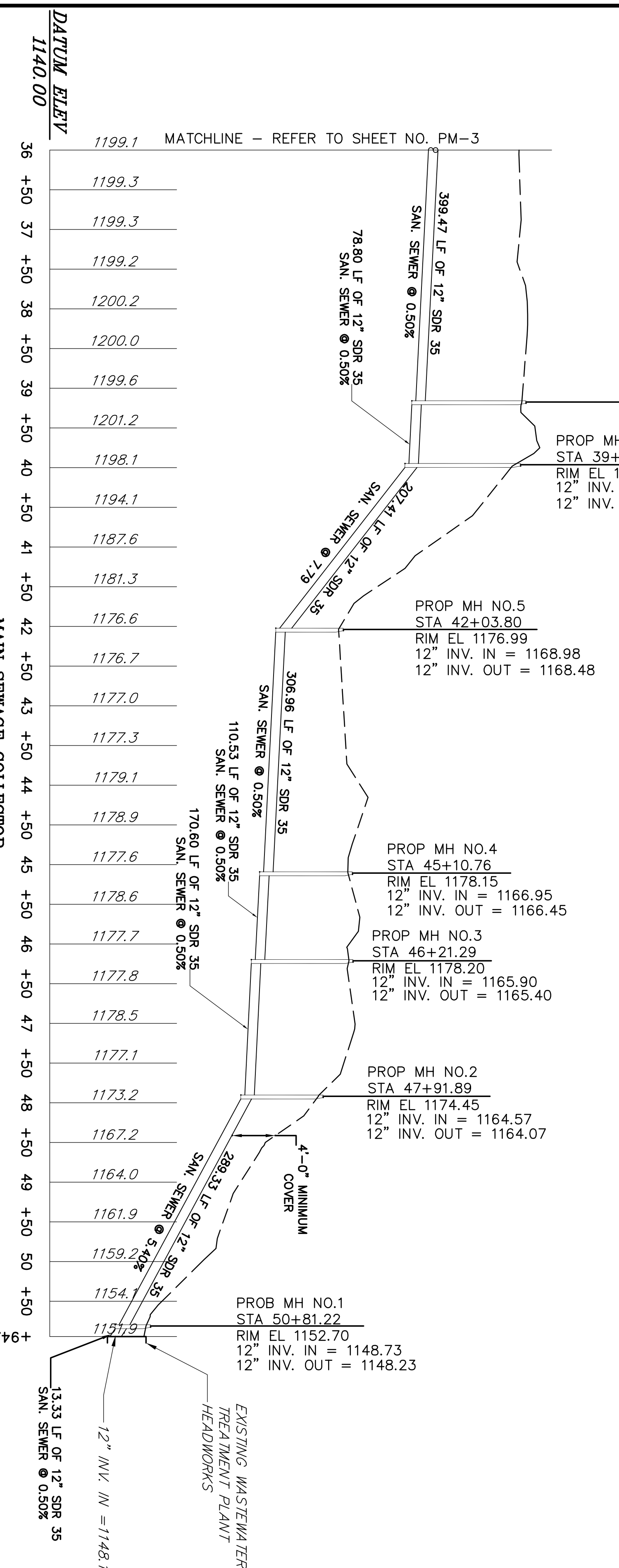
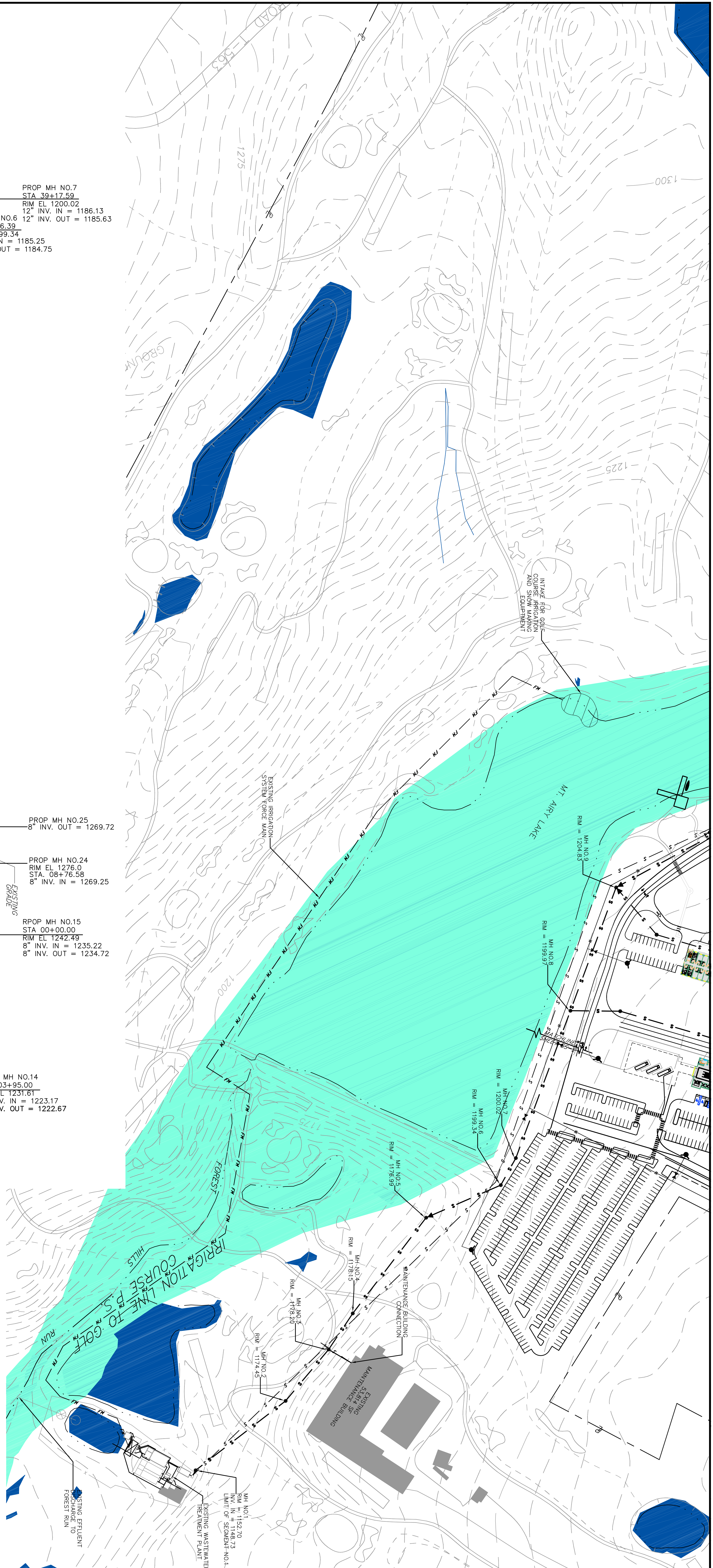
MOUNT AIRY #1 L.L.C.
SEWAGE FACILITIES PLANNING MODULE
PARADISE TOWNSHIP, MONROE COUNTY
PENNSYLVANIA

consulting engineers
 ceco associates inc.
 P.O. box 995, scotchrun, pa. 18501 570-342-3101



ALBERT J. MANGOTIA, JR., P.E.
 REGISTRATION # 4897-E

PM-1



PROP MH NO.7
STA 39+17.59
RIM EL 1200.02
12" INV. IN = 1186.13
12" INV. OUT = 1185.63

PROP MH NO.6
STA 39+96.39
RIM EL 1199.34
12" INV. IN = 1185.25
12" INV. OUT = 1184.75

PROP MH NO.5
STA 42+03.80
RIM EL 1176.99
12" INV. IN = 1168.98
12" INV. OUT = 1168.48

PROP MH NO.4
STA 45+10.76
RIM EL 1178.15
12" INV. IN = 1166.95
12" INV. OUT = 1166.45

PROP MH NO.3
STA 46+21.29
RIM EL 1178.20
12" INV. IN = 1165.90
12" INV. OUT = 1165.40

PROP MH NO.2
STA 47+91.89
RIM EL 1174.45
12" INV. IN = 1164.57
12" INV. OUT = 1164.07

PROP MH NO.1
STA 50+81.22
RIM EL 1152.70
12" INV. IN = 1148.73
12" INV. OUT = 1148.23

PROP MH NO.25
STA 00+00.00
RIM EL 1278.6
8" INV. IN = 1269.72

PROP MH NO.24
STA 08+76.58
RIM EL 1276.0
8" INV. IN = 1269.25

RPOP MH NO.15
STA 00+00.00
RIM EL 1242.49
8" INV. IN = 1235.22
8" INV. OUT = 1234.72

RPOP MH NO.14
STA 03+95.00
RIM EL 1231.61
8" INV. IN = 1223.17
8" INV. OUT = 1222.67

RPOP MH NO.13
STA 06+25.00
RIM EL 1211.82
8" INV. IN = 1206.62
8" INV. OUT = 1206.12

RPOP MH NO.12
STA 07+94.90
RIM EL 1209.29
8" INV. IN = 1196.83
8" INV. OUT = 1196.33

LEGEND

SYMBOL	DESCRIPTION
—	Existing Sanitary Sewer Line (See Note)
—	Existing Irrigation System Force Main
—	Proposed Sewer Line
—	Proposed Water Main
—	Proposed Water Main
—	Proposed Line
●	Proposed Sewer Manhole
■	Floodplain
■	Wetlands

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft

NOTE: All Existing Water and Sewer Utilities are to be abandoned and replaced with new community systems.

SANITARY SEWAGE SYSTEM
MOUNT AIRY #1 L.L.C.
SEWAGE FACILITIES PLANNING MODULE
PARADISE TOWNSHIP, MONROE COUNTY
PENNSYLVANIA

consulting engineers
Geo associates, inc.

REVISIONS
DATE
BY
CHECKED
A.J.M.
DATE
05-31-01
08-31-05

SHEET NO.
PM-2

DATUM ELEV 1140.00

DATUM ELEV 1195.00

DATUM ELEV 1203.9

DATUM ELEV 1195.00

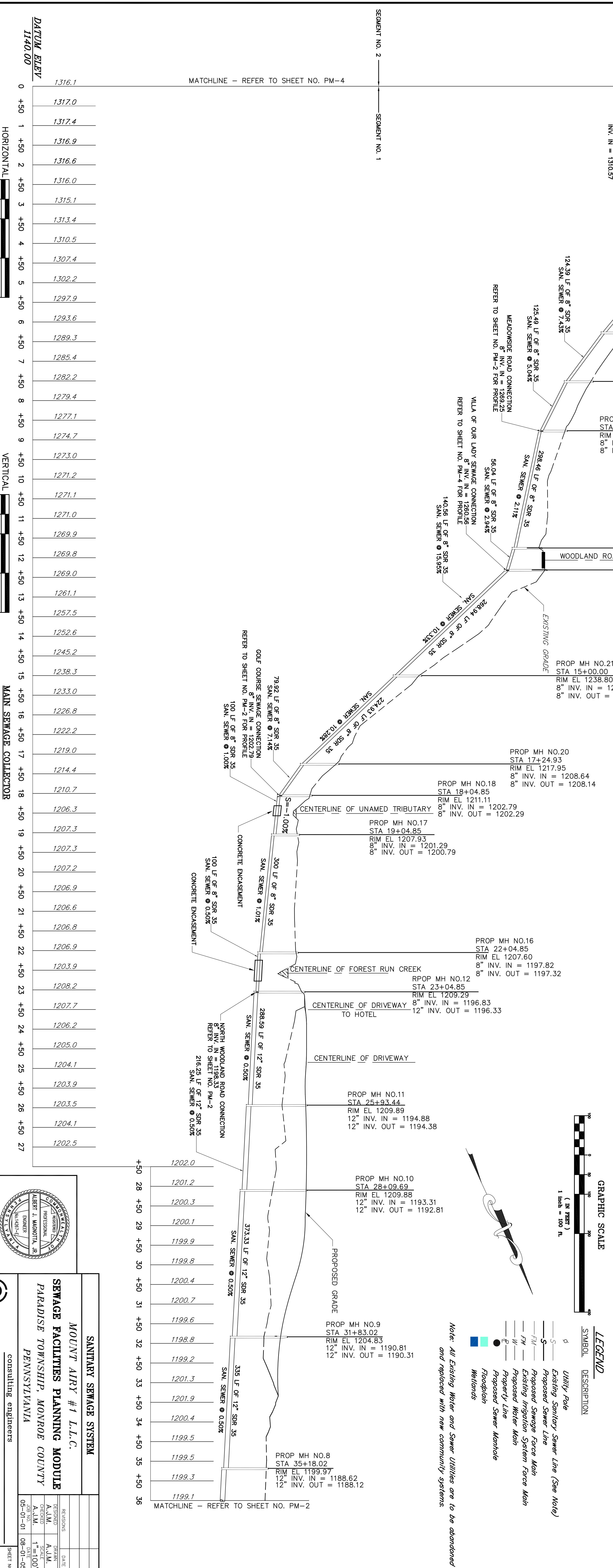
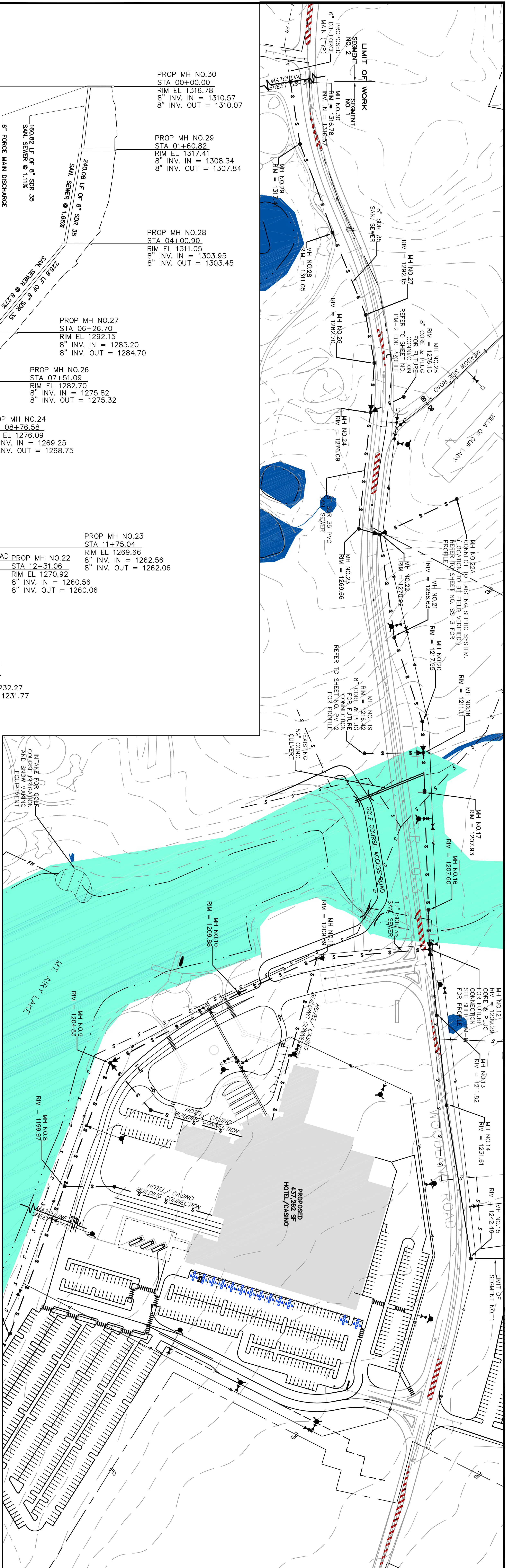
DATUM ELEV 1208.5

HORIZONTAL SCALE: 1" = 100'

VERTICAL SCALE: 1" = 20'

PROFESSOR OF CIVIL ENGINEERING
ALBERT J. MARONITA, JR., P.E.
REGISTRATION # 14287-E

REGISTERED PROFESSIONAL ENGINEER
ALBERT J. MARONITA, JR.
No. 4887-E



LEGEND

SYMBOL	DESCRIPTION
(Symbol)	Utility Pole
(Symbol)	Existing Sanitary Sewer Line (See Note)
(Symbol)	Proposed Sewer Line
(Symbol)	Proposed Sewage Force Main
(Symbol)	Existing Irrigation System Force Main
(Symbol)	Proposed Water Main
(Symbol)	Property Line
(Symbol)	Proposed Sewer Manhole
(Symbol)	Neighborhood
(Symbol)	Wetlands

Note: All Existing Water and Sewer Utilities are to be abandoned and replaced with new community systems.

DATUM ELEV

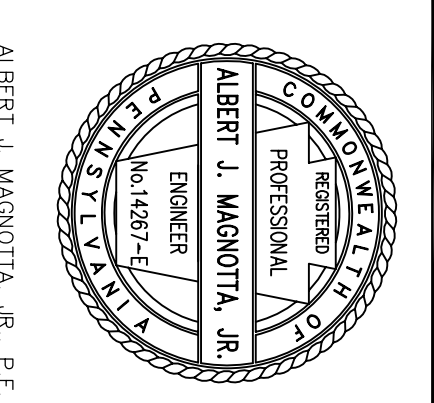
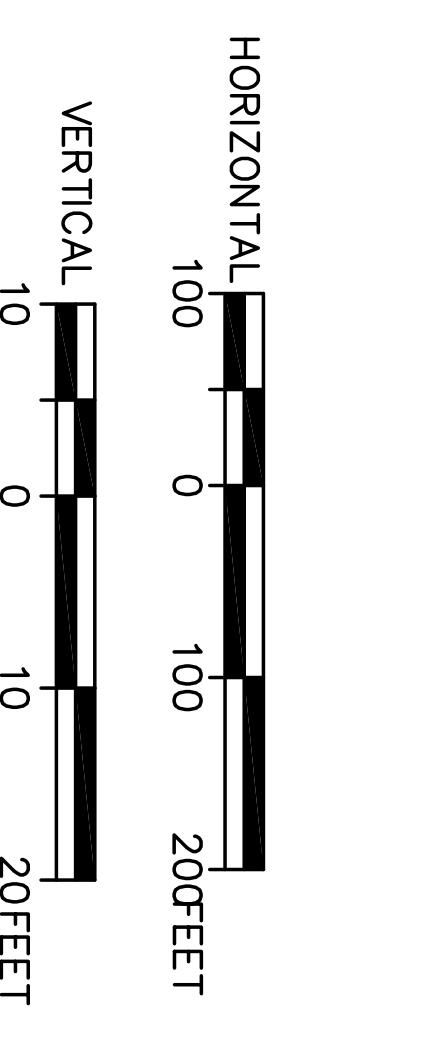
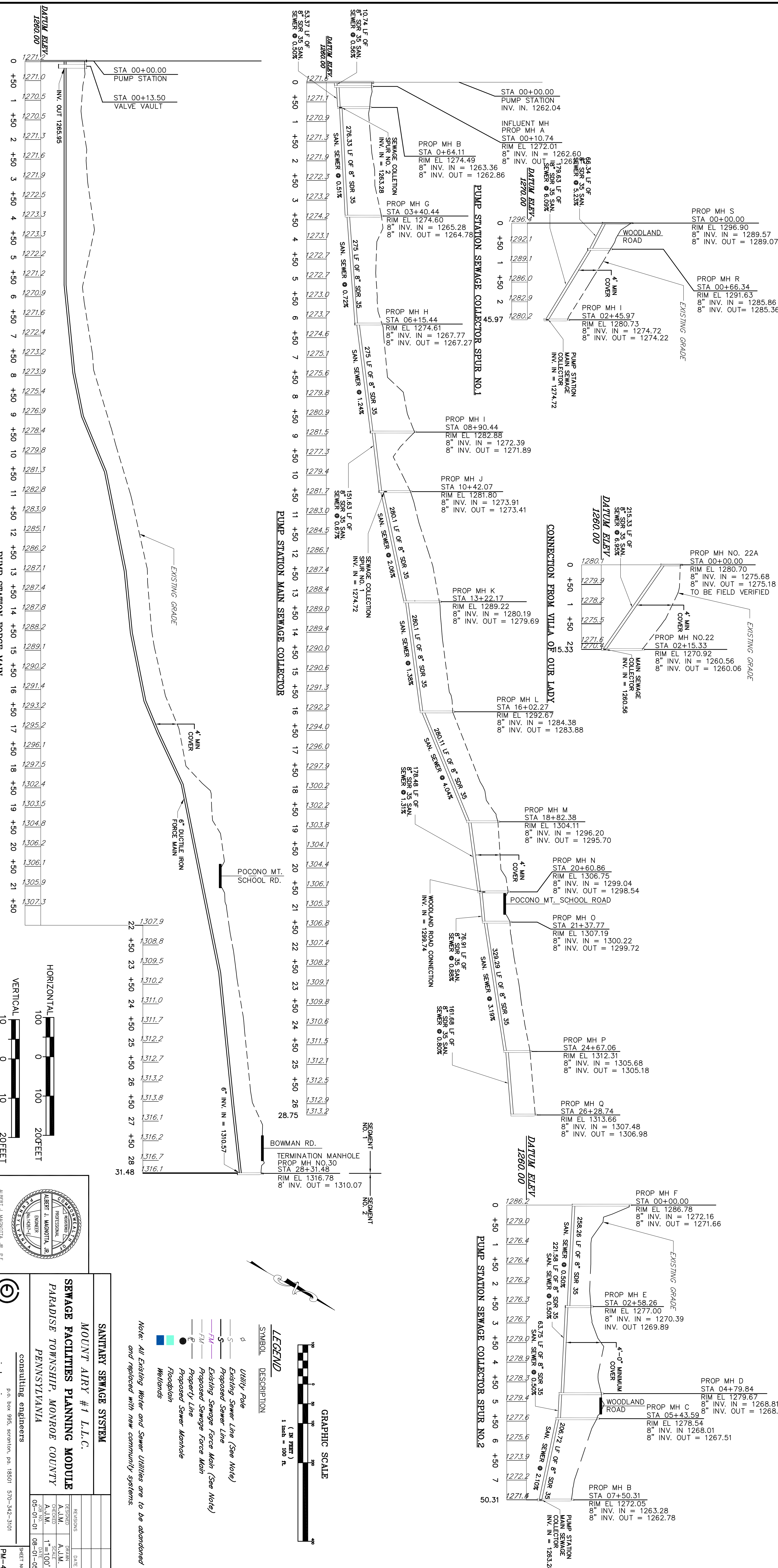
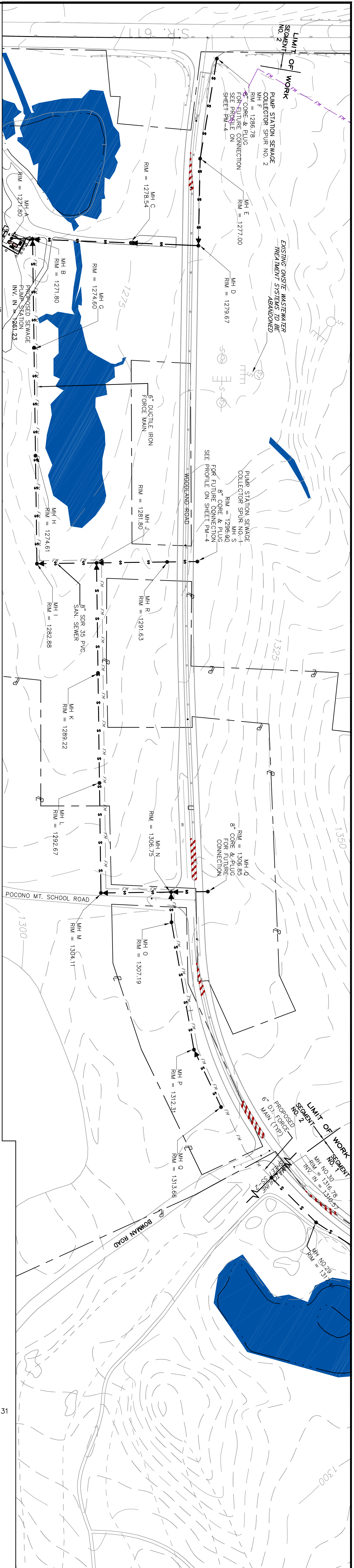
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1	1317.0
2	1317.4
3	1316.9
4	1316.6
5	1316.0
6	1315.1
7	1313.4
8	1310.5
9	1307.4
10	1302.2
11	1297.9
12	1293.6
13	1289.3
14	1285.4
15	1282.2
16	1279.4
17	1277.1
18	1274.7
19	1273.0
20	1271.2
21	1271.0
22	1269.9
23	1269.8
24	1269.0
25	1269.0
26	1261.1
27	1257.5
28	1252.6
29	1238.3
30	1233.0
31	1226.8
32	1222.2
33	1219.0
34	1214.4
35	1210.7
36	1206.3
37	1207.3
38	1207.3
39	1207.2
40	1206.9
41	1206.6
42	1206.8
43	1206.9
44	1203.9
45	1208.2
46	1207.7
47	1206.2
48	1205.0
49	1204.1
50	1203.9
51	1203.5
52	1204.1
53	1202.5
54	1202.0
55	1201.2
56	1200.3
57	1200.1
58	1199.9
59	1199.8
60	1200.4
61	1200.7
62	1199.6
63	1198.8
64	1199.2
65	1201.3
66	1201.9
67	1200.4
68	1199.5
69	1199.5
70	1199.3
71	1199.1

SEWAGE FACILITIES PLANNING MODULE
PARADISE TOWNSHIP, MONROE COUNTY
 PENNSYLVANIA

consulting engineers
Geo associates, inc.

REGISTERED PROFESSIONAL ENGINEER
 ALBERT J. MARONITA, JR. P.E.
 REGISTRATION # 18272-E

DATE: _____
 DESIGNED BY: _____
 CHECKED BY: _____
 A.I.M. #1001
 DATE: 05-31-01
 SHEET NO. PM-3



SANITARY SEWAGE SYSTEM
MOUNT AIRY #1 L.L.C.
SEWAGE FACILITIES PLANNING MODULE
PARADISE TOWNSHIP, MONROE COUNTY
PENNSYLVANIA

DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 05-31-01

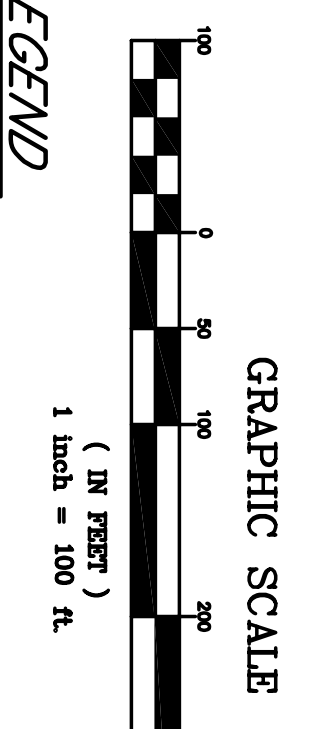
consulting engineers
 ceco associates, inc.
 P.O. box 995, scotchrun, pa. 18501 570-346-3101

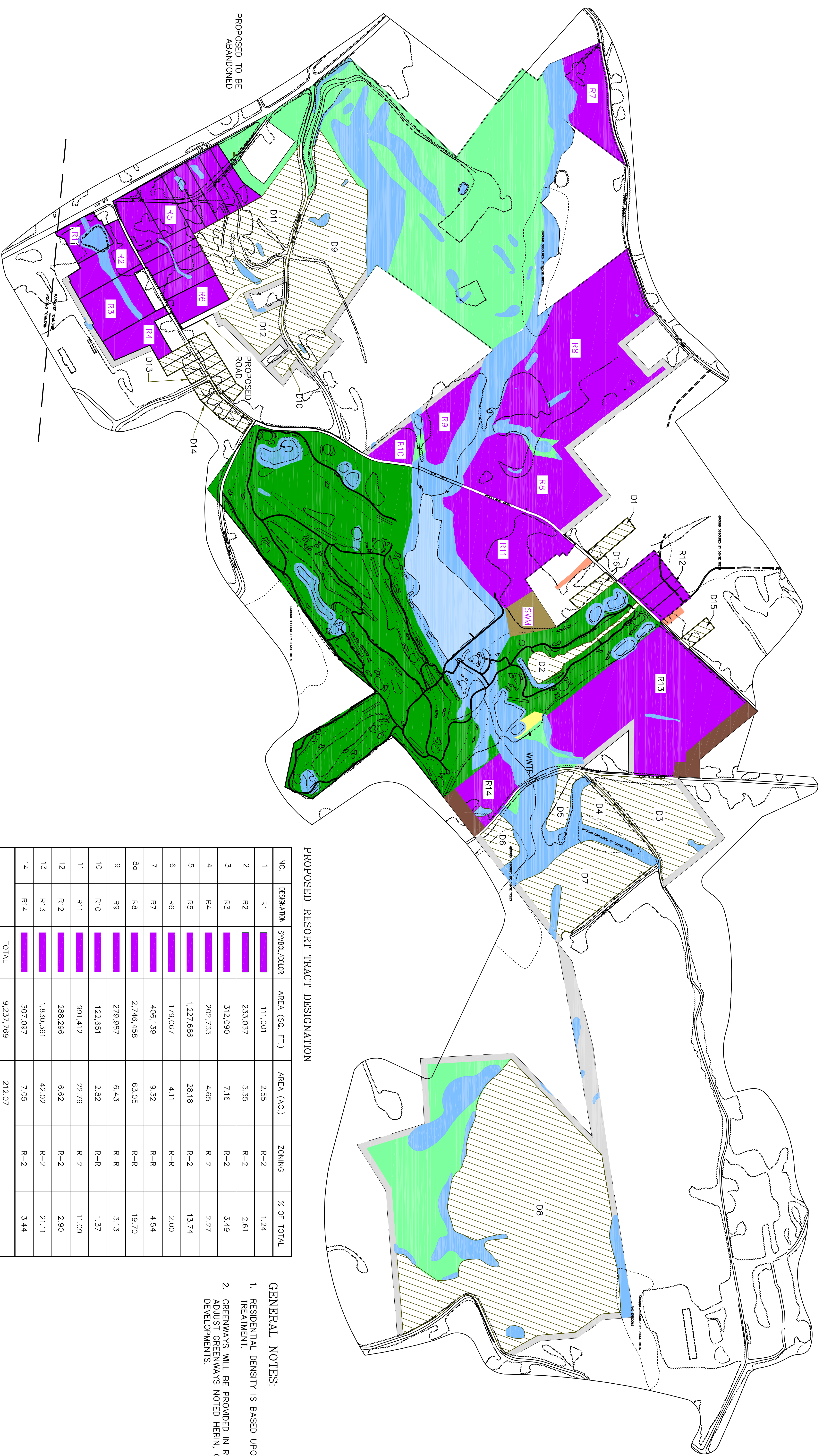
SHEET NO. PM-4

LEGEND

Utility Pole
 Existing Sewer Line (See Note)
 Proposed Sewer Line
 Existing Sewage Force Main (See Note)
 Proposed Sewage Force Main
 Property Line
 Proposed Sewer Manhole
 Floodplain
 Wetlands

Note: All Existing Water and Sewer Utilities are to be abandoned and replaced with new community systems.





PROPOSED RESORT TRACT DESIGNATION

NO.	DESIGNATION	SYMBOL/COLOR	AREA (SQ. FT.)	AREA (AC.)	ZONING	% OF TOTAL
1	R1		111,001	2.55	R-2	1.24
2	R2		233,037	5.35	R-2	2.61
3	R3		312,090	7.16	R-2	3.49
4	R4		202,735	4.65	R-2	2.27
5	R5		1,227,666	28.18	R-2	13.74
6	R6		179,067	4.11	R-R	2.00
7	R7		406,139	9.32	R-R	4.54
8	R8		2,746,458	63.05	R-R	19.70
9	R9		279,987	6.43	R-R	3.13
10	R10		122,651	2.82	R-R	1.37
11	R11		991,412	22.76	R-2	11.09
12	R12		288,296	6.62	R-2	2.90
13	R13		1,830,391	42.02	R-2	21.11
14	R14		307,097	7.05	R-2	3.44
	TOTAL		9,237,769	212.07		

- GENERAL NOTES:**
- RESIDENTIAL DENSITY IS BASED UPON SCHEDULE IV, OPTION I WITH CENTRAL WATER SUPPLY AND WASTEWATER TREATMENT.
 - GREENWAYS WILL BE PROVIDED IN RESIDENTIAL DEVELOPMENTS. MT. AIRY NO.1 L.L.C. REQUEST THE RIGHT TO ADJUST GREENWAYS NOTED HEREIN, ON A 1 TO 1 BASIS FOR GREENWAYS PROVIDED IN THE RESIDENTIAL DEVELOPMENTS.

PROPOSED RESIDENTIAL TRACT DESIGNATION

NO.	DESIGNATION	SYMBOL/COLOR	AREA (SQ. FT.)	AREA (AC.)	ZONING	% OF TOTAL	MAX. DWELLINGS*
1	D1		79,053	1.81	R-2	0.88	4.71
2	D2		142,063	3.26	R-2	1.58	8.47
3	D3		682,561	15.67	R-1	7.61	40.70
4	D4		217,218	4.99	R-R	2.42	12.95
5	D5		129,773	2.98	R-R	1.45	7.74
6	D6		126,389	2.90	R-R	1.41	7.54
7	D7		712,487	16.36	R-R	7.94	42.49
8	D8		4,129,923	94.81	R-R	44.03	235.62
9	D9		1,323,746	30.39	R-R	14.75	78.94
10	D10		31,470	0.72	R-2	0.35	1.88
11	D11		740,956	17.01	R-2	8.26	44.19
12	D12		320,788	7.36	R-2	3.57	19.13
13	D13		274,764	6.31	R-2	3.06	16.39
14	D14		122,571	2.81	R-2	1.37	7.31
15	D15		47,778	1.10	R-2	0.53	2.85
16	D16		70,603	1.62	R-2	0.79	4.21
	TOTAL		9,151,956	210.10			535.12

TOTAL ACQUIRED LAND (TL) = 889.98 AC
 TRACT ACERAGE ADJUSTED (TA) = 744.96 AC
 REQUIRED GREENWAY (G) = 508.82 AC
 PRIMARY CONSERVATION AREAS (PC) = 136.34 AC
 SECONDARY CONSERVATION AREAS - NO SECONDARY CONSERVATION AREAS AS DEFINED IN ZONING ORDINANCE
 POTENTIAL GREENWAY AREAS (PG) - 508.82 ACRES REQUIRED

TOTAL ACQUIRED LAND (TL) = 889.98 AC
 LAND ZONED AS RURAL RESIDENTIAL DISTRICT (R-R) = 438.19 AC = 49.24%
 LAND ZONED AS LOW DENSITY RESIDENTIAL DISTRICT (R-1) = 18.79 AC = 2.11%
 LAND ZONED AS MODERATE DENSITY RESIDENTIAL DISTRICT (R-2) = 433.00 AC = 48.65%
 TRACT ACERAGE ADJUSTED (TA) = 744.96 AC
 *MAXIMUM RESIDENTIAL AREA = 373,14 AC
 49.24% OF 373,14 WILL BE R-R
 2.11% OF 373,14 WILL BE R-1
 48.65% OF 373,14 WILL BE R-2

THEREFORE:

NO.	ZONING	TOTAL ACERAGE	%	ZONED ACERAGE	MAX DENSITY (DU/AC)	MAX DWELLING
1	R-R	37314	49.24	183,73	1.5	122,49
2	R-1	37314	2.11	7,87	0.459	17,14
3	R-2	37314	48.65	181,53	0.459	395,49
	TOTAL					535,12

MAXIMUM DENSITY = THE MAXIMUM NUMBER OF PERMITTED DWELLING UNITS PER ADJUSTED TRACT ACERAGE (SEE SCHEDULE IV, OPTION NO. 1)

A. (R-R) = 1 DWELLING UNIT / 1.5 ACRE(S)
 B. (R-1) = 1 DWELLING UNIT / 20,000 SQ. FT.
 C. (R-2) = 1 DWELLING UNIT / 20,000 SQ. FT.

NO.	PARAMETER	SYMBOL/COLOR	AREA (SQ. FT.)	AREA (AC.)
1	Primary Conservation Areas		5,938,970	136.34
2	Wetlands		1,958,123	44.95
3	100 yr Floodplain		1,097,276	25.19
4	Golf Course		6,054,404	138.99
5	Wastewater Treatment Plant		30,658	0.70
6	Stormwater Management		160,667	3.69
7	60' Buffer		1,941,033	44.56
8	150' Buffer		551,905	12.67
9	Reserved Greenway		4,910,083	112.72
	Total Potential Greenway Area	PG	22,642,924	519.81

POTENTIAL DEVELOPMENT AREA (DA) = 370.17
 TOTAL ACQUIRED LAND (TL)

TL = DA+PG
 TL = 889.98 AC
 ZONING DISTRICTS & RESPECTIVE TRACT ACERAGE
 R-R = 438.19 AC
 R-1 = 18.79 AC
 R-2 = 433.00 AC

PRELIMINARY
 CEEO ASSOCIATES, INC.
 SCRANTON, PA 18501
 NOT FOR CONSTRUCTION
 DATE: 08-01-2005

GRAPHIC SCALE
 1 inch = 500 ft.
 (IN FEET)

PROJECT GREENWAY/DEVELOPMENT AREAS
 MOUNT AIRY #1 L.L.C.
 SEWAGE FACILITIES PLANNING MODULE
 PARADISE TOWNSHIP, MONROE COUNTY
 PENNSYLVANIA

consulting engineers
 ceeo associates inc.
 P.O. box 995, scranton, pa. 18501 570-342-3101

DATE: 08-01-05
 DRAWN BY: JLM
 CHECKED BY: JLM
 SCALE: 1"=500'
 SHEET NO: PM-6

*GUIDANCE ONLY - MASTER PLAN APPROVAL BY PARADISE TOWNSHIP WILL PERMIT FLEXIBILITY IN ASSIGNMENT OR MAXIMUM DWELLING UNITS FOR EACH TRACT WITH A MAXIMUM OF 535 UNITS INCORPORATED INTO 210 ACRES.

MOUNT AIRY #1 LLC
PaDEP SEWAGE FACILITIES PLANNING MODULES
EXHIBIT H - ALTERNATIVE SEWAGE FACILITIES ANALYSIS

EXHIBIT H

PaDEP COMPONENT 3 SEWAGE COLLECTION AND TREATMENT FACILITIES SECTION H- ALTERNATIVES ANALYSIS

The collection and treatment of wastewater generated from the improvements to the Mount Airy # 1 LCC land holdings is proposed to be accomplished in several segments as detailed below:

- **Segment No.1** - A new sanitary sewer gravity collection system is to be constructed to provide service to the Hotel/Casino Facility, BUS/RV/Employee Parking Area, the Villa of Our Lady and the Golf Course Pro Shop/Restaurant. Note that a temporary connection will be made to the existing Maintenance Facility. These facilities are projected to generate 163,000 gallons per day of wastewater. The wastewater will be conveyed by the gravity collection system to the existing on site Wastewater Treatment Plant- NPDES Permit No. Pa. 4579402. The WWTP has a permitted capacity of 220,000 gpd. The WWTP will be rehabilitated in kind, the solid removal and disinfection system will be upgraded, the golf course holding pond will be cleaned and the golf course pumping equipment and force main will be enhanced as part of Segment No.1.
- **Segment No.2** - This portion of the infrastructure improvements will entail the extension of the sanitary sewer collection system along the Woodland Road Corridor from Bowman Road to SR611. Currently, there are no residential or non residential developments planned within the Woodland Road Corridor. However, the extension of the sanitary sewer system will be installed in conjunction with the total reconstruction of Woodland Road. As detailed in Section F- Project Narrative, the maximum buildout of the Woodland Road Corridor would generate a projected 438,534 gallons per day. The Mount Airy WWTP has a hydraulic capacity of 220,000 gpd, thus the maximum buildout of the Woodland Road Corridor can't be accomplished, in the short term. A new flow meter/recorder has been installed in the Mt. Airy WWTP. As confirmation is established as to the actual volume of wastewater generated from the Hotel/Casino Facility, BUS/RV/Employee Parking Area, the Villa of Our Lady and the Golf Course/Restaurant complex, the balance of flow (EDU) available within the confines of the 220,000 gpd WWTP permitted capacity will be distributed on a select basis.

- **Segment No.3-** In the long term, to maximize the potential build out of the 890 acre Mount Airy #1 LLC parcel, modifications to the existing WWTP or connection to a publically owned/operated WWTP must be accomplished.

In Section F- Project Narrative, based upon a Master Plan Concept developed in conjunction with the Ordinances of Paradise Township, the land holdings of Mount Airy #1 LLC have the potential to generate approximately 792,000 gpd at full buildout. Presently, Mount Airy #1 LLC is evaluating environmentally responsible process options to increase the capacity of the WWTP while, at the same time, minimizing direct discharge to Forest Run. In addition, contract will be made with representatives of Mount Pocono Sewer Authority and Pocono Township Sewer Authority to determine the feasibility of connecting to the existing and proposed WWTP.

The land adjacent to the Mount Airy # 1 LLC land holdings is essentially residential. Paradise Township Zoning Classifies all adjacent land uses as either R-1, R-2 or RR. Thus, only residential uses are permitted on lands adjacent to the Mount Airy # 1 LLC parcel. All the existing residential units within the portion of Paradise Township are served by on-lot sewage disposal system. Based upon the information available, the existing on lot sewage disposal system are functioning adequately.

The Paradise Township Act 537 Sewage Plan dated 1997 designates the Mount Airy WWTP as the wastewater disposal option for the Mount Airy # 1 LLC/and holdings and on lot wastewater disposal option for the adjacent residential properties.

Presently, the Mount Airy Wastewater Treatment Plant and Sanitary Sewage collection system is planned to provide service only to the development contained within the 890 acre parcel owned by Mount Airy #1 LLC. Within the tributary area of the collection systems there are six (6) residential properties for which service could be provided. However, it appears that all of said residential properties individual on lot wastewater disposal systems are property functioning.

Based upon the character of the development that can be incorporated into the Mount Airy #1 LLC lands, i.e., composition of residential, commercial, service industry land uses, the concept of centralized collection and treatment of wastewater provides the best option to control development and minimize potential groundwater impacts. However, in the long term, a wastewater process and disposal option must be implemented which doesn't result in a negative water quality impact on the environment of Forest Run and maximizes ground water recharge.

The proper operation and maintenance of the Mount Airy WWTP and sanitary sewer collection system is imperative to the successful operation of the Hotel/Gaming Facility. A PaDEP Certified Wastewater Operator, with the required classification will be responsible, on a daily basis, for operational, maintenance, monitoring and regulatory reporting activities. Staff support will be provided via the Maintenance Department implemented in conjunction with the Hotel/Gaming Facility. Thus, personnel will be available 24 hours/day, 7 days per week, 52 weeks/year to address operational and maintenance issues related to the WWTP process and/or Sanitary Sewer Collection System.

The ownership of the WWTP and collection system will be Mount Airy #1 LLC. The PaDEP certified operator in charge will be Jim Eiden, Certificate No. 57416. With the exception of roadway crossings owned by the Commonwealth or Paradise Township, all facilities will be on property owned by Mount Airy No. 1 LLC.

MOUNT AIRY #1 LLC
PaDEP SEWAGE FACILITIES PLANNING MODULES
EXHIBIT I - RARE, ENDANGERED, OR THREATENED SPECIES

2601 North Front Street
Harrisburg, PA 17110-1185



Phone: 717-232-0593
800-892-6532

E-mail: skellyloy@skellyloy.com
Internet: www.skellyloy.com

Fax: 717-232-1799

January 19, 2005

Mr. Justin Newell
Pennsylvania Department of Conservation
and Natural Resources
Bureau of Forestry
Post Office Box 8552
Harrisburg, Pennsylvania 17105-8552

Re: Threatened and Endangered Species
Assessment Request, Mount Airy
Lodge Improvement Project

Dear Mr. Newell:

Skelly and Loy, Inc. is in the process of conducting environmental studies pertaining to the Mount Airy Lodge Improvement Project in Paradise Township, Monroe County, Pennsylvania. Skelly and Loy is compiling all the data that are necessary for a Pennsylvania Department of Environmental Protection and U.S. Army Corps of Engineers Joint Permit Application for the project area. Part of the requirements for these documents is to determine the presence of threatened and endangered species within the project area.

Please review the enclosed map and identify any known threatened and endangered plant or animal species that may occur in the project area. Thank you for your time and attention to this project. If you have any questions regarding the project, please call me at the above number.

Sincerely yours,

SKELLY and LOY, Inc.

Karen M. Johnston
Botanist

Enclosures

cc: Paul DeAngelo
Andrew Longenecker ✓
1605054
File: T&E_LTRS_KMJ.wpd



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT
BUREAU OF WATERWAYS ENGINEERING

FOR OFFICIAL USE ONLY

PNDI Screening

Reviewer _____

Date _____

Phone No. _____

SUPPLEMENT NO. 1
PENNSYLVANIA NATURAL DIVERSITY INVENTORY SEARCH FORM

This form provides site information necessary to perform a computer screening for species of special concern listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, the Pennsylvania Fish and Boat Code or the PA Game and Wildlife Code. Records regarding species of special concern are maintained by PA DCNR in a computer database called the "Pennsylvania Natural Diversity Inventory" (PNDI). Results from this search are not intended to be a conclusive compilation of all potential special concern resources located within a proposed project site. On-site biological surveys may be recommended to provide a definitive statement on the presence or absence, or degree of natural integrity of any project site. Results of this PNDI search are valid for one year after the initial search or conclusion of coordination with the jurisdictional agency (whichever is later), then a new PNDI coordination process must be initiated, and a new PNDI search is required. The search area should include the entire area that presently or in the future requires a permit or authorization.

Please complete the information below, attach an 8½" x 11" photocopy (DO NOT REDUCE) of the portion of the U.S.G.S. Quadrangle Map that identifies the project location and outlines the approximate boundaries of the project and mail to the appropriate DEP regional office or delegated County Conservation District prior to completing a Chapter 105 environmental assessment or any other DEP permit application. (SEE REVERSE SIDE FOR LIST OF OFFICES AND ADDRESSES).

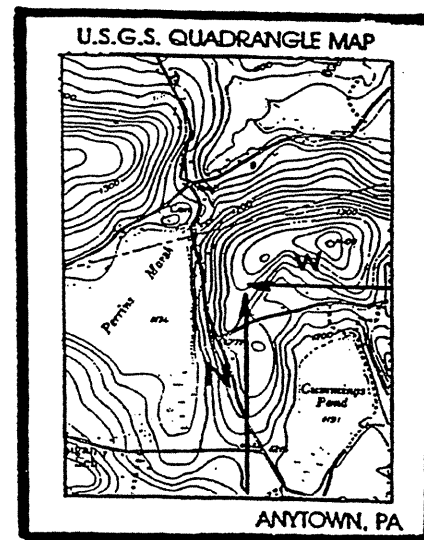
NAME: Karen JohnstonADDRESS: Skelly and Lay, Inc.2601 North Front StreetHarrisburg, PA 17110PHONE: (717) 232-0593COUNTY: Monroe CountyMUNICIPALITY: Paradise Township

U.S.G.S. 7½ Minute Quadrangle

Mount Pocono, PA

PROJECT DESCRIPTION AND SIZE (Briefly describe entire area relevant to your project, including acreage.)

The Mount Airy Lodge Improvement project involves the refurbishing and expansion of the existing facility. Total project area = 456 acres.

Latitude 41° 06' 41" Longitude 75° 19' 23"

(OR) North (Up) _____ inches

West (to the left) _____ inches

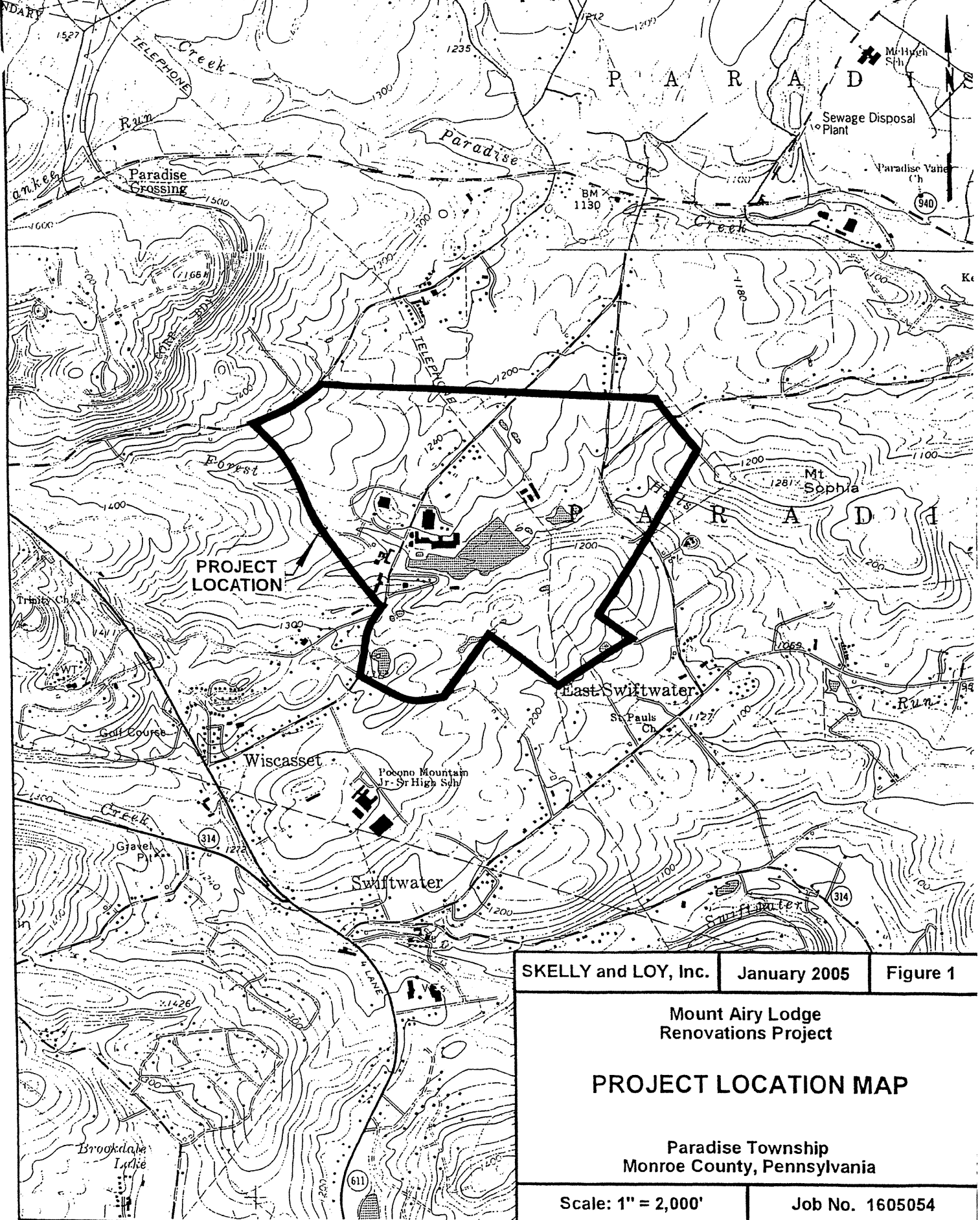
- INDICATE BY LATITUDE AND LONGITUDE; -- OR --
- INDICATE PROJECT LOCATION TO THE NEAREST ONE TENTH INCH MEASURING FROM THE EDGE OF THE MAP IMAGE FROM THE LOWER RIGHT CORNER.

SCREENING RESULTS - Follow the directions of the checked block.

No potential conflicts were encountered during the PNDI inquiry. Include this form and the PNDI receipt with your Chapter 105 environmental assessment or other DEP permit application submissions.

Potential conflicts must be resolved by contacting the natural resource agencies listed on the PNDI receipt. Please provide a copy of this form and the PNDI receipt along with a brief description of your project to the listed agency for consultation and recommendations. Include this form, the printed PNDI search results and the natural resource agency's written recommendation with your Chapter 105 environmental assessment or other DEP permit application submissions.

Source: U.S.G.S. 7.5' Quadrangles - Mount Pocono and Buck Hill Falls, Pennsylvania



SKELLY and LOY, Inc. January 2005 Figure 1

Mount Airy Lodge
Renovations Project

PROJECT LOCATION MAP

Paradise Township
Monroe County, Pennsylvania

Scale: 1" = 2,000' Job No. 1605054



Pennsylvania Natural Diversity Inventory

Scientific Information and expertise for the conservation of Pennsylvania's native biological diversity

DCNR, Bureau of Forestry

March 4, 2005

Karen Johnston
Skelly and Loy
2601 North Front Street
Harrisburg, PA 17110

**Re: Pennsylvania Natural Diversity Inventory Review, PER NO: 17301
Mount Airy Lodge Improvement Project
Paradise Twp, Monroe County**

Dear Ms. Johnston:

In response to the request received January 20, 2005 to perform a PNDI Database Search of the above-mentioned project, we have reviewed the area using the Pennsylvania Natural Diversity Inventory (PNDI) information system.

PNDI records indicate that no occurrences of species of special concern are known to exist within the project area referenced above, therefore we do not anticipate any impact on endangered, threatened, or rare species at this location.

PNDI attempts to be a complete information resource on species of special concern located within the Commonwealth. However, it may not contain all location information for species within the jurisdiction of other agencies. Please contact the Fish and Boat Commission, the Game Commission and US Fish and Wildlife Service for more information on species within their purview.

PNDI is the environmental review function of the Pennsylvania Natural Heritage Program, and uses a site-specific information system that describes significant natural resources within the Commonwealth. This system includes data descriptive of plant and animal species of special concern, exemplary natural communities and unique geological features. PNDI is a cooperative project of the Department of Conservation and Natural Resources, The Nature Conservancy and the Western Pennsylvania Conservancy. This response represents the most up-to-date summary of the PNDI data files and is good for one year. An absence of recorded information does not necessarily imply actual conditions on-site. A field survey of any site may reveal previously unreported populations.

Feel free to phone our office if you have questions concerning this response or the PNDI system, and please refer to the P.E.R. Reference Number at the top of the letter in future correspondence concerning this project.

Sincerely,

Ellen M. Shultzabarger
Environmental Review Specialist

P: 717-772-0258
F: 717-772-0271

2601 North Front Street
Harrisburg, PA 17110-1185



Phone: 717-232-0593
800-892-6532

E-mail: skellyloy@skellyloy.com
Internet: www.skellyloy.com

Fax: 717-232-1799

January 19, 2005

Mr. David Densmore
U.S. Fish and Wildlife Service
315 South Allen Street, Suite 322
State College, Pennsylvania 16801

Re: Threatened and Endangered Species
Assessment Request, Mount Airy
Lodge Improvement Project

Dear Mr. Densmore:

Skelly and Loy, Inc. is in the process of conducting environmental studies pertaining to the Mount Airy Lodge Improvement Project in Paradise Township, Monroe County, Pennsylvania. Skelly and Loy is compiling all the data that are necessary for a Pennsylvania Department of Environmental Protection and U.S. Army Corps of Engineers Joint Permit Application for the project area. Part of the requirements for these documents is to determine the presence of threatened and endangered species within the project area.

Please review the enclosed map and identify any known threatened and endangered plant or animal species that may occur in the project area. Thank you for your time and attention to this project. If you have any questions regarding the project, please call me at the above number.

Sincerely yours,

SKELLY and LOY, Inc.

Karen M. Johnston
Botanist

Enclosures

cc: Paul DeAngelo
Andrew Longenecker
1605054
File: T&E_LTRS_KMJ.wpd



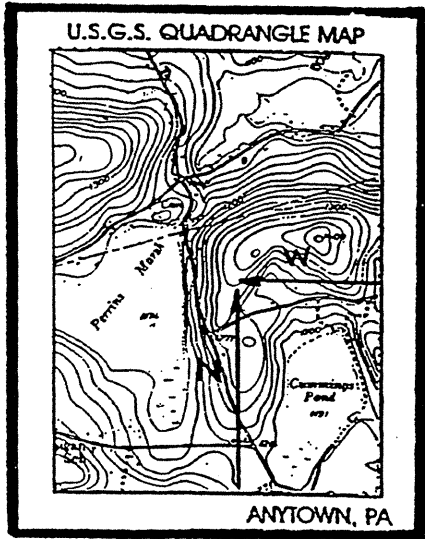
FOR OFFICIAL USE ONLY	
PNDI Screening	_____
Reviewer	_____
Date	_____
Phone No.	_____

SUPPLEMENT NO. 1
PENNSYLVANIA NATURAL DIVERSITY INVENTORY SEARCH FORM

This form provides site information necessary to perform a computer screening for species of special concern listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, the Pennsylvania Fish and Boat Code or the PA Game and Wildlife Code. Records regarding species of special concern are maintained by PA DCNR in a computer database called the "Pennsylvania Natural Diversity Inventory" (PNDI). Results from this search are not intended to be a conclusive compilation of all potential special concern resources located within a proposed project site. On-site biological surveys may be recommended to provide a definitive statement on the presence or absence, or degree of natural integrity of any project site. Results of this PNDI search are valid for one year after the initial search or conclusion of coordination with the jurisdictional agency (whichever is later), then a new PNDI coordination process must be initiated, and a new PNDI search is required. The search area should include the entire area that presently or in the future requires a permit or authorization.

Please complete the information below, attach an 8½" x 11" photocopy (DO NOT REDUCE) of the portion of the U.S.G.S. Quadrangle Map that identifies the project location and outlines the approximate boundaries of the project and mail to the appropriate DEP regional office or delegated County Conservation District prior to completing a Chapter 105 environmental assessment or any other DEP permit application. (SEE REVERSE SIDE FOR LIST OF OFFICES AND ADDRESSES).

NAME: Karen Johnston
 ADDRESS: Skelly and Lay, Inc.
2601 North Front Street
Harrisburg, PA 17110
 PHONE: (717) 232-0593
 COUNTY: Monroe County
 MUNICIPALITY: Paradise Township
 U.S.G.S. 7½ Minute Quadrangle
Mount Pocono, PA



Latitude 41° 06' 41" Longitude 75° 19' 23"
 (OR) North (Up) _____ inches
 West (to the left) _____ inches
 - INDICATE BY LATITUDE AND LONGITUDE; - OR -
 - INDICATE PROJECT LOCATION TO THE NEAREST ONE TENTH INCH MEASURING FROM THE EDGE OF THE MAP IMAGE FROM THE LOWER RIGHT CORNER.

PROJECT DESCRIPTION AND SIZE (Briefly describe entire area relevant to your project, including acreage.)

The Mount Airy Lodge Improvement project involves the refurbishing and expansion of the existing facility. Total project area = 456 acres.

SCREENING RESULTS - Follow the directions of the checked block.

- No potential conflicts were encountered during the PNDI inquiry. Include this form and the PNDI receipt with your Chapter 105 environmental assessment or other DEP permit application submissions.
- Potential conflicts must be resolved by contacting the natural resource agencies listed on the PNDI receipt. Please provide a copy of this form and the PNDI receipt along with a brief description of your project to the listed agency for consultation and recommendations. Include this form, the printed PNDI search results and the natural resource agency's written recommendation with your Chapter 105 environmental assessment or other DEP permit application submissions.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



February 18, 2005

PJD/AJC
FEB 22 2005

Karen M. Johnston
Skelly and Loy, Inc.
2601 North Front Street
Harrisburg, PA 17110-1185

Re: USFWS Project #20050380

Dear Ms. Johnston:

This responds to your letter of January 19, 2005, requesting information about federally listed and proposed endangered and threatened species within the area affected by the proposed Mount Airy Lodge Improvements Project located in Paradise Township, Monroe County, Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

The proposed project is within the known range of the bog turtle (*Clemmys muhlenbergii*), a species that is federally listed as threatened. Bog turtles inhabit shallow, spring-fed fens, sphagnum bogs, swamps, marshy meadows, and pastures characterized by soft, muddy bottoms; clear, cool, slow-flowing water, often forming a network of rivulets; high humidity; and an open canopy. Bog turtles usually occur in small, discrete populations occupying suitable wetland habitat dispersed along a watershed. The occupied "intermediate successional stage" wetland habitat is usually a mosaic of micro-habitats ranging from dry pockets, to areas that are saturated with water, to areas that are periodically flooded. Some wetlands occupied by bog turtles are located in agricultural areas and are subject to grazing by livestock.

To determine the potential effects of the proposed project on bog turtles and their habitat, begin by identifying all wetlands in, and within 300 feet of, the project area. The project area includes all areas that will be permanently or temporarily affected by any and all project features, including building, roads, staging areas, utility lines, outfall and intake structures, wells, stormwater retention or detention basins, parking lots, driveways, lawns, etc. The area of investigation should be expanded when project effects might extend more than 300 feet from the project footprint. For example, the hydrological effects of some projects (*e.g.*, large residential or commercial developments; golf courses; community water supply wells) might extend well beyond the project footprint due to the effects that impervious surfaces or groundwater pumping may have on the hydrology of nearby groundwater-dependent wetlands. Wetlands should be included on a map showing existing as well as proposed project features.

If someone qualified to identify and delineate wetlands has, through a field investigation, determined that no wetlands are located in or within 300 feet of the project area (or within the expanded investigation area, as described above), it is not likely that your project will adversely affect the bog turtle. If this is the case, no further consultation with the Fish and Wildlife Service is necessary, although we would appreciate receiving a courtesy copy of the wetland investigator's findings for our files.

If wetlands have been identified in or within 300 feet of the project area (or in an expanded investigation area, as described above), their potential suitability as bog turtle habitat should be assessed, as described under "*Bog Turtle Habitat Survey*" (Phase 1 survey) of the enclosed *Guidelines for Bog Turtle Surveys*. A list of qualified bog turtle surveyors is enclosed, although the habitat survey could also be conducted by someone not on this list (e.g., a biologist or wetland scientist with training in bog turtle habitat identification). A Phase 1 field form and report template are enclosed for your convenience and use. Survey results should be submitted to the Service for review and concurrence.

If potential bog turtle habitat is found in or near the project area, efforts should be made to avoid any direct or indirect impacts to those wetlands (see enclosed *Bog Turtle Conservation Zones*). Avoidance of direct and indirect effects means no disturbance to or encroachment into the wetlands (e.g., filling, ditching or draining) for any project-associated features or activities. Adverse effects may also be anticipated to occur when lot lines include portions of the wetland; when an adequate upland buffer is not retained around the wetland (see *Bog Turtle Conservation Zones*); or when roads, stormwater/sedimentation basins, impervious surfaces, or wells affect the hydrology of the wetland.

We recommend that if potential habitat is found, you submit (along with your Phase 1 survey results) a detailed project description and detailed project plans documenting how direct and indirect impacts to the wetlands will be avoided. If adverse effects to these wetlands cannot be avoided, a more detailed and thorough survey should be done, as described under "*Bog Turtle Survey*" (Phase 2 survey) of the *Guidelines*. The Phase 2 survey should be conducted by a qualified biologist with bog turtle field survey experience (see enclosed list of qualified surveyors), and survey results should be submitted to the Service for review and concurrence.

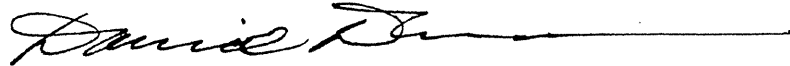
In cases where adverse effects to federally listed species cannot be avoided, further consultation with the Service would be necessary to avoid potential violations of section 9 (prohibiting "take" of listed species) and/or section 7 (requiring federal agencies to consult) of the Endangered Species Act. Information about the section 7 and section 10 consultation processes (for federal and non-federal actions, respectively) can be obtained by contacting this office or accessing the Service's Endangered Species Home Page (<http://endangered.fws.gov>).

This response relates only to endangered and threatened species under our jurisdiction based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities. A compilation of certain federal status species in Pennsylvania is enclosed for your information.

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

Please contact Jennifer Dombroskie of my staff at 814-234-4090 if you have any questions or require further assistance regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Densmore", followed by a horizontal line extending to the right.

David Densmore
Supervisor

Enclosures



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



July 6, 2005

Andy Brookens
Skelly and Loy
18028 Maugans Avenue
Hagerstown, MD 21740

Re: USFWS Project #2005-0380

Dear Mr. Brookens:

This responds to your letter of June 17, 2005, which provided the Fish and Wildlife Service with information regarding the Mount Airy Lodge project in Paradise Township, Monroe County, Pennsylvania. The proposed project is within the known range of the bog turtle (*Clemmys muhlenbergii*), a species that is federally listed as threatened. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

A Phase 1 bog turtle habitat assessment was conducted on April 12 and May 11, 2005. According to the Phase 1 report, none of the wetlands occurring within the property boundaries has the combination of hydrology, soils, and vegetation characteristic of suitable bog turtle habitat. Therefore, based on our review of this report, we conclude that implementation of the proposed project will not affect the bog turtle.

This determination is valid for two years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office is recommended. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered.

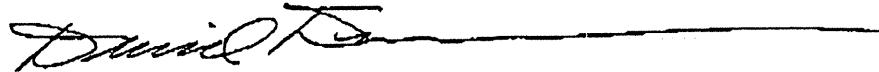
If the Phase 1 habitat assessment did not include all wetlands in all areas that will be directly or indirectly affected by the proposed project and project-associated features (*e.g.*, roads, water and sewer lines, utility lines, stormwater and sedimentation basins, buildings and other structures, driveways, parking lots, yards/lawns, wells), the scope of the Phase 1 survey should be expanded to include these areas. If any wetlands are located, the results of the expanded wetland and Phase 1 investigation should be submitted to our office for review so that we can confirm whether the above determination is still valid.

This response relates only to endangered and threatened species under our jurisdiction, based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

Please contact Bonnie Dershem of my staff at 814-234-4090 if you have any questions or require further assistance regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "David Densmore", followed by a long horizontal line extending to the right.

David Densmore
Supervisor

2601 North Front Street
Harrisburg, PA 17110-1185



Phone: 717-232-0593
800-892-6532

E-mail: skellyloy@skellyloy.com
Internet: www.skellyloy.com

Fax: 717-232-1799

January 19, 2005

Ms. Kathy Derge
Natural Diversity Section
Division of Environmental Services
Pennsylvania Fish and Boat Commission
450 Robinson Lane
Bellefonte, Pennsylvania 16823

Re: Threatened and Endangered Species
Assessment Request, Mount Airy
Lodge Improvement Project

Dear Ms. Derge:

Skelly and Loy, Inc. is in the process of conducting environmental studies pertaining to the Mount Airy Lodge Improvement Project in Paradise Township, Monroe County, Pennsylvania. Skelly and Loy is compiling all the data that are necessary for a Pennsylvania Department of Environmental Protection and U.S. Army Corps of Engineers Joint Permit Application for the project area. Part of the requirements for these documents is to determine the presence of threatened and endangered species within the project area.

Please review the enclosed map and identify any known threatened and endangered plant or animal species that may occur in the project area. Thank you for your time and attention to this project. If you have any questions regarding the project, please call me at the above number.

Sincerely yours,

SKELLY and LOY, Inc.

Karen M. Johnston
Botanist

Enclosures

cc: Paul DeAngelo
Andrew Longenecker
1605054
File: T&E_LTRS_KMJ.wpd

COMMONWEALTH OF PENNSYLVANIA
FISH AND BOAT COMMISSION
 NATURAL DIVERSITY SECTION

SPECIES IMPACT REVIEW (SIR) REQUEST FORM

- A. This form provides the site information necessary to perform a computer database search for species of special concern listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, the Pennsylvania Fish and Boat Code or the Wildlife Code.
- B. Use only *one form* for each proposed project or location. Complete the information below and mail form to:

Natural Diversity Section
 Division of Environmental Services
 PA Fish and Boat Commission
 450 Robinson Lane
 Bellefonte, PA 16823
 Fax: (814) 359-5175
- C. This form, a cover letter including a project narrative, and accompanying maps should be sent to the above address for environmental reviews that *only* concern *reptiles, amphibians, fishes and aquatic invertebrates*. Reviews for other natural resources must be submitted to other appropriate agencies.
- D. The absence of recorded information from our databases and files does not necessarily imply actual conditions on site. Future field investigations could alter this determination. The information contained in our files is routinely updated. A review is valid for one year.
- E. *Please send us only one (1) copy of your request* – either by fax or by mail – not both. Mail is preferred to improve legibility of maps. Facsimile submission will not improve our response turn-around time.
- F. *Allow 30 days for completion of the review from the date of PFBC receipt*. Large projects and workload may extend this review timeframe.
- G. *In any future correspondence with us following your receipt of the SIR response, please refer to the assigned SIR number at the top left of our cover letter.*
- H. **FORMS THAT ARE NOT COMPLETED IN FULL WILL NOT BE REVIEWED.**

PLEASE PRINT OR TYPE: If available, provide the potential conflict PNDI Search Number: _____

PFBC-NESU response should be sent to:

Company/Agency: Stelly and Long, Inc. Form Preparer: Andrew Longenecker

Address: 2601 North Front Street
Harrisburg, PA 17110 Phone (8:00 AM to 4:00 PM): 717-232-0593

Project Description: The Mount Airy Lodge Improvement project involves the refurbishing and expansion of the existing facility

Indicate if the project is: Transportation or Non-transportation (check one)

Will the proposed project encroach directly or indirectly (e.g., runoff) upon wetlands or waterways? Circle one for each:

Wetlands: Yes No Unknown Waterways: Yes No Unknown

County: Monroe County Township/Municipality: Paradise Township

Name of the United States Geological Survey (U.S.G.S.) 7.5 Minute Quadrangle Map where project is located:
Mount Pocono, PA Project size (in acres): approx. 456 ac

Attach an 8.5" by 11" photocopy (DO NOT REDUCE) of the section of the U.S.G.S. Quadrangle Map which identifies the project location. On this map, indicate the location of the project center (if linear, depict both ends) and outline the approximate boundaries of the project area.

Specify latitude/longitude of the project center. Latitude: 41° 06' 41" N

Indicate latitude/longitude in degrees-minutes-seconds format only. Longitude: 75° 19' 23" W

Three steps are needed to convert from decimal degrees to degrees-minutes-seconds: (1) Degrees will be the whole number. (2) To get minutes, multiply the decimal degree portion by 60. (3) Multiply the decimal minute portion by 60 to get seconds.
 Example: (Latitude) 40.93748 = 40°; 0.93748 x 60 = 56.2488' = 56'; 0.2488 x 60 = 14.928 = 15" = 40°56'15" N
 (Longitude) 75.94740 = 75°; 0.94740 x 60 = 56.844' = 56'; 0.844 x 60 = 50.64 = 51" = 75°56'51" W

FOR PFBC USE ONLY

SIR#	Quad Name	Data Source	Search Result-Potential Species Conflict	Action

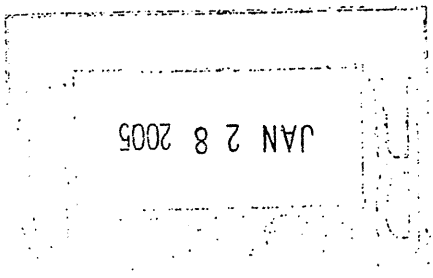


established 1866

Pennsylvania Fish & Boat Commission

PJG

Division of Environmental Services
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823-9620
(814) 359-5237 Fax: (814) 359-5175



January 25, 2005

IN REPLY REFER TO
SIR # 18068

SKELLY AND LOY
KAREN JOHNSTON
2601 N FRONT STREET
HARRISBURG, PA 17110-1185

**RE: Species Impact Review (SIR) - Rare, Candidate, Threatened and Endangered Species
MOUNT AIRY LODGE IMPROVEMENT PROJECT
PARADISE Township/Borough, MONROE County, Pennsylvania**

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code. The absence of recorded information from our files does not necessarily imply actual conditions on site. Future field investigations could alter this determination. The information contained in our files is routinely updated. A Species Impact Review is valid for one year only.

X **NO ADVERSE IMPACTS EXPECTED FROM THE PROPOSED PROJECT**

— Except for occasional transient species, rare, candidate, threatened or endangered species under our jurisdiction are not known to exist in the vicinity of the project area. Therefore, no biological assessment or further consultation regarding rare species is needed with the Commission. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered.

— An element occurrence of a rare, candidate, threatened, or endangered species under our jurisdiction is known from the vicinity of the proposed project. However, given the nature of the proposed project, the immediate location, or the current status of the nearby element occurrence(s), no adverse impacts are expected to the species of special concern.

If you have any questions regarding this review, please contact the biologist indicated below:

— Jeff Schmid 814-359-5236 — J.R. Holtmaster 814-359-5194
X Kathy Derge 814-359-5186

I am enclosing a copy of our "SIR Request Form", which is to be used for all future species impact review requests. Please make copies of the attached form and use with all future project reviews. Thank you in advance for your cooperation and attention to this important matter of species conservation and habitat protection.

SIGNATURE: _____

DATE: January 25, 2005

Christopher A. Urban
Chief, Natural Diversity Section

Our Mission:

www.fish.state.pa.us

To provide fishing and boating opportunities through the protection and management of aquatic resources.



Pennsylvania Fish & Boat Commission

Division of Environmental Services
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823-9620
(814) 359-5237 Fax: (814) 359-5175

June 30, 2005

IN REPLY REFER TO
SIR# 18068

SKELLY AND LOY
KAREN JOHNSTON
2601 N FRONT STREET
HARRISBURG, PA 17110-1185

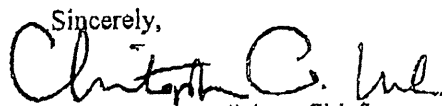
RE: Secondary Species Impact Review (SIR) #18068
MOUNT AIRY LODGE IMPROVEMENT PROJECT
Bog Turtle Habitat Survey
PARADISE Township/Borough, MONROE County, Pennsylvania

Dear Ms. JOHNSTON:

The staff of the Natural Diversity Section reviewed your recent correspondence regarding the above-referenced project and its potential to impact the bog turtle (*Clemmys muhlenbergii*, state endangered, federal threatened).

You conducted a bog turtle habitat evaluation at the project site and concluded that suitable habitat for bog turtles did not occur on-site. According to your report, the vegetation, hydrology, and soils are not consistent with wetlands known to support bog turtles. I concur with the conclusions of the Phase 1 habitat assessment; the habitat is not suitable for bog turtles. Therefore, I do not foresee the proposed project resulting in adverse impacts to the bog turtle or any other rare or protected species under Pennsylvania Fish and Boat Commission jurisdiction.

Please contact Kathy Derge of my staff at (814) 359-5186 if you have any additional concerns regarding this response. Thank you for your cooperation and attention to this matter of threatened and endangered species conservation.

Sincerely,

Christopher A. Urban, Chief
Natural Diversity Section

KLD/ma

cc: B. Dershem, USFWS

Our Mission:

www.fish.state.pa.us

To provide fishing and boating opportunities through the protection and management of aquatic resources.

2601 North Front Street
Harrisburg, PA 17110-1185



Phone: 717-232-0593
800-892-6532

E-mail: skellyloy@skellyloy.com
Internet: www.skellyloy.com

Fax: 717-232-1799

January 19, 2005

Mr. James Leigey
Wildlife Impact Review Coordinator
Pennsylvania Game Commission
Bureau of Land Management
Division of Environmental Planning
and Habitat Protection
2001 Elmerton Avenue
Harrisburg, Pennsylvania 17110-9797

Re: Threatened and Endangered Species
Assessment Request, Mount Airy
Lodge Improvement Project

Dear Mr. Leigey:

Skelly and Loy, Inc. is in the process of conducting environmental studies pertaining to the Mount Airy Lodge Improvement Project in Paradise Township, Monroe County, Pennsylvania. Skelly and Loy is compiling all the data that are necessary for a Pennsylvania Department of Environmental Protection and U.S. Army Corps of Engineers Joint Permit Application for the project area. Part of the requirements for these documents is to determine the presence of threatened and endangered species within the project area.

Please review the enclosed map and identify any known threatened and endangered plant or animal species that may occur in the project area. Thank you for your time and attention to this project. If you have any questions regarding the project, please call me at the above number.

Sincerely yours,

SKELLY and LOY, Inc.

Karen M. Johnston
Botanist

Enclosures

cc: Paul DeAngelo
Andrew Longenecker
1605054
File: T&E_LTRS_KMJ.wpd



FOR OFFICIAL USE ONLY

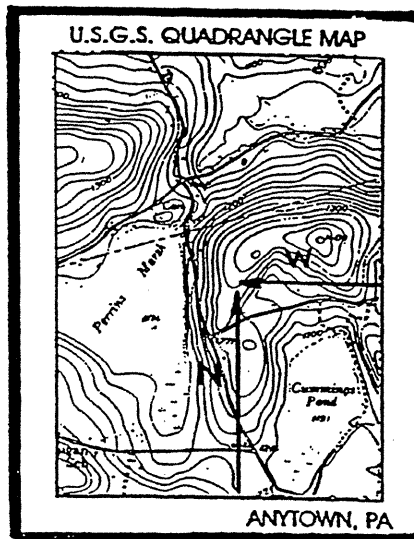
PNDI Screening
 Reviewer _____
 Date _____
 Phone No. _____

SUPPLEMENT NO. 1
PENNSYLVANIA NATURAL DIVERSITY INVENTORY SEARCH FORM

This form provides site information necessary to perform a computer screening for species of special concern listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, the Pennsylvania Fish and Boat Code or the PA Game and Wildlife Code. Records regarding species of special concern are maintained by PA DCNR in a computer database called the "Pennsylvania Natural Diversity Inventory" (PNDI). Results from this search are not intended to be a conclusive compilation of all potential special concern resources located within a proposed project site. On-site biological surveys may be recommended to provide a definitive statement on the presence or absence, or degree of natural integrity of any project site. Results of this PNDI search are valid for one year after the initial search or conclusion of coordination with the jurisdictional agency (whichever is later), then a new PNDI coordination process must be initiated, and a new PNDI search is required. The search area should include the entire area that presently or in the future requires a permit or authorization.

Please complete the information below, attach an 8½" x 11" photocopy (DO NOT REDUCE) of the portion of the U.S.G.S. Quadrangle Map that identifies the project location and outlines the approximate boundaries of the project and mail to the appropriate DEP regional office or delegated County Conservation District prior to completing a Chapter 105 environmental assessment or any other DEP permit application. (SEE REVERSE SIDE FOR LIST OF OFFICES AND ADDRESSES).

NAME: Karen Johnston
 ADDRESS: Skelly and Lay, Inc.
2601 North Front Street
Harrisburg, PA 17110
 PHONE: (717) 232-0593
 COUNTY: Monroe County
 MUNICIPALITY: Paradise Township
 U.S.G.S. 7½ Minute Quadrangle
Mount Pocono, PA



Latitude 41° 06' 41" Longitude 75° 19' 23"
 (OR) North (Up) _____ inches
 West (to the left) _____ inches

- INDICATE BY LATITUDE AND LONGITUDE; -- OR --
- INDICATE PROJECT LOCATION TO THE NEAREST ONE TENTH INCH MEASURING FROM THE EDGE OF THE MAP IMAGE FROM THE LOWER RIGHT CORNER.

PROJECT DESCRIPTION AND SIZE (Briefly describe entire area relevant to your project, including acreage.)

The Mount Airy Lodge Improvement project involves the refurbishing and expansion of the existing facility. Total project area = 456 acres.

SCREENING RESULTS - Follow the directions of the checked block.

- No potential conflicts were encountered during the PNDI inquiry. Include this form and the PNDI receipt with your Chapter 105 environmental assessment or other DEP permit application submissions.
- Potential conflicts must be resolved by contacting the natural resource agencies listed on the PNDI receipt. Please provide a copy of this form and the PNDI receipt along with a brief description of your project to the listed agency for consultation and recommendations. Include this form, the printed PNDI search results and the natural resource agency's written recommendation with your Chapter 105 environmental assessment or other DEP permit application submissions.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION
2001 ELMERTON AVENUE, HARRISBURG, PA 17110-9797

February 16, 2005

Ms. Karen M. Johnston
Skelly and Loy, Inc.
2601 North Front Street
Harrisburg, PA 17110

17 18 2005

Re: Mount Airy Lodge Improvement Project
456-Acre Site
Paradise Township, Monroe County, PA

Dear Ms. Johnston:

This is in response to your letter dated January 19, 2005, requesting information concerning endangered and threatened species of birds and mammals and impacts to State Game Lands as related to the proposed project.

Our office review has determined that no state listed endangered or threatened species of birds or mammals are known to occur within the proposed project area. Except for occasional transient individuals, this project should not impact any endangered or threatened species of birds or mammals recognized by the Pennsylvania Game Commission. Also, no State Game Lands are located close enough that any impacts to them are anticipated by the proposed project. However, should project plans change or if additional information on endangered or threatened species or State Game Lands becomes available, this determination may be reconsidered.

The proposed project may impact wetlands which this agency considers as critical and unique habitat. You should be aware that any impacts to wetlands or other bodies of water will require permits from the Department of Environmental Protection under Chapter 105 and the U.S Army Corps of Engineers under Section 404 of the Clean Water Act.

ADMINISTRATIVE BUREAUS:

PERSONNEL: 717-787-7836 ADMINISTRATION: 717-787-5670 AUTOMOTIVE AND PROCUREMENT DIVISION: 717-787-6594
LICENSE DIVISION: 717-787-2084 WILDLIFE MANAGEMENT: 717-787-5529 INFORMATION & EDUCATION: 717-787-6286 LAW ENFORCEMENT: 717-787-5
LAND MANAGEMENT: 717-787-6818 REAL ESTATE DIVISION: 717-787-6568 AUTOMATED TECHNOLOGY SYSTEMS: 717-787-4076 FAX: 717-772-2411

WWW.PGC.STATE.PA.US

AN EQUAL OPPORTUNITY EMPLOYER

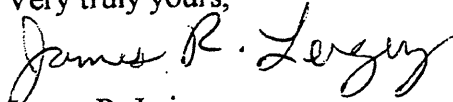
Ms. Karen M. Johnston

-2-

February 16, 2005

If you have any questions, please contact me at (717) 783-5957.

Very truly yours,



James R. Leigey

Wildlife Impact Review Coordinator
Division of Environmental Planning
And Habitat Protection
Bureau of Land Management

JRL/pfb

Attachment

Cc: File
Schweitzer
Zindell

MOUNT AIRY #1 LLC
PaDEP SEWAGE FACILITIES PLANNING MODULES
EXHIBIT O- SEWAGE MANAGEMENT

COMPONENT NO. 3
SEWAGE COLLECTION AND TREATMENT FACILITY
EXHIBIT O
SEWAGE MANAGEMENT

As previously defined in Exhibit F, Project Narrative, during the initial stages of construction wastewater collection and treatment will be limited to the existing PaDEP/NPDES permitted capacity i.e., 220,000 gallons per day. A new flow meter/recording unit was installed at the Mount Airy Wastewater Treatment Plant in 2005. Engineering projections of the wastewater contribution from the initial construction phase amounts to 163,000 gpd. Subsequent to installation of the new sanitary sewer collection system and commencement of operations of the Hotel/Casino Complex and facilities to be connected during this phase of development actual flow data will be established. At that time, any remaining conveyance and process capacity available, up to the value of 220,000 gpd may be assigned to developments proposed for the Woodland Road Corridor. The plan for the sanitary sewer system will be constructed of a minimum 8" diameter pipe with a minimum slope of 0.005%. The capacity of this piping arrangement is 385 gpm. Also, the pumping system projected to be installed along Woodland Road will have a capacity of 220 gpm. Thus, both collection/conveyance systems are designed with sufficient capacity to handle the projected flow contribution.

The long term buildout of the Mount Airy #1 L.L.C. land holdings will require upgrading/expansion of the existing wastewater treatment plant at its present or new location and/or connection to an existing or planned adjacent municipalities wastewater treatment facilities. Mount Airy #1 LLC is evaluating said options. Upon selecting an option that will provide the required additional discharge capacity and that is environmentally responsible, it will be submitted to Paradise Township, Monroe County and PaDEP for consideration through Sewage Facilities Planning Module procedures.

The reliable operation of wastewater collection and treatment facilities within its NPDES Permit criteria is critical to the success of the Hotel/Casino Complex and ultimate full buildout of Mount Airy #1 LLC land holdings. All operations and maintenance activities will be supervised by a Pennsylvania Certified Wastewater Operator. Employees of the Hotel/Casino Complex Maintenance staff will be assigned on a 24/7/365 basis to conduct process and maintenance activities.

PaDEP takes a position that both the non municipal permittee/land owner and the municipal government are responsible to either repair or replace any improperly functioning collection or wastewater processing system. Accordingly, it is necessary to develop a program that guaranties that long term proper operation and maintenance is performed and will protect Paradise Township from future liabilities associated with the improperly operated or maintained sewage disposal system.

PaDEP regulations 25.71.72 provide for eight (8) options to address this issue. Mount Airy #1 LLC would propose the option wherein, a maintenance agreement is developed between Mount Airy #1 LLC and Paradise Township which defines Mount Airy #1 LLC responsibility for operation and maintenance of the proposed wastewater collection/process facilities and provides Paradise Township with oversight responsibilities. Costs incurred by Paradise Township in performing the oversight responsibilities would be reimbursed by Mount Airy #1 LLC. However, Mount Airy #1 LLC is amiable to discuss implementation of other available options in this matter if it is desired by Paradise Township.

DATE: 7/14/2005
BY: AJM
CHK'D:
DATE:

CECO ASSOCIATES, INC.
P.O. BOX 995
SCRANTON, PENNSYLVANIA 18501

SH.NO. 1 OF 1
JOB NO. Flow
Equations

Manning's Equation & Flow
Closed Channel Flow

I. Parameters:

Q = Flow
V = Velocity (fps)
A = Cross Sectional Area
R = Pipe Radius
S = Slope of Hydraulic Grade
C = Circumference
n = Manning's Coefficient of Roughness

1 Ft³ = 7.48 gal
1 min. = 60 sec
Π = 3.14159
1 Ft³/s = 448.83 gpm

II. Equations:

$$C = \Pi * D$$

$$Q = V * A$$

$$A = \pi R^2$$

$$V = \frac{1.49 \left(\frac{D}{4}\right)^{2/3} * (S)^{1/2}}{n}$$

III. Procedure:

Pipe Diameter = 8 in
Pipe Diameter = 0.666667 ft
Radius = 0.333333 ft
A = 0.3491 ft²
C = 2.09 ft
n = 0.013
S = 0.5%

V = 2.45 fps

Q = 0.8568 ft³/s
Q = 385 gpm

MOUNT AIRY #1 L.L.C.
PaDEP SEWAGE FACILITIES PLANNING MODULES
EXHIBIT P- PUBLIC NOTIFICATION

No. _____ Term, 20 _____

Proof of Publication of Notice in Pocono Record

Under Act No. 587, Approved May 16, 1929

State of Pennsylvania
County of Monroe

ss:

328355

David A. Kelso, Contoller

An Executive of Pocono Record, of the County and State aforesaid, being duly sworn, deposes and says that the POCONO RECORD, a newspaper of general circulation published at 511 Lenox Street, Borough of Stroudsburg, County and State aforesaid, was established April 2, 1894, since which date the POCONO RECORD has been regularly issued in said County, and the the printed notice of publication attached hereto is exactly the same as was printed and published in the regular editions and issues of the said the POCONO RECORD on the following dates, viz: --

August 8, 14

and the _____ day of _____ 2005

Affiant further deposes that he is duly authorized by the POCONO RECORD, a newspaper of general circulation, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place and character of publication are true.

COPY OF NOTICE OR PUBLICATION

DKelso

For The Pocono Record

Sworn to and subscribed before me this August 17, 2005
day of _____

My Commission Expires: _____
Mary C. LaBar
Notary Public

Notarial Seal
Mary C. LaBar, Notary Public
Stroudsburg Boro, Monroe County
My Commission Expires May 15, 2006
Member, Pennsylvania Association of Notaries

Statement of Advertising Costs

Ceco Assoc., Inc.
Pub. Notice -
Mount Airy

To POCONO RECORD
For publishing the notice or publication attached
hereto on the above stated dates _____ \$ 177.00
Probating Same _____ \$ 2.00
Total _____ \$ 179.00

Receipt for Advertising Costs

_____ newspaper of general circulation, hereby acknowledges receipt of the aforesaid notice and publication the same have been duly paid.

Pocono Record
a Newspaper of General Circulation

AUG 18 2005

By _____

PUBLIC NOTICE
Mount Airy #1 LLC, 229 Main Street Surgis, Olyphant, Pennsylvania 18447 has submitted a Pa-DEP Sewage Facilities Planning Module to Paradise Township and Monroe County in conjunction with the construction of a Hotel/Casino Facility on the site of the former Mount Airy Lodge, Woodland Road, Paradise Township, Monroe County.
The proposed development includes the construction of a 200 room Resort Hotel and Casino Complex encompassing 437,262 s.f. on an approximately 30 acre parcel. Additionally, infrastructure improvements include rehabilitation in kind of the existing PaDEP NPDES Permit No. 4579400 Wastewater Treatment Plant, modifications to the disinfection system and the construction of a new sanitary sewer collection system. The sanitary sewer collection system will serve the new Hotel/Casino Facility, a Recreation Vehicle Area, the Villa of Our Lady and the Mount Airy Golf Course Pro Shop. A temporary connection will also be made to the existing Maintenance Building. It is projected that the Wastewater Flow will average 165,000 gpd (408 EDUs). All wastewater generated will be conveyed to the existing Mount Airy Wastewater Treatment Plant, which has a permitted capacity of 220,000 gpd, for processing prior to discharge into Forest Run, a Pa-DEP designated high quality waterway. Although no increase in the permitted capacity of the Mount Airy Wastewater Treatment Plant is requested, because of the water quality classification of Forest Run, PaDEP regulations require public notification of the submission of a Sewage Facilities Planning Module.
A copy of the Sewage Facilities Planning Module is available for inspection at the following locations:
Paradise Township Municipal Building
Box 1226
Cresco, Pennsylvania 18326
Telephone No. (570) 595-9680
Monroe County Planning Commission Administrative Center
1 Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169
Telephone No. (570) 517-3100
Comments may be submitted to Paradise Township, at the above



ceco associates inc.
consulting engineers

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

August 5, 2005

The Pocono Record
511 Lennox Street
Stroudsburg, Pennsylvania 18360

Re: *Public Notice*
Mount Airy #1 L.L.C.
PaDEP Sewage Facilities Planning Module

To Whom It May Concern:

Please publish, as a display advertisement, the attached Public Notice once for two (2) consecutive weeks in the Pocono Record.

Forward the proof of publication and billing for the display advertisement to:

CECO Associates, Inc.
c/o Mr. Albert J. Magnotta, P.E., President
P.O. Box 995
Scranton, Pennsylvania 18503

Thank you.

Very truly yours,

Albert J. Magnotta, P.E.
President

AJM/lmh
Z:MTAIRY:PUBLICNOTICEPUBLICATION
Enclosure
c File

PUBLIC NOTICE

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Paradise Township Municipal Building
RR 1
Box 1226
Cresco, Pennsylvania 18326
Telephone No. 570-595-9880

Monroe County Planning Commission
Administrative Center
1 Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169
Telephone No. 570-517-3100

Comments may be submitted to Paradise Township as the above noted address and must be received by Paradise Township within thirty (30) days of the date of publication of this Public Notice.

BELARDI LAW OFFICES

BROOKS BUILDING
436 SPRUCE STREET, SUITE 200
SCRANTON, PENNSYLVANIA 18503
Ph. (570) 342-4555 Fax (570) 961-3985

November 28, 2005

Paradise Township Board of Supervisors
Mr. Dennis Keesler, Chairman
Attention: Reda Briglia
RR#1, Box 1226
Cresco, Pennsylvania 18326

**Re: Recently approved Operation, Maintenance and
Oversight Sewer Agreement; PaDEP Correspondence
Dated October 11, 2005; Mount Airy #1, LLC - DEP
Code No. 2-45912186-3**

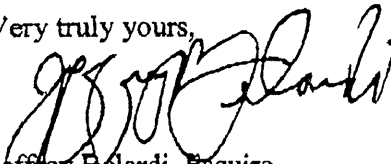
Dear Mr. Keesler and Mrs. Briglia:

Enclosed please find a signed, and therefore completely executed, original of the Wastewater Operation, Maintenance and Oversight Agreement For Phase I Of The Property Commonly Known As Mount Airy by and between Paradise Township and Mount Airy #1, LLC. Also, attached to this cover letter please find a copy of Albert Magnotta's letter to the Township dated October 14, 2005 wherein Mr. Magnotta references the PaDEP Planning Module Fee. In that same letter he notes that Ceco Associates, Inc. did not receive any public comments. In addition, you will find attached hereto the DEP letter of October 11, 2005 which was the impetus for Mr. Magnotta's letter.

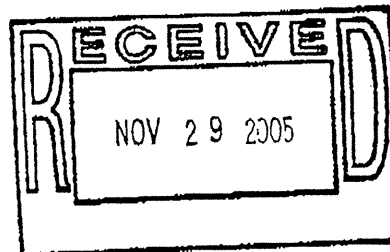
Please consider this letter as our formal request for the Township to forward the recently approved and signed Agreement along with a letter from the Township addressing the lack of public comments and the service area for Mount Airy.

If you have any questions, please do not hesitate to call me at (570) 342-4555. Thank you.

Very truly yours,


Jeffrey Belardi, Esquire

JJB:pl
Enclosures
Cc: Albert Magnotta, PE
John Pocius, PE



Sufficient land around the treatment plant has been reserved to ensure that the treatment plant can be expanded to treat wastewater from the surrounding area if necessary. The wastewater treatment plant was approved on the basis that it could serve as a sub-regional treatment facility if the need arises.

3.2 Mount Airy Lodge

Mount Airy Lodge is located on Woodland Road approximately one mile northeast of Route 611 in Paradise Township. Mount Airy Lodge, Inc. owns an extended aeration wastewater treatment plant that serves both Mount Airy Lodge and the Strickland's Mountain Inn Resort Community located on Route 611. The treatment plant is located in Paradise Township. Plant effluent is discharged primarily to a spray irrigation system on an adjoining 150 acre golf course from May through August and to Forest Hills Run through the remainder of the year.

The Mount Airy Lodge Wastewater Treatment Plant is designed for flows of 220,000 gpd. The NPDES effluent discharge requirements are listed in Appendix A-2. The plant normally experiences flows of 126,000 gpd. Strickland's Mountain Resort contributes approximately 15,000 gpd of the total flow. The treatment facility typically experiences maximum summertime flows of 200,000 gpd. According to plant operator Robert Ferri, infiltration to the treatment system is minimal. Current reserve capacity will be utilized by Stricklands Mountain Resort homes. As on-lot systems fail, the resort homes will be connected with the Mount Airy Lodge treatment system. According to Mr. Ferri, capacity exists for all of the remaining resort homes not already tied into the Mount Airy treatment system.

The Mount Airy Lodge treatment plant is a well maintained and operated plant. Very few violations of the NPDES effluent limits have been found. No problem equipment is evident, and standard maintenance is performed daily.

The treatment plant process, shown in Appendix B-2, consists of extended aeration and tertiary treatment with alum, soda ash, and filtration. Raw wastewater enters a splitting chamber where alum is added. The wastewater then flows into the extended aeration tanks where soda ash is added. The aerated wastewater then flows to the clarifiers and then to the micro-strainer for final solids removal. After solids removal, the effluent flows to the chlorine contact tanks where chlorine is added. The final effluent then flows to a 350,000 gallon holding pond. Depending on the season, pond water is either discharged to Forest Hill Run or sprayed on the 150-acre Mount Airy Golf Course. The golf course is spray irrigated during dry periods from May through August at a rate of 10,000 to 15,000 gpd. During wet weather conditions, effluent is discharged to Forest Hill Run.

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F. X. BROWNE, INC.

Liquid sludge is hauled from the facility every two weeks during the spring, summer, and fall. No sludge is hauled from the plant during the winter months. Approximately 250,000 gallons of sludge per year are hauled by B and R Nauman to an agricultural disposal site in the Mount Pocono area. No sludges are received by the Mount Airy Wastewater Treatment Plant for treatment.

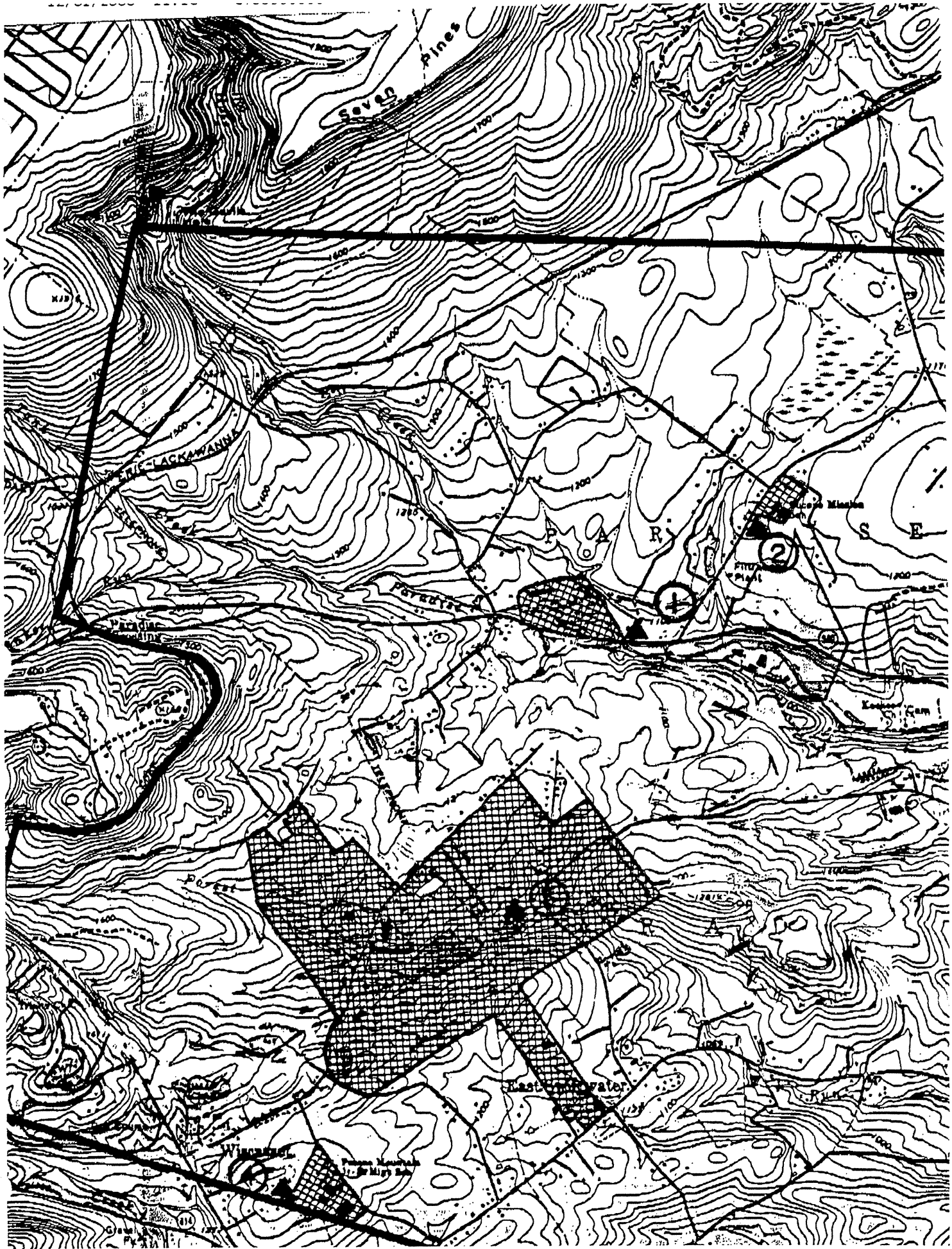
3.3 Pocono Mountain School District

The Pocono Mountain School District Middle School and High School are located on School Road on the border between Paradise Township and Pocono Township. The Pocono Mountain School District owns two treatment systems that serve both schools. Both schools discharge to a small pretreatment unit consisting of an aerator and a clarifier. The effluent from this unit discharges to a larger extended aeration wastewater treatment plant located immediately southwest of the schools in Pocono Township. Plant effluent discharges to Swiftwater Creek which flows to Swiftwater Lake in Paradise Township.

The extended aeration wastewater treatment plant is designed for flows of 28,000 gpd. The NPDES effluent discharge requirements are listed in Appendix A-3. During the school year the plant normally experiences flows of 11,000 gpd. Summer flows are substantially lower with flows typically less than 1,000 gpd. The maximum flow the plant has received in the past is 25,000 gpd. According to the facility operator, Homer Argot, no significant infiltration to the plant exists. At present no plans exist for new connections or plant expansion.

A review of recent NPDES reports shows repeated violations of total phosphorus limits in the treatment plant's effluent. Past efforts to vary chemical addition sites and types have not been successful. Currently soda ash, alum, and sodium aluminate are added at different points in the aeration tanks with limited success according to the plant operator. Potential reductions in effluent phosphorus concentrations may be achieved by increasing the dosage of both alum and soda ash to the aeration tanks, or by bypassing the existing pretreatment unit to provide higher organic loadings to the extended aeration system. Otherwise, the treatment plant has no problem equipment.

The treatment plant process, shown in Appendix B-3, consists of pre-aeration and primary clarification of the raw waste stream followed by extended aeration and tertiary treatment with alum, soda ash, sodium aluminate, and filtration. After pretreatment the wastewater enters the extended aeration unit where soda ash, alum, and sodium aluminate are added to the wastewater at different points within the tank. The aerated wastewater then flows to the clarifiers. From the clarifiers the wastewater flows through the chemical settling tank to the sand filter. Effluent from the sand filter flows to the chlorine contact tank where chlorine is added. The final effluent is discharged to Swiftwater Creek.



Receipt of Mount Airy #1
LLC Property Development
Sewage facilities planning module.

Cay Run . D&P.

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PA D.E.P.

Pocahontas District Office

COPY

BELARDI LAW OFFICES

BROOKS BUILDING
436 SPRUCE STREET, SUITE 200
SCRANTON, PENNSYLVANIA 18503
Ph. (570) 342-4555 Fax (570) 961-3985

November 28, 2005

Paradise Township Board of Supervisors
Mr. Dennis Keesler, Chairman
Attention: Reda Briglia
RR#1, Box 1226
Cresco, Pennsylvania 18326

**Re: Recently approved Operation, Maintenance and
Oversight Sewer Agreement; PaDEP Correspondence
Dated October 11, 2005; Mount Airy #1, LLC – DEP
Code No. 2-45912186-3**

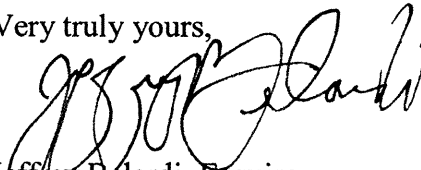
Dear Mr. Keesler and Mrs. Briglia:

Enclosed please find a signed, and therefore completely executed, original of the Wastewater Operation, Maintenance and Oversight Agreement For Phase I Of The Property Commonly Known As Mount Airy by and between Paradise Township and Mount Airy #1, LLC. Also, attached to this cover letter please find a copy of Albert Magnotta's letter to the Township dated October 14, 2005 wherein Mr. Magnotta references the PaDEP Planning Module Fee. In that same letter he notes that Ceco Associates, Inc. did not receive any public comments. In addition, you will find attached hereto the DEP letter of October 11, 2005 which was the impetus for Mr. Magnotta's letter.

Please consider this letter as our formal request for the Township to forward the recently approved and signed Agreement along with a letter from the Township addressing the lack of public comments and the service area for Mount Airy.

If you have any questions, please do not hesitate to call me at (570) 342-4555. Thank you.

Very truly yours,



Jeffrey Belardi, Esquire

JJB:pl
Enclosures
Cc: Albert Magnotta, PE
John Pocius, PE

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PAGE..... OF.....



ceco associates inc.
consulting engineers

COPY

M: P.O. Box 995, Scranton, PA 18501 HQ: 507 Linden Street-Suite 200, Scranton, PA T: 570.342.3101 F: 570.342.3940
W: www.cecoassociates.com

October 14, 2005

Paradise Township Board of Supervisors
Mr. Dennis Keesler, Chairman
RR#1, Box 1226
Cresco, Pennsylvania 18326

RE: PaDEP Correspondence dated October 11, 2005
Mount Airy #1 L.L.C.
DEP Code No. 2-45912186-3

Honorable Chairman Keesler:

With reference to the issues set forth in the subject correspondence, be advised of the following:

- Attached is a check in the amount of \$1500.00 to reimburse Paradise Township for the PaDEP Planning Module Fee.
- As noted in our correspondence dated October 11, 2005, copy attached, we are prepared to meet as soon as possible with designated representatives of Paradise Township to develop the required Sewage Management Program. Please contact me to coordinate a meeting of the necessary parties.
- Our firm did not receive any public comments related to the subject Planning Module update.
- Based upon the data available to the undersigned, the service area for Mount Airy is designated in Paradise Township Resolution No. 92-03 dated August 18, 1992.

If you have any questions, please feel free to call our office at 570-342-3101.

Very truly yours,

Albert J. Magnotta, P.E., P.L.S.
President

AJM/lmz
Enclosure

c Paradise Township Supervisors, R. Briga, C. DePue
D.Brady, Paradise Township Zoning Officer
Attorney J. Prevoznik, Solicitor Paradise Township
L.DeNaples, Mount Airy #1 L.L.C.
R. Rossi, CPA
Attorney Jeffrey Belardi
J. Pocius, P.E., P.L.S, CECO Associates, Inc.
D.Osborne, P.E., CECO Associates, Inc.
File

Celebrating 32 Years of Engineering Excellence
Professional • Prompt • Profitable • Proud to be American



Pennsylvania Department of Environmental Protection

HC 1, Box 95-B
Swiftwater, PA 18370
October 11, 2005

COPY

Pocono District Office

(570) 895-4040
FAX(570)895-4041

Mr. Dennis Keesler, Chairperson
Paradise Township, Board of Supervisors
RR 1, Box 1226
Cresco, PA 18326

RE: Mount Airy #1 LLC
16,300 GPD
DEP Code No: 2-45912186-3
Paradise Township, Monroe County

Dear Secretary:

The Department has received and reviewed the revision to your official plan for the above-referenced development. The review has determined that the project does not meet the requirements of Chapter 71 for a plan revision. Therefore, the planning modules are being returned for the following reasons:

1. Please provide a planning module review fee of \$1,500.00 according to Component 3, Section R.
2. Please provide a Sewage Management Program that assures the long-term proper operation and maintenance of the proposed sewage facility according to Chapter 73.72.
3. Please provide a letter from Paradise Township acknowledging if any comments were received from the public notice, and how these comments were addressed.
4. Please provide documentation that confirms the service area for Mount Airy from the most current Township Act 537 Official Sewage Facilities Plan.

Please be advised that until planning has been properly completed and approved by the municipality and concurred with by the Department, no sewage or building permits should be issued for construction at this site.

Should you have any question, you may contact me at this office.

Sincerely,

Robert T. Corby, Jr.
Sewage Planning Specialist
Water Quality Program

Enclosure

Cc: Louis DeNaples
Ceco Associates, Inc.

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CERTIFICATION STATEMENT:

I certify that this submittal is complete and includes all requested items. Failure to submit a complete module package will result in return of the package.

Signed: _____ Date: _____

Title: _____

COPY

DEVELOPER-TOWNSHIP

**WASTEWATER
OPERATION, MAINTENANCE AND OVERSIGHT AGREEMENT
FOR PHASE I OF THE PROPERTY COMMONLY
KNOWN AS MOUNT AIRY**

AGREEMENT mad this _____ day of November, 2005, by and between **Mount Airy #1, L.L.C.**, a Pennsylvania limited liability company, (hereinafter referred to as “Developer” and/or “Developer/Property Owner”), and **Paradise Township**, a body politic, a municipal entity, a municipality, a municipal corporation, of the Commonwealth of Pennsylvania, (hereinafter referred to as the “Township”);

WITNESSETH:

WHEREAS, the Developer owns or controls lands located in Paradise Township, Monroe County, Pennsylvania, as described in Exhibit “A”, attached hereto and made a part hereof as if fully set out in this paragraph and hereinafter referred to as “Property,” and Developer has or is about to develop the Property in accordance with Phase I of its Land Development Plan by erecting thereon a hotel-casino-spa complex, recreational improvements, commercial improvements, commercial buildings, and other approved uses; and,

WHEREAS, the Developer wishes to enter into an agreement for operation, maintenance, and oversight of the wastewater system that is to serve Phase I of the Property, the planned hotel-casino-spa, with service to existing maintenance facility, parking lot, Villa of Our Lady, golf course pro shop, restaurant, irrigation system, and Woodland Road to State Route 611; and,

Mr. Dennis Keesler, Chairperson

2

Oct. 11, 2005

CERTIFICATION STATEMENT:

I certify that this submittal is complete and includes all requested items. Failure to submit a complete module package will result in return of the package.

Signed: Reda Bughai Date: 11-30-05

Title: Supervisor / Secretary

WHEREAS, in order to accomplish the intended purpose of Phase I of the Development Plan for the Property and in order to meet the financing and general requirements of certain private agencies and certain federal, state and local governmental agencies, such as, but not limited to, the Pennsylvania Department of Environmental Protection (DEP), Monroe County Health Department, the United States Environmental Protection Agency (EPA), the Veterans' Administration, the Federal Housing Administration, private lending institutions, and, if required, the Pennsylvania Public Utility Commission (PUC), it is necessary that adequate wastewater facilities and services be provided to serve the Property and to serve the tenants and occupants of each building, each unit, constructed or located on the Property; and,

WHEREAS, the Developer is desirous of promoting the construction of wastewater facilities so that tenants and occupants of each building, or unit constructed or located therein under Phase I of Developer's Land Development Plan will receive adequate wastewater service; and,

WHEREAS, the Developer will provide, in accordance with the provisions and stipulations hereinafter set out, wastewater facilities, and to extend such facilities by way of wastewater collection and transmission mains, and to thereafter operate such facilities so that the tenants and occupants of each building, or unit constructed on the Property under Phase I of the Land Development Plan will receive an adequate wastewater services from the Developer; and,

WHEREAS, the Township is desirous of reaffirming the Pennsylvania Department of Environmental Protection (DEP) approval of its Act 537 Official Sewage Plan and acknowledges that Developer shall upgrade, but not increase the capacity of,

the existing sewer treatment plant to current state and federal permits and further that the parties will enter into an official operation, maintenance and oversight agreement and,

WHEREAS, the Developer is desirous of the Township obtaining Act 537 Official Sewage Plan approval as the same is a necessary requisite to Developer's submittal of BWQM Part II Construction Permit related to the reconstruction and extension of the wastewater facilities also known as the sanitary sewer system in accordance with Phase I of the Land Development Plan;

WHEREAS, the parties to this Agreement intend for this Agreement to satisfy the requirement that a maintenance agreement be entered into between the property owner and municipality or its designated local agency so as to establish the property owner's responsibility for operating and maintaining the system and the responsibility of the municipality or local agency for oversight of the system pursuant to the Pennsylvania Code, 25 Pa. Code § 71.72; and

WHEREAS, the parties to this Agreement do not intend for this Agreement to be construed as, or interpreted as, approval, tacit or otherwise, of any development or construction activities on the Property and both parties hereto acknowledge that this Agreement is not approval of the Land Development Plan or any of the activities proposed by Mount Airy #1, LLC;

NOW, THEREFORE, for and in consideration of the promises, the mutual covenants, the mutual undertaking and agreements herein contained and assumed, the Developer and the Township hereby covenant and agree as follows:

1. Scope. The Developer shall operate and maintain the Wastewater Collection, Transmission and Treatment Facilities System ("System") in a prudent,

economical, efficient, and businesslike manner. Operation and maintenance shall include, but not be limited to, (i) the physical operation, maintenance of the Systems and (ii) administrative matters, such as billing and collections, overseeing System expansions by developers or other users, bookkeeping and payment of accounts payable, and all other aspects of operating and maintaining the Systems. All O & M, including administrative matters, shall be conducted in accordance with all applicable governmental rules and requirements and the rules, regulations, ordinances, policy guidelines, rate and fee schedules and other documents that may be adopted by governmental agencies and/or authorities that exist now, or may come into existence for the purpose of overseeing the operations of the Systems.

The Developer shall be responsible for obtaining all necessary permits and licenses, the design, construction, operation and management of any and all capital projects necessary in order to provide wastewater collection, transmission, treatment and disposal.

2. Wastewater Collection and Transmission Facilities. Wastewater Collection and Transmission Facilities shall mean those facilities contemplated to be constructed under this Agreement and more specifically as follows:

On-site facilities: Developer shall be responsible for the design, installation, inspection and testing of the complete wastewater collection, transmission and treatment facility located in the right-of-way or rights-of-way adjoining or within the boundaries of the Developer's Property. The term "wastewater collection, transmission and treatment facility" as used herein, shall include all collection and transmission lines, manholes, force mains, gravity mains, lift stations, pump stations, including sites for the same, and

all other appurtenances as shown upon the approved design for the installation of such wastewater collection, transmission and treatment system.

3. Wastewater Service. In general, the readiness and ability on the part of the Developer to furnish wastewater service to each facility in Phase I development of the Property will constitute service. Specifically, the maintenance by the Developer of a connection providing for the adequate collection, transmission, and treatment of wastewater shall constitute the rendering of wastewater service. Wastewater service refers to, and is synonymous with, sanitary sewer service.

4. Facilitation of Maintenance and Operation of Wastewater Facilities.
In the event Developer requires, for its access to, over, under, or upon property under Township ownership or control, the parties agree that access shall be granted if legally possible, at no cost to the Township, so long as Developer complies with all necessary federal, state and local laws, rules, regulations, and ordinances.

5. Commencement of Services. Upon accomplishment of all prerequisites to be performed by the Developer as contained in this Agreement, the Developer agrees that once it provides wastewater services to the Property, and the Developer or others have connected consumer installations to the wastewater collection, transmission and treatment system, the Developer will continuously provide wastewater regulations, or amendments thereto, as required by the Pennsylvania Department of Environmental Protection (PADEP) and the United States Environmental Protection Agency (USEPA) and other governmental agencies having jurisdiction over the wastewater collection, transmission, and treatment facilities and services of the Developer.

6. Developer Obligations. Developer hereby covenants and agrees to refurbish existing facilities, replace existing facilities, and construct new facilities if required by DEP, and in accordance with the existing official Act 537 Plan for Paradise Township, in order to accomplish wastewater collection, transmission, and treatment systems and attendant services to the Property at no cost to the Township.

(a) Preparation of Plans and Specifications. The Developer shall submit to the Township detailed engineering plans, prepared and sealed by a professional engineer registered in the Commonwealth of Pennsylvania, showing the wastewater collection, transmission, and treatment facilities proposed to be refurbished, replaced and/or installed to provide service to consumers within the Developer's Property. Prior to the submission of said engineering plans to the Township, Developer shall have obtained DEP approval and all other necessary governmental approval for the refurbishment, rehabilitation and/or construction of the wastewater treatment plant and system.

The Developer shall also submit to the Township specifications, prepared and sealed by an engineer registered in the Commonwealth of Pennsylvania, governing the material to be used and the methods and manner of installation. All such plans and specifications, be they engineering and/or materials and manner of installation, submitted shall be subject to the approval of the Township and no construction shall commence until the Township has approved such plans and specifications in writing and issued a permit for construction pursuant to the applicable governing Ordinances of the Township. The Township further agrees

that, upon the Township's satisfaction, said written approval and corresponding permit shall issue as soon as practicable.

(b) Construction of Facilities by Developer. After approval of plans and specifications, the Developer shall cause to be constructed, at the Developer's own cost and expense, the wastewater collection, transmission and treatment facilities as shown on the plans and specifications, or as the same may be modified and approved from time to time. Such facilities shall include those on-site elements and the hydraulic share of the off-site elements, if any, applicable to the Developer's Property. Complete "as built" plans shall be submitted to the Township by the Developer, upon completion of the construction.

During the construction of the wastewater collection, transmission and treatment facilities by the Developer, the Township shall have the right to inspect such installation to determine compliance with the plans and specifications as they relate to any applicable Township Ordinances. The Township shall be entitled to perform, but not obligated to perform, the standards tests for infiltration, exfiltration, line and grade and all other normal engineering tests to determine that the facilities have been installed in accordance with the approved plans and specifications, in accordance with any applicable Township Ordinances and in accordance with good engineering practices. The cost of the Township inspections shall be borne by the Developer and paid within thirty (30) days of being invoiced.

7. Other Governmental Approvals. The parties hereto recognize that prior to the time the Developer may actually commence construction to carry out the

terms and conditions of this Agreement, the Developer must obtain approval from various federal, state, and local governmental authorities having jurisdiction and regulatory power over the construction, maintenance and operation of wastewater facilities. Developer shall obtain all necessary permits from all applicable regulatory bodies prior to commencement of work on the wastewater treatment system.

8. Prohibition Against Septic Tanks. The Developer and, the owners and occupants of the buildings on the Developer's Property, are hereby prohibited from installing or maintaining any septic tanks except as permitted by the Township for temporary purposes.

9. Amendments To Plans And Specifications. In the event the Developer, subsequent to the execution of this Agreement, alters any plans and specifications of the proposed system as defined in the approved planning module, acquires additional Property, alters the density of the Property, and/or desires to implement phases of development beyond Phase I of the current Development Plan, this Agreement shall be renegotiated by the parties. The new agreement shall be negotiated and executed prior to the commencement of service to any areas not contemplated by Phase I of the current development plan or prior to implementation of increased densities in Phase I or any further modification of said system. The Township reserves the right to implement any or all oversight options provided by Title 25 Pa. Code §71.72 in any future agreement.

10. Township Right Of Inspection and Oversight. Inspection of every facility involved with the discharge of wastewater of the Developer's sewer system may be made by the Township, its designated, qualified inspector or representative. These facilities shall include but not be limited to sewers, sewage pumping plants, pumping

stations, pollution control plants, conveyance and pretreatment facilities, and similar facilities. Inspections may be made to determine whether such facilities comply with the Township Ordinances, state and federal law, and the regulations promulgated pursuant thereto.

Access to such facilities shall be given to authorized personnel of the Township at all reasonable times and whenever emergency conditions exist. Any obstruction to access to the sewage facility to be inspected shall promptly be removed by the facility user or owner at the written or verbal request of the Township, its designated inspector or representative. No person shall interfere with, delay, or refuse entrance to authorized Township personnel attempting to inspect any facility that is a part of, or that comprises, the Developer's sewer system.

During the first five years of operation, there shall be made an inspection at least quarterly by an authorized, designated, qualified inspector or representative, approved by the Township, hereinafter referred to as the inspector, retained by and at the expense of the Developer. For purposes of this Agreement, the word "inspector" shall mean a Commonwealth certified sewage enforcement officer and/or a Commonwealth licensed professional engineer. The inspection shall include the testing of the discharge effluent to confirm that said discharge meets or exceeds the required levels of treatment required of such system by DEP. Testing shall occur at the discharge point and shall include testing for fecal coliform as well as for any and all other substances for which testing is required by DEP or any other regulatory agency. It is understood and agreed that sampling and testing of the discharged effluent shall be conducted by a DEP approved lab. The five

years shall begin to run on the first day of operation of said System and continue for five full years from the first inspection made two months after the date of said occupancy.

On and after the fifth year of operation, for so long as the said System remains in effect, inspection, testing and certification as set forth herein shall be made semi-annually (or more frequently if required by DEP) during the time period specified in the Water Quality Management Permit issued by DEP, but in any event at least on a semi-annual basis. Those results of said inspection shall be supplied to the Township in writing in a timely manner by the Developer. The Township reserves the right to increase the inspection schedule stated herein by giving thirty (30) days written notice along with the new schedule.

(a) The System shall also be inspected by the Township semi-annually to ensure it is being properly maintained and all components are in good working order where feasible. The Township shall report the findings to the Developer/Property Owner.

(b) In the event the report prepared by the inspector or Engineer retained by the Developer, or inspections by DEP or the Township indicate repair and/or replacement of any component part or all of the System is necessary in order to bring the System in compliance with DEP regulations, or other regulatory standards applicable at such time, the Developer/Property Owner shall complete such repairs and obtain a certification from an independent licensed professional engineer that the repairs have been made in accordance with the Developer/Property Owner's Engineer's specifications within thirty (30) days of the date the reports issued unless procurement of equipment and/or component parts cannot be obtained in thirty (30) days. In the event that equipment and/or component parts cannot be obtained in thirty (30) days, then Developer/Property

Owner shall submit to Township, within the same thirty day period, a plan of action with an implementation date for the repairs.

At the completion of any and all repairs done pursuant to a plan of action, the same aforementioned certification shall be obtained and submitted. In no event may Developer continue operation if repairs can not be made in a timely fashion and such lack of repairs causes effluent levels which violate regulatory guidelines.

(c) In the event the Developer/Property Owner fails or refuses to inspect, or to conduct the testing required herein, or to comply with the recommendations of its engineer, representative, the Township, or DEP with respect to the repair and/or replacement of the System or any parts thereof, the Township shall have the right to enter upon the premises, conduct said inspections, and to perform any repairs or replacements with respect to the System, all of which shall be made at the cost and expense of the Developer/Property Owner. Payment shall be made by the Developer/Property Owner to the Township within thirty (30) days.

(d) Prior to entering the premises and conducting its own inspection or performing any repairs or replacements of the System or its component parts, the Township shall provide Developer/Property Owner ten (10) days advance written notice of its intention to enter upon the premises for these purposes unless the disrepair of the System results in a failure of the System, then, in that event, the procedures listed in paragraph 13 of this Agreement apply. The Developer/Property Owner shall have the right to comply with the terms of the Agreement within that ten (10) day period. Any notice required by the terms of this Agreement shall be in writing transmitted by messenger, with receipt acknowledgment, or by mail to the address indicated on the

signature page of this Agreement with copies to the Paradise Township Solicitor and Counsel for Mount Airy #1, LLC.

(e) The Developer/Property Owner agrees to pay the Township's annual fee for the inspection (as set forth by the Township from time to time but which shall not exceed actual cost) of the System and agrees that all fees of the Township for inspections, repairs and/or replacement of the System or its component parts or in the removal of effluent in accordance with the terms of the Agreement, shall be recoverable by the Township. It is understood that the annual inspection fee will be revised periodically by resolution of the Township. The Developer/Property Owner shall pay all litigation costs of Township including its attorney's fees with regard to Agreement.

12. Information Sharing. The exchange of information between the Parties relative to pollution events, emergency events, and current risks is necessary to evaluate and enhance appropriate prevention and response systems. Developer shall collect, maintain, share with, and make available to Township upon request, any and all data from its information systems as the systems monitor the wastewater collection, transmission and treatment systems so as to enable the Township to make both long-term risk management decisions and to make accurate and timely decisions to prevent and/or respond to emergency situations, including, but not limited to, major storm events, facility breakdown/failure, and other emergency scenarios.

The Developer/Property Owner agrees to share all studies, particularly initiatives aimed at reducing human and organizational errors, concerning causes and prevention of incidents, and concerning the general goal of addressing load characteristics, flow, discharge and quality levels.

The Township shall provide information regarding the wastewater treatment system in its possession and as generated by this agreement. The parties agree to use best efforts to coordinate media relations for events in which both parties are involved so as to avoid conflicts that create public confusion; otherwise each will refer the media to the other party for information under that party's purview.

13. Failure of System. For purposes of this Agreement, the term "failure of system" shall mean non-compliance with the conditions and parameters set forth in the System's NPDES permit and/or significant and pro-longed non-compliance with the applicable regulations as set forth by the DEP. During the period of time when the System is inoperable and/or incapable of treating the discharged effluent so as to meet and/or exceed those standards of the DEP as aforesaid, the Developer/Property Owner, at the Developer/Property Owner's expense, shall make the necessary arrangements to remove said effluent and arrange for the appropriate disposition of same at a properly certified and licensed sewage disposal facility. In the event the Developer/Property Owner shall fail to make the necessary arrangements for the removal of said effluent, the Township shall have the right, upon forty-eight (48) hours written notice to the Developer/Property Owner, to enter upon the premises and cause said effluent to be removed.

Where the Developer/Property Owner causes the effluent to be removed, the Developer/Property Owner shall, upon request of the Township, provide an Agreement with a hauler providing for the removal. The Developer/Property Owner agrees to continue hauling effluent until such time as the System has been properly certified as being operable by the regulatory agency in charge of monitoring said system and/or DEP.

If the Township makes an appropriate finding, the Township may declare the subject property uninhabitable and order the occupants to vacate premises for failure to comply.

The Developer hereby agrees that it will endeavor to obtain any and all agreements that may exist or that may have existed by and between the Developer's predecessor in ownership and the Villa of Our Lady convent (the "Villa"). The Developer further agrees that within six (6) months of signing this Agreement it will perform a survey and percolation tests on, in, and around the Villa of Our Lady parcel in anticipation of constructing a sufficient on-lot septic system in the event of a System failure as described above or during any period of time when the System is inoperable and/or incapable of treating the Villa's discharged effluent.

14. Default. Should Developer/Property Owner default in any of its obligations under this Agreement or, at any time, fail to have an existing maintenance and operation plan, or, in the alternative, fail to have an existing maintenance and operations agreement with a Maintenance Contractor approved by the Township or should the maintenance and operation agreement with the outside provider call for less service than that set forth herein or should the Maintenance Contractor provide less service than required by this Agreement, then Developer/Property Owner acknowledges and agrees to the suspension of any building, occupancy or related permits which allow occupancy of the Property and Developer/Property Owner further agrees upon the suspension of such permit or permits by Township or its designated officers, agents or representatives, and upon thirty (30) days prior notice from Township, to cease operations of the facilities that comprise the wastewater system and such cessation shall continue until any such suspended permit or permits are reinstated.

Developer/Property Owner further agrees that should operations be halted pursuant to this paragraph Developer/Property Owner shall be liable to Township for all costs incurred, including attorney fees, as a result of Developer/Property Owner's failure to comply with the terms of this Agreement. Owner further acknowledges and agrees that Township shall act in its discretion and shall not have any obligation to operate or maintain the System at any time including at any such time as owner may breach this Agreement or otherwise be in violation of any Township ordinance, state laws, rules or regulations, including those applicable to sewage maintenance and enforcement.

The rights of Township as set forth herein are in addition to any other rights Township may have to enforce sewage regulations and malfunctions for the health, safety and welfare of the public, particularly to seek expedited vacation of the premises if the health, safety or welfare of the public or any occupants is impaired by any malfunction or failure of the System.

15. Installation Of Meter. Developer/Property Owner shall install a meter at outflow of effluent and keep daily records of discharge. Quarterly reports shall be submitted to Township.

16. Maintenance Bond. So as to guarantee assurance of the Developer/Property Owner's performance, and that of his/its heirs, successors and assigns, the Developer/Property Owner shall provide as a performance guarantee the sum of Sixty Thousand (\$60,000.00) Dollars in the form of an assurance bond approved by the Township Solicitor. Such sum shall be held by the Township and may be utilized by it for the cost which it may incur in mandating compliance with this Agreement or undertaking maintenance responsibilities itself (it being recognized, as set forth above,

that the Township shall not have any such responsibilities despite its right to do so and the giving and holding of the security and guarantee shall not so obligate the Township).

If the Township moves against the bond and/or if any money is drawn against the bond amount, the Developer shall be obligated to either restore the bond amount to the original level of performance guarantee, or post a subsequent bond in the original amount within thirty (30) days of written notice of use of the funds.

The sum being held as a performance guarantee shall be released to Developer/Property Owner upon Developer/Property Owner's transfer of the Property but only in the event the subsequent owner or owners pledge and give a performance guarantee in a similar amount, or should there be any existing malfunctions or a default in the Agreement at the time, in such amount as is deemed to be necessary to secure repair or a curing of the default and ongoing of the performance of this Agreement.

The parties hereto agree that in the event that the Developer officially files bankruptcy, as that term is defined and delineated in the United States Code and relevant federal statutes, the aforementioned bond shall survive the bankruptcy filing and that the Developer will remain responsible for maintaining the aforementioned bond in addition to its obligations under this Agreement.

17. Indemnification. Developer/Property Owner shall indemnify and hold harmless Township, its officials, employees, representatives and agents, for any and all liability, claims, demands, actions or causes of actions whatsoever, including costs of investigation and defense of the same, at law, in equity or as part of any administrative or governmental proceeding arising from, or in any way incidental to or resulting from the

undertakings of Developer/Property Owner herein and/or the operation and maintenance of the wastewater system.

18. Sale Of Property. Prior to sale, transfer, conveyance, assignment or other transaction by which Developer/Property Owner's interest in the Property would be sold, transferred, assigned or conveyed, Developer/Property Owner shall notify the Township Sewage Enforcement Officer and the independent inspector. The independent inspector shall, within thirty (30) days of Notice, conduct an inspection of the System to determine its then compliance with terms of this Agreement. The written certification of compliance, subsequent to the inspection, shall be provided by the Township within five (5) days.

If the certification provides that Developer/Property Owner is in compliance with the Agreement and so long as Developer/Property Owner is divested by such transaction of all interest in the Property by such subsequent transaction, then Developer/Property Owner shall no longer be bound by the terms of this Agreement but, instead, as is provided in this Agreement, the heirs, administrators, executors, successors and assigns including Developer/Property Owner's transferees, grantees and successors in title, (whichever is applicable), shall be bound as a Developer/Property Owner to the terms of this Agreement.

19. Limited Purpose Of This Agreement. The sole purpose of this Agreement is to designate the responsibility of Mount Airy #1, LLC with regard to the operation and maintenance of the sewage disposal system as defined in the approved planning module pursuant to, and in accordance with, the existing Act 537 Plan for Paradise Township. The parties hereto hereby acknowledge and agree that this

Agreement is not approval of the Land Development Plan or any of the activities proposed by Mount Airy #1, LLC.

20. Term Of This Agreement. This Agreement shall become effective as of the date hereof and shall continue in full force and effect for a period of time beginning on the date of this Agreement and including and ending on the thirty-first day of October in the year Two Thousand Ninety-five (2095), or until sooner terminated by mutual agreement of the parties hereto, or by operation of law.

21. Assignability. This Agreement shall be binding upon and shall inure to the benefit of the Developer, his/its heirs, assigns, successors, corporate or otherwise, and corporate successors by merger, consolidation or conveyance.

22. Notice. Until further written notice by either party to the other, all notices provided herein shall be in writing and transmitted by messenger, with receipt acknowledgment, or by mail to the address indicated on the signature page of this Agreement with copies to the Paradise Township Solicitor and Counsel for Mount Airy #1, LLC.

23. Preference Of Agreement, Full And Complete Terms, Variations. This Agreement supersedes all previous Agreements and representations, either verbal or written, heretofore in effect between the Developer and Township, made with respect to the matters herein contained. When duly executed, this Agreement constitutes the full and complete agreement between the Developer and the Township. No additions, alterations, variations or waivers of the terms of this Agreement shall be valid, without the express written and executed consent of the parties.

24. Amendments. This agreement may only be amended by written consent of the parties hereto. In the event the Developer assigns his/its rights hereunder to an Authority or Authorities set up for the exclusive purpose of dealing with wastewater collection, transmission and treatment, and such Authority or Authorities issue bond debt, then, in that instance, after the issuance of any bond indebtedness (or any other indebtedness) by the Authority or Authorities, the amendment of this Agreement shall also require the approval of the bond trustee (or holder of any other security interest) given in accordance with any bond indenture of the Authority or Authorities.

25. Governing Law. This Agreement shall be governed by the Ordinances of Paradise Township and the laws of the Commonwealth of Pennsylvania, and it shall be and become effective immediately upon execution of the parties hereto. The parties agree that the jurisdiction and venue on the state level is Monroe County Court of Common Pleas.

26. Enforcement. In the event the Township is required to enforce any section of this Agreement by court proceedings or otherwise, the Township shall be entitled to recover courts costs, including reasonable attorney's fees. The Township reserves the right to lien Developer/Property Owner's Property for costs expended under this Agreement which are not recoverable.

27. Titles To Paragraphs. The title of each paragraph in this Agreement is for purposes of clarity and ease of reading only and is not to be construed as a substantive portion of the Agreement.

28. Severability. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not effect any other provision thereof.

29. Survivability. All of the terms, conditions, provisions, and representations contained in this Agreement shall survive and transcend the execution and termination of this Agreement.

30. Waiver. The failure of any party to insist upon the strict performance of any provision of this Agreement, or to exercise any right based upon a breach of this Agreement, or the acceptance of any performance during such breach, shall not constitute a waiver of any rights of a party hereunder.

31. Representation By Counsel. All parties to this Agreement have been represented by their respective counsel. The parties hereto acknowledge that said Agreement is the result of negotiation between the parties and, at times, by and through the legal counsel for the parties, and that the Agreement supersedes and replaces all prior understandings and/or agreements that may have been reached between the parties. The parties hereto acknowledge having read this Agreement and discussed the terms of this Agreement with their respective counsel and township, with its elected officials, and that approval and execution of this Agreement has been made freely and voluntarily with full knowledge of its legal effect.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized representatives pursuant to the resolutions of their respective governing bodies, have caused this instrument to be executed as of the day and year first above written.

DEVELOPER:

Mount Airy #1, L.L.C.,
A Pennsylvania, Single Member,
Limited Liability Company

WITNESS:

Margaret Labranti

By: _____

[Signature]

Louis A. DeNaples,
Exclusive Member/Owner
299 Main Street, Sturges
Olyphant, PA 18447

APPROVED AS TO LEGAL FORM:

[Signature]

Jeffrey Belardi, Esquire
Counsel for Mount Airy #1, LLC
436 Spruce Street, Suite 200
Scranton, PA 18503

TOWNSHIP:

Paradise Township,
A Pennsylvania Second Class Township

ATTEST:

Reda Briglia

Reda Briglia
Secretary/Treasurer
Paradise Township

By: _____

[Signature]

Dennis Keesler, Chairman
Paradise Township Board
of Supervisors
RR#1, Box1226
Cresco, PA 18326

(TOWNSHIP SEAL)

APPROVED AS TO LEGAL FORM:

[Signature]

John C. Prevoznik, Esquire
Paradise Township Solicitor
47 South Courtland Street
East Stroudsburg, PA 18301