



# CAPITOL UPDATE

# STATE REPRESENTATIVE MAUREEN E. MADDEN

Representing the 115th Legislative District

Spring 2023

## The Proliferation of Warehouses in Our Communities



*A warehouse in our region contrasted with a view from Tobyhanna State Park.*

Recently, there has been a heightened concern in our community regarding the proliferation of warehouses and distribution centers.

There is a common concern regarding the environmental impact that could lead to the destruction of wetlands, as well as air and water pollution. Among other quality-of-life issues is the concern that our road infrastructure cannot handle the increased tractor trailer use on local roads.

As a Coolbaugh Township resident, I joined a community advocacy group

called “Ban the STR and Warehouses in the Pocono Mountains” to lend my voice to the community-minded citizens who work diligently to protect our pristine Poconos.

The Pocono Township Board of Commissioners and Township Manager Taylor Muñoz facilitated an open line of communication between the residents and the township. This allowed for a collaborative process that created the curative amendment. Said Muñoz: “You can put anything in the ordinance, but that does not mean it won’t be subject

to scrutiny.” Such scrutiny would be encountered from multiple angles at current municipal meetings across the 115th Legislative District.

State law, namely the Municipalities Planning Code (MPC), requires careful attention to the issues at hand by municipal leaders. In Pocono Township, elected and appointed officials, as well as residents, recently concluded a process to meet the balance necessary between economic development and quality of life.

*Continued on next page*

**SEE INSIDE:** My 2023-24 Budget Priorities • Issues with High Utility Costs?  
Honoring Dr. King with Christa Caceres

# The Proliferation of Warehouses in Our Communities (continued)

## Principles of Zoning & Land Use Decisions

Among the most talked-about topics in Monroe County are the increasingly proposed warehouses or distribution centers. There are many names for these: warehouses, distribution centers, truck terminals, fulfillment centers, last-mile logistics facilities. Who decides where projects are built and how they are approved? There is no simple answer to the questions many are asking, but there are some incredibly helpful resources that can provide general answers.

To begin, you must understand that municipalities must consent before a project is built. The approval process

can be straightforward or complex. Each township or borough elects its own municipal officials. In the case of first-class townships like Pocono Township, residents elect five township commissioners. Second-class townships elect either three or five township supervisors. Boroughs elect between five and seven borough councilmembers and one mayor. Those officials, not including the mayor, collectively make up the legislative body of each municipality, which governs land use (land development) standards and approvals in their respective locales.

The key to all zoning and land development standards is that they are ultimately regulated by the Commonwealth (state) through the Municipalities Planning Code. Local officials are afforded limited discretion to approve or disapprove of projects on an individual basis. Local officials must regulate uses and standards as they apply to categories of uses. In many cases, this means permitting categories of use in designated areas according to the official zoning map. Beyond the zoning map, these uses are defined according to real conditions via the local Zoning Code.

## Warehouses in Our Backyard

One of the most recent proposals that precipitated the curative amendment process in Pocono Township was the application by Core5 Industrial Partners, LLC. In March 2022, Pocono Township Board of Commissioners approved the 700,000-square-foot facility predicated on water and sewer access and outside permit approval (ex. Department of Environmental Protection, PennDOT, or Monroe County Conservation District). In August 2022, Core5 presented plans to construct a 302,000-square-foot warehouse on Stadden Road in Tannersville, adjacent to the proposed warehouse on Warner Road.

Utilizing a special procedure in the Commonwealth's planning code, Pocono Township officials declared portions of the township's zoning ordinance to be "defective" in September 2022. The defective determination applied to distribution centers, truck terminals, warehouses, and similar uses. This determination indicates that inconsistencies existed within the definitions and regulations of what uses are permitted by the zoning code. In this case, the determination questioned whether warehouses are permitted only in industrial districts (zones), or if they should be permitted in commercial districts as well.

When the original zoning regulations

were created, the modern warehouse uses were not contemplated. When Pennsylvania required zoning to be enacted in 1968, many of today's supply chains or market conditions did not exist. This precipitated the need for updates. Because there was a potential deficiency, the MPC requires municipalities to either reaffirm their existing ordinances or adopt a new ordinance to "cure" the issues. As a result of numerous public hearings held by the Board of Commissioners and Planning Commission, a curative amendment was proposed.

The Board of Commissioners voted in February 2023 to amend its zoning ordinance to include precise definitions of truck terminals, distribution centers, and warehouses. In the new ordinance, "overlay districts" are used to prescribe specific properties where these types of uses are permitted. In some cases, the Commissioners limited the number of trips that trucks would be allowed to make to 50 trips per day. A trip is defined as one truck in and out; essentially 25 vehicles per day. The Board also established various criteria to provide the best possible application of regulations based on each use. This includes requiring additional hearings for uses permitted as Conditional Uses, which would require site-specific conditions.

## What You Can Do

There is no shortage of ways to get involved in your community. As it relates to land use, the best way is to get involved with local government. Municipal elections are already underway for this year, with primary elections taking place May 16 to nominate candidates for the Nov. 5 general election. In addition to elected positions, numerous appointed positions are available in each municipality. Consider expressing an interest in one of the following boards:

1. Planning Commission – Municipal planning commissions often consider comprehensive planning initiatives, must review land use-related ordinances, and review land development plans before they are voted upon by a governing body. In some municipalities, there are as many as seven positions on each planning commission.

2. Zoning Hearing Board – A quasi-judicial body, zoning hearing boards are tasked with making judicial-like decisions on various land use requests. Some of these requests include interpretations on zoning map boundaries, variances (requests for relief from certain zoning provisions), and appeals from decisions of the zoning officer.

If serving in local government is not your cup of tea, consider joining a citizen advocacy group. There are plenty of local examples on environmental issues, health issues, and much more.

The most important things you can do: Be informed and be a voter!



Pennsylvania's workers are tied for dead last in America on payday. It's not right.

We're standing with Gov. Shapiro to **give working people a raise so workers can afford to be customers and communities can thrive.**



Children in one school district shouldn't be given opportunities over children in other districts simply because of their zip code.

It's time to provide **fair funding for all PA schools and make our students a priority.**



In March, Governor Josh Shapiro delivered his first budget address. He prioritized cutting costs for PA families, building economic prosperity through key investments in communities, businesses and workers, investing in education, ensuring Pennsylvanians feel safe in their communities, supporting mental health, protecting vulnerable populations, and safeguarding our environment and our right to clean air and pure water.

I support each of those initiatives, and I wanted to highlight a few of those topics I feel are especially important to the people of the Poconos.

Since I first took office in 2016, I have supported fair funding for education. Gov. Shapiro's proposal would help level the playing field, reducing the property tax burden by investing an additional \$671 million in K-12 education, with a plan to invest more as it comes. This includes new funding for mental health, universal free breakfast, and school safety.

Also I'm really encouraged by his commitment to a three-year tax incentive of up to \$2,500 a year for newly certified teachers, nurses and police officers to address the critical workforce shortage our commonwealth faces. Putting extra attention on these careers also invests in education, healthcare and public safety.

Speaking of our workforce, I'm also in favor of raising the wage

in PA. The minimum wage in our state has been stuck at \$7.25 since 2008, and too many people are working too hard – often in multiple jobs – to barely be able to pay their bills. The vast majority of minimum-wage workers (86%) are adults – NOT teenagers working summer jobs, as we often hear. As so many of our neighboring states have long ago done, it's time to pass a significant minimum wage increase so we can protect the worker gains made during the pandemic.

Last but not least, I am grateful for the proposed increase for local mental health support, especially for students, because they need and deserve better resources. Focusing on will ensure a pipeline of trained school-based mental health professionals in the future.



## Frustrated by Unexpected Utility Costs?

You're not alone. Your frustration about sharp and unexpected rises in utility costs is justified.

Please note that I am continuing to work with my colleagues and other officials to investigate these increases and develop a plan to address the problem for consumers. In fact, the Pennsylvania Public Utility Commission launched its own investigation this winter into the circumstances surrounding unusually high bills received by PPL Electric Utilities customers.

If you are concerned that your energy prices have been increased unreasonably, I encourage you to follow the advice of the PUC and call your public utility's customer service hotline and ask for information about their customer assistance programs designed to make energy bills more affordable.

You can also contact the Pennsylvania Office of the Consumer Advocate by phone at 800-684-6560 or by email at [consumer@paoca.org](mailto:consumer@paoca.org).

The PUC strongly encourages residents across our commonwealth to #SaveInPA by exploring electric power shopping options that can result in substantial savings on the energy portion of your monthly electric bills, especially during high-usage times. Visit [www.puc.pa.gov](http://www.puc.pa.gov) for information and tips.

# The Difference between Doing and Saying: Honoring the Life of Dr. King



For the 26th Annual Dr. Martin Luther King Jr. Celebration over the winter, East Stroudsburg University selected as its keynote speaker Christa Caceres, president of the Monroe County chapter of the

NAACP. Caceres, elected in 2019, is currently serving her second term as its president. In 2021, she was presented with the Dr. Martin Luther King Community Member Award from ESU.

At this year's celebration, Caceres' remarks honored the life of Dr. King and called for renewed activism inspired by Generation Z. Her speech was a message of hope. It highlighted the progress made in terms of racial, economic, and social justice and how we can answer the continued call.

America's generations have witnessed the activism of Dr. King. Many answered the call for justice then and continue to honor his advocacy and legacy today.

In her address, Caceres reiterated Dr. King's challenge for all of us to "be the best versions of ourselves for the good of America and each other, as any good neighbor would." If we want to continue along the path charted by Dr. King, each one of us has the responsibility to be good neighbors and sincerely look out for each other's best interests.

As the local NAACP president, Caceres encourages community engagement, voter participation, and holding those in power accountable for the quality of life in the Poconos. Her continued community advocacy and call for acknowledging a shared humanity is evident throughout the Poconos as a member of the Rotary Club of The Stroudsburgs and the Greater Pocono Chapter of Jack and Jill of America, Inc. She also serves as a Pocono Mountains United Way board member and as the co-chair of its Diversity, Equity, and Inclusion cohort. Caceres is taking action now to put Dr. King's words into action to address the racial, social, and economic injustices that still exist in our community.

Since Caceres became president of the Monroe County NAACP, I have worked closely with her to foster community engagement related to policing and criminal justice issues.

As I prepare to introduce legislation on those matters, I look forward to continuing that relationship.

We cannot be satisfied with where we are right now while our neighbors suffer. Caceres uses the African proverb to describe the reason why many suffer in silence:

"Until the lions have historians, every story told will glorify the hunter."

When rules are written and dominated by hunters, the narrative will always extol the hunter as the hero. Until the systems, rules, and attitudes that have been ingrained are transformed, the lion, "although strong and mighty," will never tell its story. One day we will hear the lion's story. Together, we can be good neighbors and speak up for the fair values that would make our neighborhoods a safe place for all to live and grow.

*Caceres speaks at the MLK event at East Stroudsburg University, while a large crowd takes in the festivities.*



*Rep. Madden joined by Congressman Cartwright and MLK Community Member Award recipient Christa Caceres.*





# Around the District & Harrisburg



Rep. Madden would like to thank members of her staff – Ariana Rivera, Latisha Griffith, Elyse Nehring, Jacob Pride and Geoff Morrow – for their collaboration on this newsletter.



Rep. Madden's District Office Director Jacob Pride (left edge of photo) with community leaders at the Middle Smithfield Township 2022 Person of Year presentation.



Rep. Madden talks to constituents at her Open House this winter.



Admiring the butter sculpture at the annual Farm Show with a couple of constituents!



Rep. Madden speaks during a Women in Politics panel at East Stroudsburg High School South.



Rep. Madden celebrates students after the Women in Politics panel at East Stroudsburg High School South.



Rep. Madden with Rep. Kosierowski, Drew Popish and Jacob Pride at Governor Shapiro's inauguration ceremony.



Rep. Madden with former House colleague and our new lieutenant governor, Austin Davis.



Rep. Madden takes the oath of office to begin her fourth term serving the 115th Legislative District.



Rep. Madden at SEIU's inauguration celebration.





# STATE REPRESENTATIVE Maureen E. Madden

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- @RepMadden

## Join the email list

[www.pahouse.com/Madden/EmailSignup](http://www.pahouse.com/Madden/EmailSignup)

lpo.ts.0423

## My office can help you with ...

- PennDOT issues – vehicle registrations, special tags, disability parking placards, titles, driver's license applications
- Information on financial assistance for higher education
- Obtaining and completing state forms
- Voter registration and absentee/mail-in ballot applications
- Unemployment compensation, worker's compensation
- Birth and death certificates
- Issues with Department of Human Services (food stamps, medical and income assistance)
- PA income tax questions or problems
- Requests for literature – bills, regulations, statutes, state maps, senior citizen information
- Citations from the PA House of Representatives for outstanding accomplishments and family milestones
- Renewal of state-issued licenses or certifications
- Property Tax/Rent Rebate
- PACE prescription-drug cards for senior citizens
- Tours of the state Capitol for individuals or groups

**REPRESENTATIVE Maureen Madden**

**2023-2024 Committee Assignments**

- Education
- Gaming Oversight
- Human Services
- State Government

STATE REPRESENTATIVES  
MAUREEN E. MADDEN & TARAH PROBST'S

# WOMEN'S Expo

Saturday, June 24 | 10 a.m. – 1 p.m.

Stroudsburg High School Cafeteria  
1100 West Main Street, Stroudsburg, PA 18360

## PROPERTY TAX/ RENT REBATE PROGRAM

for residents who are permanently disabled,  
50+ and widowed, or 65+

**Application Deadline: June 30, 2023**

**What we need from you:**

**EVERYONE**

- ✓ All earned income tax forms (1099 SSI, W2s, etc.)

**HOMEOWNERS**

- ✓ Copies of all paid tax bills

**RENTERS**

- ✓ Signed form from the landlord

**\$35,000**  
household income for homeowners &  
**\$15,000**  
household income for renters

For those on Social Security:  
half of SSI/SSD income is excluded for eligibility

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