

DALLAS TOWNSHIP PLANNING COMMISSION
Tuesday, June 12, 2018

The Dallas Township Planning Commission held their monthly meeting on Tuesday, June 12, 2018 at 7:00pm at the Municipal Building located at 2919 SR 309 Hwy., Dallas, Luzerne County, Pennsylvania.

PRESENT: CHAIRMAN, JACK DODSON, ROBERT BESECKER, JR., DAN JONES, CHARLES KISHBAUGH, WALTER BELCHICK, ZONING OFFICER, CARL M. ALBER, TOWNSHIP ENGINEER, THOMAS J. DOUGHTON, SOLICITOR, WILLIAM J. McCALL, SECRETARY, TAMMY MILLER.

Chairman, Jack Dodson, called the June meeting of the Dallas Township Planning Commission to come to order. Chairman, J. Dodson, asked for a motion to accept the Minutes and Treasurer's report from the previous meeting. Motion was made by W. Belchick and seconded by D. Jones. Motion was carried.

MISERICORDIA UNIVERSITY – Final Major LD Plan on the TROCAIRE BUILDING Addition - Nick Argot from Borton-Lawson, representing on behalf of Misericordia University. N. Argot stated we submittal the plans two (2) months ago but the site improvements were not completed. Twp. Engineer, Tom Doughton did his final inspection recently, to verify that all site improvements passed inspection. N. Argot stated he is now seeking Final Land Development Approval. Chairman, Dodson asked T. Doughton for his comments. **T. Doughton stated everything is completed.** Solicitor, McCall if everything has passed Final inspection; it qualifies for Final Land Development approval. Chairman, Dodson asked for a motion for **Final Land Development Approval.** Motion was made by Robert Besecker, Jr. and seconded by D. Jones. Motion was carried.

Maple St. Subdivision - Returns – Presenting were Atty. Donald P. Roberts from Burke Vullo Reilly Roberts with Lawrence LaRue, from Milnes Engineering and Gary Farber. Atty. D. Roberts stated that he and Lawrence LaRue will be going over the June 8th letter from Mr. Doughton. The one thing he would like to clarify is if the letter in response is to the revised plans for the extension of Maple Street. T. Doughton replied yes, it is. Atty. Roberts addressed to the board that he wants to make sure as to where they stand with DAMA. When they were here in April they had asked for a "Conditional Approval", to where my client at his risk, would be able to put in infrastructure, knowing that if he doesn't receive approval from DAMA to connect the sewers, he's doing it at his own risk. T. Doughton stated that DAMA requires a Developer's Agreement; we need to have the built agreement approved by DAMA before we can approve it or act on any plan. The actual sewer design can only be approved by DAMA. There was a discussion with Atty. Roberts and Mr. Doughton per the April PC meeting, regarding the issue of getting DAMA approval.

G. Farber said he understands the situation about the moratorium with DAMA and explains that he has four (4) laterals up the road already and there are two (2) that have to come off the end for the last two (2) lots up there. But because of the moratorium with DAMA, he can't get started with the infrastructure, so he can't even ask for a sewer permit to build. Farber said he's not looking to build, but he's just asking to get the infrastructure done. The sewer line is already in the ground. T. Doughton reiterated again, that the Township is under strict orders from DEP that we cannot approve any subdivision or Land Development without an approved Planning Module. The approved Planning Module gets approved by DEP, but it must have a section of that planning module filled out by DAMA. In some cases, DEP gives an exemption, you may be eligible for one, because there are sanitary sewer services. However, with approving a planning module, you can't go anywhere. Solicitor, McCall stated you also have to have the Developers Agreement, executed by DAMA.

Solicitor, McCall stated if we approve your subdivision, an element of that approval is the commitment to construct all the roadways within your proposed subdivision to State specs. The issue for dedication has nothing to do with the Planning Commission. It is within the discretion of the township, if they are interested.

Atty. Roberts said the other thing that I see we would need to get to you, would be is the storm water maintenance agreement. Solicitor, McCall stated he would provide Atty. Roberts with a copy of all agreements: Storm water management agreement, Developer's Agreement and an Easement Agreement...they are conditioned to Final Approval. Attorney Roberts told McCall that he will be giving a Composed Declaration of Covenants which is going to have the common ownership of the basin through the homeowner's association.

Lawrence LaRue from Milnes Engineering asked a question regarding the signature of wetlands. Response: If they are the correct initials on there, that is all that is needed. The other question is on the will serve letters; for the natural gas and Comcast – we have contacted them but they have not gotten back in touch with us. Those will be optional. There is gas at the bottom of the street and I don't know if Gary is looking to extend it up there, but I think he is. Do we need to provide a will serve letter? T. Doughton stated to him that DAMA gives you a standard form letter. LaRue stated he has not heard anything from Back Mountain Regional Fire Company as of yet, either.

T. Doughton said there are concerns regarding Storm water up there.

LaRue stated DEP was not willing to give an exemption for sewage planning at this time. They said they would refer him to DAMA. **Gary Farber granted the Commission an additional 90-day extension of rejecting or approving the said project.**

T. Doughton stated maybe make this maintenance on the storm water facilities, because one is right up against the neighbor's property and it needs to be maintained. Chairman, Dodson asked if there was anything else on this. There was nothing. They will return next month.

FELLOWSHIP CHURCH for Lot Consolidation on multiple lots into a single lot and the 10,600 SF building expansion and storm water and on-lot wastewater improvements were requested to be tabled. Secretary Miller provided everyone a letter of the request. **"NO ACTION WAS TAKEN"**.

DALLAS TWP. SOUTHSIDE PARK - Scott Grundowski presenting with Dave Wilusz from Barry Isett and Association. D. Wilusz said they are here to talk about just the park portion of the project. S. Grundowski stated they submitted for Preliminary / Final Plan Approval, also seeking a storm water waiver due from the Environmental Engineers report that was provided stated that storm water infiltration only went down to seven (7") inches before it hit fragipan soil, which will kick everything into the creek, which is right next to the park. S. Grundowski said in order to mitigate that, we want to put in some rain garden areas; landscaping to help absorb some of the water issues there. If you go through final plan approval the township is going to BOND you, for the approvals. You may want to call this preliminary plan approval until construction is done and then you come back and then get the final inspection done.

Tom stated there are no comments from the county. Have you submitted this to the county? It does require county comments; it is part of the ordinance.

Tom stated he did not see any bench marks. Both Scott and Dave said they will add those in. A certification of the wetlands shall be noted on the plans, which is done by an individual that is certified. Dave Wilusz stated they can get that and that it would not be a problem.

T. Doughton said location with a purpose for the Proposed Easement. D. Wilusz asked what do we need an easement for. T. Doughton stated the right-of-way; in case the property is ever sold off.

T. Doughton stated you need to fill out a Sewage Planning Module for exemption, for any subdivision or land development. D. Wilusz stated we are not proposing any buildings or facilities. T. Doughton told D. Wilusz that's what you have to prove to DEP, that you are not proposing any sanitary facilities and they will grant an exception; it usually takes two (2) weeks.

T. Doughton stated the Erosion & Sedimentation Control Plan Application approval – you do not qualify for a NPDES Permit.

T. Doughton said it appears there is a foot bridge; do you have a permit for that foot bridge? D. Wilusz said to put the bridge over a grading, "no, I don't have a permit." S. Grundowski explained it is not going over the existing stream. It is a dry swale, when it rains it goes over it. T. Doughton stated he will call DEP to confirm it.

Storm water Management –again you requested a waiver. We don't have the authority to grant a waiver for storm water management; unless we have DEP approval and the County. This is a County wide Storm Water Ordinance.

The raingarden also requires an **O&M (Operation and Maintenance) Agreement**. In which, if the Township agrees to maintain the facility. In this case the Township Solicitor said "this is why you're here." Dallas Township is not exempt from its own ordinances under Land Development. We are treating this just like a normal land development or developer in this case. There is no exemption, because it's the Township doing work. That's it, until we get some of these issues resolved.

D. Wilusz stated it is not a raingarden; just some landscaping. The whole point asking for a waiver from storm water is because it's not going to be graded, so we don't have water staying. We are trying to get it into the creek. Any going in the ground is going to make the ground wet and it'll be a swamp out there. Here we have moderate drainage underneath the playground and everything is being raised up to get the water off the area, so it can be used as a playground. They will be returning.

Motion to adjourn was made by R. Besecker, Jr., and seconded by C. Kishbaugh. Motion was carried.

There being no further business, the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Tammy L. Miller

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