

DALLAS TOWNSHIP PLANNING COMMISSION
Tuesday, October 8, 2019

The Dallas Township Planning Commission held their monthly meeting on Tuesday, October 8, 2019 at 7:00 pm at the Municipal Building located at 105 Lt. Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania.

ATTENDANCE

PRESENT: CHAIRMAN, JACK DODSON, MEMBERS, ROBERT BESECKER, JR., DAN JONES, CHARLES KISHBAUGH, TOWNSHIP ENGINEER, THOMAS J. DOUGHTON, SOLICITOR BENJAMIN R. JONES, and SECRETARY, TAMMY MILLER

ABSENT WAS MEMBER, WALTER BELCHICK and ZONING OFFICER, CARL M. ALBER.

Approval of Minutes and Treasurer’s Report:

Chairman, Jack Dodson called the October 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. C. Kishbaugh made a motion to approve the minutes and Treasurer’s Report as presented and seconded by R. Besecker, Jr. Motion was carried.

STREDNY SUBDIVISION – Surveyor, Glenn Johnson was representing on behalf of Nick Stredny. They had received conditional approval previously on June 11, 2019, PC Meeting. Glenn is requesting a 30-day extension due to a medical emergency in order for him to get signatures, and get the plans recorded. Motion was made by R. Besecker, Jr. and seconded by D. Jones to **grant a 30-day extension for Mr. Johnson to obtain signatures needed for the Stredny Subdivision. This expires on Thursday, November 7, 2019.** Motion was carried.

TACO BELL – Ryan Heimbach from Hawbaker Engineering, representing on behalf of Taco Bell. R. Heimbach stated he is here tonight to make sure everything has been turned in that was outstanding. The Letter of Credit has been provided and the last thing that remains is the HOP. We received correspondence from Penn Dot and they stated the letter is in the mail. T. Doughton stated those were the only two outstanding issues; everything else has been satisfied. T. Doughton stated his recommendation is giving conditional final plan approval; conditioned upon receiving the actual HOP. Doughton feels that Carl should not be issuing a building permit until receiving the HOP. It’s too busy of an intersection and doesn’t want any liabilities, in case of an accident. Tom stated he received via email that the plans are basically approved; however, they are waiting for a signature from the District Trafficker.

T. Doughton stated after receiving the HOP from Penn Dot, we need signatures for the Developers Agreement, the O&M Agreement, and Easement Agreement.

C. Kishbaugh made a motion and seconded by R. Besecker, Jr., for Taco Bell to receive “**Conditional Final Plan Approval**”, contingent upon the receipt of the HOP from Penn Dot and the Developer’s Agreement, the O&M Agreement and Easement Agreement to be signed and notarized. Motion was carried.

HIGHPOINT TOWNHOUSE DEVELOPMENT - Chris Sespico from JHA Engineering is representing on behalf of Al Shaver. Twp., Engineer, Tom Doughton stated this project is a ten-year project; it was approved in 2005 from the Zoning Hearing Board as a PRD from S-1. **There will be a total of 6 units; two (2) separate structures.**

In 2006 the Planning Commission gave Final Plan Approval conditioned upon the receipt of LOC (Letter of Credit), a stormwater management agreement, and an Easement agreement. Everything was completed, except the LOC or financial guarantee was never received. Some site work was started, but faded out. In 2013 they came back in with Gary Farber and again nothing happened.

This however, has to be handled as a new submittal. The five-year time frame has expired. However, the approvals and the PRD are still valid; they just don't disappear. The project design is exactly the same as it was back in 2006. However today, we have a different storm water ordinance and a few agreements that will have to be entered into it. The other situation was the sewer moratorium. DEP is requiring a full-blown Planning Module for anything that is connecting to the municipal sanitary sewer system; which is in process. Back in 2006, it states in the minutes there were county comments, but the County could not find the review. They are requiring a new submittal.

Chris Sespico from JHA Engineering, stated they re-submitted plans a few weeks ago to the county and are waiting on county comments. We are waiting on Component 3 DEP Planning module. We were given a Will Serve letter from DAMA accepting the connection. Tom also mentioned the financial security in his review, along with a construction schedule for inspections that needs to be in place on when we will be starting construction and some of those time line items. **Originally, they submitted a Developer's agreement, O&M agreement and Easement agreement.**

Chris Sespico stated back in 2006 it was questioned as to whether or not an emergency vehicle would be able to access the site. Today we ran a turning template scenario with a 44' bumper fire truck to see as to whether or not it would be able to make a left or right turn within the parking area and to be able to pull back out onto Parrish St.

The note on the drawing needs to be changed from S-1 to PRD-5. The zoning map shows the wrong plot for Highpoint Townhouse Development and the wrong district. The zoning map needs to be amended by the Board of Supervisors, by Ordinance.

It is about ¾ of an acre, in which it does not need a NPDES Permit. Tom stated he received an email from Heather Graham and they do not need a new E&S plan; it is still valid from 2005.

We need the following: **1) County Comments, 2) DEP Sewage Facility Planning Module, 3) O&M Maintenance agreement – signatures, and 4) Amending of the zoning map.**

C. Kishbaugh made a motion to approve for conditional Final Plan approval – contingent upon receiving the Highway Occupancy Permit from Penn Dot. That is the only thing that is still outstanding. We will need to get signatures for the Developers Agreement and the O&M Agreement, and the Easement Agreement.

CONDITIONAL APPROVAL(S) – Per last month's discussion regarding on implementing a time frame on conditional approvals were brought up again for discussion. Twp., Engineer, Tom Doughton stated over the course of time in giving conditional approvals, there has never been a time limit set as to when the applicant or agent had to have all requirements complying with the SALDO. **There should be a definitive time frame implemented for conditional approvals. The Planning Commission agreed for a time limit of six (6) months.**

Motion was made by Robert Besecker, Jr. to recommend to the Board of Supervisors to implement a definitive time frame of six months in order for the applicant / agent to comply with all requirements from the SALDO, after receiving conditional approval. It was seconded by Dan Jones. Motion was carried.

Motion to adjourn was made by D. Jones and seconded by R. Besecker, Jr. Motion was carried.

There being no further business, the meeting adjourned at 7:36 p.m.

Respectfully submitted,

Tammy L. Miller

Tammy L. Miller, Secretary-Treasurer
Dallas Township Planning Commission