

DALLAS TOWNSHIP
ZONING HEARING BOARD
MARCH 15, 2021
****MINUTES****

The Dallas Township Zoning Hearing Board held their monthly meeting on Monday, March 15, 2021 at 6:30 pm at the Administration Building, located at 105 Lt. Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania.

PRESENT: Chairman Robert Bayer, Board Member Mary Barbara Gilligan, Zoning Officer Carl M. Alber, Solicitor Donald G. Karpowich, Secretary Tammy Miller, Twp. Manager Martin Barry, Court Stenographer, Jessica Lewis, Mike Sanders, Director of Development from HIX SNEDEKER Co. and Steve Cattani, from DYNAMIC ENGINEERING. Marketing Consultant Amanda Faneck was at the Administration Building to set up Facebook Live to allow additional residents to participate in the meeting. Due to COVID-19, all necessary precautions were taken prior to the meeting. In attendance via Go To Meeting /phone included: Board Member Mary Rodriguez, Supervisor Elizabeth Martin, and Mark McNealis, Esq., who was representing on behalf of the applicant, HSC Dallas, LLC.

MINUTES and TREASURER’S REPORT

R. Bayer, opened the March meeting followed by the pledge of allegiance. M.B. Gilligan made a Motion to approve the minutes from January 18, 2021 Meeting and Treasurer’s Report from January and February, 2021. Seconded by R. Bayer. MOTION CARRIED.

HSC Dallas, LLC. – is seeking two (2) Special Exceptions and three (3) Variances, for Lot B of the Harkins property formerly known as the Dallas Drive-In along SR 309 Highway and Upper Demunds Road, in Dallas Township, Luzerne County.

Representing on behalf of the applicant; HSC Dallas, LLC is Mark McNealis, Esquire of 5929 Main Road, Sweet Valley, Pa. 18621. M. McNealis introduces Mike Sanders, Director of Development from HIX SNEDEKER COMPANIES from Dapne, Alabama; along with Steven Cattani, from DYNAMIC ENGINEERING. Both were sworn in before giving testimony. Karpowich stated the drawing will be marked Applicant, EXHIBIT #1(A-1).

Atty. McNealis asked S. Cattani to show the diagram and explain as to what they are proposing to do. S. Cattani stated the exhibit from the board and the audience is just an ariel photograph of the proposed property. It is formerly known as the Dallas Drive-In movie Theater, located next to SR 309 highway.

Karpowich asked McNealis if he wants the current condition of ariel as A-2? McNealis replied yes, please. S. Cattani explains A-2 is essentially a rendering of our proposed Tractor Supply Facility over the property. We are providing a single driveway access off of route 309. Tractor Supply is located to the North of that driveway; we are proposing a second exit off the property, off of Upper Demunds Road. Tractor supply is located centrally in the linked parcel with parking and display areas out in front. The **garden center** is to the right side of the page and **general loading** is to the rear of the property.

We are here for three (3) variances and two (2) special exceptions. The special exceptions relate to impervious coverage. The three variances were looking for: One variance ranks to the driveway width ordinance restricts the driveway width for thirty (30’) ft. Based on our discussions with Penn Dot they are looking for us to try and contain the vehicular truck movements in and out of the property. In order to accommodate Penn Dots request, we have asked for an additional six (6’) ft of driveway width to ensure those vehicles are contained. The second variance is pertaining to additional landscaping; which would

primarily be serving to help provide an aesthetic appearance from off the property for this particular development to look more professional. The last variance relates to the parking count. The ordinance we looked for approximate parking count is for one hundred-twelve parking stalls for this facility. We are looking for seventy. Typically, you would find a sixty (60) to seventy (70) parking stall demand for these facilities. That is pretty consistent throughout the U.S. We would like to maintain that particular number of parking stalls for this facility.

M. McNealis stated he wanted to confirm on the record that the applicant recognizes this is the first step in the process that there are other approvals required for things like: Stormwater Management, HOP, Land Development, etc. Karpowich said that would be correct. McNealis asked S. Cattani is it your testimony that based on your experience of layout, design and parking in accordance to what you look for in a store. S. Cattani stated yes, Tractor Supply has over two thousand (2,000) stores throughout the U.S. and this prototype is very typical of those stores.

R. Bayer asked the two access driveways; you're not designating either drive for deliveries versus customers? S. Cattani stated no, not at this time, no. they are more than adequate for delivery.

M. B. Gilligan asked if both drives are thirty-six (36') ft wide. S. Cattani replied no, just the 309 is.

Karpowich questioned the minimum of the percentage for the landscaping. M. Sanders said right now they are at one to two percent with the individual island and the nature of that. It's because the island is longer than the parking field. It looks more to be in the parking field, we'll be looking to provide additional infeed from around the perimeter. We want to limit what may block smaller vehicles from parking in that area. It's also trying to prevent any fender benders from happening. It will be about one (1%) percent of landscaping. R. Bayer asked if they would be up to planting trees around the perimeter of the parking lot. S. Cattani stated he thinks that is the intent. M.B. Gilligan stated what concerns her is the landscaping; especially with water run-off from paved areas. S. Cattani stated they will comply with the quantity of landscaping that will be required. Karpowich stated for approval they will have to submit the landscaping plan to the Planning Commission for approval by the Supervisors.

There were no more questions.

M. B. Gilligan made a motion to approve both requests for the special exceptions. Seconded by M. Rodriguez.

- 1) Special Exception request pursuant to Section 509.2 (A) To permit a cumulative earth disturbance in excess of 80,000 sq. ft., in area for a nonresidential use.
- 2) Section 509.2 (B) To permit construction of a building and impervious surfaces in excess of 25,000 sq. ft., in area for a nonresidential use.

M. B. Gilligan made a motion to approve the variance from Section 1105. Seconded by M. Rodriguez. Motion carried.

- 1) Section 1105 – To permit a nonresidential driveway in excess of thirty-six (36') ft., in width; where a maximum width of thirty (30') ft., is required. It is conditioned upon the applicant obtaining a State Highway Occupancy Permit from Penn Dot to connect its access drive to Tunkhannock (SR 309) Highway.

M. B. Gilligan made a motion to approve the variance from Section 1108 (c) Seconded by R, Bayer. Motion carried.

- 2) Section 1108 (c) of the Dallas Township Zoning Ordinance to permit one (1%) percent of the off-street parking and loading area to be landscaped where a minimum of five (5%) percent is required. This variance is granted conditioned upon the Applicant providing the remaining percentage of landscaping around the perimeter of the off-street parking and loading area, and the submission of a landscape plan for approval by the Dallas Township Board of Supervisors as part of land development.

M. B. Gilligan made a motion to approve the variance from Section 1116 (14), seconded by M. Rodriguez. Motion carried.

- 3) Section 1116 (14) To permit 70 off-street parking spaces for a retail Business; whereas 112 off-street parking spaces are required. This variance is granted conditioned upon the Applicant providing up to an additional ten (10) off-street parking spaces should the Dallas Township Board of Supervisors deem them necessary as part of land development.

ADJOURNMENT

M. B. Gilligan made a Motion to adjourn the meeting, seconded by R. Bayer. Motion Carried.
The Meeting adjourned at 7:01pm.

Respectfully submitted,

Tammy L. Miller

Tammy L. Miller,
ZHB Secretary/Treasurer