

DALLAS TOWNSHIP ZONING HEARING BOARD
Monday, July 15, 2019

The Dallas Township Zoning Hearing Board held their monthly meeting on Monday, July 15, 2019 at 6:30pm at the Municipal Building located at 105 Lt. Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania.

Present were Robert Bayer Chairman, Mary Rodriguez member, Carl M. Alber Zoning Officer, Donald Karpowich Solicitor, Tammy Miller Secretary, Courts Reporter and Interested Parties.

ABSENT: Mary Barbara Gilligan, member

Chairman, Robert Bayer opened the July meeting and asked if all members have received copies of the Treasurer's report from March, April, May and June and Minutes from the March Meeting; R. Bayer stated he will entertain a Motion. Motion was made by Mary Rodriguez and seconded by Robert Bayer. Motion was carried.

CASE 1

NICHOLAS STREDNY – 680 Carpenter Road, Dallas Pa. Glenn Johnson Surveyor was representing on behalf of the Stredny family. Johnson stated they are subdividing two (2) lots and making them into 3 Lots. The driveway going up into the Stredny's home is a permitted driveway by Penn Dot. There is 68.05 feet between the two existing lots, where 150 feet is required for the said property - Lot 2. We simply need a zoning variance to allow the existing driveway to continue as it is. Lot 1 and Lot 2 will be sharing the driveway, if zoning gives approval. Member M. Rodriguez asked is this going to be a shared driveway and if so, is it going to be on both deeds? G. Johnson replied yes.

G. Johnson stated it was presented to the Planning Commission with the existing deeds that Lot 1 and Lot 2 will be sharing the driveway. There will be a maintenance agreement prior to the sale of either of the lots. It will be drawn up by an Attorney. Atty. Karpowich asked Mr. Johnson, so there isn't a proposed easement agreement at this point. G. Johnson said there is an easement agreement but not a maintenance agreement. Atty. Karpowich asked if he had a copy of the easement agreement but G. Johnson stated he did not have it with him tonight.

Atty. Karpowich asked Zoning Officer, C. Alber if the case was properly advertised and posted, and if the contiguous property owners had been notified. Zoning Officer C. Alber replied yes. Atty. Karpowich stated M-1 we will be marked as: Notice of Publication, M-2 will be: Proof of Publication, M-3 will be: Zoning Permit App., and M-4 is: Zoning Appeal.

Chairman R. Bayer made a motion to close the record. M. Rodriguez second the motion. Motion was carried.

Chairman Bayer, stated he will entertain a motion...M. Rodriguez made a motion to grant the variance. R. Bayer second the motion. Motion was carried.

Atty. Karpowich stated the Zoning Hearing Board wants a **conditional approval** that there is a shared maintenance agreement for Lot 1 and 2, and an Easement Agreement. It doesn't have to be the same agreement; they could be separate recordable form to be recorded along with the copy of this plan. When you record the plan-record the agreement. G. Johnson stated he will let the Attorney handle that. Atty. Karpowich stated just so there is an Easement agreement in recordable form and that a shared maintenance agreement where it's fifty-fifty between Lot 1 and Lot 2.

Mary Rodriguez made a motion to adjourn the meeting and Robert Bayer second it. Motion was carried.

The meeting adjourned at: 7:00 pm

RESPECTFULLY SUBMITTED,

Tammy L. Miller

TAMMY L. MILLER, SECRETARY-TREASURER
DALLAS TOWNSHIP ZONING HEARING BOARD