

DALLAS TOWNSHIP
ZONING HEARING BOARD
JUNE 21, 2021
****MINUTES****

The Dallas Township Zoning Hearing Board held their monthly meeting on Monday, June 21, 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, Mary Rodriguez, Zoning Officer Carl M. Alber, Solicitor Donald G. Karpowich, Secretary Tammy Miller, Twp. Manager Martin Barry, Court Stenographer, Carrie Kaufman, Applicant; John Henry, Owner of property; Karen Kaminski, Sylvia Maas and Real Estate Agent from Century 21, Florence Konopke Marketing Consultant Amanda Faneck was at the Administration Building to set up Facebook Live to allow additional residents to participate in the meeting, which 12 people participated on Facebook. Due to COVID-19, all necessary precautions were taken prior to the meeting. There was no attendance via Go To Meeting /phone.

MINUTES and TREASURER’S REPORT

Chairman R. Bayer, opened the June meeting followed by the pledge of allegiance. M.B. Gilligan made a Motion to approve the minutes from May 17, 2021 Meeting and Treasurer’s Report from May, 2021. Seconded by R. Bayer. MOTION CARRIED.

Scott and John Henry of 239 Old River Road, Wilkes-Barre, PA 18702 – are seeking a use variance in a Highway Business (B-2) Zoning District pursuant to Section 509.2 to allow building use for residential purposes only. Properties are located at 633 Main Rd., Dallas, PA for a single-family dwelling and 637 Main Rd., Dallas, PA for a two-family dwelling. The applicant made an error and reversed the properties when filing the appeal application.

All parties were sworn in.

M. B. Gilligan said their concern from last month’s meeting was the change of the zoning. Due to the businesses that was there, we’re concerned that it would change the tax base essentially to eliminate the use variance. Why isn’t it possible to maintain that? J. Henry stated if we wanted to rent it, he believes they wouldn’t be able to rent it to a family under the business zoning district.

Solicitor Karpowich asked the property owner (Karen Kaminski) how long she owned the two properties and were they purchased at the same time. K. Kaminski stated no, they were boughten separately. She believes approximately twenty-five (25) years. Her husband had his podiatry office downstairs and the upstairs was always a residential apartment. He owned the property at 633 long before the property at 637.

Realtor; Florence Konopke of Century 21 Signature Properties stated Peter listed the properties last year with her and when he passed away, the properties were taken off the market for awhile and then Karen placed them back on. Solicitor Karpowich during the time period it was on the market, were you trying to market it for commercial? F. Konopke stated yes, what the zoning district is listed as now; Highway Business (B-2). Solicitor Karpowich questioned what was the 637-building used for? Sister of K. Kaminski - Sylvia Maas stated it took a while to rent out, but it was rented to an accountant, until he passed away. Both properties for upstairs and downstairs were rented off and on over the years. Currently, the buildings are a mixed use; business and residential. 633 Main Road is a nail salon and the owner operator is the primary resident of the building. 637 Main Road was formerly used as a doctor’s office on the first floor and the unit above that is

occupied as a rental apartment. Sylvia Maas stated this is the first that anyone has put in a bid for both properties over the years.

Solicitor Karpowich asked Zoning Officer Carl Alber, since the last hearing you received the application for 633 Main Road for single-family and an application for 637 Main Road for a two-family home. C. Alber replied yes. Solicitor Karpowich said and those applications were denied because a residential use is not permitted in a B-2 zone? C. Alber replied yes. Solicitor Karpowich said as a result of that, they appealed. C. Alber stated yes, they did. Solicitor Karpowich said were the subject properties to these hearings today properly posted? C. Alber said yes, June 7th. Solicitor Karpowich asked was it properly advertised in the general circulation two times not more than thirty (30) days not less than seven (7) days prior to the hearing? C. Alber said yes, June 7th and June 14th.

Solicitor Karpowich asked Zoning Officer, C. Alber if the dates upon the proposed use for a single family at 633 Main Road and two-family at 637 Main Road – is it your opinion that they’d rather put off-street parking to accommodate the proposed Real Estate? C. Alber replied yes.

Solicitor Karpowich stated to K. Kaminski as the owner of the property do you understand that the board would’ve granted you variances to the properties as residential purposes opposed to commercial purposes. He asked if she understood that and she replied she understands. Solicitor Karpowich said you’re okay with that? K. Kaminski said yes.

Chairman; R. Bayer asked the audience if anyone had any questions or comments...there were none.
Chairman; R. Bayer opened for a motion.

Motion was made by M. Rodriguez, seconded by M. B. Gilligan to grant the variances for 633 Main Road to allow the change of use from commercial with an apartment above a business to a single-family residential dwelling unit and to allow the change of use of 637 Main Road from commercial with an apartment above the business to a two-family residential dwelling unit. **The approvals are granted SUBJECT TO neither property being used for student housing.** Motion carried.

ADJOURNMENT

M. B. Gilligan made a Motion to adjourn the meeting, seconded by R. Bayer. Motion Carried.
The Meeting adjourned at 6:50pm.

Respectfully submitted,

Tammy L. Miller

Tammy L. Miller,
ZHB Secretary/Treasurer