

PLANNING COMMISSION MEETING
MINUTES
SEPTEMBER 13, 2022

The Dallas Township Planning Commission held their monthly meeting on Tuesday, September 13, 2022 at 7:00pm in the Administration Building located at 105 Lt. Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania.

ATTENDANCE

The following individuals were present: **(Chairman)** Jack Dodson, **(Members)** Robert Besecker, Jr., Dan Jones, Charlie Kishbaugh, Dan Mulhern, **(Solicitor)** William J. McCall, **(Zoning Officer)** Russ Coolbaugh and **(Secretary/Treasurer)** Tammy Miller. Also, in attendance were Nick Argot and Mark Van Etten.

ABSENT: **(Twp., Engineer Representative)** Thomas J. Doughton and **(Twp Manager)** Martin Barry.

Approval of Minutes and Treasurer's Report:

C. Kishbaugh made a motion to approve the **Minutes** from August 9, 2022 Meeting and **Treasurer's report** from August, 2022. D. Jones second the motion. Motion carried.

Business before the Board:

GEISINGER DALLAS CLINIC, EXPANSION – Nick Argot with Borton Lawson, Engineering. Argot was representing on behalf of Geisinger Clinic and the building addition on their clinic here. N. Argot stated the addition is about five thousand (5,000) sq. ft. Nick handed all board members a packet, which includes Tom's last comment letter from July 8, 2022. He wanted to go through some of the remaining comments and what's been addressed to date. N. Argot stated he highlighted some of the items that weren't addressed from his last comment letter (July 8, 2022). They are highlighted in yellow and green. There is no NPDES Permit needed for this project.

The **green highlighted text are things that have been addressed**; approvals we've obtained since his last comment letter.

- Z.O. review: they submitted a zoning permit to the zoning officer. Russ did issue a zoning permit. Argot feels that item has been addressed.
- The last comment in green is the Luzerne Conservation District – **Erosion & Sedimentation Control Plan**. Argot stated they have approval on that and he has a letter included in the packet.
- Argot stated he has a letter in the packet from the fire chief stating that he did review the plan.

The **yellow items are items that still need to be completed.**

OUTSTANDING ITEMS:

- DEP approval of the Planning module. We have Will Serve letters from WVSA & DAMA. The letter states they have the capacity to serve the project.
- Financial Security – that is outstanding, but we are working on getting that set up.
- Construction Schedule – once we know the timeline for the start of construction, we'll provide that to you, from start to finish.
- The Developer's Agreement
- Storm Water Management System Easement Agreement
- Storm Water Management System O&M Agreement

Solicitor McCall stated he can't advise this Commission to issue any kind of approval when he has not seen any of the documents that are going to be subsequently filed. Nick said he understands and he's not asking for final approval tonight or to sign the plans tonight. I'm asking for a conditional approval with that modification from the Sewage Planning. On the understanding that financial security, Developer's Agreement, Easement Agreement and all that stuff that was mentioned. Solicitor McCall told him bear in mind; we don't approve the financial security. You have to get the approval of the Township Solicitor. We only react when we have all that. Solicitor McCall stated he will need to see those agreements. N. Argot asked if he could request for contingent approval upon providing all those documents? Solicitor McCall said the unwritten position of the Planning Commission is consistently bear no conditional approvals for Land Development. There are too many issues that can occur. Solicitor McCall said this is at the discretion of the Planning Commission, as the Solicitor he could not recommend issuance of a conditional approval, when there are so many matters still outstanding.

Solicitor McCall asked Zoning Officer R. Coolbaugh about off street parking. R. Coolbaugh stated they were sufficient with what they had. Solicitor McCall wanted to know how many are required for the new addition? R. Coolbaugh thought it was twenty-nine (29) parking spaces. Solicitor McCall asked if they have provided it. R. Coolbaugh said yes. N. Argot stated some parking spaces were eliminated but, in another area, parking was added. Solicitor McCall asked R. Coolbaugh if he was comfortable with how many parking spaces there are? R. Coolbaugh said yes, it totaled what it needed to be.

D. Jones asked how long ago was the sewage planning request submitted? N. Argot told him about two months ago, but had to wait on a letter from DAMA, before they could submit it to Dallas Township. An official from the township has to sign it and probably another thirty days after that. It was about three (3) weeks ago they realized they had to fill out a component 3. N. Argot said the review time for DEP is 120 days, plus the time we had to prepare it. The earliest they would be able to submit is the next supervisors meeting, in October.

N. Argot said Geisinger is working on the letter of credit and that is 110 % of that. Solicitor Mosca is the only person that's going to have any input about that on behalf of the township. N. Argot stated he understands that all has to be in place before plans can be signed in order to break ground. N. Argot said what he is asking for is the conditional approval so we don't have to wait for October. If we could work on those documents and get them drafted and signed, between now and the next few weeks. Solicitor McCall said he thinks he's a month premature. He would have to see the documents to be able to uphold them on behalf of the commission. I can't advise the commission to issue you a conditional approval when there are so many things are outstanding. However, it is the discretion of the commission. If you're determined that you wish to grant a conditional approval; you would have to see what conditions have to be subsequently, approved -----of receipt approve before final plan approval is provided. Solicitor McCall thinks it is premature with so many things still outstanding. The planning commission feels they do not want to go against councils' recommendations. D. Mulhern said it would still put you in the October timeframe and it gives you a chance in getting the documents prepped and then we'll have more inside of what we're looking at. N. Argot said he would do the same thing and he agrees not to go against council.

N. Argot said regarding sewage planning; so, if we get all those other items: Developer's agreement, Easement Agreement, O&M Agreement; just so I can go back and tell my client, we need to get these things in order. Solicitor McCall said most of these things are mechanical; but there is review in each of them and that's why he's reluctant to just have a general condition, when we haven't seen a document that's going to be submitted. Chairman, Dodson asked McCall if they get all the issues taken care of and they don't have the DAMA can we give them a conditional approval without DAMA. Solicitor McCall stated that would be the discretion of the commission and how you feel about it at that time. Chairman, Dodson told Nick lets see how you make out on all the documents at the next meeting and go from there. Solicitor McCall asked if they are compliant with the time period. Secretary Miller said their time extension is good till December 13, 2022. Everyone was good with that.

MISERICORDIA UNIVERSITY - Preliminary Major Land Development Plans for a Sports Dome

Representing on behalf of Misericordia University is Nick Argot, from Borton Lawson. This is Tom's comment letter dated July 8, 2022. Nick said he did the same thing with highlighting the addressed comments from the outstanding comments in green and yellow.

Addressed comments:

- Zoning requirements, the zoning Officer should review the plan. Nick included the zoning permit in the packet.
- NPDES Permit, it was just received by email last Thursday, September 8, 2022. There is a copy in the packet. Nick said he sent it to Tom.
- A response from the Fire Department has been addressed and letter is in the packet.

Outstanding Items:

- The ownership block needs to be signed and notarized.
- Awaiting DEP approval of Planning Mod. **Letters from WVSA & DAMA have been received.** Nick said we are going through the same process with sewage planning for the Geisinger Clinic.
- Financial Security – they will put into place.
- Construction schedule- once they have an idea of when they will start, they will put that together.
- Awaiting executed O&M Agreement.
- The Developer's Agreement
- Storm Water Management System Easement Agreement
- Storm Water Management System O&M Agreement

Nick stated it is very similar to where they are with the Geisinger Clinic. Nick said there was some discussion regarding the parking for the Sports Dome. Nick said a parking study was performed when school was in session to get a more accurate reading. It was determined the peak time for students and staff and did a basic parking count. We tallied the amount of empty parking spaces there were on campus. The figures for students, faculty, and staff population here on campus that are permitted to have cars is one thousand, five hundred, eighty-eight, (1,588). During the survey, which was the busiest weekday to park, there were seven hundred eighty-seven (787) available parking spaces. The parking need based off the occupancy ratio of 53.27% was eight hundred, forty-six (846) spaces. Nick stated that Russ also took a ride through the campus and saw what was available as well.

One of the things we talked about last month or two months ago there really isn't any parking on this property for this sports dome. The very last page in the ordinance there's a Section called LOCATION OFF-STREET PARKING AREAS. *The required off-street parking spaces for any type of use shall be located on the same lot as the principal use to which it is accessory. The required off-street parking may be permitted on another lot subject to the following requirements:*

- A. The lot to be used for off-street parking and the lot on which the principal use is located shall be in the same zoning district.
- B. The lot to be used for off-street parking and the lot on which the principal use is located shall be held under the same ownership.
- C. The lot to be used for off-street parking shall not be less than four hundred (400) ft to any lot line on which the principal structure is located.

He said there are two or three spaces for handicap. Rusty said he was fine with the parking they have. He did go and see when the peak time was, but he wasn't sure. Solicitor McCall asked if he had confirmation from the Zoning Attorney. Russ said he told him if you go under 510.1 permitted uses it's College/University, you go to the definition of College and University it says Athletic Facilities.

According to him everything is good. Solicitor McCall suggests to get that in writing.

PUBLIC COMMENTS: There were no public comments

ADJOURNED:

C Kishbaugh made a **Motion to adjourn.** Seconded by D. Mulhern and carried.

Meeting adjourned at 7:45pm.

Next Meeting October 11, 2022 at 7pm.

Respectfully submitted,

Tammy L. Miller

Tammy L. Miller, Secretary-Treasurer