

PLANNING COMMISSION MEETING  
\*\*MINUTES\*\*  
MARCH 14, 2023

The Dallas Township Planning Commission held their monthly meeting on Tuesday, March 14, 2023 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., Charles Kishbaugh, Dan Jones, Randy Perry, (**Alternate**) Ryan Stoa, (**Solicitor**) William J. McCall, (**Twp., Engineer**) Thomas J. Doughton, (**Zoning Officer**) Russ Coolbaugh, (**Secretary/Treasurer**) Tammy Miller, and **Administrative Assistant** Kim Landmesser set up Facebook Live to allow additional residents to participate in the meeting. There was no Go To Meeting / phone included: **7 Residents were also present**

**ABSENT:** Twp. Mngr., Martin Barry

**Approval of Minutes and Treasurer's Report:**

Chairman Dodson opened the March Meeting followed by the pledge of allegiance. C. Kishbaugh made a motion to approve the **Minutes** from February 14, 2023 Meeting and **Treasurer's report**. R. Besecker, Jr. second the motion. Motion carried.

**MU SPORTS DOME** - **Received:** Escrow funds for Site Inspections on 2/16/2023.

Secretary Miller, informed the Board that Mr. Argot will not be here tonight. Chairman Dodson asked Solicitor McCall if we have everything. Solicitor McCall said everything has been received. At the last meeting, McCall indicated as one of the conditions, the execution of a construction inspection escrow agreement. Secretary Miller reviewed townships records; there were none found. McCall stated he has prepared some, but apparently, not for Dallas Township. Solicitor McCall asked let the records reflect, the withdrawal of that condition as a condition to the approval. So, the only outstanding issue is the deliveries of the monies to fund the escrow inspections. Secretary Miller stated that has been received. Solicitor McCall stated then the record should reflect that the applicant has met all the conditions and the conditional approval earlier granted is now perfected as **Final Approval**. No motion was needed.

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**DALLAS TWP. ASTA - Minor Subdivision** - Chairman Dodson stated this will be tabled for now and brought up at the next meeting in April. **1st presentation: 2/14/2023 - 90 days expires - May 15, 2023**

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**JOHN HALBING** - Returns; regarding Sheet C-25 for Saddle Ridge. When this was approved, it was questioned as to whether or not there were lot numbers on it, and they are. Solicitor McCall asked they were on the initial submittal? J. Halbing replied yes here is sheet C-25, which is dated: 6/14/2005. Again, it just goes back to the only problem was that sheet C-25 should have been recorded with the rest of it. It was all approved and nothing has been changed. Solicitor McCall asked if we had the same plans on record. Secretary Miller replied yes, we do, and on a disk (CD). Solicitor McCall indicated that he prepared a narrative that J. Halbing may or may not wish to use. It's a confirmation to the Planning Commission, that they are now have been submitted is in fact a copy of the same C-25, which was submitted to, reviewed by and approved by the Planning Commission in 2005. Solicitor McCall stated you have to motion, second and vote to decide Mr. Halbing as a developer a reapproval of the original, because he'll never get it recorded because he's outside the ninety (90) days. It should be to extend to Halbing - Amato Developers a reapproval of the subdivision plan submitted to, reviewed by and approved by Dallas Township Planning Commission on the original date. Chairman Dodson asked for a motion to reapprove. C. Kishbaugh made a motion to reapprove sheet C-25. Seconded by R. Besecker, Jr. Motion carried.

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## New Business:

**KIRK FAMILY SUBDIVISION** – Gary Kirk was presenting on behalf of his family, along with his wife Kimberly Kirk. G. Kirk stated in February 2022, they along with their son Andrew, their daughter Alexa Schlichter and son-in-law, Nathan Schlichter, bought approximately, thirteen (13) acres of land off of Yeager and Pioneer Avenue. G. Kirk stated they would like to build a couple of houses. They would like to subdivide a one (1) acre parcel for themselves on the one (1) lot. G. Kirk stated the PC gave them some guidance and were able to submit a full application, to show the one (1) acre with access through the one (1) small lot off of Yeager Avenue. On the map it says a proposed dwelling, that's where they would like to build a ranch house on the one (1) acre lot. G. Kirk stated he talked with Rusty, Zoning Officer, to make sure they have the appropriate setbacks to where they want to be. It's an S-1 zoning district. G. Kirk stated they do have the will serve letters to hook up to Veolia Water, UGI gas and electric, and already have a sewer permit from DAMA. Solicitor McCall asked T. Doughton for H.O.P.'s. G. Kirk stated they are accessing from Yeager Avenue for both lots.

Kyle Perry from Northeast Surveyors stated they will be combining two (2) different PIN #'s and separate the one-acre lot out. It meets all the zoning regulations in that district. They both have their own access coming in, there are no zoning issues, public utilities available for both lots, and public water.

Chairman Dodson asked T. Doughton for comments. T. Doughton stated yes, everyone was mailed a comment letter this morning. Luzerne County comments were received. The surveyor sent in the mailer for the Sewage Facilities Planning Module. They received a letter back from DEP indicating that a Component 3 must be completed and has been forwarded to the township for processing. It is pending approval from the township & DEP. T. Doughton stated it has to be adopted by resolution from the township supervisors. **WETLANDS:** the applicant has supplied a wetland delineation done by Borton-Lawson, Engineering with the previous owner. There are no wetlands on the entire 12.94 acres. Solicitor McCall asked if that delineation is current. T. Doughton replied yes. Section 606 for the applicable letter from DAMA. They received their building sewer permit from DAMA - dated 1/5/2023. Both lots have access to a township street, separate access to Yeager Ave. Both pieces of property and the house kind of like a flag lot lead out to Yeager Ave. Last comment is the Storm Water Management; all subdivisions and land developments are required to fill out the watershed application per the stormwater ordinance. The applicant has submitted the applicable storm water management permit applications for 133 & 135 Fern Hollow Ln. The submittal included all required documents, including a stormwater management permit application and the required erosion & sedimentation control plan. Stormwater permits were issued on 1/11/2023 for the house in question. There are no other technical comments on the application.

Chairman Dodson asked if anyone had any questions. Solicitor McCall asked G. Kirk who are the title owners of the two (2) lots? G. Kirk said all five (5) names. Solicitor McCall asked on both deeds. G. Kirk replied yes. Solicitor McCall stated the conditional final plan approval subject to receipt of Component 3 sewage facilities planning module from DEP, and the recording of two deeds. One of which, to create the perimeter description for the new lot to be transferred and a second, to create a legal description for the remaining property. Chairman Dodson asked for a motion for Conditional Final plan approval subject to the receipt of DEP approval and recording of two deeds. R. Besecker, Jr. made a **Motion to approve the Conditional Final Plan approval**, seconded by D. Jones and carried with Randy Perry abstaining.

**1st presentation: March 14, 2023 – 90 days expires – June 12, 2023**

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**MATTHEW MENDOLA - Informational Purpose Only**

Randy Perry stated he is speaking on behalf of Matthew Mendola, who is a fellow surveyor. The property is on Irem Road. There is a three (3) acre lot at the top of the hill on Irem Road with a house on it, where the T-box is. Irem Country Club adjoins their sixty-four (64) acres plus or minus around it. The property owner wants to cut back at least 1-acre to the minimal lot size and give Irem the remaining property. How can they accomplish this in the simplest form? How can they take the remainder of the three (3) acres and attach it to the sixty-four (64) acres without spending thousands of dollars to survey all of Irem?

Solicitor McCall stated he would finish the subdivision to accomplish the 1-acre transfer with the house; assuming the one (1) acre and the two (2) acres can be done lawfully, with no problems, that's a done deal. R. Perry stated I see what you're saying; create two (2) legal lots there. Then they need to do an easement because the two-acres are behind the house. T. Doughton stated the only problem with that, is it's zoned as a PRD. The property with the house is zoned S-1. Solicitor McCall said the only way to do it is by having an easement over the one-acre reserved to the second...to the other owner, as a means of access. That makes it a legal lot.

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Zoning Officer, Rusty Coolbaugh stated that Twp. Mngr., Martin Barry couldn't be here tonight and asked if anybody had any comments or anything based on the SALDO. You could either give Rusty the information or email it to Martin. Rusty also passed out comments that were received from the County regarding the SALDO. He said everything looked good with the SALDO at the county level. G. Kirk stated the public hearing for the SALDO is scheduled for March 22, 2023.

**PUBLIC COMMENTS:** There were no public comments

*Next Meeting April 11, 2023 at 7pm.*

**ADJOURN:**

C. Kishbaugh made a **Motion to adjourn.** Seconded by R. Perry and carried.

The Meeting adjourned at 7:44 pm.

Respectfully submitted,

*Tammy L. Miller*

Tammy L. Miller, Secretary-Treasurer