

**DALLAS TOWNSHIP ZONING HEARING BOARD**  
**SCHEDULED MEETING**  
**FEBRUARY 20, 2023**  
**\*\*MINUTES\*\***

The Dallas Township Zoning Hearing Board held their monthly meeting on Monday, February 20, 2023 at 6:30 pm in the Administration Building located at 105 Lt. Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania.

**PRESENT: Vice Chairman;** Mary Rodriguez, **Board Member;** Mary Barbara Gilligan, **Alternate;** Olin Smith, **Zoning Officer;** Russell Coolbaugh, **Solicitor;** Donald G. Karpowich, **Twp. Manager;** Martin Barry, **Secretary/Treasurer;** Tammy Miller, **Court Reporter** from Sargent’s Court Reporting Service, Inc., and Interested Parties.

**ABSENT: Chairman;** Robert Bayer

**Approval of Minutes and Treasurer’s Report**

Vice Chairman, M. Rodriguez opened the February meeting followed by the pledge of allegiance. Motion made by M.B. Gilligan to approve the minutes from January 16, 2023 meeting and treasurer’s report from January, 2023 seconded by O. Smith. Motion Carried.

**Matthew Austin,** is seeking variances for a ten (10) foot side yard setback, where fifteen (15) ft is required and a seven (7) ft. back yard setback, where forty (40) ft., is required, in order to construct a 20’ X 26’ one story attached structure to the rear of his single-family dwelling, located at 37 Hemlock St., Dallas, Pa. It does not meet the required permitted use under Section 512 of the Dallas Township Zoning Ordinance in the S-1 zoning district.

Solicitor Karpowich asked anyone that is going to testify to be sworn in by the court reporter.

M. Austin stated he is looking for two options that would be following the same setbacks that are existing on his property. Under the criteria for granting a special exception under 1510 – 2, he would need all the criteria, it would not be a burden to the sewers, it would not jeopardize any development, he will not add to existing parking, it will not adverse the effect of health to the public, it will not affect any adjoined development, it will not lower the increase of any property within the neighborhood. M. Austin stated he emailed Zoning Officer, R. Coolbaugh a letter from his neighbor (Debbie Hocko), that adjoins his property, she does not have a problem with this. According to the neighbor it’s his property and the house next to him was one property and was subdivided into two separate properties.

Solicitor Karpowich stated if this is the plot plan you submitted, the existing porch is five (5) feet, the proposed addition will be five (5) feet and the proposed deck will be five (5) feet. So, you’re proposing it will be flushed along the side property line to the one that currently exist. M. Austin stated, correct. Karpowich asked what’s the size of the deck? M. Austin stated it is sixteen (16) feet by eight (8) feet. So basically, the rear yard variance, you don’t need for the addition, you only need for the deck. M. Austin stated for the rear and the sides for the addition itself, correct. Solicitor Karpowich stated the neighboring property owner, that’s going to be directly affected with that, how far is their house from the property line? M. Austin replied five (5) to seven (7) feet. Solicitor Karpowich asked what about the other side, you have about thirty-two (32) feet. M. Austin replied yes. Solicitor Karpowich stated if there was ever a fire in the rear of the property, would there be sufficient room for a fire engine to get around the back? M. Austin replied yes, we have the driveway that goes all the way around the back. Solicitor Karpowich asked, what is the size of the addition for the record. M. Austin replied, it is 20’ X 26’. Karpowich said that doesn’t include the deck, correct. M. Austin replied, no. Karpowich asked if the board had any questions. There were none.

M. B. Gilligan made a **motion to approve the variances.** Seconded by Alternate, Olin Smith. Motion carried.

**Paul & Shannon Wakely** is seeking a special exception under Section 1510 to run a small dog grooming business using part of their garage, located at 18 Selingo Ln. Dallas, Pa. It does not meet the required permitted use in an A-1 Zoning District.

S. Wakely presented the board with some literature as to why it's so important in getting your animals groomed on a regular basis, due to maintaining good health. The grooming only pertains to their daughter and will be working from their home in their garage. She does it super slow, especially for dogs with anxiety. She has been practicing for the past two (2) years in their garage, and has been enrolled in different programs, where she's been asked to practice on family and friend's dogs until she gets her certificate. They live on a private road, which they maintain. They have a large driveway that will fit approximately 6 cars, so it won't cause any problems with traffic. S. Wakely showed pictures to board members of how their garage is setup for the grooming business. They also asked five (5) of their closest neighbors, which three (3) are within two hundred (200) feet of their house and none of them had any issues with it. She also has texts messages from five (5) of their neighbors stating they are supportive of this. They provided a deed of their property, and shows the house is on 4.64 acres. There really isn't anyone next to us. Solicitor Karpowich asked if the garage is attached to the home and what is the size of the home. S. Wakely replied it is and it's approximately 2800 sq. feet, two-story. Solicitor Karpowich asked and how much of that goes to the home occupation? Mr. and Mrs. Wakely both thought it to be approximately three hundred (300) sq. ft. Do you have parking spaces in your driveway? S. Wakely stated there are at least six (6) spaces. Solicitor Karpowich stated so you can have a minimal of three (3) devoted to that use. Will there be any kind of retail for products being used? S. Wakely said no. Solicitor Karpowich asked no repetitive service by trucks? Solicitor Karpowich asked there won't be any offensive noise, vibrations, smoke, dust, odors, heat or glare. S. Wakely replied no. They will be placing a sign or name plate for the dog grooming business. Solicitor Karpowich asked what are the hours of operation? S. Wakely said right now she would like to do it from 10:00am until 4:00pm. She would really like to do seven days of the week. Solicitor Karpowich said okay, then seven (7) days of the week. Solicitor Karpowich asked a maximum of how many dogs will be in the garage at any given time? P. Wakely replied two (2). S. Wakely stated if a client has two (2) dogs and wants them both groomed, she'll do them both, but one at a time. The other dog will be put in a crate, while the other dog is being groomed. Once they are done, the people come and pick their dogs up. They won't be housed outside, it'll be inside? S. Wakely replied, correct. Solicitor Karpowich asked will the doors be opened or closed? S. Wakely replied, if the weather is nice, she sometimes opens the doors. Solicitor Karpowich stated she isn't operating a kennel or operating a hospital. S. Wakely replied no she is not.

M.B. Gilligan made a **motion to approve the request for the special exception, conditioned upon the following:**

- A. The hours of operation for the dog grooming business shall be between 10:00 am and 4:00 pm, seven (7) days a week;
- B. The dog grooming business shall be conducted within the garage located on the subject property in a three hundred (300) square foot area;
- C. There shall be three (3) off-street parking spaces in the driveway of the subject property to be delineated and dedicated for customers of the dog grooming business;
- D. There shall be one (1) sign permitted as a business nameplate not to exceed two (2) square feet in size; and
- E. No more than two (2) customer dogs shall be permitted on the premises at any time. Seconded by alternate, Olin Smith.

### **ADJOURNMENT**

M. B. Gilligan made a motion to adjourn the meeting. Seconded by O. Smith. Motion Carried.  
The Meeting adjourned at 6:55 pm.

Respectfully submitted,

*Tammy L. Miller*

Tammy L. Miller,  
Secretary/Treasurer