

DALLAS TOWNSHIP
ZONING HEARING BOARD
MAY 15, 2023
****MINUTES****

The Dallas Township Zoning Hearing Board held their monthly meeting on Monday, May 15, 2023 at 6:30 pm at the Administration Building, located at 105 Lt. Michael Cleary Drive, Dallas, Luzerne County, Pennsylvania.

PRESENT: **Chairman** Robert Bayer, **Board Members** Mary Barbara Gilligan, Mary Rodriguez, **Alternate,** Olin Smith, **Zoning Officer** Russ Coolbaugh, **Solicitor** Donald G. Karpowich, **Twp. Manager** Martin Barry, **Secretary/Treasurer** Tammy Miller, and **Court Reporter,** Karissa Kross from Sargent’s Court Reporting Services, Inc. Including Attorney Richard M. Williams from HKQ and Attorney Mark McNealis and several Dallas Twp. residents. In attendance via Go To Meeting /phone included: 1

MINUTES and TREASURER’S REPORT

Acting Chairman M. B. Gilligan R. Bayer, opened the May meeting followed by the pledge of allegiance. M.B. Gilligan made a Motion to approve the Treasurer’s Report from April, 2023. Seconded by O. Smith. Motion carried.

Northeast SMSA Limited Partnership d/b/a Verizon Wireless – Acting Chairman M. B. Gilligan made a motion to deny the application for Northeast SMSA Limited Partnership d/b/a/ Verizon Wireless to construct a new communication facility at 281 Overbrook Road, Dallas, PA. Seconded by Alternate Olin Smith. Motion carried.

Acting Chairman M. B. Gilligan stated that Alternate Olin Smith will not take part in this proceeding. The other two (2) Board Members will hear this case.

M.B. Gilligan stated she would like to amend the agenda at this time. The date on the agenda has the wrong date: April 15, 2023. It should say April 17, 2023. Seconded by R. Bayer. Motion Carried.

The Allen’s were sworn in.

Bernard and MaryBeth Allen of 46 Saddle Ridge Drive Dallas, Pa., are seeking an eight-foot variance to extend their driveway two feet from the side yard property line, where ten feet is required. It does not meet the required permitted use under Section 312.3 of the Dallas Township Zoning Ordinance in the S-1 (Suburban Residential) zoning district.

Bernard Allen stated they have a very steep driveway; it is a two-car garage and are seeking to pave an area up the driveway into the garage, but also want to be able to park a car along side the garage. It’s based on that amount of distance between the garage and the property line that requires a variance. Solicitor Karpowich asked do you have a site plan? A plan that shows the property, the driveway, and how far it is from the property line. B. Allen replied no, he didn’t know that was required. Solicitor Karpowich asked so your driveway will be two (2) feet from the side property line? B. Allen replied, correct. Karpowich asked what is there now? B. Allen replied just grass; it hasn’t been paved yet, it’s a new construction. Solicitor Karpowich stated so you have a site plan on file with the township on a new house? B. Allen replied yes. Solicitor Karpowich asked were the neighbors notified? B. Allen replied yes. Solicitor Karpowich asked is there any way to put the driveway on the property until you can meet the ten (10) foot setback? B. Allen replied no. Solicitor Karpowich asked why not? B. Allen stated as for the parking space next to the garage, there just isn’t enough space next to the garage to park a car. Solicitor Karpowich asked Mr. Allen to come up and draw it for the Board. B. Allen replied sure. Solicitor Karpowich stated some of the driveway is more than ten (10) feet from the side property line. B. Allen replied yes, but some part of the driveway that will go directly to that would be abstract. Solicitor Karpowich stated and you just want to go on the side to park a car and put a basketball court there. Mr. and Mrs. Allen both

replied, that's correct. Solicitor Karpowich asked how is the property next to the improved area where you're going to put the driveway so close to the property line? B. Allen replied they have a fence there. So, it's really just coming up against their fence. Solicitor Karpowich stated you said you have a steep grade for the driveway. Do you know what the grade is in terms of percentage? B. Allen replied he does not, off hand. Solicitor Karpowich asked if anyone had any questions. M. Rodriguez made a motion to approve the variance. Seconded by R. Bayer. Motion carried.

ADJOURNMENT

M. B. Gilligan made a Motion to adjourn the meeting, seconded by M. Rodriguez. Motion Carried.
The Meeting adjourned at 6:38 pm.

Respectfully submitted,

Tammy L. Miller

Tammy L. Miller,
ZHB Secretary/Treasurer