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MINUTES

LUZERNE COUNTY PLANNING COMMISSION

May 13, 2021

ATTENDANCE.

Present were N. Brian Caverly, Chairperson, Cinda Hartman, Vice-Chairperson, Karen Fleisher, Gary Swartz, and Carl Naessig, Members; Matthew Jones, AICP, Executive Director, Attorney Michael Butera, Planning Commission Solicitor, Kathy Wood, Recording Secretary, Pat Dooley and Alan Brezinski, Planning Commission staff, Daniel Wilusz, P.E., Barry Isett & Associates and Representatives for Subdivision/Land Development and Rezoning.

Absent were Nancy Eckert, Shane Novak and William Kane, members.

MINUTES.

A motion was made by Mr. Swartz, seconded by Ms. Fleisher and unanimously carried to approve the minutes of February 11, 2021.

Commission member, Cinda Hartman stated she has observed many fallen trees along the Route 11 corridor going into Berwick and feels it's a safety hazard. Chairman Caverly also feels something has to be done by PennDOT to rectify this problem.

Planning Commission Director Matt Jones stated he would contact PennDOT to discuss the problem and see if a resolution could be reached.

SUBDIVISION/LAND DEVELOPOMENT

1. Geren Moor, 9010 Overlook Blvd., Brentwood, TN, representing Dollar General, Nanticoke (3004) DPP, LLC Land Development in Newport Township is seeking Final Plan Approval. The project to construct an 10,640 sq. ft. Dollar General retail store with an access drive, parking area, utilities and stormwater facilities. The project is on a 2.0350-acre parcel at 375 West Kirmar Ave. (SR 3004), Newport Township in a (HM) Highway Business District. A Financial Security Guarantee acceptable to the Planning Commission Solicitor will be required.

Bob Gage, acting on behalf of Dollar General was present. He stated they have done 764 stores in 31 different states. He stated that this particular store will be a little larger than the stores they usually build. It will have 32 parking spaces, an access drive and all the necessary utilities.

No objectors were present.

The applicant is requesting one (1) waivers from the SALDO.

1. SALDO 6.11543 – A waiver to modify the requirements of this section to allow for the increased allowable dewatering times required for the recommendation of the PADEP Best Management Practices (BMP) design.

Dan Wilusz, P.E., Barry Isett & Associates, engineer who reviewed the project for the County stated that he has no problem with the Waiver request.

Matt Jones, Planning Commission Director stated staff is recommending approval of the Waiver request.

A motion was made by Ms. Fleisher, seconded by Mr. Swartz and unanimously carried, to approve a Waiver of SALDO 6.11543 – A waiver to modify the requirements of this section to allow for the increased allowable dewatering times required for the recommendation of the PADEP Best Management Practice (BMP) design.

Matt Jones, Planning Commission Director stated staff is also recommending Conditional Final Plan Approval.

Mr. Jones also stated he is very pleased that Dollar General rescinded their request to add a fire hydrant within 500 ft. of the property line.

Adding the hydrant will be beneficial for public safety purposes.

A motion was made by Mr. Naessig, seconded by Mr. Swartz and unanimously carried to approve Conditional Final Plan Approval was granted for the Dollar General Nanticoke (3004) DPP, LLC Land Development with the following conditions:

- 1. Provide a “will serve” letter from PA American Water Company.**
- 2. Provide copies of the recorded easement from Newport Township for the extension of the water main.**
- 3. DEP approval must be obtained for the sewage planning.**
- 4. A copy of the new deed must be provided and the recording information added to the land Development plans.**
- 5. An NPDES permit will be required.**

6. A copy of an approved Erosion and Sedimentation Control plan (E&S) from the Luzerne Conservation District.
7. A PennDOT Highway Occupancy Permit (HOP) must be obtained.
8. An open-ended Financial Security Guarantee in the amount of \$82,384.50 utilizing the required Luzerne County Planning Commission language and agreeable by the County Solicitor, or a cash alternative.
9. One (1) year to submit the above item to the Commission. Failure to provide the approved item by May 13, 2022 will result in the automatic disapproval of your plan.

REZONING

1. Gary May, 24 Sweet Valley Rd., Hunlock Creek, PA, request the rezoning of three (3) parcels of land totaling 6.51 acres in size with one (1) commercial structure and one (1) residential structure at 18 & 24 Sweet Valley Rd., Union Township. 18 Sweet Valley Rd. is zoned (HB) Highway Business and 24 Sweet Valley Rd. is zoned (AG) Agricultural and a vacant parcel is zoned (R-1/AG) Single Family Residence District and Agricultural District. The request is to eliminate the (R-1) Single Family Residence designation and extend the existing (AG) Agricultural District (24 Sweet Valley Rd.) and (HB) Highway Business District (18 Sweet Valley Rd.) for the expansion of the parking area, as well as potential future expansion of the business.

Frank Grabowski, PLS, acting on behalf of Mr. May stated Mr. May would like to expand his parking area and a future expansion of the existing building or addition of a new building to expand his business.

Luzerne County Planning Director, Matt Jones, stated staff is recommending approval to County Council to rezone the three parcels.

Chairman Caverly stated the May's are friends and also former clients.

No objectors were present.

A motion was made by Mr. Swartz, seconded by Ms. Hartman and unanimously carried to recommend approval of the rezoning to County Council.

ADJOURNMENT

A motion was made by Mr. Swartz, seconded by Mr. Naessig and unanimously carried to adjourn the meeting.

RESPECTFULLY SUBMITTED,



KATHY WOOD, RECORDING SECRETARY

LUZERNE COUNTY PLANNING COMMISSION
FOR
NANCY ECKERT, SECRETARY