

MINUTES

LUZERNE COUNTY PLANNING COMMISSION

July 13, 2017

ATTENDANCE.

Present were Christine McLaughlin, George Prehatin, and Karen Fleisher Members; James Ferry, Planning Commission Executive Director, Kathy Wood, Recording Secretary, Attorney, Michael Butera, Planning Commission Solicitor and Representatives for Subdivision/Land Development and Rezoning.

Absent was N. Brian Caverly, Chairman, Cinda Hartman, Vice-Chairperson, Nancy Eckert, Secretary, Richard Kramer, Patrice Persico, and Gary Swartz, Members.

MINUTES.

A motion was made by Ms. Fleisher, seconded by Mr. Prehatin, and unanimously carried to approve the minutes of March 9, 2017.

SUBDIVISION/LAND DEVELOPMENT

1. Nelson and Carolynn Martin, 241 Faust Road, Bethel, PA, are seeking Final Plan Approval for the Martin Dairy Barn Land Development in Ross Township. The project is to construct an 11,190 sq. ft. heifer barn, 13,625 sq. ft. dairy barn, two (2) calf barns – 25 ft. x 32 ft. and 10 ft. x 72 ft. The project also includes parking, stormwater management facilities and related utility service improvements on a 172.88 acre tract located on Grange Hall Road (County Road #2) in an (A-1) Agricultural Zoning District. A residential dwelling is being relocated to

**the south side of Grange Hall Road. A Financial Security Guarantee acceptable to the Planning Commission Solicitor in the amount of \$150,671.00 will be required.**

**Charles Axtman, P.E. acting on behalf of Mr. & Mrs. Martin stated the project is to establish a dairy operation, constructing a dairy barn, a heifer barn and two calf barns located off Grange Hall Road. The property also has an existing house that will be moved to another location on the property. Appropriate stormwater management has been addressed and approved, and a manure pit will handle the waste from the cows.**

**Tom DeAngelo, P.E., Barry Isett & Associates, reviewing agency for Luzerne County Land Developments stated all engineering comments have been satisfied.**

**Mr. Martin stated he will have around eighty (80) cows.**

**No objectors were present.**

**A motion was made by Mr. Prehadin, seconded by Ms. Fleisher and unanimously carried, to approve Final Plan Approval for the Martin Dairy Barn Land Development in Ross Township.**

**2. Jess L. & Susanna L. Halteman, 995 Greble Road, Lebanon, PA, are seeking Final Plan Approval for the Halteman Dairy Barn Land Development in Huntington Township. The project is to construct a 40 ft. x 300 ft. dairy barn with an attached 40 ft. x 40 ft. feed room and a 30 ft. x 30 ft. milk house, a 42 ft. x 100 ft. heifer barn, a 14 ft. x 72 ft. calf shed and a 45 ft. x 80 ft.**

storage shed. The project also includes, parking, stormwater management facilities and upgraded utility improvements on a 100 acre tract located on Cherry Hill Road (T-451) in an (A-1) Agricultural Zoning District. A Financial Security Guarantee in the amount of \$139, 150.00 acceptable to the Planning Commission Solicitor will be required.

Charles Axtman, P.E. acting on behalf of Mr. & Mrs. Halteman stated the project is to establish a dairy operation constructing a dairy barn with an attached feed room, heifer barn, milk house, calf shed and a storage shed.

Mr. Axtman stated Mr. Halteman is seeking a Waiver of Section 7.2311 of the Luzerne County SALDO. Seek relief from performing a boundary survey of the entire 100 acre parcel.

Mr. Ferry stated staff and Tom DeAngelo, P.E., Barry Isett & Associates, reviewing agency for Luzerne County Land Developments is comfortable granting the Waiver.

Tom DeAngelo, P.E., also stated the outstanding engineers comments are an approved Erosion and Sedimentation Control Plan from Luzerne Conservation District, approval of the NPDES from DEP and the Stormwater Management Facilities Maintenance Agreement to be recorded.

Mr. Halteman stated he is working on the Financial Security Guarantee in the amount of \$139,150.00.

No objectors were present.

**A motion was made by Ms. Fleisher, seconded by Mr. Prehatin and unanimously carried, to approve Final Plan Approval for the Halteman Dairy Barn Land Development with the following conditions:**

- 1. Stormwater Management Facilities Maintenance Agreement to be recorded.**
- 2. Approved Erosion and Sedimentation Control Plan from Luzerne Conservation District.**
- 3. Approved NPDES from DEP.**
- 4. An open-ended Financial Security Guarantee in the amount of \$139,150 utilizing the required Luzerne County Planning Commission language.**
- 5. One-year to submit the above items to the Commission. Failure to provide the approved items by July 13, 2018 will result in the automatic disapproval of your plan.**

### **REZONING**

**1. Daniel McGrogan, 24 Hughes St., Luzerne, PA, request the rezoning of two (2) parcels at 120 Tener St. from a (R-2) Two-Family Residence District and 121 Tener St. from a (B-2) Community Business District to a (B-4) General Business District, Luzerne Borough, to operate a food processing center for Nucleus Raw Foods, existing retail and wholesaling business.**

**This meeting was advertised once each week for two consecutive weeks as required by Luzerne County Council rules.**

**Daniel McGrogan, Chief of Nucleus Raw Foods which is a raw, vegan, gluten free, soy free, and organic café located on Main Street in Luzerne Borough. He stated he would like to grow his company and he purchased two properties in 2015 which would be used for the expansion of his business. He stated one property was used as a stained glass window manufacturing plant and before that it was used as a diner. This property is at 120 Tener St. which was a non-conforming use in a (R-2) Two-Family Zoning District. The other property was used as a fire house from 1890 until around 1972.**

**Kerry Potter, Mr. McGrogan's architect stated there are many businesses on Main Street in Luzerne such as a post office and bars and restaurants. She stated Mr. McGrogan would like to use the properties he purchased for his business expansion. The area surrounding his properties are contiguous with the (B-4) General Business District.**

**No objectors were present.**

**Mr. Ferry stated staff is recommending approval of the rezoning.**

**A motion was made by Ms. Prehatin, seconded by Ms. Fleisher, and carried, to recommend approval of the rezoning to County Council.**

**NEW BUSINESS**

**Discuss potential Luzerne County Zoning Ordinance changes.**

**Because of many members of the Planning Commission unable to attend the meeting it was decided that discussions for Zoning Ordinance changes will be discussed at the next meeting.**

**ADJOURNMENT**

**A motion was made by Ms. Fleisher, seconded by Mr. Prehatin and unanimously carried to adjourn the meeting.**

**RESPECTFULLY SUBMITTED,**

*Kathy Wood*

**KATHY WOOD, RECORDING SECRETARY**

**LUZERNE COUNTY PLANNING COMMISSION  
FOR  
NANCY ECKERT, SECRETARY**