

LUZERNE COUNTY
OFFICE OF LAW
ROMILDA P. CROCAMO, ESQUIRE
CHIEF COUNTY SOLICITOR



LUZERNE COUNTY
COUNTY MANAGER
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE
P E N N S Y L V A N I A
ESTABLISHED 1786

December 11, 2017

Matthew Walsh
P. O. Box B
Clarks Summit, PA 18411
Email: mwalsh@c-engineering.com
RE: RTK Request # 17-226

Dear Mr. Walsh:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is Jackie.Carroll@luzernecounty.org.

On December 11, 2017, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is granted and denied.

It is denied in that Luzerne County does not have jurisdiction over Subdivision and Land Development in Pittston Township. You may want to contact Pittston Township officials for the requested information.

Luzerne County does not maintain the records requested by you, therefore, your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that “when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record”.

Also, please note that the County's role is to review and comment on proposed plans. The County's permanent file is limited to the comment letter it generates along with the Luzerne County's Engineering Department's comments. The comments are advisory only. The records referred to that are retained by the Luzerne County Planning and Zoning Department are attached and in that regard, your request is granted.

Further, final plans are to be filed in the Luzerne County Recorder of Deeds Office. The Recorder of Deeds records are open to the public. It appears as those you are requesting a title search which is a service that the Recorder of Deeds Office does not perform. You are free to go to that office and search for the requested documents at a cost of \$.50 per page copying fee. In that regard, your request is granted.

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The Luzerne County Recorder of Deeds Office is located at the corner of Jackson and River Streets in the Court House Annex at 200 North River Street, Wilkes-Barre, PA 18711."

Had your request been denied, you would have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,



JACQUELINE MUSTO CARROLL, ESQUIRE
Luzerne County – Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

RIGHT TO KNOW LAW REQUEST FORM

NAME OF REQUESTER: Walsh Matthew R
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: P.O. Box B
STREET / P.O. BOX
Clarks Summit PA 18411
CITY STATE ZIP CODE

PHONE # 570-586-5091 ext. 3 FAX# 570-586-5073

EMAIL ADDRESS: mwalsh@c-engineering.com

SIGNATURE: Matthew Walsh DATE: 12/6/2017

RECORDS REQUESTED - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.
I am requesting documents related to the site development of 137 Armstrong Road in Pittston Twp.
Examples include Land Development drawings, stormwater management calculations, project narratives, site layout drawings, etc. Documents that would have to be submitted as part of the Land Development planning process. Scanned PDFs of the documents would be preferable; hard copies are OK if PDFs are not possible. SITE TAX ID IS E12-S4-001-010

OWNER/DEVELOPER MAY BE FILED AS "STEPHENSON EQUIPMENT" OR "HIGHWAY 315 PROPERTIES." TIMEFRAME WOULD BE SOMETIME FROM 2005 - PRESENT.
PLEASE CHECK ONE OF THE FOLLOWING:
 I AM ONLY REQUESTING ACCESS TO THE DOCUMENT(S)
 I AM REQUESTING A HARD COPY OF THE DOCUMENT(S) (PAPER, CD, etc...)
 I AM REQUESTING AN E-FILE OF THE DOCUMENT(S) (IF AVAILABLE) (PDF, EXCEL SPRDSHT, etc...)

PLEASE NOTE: LUZERNE COUNTY IS NOT REQUIRED TO CREATE A RECORD WHICH DOES NOT CURRENTLY EXIST OR TO COMPILE, MAINTAIN, FORMAT OR ORGANIZE A RECORD IN A MANNER IN WHICH THE AGENCY DOES NOT CURRENTLY COMPILE, MAINTAIN, FORMAT OR ORGANIZE THE RECORD