

Glendalough residents voice concerns about development

By CHARLOT M. DENMON
Staff Writer

Residents of Upper Demunds Road in the area of Glendalough attended the Township's planning and zoning meeting last Tuesday to voice their concerns about a proposed housing development on a 43-acre parcel of land across from Glendalough.

Developer Michael Dombroski and David Sutton of Pasonick Engineering presented preliminary blueprints showing plans to construct 31 homes on lots varying in size from one acre to 1.99 acre. Dombroski explained that originally it was planned to build 36 homes, but five were cut out to provide for roads and curbs with the roads being 25 feet and no parking along the roadway.

Dombroski told the planning commission that the Dallas Area Municipal Authority had given permission to install sewers at the developer's expense. He also said

water would be supplied by individual wells on each property.

Residents raised concerns that the runoff from the development might raise the level of a swamp near the area but the developer said the runoff could be accommodated.

In answer to questions about wetlands, Sutton said county records did not show wetlands on the building lots. A special permit must be obtained from the Army Corps of Engineers and DER to build on wetlands.

The commission voted to refer the plans to Lee Sweinberg, township engineer before any further considerations.

In other business, Thomas Dilley was granted approval for a front yard exception and Jeffrey Besecker's request for a rear-yard setback of an additional 15 feet for installation of an above-ground pool was approved.

An application by Robert and Mary Ann Popielarz for permission

to flop their yard around for a 40 foot front and a 30 foot back was tabled until the commission's next meeting. Joseph O'Donnell who lives next to the Popielarz West Center Hill property, objected to the request, stating that his house was the only one in line with Popielarz along that section of the hill. O'Donnell stated that the Popielarz's property was to be used as a commercial residence and would be the first one, there being no other commercial property on the road. He also stated that more cars parked in front would make it look more commercial. Popielarz said there would be about six cars parked in front.

O'Donnell said he believed the lot is more than 400 feet high from the highway as stated, and asked to have it verified before voting on the application.

The application was tabled until the May meeting so the property measurement could be verified.



Rising from the ashes

The Beaumont Union Gospel Church building on Route 309 is already taking on its new form. The building was damaged by fire April 5. Church treasurer Chuck Smith said last week that the congregation is hopeful they will be using the refurbished building by mid-summer. Smith cited excellent cooperation from the insurance company and the efforts of the Fred Klimas construction company. Three Klimas employees were busy last Thursday putting the roofing on and closing in the front wall. (Photo by Ron Bartizek)

Wetlands

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Neither Dallas Borough nor Dallas Township have any regulations in regard to wetlands, so developers and other builders must adhere to the regulations of DER and the Army Corps of Engineers, which includes obtaining a permit if these agencies deem one necessary.

Dallas Township zoning officer Leonard Kozick said this week that he believes the township should update its planning and zoning codes due to the most recent amendments and new laws enacted by the state and federal government.

Dallas Borough is in the first steps of enacting regulations about wetlands by sending the zoning board solicitor Atty. Robert Opel to a seminar in May.

The Federal Water Pollution

Control Act amendments of 1972, often called the 'Clean Water Act', gives the Federal government power to regulate wetlands, by adopting a broad definition of the term 'navigable waters' to include wetlands.

Regulations were amended in 1975 and 1977 so wetlands are now defined as areas inundated or saturated by surface water or ground water at a frequency and duration and under normal circumstances to support a prevalence of vegetation adapted for life in saturated soil conditions.

The Clean Water Act, Section 404 requires that a permit be issued before any materials may be discharged into wetlands. The U.S. Army Corps of Engineers has the power to issue the 404 permits and this authority has been tested

and upheld by the courts.

Two forms of permits, individual and nationwide permits may be issued by the Corps of Engineers. The individual permits are difficult to obtain. There are 26 nationwide general permits for about 26 types of activity. An example is a permit for a minor road crossing.

The Environmental Protection Agency, however, has the power to review these permits granted by the Army Corps of Engineers and has the power to prohibit, deny or restrict a permit issued by the Corps. EPA does not have the power to issue permits but does have the power to review Corps of Engineers permits. Under the Clean Water Act, there are a variety of enforcement measures including

injunctions to stop violations, civil and administrative penalties ranging from \$25,000 per day up to \$125,000. Some activities are exempt from the act, most of them pertaining to normal farming activities, and some related to waste treatment plants.

The Pennsylvania Constitution and the Pennsylvania Dam Safety and Encroachment Act gives the Commonwealth power to regulate wetlands. The latter act regulates all construction of bodies of water, which include wetlands. The approval of DER is required. The increased applications to the Federal government has now made a single permit application procedure possible for both DER and the Corps of Engineers.

Information on permit requirements and procedures can be

obtained from DER's Bureau of Dams and Waterways Management area offices and in Harrisburg.

In September, 1988, DER adopted a Wetlands Protection Action Plan which is intended to aid the wetlands protection efforts in the state. Copies of the plan are available from DER. It is advisable that all developers and engineers obtain copies of these plans.

There are various types of wetlands, not always identifiable to the non-professional and the only safe way to determine these wetlands is to contact DER or such professionals as the U.S. Fish and Wildlife agency in State College.

Local governments may also regulate wetlands but there is no specific legislation that mandates

local ordinances. Regulations of wetlands by local government is optional and is derived from either home rule charters, local government enabling codes or from the Pennsylvania Municipalities Code.

The first and least complicated way for local government officials to become involved in wetlands protections is to amend existing zoning, sub-division and building permit ordinances to require proof of compliance with state and federal wetlands regulations. Permits or approvals may be withheld until such proof is provided.

Municipalities may also pass their own wetland ordinances but these are complicated and expensive. They may not be desired nor suitable for some communities.

Schools

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great deal.

The student population for 1988-1989 is 2,202 and the highest point of population is expected to be in 1995-1996 when it could be as high as 2,296. For the 10 years between 1989-1999, the consultants see no sizeable increase. An increase of 34 students in the junior high may occur between 1993 and 1994, or an 11 percent increase for that year.

Recommendations made by the consultant were that the Ross Elementary Building, constructed in 1953, update the electric service, since much of the original wiring is still in the building, and replace the existing boiler and some of the controls; Lehman-Jackson Elementary Building, convert the administration suite to classrooms; Lake-Noxen Elementary Building, construct the second story for classrooms and on the first floor add an auditorium and storage facilities.

Among the changes recommended for the junior high were a new boiler, renovation of the science rooms and equipment; changing the library into classrooms; allowing for a new physical education area, converting the industrial arts area to a dining area; constructing a new library and media center and a new industrial arts center, upgrading lockers and constructing a new guidance and health suite.

Proposed changes in the senior high school included a new library and media center; new biology, home economic and language arts areas; new physical education area and facilities; a new music area; add a new industrial arts and technology area; renovate the math area; add new home economic classrooms; convert biology area

to chemistry labs; convert guidance area to business education and art use; convert the band room to phys ed use; replace the roof and expand the parking area and construct a building next to the storage and maintenance area for the administration offices.

The total cost of these recommendations would be approximately \$5 million dollars.

It was also proposed by the consultants that sixth grade be moved into the junior high for the middle school concept; that at Lake-Noxen the class sizes should be limited; there should be more computer laboratories, more rooms; an auditorium for 100 people, and since there is an increased interest in environmental issues, a separate building should be constructed for experiments. Additional storage, added classrooms, a media multi-purpose center, separate dining room, a new auditorium, an elevator and a centralized library, was proposed for the junior high.

According to the formula used by the Department of Education,

which it bases on square feet, the senior high could accommodate 617-745 students. This would be fine, if each classroom was filled with students taking the same course but this is not the case since there are presently 648 students in the senior high school and because of the variety of classes taken by the students, the cafeteria, auditorium and the gym must be used for some classes.

The board members did not, however, accept the recommendations made at Tuesday night's meeting. They merely listened but did not indicate that they would take any action.

Adopt-a-pet

The sad-looking beagle is a tri-colored three year-old female hoping someone will see her and take her home for a pet. No one knows her name but like most hounds, she is gentle and looking for someone to take care of her and give her a good home. She has had her first series of inoculations and is house-



broken. She will be happy to go home with anyone who will give her attention and affection. Stop at the SPCA, Fox Hill, Wilkes-Barre and see how much she will love you. A

rabies clinic will be at the SPCA Saturday, April 29, and she can have her rabies shot for only \$5.00.

Trash

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major goals", Chadwick said. "People will have to learn to recycle."

Chadwick said a state-wide television approach to public education is being considered by the state.

On Thursday, Chadwick discussed the new law from his Courthouse office.

One recycling plan option is to allow larger companies to pick up recyclables and allow the independent haulers to continue collecting non-recyclable garbage, according to Chadwick.

"This plan does work," Chadwick said, "but it may not be the most effective way." Chadwick said he feels the most effective plan is curb-side sorting.

Curb-side sorting means haulers would separate the garbage as they pick it up.

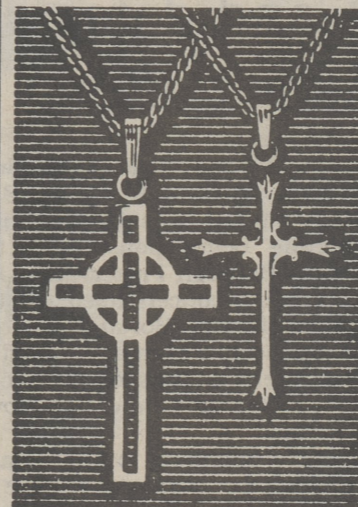
If local haulers cannot agree on

a recycling plan, larger companies will probably take over the mandated areas according to Chadwick.

"There are 75 communities in Luzerne county, of which only 16 are mandated," Chadwick said.

The haulers would still have business outside the areas required to install recycling, Chadwick said.

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