

Borough sets noise rules

By GRACE R. DOVE
Post Staff

DALLAS - Contractors and weekend lawn warriors will have their hours of operation cut by new noise ordinance enacted July 18.

According to council president Don Cooper, building and demolition work are prohibited between 9 p.m. and 7 a.m. weekdays and 9 p.m. and 8 a.m. on weekends.

Loud music, sound equipment, shouting, yelling and other indoor noises may not be audible more than 50 feet from a building.

Other loud noises prohibited between 11 p.m. and 8 a.m. include dogs and other animals,

peddlers, signal devices, horns, advertising with loudspeakers, racing of motors, loud exhaust systems, machinery and the emptying of dumpsters.

Each day that noise is reported will be considered a separate offense, with fines ranging from \$25 to \$300, or a 90-day jail sentence. Police will enforce the ordinance and the zoning officer may also issue warnings to offenders, Cooper said.

"This ordinance is modeled on one from another community," Cooper said. "We have had lots of complaints about contractors starting work at 6 a.m. on weekends, when people might want to sleep a bit later."

Zoning

(continued from page 1)

Crowr Hill Village from 90 percent conservation to all agricultural.

The land is a working farm, he noted.

Diane and Gerry McDonald, to change their land from suburban residential to agricultural, because its primary use for the past 100 years has been a farm.

The planning commission also approved Willard Bullock's request to rezone a major subdivision of 30 acres on Orange Road as residential, with two-acre minimum lot sizes, to accommodate two cul-de-sac roads and building lots, with Mark Millington casting the lone dissenting vote. The land is presently zoned partially agricultural and partially suburban residential. The original plan called for minimum lot sizes of 1.5 acres, which wouldn't conform to the new zoning ordinance.

Millington said the minimum lot size in the agricultural zone should be two acres, not the proposed three.

"This is a win-win situation for both the developer and the township," said planning commission chairman Ed Dorrance. "It benefits the township and gives the developer time to finalize his plans."

The commission said no changes were necessary on requests by:

• David Hilstolsky, owner of J&D Construction, to change a present nonconforming use, a construction company, from agricultural to light industrial. The business may continue as a nonconforming use and may legally expand up to 25 percent, Varaly said.

Frank Hilstolsky, David's brother, abstained from the vote, while Henry Psolka, who has submitted a similar request, voted against it.

• Frank and Donna Hilstolsky, to change their land from agricultural to commercial or light industrial to operate a sawmill. They

may operate as a nonconforming use, Varaly said.

• Henry Psolka, to change two acres on Cummings Road from agricultural to light industrial for future expansion of his business. He presently stores his backhoe, pipes and other materials there, while operating from a second location on Old Mill Road.

"We're zoning here for existing uses, not possible future uses," Varaly said. "He may apply for either a nonconforming use or a zoning change if his business expands in the future."

• Joseph Garland, who wanted land on Village Road changed from agricultural to commercial if it was necessary for his part-time operation of processing animal carcasses for private individuals.

Varaly suggested he apply for a nonconforming use.

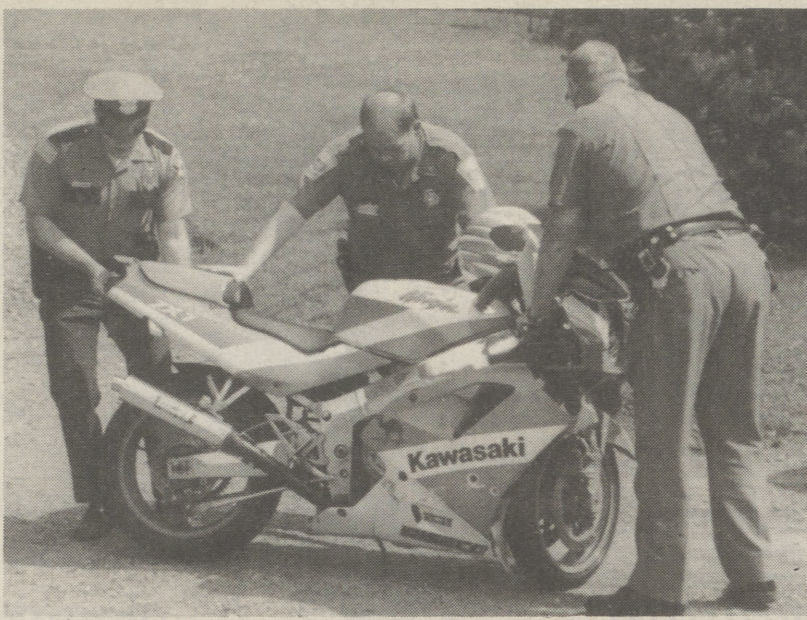
• Martin Murray, to change eight acres used as a combination nursery, greenhouse and cattle and produce farm from agricultural to business. He also stores some heavy equipment on approximately two acres, he said. Varaly suggested he apply for a nonconforming use for the land where he stores the equipment.

Mike Prokopchak wanted to know if he must change the zoning of land on Coon and Flat Rock roads, presently zoned agricultural, which he uses to raise and sell produce and operate a greenhouse.

No zoning change is required because the uses are legal under the ordinance, Varaly said.

Once the planning commission finishes its work on the proposed amendments, it will submit them to the supervisors for consideration. If they approve the amendments, the supervisors will send the plan to the Luzerne County planning commission for review and comment within 30 days, after which it goes into effect.

The planning commission will hold its last public work session July 31 at 7 p.m. at the Franklin Township fire hall.



POST PHOTO/GRACE R. DOVE

Cycle flips in accident

Police moved a 1992 Kawasaki Ninja motorcycle owned by Neil J. Kaiser, 22, from the scene of an accident with a 1987 Ford Tempo operated by Thomas Honeywell July 20 on Lower Demunds Road near ENCON. Police said the bike flipped and slid on its side when Kaiser tried to avoid colliding with Honeywell's car, which pulled onto the roadway from the berm.

2-car accident takes out sign

By GRACE R. DOVE
Post Staff

DALLAS - Police are investigating a two-car accident at the Route 415 and West Center Hill Road intersection July 20 shortly after 8:15 p.m., which heavily damaged a sign at the Back Mountain Veterinary Clinic.

Police said that a 1986 Ford owned by Carl Anduze of Fairport, NY, and driven by Alexander J. Anduze, 18, of Dallas, collided with a 1987 Chevrolet Sprint operated by Ronald Rumiski, 47, of Wilkes-Barre.

Anduze told police he was traveling east on West Center Hill Road and had stopped at the stop sign at the intersection. After looking both ways and not seeing any oncoming traffic, he pulled out onto Route 415 and suddenly

saw the Rumiski vehicle coming up on his right.

Rumiski told police he had been traveling north on Route 415 when he saw the Anduze vehicle pull out in front of him. He unsuccessfully tried to swerve to avoid the impact.

After the impact with the Anduze vehicle, the Rumiski vehicle left 125 feet of skid marks as it continued traveling north and across the highway, hitting the sign in front of the Back Mountain Veterinary Clinic.

Anduze, Rumiski and passengers Amy Marcinikiewicz and Ronald Rumiski, Jr., were taken by ambulances from Dallas, Lehman and Kunkle to area hospitals.

The Rumiski vehicle sustained major damage and was towed from the scene.

PROPERTY TRANSFERS

The following property deeds were recorded at the Luzerne County Courthouse for the week of July 7-13.

James J. McGuire, et ux, to Schraeder Hoelzer Inc., Lot 1, Dallas Borough, \$34,500.

Michael Rossa, et ux, to Robert D. Adams, et ux, 12-13 Dallas Heights, Dallas Borough, \$85,000.

John C. Burba, et ux, to Michael E. Collahan, 20 Yeager Ave., Overbrook, Dallas Twp., \$76,500.

John L. Medovich, per tax al to Robert Cook, Demunds Rd., Dallas Twp., \$4,298.

Reba A. Yarnal to Joseph R. Reisinger, Crest View Dr., Dallas Twp., \$145,000.

John E. Halbing, et ux, to

Arthur E. Daube, et ux, .667 acres, Dallas Twp., \$160,000.

Emmit Burges, per tax al, to Marvin E. Byans, Potter Long, Fairmount Twp., \$650.

Myrtle E. Brown, to Richard P. Quackenbush, 3 parcels, Harveys Lake Bor., \$48,000.

Myrtle L. Brown, to Richard P. Quackenbush, Lot 24-26 Paine Alloment, Harveys Lake Bor., \$48,000.

Victor Washko, to Sadie Gunn, 5 & 6 Lakewood, Harveys Lake Borough, \$6,000.

Michael A. Polk, et ux, to Jeffrey B. Smith, et ux, Blueberry Hill Rd., Jackson Twp., \$195,000.

William Lewis Easley, et ux, to David J. Gotoweski, et ux, .63 acres, Ross Twp., \$2,000.

DISTRICT COURT BRIEFS

21-year-old faces charges of disorderly conduct, harassment

Charges of disorderly conduct, stalking and harassment against Robert Edward Lee, 21, of RR 4, Dallas, were sent to Luzerne County Criminal Court after a preliminary hearing before District Magistrate James Tupper, according to court records.

A charge of making terroristic threats was dismissed, according to court documents.

The charges resulted from an incident June 11 at a residence at RR 1 Harveys Lake, in which Lee allegedly pounded on the door, screamed threats at the apartment's occupants and threw an explosive device in the parking lot

before leaving the scene in a white Saab.

Witnesses to the incident told police the Saab was the same one seen earlier, driving very slowly in the vicinity of the apartment as someone threw smoke bombs from it.

Lee was identified by witnesses after police found his car parked at a residence on Park Street and brought him, handcuffed for the officer's protection due to Lee's agitated condition, back to the complainant's apartment for identification.

Patrolman Scott Davis was the investigating officer.

DEATH THREATS BY PHONE ARE CHARGED

Misdemeanor charges of making terroristic threats, harassment by communications using obscene language against Robert Smith, 32, of RR 2 Harveys Lake were sent to Luzerne County court after Smith waived his right to a preliminary hearing before District Magistrate James Tupper.

According to court documents, Smith allegedly left three messages threatening to kill a Shavertown resident on the complainant's answering machine. Each message contained obscene language.

He is free on \$10,000 bail.

Kingston Township police sergeant Michael Moravec investigated the incident.

D.U.I. CHARGES WAIVED TO COUNTY COURT

Dallas resident Deborah Gayle Adams, 35, waived her right to a preliminary hearing before District Magistrate James Tupper on misdemeanor charges of driving while under the influence of alcohol, with a blood alcohol level more than .10.

She is free on \$500 bail, according to court documents.

The charges resulted from an incident June 9, in which Dallas patrolman James Martin pulled her car over after observing her driving north on Route 415 in an erratic manner.

Adams was arrested after failing field sobriety tests. Her blood alcohol level was .14, according to

a blood test.

Martin was assisted by Dallas Township police chief Carl Miers, patrolman Elliot Ide and Kingston Township patrolmen Wade Curtis and Charles Rauschkolb.

MAN FACES DUI, DRUG CHARGES

Tunkhannock resident Frederick G. Willauer, 34, waived his right to a preliminary hearing before District Magistrate James Tupper on misdemeanor charges on possession of marijuana and driving while under the influence of alcohol.

A charge of possession of drug paraphernalia was dismissed, according to court documents.

The charges resulted from an incident in which Dallas Township patrolman Wayman Miers found Willauer in his van, which was stopped and leaking fluids and steam at the intersection of Route 309 and Grandview Ave.

Willauer failed field sobriety tests which Miers asked him to perform after smelling alcohol on Willauer's breath. While searching him after arresting him, Miers found a plastic bag of a green, leafy substance which passed a field test for marijuana.

Willauer told police that he had received it from a girl at a bar because it was his birthday and complained that he "didn't even have a chance to smoke it."

He refused a blood alcohol test, which under the Implied Consent Law means an automatic suspension of one's driver's license.

Willauer is free on \$300 bail.

Clarification

The American Kennel Club standard for Akita dogs in last week's edition was incorrect. According to an area resident who has Akitas, show quality Akitas may be any color, including white, brindle or pinto (spotted,) with either white or black masks on their faces.

The Japanese consider Akitas to be their national monument. Helen Keller brought one of the first Akitas from Japan to the United States.

The Post has more local news

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