

How Back Mountain zoning stacks up

Municipality	Population*	Area	One-family	Two-family	Multi-family	Trailer park	Agricultural	Neighborhood bus.	Comm. bus.	Hwy. bus.	General bus.	Industrial	Conservation	Mining	Shoreline
Dallas Borough	2608	2.3	10,000	4,400-10,000	7,500	N/A	N/A	5,000	N/A	10,000	N/A	15,000	2 acres	N/A	N/A
Dallas Twp.	7675	18.5	20,000	20,000	6,000	None	1 acre	None	None	None	None	None	2 acres	None	N/A
Franklin Twp.	1480	12.9	1.5 acres	1 acre	N/A	20 acres	2 acres	2 acres	N/A	N/A	N/A	2 acres	3 acres	N/A	N/A
Harveys Lake	2900	5.3	6,000-15,000	N/A	N/A	None	N/A	10,000	N/A	15,000	20,000	100 ft. wide	N/A	N/A	25/50' wide
Jackson Twp.	5513	13.3	1 acre	at least .5 acre	8,000/unit	N/A	1 acre	11,250-20,000	N/A	N/A	N/A	N/A	1-3 acres	10 ac	N/A
Kingston Twp.	7280	13.6	15,000	15,000	7,200/unit	None	2.5 acres	6,000	N/A	N/A	6,000	None	2.5 acres	None	N/A
Lehman Twp.	3108	21.7	12,500-20,000	12,500-20,000	12,500-20,000	None	2.5 ac./unit	25,000	25,000	N/A	N/A	1-2 acres	3 acres	N/A	N/A

* All populations are based on the U. S. Census Bureau's 1994 estimates.

Area is square miles.

Minimums are in square feet, or acres. One acre is approx. 40,000 square feet.

All municipalities except for Dallas Borough allow trailer parks but don't stipulate a minimum size.

Not all of the municipalities have all of the listed zones.

Many minimum lot sizes in residential areas are determined by the availability of public water and sewers.

Maximum building heights and setbacks from property lines are also strictly regulated.

Zoning

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the roadsides.

Roughly a third of the township is zoned conservation (C-1).

"These things are the reasons people move here and we mean to keep them that way," said supervisor David Sutton.

Franklin Township, which has the smallest population in the Back Mountain, is still refining the fine points of its zoning ordinance, adopted in December, 1995.

Like Lehman Township, the primary goals of Franklin Township's ordinance are to preserve the township's rural character, community historical sites and environmental resources and protect its residents from pollution.

It contains only one business district and no mining zone or multi-family housing district and is nearly 70 percent agricultural.

Franklin Township is also the only area municipality to regulate the minimum size of trailer parks, which are found in all municipalities but Dallas Borough and Jackson Township.

With the Back Mountain's smallest size but highest overall population density, Dallas Borough updated its zoning ordinance in 1992, basically to bring it into compliance with state codes.

"We tried to keep the new zones similar to the original ones and make them as uniform as possible," said councilman William Pfeiffer, who worked on the ordinance. "The original districts were set up by lot size. Our main concern was spot zoning - locating large businesses in the middle of residential districts, for example."

The massive undertaking, which categorized the residential areas according to their respective lot sizes, dwelling units and population densities, included checking properties against the tax maps.

It's the only municipality with a special zone for planned residential developments (PRD), such as the Newberry Estate, although Lehman and Kingston townships also make provisions for them in other districts.

Dallas Borough also is one of

two municipalities containing a reservoir, having no agricultural (A-1) district and very little room for development to expand. Its largest districts are single-family residential (R-1) and conservation (C-1), located along the borough's western border where it meets the Huntsville Reservoir.

Harveys Lake is the only area municipality to have a publicly accessible large body of water within its borders. Strict regulations control the development of its shoreline district, according to planning commission member Keith Harry.

"We don't want to group things too closely around the lake front," he said.

A minimum lot width of 25 feet is required for a dock, while boat-houses require at least a 50-foot lot and must be connected to the sewer.

It is the only other area municipality which doesn't have an agricultural district. Its largest districts are residential, with a sizeable chunk of the borough still forest land.

Commercial activity is clustered around the lake, mainly at Shawanese, Worden Place and Sandy Beach, while wetlands surround the Inlet, parts of the Outlet, Sandy Beach and several streams which feed the lake.

Kingston and Jackson townships have seen recent rapid development, especially in upscale housing subdivisions.

While Kingston Township has businesses clustered along Route 309, Jackson Township, with a third of its land zoned agricultural and a third zoned conservation, has very few. The conservation district, mainly located along the mountainsides, strictly limits construction, with no buildings at all allowed on land where the slope is more than 25 percent.

Although it isn't located on a zoning map, Jackson Township is also home to the area's first historical district, nearly a dozen homes clustered in a square mile around the Huntsville Reservoir.

Kingston Township also has a mining district, along Chase Road, and a special area with no design-

nated minimum lot size housing the State Correctional Institution at Dallas.

Zoning boundaries don't always cross municipal lines and there is little uniformity in minimum lot sizes.

In an effort to encourage officials to begin thinking regionally instead of only of their respective municipalities, the Back Mountain Citizens' Council compiled a zoning map of the entire Back Mountain in early 1993. But officials say there's no cooperation with neighboring municipalities and the Back Mountain still remains a patchwork quilt of different zoning requirements.

Although all proposed zoning ordinances and their amendments must go to the Luzerne County Planning Commission before their respective municipal governments can approve them, the county has very little enforcement power.

"Basically we make sure the ordinances follow all state and federal regulations and don't contain any exclusionary zoning," said chairman Adrian Merolli. "For example, if an ordinance doesn't comply with the federal Americans With Disabilities Act or doesn't allow group homes, it can affect the municipality's eligibility for state and federal grants. But the ordinance must be very harsh to be out of compliance to do that."

Township will tackle zoning changes - again

By GRACE R. DOVE
Post Staff

FRANKLIN TOWNSHIP - The planning commission discussed a list of proposed revisions to the zoning ordinance which will be the subject of a public hearing March 6.

Chairman Hank Psolka, Mark Millington and Red Brace were absent. Supervisor Martin Murray served as temporary secretary.

Concerned about the development of commercial livestock feed lots, the commission voted to suggest to the supervisors that these operations be made a special exception use on at least five acres in agricultural (A-1), conservation (C-1) and one-family (R-1) residential zones only. The original suggested change was to allow commercial livestock enterprises on 25-acre lots in the same zones.

Other suggested changes include enlarging the minimum lot sizes in agricultural (A-1) areas from two to three acres, in one-family residential (R-1) areas from

Local zoning ordinances must also comply with a plethora of state and federal laws regarding protection of flood plains and wetlands, he said.

For example, federal laws require the foundations of homes built on flood plains to have special louvers which allow flood water to enter and drain out, according to planning consultant Jack Varaly, who has revised the zoning for several municipalities. New homes built on flood plains may also not have any living space on any floors which have been previously flooded.

Only one municipality in the county, not in the Back Mountain, hasn't complied with ADA requirements, Merolli said. All but 19 municipalities in the county have their own zoning ordinances, he said. Those which don't must follow the county's regulations.

"There is no magic number for the amount of different types of zones a town can have," he said. "The state basically tells towns to decide how they want to be and create the ordinance along those lines. It's very flexible. In order to control certain types of zoning, a town must have good reasons why they must restrict things. It must be able to prove in court why it's excluding certain things, usually for environmental reasons - protecting wells from pollution from septic units, for example."

1.5 to two acres and in conservation (C-1) areas from three to four acres.

Under the proposed changes, the zoning hearing board will have the authority to require applicants for special exception uses to submit an impact analysis with their applications. The supervisors may also request an impact analysis prior to approval of a conditional use.

An impact analysis is a report detailing the prospective use's effect on neighboring properties, traffic, utilities, community facilities, the environment or the public's health, safety and welfare.

The applicant must pay for the impact analysis and also reimburse the township for all engineering or consulting fees incurred for the review of the study.

The public hearing will be held March 6 at 6 p.m. at the fire hall on Orange Road. The supervisors plan to adopt the changes at their regular meeting at 7 p.m. the same night.

King's Flea Mart seeks items

Members of the flea market committee are now planning for the 22nd Annual King's College Alumni Flea Market and Craft Sale set for March 30 and 31 in the Scandlon Gymnasium, North Main Street, Wilkes-Barre.

According to Frank Burkhardt, event chairperson, more than 100 dealers on two floors will feature antique jewelry, vintage clothing, old linens, paintings, picture frames, stained glass, furniture, hand-painted china and glassware, Victorian crafts, Christmas items, old toys and dolls, wooden crafts, books and general flea market items, as well as homemade Easter candy, home-baked goods and refreshments.

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Date: Monday, March 4, 1996
Time: 6:00 p.m. to 8:30 p.m.
Place: College Misericordia, Kennedy Lounge

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