

County's chief planner urges rezoning proposal be denied

Editor's note: This is the text of a letter sent by Adrian Merolli, executive director of the Luzerne County Planning Commission, to Dallas Borough officials. The county has no authority over local communities' zoning, except to review plans for conformity to the borough or township code.

1. The rezoning of this tract to permit the development of 73 houses may present too much pressure on the already heavily burdened water supply system, municipal roadways, and essential services to meet the zoning purposes, as listed in Section 103 on Page 2 of your Ordinance.

2. The rezoning from the (C-1) Conservation District to the (R-1) Single and Two-Family Residence District would reduce the allowable minimum lot size from two (2) acres to 10,000 sq. ft. which seems too drastic of a reduction.

3. This property was zoned Conservation because of its slope, wetlands and it being in the drainage area of the nearby Huntsville Reservoir. These conditions still exist and indicate that care should be taken in what is allowed on this parcel.

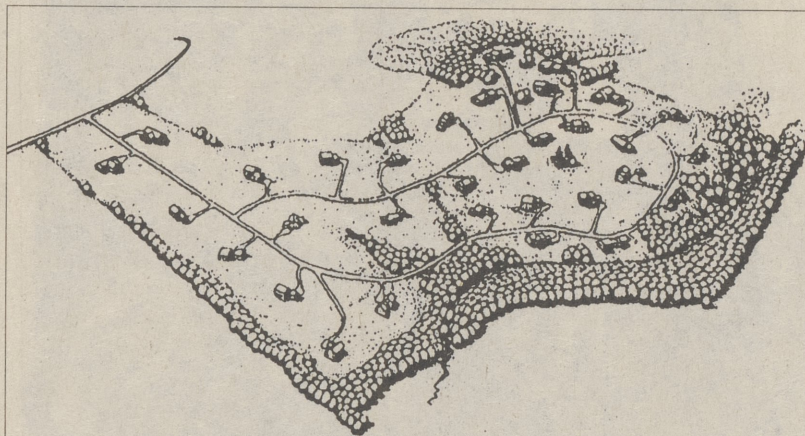
4. The proposed land use (Single Family Houses) is a permitted use in the existing Conservation Zoning District. Your Zoning Hearing Board could hear a request for reasonable lot size and set back variances which would protect the environment and the community by allowing some reduction in the 2 acre lot size without the aforementioned R-1 lot size reduction.

5. The proposed land use and rezoning application is not in conformity with the Comprehensive Plan (Plate IV-1) and Zoning Districts 2000 (Plate IV-2) Maps of your approved Comprehensive Plan.

Based upon the above referenced comments, we are recommending denial of this rezoning request.

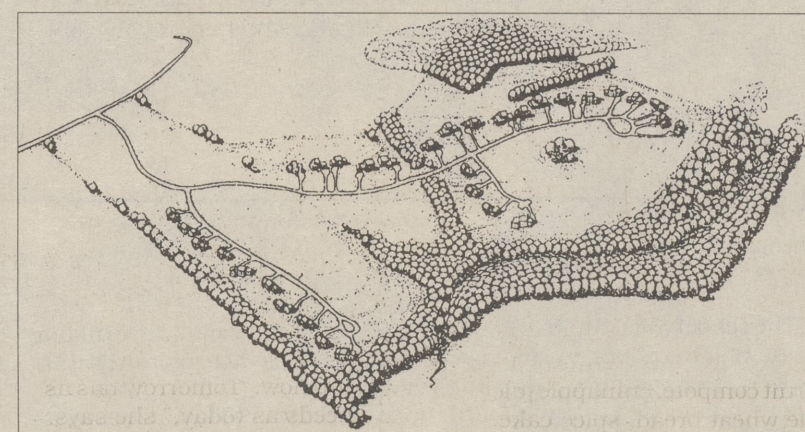
The Zoning Ordinance is for the protection of the environment and the municipality. Rezoning is legislative actions which should be guided by existing conditions, infrastructure and the growth policy of the municipal government, not private economic real estate speculation.

Adrian F. Merolli, Executive Director
Luzerne County Planning Commission



The sketch at top was provided to neighbors of land on W. Center Hill Rd. in Dallas Borough owned by Robert Post. It shows 73 new lots on the 70-acre tract. He is requested the land be rezoned from Conservation to R-1 Residential.

The sketch above, provided by the Natural Lands Trust, shows a typical subdivision of land into house lots, in which lots are distributed evenly over the land. Below, a preferred alternative, in which homes are clustered and open land is preserved.



Similar plan was approved over protests in 1988

Ten years ago, another parcel of conservation-zoned land was also the subject of a rezoning request, which was allowed despite protests from nearby property owners and a recommendation of denial from the Luzerne County Planning Commission.

The property, known as Deer Meadow, is located off Machell Ave. in Dallas Borough. The 33.5 acre parcel was subdivided for 51 building lots, many of which are today occupied by large homes. Then, as now, there were concerns about water supply, runoff into Huntsville Reservoir and loss of open land.

People opposed to rezoning the land also felt the plan was rushed through, with inadequate time spent discussing its merits and alternatives. There was political fallout, too. Borough manager Robert Brown resigned during the meeting where the plan was accepted. Residents had accused him of being negligent or deceptive in how the announcement of the meeting was handled.

The rezoning was approved at the July 19, 1988 meeting of the borough council.

Robert Post's plan differs from Deer Meadow in that it places 71 lots on 70 acres, with about 20 percent of the land remaining undeveloped. Deer Meadow uses the entire 33.5 acre tract for its 51 house lots. Post's plan also retains a 6.3 acre parcel for the existing house. Both require a sewer pumping station, since the developments are set at lower elevations than most of the surrounding lines.

Rezoning

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tive development plan, which sustains both houses and natural open space. The Conservation Subdivision Design is advocated by Natural Land Trust, Inc.

"Conventional developments such as this needlessly displace wildlife habitat and convert other natural areas into ecologically diminished suburban yardspace," the Natural Land Trust said in a published report. The trust proposes the same number of houses could be accommodated on a smaller portion of the land. This would reduce development costs and create a greater community spirit among homeowners.

The trust also calls for ordinance improvements, such as municipalities requiring developers of pre-identified conservation land to build around them in a respectful manner.

Robert Hughes, who in 1959 was one of the first people to build a house in Stonehedge, a development adjacent to Post's land, is concerned about the increased traffic that is inevitable with 73 new homes. "I don't mind people moving out here, but I do mind all the traffic and speed," said Hughes. "They have to make im-

"I don't mind people moving out here, but I do mind all the traffic and speed."

Robert Hughes
Lives in Stonehedge

provements on the roads. I don't know what they are going to do."

The schematic plan shows the development having two entrances, one off W. Center Hill Rd. and one off Huyler Ave. in Stonehedge. The proposed entrance on Huyler Ave. would have to run through property belonging to a homeowner there.

Calls to Post for comment were not returned. An answering machine appeared to malfunction as more calls were placed.

"The integrity of the land should be kept. If you do it once it's all over."

Paul Lumia
Nearby property owner

To: Residents of Dallas Borough:
Subject: Request for a change of Zoning Map by Mr. Robert Post
From: Dallas Borough Residents Against the Post Property Zoning Change Request

Please be advised that the Dallas Borough Planning Commission will hold a Public Hearing at the Dallas Borough Building, 25 Main Street, Dallas on May 29, 1997 at 7:00 p.m. to formally hear a request by Mr. Robert Post for a Zoning Map Change.

Mr. Post requests that his property, fronting West Center Hill Road, consisting of seventy point one (70.1) acres be changed from Conservation District to Residential Single and Two Family Dwelling, R-1 district.

A Conservation District allows Building on two (2) acre lots with a minimum frontage of two hundred (200) feet. A residential, R-1 district allows building on ten thousand (10,000) square feet per housing unit with a minimum frontage of seventy (70) feet.

Other Facts to Consider:

The Post Property has been zoned a Conservation District and is part of a master zoning plan adopted by Dallas Borough on October 20, 1992. This zoning map may be viewed or acquired at the Dallas Borough Building, 25 Main Street.

The request for a zoning change is being made so that the land can be subdivided into many more house lots than would be allowed under the Conservation District Zoning. Conservation District Zoning would allow approximately twenty-five (25) home sites. Residence District (R-1) with public water and sewer, which is available, would allow for well over one hundred twenty (120) house lots.

Other uses in R-1 would be Crematories, Community Living Facilities, Personal Care Board Homes for Adults, Rooming and Boarding Houses and Trailer Parks. This is a far cry from the current Conservation zoning which allows single family homes, Public Parks, Agriculture, Bird Sanctuaries and Preserves.

In Conclusion:

Dallas Borough is a relatively small rural community to others around it. The open land available is limited which makes having a well thought out master zoning plan very important. Dallas Borough has a master plan and in it the Post Property is zoned Conservation.

The Borough Zoning Plan was set up for the good of everyone. To change it for the good of one individual is wrong. Moreover, to haphazardly change zoning is a poor way to manage open land resources and is extremely dangerous for the simple fact that once zoning is changed and the open space is built on, it will never again be pristine, open land. The reasons we all live in Dallas will disappear forever.

Mr. Post can develop his property under the current conservation district zoning. This would allow for about 25 home sites.

Those of us that are against the zoning change request feel that the Borough should maintain its rural character and be mindful of the open space resources it has left. Changing the zoning from Conservation District to Residence District R-1 and over 120 house lots is not responsible and is definitely not in keeping with the rural character of our community.

What will happen next:

The Planning Commission will hear arguments for and against the zoning map change at the May 29th meeting. The Commission will then make a recommendation to the Borough Council for or against the change. Council will then vote for or against the zoning map change.

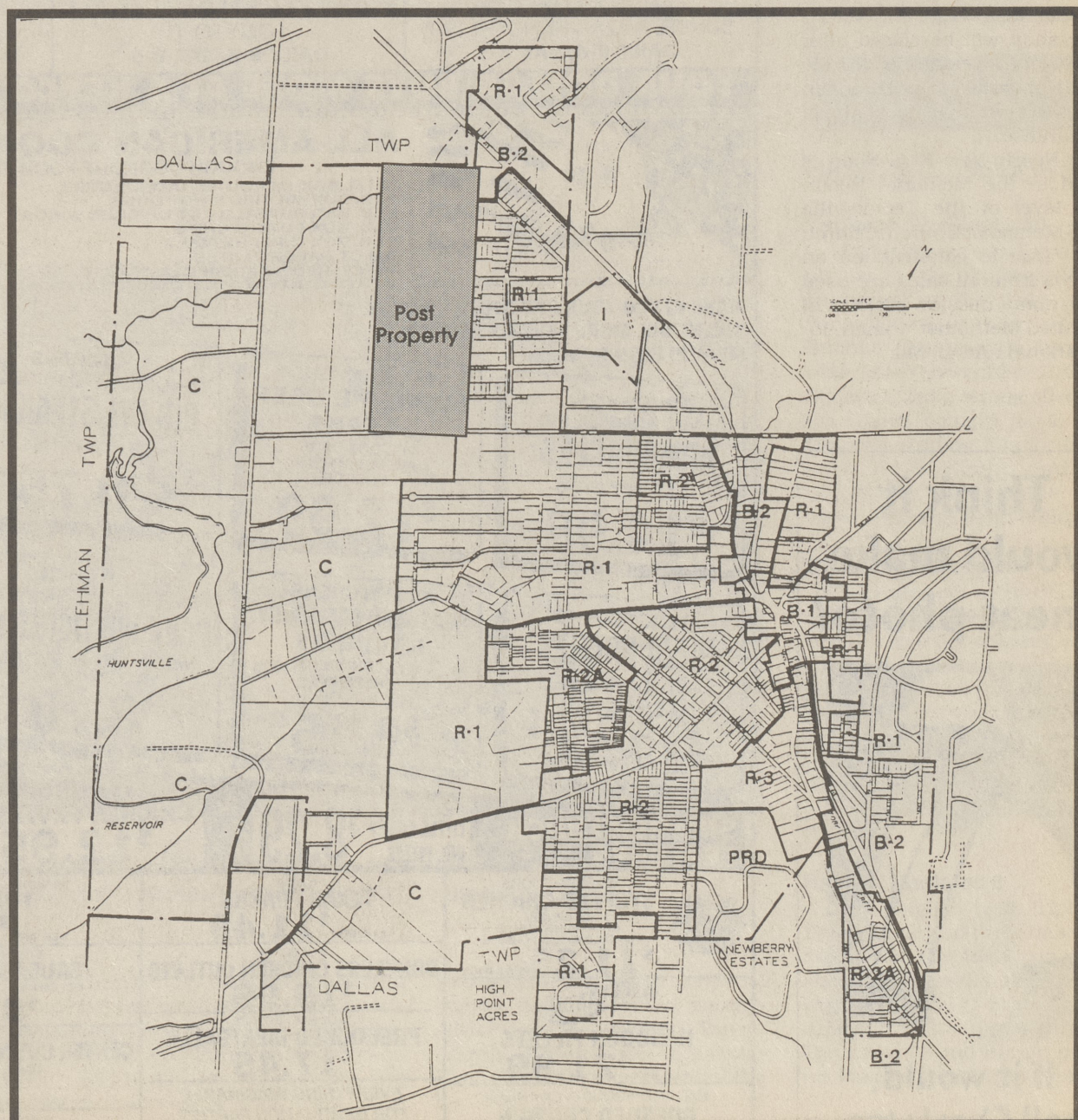
Please plan to attend the Planning Commission Hearing on Thursday, May 29th, 7:00pm at the Dallas Borough Building, 25 Main Street.

Your Borough Council Members are:

President	Patricia Peiffer	21 Sterling Avenue
Vice President	William Roberts	111 Franklin Street
	Donald Cooper	153 Parrish Street
	William Peiffer	21 Sterling Avenue
	M. Jay Pope	165 Huntsville Road
	Martha Weber	174 Sterling Avenue
	Theodore Wright	23 Monroe Terrace

Your Planning Commissioners are:

Mr. Joseph Gilroy	13 Marabee Avenue
Mr. Thomas Reese	126 1/2 Franklin Street
Mrs. Sandy Richardson	10 Marabee Avenue



Paid for by
Dallas Borough Residents for Responsible Zoning