

## **RESOLUTION 2023-5**

**A RESOLUTION OF THE TOWN COUNCIL OF THE MUNICIPALITY OF KINGSTON, LUZERNE COUNTY, PENNSYLVANIA, A HOME RULE MUNICIPALITY, APPROVING MODIFICATION/WAIVERS AND PRELIMINARY/FINAL PLAN APPROVAL FOR THE MILLER LOT CONSOLIDATION MINOR SUBDIVISION PROPOSED FOR 38 SOUTH ATHERTON AVENUE**

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**WHEREAS**, Chapter 158 of the Municipality of Kingston Code, titled “SUBDIVISION OF LAND” and known as the “Subdivision and Land Development Ordinance (SALDO)” Regulations, provides standards for the subdivision of land within the Municipality of Kingston, and;

**WHEREAS**, Phillip R. Miller has applied for certain modifications and/or waivers relating to a minor subdivision plan proposed for 38 South Atherton Avenue and the adjoining lot within the Municipality of Kingston, and have furthermore requested Preliminary/Final Plan approval for said subdivision, and;

**WHEREAS**, the Town Council approves modifications/waivers be granted as follows:

1. §158-8 (A)(2) and §158-8 (B)(2) to allow a plan scale of 1” = 10 feet in lieu of the required 1” = 50 or 100 feet.
2. §158-8 (B)(2) to allow a plan size of 24” x 36” in lieu of the required 18” x 23”.
3. §158-8 (A)(2)(f) and §158-8 (A)(2)(p) to waive the requirement of showing existing platting of adjacent land and all existing buildings, sewers (including identifying the types of manholes in the legend), water mains, culverts, petroleum or high-pressure gas lines and fire hydrants on or adjoining the site, as there is no construction proposed at this time that would necessitate the showing of utilities. A PA One-Call notification has been added to the plan that would require any contractor to contact them for the field mark-out of all underground utilities if any construction or earth disturbance is proposed at any time in the future. In addition, Note 7 indicates that proposed Final Lot 1 is currently served by all required public utilities.
4. §158-8 (A)(2)(l) and §158-8 (A)(2)(n) to allow spot elevations in lieu of contour lines and street gradients as the overall topography in this area is relatively flat.

**WHEREAS**, in addition to the granting of the above requested modification/waivers, the Town Council approved the said Preliminary/Final Minor Subdivision Plan, as recommended by the Planning Commission of the Municipality of Kingston.

**ENACTED AS A RESOLUTION** at a regular meeting of the Town Council of the Municipality of Kingston, Luzerne County, Pennsylvania, held this 6th day of March, 2023. This Resolution shall take effect immediately.

FOR THE TOWN COUNCIL

BY: \_\_\_\_\_  
Robert Jacobs, President

ATTEST:

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Paul Keating, Administrator/Acting Secretary

APPROVED:

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Jeffrey R. Coslett, Mayor  
Date: \_\_\_\_\_