

Board of Supervisors

Meeting Minutes 07/24/06

CORRECTIONS TO MEETING MINUTES FOR JULY 24, 2006

Supervisor Husson requested that the addition of a swimming pool be included with the community facility to the Brownstone Manor Land Development Plan on Page 8 and he corrected the spelling of rebar in the Brookside Pedestrian Bridge section of the Engineer's Report on Page 9 of the meeting minutes of July 24, 2006. Motion by D. Hull and second by C. Kann to approve the meeting minutes for July 24, 2006 as corrected. Passed with 4 ayes and 1 abstention by S. Patterson.

Minutes

The Dover Township Board of Supervisors regular meeting for July 24, 2006 was called to order at 7:06 PM by Vice Chairman Duane Hull in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Duane Hull, Michael Husson, Madelyn Shermeyer, and Curtis Kann. Chairman Patterson was absent with prior notification. Other Township Representatives in attendance were Atty. Charles Rausch, Township Solicitor, Terry Myers, Township Engineer, Karen Wilson, C. S. Davidson, Laurel Wilson, Township Manager, Georgia Sprenkel, Acting Zoning Officer, and Dawn Slegel, Recording Secretary. Also in attendance were 7 citizens and 1 reporter. This meeting has been recorded for minutes purposes only.

Supervisor Hull announced that a work session was held at 6 PM this evening to discuss the sign ordinance. The Pledge of Allegiance was recited.

PUBLIC HEARING FOR ZONING AMENDMENTS

Atty. Rausch reviewed the comments from the York County Planning Commission and the Dover Township Planning Commission for the zoning ordinance amendments as he summarized the proposed ordinance amendments. Several non-substantive changes were made to the proposed ordinance as follows. Section 3 H. (a) should include the additional language *and outside of the street right-of-way*. Section 4 (7)(a), Stockpiling firewood *used in structure heating* will be deleted. Section 4 (7)(b), the second sentence "In all other districts, stockpiling shall be located in the rear buildings and shall be screened." should be moved to the end of subsection (b) as the last sentence. Section 4 (7) (e), the first sentence should read "A dumpster shall be permitted *on an occupied residential property* for no longer than 60 days. Board Consensus to change Section 5 12. from Ninety (90%) percent to One Hundred (100%) percent. Withdrawn by Board.

There were no comments from the public.

Atty. Rausch will revise the ordinance as per the above amendments and place it on the agenda for the next Board Meeting. No additional advertisement is necessary. There is a sixty day time frame for the adoption.

WORK SESSION MINUTES FOR JULY 10, 2006

Supervisor Husson made the correction that Duane Hull was *not* present at the work session for July 10, 2006. **Motion** by M. Shermeyer and second by M. Husson to approve the work session minutes for July 10, 2006 as corrected. Passed with 3 ayes and 1 abstention by D. Hull.

MEETING MINUTES FOR JULY 10, 2006

Supervisor Kann made the correction in the amount to the Treasurer's Report removing the comma with the corrected amount being \$134,364.19. **Motion** by M. Shermeyer and second by C. Kann to approve the meeting minutes of July 10, 2006 as corrected. Passed with 3 ayes and 1 abstention by D. Hull.

TREASURER'S REPORT - Supervisor Hull presented the warrant total for July 24, 2006 in the amount of \$245,011.19. **Motion** by M. Shermeyer and second by M. Husson to approve the current expenditures for July 24, 2006 in the amount of \$245,011.19. Passed with 4 ayes.

PUBLIC COMMENT PERIOD

Person on the Agenda

William W. Allis Jr., Gannett Fleming, presented the proposal on development of a five year plan for the Dover Township Water System. He submitted a draft proposal to the Board for scope of services and for conducting a water system planning study. This comprehensive scope was divided into tasks to allow selection and sequencing of tasks with associated costs. The Board has the option of choosing which tasks will be performed by Gannett Fleming. He entertained any questions on the proposal from the Board. Supervisor Shermeyer questioned the duplication of a vulnerability study. He replied that it is not their intent to duplicate performed studies. He stated that they would be reviewing the vulnerability assessment and make sure that it is being implemented because of liability ramifications. Supervisor Kann asked their progress in the assessment of the water system. Mr. Allis responded that they have assisted in several reports for the township, such as the Consumer Confidence Report and the Emergency Response Plan. They have a good understanding of what's in the system and the scope of these studies. A critical issue is the growth in the Township and future needs. Supervisor Kann inquired about the perplexity of establishing a new well as per DEP regulations. Mr. Allis noted that wellhead protection, groundwater disinfectants, and the distribution system rule are the main factors. Supervisor Kann suggested that Bill Rodgers be involved. Manager Wilson added that Mr. Rodgers was

given a copy of the proposal. Supervisor Hull stated that the Board will discuss this proposal at a later work session.

ZONING OFFICER'S REPORT by Georgia Sprenkel

Robert Yingling 2-Lot Subdivision Plan - Rhonda Yingling-Heindel presented the two lot subdivision plan for Robert Yingling. She is purchasing her grandfather's house and her aunt is purchasing some land for a septic system replacement site. The subdivision is situated along Cherry Orchard Road. Another .26 of an acre is being attached to the lot. It is still not a conforming lot, but is less nonconforming. A spring supplies both properties with water. This plan will provide an easement around the spring. The spring is located on the original tract. **Motion** by M. Husson and second by M. Shermeyer to grant the three waivers for Section 704.6 Road widening; Section 304.2 Preliminary plan; and 501.2A GIS disk. **Passed** with 4 ayes. **Motion** by M. Husson and second by M. Shermeyer to approve the Robert Yingling 2-Lot Subdivision Plan contingent on the completion of the following outstanding items: 1. List and identify the waivers on the plan and 2. Calculate areas of all existing environmentally constraining resources noted on the plan. **Passed** with 4 ayes.

Walter Crider 2-Lot Subdivision Plan - David Hoffman presented the two lot subdivision plan for Walter Crider. Samuel Crider has a six acre parcel at the end of Bluebird Lane and wants to relocate the lot line to add 3/4 of an acre to his father, Walter Crider. This plan incorporates the private portion of Bluebird Lane. **Motion** by M. Husson and second by C. Kann to grant the two waivers for Section 304.2 Preliminary plan and Section 704.b Road widening. **Passed** with 4 ayes. **Motion** by M. Husson and second by M. Shermeyer to approve the Walter Crider 2-Lot Subdivision Plan conditioned on the submission of the GIS disk. **Passed** with 4 ayes.

Zeigler Tract Donwood Preliminary Subdivision Plan - David Kornatich from LSC Design presented the preliminary subdivision plan for the Zeigler Tract Donwood. This plan entails developing the remaining lands of the Donwood Estates which will have 133 single family residential lots and two open spaces. The Township Engineer requested a 50 foot easement at the northern portion for the development of a future by-pass around Dover. The Subdivision & Land Development Ordinance requires a note stating that "No construction shall begin until approval or conditional approval of the final plan is obtained". Mr. Myers explained that the Municipal Planning Code does allow for construction to begin after preliminary plan approval. All of the public improvements are designed and approved at the preliminary phase. The developer has the option then to either post security to guarantee completion of the improvements or actually complete the improvements before submitting the final plan. No lots may be transferred or sold before approval of the final subdivision plan. **Motion** by M. Shermeyer and second by C. Kann to waive the note "No construction shall begin until final plan". **Discussion** - Supervisor Husson asked the advantage gained by this procedure. Response was to lower costs and get ahead start. **Passed** with 4 ayes. **Motion** by M. Shermeyer and second by C. Kann to approve the Zeigler Tract Donwood Preliminary Subdivision Plan contingent on completion of the following outstanding

items: 1. GIS disk; and 2. Township Engineer's approval of the water and sewer design minor revisions. **Passed with 4 ayes.** **Motion** by M. Shermeyer and second by C. Kann accept the Traffic Improvement Agreement with KPH Donwood, LLC contributing \$1,450.00 per dwelling unit paid at the time of the building permit application. **Passed with 4 ayes.**

Ashcombe Farms South Preliminary Subdivision Plan - Tom Scully from R. J. Fisher & Associates and Joe Nadu, the Developer, presented the preliminary subdivision plan for Ashcombe Farms South. The preliminary plan contains 18 lots of which two are existing lots for commercial use along Route 74. Discussion ensued on the grade percent of Madison Avenue at the intersection with Route 74. Supervisor Shermeyer inquired about the required screening from the commercial uses. She was informed that 50% screening and buffer yard will be provided on the residential lots. Supervisor Hull was concerned about receiving noise and dust complaints from the new neighboring residents on those lots behind one of the existing commercial uses. **Motion** by C. Kann and second by M. Husson to grant the four waivers of Section 22-721 Buffer yard/screen on to the residential lots; Section 22-704.f.1 Slope of fill banks along street; Section 22.704.i.2 Straight line course at intersection; and Section 22-710 Sidewalk on both sides of the street to only one side. **Passed with 4 ayes.** The Township Engineer advised the Board of the marginal condition of Lot No. 1. It is a two acre lot which contains gas, electric, and sanitary sewer and drainage easements. Due to these easement restrictions, it leaves very little buildable area for any other structures besides the house. Ms. Sprenkel suggested that the developer show the prospective property owner the plot plan for Lot No. 1. The key issue is obtaining approval from the gas and electric companies to run the water line across their easements. This will determine if the lot is buildable. **Motion** by C. Kann and M. Shermeyer to approve the Ashcombe Farms South Preliminary Subdivision Plan contingent on the completion of the following outstanding items: 1. The owner's signature; 2. PA DEP Code No. added to the plan; and 3. Erosion and sedimentation control plan approval from York County Conservation District. **Passed with 3 ayes and 1 nay** by M. Husson.

Brownstone Manor Land Development Plan - Eric Johnston of Johnston & Associates presented the land development plan for Brownstone Manor. The land development plan proposes a community facility with a parking area, a half court basketball area, and a possible future tennis court, and a playground in the Brownstone Manor Development. It also contains a pedestrian path with access to the streets. The plan also contains a four lot resubdivision of Lots No. 131 to 134. **Motion** by C. Kann and second by M. Shermeyer to approve the Brownstone Manor Land Development contingent on the completion of the following outstanding items: 1. GIS disk; 2. Owners' signature; 3. Planning module and DEP Code Number; and 4. Township Engineer's approval of stormwater management. **Passed with 4 ayes.**

The Seasons Preliminary Subdivision Plan - Jerry Stahlman of Stallman and Stahlman, presented the preliminary subdivision plan for The Seasons. This subdivision plan is the 102 acre Naylor Tract proposing 205 lots with approximately 31 acres of

open space. The main entrance ties into Fox Ridge Court and the other entrance connects to the Fountain Rock Development. There are four phases. Phase 1 comes in off of Fox Ridge Court with a total of 64 lots. Phase 2 connects to Fountain Rock and contains 46 lots. Phase 3 is the land behind Providence Place and has 37 lots. The final phase is the remaining 58 lots. The water and sewer lines will be tied into Fountain Rock. Supervisor Shermeyer recommended a snow easement be acquired in the cul-de-sac. Mr. Myers advised the Board that no sidewalks or curbing are proposed along Fox Run Road. **Motion** by M. Shermeyer and second M. Husson to grant the three waivers of Section 1102.2.C Spacing of the trees with the provision of one tree per lot per road frontage; Section 501.2.u Cartway width of 36 feet to 28 feet to align with Fountain Rock; and Section 704 Cul-de-sac length requirement to be extended to 700 feet and to include a snow easement. **Passed** with 3 ayes and 1 nay by C. Kann. **Motion** by M. Shermeyer and second by M. Husson to approve The Seasons Preliminary Subdivision Plan contingent on the completion of the following outstanding items: 1. GIS Disk; 2. Final landscape plan certified by Landscape Architect; 3. Planning module approval and DEP Code Number to the plan; 4. Township Engineer approval of stormwater management plan (verification of perc rates); 5. Provide detail of the storm sewer connection at Fox Ridge Court and Fox Run Road; 6. Provide Public Improvement Construction Security at Final Subdivision; 7. Extend sidewalk on Fox Ridge Court to the end of the returns to Fox Run Road. **Passed** with 3 ayes and 1 nay by C. Kann. **Motion** by M. Shermeyer and second by M. Husson to accept the Traffic Improvement Agreement contributing \$540.00 per dwelling unit paid at the time of the building permit application. **Passed** with 3 ayes and 1 nay by C. Kann.

Locust Point Garage Land Development Plan - The Board acknowledged receipt of the 90 day time extension on the land development plan for Locust Point Garage.

Brookside Building No. 2 Replacement - Mr. Myers reported that an engineering proposal was prepared for the structural design, mechanical, and plumbing of Brookside Building No. 2 replacement in the amount of \$16,900. The proposed timeline includes the preliminary plan and specifications prepared by August 24, 2006. Plans will then be finalized and authorization for bid advertisement in September. Bids will be opened and awarded in October. Construction would not begin until November with a construction time frame of either 60 or 90 days. Manager Wilson added that rentals on the building may possibly be booked into October. **Motion** by M. Husson and second by M. Shermeyer to accept the C. S. Davidson engineering proposal of Brookside Building No. 2 replacement in the amount of \$16,900. **Passed** with 4 ayes.

Brookside Pedestrian Bridge - Mr. Myers stated that the contracts were sent and should be returned sometime this week. A meeting is being scheduled between Wayne Latchaw and the contractor to review the location and elevation of the bridge. After this meeting, the stakeout will be done and the contractor can order the ribar for the abutments. His construction timeframe is approximately three weeks from his start until the delivery of the bridge.

2007 Cycle of the Community Development Block Grant - Mr. Myers advised that York County Planning has placed Dover Township on the 2007 list for funding the Oak Lane improvements. Supervisor Shermeyer inquired about their method of project funding prioritization. She noted that the Clair-Mar Drive Project was considered by the Board as the top priority. Manager Wilson will contact York County Planning to request that they reconsider the funding for the Clair-Mar Drive Project instead of Oak Lane. Supervisor Shermeyer suggested sending the Citizens Advisory Committee pictures of the problems on Clair-Mar Drive for further substantiation.

Street Adoptions - Mr. Myers reported that PennDOT sent a recent newsletter with the street adoption deadline published as September 1, 2006. After reading this, a municipality contacted PennDOT stating that they have always performed their street adoption based on the October 1st deadline. PennDOT told them that as per Publication No. 9 the deadline has always been September 1st. Additionally, they responded that they will accept street adoptions up until the end of the year. But submission after the deadline, does not guarantee that it will be added to the list for next year's funding. Mr. Myers advised that Creekside would like to get their streets adopted this year. Ms. Sprenkel said that Mr. Beshore from the Wandering Streams Development is looking to dedicate some roads. Mr. Myers recommended that Dover Township stick to their normal process time for street adoptions at their second meeting in September.

SOLICITOR'S REPORT by Atty. Rausch

Atty. Rausch requested a brief Executive Session after the meeting on Glen Gery litigation. Manager Wilson also asked for an Executive Session on personnel matters.

MANAGER'S REPORT by Laurel Wilson

Ordinance 2006-02 - Manager Wilson reiterated that Ordinance 2006-02 will be revised as per the comments during the public hearing this evening and will be proposed for adoption at the next Board Meeting.

Ordinance 2006-03 - Atty. Rausch reviewed the proposed Outdoor Burn Ordinance. Discussion was held on how to handle the five day period before the ordinance becomes law. **Board Consensus** to allow residents to purchase a \$2.00 monthly burn permit prior to the ordinance becoming law. **Motion** by M. Husson and second by M. Shermeyer to adopt Ordinance 2006-03 the Outdoor Burn Ordinance. **Passed** with 4 ayes.

DCED Contract for Land Use Planning & Technical Assistance Program Grant - Manager Wilson requested authorization to sign the DCED Contract for the Land Use Planning & Technical Assistance Program Grant prepared by JMT for the Zoning and Subdivision and Land Development Ordinances and map updates in the amount of \$31,200. **Motion** by M. Shermeyer and second by M. Husson to authorize Dover Township administration to sign the DCED Contract. **Passed** with 4 ayes.

Questions for the Manager

Supervisor Husson inquired about the date for curbside brush collection in the Fall. Manager Wilson did not recall the upcoming dates scheduled.

Supervisor Husson expressed disappointment with the State's recent overlay project on Canal Road. He noted that the township should contact the local PennDOT representative to issue a complaint.

Supervisor Shermeyer asked about the response from Velvet McNeil on the account verifications regarding her separate water meter request. Manager Wilson responded that she has not provided Mrs. McNeil with this information because she wanted the Board's comments first. It was the Board's recommendation that she should inform Mrs. McNeil that two separate water meters would not prove to be a cost savings.

OLD BUSINESS

Sign Ordinance - The Board is currently working on revising the sign ordinance.

ATV Ordinance - The Board is continuing to work on an ATV ordinance.

Billing Insurance for Rescue Truck Calls - Manager Wilson advised that she is awaiting a response from the Fire Chief. The Board would like this issue resolved as soon as possible.

Personnel Policy Update - The Board is still reviewing the update to the Personnel Policy.

Accessory Family Dwelling - The Board will review the ordinance for accessory family dwelling after the above ordinances have been finalized.

Chesapeake Bay Initiatives - This is an ongoing issue between the State and local municipalities.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

Supervisor Kann exhibited the safety award won by the Dover Township Wastewater Treatment Plant presented from the Pennsylvania Water Environment Association for a Class 1 Plant of less than nine employees and their involvement in the safety training of all their employees with certifications in CPR, AED, and First Aid. Sophie Simon also received the William D. Hatfield Award from the Water Environment Federation which listed her many accomplishments and her recently earned MBA from York College. He requested that a letter be sent to the sewer plant crew congratulating them on their accomplishments.

Supervisor Husson asked the Board for volunteers to work at the Old Fashion Carnival on Wednesday, July 26, 2006 from 4 to 8 PM at Brookside Park. He announced that Saturday, July 29, 2006, will be the First Annual Dover Duckie Race at the Community Park with proceeds benefitting the Heritage Senior Center. The day's events start at 4 PM with the duckie race scheduled for 5 PM. Other activities include music, games, and a movie beginning at 8 PM. The cost of a duck is \$5.00.

Supervisor Husson announced that the Dover Area Ambulance Club received \$5,500 from the 2005-2006 PEMA Grant. The funds were expended on the ambulance loan.

Supervisor Shermeyer notified the Board that the Dover Township Volunteer Fire Department received a grant in the amount of \$9,700.45 to purchase a thermal imaging camera and an AED. The Department contributed an additional \$499.55. She expressed concern over an incident which caused a response from three local fire departments to extinguish a fire set by kids torching a two acre wheat field with a bottle rocket on Eagle Scout Road.

COMMENTS FROM THE PUBLIC PRESENT

Michael Lighty questioned the stockpiling ordinance affect on the existing Glen Gery properties. Atty. Rausch stated that the ordinance would have no affect on these Glen Gery properties because of the "grandfather clause".

ADJOURNMENT

Motion by C. Kann and second by M. Husson to adjourn the regular meeting at 10:24 PM into an Executive Session on Glen Gery litigation and personnel matters. **Passed** with 4 ayes.