

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
SEPTEMBER 28, 2015**

The Dover Township Board of Supervisors regular meeting for September 28, 2015, was called to order at 7:00 PM by Chair Matthew Menges in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Matthew Menges, Charles Richards, Monica Love, and Stephen Parthree. *Stephen Stefanowicz was absent with prior notice.* Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Georgia Sprenkel, Township Zoning Officer; and Trena Hall, Recording Secretary. There were 14 citizens in the audience and a stenographer to record the Zoning Hearing. This meeting has been recorded for minute purposes only.

A moment of silence was requested, followed by the reciting of the Pledge of Allegiance to the American Flag.

PUBLIC HEARING FOR THE PROPOSED ZONING ORDINANCE by Attorney Charles Rausch

This hearing has been advertised. Changes have been made to the text only, to help make the wording more flexible and no changes have been made to the Zoning Maps. The ordinance is being adopted as a brand new ordinance since many changes have been made.

Public comments were requested. With no comments presented, the hearing was closed. The ordinance is on the agenda for adoption later in the meeting.

Chair Menges thanked all of those who were involved with the updates, including some input from the public.

APPROVAL OF THE WORK SESSION MINUTES FOR AUGUST 24, 2015

Motion by M. Love and seconded by C. Richards to approve the work session minutes for August 24, 2015, as presented. **Passed** with 4 ayes

APPROVAL OF THE MEETING MINUTES FOR AUGUST 24, 2015

Terry Myers asked to amend the minutes on page 4 of the August 24, 2015 meeting minutes. In the first paragraph, the last sentence should read "Cost estimate for construction is around \$40,000 and the total project cost is around \$190,000."

Motion by C. Richards and seconded by M. Love to approve the meeting minutes for August 24, 2015, as amended. **Passed** with 4 ayes

TREASURER'S REPORT

Motion by C. Richards and seconded by M. Love to approve the warrant total for August 14, 2015, in the amount of \$924,939.62 and the warrant total for August 28, 2015, in the amount of \$244,615.20, as presented. **Passed** with 4 ayes

PUBLIC COMMENT

No comments

ZONING REPORT by Georgia Sprenkel

PL 15-7 Dover Bethany United Methodist Church – Final Subdivision - David Hoffman presented the plan. This plan was reconfiguring several existing lots with separate deeds along Bull Road just north of the Butter Road intersection. These lots have been in existence for 15 or more years and are undersized. The purpose of this plan was to relocate the access to lot number 7 since a structure now exists that blocks the access. When relocating the access, lots needed to be adjusted to meet Township regulations. Mr. Smyser agreed to allow the access to be relocated. There are 10 different parcels involved that will receive different or new parcel numbers. Some parcels will be combined, separated, or reduced. This area is zoned agriculture and requires parcels to have an acre and a half. Currently lots 1-6 are vacant. Dover Bethany United Methodist Church owns all of the discussed lots except for the Smyser property that has access to Bull Road. After reconfiguring lots, all lots will be in conformance except for lot number 7.

On the final plan there will be a potential of 4 accesses on that Right of Way. The original proposed access was directed to Bull Road.

Little pieces of land were purchased over the years and some have separate parcel numbers. This plan will combine them into one parcel number with one deed for the property.

M. Love questioned if there is an access agreement. Currently, there is no agreement between the parties, but they are in the process of creating one. The plan notes that an agreement must be in place before any building permits can be issued. There is no public sewer, but the church is tied into Llewellyn's Mobile Home Park. An agreement is being made to continue the use of the mobile home park's private sewer.

Motion by M. Love and seconded by C. Richards to grant the requested waivers for the PL 15-7 Dover Bethany United Methodist Church, Final Subdivision as follows: 1. Where a subdivision abuts or contains an existing street of inadequate width, the developer shall provide sufficient additional right-of-way and carway widths to meet the following standards, Section 22-704.B.; 2. Allow up to 4 lots to access a private road in the Ag Zone, Section 22-703.H.10, as presented.

Passed with 4 ayes

Motion by M. Love and seconded by C. Richards to approve PL 15-7 Dover Bethany United Methodist Church, Final Subdivision contingent on the completion of the following open items: 1. Prior to final plan approval, a disk in an electronic format compatible with the Township GIS system, should be provided (§ 501.2.A); 2. The legal and/or equitable Owners' notarized signature must be added to the plan certifying concurrence with the plan (§ 501.2.H), as presented. **Passed** with 4 ayes

PL 14-2 Brookside Motors – Bob Sandmeyer from Site Design Concepts was present to request two possible waivers and an exemption or decrease on the Stormwater Fees. This plan has already been approved. The owners of Brookside Motors and Thornton Chevrolet were also present.

Construction has not begun because the Land Development has not yet been approved. Columbia Gas has a 50' and 30' gas ROW through the property. Grading has been put on hold due to Columbia Gas's extreme restrictions of what work can be completed in the ROW. The proposed detention basins are between the 2 easements and Columbia Gas will not allow any fill in their ROW. To meet ordinance requirements, the Stormwater basins have to be redesigned to maintain the same volumes as approved previously. To achieve this, the embankments will need to be made a little steeper. The slopes will be reduced from a 4 to 1 slope to a 3 to 1 slope. Engineering has no issues with this since the grading will be gradual.

In addition to the embankment waiver, Mr. Sandmeyer was requesting that the 1,400 lineal feet of fencing around the detention basins be waived. Fencing will be along the entire rear property line with gates and will not encroach into the floodplain area. Terry Myers inquired if the gas company had any issues with putting fences in the easement. Columbia Gas is requiring them to install gates with locking pads along the 50' and 30' easements. Mr. Sandmeyer noted that this fence issue can be added to the bond.

Motion by C. Richards and seconded by S. Parthree to grant the requested waivers for PL 14-2 Brookside Motors as follows: 1. Increase embankment slopes for Stormwater Management; 2. Eliminate fencing around the detention basin, as presented. **Passed** with 4 ayes

The Stormwater Management Impact Fee was also raised. Fees for the new impervious area will cost around \$24,000 on top of the \$200,000 amount of Stormwater Management Improvements (this does not include the building, grading or parking lots). Brookside Motors and Thornton Chevrolet feel this is an excessive amount and are asking to be exempt or given a reduction on the Stormwater Management Fees.

The Stormwater Impact Fee is currently \$.30 per square foot. M. Love proposed that the Board adopt a sliding scale of \$.30 for the first 20,000 square feet, \$.15 for the second 20,000 square feet, and \$.05 for the remainder. The proposed 231,742 square feet of impervious surface would now cost around \$15,600 instead of the \$24,000. Manager Oswalt noted that amendments can be made to the fee schedule.

Motion by M. Love and seconded by C. Richards to approve that the Stormwater Impact Fee for this project be reduced by using a sliding scale of \$.30 for the first 20,000 square feet, \$.15 for the second 20,000 square feet, and \$.05 for anything thereafter, bringing the fee to around \$15,600, as presented. **Passed** with 4 ayes

Site Design Concepts will send in an amended plan to be recorded.

Rezoning of 1667 E. Canal Road – Robert Katherman was present to represent Terra, LLC, in asking the Board to rezone this property. The original proposal was to construct single-family homes. Terra, LLC is now proposing an amended version to develop townhomes in an active 55 community. These homes would be one floor. The intent is for a condominium association with a private street. To accomplish this, the property will need a variance or rezoning. Surrounding properties are zoned R3 and Industrial. Adjacent properties that currently have dwellings will need to be rezoned to R3.

All issues in developing this property have been discussed with the Township Solicitor and Engineer. The original plan called for 19 single family homes with two entrances. The new

proposed plan will allow 40 lots with open space and only one cul-de-sac entrance. Two occupancy permits have been issued for the ingress and egress on Canal Road. C. Richards has concerns about only having one access.

If the Board is not adverse to this concept, the developer will begin the application process. Plans will be provided to the Township Planning Commission and the York County Planning Commission to review and if approved a public hearing would be held. The Township will not be committed to rezoning at this point. A decision is not needed until an ordinance is proposed.

The Board does not want to see more lots added after this property would be rezoned. The Board inquired if any wording could be applied to a proposal to insure that this would not happen. The developer will do anything needed to increase the level of confidence on this matter.

Board Consensus was that the developer can come back with a plan to be reviewed.

Advertise Floodplain Ordinance – A new Floodplain ordinance must be in place by December 16, 2015 or the Township FEMA floodplain insurance will be eliminated.

Motion by M. Love and seconded by C. Richards to advertise the Floodplain Ordinance, as presented. **Passed** with 4 ayes

ENGINEER'S REPORT by Terry Myers

Award 2015 Water Line Project Work to Shiloh Paving with the Low Bid of \$158,805.00 – This project will be for Cardinal Lane from Hilton Avenue to Virginia Avenue and on Sheppard Drive connecting to the north side of Palomino Road. The cost estimate is \$190,000.00. With engineering and inspection this should come close to budget. Shiloh Paving has crews that are experienced with working on water pipe line installation. They have 60 days to complete this project and the project will be completed in 2015.

Motion by C. Richards and seconded by S. Parthree to award the 2015 Water Line Project to Shiloh Paving and Excavating with a low bid of \$158,805.00, as presented. **Passed** with 4 ayes

SOLICITOR'S REPORT by Attorney Charles Rausch

Conservatorship for 5751 Old Carlisle Road – The Board needs to complete some background work and receive estimates from demolition companies. Attorney Rausch recommended having a plan in place before filing a petition with the court. There are back taxes on the property that would need to be paid off. After all rehabilitation work would be completed and all expenses were paid out, the remainder of the money from the sale of the property would go to the property owner.

S. Parthree noted that there is a neighbor interested in purchasing the property but the current homeowner has shown no interest in improving the dilapidated property. S. Parthree inquired if the neighbor could buy the property once the Township gains conservatorship. Manager Oswald inquired if under the Conservatorship the property could be sold without rehabilitation or do you have to make the improvements to sell it. S. Parthree asked if there is anywhere stating that the

Township would have to tear the structure down. Attorney Rausch noted that the purpose of the conservatorship is for someone to take control of the property in order to do the rehabilitation.

Attorney Rausch noted that the plan could be to retain someone to demolish the structure and then in this case, sell it. The fair market value of the property would be what the land is worth. If the structure would still be on the property, the fair market value would be the land value minus the cost of demolition.

The Board will need to determine if this is the direction they would like to head on this matter before filing for Conservatorship with the court.

S. Parthree would like to take action on this property and if proven to be successful for the benefit of the Township, then move forward with other properties.

Board Consensus was to move forward.

Approve Ordinance 2015-06 to Amend the Zoning Ordinance – This has been advertised for adoption.

Motion by M. Love and seconded by C. Richards to approve Ordinance 2015-06 amending the Zoning Ordinance, as amended. **Passed** with 4 ayes

Attorney Rausch requested a brief executive session to update the Board on a potential litigation with Creekside Village, road completion matters.

MANAGER’S REPORT by Manager Laurel Oswalt

Recognition of Chalet Harris Completing the Six Month Probationary Period – The Board acknowledged Chalet Harris on completing her six month probationary period.

Discuss Placement of Ashley Spangler Jr. and Charles Benton to I/CDC – Manager Oswalt inquired on a manageable amount of members for this committee. S. Parthree noted that 7 people are not too many for on this committee and that he would like to add a Commercial Realtor. S. Parthree asked if there was any concern having 2 members of the same family and business serving on this committee. There were no concerns since this is just an advisory board.

Motion by S. Parthree and seconded by C. Richards to accept both Ashley Spangler Jr. and Charles Benton to I/CDC, as presented. **Passed** with 4 ayes

Approve Trick or Treat Night for October 31, 2015 from 6PM-8PM – No discussion of a rain/snow date.

Motion by C. Richards and seconded by M. Love to approve Trick or Treat night for October 31, 2015, from 6PM-8PM, as presented. **Passed** with 4 ayes

Discuss Potential Water Rate Increase Options – Spotts, Stevens and McCoy (SSM) provided two options on raising the water rates to achieve the 10% increase. If this increase is approved, another increase would not be needed until 2020. One option is to only increase the minimum quarterly charge for 6,000 gallon from \$32.40 to \$39.00 while leaving the “per 1,000 gallons” rate at its current \$5.14 per quarter; or a second option is raising only the “per 1,000 gallons” rate

from \$5.14 to \$5.90 while leaving the minimum quarterly charge at its current amount; or a third option is a combination of both options, which was done in the past.

Originally, SSM proposed an 8% increase in 2017. Manager Oswalt suggested the 10% increase now to avoid water rate increases at the same time as sewer rate increases. Also, this increase would bring the need for a 20% increase in 2020 to a lesser amount for the residents.

Chair Menges noted that he is not in favor of collecting money in advance for projects that may arise in the future. He noted that rate increases are fine if the work is needed but questioned if a rate increase is needed before it is required.

C. Richards noted that there are larger projects slated for the future. Examples are the new Well and replacing the water line north of the Borough. These projects will be coming at the same time as the sewer upgrade projects. This increase would be a way to lessen the financial burden of having both a water and sewer rate increase at one time on residents and lessen the requirement for a large amount of funds to be borrowed to complete future projects. The Board can structure the rate increases as they deem necessary.

C. Richards, M. Love and S. Parthree were in favor of the “per 1,000 gallons” rate increase, if needed. S. Parthree did agree with Chair Menges to not increase rates if not required.

Manager Oswalt noted that what she has projected for the budget included this 10% water rate increase. If the Board does not agree to this increase, projects will need to be moved to the reserve account. Chair Menges noted that the money in reserve is from past years of rate increases that were not needed to balance the budget. Manager Oswalt noted that the money was not being invested in water system projects until recently and rates have not been raised by much over the last 10-15 years. M. Love believes that a reserve amount is necessary. One large water main break could have a significant impact to the current reserve account. The Sewer Authority will be borrowing close to \$10 Million in 2016 for sewer updates. This is the first of three such borrowings scheduled for the Sewer System.

Board Consensus was that SSM does not need to supply any more information.

The Board will wait until all are in attendance to make a decision.

Approve Resolution 2015-18 to Submit an Application for Traffic Signal Approval –This traffic improvement, of retiming the Route 74 signal lights, was submitted to the Township from PENNDOT.

Motion by S. Parthree and seconded by C. Richards to table Resolution 2015-18 to submit an application for traffic signal approval, as presented. **Passed** with 3 ayes and **Opposed** by M. Love

Approve Resolution 2015-19 Supporting the Adaptive Signalization on Route 74 – This supports the original project requesting adaptive signalization on Route 74. PENNDOT opted

for the retiming project. Representative Seth Grove asked the I/CDC for support on this adaptive signalization project.

Motion by C. Richards and seconded by S. Parthree to approve Resolution 2015-19 supporting the adaptive signalization on Route 74, as presented. **Passed** with 3 ayes and **Opposed** by M. Love

Discuss Tax Collector's Lease – The Board was fine with continuing the lease for another 2 years. Currently, the tax collector has a lease with a 2 year term.

Approve Resolution 2015-20 Amending the 2015 Stormwater Management Fees –This fee will be changed on the Fee Resolution under new impervious surface. The fee will go from a flat \$.30 fee over 100 square foot to a sliding scale.

Motion by M. Love and seconded by C. Richards to approve Resolution 2015-20 to amend the 2015 Stormwater Management Fee on the Fee Resolution, under new impervious surface. The fee will change to a sliding scale of \$.30 for the first 20,000 square feet, \$.15 for the second 20,000 square feet, and \$.05 for the remainder, as presented. **Passed** with 4 ayes

Manager Oswalt requested an executive session on a personnel matter.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

S. Parthree will be meeting with the Senior Center Long Range Planning Committee on Tuesday, September 29, 2015. He asked if Board members had any comments or location suggestions for the new senior center. No comments were given.

M. Love noted that the Joint Stormwater Seminar went well and was attended by a few residents.

M. Love noted that Don Deardorff is going to be the Deputy on Health and Medical for the Emergency Management Center. There are a few issues that are being worked on for the center.

Chair Menges noted that there was more discussion before Northern York County Regional Police budget was approved. See Chair Menges for more information.

Manager Oswalt provided the Board with a participation award from the Susquehanna Municipal Trust. All founding members of the trust received an award celebrating its 20th year.

With no further business, the meeting was adjourned at 8:59 PM and carried into an executive session on a personnel matter and a matter of potential litigation on Creekside Village.

Respectfully submitted by: _____
Trena M. Hall, Township Secretary