Dover Township  
Planning Commission Minutes  
January 5, 2011

Chairman Wayne Hoffman called the meeting to order at 7:00 p.m. Members present: Monica Love, Bill Hansman, Anthony Pinto, Amy Brinton, and alternate Eric Harlacher. Absent: Robert Wright. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineers Terry Myers and Karen Wilson, Recording Secretary, and five citizens.

I. Reorganization  
Motion by Love, second by Hansman, to nominate Wayne Hoffman as Chairman of the Planning Commission for 2011. All members voted aye; motion carried.

Motion by Hansman, second by Brinton, to nominate Monica Love as Vice-Chairman of the Planning Commission for 2011. All members voted aye; motion carried.

Motion by Love, second by Pinto, to nominate Bill Hansman as Secretary of the Planning Commission for 2011. All members voted aye; motion carried.

Mr. Hoffman noted that Mr. Baransky’s firm has been retained to represent the Planning Commission for 2011; C. S. Davidson will be the Township’s Engineer; and Julie Maher will serve as the Recording Secretary for the Planning Commission for 2011.

Mr. Hoffman noted that Robert Wright resigned from the Planning Commission; Chairman Hoffman thanked Mr. Wright for his service to the Township. Amy Brinton will move into the vacant spot and will serve as a regular member.

II. Minutes  
Motion by Love, second by Hansman, to approve the minutes of the meeting of December 1, 2011. All members voted aye; motion carried.

Motion by Love, second by Hansman, to approve the minutes from the Public Meeting of December 1, 2010. All members voted aye; motion carried.

III. Plans  
A. PL-07-16 – Kunkel/Snyder – 2-lot subdivision on Harmony Grove Road; Ag zone  
   David Hoffman was present on behalf of the applicants. This subdivision will create a residential lot of 1.6 acres on the main property, which is 23 acres. This new lot will have on-lot water and sewer. This plan was submitted three years ago, but, due to the high levels of nitrates in the area, it required a larger lot than permitted by the Township ordinance. The plan was on hold until DEP approved a de-nitrification system for this lot. This subdivision will leave 21 acres in agricultural use. There are about 7 acres of wooded area. The driveway meets the sight distance requirements. Further subdivision was discussed. Mr. Baranski feels that there would be no further subdivision dwelling rights after this subdivision is completed. The problem lies in the word “contiguous” in the ordinance and how that applies to this situation. David Hoffman feels that any tract that can be sold individually can be done so and has dwelling rights. Each tract could be entitled to one dwelling right, he feels. In this plan, tract 1 and tract 2 are separate now (and have been) but will be joined together with this plan. The applicant could change the
plan and not join the lots together if that would preserve one subdivision right for each tract. Mrs. Love feels that after this subdivision is complete, the applicant could put a house on the new lot and put a house on the residual, larger tract. The Planning Commission members feel that this 1.6 lot subdivision uses up the dwelling rights. Mr. Myers reminded the Commission that if an applicant is unhappy with the decision of the Zoning Officer, he or she can appeal to the Zoning Hearing Board. The question is this: is each tract entitled to one subdivision right? The Planning Commission members feel not. The tracts are contiguous which requires them to be considered one lot. What was the condition of the tracts in 1988? Under common ownership? Separate?

Mrs. Love said that if this plan is recommended for approval tonight, Lot 2 will be created for one dwelling, and the remaining land may have one dwelling put on it.

Mr. Baransky noted that these two pieces combined are considered one tract less than 25 acres. One lot may be subdivided off for purposes of a residential dwelling. The remaining lot probably may not be used for residential purposes.

Mr. Myers reviewed his comments on the C. S. Davidson letter dated December 21, 2007. Outstanding comments are as follows: 1, dwelling rights verification (as in above discussion) (Section 402.6.a.1); 3, GIS disk (Section 501.2.A); 4, surveyor’s signature/seal (Section 501.2.F); 5, owner’s notarized signature (Section 501.2.H); 7, show all setback lines for Lot 1 (Section 501.2.Y); 9, Planning Module approval (Section 502.2); 15, rec fee (Sections 718 and 718.15); 16, provide dedicated 30’ ROW on Lot 1; added 22, “Add to Note 10 – this exemption does not relieve the applicant from meeting the requirements for the Water Quality and Groundwater Recharge, which should be addressed at the time of building permit application”; and added 23, add “submit a grading plan at the time of building permit application.”

The following waivers have been requested: preliminary plan (Section 304.2); survey monuments and markers for Lot 1 (Section 601.2.H); and roadway improvements for Harmony Grove Road (Section 704.b), and contour intervals (Section 501.R).

**Motion** by Hansman, second by Pinto, to recommend approval of the waivers requested for Section 304.2, preliminary plan; Section 601.2.H, monuments and markers; Section 704.b, roadway improvements; and Section 501.R, contour intervals. All members voted aye; motion carried.

**Motion** by Love, second by Hansman, to recommend approval of the 2-lot subdivision for Kunkel/Snyder, pending the satisfactory resolution of the following open items as referred to above: 1, 3, 4, 5, 7, 9, 15, 16, 22, 23. All members voted aye; motion carried

**Motion** by Brinton, second by Hansman, to authorize either Secretary Hansman or Zoning Officer Georgina Sprenkel to sign the Planning Module for the Kunkel/Snyder plan. All members voted aye; motion carried.
Planning Commission Minutes January 5, 2011 page 3

B. Sketch Plan – Rodgers on Conewago Road

David Hoffman was present on behalf of the applicant. This involves a 130-acre farm along Conewago Road. The applicant wants to create a 1.5 acre parcel in the interior of the farm and create a private road. The property is currently zoned Conservation, but it’s being changed to Agricultural. The farm has two dwellings on it on opposite sides of Conewago Road. The applicant might want to create two parcels. The private road access would be 50' wide and would comply with the ordinance requirements. Conewago Road divides this property and therefore, by the definition in the ordinance, actually creates a separate lot. This lot would not figure into the subdivision rights for this lot. Because this property is being re-zoned with the new Zoning Ordinance changes, Mr. Hoffman requested that the Planning Commission look at this plan as if the zoning change has already been made. Discussion was held on the size of the lot on the one side of the road and what they should do if it’s not quite large enough. There was also discussion on the number of lots that may be subdivided if this proves to be prime soil area. If it’s prime soil, he’d be permitted two lot divisions.

From the audience, Mr. Rodgers asked about one of his son’s two lots; could he build a house on it? Yes; it’s been a lot of record since before 1988. He’d need to comply with the isolation distances for wells and septic systems. The lot size is 200' x 200'.

III. Zoning Cases

None this month.

IV. Other Business

Discussion on the Straley property on Park Street

Mrs. Sprenkel presented information on a property that is for sale on Park Street. The property is not in a zone conducive to the business proposed for it. It’s zoned residential. Currently, the building/warehouse on the property is mostly vacant but for a bit of machine storage. The feed mill use was discontinued nearly 40 years ago. A prospective buyer wants to use it as a garage, which is a commercial use. Any other use for this property other than residential would need a variance. The buyer could request that it be re-zoned. If this is established as a current non-conforming use, a new owner could continue that non-conforming use. It could be used as storage of vehicles, not for working on vehicles.

Motion by Hansman, second by Love, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:14 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary