

Dover Township
Zoning Review Workshop
and
Planning Commission Minutes
February 6, 2013

Chairman Wayne Hoffman called the meeting to order at 6:00 p.m. Members present: Monica Love, Anthony Pinto, Eric Harlacher, and alternate Carol Kauffman. Absent: Amy Brinton. Also present: Zoning Officer Georgia Sprengel, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary, and two citizens.

Pastor Sterling Walsh, 5005 Carlisle Road, representing Lighthouse Baptist Church, was present to discuss the zoning of his property and uses in the existing Business Park District. The church would like to have a private Christian school in the Business Park zone. The Planning Commission is thinking of changing the zoning to permit this. Actually, it's already on the list of things to be changed. This use should be fine.

The Planning Commission continued reviewing the uses/zones on the chart. Discussion continued on the Farm/Farmer's market/roadside stand, with Mrs. Love giving some examples from York Township's ordinance. Specify that the stand shall be temporary in nature. It will be a permitted accessory use in all zones. Eliminate line 1 from DT's ordinance; add "only agricultural products grown or prepared on-site shall be sold," which is paragraph C from the York Township sample under Article 5, General Regulations.

Garden Center – add as a permitted use in the Business Park and Village zones.

Golf Course – add as a permitted use in the Commercial Zone.

Greenhouse/Nursery – permitted use in the Conservation, Agricultural, Business Park, Commercial and Village zones.

Group Homes – no changes.

Halfway House – permit by Special Exception in the Commercial and Business Park Zones; remove from Conservation zone. Regarding parking – 27-629, add "plus one for every employee." Limit the number of occupants – maximum of ten persons, 250 square feet of habitable space per person.

Chairman Hoffman called the regular Planning Commission meeting to order at 7:00 p.m. Members present: Monica Love, Anthony Pinto, Eric Harlacher, and alternate Carol Kauffman. Absent: Amy Brinton. Also present: Zoning Officer Georgia Sprengel, Solicitor John Baranski, Engineers Terry Myers and Karen Wilson, Recording Secretary, and five citizens.

Mrs. Kauffman will act as an official voting member tonight.

I. **Minutes**

Motion by Love, second by Kauffman, to approve the minutes of the meeting of January 2, 2013. All members voted aye; motion carried.

II. Zoning Case

A. ZHB 13-1, Robert and Judy Lartz, 5841 Old Carlisle Road; request for Variance for setbacks in Conservation Zone.

Robert Lartz, 5841 Old Carlisle Road, and Lloyd Kroft, 3611 Admire Road, were present. The Lartzes would like to add a living room, small kitchen to their home to house a family member that is not able to live on her own. The Variance request is necessary because the addition will encroach into the setback. The applicants can't put the addition on the front because it's too close to the road; the side has the septic system; and the back already has an addition and it would be difficult to incorporate another addition in that area. The proposed addition (16' x 30') would be about 13' from the property line. The setback is 40' in this zone. The addition will be sided to look like the existing house. There will be a crawl space underneath the addition. They will need to move the air conditioning unit and the gas line. Their neighbor's house is about 25' from the property line. They need to maintain access to the Bilco door on the side of the house where the addition is proposed. There was much discussion on how the applicants could situate this addition without a Variance. Are there other homes in the area that encroach into the setback? It was recommended that the applicants provide additional photos for clarity, showing each angle, proposed coverage on the lot, layout of the neighborhood and how close the other houses are to the setback areas. Is it possible to build a two-storey addition? Uncertain. They need "daytime in-law quarters." Provide an overhead view with the proposal shown. Most of the homes in this area are not set on large lots, so the setback is rather large. The zoning requirements were changed after these lots were established years ago.

Motion by Love, second by Pinto, to recommend approval of the application for Variance by Robert and Judy Lartz as submitted. All members voted aye; motion carried.

III. Plans

A. PL 13-1, Dollar General, Final 2-lot Subdivision Plan, Commercial zone

Mike Swank of Steckbeck Engineering was present on this application. The entire tract is 11.3 acres, and the applicant would like to subdivide one 1.76 acre lot for a Dollar General store. A future ROW is shown on the plan. Access to Carlisle Road is through the easement. Discussion was held on the dedication of the road to the Township; it was noted that this road won't be adopted by the Township for several years. The area will be reserved for future access to the industrial area behind it.

Mr. Myers reviewed the comments on the C. S. Davidson letter dated January 22, 2013, relative to the Subdivision Plan. Outstanding items: 2, GIS disk (Section 501.2.A); 3, engineer's seal, signature, and date (Section 501.2.F); 4, owner's notarized signature (Section 501.2.H); 14, remove from the plan the waivers that are unrelated to the subdivision plan (Section 501.2.LL); and 20 (added), show 20' drainage easement through Lot 2 to the low point.

Waivers requested:

Section 704.A, cartway addition and ROW on Carlisle Road

Motion by Love, second by Pinto, to recommend approval of the waiver request for Section 704.A, cartway addition and ROW on Carlisle Road. All members voted aye; motion carried.

Section 704.II, clear sight triangle – to provide clear sight triangle of 40' on one leg (not 75')

Motion by Love, second by Pinto, to recommend approval of the waiver request for Section 704.II, to permit the applicant's proposed modification for a clear sight triangle of 150 x 150 x 40 instead of 150 x 150 x 75. All members voted aye; motion carried.

Section 501.2.O, show existing man-made features on residual land

Motion by Love, second by Harlacher, to recommend approval of the waiver request for Section 501.2.O, to not show the existing man-made features on the residual land. All members voted aye; motion carried.

Section 501.2.P, existing environmentally constraining resources on residual land

Motion by Love, second by Kauffman, to recommend approval of the waiver request for Section 501.2.P, to not show the existing environmentally constraining resources on the residual tract. All members voted aye; motion carried.

Motion by Love, second by Pinto, to recommend approval of the Subdivision plan for Dollar General subject to the satisfactory resolution of the following items on C. S. Davidson's letter referred to above: 2, 3, 4, 14, 20. All members voted aye; motion carried.

B. PL-13-2, Land Development Plan, Dollar General, Commercial Zone

Mike Swank was present on this application as well. The applicant would like to build a Dollar General store on this lot, with an access drive onto Carlisle Road. Stormwater management facilities will be to the north and east. The proposed store is 130' x 70'.

Mr. Myers reviewed his comments on C. S. Davidson's letter dated January 22, 2013. Open items: 1, GIS disk (Section 501.2.A); 2, engineer's seal and signature (Section 501.2.F); 3, owner's notarized signature (Section 501.2.H); 13, location of required screens and/or buffers (Section 721.2); 17, landscape plan (Section 501.2.II); 18, show all relevant waivers on the plan (Section 501.2.LL); 19, sewer and water design approval (Section 502.3); 22, add PA DEP code number referencing the Planning Module approval (Section 601.2.L); 23, public improvement security (Section 602.1); 24, stormwater management plan approval (Section 602.3); 25, soil erosion and sedimentation control plan approval (Section 602.4); 26, PennDOT permits for sewer and water connections, obtained by owner in the Township's name (Section 602.12); and 30, final landscape plan certification (Section 1102.2.C).

Comment 11 is addressed, but Mr. Myers would like the typical street cross-section information to be located on Sheet 4.

From the audience, Madelyn Shermeyer reported that Dover Borough Council has

accepted Dollar General's request to connect to the Borough's public sewer system. The Borough will give Dollar General one EDU. Dover Township will be looking at the I & I in that area as well as moving the interceptor line.

Waivers requested:

Section 704.A, cartway width and ROW for Carlisle Road

Motion by Pinto, second by Love, to recommend approval of the waiver request for Section 704.A, cartway width and additional ROW on Carlisle Road. All members voted aye; motion carried.

Section 709.7, access drive paving width of 36' paved plus 24' painted

Motion by Pinto, second by Kauffman, to recommend approval of the waiver request for Section 709.7, to permit the access drive to be 36' paved, plus 24' painted instead of the maximum of 35' paved. All members voted aye; motion carried.

Section 1103.12.B – parking lot distance to building, to permit the sidewalk to be against the building and the parking lot to be against the sidewalk, with no landscaping

Motion by Harlacher, second by Pinto, to recommend approval of the waiver request for Section 1103.12b, to permit sidewalk/concrete up against the building. Four members voted aye; *Love opposed*. Motion carried.

Section 19-301.11, stormwater management facility building setback

Motion by Love, second by Harlacher, to recommend approval of the waiver request for Section 19-301.11, to permit the stormwater management facility to encroach into the rear yard building setback. All members voted aye; motion carried.

Section 19-301.13, stormwater infiltration time

Motion by Love, second by Harlacher, to recommend approval of the waiver request for Section 19-301.13, and #12 19-304.A and 19.304.3.A.10, . All members voted aye; motion carried.

Section 19-308.3.A.7, to not provide the 4' chain link fence around the stormwater facility

Motion by Love, second by Kauffman, to recommend approval of the waiver request for Section 19-308.3.A.7, to not require the 4' chain link fence, AND to permit the wooden fence around the dumpster to extend over to the area around the stormwater facility. All members voted aye; motion carried.

Motion by Love, second by Kauffman, to recommend approval of the Land Development Plan of Dollar General, pending the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: 1, 2, 3, 13, 17, 18, 19, 22, 23, 24, 25, 26, and 30, AND that contingent upon the subdivision plan being approved and recorded prior to the completion of this plan. All members voted aye; motion carried.

IV. **Other Business**
None at this time.

The meeting adjourned at 9:24 p.m., with no formal motion or second. The next meeting will be on March 6, beginning at 6 p.m., with another zoning review workshop.

Respectfully submitted,

Julie B. Maher,
Recording Secretary