

Dover Township
Planning Commission Minutes
April 6, 2011

Chairman Wayne Hoffman called the meeting to order at 7:08 p.m. Members present: Monica Love, Bill Hansman, Anthony Pinto, and alternates Eric Harlacher and Carol Kauffman. Member Amy Brinton was absent. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary, and one citizen.

I. **Minutes**

Motion by Hansman, second by Pinto, to approve the minutes of the meeting of March 2, 2011. All members voted aye; motion carried.

II. **Plans**

No new plans this month.

III. **Zoning Cases**

None this month.

IV. **Other Business**

Grandview Golf Course – this applicant elected to appear before the Planning Commission next month instead of April.

A brief discussion was held. Evidently the planned golf course/apartment proposal violates many ordinances in the Township. Traffic concerns were discussed.

Zoning changes to the new ordinance

Mrs. Sprenkel called attention to the northern part of the Township as a business park zone. That makes some of the existing businesses non-conforming. Rather than change the zoning, Mrs. Love suggested changing what uses are permitted in the Business Park zone. If the zone is changed, the Comp Plan would have to be changed; not a good idea. What would the wording be? It would need to encompass more uses in that zone.

One option would be to take all Commercial “use by right” uses and Special Exceptions and make them “uses by right” in the business park zone. Is there a real use for the Business Park zone? Mr. Myers noted that there are only a couple of properties that could qualify.

If the Planning Commission is not comfortable using all the uses from the Commercial area, which ones would be appropriate for the Business Park zone? How about a water park? Where would that fit in?

There’s one small section in the Business Park wording that must be removed.
Section 27- 408.7.A

Also, make it easier for businesses to share driveways by waiving the side setbacks. Which uses would be transferred over? From the audience, Madelyn Shermeyer

voiced her opinion that she doesn't think stand-alone daycare belongs in this zone. Mrs. Love noted that people who work in business parks often want childcare either in or very near their place of business. Childcare could be an accessory use to the permitted uses. Mrs. Kauffman noted that this may be a prime zone for a stand-alone daycare because of the green space requirements for a daycare. After discussion, the general consensus was to leave the daycare in the business park zone. The Planners went through each use to see if they want to include or exclude the use in the Business Park zone -

- Childcare facilities - in
- animal hospital - in
- assisted living or residential health care facility or nursing facilities - out
- banks other similar financial institutions - in
- business or professional offices - in
- clubs, profit or non profit - see below
- Commercial school - see below
- Communication transmitting - in
- contractor's office or shop - see below
- Drive-through fast food or delivery restaurant - out
- funeral home - no
- garden center - special exception
- greenhouses nursery - special exception
- heavy storage sales - no
- house of worship - in
- Laundromat, dry cleaning - yes
- medical facilities - yes
- mini-storage facility - special exception
- municipal building - yes
- public utility building - yes
- retail sales and personal service shops - special exception
- rooming house - out
- service station - dispensing fuel - special exception
- sit-down restaurant - yes
- vehicle sales lots - out
- vehicle service repair/body shop - special exception
- wholesale establishment - out

Permitted by Special Exception

- hospital -- no
- hotels, motels - no
- kennels - yes
- public/semi public facilities and uses - yes
- retail sales and personal service shops - yes
- shopping center - yes
- adult care/personal care facility - no
- flea market - yes
- school/ public/private - no
- medical lab - yes

club profit/non profit - yes
commercial school - yes

contractor's shop or office - yes
garden center - yes
greenhouses/nurseries - yes
mini storage - yes
retail sales/personal service shops - yes
service station - yes
vehicle service/repair/body shop - yes

These changes will be incorporated into the ordinance language. It was noted that these changes will affect any Business Park zone in the Township.

The Hoffman property was discussed. Will these changes to the ordinance adversely affect the future proposed use of this property? Mrs. Sprenkel had someone request to put a solar farm on this property; does the Township want to approve this use for that property? Mixed feelings on this issue. This property is "prime farmland soils" and a solar farm might not be the best use of that prime soil. Mrs. Shermeyer mentioned that a solar farm might, however, be good somewhere, as it brings a commercial business into the Township with no effect on the schools or traffic, and the owners would pay taxes in the Township. Bottom line, the Hoffman farm's Business Park location would not be a good place for it.

Permitted uses in the Business Park also include uses that are in the Commercial Zone. Remove Section 3.b.1. Also - minimum tract area is 30 acres - remove that. Make the minimum lot size 20,000 square feet with public water and sewer; 43,560 square feet with public water; 65,000 square feet with neither public water nor public sewer.

Section H - side setback 25 feet - add "one or both side yards" to allow a reduction if the adjacent businesses join parking lots and permit access from each other's lot. The setbacks will be 50 feet front, side 25 feet unless there's joint access and an agreement; rear remains at 50 feet. This is to try to keep traffic and extra driveways off of the main roadway.

Mrs. Sprenkel referred everyone to the "care facilities" section - group child daycare home. Can have 7 - 12 children - up to 15 children in other circumstances. Then in the residential zones - even a trailer park can have 15 children to watch. It was noted that the State regulates and specifies the amount of square footage required in the home to be acceptable as a daycare area.

Mrs. Shermeyer brought up the subject of wood fired boilers - they are to be used to burn only clean wood. What exactly is clean wood? Mrs. Shermeyer noted that the wood-fired boilers burn so hot that there are very few emissions. Are pallets clean wood?

Who determines if it's clean? Does the state regulate this? Unclean wood would be pressure-treated, creosote treated, and other processed woods. Change the ordinance to "only clean, untreated wood"? York County Planning also suggested that a definition be provided. Attorney Baranski will research and give a recommendation.

There was also a question of the height of the wind turbines. (At 9:10 p.m. Mr. Hansman left.) Section/page 27-79, 5, height regulations, B.1. add "wind turbines" is Mrs. Love's suggestion. Then remove A on the next page and C should read "shall be set back from the property lines 1.5 times..."

Terra Vista – Admire and Davidsburg Road. It had been zoned R3, and it's now R1 and now the properties are non-conforming. Is the plan still alive? Yes, as the developer has continued to request (and obtain) time extensions (from the Board of Supervisors). The owner is requesting that the land be returned to R3. Obviously the developer/owner purchased the land with the intent to develop it under specific circumstances; now the Township changed the zoning and is telling the owners that they can't do what they originally thought. That could be a lawsuit in the making. It was noted that the plan never had conditional approval of anything. The point was made that the change in zoning was advertised and no one came to ask anything about this plan. One recommendation was to have the supervisors stop granting extensions, so that the owner/developer has to start afresh. If the zoning is changed back, the Comp Plan will need to be changed. Does the Township have to go back to JMT, the agency that did the zoning ordinance changes? The Planning Commission members will think about the request to discuss next month.

The changes will be made and distributed to the Planning Commission members for review and discussion next month.

Motion by Pinto, to adjourn (no formal second, but no one argued). All members voted aye; motion carried. The meeting adjourned at 9:28 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary