

Dover Township
Zoning Ordinance Review
and
Planning Commission Minutes
May 1, 2013

Chairman Wayne Hoffman called the meeting to order at 6:00 p.m. Members present: Monica Love, Eric Harlacher, and alternate Carol Kauffman. Absent: Amy Brinton. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary, and one citizen. Anthony Pinto arrived at 6:30 p.m.

Mrs. Sprenkel asked about lot coverage in the Ag Zone. There is a plan proposal for a landscaping business that will be presented to the Township next month, and there's a question of how much lot coverage can be dedicated to the business. Mr. Myers feels that the problem is in the heading. Is the maximum lot area for a business in the Ag Zone five acres? Is the merchandise being grown on the site? Why is there a maximum lot area for a business in the Ag Zone? To deter the use of agricultural land for purposes other than agricultural use. Is this proposed use a greenhouse or a nursery? Should landscaping business/contractor be permitted by Special Exception? This is an Ag-related use, but it's not farming. Keep the five acre maximum use for the business, and permit it by Special Exception. Under B (2), delete "~~non-residential permitted uses.~~" However, under Section 606, Agribusiness is limited to five acres, which seems small. Is Agribusiness defined well enough?

Lengthy discussion was held on subdividing a farm parcel, how much acreage can be left over for a small Agri-business, and how many residences would be permitted. Put in the Specific Standards the amount of land that the Special Exception requires. Mr. Baranski will research and present a proposal.

At 7:03 p.m., the Zoning Review meeting ended. Mr. Hoffman called the regular meeting to order at 7:04 p.m. Members present: Monica Love, Anthony Pinto, Eric Harlacher, and alternate Carol Kauffman. Absent: Amy Brinton. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary, and two citizens.

I. Minutes

Motion by Love, second by Pinto, to approve the minutes of the meeting of April 3, 2013. All members voted aye; motion carried.

II. Plans

A. Glen Hollow V – revised

Mrs. Sprengel was present on this application. Glen Hollow's deeds are written as condominiums. She and her neighbors are having trouble getting financing for a condo and were told that they should subdivide the property and have two separate parcels. Each property (duplex) has its own water and sewer hookups. Mrs. Sprengel and her neighbor are a two-member condo association. This is in the R-3 zone. Now it's a residential, two-family dwelling with one condo association. They want to change it into single family, semi-detached. Minimum lot size is within the ordinance. There are no lot coverage issues. There are, however, some existing non-conformities, including setbacks. The condo association will be dissolved. It was noted that there likely several hundred properties in the Township which are set up like this whose owners could conceivably approach the Township with the same request in the future.

Mr. Baranski is unsure whether this is creating a new lot. If this is creating a new lot, the applicant cannot meet the side setback requirements, in which case she'd need a variance.

Waivers to be requested: contours and street improvements.

Should the Planning Commission merely pass this on to the Board of Supervisors? Perhaps table it until some questions are answered. Mr. Baranski would like to take a bit of time to review and research this proposal.

From the audience, Supervisor Madelyn Shermeyer noted that the Board of Supervisors might have a bit of a problem with this proposal as it stands.

Motion by Love, second by Pinto, to *table* this application until the recorded subdivision may be obtained and reviewed and the Township Solicitor is satisfied with the proposal and the background information on the subdivision. All members voted aye; motion carried.

III. Zoning Cases

No cases this month.

IV. Other Business

Motion by Love, second by Harlacher, to authorize the Planning Commission Secretary to sign the non-building waiver for the Glen Hollow V subdivision. All members voted aye; motion carried.

Motion by Harlacher, second by Pinto, to adjourn. All members voted aye; motion carried. The regular meeting adjourned at 7:39 p.m.

Andy Collins was present to discuss the Horn Farm, a 165-acre parcel, that was recently rezoned commercial. There were several questions – can there be two uses per lot in the Commercial Zone? If there's a residence and a business (permitted use), on this lot, yes. How about the access? How about creating a new road and abandoning the old access? Yes. Driveway would not be permitted within a certain number of feet. Can he sell a parcel to the adjoining landowner, who has road frontage? Yes, if the new portion is attached officially to the existing lot. There are public water and public sewer facilities to this area. Discussion was held on the number of new roads that would be permitted to access onto Bull Road. Mr. Myers noted that any parcel over 15 acres needs to be developed with the Conservation by Design model.

Next, Mrs. Sprenkel presented aerial photos of the vacant post office-owned parcel, in the Industrial Zone. The ordinance requires a 150' buffer between the Industrial and Residential zone/use. Marked in red on the photo is the buffer area, which severely cuts down the useable area of the lot. Someone was interested in the lot, but the requirement of the buffer yard put that person off. Could they use Buffer Planting Strip 3? Could they obtain a Variance? Not likely to be granted. This is a deterrent to businesses coming into the Township.

How about a 50' buffer instead, and use Buffer Planting Strip 3, with an 8' high noise wall? Where would the wall be placed? Far enough into the Industrial lot to plant part of the vegetation. Half of the required vegetation must be planted on either side of the wall.

Mr. Myers would prefer to keep the buffer at 150' if not using the wall; if using the wall, reduce the buffer to 50' with equal vegetation on either side. Is the vegetation required on the inside of the wall? Who would see it except the industrial property owner? They don't need to be screened from their own property/use. Who's to enforce that?

What determines how wide a buffer yard would be? Decibel level/limit at the property line. Mr. Hoffman suggested that the buffer requirements should be based on some hard engineering data. He's troubled by the requirements that make it too difficult for an industrial company to comply. The Township wants industrial customers in the Township, but it has made it difficult for those customers to comply.

So, reduce the buffer area to 50' and put in an 8' sound wall. Why 50'? Why not 25'? It was noted that 50' will be needed to accommodate the evergreen trees that are required to comply with Buffer Planting Strip 3 anyway.

At 8:40 p.m., the meeting adjourned.

Respectfully submitted,

Julie B. Maher,

Recording Secretary