

Dover Township
Planning Commission Minutes
May 3, 2017

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:00 p.m. Members present: Anthony Pinto, Eric Harlacher, Carol Kauffman, Brian Kimball; alternates Michael Curley and Justin Bigham. Also present: Solicitor John Baranski, Zoning Officer Georgia Sprenkel, Engineers Terry Myers and Cory McCoy, Recording Secretary, and nine citizens.

I. **Minutes**

Motion by Kauffman, second by Kimball, to approve the minutes of the meeting of March 1, 2017. All members voted aye; motion carried.

II. **Zoning Case**

A. ZHB 17-2 – Lidl – 3025 Carlisle Road (ShurFine) – request for Variances

Attorney Charles Suhr was present on behalf of the applicant. An agent for Lidl received Land Development approval in 2015 for this site. Since that time, the basic prototype store has changed, hence their presence here tonight. They are requesting two Variances, one for the side setback along Hilton Avenue—they are requesting a 32' setback, a difference of 18', and the other Variance request is for maximum sign height. They are requesting 19', a 1' difference.

Kyle Bollinger, of Kimley-Horn, spoke, describing the store's appearance and structure. This site is on the corner of Hilton and Carlisle Road. The previously approved plan had a change of access drives; now the main accesses will be off of Carlisle and Hilton. Mr. Suhr distributed copies of the previously approved plan to compare to the proposed plan. Differences: parking layout; two not three accesses; increase in building size. The previously open area at the side will be cleaned up and laid out better.

The sign will be located at the Carlisle Road entrance. Mr. Suhr noted that the actual sign area will be below the permitted 18' sign size permitted; the capstone on top is what puts it over the permitted height, hence the request for the Variance. The actual sign will meet the area requirements/permitted space.

Mr. Baranski asked why can't they just decrease the bottom of the sign to be within the ordinance requirements. Lauren Vickers, Lidl US, answered: this is their standard sign, it helps with visibility, they want it to be recognized, they're hoping for brand identification. Mr. Myers cautioned the applicant to be mindful of the clear sight triangle when they prepare their plan. Mr. Hoffman cautioned the applicant that Ms. Vickers' answer to the above question might go over too big with the ZHB as a reason to grant a Variance. Also, for the setback Variance, suppose Hilton Avenue is widened in the future? If the setback is decreased by 10' or so, would that adversely affect this request or the situation? No.

Ms. Vickers gave the company's history of Lidl, a German grocery company. This site will be one of the first in this area, in PA. Why this area? Wanted to locate in existing corridors, this site was already a grocery store; made it ideal.

Mr. Suhr noted that the existing building is at a 30-foot setback. They feel that they are improving the pre-existing non-conformity by their proposal of a 32' setback. As for the sign, they feel they are requesting a di minimus Variance. That argument should help with the presentation to the ZHB.

Traffic flow and ingress and egress were discussed. How about if a turning or deceleration lane is placed in the future? That could conceivably improve the traffic flow/speed along the side of the store, by the entrance.

The activity on the side of the store will be eliminated, which is good. Traffic – same use, probably won't change the traffic that much; footprint of the building is smaller than what's existing now; no alterations to Hilton Avenue; access onto Hilton is better located than what's there now. Setback will be greater, which is good. Overall the Planning Commission members did not have a problem with the setback variance. Mrs. Kauffman had concerns with the entrance to the parking lot being so close to the entrance to the store. Mr. Myers recommended a staff review of the changes that are proposed, and that issue can be addressed then. Where might the parking lot entrance be located? Farther away, somehow. The danger is with left-turning traffic entering the parking lot and someone exits the store and the car has to stop, then there's a traffic issue. They can eliminate that crossing near the entrance. Good call.

Motion by Pinto, second by Harlacher, to recommend approval of the Variance request for setback, Section 27-503.C.1, to permit a 32' minimum setback, based on the following: it will decrease the degree of the non-conformity; elimination of the side activities on Hilton, replacing it with the green space area; and the building footprint is smaller. All members voted aye; motion carried.

Discussion continued on the sign Variance request. The actual sign complies; the base puts it over. Is the base structure part of the sign? The applicant feels that it is part of the sign, and it's a di minimus increase. If it's a di minimus Variance, the normal hardship criteria don't apply. Discussion was held on whether the structure is the sign.

Mr. Pinto feels the sign looks appealing, and he would have no problem recommending approval of the Variance. Mrs. Kauffman feels that it's a sight impairment for the traffic because it's so solid. She feels that it would be better to be on a see-through pedestal, of sorts. It was noted that the sign will be out of the sight triangle, per the regulations of the ordinance.

Mr. Kimball feels that the applicant could and should decrease the height of the sign to comply with the ordinance. Ms. Vickers said that the sign and structures are being mass produced, which plays into the applicants' desire to keep everything standard.

Motion by Harlacher, second by Pinto, to recommend approval of the application for the sign Variance, to permit a 19' sign, Section 27-807. Four members voted aye; *Kauffman opposed*. Motion carried.

III. Plans

A. PL-17-2, Members First; 4000 Carlisle Road; 4-lot subdivision

John Murphy and Dale Gingerich were present on this plan, which is to subdivide the parcel, involving the extension of Palomino Road, leaving a ½-acre residual and two slivers on the south side of the road. Members First will be on its own lot.

Waivers requested: no sidewalks on the south side by Lots 1A and 2A; and defer sidewalks at Lot 2 until Lot 2 is developed. They are also requesting a waiver for the ROW width of 38' on Palomino Road.

Motion by Kauffman, second by Kimball, to recommend approval of the waiver requests for Section 710, sidewalk on the south side and Section 704.b, ROW width of 38' on Palomino Road. All members voted aye; motion carried.

Mr. Myers reviewed the C. S. Davidson letter dated May 1, 2017. Outstanding items: 1, GIS disk (Section 22-501.2.A); 2, engineer's seal, signature, and date (Section 22-501.2.F); 3, owner's signature (Section 22-501.2.H); 4, location map (Section 22-501.2.I); 5, add base drain (22-501.2.U); 6, clear sight triangles and required easements to be shown (Section 22-501-2.CC); 7, stormwater improvements on rear of proposed Lot 2 are existing and should be updated based on the as-builts; adjust the line type and notes accordingly (Section 22-501.2.DD); 9, erosion and sedimentation control plan approval (Section 22-602.4); 11, water extension design approval by Township (Section 22-713.3.F); 12, sufficient information must be supplied to tie down the proposed utility easement on the south side of Palomino Road; 14, add the following note to the plan: "The pedestrian easement shown on the plan is to allow the general public to utilize the sidewalk, but Members First or its successor would still own, operate, and maintain the sidewalk."

Motion by Pinto, second by Harlacher, to recommend approval of the Final Subdivision Plan of Members First Credit Union, subject to the satisfactory resolution -- prior to the Board of Supervisors' meeting -- of the following open items from the C. S. Davidson letter referred to above: 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, and 14. All members voted aye; motion carried.

IV. Other Business

A. Jerry Shaffer – Business concept

Jerry Shaffer was present to discuss a Commercial concept. He distributed a sketch of his proposal at 4103 Carlisle Road. He would like to build a restaurant on the south side of the site. Sarah's Creamery (on this lot, but technically in the Borough) doesn't sell food, and Mr. Shaffer has a tenant who is interested in offering food on this site. He would like the building to be as close as possible to Route 74, within all required setbacks, etc., to enhance visibility. Likely no liquor license will be obtained. The restaurant could conceivably hold 45-50 patrons.

There's plenty of space within which to accomplish this proposal on this 1.2-acre lot. The parking and access would be shared with the Creamery. There's enough space for all the utilities. The entrance would be widened to 24' and would need to be permitted through PennDOT. Parking spaces would need to be configured to comply with the requirements for the restaurant.

How about EDUs? Is there another one (or two) available for the restaurant? They are available but they are on a "consent" basis from DEP. If not, he has 10 across the street that he's not using, so he could likely transfer two if needed.

All in all, the Planning Commission thought it was a great idea. Good luck. Mr. Shaffer appreciated the Township's input and willingness to work with him.

Mr. Myers discussed this proposal. The applicant would like to move forward with this project and is requesting the Township's input, if any, regarding the access onto Route 74, and the proposal of another access on either Park Street or Grandview Avenue. The Township has a Zoning Ordinance requirement that states that access must be via the road of lesser classification. Mr. Myers noted that the Township is in the process of removing that regulation from the Zoning Ordinance and restoring it to the SALDO.

Discussion was held on how to make a left from the northbound lane without holding up the traffic. Which road would better afford that possibility? How will the area residents feel if increased traffic is suddenly rerouted through their neighborhood? Would a left-turn lane help? Is that even feasible? The business won't last long if people can't get in and out of the lot to go either way on Route 74. Mrs. Sprenkel feels that the entire area will be commercial eventually. It was noted that no matter what business goes on this site, a left-hand turn onto Route 74 will be near impossible due to the volume of traffic. The residents of the area will not be happy about increased traffic through their neighborhood, no matter what business is there and no matter what the proposed peak times are.

What should Mr. Myers say to PennDOT? Yes, the Township would like to see the property developed, but with a balance. Maybe add stop signs, or something to make the proposal have less impact for the residents who will need to deal with the increased traffic. The main idea is to minimize the impact of the traffic from 74 and the site. The applicant would like the access to be on Route 74. That is the section that is in the process of being restored to the SALDO. The applicant has said that if they can't access via Route 74, they will likely withdraw the plan. . The option is to use Grandview Avenue and use the traffic light. That's where Mr. Pinto's suggestion came in, to add stop signs on Grandview to prevent speeding vehicles along the residential street. Mr. Myers will take the Planning Commission's concerns to the PennDOT representatives.

Motion by Kauffman, second by Kimball, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:31 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary