

Dover Township
Planning Commission Minutes
June 7, 2017

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

In Mrs. Kauffman's absence, Mr. Curley will be an official voting member for tonight's meeting.

I. **Minutes**

Motion by Pinto, second by Kimball, to approve the minutes of the meeting of May 3, 2017. All members voted aye; motion carried.

II. **Zoning Case**

A. ZHB 17-4 – Travis and Bria Wilkins, 2950 Bull Road; request for Special Exception for Special Events venue

Travis Wilkins was present to request a Special Exception for wedding venue in their antique bank barn. He and his wife will own and operate the venue; maximum 99 persons. They have met the requirements for the Special Exception. Mr. Curley recommended that Mr. Wilkins consider widening the driveway just as a precaution for his guests and vendors, to make it accessible by two vehicles. Good suggestion.

Mr. Pinto will not be voting on this request, as he has had business dealings with the applicant in the past.

Motion by Harlacher, second by Kimball, to recommend approval of the request for Special Exception by Travis and Bria Wilkins for Special Events venue at 2950 Bull Road. Three members voted aye; *Pinto abstained*. Motion carried.

III. **Plans**

A. PL 17-3 – Hilton Avenue Partners, 1515 Hilton Avenue, 2-lot subdivision, Commercial Zone

David Hoffman was present on behalf of the applicants. This is a 2-lot subdivision of a parcel with a total of 118 acres; the applicants would like to separate 10 acres for future development. This parcel is being farmed currently. There are public water and sewer facilities to the property. A waiver is requested to not delineate any wetlands over the entire property; Mr. Hoffman feels that this step would be more appropriate at a future land development plan stage. (Waiver requested for Section 22-501.2.P.)

Chairman Hoffman noted that he will not be voting on this plan, as he has an interest in the process.

The C. S. Davidson letter dated May 30, 2017, was reviewed. Outstanding items: 2, GIS disk (Section 22-501.2.A), 3, engineer's signature/seal (Section 22-501.2.F); 4, owner's notarized signature (Section 22-501.2.H); 6, all existing and proposed easements and ROWs, the purpose for which the easements and ROWs have been established and

recording information (Section 22-501.2.K)—bearings and distances should be provided on the plans for the proposed utility easements, and add the profile of the sanitary sewer easement; 8, all existing or proposed streets on or within 400' of the tract, including name, ROW width, cartway width, and Township and State road numbers should be added to the plan (Section 22-501.2.W); more clearly label the cartway and ROW width of Hilton Avenue. We recommend including a larger scale depiction of the proposed Lot 5 frontage with Hilton Avenue; 9, add to the plan the approval date of the requested waivers (Section 22-501.2.LL); and 15, planning module approval and statement on plan (Section 22-502.2).

Motion by Harlacher, second by Curley, to recommend approval of the waiver request for Section 22-501.2.P, wetland delineation. Three members voted aye; *Hoffman abstained*. Motion carried.

Motion by Pinto, second by Harlacher, to recommend approval of the 2-lot subdivision plan of Hilton Avenue Partners, subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: 2, 3, 4, 6, 8, 9, and 15. Three members voted aye; *Hoffman abstained*. Motion carried.

B. PL 17-4 – Richard Bray, 1740 Rohler's Church Road, 2-lot subdivision, Conservation and Agricultural Zones

Grant Anderson, Site Design Concepts, was present on this plan to subdivide the 90-acre farm using the road as a boundary. The resulting Lot 1 will have the existing dwelling, existing well, etc.; resulting Lot 2 of 45 acres would include the existing barn and a future dwelling; no construction is planned at this point. The applicants will file a land development plan in the future. There are pre-existing nonconformities in the setback department.

Waivers requested: Section 601.2.A, plan scale; and roadway widening and ROW width, Section 22-704.b.

The C. S. Davidson letter dated May 19, 2017, was reviewed. It was noted that this letter includes quite a list of open items, however, panic not – the plan has been changed to comply but Mr. McCoy has not seen the updated plan to re-review and confirm the progress, so the following outstanding items will stand for purposes of procedure: 2, GIS disk (Section 22-501.2.A); 3, add name, address, and contact information of owners, equitable owners, and subdividers and provide contract information of the record owner (Section 22-501.2.E); 4, engineer's signature, seal, and date (Section 22-501.2.F); 5, owner's notarized signature (Section 22-501.2.H); 6, a location map, for the purpose of locating the property being subdivided, providing its relationship to adjoining properties, all developments, significant streets, streams, municipal boundaries, zoning boundaries, and growth boundary lines and drawn to a scale not less than 1"=1000'. The map shall extend 5,000' on each side of the property (Section 22-501.2.I). an additional location map may be submitted independent of the plan set on an 11"x 17" sheet, meeting these requirements. Provide a detail of the existing dwelling and immediate surrounding area at a scale of 1"=50' minimum; 7, all existing buildings, storm sewers, sanitary sewers, water mains, wells, septic systems, culverts, utility lines, fuel storage tanks, and other significant man-made features shall be shown on the plans (Section 22-501.2.O), also show information for the existing culvert crossing Rohler's Church Road; 8, all existing environmentally constraining resources,

including watercourses and bodies; woodlands; “outstanding” “rare, threatened, and endangered” and “historic” trees; wetlands; springs; floodplains; steep slopes of 15%-25%; prohibitive slopes of 25% or greater; wellhead protection zones; and other significant natural features. The area of each natural feature shall be quantified and noted on the plan (Section 22-501.2.P); 9, when on-site water supply is proposed, the approximate location of all existing and proposed well sites shall be shown (Section 22-501.2.BB); 10, show the proposed building location for Lot 2 (Section 22-501.2.EE); 11, add to the plan five signatures blocks and date spaces for the Planning Commission (Section 22-501.2.KK); 12, planning module for land development submission and approval (Section 22-502.2); 13, show typical single family residential soil erosion and sedimentation control plan (Section 22-601.2.I); 15, add PADEP code number (Section 22-601.2.L); 17, add note to the plan stating that the proposed driveway for Lot 2 shall be installed to meet the requirements of Section 22-708 of the Dover Township SALDO; 18, where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel, or stream. The easement to be provided shall be not less than 20 feet wide, or of such greater width as will be adequate to preserve the unimpeded flow of natural drainage or the for the purpose of installing a stormwater sewer (Section 22-714.B). Such easement shall be provided from the discharge of the Rohler’s Church Road culvert through Lot 1. An easement should also be provided a minimum of 20’ upstream of the existing culvert, to facilitate any future culvert repairs; 19, all existing and proposed easements and ROWs, the purpose for which the easements and ROWs have been established and recording information (Section 22-501.2.K); Remove Not3 #15 and provide known recording information for the above-mentioned easement; 20, the amount of land required to be provided for all residential subdivisions or land development plans shall be a minimum of 0.025 acres per lot or dwelling unit. Dedication of recreation land or fees-in-lieu-of for each dwelling unit is required on all residential subdivisions, and all multi-family developments, regardless of whether private recreational facilities are also provided (Section 22-718.1); 21, note #25 is referencing an old SWM ordinance and is not currently applicable. Add this note: “a Stormwater Management Plan (SWM) meeting the requirements of the then current SWM will be require at the time of building permit application.”; and 22, the area of the driveway clear sight triangle outside the street ROW should be designated and shown as an easement. Enlarge and provide separate detail.

Discussion was held on Comment 22, specifically concerning the sight distance at the driveway. It was noted that there’s a bank along the road that might be graded back to improve the sight distance. Certainly a good suggestion.

Mr. Anderson reiterated that he has addressed most of the open items; Mr. McCoy did not have an updated plan to refer to. The C. S. Davidson letter will remain as it stands.

Motion by Harlacher, second by Pinto, to recommend approval of the waiver request for Section 22-601, plan scale; AND to recommend approval of the waiver request for Section 22-704, ROW and road widening. All members voted aye; motion carried.

Motion by Pinto, second by Harlacher, to recommend approval of the 2-lot subdivision plan for Richard Bray, subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, and 22, noting that most of the open items have indeed already been addressed and are just awaiting final confirmation by the Township Engineer. All members voted aye; motion carried.

Motion by Kimball, second by Harlacher, to authorize the Zoning Officer to sign the Bray planning module. All members voted aye; motion carried.

IV. Other Business

Motion by Harlacher, second by Kimball, to authorize the Zoning Officer to sign the Faire Wynd Phase 1, Revised Planning Module. All members voted aye; motion carried.

Dan Murphy – Falcon and Blue Jay Drive, Glen Hollow vacant property

Dan Murphy 100 Acanthus Street, Marietta, was present. The parcel in question is 1.3 acres and is for sale; he's investigating possibilities. This vacant lot is between Falcon and Blue Jay Drive, and it was never improved after the developer at that time went bankrupt. Mr. Murphy is proposing a duplex and a single-family home on the lot. Mr. McCoy relayed the history of this lot/area, noting that more than one unit is not permitted on one lot. Perhaps the applicant should just build the duplex and forget the single-family unit. Mr. Murphy noted that he would be permitted to build a four-unit apartment building, but he feels that wouldn't be a good idea. Should he subdivide the lot to start? Is that even feasible on this lot, given the setback requirements, etc.? After discussion, it was determined that there could be two dwelling units on the lot, but both units would have to be owned by the same person forever. Subdivision is likely not permitted because of the lot size and lack of road frontage. Would a Variance be possible? Road frontage is a problem with Falcon Lane and Blue Jay Drive not being completed. Does the cul-de-sac need to be expanded? Does he want to or need to lengthen the road?

Jim Price, 3330 Crooked Wind Lane, York, 17404, was present with a plan on East Canal Road. This development had previous preliminary plan approval for 19 lots - single family homes in the R-1 zone. After that preliminary plan approval, the Township considered changing the zone to R-3, and they didn't want to change that parcel at that time because it would have made Mr. Price's development non-conforming (his proposal was not permitted in the R-3 zone). This property is currently zoned R-1, and Mr. Price is now proposing age-restricted housing. After relaying the unfortunate history of this project, Mr. Price reported that Matt and Brandon Baker have agreed to finance the engineering costs for this project to move it along. Should Mr. Price proceed? He still needs a zoning change to make it happen. What are the possibilities of that being granted? Mr. Price noted that R-3 surrounds his property, hence, he feels that his property could easily be changed to R-3. At the previous meeting, the neighbors objected to the "possibility" that there could be low-income, Section 8 housing provided in this development. Generally, no one else objected to the rezoning request. The "fear" at that time was that Mr. Price was presenting one plan and would end up providing low-income

housing, something entirely different from his presentation. Or, if Mr. Price declines or is no longer able to complete his project for whatever reason, with the parcel being zoned R-3, there's very little control over what can go in there.

The Zoning Map was reviewed and discussion was held. It actually appears that the parcel zoned R-1 is a form of spot-zoning, since that is the only R-1 parcel in an area that is zoned R-3 and Industrial.

Mr. Price is looking for an informal recommendation that the Township re-zone this parcel to R-3. Would the Planning Commission make that recommendation if he presented such a plan?

Mr. Pinto feels that, just looking at the map, R-3 makes sense to him. Mostly, except for Mr. Kimball, the Planning Commission feels that R-3 good planning makes sense.

Motion by Pinto, second by Harlacher, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:12 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary