

Dover Township
Planning Commission Minutes
July 6, 2016

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:00 p.m. Members present: Carol Kauffman, Brian Kimball; alternates Michael Curley and Justin Bigham. Absent with prior notice: Anthony Pinto; absent without notice: Eric Harlacher. Also present: Solicitor Peter Haldeman, Zoning Officer Georgia Sprenkel, Engineers Terry Myers and Cory McCoy, Recording Secretary and trainee Jess Stair, and 12 citizens.

Mr. Hoffman noted that all members of the Planning Commission will be voting members for tonight's meeting.

I. **Minutes**

Motion by Kauffman, second by Kimball, to approve the minutes of the meeting of June 1, 2016. All members voted aye; motion carried.

II. **Zoning Case**

A. ZHB 16-2 – William Often, 3223 Alta Vista Road. Request for Variances – Retail Use and Sign size

Mr. Often was present on this Variance request. He has contacted several neighbors about his plan, with their support. His request for a Variance is for the use as an auction house; and a sign Variance as well. The requested sign will be slightly smaller than the existing sign, but still larger than permitted. For the sign, 40 square feet is permitted; the current is 75 square feet; he's proposing 70 square feet, so his sign would be less of a non-conformity. No lights on the sign, either flashing or not.

Mr. Often referred to the criteria for the Variances from the application, noting how his proposal will comply. There will be 87 parking spaces, which was a question from last month's Planning Commission meeting. Hardship for the sign? They need a sign for their business, and they feel that the permitted size would be too small. This property is in the R-3 zone, and the applicants would like to use it as a commercial entity. There were previous commercial uses in this building for many years. A Variance was granted to a previous user, most recently a year ago. This property might have been a commercial use even before the advent of zoning. Mr. Haldeman suggested that the applicant bring some neighbors to speak in support of his proposal at the ZHB meeting.

Good job on the application.

Motion by Kauffman, second by Kimball, to recommend approval of the Variance request by William Often for Section 27-405.2, the use Variance, AND for the Variance request for Section 27-805.P.5.B, to allow the sign to be larger than permitted, but smaller than the sign that is currently there. All members voted aye; motion carried.

III. **Plans**

No plans this month.

IV. Other Business

Madison @ Valley Manor – apartment complex at the corner of Emig Mill and Baker Roads; existing Zoning is R-3; request to rezone to R-4

Attorney Frank Countess was present on behalf of the applicant. The applicants want to get the Planning Commission's feeling on the proposal to expand an existing use of the Valley Manor Townhouse Community at 2900 Emig Mill Road.

Also present was applicant and property owner Herbert Morgan, 2885 Deer Chase Lane, York. Mr. Morgan gave the background of Morgan Properties. They are proposing to build 108 townhouses in the community on Emig Mill Road. There are 132 units currently existing, which the applicants are planning to upgrade to bring them to the standard of the new units.

Todd Bowser, Campbell Associates, 3030 East Market Street, York, and Todd Kurl, RGS Associates, 110 North George Street, York were also present. Mr. Campbell gave some details of the style of the townhouses, which will be a market-rate project, not subsidized housing. There will be a mix of 2- and 3-bedroom units.

Mr. Kurl gave more details, referring to the large conceptual drawing. The current units are in the R-3 zone, and they are requesting that the entire property (about 30 acres) be rezoned to R-4. This property is in the growth area of the Township. The adjoining zone is R-1. Other adjacent properties are zoned R-3 or R-4. Public sewer is available to this development.

Mr. Countess agreed with Mr. Kurl that there's limited opportunity for R-4 housing in Dover Township. He also feels that the current R-4 zones are being under-used. He noted that the units proposed will be priced higher than the 2008 Comp Plan suggested for a single-family home. Factors like that will "drive down the aggregate number of children" who would live there. There wouldn't be a drain on the school system that way.

How's the Planning Commission feel about this type of project? Is it worth pursuing by the applicants? Mr. Bigam cautioned that the one-lane bridge nearby would need some attention, should the project be approved. Good point. Mr. Myers feels fairly certain that the bridge is slated to be replaced within the next five years.

In the current development in the R-3 zone, the applicant would be permitted only 17 new units to comply with the density requirements. That wouldn't be enough additional units to justify the expense of expanding and then refurbishing the existing units. They are planning to build a club house, etc., to add to the appeal of the area.

Mr. Hoffman noted that his understanding is that the Township wasn't interested in adding any R-4 zones. Some past owners of zoning changes haven't been particularly diligent in remaining in the Township to complete their proposed projects. Mr. Morgan assured the Planning Commission that that wouldn't happen, particularly based on their company's reputation and size.

What was this parcel zoned before it was R-3? Unknown; Mrs. Sprenkel will check. Mr. Hoffman feels that this proposal will be a good use of the land, which is currently not being used for anything. How do the engineers feel? Mr. Myers feels that it's not "spot zoning" by any means because of the proximity of the nearly adjoining R-4 zone. Attorney Haldeman agreed.

Mrs. Kauffman asked how much the existing townhouses will be changed. Kitchens will be upgraded with new cabinetry, countertops, and appliances. The market will help determine those upgrades. The expanded units will be a bit more upscale, to appeal to another market.

How about if the property is changed to R-4 and then the applicant doesn't follow through with the project? The Township certainly doesn't want to be stuck with an R-4 property that is unusable or that will attract a mobile home park. If all parties stipulate to the conditions, it should be fine, Mr. Countess and Mr. Haldeman feel. Mr. Myers is not quite as certain on that issue. He feels that it might be called "contract zoning" and is not permitted. The attorneys on the job will certainly look into it.

How about traffic concerns? How determines the impact and when? A traffic study would be done at the land development plan stage.

Overall, the Planning Commission members were supportive of the proposal. The applicants will work with the Township staff to come up with the best plan for the area.

James Price – Canal Ridge – 1700 East Canal Road – Zoned R-1

Mr. Price was present on this request. He apologized for his behavior and demeanor the last time he was before the Planning Commission.

Robert Myers, owner of the property, was also present. Mr. Price is requesting a change from R-1 to R-3, which has been denied in the past. The Board of Supervisors were looking for further assurances from Mr. Price and Mr. Myers that their project would indeed come to fruition. It was noted that, at the Board of Supervisors meeting, the neighbors spoke vehemently in opposition to this project. The risk was that Mr. Price and Mr. Myers would not finish the project, and then someone else would buy the property, now zoned R-3, and install some sort of Section 8 housing. Originally, there was a 19-lot subdivision that wasn't selling. The plan was approved for single-family homes. Then the applicants wanted to reconfigure same area to build not single-family homes, but an age-directed community, with more open space.

Mr. Price and Mr. Myers both assured the Planning Commission that they are serious about seeing the project through. The plan is to build ten 4-plexes. They can't do that in the R-1 zone, hence the request to rezone to R-3. Mr. Price noted that the surrounding land is zoned R-3

Mr. Curley reminded the Planning Commission that it's important to be consistent in its ruling. The primary focus should not be to assure smooth financial sailing for any developer. That can be a factor, but not the primary goal.

Discounting the land underneath, could the applicants build single-family homes at an affordable price? Risky business. Would the Township rather see cheap housing or decent units? Mr. Curley noted that there's a need for affordable step-up housing, to encourage those who live in substandard housing to move up.

Parallels and comparisons between this plan and the previous (Morgan) plan: the Morgans are expanding an existing use, and Mr. Price is building new. Each is willing to assure the Township that the project will go through. No neighbors want low-income housing right next door. Neither developer is even proposing that type of housing.

Would Mr. Price be willing to add deed restrictions on the lot to permit only certain types of development on that land? Yes. He would still need to request a rezoning to R-3. They'll be back.

Robert Nedzel – Pineview Drive – Sketch plan, Zoned R-3

David Hoffman and John Nedzel were present on this sketch plan on Pine View Road. There were previous concerns about the feasibility of the entire proposal. This new sketch plan, for 22 units total, addresses the concerns that the Planning Commission raised at a previous meeting. There are public water and sewer systems in place. This proposal is within the maximum density permitted. No Variances would be needed (oh, happy day!), and any other modifications would be minor. A sewer extension is planned. These would be condo-type units. The homes will be individually owned, and the land would be jointly owned. Each unit will be a 2-or 3-bedroom home. There will be a private access drive. No sidewalks are planned. All parking is proposed to be in the circle at the end of the development. There are also six spaces at the front of the development. There will be a community mailbox facility. The applicant would be required to install all the paving, etc., at the beginning of the project, regardless of the number of units that are sold to get started.

How about snow removal? Mr. Hoffman answered.

Mr. Myers suggested that the units be moved slightly to give more room to the rear of each lot. Perhaps move the parking to each unit, thinking of the logistics of having people need to walk from the circle up to the house, with no sidewalks. They will consider. Also consider opening up the entire area to make it less cluttered and close-looking. What type of clientele is this development intended to attract? Families? They might need more parking spaces. How about the open space? Small areas near each home or a larger area farther away? All good points that they will consider.

Motion by Kauffman, second by Bigham, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary