Dover Township
Planning Commission Minutes
August 4, 2010

Chairman Wayne Hoffman called the meeting to order at 7:00 p.m. Members present: Monica Love, Bill Hansman, Anthony Pinto, Robert Wright, and alternates Amy Brinton and Eric Harlacher. Also present: Zoning Officer Georgia Sprengeld, Solicitor John Baranski, Engineers Terry Myers and Karen Wilson, Recording Secretary, and seven citizens.

I. Minutes
   Motion by Wright, second by Harlacher, to approve the minutes of the meeting of July 7, 2010. Four members voted aye; Love, Hansman, and Pinto abstained, as they were not present at the July 7 meeting. Motion carried.

II. Public Meeting
   A public meeting was convened to hear comments from the public on the Zoning and Subdivision and Land Development Ordinances to be adopted by the Board of Supervisors on September 13, 2010.
   Mr. Hoffman noted that the airport overlay and County comments still need to be added to these ordinances.
   James Lecrone, 1548 Hilton Avenue, spoke, noting that he saw a notice of the well ordinances that are being discussed, but at a later meeting.
   Ms. Love reviewed the YCPC's latest comments and recommendations. The Planning Commission members discussed the following items according to the YCPC comments.
   1. The County recommends adopting a Conservation Overlay Zone with density requirements; Ms. Love disagrees. The Solicitor will inform the County that the Township appreciates its comment, but no thanks.
   2. Yes, make the change. For Section 27-405 R-3 Residential District subsection reference should be 5.A(5), not 4.A(5).
   3. Yes, make the change. Same principal as above – Section 27-406 R-4 Residential District, the reference to Section 27-408 should be 5.A(5), not 408.4.A(5).
   4. The County's comment reads: "the purpose of Section 27-407 Commercial (C) District is to "... provide reasonable standards for the development of commercial uses which serve the day-to-day shopping needs of the residents..." Since all residential uses have been removed from this district, Conservation-based design regulations should be eliminated." This makes sense, and the changes will be made.
   5. Yes, make this change. For the second part of comment 5, add to the Specific Standards Section in Part 6, Specific Standards for Uses in excess of 100,000 square feet of gross floor area, the standards in Section 27-513 shall apply. This includes Section 27-612, care facilities; Section 27-615, commercial school; Section 27-619, convalescent/nursing/personal care facility; Section 27-632, hospital; Section 27-636, Industrial Park; Section 27-633, hotel/motels; Section 27-641, medical
laboratory; Section 27-646, public and private schools; Section 27-648 public/semi-public facilities and uses; Section 27-650 research lab/product development facility; and Section 27-658 shopping center.

Motion by Love, second by Hansman, to recommend approval of the above. All members voted aye; motion carried.

6. The YCPC’s comment states: “There are a number of uses permitted by Special Exception for which no express standards are provided, e.g., Outdoor recreation facility, Energy related uses, and Farm/farmer’s market. Keep as an open item to be addressed.

7. There are no figures shown as referred to in Section 27-503, Lot Standards. Figures 1 and 2 shall be re-added.

Madelyn Shermeyer, Ordinance Committee member, asked where the information went. The Energy related uses information was all discussed and confirmed. Somehow the information was omitted. Mr. Myers actually found Figures 1 and 2, so this item is considered closed.

8. The YCPC asked why the minimum required lot area is 30 acres. What the Planning Commission said goes. This item will remain as is, with thanks to the YCPC for its input.

9. In Section 27-637, regarding Intensive Agricultural Operations, there might be a discrepancy or inconsistency with regard to the minimum lot area of 25 acres or the number of acres required by an approved nutrient management plan, whichever is greater for an Intensive Agricultural Facility other than poultry. Subsection 1.B requires a minimum lot area of 25 acres for an Intensive Poultry Facility. Mr. Myers suggested that the Planning Commission make the minimum lot size 25 acres and require a nutrient management program. Motion by Love, second by Wright, to do the following: in Section 27-637, intensive agricultural operations Section 1A, remove entire paragraph; Section 1B, revised Intensive Agricultural Facility 25 acres; AND add 4C, nutrient management plan shall be prepared and filed with the Township. All members voted aye; motion carried.

10. Fix this as recommended--Section 27-636.2, setbacks A.1, setbacks should be 100’ not 200’.

11. Make the change to be consistent with the Zoning Map.

12. Leave it as is. Do not adopt the YCPC’s recommendation.

13. YCPC’s comment reads as follows: “Energy related uses are only permitted in the Conservation and Agricultural Districts, however Energy Related Uses are defined as 1) Industrially oriented, stand-alone facilities, including bio-diesel plant, and other similar facilities; 2) stand-alone nontraditional alternative energy facilities including a solar or wind farm; and, 3) accessory alternative energy uses including net metering stations for small scale solar or wind facilities. Shouldn’t the industrially oriented uses be permitted in the Industrial District? Also, the accessory alternative energy facilities should be noted as a permitted accessory use in residential districts.” Discussion was held on the best way to address this issue.

Question: Does the Planning Commission recommend this for approval even though this item is not entirely correct, and then immediately start working on the changes that need to be made? Or should the Planning Commission try to make all the changes and add everything which would send the documents back to the YCPC,
then the Planning Commission, then the Supervisors, etc., which will take more time. This will need to be addressed at some time, that's for sure. Mrs. Sprenkel would like to see the airport hazard overlay changes added to the Zoning Ordinance before its adoption. The Planning Commission voted last month to include its inclusion, but evidently Mr. Rausch (Solicitor) recommended waiting to add the airport overlay section to speed up the process. Mr. Baranski feels that the Planning Commission can pass it to the supervisors with the County's changes.

Or the Planning Commission can add the airport overlay information, send it back to the county; get it back and then review it again and pass it to the supervisors in October or so. Right now, they're not going to address the two outstanding comments 6 and 13, pending Ms. Love and Mrs. Shermeyer's review of their notes on those open items, getting Mr. Myers' input as well. It was the general consensus to add it to the Zoning Ordinance as opposed to having it as a stand-alone ordinance.

Motion by Hansman, second by Love, to adopt the County's recommendations and the airport overlay and sent it to the County for review if necessary. All members voted aye; motion carried.

At 8:31 p.m., Mr. Hansman left the meeting.

14. Yes, the Township staff-committee members will review and edit the ordinance for spelling, formatting, and spacing errors and for consistency. As to the County's comment on the Zoning Map, recommendation noted, but no thanks.

Mr. Myers suggested that the Township send to the County only those pages that were changed, as opposed to the entire ordinance.

There were no further questions or comments from the audience. Hearing closed at 8:36 p.m.

III. Plans
None at this time.

IV. Zoning Cases
A. ZHB 10-1 – Michelle Dillon – 971 Rohlers Church Road – Request for Special Exception for Family Daycare in the Conservation Zone.

Keith Dillon, 1085 North Circle Drive, was present on this application for an in-home daycare for the residence at 971 Rohlers Church Drive (under construction). Mrs. Dillon has filed her application with the state. The applicant needs Township approval before the state will certify. The lot is nearly 4 acres, and there will be a large enough play area. Mrs. Dillon will be the only care-giver. They will have 2 parking spaces in the garage and four spaces outside the house, which will comply with the ordinance. The house is 200 yards or so off the road. The primary use of the property will be the Dillons' residence. Mrs. Dillon will be caring for up to six children, as permitted. How about over-sizing the on-lot septic system for this use? The SEO will be involved, of course. Mr. Myers suggested that Mr. Dillon add the parking spaces to the drawings for the Zoning Hearing. Maybe some pictures would help at the Zoning Hearing Board meeting, too. Motion by Love, second by Wright, to recommend approval of the application by Michelle Dillon for Special Exception for
family daycare in the Conservation Zone. All members voted aye; motion carried.

From the audience, Mr. LeCrone asked about the status of the Horn Farm. The applicants are waiting for the outcome/adoption of the new Zoning Ordinance, which (as we've seen tonight) is still in progress. Mr. LeCrone asked when it was re-zoned (in 1991; it's now Business Park). Under the new ordinance, it will be zoned R-3. The Horn family would like to build age-restricted housing on this parcel. There's a 1000' strip along Bull Road that is proposed to be zoned Commercial, with a buffer zone between the Commercial strip and the age-restricted housing units. The intent is to provide screening and buffering along Hilton Avenue with one or two internal access routes.

IV. **Other Business**
None at this time.

**Motion** by Love, second by Wright, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary