

Dover Township
Planning Commission Minutes
September 5, 2012

Chairman Wayne Hoffman called the meeting to order at 7:15 p.m. Members present: Amy Brinton, Eric Harlacher, and alternate Carol Kauffman. Absent: Monica Love and Anthony Pinto, both with prior notice. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary, and one citizen.

Mr. Hoffman noted that Mrs. Kauffman will be seated as a voting member for tonight's meeting.

I. **Minutes**

Motion by Kauffman, second by Brinton, to approve the minutes of the meeting of August 1, 2012. All members voted aye; motion carried.

II. **Plans**

No new plans for this month.

III. **Zoning Cases**

No cases for this month.

Mr. Hoffman noted that many times, several recently, it has appeared that the Township's Zoning Ordinance doesn't really fit the area that the Planners have to work with. He feels that the Planners/Township must be cognizant of the fact that the regulations don't encourage and/or support entrepreneurship and business and commercial/industrial uses. Mr. Hoffman hopes that this can be addressed from an engineering and legal standpoint.

IV. **Other Business**

A. Re-zoning: 3915-B Carlisle Road; request to re-zone from Residential (R-3) to Commercial

This request is for the Three Monkeys commercial use. It was noted that access to the property in question will be through the Giant Foods property. John Thornton is taking care of this, Mr. Baranski said. There are cross-easements for access; these cross-easements have been recorded and are official. The entire parcel will be re-zoned. Mr. Baranski reminded the Planning Commission members not to re-zone for the use but because it makes good planning sense. He also reminded the members that, with regard to the house on the property, after the property is re-zoned, someone will need to live in the house some time within a year following re-zoning or it will risk its non-conforming use status. The Planning Commission members discussed what this use would actually be. It would be rather ironic if the property were re-zoned and the applicant presented a land development plan to the Township and no use could be actually established because that particular activity is not permitted in that zone. How about Retail Services? That

seems to fit the proposed use, but Retail Services is not included in the Commercial Zone, which is where this property is to be located (after the re-zoning). Should the ordinance be corrected? Should this be permitted in the Village Zone? It depends on where the Village Zone is located and how large the Zone is. This use might work in one Village Zone but not in another one. Yes, combine Retail Sales and Retail Services as permitted uses in the Commercial Zone.

Motion by Harlacher, second by Brinton, to recommend approval of the draft ordinance, 2012-____, amending the Dover Township Zoning Ordinance for Parcel Number 24-000-34-0134 from R-3 to Commercial and to ask the Board of Supervisors to adopt same. All members voted aye; motion carried.

It will be important for this plan to have the driveway clearly marked when it is presented to the Board of Supervisors, and the reasons for why that driveway is located where it is.

Continuation of discussion of where this use would be permitted – might have to modify the Retail Services definition slightly to indicate that this use is “on-site or is it not on-site. Mr. Baranski recommended removing the word “motion,” from the proposed ordinance amendment for Commercial Recreation Facility, leaving “drive-in picture facilities” AND deleting the word “museums” from the list of permitted uses. He also suggested adding “not including Commercial Recreation Facility” to the Retail Services definition.

Where would Retail Services be permitted? Conservation, no; Ag, no; Village, yes, by Special Exception; R-1, no; R-2, R-4, no and no; Commercial, yes (as a use by right); Business Park, yes, it’s already there as a Special Exception; Industrial, no. Add these changes to the ordinance that includes the Commercial Recreation Facility.

Commercial Recreation Facility – permitted in which zones? Industrial? Yes. Commercial? Yes.

It was noted that there’s nothing fun in the Commercial Zone!

Mr. Harlacher offered to make a chart showing all of the uses and in which zone that use is permitted or not permitted. This would make it easier to quickly see the uses and zones.

Motion by Harlacher, second by Brinton, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:23 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary