Dover Township
Zoning Review Minutes
and
Planning Commission Regular Meeting Minutes
October 3, 2012

Chairman Wayne Hoffman called the meeting to order at 6:00 p.m. Members present: Monica Love, Anthony Pinto, Amy Brinton (arrived at 6:35 p.m.), Eric Harlacher, and alternate Carol Kauffman. Also present: Zoning Officer Georgia Sprenkel, Solicitor John Baranski, Engineer Terry Myers, Recording Secretary.

The first portion of the meeting was devoted to the Zoning Ordinance review. Mr. Harlacher prepared a chart of what uses are permitted in which zones. He noted that he found several discrepancies, most notably the lack of Section references under uses. He noted that Section 612 is quite large and has numerous references. Mr. Baranski noted that there are several proposed amendments to this section. There were numerous inconsistencies throughout the chart/ordinances. It was explained that the lack of section references means that there are no specific standards overall. The applicant must meet specific standards for the special exception use. Discussion was held on the contractor’s office classification.

Why are there no accessory uses in the Business Park and Commercial Zones? Good question. Add Accessory Uses in the Business Park and Commercial Zones. Put it either at the bottom of the list OR remove “to above.”

Discussion was held on Agriculture Operation being a permitted use in the Conservation and Agricultural Zones. How about the farms in other zones? What if a farm is not actively farmed for an entire year? Can it come back in as a permitted use or does it need a Variance? What about livestock? The danger regarding livestock is that livestock can’t be permitted in just any zone. Hoe about a separate exception to lengthen the term of abandonment for agricultural use? How about if the use remains agricultural unless there’s a change of use? Good idea.

To Business Office, add it to the Commercial and Business Park Zones. Make it a Special Exception in the CRV Zone.

No changes to the Contractor’s Office or Shop.
Under 27-630, make it Contractor’s Yard.
For Corporate Headquarters, delete it.
For Forest Reserves, eliminate it and remove the definition.
Keeping or Raising Livestock, remove it as a Prohibited Use in the Village Zone.
The regular meeting was called to order at 7:02 p.m. Members present: Eric Harlacher, Amy Brinton, Anthony Pinto, Monica Love, Chairman Wayne Hoffman and alternate Carol Kauffman. Also present: Solicitor John Baranski, Zoning Officer Georgia Sprenkel, Engineer Terry Myers, and Recording Secretary. Also present were six citizens.

I. Minutes
   Motion by Brinton, second by Harlacher, to approve the minutes of the meeting of September 5, 2012. All members voted aye; motion carried.
   
   Brad Hengst, Township SEO, was present with a Planning Module that needs the Planning Commission's signature. Richard Stone owns the property on Pinchtown Road between Admire and West Canal Roads. Upon advertising the property, Mr. Hengst received a call from a neighbor who had several questions. This property involves a stream discharge system. Because of the stream, the owner does not have any room to put a replacement septic system. He is requesting to discharge into the stream. Mr. Hengst explained the workings of the discharge system, which is an accepted system under DEP's regulations. Mr. Hengst noted that there are times of the year when this stream completely dries up and this discharge will be the only flow. The downstream property owner has already signed the agreement indicating his permission. Mr. Hengst will inspect the system twice per year.

   Motion by Love, second by Brinton, to authorize the Planning Commission Secretary to sign the Planning Module for Richard Stone. All members voted aye; motion carried.

II. Zoning Case
   A. ZHB-04, Dover DPP VII, LLC; request for Variance for proposed Dollar General Store, Carlisle Road
   
   Mike Swank, Steckbeck Engineering, 279 North Zinns Mill Road, Lebanon, PA, was present on this proposal. Total tract is 11.3 acres in the Commercial Zone. They are proposing to build a 9,100 square-foot store. Three variances requested: access drive, parking spaces, and signage. They will be using about 1.88 acres for the store and lot.
   
   The access drive Variance is requested to accommodate tractor trailer trucks which must enter and exit the site for deliveries. They are requesting to encroach into the 10' side setback.

   The parking space Variance is requested to reduce the number of spaces required. The ordinance requires the applicant to provide 41 parking spaces. The developer knows, from past experience, that 30 spaces are more than enough to handle the business. The Planning Commission is not hopeful for the applicant's success at the ZHB on this request. If they could just show all 41 parking spaces on the plan but not pave the entire area, they would not need a Variance, which is always a good idea. A note on the plan would be required. The Planning Commission could get on board with that option. Mr. Swank will speak with his client to see if that's an option. Mr. Swank feels that it's a good compromise. The Zoning Ordinance was referenced, and it was discovered that the required parking must be "paved or other hard surface."
The sign Variance is requested to permit different sign sizes. The ordinance requires the following: free-standing sign, 80 square feet; 30 square feet for each attached sign; and total area of all signs, 140 square feet. The applicant is requesting the following: free-standing sign of 96.5 square feet; attached business sign of 150 square feet; and total sign area 246.5 square feet.

The Planning Commission feels that the free-standing sign of 96.5 square feet is way too large, particularly for where this proposed building will be located. It would probably be better to reduce the free-standing sign to the permitted size and try for the Variance for the attached business sign of 150 square feet (30 square feet permitted). Mr. Swank noted that these signs are the typical Dollar General sign sizes. It was noted that other commercial businesses have received variances for their attached signs.

Mr. Swank proposed keeping the free-standing sign at 80 square feet (permitted), keeping the attached sign at 150, for a total of 230 square feet, which is close to the area that McDonald’s was granted by Variance (222 square feet)

Mr. Swank noted that the applicant is trying to minimize the footprint of the store. The applicant is actually creating his own property line. Why not move the property line to eliminate the need for the access drive Variance? They could conceivably move the line to at least reduce the Variance requested. Could they set up now for a joint access drive, eliminating the need for the Variance, and reducing future access onto Carlisle Road? That way there would be only one access (a joint affair), not two.

**Motion** by Love, second by Pinto, to recommend approval of the Variance request for the access drive provision, Section 27.508.4, with the recommendation that the applicants look at a joint access to the residual lot. All members voted aye; motion carried.

**Motion** by Pinto, second by Brinton, to recommend approval of the Variance request for Section 27-802, regarding the total sign area of 246.5 square feet, with the recommendation that the ZHB suggest the following: the free-standing sign size 80 square feet and the total sign area 140 square feet. All members voted aye; motion carried.

**Motion** by Love, second by Pinto, to recommend denial of the Variance request for reduced number of parking spaces with the provision that under Section 27-709 they provide a provisional parking area with a hard surface approved by the Township for the extra 11 parking spaces. All members voted aye; motion carried.

III. **Plans**

No new plans this month.

IV. **Other Business**

Mark Miller, Trail Nursery/Greenhouse on Harmony Grove Road, lot coverage issues

Mark Miller, 4912 Harmony Grove Road, was present. He and his brother would like to expand their business, adding more greenhouses. Mrs. Sprenkel needs some advice
in interpreting the ordinance regarding lot coverage. A letter dated May 18, 2005, from then-Zoning Officer Harry Smith, addressed to then-applicant Steven Barkdoll, indicated that “there would be no zoning ordinance restriction on lot coverage for this type of use.” Mr. Miller wants to make sure that he can indeed expand the business and add greenhouses. Examination of the ordinance revealed that there is no minimum lot coverage for this use. Mr. Baranski feels that Mr. Smith’s letter referred to above still stands. There will be stormwater concerns to deal with and of course, the applicant will need to submit a land development plan. Could he obtain a waiver from the Board of Supervisors to not do a land development plan? He’s trying to cut down on his costs. That’s an option.

Motion by Pinto, second by Love, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:46 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary