

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
WORK SESSION
MARCH 9, 2015**

The Dover Township Board of Supervisors work session meeting for March 9, 2015, was called to order at 6:02 PM by Chair Matthew Menges in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Matthew Menges, Monica Love, Charles Richards, Stephen Parthree, and Stephen Stefanowicz. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney John Baranski Jr., Township Zoning Solicitor; Terry Myers, Township Engineer; Charles Farley, Township Public Works Director; Georgia Sprenkel, Zoning Officer; and Trena Hall, Recording Secretary. There were 3 citizens in the audience. This meeting has been recorded for minute purposes only.

This work session was on the discussion of making changes to the Zoning Ordinance.

Francis Sr. and Joel McNaughton are with the McNaughton Company. They are the owners of the Bupp Farm site, located off of Bull Road. McNaughton Company, who are also the owners' of the Faire Wynd Subdivision, has just completed the third phase of this development. Tonight they would like to present the idea of extending the Faire Wynd Subdivision onto the Bupp Farm. The Bupp Farm is about 72 acres in size and is located in the R1 zoning district. There is public water, sewer and gas available for service to this property. This property is surrounded by the Shadowbrooke , Stonebridge Crossing and Faire Wynd Communities. The existing approved plan for the Bupp Farm allowed for 132 Single Family Detached Dwellings with connections to Bull Road and Shadowbrooke Drive. The current plan has 26 acres of open space associated with it.

Currently the 55 and older communities are in demand. Tonight, the McNaughton Company is proposing to develop 192 Single Family Semi-Detached Dwellings designed to have 1 and 2 story homes with most not having a basement. The garages will be to the outside of the residence and the utilities will come to the middle of the attached. This would be considered an aged targeted community designed and marketed to residents to be in a 55 and older age range. This would not be an age restricted community. The open space will be increased to nearly 34 acres and provide on-site recreation facilities. There will be a parking area, clubhouse, a pool facility, walking trail and sidewalks for the use of residents only. This is designed under the R3 ordinance and utilizing the conservation by design regulations. McNaughton Company is asking the Board to extend the R3 Zoning District. The advantages of this age targeted community would be few school aged children, decreased traffic impact, alternate traffic impact, on-site recreation facilities, and the fiscal impact. The fiscal impact would increase the number of dwellings built, sewer/water connection fees and recreation fees, and the total annual property

taxes. This age targeted community would decrease the number of school children coming into the district.

Terry Myers inquired if there is any history noting that the resale of the dwellings remain as age targeted when sold over time. Joel McNaughton noted that the marketing and design of homes and the design of the planned community itself sells to that type of buyer.

S. Stefanowicz noticed that the size of the lots become larger. There will be more lots but the homes will be smaller. Each dwelling unit will have its own lot. The association will take care of mowing, shoveling, etc. and there will be some restrictions on the owner's uses of the property.

C. Richards inquired at what time the pool and clubhouse would be built. These facilities would be in the first phase to be used as a marketing tool.

M. Menges questioned what assurance can be provided for the Township to consider rezoning the area R3. Options without rezoning could be in the form of a text amendment to protect the Township on allowing this use within the R1 zone or a rewrite to the Zoning Ordinance.

Manager Oswalt inquired if there was any interest in applying the age-restricted development use to this site. McNaughton Company would prefer to keep the projects as age targeted. The R3 zone allows for age-restricted as a special exception use.

Attorney Baranski questioned what McNaughton Company will do if the rezoning does not occur. The McNaughton Company will go back to the original plans and build the single family detached dwellings. They would really like to extend Faire Wynd and allow current residents to be able to use the new facilities and continue providing dwellings under the age targeted concept.

C. Richards questioned how many age targeted developments are in the Township. Currently there is Creekside, Golden Villas, and Faire Wynd.

M. Love noted that if the McNaughton Company is putting in their own recreational facilities, would they be asking for a waiver on recreation fees. Joel McNaughton noted that they may be looking for some type of credit towards the recreation fee.

M. Love is concerned about the sewer and water flows since the number of dwellings are increasing. Interceptor upgrades are needed and could help this development.

Chair Menges noted that the Board will look at this rezoning as an option and appreciates the work and development that the McNaughton Company provides in the Township.

Joel McNaughton inquired if they should submit an application for rezoning or if they should go to the County for their input. Attorney Baranski noted that the Board would not be opposed to hearing the County's perceptions of this concept. The McNaughton Company will approach the County and come back to the Board with their response.

Proposed Changes to the Zoning Ordinance

Georgia Sprenkel noted that the Planning Commission worked on the changes that were sent to the York County Planning Commission for about two years. The revisions are providing clarifications to the previous ordinances. Some changes are proposed due to development opportunities that individual businesses have made to the Township. Specifically, there were uses within the Commercial District and Industrial Park that the Planning Commission felt were not addressed adequately. More uses are needed in some sections as well. Many businesses are unable to be approved because there is no way to make them work within the restrictions of the zoning ordinance.

Attorney Baranski noted that changes were made and sent to the York County Planning Commission. On January 28, 2015 the County responded back with comments to the proposed changes. Comments from the County are as follows:

Section 27-202 – Terms Defined - A good definition for a “Medium” industry should be included. It was agreed that this amendment should be added.

Section 27-407 – Commercial District Sections - The use of Taverns, Care Facilities and Public/semi-public facilities were added and the County noted that there were some uses that were included as both permitted uses and special exception uses in the same zone. The uses need to either be permitted or as a special exception. It was agreed that this matter should be addressed.

Section 27-408 – Business Office Park District –The County is concerned about allowing more than one building on a business park lot that is not in an official Business District. Attorney Baranski agreed with this change and he will also review the maximum building height requirements to separate buildings.

Section 27-602.3 – Accessory Apartments – The requirements that needed to be met to get the certain uses approved needed to be reviewed. One part says that “Accessory Apartments” are not permitted on parcels whose principal use is residential. However an “Accessory Apartment” is defined as being an independent dwelling unit which has been added onto or created within a

single-family home. The regulation and definition appear to be in conflict and need to be resolved. It was agreed that this comment should be addressed.

Section 27-619.6 – Contractor Office – Changes states that “satisfactory” provisions should be made to minimize harmful or “unpleasant” effects. The words “satisfactory” and “unpleasant” should be removed and replaced with specific criteria for controlling the harmful effects. The Board agreed to remove the definition or define the criteria more specifically in this section.

Section 27-622 - Drive-Through, Fast Food and/or Carry-Out/Delivery Restaurant – The Township proposed to remove the requirements for stacking lanes. The County questioned how to address the issue of vehicles stacking. The Board agreed to have stacking language in the regulation.

Section 27-660a.4 – Special Event Venue – This section was added to allow residents with building structures to use them for special events. The County is concerned that there are no provisions for parking requirements, water supply and sewer disposal for employees, vendors and attendees of the event. Georgia Sprenkel noted that these situations could be viewed as a permitted use. She could explain how to park and put the residents in contact with the SEO. Attorney Baranski thought this “*Special Event*” was only going to be a temporary site. A permanent facility should be covered under a building permit. A building permit would regulate the structure, accessibility, parking, adequate water and sewer disposal, etc. An occurrence time could be added into the definition to keep a resident from having an event more than once a year.

Section 27-665 Wind and Other Energy Related Uses – York County Planning Commission recommends using a separate ordinance for the different types of alternative energy. Alternative Energy Sources are highly regulated outside of the municipality. Attorney Baranski will review a sample/draft ordinance proposal provided by the York County Planning Commission and will give his recommendations/comments back to the Dover Township Planning Commission.

This work session was adjourned by Chair Menges at 7:06 PM. Comments and recommendations to the January 28, 2015 letter from the York County Planning Commission will be addressed during the Supervisor meeting, under the Manager’s Report.

This work session meeting continued at 7:41 PM by Chair Menges. Those in attendance were Matthew Menges, Monica Love, Charles Richards, Stephen Stefanowicz, Attorney Baranski, Charles Farley, Georgia Sprenkel, and Trena Hall. There were no citizens present.

27-202- Terms Defined - M. Love recommended adding “*rabbit*” to the definition of a pet since “*rabbit*” was removed from the definition of livestock.

27-403 - Village District – M. Love questioned the keeping of livestock. She inquired how to regulate chickens and suggested applying this under special exceptions with an allowance for only a certain number. The Planning Commission can review and discuss this matter.

27-603.8 - Accessory Family Dwelling Unit – M. Love suggested removing medical hardship.

27-703 - Schedule of Required Parking Spaces – M. Love suggested adding wineries and special events to required parking. A suggestion was made to list them under Public and Semi-Public Uses like Auditorium, House of Worship, Theater and Other Such Places of Public Assembly.

With no further business, the meeting was adjourned at 7:51 PM into an executive session on union contracts.

Respectfully submitted by: _____
Trena M. Hall, Township Secretary