

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
MINUTES
SEPTEMBER 25, 2017**

The Dover Township Board of Supervisors' Meeting for Monday, September 25, 2017, was called to order at 7:00 PM by Chairperson Stephen Stefanowicz in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Stephen Parthree, Matthew Menges, Charles Richards and Robert Stone. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Georgia Sprenkle, Township Zoning Officer; Michael Fleming, Township Public Works Director; Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Corey McCoy, C.S. Davidson, Court Appointed Stenographer; Tammy Reinhart and Tiffany Strine, Township Secretary. There were thirty-six citizens present. This meeting is being recorded for the purpose of minutes only.

A moment of silence was requested, followed by the reciting of the Pledge of Allegiance to the American Flag.

Chairman Stefanowicz stated that a work session was held prior to the beginning of this evening's Board meeting for the purposes of discussing Township personnel matters.

Public Hearing on Proposed Amendments to the Zoning Ordinance Regarding a Parcel of Dover Township Property

A Dover Township Zoning Hearing on two proposed zoning map amendments was opened by Chairman Stefanowicz at 7:05 PM. in the meeting room of the Dover Township Municipal Building.

Attorney Rausch stated that this Zoning Hearing has been advertised in the York Dispatch and the York Daily Record and appears on the agenda for the Board's consideration. Attorney Charles Rausch recognized the presence of each Board member and the presence of a Court Appointed Stenographer. Attorney Rausch announced that the Public Zoning Hearing being held is required to be able to amend the current Dover Township Zoning Map by rezoning a portion of a parcel of land from Low Density Residential (R-1) to Commercial (C) located at 2480 West Canal Road. This proposal is being made by Dover Township. This map amendment is being submitted for recommendations in accordance with Section 609(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

Attorney Rausch stated that any public comments or opinions from the Board of Supervisors and the public present are welcomed during this time.

With no comments from the public and no further business, Chairman Stefanowicz concluded the first Zoning Hearing meeting at 7:10 PM.

Public Hearing on Proposed Amendments to the Zoning Map Regarding a Parcel of land on East Canal Road Property

A Dover Township Zoning Hearing on proposed zoning map amendments was opened by Chairman Stefanowicz at 7:15 PM. in the meeting room of the Dover Township Municipal Building.

Attorney Rausch stated that this Zoning Hearing has been advertised in the York Dispatch and the York Daily Record and appears on the agenda for the Board's consideration. Attorney Charles Rausch recognized the presence of each Board member and the presence of a Court Appointed Stenographer. Attorney Rausch announced that the Public Zoning Hearing being held is required to be able to amend the current Zoning map that is now proposed to change the zoning from R-1 Low Density Residential to R-3 Medium Density Residential on the East Canal Road parcel. This proposal is being made by Mr. James Price with Terra LLC. This map amendment is being submitted for recommendations in accordance with Section 609(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

Mr. James Price provided introductions of himself and his nephew Mr. Brandon Baker. Mr. Price was formerly a representative for Terra LLC. Mr. Price informed the Board of Supervisors and Public present that he would like to pursue a zoning change and is requesting an R1 Zoning to an R3 Zoning classification. Mr. Price informed the Board of Supervisors that he is personally purchasing the area for the proposed development and that settlement is to be occurring in the near future. Mr. Price added that he had previously approached the Board of Supervisors with a rezoning request for the aforementioned property; due to a change in the market, Mr. Price would now like to pursue his new plan being presented this evening to allow for rezoning to create a development of multifamily homes containing up to forty (40) families.

Mr. Price stated that his nephew; Mr. Baker along with Mr. Baker's father, is planning to handle the development of the real estate and the building of the proposed style of homes.

M. Menges stated for a matter of public record, Mr. Price appeared before the Board a month or so ago and had addressed some concerns that M. Menges had brought to light regarding the inquiry for rezoning the parcel being proposed. At that time, it was being requested to re-zone the parcel while the parcel was still up for sale, which M. Menges was concerned about.

Mr. Price indicated the property was under contract to be purchased by Recabb and Son, LLC.

M. Menges added that a second concern was with regards to the proposed plan engineering being incomplete for Mr. Price's described project. Since that time, Mr. Price has provided the Board of Supervisors with proposals that depict the engineering to be well underway.

Mr. Rausch; Township Solicitor, qualified that the York County Planning Commission has reviewed the proposed zoning ordinance amendment and at this time has recommended the municipality not to adopt the amendment. The comments given from the York County Planning commission stated that the proposed rezoning is appropriate in that it is compatible and consistent with the surrounding zoning. However, the proposed rezoning is not consistent with the future land use depicted with the Dover Township/Dover Borough Joint Comprehensive Plan which designates the proposed parcel as Low Density Residential. In addition, a second

comment was made by the York County Planning Commission that the rezoning of Parcel 98 (herein being proposed for rezoning) to R-3 will leave an area of R-1 zoning between Parcel 98 and Fox Run Road, which creates the appearance of spot zoning.

Attorney Rausch stated that any public comments or opinions from the Board of Supervisors and the public present are welcomed during this time.

Public Comments on Proposed Amendments to the Zoning Ordinance Regarding a Parcel of East Canal Road Property

Mr. Michael Husson – 1681 Park Street

Mr. Michael Husson is a resident residing at 1681 Park Street. Mr. Husson inquired into the style of housing being proposed.

Mr. Price stated that he is looking to implement one (1) to two (2) bedroom, ranch style, four (4) unit duplexes. Mr. Price is proposing ten (10) four (4) unit duplexes.

Mr. Husson questioned if a guarantee can be provided to instill the exact style of housing Mr. Price will be implementing. Mr. Husson added that the growth boundaries should be greatly considered as well in this matter.

Attorney Rausch qualified that a guarantee cannot be provided regarding his inquiry due to legal ramifications.

Mr. William Brennaman – 1615 East Canal Road

Mr. William Brennaman is a resident whom resides at 1615 East Canal Road. Mr. Brennaman questioned minutes that were dated October 22nd, 2012 regarding the York County Planning Commission and their opinion on R3 properties for the proposed location. Mr. Brennaman added that a public hearing was then held in 2013 on the rezoning of six properties that were all changed from R3 properties to the current R1 status. Mr. Brennaman does not know as to why a zoning amendment should now be considered to make these six properties an R3 status again.

Township Zoning Officer; Ms. Georgia Sprenkle, stated that the aforementioned change in zoning was made because the Board of Supervisors at the time collectively decided to do so with regards to several large parcels of land.

Jessica Humphries – 1666 East Canal Road

Jessica Humphries is a resident residing at 1666 East Canal Road. Ms. Humphries voiced concerns regarding her thoughts on the long-standing lack of progress being made with the property. Ms. Humphries is concerned that the developers will actually implement the currently proposed development should the rezoning be approved. Ms. Humphries also inquired about the market for the style of homes being proposed within the Dover Township area.

Al Schmidt – 104 Delwood Drive

Al Schmidt is a resident residing at 104 Delwood Drive. Mr. Schmidt proposed various questions to Mr. Price regarding the amount of housing and costs of the housing being proposed. Mr. Schmidt added that the concept for development on the land being proposed is a nice concept; however, there is not a guarantee defining that the proposed development.

Michael Husson – 1681 Park Street

Mr. Husson is a resident residing at 1681 Park Street. Mr. Husson questioned why the current development cannot blossom in the current zone that it is. Mr. Husson referenced the median housing markets of surrounding municipalities and posed issue with low median housing pricing within Dover Township and Dover Township not seeking the developers of high priced housing that Mr. Husson feels as though the Township should be seeking.

Jason Bucklew – 1666 East Canal Road

Mr. Bucklew is a resident residing at 1666 East Canal Road. Mr. Bucklew is concerned for the rezoning to occur for the proposed area thus creating an R3 zoning before the settlement and plans proposed are finalized. Mr. Bucklew would like to view the proposed development plans being proposed.

Barry Brehm – 1718B East Canal Road

Mr. Brehm is a resident residing at 1718B East Canal Road. Mr. Brehm voiced concerns regarding flood plain and stormwater issues in and around the area he resides. Mr. Brehm also questioned the proposed plans for development pertaining to this zoning hearing and if the proposed developments would cause more adverse effects with the stormwater in the area.

William Brennaman – 1615 East Canal Road

Mr. Brennaman is a resident residing at 1615 East Canal Road. Mr. Brennaman asked if there were to be more stormwater management to take into consideration with the implementation of the proposed development.

Attorney Rausch qualified that with the furthering of the proposed plans, stormwater management will qualify with the regulations required for the proposed additions. However; until it is known for sure what will be done with the proposed property, it is too premature to depict what extent of stormwater management will need to be implemented.

Mark Stover – 1712 East Canal Road

Mr. Stover is a resident residing at 1712 East Canal Road. Mr. Stover questioned the amount of exits and entrances to the proposed development.

Mr. Price showed Mr. Stover the whereabouts of one entrance and an emergency exit to the

proposed development.

Keith Hoke – 1642 East Canal Road

Mr. Hoke is a resident residing at 1642 East Canal Road. Mr. Hoke asked whether once the proposed area is decided to be rezoned, the property would be able to be developed into anyway ruled fit by the new zoning classification once approved.

Attorney Rausch stated that this is true with regards to the voted-on classification of zoning of this property.

Craig Wrang – 509 Oakwood Drive

Mr. Wrang is a resident residing at 509 Oakwood Drive. Mr. Wrang questioned the terminology and meaning of the term R-1 and the term R-3. Single Family Residential.

Ms. Sprenkle informed Mr. Wrang that an R-1 Residential classification represents single family dwellings and an R-3 Residential classification represents two family, duplexes or multifamily dwellings.

Mike Husson – 1681 Park Street

Mr. Husson is a resident residing at 1681 Park Street. Mr. Husson questioned the proposed dwelling units versus the density for the area to be rezoned and would like the Board of Supervisors to take these factors into consideration.

With no further business, Chairman Stefanowicz adjourned the Zoning Hearing meeting at 8:30 PM.

APPROVAL OF THE BOARD OF SUPERVISORS' MEETING MINUTES FOR SEPTEMBER 11, 2017

Motion by R. Stone and seconded by S. Parthree to approve the Board of Supervisors' Meeting Minutes for September 11, 2017, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by R. Stone and seconded by M. Menges to approve the warrant total for September 25, 2017, in the amount of \$315,156.95 as presented. **Passed** with 5 ayes

INFORMATION ON EVENTS AND LOCAL ANNOUNCEMENTS

R. Stone – R. Stone announced to the public that the Dover Township Wastewater Treatment Plant will be holding its annual Open House for the public on September 26th, 2017 from 3PM to 7PM. R. Stone invited all to partake in the great informational and educational experience.

Manager Oswalt – Manager Oswalt announced to the public that Dover Township Recreation will be hosting its annual Fun Fest on October 7th, 2017 at Lehr Park.

PUBLIC COMMENT

David Stentz – Danielle Drive and Mayfield Drive

Mr. Stentz addressed the Board of Supervisors with concerns he has regarding a storm sewer drain in the area of Danielle Drive and Mayfield Drive. The storm sewer drain has a 32-inch opening and Mr. Stentz stated that he has a grandchild whom during a storm was playing and swept into the drain. Mr. Stentz provided images of the drain pipe and would like to inform the Board of the near miss and encourage the Board of Supervisors to look into this matter for possible resolve or solution such as a barrier or rebar.

The Board of Supervisors thanked Mr. Stentz for bringing this matter to their attention and will look into this area.

SOLICITOR'S REPORT by Township Solicitor Charles Rausch

Approve Proposed Ordinance 2017-08 Amending the Township Zoning Map for the Township's Municipal Offices from R1 to Commercial

Motion by M. Menges and seconded by S. Parthree to approve Ordinance 2017-08 Amending the Township Zoning Map for the Township's Municipal Offices from R1 to Commercial, as presented. **Passed** with 5 ayes

Approve Proposed Ordinance 2017-09 Amending the Township Zoning Map for the property owned by Terra, LLC at East Canal Road Property from R1 to R3

Motion by C. Richards and seconded by S. Parthree to table Ordinance 2017-09 Amending the Township Zoning Map for the Terra, LLC East Canal Road Property from R1 to R3 until the closing of the sale of this property is complete, as presented. **Passed** with 4 ayes and 1 nay by M. Menges

ZONING OFFICER'S REPORT by Township Zoning Officer Georgia Sprenkle

RE-APPROVAL OF PLAN 15-4 LIDL – 3025 CARLISLE ROAD

Township Zoning Officer Georgia Sprenkle is seeking Board re-approval for Plan 15-4 regarding Lidl's. This plan was previously approved by the Board of Supervisors on October 26th, 2015. Lidl's has since changed the parking area design and Township Engineers were confirming the newly made changes to verify conformity of Township requirements. Mr. John Snyder with RGS Associates, Inc. presented the plan with the changes.

Motion by M. Menges and seconded by R. Stone to re-approve Plan 15-4 Lidl Development

Plan for 3025 Carlisle Road subject to the following items pertaining to C. S. Davidson Inc.'s letter of September 25th, 2017, 2. The storm sewer crossing near Sta. 3+00 should be shown on the water services profile, 3. PCSM sheets 12-15 are not included in the revised Final LD plan set. The previously approved plans included the PCSM sheets 12-15, so they should also be included with the revised Final LD set., 4. The existing inlet and storm sewer at the southeast corner of the site is labelled "to be removed" on sheet 3, but sheet 5 shows the rain garden outfall piping tying into the existing inlet box. Please confirm the proposed point of connection and verify the corresponding labels of the plans are correct., 5. Provide the retail floor area used for the required parking spaces calculation on the plans., 6. A cleanout should be placed at the right-of-way line for the sanitary sewer lateral to delineate ownership of the line., 7. Hilton Avenue Dedicated R/W is 30' from centerline – previous subdivision of Pine View Manor Section A was recorded 12/14/82, Plan Book DD, Page 534. This should be identified on the plan in case utility connection work requires access on the east side of Hilton Avenue, as presented. **Passed** with 5 ayes

RE-APPROVAL OF PLAN 13-8 TERRA VISTA LAND DEVELOPMENT PLAN

Motion by M. Menges and seconded by C. Richards to re-approve Plan 13-8 Terra Vista Land Development Plan, as presented. **Passed** with 5 ayes

RE-APPROVAL OF PLAN 14-6 TERRA VISTA SUBDIVISION

Motion by M. Menges and seconded by C. Richards to re-approve Plan 14-6 Terra Vista Subdivision subject to the same conditions in which it had originally been approved which are listed as follows; 1. Prior to final plan approval, a disk in an electronic format compatible with the Township GIS system, should be provided (§ 501.2. A), 2. The sign and seal of the Professional Engineer and/or Professional Land Surveyor should be added to the plan (§ 501.2. F) and 3. The legal and/or equitable Owner's notarized signature must be added to the plan certifying concurrence with the plans (§501.2. H.) as presented. **Passed** with 5 ayes

ENGINEER'S REPORT by Township Engineer Terry Myers

NURSERY ROAD CULVERT REPLACEMENT

Township Engineer; Mr. Terry Myers, informed the Board that the Nursery Road Culvert Replacement Project will be concluded by the next meeting. A punch list of corrective items was developed and sent to the Contractor. Final Application for Payment, with contract closeout documents, will be presented at the next Board of Supervisors.

MANAGER'S REPORT by Township Manager Laurel Oswalt

APPROVAL OF THE 2018 SPCA ANIMAL HOUSING CONTRACT

Manager Oswalt provided the Board of Supervisors with the 2018 Animal Care and Housing Agreement.

Questions were raised to the necessity of electing to approve the 2018 SPCA Animal Housing

Contract by some members of the Board of Supervisors.

S. Stefanowicz stated that he has received comments from residents regarding conflicts in the hours of operation for residents to take animals to the SPCA.

Motion by M. Menges and seconded by R. Stone to approve the 2018 SPCA Animal Housing Agreement, as presented. **Denied** with 2 ayes and 3 nays by M. Menges, S. Stefanowicz and S. Parthree

Manager Oswalt asked the Board of Supervisors what the Township should have the animal control officer do with the animals.

The Board of Supervisors offered a collection of ideas to consider. S. Stefanowicz informed Manager Oswalt to inform the SPCA that the 2018 SPCA Animal Housing Contract was voted down by the Board of Supervisors and that if there would prove to be an improved offering the SPCA could make, to then inform the Township of such for consideration. The suggestions of contacting other agencies in surrounding counties or other humane societies was noted as well.

TERRA VISTA HOP INDEMNITY AGREEMENT

Manager Oswalt stated that the Terra Vista HOP Indemnity Agreement is for authorization to have the Township serve as the applicant with PENNDOT for the improvements associated with the development.

Motion by M. Menges and seconded by S. Parthree to approve the Terra Vista HOP Indemnity Agreement, as presented. **Passed** with 5 ayes

APPROVAL OF THE ADVERTISEMENT FOR BIDDERS ON THE DOVER TOWNSHIP PUBLIC WORKS BUILDING EXPANISON PROJECT

Manager Oswalt informed the Board that they need to authorize advertisement to obtain bidders on the new building expansion project.

Motion by C. Richards and seconded by S. Parthree to approve the advertisement for bidders on the Dover Township Public Works Building Expansion Project, as presented. **Passed** with 5 ayes

APPROVAL OF THE 2018 MINIMUM OBLIGATION TO THE EMPLOYEE DEFINED CONTRIBUTION RETIREMENT PLAN

Motion by C. Richards and seconded by M. Menges to approve the 2018 Minimum Obligation to the Employee Defined Contribution Retirement Plan, as presented. **Passed** with 5 ayes

APPROVAL OF E.K. SERVICES TIME EXTENSION TO COMPLETE THEIR WORK ON TEMPLE SCHOOL ROAD AND FOX RUN ROAD

Township Public Works Director; Mr. Michael Fleming, informed the Board that this is the

culvert and bridge work that was contracted to be completed before October 1st, 2017.

Motion by M. Menges and seconded by R. Stone to grant a conditional extension only until October 13th, 2017 to E. K. Services to complete their work on Temple School Road Project only upon production of evidence by the contractor that the necessary product was ordered in a timely fashion and that Monarch Products is responsible for the delay, as presented. **Passed** with 5 ayes

APPROVAL TO WAIVE STEWART & TATE LIQUIDATED DAMAGES

Stewart and Tate have requested the Township to waive the \$825 per day liquidated damages due to wet weather. Mr. Fleming provide the Board of Supervisors with an e-mail correspondence referencing this reasoning dated September 11th, 2017. Mr. Fleming added that considering that the work on Fox Run Road was completed seven (7) days past the completion date the damages would calculate to \$5,775.00. The work completed totaled about \$60,000.00.

Motion by C. Richards and seconded by R. Stone to approve to collect the Liquidated Damages from Stewart & Tate for seven (7) days, as presented. **Passed** with 5 ayes

APPROVAL OF THE PARAGON ENGINEERING QUOTE TO DESIGN AND MANAGE THE CONSTRUCTION OF THE GENERATOR FOR THE COMMUNITY CENTER

Mr. Fleming provided the Board of Supervisors with a proposal for this matter estimated to cost \$27,000.00.

APPROVAL TO ADVERTISE FOR ENGINEERING PROPOSALS TO DESIGN GENERATOR SPECIFICATIONS, LAYOUT AND COORDINATE CONSTRUCTION FOR THE LABORATORY/OFFICE BUILDING AT THE WASTEWATER TREATMENT PLANT

Mr. Fleming provided the Board of Supervisors with a request for approval to advertise for engineering proposals to design generator specifications and layout for the laboratory/office building.

Board consensus was reached and it was collectively determined to obtain further Request for Proposals for professional services for both projects

APPROVAL OF DESIGNATION OF TUESDAY, OCTOBER 31ST, 2017 AS DOVER TOWNSHIP TRICK OR TREAT NIGHT FROM 6:00 PM TO 8:00 PM

Motion by C. Richards and seconded by R. Stone to approve the designation of Tuesday, October 31st, 2017 as Dover Township Trick or Treat Night from 6:00 PM to 8:00 PM, as presented. **Passed** with 5 ayes

MS4 Updates

SEPTEMBER 19th, 2017 MS4 Public Education Session

Manager Oswalt informed the Board of Supervisors that on September 19th, 2017, a Public Education Seminar was held at Brookside Park. This seminar was held collectively between Dover Township, West Manchester Township and Manchester Township. Approximately eighteen (18) residents from the three municipalities were present to learn about how to manage their stormwater improvements. C. S. Davidson, Inc., Buchart Horn and Spotts, Stevens, McCoy entities donated door prizes to the event and nine lucky people left with prizes ranging from \$25.00 to \$100.00.

OLD BUSINESS

None to note.

COMMENTS FROM THE BOARD

R. Stone – R. Stone presented the Board of Supervisors with a qualified candidate; Mr. Bob Boyer whom is a partner for Boyer, Spangler and Mechanical HVAC Contractors for commercial and industrial applications, for an open position on the Sewer Authority Board. Mr. Boyer has been a long time Dover Township resident of 32 years and is looking to give back to the community.

Motion by R. Stone and seconded by S. Parthree to approve the application for the Sewer Board position for Mr. Bob Boyer, as presented. **Passed** with 5 ayes

S. Parthree – S. Parthree informed the Board that there has been a large amount of graffiti found at the Dover Township Community Park. The Township is pursuing the services of the Northern Regional Police Department and local School District to help in the restitution of this matter.

M. Menges – M. Menges informed the Board of Supervisors on his views regarding a letter that the Township has received from Township residents Ellen Dionna and C. Arthur Hover whom reside at 1720 Palomino Road and are both Reverends. This letter is in regards to Dover Township utilizing contracted services with Penn Waste.

M. Menges stated that Dover Township engages in a competitive bidding process prior to acceptance of a Township trash and recycling hauler. Penn Waste provided the lowest competitive bid, with regards to state law, Penn Waste is a responsible waste hauler regardless of the opinion of its owner and his comments, and the Township is required to award the contract to Penn Waste and would be placing the Township in grave liability if the Township were not to contract with Penn Waste when they are the lowest responsible bidder for contracts like this.

Secondly, one of the changes this Board of Supervisors relatively and recently made was to allow for Township residents not to contract with Penn Waste if the resident chooses not to do so. The resident has the option of disposing of their trash themselves in a legal fashion.

All this being said, whatever the comments may be from Ms. Dionna and Mr. Hover regarding Senator Waggoner or comments he has made or his run for governor, these being all things mentioned within the letter provided to Dover Township, those do not reflect the opinions of Dover Township or its Board of Supervisors.

Board consensus was reached and collectively determined to have Manager Oswalt contact Ms. Dionna and Mr. Hover by telephone to speak with them regarding this matter.

PUBLIC COMMENT

None to note.

With no further business, the meeting was adjourned by Chairman Stefanowicz at 9:50 PM.

Respectfully submitted by: _____
Tiffany Strine, Recording Township Secretary