

Dover Township  
Planning Commission Minutes  
August 2, 2017

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:00 p.m. Members present: Anthony Pinto, Eric Harlacher, Carol Kauffman, Brian Kimball; alternates Michael Curley and Justin Bigham. Also present: Solicitor John Baranski, Zoning Officer Georgia Sprenkel, Engineers Terry Myers and Cory McCoy, Recording Secretary, and eight citizens.

I. **Minutes**

**Motion** by Harlacher, second by Kimball, to approve the minutes of the meeting of July 5, 2017. All members voted aye; motion carried.

II. **Zoning Cases**

None this month.

III. **Plans**

A. Copper Chase – 2900 Honey Run Drive; Land Development Plan for 107 dwelling units (apartments)

Todd Kurl, RGS Associates, was present on behalf of the applicant (The Reserve at Copper Chase). Todd Bowser of Campbell Associates was also present. This plan received a positive rezoning request several months ago. Mr. Kurl presented the plan, showing only the southern half of the development, the northern half being already existing. The plan proposes 107 apartment units, for a total of 239 on the entire site. Public water and sewer area available. There is a single access point, but an emergency access (gated) will be provided. Some rain gardens are proposed. Some units will have garages. Are there enough parking spaces? Mr. Kurl feels that they do.

Waivers requested: preliminary plan, traffic impact study, access drive curbing, sidewalk along public frontage, curb along public frontage, environmental impact assessment report, stormwater facility setback, and basin slopes.

Roads and parking were discussed. The interior roads are private with no parking on the street. There was some concern about the width. How about snow removal? Undecided as yet, but the applicants know they will need to make provisions. How about visitors? Where do they park, since there's no on-street parking? It was noted that there are no interior sidewalks around the loop.

Mr. Hoffman suggested that a sidewalk would be nice for people to use when going to the apartments from the overflow parking area. As the plan is presented, they must walk in the street, apparently. Mr. Myers noted that there's an elementary school right next door, and there could conceivably be children walking to the school crossing from this development. So noted.

With regard to the waiver requests, Mr. Myers noted that the applicant is planning to widen Baker Road, per the Township Engineer's suggestion. The Township staff has no problem with the curb and sidewalk waiver requests.

Mr. Myers reviewed C. S. Davidson's letter dated August 2, 2017. Outstanding items: Zoning: 1, corner lots shall have two front yards at the street side of the lot and

two side yards on the non-street side (§ 27-503.C.2.a). There is text overlapping at the side yard setback along Little Conewago Creek (Sheet 2). The other side yard setback is shown as 50' and is dimensioned improperly; 2, the location of the required number of parking spaces is not clearly shown on the plans (§27-703); SALDO: 1, sidewalk should be provided from the site to the existing crosswalk at Emig Mill Road and Baker Road; 2, within the plans and profiles, the sanitary sewer improvements should be clearly defined as either public or private. A detail of the proposed "doghouse" MH-62 should be added to the plans; 3, identify the plan sheets to be recorded under the drawing index on the cover sheet of the plans with an asterisk. Confirm that general plan Note #3 on sheet 2 corresponds with the drawing index. Ensure that the SWM BMP O&M schedule and requirements will be part of the recorded plan set; 4, recommend providing the building labels on all plan sheets; 5, the existing sanitary sewer should be labeled "to be removed". Show how sanitary sewer service will be maintained and provide a construction sequence; 6, water valves should be added at the intersection of Amberbrooke Lane. Recommend providing water valves throughout Amberbrooke Lane to eliminate the need to take all buildings out of service for any repairs; 7, confirm the angles of the storm sewer at the inlet boxes are feasible; 8, verify on the plans that all proposed water and sewer services are shown tying into the correct utility main; 9, on Sheet 11 of 21, the fire hydrant stationing text at approximately 9 + 90 should be revised. The MH-73 invert out description should be added; 10, inlets at the proposed low-point of the street are shown at different stations (I-A15 to I-A3). How will the street be graded to create different low points for each side of the street?; 11, GIS disk (§ 22-501.2.A); 12, Engineer's/Surveyor's seal, signature, and date (§ 22-501.2.F); 13, owner's notarized signatures (§ 22-501.2.H); 15, Clear sight triangle easements shall be established at all street intersections. Clear sight triangles should be measured and shown from the proposed edge of cartway (§ 22-501.2.CC); 16, provide a typical diagram showing the locations of sanitary sewer laterals, water services, required parking spaces, street trees, and number of dwelling units for each building. The material of the 8" waterline should be stated on the plans (§ 22-501.2.DD); 17, sewage planning module approval shall be obtained from PA DEP. (§ 22-502.2); 18, approval of the sanitary sewer design by the Dover Township Sewer Authority regarding the adequacy of utility extensions. (§ 22-502.3); 19, approval of the layout/design of water, sanitary, and storm systems by the Public Works Director and Township Engineer; 20, approval of the stormwater management plan by the Township Engineer (§ 22-502.8); 21, the PADEP sewage planning code number should be added to the plan (§ 22-601.2.L); 22, public improvement security (§ 602.1); 23, erosion and sediment pollution control plan approved by the York County Conservation District and all required permits shall be provided. (§ 22-602.4); 24, the limit of the Baker Road street improvements should be shown on the plans. An existing and proposed cross-section of Baker Road should be added to the plans (§ 22-704.b); 25, site distance requirements for the existing access drive and proposed emergency access shall be in accordance with PennDOT regulations, 67 Pa. Code, Chapter 441, "Access to and Occupancy of Highways by Driveways and Local Roads." Required and provided stopping site distances should be shown on the plans. There is text overlap at the Honey Run Drive SSD data on Sheet 5 (§ 22-709.2.A); 26, the amount of land required to be provided for public recreational purposes for all residential subdivision or land development plans shall be a minimum of 0.025 acres per



lot or dwelling unit. Dedication of recreation land or fees in-lieu of for each dwelling unit is required on all residential subdivisions, and all multi-family developments, regardless of whether private recreational facilities are also provided (§ 22-718); 27, Note C.6 of the plans should be revised to state exactly: “The Owner shall not construct, plant, or maintain any structures, fences, trees, shrubbery, etc. within the sanitary sewer, stormwater or utility right-of-way/easement in order to ensure a free and clear access to all facilities. Bituminous paving, commingling of sanitary sewer, stormwater or utilities, or a change in ground contours within the right-of-way/easement will be permitted only with written consent of the Township.”; and ADDED 28, the following note shall be added to the plans: “Concrete curbs and sidewalks as well as street widening shall be installed in accordance with the Dover Township Construction and Material Specifications by the owner, heirs, or assigns, within six months after receipt of written notice from Dover Township.”

Also, label clearly where private sewer and public sewer meet AND please post the addresses on the buildings themselves. Will do

The Planning Commission members agreed that a sidewalk from the overflow parking to the units would be advisable, but Mr. Bowser noted that it’s not required by the SALDO. That’s true, but it would be nice. Also, the stormwater drains across private property. It was recommended that the applicants inform that property owner of this fact.

Waivers were discussed. Mr. Myers recommends the waivers except for the traffic impact study, as long as they provide traffic counts; sidewalk/curb waiver (he prefers the six-month note) (remove waivers 4 and 5). **Motion** by Pinto, second by Kauffman, to recommend approval of the waivers for the following Sections: 22.501 (preliminary plan); 22-602.8, (traffic impact study, contingent on submitted traffic counts); 22-709.6.A (access drive curbing); 22-720 (environmental impact assessment report); 19-301.11 (stormwater facility setback); and 19-308.3.A,3 (basin slopes of 3:1, fenced). All members voted aye; motion carried.

**Motion** by Harlacher, second by Kimball, to recommend approval of the Land Development Plan for Copper Chase, Honey Run Drive, subject to the waiver requests being added to the plan AND the addition of internal walkways AND the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: Zoning 1, 2; SALDO, 1 through 13; 15 through [added] 28. All members voted aye; motion carried.

B. Thermal Logistics – 3630 Carlisle Road; Land Development Plan for mini storage

Jonathan Allgyer, 2736 Willapa Drive, was present on this plan for mini storage units. He had presented this concept to the Planning Commission earlier this year.

There will be an entrance from Dogwood Drive to the storage units. A second entrance will be off of Willow Drive. He will extend the existing building on either side for the storage units. He is marketing these units to contractors for inside storage of supplies, etc., plus he will use some units for his personal use. Will the access drives be gated, especially since it’s a 24-hour access facility? Mr. Pinto is not comfortable with the 24-hour access, and he requested gates for limited access to deter undesirable behavior. How about a reduction in operating hours on the Willow Road access, since this borders the residential area? There will be exterior lighting and camera systems. Mr.

Allgyer noted that all doors will be visible from the main roads; there are no back doors. All setbacks are maintained well. This property is in the Commercial Zone. Mr. Allgyer has spoken to some of the neighbors who have voiced approval with the proposal.

Two waivers are requested: Section C22-501.O, manmade features within 400' of the site; Section 22-704.B, roadway improvements. Mr. Allgyer verbally requested a waiver of the requirement for Willow Drive, Section 22-709.10, one access per lot.

Mr. Myers reviewed the C. S. Davidson letter dated August 2, 2017. Outstanding comments: Zoning 1, The existing and proposed uses should state “Residential – pre-existing non-conforming use”. Show the minimum required lot requirements for each existing and proposed use, cumulatively; SALDO 1, What is the status of the “Sycamore Road Extended” access to the site? Is an access agreement required between Thermal Logistics and the Kunkle/Ness property for the existing access at Sycamore Road Extended: A note should be added to the plan stating to the effect that: Thermal Logistics will be responsible for maintenance of the access up to the ROW of the Kunkle/Ness property. The maintenance requirements should be qualified as part of the note; 2, GIS disk (Section 22-501.2.A); 3, engineer’s signature/seal (Section 22-501.2.F); 4, owner’s signature (Section 22-501.2.H); 5, show details of concrete vertical and slant curb on the plans. A tapered concrete curb end section detail should be added to the plans in accordance with the Dover Township Construction and Material Specification (Section 22-501.2.FF); 6, add to the plan a detail of the buffer requirements. Also, add a note to the plan stating the following “The owner is responsible for maintaining a 50% screen, through the use of trees and shrubs, at all times along adjacent residential uses.” Areas of screening should be designated on the plans (Section 22-501.2.II); 7, approval of the stormwater management plan should be obtained from the Township Engineer (Section 502.8). A separate stormwater management comment letter will be prepared; 8, public improvement security shall be provided prior to final plan approval (Section 602.1); 9, Erosion and Sedimentation Control approval by the York County Conservation District shall be provided prior to final plan approval (Section 602.4); 10, only one point of access and one point of egress may be allowed on each property except where large frontages of 1,000 feet or larger are present (Section 22-709.10) (waiver requested tonight); and [added] 11, provide lighting plan.

**Motion** by Harlacher, second by Kauffman, to recommend approval of the waivers for Section C22-501.O, manmade features within 400' of site; and Section 22-704.B, roadway improvements, Section 22-709.10, access/egress on Willow Drive. Six members voted aye; *Pinto abstained*. Motion carried.

**Motion** by Harlacher, second by Kimball, to recommend approval of the Land Development Plan of Thermal Logistics subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: Zoning 1, plus add the wording that each use meets the cumulative minimum lot requirements; SALDO, 1, 2, 3, 4, 5, 6, 7, 8, 9, and added 11, provide a lighting plan. All members voted aye; motion carried.

#### C. Dover Township; Subdivision, Municipal Property

Thomas Englerth, SDC, was present on this proposal, which involves a 59-acre subdivision with three lots. Everything on the west side is R-1; the east side is

Commercial. A portion of Municipal Drive will be abandoned so that the public works building can be constructed. The Township Building is to be expanded to add an equipment garage to get them under roof. A cul-de-sac will be installed.

Mr. Myers noted that there is a rezoning request associated with this subdivision/land development plan. The Board of Supervisors (applicants) have requested a rezoning from R-1 to Commercial, add to the other existing Commercial property, and the residual property will remain R-1. The other option would be to request a Variance, since the proposal increases a pre-existing non-conformity. It seems a better idea to combine it all and rezone it all Commercial. Mr. Hoffman suggested that the DEP non-building waiver indicates that sewer facilities are never permitted on this lot. Mr. Myers will check on that wording.

Waivers requested: Section 22-704.6, street improvements; Section 22-718.1, recreation fees (for the two residual residential lots).

Mr. Myers reviewed the C. S. Davidson letter dated August 1, 2017. Outstanding items: 1, GIS disk (Section 22-501.2.A); 2, engineer's signature and seal (Section 22-501.2.F); 3, owner's notarized signature (Section 22-501.2.H); 5, show proposed driveway locations for residential Lots 2 and 3 (Section 22-501.2.EE); 6, recommend adding a note for Lot 2 that states that the driveway should be located so access is from the road of lesser classification; 7, planning module or statement of non-building waiver (Section 22-501.2); 8, show location and description of existing and proposed survey monuments (Section 22-601.2.H); 9, add PADEP code (Section 22-601.2.L); 10, sight distance requirements for driveways shall be in accordance with PennDOT regulations, 67 Pa. Code, Chapter 441, "Access to and Occupancy of Highways by Driveways and Local Roads." Required and proposed stopping sight distances should be labeled on the plans for Lots 2 and 3 and the proposed 50' right-of-way (§ 22-708.2.A); and [added] 11, the Planning Commission recommends the rezoning of the entirety of proposed Lot 1 to Commercial.

Mr. Hoffman recommends that the Township abandon the subdivision of the one or two residential lots and rezone the entire parcel Commercial. Mr. Pinto agrees; if there are no immediate specific plans for the area, why do anything with it now by creating a residential lot or two? Mr. Harlacher feels that all the municipal property should be zoned Commercial. Mrs. Kauffman feels it's all right to keep it as Residential, since the Township can build a municipal building in any zone. Mr. Kimball and Mr. Curley feel the same.

Most of the Planning Commission members felt that the created one lot should remain Residential. By deeming this created lot as a building or residential lot, sewage planning and driveway locations must be done.

**Motion** by Pinto, second by Kauffman, to recommend approval of the waiver requests for Section 22-704.6, street improvements and Section 22-718.1, rec fees. All members voted aye; motion carried.

**Motion** by Harlacher, second by Kauffman, to recommend approval of the Subdivision Plan subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: 1, 2, 3, 5, 6, 7, 8, 9, 10, and added 11, and the northwest area should be as one residential lot, with the zoning to remain residential. All members voted aye; motion carried.

D. Dover Township; Land Development Plan, Municipal Property  
Thomas Englerth, SDC, was present on this proposal.

Waivers requested: Section 22-704.B, street improvements and Section 22a-704.D.1, minimum curve radius; and basin embankments within the building setback (for rain garden), Section 19-301.11.

Mr. Myers reviewed the C. S. Davidson letter dated August 2, 2017. Outstanding items: 3, HOP may be required for the proposed grading of rain gardens 2 and 3 within the PennDOT ROW; 4, GIS disk (Section 501.2.A); 5, engineer's signature/seal (Section 501.2.F); 6, owner's notarized signature (Section 501.2.H); 7, statement of adequacy from the Sewer Authority concerning the water and sanitary services for Lots 2 and 3 (Section 502.3); 8, stormwater management plan approval (Section 502.8); 9, show and label location of property monuments (Section 601.2.H); 10, E & S approval by the York County Conservation District (Section 602.4); 11, in the even that a proposed street is not aligned with an existing street, it shall not bear a name similar to any existing street located within the Township (Section 703.C). Is any traffic signage proposed at the existing Canal Road and Municipal Road intersection to alert the public of the "no outlet"? Street names should be determined and added to the plan; and [added] 12, this plan should not be approved until the approval and recording of the Final Subdivision Plan to create this lot.

**Motion** by Pinto, second by Kauffman, to recommend approval of all waivers as presented for Section 22-704.B, street improvements AND Section 22-704.D.1, minimum curve radius AND Section 19-301.11, basin embankments within the building setback. All members voted aye; motion carried.

**Motion** by Pinto, second by Harlacher, to recommend approval of the plan subject to the satisfactory resolution of the following items from the C. S. Davidson letter referred to above: 3, 4, 5, 6, 7, 8, 9, 10, 11, and added 12. All members voted aye; motion carried.

E. Bupp/McNaughton – Phase 1, 36 lots  
Alvis Elrod, Gordon L. Brown, presented this plan, which was previously before the Planning Commission. The applicant has preliminary approval of this plan. A gated emergency access drive will be from Shadowbrooke. This will need to be graded and installed, and the water service will be installed in this same bed.

Mr. Myers reviewed the C. S. Davidson letter dated August 2, 2017. Outstanding items: 1, the anticipated number of EDUs for the community building should be stated on the plans. The cover sheet should track the number of EDU's proposed with each phase of the subdivision. The number of EDU's designated to the community building should be stated on the plans and included in the total number of EDU's per phase 1; 2, the cover sheet should designate which plan sheets are to be recorded; 3, the subdivision is proposing 198 dwelling units which will require 7 recreational facilities, as outlined in § 22-718.12. The number of required amenities should be stated on the plans, as well as a table or note detailing how this requirement is being met. Five benches are shown throughout the site; however, the table on Sheet 3 shows 7; 4, the locations of recreational amenities for Phase 1 need to be shown on the plan; 5, emergency access to Shadowbrooke Drive should be graded and shown on the plans. This area should be dedicated as a 50' wide emergency access easement/utility easement; 6, the locations of



water valves should be clearly shown on plans; we recommend providing three water valves at the Witherbee Road/Shadowbrooke Drive intersection; 7, the following revisions should be made to the overall phasing plan on sheet 36 -- a. Basin 4 should be shown within Phase 4; b. the emergency access detail that refers to 2A modified should be revised to state PA 2A; c. the final gate design for the Shadowbrooke emergency access needs to be submitted for review and then added to the plans. Note #2 on sheet 36 should be revised to remove the portion referring to the final gate design approval during the phase 1 final plan approval process; d. responsibility of the proposed emergency access gate should be clearly defined on the plans; 8, HOA/Open Space maintenance requirements should be specified on the plans. All HOA/Open Space areas shall meet the requirements of Chapter 3 of the Township Property Maintenance Ordinance. There is concern of the note referencing the common areas will not be mowed; 9, GIS disk, (§ 22-501.2.A); 10, engineer's signature/seal (§ 22-501.2.F); 11, owner's notarized signatures (§ 22-501.2.H); 12, public improvements security (Section 602.1); 13, fire hydrants shall be located so that the distance from any building frontage to a fire hydrant is not more than 600' measured along the street right-of-way (§ 713.3.D); 14, the amount of land required to be provided for public recreational purposes for all residential subdivision or land development plans shall be a minimum of 0.025 acres per lot or dwelling unit. Dedication of recreation land or fees in-lieu of for each dwelling unit is required on all residential subdivisions, and all multi-family developments, regardless of whether private recreational facilities are also provided (§ 718); 15, it should be verified that the proposed phasing of the stormwater management will not have an interim impact on downstream property owners; and [added] 16, a Greenway Easement should be designated along Fox Run in accordance with the Dover Township Comprehensive Plan.

**Motion** by Kauffman, second by Harlacher, to recommend approval of the Bupp/McNaughton Plan for Phase 1, 36 lots, contingent upon the satisfactory resolution of the following items from the C. S. Davidson letter referred to above: 1, 2, 3, 4, 5, 6, 7 (all items), 8, 9, 10, 11, 12, 13, 14, 15, and added 16. All members voted aye; motion carried.

#### IV. Other Business

A. Rezoning request – Terra (Canal Ridge), East Canal Road, Brandon Baker; request to change from R-1 to R-3

James Price was present on this request to change this property from R-1 to R-3. He intends to build a 55-and-over community of homes. He gave a brief history, again, of how this plan came about. When the Comprehensive Plan was updated in 2007 in order to not make the Canal Ridge Development a non-conforming development since the Preliminary Plan was already approved the decision was made to keep the zoning R-1.

**Motion** by Harlacher, second by Pinto, to recommend approval of the request by Brandon Baker/James Price to rezone the property on East Canal Road from R-1 to R-3. All members voted aye; motion carried.

B. Rezoning request – Dover Township Properties; request to change from R-1 to Commercial

**Motion** by Pinto, second by Harlacher, to recommend approval of Dover Township's request to rezone all of new Lot 1 to Commercial and to consider this the Public Meeting for both zoning requests. All members voted aye; motion carried.

C. Clarification of Commercial School and Definition

Mrs. Sprenkel had a question about an applicant who wants to build a school within the Township. She is having trouble interpreting the ordinance requirements, differentiating from public and private school "which is not conducted as a private gainful business" – the wording is unclear. She will request a change to the wording the next time there are zoning changes to be made.

**Motion** by Kauffman, second by Mr. Myers and Mrs. Sprenkel respectively, to adjourn. All members resoundingly voted aye; motion carried. The meeting adjourned at 11 p.m.

Respectfully submitted,

Julie B. Maher,  
Recording Secretary