

Dover Township
Planning Commission Minutes
April 3, 2019

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:00 p.m. Members present: Eric Harlacher, Brian Kimball, and alternates Michael Curley and Justin Bigham. Absent with prior notice: Carol Kauffman and Anthony Pinto. Also present: Solicitor Shane Rohrbaugh, Zoning Officer John McLucas, Engineers Terry Myers and Cory McCoy, Recording Secretary, and six citizens.

It was noted that both Mr. Curley and Mr. Bigham will be voting members tonight in the absence of two regular members.

I. **Minutes**

Motion by Kimball, second by Harlacher, to approve the minutes of the meeting of March 6, 2019. All members voted aye; motion carried.

II. **Zoning Cases**

A. ZHB 19-1, Myong Roberts, 2540 Carriage Lane, Special Exception request for home occupation/seamstress in the R-3 District.

Steve and Myong Roberts were present. Mrs. Roberts has a seamstress business on South Queen Street, which is closed on Mondays, and operates part-time on Saturdays. Some of her customers have trouble getting to the South Queen Street location, and Mrs. Roberts wants to open her business part-time in her home to make it easier to serve those customers. The business would operate by appointment only to accept customers at the home for fitting, alternations, etc. The applicant doesn't anticipate a large number of customers coming to the home. Parking is good; she can meet all requirements of Section 27-632. In that regard, Mr. Myers suggested that the applicant provide to the Zoning Hearing Board a sketch indicating that she can indeed meet the parking requirements, rather than just saying it can happen. Perhaps a photo of the parking area will give the ZHB members what they need to know. Mr. Myers also noted that on-street parking doesn't pertain to this application, so the parking for this use will be driveway only. Not a problem. The requirement for a residential unit is two spaces; plus one additional space for the home occupation plus one employee space. Can do.

Motion by Kimball, second by Harlacher, to recommend approval of the application for Special Exception by Myong Roberts for home occupation for part-time seamstress at 2540 Carriage Lane. All members voted aye; motion carried.

B. ZHB 19-2, Jeff/Joan Dawson, 5530 Harmony Grove Road, request for Variance for lot in excess of 2 acres in the Agricultural District

No one was present on this application. Mr. Myers commented that before the applicants reduce the size of the lot on the corner, they should prove that they have an acceptable replacement area for the septic system. Yes, the Planning Commission suggested that at last month's Planning Commission meeting. What if the applicant cannot find an acceptable replacement area for the septic system? Does the application become moot and un-doable? In this case, the lots are owned by the same person, so he

can conceivably put it on the other lot, but what if, in the future, the lot is sold to another party, and suddenly the replacement area for one lot is located on another lot?! The Dover Township ordinance doesn't actually require a replacement location for the septic system, but it is indeed good planning. The lot size may be an issue as well.

Comments on the Variance request: on the ZHB application, it mentions "add pole barn for equipment storage" and that might be a problem; where's that going? It's not shown on the plan nor discussed in the application. Also, the Planning Commission had recommended that the applicant reduce the size of the one lot to 2 acres to make it conforming, but their application indicates that the lot size remains at 3.42 acres. On the plan, the existing septic systems are shown, but no replacement lots are indicated. Mr. Myers noted that by reducing the size of the lot, the applicant might be taking land from a possible replacement area. Essentially, the applicant can be seen as creating the problem, if there is a problem. The replacement area might need to be identified before approval of the subdivision. The concern is that the existing septic system is ancient and may well be near failing. Does the addition of a pole barn affect the application for Variance at all? Not really, unless of course, the building is built on the possible replacement area for the septic system.

How would the Planning Commission members vote on this, if the applicant were actually here tonight? Curley, no, based on the septic issue; Bigham, no, based on the pole barn addition on the application; Hoffman is neutral; Harlacher, no, meaning to reiterate the meeting minutes of March 6, 2019, PLUS there's no replacement area noted for the on-lot septic system PLUS the inclusion of the pole barn is on the application yet not shown on the drawing. And max lot size is 2 acres; the applicant is requesting a larger lot size.

Motion by Kimball, second by Curley, to pass the Planning Commission's comments to the ZHB. All members voted aye; motion carried.

III. Plans

A. PL-19-2, Faire Wynd Final Re-Subdivision, Lots 34, 35, 127

Andrew Miller and Trey Elrod, Gordon L. Brown Associates, were present on behalf of this applicant.

The original plan was subject to a special exception for open space development in 2004. The Preliminary plan was submitted in 2003; approved in 2004; a Special Exception was granted for open space development. This is part of the Phase III Final Plan. Now, they want to rotate the lot lines a bit to take into account an easement for the sewer line. A FEMA map revision relocated the flood plan, which affected these two lots.

Doug Barkins, EG Stoltzfus Homes, was also present, and he reviewed the plan's past appearance before the Planning Commission. These lots are being reconfigured at the suggestion of the Planning Commission at a previous meeting because the applicant's request for a Variance was financially driven, and the Planning Commission couldn't get on board with that. This new reconfiguration fits the style and size of house that Stoltzfus builds, which is what they wanted in the first place. These two lots require a basement because of the setbacks, etc., and now the applicants can accommodate all requirements. It was noted that it should be revealed to the potential buyer that the driveway is subject to modification in the future, as in, the driveway falls within the

sewer easement and may be disturbed during replacement or necessary maintenance of the sewer system. Will do.

C. S. Davidson's letter dated April 3, 2019, was reviewed. Outstanding comments: 2, GIS disk (Section 22-501.2.A); 4, owners' notarized signatures (Section 22-501.2.H); 6, deed restrictions note #27 on the cover sheet should be revised to reflect the existing easements through proposed lot 34; include the wording "other than those shown on the plan" (Section 22-501.2.X); 8, comments from the Dover Township Public Works Director; 9, cleanout within the paved driveway of lot 35 shall have an HD cleanout cover (Neenah Foundry Model R-1976) installed in accordance with the Dover Township Construction and Material Specifications; and [added] 10, add a note to indicate that the driveway falls within the sewer easement and may be disturbed in the future during replacement or necessary maintenance of the sewer system.

Motion by Harlacher, second by Curley, to recommend approval of the Faire Wynd Final Re-subdivision plan subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: 2, 4, 6, 8, and [added] 10. All members voted aye; motion carried.

IV. **Other Business**

Nothing at this time.

Mr. Harlacher reported that the Comp Plan meetings are underway. Eight major categories under review: infrastructure, preserving history/farmland, economic development, athletics/recreation, shared services, housing, community involvement & communication, and education. No review yet, of zoning or mapping. Current discussions are based on public input from a survey. Make sure that any actionable items will be followed through and that someone will take charge and see that changes are made. Lengthy discussion was held on the benefits and drawbacks of living and doing business in Dover Township; progress and focus of the Comp Plan discussions; what do people actually want? How does all that has been discussed thus far relate to the ordinances of the Township? Figure out what tangible goals can be identified to strive toward making it all work.

Next meeting: May 1, 2019.

Motion by Harlacher, second by Kimball, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:57 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary