

Dover Township
Planning Commission Minutes
December 1, 2021

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:01 p.m. Members present: Justin Bigham and alternates Mark Miller and Stephen Stefanowicz. Absent with prior notice: Anthony Pinto, Eric Harlacher, Brian Kimball. Also present: Solicitor John Baranski, Zoning Officer John McLucas, Engineers Terry Myers and Cory McCoy, Recording Secretary, and three citizens.

It was noted that both Mr. Miller and Mr. Stefanowicz will be voting members in the absence of Mr. Pinto, Mr. Harlacher, and Mr. Kimball.

I. **Minutes**

Motion by Bigham, second by Miller, to approve the minutes of the meeting of November 3, 2021. All members voted aye; motion carried.

II. **Zoning Cases**

None this month.

III. **Plans**

A. SK-21-2, Donwood Estates Phase IIB sketch plan.

David Koratich (Warehaus) and Mike Jeffers were present on this plan, which was approved and begun in 2005. Part of the development is built out, and the applicants are before the Planning Commission tonight to present a new layout, which had to be done because new wetlands were discovered. The original layout was 58 lots; it's down to 53 lots now. Is a revised preliminary plan now required? Is there enough of a change to require a new plan? That's the main question tonight.

What would be gained by seeing another preliminary plan? Not much, as long as all of the revisions are included with the final plan, including the revised stormwater plans. They could combine the preliminary with the new final plan. They wouldn't need to include all the building that has already come to fruition in the development. They can submit a preliminary final plan.

Discussion was held on the width of the streets, both old and new.

IV. **Other Business**

Public comment – None at this time.

V. **Ordinances**

Common Ownership Merger (COM) – *tabled*

Short-Term Rentals -- Mr. McLucas provided a planning document from Lancaster County for consideration and discussion tonight.

Short-term rentals have become a problem for municipalities to regulate. The ordinance in front of the Planning Commission tonight for discussion is a recommended document. Mr. McLucas noted that last month, there was an application for a short-term rental. The Zoning Hearing Board overturned the appeal, with which Mr. McLucas did

not agree. Right now, the Township doesn't have anything in place to regulate a short-term rental. The Board of Supervisors will be looking for a recommendation by the Planning Commission.

Is 30 days considered short-term? Mr. Stephanowicz feels that's too long to be considered short term. Some municipalities consider short-term 14 days.

Why does the Township need a short-term rental ordinance? To prevent trouble further down the line. Mr. Bigam noted that Airbnb and other organizations have strict regulations for the guests to follow.

How about taxation? The original development of the short-term rental idea affected the hotel industry in that area.

Discussion was held on the original violation in Dover Township and subsequent trouble with the neighbors relating to the short-term rental use. Unfortunately, an ordinance won't change what happened on that property.

Mr. McLucas noted that the second application (Lloyd and Josie Kroft) would have benefitted from an ordinance being in place.

What does this ordinance intend to prevent? A group of people renting a house and partying all weekend long. It would limit the impact of the use on the neighbors. Regulate the parking. If there's a violation, the Township could send a violation letter and potentially shut the place down for violations. It would be easier for the Zoning Officer to enforce the rules if there are rules in place. It would be good to have the owner/operators certified and properly permitted to operate such a venture.

Mr. McLucas suggested that the Planning Commission members look at where the Township provides for Bed and Breakfasts and add Short-Term Rentals to those areas.

Could Mr. McLucas give the Planning Commission a list of items that he doesn't want to have happen? Does the Planning Commission even want to pursue this option? Yes, agreed.

So, if there's a problem with a short-term rental property situation and it happens habitually, the police would be called, then the police would likely contact the Township to say that something has to be done with this property. The Zoning Officer would then step in to enforce the ordinance.

So how is one to know if a property is being used as a short-term rental? From the street, if all is quiet, it's unlikely to be obvious. If a single-family home is occupied by different people every weekend, it might be obvious to the neighbors that something is going, that these people are short-term renters. That's different from a large family of the same people coming and going all the time.

Mr. Myers noted that Warrington Township's proposed ordinance dictates that the owner must either live within a certain distance or have a property management company on duty for quick problem resolution.

The Planning Commission gave Mr. McLucas the green light to proceed with an ordinance relative to Short-Term Rentals.

Tiny Homes -- *tabled*

Livestock in Residential Zones -- *tabled*

VI. **Correspondence**

Heritage Building Group, Inc., v. Plumstead Township -- “When is a municipality ‘built out’?”

Attorney Rausch provided Mr. McLucas with a document addressing the question. Mr. McLucas passed it to the Planning Commission members. Interesting reading.

2021 attendance report -- please review for accuracy and confirm the contact information.

The next meeting will be held on January 5, 2022, 7 p.m.

Motion by Miller, second by Stephanowicz, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary