

Dover Township
Planning Commission Minutes
March 9, 2022

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:00 p.m. Members present: Eric Harlacher and alternates Stephen Stefanowicz and Monica Love. Absent with prior notice: Mark Miller, Anthony Pinto, and Justin Bigham. Also present: Solicitor John Baranski, Zoning Officer John McLucas, Engineers Terry Myers and Cory McCoy, Recording Secretary, and seven citizens.

Chairman Hoffman reported that alternates Stephen Stefanowicz and Monica Love will both be voting members for tonight's meeting.

I. **Minutes**

Amendment to the minutes of February 2, 2022: Solicitor Charles Rausch was present at that meeting, not Attorney John Baranski. **Motion** by Stephanowicz, second by Harlacher, to approve the minutes of the meeting of February 2, 2022. All members voted aye; motion carried.

II. **Zoning Cases**

No new cases. The ZHB case for the PSES has been continued to March 16.

III. **Plans**

A. PL 22-3 – Palomino Road; 3670 square foot office/tavern land development plan in the Commercial District

Eric Johnston was present on behalf of the applicant, Palomino Holdings. Clint Huhra was also present. This proposal is to develop this lot; currently designated as retail use. The applicants would like to put an office and tavern on the lot. Sidewalk extensions along Palomino Road. After discussion and engineer's comments earlier in the process, Mr. Johnston said that the tavern use will be withdrawn, and the site will be returned to retail use instead of a tavern, at least for now. The current ordinance prohibits the tavern use within 100' of a residential use. There are 16 parking spaces there now. Stormwater management design is under review. The use would be physical therapy office (6 to 7 parking spaces) and retail (10 spaces). The proposed tavern patio would be returned to grass (or maybe it needs to be parking, depending on the specific use). Parking is a zoning issue, not something for the Planning Commission to decide. Mr. Johnston noted that the physical therapy use is under contract, but the retail space use is still unidentified. Perhaps the applicant needs to change the proposed use to professional office to get closer to compliance with the parking requirements. Or just call it "office" and the applicant would be able to meet the parking requirements now. If they want to come back with a tavern proposal, it will be necessary to go before the Zoning Hearing Board. For now, change the proposed use to "office" and remove the patio.

Four waivers are requested: 22-704.B.1, additional ROW and cartway width; 22-720.3, Environmental Impact Assessment; 22-1102.2.C, landscaping plan design by a registered landscape architect; 19-304, stormwater volume controls.

Reasoning for each waiver:

The ROW and cartway width were approved at the subdivision and land development of the adjoining use, the Members' First Bank. The applicant doesn't want to increase at this time.

The applicant wants to do its own landscaping plan without being required to send it through a certified landscape architect.

The stormwater volume controls waiver is necessary because the land doesn't percolate well. A design of an underground closed piping system is proposed, but the applicant can't meet the volume control of the stormwater. It's possible that this system can be incorporated into the community regional pond stormwater system, but that's unknown at this point.

Motion by Harlacher, second by Love, to recommend approval of the waivers as requested above: Section 22-704.B.1, additional ROW and cartway width; Section 22-720.3, Environmental Impact Assessment; Section 22-1102.2.C, landscaping plan design by a registered landscape architect; Section 19-304, stormwater volume controls. All members voted aye; motion carried.

C. S. Davidson's letter dated March 9, 2022, was reviewed. Under the Zoning section, items 1 and 3 will be removed. The applicant will address item 2, outdoor storage being completely enclosed within a 6-foot-high fence (Section 27-649.3), but for now it's an open item. Open items under the SALDO section: 1, GIS disk (Section 22-501.2.A); 2, engineer's seal, signature, date (Section 22-501.2.F); 3, owner's signature (Section 22-501.2.H); 4, identify the proposed use and confirm the parking requirements (Section 22-501.2.N.10); 5, waiver approval dates should be added to the plan (Section 22-501.2.LL); 6, provide certification from the Dover Township Municipal Authority indicating that there is available capacity for the proposed sewage flows (Section 22-502.1); 7, stormwater management plan approval (22-502.8); 8, add the PADEP code number referencing approval of the plan revision module (Section 22-601.2.L); 9, public improvement security shall be provided prior to final plan approval (22-602.1); and 10, erosion and sediment pollution control plan approved by the York County Conservation District and all required permits shall be provided (Section 22-602.4). Item 1 under General Comments is outstanding as well (add detail to the plans showing the 1¼" force main to clean-out connection; no section number referenced).

Motion by Love, second by Harlacher, to recommend approval of the Preliminary/Final Land Development Plan for Palomino Road, parcel 149B, subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: General 1; SALDO 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10. All members voted aye; motion carried.

IV. Other Business

Public comment –

A. Heidi Mease, 2711 Golf Drive, and Carmen Witmer, 6671 Old Carlisle Road were present to discuss future housing developments in Dover. They are both on the school board, but they are not here as school board representatives. The loss of Washington Township and the building of the new school are straining the funds of the school district. The problems are falling back on the Township residents. The school board members are concerned about the impact of the proposed housing developments on

the school system and area. The school board is faced with making severe and drastic cuts to the budget/programs, and no one likes or wants that. From Mr. Myers: Does the school district have metrics on what kind of development creates/brings which numbers of children? If that information is available, please provide it to the Planning Commission. Will do. Ms. Witmer noted that Dover doesn't have a large commercial base.

Mrs. Love noted that the Township put in a big effort several years ago to try to attract commercial or industrial uses, to no avail. It was noted that the transportation system is the main reason that those efforts have failed. Mrs. Love explained that the Township cannot deny residential developments.

Mr. Harlacher said that the comprehensive plan anticipates better cooperation between the Township, the Borough, and the school district. The Planning Commission's job is to listen to the citizens and make good planning decisions.

Ms. Witmer proposed that perhaps it's time to offer more over 55 housing for people who've already raised their children. Many people around here go to Lancaster or somewhere else to find that housing. Discussion was held. It's good for the school board members (even as citizens) to be aware of the decisions of the Planning Commission and vice versa. More children = increased costs, which is a concern for sure.

B. Glen Eby, 3330 Ruppert Road, was present. He has a one-acre parcel plus an adjoining ½ acre lot. He built a garage on his ½ acre plot. He was under the impression that his two lots have been joined together, however the assessment office still has the ½ acre lot as an unimproved lot. Can he take the new deed to the assessment office to have it all corrected? That way Mr. Eby would just have one tax bill, one PIN number, etc. He would need a letter of support from the Township, which is no problem. Attorney Baranski will see to that.

Mr. McLucas made a push for the CAP-COM ordinance which would certainly apply in this case. Discussion was held on the use of the ordinance, costs that might be involved, procedures, etc. The idea is good, to make it easier for residents such as Mr. Eby to accomplish his goal of combining his two adjoining lots for a minimum of cash outlay. It's very important both now and for the future that any parcels involved have been surveyed, either at the time of the proposal or as part of a fairly recent subdivision so that everyone is sure that the calculations are sound. It's not just a matter of redrawing the lots and removing the common lot line. But neither should it require a long and involved process to accomplish a rather simple lot combination.

V. Ordinances

A. Planned Residential Development

Staff is currently developing this ordinance.

B. Common Ownership Merger

Staff is currently developing this ordinance. Discussion held above.

C. Short-Term Rentals

Staff is currently working on a draft ordinance

D. Tiny Homes – *tabled for now*

E. Livestock in Residential Zones -- *tabled for now.*

VI. **Correspondence**

None to report at this time.

Mr. McLucas appreciated the school board members' appearance and questions here tonight. It's definitely a good idea to have the school board members be aware of what plans/proposals are before the Planning Commission.

Also from Mr. McLucas, tonight was the first time that the Planning Commission saw/heard the Palomino Road plan that Mr. Johnston presented. Mr. McLucas voiced that he felt a bit uncomfortable with the speed of the review and recommendation. He noted that the Planning Commission has 90 days within which time to make a recommendation. He wants the plan to be adequately reviewed. Attorney Baranski urged Mr. McLucas to speak up if he feels uncomfortable. Mr. Harlacher felt that the minor changes that Mr. Johnston made to the plan tonight (removing the tavern proposal and patio) were slight enough for the Planning Commission to make a recommendation, even though it was the first time the Planning Commission saw it. Mr. McLucas just wants the health, safety, and welfare of the residents to be paramount for the Planning Commission to consider.

Further discussion was held on the number of students that are within the school district, the numbers being reduced since the 1970s. If the number of students is decreasing, why was a bigger school needed?

The next meeting will be held on Wednesday, April 6, 7 p.m.

Motion by Harlacher, no second, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:26 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary