

Dover Township
Planning Commission Minutes
October 5, 2022

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:01 p.m. Members present: Anthony Pinto, Eric Harlacher, Justin Bigham, Mark Miller, and alternates Stephen Stefanowicz and Monica Love. Also present: Solicitor John Baranski, Zoning Officer John McLucas, Engineer Terry Myers, Recording Secretary, and 16 citizens.

I. **Minutes**

Motion by Miller, second by Harlacher, to approve the minutes of the meeting of September 7, 2022. All members voted aye; motion carried.

II. **Zoning Cases**

None this month.

III. **Plans**

A. PL 22-10, Final Land Development Plan and Lot Consolidation; Wawa Convenience Store dispensing fuel, 2941 Carlisle Road; Commercial District

From the audience, Bill Rankin, 2131 Pine View Circle, has concerns about noise, buffering, possible pedestrian trespass, lighting at night, and traffic on Hilton and Poplars. The Wawa store will be adjacent to the Rankin property. Chairman Hoffman noted that the Planning Commission and Zoning Hearing Board try to address all of these concerns.

Wayne Weaver, 2170 Pine View Circle, has the same concerns as Mr. Rankin.

Deb Byerts, 2160 Pine View Circle, had the same concerns, especially about the possibility of people cutting through their yard to get to the store.

From the Zoning Hearing Board meeting, the lighting variance was withdrawn; the ZHB granted the variance request for the quantity of free-standing signs; *denied* the variance request for total sign square footage; and *denied* the variance request for wall sign in excess of 30SF.

Present on behalf of the applicants: Attorney Keith Mooney; Matt Hammond, Traffic Engineer; Mike Murphy, and John Alejnikov, project engineer. Mr. Alejnikov gave an overview of the project to refresh everyone's memory. No access from Carlisle Road (no PennDOT approval for an access here); only accesses are on Hilton and Poplars. Thick buffer and berm proposed to the rear (near Pine View Circle) to mitigate sound and light. Light trespass is .3 footcandles, well below the permitted 3.0 foot-candles/lumens. Also proposed is 6' vinyl fencing to the rear property line to prevent pedestrian foot traffic onto Pine View Circle properties. Ideally, the new fencing will generally match the existing fencing that the neighbors have. Proposed vegetation on the berm: mix of deciduous and evergreen plantings. The neighbors will see the fencing and vegetation. Mr. Alejnikov showed the landscape plan, which includes lots of plantings as required by the ordinance. Mr. Miller feels that the ordinance must be changed to include different plantings and to permit the applicants a bit more leeway to make sensible

choices. Some of the residents requested Leyland Cypress trees. The applicants are willing to work with the Township to make good choices, even if it means requesting a waiver from the absolute requirements of the landscaping ordinance to be granted some leeway in planting choices.

Mr. Weaver wants full screening right away. Ms. Byerts said that some of her shrubs will be removed for visibility reasons and the applicant has offered to install some fencing on her property. Mr. Murphy assured Ms. Byerts that this will indeed happen.

Attorney Mooney noted that the applicants will discuss the screening situation with Mr. Miller and the neighbors to make everyone happy.

Re: any lighting concerns, there is no lighting that leaves the property. How about the sign on the rear of the building? The concern is that the neighbors will be able to see that at night. The light may not leave the property, but there's no way to prevent the neighbors from seeing the light. All true.

Re: noise – the applicant will need to comply with any and all noise ordinances.

It was noted that customers will enter and exit at the front of the store. Loading and deliveries are at the side of the building, gas drops will be toward Carlisle Road. How about a fuel truck accessing the site? Mr. Hammond assured the public that a large vehicle will indeed be able to access the site. He doesn't feel that the Hilton/Carlisle Road intersection needs to be improved, partly because there won't be enough truck traffic to warrant it. Nor will there be enough traffic to warrant a dedicated left-turn lane from Carlisle Road, per Mr. Hammond. This is according to PennDOT's traffic counts. Traffic flows will increase to and from Hilton and Poplars, of course. Discussion was held on the volume of traffic that exists currently and the fears that the volume will increase with the Wawa installation. Attorney Mooney noted that the applicant took into account that the majority of the anticipated traffic is already on the road. Some audience members feel that tractor trailers making the right turn from Carlisle Road onto Hilton cannot make the turn without going into the turning lane. Modifying the corner would involve moving utilities and stormwater concerns, so that's not really an option, but the applicant will check to see if there's anything that can be done.

Mr. Pinto noted that the traffic concerns on Carlisle Avenue predate this application for sure. It was noted that delivery trucks are onsite during off-peak hours.

Mr. Myers will bring all these traffic concerns to the traffic engineer who is reviewing this application.

Gina Myers asked about grading and stormwater. The applicant is required to comply with the state and township requirements. Rite Aid gets flooded regularly; the fear is that it will get worse and will chase that store out of the Township. It was noted that with the stormwater measures that are proposed with this application, the drainage situation on this entire site should be vastly improved, so Rite Aid will likely benefit from the applicant's work on this site.

Are there external speakers at Wawa? Any music at the gas pumps? Unknown at this time, but doubtful.

Waiver requests:

Section 19-301.11, to permit the embankment of the stormwater management facility to be situated within the building setback;

Section 22-709.10, more than one point of access/egress to the property;

Section 22-710.5, to permit crosswalks to be less than 12' wide (proposing 6-8' wide, ADA compliant);

Section 22-712.2.J(2), to permit cut and fill slopes to exceed 20% within 20' of adjoining properties (at the rear of the property);

Section 22-713.2.H, to permit sewer laterals and their clean-outs to be located under driveways, access drives, or parking areas;

Section 22-713.3.E, to permit water services to be located under driveways, access drives, or parking areas;

~~Section 22-721, to not install sidewalks on both sides of Hilton Avenue and Poplars Road; this waiver request was withdrawn tonight, as it's not needed;~~

Section 22-1003 and 19-308.3.A.(3), to permit the side slopes of a stormwater management basin to be steeper than 4:1;

Section 22-1103.12.D, to permit less than 10% landscape area within the parking lot;

Section 26-212.1.A, to permit underground storage tanks within the Wellhead Protection Zone 2. This hearing is currently in progress with the Board of Supervisors as the applicant presents proof that proper safety procedures are in place. *Let this hearing process play out before the Planning Commission makes a recommendation.*

The Planning Commission members don't have a problem with any of the waiver requests. Chairman Hoffman said that the type of underground tank that is proposed is new to him.

IV. Other Business

Public comment – nothing further.

V. Ordinances

Review and comment on Ordinance 2022-02, Planned Residential Development
Chairman Hoffman recused himself from voting on this ordinance as he has an interest in it. Attorney Baranski gave the updated information to the draft of the PRD ordinance. These revisions were added since the last Planning Commission meeting. The ordinance has been advertised and a public hearing will be held prior to adoption. Mr. McClucas recommends removing U, Public/Semi-Public Facilities and Uses from the ordinance (page 9, under 2, Commercial Uses) because it won't expand the tax base. Also, remove A, child day care (large or small) (page 9, 2. Commercial Uses), because that would be covered under T, Care Facilities. Mr. Miller suggested that a garden center be added as permitted. Or is that covered under J, retail sales and services?

Motion by Miller, second by Harlacher, to recommend the removal of A and U (as referred to above) and add Garden Center. Four members voted aye; *Hoffman abstained*. Motion carried.

Attorney Jeff Lobach, for the applicants, has no problem with any of the changes proposed tonight.

Mr. Bigham questioned the maximum percentages of each housing type. He wondered if the first two types could be overly large, percentage-wise, with the third remaining type as a very small percentage. He's afraid that permitting a very small section of one residential type doesn't meet the intent of the ordinance. Should a minimum be included to prevent this from happening? How about in Section 27-1311,

Mix of Housing Types, *[change the second #3 to #4]* so [new] #4 should read “The PRD shall have a minimum of three (3) housing types, with no one type being less than 15%.” *[add underlined language.]* OR should it be included with paragraph 2, to leave it up to the Board of Supervisors to waive this requirement if asked by an applicant?

Motion by Pinto, second by Bigham, to recommend that the Board of Supervisors consider the PRD ordinance with the following revisions: stipulate some sort of minimum numbers for Section 27-1311, paragraph 1; and to revisit Section 27-1311, Mix of Housing Types, paragraph 2. Four members voted aye; *Hoffman abstained*. Motion carried.

Motion by Bigham, second by Miller, to consider a minimum housing type of 15% for each. Comment from Attorney Lobach: 15% is too much. Vote: Two members voted aye; *two members voted nay; Hoffman abstained*. Motion failed.

On Page 13, can the parking be reviewed as a group so that the spaces can be shared? Yes.

Motion by Miller, second by Bigham, to recommend approval of the PRD ordinance with the recommendations referred to above (consider a minimum for housing types (paragraph 1 in Section 27-1311 AND revisit the same section, paragraph 2). Four members voted aye; *Hoffman abstained*. Motion carried.

VI. **Correspondence**

YCPC letter of regional significance; Cloverleaf Business Park in Conewago Township; more than 100 trucks/day; industrial development larger than 100,000SF floor area

From Mr. McLucas: he’s impressed that Wawa is working well with the adjoining neighbors to mitigate their concerns. This is what should be happening between commercial/industrial partners, neighbors, and the Planning Commission. It was good that the Planning Commission addressed the public’s concerns tonight.

The next meeting will be held on November 2, 7 p.m.

Motion by Pinto, second by Bigham, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:56 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary