

Dover Township
 Planning Commission Minutes
 December 7, 2022

Chairman Wayne Hoffman called the regular Planning Commission meeting to order at 7:03 p.m. Members present: Anthony Pinto, Eric Harlacher, Justin Bigham, Mark Miller, and alternate Stephen Stefanowicz. Absent with prior notice: alternate Monica Love. Also present: Solicitor Charles Rausch, Zoning Officer John McLucas, Engineer Cory McCoy, Recording Secretary, and 13 citizens.

I. **Minutes**

Motion by Miller, second by Pinto, to approve the minutes of the meeting of November 2, 2022. All members voted aye; motion carried.

II. **Plans**

- A. PL 22-14 – Buchmeyer’s Pools Inc., revised Preliminary/Final LD Plan for 17,500 SF contractor’s office; 1701 Hilton Avenue, Commercial Zoning District

William Pompeii, K & W Engineers, 2201 North Front Street, Harrisburg, was present on this application, for which he is looking for conditional approval. This plan was approved in 2020, same basic footprint (smaller building, larger parking), originally approved as a wholesale facility. Stormwater same, same access from Hilton. More than enough parking. Contractor’s office building proposed, so it will be a new use than was previously approved.

Same waivers requested as in the previous plan. Waivers requested:

- 1--Section 19-301.13, stormwater management facility dewatering time;
- 2--Section 19-308.3.A.3, stormwater management basin side slopes;
- 3--Section 22-501.2.O, location and identification of existing features within 400’ of the property;
- 4--Section 22-501.2.W, location and identification of existing or proposed streets within 400’ of the property;
- 5--Section 22-709.7, maximum access drive widths;
- 6--Section 22-712.2.J.2, cut and fill slopes within 20’ of adjoining properties;
- 7--Section 22-713.2.H, placement of sanitary sewer laterals under parking areas;
- 8--Section 22-720.3, submission of an environmental impact assessment report by third party consultant;
- 9--Section 22-704.B, additional cartway width for urban collector; *withdrawn below*.
- 10--Section 22-710, sidewalk along Hilton Avenue; *withdrawn below*.
- 11--Section 22-711, curb along Hilton Avenue, *withdrawn below*.

How about coordinating the proposed PRD with this project for the Hilton Avenue area? Staff recommendation is to require the standard six-month note for this plan; then deal with the PRD when it comes to fruition. Likely at that time, this project’s sidewalks/curbs will be installed when the PRD’s sidewalks are put in.

The applicants are hoping to move in for the 2024 season, so as soon as possible to begin construction would be great. There will likely be three or four employees who will be onsite all day. Twenty or so trucks to be parked there; drivers arrive in personal vehicles and park, then drive the trucks offsite.

Doesn't make sense to approve the waivers but it doesn't make sense to have them do all the improvements, either, with the PRD coming into the area in the future. So, then waivers 9, 10, and 11 above will be withdrawn, per the request of Mr. Pompeii tonight, based on the existence of the six-month notes for cartway width, sidewalks, and curbs.

Motion by Harlacher, second by Bigham, to recommend approval of the waivers (1-8 above and from the C. S. Davidson letter dated December 7, 2022) as requested by the applicant. All members voted aye; motion carried.

C.S. Davidson's letter dated December 7, 2022, was reviewed. Outstanding items: SALDO 1, GIS disk (Section 22-501.2.A); 2, engineer's signature and seal (Section 22-501.2.F); 3, owner's signature (Section 22-501.2.H); 4, approval of Erosion and Sedimentation control plan (Section 22-602.4); 6, public improvement security (Section 1201.1); 7, address all Fire Marshall comments; 8, address all Public Works Director comments; 9; Township water staff approval; General 1, revise storm sewer profile I-10 to I-2B to show and label all pipes and structures within the storm sewer run; and 2, provide the clay core detail on the land development plan. Also: discussion was held on **Note 6 on the plan and whether it should be amended to remove any reference to sheet 10 details and only reference Township construction materials.** Yes, go with it.

Motion by Harlacher, second by Pinto, to recommend approval of the Preliminary/Final Land Development Plan of Buchmyer's Pools subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: SALDO 1, 2, 3, 4, 6, 7, 8, 9; General 1, 2, AND the amendment of Note 6 on the plan as referred to above. All members voted aye; motion carried.

B. PL 22-15 – 3966 Carlisle Road (Mavis Tire), final 2-lot subdivision and lot consolidation; Commercial Zoning District

Brian Focht, C2C Design Group, was present on this application to subdivide one parcel into two lots. Lot 1 will be the Mavis location; Lot 2 will be a commercial building lot a little over two acres (but will remain vacant). Waiver request: Section 22-501.2.O, existing significant man-made features.

Discussion was held on the access onto Route 74. The small piece of land at the rear of the Mavis lot was acquired from the neighbor, giving the rear of the lot (proposed Lot 2) road frontage onto Palomino Road. Mr. Pinto is concerned that the traffic is being directed to Route 74. Can they add a *secondary* access, onto Palomino? That would involve permission from the use on Lot 2. Chairman Hoffman's point is that this should be done now, while Mavis (or whoever) owns Lot 2 and has total control over what happens on that lot.

Ed Davis (engineer) was also present to indicate that Mavis isn't a high-volume traffic maker. The applicants want access to Route 74 for the tire store. That, of course, depends on PennDOT. However, it would be advisable to provide access to Palomino and the signaled intersection for ease of turning north onto Route 74. Delivery trucks

would likely appreciate that rather than trying to make a left turn onto 74. Can the access easement from Palomino (behind the adjacent lot) be extended to the rear of the Mavis lot? The Planning Commission is trying to help the applicant *and* help the residents of the Township. For the proposed Lot 2, access onto Palomino would likely be appreciated. Is Mr. Davis opposed to this increased access? He feels that PennDOT will not look favorably on that scenario because Lot 2 traffic may well exit onto Route 74, increasing the traffic numbers onto 74. Look at the existing easement agreement to see what it says/provides.

Mr. Davis requested that this plan be *tabled* until further information can be obtained. Good idea.

The waiver request was discussed. Mr. McCoy would like to see the existing features included on the plan.

III. Zoning Case

A. ZHB 22-3, Request for Variance by KNG Equity, LLC, to permit construction of a 3-story multi-family dwelling with a maximum height exceeding 35' and 2.5 stories on property located on Fox Run Road, Thunderbird Terrace, R-4 Residential Zoning District

Attorney Stacy MacNeal and Eric Johnston were present on this application. This is a 73-acre property with large portions undeveloped. The proposal is to subdivide 6.76 acres off along Fox Run Road to construct a 54-unit multi-family dwelling.

Variance request for *an average of 36'* high building, three stories on the back. The variance would be *di minimus*, as the requirement is 35'. The reason for this proposal is to concentrate the density and keep the residential use away from the steep slopes and flood plain area. Parking requirements will be met, as will the rest of the requirements. There will still be plenty of open space for the rest of the Thunderbird Terrace development.

The front of the building will be two stories; the back will be three stories to take advantage of the slope of the land. This design will certainly be in keeping with the character of the neighborhood, which has all sorts of residential styles. Attorney MacNeal noted that this application is her client doing due diligence to see if this project is even feasible on this site. There's no guarantee that the project will go through. Mr. McLucas noted that the problem for the Zoning Hearing Board may well be the increase from 2.5 stories to 3 stories. The applicant might want to contact the fire chief before the Zoning Hearing Board to be assured that the building will be accessible in the event of a fire. The hardship is created by the slope of the land, where the rear of the building is proposed. What if the third story disappeared? About a third of the apartments would go as well, as would much of the parking. However, the building would still need to be the same height because of the slope of the land.

Motion by Harlacher, second by Miller, to recommend approval of the Variance request by KNG Equity for maximum height exceeding 35' and 2.5 stories to a maximum average height of 36' and three stories maximum. Discussion was held on the possibility of the ZHB denying this application. Is the Planning Commission in favor of amending the ordinance requirement to permit 3 or 4 story-building in the residential zone? *Vote on the motion:* Four members voted *aye*; *Bigham opposed*. Motion carried.

IV. **Other Business**

Public comment – Craig Srebnik, 3250 Schoolhouse Road; potential subdivision requirements

Mr. Srebnik purchased this property, had it surveyed, and discovered that it's not actually square. He spoke to the neighbor, who owns the sliver of property that Mr. Srebnik thought was his. He wants to square up his lot so that any rows of trees, etc., he plants is more esthetically pleasing, plus it gives him a little more room around the garage and other outbuilding. The neighbor will gladly sell Mr. Srebnik the piece of land.

Was the property cut the way it is because of the maximum lot size requirement? Adding this piece to Mr. Srebnik's property will put his property over two acres, which is the maximum permitted in the Ag zone. Was it diagrammed this way to accommodate a septic system area? Hmmmmmmmm...

Does the applicant have any idea what it will cost to go through this process? More than he wants to spend? Minimum of \$5K. Might he just ask the neighbor if he can rent that sliver? Possibly. Ask the surveyor how much land would have to be juggled around to keep his property at 2 acres. Or he could go to the Zoning Hearing Board to request a Variance. Or he could do nothing. Options abound.

Traffic assessment for Hilton/74/Poplars – remaining on the agenda – still a work in progress. Discussion was held. Mr. Pinto asked where the PRD is proposed – Hilton and Bull Road. How's that going to affect the traffic that the Planning Commission was talking about tonight at the Wawa location? Might that trigger a traffic study? Possibly.

Does subdividing ever trigger rezoning? Whatever is subdivided from the parent tract must remain the same zone as the parent tract.

V. **Ordinances**

Nothing discussed tonight.

VI. **Correspondence**

Nothing at this time.

The next meeting will be held on January 4, 2023, 7 p.m.

Motion by Harlacher, second by Miller, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:57 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary