

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
March 27th, 2023**

The Dover Township Board of Supervisors for Monday, March 27th, 2023, was called to order at 6:59 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors' present were Charles Richards, Stephen Parthree, Michael Cashman, and Robert Stone. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Charlie Rausch, Township Solicitor; John McLucas, Planning Director; Terry Myers, Township Engineer; Corey McCoy, CS Davidson; and Brooke Scarce, Township Secretary. There were 2 members of the public present.

This meeting is being recorded for the purpose of minutes only.

APPROVAL OF THE REGULAR BOARD OF SUPERVISOR MINUTES FOR MARCH 13TH, 2023

Motion by R. Stone and seconded by S. Parthree to approve the Regular Board of Supervisor Minutes from March 13th, 2023, as presented. **Passed** with 5 ayes.

TREASURER'S REPORT

APPROVAL OF THE MARCH 17TH, 2023 WARRANT IN THE AMOUNT OF \$184,318.50
APPROVAL OF THE MARCH 17TH, 2023 WARRANT IN THE AMOUNT OF \$30,033.75
(EAGLE VIEW)

APPROVAL OF THE MARCH 17TH, 2023 WARRANT IN THE AMOUNT OF \$5,298.78
(2020 BOND)

APPROVAL OF THE MARCH 20TH, 2023 WARRANT IN THE AMOUNT OF \$3,731.39
(LIQUID FUELS)

Motion by S. Parthree and seconded by C. Richards to approve the above referenced warrant totals, as presented. **Passed** with 5 ayes.

PUBLIC COMMENT

None were noted.

ENGINEER'S REPORT, T. MYERS

T. Myers stated he does not have any action items but provided a written report with an update on all the projects to the Board.

ZONING OFFICER REPORT, J. MCLUCAS

J. McLucas stated the Planning Commission reviewed the sketch the plan February 1st. Some layout changes have been made and came back for an updated review on March 1st.

Trey Elrod from Gordon L. Brown Associates stated that Phase III is a continuation of Phases I and II which are currently under construction. Phase III is roughly 16-17 acres which will consist of 54 units and 6 buildings. There will be a designated stormwater management area as well as stormwater management under the parking lot which is similar to the previous phases. There will also be a walking path in Phase III which will then also connect to the other phases. There are two general comments from CSD which are as follows; Dwelling units shall be located at least 100' from environmentally sensitive areas §22-403.E, a buffer yard of not less than 20' shall be provided by a multi-family use with abutting single-family residential use §22-721.2, and multi-family development requires Buffer Planting Strip #1 along adjacent sing-family residential use §22-1103.11-1.

J. McLucas stated that the pedestrian walkway was previously proposed to be on the southern portion of Intermediate Avenue, which is now being relocated to the northern portion of Intermediate Avenue.

T. Elrod stated that during the Land Development Plan they expect discussion on the pedestrian path. The change has not been finalized yet because it has not been determined as to which way it is wanted. The sketch plan currently shows that the pedestrian walkway can be constructed on the North or the South portion of Intermediate Avenue.

S. Stefanowicz questioned if the sketch plan will meet the agreed criteria of the road, the roundabout, and the property owners.

T. Myers stated that what is being shown is just a sketch plan, during the land development plan is when a detailed plan will be presented.

J. McLucas stated that the sketch plan provides an idea of where environmentally sensitive areas are and where the buildings will be.

C. Richards questioned if there would be more buildings than they had originally planned to have.

PL 23-1 (Sketch)- Revised- Dover Highlands Phase III 4- Step Conservation by Design- 54 Unit Multi- Family Development- Intermediate Avenue- R4 District

J. McLucas stated that Phases I and II proposed 180 units, but this has been amended from 12 units per building to 8 units per building. So, the density of Phase I and II has decreased.

T. Elrod of Gordon Brown Engineering, stated that Phase III buildings will have 9 units per building.

C. Richards questioned what screening will be provided where the greenhouses are located.

T. Elrod stated there will be screening provided per the ordinance requirements.

J. McLucas stated the Township is currently going through a zoning update and it was planned for this parcel to be rezoned to commercial,. The developer is well ahead of their phasing timeline. There were waivers that were granted as well as a developer's agreement for this parcel The Rezoning of the land was part the discussion during the process of determining the waivers and agreement language.

R. Stone questioned why the developers were unable to maintain what was originally contemplated for the property.

T. Elrod stated that he was not involved in the developer's agreement, however, they office was never involved in designing any commercial component to the property. From his understanding, in the previous comprehensive plan the property was supposed to stay zoned residential.

J. McLucas stated that the Township went through the comprehensive plan in 2020. The future land use map was updated to include that property to become zoned commercial.

Jayne Katherman from Barley Snyder stated that she was minimally involved in the early negotiations of the developer's agreement. While she agrees that making that land commercial was contemplated, it is not a part of the agreement.

T. Myers stated that there was discussion with the owner at that time. However, ownership of the property has since changed.

S. Stefanowicz questioned of the 17 acres how much was intended to be rezoned commercial.

T. Elrod stated that the total parcel is about 53 acres.

T. Myers stated that rezoning for that parcel was everything north of the gas line.

S. Parthree questioned what is the timeline for the road to be completed.

T. Elrod stated that the construction for Phase III would start within a year and the road would be the first thing that goes in and would go up to where Intermediate Avenue Extended would start.

C. Rausch questioned why the zoning would be changed for that area if it's going to have a residential use on the parcel.

J. McLucas stated that a portion of that parcel was designated future commercial use in 2020. If the plan did not exist, it would become a commercial zone.

Manager Oswalt stated that if the developer finds it more advantageous to develop the property as commercial, the Township would be in favor of that idea.

T. Myers stated that the developer meets all the requirements for the R4 zone.

J. McLucas noted that there was an approved timeline as part of Phase I and Phase II which showed that Phase III would not be constructed until 2026.

C. Rausch stated that the phasing schedule is if they need more time, but they are currently ahead of schedule so he is unsure if they can stop the developer by saying they are too early.

T. Elrod stated they would be willing to discuss this matter during the land development process but as of right now they are seeking approval of the sketch plan which based on the present zoning.

C. Rausch stated the approval of the sketch plan is a required preliminary step per Township Ordinance.

T. Myers stated that the sketch plan is to identify all of the environmental features of the site and then it can proceed to preliminary and final plan approval.

Motion by S. Parthree and seconded by M. Cashman to approve PL 23-1 (Sketch)- Revised-Dover Highlands Phase III 4- Step Conservation by Design- 54 Unit Multi- Family Development- Intermediate Avenue- R4 District, as presented. **Passed** with 4 ayes and 1 nay with R. Stone voted in the negative.

TOWNSHIP MANAGER REPORT, L. OSWALT

Approval of Change Order #1 for Eagle View Park Phase 1 Park Improvements in the amount of \$2,198.00 to York Excavating Co., LLC.

Manager Oswalt stated that there was rock found when digging the footers for the pavilion.

Motion by C. Richards and seconded by S. Parthree to approve Change Order #1 for Eagle View Park Phase 1 Park Improvements in the amount of \$2,198.00 to York Excavating Co., LLC, as presented. **Passed** with 5 ayes.

Approval of Change Order #2 for Eagle View Park Phase 1 Park Improvements in the amount of \$6,480.00 to York Excavating Co., LLC.

Manager Oswalt stated that when the pavilion kit was being constructed by the contractor, it was discovered that trusses were not correct from the manufacturer and there was also wood that was not supplied in the kit. Those items had to be replaced and there was extra work required by the contractor, which resulted in the change order. She noted that the manufacturer will be reimbursing the Township for these additional expenses.

Motion by S. Parthree and seconded by M. Cashman to approve Approval of Change Order #2 for Eagle View Park Phase 1 Park Improvements in the amount of \$6,480.00 to York Excavating Co., LLC, as presented. **Passed** with 5 ayes.

Acceptance of Steven Barkdoll's resignation from the Dover Township Zoning Hearing Board.

Manager Oswalt stated that since he was a full time member of the Zoning Hearing Board his position needs to be filled by the alternate which would be Gina Myers. This matter will be placed on the next meeting agenda for action.

Approval of the following Payment Application Request for the Dover Township Volunteer Fire Department Dorm Project.

- a. **Payment Application #3 to Myco Mechanical, Inc. in the amount of \$4,050.00**
- b. **Payment Application #1 to SSM Industries, LLC. in the amount of \$38,096.91**

Motion by C. Richards and seconded by S. Parthree to approve Payment Application #3 to Myco Mechanical, Inc. in the amount of \$4,050.00 and Payment Application #1 to SSM Industries, LLC. in the amount of \$38,096.91, as presented. **Passed** with 5 ayes.

Authorization to draft ordinance revisions to Chapter 26 of the Code of Ordinances with regard to Water Disconnection of Service.

Manager Oswalt stated that there was recently a circumstance where a resident disconnected from our public water system and hooked back up to their well. Due to the location of the house on the property by comparison to the water main, the house is not in the required 150 feet distance for our mandatory connection. Unlike the sewer section of chapter 26, there is no language that can force the property to obtain a permit, an inspection, and meet our specifications for the disconnection. Section 26-13 building sewer connection states no person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any sewer system without first making application for a permit, in writing, from the Township.

Motion by R. Stone and seconded by C. Richards to authorize the drafting of an ordinance revising Chapter 26 of the Code of Ordinances with regard to Water Disconnection of Service, as presented. **Passed** with 5 ayes.

PUBLIC WORKS DIRECTOR REPORT, M. FLEMING

M. Fleming stated that the bridge on Clearview Road has been removed. The county gave notice that their contractor will start work on the bridge located on Schoolhouse Road starting April 3rd. The state has also given notice that they are going to start bridge work on Colonial Road starting mid-May and the bridge will be closed for about 4 months.

It was noted there is going to be a period of time over the summer months when Schoolhouse Road is going to be the only option in and out for part of the Township.

M. Fleming stated that there was a sewer main at the Wastewater Treatment Plant that comes in from Conewago Township that backed up. There sewage on the Township property, DEP was on site, Conewago Township's Sewer Authority contractor and engineer were also on site. The Township staff cleared the blockage and the following day there was a contractor who sucked up the raw sewage that was on the ground.

RECREATION DIRECTOR'S REPORT

Manager Oswalt stated the following event is upcoming for Dover Township Recreation:

Adult Flashlight Egg Hunt- April 7th, 8:30 pm at Brookside Park

BunnyFest- April 8th starting at 1 pm at Brookside Park

MS4 UPDATE

Manager Oswalt reported that a Joint Public Education Session will be held on April 13th, 2023, at 6:30 PM at the Dover Township Offices. The topic is "A Homeowners Guide to Stormwater Management".

OLD BUSINESS

2020 Joint Comp Plan

COMMENTS FROM THE BOARD

C. Richards stated the Fire Dorm Project is coming along very smoothly.

S. Parthree stated that there has been a lot of vandalism at the parks, and he would like the culprits to be held accountable. Having cameras in the parks is vital to ensuring that occurs.

COMMENTS FROM THE PUBLIC

M. Miller from 4912 Harmony Grove Road questioned if his property will be changed to commercial once the rezoning revisions have been completed. There are concerns about the parcel staying as it is due to Dover Highlands possibly staying residential.

Manager Oswalt stated his parcel is already connected to commercially zoned parcels so it would not be an issue for the rezoning to occur on his property without a change to the Dover Highlands parcel.

M. Miller noted that the communication through the Savvy Citizen App is excellent.

With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 7:56 PM and the full Board of Supervisors then entered into an Executive Session to discuss the Lexon litigation.

Respectfully submitted by: Brooke M. Scarce

Brooke M. Scarce, Township Secretary