

Dover Township
Planning Commission Minutes
April 5, 2023

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

It was noted that Mr. Pinto will be a voting member tonight in Mr. Bigham's absence.

I. **Minutes**

Motion by Miller, second by Love, to approve the minutes of the meeting of March 1, 2023. All members voted aye; motion carried.

II. **Plans**

A. PL 22-17, 2-lot Final Subdivision Plan, 4881 Paradise Road; Ag district
No one was present on this plan. Discussion was held on whether this plan should be presented since no one was here. The Planning Commission members feel that the applicant should show up to present the plan. **Motion** by Harlacher, second by Love, to *table* the Final 2-lot Subdivision Plan of 4881 Paradise Road. All members voted aye; motion carried.

B. PL-23-2, 2-lot Subdivision Plan, Fox Run Road, parcel 153, Thunderbird Terrace; R4 District

Eric Johnston was present on behalf of the applicant. This plan was before the Planning Commission in December 2022. The applicant was granted a Variance by the Zoning Hearing Board on the building height. This subdivision splits this portion from the mobile home park. A land development plan will be presented at a later date.

C. S. Davidson's letter dated March 31, 2023, was reviewed. Outstanding items: SALDO 1, GIS disk (§22-501.2.A); 2, engineer's seal, etc. (§22-501.2.F); 3, owner's signature, etc. (§22-501.2.H); and 4, ROW is proposed to be dedicated to the width of 30' from the centerline of Fox Run Road. The applicant has provided a statement by the owner offering dedication of ROW for public use. The note and dimension referencing the 30' dedicated ROW shall be corrected accordingly (§22-601.2.J); General Comments 1 water service and sanitary sewer lateral connection is not necessary with this subdivision plan and therefore no public improvement security is required at this time. The applicant shall delete general note 7 and the references on the plan view and legend to any public improvements (proposed water and sewer); and 2, remove the callout stating, "Provide 8' road widening at end of radius."

Is there a Planning Module associated with this plan? Mr. Johnston said that there's a non-building waiver on the plan. Also, the sewer easement will be expanded a bit.

Motion by Harlacher, second by Love, to recommend approval of the Subdivision Plan for parcel 153, Thunderbird Terrace, subject to the satisfactory resolution of the following open items from the C. S. Davidson letter referred to above: SALDO 1, 2, 3, 4, and General 1 and 2. All members voted aye; motion carried.

III. **Zoning Cases**

- A. ZHB 23-1, Solar Renewable Energy, LLC; update – hearing was continued to April 19 to render decision. FYI only!

- B. ZHB 23-2, Investment Real Estate, LC, 3025 Carlisle Road; Commercial District; Special Exceptions for proposed “Moove In Self-Storage” facility; and Variance request for required parking.

Glen Williams, 320 N. George Street, York, and Lena Barone of French and Parrello, New Jersey, were present on behalf of the applicant.

The applicant would like to convert the existing former grocery store at 3025 Carlisle Road into a self-storage facility. A building and parking lot are existing. They will keep the building, expand to the side, and add another story onto that expansion. There are existing non-conformities such as impervious coverage. This will be a climate-controlled building. Typical unit size is 10 x 10 or 10 x 20. They are requesting a parking Variance for reduced parking. The access onto Carlisle will be abandoned. There will be 630 units. Two staff members will need parking spaces. Parking requirements by the ordinance far exceed any customers per day. Their traffic data supports this assertion. In a similar area in Lititz, there were six customers on a weekday and five customers on a weekend day. The applicant feels that their proposed 19 spaces will be plenty. Mrs. Love had a concern that the data was provided from February, which is not a common month for moving, etc. No tractor trailer traffic is anticipated.

So, what’s the hardship? Chairman Hoffman said that there’s plenty of space on the site to meet the parking requirements in the ordinance. Per Mr. Williams, using all that parking area would reduce the square footage of the building, making it unfeasible to use as a self-storage facility. However, a variance hardship cannot be financial in nature. It was noted that the ordinance was written for a typical storage facility, not one of the nature that is proposed. The applicants feel that the ordinance parking requirements are more generous than they need. Per Mr. Baranski, this is the new way of self-storage with interior access as opposed to one outside door per unit, like the traditional style. It was suggested that the RV parking might be better located behind the units so as not to spoil the attractive look of the proposed building.

Per Mrs. Love, it might not be a good idea to have the large uncontrolled access from Hilton.

Two issues: must meet all the special exception requirements and convince the ZHB that the applicant doesn’t need all the required parking spaces. However, as Mrs. Love brought up, perhaps the parking spaces don’t need to be actually lined but just provided and available. Usually, with storage facilities, the parking spaces aren’t even lined off, but the area is there. That would give the applicant the ability to say that they can indeed get close to the required number of parking spaces.

Per Mr. McLucas, this is a substantial development that has some issues/comments that will be brought up at the land development stage.

Mr. Pinto feels that putting a storage facility in this location is not a good use for this site. However, the applicant is permitted to put this use on this site. If the applicant can show that they can get close to the required number of parking spaces, Mrs. Love would be more inclined to recommend approval. Could the applicant request a waiver on having to actually delineate the spaces? Mr. Stefanowicz thinks it would be a good use to have on this site for the appearance, low traffic, and corporate income.

In the interest of full disclosure, Mr. Miller knows the owner, and Mr. Harlacher's company has worked with/for the applicant. These two gents will abstain from voting on this case.

Were there previous environmental issues on this site? Discussion was held on the history of the site and businesses in the area.

Chairman Hoffman feels that the Planning Commission just can't recommend approval of violating the Township's ordinance.

Motion by Love, second by Hoffman, to recommend *denial* of this application, as presented tonight, BUT if changes are made to show that the parking could nearly be met, perhaps the PC and ZHB could look favorably on this request for Variance. Three members voted aye; *Miller and Harlacher abstained*. Motion carried.

Regarding the Special Exception, **Motion** by Love, second by Hoffman, to recommend approval. Two members voted aye; *Pinto opposed; Miller and Harlacher abstained*. Motion carried.

IV. **Other Business**

Public comment – Attorney George Cook, Lancaster, was present on behalf of Richard J. Trees, who owns the former Meisenhelder estate on South Salem Church Road. Per Attorney Cook, the parcel in question is to be rezoned from Ag to R1, but Chairman Hoffman disputed that this change is imminent. The issue is to be discussed in another several years (2030), but for now the zoning is to remain Agricultural. Discussion was held on the implication of the Comprehensive Plan, shifting the growth boundary, rezoning, etc. Mr. Trees would like the lot to be rezoned R1, in keeping with the Comprehensive Plan's indication that this is an area for the future growth area. This tract is surrounded by high and low density residential zones. Mr. McLucas said that the reason not to rezone this parcel now for R1 is that there are other R1 zones that are available to be developed that should be used first, since they're already zoned R1. The applicant would like it to be rezoned now rather than later. It was noted that the infrastructure isn't currently there to support the rezoning now. Attorney Cook can check with Buchart Horn to check on capacity issues. Mrs. Love asked how many acres are in the solar farm or ag preservation? Perhaps 150 acres? At least three or four of the major landowners aren't going to want to develop their properties anytime soon. Attorney Cook and/or the owner can certainly file a request for rezoning. It was noted that Attorney Cook is planning to appear before the Board of Supervisors soon to get their thoughts. Mr. Stefanowicz will be able to reiterate the Planning Commission's comments.

V. **Ordinances**

None to discuss tonight.

VI. **Correspondence**

Development of Regional significance – Calamar Manchester; Manchester Township, residential development with 50 or more units

PennDOT Scoping meeting for Twofold Properties (Dottie’s Greenhouse) in Conewago Township

2022 Annual Subdivision/Land Development Plan action report -- Mr. McLucas will present this information to the Board of Supervisors. Mr. Myers explained that this information is important to track what waivers are granted if it becomes excessive; the ordinance might be amended accordingly. **Motion** by Harlacher, second by Pinto, to present the 2022 Annual Subdivision /LD plan chart to the Board of Supervisors. All members voted aye; motion carried.

From Mr. McLucas, Dover Highlands will present a plan again in May (because of a change of engineer).

The next meeting will be held on May 3, 7 p.m.

Motion by Love, second by Harlacher, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary