

Dover Township  
Zoning Hearing Board  
April 19, 2023

Chairman Jane Ginter called the meeting to order at 7 p.m. Members present: Jonathan Reynolds, Robert Wright, and alternate Gina Myers. Absent with prior notice: Richard Pope (who called in via telephone). Also present: Zoning Officer John McLucas, Solicitor Mike Craley, Attorney Samantha Craley, Stenographer Tammy Rinehart, Recording Secretary, and maybe 25 citizens.

**I. Minutes**

The minutes of the meetings of February 15, and March 15, 2023, were not addressed.

**II. Zoning Case**

- A. ZHB 23-1, Solar Renewable Energy, LLC; property at 5370 Harmony Grove Road; application for Special Exception for solar energy use

Chairman Ginter reported that the Zoning Hearing Board met in an executive session in March to discuss this application. Tonight, for the vote, Richard Pope attended by speakerphone.

**Motion** by Reynolds, second by Pope, to approve the request by Solar Renewable Energy with the following conditions: that the type of low-mow, low-grow grass to be installed be specified in the land development stage AND it will not be invasive nor will it interfere with hay growth or any other agricultural commodity grown on nearby properties, AND it will not in any way be toxic to horses or farm animals. It was also suggested that Dover Township consider requiring base-line soil tests and additional testing at certain intervals. Three voted aye; *Wright opposed*. Motion carried.

Chairman Ginter reported that Steven Barkdoll served the Dover Community for nearly 25 years, and he will indeed be missed.

Mr. Pope left the meeting (via telephone) at this time (7:05 p.m.)

- B. ZHB 23-2, Investment Real Estate, LLC.; application for Special Exceptions (Sections 27-407.5.C and 27-407.5.E; and Variance (Section 27-703.1) for property at 3025 Carlisle Road, Commercial District.

Glen Williams, 320 North George street, York; and Lena Barone, French and Parrello, were present on behalf of the applicant. These two individuals were sworn in with Zoning Officer John McLucas.

Mrs. Ginter noted that in Mr. Pope's absence, Mrs. Myers will be a voting member for this case.

Mr. Williams presented the rendering of the proposed building. He also presented a memorandum by CGA law firm.

Ms. Barone, civil engineer, reported that this site is 4.16 acres, Commercial zone; self-storage is a permitted use. The property has a vacant grocery store on it, with dual access from Carlisle and Hilton. The applicant intends to maintain existing one-story building, refurbish it and add a 2-story addition. Proposed is 99,400 SF of storage area, 630 units. They propose

closing Carlisle Road access; one access onto Hilton. There will be 9 visitor parking spaces; 10 unloading/loading spaces, plus RV storage.

Two existing non conformities; 34' setback (35' required), plus the impervious area. The applicant is requesting a parking space variance; they would need 128 spaces and propose 19 only. This parking calculation is based on other facilities such as the proposed use. This is not a typical self-storage use, with infrequent use (less than the typical). At peak time, six customers required parking in the applicant's example. They feel, based on these numbers, 19 spaces is plenty. Re: variance, not a use variance; it's a dimensional variance to not provide as many parking spaces as required.

From Attorney Craley, the Special Exception is to continue the existing nonconformities with the proposed building. They will not increase any of the existing non-conformities.

How about if the Variance is not granted? They will need to try to provide the required parking. Isn't that a better argument for requesting that the BOS to change the law?

RV/boat storage was discussed, with access from Hilton, making no changes to the existing driveway.

Leases are month-to-month; same for the large vehicles.

The site has three frontages; the rendering displays the type of building proposed.

How many parking spaces were available for the existing grocery store? Ms. Barone counted the spaces: 149 or so.

How many units are in the one-story and how many are in the two-story? Unknown. Uncalculated. Nothing physically on the property itself, there's nothing to preclude the applicant from using it as this use?

Mr. Wright is concerned about Wawa (coming across the road) using the road. The driveways are lined up across from each other.

Mr. Reynolds clarified some traffic/parking questions. Confirmed the height of the fence is 6'. What will the public see from Carlisle Road? RVs parked, but if the Township doesn't want to approve that part of this use, the applicant can leave it out. Setbacks: Hilton and three on Twin Pine. The one on Hilton should be easy to correct, per Mr. Reynolds. Yes or no? Possibly.

Mr. McLucas noted that the front setback along Carlisle should be 50'.

Mrs. Myers asked for clarification on a customer's use of the space. Enter from Hilton, face the building, left right away, then the door to the rental office is right there. Park, rent the space, and go from there. Ms. Barone showed the access points to the building for using the self-storage units. The loading area will be labeled as such. The area is wide enough to accommodate a U-Haul truck. Any security gates with locks? Yes, with access by renters with key code daily 7 a.m. to 10 p.m. or something similar. Office staff will be present during the week with regular office hours. Only emergency personnel will be granted 24-hour access. Not to customers.

The problem is that the proposed number of spaces is way less than the required number of parking spaces. Per Mr. Williams, there's never been a situation where parking has been an issue.

Lighting? Existing lights to be removed; new LEDs to be building-mounted. There will be sufficient lighting throughout the building.

Mr. McLucas clarified: 6' fence exists but is not specified on the plan. Anything higher would need a variance. Per the applicant, no problem. Also, traditional self-storage units have traffic aisles in the parking lot. Right now, the Township is in the process of updating the Zoning Ordinance to include traditional and newer type of building (climate-controlled interior units).

How full to they anticipate these units will be? They would love to have 90 percent occupancy – taking 4 or 5 years. Anyone who needs to store stuff is a candidate for renting. One elevator planned; Ms. Barone showed on the screen. Two stairwells. Plenty of room for emergency access.

PennDOT requested that the Carlisle Road access be closed. Mr. McLucas noted that there was no record of another permitted access to this old site. Concrete barriers to be discussed at Land Development Plan stage. Signs? Not really figured out yet; will comply with the ordinance OR will request relief. Probably not larger than 5' x 6'. Onsite retail store? Moving boxes and locks (moving supplies) only within the office space. No separate retail store area.

The doors to access the facility/office area/main corridor will have a keypad access. There will be designated hours of access. Access is turned off after hours, except for emergency situations.

Safety of storage area and surrounding area – lighting in the parking area? The building-mounted lights will extend into the parking area but won't light the street or neighboring properties. All interior halls, etc., are motion-sensored.

Questions from the audience? Bob Gilbert, Windemere, clarified the access. He's concerned about large vehicles making the turn, etc. He's also concerned about traffic backing up if someone's stopped at the unit and a large vehicle wants to enter. Ms. Barone is not concerned about this situation. McLucas noted that all this will come up during the Land Development Plan phase, if this is approved tonight.

From Mr. Reynolds – the 35' setback will remain asphalt? Yes, and wheel stops will be placed to keep vehicles off the area too close to the street.

There was no testimony from the audience.

Ms. Barone closed by stating this is a permitted use and will be an asset to Dover Township.

The Planning Commission made the following recommendations:

**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.

Hearing closed at 8:02 p.m.

The meeting reconvened at 8:27 p.m.

**Ruling:**

**Motion** by Wright, second by Myers, to approve the request for Special Exception to continue the pre-existing nonconformity. All members voted aye; motion carried.

**Motion** by Wright second by Myers, to *deny* the request for Variance, because the applicant failed to meet the legal standard. All members voted aye; motion carried.

**III. Other Business**

None at this time.

The meeting adjourned at 8:30 p.m. with a **Motion** by Myers, second by Wright. No vote.

Respectfully submitted,

Julie B. Maher,  
Recording Secretary