

**DOVER TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
November 13<sup>th</sup>, 2023**

The Dover Township Board of Supervisors for Monday, November 13<sup>th</sup>, 2023, was called to order at 7:03 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors present were Charles Richards, Stephen Parthree, Robert Stone, and Michael Cashman. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Charlie Rausch, Township Solicitor; John McLucas, Planning Director; Michael Fleming, Public Works Director; Terry Myers, Township Engineer; Gregg Anderson, Northern Regional Police Lieutenant; and Brooke Scarce, Township Secretary. There were 23 members of the public present.

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

Chairperson Stephen Stefanowicz announced that a Work Session was held prior to the evenings regularly scheduled Board of Supervisors meeting to discuss Butter Road.

Chairperson Stephen Stefanowicz announced that there was a local scout group present that lead the Pledge of Allegiance.

**APPROVAL OF THE WORK SESSION MEETING MINUTES FOR OCTOBER 23<sup>rd</sup>, 2023**

**APPROVAL OF THE REGULAR BOARD OF SUPERVISOR MINUTES FOR OCTOBER 23<sup>rd</sup>, 2023**

**Motion** by R. Stone and seconded by S. Parthree to approve the Work Session Minutes from October 23<sup>rd</sup>, 2023 and the Regular Board of Supervisor Minutes from October 23<sup>rd</sup>, 2023, as presented. **Passed** with 5 ayes.

**TREASURER'S REPORT**

**APPROVAL OF THE OCTOBER 30<sup>TH</sup>, 2023 WARRANT IN THE AMOUNT OF \$72,475.50**

**APPROVAL OF THE NOVEMBER 9<sup>TH</sup>, 2023 WARRANT IN THE AMOUNT OF \$209,781.26 (LIQUID FUELS)**

**APPROVAL OF THE NOVEMBER 9<sup>TH</sup>, 2023 WARRANT IN THE AMOUNT OF \$89,276.51 (EAGLE VIEW PH II)**

**APPROVAL OF THE NOVEMBER 9<sup>TH</sup>, 2023 WARRANT IN THE AMOUNT OF \$23,738.33 (2020 BOND)**

**APPROVAL OF THE NOVEMBER 13<sup>TH</sup>, 2023 WARRANT IN THE AMOUNT OF \$874,885.57**

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

## **PUBLIC COMMENT**

Wanda Stover from 1280 Butter Road stated that the neighboring trucking company is not a local delivery, according to the definition of a local delivery they do not meet the requirements. The company is not conducting business with Pro Pallet. There was also a letter of recommendation that was approved by the Board to allow compost waste which is going to increase the truck traffic on Butter Road. She also expressed concerns as to why Pro Pallet is not paying for the extension of the road at Raycom Road if they are adding an addition to the plant.

J. McLucas stated that Pro Pallet is only required to finish the road to the end of their property line.

Matt Lamparter from 4090 Bull Road questioned if Northern Regional has a DOT Officer.

G. Anderson stated that the current DOT Officer was decommissioned due to health reasons but Northern Regional does have plans to get another DOT Officer.

M. Lamparter questioned if Northern Regional is going to get weigh stations for commercial tractor trailers due to the Industrial Park growing.

M. Cashman stated that Northern Regional covers a total of 13 municipalities, Dover and Manchester being the largest areas they cover, the weigh stations is something both municipalities can think about for the future.

M. Lamparter questioned if there was another way to restrict tractor trailer traffic besides stating they are prohibited on a certain roads.

T. Myers stated that local deliveries have always been excluded from truck restrictions, you cannot put somebody out of business by not allowing certain tractor trailers on certain roadways within the Township.

C. Rausch stated that there would have to be a legally enforced reason to close off Butter Road for tractor trailers entirely. You cannot just close off a road for tractor trailers even if there is an alternative route.

M. Lamparter stated that Northern Regional made a comment at the work session stating that when the bridge on Butter Road was closed, it created problems at different intersections and was curious if there was data to back that up.

G. Anderson stated that the data regarding the bridge being on Butter Road was not collected for this meeting.

M. Lamparter stated that he would like to see the Township and Board of Supervisors push trucking companies to use the State roadways.

Lacy Geisler from 1201 Butter Road stated that after her quick research of local deliveries, the

business and the deliveries have to be located in the same metropolitan area for it to be considered a local delivery and neither of the businesses using Butter Road are making those types of deliveries.

Neil Lamparter from 1029 Butter Road stated that the information provided by the LPR reader did not include the tractor trailers that started using the roadway on Monday, October 9 at 3:30 AM, followed by a second tractor trailer at 3:45 AM, and then a third tractor trailer at 3:55 AM.

Tracey Inners from 810 Butter Road stated that since the time change, the tractor trailers have been starting at an even earlier time.

## **NORTHERN REGIONAL UPDATE**

G. Anderson stated that Northern Regional will be holding their Toys for Tots event on November 25 from 11 AM – 3 PM at their facility located at 1445 East Canal Road.

## **ZONING OFFICER REPORT, J. MCLUCAS**

### **Fence License Agreement for 2543 Brownstone Court- Matthew Grasty**

J. McLucas stated that that property owner would like to install a fence within the easement area. The property owner is going to stay out of the easement area where the drainpipe is located. The agreement states that if the fence is ever an obstruction to the easement, it will need to be removed.

Matthew Grasty was present at the meeting. There was discussion between Matthew, The Board, Terry, and John about the fence drawings presented by Matthew Grasty.

S. Stefanowicz stated that it sounds as if there has been some slight changes to the fence drawings that were previously submitted with the permit.

J. McLucas stated that there has been some slight changes, but the agreement allows for the fence to be in the easement, the easement allows the Township to move the fence for any reason, and it is also the HOA's responsibility to maintain the easement area.

**Motion** by M. Cashman and seconded by R. Stone to approve the Fence License Agreement for 2543 Brownstone Court, as presented. **Passed** with 5 ayes.

C. Rausch noted that the property owner will be responsible for the fees to prepare the agreement and the filing fees.

### **Dover Highlands Developer's Agreement- Building 5 Occupancy**

J. McLucas stated there are conditions that are tied to Building 5 occupancy and the extension of the emergency access per the developer's agreement.

Stacey MacNeal from Barley Snyder stated that she is not asking for an amendment to the developers agreement, the agreement does not indicate that the occupancy of building 5 is tied to the emergency access. However, it does indicate that the emergency access was to in place

within 8 months after the issuance of the building permit. The major modification to the NPDES permit necessary for the work has been obtained, but the authorization from Texas Eastern is still pending. The Developer's engineers have received questions from Texas Eastern indicating the application is under review, but it is still unclear how long that will take. Bids have been obtained for the work and Abel Construction was awarded the contract to complete the work. Once the approval is in hand, it is anticipated that the work could be completed within 60 days, weather permitting. Unfortunately, as it relates to the easements, the church is unwilling to meet with the developer. The church indicated that the appraisal was not suitable to them. They will continue to outreach with the church and have conversations. As to the Miller's nursery, nothing can be completed without the church's cooperation. It is her understanding that not long after the completion of this work, building 4 will be ready for occupancy with building 5 not long behind. Ultimately, from a safety standpoint it was important to the Board when entering the agreement that a time limit and the period of time until the buildings were occupied without the emergency access, however, she would note that her client is committed to moving forward and is incurring costs and fees to have the work completed. Her client is requesting confirmation that with the completion of the Stoney Lane access, the developer will be able to obtain occupancy for building 5 without final completion of the emergency access to its property line.

C. Richards stated that before they start building 6, the emergency access will need to be completed.

C. Rausch stated that at the time of the developers agreement, the emergency access was supposed to connect through Harmony Grove Road but right now it does not go anywhere without the cooperation of the church.

S. MacNeal stated that there are 2 points in and out of the development currently.

The consensus of the Board was to give authorization to move forward with building 5 occupancy.

### **Zoning Update Discussion**

J. McLucas stated the Planning Commission received a marked up draft from a resident that would incorporate some language from the County's recommended model ordinance. The entire Zoning Ordinance update will hopefully be brought to the Board at the next November meeting but would like to gain a consensus from the Board now as to where they want to allow solar farms.

S. Stefanowicz stated that he sat through many of the solar farm meetings and does not quite understand why so many people are against solar farms. He stated that if they limit where solar farms can be placed, the next generations to come are being set up for failure because the world is evolving and a lot of everyday items are becoming electric, for example vehicles. The solar panels themselves do not create any noise or dirt since there is no traffic associated with them. Personally, he has had solar located on his property since 1980 and they have not deteriorated. If a solar panel is functioning today, it will provide the same output 10 years from now. There has also been a tremendous amount of discussion about prime land, according to the State, they rate land 1 being the best and considered prime land and 6 being the worst. A majority of the land ratings in Dover Township are between 3, 4 and 5. He feels as if we shouldn't tell residents what

they can and cannot do with their land and give residents the option to have solar farms even if they aren't in the Industrial zone.

C. Richards stated in Agricultural zoned areas they still can bale hay or even have some animals that graze the land. After some discussion with the Fire Department, the only thing he would request is that solar panels that are mounted on roofs need to be 2 feet down from the peak of the roof. If there is a fire, all the electrical connection is disconnected but until the solar panels are tarped, the panels will still produce electricity.

Manager Oswalt stated that the Zoning Officer is discussing the big solar farms where the panels are placed on the ground, but it is through the Building Code on how the panel has to be installed.

S. Stefanowicz stated that another he saw is that Pennsylvania 50<sup>th</sup> out of the whole United States in creating ways to make renewable energy.

S. Parthree questioned if the Zoning Ordinance came from the Planning Commission.

J. McLucas stated that the Planning Commission has spent a year and a half going through the original ordinance. Now, the County Planning Model Ordinance regarding solar farms came out after the Township has already adopted their solar farm ordinance. The current draft incorporates sections from the County Planning Model and some suggestions from the public. The original ordinance adopted by the Board had already included items in the County Model Ordinance. Currently the solar farms are allowed in the following zoning districts; Agriculture, Commercial, Industrial, and R1. A lot of the requirements that are in the draft ordinance do not make any sense to keep if the Board chooses to remove some of the zoning districts where the solar farms are allowed.

M. Cashman stated that he is not firmly committed to one way or another. In another 50-100 years from now, he does not think that solar is going to be a hot topic anymore and so as a Township resident, he thinks this a quick grab to get electricity in an inefficient way. But if you took the land and put a nuclear power plant on it, that would be an efficient way to use renewable energy. He thinks nuclear is the cleanest, greenest, most renewable energy. He does not like how subsidized solar is and if solar had to compete in a real market could it.

S. Stefanowicz stated that he would agree that solar is not the answer, but it is part of the answer.

R. Stone stated they need to be very careful making this type of decision as to where to allow the solar farms.

Manager Oswalt stated with all of that being said, there is something to be said about Dover being a community. There are certain parcels in the thick of things where the best use of parcel is maybe a small shopping area or restaurants rather than a solar farm.

S. Stefanowicz stated that with the solar farms, the panels are preserving the land to be used

again in another 15 plus years from now as opposed to adding a development which means it would be gone forever.

C. Richards questioned if the Board needs to have a work session on this topic.

J. McLucas stated that the Board has been provided with a copy of the marked up version of what is being presented with comments from the Planning Commission leading into the final draft and after hearing conversations from the Board tonight, it sounds as if they need to agree on which zoning districts, they want to allow solar farms on.

C. Rausch questioned what districts the Board does not want to see solar farms on.

C. Richards stated that he thinks it should not be allowed in the R1 district.

M. Lamparter stated that there are good farms and bad farmers. The previous farmer who used to farm his land robbed to soil so greatly that the land should sit for a while to regenerate itself. Solar farms gives the great opportunity to allow farms and farmers to allow their land to regenerate when the soil is no good.

Gina Myers from 1046 Rohlers Church Road stated that the York County Planning Commission's Solar Ordinance restricted large Agricultural zoned areas and Residential zoned areas.

S. Parthree questioned if there is some sort of contract stating that the electricity created from the solar panels cannot be sold outside the state.

J. McLucas stated that certain sized complexes do have a contract that states the electricity created needs to stay in Pennsylvania.

J. McLucas asked the Board to read over the information regarding the solar farm ordinance so they can revisit that at the November 27<sup>th</sup> meeting.

## **TOWNSHIP MANAGER REPORT, L. OSWALT**

### **Approval of James Turnure to be appointed as an Alternate member of the Zoning Hearing Board and member of the ICDC Committee**

Manager Oswalt stated that if the Board moves forward with the approval of James Turnure to be a member of the ICDC Committee, he would be taking over Kathy Herman's position and then would need to be reappointed at the reorganization meeting in January 2024.

**Motion** by S. Parthree and seconded by M. Cashman to approve James Turnure to be appointed as an Alternate member of the Zoning Hearing Board and member of the ICDC Committee, as presented. **Passed** with 5 ayes.

### **Approval of the following payment applications for the Fire Department Dorm Project:**

**Payment Application #11 to Myco Mechanical, Inc. in the amount of \$3,823.75**  
**Payment Application #8 to SSM Industries, Inc. in the amount of \$16,472.24**  
**Payment Application #8 to East Coast Contracting, Inc, in the amount of \$33,923.38**

**Motion** by C. Richards and seconded by S. Parthree to approve Payment Application #11 to Myco Mechanical, Inc. in the amount of \$3,823.75, Payment Application #8 to SSM Industries, Inc. in the amount of \$16,472.24, and Payment Application #8 to East Coast Contracting, Inc, in the amount of \$33,923.38, as presented. **Passed** with 5 ayes.

**Approval of Change Order #8 with East Coast Contracting, Inc. for the Fire Department Dorm Project in the amount of \$3,060.00**

Manager Oswalt stated that this change order is for a discrepancy in interpretation of the finish schedule for painting the storage mezzanine. The total cost for labor and paint of the finish coat was detailed as \$6,120.00. After discussing the matter, it was determined that East Coast Contracting would compromise to split the difference.

**Motion** by R. Stone and seconded by S. Parthree to approve Change Order #8 with East Coast Contracting, Inc. for the Fire Department Dorm Project in the amount of \$3,060.00, as presented. **Passed** with 5 ayes.

**Approval of Change Order #6 with Monacacy Valley Electric, Inc. for the Fire Department Dorm Project in the amount of \$18,459.26**

Manager Oswalt stated that upon the demolition of the Day Room Area, it was discovered that there were numerous issues with the electrical work. Circuits in both the engine bay and the Day Room need upgraded to meet current standards. Additional as-builts drawings are to be provided and proper markings in the panel box will be made to adjust for these corrections.

**Motion** by C. Richards and seconded by S. Parthree to approve Change Order #6 with Monacacy Valley Electric, Inc. for the Fire Department Dorm Project in the amount of \$18,459.26, as presented. **Passed** with 5 ayes.

## **PUBLIC WORKS REPORT, M. FLEMING**

**Approval of agreement with the Dover Township Sewer Authority to perform test well drilling operations on their 29.2 acres of property along Old Carlisle Road**

**Motion** by R. Stone and seconded by C. Richards to approve the agreement with the Dover Township Sewer Authority to perform test well drilling operations on their 29.2 acres of property along Old Carlisle Road, as presented. **Passed** with 5 ayes.

**MS4 UPDATE**

M. Fleming stated that he met with Thornton Automotive, and the work on that site is to be completed by the end of the week.

**COMMENTS FROM THE BOARD**

S. Parthree stated that he did not speak much earlier this week on the Zoning Ordinance update, but he is in favor of letting landowners do what they want with their land.

**COMMENTS FROM THE PUBLIC**

Matt Lamparter stated that according to the work session, Northern Regional indicated that there was no truck accidents within a 20 year span but according to the traffic study they had indicated that there was 3 truck accidents.

G. Anderson stated that he would gather more information regarding the 3 truck accidents on Butter Road and get back to him.

**With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 8:35 PM and the full Board of Supervisors then entered into an Executive Session to discuss personnel matters .**

Respectfully submitted by: Brooke M. Scarce

Brooke M. Scarce, Township Secretary