



Planning Commission Meeting Minutes  
September 4<sup>th</sup>, 2024

Chairman Wayne Hoffman called the Planning Commission meeting to order at 7:00 PM on September 4<sup>th</sup>, 2024. Members present: Eric Harlacher, Mark Miller, Monica Love, Anthony Pinto, and alternate Stephen Stefanowicz. Other Township Representatives in attendance were John Baranski, Solicitor; John McLucas, Zoning Officer; Terry Myers and Cory McCoy Township Engineers with C.S. Davidson; and the Recording Secretary. Justin Bigham was absent with prior notice. There were about twenty members of the public present.

It was noted that Anthony Pinto will be a voting member at tonight's meeting.

- I. Approval of Minutes from the Planning Commission meeting held on August 7<sup>th</sup>, 2024,**  
**Motion** by Love, seconded by Harlacher to approve the Planning Commission Meeting minutes from the August 7<sup>th</sup>, 2024, meeting. All members voted aye; motion carried. It was noted for the record that Harlacher was absent at the August 7<sup>th</sup>, 2024, Planning Commission meeting.

**II. Plans**

- a. PL 23-7 – Dover Solar I - Preliminary Land Development Plan - Installation of Principal Solar Energy System (PSES) on total available site area of approximately 824 acres. Panel installation and limit of disturbance to be approximately 271 acres. Various lands in Industrial, R1, & Ag District.

Present on behalf of Dover Solar I-Preliminary Land Development Plan was Kyle Spayd, Civil Engineer with WSP USA, and David Capparelli, Sr. Development Manager with Enel North America. They propose building a utility-scale Solar Farm on fourteen parcels of land in Dover Township which encompasses 823.7 acres of land. Of that acreage, only 271 acres will be used for the panel arrays. That is only about 1/3 of the land area. The parcels span from W. Canal Road to Butter Road, George Street, Nursery Road, and Temple School Road. They were before the Planning Commission back in November with plans, at that time the Planning Commission felt that there were technical items to be addressed. They are resubmitting the plans that addressed most of those items.

Parcels on Temple School Road will be regraded to get them below the required 10% slope by DEP, silt sock will be installed around the perimeter and along the streams. A 90% meadow will also be required to be installed on each parcel under the panels and will have a chain link fence around each site. Plans have been submitted to DEP but have not been submitted to York County Conversation yet. Main access off Canal Road will require a PennDOT Highway Occupancy Permit. Cardinal Lane will have heavy screening and a chain link fence with the screening on the outside of the fence along with the other sites. The screening buffer requirement of 100' has been condensed into 60' to make it one-third more dense than what the requirement is for residential zoned abutting properties. The developer's agreement will ensure plantings are



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maintained. It was noted that along Temple School they should look at different tree plantings to reach the height requirement for better screening. Screening for the project should be reviewed to be sure the screening has foliage year-round. They will agree to incorporate more opaqueness year-round.

The higher transmission voltage lines will be 34.5 kilovolts and will be buried, and the voltage to the panels will be about 1500 kilovolts. The transmission to the substation will be an estimated 230 kilovolts. Meadow will be planted after construction and will need to be 90% established vegetation stabilization before the permits can be closed out. Batteries have fire suppression built into them and self-contained air condition units are built-in if they would overheat. The project will take about one year to construct.

C.S. Davidson's letter dated August 29, 2024, was reviewed. Waivers requested were as follows:

1. §27-501.2.O- To not be required to show all significant man-made features within 400' of the project site.  
**Motion** by Harlacher, second by Miller to recommend approval of waiver request §27.501.2.O. To not be required to show all significant man-made features within 400' of the project site. All members voted aye; motion carried.
2. §22-501.2.W- To not be required to ~~provide additional right of way along Cardinal Lane~~ show all roads within 400' of the project site including right-of-way and cartway widths.  
**Motion** by Pinto, second by Harlacher to recommend approval of waiver request §22-501.2.W- To not be required to show all roads within 400' of the project site including right-of-way and cartway widths. All members voted aye; motion carried.
3. §22-504.2.A,D, & E- To not be required to file plans, fees, and documentation required for outside agency approval.  
**Motion** by Harlacher, second by Love to recommend approval of waiver request §22-504.2.A, D, & E- To not be required to file plans, fees, and documentation required for outside agency approval. All members voted aye; motion carried.
4. §22.704.B- To not be required to provide additional right-of-way and roadway widening improvements for adjacent streets (East Canal Rd, Nursery Rd, Butter Rd, Cardinal Ln., George St, and Temple School Rd).  
**Motion** by Harlacher, second by Miller, recommends denying waiver request of §22.704.B as it only pertains to; not being required to provide sufficient additional right of way. All members voted aye; motion carried.  
**Motion** by Harlacher, second by Love, to recommend approval of §22.704.B as it relates to all the other requirements under §22.704.B. All members voted aye; motion carried.
5. §22-714.2- To not be required to provide easements along watercourses traversing the project area.  
**Motion** by Harlacher, second by Love to recommend approval of waiver request §22-714.2- To not be required to provide easements along watercourses traversing the project area. All members voted aye; motion carried.



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6. §22-1103.11.B.3- To not be required to provide 3’ berms with Level 3 planting strips along roadways.  
**Motion** by Miller, second by Harlacher, to recommend approval of waiver request §22-1103.11.B.3- To not be required to provide 3’ berms with Level 3 planting strips along roadways. All members voted aye; motion carried.

Zoning Ordinance Comments:

1. The following comments are in relation to the Landscaping Profiles supplemental plan set and screening plan.
  - a. Additional evaluation is necessary for each adjacent non-participating residence along Temple School Road. A profile shall be evaluated for each property to determine the maximum height of plantings necessary to meet visual obstruction requirements of §27-665.a.2.F. Berms should be evaluated to achieve screening, if necessary. If visual obstruction cannot be achieved, written consent from each property will need to be obtained.
    - 1) Identify on the plans the extent of the planting strip required to be installed to required screening along Temple School Road residences.
  - ~~b. Provide existing and proposed contour labels to supplement the provided profiles in the Landscaping profiles supplemental plan set.~~
  - c. The screening shown in “Butter Rd. - Profile 1” and on plan sheet 205 shall extend as necessary to screen the entire array located north of the property. Consider extending screening to the next turn in the fence (North of proposed screening.).
  - d. Similarly, screening for the Cardinal Ln. – Profile(s) 1 and 2 shall extend to screen the property from all portions of the proposed arrays.
    - 1) To the North – Extend the proposed screening west, to the east side of Road 10.1.
    - 2) To the Southwest – Extend the proposed screening approximately 10 feet south along the proposed fence line.
    - 3) To the Southeast – Extend the proposed screening approximately 300 feet south along the proposed fence line.
- ~~2. An emergency management plan, consistent with the standard operating practices of the industry shall be developed by the PSES owner/operator and furnished to the Township, local fire company, and the York County Office of Emergency Management prior to the issuance of a building permit. (§27-665a.2.J.3)~~

Subdivision and Land Development Ordinance Comments:

- ~~1. Access drives shall not exceed a slope of 8% within 25 feet of the street right of way. Revise the access drive slopes along Road 1.1 and 6.1. (§22-709.5)~~
- ~~2. Where a site is traversed by a water course, drainage way, or stream, a 20’ wide drainage easement, or of such greater widths as will be adequate to preserve unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving, or~~



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- ~~protecting such drainage facilities, or for the purpose of installing stormwater sewer shall be provided. (§22-714.2) Establish easements at all culvert crossings.~~
- ~~3. Where a subdivision abuts or contains an existing street of inadequate width, the developer shall provide sufficient additional right of way and cartway widths to meet the following standards. (§22-704.B)~~
  4. All waiver requests including a description, ordinance section reference, any conditions imposed by the Board of Supervisors, and the date of approval, shall be listed on the cover sheet. (§22-501.2.LL)
  5. Name, address, seal, signature, and date of the Professional Engineer/Surveyor shall be added to the plan, certifying the accuracy. (§22-501.2.F)
  6. The legal and/or equitable Owner's notarized signatures must be added to the plan certifying concurrence with the plan. (§22-501.2.H)
  7. Stormwater management plan approval needs to be obtained from the Township Engineer. (§22-602.3) A stormwater management review will be provided under a separate cover at a later date.

General Comments:

1. Any further Dover Township Public Works Water Department comments shall be addressed prior to final plan approval.
2. Delete Dover Township standard note 13 as it does not apply to the current stormwater management ordinance adopted 7/25/2022. The current regulation states that any regulated activity proposing greater than 2,000 square feet of impervious coverage shall be required to submit a stormwater management plan that meets the requirements set forth in §19-401. A separate stormwater management review letter will be issued at a later date.
3. It appears that a stream crossing exists at approximately station 4+50 of road 1.1, however, no crossing is shown.

**Motion** by Harlacher, second by Miller, to recommend to the Board of Supervisors to look favorably upon PL 23-7, Dover Solar I Preliminary Land Development Plan Installation of Principle Solar Energy System with the items from C.S. Davidson's letter dated August 29, 2024, Zoning Ordinance 1a, 1c, and 1d, from the SALDO items 4, 5, 6, and 7. General comments 1 and 2 all being fulfilled. All members voted aye; motion carried.

### III. Ordinances for Consideration

None

### IV. Zoning Hearing Cases

- a. Update: ZHB 24-1 – Quick Holdings, LLC – 3500 Bull Road – Variance *DENIED*

Rick Schmelyun, and Llyod Fernandez with Quick Holdings, 224 N George Street, York, on behalf of the property at 3500 Bull Road, which is currently zoned as a commercial lot and



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all neighboring properties are all residential uses. They are inquiring about getting this property rezoned to Residential.

It was noted that they could look at rezoning the lot to R1, with a map amendment doing so it was suggested the neighboring lots should be evaluated that section of Bull Road. A text amendment to the non-conformity section in Chapter 27 of the zoning ordinance could be considered to allow certain types of replacement within specified perimeters. The timeframe for making an amendment would be about a three-month process.

The Planning Commission members made a consensus to make a text amendment to the Chapter 27 Zoning Ordinances regarding the non-conforming structures.

- b. Update: ZHB 24-2 – Hartzell – 6621 Blue Bird Lane – Variance *APPROVED*
- c. ZHB 24-3 – Northern York County Regional Police Commission – 1445 East Canal Road – Industrial District
  - i. Variance of 27-410.3B – Minimum lot frontage and width (100') to subdivide the rear, previously combined lot.

Presenting this application was Attorney Stacey McNeal, representing the Northern York County Regional Police Commission. They are here to request a dimensional variance of 27-410.3B for the minimum required lot frontage. Also present on behalf of this plan are Clark Craumer, surveyor, and Chief Lash with NYCRP. The property located at 1445 East Canal Road had three tax parcels that were consolidated back in 2001. The parcel has historically been landlocked except for 75 feet of frontage on the existing private right-of-way. It cannot be legally separated from the parcels adjacent to Canal Road without relief under the Ordinance. The plan has legally connected this parcel to the parcels adjacent to Canal Road, which is leased land and is separated from the rear parcel by a small piece of land that is subject to a lease agreement. The parcel is accessed by a private right-of-way through 75 feet of frontage off the right-of-way. The new location of the NYCRP Station, does not have a shooting range for the officers to hold training. They would like to subdivide the lot back off the recorded subdivision plan so that they could still utilize the shooting range. No physical changes are being made to the lot. If the Warehouses are built, the shooting range will need to be rotated about 45 degrees. There is no reasonable possibility for the applicant to obtain the necessary 25 feet of lot frontage. A question was asked what the long-term site would be if it was sold off ten years from now. If it were an industrial user, they would need to go through Land Development and make significant improvements to gain access to the right of way.



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**Motion** by Love, seconded by Miller to recommend to the Zoning Hearing Board to look favorably upon the request for Variance of 27-410.3B - Minimum lot frontage and width (100') to subdivide the rear, previously combined lot for ZHB 24-3 - Northern York County Regional Police Commission located at 1445 East Canal Road in the Industrial District.

**V. Other Business**

a. Members of the Public

Kayla Peters, 5210 Davidsburg Road, had concerns about decommissioning the solar arrays and the culverts installed on Agricultural land. Will the culverts and screening remain? Or would it be part of the decommissioning? It was noted at this stage in the process that they don't have an answer to those questions yet.

It was noted that the land needs to be reverted to its original state.

George Holder, 1918 Virginia Avenue, had questioned whether there was an extension from Virginia Ave. to Fox Meadow Drive being planned in the future. It was stated that there was a prior sketch plan submitted that proposed the connection that would extend Virginia Ave. to Fox Meadow Drive.

**VI. Correspondence**

None

**VII. Next Meeting**

The next Planning Commission meeting will be held at the Municipal Building at 2480 W. Canal Road on Wednesday, October 2<sup>nd</sup>, 2024, at 7:00 PM.

**VIII. Adjournment**

Chairman Hoffman adjourned the meeting at 10:33 PM. **Motion** by Love, seconded by Harlacher. All members voted aye; motion carried.

Respectfully Submitted by,  
Tina Wagner  
Recording Secretary