

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
March 25th, 2024**

The Dover Township Board of Supervisors for Monday, March 25th, 2024, was called to order at 7:02 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; Christian Miller, Township Solicitor; Michael Fleming, Public Works Director; Terry Myers, Township Engineer; Cory McCoy, CS Davidson; John McLucas, Zoning Officer; and Brooke Scarce, Township Secretary. There were 27 members of the public present.

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

APPROVAL OF THE REGULAR BOARD OF SUPERVISORS MINUTES FOR MARCH 11TH, 2024

Motion by R. Stone and seconded by S. Parthree to approve the Regular Board of Supervisors Minutes for March 11th, 2024, as presented. **Passed** with 5 ayes.

TREASURER'S REPORT

APPROVAL OF THE MARCH 22ND, 2024 WARRANT IN THE AMOUNT OF \$29,568.64 (LIQUID FUELS)

APPROVAL OF THE MARCH 22ND, 2024 WARRANT IN THE AMOUNT OF \$56,021.81 (2020 BOND)

APPROVAL OF THE MARCH 22ND, 2024 WARRANT IN THE AMOUNT OF \$26,408.14 (2022 WATER BOND)

APPROVAL OF THE MARCH 25TH, 2024 WARRANT IN THE AMOUNT OF \$328,671.20

Motion by R. Stone and seconded by M. Cashman to approve the above referenced warrant totals, as presented. **Passed** with 5 ayes.

PUBLIC COMMENT

Sharon Hurd from 4280 Nursery Road stated that she heard that there is going to be a truck traffic ban on Butter Road and would like to make sure that Nursery Road does not become an alternative route for truck traffic. She also questioned if the Board is soliciting a survey for Nursery Road.

C. Richards stated that there will be more discussion regarding this topic later in the meeting.

Lee Berkheimer from 1980 George Street stated that he has the same concerns as the previous resident regarding Nursery Road but also expressed concerns about the increased truck traffic on

George Street.

Brandon Alderfer from 4281 Nursery Road expressed concerns about truck traffic on Nursery Road.

Lewis Krone from 1471 Lamplite Drive expressed concerns about truck traffic on Nursery Road. He stated that a few weeks prior he followed a tractor trailer down George Street which then turned onto Nursery Road and watched the tractor trailer take off half of the corner resident's property embankment.

Cathleen Lukas from 1000 Butter Road stated that she has seen property damage as a result of increased truck traffic.

Chris Poborsky from 4851 Nursery Road stated that he lives near one of the curves and it would not be safe for two tractor trailers to be passing each other at the same time. He also expressed concerns about the drainage on Nursery Road.

Diane Berkheimer from 1980 George Street questioned if the Ordinance for Butter Road has been approved.

Manager Oswalt stated that Ordinance has not been approved. It is on the agenda this evening for advertisement as is required prior to adoption.

D. Berkheimer questioned if the Ordinance for Butter Road is adopted, will the residents from Nursery Road and George Street have to come back to another meeting to express their concerns again about not wanting truck traffic on those roads.

Manager Oswalt stated that a traffic study must be completed first to determine whether or not that is something that could be done.

D. Berkheimer stated that she would like the Township to complete a traffic study on George Street.

Sharon Hurd from 4280 Nursery Road stated that a couple years back, a new pipe was installed underneath the bridge. In addition to the new pipe there were new reflectors installed on the bridge but one of them has already fallen over.

B. Alderfer questioned how the warehouses were able to be located on Bull Road.

Manager Oswalt stated there is something called the Municipalities Planning Code (MPC) which is a state regulation passed in the 1960's. The MPC states that every municipality must plan for every use through the process of Comprehensive Planning and the implementation of revised Zoning regulations. About every 10 years the Township goes through zoning changes looking at where development has occurred to expand the zoning districts and uses that can be applied to the land. Overtime, the Township is required to plan for more growth. The area where the warehouses are to be built is zoned industrial and has been zoned industrial since 2011. Prior to

that Zoning Amendment, Glen Gery acquired the properties that are under consideration for development as warehouses. Those three parcels were acquired between 1956 and 1970. Glen Gery used the properties for mining mineral rights. There are other Industrial uses in the Township in the areas of Raycom Road, Butter Road and Fox Run Road.

SOLICITOR'S REPORT

Review and Advertise Butter Road Ordinance 2024-01

C. Miller stated that a draft ordinance was prepared and sent to Township Staff for review. The ordinance restricts truck traffic on Butter Road pursuant to the traffic study.

Motion by C. Richards and seconded by R. Stone to approve the advertisement of Butter Road Ordinance 2024-01, as presented. **Passed** with 5 ayes.

ENGINEER'S REPORT, T. MYERS

Request for time extension for Piney Hollow until November 30th, 2024

T. Myer stated that a preliminary design has been established and a pre permit application consultation was held with DEP on June 6, 2023. DEP indicated that the project did not qualify for a permit waiver, and it was outside of the scope of a general permit. The project is considered a stabilization project by DEP and will require a joint permit under the Chapter 105 regulations. This determination will require a significant amount of engineering effort and the longest review time by DEP and the US Army Corp of Engineers. CSD has submitted the joint permit application. A few administrative comments were received and addressed, and the application was resubmitted. Township staff has determined that the grant expiration is May of 2025. There is an anticipated contract time extension request from the contractor due to the length of time that the review has been taking.

Motion by R. Stone and seconded by C. Richards to approve the request for a time extension for Piney Hollow until November 30th, 2024, as presented. **Passed** with 5 ayes.

T. Myers stated that he has no other agenda items but provided the Board with a copy of a written report, however he would like to discuss traffic studies for Nursery Road from Bull Road to Butter Road.

M. Fleming stated that a curve study was completed in 2021 or 2022 and the items contained in that study were implemented.

Manager Oswalt stated that the curve study did not include anything regarding truck traffic, it was about the curves on the road. Additional signage was placed on the road.

After further discussion the consensus of the Board was to move forward with proposals to complete a traffic study for the entire length of Nursery Road and George Street.

ZONING OFFICER'S REPORT, J. MCLUCAS

Accept Sparrows Way Maintenance Bond Extension

J. McLucas stated that the maintenance bond extension issue was reviewed at the February 26 meeting. An extension was provided on March 3rd extending the bond to October 20, 2024.

Motion by M. Cashman and seconded by C. Richards to accept Sparrows Way Maintenance Bond Extension, as presented. **Passed** with 5 ayes.

Accept Hines Extension

J. McLucas stated that the deadline to act on the plan is July 22, 2024.

Motion by S. Parthree and seconded by M. Cashman to accept the Hines Warehouse Extension, as presented. **Passed** with 5 ayes.

Authorize Chairman to Execute Wawa Site Improvement Agreement

J. McLucas stated that this is unusual from any other bonds, as there are essentially 2 developers, they are required to sign and execute a site improvements agreement.

Motion by R. Stone and seconded by M. Cashman to authorize the Chairman to execute the Wawa Site Improvement Agreement, as presented. **Passed** with 5 ayes.

Acceptance of 2023 Subdivision/ Land Development Plan Report

Motion by M. Cashman and seconded by R. Stone to accept the 2023 Subdivision/ Land Development Plan Report, as presented. **Passed** with 5 ayes.

Consider Rephasing Schedule of The Seasons, LP- Updated Site Phasing Plan

J. McLucas stated that the Board received a copy of the updated site phasing plan, he also explain that the Preliminary Plan for the Seasons included 4 phases. The zoning was later changed to allow a higher density and changed the development from Residential Open Space to R3. With this higher density, an additional Phase 3A was proposed which would need to follow a separate preliminary plan submission following a conservation-based design sketch plan. Phase 1 was constructed per the approved preliminary plan. Phase 2 would have provided a secondary access point to Fountain Rock Phase 2, which has yet to be developed. In 2019, the developer requested to reschedule the phasing to allow Phase 3 to begin ahead of Phase 2 and then obtain secondary access through future phase 3A. This ordered the phasing as follows: 1, 3, 3A, 2, 4. In 2021, the phasing schedule was approved to allow the developer to begin Phase 2 ahead of 3A, ordering the phasing as follows: 1, 3, 2, 3A, 4. A sketch plan for Phase 3A was recently submitted and is currently in review. The developer is now requesting to begin Phase 4, this would order the phasing as follows: 1, 3, 2, 4, 3A.

Tom Englerth from Site Design Concepts stated that the development is made up of 5 phases; currently Phases 1 through 3 have been built. In accordance with the previous phasing plan, Phase 3A should be the next phase that is built, however, since the preliminary plan has been

approved the zoning of those parcels has changed. Therefore, the developer is asking to reorganize the phasing plan of the development. Phase 3A has been submitted to the Township as a sketch plan and part of the four-step conservation by design process. Currently, the development only has one access to it. There was originally going to be a second point of access to the Fountain Rock Development, however that's not come to fruition based on the neighboring subdivision not being fully developed. As for the reorganizing of the phases, the developer would like to complete phase 4 before Phase 3A because from a construction standpoint, completing that phase first makes the most sense.

J. McLucas stated that he would support completing Phase 4 provided that there is another access for the development. Currently, there are 145 homes built with one road and one emergency access.

T. Englerth stated that there is a second access into the development proposed with Phase 3A, however, the developer would like to reorganize the phases which would allow for Phase 4 to be completed before Phase 3A. In the design and permitting of Phase 3A, the second access to the development will be included.

T. Pasch stated he was willing, during the Phase 4 Final, to post a bond for the street that needs to be built even though the completion of the whole development.

T. Myers stated that his biggest concern is another accessway in and out of the development, that is why he suggested a bond or letter of credit that within so many years, a second road would be built.

C. Miller stated that he has spoken with Attorney Hovis, and he has proposed putting together a developer's agreement which would include a timeline and all the sureties that would protect the Township.

J. McLucas stated that in his opinion the surety is not adequate enough based on how the phases have changed in the past.

S. Hovis stated that he acknowledges the concerns about not having secondary access to the development; however when the plan for Phase 3A is submitted it will show two more access points.

C. Richards questioned why Winter Drive cannot be tied into Fox Meadow Drive.

T. Pasch stated that they are not able to connect those roads together until they receive their NPDES permit.

T. Englerth stated that they can add emergency access through phase 3A.

R. Stone questioned if there are any rating requirements for the sureties.

C. Miller stated that it is something that can be added to the agreement.

S. Stefanowicz questioned who would establish the amount of the financial document.

T. Myers stated that a cost estimate would be provided to the Board for their review and

approval.

M. Fleming stated that when he reviewed the rephasing plan, he noticed a 20-foot strip of ground between their development and another development and was wondering if the developer had access to the strip of ground.

T. Pasch stated that the Planning Director would like him to connect to the 20-foot strip of ground, but he does not own the strip of ground.

Motion by M. Cashman and seconded by S. Parthree to conditionally approve the rephasing plan with satisfactory development of Developer's Agreement addressing all of the concerns noted, as presented. **Passed** with 5 ayes.

MANAGER'S REPORT, L. OSWALT

Manager Oswalt stated that she has no action items but there will be an executive session that follows the regular meeting to discuss personnel matters.

PUBLIC WORKS REPORT, M. FLEMING

Authorize staff to advertise the following items for sale on MUNICIBID

**2003 Ford F550 Dump (#4)
Neopost Folder Insert Machine
11' Valk Snowplow
Log Cabin**

Motion by S. Parthree and seconded by C. Richards to advertise the following items for sale on MuniBid: 2003 Ford F550 Dump, Neopost Folder Insert Machine, 11' Valk Snowplow, and Log Cabin, as presented. **Passed** with 5 ayes.

RECREATION DIRECTOR'S REPORT

Manager Oswalt stated that BunnyFest will begin on Friday, March 29th with an Adult Easter Egg Hunt followed by Easter Eggs Hunts throughout the day on Saturday, March 30th. You must pre-register for any of the events happening on those days.

MS4 UPDATE

Living Green: Rain Barrels Training with West Manchester, Manchester, and Dover Township on Thursday, April 11, 2024, from 6:30 PM- 7:30 PM located at West Manchester Township

OLD BUSINESS

Selection of Architect for Dover Township Municipal Office Addition/ Renovation Project

S. Stefanowicz stated that there are two meetings being held this week with Core Design and Mula, he and Rob Stone will be attending the meetings.

R. Stone stated that other Boards members can attend the meetings if they would like.

Approval of Payment Application #3 to Doli Construction Corp. for the North of the Borough Water Facilities Improvements in the amount of \$175,786.52

M. Fleming stated that the following Payment Applications were not approved at the previous meeting due to Doli Construction not finishing the patching on Harmony Grove Road.

Motion by S. Parthree and seconded by R. Stone to approve Payment Application #3 to Doli Construction Corp. for the North of the Borough Water Facilities Improvements in the amount of \$175,786.52, as presented. **Passed** with 5 ayes.

Approval of Payment Application #4 to Doli Construction Corp. for the North of the Borough Water Facilities Improvements in the amount of \$33,386.03

Motion by S. Parthree and seconded by R. Stone to approve Payment Application #4 to Doli Construction Corp. for the North of the Borough Water Facilities Improvements in the amount of \$33,386.03, as presented. **Passed** with 5 ayes.

COMMENTS FROM THE BOARD

Discussion regarding appointing Mark Miller to the Township Sewer Authority

R. Stone stated Mark Miller has filled out an application to serve on the Township Sewer Authority and he currently serves on the Planning Commission Board.

Motion by R. Stone and seconded by C. Richards to appoint Mark Miller to the Township Sewer Authority to fill the vacant Treasurer position, as presented. **Passed** with 5 ayes.

S. Parthree stated that over the weekend, the hole locations for disc golf of Eagle View Park were sited.

C. Richards stated that the Fire Department has passed their final inspection and were granted temporary occupancy.

Manager Oswalt stated that the generator has arrived and will begin to be installed on Wednesday. On April 11th, there will be training for the staff on how to operate the generator.

S. Stefanowicz stated that he came across an article that discussed county population estimates which were presented on the screen.

C. Richards stated that starting Tuesday, Davidsburg Road and Canal Road intersection will be an all-way stop.

COMMENTS FROM THE PUBLIC

L. Krone expressed concerns about the bridge near 4352 Nursery Road. He stated that when it rains there is a puddle that lays across the road.

Sonya Grim from 4162 Broughton Drive questioned if Edgewood Park is only open from dawn to dusk and if they notice any issues, who they contact.

Manager Oswalt stated that the park is only open from dawn to dusk. If there are any issues with the park after hours, they will need to contact the police.

With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 8:30 PM and the full Board of Supervisors entered into an Executive Session to discuss personnel matters.

Respectfully submitted by: Brooke M. Scarce
Brooke M. Scarce, Township Secretary