

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION MINUTES
September 23rd, 2024**

The Dover Township Board of Supervisors Work Session for Monday, September 23rd, 2024, was called to order at 5:59 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors present were Chuck Richards, Stephen Parthree, and Michael Cashman. Robert Stone was absent with prior notification. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; John McLucas, Planning Director; John Baranski, Solicitor; and Brooke Scarce, Township Secretary. There was 1 member of the public present.

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

INTERVIEW HARROLD (BOB) MANN FOR THE ZONING HEARING BOARD

S. Stefanowicz questioned if he had any questions for the Board of Supervisors.

B. Mann stated that he does not have any questions. He is familiar with the Zoning Hearing Board process. He is retired and has lived in the Township for the past 25 years and his passion is all things history. He is currently involved with local charitable projects in York County and helped to complete a history project recently in North York.

C. Richards questioned if he is a member of Greater Dover Historical Society.

B. Mann stated that he is not a member. He is a member of a different historical society, and they are in the process of installing memorial benches.

C. Richards noticed that B. Mann is interested in farm preservation and asked the Planning Director to present the percentages of the agricultural zoned areas.

J. McLucas stated that 57.75% of the Township is zoned agriculture, 26% of farms are agriculturally secured, 17.60% is in conservation, while 9% of the farms are in farmland preservation.

B. Mann stated that Buchmyer's Pools is a newly established business in Dover Township, and he would prefer to see that behind his house versus some other types of development.

J. McLucas stated that the Zoning Hearing Board is a five-member Board. The term is a five-year staggered term. Local authority and guideline of operational decision is established by the Dover Township Zoning Ordinance and the Dover Township Comprehensive Plan. Meetings are held on an as-needed basis (if an application is received) at the Township Municipal Building, 2480 West Canal Road, Dover, Pennsylvania, at 7:00 PM on the third Wednesday of the month. The duties and responsibilities as a Zoning Hearing Board member are as follows: to accept, review, hear testimony, and act on all applications received for Zoning matters such as specials exceptions, variances, and appeals from the Zoning Officer's determination.

C. Richards questioned if he attended any of the comprehensive plan meetings.

B. Mann stated that he did not attend any of those meetings. He did not think about joining the Zoning Hearing Board until Attorney Craley mentioned it to him. Attorney Craley provides legal services to both Dover Township and Hellam Township which is where is Mr. Mann's wife works. Attorney Craley also does legal work for him on a personal level.

S. Stefanowicz questioned if he has any goals for the Zoning Hearing Board.

B. Mann stated that he is aware of certain procedures that need to be followed but his big focus is history, and he doesn't like to see history thrown away.

J. McLucas questioned if there is a conflict of interest with B. Mann and Attorney Craley being friends and doing personal work together.

J. Baranski stated that there is no conflict of interest.

Manager Oswald noted that there is another interviewee after him for the Zoning Hearing Board. There is an alternate position available as well a Board position available.

This interview was concluded at 6:08 PM.

INTERVIEW BARBATO ARVONIO FOR THE ZONING HEARING BOARD

The other resident who was to be interviewed for the Zoning Hearing Board position did not arrive as expected.

BAMBOO ORDINANCE DISCUSSION

The discussion about the Bamboo Ordinance started at 6:23 PM.

J. McLucas stated that if the Board would like to establish setbacks, the biggest hurdle is proving it and gaining access to the property that is in violation. Someone would have to know the location of the exact property line to be able to verify the issue.

J. Baranski questioned why the Board is looking at a Bamboo Ordinance.

J. McLucas stated that issues involving bamboo does not come up often, but when it does, it causes issues because it spreads and goes onto neighboring properties quickly. It also causes damage to the property that it encroaches on.

Manager Oswald stated that is an invasive plant.

J. McLucas stated that if there is a practical way to enforce the issue, he is would be interested in suggestions in that regard. However, this matter can be handled through a civil action by the

affected property owner.

M. Cashman stated that if bamboo is outright banned in the Township, he questioned what would happen to residents who currently have the bamboo.

J. McLucas stated that the ordinance would need to include language stating that anything existing prior to the enactment date would be permitted but the tracking on that would be difficult.

C. Richards stated that his neighbor has bamboo which has encroached onto his property and in the one section of his woods where the bamboo is, it has killed the trees.

S. Stefanowicz questioned if the Board would like to ban bamboo.

M. Cashman stated that even though bamboo is not a great thing, and it shouldn't be growing on other resident's properties, it is going to be hard to enforce.

J. McLucas stated that people do not want to be regulated more than they have to be.

Manager Oswald stated that the Board has made the decision to not venture into the enforcement of which would likely be considered more of a health, safety and welfare matter, such as, Rental Registration and Enforcement. She understands that the bamboo is encroaching onto other resident's property which is not right, but she questioned what health or safety issue is caused by the bamboo.

J. McLucas stated that in the past, they have enforced the bamboo issue as a noxious weed through the property and maintenance code and residents have complied.

S. Parthree questioned what the chances of winning a civil action in this situation would be for a property owner.

J. Baranski stated that the resident would have to prove the trespassing of the bamboo that is on their property.

M. Cashman stated that he is inclined to do nothing regarding bamboo and keep enforcing it through the property and maintenance code as needed.

C. Richards stated that he has pictures of bamboo growing in the road which then is causing issues with the road.

Manager Oswald stated that the question about whether there should be any kind of ban within the Right of Way might be something that the Board could think about. In one of the example ordinances that was provided by the Planning Director, there were regulations about keeping it so many feet back from a public road.

J. McLucas stated that he is looking for some sort of direction from the Board. If the Board has

read through all the examples that were provided and likes different components from each ordinance that could be complied into a draft ordinance.

The consensus from the Board was to not create a bamboo ordinance and continue enforcing bamboo issues through the property and maintenance code.

With no further discussion on this matter, Chairperson Stephen Stefanowicz adjourned the Work Session at 6:45 PM to be followed by the regular Board of Supervisors meeting at 7:00 PM.

Respectfully submitted by: Brooke M. Scarce

Brooke M. Scarce, Township Secretary