

WINDSOR TOWNSHIP PLANNING COMMISSION
May 19, 2005

1. The meeting of the Windsor Township Planning Commission was opened at 7:00 P.M. by Chairman Paul Ilyes, Jr.

Present at the meeting were Darwin Dosch, Jerry Pilachowski, Joe Dilling, Paul Ilyes, Jr., Jason Reichard, Jennifer Gunnet, Kipp Allison, Darlene Strayer, Ignazio Argento, Christopher Carr, Lee Faircloth with Gordon L. Brown & Assocs., Inc., Josh George with Morris & Ritchie Assocs., Inc., Perry Cisney, Bill Parks, Doug Parkins and John Snyder with Rettew Assocs., Inc., Jack and Sue Carpenter, and Larry and Rebecca Haas.

2. Chairman Ilyes asked if there were any comments from the public.

Jack Carpenter stated that there was a comment made by Windsor Township Planning Commission recently and he wanted to verify that in fact it was said. He read that apparently the Planning Commission must have met or had contact with the Wal-Mart people. A newspaper article said the Windsor Township Planning Commission “recommended that the Special Exception be granted as long as the sidewalks along Ruppert and Cape Horn Roads were provided, and more evergreens were planted along the southern property line.” He just wanted to verify that’s a fact. Mrs. Gunnet said the Planning Commission reviewed the Special Exception in March or April of last year when it first came in.

Mr. Carpenter said that in the article it says about the recommendation for sidewalks along Ruppert and Cape Horn Roads. They also mention about more evergreens being planted along the southern property line. He asked if those evergreens will be planted directly behind the building where the loading docks face the residential properties above, if that is their intentions. Chairman Ilyes said that it has been a year, since they have seen the plan and he couldn’t really tell him exactly where. Mr. Carpenter said basically the building, the layout, hasn’t changed. Ruppert and Cape Horn Roads remain the same. He asked what was the intention in putting trees back there, was that an ascetic type thing? Chairman Ilyes said it is in the ordinance to screen it from residential properties. Mr. Carpenter said the zoning law hasn’t changed since the time when you commented on this. He advised that at the rear of the property, the loading docks still remain. Chairman Ilyes said having not seen the plan since March he couldn’t tell him that. Mr. Carpenter said if it hasn’t changed since March then you agree that they’re still there, that it’s the same drawing you looked at? Chairman Ilyes said he’d say, yes. Mr. Carpenter asked if he would agree that the southern part of that property line abuts residential properties? Chairman Ilyes stated that as far as he knows it does. Mr. Carpenter asked how they would interrupt the Windsor Township zoning law, if it states that any loading docks on a building side shall not face residential properties? Mrs. Gunnet refreshed the Planning Commission member’s minds as to where the loading docks are located. During the testimony at the Zoning

Hearing Board meetings, the Attorney for Wal-Mart was saying they are not facing the residential area. The Citizen's Group is saying they are on the side of the building facing residential. Chairman Ilyes said his interpretation is that they are not facing the property, they are facing each other, not directly into a property.

Mr. Carpenter asked why if we are still in a zoning mode, how can comments from the Planning Commission be interjected at this time? Mrs. Gunnet said the Planning Commission comments were made last March or April. It wasn't anything recently. Mr. Carpenter added that this makes him wonder if that's something Attorney Broseman got last spring, or something he got recently, he doesn't know, but they are coincidental. Mrs. Gunnet said the Planning Commission has not had anything to do with Wal-Mart, since March or April of last year. The minutes are on file and can be read. They are also on our website.

Mr. Carpenter stated that since this proposed property was announced, several times he called the Township and he was consistently told that he could not meet with any of the zoning, supervisors, nobody, about general discussion. But it seems like when Wal-Mart comes to the Township, you basically say where and when. Mrs. Gunnet again advised that Wal-Mart has not been before the Planning Commission since last year. Mrs. Gunnet added that several of the people in the citizen's group have attended the Planning Commission meetings in the past, and the process for a Special Exception is it comes to the Planning Commission first for a recommendation to the Zoning Hearing Board. That is what happened last year, probably in March. He then asked if after the decision next week for the Special Exception, will it come back to the Planning Commission? Mrs. Gunnet said that is correct. It will be a Land Development Plan when it is submitted next time.

Larry Haas had a procedural question. He asked the difference between the Township and the County Planning Commissions and zoning and subdivision. Mrs. Gunnet said the York County Planning Commission does not have any part in the zoning process. The York County Planning Commission reviews plans when a Land Development Plan or a Subdivision Plan is submitted to the Township.

3. The minutes of the April 21, 2005 meeting were approved as presented on the motion of Mr. Dosch, seconded by Mr. Pilachowski. Motion carried. Four votes yes.

4. New plans submitted for May:

A. ROBERT V. & ANTHONY M. ARGENTO, IGNAZIO J. & NINA G. ARGENTO, Preliminary Subdivision Plan #040315, by James R. Holley & Associates, Inc., for 5 lots, along Locust Grove Road. Mr. Reichard said they have two things with this plan. There is a waiver that has been submitted. They are asking for a waiver of

sidewalks on the undeveloped side. There was discussion on the request. Mr. Pilachowski made a motion to recommend a waiver for sidewalks on the undeveloped side of the proposed street, but they recommend sidewalks must be extended onto Locust Grove Road side along Lot #1, with second by Mr. Dilling. Motion carried, 4 votes yes. Mr. Reichard said with this plan, they have numerous comments outstanding, so they recommend that the plan itself be tabled. Chairman Ilyes made a motion to table the plan, seconded by Mr. Pilachowski. Motion carried. Four votes yes.

B. DAVID J. & CATHERINE C. CARR, Preliminary Subdivision Plan #L-4914, by Gordon L. Brown & Associates, for 4 lots, along Grim Hollow Road and Crestwood Drive. Lee Faircloth presented the plan. He introduced Chris Carr, the son of David & Catherine Carr. He will actually be building the homes on this subdivision. It is adjacent to the Forest Hills development. The lots will be served by public water and public sewer. The sanitary sewer will be extended by way of a force main to pick up the lots. They will have to use grinder pumps on each house. Mr. Reichard said they have addressed most of the comments from his letter of May 13, 2005. From his letter, there are 2 outstanding comments and 1 comment yet from the York County Planning Commission. They will be installing sidewalks for these lots. He recommends the plan be approved with the conditions as stated. Mr. Pilachowski made a motion to approve the plan, second by Mr. Dosch, with the following conditions:

1. The seal and signature of the Professional Engineer and/or Land Surveyor responsible for this plan must be provided on the plan.
2. Planning Modules must be approved by the Township and PA DEP.
3. The Soil Erosion and Sedimentation Control Plan must be approved by the York County Conservation District.

Motion carried, 4 votes yes. The Planning Commission did not sign the plan.

C. TAYLOR ESTATES-PHASE IV, Revised Preliminary Plan #12704.Y, by Morris & Ritchie Assocs., Inc., for stormwater revisions, along Freysville Road. Joshua George presented the plan and stated that this plan was reviewed and approved previously. The ownership has changed from Cornerstone Development Group to Gemcraft Homes. As part of Gemcraft's normal process, they hired a geotechnical engineer, GTA, to go out and do some geotechnical explorations in the area of the stormwater management basins to determine if there was rock, or ground water, etc. They found where the basin was going to be located and there were both ground water and rock. Gemcraft hired them, Morris & Ritchie Assocs., Inc., to redesign the stormwater facilities. There are no changes to the lots, no changes to the streets, and all the public utilities in the streets are the same. There are some minor changes to the storm sewers as they enter the basins now because the basin was raised up an elevation of about 12 feet. It was submitted to the York County Planning Commission, but they

decided they did not need to review the plan because it was just engineering related issues. Mr. Reichard did review the changes and his letter of May 17th recommends that the stormwater management changes are appropriate. The plan itself is a combination of the sheets done by Morris & Ritchie, and the original sheets done by LSC, who did the original design. What they did was simply X'd out on LSC's plan sheets things that were changed, and then have new plan sheets to show the changes. They did that simply because they were not taking ownership of all of LSC's original design documents since there were no changes to the streets or anything else. All of their sheets are in the back in addition to the cover sheet in the front. Mr. Reichard said as Mr. George indicated the only revisions are to the stormwater basin itself and he has reviewed the calculations and he does not have any additional concerns. Overall it is an improvement to the site, it will be higher and wider. Mr. Reichard said the only comments we did have was from the Township Zoning Officer, all specific to the cover sheet itself. We wanted to see an updated cover sheet provided with signatures, owner's signature, etc., and some others that are pretty minor. Once the title sheet is updated, they are recommending the plan be approved based on that condition. Mr. Pilachowski made a motion to recommend approval when the title sheet is updated, with the conditions as listed below, with second by Mr. Dilling:

1. Revise the Planning Commission signature block.
2. Add signature block for York County Planning Commission.
3. Add signature block for Windsor Township Engineer.
4. Revise owner's signature block to correspond with the name and title information block.

Motion carried. Four votes yes.

5. Plans tabled from April's meeting:

A. CAMBRIDGE HEIGHTS, Revised Preliminary Plan #2001-09, by Johnston & Associates, Inc., off Kendale Road & Charity Road. Mr. Reichard said he would like to recommend that the remaining four plans be tabled this evening, so moved by Chairman Ilyes that 6.A. CAMBRIDGE HEIGHTS, Revised Preliminary Plan #2001-09, 6.B. WINDSOR PLAZA, Preliminary Subdivision Plan #A-05-001, and 6.C. CAMBRIDGE HEIGHTS-PHASE II, Final Subdivision Plan #2001-09, as well as 6.D. SHADOW RIDGE, Preliminary Subdivision Plan #030719 be tabled on the recommendation of the Township Engineer, with second by Mr. Pilachowski. Motion carried, 4 votes yes

B. WINDSOR PLAZA, listed in Feb. as CAPE HORN COMMONS, Preliminary Subdivision Plan #A-05-001, by Stahlman & Stahlman, Inc., for 8 lots, along Cape

Horn Road. See the information under 6.A. CAMBRIDGE HEIGHTS, Revised Preliminary Subdivision Plan. This plan was acted upon at that time.

C. CAMBRIDGE HEIGHTS - PHASE II, Final Subdivision Plan #2001-09, by Johnston & Associates, Inc., for 28 lots, off Kendale Road & Charity Drive. See the information under 6.A. CAMBRIDGE HEIGHTS, Revised Preliminary Subdivision Plan. This plan was acted upon at that time.

D. SHADOW RIDGE, Preliminary Subdivision Plan #030719, by James R. Holley & Assocs., Inc., for 162 lots, along Burkholder Road. See the information under 6.A. CAMBRIDGE HEIGHTS, Revised Preliminary Subdivision Plan. This plan was acted upon at that time.

6. Stone Mill Sketch Plan - John Snyder from Rettew introduced Doug Parkins, with Rettew, Perry Cisney, Custom Home Builder, and Bill Parks, an Active Adult Community Specialist, a consultant out of Arizona. Tonight they are presenting a sketch plan for Stone Mill. The property is along and between Windsor and Valley Roads. Currently there is a reservoir that's maintained by Windsor Borough on the property. They are proposing to do a Subdivision and Land Development Plan for an active adult community on this property. It is zoned R-1, but under the Zoning Ordinance they are going to ask for the Planning Commission's recommendation that the plan be reviewed and the property be considered under the cluster overlay zoning district. They feel they meet the requirements of the intent of the Ordinance. First of all, the development is to preserve cultural and structural buildings and improve the aesthetics for the benefit of the entire community. He said this plan definitely does that. They are going to utilize some of the existing buildings and structures. They are going to take away the old radio towers that are just becoming rusty. They are looking at turning one of the old buildings into a water wheel mill with a stone facade. The engineer showed an existing aerial with it over laid for them. He showed the existing TV station and where everything is. The community will be for active adults, he thinks for 55 and over. This development will really have a benefit on the local school system. The project will propose an diversity of housing types and units. It will not be just one type of house, there will be 9 base models. Because of the natural slope of the site, they will have walk out basements. They are proposing the roadway system to be maintained by the Home Owner's Association, with sidewalks on both sides of the streets. Sewer is available on Valley Road as well as water. The site will have open space and recreational areas spread throughout the community. However, the central focus of the community will be the community center and its amenities. The Sketch Plan for the community is designed to create a unique experience for its residences and to promote a "sense of place" within the development.

They stated that per section 204.16 entitled "Modifications of Design Standards", the Board of Supervisors may permit modifications of design standards to encourage the use of innovative design. They are asking for the following modifications: Section 204.10.2 – (1) The single family detached dwelling front setback is 35 feet. They would like to modify that to 25 feet. They are asking for this to promote a town like atmosphere for this unique community as well as to reduce grading impacts from the slopes of the site. (2) The single family detached dwelling side setback is 10 feet. They are asking to modify this to 7.5 feet. They are asking for this to promote a town like atmosphere and to provide the desired density and common open space areas.

They are also asking for three waivers of the requirements of the Subdivision & Land Development Ordinance. Section 404.B requires all lot lines of lots shall be radial to curved street lines. They request a waiver to allow for a few lots to deviate from this requirement to accommodate existing utility easements and the unique planned design. Section 502.2 Cartway. They are requesting a waiver from this requirement to install a curbed island in the middle of the main access drive from Windsor Road to D Street, the access to the Community Center. This curbed island will have a landscaped strip as to provide a boulevard entrance for an enhanced entrance to the community. Section 502.5.B Cul-de-sac's. They are requesting waivers from this section for the design of cul-de-sac's from the traditional bulb design of minimum paved radius of 50' with a 75' right-of-way. They propose to construct 4 turn-arounds or tear-drop drives with a 50' outside edge of paving radius and right-of-way radii of 61'. This will provide better aesthetic properties for the development while capable of accommodating fire truck and emergency vehicle maneuvering in addition to providing landscaped islands in the turn-arounds. The streets are proposed to be private so they will not be dedicated or maintained by the Township. They will need a Highway Occupancy Permit from PennDOT for the street off Windsor Road.

For parking requirements they will have 2 car garages plus driveway parking. Mr. Pilachowski stated that he has a problem with only 15' between the houses. It was stated they will have 172 units. That could be a higher number, but the developer wanted single family homes. They will have 60' or 70' wide lots, which gives a wider lot to look more attractive. The garages will be recessed 5 feet further back from the front of the house. The market indicates they do not want much yard.

After some discussion, it was decided to table the plan for now, and come back for the next meeting. Chairman Ilyes made a motion to table the plan, with second by Mr. Dilling. Motion carried. Four votes yes.

7. Proposed Revised Subdivision and Land Development Ordinance amendment.
Mrs. Gunnet said that in December we had sent the first amendment to the York County Planning Commission for review. They did not like the part with level areas in

front and in back. We kept it in and provided an explanation. We do not want lots that when you come out the door, you go straight straight up or down. It is mostly wording changes. The York County Planning Commission will review it at their June meeting. Mr. Pilachowski made a motion to recommend to approve the proposed revised Subdivision and Land Development Ordinance amendment as written, with second by Mr. Dilling. Motion carried, 4 votes yes. See attached proposed amendment.

8. Proposed Zoning Ordinance amendment. Mrs. Gunnet said the items that are bolded are the changes. We are adding definitions such as: Exotic Wildlife, Intersection, and Livestock. Under Livestock it was felt that deer should be added to the list of animals. Under Wildlife, requirements will be added. For the section on Recreational Vehicles, such vehicles can be in the front yard for a certain amount of time. We wanted to clarify that they can not be parked on the streets. Also, trucks over 12,000 GVW may not be parked or stored on or off a public or private street or highway. Under Off-Street Parking Requirements there is a list of what is disallowed and overnight parking is being added. In the section for Drive-Thru and/or Fast Food Restaurants the pre-menu board and menu board are added. Mr. Pilachowski made a motion to recommend to approve the proposed Zoning Ordinance amendment, seconded by Mr. Docsh, with the adding of deer to Livestock, and to correct a typo of R-1 where it needs to be R-2. Motion carried. Four votes yes. See attached proposed amendment.
9. Mrs. Gunnet said at the end of last month's meeting, she was asked to check on possible ways of trying to slow development down. To slow the growth, a moratorium is not allowed by the Municipal Planning Code.

Chairman Ilyes asked as Chairman, is it appropriate for him to ask the Board of Supervisors to consider ways of trying to slow development in the Township. Mrs. Gunnet said he, or the entire Commission, can make the request to the Supervisors. He said he would not be available to go to their next meeting, but it would probably work for him on June 20th. He will let Mrs. Gunnet know for sure.

Chairman Ilyes inquired about a driveway in Cambridge Heights that goes straight up. Mr. Allison said after the first 25 feet, it then cuts up. It is out of the right-of-way. The house probably should be down more or set back further. Chairman Ilyes said that there is rock in there and he believes the builder did not want to deal with it.

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10. The meeting of the Windsor Township Planning Commission adjourned at 8:30 P.M.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

JLG/dd