

WINDSOR TOWNSHIP PLANNING COMMISSION
January 15, 2009

1. The meeting of the Windsor Township Planning Commission was called to order at 7:00 P.M. by Chairman Jerry Pilachowski.

Present at the meeting were Jerry Pilachowski, Paul Ilyes, Charles Wilson, Dean Heffner, J. LaRue Harvey, Jennifer Gunnet, Connie Gladfelter, Jason Reichard, Kipp Allison, Rusty Smith, (Johnson, Mirmiran & Thompson Engineering), John Runge, (Gordon L. Brown & Assoc., Inc.) David Danner, Attorney Stacey MacNeal, (Katherman, Heim & Perry), Chris Owens, (Stahlman & Stahlman), Jerry Stahlman, (Stahlman & Stahlman) Timothy Pasch, Nelson Stein.

2. The Pledge of Allegiance was recited.
3. The Planning Commission reorganized. Mr. Ilyes motioned to nominate Jerry Pilachowski as Chairman, with a second by Mr. Harvey. Five votes yes. Motion carried.

Mr. Harvey motioned to nominate Mr. Ilyes as Vice Chairman, with a second by Mr. Heffner. Five votes yes. Motion carried.
4. Chairman Pilachowski asked if there were any comments from the public. There were none.
5. Mr. Heffner motioned to approve the minutes for the November 20, 2008, meeting with a second by Mr. Harvey. Five votes yes. Motion carried.
6. No plans were submitted in December.
7. Plans submitted in January:

A. WHISPER RUN-PASE II – Revised Preliminary/Final Subdivision Plan #L-4505-3 by Gordon L. Brown & Assoc., Inc. for Lots 110 to 121 on Surrey Lane. John Runge from Gordon L. Brown & Assoc., Inc. went over the plan. He said they had some erosion control issues. He states they addressed the Conservation District comments and demands about the drainage from offsite. He said the concern was the drainage from an adjoining farm. Mr. Runge said Mr. Danner the property owner of Lot 113, is concerned with the water runoff. He said there was a 30 foot stormwater easement on the original approved plan. The easement went from Lot 109 to the basin. He said they would like to put a 20 foot stormwater easement from Lot 109 to Lot 121 that would provide a channel to take the offsite water to the basin. He said during the construction process they will be doing a diversion to the pond that would bypass the offsite water to the existing pond.

Mr. Runge states that the property owner for Lot 113 would like to put a pipe and not a swale on the back of his property. He states the pipe would be an 80 foot pipe that would go thru the back of the property. Mr. Runge said they talked to Mr. Argento and they approved of the pipe. Chairman Pilachowski asked what size pipe would be installed. Mr. Runge said it

is an 18 inch pipe. Mr. Heffner asked if Lot 114 is going to have the same problem. Mr. Runge states the pipe is permanent on Lot 113 and Lot 114 would have a swale and there should not be a problem. Mr. Heffner asked who is to maintain the pipe and the openings on the pipe. Mr. Runge said the property owner will maintain the pipe.

Mr. Ilyes states he does not see the numbers for the contour lines. Mr. Ilyes asked what is happening to make the change. Mr. Runge said there is an Earth berm that channels the water to the pond. He states the berm would be removed and replaced with a swale. He said a temporary fix, they put a hole in the berm and water ran into Mr. Danner's yard. Mr. Ilyes said basically the end of berm is in Mr. Danner yard and back up water is coming out on his property. Mr. Runge said the berm will go away and the water will just go into his back yard. The side swales are not big enough to keep the water out.

Mr. Allison states there has to be a note on the plan that states the property owner will be responsible for maintaining the pipe on Lot 113.

Mr. Reichard states that all of the swales will have to be maintained by the property owners. He said there are some outstanding comments.

Mr. Heffner motioned to approve the plan, with a second by Mr. Harvey with the following comments:

Subdivision and Land Development Comments

1. Section 303.2.e of the Subdivision and Land Development Ordinance requires the owner's notarized signature to be provided on the plan.
2. Section 303.2.e of the Subdivision and Land Development Ordinance requires the seal and signature of the Professional Engineer and/or Land Surveyor responsible for this plan to be provided on the plan.
3. Final Security must be provided for the proposed public improvements.

Stormwater Comments

1. A table needs to be provided on Sheet 9 of 18 that provides a summary of swale dimensions for each section.
2. A basin routing report needs to be provided from the original report to verify compliance with the Township stormwater ordinance.
3. The grading plan does not provide adequate free board for the Swale IG.
4. Swales 1A, B, C and D have not been included on the grading plan.
5. Swales 1C3A and 1C3B have not been provided or identified on the plan.
6. A note is to be added stating that the owner of Lot 113 will maintain the pipe.
7. Numbers need added to the contour lines.
8. Labeled second revision.

Five votes yes. Motion carried.

8. Plans tabled in November:

- A. WILLIAM H. & MARJORIE A. DIETZ - Panorama Hill Interceptor, LLC-Final Subdivision Plan #082962601-A by C.S. Davidson, Inc. 4 lots along E. Prospect Rd. and Freysville Rd. Mr. Reichard said numerous comments remain outstanding on this plan. He recommends the plan be tabled. Chairman Pilachowski motioned to table this plan with a second by Mr. Harvey. Five votes yes. Motion carried.
- B. JEFFREY A. STINE – Final Subdivision Plan #07-1103-001 by Johnson, Mirmiran & Thompson Engineering, 2 lots along Freysville Rd. Rusty Smith from Johnson, Mirmiran & Thompson Engineering and Attorney George Eveler went over the plan. Mr. Smith said they changed the location of the sewer line and added the water line. Mr. Smith said he talked to the property owner about the extension.

Mr. Reichard states they are revisiting the Planning Commission about the water extension. He said the water extension is a significant issue to whether this plan moves forward or not because it is a major improvement and affects the Red Lion Municipal Authority. He states that he does not believe the Red Lion Municipal Authority has seen the plan. Mr. Reichard said he feels that the plan should not be approved without the Red Lion Municipal Authority's approval of the water extension.

Mr. Smith said the financial burden would be \$ 50,000 to run the water extension. Mr. Smith said that this is a two lot subdivision and the cost would be about \$25,000 per lot. He said these are lots that are not going to be sold. The lots are for the children. Mrs. Gunnet said things change. Chairman Pilachowski asked if we require the extension to go to the far end of the property. Mr. Allison said yes. Nelson Stein states he paid \$10,000 twenty years ago when he subdivided because the houses were within 1,000 feet from the public water. Mr. Stein said the water extension is on the other side of the property.

Mr. Allison said when this was originally brought to the Planning Commission he said the discussion had been taken to the Board of Supervisors through a letter that was written to the Township regarding this plan. Mr. Allison states that the Board of Supervisors has taken the position that the water extension should occur. Mrs. Gunnet said that new homes must connect; the existing homes along the extended line do not have to connect. Mr. Reichard states that Mr. Smith should check with the Red Lion Municipal Authority and see if any money could be reimbursed if existing homes along the extension connected to the line.

Mrs. Gunnet said the Board of Supervisors did not take official action on this plan.

Chairman Pilachowski motioned to table this plan, with a second by Mr. Harvey. Five votes yes. Motion carried.

- C. MEADOW CREEK – Preliminary Subdivision & Land Development Plan #378.14 by Site Design Concept Inc., along Cape Horn Rd., Ruppert Rd. & Kendale Rd. Mr. Reichard said numerous comments remain outstanding on this plan. He recommends the plan be tabled along with D and E. Chairman Pilachowski motioned to table this plan along with D and E, with a second by Mr. Ilyes. Five votes yes. Motion carried.
- D. ROCKLEDGE – Preliminary Subdivision Plan #2003-29 by Johnston & Assoc. Inc., for 24 lots along Boxwood Road. For action on this plan, please see MEADOW CREEK – Preliminary Subdivision & Land Development Plan #378.14. This plan was acted upon at that time.
- E. BROOKFIELD CROSSING – Preliminary Subdivision Plan #2003-16A by Johnston & Assoc., Inc. for 71 lots along Smith Road. For action on this plan, please see MEADOW CREEK – Preliminary Subdivision & Land Development Plan #378.14. This plan was acted upon at that time.
- F. SPRING VALLEY POOL SITE – Preliminary Land Development Plan #A-06-023, by Stahlman & Stahlman, 97 townhouses along Lombard Road. Attorney Stacey MacNeal from Katherman, Heim & Perry along with Jerry Stahlman from Stahlman & Stahlman, Chris Owens from Stahlman & Stahlman and Timothy Pasch went over the plan. Attorney MacNeal said they have 20 acres in a high density area and are proposing townhomes on this lot. She states the developer has been working with Penn DOT for the accesses on to Lombard Rd. Attorney MacNeal said the ordinance requires two access points for any development. She said that Penn DOT requires 600 feet separation distance between access points. She also said that one access point is lined up with Navajo Dr. and that Penn DOT needed justification for having two access points. She said that Penn DOT is not going to allow two accesses on Lombard Rd. without that justification. She said they are asking for a waiver for one access to the site. Attorney MacNeal said they can add an emergency entrance or Penn DOT has recommended a boulevard style entrance, which widens the entrance. She said they can also do an emergency access with a gate. Attorney MacNeal said Penn DOT wants a boulevard style entrance. She said they are looking for the Planning Commission's feedback and to act on the waiver for the second access and also a waiver for the 400 feet separation distance.

Mr. Allison asked if Penn DOT is aware there are 98 units to one access point. He said they would have to approve a waiver for the access and a waiver for the cul-de-sac length. He said he doesn't know if an emergency gated access would be considered an ingress and egress onto Lombard Rd.

Mr. Ilyes asked about what is there now. Mr. Stahlman said there is a swimming pool there with an extensive membership. He said the pool would eventually be closed and removed.

Mrs. Gunnet asked if the neighbors were contacted about selling their property. Mr. Pasch said he talked with Mr. Stoltzfus and Ms. Tolton about the adjoining property and they do not wish to sell. Chairman Pilachowski said the boulevard sounds good on paper but for someone making a left hand turn it could be bad. Attorney MacNeal said with the boulevard they would have a good bit of distance. Mr. Allison asked if a boulevard can handle the units behind it. He states that Penn DOT's concern is the traffic and the Township is concerned about the development and the traffic. He said you are asking us to look past several sections of our ordinance in subdivision and zoning in reference to what you see with either option. Attorney MacNeal said they could change the length of the cul-de-sac street. She said they would like to put in the other access but Penn DOT will not let them do it.

Mr. Allison said it is not our position to go to Penn DOT. Attorney MacNeal states that Penn DOT needs something from the Township stating why they need a second access road. Mr. Stahlman said the attempt is there to put in a second access road. Mr. Stahlman said if the Township agreed to the emergency access it would solve the problem for the second access. Mrs. Gunnet asked how the gate would be opened. Attorney MacNeal said the emergency access could be gated, Knox box or a knockdown gate. Attorney MacNeal said they can check with emergency personnel to see what they would like to see on the gate. Mr. Pasch said Penn DOT does not care how wide the boulevard is. He said we could put in two lanes out and two lanes in. Mr. Allison said our concern is two entrances for safety issues. Mr. Allison said he does not feel that an emergency gate offers two accesses to the development because it does not have the traffic flow. Attorney MacNeal said she does not see a difference if you go a few feet down and go out one exit compared to the other exit. Mr. Reichard said they are going to talk to Penn DOT about a right-in and right-out as a secondary access. Mr. Stahlman said he talked to the consultant and did not get an answer from him. Mrs. Gunnet asked how aggressive did you pursue the right-in and right-out. Mr. Stahlman said when they said about the boulevard he just took him for face value and he said about the gated exit for emergency use. Attorney MacNeal said she feels the boulevard with two lanes in and two lanes out would be sufficient. Mr. Allison said because a boulevard is designed to move four cars does not mean two points of ingress and egress. Attorney MacNeal said our concern is that Penn DOT will not allow the access. Mr. Stahlman said the access could be gated with an electronic lock. Mr. Stahlman said the boulevard would work. Mr. Pasch asked how the Township addresses a boulevard. Mr. Allison said they do not. Attorney MacNeal said they could make a wide entrance for two cars in and two cars out and the emergency access. She states Penn DOT sees this as satisfactory.

Mr. Harvey states that he thought we were going to do away with access drives. Mrs. Gunnet agreed that we did in residential areas. Mr. Heffner said it could be a nightmare for emergency personnel.

Mr. Allison said the Planning Commission can recommend to the Board of Supervisors to draft a letter to Penn DOT.

Mr. Harvey motioned to recommend a letter be drafted to Penn DOT from the Board of Supervisors giving justification for the second access point, with a second by Mr. Ilyes. Five votes yes. Motion carried.

Chairman Pilachowski motioned to table this plan, with a second by Mr. Heffner. Five votes yes. Motion carried.

- G. COOL COUNTRY PROPERTIES - Preliminary Subdivision Plan #060619, by James R. Holley & Assoc., Inc., 32 lots along Snyder Corner Road. Mr. Reichard said numerous comments remain outstanding on this plan. He recommends the plan be tabled along with H, I, J and K. Chairman Pilachowski motion to table this plan along with H, I, J and K, with a second by Mr. Heffner. Five votes yes. Motion carried.
 - H. CORA E. DELLER - Preliminary Subdivision Plan #060620, by James R. Holley & Assoc., Inc., 34 lots, along Winterstown Rd., Neff Rd. and Sinclair Rd. For action on this plan, please see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
 - I. SHADOW RIDGE, PHASE 1 - Final Subdivision Plan #060614, by James R. Holley & Assoc., Inc., 54 lots, along Burkholder and Blacksmith Road. For action on this plan, please see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
 - J. SHADOW RIDGE, PHASE 2 - Finals Subdivision Plan #060615, by James R. Holley & Assoc., Inc., 35 lots, along Burkholder and Bahn’s Mill Road. For action on this plan, please see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
 - K. WOODROW, JR. & CAROLYN E. WILSON, DIRK L. & JODY L. POSEY AND WAYNE L. POSEY - Final Subdivision Plan #060111, by James R. Holley & Assoc. For action on this plan, please see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
9. Chairman Pilachowski asked if there were any comments from the Planning Commissioners. There were none.
10. The meeting of the Windsor Township Planning Commission adjourned at 8:35 P.M.

Respectfully submitted,

Jennifer Gunnet
Secretary