

WINDSOR TOWNSHIP PLANNING COMMISSION
September 17, 2009

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

Present at the meeting were Jerry Pilachowski Paul Ilyes, J. LaRue Harvey, Charlie Wilson, Jennifer Gunnet, Kipp Allison, Connie Gladfelter, Jason Reichard (C.S. Davidson, Inc.), Dennis Potts (Gordon L. Browns & Assoc., Inc.), Steve Anderson, Brian Hinton, Adam Anderson (Gordon L. Brown, & Assoc., Inc.), Steven Lutz, Carol Lutz, Lucille Lutz, William Lutz, Jerry Stahlman (Stahlman & Stahlman).

2. The Pledge of Allegiance was recited.
3. Chairman Pilachowski asked if there were any comments from the public. There were none.
4. Mr. Ilyes motioned to approve the minutes for the August 20, 2009 meeting, with a second by Mr. Harvey. Four votes yes. Motion carried.

5. Plans submitted in September:

- A. MARK S. & DARLENE R. GLADFELTER – Final Subdivision Plan #090521, by James Holley & Assoc., Inc. along Springvale Rd. Chairman Pilachowski motioned to table this plan, with a second by Mr. Ilyes. Four votes yes. Motion carried.

6. Plans tabled in August:

- A. BRIAN E. & JODI E. HINTON – Sketch Plan #L5313, by Gordon L. Brown & Assoc., Inc. for 12 lots along Zion Church Rd. Brian Hinton said he purchased a farm at 585 Zion Church Rd. which has building lots on the property. Mr. Hinton said they are asking to subdivide the property and his main goal is to maintain the integrity of the farm and create a nice community. Adam Anderson from Gordon L. Brown & Assoc., Inc. went over the sketch plan. Mr. Anderson said they are asking for two waivers, one for the length of the cul-de-sac and one for the requirement of a preliminary plan. Mr. Anderson said it is a 48.59 acre farm and the Hinton's are proposing 11 lots off Zion Church Rd. Lot 12 will go with the farm. He said this plan has a 750 foot cul-de-sac and the lots are 175 foot wide, not the 150 foot minimum. He said we would like to avoid the steep embankments and the wet lands along Zion Church Rd.

Mr. Wilson asked if the lots are all 1 acre lots. Mr. Anderson said all but the two back lots. Mr. Anderson said Lot 2 will have access on Zion Church Rd. Mr. Wilson asked if there is any way you can show what it would look like if you went along with present cul-de-sac ordinance. Mr. Anderson said, with a 500 foot cul-de-sac, 3 lots would be along Zion Church Rd. and it would ruin the integrity of the farm. Mr. Hinton states this is more uniform. Mr. Wilson said the Township finally toughened up our cul-de-sac wording

because before it was loose and now we will be breaking it. He said if we could emphatically state that this is a trade off for farm land to permit this then another builder could not say the same thing. Mr. Allison said at the in house meeting we addressed the extra length of the cul-de-sac and the 11 lots. The ordinance only allows the 10 lots. So Lot 2 will access on Zion Church Rd. Mr. Reichard said they could get a waiver for the 11 lots on a cul-de-sac. Mrs. Gunnet said it would not be waiver but they would have to get a variance from the Zoning Hearing Board. Mr. Reichard said we have always had the driveways on the lesser of two streets. Mrs. Gunnet agrees but stated there is nothing in our Subdivision Ordinance that prohibits it. Mr. Allison said he feels the intent here would keep the bulk of the farm where it is needed to be. Mr. Wilson asked if we were to permit it, is there a way to emphasis a trade off or preservation of a farm or are we caving in. Mr. Allison said you could make it part of the recommendation.

Chairman Pilachowski asked if he has a motion for the waiver for the length of the cul-de-sac. Mr. Harvey motioned to grant the waiver if the rest of the farm land is preserved, with a second by Mr. Wilson. Three votes yes. Motion carried. Mr. Ilyes abstained.

Chairman Pilachowski asked if he has a motion for a waiver for a preliminary plan. Mr. Harvey motioned to waive the preliminary plan, with a second by Mr. Wilson. Three votes yes. Motion carried. Mr. Ilyes abstained.

- B. KEITH & VICKI GARNER – Reverse Subdivision Plan #040109, Randy L. Howard, PLS, property along White Oak Rd. Mr. Reichard said numerous comments remain outstanding on this plan. He recommends this be tabled. Chairman Pilachowski motioned to table this plan, with a second by Mr. Ilyes. Four votes yes. Motion carried.
- C. WILLIAM H. LUTZ & STEVEN L. & CAROL A. LUTZ – Final Subdivision Plan #L-5307, Gordon L. Brown & Assoc., Inc., 5 lots along Springvale Rd. and Zion Church Rd. Denny Potts from Gordon L. Brown & Assoc., Inc. Mr. Potts said the subdivision plan is to subdivide 12.174 acres. Lot 5 will be joined to Lot 1 and Lot 2 will be a separate parcel. Mr. Potts said they are asking for three waivers. He said the first waiver is for plan scale. Mr. Reichard said to remove the scale altogether because it is a deeded plot and not to scale. He said the second waiver is for contours. Mr. Reichard said this was taken care of at last month's meeting along with the sewer and the water extension.

Mrs. Gunnet said she spoke with Attorney Rausch and he recommended a note be put on the plan and also an agreement be drafted. She said there is a note on the plan and we are still working out the agreement. Chairman Pilachowski asked what the note was for. Mrs. Gunnet said on the original plan they did not propose a right-of-way that would go through the out buildings along Springvale Rd. She said they did not wish to tear down the out buildings at this time. She said the agreement is for them to have so much time to tear down the buildings if the Township should have to widen Springvale Rd.

Mr. Reichard and Mr. Allison went over the outstanding comments.

Mr. Ilyes motioned to table this plan, with a second by Mr. Wilson with the following comments:

1. Section 304.i of the Subdivision and Land Development Ordinance requires Planning Modules be processed for the proposed new land development.
2. The plan needs to formally identify any offers to dedicate right-of-way to the Township.
3. Upon Board of Supervisor approval of the plan the surveyor will set owner markers. Once the corner markers are set the surveyor must sign the provided signature block; within eighty (80) days from the plan approval date.
4. Remove scale from page 4.

Four votes yes. Motion carried.

- D. WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills 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 along with E, F, G and H. He recommends the plan be tabled along with E, F, G and H. Chairman Pilachowski motioned to table this plan along with E, F, G and H, with a second by Mr. Ilyes. Four votes yes. Motion carried.
- E. JEFFREY A. STINE – Final Subdivision Plan #07-1103-001 by Johnson, Mirmiran & Thompson Engineering, 2 lots along Freysville Rd. For action on this plan see, WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.
- F. MEADOW CREEK – Preliminary Subdivision & Land Development Plan #378.14 by Site Design Concept Inc., along Cape Horn Rd., Ruppert Rd. & Kendale Rd. For action on this plan, see WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.
- G. ROCKLEDGE – Preliminary Subdivision Plan #2003-29 by Johnston & Assoc. Inc., for 24 lots along Boxwood Road. For action on this plan, see WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.
- H. BROOKFIELD CROSSING – Preliminary Subdivision Plan #2003-16A by Johnston & Assoc. Inc. for 71 lots along Smith Road. For action on this plan, see WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.

- I. SPRING VALLEY POOL SITE – Preliminary Land Development Plan #A-06-023, by Stahlman & Stahlman, for 97 townhouses along Lombard Road. Jerry Stahlman from Stahlman and Stahlman said he was at the August meeting and we discussed this plan. He said the Board of Supervisors requested that the engineer go over the Highway Occupancy Permit. He said there is a sign across from Navajo Dr. that was incorrect that they have corrected. He said they are asking for approval. He said they have addressed all the comments.

Mr. Reichard said they have satisfied all of his comments. Mr. Allison went over his outstanding comments.

Mr. Wilson asked if this was the same plan we saw last month. Mr. Stahlman said yes and we are asking for conditional approval. Mr. Wilson asked what happened to the acceleration/deceleration lane that was recommended. Mrs. Gunnet stated that Mr. Reichard had checked the regulations on this type of lane and found it was not feasible to install it in the area between the full entrance and the right-in/right-out entrance. There was a lengthy discussion regarding this. Mr. Ilyes advised that he will have to trust Mr. Reichard's findings.

Mr. Harvey motioned to approve the plan, with a second by Mr. Ilyes with the following conditions:

1. Waivers must be granted by the Board of Supervisors prior to final plan approval. Approval dates must be provided on the plan.
2. Widening/Improvements may be required along Lombard Rd by the Windsor Township Public Works Director. As discussed at the in-house meeting, the Township is suggesting the construction of a turning lane in Lombard Rd.
3. A minimum of 400' separation distances is required between intersections. Once the waiver is granted this note will be moot.

Three votes yes. Motion carried. Mr. Wilson abstained.

- J. 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 along with K, L and M. He recommends this be tabled along with K, L and M. Chairman Pilachowski motioned to table this plan along with K, L, and M, with a second by Mr. Ilyes. Four votes yes. Motion carried.
- K. 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, see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.

- L. 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, see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
- M. SHADOW RIDGE, PHASE 2 - Final Subdivision Plan #060615, by James R. Holley & Assoc., Inc., 35 lots, along Burkholder and Bahn's Mill Road. For action on this plan, see COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
- 7. Possible ordinance change net density/net acreage. Mr. Wilson said he talked to Mr. Allison and he would like to postpone this discussion until the October meeting. Mr. Allison said he discussed it with Mr. Wilson but he feels it is going to be a little more complicated than just changing a word. He said he talked to Mr. Reichard and they talked about taking a piece of property and removing some of the items and see how it is going to change it. Chairman Pilachowski said if we went with net acreage, you might never be able to build anything.
- 8. Chairman Pilachowski asked if there were any comments from the Planning Commissioners There were none.
- 9. The meeting of the Windsor Township Planning Commission adjourned at 8.19 P.M.

Respectfully submitted,

Jennifer Gunnet
Secretary