

WINDSOR TOWNSHIP PLANNING COMMISSION
October 15, 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, Dean Heffner, Charlie Wilson, Jennifer Gunnet, Kipp Allison, Connie Gladfelter, Jason Reichard (C.S. Davidson, Inc.), Patti Fisher (James R. Holley & Assoc.), Keith Garner, Vicki Garner, Brent Lebouitz and John Slatky.

2. The Pledge of Allegiance was recited.
3. Chairman Pilachowski asked if there were any comments from the public. There were none.
4. Mr. Harvey motioned to approve the minutes for the September 17, 2009 meeting, with a second by Mr. Heffner. Five votes yes. Motion carried.
5. Plans submitted in October:
 - A. WOODROW JR. & CAROLYN E. WILSON – Final Subdivision Plan #060111 by James R. Holley & Assoc., Inc. 4 lots along Bethlehem Church Rd. Chairman Pilachowski motioned to table this plan, with a second by Mr. Ilyes. Five votes yes. Motion carried.
6. Plans tabled in September:
 - A. MARK S. & DARLENE R. GLADFELTER – Final Subdivision Plan #090521, by James Holley & Assoc., Inc. along Springvale Rd. Patti Fisher from James R. Holley & Assoc., Inc. went over the plan. She states that this is 48 ½ acres in the Agricultural Zone outside the growth area. She said they are subdividing a one acre lot with the existing house and farm buildings with onsite septic and well and a 50 foot access easement to Mr. & Mrs. Gladfelter's residence.

Ms. Fisher said they are requesting three waivers. The first waiver is for the existing contour intervals, the second waiver is for not connecting to public sewer, and the third waiver is to not widen the existing road because there is no added impact to the road.

Mr. Ilyes motioned to grant the three waivers, with a second by Mr. Wilson. Five votes yes. Motion carried.

Mr. Reichard and Mr. Allison went over the outstanding comments. Ms. Fisher asked about the Planning Waiver. She asked if it has been approved. Mrs. Gunnet states that the Township sends it to Department of Environmental Protection. She said we will call to make sure they have received it and until we have that formal yes they have it, it is still a comment.

Mr. Reichard states that the Township has had stormwater problems on Springvale Rd. Ms. Fisher said there was a Conservation Plan done under the person that was doing the farming. She said the property has changed hands along with the operator. She said the plan is for the operator so the new farmer has to go to the York County Conservation District. Mr. Allison asked if the Conservation Plan should be under the property owner. Ms. Fisher said she understands that it is the farmer who has to get the Conservation Plan. Mrs. Gunnet asked if they want to leave it open ended, the note says it will be drafted. Mrs. Gunnet states that the Township replaced the bridge on Springvale Rd. 2 years ago and an inlet was put in and it is not big enough. She states there is a back log at the Conservation District and they do the plans for free.

Mr. Ilyes motioned to add a note to the plan stating that a updated Conservation Plan must be approved within one year from approval of the Board of Supervisors, with a second by Mr. Heffner. Five votes yes. Motion carried.

Mr. Heffner motioned to approve the plan, with a second by Mr. Wilson with the following conditions:

1. Section 303.2.i of the Subdivision and Land Development Ordinance requires the owner's notarized signature to be provided on the plan.
2. Section 304.i of the Subdivision and Land Development Ordinance requires Planning Modules be processed for the proposed new land development.
3. Section 404.c of the Subdivision and Land Development Ordinance requires each lot to abut directly on a street except that one residential lot may be accessed by way of a 50 foot private right-of-way. A 50 foot right-of-way needs to be provided for the Mark S. & Darlene R. Gladfelter property. In addition, the driveway connection to Lot 2 must be removed along the eastern property line.
4. Windsor Township has experienced storm water problems on Springvale Road due to drainage from the Gladfelter property. A conservation plan needs to be implemented to address the stormwater runoff deficiencies 1 year from date of Board of Supervisor approval.
5. Waivers must be granted by the Board of Supervisors prior to final plan approval. Approval dates must be provided on the plan.
6. The Department of Environmental Protection "Request for Planning Waiver & Non-Building Declaration" must be approved prior to plan approval.
7. Revise note #12 to address provisions of Article V of the Windsor Township Zoning Ordinance.
8. Waiver for the existing contour intervals was recommended approval.
9. Waiver to not connect to public sewer was recommended approval.
10. Waiver to not widen the existing roads was recommended approval.

Five votes yes. Motion carried.

- B. KEITH & VICKI GARNER – Reverse Subdivision Plan #040109, Randy L. Howard, PLS, property along White Oak Rd. Mr. Allison said that we have received a revised plan. He said he had a brief discussion with the engineer and was not notified that someone was attending this meeting. He asked Mr. & Mrs. Garner if the plans were dropped off. Mrs. Garner said they were told to submit copies to the Township and to C.S. Davidson, Inc. that addresses all of the comments on the plan. Mrs. Gunnet asked if we could have a 10 minute recess.

Chairman Pilachowski recessed the meeting for 10 minutes at 7:20 P.M.

Chairman Pilachowski called the meeting to order at 7:26 P.M.

Mr. Allison went over the plan and said there were discrepancies on the lot lines that were based on a plan done by Gordon L. Brown & Assoc. He states the Garners are doing a reverse subdivision. He states the mobile home will be removed to provide a new location for a home. He said what was originally done was not correct. Mr. & Mrs. Garner showed the Planning Commission members what is on the plan. Mrs. Garner said they would like to do away with two tax bills. Mrs. Gunnet said that when the plan is bar coded by the county you could very well still have two tax bills.

Mr. Ilyes asked if anyone lives in the mobile home. Mrs. Garner said no. Mr. Ilyes asked if it will be removed. Mrs. Garner said yes. Mrs. Gunnet said there is a note on the plan stating it will be removed.

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

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

1. Section 302.3.h of the Subdivision and Land Development Ordinance require existing and proposed wells be shown on the plan.
2. Stormwater calculations need to be provided in accordance with the Township's Stormwater Management Ordinance for on-lot infiltration structures and culvert pipe stream crossings.
3. Planning Modules must be submitted and approved prior to plan approval.
4. Any state permits required for the stream crossing must be provided at the time of application for the building permit to construct the proposed dwelling.
5. Revise signature blocks to identify ownership.

Five votes yes. Motion carried.

- C. 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

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with D, E, F, G, H, I, J and K. He recommends the plan be tabled along with D, E, F, G, H, I, J and K. Chairman Pilachowski motioned to table this plan along with D, E, F, G, H, I, J and K, with a second by Mr. Harvey. Five votes yes. Motion carried.

- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. COOL COUNTRY PROPERTIES - Preliminary Subdivision Plan #060619, by James R. Holley & Assoc., Inc., 32 lots along Snyder Corner 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. 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 WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.
- J. 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 WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.
- K. 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 WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A. This plan was acted upon at that time.

7. Possible ordinance change net density/net acreage. Mr. Wilson said he wrote a memo 2 years ago saying our term net acreage is badly defined. Mr. Wilson added that the R1 and R2 should be treated the same. He noted we need to decide what we want. He also said the cluster overlay zones can be a little open because we can make a determination to tighten or loosen regulations. Mr. Allison said he agrees with Mr. Wilson and he said he did a little more research after last month's meeting and in addition he felt it will be a little more involved than just changing a few definitions.

8. York County Planning Commission (YCPC) review/recommendation of the draft joint Comprehensive Plan. Mr. Allison advised he has the comments from YCPC regarding the review of the draft of the Comprehensive Plan. He said the recommendation from YCPC was to not approve the draft. YCPC staff identified several issues regarding the draft. The staff was concerned that it was not consistent with the York County Comprehensive Plan. The staff was also concerned that the draft proposed commercial and low density residential uses and public utilities outside of our primary growth area. Mr. Allison said he met with YCPC to discuss required changes in order to get a favorable recommendation. YCPC asked us to incorporate the small section of the northeast side of the Township which is part of the landfill and proposed as industrial use into the primary growth area. We are asking the Planning Commission to recommend that we incorporate the landfill and the industrial area outside of the current primary growth area into the established growth area. Chairman Pilachowski asked if there are public utilities in that area. Mrs. Gunnet said they have public water.

Mr. Wilson said that the YCPC is only an advisory board just like we are. Mr. Wilson said it looks good for the Planning Commissioners approval for the Board of Supervisors but it is not mandatory. Mrs. Gunnet agreed, but noted that it looks better to have them approve the Comprehensive Plan. Mr. Wilson states the map we have now is closer then what they had proposed 11 years ago. Mr. Wilson stated the term growth area is a crucifixion on the people on this side and freedom for people on the other side. Mr. Heffner asked if all they need is a line to define the growth area then why not put the line on the map. Mrs. Gunnet said when the growth area was established years ago they were trying to keep the developments in the north end of the Township and the rural area in the southern end of the Township. She advised we used the land in the growth area to determine approximatly how much sewer capacity we would need and that is what was reserved at the Springettsbury Treatment Plant.

Chairman Pilachowski asked if Windsor Borough is part of this plan. Mr. Allison said yes it is. He said this will establish the primary growth area for Windsor Borough.

Chairman Pilachowski asked what is Neighborhood Commercial and how does it fit into our zoning. Mrs. Gunnet advised that we will have to rewrite our Zoning Ordinance to include this. Mr. Allison read the Commercial Zoning Ordinance. Mr. Heffner asked if it means they are going to try to put stores in the developments. Mr. Allison said it means small businesses out of homes. Mr. Allison said we are looking for a recommendation to add the northeastern Industrial use and Commercial use to the primary growth area on the future land use map.

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Mr. Ilyes motioned to recommend adding the Industrial and Commercial uses to the primary growth area, with a second by Mr. Harvey. Five votes yes. Motion carried.

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 8.00 P.M.

Respectfully submitted,

Jennifer Gunnet
Secretary