

WINDSOR TOWNSHIP PLANNING COMMISSION
May 20, 2010

1. The meeting of the Windsor Township Planning Commission was called to order at 6:00 P.M. by Chairman Pilachowski.

Present at the meeting were Jerry Pilachowski, Paul Ilyes (arrived at 6:15 P.M.), Charlie Wilson, Dean Heffner, J. LaRue Harvey, Jennifer Gunnet, Kipp Allison, Connie Gladfelter, Phillip Brath (ARRO Eng.), Tom White (AECOM), Maryanne Garber (DBR for Modern Landfill), Mark Pedersen (Modern Landfill), Dirk Posey, Jeffrey Shank (K. Eugene Shank, Inc.).

2. The Pledge of Allegiance was recited.
3. Chairman Pilachowski asked if there were any comments from the public. There were none.
4. Mr. Heffner motioned to approve the minutes for the April 15, 2010 meeting, with a second by Mr. Harvey. Motion carried. Four votes yes.

5. Plans submitted in May:

- A. MALCOLM D., SR & DELORES F. MOORE & MALCOLM D., JR & REBECCA E. MOORE – Final Subdivision Plan #L-5349 by Gordon L. Brown & Assoc., 3 lots along Burkholder Rd. Chairman Pilachowski motioned to table this plan along with B, with a second by Mr. Heffner. Motion carried. Four votes yes.
- B. KENSINGTON – Preliminary Phase 2 & 3 Subdivision #2005332-069 by RGS Assoc., 229 lots along Ness Rd. For action on this plan please see MALCOLM D., SR & DELORES F. MOORE & MALCOLM D., JR & REBECCA E. MOORE – Final Subdivision Plan #L-5349. The plan was acted upon at that time.
- C. DIRK L. & JODY POSEY & WAYNE L. POSEY – Preliminary/Final Subdivision Plan #060111 by James R. Holley & Assoc., Inc. Revised plan 4 lots to 3 lots along Bethlehem Church Rd. Mr. Allison went over the plan. He stated that this is a revision to a plan that was approved by the Planning Commission on 7/16/09. He said they are changing the number of lots to 3, not 4. He also stated that there are no changes to stormwater Mrs. Gunnet advised that the original plan has not been approved by the Board of Supervisor.

Mr. Brath and Mr. Allison went over the outstanding comments. Mr. Brath stated they are asking for two waivers. The first waiver is Section 302.k for the existing contours and the second is for Section 304.s the stormwater setbacks.

Mr. Heffner motioned to grant the waiver for the existing contours, with a second by Mr. Harvey. Motion carried. Four votes yes.

Mr. Allison said they want to put the stormwater pit within the setbacks. He advised they are trying to catch as much of the water from the driveway as they can.

Mr. Harvey motioned to grant the waiver for the stormwater pit to be within the setbacks, with a second by Mr. Wilson. Motion carried. Four votes yes.

Mr. Brath said sewage planning approval exemption must be obtained. He also advised that the limit of disturbance and disturbed area should be provided on the plan and the approval by the York County Conservation can be evaluated. He also advised that it should be noted that E&S controls will be required by the Township and any disturbed area falls under the Conservation District's threshold. Mr. Posey stated they have done that. Mrs. Gunnert advised that the plan has been changed so it will have to be approved a second time.

Mr. Allison asked Mr. Posey if York County Planning Commission has seen this new plan. Mr. Posey said no. Mr. Allison advised that he should make sure they get a copy of this new plan.

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

1. Plan revised from original Subdivision Plan that was approved by the Planning Commission on 7/16/09.
2. Waiver for existing contours was granted
3. Waiver for stormwater management facilities within the building setbacks has been granted.
4. Certification of ownership and dedicatory statement, as well as the engineer's certification should be revised to include current signatures.
5. Calculations should be provided to demonstrate compliance with the water quality and infiltration volume requirements.
6. Planning module must be submitted/approved prior to plan approval.
7. Planning module needs to be amended/revised.
8. Security must be posted prior to plan approval.
9. Is the York County Planning Commission signature from the previous version of the plan?
10. Has the revised plan been reviewed by York County Planning Commission?
 - Their adequate letter addresses the 12/9/09 plan, not the 4/29/10 plan.
11. Revise engineer's signature block.

Motion carried. Four votes yes. Mr. Ilyes abstained due to not being present for the entire discussion.

6. Plans submitted in April:

- A. MODERN TRANCYCLERY BUILDING – Final Land Development Plan #LDP-01 by AECOM, along Mt Pisgah Rd. Maryann Garber from DBR, Mark Pederson from Modern Landfill and Tom White from AECOM went over the plan. She states they want to construct a building that is 8,900 square feet and 34 feet high. She advised that the building will be

used to house the transfer of recycled material from single stream collection trucks to tractor trailers. She said there will be no increase in traffic and no new driveways or access roads and it also meets all the zoning ordinance requirements. She states they are asking for four waivers. She advised that the parcel in question is Parcel #27 and is 125 acres. The building area affected is less than an acre. She also stated there is no water and sewer being added to this parcel and they are waiting for confirmation from DEP and the Conservation District. She said we are also waiting for a confirmation letter from Lower Windsor Township saying they will waive seeing the plans.

Mr. Wilson asked if there were any houses near the site. Mr. White stated it is all landfill property. Mr. Allison stated there is a couple houses on Riddle Rd.

Mr. Brath advised the first waiver is for Section 303.2(f). The waiver is for the requirement that the plan depict the boundary of subdivision shown in heavy line with the length of courses in feet and hundredths and bearings to not more than half minutes. Ms. Garber stated they were working with the engineer on the waivers. Mr. Brath stated the Township has to decide if they want just the North East corner surveyed or the whole property which is a large piece of property. Mr. Ilyes asked when was the property last surveyed. Mr. White said early 90's when the parcels were added. Mr. Ilyes asked if there were markers on the corners. Mr. White said he is not sure without looking at the deed.

There was a lengthy discussion regarding this. It was the consensus that a portion of the property line needed to be surveyed. Chairman Pilachowski suggested that it will be the North East corner of Parcel 28 to the North East point of 27D including 27C, 27A, 27D, 26C, 26B and 26F.

Mr. Ilyes stated that he is not sure what they are looking for because he does not know a surveyor who would certify just a parcel in a parcel. Mrs. Gunnet stated that if it is not certified then they will have to return to the Planning Commission.

Chairman Pilachowski motioned to grant the waiver modification for Section 303.2(f) to not show the entire boundary of the subdivision with a heavy line on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including 27C, 27A, 27D, 26C, 26B and 26F, with a second by Mr. Wilson. Motion carried. Five votes yes.

Mr. Brath states the second waiver is for Section 303.2(g) to show bearings and distances to the nearest established street lines, section corners or other recognized permanent monuments, the third waiver is for Section 303.2(i) to only complete curve data for all curves for the plan only and the last waiver is for Section 303.2(n) to only show the accurate location, size type, and material of all monuments and lot markers. It was noted that these waivers were all related to the waiver requested for Section 303.2(f)

Chairman Pilachowski motioned to grant the waiver modification for Section 303.2(g) to only show bearings and distances to the nearest established street line, section corner or other

recognized permanent monuments. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including Parcels 27C, 27A, 27D, 26C, 26B and 26F, with a second by Mr. Ilyes. Motion carried. Five votes yes.

Chairman Pilachowski motioned to grant the waiver modification for Section 303.2(i) to only complete curve data for all curves. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including Parcels 27C, 27A, 27D, 26C, 26B and 26F, with a second by Mr. Wilson. Motion carried. Five votes yes.

Chairman Pilachowski motioned to grant the waiver modification for Section 303.2(n) to only show the accurate location, size type, and material of all monuments and lot markers. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including Parcels 27C, 27A, 27D, 26C, 26B and 26F, with a second by Mr. Wilson. Motion carried. Five votes yes.

Mr. Allison and Mr. Brath went over the outstanding comments. Mr. Allison asked about the right-of-way for Riddle Rd. Mr. White said he will get the information.

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

1. Certification of ownership and dedicatory statement must be signed and notarized by owner.
2. The existing right-of way width for Riddle Rd. should be added to the plan. The Township should determine if the dedication of additional right-of-way along adjacent streets is desirable in association with the subject.
3. Additional grading information should be provided including additional labels for existing contours, the finished floor elevation of the proposed building, proposes contours where grade changes are proposed, and spot grade elevations as required to ensure proper drainage.
4. The limit of disturbance and the disturbed area should be provided on the plan so that the requirement for review and approval by the York County Conservation District can be evaluated. Because the project proposes the disturbance of more the 5,000 square feet, an Erosion & Sedimentation Control plan must be prepared and kept on the project site during construction.
5. An improvements guarantee is required for all proposed public improvements. An estimate should be provided for review.
6. Note 9 on Sheet 2 of 2 indicates that runoff from the proposed improvements will be directed toward an existing basin via Rip Rap channel P. Calculations should be submitted to demonstrate that adequate conveyance capacity exists in this channel. Calculations should also be provided to demonstrate that adequate peak rate control will be provided in this basin for the additional impervious area. In addition, groundwater recharge and water quality volume calculations are required.

7. A Form B waiver must be submitted prior plan approval.
8. A small portion of Lot 27 is within the boundaries of Lower Windsor Township. Please obtain notification from the Township that they are waiving their review of the plan since no improvements are proposed within their Township.
9. Please add the following standard notes to the plan:
I, _____ STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL THE PROPERTY CORNER MONUMENTATION AS REQUIRED BY THE WINDSOR TOWNSHIP SUBDIVISION ORDINANCE, AND NOTED HEREON, HAS BEEN SET OR OTHERWISE ESTABLISHED IN THE FIELD.
10. Waivers must be reviewed/approved by Board of Supervisors prior to final plan approval in addition; waivers must be noted on the plan.
11. Revise engineer's signature block, "Reviewed by".
12. Please provide a full size set of plans.
13. Stormwater must be reviewed/approved by the Township Engineer.
14. Waiver modification of Section 303.2(f) to not show the boundary of subdivision shown in a heavy line. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including 27C, 27A, 27D, 26C, 26B and 26F.
15. Waiver modification of Section 303.2(g) to only show bearings and distances to the nearest established street line, section corner or other recognized permanent monuments. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including Parcels 27C, 27A, 27D, 26C, 26B and 26F.
16. Waiver modification of Section 303.2(i) to only complete curve data for all curves. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including Parcels 27C, 27A, 27D, 26C, 26B and 26F.
17. Waiver modification of Section 303.2(n) to only show the accurate location, size type, and material of all monuments and lot markers. Granted on the condition that the meets and bounds be shown from the North East Corner of Parcel 28 to the North East Point of Parcel 27D including Parcels 27C, 27A, 27D, 26C, 26B and 26F.

Motion carried. Five votes yes.

7. Plans tabled in April:

- A. JACK R. & JULIA HALE – Final Subdivision Plan #00.0 by K. Eugene Shank, Inc., along Kendale Rd. Jeffrey Shank from K. Eugene Shank, Inc. went over the plan. He said Lot 2 is one acre and the remaining 10 acres is Lot 1. He states they are asking for a waiver to not install curbs and sidewalks. Mr. Ilyes asked about one driveway and two houses. Mr. Allison stated that the declaration agreement is grandfathered.

Mr. Ilyes motioned to deny the waiver and a note must be added to the plan stating that within six months of notification from Windsor Township sidewalks and curbs must be installed, with a second by Mr. Heffner. Motion carried. Five votes yes.

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

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

1. Certification of ownership and dedicatory statement must be signed and notarized by owner.
2. The plan must be signed and sealed by a professional engineer or land surveyor.
3. A planning module or non-building waiver must be approved by the Sewage Enforcement Officer and/or Pennsylvania DEP.
4. A copy of the cross access easement agreement should be provided for review.
5. The following waivers of the Subdivision and Land Development Ordinance must be requested and granted by the Board of Supervisors prior to plan approval. Approval dates must be provided on the plan. Section 502.10 construction of sidewalks. Section 502.8 construction of curbs.
6. The Declaration of Easement must be signed and recorded immediately following the recording of the plan. Please provide the Township with a copy of the recorded document.
7. Please revise the title.
8. Revise variance note on cover sheet.
9. Waiver to not install sidewalks and curbs was denied. A note must be added to the plan stating that within 6 months notification from the Township the sidewalks and curbs must be installed.

Motion carried. Five votes yes.

- B. TEMPLETON – Preliminary/Final Land Development Plan #2007.0034.01 by LSC Design, along E. Prospect Rd. Chairman Pilachowski motioned to table this plan along with C, with a second by Mr. Harvey. Motion carried. Four votes yes.
- C. CVS/PHARMACY – Final Land Development Plan #MD082093 by Bohler Engineering, along Lombard Rd. For action on this plan please see TEMPLETON – Preliminary/Final Land Development Plan #2007.0034.01. This plan was acted upon at that time.
- D. J.C. BAR DEVELOPMENT LLC – Final/Preliminary Plan #MD082093 by Bohler Engineering, Lot Consolidation Plan. Mr. Allison stated that Bohler Engineering has submitted a letter on behalf of J.C. Bar Development LLC to withdrawal the original submission of the Subdivision Plan.
- E. BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313 by Gordon L. Brown & Assoc., Inc., 12 lots along Zion Church Rd. Chairman Pilachowski motioned to table this plan along with F, G, H, I, J, K, L, M, N and O, with a second by Mr. Ilyes. Motion carried. Five votes yes.

- F. WOODROW JR. & CAROLYN E. WILSON – Final Subdivision Plan #060111 by James R. Holley & Assoc., Inc. 3 lots along Bethlehem Church Rd. For action on this plan please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- G. 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. For action on this plan please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- H. JEFFREY A. STINE – Final Subdivision Plan #07-1103-001 by Johnson, Mirmiran & Thompson Engineering, 2 lots along Freysville Rd. For action on this plan please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- I. 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 please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- J. ROCKLEDGE – Preliminary Subdivision Plan #2003-29 by Johnston & Assoc. Inc., for 24 lots along Boxwood Rd. For action on this plan please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- K. BROOKFIELD CROSSING – Preliminary Subdivision Plan #2003-16A by Johnston & Assoc. Inc. for 71 lots along Smith Road. For action on this plan please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- L. COOL COUNTRY PROPERTIES - Preliminary Subdivision Plan #060619, by James R. Holley & Assoc., Inc., 32 lots along Snyder Corner Road. For action on this plan please see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- M. 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 BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- N. 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 BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.
- O. 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 please

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see BRIAN E. & JODI E. HINTON – Final Subdivision Plan #L5313. The plan was acted upon at that time.

8. Mr. Allison stated that the Board of Supervisors approved the Joint Windsor Borough and Windsor Township Comprehensive Plan on May 3, 2010 copies will be provided upon receipt.
9. Planning Commissioners comments. There was a lengthy discussion on different ordinances.
10. The meeting of the Windsor Township Planning Commission adjourned at 7:35 P.M.

Respectfully submitted,

Jennifer Gunnet
Secretary