

WINDSOR TOWNSHIP PLANNING COMMISSION

March 21, 2013

1. The meeting of the Windsor Township Planning Commission was called to order at 6:02 P.M. by Chairman Pilachowski.

Present at the meeting were Jerry Pilachowski, Charlie Wilson, Dean Heffner, Paul Ilyes (arrived at 6:03), J. LaRue Harvey, Jennifer Gunnet, Kipp Allison, Teresa Miller, J. Michael Hess, P.E. (ARRO Engineering), John Linton, Dr. Jeff Frey, Vera Miller & Mr. M. Bupp.

2. The Pledge of Allegiance was recited.
3. Public Comment – There were no public comments.
4. The minutes of the February 21, 2013 meeting were approved with a motion from Mr. Wilson seconded by Mr. Heffner. Motion carried. Four votes yes.
5. New Forest Hills – Phase III – Delay in Sidewalk construction – Mr. Linton, property owner of several lots within New Forest Hills, Phase III advised that he and the new owner of the Blouse parcel, Dr. Frey would like to request a waiver of Section 502.10 requiring sidewalks to be installed. Mr. Linton further requested a note be added to the plan that would require the property owner, his heirs or assigns to install sidewalks within six (6) months of written notification from the Township. Mr. Linton advised that Dr. Frey has no intention of ever developing this property and the steep slopes on the property would make it difficult to do any construction. Mr. Linton also provided stormwater calculations to show that the installation of the sidewalks would cause an excessive amount of run-off that is unnecessary.

Mr. Allison advised he had talked to Attorney Rausch and was advised that even though this was already an approved and recorded plan the Planning Commission could make a recommendation on this waiver. He further advised that there would need to be a recorded agreement amongst all property owners.

Mr. Wilson questioned why the six (6) month note was even needed for this phase of the development when the existing development, which is much denser does not have any sidewalks. Mr. Wilson felt requiring sidewalks in this section would be inappropriate if the existing development didn't have any.

On the motion of Mr. Ilyes seconded by Mr. Wilson the waiver was denied; the sidewalks will only be required following notice from Windsor Township requiring them to be installed within six months. A signed/recorded agreement must be required. Motion carried. Five votes yes.

6. Plans submitted in March: There were no plans submitted in March.
7. Plans tabled in February:
 - A. HOWARD/SNOOK PROPERTIES WEST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 292 lots along East Prospect Road, Stonewood Road and Freysville Road. On the motion of Chairman Pilachowski

seconded by Mr. Wilson this plan along with 7B, 7C, 7D, 7E, 7F, 7G, 7H and 7I were tabled.

- B. HOWARD/SNOOK PROPERTIES EAST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 61 lots along Freysville Road. For action on this plan see 7A.
 - C. KENSINGTON – Preliminary Phase 2 & 3 Subdivision Plan #2005332-069 by RGS Assoc., 229 lots along Ness Road. (5/1/10) For action on this plan see 7A.
 - D. MEADOW CREEK TOWNHOMES – Preliminary Subdivision & Land Development Plan #378.14 by Site Design Concept, Inc., along Cape Horn Road, Ruppert Road and Kendale Road. (10/1/07) For action on this plan see 7A.
 - E. BROOKFIELD CROSSING – Preliminary Subdivision Plan #2003-16A by Johnston & Assoc., Inc., 71 lots along Smith Road. (2/1/07) For action on this plan see 7A.
 - F. COOL COUNTRY PROPERTIES – Preliminary Subdivision Plan #060619, by James R. Holley & Assoc., Inc., 32 lots along Snyder Corner Road. (8/1/06) For action on this plan see 7A.
 - G. CORA E. DELLER – Preliminary Subdivision Plan #060620, by James R. Holley & Assoc., Inc., 34 lots along Winterstown Road, Neff Road and Sinclair Road. (8/1/06) For action on this plan see 7A.
 - H. SHADOW RIDGE, PHASE 1 – Final Subdivision Plan, by James R. Holley & Assoc., Inc., 54 lots along Burkholder Road and Blacksmith Road. (8/1/06) For action on this plan see 7A.
 - I. SHADOW RIDGE, PHASE 2 – Final Subdivision Plan, by James R. Holley & Assoc., Inc., 35 lots along Burkholder Road and Bahns Mill Road. (8/1/06). For action on this plan see 7A.
8. Subdivision & Land Development Ordinance (SALDO)- Article 4 – Mr. Hess advised that the next section of the SALDO that would be discussed is Article 4 which deals with bonds. Mr. Hess advised there are two different types of surety that are permitted by the Municipalities Planning Code. The first type allows for Bonds, Letters of Credit or Escrow accounts. The second type permitted is for a developer to complete construction and not receive final approval until all improvements are completed to the Township’s satisfaction. Mr. Hess advised that the Township is required to allow the first type, but does not need to require the second type. Mr. Hess recommended that the Township only allow the first option. Mrs. Gunnet asked if the Township had to allow escrow accounts, Mr. Hess replied yes based on the Municipalities Planning Code.

Mr. Hess advised the next topic to discuss relates to the long-term projects and the Township’s ability to adjust any existing bonds for inflation. He advised one option the

Township has is to apply the costs already incurred to the project if they are different than the original estimate. This would require the developer to provide amounts he has already paid for the project to determine if those costs are higher than originally estimated. The second option is to apply an inflation index, which Mr. Hess felt worked well when the Township recently did it. He felt it was a fair and equitable way to go and left no area for interpretation. It would allow all developers to be treated in the same manner. The third option allowed for a flat 10% annual increase. Mr. Hess advised that this method would probably work more to the Township's benefit because the inflation rate and the construction cost index normally increases at a rate of less than 10% which would result in larger bond being held. Mrs. Gunnet advised the Township had recently sent letters to various developers, they were given the option of adding 10% to what their current security was annually or take the improvements remaining and get their engineer to give a cost for remaining improvements and that would be the cost the Township would request from the developer. Mr. Allison felt the 10% annual increase was the best option. The Board felt that since this procedure worked in the past there was no need to change it.

Mr. Hess advised the next topic for discussion was in regards to the roadway paving. Mr. Hess had several conversations with Jeremy Trout regarding the binder paving that is done to the roadways within incomplete developments. He proposed that if the binder course was left exposed one or more years that the developer should be responsible for seal coating it.

Mr. Hess advised the final topic for discussion was in regards to the electronic data files. He explained that the Township currently requires the files in paper format and then has the files scanned into digital format. Mr. Hess proposes that the developer be required to submit the files to the Township in electronic format. He further suggests that if the files are not presented to the Township in electronic format that the developer be responsible for the cost to transfer the files. Mr. Hess advised he would need to discuss with Mr. Allison the costs associated with the transfer so that an accurate fee could be determined to charge the developer.

9. Planning Commission Comments – There were no comments
10. The meeting of the Windsor Township Planning Commission adjourned at 6:32 P.M.

Respectfully submitted,

Kipp D. Allison
Zoning Officer