

WINDSOR TOWNSHIP PLANNING COMMISSION
November 21, 2013

1. The meeting of the Windsor Township Planning Commission was called to order at 6:01 P.M. by Chairman Pilachowski.

Present at the meeting were Jerry Pilachowski, Charles Wilson, Dean Heffner, J. LaRue Harvey, Paul Ilyes, Kipp Allison, Jennifer Gunnet, Teresa Miller, J. Michael Hess, P.E. (ARRO Engineering), Mark Johnson, P.E. (RGS Associates), Kate McDonald (Keystone Custom Homes) & Phillip Brath (ARRO Engineering).

2. The Pledge of Allegiance was recited.
3. Public Comment – Mr. Hess announced to the Commission members that he has taken a position with another engineering firm and will be resigning as Windsor Township's engineer. He expressed his thanks for the opportunity to work with the Planning Commission. Mr. Hess advised Mr. Phillip Brath would be taking over as ARRO representative for Windsor Township. Mr. Brath introduced himself to the Planning Commission.
4. The minutes of the October 17, 2013 meeting were approved with a motion from Mr. Wilson seconded by Mr. Harvey. Motion carried. Four votes yes, Mr. Ilyes abstained.
5. Plans submitted in November: There were no new plans submitted in November.
6. Kensington – Preliminary Phase 2 & 3 Subdivision Plan #2005332-069 by RGS Assoc., 229 lots along Ness Road (5/1/10) – Waiver Discussion

Mr. Johnson provided a brief explanation of the status of the various Subdivision Plans submitted for this development. He advised that Phase 1 had been approved and was in the process of being constructed and Phase 2 & 3 had been submitted as preliminary plans that were not yet approved. He further advised that the purpose of the Development being done in Phases was because of inadequate sewer capacity. The lots constructed in Phase 1 could be connected to existing sewer lines, the lots in Phase 2 & 3 are dependant on the completion of the Panorama Hills Pump Station. Mr. Johnson advised that the Township had agreed to allow Keystone Custom Homes to submit the plan for Phase 2 & 3 under the understanding that it could not be approved until sewer capacity is available.

Mr. Johnson advised that Keystone Custom Homes is nearing completion of Phase 1 and would like to be able to continue construction. Mr. Johnson advised he knows there are outstanding issues with the submitted plan for Phase 2 & 3. He advised that a waiver had been granted for the front yard setback to be 25' which gives them additional 10' feet in the front yard which helped with issues relating to proposed walls and slopes for which waivers have been denied. He also advised, Keystone Custom Homes has been looking for an offsite location for a ball field which would give them more room to resolve outstanding issues.

Mr. Johnson advised that Keystone Custom Homes is looking for approval to move forward with the lots in Phase 2 that front on roads that have already been constructed as part of Phase 1. He advised that Keystone Custom Homes would like to work on and submit new plans for Phase 2 proposing only the lots referenced above with road frontage. He stated that allowing them to resubmit a new plan for Phase 2 would allow Keystone Custom Homes to be ready to start construction on those lots that have road frontage as soon as the expansion project of the Panorama Hills Pump Station was complete.

Mr. Wilson asked Mr. Johnson if the road frontage lots depend on sewer than what kind of timeframe are you looking at to begin construction. Mr. Johnson advised that Keystone Custom Homes was looking toward the spring for the actual approval of the Planning Modules. Mrs. Gunnet advised that DEP had indicated that they might be willing to issue Planning Modules once the work on the Panorama Hills Project had begun; but they would not guarantee this. Mrs. Gunnet advised that a main would have to be installed and run down the road to where the sewer connection would take place. Mr. Johnson advised that Keystone Custom Homes had secured most of the easements they would need to run the sewer line. Mr. Harvey questioned the sewer connection for the existing homes. Mrs. Gunnet advised the existing homes flow to the other side of the existing hill and where connected to the existing sewer.

Mr. Hess asked how stormwater was going to be done for these lots. Mr. Johnson advised that there were already basins installed to accommodate for the existing roads and that they would possibly need to install one more. Mr. Ilyes asked if this would be detailed on the new plan. Mr. Johnson advised yes. He advised a new Phase II plan would be submitted, and the remaining development would be presented as Phase 3 and 4. Mr. Ilyes asked how many lots were proposed. Mr. Johnson advised the plan he is presenting shows 33 lots. Mr. Ilyes questioned the additional 4 lots on Rosewater Drive. Mr. Johnson advised that section of road was part of Phase 1 and had not yet been completed, but the 4 lots should be counted. Mr. Allison advised that it was discussed at the in-house staff meeting that the 4 lots should be included. Mr. Ilyes asked which roads were currently constructed. Mr. Johnson explained which roads were constructed.

Mr. Wilson asked how many lots had already been constructed in Phase 1. Ms. McDonald advised she wasn't sure. She thinks there are about 7 lots left. Mr. Johnson advised the plan for Phase 1 showed 50 lots. He advised Keystone Custom Homes felt they could complete the remaining lots relatively soon and hoped they could get approvals to move forward with the next phase.

Mr. Hess asked if the current NPDES permit covered earth disturbance for the whole site. Mr. Johnson advised yes.

Mr. Hess asked if a scenario exists that eliminates street "C" since the front yard setback was reduced and if the ball field is able to be located offsite. Mr. Johnson advised there was one scenario where the road would be removed.

Mr. Hess asked how close Keystone Custom Homes is to the maximum number of lots permitted. Mr. Johnson advised they are within the maximum number of lots permitted. He further advised the new plan submission would not include any additional lots that were not already included on the original submission.

Mr. Harvey asked if any lots would be pulled south of Ness Road and placed in the area where the ball field was to be constructed. Mr. Johnson advised yes, if the field was able to be located offsite. Mr. Johnson provided a brief explanation of how the relocation of the ball field offsite would benefit the development.

Mr. Heffner asked who would maintain the open space. Mr. Johnson advised the Homeowners Associations.

Mr. Wilson expressed his concerns about the development of Phase 1 and how it was put in with the houses along Sunbury being constructed higher than the homes that were already constructed on Overview Circle. He commented that he didn't feel that Keystone Custom Homes was looking out for the interests of existing residents.

Mr. Johnson advised that Keystone Custom Homes is willing to offer a Bond to assure that the ball field is constructed either offsite or onsite. Mr. Johnson advised they are still in negotiations with a nearby property owner for land that could be used for the ball field. Mr. Wilson asked what would happen to the area set aside for a ball field if the ball field was actually located offsite. Mr. Johnson advised the plan would be changed so that the area for the ball field onsite could be used to rectify some of the issues with the grade transitions and the need for retaining walls. Mrs. Gunnet asked Mr. Hess how a figure would be determined for a bond to assure the construction of a field. Mr. Hess advised we would have to determine a figure based on the work that would need to be done to construct a field in addition to figures for items like diamond-tex, benches, fencing, etc. Mr. Hess advised that the figure would have to be based on the worst-case scenario in order to assure enough money was held for proper construction. Mr. Brath asked if the Township would be willing to approve the plan without knowing if there was a new site available for the ball field.

Mrs. Gunnet advised there was a sketch plan submitted several years ago by Keystone Custom Homes for the Kensington development and there was a discussion where Keystone Custom Homes, Red Lion School District & Windsor Township would work together to install a left turning lane on Windsor Road at Ness Road. She advised that when the home market slowed down the construction of the turning lane was put on hold. She further advised that Keystone Custom Homes was advised that when they submitted another plan the left turn lane would again need to be considered. She asked whether 37 additional homes would warrant the installation of the turning lane. Mr. Johnson questioned the agreement and how the turning lane would be paid for. Mrs. Gunnet advised that the cost would be split into thirds. Mrs. Gunnet advised that the Township would pay for the permitting. Engineering has already been completed as well as discussions with all the property owners affected. She advised at this point no further action was taken because of the slow down in the economy and the need for the turning lane no longer being immediate. Mrs. Gunnet advised that Keystone Custom Homes would be responsible for the

construction of the intersection, because they could do it without using prevailing wage. She advised that the school district would not be doing any work on the project; they would be providing money as needed. Ms. McDonald asked if there was a threshold. Mrs. Gunnet advised she didn't believe a threshold had ever been set. Mr. Ilyes asked if a light would be installed. Mrs. Gunnet advised no. Mr. Ilyes asked if anything would be done in the northbound direction. Mrs. Gunnet advised no. Mr. Ilyes asked if the Township or the Township engineer had any concerns. There were no concerns at this time.

Chairman Pilachowski advised he felt the road connecting Phase 1 with Phase 2 should be completed. Mr. Johnson advised that the road is part of Phase 1 and will be completed. He also advised that Keystone Custom Homes would agree not to increase the number of lots as well as install the turning lane as required. Mr. Harvey advised he didn't think any approvals should be given until we know where the ball field was going to go. Chairman Pilachowski advised he would like to see more detail on what is going to be happening with the open space as well as more specific detail on stormwater management. Mr. Johnson advised he would provide all the information requested once he obtained approval to move forward with designing a new plan. Mr. Allison advised the Commission that a decision did not need to be made this evening.

Mr. Wilson asked how much open space was being proposed. Mr. Allison advised that the actual amount of open space had not been fully worked out.

Mr. Ilyes asked Mr. Hess for his thoughts. Mr. Hess advised he didn't think there would be a problem; it would basically just be a phasing change.

Chairman Pilachowski asked how many homes are permitted on a cul-de-sac. Mr. Allison advised the Zoning Ordinance allowed for 10, the current plan showed 11, one lot would need to be removed.

Mr. Hess advised the next steps would be for Keystone Custom Homes to get a preliminary plan together and submit it and go through the approval and waiver process so that when the Panorama Hills Pump Station was up and running the construction of the homes could begin.

Mr. Johnson advised surety will be provided to assure the construction of the ball field. In addition, lands will remain to construct a field onsite provided an offsite location is unable to be obtained. Chairman Pilachowski asked if the calculation of open space would be done in Phase 3 & 4. Mrs. Gunnet advised yes. Mr. Barth asked if there was a requirement as to when the recreational space had to be installed. Mr. Allison advised that in the existing plan there is no specifics on the construction of the open space only what should be considered as open space. Mrs. Gunnet advised that the Board of Supervisors approved the cluster overlay development with the condition that a full size athletic field be constructed.

Mr. Ilyes made a motion to approve the request to proceed with a new plan with the following conditions:

1. Rosewater Drive be completed up to the intersection of Sunbury Way
2. The turning lane at the intersection of Windsor Road and Ness Road be installed
3. The number of lots on the cul-de-sac does not exceed 10
4. The number of proposed lots does not increase
5. Surety be posted for construction of the ball field

Mr. Harvey seconded. Motion carried. Five votes yes.

7. Plans tabled in November:

- A. MIA BRAE INDUSTRIAL PARK – Preliminary/Final Land Development Plan #011231 by James R. Holley & Assoc., Inc., extension of Boxwood Road across Route 74 (Delta Road) (6/1/13) - On the motion of Chairman Pilachowski seconded by Mr. Heffner this plan along with 7B, 7C, 7D, 7E, 7F, 7G and 7H were tabled. Motion carried. Five votes yes.
- B. 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 (12/1/12) – For action on this plan see 7A.
- C. HOWARD/SNOOK PROPERTIES EAST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 61 lots along Freysville Road (12/1/12) - For action on this plan see 7A.
- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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.

8. Subdivision and Land Development Ordinance Amendment Discussion – Mr. Hess advised he had nothing new for the Commission. The staff is still in the process of reviewing the Ordinance and as soon as they are finished Mr. Brath will present any new items for discussion to the Planning Commission prior to submitting the Ordinance to the York County Planning Commission and Board of Supervisors for approval. Mr. Allison advised the Commission had a current copy of the draft to review. Mr. Brath asked the Planning Commission to look over their copies so that their concerns could be addressed at the next meeting.

10. Planning Commission Comments – There were no comments.

11. The meeting of the Windsor Township Planning Commission adjourned at 7:09 P.M.

Respectfully submitted,

Kipp D. Allison
Zoning Officer