

WINDSOR TOWNSHIP PLANNING COMMISSION

July 19, 2012

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, Charlie Wilson, Paul Ilyes, Dean Heffner, J. LaRue Harvey, Kipp Allison, Jennifer Gunnet, Deanna Coble, J. Michael Hess (ARRO Engineering), Atty. Stacy MacNeal, Keith Howard, Albert Howard, Greg Howard, Mike Nazmack, Vera Miller, Charlie Rexroth, Licia Lehman, Jack Carpenter and Sue Carpenter.

2. The Pledge of Allegiance was recited.
3. Chairman Pilachowski asked if there were any comments from the public. There were none.
4. The minutes of the June 21, 2012 meeting were discussed. Mr. Wilson advised that on Page 4 approximately half way down the page Mr. Heffner had made a statement about a Zoning Hearing Board case. In the statement, the word "and" was used. It should be "but". Mr. Wilson motioned to approve the amended minutes with a second by Mr. Heffner. Motion carried. Five votes yes.
5. Plans submitted in July:
 - A. SHADOW RIDGE - Final Subdivision Plan #030719 by James R. Holley & Associates for five lots along Burkholder Rd. Chairman Pilachowski motioned to table this plan along with 5B with a second from Mr. Heffner. Motion carried. Five votes yes.
 - B. ERMA O. & RICHARD L. ROYSTON - Final Subdivision Plan #L-5448 by Gordon L. Brown & Associates for 2 lots along Elfner Road. For action on this plan, see 5A.
6. Plans tabled in June:
 - A. KENSINGTON – Preliminary Phase 2 & 3 Subdivision Plan #2005332-069 by RGS Assoc., 229 lots along Ness Rd. Chairman Pilachowski motioned to table this plan along with 6 B, C, D, E, F, and G, with a second by Mr. Harvey. Motion carried. Five votes yes.
 - B. 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 6 A.
 - C. BROOKFIELD CROSSING – Preliminary Subdivision Plan #2003-16A by Johnston & Assoc. Inc. for 71 lots along Smith Road. For action on this plan see 6 A.
 - D. 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 6 A.
 - E. 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 6 A.

- F. 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 6 A.
- G. 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 6 A.
- 7. Albert J. & O. Virginia Howard - Reconsideration of rezoning of their property - Attorney Stacey MacNeal advised that she is here to answer any questions that the Planning Commission members had from last month.

Mr. Wilson advised that he drove by the Howard property and feels it is a beautiful area. However, the Township cannot be assured that there will be a 55 and older community developed on the property. Also a lot of work has been put into the zoning map with the Rural Residential (R-R) zone being the centerpiece of it. Mr. Wilson asked Attorney MacNeal how she would like to represent the Township when another property owner comes in and says that the Township is picking favorites. Attorney MacNeal stated that she understands that the Township has been working on this for a long time. The reality of the matter is that you can put information in the newsletter and on the website but it is the property owner's responsibility to keep informed. She added that it is within the Board of Supervisor's constitutional framework to rezone land as appropriate and that there are several factors why this land should remain R-1 such as: frontage on Rt.124, access to public utilities, on the border with Springettsbury Township, other R-R zoned properties are in the middle of the Township and this R-R zone is separated from other R-R zoned lands.

Mike Nazmack advised that the Howard properties are surrounded by R-1 zones on three sides and the landfill on the other.

Mr. Harvey advised that he agrees with Mr. Wilson's comment that this is a beautiful area and feels that this is a prime area for a senior community.

Mr. Pilachowski asked for the Commission's recommendation. On the motion of Mr. Heffner seconded by Mr. Ilyes, it was the Commission's recommendation to retain the proposed R-R zoning for the Howard properties. Motion carried. Four votes yes. Mr. Harvey voted no.

- 8. Zoning and Subdivision Ordinance - Mr. Hess advised that staff had two additional discussion points for the Planning Commission with one of them being the proposed zoning for the Howard property which has just been discussed. The other is the use of Open Space Development (OSD) Option #1 in the R-1 zone. The OSD Option #1 is proposed to be density neutral. Therefore, developers may not want to utilize it. He noted that in the R-1 zone, the minimum lot size is 43,560 sq.ft. with no utilities. The minimum lot size is less for lots with utilities. If a developer uses the OSD Option #1, the minimum lot size is 40,000 sq.ft. regardless of utilities. He added that in the R-R zone use of OSD Option #1 makes more sense. He presented two options. One would be to eliminate the OSD Option #1 in the R-1 zone. The other would be to decrease the lot size in the OSD Option #1. There was a brief discussion. On the motion of Mr. Ilyes

seconded by Mr. Wilson, the Open Space Development Option #1 is to be removed from the R-1 zone. Motion carried. Five votes yes.

Mr. Hess stated that he is working on the formatting, headings, etc. and asked if the Planning Commission is willing to recommend to the final draft to the York County Planning Commission for review at their September meeting.

Mr. Pilachowski advised that he had some questions pertaining to the Neighborhood Commercial (C-N) zone. He asked if land development plans would be required as well as curbing and sidewalks. Mr. Hess answered that some of those issues would be addressed during the rewrite of the SALDO regulations. Mr. Allison stated that if the proposed construction was commercial based, then yes because parking, stormwater, etc. would have to be addressed. If the proposed construction was residential based, no. The Building Permit would specify that the construction was for residential use only. Mr. Pilachowski asked what would be involved should a property owner want to convert a two car garage to a commercial use. Mr. Allison advised that they would have to follow the retrofit regulations contained in the Uniform Construction Code. Mr. Pilachowski's next question was how does a commercial use get approved. Mr. Allison advised that a land development plan may be needed unless there is ample parking already provided. He added that the Township is working to make the C-N zone as friendly as possible. Mr. Hess agreed and added that there are no guarantees that a quarter acre parcel would be able to operate as a commercial use in the C-N zone.

Mr. Wilson asked what the next step would be. He was advised that the final draft would be presented to the York County Planning Commission for review. It was asked if this Planning Commission would be able to review the comments made by the York County Planning Commission. Mr. Allison confirmed that the comments from the York County Planning Commission would be shared with the Commission. Mr. Hess added that if any of the York County Planning Commission comments affected the core items of the draft, it would need to be brought back to the Planning Commission for further discussion.

The possible timeline was discussed. Mr. Allison noted that if the Planning Commission recommended approval of the final draft this evening it would have to be submitted to the York County Planning Commission by Aug. 1st. The York County Planning Commission would review it at their September 4th meeting. This would put it before the Windsor Township Board of Supervisors for their October 15th meeting.

Mr. Nazmack asked when the deadline would be for plans to be submitted under the current ordinance. Atty. MacNeal advised October 15th.

On the motion of Mr. Ilyes seconded by Mr. Wilson, the Planning Commission recommended that the final draft be presented to the York County Planning Commission for review. Motion carried. Five votes yes.

Mr. Nazmack advised that he would not have known about the rewrite of the Zoning Ordinance if he would not have contacted the Township Office regarding the Howard property. Mrs.

Gunnet advised that the Township has been working on this for quite a while and that there have been articles regarding it in the past several issues of the Township's newsletter.

Licia Lehman asked how property owners that do not live within the Township would know this was happening. Mrs. Gunnet advised that the Township will be sending out letters to property owners whose property is proposed for rezoning once a public hearing date has been established. She added that Attorney MacNeal said it best earlier in the meeting that property owners need to do their part to keep informed.

Albert Howard stated that it was said that land is the best investment that you can make. So he bought land. The proposed rezoning will take a portion of his estate away. In twenty years, people will look back and comment that land was wasted by putting one house on a big lot.

Mr. Pilachowski commented that he has been on the Planning Commission for fourteen years and that they are always trying to do what is best for the Township as a whole.

9. Planning Commission Comments - Mr. Harvey asked why there are no left turn arrows at the Freysville intersection. Mrs. Gunnet advised that the traffic volumes did not warrant them. He stated that he waited for three light cycles before being able to make a left turn. Mrs. Gunnet asked him when this occurred. He stated that he did not know what day it was.

Mr. Ilyes stated that three of the four roads at the Freysville intersection have the stop bars for the left turn lane and straight through lane offset from each other. Freysville Road coming from Red Lion is not. He added that he feels the left turn lane stop bar is too close to the intersection and asked why it was not offset. Mrs. Gunnet advised that she would check with the traffic engineer.

Mr. Wilson asked what happened to the iron fencing that had been on the Clinton property. Mrs. Gunnet advised that he has chosen to not have it reinstalled.

10. The meeting of the Windsor Township Planning Commission adjourned at 6:46 P.M.

Respectfully submitted,

Jennifer L. Gunnet
Secretary