

WINDSOR TOWNSHIP PLANNING COMMISSION
December 19, 2019

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, Charles Wilson, Paul Ilyes, Todd Kurl, Dean Heffner, Christopher Kraft, P.E. (C.S. Davidson), Kipp Allison, Teresa Miller

2. The Pledge of Allegiance was recited.
3. Public Comment – There were no public comments.
4. The minutes of the November 21, 2019 meeting were approved with a motion from Mr. Wilson seconded by Mr. Kurl. Motion carried. Five votes yes.
5. Zoning Ordinance Amendments

Mr. Allison advised that some of the changes suggested for the Windsor Township Zoning Ordinance have stemmed from comments during review of new plans and/or requests to the Zoning Hearing Board.

There was a brief discussion regarding required parking spaces. Mr. Ilyes questioned what Mr. Allison was proposing for Drive-Thru/Fast Food restaurants. Mr. Allison advised that he proposed one (1) space for every (4) seats and one per each two employees. He advised that this is what other local ordinances have.

Mr. Allison advised he was recommending one (1) space for 200/300 square feet of gross floor area for convenience stores.

Mr. Ilyes questioned the requirement for funeral homes. He advised that the Ordinance is requiring parking spaces for equipment like hearses and ambulances. Mr. Ilyes advised that most funeral homes park those types of vehicles in a garage now. Mr. Allison advised that he too realized that parking spaces for these vehicles was not necessary and the current requirement of 1 space per 100 square feet of gross floor space should be changed to either 100 or 200 square feet of floor space and the requirement for spaces for equipment should be removed. Mr. Pilachowski felt that the requirement should remain at 100 square feet of floor space.

Mr. Wilson questioned whether the York County Planning Commission should review the recommended changes. Mr. Allison advised that they had done a cursory review.

Mr. Kurl advised that based on what his clients do, it was his belief that when a new plan is submitted that the developer is going to submit a plan for what he/she feels is needed and not just put in the minimum number of spaces required by the Ordinance.

Mr. Ilyes questioned why the requirements for mini-warehouses was based on 250 sq. ft. of office space and office buildings was based on 300 square feet of gross floor area. He questioned why those numbers wouldn't be the same. Mr. Allison agreed the numbers

should be the same. Mr. Kurl advised that most mini-warehouses have a very small office area so he feels that the current requirement is sufficient.

Mr. Allison advised that after reviewing ordinances from other municipalities he felt that the parking requirement for food markets and grocery stores should be revised to 200 square feet but be based on retail space and not the gross floor area. The Planning Commission members agreed.

Mr. Wilson questioned previous discussions related to parking and thought that a business would not want to have fewer spaces but would in fact want to have more. Mr. Kurl advised that you need to look at the use of the business. He commented that a business that knows it is only going to need 10 spaces and has to put in a massive parking area and manage the stormwater from it could have a problem. Mr. Kurl questioned how it would be handled if a plan was submitted for a use that only needed 10 parking spaces, but was required to put in 30 because of the ordinance. He questioned whether the developer could show there was available space for future expansion of parking if needed but not install it at this time. Mr. Allison advised there was a note that could be placed on the plan that would allow this. There was a brief discussion regarding parking areas for shopping centers.

Mr. Allison advised that after his review of other Municipal Ordinance's he proposes that for Personal Customer Service Business and Retail stores or shops the requirement should be based upon 300 square feet of gross floor area. He advised that this aligns with what other Municipalities are requiring.

Mr. Ilyes questioned the need for six (6) spaces per each physician or dentist, etc. for a Professional Office. Mr. Allison advised that he was thinking four (4) spaces would be suitable. There was a brief discussion. Chairman Pilachowski felt six was a suitable number of spaces.

Mr. Allison advised he felt that Industrial and Heavy Manufacturing uses should provide one (1) space for every two employees working and one (1) space for every 300 square feet of office space.

Mr. Allison advised that York Township recently created shared parking provisions. He explained that properties that have road frontage that don't qualify as a shopping center can do a Developer's agreement and share parking spaces. He advised that this was done between CVS and Susquehanna Bank and seemed to work very well. Mr. Allison advised he would research this option a little further and provide more data to the Planning Commission at the next meeting.

Chairman Pilachowski asked if there were regulations for a Retirement Home. Mr. Allison advised this would be addressed under the requirements for Assisted Living or Personal Care Home and through a Special Exception.

Mr. Wilson questioned special parking spaces for pregnant mothers, associate of the month, etc. and whether this was permitted. Mr. Allison advised he had done no research on these types of parking spaces and did not know what the requirements were for them.

Mr. Allison advised the problem he is seeing with the regulations for the Residential Buffer Strip is when the landscaping and screening requirements were changed it created a situation where two tiers of landscaping and screening are being required. Mr. Allison's suggestion is that Section 211.5.4 of the Windsor Township Zoning Ordinance be changed to read:

Residential Buffer Strip – Any lot adjoining land within a residential zone, or adjoining an existing residential use, shall maintain a twenty-five (25) foot setback for nonresidential buildings, structures, off-street parking lots, and outdoor storage areas, from the residentially-zoned or residentially-used parcels. Loading areas shall maintain a total fifty (50) foot setback from the residentially zoned or residentially-used parcels. Such areas shall be used for a landscape strip and screen.

There was a brief discussion. Mr. Allison recommended that in an Industrial Zone the residential buffer strip in addition to the required setbacks should still be maintained. The Planning Commission members agreed.

Mr. Allison advised that the regulations for retaining walls needed to be reviewed. He advised that regulations to allow for a higher retaining wall when deemed necessary, needed to be determined. He advised that currently requests for higher walls need to go through the Zoning Hearing Board and this is not the correct way the requests should be handled. There was a brief discussion regarding how the Zoning Hearing Board makes their determinations.

Mr. Kraft explained how the current regulations in the Ordinance work. He advised that anything over 4' has to be designed, permitted and inspected per the UCC and recommends we follow this requirement. Mr. Ilyes questioned the stability of any wall if on the upside slope there was something like a parking lot that would put pressure/weight on that slope. He thought walls of 3' should be engineered as well. Mr. Kraft reiterated his belief that 4' would be sufficient for requiring engineering. Mr. Allison advised that in the residential zone there is an exemption for walls to be inspected up to 4' after 4' an inspection would be required. He advised that any commercial construction would require the wall to be engineered and inspected.

Mr. Allison recommends that Section 301.2 of the Windsor Township Zoning Ordinance should be amended to specify that this regulation is for Agricultural and Residential Zones only and add the following requirement for Commercial and Industrial Zones:

Within any C-N, C-1 and I Zone no wall shall be erected to a height more than ten (10) feet in any yard. Any wall proposed to exceed ten (10) feet in height must first obtain a Conditional Use approval from the Board of Supervisors per Article 7.

Mr. Kraft questioned whether the walls would need to meet setbacks since they are considered structures. Mr. Allison advised that typically walls have not been required to meet setbacks they are permitted on property lines but must remain out of right-of-way's and easements. He advised that the Ordinance would need to be updated to reflect this requirement. Mr. Kraft questioned whether there should be separate definitions for wall and retaining wall. Mr. Allison advised he would have to look into creating separate

definitions and would work with Mr. Kraft on doing that. He also suggested this would be a good way for allowing “walls” in Residential Zones and “retaining walls” in Commercial Zones.

Mr. Ilyes questioned why Mr. Allison was recommending a change from 10% to 20% for the maximum permitted lot coverage for Agricultural, Horticulture and Timber Harvest related uses. Mr. Allison advised the smaller percentage has caused some hardship for property owners. He referenced Mr. Rexroth’s project to construct a new turkey barn that required him to join parcels in order to be able to construct the new barn due to his existing lot coverage.

Mr. Allison advised he had reviewed Section 312.10, Schedule for Off-Street Loading Spaces of the Windsor Township Zoning Ordinance and compared it to other municipality ordinances and found there was a large discrepancy between our requirements and theirs. There was a brief discussion regarding loading spaces. Chairman Pilachowski felt that any applicant proposing a retail business would know whether or not they needed a loading space and how much space they would need. Mr. Allison explained that in the past a request was made for the loading space to share the parking area. The Planning Commission agreed that no change was needed to this section.

Mr. Allison advised there is case law that defines how signs are to be regulated. He advised that other municipalities have dealt with the case law by no longer saying how many signs are permitted but only what type of signs are permitted. Mr. Allison advised he is suggesting the Ordinance be changed to allow one (1) monument sign and not specify how many individual business signs are permitted but instead establish an overall square footage that is permitted and let the applicant determine how many signs they want to put up not exceeding the permitted square footage. There was a brief discussion regarding case law and past Zoning Hearing applications and what the applicants were asking for. Chairman Pilachowski recommended redefining monument signs. He suggested that when installing a monument sign that the sign be approximately 30” from the ground.

Mr. Ilyes suggested that sign tables in Section 313.2 of the Zoning Ordinance be amended to include the column headings at the top of each page. Mr. Allison agreed.

Mr. Allison asked if the Planning Commission wanted him to do a little more research and come up with a suggested square footage for permitted signs. Mr. Heffner advised he felt we should establish a maximum square footage and let the applicant determine how he will use that square footage. Chairman Pilachowski stated that he felt there should still be a size limit placed on the actual signs installed. Mr. Kurl asked if the suggested square footage would include directional signs. Mr. Allison advised no. Mr. Allison suggested allowing more directional signs but limiting the size of them. There was no objection from the Planning Commission for Mr. Allison to come up with a suggested square footage for signage.

Mr. Allison advised that the Windsor Township Ordinance calls for 200’ of onsite stacking that is separate from the required parking for Drive-Thru and/or Fast Food restaurants. He advised this is double what most other municipalities require. He advised that other municipalities required a dedicated figure that is separate from parking, but an overall

stacking area. He stated as an example 100' of the stacking area would be separated from parking but overall 200' of stacking area would be provided by putting 100' outside of the parking lot and the other 100' is internal within the parking lot. Mr. Allison advised he would check the existing fast food restaurants and see if this option would work for any of them to determine if this is something we wanted to implement.

Mr. Allison also commented that Section 419.2 of the Zoning Ordinance required that the subject property where a Drive-Thru or Fast Food restaurant was proposed had to front on an arterial or collector road. He advised that he didn't think it should matter what road it fronts on. Mr. Kraft advised that currently all the Commercial areas within Windsor Township do front on arterial or collector roads.

6. KENSINGTON – Preliminary Phase 2 & 3 Subdivision Plan #2005332-069 by RGS Assoc., 229 lots along Ness Road. (5/1/10)

Mr. Allison advised that this plan has been withdrawn.

7. Plans tabled:

- A. 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)
- B. BROOKFIELD CROSSING – Preliminary Subdivision Plan #2003-16A by Johnston & Assoc., Inc., 71 lots along Smith Road. (2/1/07)
- C. HOWARD/SNOOK PROPERTIES WEST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 292 lots along East Prospect Road, Stonewood Road & Freysville Road (12/1/12)
- D. HOWARD/SNOOK PROPERTIES EAST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 61 lots along Freysville Road (12/1/12)
- E. BROOKFIELD CROSSING (Resubmission) – Preliminary Subdivision and Land Development Plan #2006-16A by Johnston & Assoc., Inc., 98 lots along Smith Road (11/7/17)

On the motion of Chairman Pilachowski seconded by Mr. Wilson, plans 7A, 7B, 7C, 7D and 7E were tabled. Motion carried. Five votes yes.

8. Planning Commission Comment
9. The meeting of the Windsor Township Planning Commission adjourned at 7:46 P.M.

Respectfully submitted,

Kipp D. Allison
Zoning Officer