

WINDSOR TOWNSHIP PLANNING COMMISSION

April 20, 2023

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, Brita Runkle, Todd Kurl, Jim Vergos, Christopher Kraft, P.E. (C.S. Davidson, Inc.), Adam Anderson, P.E. (Site Design Concepts Inc.), Jeff Walker, Kipp Allison and Teresa Miller.

2. The Pledge of Allegiance was recited.
3. Public Comment – There were no Public Comments.
4. On a motion from Mr. Kurl and seconded by Ms. Runkle the minutes of the March 16, 2023 meeting were approved. Motion carried. Three votes yes. Mr. Vergos abstained as he was not present at that meeting.
5. Plans to be discussed:

- A. EAST PROSPECT ROAD PARTNERS, LLC – Office Building Development
Preliminary/Final Land Development Plan #428.6C by Site Design Concepts, Inc., along E. Prospect Road. (2/1/23)

Adam Anderson explained the purpose of the plan. He advised that two lots for future office buildings are being proposed along East Prospect Road and the remaining proposed lot will be joined with Mr. & Mrs. Walker's existing lot along Christensen Road.

Mr. Anderson advised that the plan proposes one new access point to East Prospect Road but will be installing an access road that will extend across the two new parcels as well as the two existing parcels owned by East Prospect Road Partners, LLC. He further advised that the new lots would be connected to public sewer and water and comply with all landscaping requirements. He also advised that they are still working on a PennDOT and NPDES permit.

Mr. Anderson advised the following waivers were being requested:

- Section 304.2.B & 305.2.B; plan sheet size
- Section 502.2.J; widening of existing roads
- Section 503.1.A; construction of curbs
- Section 503.2; construction of sidewalks
- Section 504.2; horizontal & vertical alignments
- Section 504.2.F; paving requirements
- Section 306.R; stormwater management facilities
- Section 306.S; fencing

On the motion of Mr. Kurl and seconded by Ms. Runkle the waivers were recommended for approval. Motion carried. Four votes yes.

Mr. Kraft commented that because East Prospect Road is a state road and PennDOT would dictate whether the proposed access drive is permitted and its requirements that a request for a waiver of Section 502.5.F requiring a 150-foot clear sight triangle should be requested.

Mr. Anderson advised he would like to request a waiver of Section 502.5.F based on Mr. Kraft's comments.

On the motion of Ms. Runkle seconded by Mr. Vergos the waiver of Section 502.5.F was recommended for approval. Motion carried. Four votes yes.

Mr. Kraft reviewed his outstanding comments. Mr. Allison advised that his only comment is that note #34 should be expanded to reference all of the parcels that the proposed access road will cross.

On the motion of Mr. Vergos and seconded by Ms. Runkle the plan was recommended for approval with the following outstanding comments:

1. A photometric plan shall be provided and meet the illumination requirements of Section 320.2 if any exterior lighting is proposed.
2. The name, seal, and signature of the registered engineer and registered surveyor responsible for creation of the plans shall be provided.
3. The York County Uniform Parcel Identification numbers for all lots shall be placed on the cover sheet once they have been given to the proposed subdivided lots based on the Preliminary/Final Subdivision Plan for the site.
4. The applicant shall provide a cost estimate of public improvements for the establishment of financial security.
5. Erosion and Sedimentation control plans and post-construction stormwater management plans are required by the York County Conservation District. A copy of all environmental plans shall be provided to the Township. A copy of all issued environmental earth disturbance permits shall also be provided to the Township.
6. Per Section 306.6.B a traffic impact study is required for all non-residential development proposing greater than 10 parking spaces. A modified study of the adjoining development shall be provided updating traffic counts and crash data.
7. Paving sections shall match the Windsor Township Construction and Material specifications.
8. The applicant shall provide erosion control and energy dissipation on proposed swale number 2. Proposed swale number 2 ends without any designed discharge point and calculations on erosion control.

9. Operations and maintenance responsibilities for all stormwater management facilities shall be indicated on the plans.
10. The applicant is required to pay a fee, to be determined by the Township, to the Municipal Stormwater Maintenance Fund.
11. The following waivers of the Subdivision and Land Development Ordinance must be requested and granted by the BOS prior to plan approval. Approval dates must be provided on the plan.

- Section 304.2.B & 305.2.B; plan sheet size
- Section 502.2.J; widening of existing roads
- Section 503.1.A; construction of curbs
- Section 503.2; construction of sidewalks
- Section 504.2; horizontal & vertical alignments
- Section 504.2.F; paving requirements
- Section 306.R; stormwater management facilities
- Section 306.S; fencing
- Section 502.5.F; clear site triangle

12. Windsor Township reserves the right to make additional comments.

Motion carried. Four votes yes.

6. Solar Energy Discussion

Mr. Allison advised that each member of the Planning Commission has received a copy of several maps that were generated by Mr. Kraft.

Chairman Pilachowski asked what the difference between Prime Soils and Farmland of Statewide Importance. Ms. Runkle advised that Prime Soils are better soils for growing and the Farmland of State Importance are typically soils that are usable but not as productive.

Mr. Allison reviewed the map he had created regarding transmission lines and substations within the Township. He advised that he has learned that most solar facilities are installed within approximately one mile from the transmission lines. He advised that this distance of one mile would likely include almost all of the properties within the Township.

Mr. Allison advised that there were several questions that needed to be addressed:

1. Should Solar Facilities be an accessory use or a considered a principle use?
2. Should Solar Facilities be a permitted use or require a Special Exception?
3. Should Solar Facilities be permitted based on Zones or a Map Overlay?
4. Should Solar Facilities be permitted over contiguous tracts?
5. Should Solar Facilities be permitted on Prime Agricultural Soils but be limited to a set percentage of that Prime Soil?

Chairman Pilachowski asked what is considered large scale. Mr. Allison advised anything over 5 acres. Ms. Runkle asked if other municipalities have a minimum acreage requirement. Mr. Allison was not sure.

Mr. Allison advised that an Ordinance needs to be developed for large scale facilities. He advised that the residential projects are currently addressed through the normal Building Permit process and that process seems to work effectively. He further advised that it needs to be determined what zones we want to allow the facilities in and how large of a facility we want to allow.

Mr. Kurl advised that he would prefer to see the Prime Soils protected and not see facilities over contiguous parcels unless a reverse subdivision is done to dissolve the existing lot line. He also felt that a Special Exception should be obtained.

There was a brief discussion regarding easements between properties if contiguous tracts were permitted and setbacks not enforced.

Chairman Pilachowski advised he would prefer facilities not be installed over contiguous tracts. Ms. Runkle agrees.

Mr. Kraft advised that DEP Guidance indicates that anything over 1 acre would need an NPDES permit. There was a brief discussion regarding stormwater management.

Mr. Allison asked if the Commission was interested in setting a percentage for the permitted area of Prime Soils that could be disturbed. Ms. Runkle asked what that percentage would be. Mr. Allison did not know, he said that would have to be determined. Chairman Pilachowski thought that 25% would be a good number. Mr. Vergos & Ms. Runkle felt that setting a percentage could be challenged in court.

Mr. Allison asked if the Commission wanted to see these facilities near residential zone. Ms. Runkle asked if a buffer would be required. Mr. Allison advised yes. Chairman Pilachowski stated he would rather see facilities in the southern most part of the Township, away most housing.

Mr. Vergos stated that he felt the focus for these facilities should be on farmland near the transmission line.

Mr. Kraft advised that larger facilities would be required to provide security for the decommissioning of the facility that would be held by the Township in an escrow account.

Mr. Allison advised that he could work on an overlay to be discussed at the next Planning Commission meeting.

7. Plans to be 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 Mr. Pilachowski seconded by Mr. Kurl, plans 7A, 7B, 7C, 7D & 7E were tabled. Motion Carried. Four votes yes.

8. Planning Commission Comments – There were no comments.

9. The meeting of the Windsor Township Planning Commission adjourned at 7:04 P.M.

Respectfully submitted,

Kipp D. Allison
Secretary