

WINDSOR TOWNSHIP BOARD OF SUPERVISORS

May 19, 2025

1. The meeting of the Windsor Township Board of Supervisors was called to order by Chairperson Kathy Kerchner at 6:00 p.m.

Those present: Kathy Kerchner, Kim Moyer, Stan Saylor, Attorney Cory Dillinger, Christopher Kraft, P.E., Jennifer Gunnet, Jeremy Trout, Kipp Allison and Deanna Coble. See the attached list of citizens present.

2. The Pledge of Allegiance was recited.
3. On the motion of Stan Saylor seconded by Kim Moyer, the minutes of the April 21, 2025 meeting were approved. Motion carried. Two votes yes. Ms. Kerchner abstained from voting due to not being present at the meeting.
4. The following items of correspondence were presented:
 - A. Mrs. Gunnet advised that any Form U applications that had been received from Modern Landfill would be located on the counter in the rear of the room.
 - B. Mrs. Gunnet advised that she has received a letter from Harry Edie, 1225 Golden Way, expressing his concerns with accidents and speeding on Route 124 as well as the York County Regional Police Department's mounted unit. She stated that she has responded to him detailing the proposed changes to the Mountain and East Prospect Road intersection and the East Prospect Road and Freysville Road intersection. She added that she has also forwarded the letter to the Police Department and PennDOT.
5. Windsor Township Fire & Emergency Rescue Services Association – No one was present.
6. York County Regional Police Department – No one was present.
 - A. The monthly report is available for review.
7. Elysian Partners, LLC – AI data center – White Oak Road – Attorney Craig Sharnetzka with CGA Law Firm and Kevin Brown with Elysian Partners, LLC were present. Attorney Sharnetzka advised that they are before the Board tonight to discuss a use that is not provided for in the Zoning Ordinance. He noted that they are not looking for a decision but only to obtain the Board's interest for their project.

Kevin Brown explained that a data center is a building that houses computer servers. He stated that these centers are in tremendous demand due to AI. They are looking for a location in central Pennsylvania to construct a center. He advised that Loudoun County, Virginia, was the starting location for data centers.

Mr. Brown explained that a data center would be in operation 24 hours a day, 365 days a year. There would be roughly 80 to 120 employees which are typically engineers and security personnel. The structure would look like a warehouse but there would not be truck traffic. There would be no strain on water and sewer services. The center must have

connection to large power lines and be located near an electric substation. They also require a large tract of land to provide for a substantial buffer. He stated that there is not a specific building prototype as it would be constructed based on the power available to the site. He provided a sketch to the Board showing the property that they are interested in. He advised that this type of use has a large impact on real estate taxes without putting children into the school system. He reviewed figures based on a 750,000 square foot building. He stated that if the Board is open to pursuing this type of use, they will work to provide language for an amendment. He commented that if the Board is not interested, they will move forward to find another suitable location elsewhere.

Ms. Kerchner questioned how many data centers exist. Mr. Brown advised that there are many. He stated that there are many in Virginia, which is likely the closest location to the Township.

Attorney Dillinger noted that this use is not currently provided for in the Township. He stated that it does not quite fit the definition of a warehouse. He advised that the Board would want to consider how they would provide for the use, where it would be a good fit within the Township, what zoning classification it should be permitted in as well as many other details.

Attorney Sharnetzka stated that the tract that they are looking at is located within the Agricultural Zone but it does abut the Industrial Zone. He commented that he would understand if the Board would desire this type of use to be permitted in the Commercial or Industrial Zone.

Mr. Saylor advised that he is agreeable to pursue regulations for a data center. He commented that it provides a tax base and employment opportunities with little traffic. He stated that he would like to be provided with a real assessed value showing tax revenue.

Mike Herring, White Oak Road, questioned which property they are looking to develop. Mr. Brown stated that the properties are currently owned by Mrs. Fay and Mr. Stone. Mr. Herring questioned if the road would need to be redesigned. Mr. Brown noted that truck traffic is not associated with the use. They would, however, comply with any requirements of the Township.

Andrew Nelson, East Prospect Road, questioned the megawatt usage. Mr. Brown explained that they do not share electric lines with existing customers. They would be pulling directly from a Met-Ed substation. All capacity would be new.

Attorney Dillinger reminded the Board that if a rezoning would be necessary, this would include all uses that are provided in that zone. Mr. Saylor stated that he likes the idea of a low impact non-residential use. Attorney Dillinger asked Mr. Brown what the negatives are for this type of use. Mr. Brown stated that noise is the biggest concern. Because the building must be cooled, air conditioning blowers run at all times. He noted that technology upgrades are always being made which has been helpful in the reduction of noise output.

There are also diesel generators that need to be exercised to ensure that they would function properly should there be a power outage.

Mr. Kraft noted that there is a water reservoir nearby. He questioned if the operation deals with hazardous materials. Mr. Brown advised that none are stored or created.

Ms. Kercher stated that she is not opposed to the use. Mr. Saylor commented that he would like to see precise tax information. Mr. Brown advised that he would reach out to the York County Assessment Office. He added that the project could be an 18 to 36 month build time. Mr. Moyer questioned where they could go to see a center. Mr. Brown stated that the closest one is probably in Virginia. Mr. Allison added that there is a lot of information and YouTube has virtual tours.

Attorney Schnartzka stated that they will move forward with staff and Attorney Dillinger to review potential ordinance requirements. Attorney Dillinger advised that it will be very important to establish regulations that the Township desires. Mr. Brown thanked the Board for their time.

8. Windsor Township Fire & Emergency Rescue Services Association – Scott Gingrich arrived. He noted that they are still working on their fire reports. He questioned if the Township was able to access the Knox Box system. Mr. Allison advised that they have been working through the contacts. He added that he has received a list of information from Laurel Fire Company. Mr. Gingrich stated that he would provide him with a list as well.

- A. Mr. Gingrich advised that the next Fire Chief's Meeting will be held at Alliance Fire on June 26, 2025 at 7:00 p.m.

- B. Simulator repair – Mr. Gingrich reported that he does not have an update.

9. Plans for approval:

- A. KENSINGTON (REMAINING LANDS) – Final Subdivision Plan by Site Design Concepts – Ness and Dietz Roads – Adam Anderson with Site Design Concepts advised that the Board had approved the preliminary plan earlier in the year and they are present tonight to obtain final plan approval. He noted that there have been no design changes from the preliminary plan. Mr. Anderson advised that in the final review, it was determined that there is an interior street that does not meet the requirement of 400' between intersections and they are requesting a waiver of Section 502.5.C. He stated that the distance provided is 390'. The Windsor Township Planning Commission has recommended approval. Mr. Kraft advised that he does not have an issue with granting the waiver. On the motion of Kathy Kerchner seconded by Stan Saylor the Board granted the waiver of Section 502.5.C. Motion carried. Three votes yes.

Attorney Dillinger questioned if the Developer's Agreement has been finalized. Mr. Allison advised that it has. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the plan for Kensington Remaining Lands. Motion carried. Three votes yes.

10. Township Engineer:

- A. Engineer's Report – Ms. Kerchner advised that the Board has received the Engineer's Report. There were no questions.
- B. Community Center Update – Update
 - Payment Application – York Excavating – \$498,535.25
 - York Tree Service – \$9,960.00
 - Harry King property – Screening
 - General Recreation – Two pavilions – \$168,891.72

Mr. Kraft advised that site work continues as they are working to prepare the pad site so construction of the building can begin. Some of the stormwater controls have been installed and one of the retaining walls has been completed.

Mr. Kraft advised that there is one payment application for approval. York Excavating has submitted payment application #2 in the amount of \$498,535.25. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the payment application as presented. Motion carried. Three votes yes.

Mr. Kraft advised that they have been working with Met-Ed regarding the electric lines and moving of poles along Lombard Road. The trees will need to be cut along the Lombard Road frontage of the property at 200 Navajo Drive owned by Harry King. Mr. Trout advised that he reached out to York Tree Service as this is a company that Met-Ed also works with to obtain a quote for the tree removal and trimming. He stated that he and Mr. Allison met onsite with the property owners to discuss the matter. Mr. Allison commented that the owners were understanding as portions of the trees are located within the right-of-way. There was discussion on the replacement of trees or a fence. He asked the Board if they would be agreeable to readdressing the potential for the Township to assist with the cost for additional screening in the fall. This would give the owners time to adjust to the changes and fall is a better time for planting. The Board agreed to this. On the motion of Kathy Kerchner seconded by Stan Saylor, the Board approved the quote from York Tree Service in the amount of \$9,960.00. Motion carried. Three votes yes.

Mr. Kraft advised that there are 2 pavilions proposed at the site. The cost for the site work for the pavilions was included in the bid. The Board now needs to approve the purchase of the pavilions. A quote has been obtained from General Recreation in the amount of \$168,891.72. The pavilions will be 30' x 44'. They will be similar to the design of the pavilion at Springettsbury Township. The colors will match the community center building. Mr. Saylor questioned if they will be rated for high wind speed. Mr. Allison advised that it will be a commercial style pavilion with a metal roof that has a high wind rating. On the motion of Kathy Kerchner seconded by Stan Saylor, the Board approved the purchase of the two pavilions from General Recreation in the amount of \$168,891.72. Motion carried. Three votes yes.

- C. Security Reductions: Deerfield Crossing – Final Reduction – \$4,840.00
 Patriot Depot – #1 – \$252,420.85

Mr. Kraft advised that he is recommending approval of the final security reduction for Deerfield Crossing in the amount of \$4,840.00. On the motion of Kathy Kerchner seconded by Stan Saylor the Board approved the security reduction based on the recommendation of the Township Engineer. Motion carried. Two votes yes. Mr. Moyer abstained from voting due to a personal conflict.

Mr. Kraft advised that he is recommending a security reduction in the amount of \$252,420.85 for Patriot Depot. This will leave a remaining balance of \$35,915.00. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the reduction based on the recommendation of the Township Engineer. Motion carried. Three votes yes.

11. Solicitor – Attorney Dillinger noted that the County is currently working on a model ordinance for data centers. He stated that it may not be a bad idea to start some preparations ahead of receiving information from Attorney Sharnetzka.

12. Public Works:

- A. Mr. Trout advised that the Board has received the monthly report for May. There were no questions.
- B. Oil & Chip bid results – Mrs. Gunnet advised that the bid results are attached to the Board's agendas. The low bidder is Russell Standard. Mr. Trout advised that they have been used in the past. He stated that there had been an issue with the stone they used in the past but the Township will be supplying the stone. On the motion of Kathy Kerchner seconded by Stan Saylor, the Board awarded the Oil & Chip bid to Russell Standard. Motion carried. Three votes yes.
- C. Ms. Kerchner advised that May 18 – 24 is National Public Works Week. She questioned if an appreciation event has been scheduled. Mrs. Gunnet advised that it has.

13. Other Business:

- A. Ms. Kerchner advised that the Board has received the Zoning Officer's Report for April. There were no questions.
- B. Ms. Kerchner advised that the Board has received the Township Manager's Report for April. There were no questions.
- C. Ms. Kerchner advised that the Board has received the Dog Officer's Report for April. There were no questions.

- D. Recreation Commission – Update – Ms. Kerchner advised that she attended the May meeting. There are currently many registrations open for sports camps and teams. There are food truck events scheduled at the park. She noted that the Township receives a portion of the proceeds. She commented that there was beautiful weather for the yard sale this year. Ms. Kerchner advised that Mr. Shaffer is working on job descriptions for the community center employees.
 - E. Ms. Kerchner advised that the Board meeting scheduled for June 2, 2025 has been cancelled.
 - F. Replacement of 6 cameras at Freysville Park – \$2,550.00 – Mrs. Gunnet advised that when Advantage Security came to replace the DVR, they determined that the cameras were not compatible due to their age. She noted that the cost to replace them is not budgeted. Ms. Kerchner questioned if we could continue to use the existing system. Mrs. Gunnet advised that we can but it is not user friendly. Ms. Kerchner questioned how frequently the video is reviewed. Mrs. Gunnet stated estimated that it is every other month. Mr. Saylor commented that he is in favor of purchasing the cameras and making the upgrade now. On the motion of Stan Saylor seconded by Kim Moyer, the Board approved the purchase of the 6 security cameras from Advantage Security for Freysville Park in the amount of \$2,550.00. Motion carried. Three votes yes.
 - G. Ms. Kerchner advised that the Township will be holding a Shredding Event on Thursday, October 9, 2025 from 3:00 p.m. to 6:00 p.m. at the Township Office. This is for residents only and there is a 2 box limit.
 - H. Stormwater Management Operation & Maintenance Agreement – Kelli Sellers – 60 Indian Springs Road – New Home – Mrs. Gunnet advised that a new home is being constructed at 60 Indian Springs Road and this is the standard agreement. On the motion of Kathy Kerchner seconded by Kim Moyer, the Board approved the Stormwater Management Operation & Maintenance Agreement for Kelli Sellers. Motion carried. Three votes yes.
 - I. Devin Sweitzer/Sarah Smith – Vending Machine Agreement – Freysville Park & Workinger Field – Mrs. Gunnet advised that Dylan Kerchner sold his vending machine and the agreement was non-transferrable. Mr. Sweitzer and Ms. Smith have requested a new agreement for the placement of the vending machine. The agreement will expire December 31, 2025. If the contract is not renewed, they will have 15 days to remove the machine. On the motion of Kathy Kerchner seconded by Stan Saylor, the Board approved the Vending Machine Agreement with Devin Sweitzer and Sarah Smith. Motion carried. Three votes yes.
 - J. Ms. Kerchner advised that an Executive Session will be held after the meeting to discuss a personnel matter.
14. Unfinished Business – There was none.

15. Public Comment – Dan Hoerr, Patterson Avenue, questioned if there is an update on the timeline for approval of the amendment to the Zoning Ordinance. Mr. Allison advised that it will be on the York County Planning Commission's June 17, 2025 agenda. It would then be prepared for adoption at the Board of Supervisor's July 21, 2025 meeting.

Andrew Nelson, East Prospect Road, commented that he has some concerns regarding the data center. He noted that the electric consumption from these types of facilities is substantial and they must be constantly running so generators will be required to run as backup. He questioned if a group could be formed to discuss items that should be addressed.

Attorney Dillinger advised that if the Township chooses to amend the ordinance, there will be a public hearing. He stated that if the Township decides to move forward, it would need to be determined how the use would be allowed. A text amendment would include all of this information. He added that there has been and will continue to be research on this use to be included in an amendment. Mr. Saylor noted that legislation is also being worked on at the State level.

Mr. Nelson stated that another thing to be aware of is fire suppression. He commented that the fire companies would need the correct fire fighting equipment. Mrs. Gunnet advised that this is something that would be addressed with the fire companies.

16. Supervisors Comments – Ms. Kerchner asked the Board if they had any comments.

Mr. Saylor commented that tomorrow is Election Day and encouraged everyone to go out and vote.

Mr. Moyer thanked the Public Works Department for their hard work.

Ms. Kerchner stated that she has received a complaint about the property at the corner of Cape Horn Road and East Prospect Road. Mr. Allison advised that the property is out of compliance. The owner has been cited previously and has paid the fines. He stated that the Township is planning to start filing citations again on a more regular basis to try to make an impression to have the property come into compliance. He noted that there are 3 separate tracts and Zoning Hearing Board was granted for 2 of the parcels. The violation mostly deals with the setback and the use on the one parcel. He stated that the vehicles are permitted.

Ms. Kerchner questioned how much the fine is. Mr. Allison stated that it would be \$500 plus court costs for each parcel. Attorney Dillinger advised that Mr. Allison is taking the correct approach.

Mr. Moyer questioned if other agencies have been contacted. Mr. Allison advised that PennDEP, EPA and PennDOT have been contacted but he is not aware of any action that has been taken against the owner. Attorney Dillinger advised Mr. Allison if he needs additional assistance, he can contact him.

Ms. Kerchner encouraged everyone to vote tomorrow.

17. On the motion of Kathy Kerchner seconded by Stan Saylor, the bills were approved. Motion carried. Three votes yes.
18. The meeting of the Windsor Township Board of Supervisors recessed into an Executive Session at 7:35 p.m. to discuss a personnel matter.
19. The meeting was called back into session at 8:49 p.m. On the motion of Kathy Kerchner seconded by Kim Moyer, the wage increase as discussed during the Executive Session is approved effective July 1, 2025.
20. The meeting of the Windsor Township Board of Supervisors adjourned at 8:50 p.m.

Respectfully submitted,

Jennifer L. Gunnet
Secretary

CITIZENS PRESENT

May 19, 2025

Jeff Walker
Craig Sharnetzka
Kevin Brown
Mike Herring
Andrew Nelson
Paula Nelson
Dan Hoerr
Scott Gingrich
Adam Anderson
Mickey Thompson

1241 Christensen Road York PA
N. George Street York PA
Elysian Partners
White Oak Road
3550 E. Prospect Road York PA
3550 E. Prospect Road York PA
Patterson Avenue Windsor PA
Alliance Fire & Rescue
Site Design Concepts
Keystone Custom Homes