

WINDSOR TOWNSHIP PLANNING COMMISSION

February 21, 2013

1. The meeting of the Windsor Township Planning Commission was called to order at 6:03 P.M. by Chairman Pilachowski.

Present at the meeting were Jerry Pilachowski, Charlie Wilson (arrived at 6:30), Dean Heffner, Paul Ilyes, J. LaRue Harvey, Jennifer Gunnet, Kipp Allison, Teresa Miller, J. Michael Hess, P.E. (ARRO Engineering) and Licia Lehman.

2. The Pledge of Allegiance was recited.
3. Public Comment – There were no public comments.
4. The minutes of the January 17, 2013 meeting were approved with a motion from Mr. Heffner seconded by Mr. Ilyes. Motion carried. Four votes yes.
5. Plans submitted in February: There were no plans submitted in February.
6. Plans tabled in January:
 - A. 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. On the motion of Mr. Heffner seconded by Mr. Harvey this plan along with 6B, 6C, 6D, 6E, 6F, 6G, 6H and 6I were tabled.
 - B. HOWARD/SNOOK PROPERTIES EAST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 61 lots along Freysville Road. For action on this plan see 6A.
 - C. 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 6A.
 - D. 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 6A.
 - E. 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 6A.
 - F. 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 6A.
 - G. 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 6A.

- H. SHADOW RIDGE, PHASE 1 – Final Subdivision Plan, by James R. Holley & Assoc., Inc., 54 lots along Burkholder Road and Blacksmith Road. (8/1/06) For action on this plan see 6A.
 - I. SHADOW RIDGE, PHASE 2 – Final Subdivision Plan, by James R. Holley & Assoc., Inc., 35 lots along Burkholder Road and Bahns Mill Road. (8/1/06). For action on this plan see 6A.
7. Curative Amendment – Bupp – Mr. Allison advised that a Petition for a Curative Amendment on the Zoning Ordinance had been submitted. The applicant is requesting three (3) of his parcels noted as Tax Map IK, Parcels 69, 71A and 72A be rezoned from Rural Residential (R-R) in the most recent Zoning Ordinance update to Low Density Residential (R-1). Mr. Allison advised that the Planning Commission needs to make a recommendation regarding the request. There was a brief discussion about where the properties were, the zoning of neighboring properties and purpose of the R-R zone. Chairman Pilachowski expressed concern that any property owner that doesn't like the R-R designation will make the same request for rezoning. Mr. Allison agreed and further commented that if future requests of this nature continued to be received it could result in the entire R-R zone being withdrawn. On the motion of Mr. Harvey seconded by Mr. Ilyes the Planning Commission recommended the property remain zoned R-R. Motion carried four votes yes, Mr. Heffner abstained from voting due to the fact that he is a member of the Board of Supervisors.
8. Subdivision Land Development Ordinance – Mr. Hess advised that in addition to himself, Mr. Allison, Mrs. Gunnet and a member of the York County Planning Commission met to discuss Article 3 of the Subdivision Land Development Ordinance (SLDO). There were several portions that were straightforward. Additionally, there were several areas they wanted to present to the Planning Commission for their comments. Mr. Hess advised the first topic for review is Review Fees and Escrow Accounts. Mr. Hess explained there are two ways the fees can be handled. The Township could bill the developer for all Engineering, Township or legal type fees on an as needed basis or could require the developer to set up an escrow account that they would deposit money into that would be used for these fees. The amount deposited would be determined based on type of plan submitted. Mr. Hess advised that after the staff discussion it was felt that we should continue with our existing practice of billing the developer as needed for the fees. He further advised that the Township could always refuse to record the final plan until fees were paid in full. Mrs. Gunnet advised that at the current time the Township really doesn't have a problem collecting payments. If there is a problem the developer is advised that no further reviews of their plan will take place until they bring their account up to date. There was a brief discussion about escrow accounts. The Planning Commission had no further comment and did not oppose to the recommendation of billing the developer on an as needed basis.

Mr. Hess advised that he spoke with the York County Recorder of Deeds and was advised the Mylars are no longer required. Mr. Hess further advised that during the staff meeting they decided that in addition to requiring the four (4) full sized paper copies of the plans the Township would also require 11" x 17" size copies for the Planning Commission.

Mr. Hess advised the next subject for review was Preliminary and Final Subdivision Plans. Mr. Hess advised during the meeting with staff it was felt the Township should allow the submission of Preliminary or Preliminary/Final plans to be submitted at the developers discretion. There was a brief discussion about the difference between the submission of the two different types of plans and the impact to the Township. Mr. Wilson further commented that he thought the wording should be changed to require the developer to have the plans reflect all the property that will be developed not just the current phase they are working on. The Planning Commission agreed that the Township should allow Preliminary or Preliminary/Final plans to be submitted at the developers discretion.

Mr. Hess advised the next discussion was in regards to Traffic Impact Study Fair Share Analysis. He explained that currently the Township's Traffic Study is an amendment but advised that this is the time to have it added into the SALDO. Mr. Hess explained what a fair share analysis is. Mr. Hess advised he spoke to his traffic engineers and planners and they felt there was no reason why the Township could not be removed from needing to contribute to towards any needed improvements. He further advised that this is a process the PennDOT currently follows. Mr. Hess also advised he felt the analysis should be required to show information based on inflation and the expected year of completion. The Planning Commission had no objections to Mr. Hess's proposal.

Mr. Hess advised the final topic of discussion was providing a process for minor or minimal projects that are not residential in nature such as institutional, industrial or commercial. The first thought of the staff was to exempt the property owner from having to submit a Land Development Plan, but this would be a violation of the Municipalities Planning Code. The second option the staff discussed was writing something into the Ordinance that would allow the property owner to request a waiver from the Board of Supervisors if they met a certain criteria. The criteria would offer a pre-application conference, the applicant would have to demonstrate to Township staff and Planning Commission that provisions of the SALDO, Zoning Ordinance and/or Stormwater Ordinance do not apply. The applicant would have to submit documentation to show that the project would not modify any property lines, doesn't increase sanitary sewer flows, require additional driveways, parking or intersections doesn't impact clear site triangles, doesn't propose work within any right-of-ways or modifications to any public or private easements, doesn't propose any effect on steep slopes, wetlands, flood zones or environmental areas, doesn't require or propose lighting or landscaping, doesn't have effect on any setbacks, building heights or impervious coverage, signs, changes in use or other requirements of the Zoning Ordinance, doesn't require additional permits from the county, state or any other federal agencies. Mr. Hess advised that after requiring the property owner to provide all this information basically they just did a Land

Development Plan so there really isn't a good reason not to require a property owner to submit a Land Development Plan.

There was a brief discussion about the need for small commercial uses needing to submit a Land Development plan instead of being able to submit site plans for small construction jobs. Mr. Allison explained that the staff had discussed this issue and tried to work out a way to exempt the small commercial use from needing the Land Development plan but were unable to find a way to make it work. It was determined that based on the information needed in order to do even a small job a Land Development Plan would be necessary.

Mr. Hess advised that he and the staff would begin working on Article 4 and hoped to bring that to the Planning Commission at the next meeting. Mr. Allison asked if the Planning Commission wanted to receive the Articles for review one at a time or if they wanted them all together to review just once. The Planning Commission members advised they wanted to see one Article at a time. Mr. Allison advised that the changes discussed tonight would be made and a copy of Article 3 would be in their packets next month.

9. Planning Commission Comments – Mr. Ilyes questioned the Howard/Snook plan and some of the streets on the plan running for extended lengths without any cross streets. Mrs. Gunnet advised that the plan would be changing, as there were several intersections on the existing plans that are too close together and would need to be moved. She further advised that a revised plan had not been received yet. Mr. Ilyes also stated that he was advised that there may be a family cemetery on the property as well, but there was no indication of this on the existing plan. There was a brief discussion about a possible cemetery and steps that would have to be taken.

Chairman Pilachowski asked what the criteria is for shopping center signs. He questioned whether the size of the sign was based on the size of the shopping center, using as an example the Giant shopping center in comparison to the Argento shopping center. Mr. Allison explained the sign guidelines as they are currently written in the Zoning Ordinance.

Chairman Pilachowski advised he noticed that the recently painted lines on Cape Horn Road in the vicinity of Weis Markets has washed away. He also advised there was no sign restricting left hand turns into Northwest Savings. Mrs. Gunnet advised she would contact PennDOT.

10. The meeting of the Windsor Township Planning Commission adjourned at 7:18 P.M.

Respectfully submitted,

Kipp D. Allison
Zoning Officer