

WINDSOR TOWNSHIP PLANNING COMMISSION
September 17, 2015

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 (arrived 6:33), Dean Heffner, J. LaRue Harvey, Paul Ilyes, Jennifer Gunnet, Kipp Allison, Teresa Miller, Christopher Kraft, P.E. (C.S. Davidson, Inc.), Blaine Markel (James R. Holley & Assoc., Inc.), Glenn C. Rexroth, John Klinedinst (C.S. Davidson, Inc.)

2. The Pledge of Allegiance was recited.
3. Public Comment – There were no public comments.
4. The minutes of August 20, 2015 meeting were approved with a motion from Mr. Heffner seconded by Mr. Harvey. Motion carried. Four votes yes.
5. MIA BRAE INDUSTRIAL PARK – Preliminary/Final Land Development Plan #011231 by James R. Holley & Assoc. Inc., extension of Boxwood Road across Route 74 (Delta Road) (6/1/13)

Mr. Markel explained that the purpose of this discussion is to obtain approvals for three waivers and approval of the plan. He advised they are requesting waivers of Section 502.5.B (length of cul-de-sac), Section 502.3.A (Street Grade), and Section 306.S (Detention Basin fencing).

Mr. Markel advised that at the Red Lion Borough Council meeting earlier in the week and felt they had a successful meeting. He advised that the Council agreed to vacate Boxwood Road and make it a private road upon plan approval.

Chairman Pilachowski asked why a waiver of the street grade was being requested. Mr. Markel advised that Boxwood Road is currently being proposed at a 12% slope on the northern end going down over the existing hill. He advised that Section 502.3.A states that the slope cannot exceed 4% at the intersection of any of the proposed private roads with Boxwood Road. Mr. Markel advised that the existing topography of this area prohibits Mr. Rexroth from being able to meet this requirement. Mr. Markel advised that a traffic study was done based on traffic that was generated when the Yorktowne Cabinets business was in operation in late 2007, early 2008. He advised they are proposing no truck traffic will be permitted to exit the industrial park via Boxwood Road. They are proposing all traffic will enter and exit using Redco Avenue which is wider than Boxwood Road Extended.

Mr. Markel advised that currently traffic is able to access the existing industrial park via Redco Avenue and Boxwood Road. He advised they are proposing the entrance to the Mia Brae Industrial park be via the existing Redco Avenue, which lies entirely within Red Lion Borough. He advised they would need to obtain road frontage on Redco Avenue in order to be able to construct a new private road, identified as “Road C” on the current plan. He explained that “Road C” will cross over property owned by Mr. Rexroth to connect to Boxwood Road. He advised they are also proposing two additional roads off of Boxwood

Road. They are currently identified as "Road B" and "Road A" on the current plan. These additional roads would allow traffic to flow North on Boxwood Road and circle back around to Redco Avenue to exit the proposed industrial park. Mr. Markel advised the only thing being proposed for construction within Windsor Township at this time are the interior roads.

Chairman Pilachowski asked what would stop traffic from using Boxwood Road to enter & exit the industrial park. Mr. Markel advised that the cart width is being reduced and that signs would be posted at the intersection of "Road C" and Boxwood Road and along Delta Road to indicate truck traffic is not permitted to enter or exit at this location. Mr. Rexroth advised that the layout they are proposing would help promote trucks to circle around the park and not try to exit from Boxwood Road.

Mr. Markel advised that Mr. Rexroth owns the neighboring properties where the private roads are being proposed. He advised that a cross easement access is being prepared and executed so that if Mr. Rexroth ever decided to sell any of the parcels that these roads will cross over there is documentation for future owners showing the right of use of these roads through those properties.

Mrs. Gunnet asked if the upper section of Boxwood Road that is within Windsor Township will be a private road. Mr. Markel advised that all roads proposed with the exception of Redco Avenue would be private. Mr. Ilyes questioned whether multiple uses would be permitted on a private street. Mr. Allison advised there is no limit to the number of uses permitted along a private road. He advised this would however need to be looked at when an actual Subdivision was proposed. Mr. Ilyes asked if the proposed cul-de-sac meets design criteria. Mr. Allison advised yes, with the exception of the length. Mr. Ilyes asked if the existing area from proposed "Road C" to Delta Road was private or part of Red Lion Borough. Mr. Markel advised it was part of Red Lion Borough at this time but would be vacated by Red Lion Borough and made private.

Chairman Pilachowski asked how far proposed "Road A" is from the cul-de-sac. He asked if the distance of the cul-de-sac would be measured from this intersection. Mrs. Gunnet advised that the distance would be measured from the nearest street right-of-way which would be Delta Road.

Mr. Kraft asked if proposed "Road A" would be gated. Mr. Markel advised that was up to the Township. He advised Mr. Rexroth was willing to do whatever the Township requested. Chairman Pilachowski advised he thought the road should not be gated. He felt it served no purpose to gate it.

Mr. Ilyes asked why Boxwood Road was moved so that it laid within Windsor Township instead of Red Lion Borough. Mr. Rexroth advised that it had to be moved otherwise it would have run through the existing buildings.

Mr. Allison commented that the minimum lot width for a lot in an Industrial Zone is 200' which is the distance required between the structure and the street right-of-way. He further advised that if the road is private than there is no street right-of-way. Mr. Markel advise that it was his belief that in prior conversations that once the road was put in there would be a private right-of-way from which the distance would be measured. There was a brief

discussion regarding right-of-ways and the future subdivision of the lands. Mr. Allison advised he wanted to make sure that Mr. Rexroth was aware that making the street private would not prohibit him from having multiple uses on the property but would prohibit the subdivision of the lot without obtaining a Variance. Mr. Rexroth advised he didn't want to worry about the subdivision of the lot at this time; he was only concerned with getting approval to begin construction of the interior roads and the leasing space.

Mr. Markel advised the first waiver they are requesting is of Section 502.5.B for the length of the Boxwood Road cul-de-sac. He advised that it is more than 500' just to get from the Delta Road right-of-way to the Windsor Township line.

Mr. Markel advised the second waiver is of Section 502.3.A which prohibits the grades at intersections to be greater than 4%. He advised that the existing topography of this property doesn't allow for them to be able to reduce the grade at intersections. Mr. Markel advised they also reviewed this situation with Red Lion Borough.

Mr. Markel advised the final waiver is of Section 306.5 for the requirement of fencing around the existing detention basin. Mr. Ilyes asked why a waiver of Section 306.5 (Detention Basing fencing) was being requested. Mr. Markel advised the basin has been there for over 10 years with no fencing and there have never been any problems. He advised that the topography of this area makes it very difficult for people to actually get to it. He also pointed out that the basins in the neighboring residential Chatham Creek community were not completely fenced.

Mr. Allison asked if sidewalks were going to be installed or if a waiver would be requested. Mr. Markel asked what the regulations were for sidewalks. Mr. Allison advised sidewalks were not required in the Industrial Zone. Mr. Markel advised they were planning on putting sidewalks on one side of Boxwood Road. They are proposing sidewalks going down the East side of Boxwood Road and around the cul-de-sac to proposed "Road A". Mr. Allison asked if there were going to be problems with installing utilities if the sidewalk was installed in this location. Mr. Markel advised no, there was plenty of room. In the future there may be issues with sanitary sewer installation but that would be addressed with easements at a later date. Mrs. Gunnet advised the responsibility of the public sewer would also need to be addressed in the future.

Mr. Kraft questioned the notation on the plan regarding revisions from the Red Lion Municipal Authority. Mr. Markel advised they had resubmitted documentation to the water authority but have not heard back from them. Mr. Markel briefly explained some of the outstanding issues with the water authority. Mrs. Gunnet asked if the intention was to install a water main as well as the street. Mr. Markel advised yes. Mr. Rexroth added that they were going to install a gas line as well. Mr. Markel reviewed all construction that was being proposed at this time. Mr. Markel advised that one fire hydrant was proposed for the cul-de-sac and a second one in Red Lion Borough. Mrs. Gunnet advised that the location of a fire hydrant must be approved by the Fire Company. Mr. Markel advised they would make sure paperwork was submitted for the Fire Company.

Mr. Ilyes asked Mr. Allison if he had concerns about the cul-de-sac. Mr. Allison advised no.

On the motion of Mr. Ilyes seconded by Mr. Harvey the waiver of Section 502.5.B was granted. Motion carried. Five votes yes.

There was a brief discussion regarding the terrain of the site and whether Spectra Energy had issues with access to the property under the current conditions. Mr. Rexroth advised that as far as he was aware there were no issues with Spectra Energy and Welded Pipe regarding the use of the site. On the motion of Mr. Wilson seconded by Mr. Heffner the waiver of Section 502.3.A was granted. Motion carried. Five votes yes.

On the motion of Mr. Harvey seconded by Mr. Wilson the waiver of Section 306.5 was granted. Motion carried. Four votes yes. Mr. Ilyes was opposed.

Mr. Markel advised he thought that most of the issues for the plan had been addressed. Mr. Kraft advised there were still some outstanding comments.

Mr. Rexroth asked why financial security needed to be posted on a private job. Chairman Pilachowski advised the security was needed to cover construction that wasn't completed. Mr. Allison advised that the security assures that construction is done in compliance with all regulations. Mr. Kraft advised that it is a requirement of the Ordinance. Mr. Markel asked if they could ask for a waiver from the Board of Supervisors for the security. Mrs. Gunnet advised yes, but she didn't think it would be granted. Mr. Markel advised that Mr. Rexroth would rather work with the Township through an inspection process where the Township could withhold occupancy if work was not constructed properly rather than post a bond for a large amount of money. Mr. Klinedinst advised if the Township decides to waive security they give up all their rights. He advised that the Township would not be able to deny a Building Permit. He suggested Mrs. Gunnet check with the Township Solicitor.

Mr. Allison asked how far they went with the Red Lion Borough Council. Mrs. Gunnet asked if Red Lion conditionally approved a plan. Mr. Markel advised no, they only discussed the same issues that were discussed this evening. Mrs. Gunnet commented that she felt the Red Lion Borough should approve the plan before Windsor Township does. Mr. Markel advised the plan was scheduled to go before the Red Lion Borough Planning Commission for approval. Mr. Allison asked when that was. Mr. Allison recommended approval wait until after Red Lion Borough's Planning Commission approves. Mr. Ilyes motioned the plan be tabled seconded by Mr. Wilson. Mr. Rexroth asked if the Planning Commission could approve it on the condition that Red Lion Borough's Planning Commission approves. Chairman Pilachowski and Mr. Ilyes both agreed they wanted to wait for Red Lion Borough's Planning Commission decision before approving. Motion carried. Five votes yes.

6. Plans tabled:

- 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 (12/1/12) – On the motion of Chairman Pilachowski seconded by Mr. Heffner this plan along with 6B, 6C, 6D, 6E & 6F were tabled. Motion carried. Five votes yes.

- B. HOWARD/SNOOK PROPERTIES EAST – Preliminary Subdivision Plan #120817 by James R. Holley & Assoc., Inc., 61 lots along Freysville Road (12/1/12) - 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.
7. Planning Commission Comments – Mr. Wilson expressed concern that he did not receive enough documentation in his Planning Commission packet to allow him to properly prepare for the discussion on the Mia Brae Industrial Park discussion. Mr. Allison advised that due to the Holiday and mailing requirements the packets had to be mailed out to the Planning Commission before it was know that there was definitely going to be a discussion on the Mia Brae Industrial Park this evening.
8. The meeting of the Windsor Township Planning Commission adjourned at 7:19 P.M.

Respectfully submitted,

Kipp D. Allison
Zoning Officer