

WINDSOR TOWNSHIP PLANNING COMMISSION
June 18, 2009

1. The meeting of the Windsor Township Planning Commission was called to order at 7:00 P.M. by Chairman Pilachowski.

Present at the meeting were Jerry Pilachowski, Paul Ilyes, Dean Heffner, Charlie Wilson, Connie Gladfelter, Kipp Allison, Jennifer Gunnet, Jason Reichard (C.S. Davidson, Inc.), Jerry Stahlman (Stahlman & Stahlman), Timothy Pasch and Attorney Christine S. Kimmel (Pepper Hamilton LLP).

2. The Pledge of Allegiance was recited.
3. Chairman Pilachowski asked if there were any comments from the public. There were none.
4. Mr. Wilson motioned to approve the minutes for the April 16, 2009 meeting, with a second by Mr. Ilyes. Four votes yes. Motion carried.
5. Plans submitted in June:
 - A. SAMUAL KISER – Final Subdivision Plan #2008.0394.00, LSC Design, 3 lots along Snyder Corner Rd. Chairman Pilachowski motioned to table this plan along with B & C, with a second by Mr. Ilyes. Four votes yes. Motion carried.
 - B. MARK & TIFFANY SOWERS – Final Subdivision Plan, Parcel 258 #A-09-007, Stahlman & Stahlman, along Shaw Rd. For action on this plan please see SAMUAL KISER – Final Subdivision Plan #2008.0394.00. This plan was acted upon at that time.
 - C. PYXOS PROPERTIES, PROPOSED ACCESS DRIVEWAY – Preliminary/Final Land Development Plan #2008.0037.01, LSC Design, along E. Walnut St. For action on this plan please see SAMUAL KISER – Final Subdivision Plan #2008.0394.00. This plan was acted upon at that time.
6. Plans submitted in May:
 - A. KEITH & VICKI GARNER – Reverse Subdivision Plan #040109, Randy L. Howard, PLS, property along White oak Rd. Chairman Pilachowski motioned to table this plan along with B, with a second by Mr. Heffner. Four votes yes. Motion carried.
 - B. WILLIAM H. LUTZ & STEVEN L. & CAROL A. LUTZ – Final Subdivision Plan #L-5307, Gordon L. Brown, & Assoc., Inc., 5 lots along Springvale Rd. and Zion Church Rd. For action on this plan please see KEITH & VICKI GARNER – Reverse Subdivision Plan #040109. This plan was acted upon at that time.

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7. Plans tabled in April:

- A. DIRK L. & JODY L. POSEY AND WAYNE L. POSEY – Preliminary/Final Subdivision Plan # 060111, James R. Holley & Assoc., Inc., 4 lots along Bethlehem Church Rd. Mr. Reichard said numerous comments remain outstanding on this plan. He recommends the plan be tabled along with B, C, D, E, and F. Chairman Pilachowski motioned to table this plan along with B, C, D, E, and F, with a second by Mr. Wilson. Four votes yes. Motion carried.
- B. WILLIAM H. & MARJORIE A. DIETZ - Panorama Hills Interceptor, LLC - Final Subdivision Plan #082962601-A by C.S. Davidson, Inc. 4 lots along E. Prospect Rd. and Freysville Rd. For action on this plan see, DIRK L. & JODY L POSEY AND WAYNE L. POSEY – Preliminary/Final Subdivision Plan #060111. This plan was acted upon at that time.
- C. JEFFREY A. STINE – Final Subdivision Plan #07-1103-001 by Johnson, Mirmiran & Thompson Engineering, 2 lots along Freysville Rd. For action on this plan see, DIRK L. & JODY L POSEY AND WAYNE L. POSEY – Preliminary/Final Subdivision Plan #060111. This plan was acted upon at that time.
- D. MEADOW CREEK – Preliminary Subdivision & Land Development Plan #378.14 by Site Design Concept Inc., along Cape Horn Rd., Ruppert Rd. & Kendale Rd. For action on this plan see, DIRK L. & JODY L POSEY AND WAYNE L. POSEY – Preliminary/Final Subdivision Plan #060111. This plan was acted upon at that time.
- E. ROCKLEDGE – Preliminary Subdivision Plan #2003-29 by Johnston & Assoc. Inc., for 24 lots along Boxwood Road. For action on this plan see, DIRK L. & JODY L POSEY AND WAYNE L. POSEY – Preliminary/Final Subdivision Plan #060111. This plan was acted upon at that time.
- F. SPRING VALLEY POOL SITE – Preliminary Land Development Plan #A-06-023, by Stahlman & Stahlman, 97 townhouses along Lombard Road. Jerry Stahlman from Stahlman & Stahlman states the plan was tabled in April because of a Penn DOT issue. Mr. Stahlman said they requested that the Board of Supervisors send a letter to Penn DOT for a right-in and a right-out access. He states we obtained the letter from the Board of Supervisors in March. He states they are working with Mark Barner of SAI which is Penn DOT's traffic consultant. Mr. Stahlman said they are asking for the Planning Commission to take action on the plan. He said Penn DOT has required releases from certain properties; the properties are Mr. Staltzfus, Ms. Tolton and Mr. Frank, Mr. Stahlman said they have obtained them. He said they have approval of the street names as well as approval of the fire hydrants from the Red Lion Water Authority. Mrs. Gunnet said the fire companies have the final say in the location of the fire hydrants. Mr. Stahlman went over the comments. He said there is a letter from

Penn DOT for the Highway Occupancy Permit and attached is the conditions that are associated with the permit.

Mrs. Gunnet states the plan does not show a left turn lane. She said the traffic study that was submitted with this project indicates a left turn lane is warranted at build out for traffic coming from Cape Horn Rd. Mrs. Gunnet said she has discussed this with Mr. Stahlman and his comment was Penn DOT did not request a traffic study because they did not meet the warrants of when traffic studies are done by Penn DOT. She said she has spoken with Penn DOT and if our Planning Commission feels it should be there, they will take it into consideration.

Mr. Wilson said if it follows the standard Zoning Ordinance, Subdivision and Land Development Ordinance it would be a rubber stamping operation because once these ordinances are in place there is nothing we can do except ok anything that agrees with them. He states here we have one exception after another. He said we are getting into the turn lane and your people are objecting because of the expense. He also said we have the separation distance that we would have to give a waiver for. Mr. Wilson feels there are too many houses in the acreage that you are permitted to build on. Mr. Wilson states that there is a demand for elderly retirement community. Mr. Pasch said the older people can not buy because they can not sell their existing homes. Mrs. Gunnet states she talked to the HOA representative from Longstown Village and they are having the same problem, the people on the waiting list are having problems selling their homes.

Mr. Stahlman said he wanted to address Mrs. Gunnet's comment. He said he wants to address and offer what the understanding is for the turn warrants. He said Penn DOT uses the word to indicate that a certain traffic count is enough to satisfy the threshold amount that would allow that to happen. He said in the traffic study the engineer participated in the intersections we looked at was Lombard Rd. and western access drive which is now the right-in and right-out which is perfectly acceptable to Penn DOT. He said they look at the existing conditions for these sites. He said the traffic study for the eastern access drive was based on the access road that comes out of the swimming pool but the input from the staff and the traffic consultant Penn DOT was to line the road up with Navajo Dr. He states we will have to relocate the access drive and there is some widening there. Mr. Stahlman said they want to move forward.

Mr. Wilson said the neighbors seem intense about the number of units and it is geared to the younger people who will up the school taxes and the traffic.

Mrs. Gunnet said the traffic study done by Rettew Assoc. says as a result of this analyses indicates that a separate 75 foot east bound left turn lane on Lombard Rd. is warranted at build out. Chairman Pilachowski said they will not be turning in on the western entrance so logically they would be moving to the eastern entrance.

Mr. Allison said this traffic study is assuming two full intersections. Mr. Ilyes said there should be an acceleration and a deceleration lane. Mr. Pasch said he is not sure what Penn DOT will say when we go back to them. Mr. Pasch asked if the Board of Supervisors could write a letter. Mrs. Gunnet said it would have to come from the Board of Supervisors.

Mrs. Gunnet states the storm water will need changed. Mr. Pasch said the storm water will not have to change it is in the right-of-way.

Mr. Reichard said Penn DOT might want to see something if a right turn lane is added. Mr. Stahlman agreed.

Mr. Reichard and Mr. Allison went over the outstanding comments.

1. The plan was tabled due to numerous outstanding comments.
2. A left turn lane must be added going in the Easterly direction.
3. The waiver for the separation distance between the two entrances was granted with the condition that on the North side of Lombard Rd. an accelerating and decelerating lane must be added.
4. Section 302.3.g of the Subdivision and Land Development Ordinance requires that the existing utilities be designated on the plan. It is unclear where the existing services are located for the pool complex. All existing utilities must be shown.
5. Section 302.3.q of the Subdivision and Land Development Ordinance requires the seal and signature of the Professional Engineer and/or Land Surveyor responsible for this plan to be provided on the plan. The seal and signature of a surveyor is still required.
6. Section 302.n of the Subdivision and Land Development Ordinance requires lot markers for the property under review. Concrete monuments need to be provided for the perimeter property lines that form angles in the boundary. Concrete monuments are only to be set at corners of missing monuments or corners of new boundary lines. (Existing lot markers are not to be removed to install concrete monuments.)
7. Lined sanitary sewer manholes are required per Windsor Township Construction and Material Specifications. A detail for standard precast manholes should be added to sheet 10. This detail should contain a note calling out the required lining.
8. Grinder pumps must be added for multiple units.
9. The Windsor Township Fire & Rescue Association must approve the proposed fire hydrant layout prior to final plan approval. Please submit a single sheet identifying hydrant locations.
10. Waivers must be granted by the Board of Supervisors prior to final plan approval. Approval dates must be provided on the plan.
11. Widening/Improvements may be required along Lombard Rd. by the Windsor Township Public Works Director. As discussed at the in-house meeting, the Township is suggesting the construction of a turning lane in Lombard Rd.

Mr. Wilson said you have 20 acres gross and you are putting in 96 units and there was a lengthy discussion on the definition of net acreage, gross acreage, net density and gross density in R1 and R2 Zones. Mr. Allison stated this would require discussion with Attorney Rausch. He will report back at the next meeting.

Mr. Reichard said they are requesting a waiver for the separation distance between the two accesses. Mr. Pasch states if he puts in the turning lane then he should have the waiver for the separation distances. Mr. Wilson said he would not vote on the waiver because then he would not have leverage, because a waiver is a favor. Mr. Pasch said it is a hardship. Mr. Allison said we created the problem by having them put in two accesses. Mr. Pasch said Penn DOT wanted one access.

Chairman Pilachowski asked for a motion on the less than 400 foot separation distance. There was no motion for the separation distance.

Chairman Pilachowski asked for a motion on the eastbound left turn lane at the eastern entrance. Mr. Wilson motioned to approve the left turn lane, with a second by Mr. Heffner. Four votes yes. Motion carried.

Mr. Stahlman asked if they could reconsider the waiver for the separation distance. Mr. Pasch states the hardship was created by the Township. Chairman Pilachowski said they made the move to add the second entrance. Mr. Pasch stated we did the two accesses.

Mr. Ilyes motioned to approve the waiver for the separation distance with the condition they add an acceleration and a deceleration lane between the two accesses in addition to the left turn lane, with a second by Mr. Heffner. Four votes yes. Motion carried.

Chairman Pilachowski asked Mr. Wilson and Mr. Heffner if they would agree to the amendment to their motion on the left turn lane. Mr. Wilson and Mr. Heffner said yes to the amendment.

Chairman Pilachowski motioned to table this plan, with a second by Mr. Heffner. Four votes yes. Motion carried.

- G. COOL COUNTRY PROPERTIES - Preliminary Subdivision Plan #060619, by James R. Holley & Assoc., Inc., 32 lots along Snyder Corner Road. Mr. Reichard said numerous comments remain outstanding on this plan. He recommends the plan be tabled along with H, I and J. Chairman Pilachowski motioned to table this plan along with H, I and J, with a second by Mr. Wilson. Four votes yes. Motion carried.
- H. CORA E. DELLER - Preliminary Subdivision Plan #060620, by James R. Holley & Assoc., Inc., 34 lots, along Winterstown Rd., Neff Rd. and Sinclair Rd. For action on this plan see, COOL COUNTY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.

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- I. SHADOW RIDGE, PHASE 1 - Final Subdivision Plan #060614, by James R. Holley & Assoc., Inc., 54 lots, along Burkholder and Blacksmith Road. For action on this plan see, COOL COUNTY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
- J. SHADOW RIDGE, PHASE 2 - Finals Subdivision Plan #060615, by James R. Holley & Assoc., Inc., 35 lots, along Burkholder and Bahn's Mill Road. For action on this plan see, COOL COUNTY PROPERTIES – Preliminary Subdivision Plan #060619. This plan was acted upon at that time.
8. STAPLETON/KENSINGTON, Plan #2005332-069, RGX Assoc., request modification of section 204.10.2.b. Mr. Allison states we received a letter from RGS Assoc. requesting a modification of Section 204.10.2.b to allow for 5 foot side yards rather than zero lot line and a 10 foot side yard. Mr. Wilson motioned to the table the request until we have a plan, with a second by Mr. Heffner. Four votes yes. Motion carried.
9. Comprehensive Plan - Mr. Allison distributed the comments that were made at the public meeting on May 5th. He asked the Planning Commission members if they had any recommendations or concerns about any of the comments on the Comprehensive Plan. There were none. Mrs. Gunnet asked the Planning Commission members to recommend the Board of Supervisors distribute the plan to the York County Planning Commission, the Red Lion Area School District and the adjoining municipalities. Chairman Pilachowski motioned to present the Comprehensive Plan to the Board of Supervisors as written, with a second by Mr. Wilson. Four votes yes. Motion carried.
10. Chairman Pilachowski asked if there were any comments from the Planning Commissioners. There were none.
11. The meeting of the Windsor Township Planning Commission adjourned at 8.40 P.M.

Respectfully submitted,

Jennifer Gunnet
Secretary