

**LOWER WINDSOR TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
OCTOBER 25, 2023**

The Lower Windsor Township Planning Commission held its regular meeting in person at the Municipal Building located at 2425 Craley Road, Wrightsville, PA 17368. The meeting was called to order by Chair Hollis Bedell at 6:30 p.m. Also present were Planning Commission members Kelly Skiptunas, Rachel Sollenberger, and John Bowser, Zoning Officer, Monica Love, and seven members in the gallery. Marzena Wolnikowski was absent with prior notice.

All attendees stood for the Pledge of Allegiance.

PUBLIC COMMENT

None

MINUTES

Dr. Bedell made a motion to approve the minutes of the meeting of September 28, 2023. Mrs. Skiptunas seconded. The motion carried, 4-0.

NEW BUSINESS

Z2023-06 Lonny L. Gordon, 2598 Craley Rd - Variance Request Submitted 10.10.23, Parcel ID 35-000-01-0016.00000 – 2.833 Acres in the Village District.

Mr. Gordon would like to store a maximum of 20 boats at the rear of his commercial lot. He has been approached by people he knows, who are looking for boat storage. He doesn't know how many as yet, but he would set the maximum at 20. Dr. Bedell asked if any trees would have to be removed (no) and how they would access the lot. Mr. Gordon stated that they would use his paved access on the west side of his lot (from Craley Road) still on his property. There is a public right-of-way for traffic out to New Bridgeville Road as well. He would not add any lanes or stone areas, it would just be just grass parking. If there was a rainy time, boat owners would have to make an appointment because his business, East Coast Muscle Cars cannot have mud or dust on the parking lot. The Zoning ordinance under Sec. 470-61 requires fencing for security of outdoor storage, as well as screening against a residential use. The very last (southern) adjoining residential property (35-000-01-0012.00-00000) should have some trees and/or shrubs installed. No screening or buffer would be required against the farm field.

Steve Kaufhold spoke in favor of the request, and stated that as the southernmost neighbor, he would not like to see fencing installed. Dr. Bedell noted that the requirements for fencing are more for security than for screen or buffer, and may be omitted if the Board approves.

Dr. Bedell made a motion to recommend that the Zoning Hearing Board grant the Variance for the Boat storage, and that they not require fencing. Mrs. Sollenberger seconded the motion, which passed 4-0.

Ms. Love advised the gathering that this will not be on the November Zoning Hearing Board schedule, instead will be delayed until December at the request of Mr. Gordon.

Z2023-07 Steven & Lisa Daugherty, 91 Mapheliah Rd – Variance Request Parcel ID 35-000-JK-0225.00-00000 – 10.66 Acres in the Village District. The Applicant is requesting a variance of Section **470—12** (formerly 306.1) **Table of Uses** to permit residential single-family dwelling (SFD) lots to be larger than the 40,000 s.f. permitted in the Village District (without public water or sewer). Steve and

Lisa Daugherty purchased the property at 91 Maphelia Road, and will be subdividing, but want to create larger lots, with more of a country setting, however the Ordinance doesn't allow it. They are proposing to subdivide five lots, plus the farmhouse and barn lot, and lot 1A which will be joined to the Strayers who own Parcel 35-000-JK-025.A0-00000 (to the west). In total there will be 7 lots.

There are power lines, and gas lines and associated easements that take up a lot of space along the northern line, which will be the back of lots 5 and 6 (plan attached). Public water could be extended to this development, but public sewer is not available. The Zoning Ordinance requires lots in the Village district to be between 37,500 s.f. and 40,000 s.f. but doesn't make allowances for easements. Mr. Bowser asked why a maximum lot size is established, and what ramifications there are to allowing changes to the design requirements.

There is a maximum lot size set so that Transferrable Development Rights (TDRs) may be used to preserve the Agricultural area of the Township and 'push' development into the Residential and the Village districts. In Zoning Ordinance Table 470-7 there is a Maximum Development Density. Base density is 2 units per acre, and the maximum density (using TDRs) is 6 units per acre. The request is to permit 0.5 units/acre density. Staff's opinion is that it is very difficult to develop a property less than 1 acre if on-lot septic must be used, because an area for replacement septic system must be designated on each lot, and any well must be 100' from any septic field. Factoring in the existing easements, for some lots it would be impossible.

Dr. Bedell did not care for the 80' wide lot and the odd configuration of lots 3 and 4. Overall the lots are in keeping with the neighboring lot sizes.

Ms. Love noted that the Conservation by Design is required to be utilized for developments over 5 lots. This is a 7 lot subdivision. After discussion, Mr. Daugherty requested a variance of Article 4 of the Zoning Ordinance, Conservation by Design. Applying the requirements of Conservation by Design would be very difficult in this development, due to the utilities, their easements and the right-of-way for Maphelia Road. There are no steep slopes, no wetlands, no floodplains or scenic vistas or natural features to set aside for Conservation by Design.

Dr. Bedell made motion to recommend the ZHB grant the Variance for lot size and the requirements of Conservation by Design, due to the unusual configuration of the property.

Mrs. Skiptunas seconded. There were discussion and questions from Michelle Eaton from the audience regarding the number of lots proposed. IF public water was extended from Bluestone Rd, 29 units could be developed according to the ordinance. The neighbors requested the Variance be granted.

The Planning Commission voted 4-0 to recommend that the Zoning Hearing Board grant the Variance.

Fields of East Prospect design relief request response letter

The letter from the Planning Commission to the Fields of East Prospect does not sufficiently address the lack of open space in the plan, and a second paragraph was added. The open space and greenways must be further emphasized. The Commission has no objections to proposed modifications in lot areas and lot coverages provided they are offset by proportional increases in overall greenspace. Increased density must be balanced with increased open space to align with the underlying principles of the conservation by design ordinance. The road design issues are all engineering to be addressed at the time of plan design.

The letterhead of this should read the 'Planning Commission' rather than the 'Board of Supervisors', and they should be the signatory. The consensus was then the letter will be ready to go to the developer and the Board of Supervisors.

Zoning Ordinance update

Table of Permitted Uses revisions §470-8

Should *Sewage Pump & Haul, Emergency*; *Sewage Pump & Haul, Permanent*; and *Sewage Pump & Haul Temporary* remain in the ordinance at all? Are they 'uses' to be included, or are they situations to be addressed? Further investigation is needed on what the intent was when the Ordinance was written.

Ms. Love will contact John Klinedinst P.E. on the history of those uses.

Solar Farms references should be added to the Alternative Energy System. Cross references are needed!

Short term Rentals should be added in the Agriculture (AG), Village (V) and Waterfront Recreation (WR) Districts.

Tavern should be removed – the Township is dry and it is specifically defined as an establishment that serves alcoholic beverages.

Two Family Residential Conversion should not be permitted in the Waterfront Recreation District.

Vehicle Fueling station needs some rewording – Mr. Bowser noted that air quality around fueling stations is very poor.

Vehicle Charging station is a future use that should be researched and added. It should be looked at as both accessory and principle use.

Vehicle Repair facility should address the scale of a site – where the number of vehicles or the size of the building is larger will need to get a special exception in order to go in the AG district, a smaller 'accessory' garage can be permitted in the AG as a Family Farm Support Business. That wording will have to be reviewed.

Vehicle Washing Facility should be removed from the WR district.

Water Service – as a Public Utility these should be permitted in all districts. They already exist in the AG and the WR (reservoirs and river pump station).

Wireless Communications Towers should be permitted in the V District as well as AG, and Industrial (I). Mr. Bowser disagreed and said they could be moved a half mile outside the V district. They already exist in the Village district. They will be added.

A print of the overall Table of Permitted Uses will be provided to the Planning Commission (with a revised date) first electronically, and then a paper copy will be forwarded.

Dr. Bedell adjourned the meeting at 8:05 pm.

Respectfully submitted,
Monica Love
Zoning Officer