

**LOWER WINDSOR TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
APRIL 22, 2021**

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 Julia Parrish at 6:30 p.m. All attendees recited the pledge of Allegiance. Present for the meeting were Planning Commission members, Hollis Bedell, Kelly Skiptunas, Lewis Brown, Marzena Wolnikowski, Township Engineer John Klinedinst, P.E. and Zoning Officer, Monica Love.

PUBLIC COMMENT

None

MINUTES

Hollis Bedell made a motion to approve the minutes of March 25, 2021 as written, Kelly Skiptunas seconded. Motion carried unanimously 5 - 0.

OLD BUSINESS

None

NEW BUSINESS

Julia Parrish read the pertinent information from application **610-20SLD** for the River Ridge Hills Planned Residential Development Phases 1 & 2. Mark Magrecki of Penn Terra Engineering presented the plan, for Gerry Horst, developer. The plan was originally approved in 2008, then due to the housing market crash, was stalled. The Township repealed its PRD Ordinance soon after. There are a total of 5 phases and 306 dwelling units: Phases 1 and 2 contain 57 single family and 47 town homes. The design has 2 access points along Knights View Road. Earthmoving began on site in January 2021 with their NPDES permit approval, and the sediment basin, and road are under construction. Several underground seepage beds were designed throughout the site.

Traffic was addressed with the tentative approval and a per lot fee will be assessed at the time each home is built. A walking trail has been designed behind/between the lots which will remain privately owned.

Ms. Parrish asked how far the construction can go, with the several items that remain outstanding. Mr. Magrecki offered that the plan is to install the stormwater facilities, as the outstanding items are not largely design related. John Klinedinst offered his opinion: The developer has a Tentative Plan approval, which allows for the installation of improvements, and an NPDES permit to do earthmoving, and gives them a wide latitude. Mr. Klinedinst is on record with the developer that much of these improvements are being built at their own risk.

Kelly Skiptunas questioned the validity of the plan. Is there a time limit because the plan was approved 13 years ago, and requested that staff discuss the plan with Township Special Counsel Charlie Suhr. Planning members asked several questions regarding public sewer and public water extensions, Homeowner Association documents, the request for waiver of sidewalk along Knights View Road and the complete dissimilarity to neighboring developments.

Two (2) waivers were requested.

1. Sec. 506.b Intersection Grades – all stop-controlled intersections must be approached on all sides by a maximum grade of 4% for 50'. Proposed design provides a maximum grade 5% for 50'.
2. Sec. 603 Curbs & Sidewalks – The Ordinance requires sidewalks be provided in all new street construction. The project previously received a variance from the Zoning Hearing Board to permit sidewalks only along one side of the proposed streets. The variance did not specifically address the provisions of sidewalks along Knights View Road. The waiver requests that no sidewalk be required along Knights View Road.

The plan was presented for briefing only, no action was requested.

Plan **613-20SLD** Republic Services - Modern Landfill was presented by Maryann Garber, outside legal counsel for Modern Landfill and Brian Spray, P.E. Civil and Environmental Consultants. This Land Development plan will expand, upgrade and improve the existing leachate treatment plant within the existing landfill property which has been in existence since 1988.

The proposed improvements include two new buildings, two building additions, a 78' diameter tank, and replacement of a pond/lagoon with a tank within a secondary containment area. Installation of a riparian buffer which consists of 258 deciduous trees, northeast of the existing leachate plant will address water quality. There are no changes to the use of the area or the magnitude of the use, no changes to the infrastructure, water, sewer, traffic, etc.

Lewis Brown asked what leachate is, and whether there is a change to the nature of the waste the landfill is accepting. Ms. Garber explained there are no changes to what the landfill is accepting, the leachate is from rainwater that percolates through the landfill and is pumped out from the bottom. That must be treated prior to release. Much of the volume in the tanks will not be used, they are sized as part of the requirements from PA DEP. One of those tanks is located within Windsor Township and should be acknowledged separately. The leachate plant will treat the water for 30+ years after the closure of the landfill, until they are not needed. The tanks are similar in size/height to what is at the plant currently.

There were 6 waivers requested:

Section 403.t information related to streets within 400'

Section 404 Feasibility Report on Sewer and Water Facilities

Section 407 Traffic Impact Study

Section 408.k Final Plan Requirements – Reproducible street lines

Section 408.t Final Plan Requirements – Permanent reference monuments

Section 605 Street Trees

The conditions which must be addressed are:

1. All State and Federal permits are required to be provided prior to final plan approval (Water quality Part II and a minor modification to the solid waste permit).
2. Windsor Township shall be consulted for review of the plans, and signature by the Windsor Township Board of Supervisors if necessary.
3. The notarized signature of the owner(s) and the signatures and seals of design professionals shall be affixed to the plan prior to the Board of Supervisors' approval.
4. All administrative items shall be addressed prior to plan recording (surety, invoicing, PA DEP permitting and/or approval, etc.)
5. All final plans as recorded shall be submitted in electronic format (i.e. PDF).

Dr. Bedell made a motion to recommend approval of the plan and grant the waivers. Ms. Parrish requested the motion be amended to include the outstanding comments which need to be addressed. Motion was amended, Lewis Brown seconded the motion and the motion passed unanimously 5 – 0.

Zoning Hearing Case **2021-02** for the **Eastern York School District**, requesting a Special Exception to permit a school within the Residential District, and a de minimus variance to disturb steep slopes greater than 25%.

David Jones, the attorney for the school district presented the requests to the assembly. Dr. Mancuso, Superintendent of the School District, John Beddia, Architect at Crabtree and Rohrbaugh and Marc Kurowski of K&W Engineering were also available.

There have been changes made since this request was made last year. A reverse subdivision is proposed which will allow all parking across the campus to be reviewed cumulatively. Bus access is solely through Cool Creek Road and parent drop-off/pick-up must use the existing campus access, specifically the existing northern-most high school entrance to Cool Creek Road. The schools will have differing start/end times. The bus access does connect to the car access around the building to allow for fire and emergency apparatus, however, they are planned to be separated by a gate or something, that would be able to be opened for special events and emergencies. Parking calculations are shown on the plan, and with the consolidation there are more than enough parking spaces to meet the requirements. The school will have an expected student body of 520 children but is planned/rated for 750. 85% of the children are bus riders.

Julia Parrish asked about the safety of children crossing from the new development to the school district, after hours and on weekends when there are games and fields to play on. That has yet to be determined, but the developer and the school district will work together.

Some of the steep slopes on this property were created by the school district when creating the athletic field. A large area is a topsoil stockpile. The applicant supplied a color drawing showing the different slopes. Yellow denotes slopes 15-25% which are permitted by ordinance to be disturbed with a detailed site grading plan. Red are the natural areas with slopes greater than 25% which are not to be disturbed. Green shaded areas are greater than 25% slopes which are manmade, and blue areas are natural slopes greater than 25% which are proposed to be disturbed with this project. This area amounts to 3,259 s.f. or 0.6% of the lot.

This is a small percentage and is a de minimus variance request, which legally has a lesser requirement for burden of proof for a variance.

In order to minimize the necessity to disturb slopes there will be underground storage to meet the requirements of the stormwater ordinance, and a retaining wall between the bus access turn-around and the vehicular access to the other areas of campus.

Marzena Wolnikowski suggested that because the school sits on the corner of the lot, it should have two fronts with a nice look to both.

Julia Parrish made a motion to approve the Special Exception to permit the school in the Residential District. Hollis Bedell seconded. The motion passed 3 – 1 with Lewis Brown abstaining.

Ms. Parrish made a motion to recommend the variance for approval to the Zoning Hearing Board. Ms. Wolnikowski seconded. The motion failed, 2 – 2 with Mr. Brown abstaining. Mr. Brown then changed his vote to no. David Jones objected to the way the change was executed, Julia Parrish attempted to clarify, and the motion failed 2 - 3.

OTHER BUSINESS

With no other business, Dr. Bedell made a motion to adjourn.

Ms. Parrish adjourned the meeting at 8:10 p.m.

Respectfully submitted,
Monica Love
Zoning Officer