

**LOWER WINDSOR TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
August 26, 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, Marzena Wolnikowski, and Zoning Officer, Monica Love. Member, Lewis Brown was absent.

PUBLIC COMMENT

None

MINUTES

Julia Parrish noted a typographic error in the minutes. Hollis Bedell made a motion to approve the minutes with that typo fixed. Kelly Skiptunas seconded, motion carried, 4 – 0.

OLD BUSINESS

No old business

NEW BUSINESS

Zoning Hearing Case 2021-03 Cathy Moritz of 943 Taylor Road, Windsor for a private family cemetery. Peter Wertz of McNees Wallace & Nurick represented Mrs. Mortiz. Family members were present in the audience. It was stated that the area for the cemetery is within a small pine grove. No more than 13 total interments are proposed. The area is 200' from Taylor Road (to the south) 380 feet from the eastern property line, 560 feet from the western property line, 1150 feet from the adjoining property to the north. The specific area of the cemetery was not calculated. The farm and the adjacent property which surrounds the farm on three sides are all in Agricultural Preservation. The cemetery itself cannot be seen from Taylor Road, although the pine trees surrounding can be seen, a retaining wall blocks the view. The necessity of an easement for the cemetery was discussed. Under Federal Law, access to a family cemetery cannot be blocked.

Hollis Bedell made a motion to approve the Special Exception with the requirement that the area of the cemetery be delineated, and an easement recorded as well as that all interments require a concrete vault. Kelly Skiptunas seconded, and the motion passed 4 – 0.

Mark Magrecki of Penn Terra Engineering presented the plan for River Ridge Hills, Planned Residential Development. The plan was originally approved in 2008 but then was stalled. There are a total of 5 phases and 306 dwelling units: This Final Plan is for Phases 1 and 2 and contains 47 single family, 57 town homes and several open space lots. The stormwater/sediment control basin has already been constructed. Discussions ranged over the silt sock sediment trap along Knights View Rd and the Homeowner Association Documents, which have not been submitted for review. Stormwater seepage pits are required on the lots that face Knights View Road. They will be the responsibility of each property owner.

The Township provided a pedestrian street crossing with flashing lights, which would be placed nearest the intersection of Knights View and Cool Creek. This would not be a 'School Crossing' but would be a safer alternative for school children to cross. The members believe this crossing should be connected to a sidewalk, not the trail system through the development.

The waivers and outstanding comments were reviewed.

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 5.5% 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 outstanding comments below have been compiled from John Klinedinst, P.E., Jesse King from York County Planning Commission and Monica Love. They are separated into categories for ease of tracking.

There are several issues which are considered Outstanding Conditions which must be addressed prior to any approvals:

1. Recreation fees were required by the Decision of 2008 and must be agreed to by the applicant. Currently that is \$750 per lot due at the time of filing. Those fees have not been paid. For Phases 1 that is \$39,750 and Phase 2, \$43,500. **The applicant acknowledged and agreed.**
2. Declaration of Covenants, Restrictions, Easements and Homeowner Documents must be prepared by the applicant, reviewed and approved by the Township Solicitor. **The applicant acknowledged and agreed, the attorney should have those submitted soon.** There was discussion on how those HOA documents will address the public/private nature of the trails and open space.
3. Some coordination or plan for the school children crossing Cool Creek Road must be proposed and approved. While Eastern York School District has agreed that the children of the development will be bussed for the school days, it is staff's opinion that this is not sufficient for after school, weekend and holiday use of playgrounds and fields. **The applicant acknowledged and has submitted them to the school. No response has yet been received.**
4. The Township fee schedule (in effect since 2006) states that final plan submission required a \$200 fee per intersection. The 2020 submission did not include this fee (5 intersections \$1,000). **The applicant acknowledged and agreed.**
5. Phases 3 through 5 submissions and construction timing listed on this plan submission (sheet 3 of 34) will become the new schedule upon the approval of this Final Plan. Failure to adhere to the schedule will result in the expiration of the plan. **The applicant acknowledged and agreed.**
6. A Table of the Development Rights has been added to the plan, showing designated Development Rights by Phase. Eleven (11) TDRs will be necessary for this plan (Phases 1 and 2) to be approved. Evidence of Transferred rights is required prior to final plan approval. Deeds of Transfer and Deeds of Development Restriction must be brought before the board of Supervisors for approval. **Mr. Magrecki noted that the Developer has purchased the TDR and is in the process of getting the paperwork together to bring to the Board.**

From the Planning Commission 2007 review, these comments are outstanding and should be addressed prior to Board approval:

1. Bus pick-up and drop off locations, possible shelters: Applicant should provide evidence of approval from the school district for the proposed single bus stop to be located at the roundabout. Future Phases will need additional consideration. **There are now four (4) bus stops provided for the two (2) phases. They have been submitted to the school district and are awaiting approval.**

The remainder of the comments are general/administrative comments, which staff are working through with the developer's engineer.

SaLDO

1. The surveyor's and Engineer's seal and signature are required by Section 408.e **The applicant acknowledged and agreed.**
2. The Owner's notarized signature is required by Section 408.u **The applicant acknowledged and agreed.**
3. Level street grades are required at intersections, not exceeding 4% (waiver requested)
4. No sidewalk is proposed along Knights View Road (waiver requested)
5. A Construction Cost Estimate must be provided for establishing security requirements for both the Township and the Wrightsville Borough Municipal Authority (currently under review by the Township Engineer)

Zoning Ordinance

1. A gazebo has been added to the roundabout, and six (6) benches are proposed along the walking trails of Phases 1 and 2. These were part of testimony offered in support of the PRD in 2007. Some detail of the gazebo should be added to the plans, and the Township should determine if the number of benches shown is adequate. **Ten (10) benches are now proposed. The Commission agrees that is sufficient.**
2. PRD Testimony indicated parking was to be restricted to one side of the street. Signage has been shown to that effect, however supporting traffic studies should be supplied and an Ordinance limiting the parking will be required. **The Traffic Study has been received.**

General Comments

1. Township officials may wish to consider if it makes sense for all proposed fire hydrants to be located on the sides of streets where parking is prohibited (hydrants on Purser Ct and Winchester Ct. are shown on the sides where on-street parking is permitted). **While this may take some coordination with York Water Company, if needed the parking may be changed to the other side of the street.**
2. Stormwater Management review is under way. There have been numerous changes to the stormwater basin due to springs and high water table. CS Davidson is monitoring the project as construction progresses.
3. PA DEP Water Quality management permit is required prior to recording of the plan. **The applicant acknowledged and agreed.**
4. All administrative items shall be addressed prior to plan recording (outstanding invoices, surety/bond, signatures, etc.) **The applicant acknowledged and agreed.**
5. All plans, as recorded, shall be submitted in electronic format (i.e. PDF) **The applicant acknowledged and agreed.**

Hollis Bedell made a motion to deny the requested sidewalk waiver. Kelly Skiptunas seconded. Motion passed 4-0.

No action was taken second waiver or on the plan.

Jessica Fieldhouse who is a planner with C.S. Davidson addressed the members and opened discussion regarding updating the Comprehensive Plan. The letter drafted at the last meeting was presented to the Board of Supervisors, however no decision was made on funding the request. Ms. Fieldhouse recommended a request and estimate be made to the Board of Supervisors, with the timing at 12 – 18 months. Some public outreach would be necessary. Land Use decisions must be updated, and the demographics are very outdated. Affordable housing within Lower Windsor Township is an issue as well. Ms. Fieldhouse recommended a request and estimate be made to the Board of Supervisors. She will draft a letter for the Commission to review and revise at their next meeting.

Monica Love updated the members on the Private Road Maintenance Ordinance. It was returned to the Township Solicitor for finalization and to better define developments within the Ordinance.

Eastern York School District has filed an appeal to the Zoning Hearing Board decision on the Special Exception and Variance for the new Intermediate School along Cool Creek Road.

Dr. Bedell motioned to adjourn the meeting, Mrs. Skiptunas seconded, and the motion passed unanimously. Ms. Parrish adjourned the meeting at 8:39 p.m.

Respectfully submitted,
Monica Love
Zoning Officer