

LOWER WINDSOR TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
MARCH 14, 2024
6:30 PM

The Lower Windsor Township Board of Supervisors held their regular meeting at the Township Community Building at 2425 Craley Road, Wrightsville PA. The meeting was called to order by Chairman George Yakubowski at 6:30 p.m. with a pledge to the flag. Also present at the meeting were Supervisors Phil Rohrbaugh and Barry Strayer; Township Manager Sande Cunningham; Secretary-Treasurer Linda Zimmerman; Solicitor Andrew Herrold; Zoning Officer Monica Love; Engineer Adam Smith and Chief Thomas. Patrons in attendance: 7

Chairman Yakubowski announced that an executive session was held February 8, 2024, for personnel matters and March 5, 2024, regarding litigation matters.

PUBLIC COMMENT: None

REPORTS:

1. POLICE: Chief Thomas submitted his report.
 - a. Noted several travel hazards during the past storms.
 - b. The new vehicle is at the outfitters.
 - c. New patches are in circulation.
 - d. Supervisor Rohrbaugh questioned the process with notifying utilities of down lines, trees, and poles. Chief Thomas explained County 911 calls the utility companies to report the incident. The utility companies debate who is responsible for fixing the problem.
2. MANAGER: Ms. Cunningham submitted her report.
 - a. The Spring newsletter is available online and is being mailed to those on the mailing list.
 - b. Kochenaur, Earnest, Smyser & Berg were here last week to perform the 2023 audit.
 - c. Furnace Road Bridge – repairs should take place during the second half of 2025.
 - d. Working on the new website.
 - e. Chairman Yakubowski questioned the tree removal on Furnace Rd. Ms. Cunningham said we are working with the resident to resolve the matter.
3. SOLICITOR: Atty. Herrold submitted his report.
4. ENGINEER: Mr. Smith submitted his report.
5. HIGHWAY: Mr. Miller submitted his report.
 - a. BRIDGE REPAIR COSTS: Ms. Cunningham provided the Board with a spreadsheet of bridge work by priority which will be completed as funding permits. Motion by Supervisor Rohrbaugh, seconded by Chairman Yakubowski to approve the bridge repairs as funds are available, motion carried.
6. BUILDING MAINTENANCE: Mr. Taylor submitted his report.
7. EMERGENCY SERVICES: Reports submitted from Yorkana Fire Co., Craley Fire Co., East Prospect Fire Co., and CVAC/LifeTeam.
8. RECREATION AUTHORITY: Ms. Cirilo submitted her report.
 - a. Mr. Rohrbaugh noted that they are tracking the participation of each municipality.
 - b. Requesting outdoor pickle ball courts at Rexroth Park. Asking to research grant funding.

ZONING:

1. WELL ISOLATION WAIVER – OAK HOLLOW ROAD: Ms. Love explained the property at 433 Oak Hollow Rd requires a new replacement system. Due to the size and layout of the property there is insufficient area to replace the system and will not meet the required separation distance. They are requesting a waiver of the well isolation distance. Site Design Concepts designed repairs using the best technical guidance. The property owners have signed a release. Motion by Supervisor Strayer, seconded by Supervisor Rohrbaugh to approve the waiver, motion carried.
2. CELLCO PARTNERSHIP – SURETY REDUCTION: Ms. Love informed the Board that CELLCO Partnership requested a reduction in the surety bond. C S Davidson performed an inspection and recommended a release of \$347,187.50 which will leave a balance of \$4, 818.00. Motion by Supervisor Rohrbaugh, seconded by Supervisor Strayer to release the bond in the amount of \$347,187.50, with a balance of \$4,818.00, motion carried.
3. MODERN LANDFILL – BOND RELEASE: Modern Landfill is requesting the release of the bond for the Leachate treatment plant. C S Davidson performed an inspection and recommended release of the total bond amount of \$59,543.00. Motion by Supervisor Strayer, seconded by Chairman Yakubowski to approve the release of the bond in the amount of \$59,543.00, motion carried.
4. COUNTRY LANE – DISCUSSION: Ms. Love updated the Board on the Canadochly Road and Country Lane pipe issue. Ms. Love has contacted all the involved property owners to determine their willingness to grant an easement and allow survey and construction access. In the case of the Country Lane joint property line pipe, both owners would also need to remove trees and fences. Ms. Love heard from one property owner. Ms. Love asked the Board if they would be interested in telescoping the pipe to see what damage was there. Windsor Township may have a telescoping tool we could use. The Board agrees to telescope the pipe to determine the amount of damage before deciding how to proceed.
5. FIELDS AT EAST PROSPECT – PRESENTATION: Atty. Herrold announced that Atty Brad Leber, who is representing Fields at East Prospect, works within the same law firm as him and noted there would be no conflict of interest in this matter. Mr. Mark Evans from Derck & Edson presented the sketch plan. This sketch plan proposes 204 dwelling units utilizing the Conservation by Design Ordinance which has never been utilized in Lower Windsor Township. Through the sketch plan process and review by LWT Planning Commission, there are several modification requests that make sense and are supported by the Planning Commission as text amendments to the Conservation by Design ordinance. 1) Reducing the required garage setback from 10' to a minimum of 2' behind the plane of the house. 2) Reducing the required lot area of single family attached (townhomes) from 2,000 sf to 1,700 sf. 3) Reducing the multi-family dwelling lot area from 2,000 sf to 1,400 sf per unit. 4) Increasing the maximum lot coverage for single family attached buildings (townhomes) from 55% to 75%. 5) Permitting a multi-family dwelling (apartment/condominiums) to have 16 units per building instead of 8. The sketch plan as submitted provides 33% greenspace, and provides units at 4.68 dwellings/acre, well under the allowable 6.0 units/acre. The other remaining requests are site specific design modifications which will require waivers from the Subdivision and Land Development Ordinance. Questions on Emergency Services access, hydrants, sprinklers were discussed. Atty. Leber will prepare a draft ordinance with the amendments they are proposing and will provide a copy for the Board to review and comment. Supervisor Rohrbaugh raised concerns for multi-family use as proposed. Ms. Love and Mr. Evans clarified that all concerns will be worked out during the plan review process.

OLD BUSINESS:

1. RESOLUTION 2024-06 – GRANT APPLICATION: Ms. Cunningham informed the Boad that this Resolution is replacing Resolution 2023-16 in the amount of \$741,892. Since the first submittal for

this grant, the cost of materials has increased and DCED wanted an update on the costs. This resolution updates the amount to \$768,389.00. Since the resolution was needed by DCED before the March meeting, Chairman Yakubowski signed the resolution so it could be submitted without delay. Motion by Supervisor Rohrbaugh, seconded by Chairman Yakubowski to approve ratifying Resolution 2024-06, motion carried.

2. TOWNSHIP BOUNDARY LINE: Mr. Love informed the Board that staff and C S Davidson are working with Hellam Township to establish the northern boundary of the Township from eastern end of Mt. Pisgah Road through Cool Creek Road, and east through Murphy's Hollow. If both Townships approve the boundary adjustment, C S Davidson will prepare the required map and both municipalities will share in the survey and filing costs. Supervisor Rohrbaugh feels we should wait at least 60 days until the matter with the school is resolved. Ms. Love noted York County Emergency Services Department is requesting this boundary line adjustment, which would alleviate confusion in Murphy's Hollow. The Board would like to have Atty. Suhr review this matter and give his recommendation to move forward with the boundary adjustment. Motion by Supervisor Rohrbaugh, seconded by Chairman Yakubowski to authorize the survey contingent on Atty. Suhr's recommendation, motion carried.

NEW BUSINESS:

1. APPROVE ROAD PROJECTS: Upon completion of the Road inspection with Shorty Miller, Adam Smith, and Supervisors Yakubowski and Strayer a proposed road project list was provided for approval in the amount of \$268,423. The proposed budget for road projects is \$325,000. Motion by Supervisor Rohrbaugh seconded by Supervisor Strayer to approve the road project list based on priority and as funds permit, motion carried. Ms. Cunningham asked for authorization to advertise for road materials. Motion by Chairman Yakubowski, seconded by Supervisor Strayer to authorize the advertisement for road materials, motion carried.
2. APPROVAL OF BILLS: Motion by Supervisor Rohrbaugh, seconded by Chairman Yakubowski to approve the bills list as presented in the amount of \$66,89.46, motion carried.
3. OTHER PERTINENT BUSINESS: None

Meeting adjourned at 8:10 pm

Respectfully submitted,

Linda J. Zimmerman
Secretary-Treasurer