

**LOWER WINDSOR TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
JUNE 23, 2022**

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. Present were Planning Commission members Hollis Bedell, Kelly Skiptunas, Marzena Wolnikowski, and Hank Smeltzer; Zoning Officer Monica Love, Comprehensive Plan update consultant Jessica Fieldhouse from C.S. Davidson, and twelve (12) audience members. All attendees stood for the Pledge of Allegiance.

PUBLIC COMMENT

None

MINUTES

Hollis Bedell made a motion to approve the minutes of May 26, 2022; Henry Smeltzer seconded. Motion carried 5 – 0.

Julia Parrish noted that the order of the meeting was going to be changed and the Zoning Case would be heard first.

Zoning Hearing Case 2022-01 Cellco Partnership d/b/a Verizon Wireless

Kevin Walsh from Hourigan, Kluger & Quinn presented the project for Robert & Annette Snyder at 1001 Cool Creek Road. A 183' high monopole with 5' lightning rod atop for a total 188' height is proposed within a 50'x 50' fenced compound. Requested are one Special Exception for the tower within the Agricultural Zone, and three (3) variances, Sec.470-137.G tower height of 188'; Sec. 470-38.A(2) 24' wide driveway; Sec. 470-150.A(2) extending approval from six (6) months to twelve (12).

John Bosco and Joe Ruiz Engineers and Sue Manchello of Wireless Technologies also presented.

Mr. Walsh reviewed the application, plans, and specifications that were provided to the Members.

Mrs. Parrish questioned if the property owners would be granting an easement for access, and what anti-climbing device is proposed. One of the engineers noted that in addition to an eight (8) feet high fence, a ladder is needed to access the pole. Dr. Bedell asked why the removal agreement did not address the removal of the footing. The Township requirements do not speak to the footing, if the landowner requires it will be added. Mrs. Parrish requested the applicant explain the support of the structure and ice formation. Mr. Bosco replied and noted the structural letter in the application. In York County 1" thick radial ice accumulation concurrent with a 40 mile per hour wind are the requirements for the monopole and all antennas. It is also designed for windspeed of 115 mph with no ice accumulation. Regarding falling ice or catastrophic failure, is there a zone of safety? Wind and ice design and failure typical design of monopole includes a weakened section that in the event of failure the monopole would bend on itself rather than break or fall in one section, roughly ½ the height of the entire pole. The nearest property line is 106' from the base of the pole. Mr. Smeltzer asked what is in that fall radius (garage, shed, and garden). Mr. Bosco reiterated the safety design of the pole.

Mrs. Wolnikowski asked if this would only be for Verizon use? Colocation will be designed – multiple carriers will use the pole. Will it have 5G technology? Yes. What are the heights of near towers? 250' to

the south, 250' to the west at Hellam, Lake Clarke is 192', 140' at Stoneybrook and 112' at Ore Valley. The topography, terrain and trees set the need for the height.

The tower placement is based on lack of coverage area. A map was included showing Verizon coverage in the area. Because the tower could not be placed in the middle of the coverage hole, (the site is on the north side of the coverage hole) the pole must go higher. Additionally, Verizon only has a certain number of channels to use, the higher the pole, the further the channel may send, which is also not good. If you were standing on top of the tower, what you could see would be the coverage area.

At the request of Mrs. Wolnikowski, Ms. Love reviewed the requirements of a Special Exception in the Zoning Ordinance. Mr. Walsh noted that the narrative submitted went over those requirements and stated that his opening statement briefly discussed. Mrs. Wolnikowski disagreed, and that Highpoint is one of the most scenic vistas in the County.

Dave Fox, neighbor asked what happens if the monopole freezes together and falls in one piece, it will be eighty-five feet into his property. Mr. Fox outbuildings are as near to the pole as Mr. Snyder's garage. His other concern is the PA Game Commission requirements for hunting? How close can he hunt to it? The Tower should be on the property the entire distance of the height. There is an insurance policy requirement within the Ordinance. Is there a reason the pole must be there? The property owners requested it be as far out of the cultivated field as possible.

Matt Taylor, neighbor across the street asked for a copy of the plans, Ms. Love noted that the plans are available for viewing, but no extra copies. What happens to the tower at 120 m.p.h. wind? Will it fail or is there a large safety buffer built in. Is the generator only for use when the power out? Yes. Vehicle traffic proposed is 1 or 2 per month. When will the construction begin, if permission is granted? 2023.

Dr. Bedell made a motion to recommend the three variances for the height, driveway width and extending the time limit. Mr. Smeltzer seconded. Motion passed 4-1, with Mrs. Wolnikowski dissenting.

Dr. Bedell made a motion on the special exception for the tower in the Ag district, recommending granting the exception. Mrs. Skiptunas requested a revision to the motion to include the request to move the pole away from the adjoining property the height of the pole. Dr. Bedell revised the motion. Mr. Smeltzer seconded. The motion carried 5-0.

OLD BUSINESS

Jessica Fieldhouse discussed the Comprehensive Plan Update and reviewed the survey. There were 275 responses overall, 250 on-line and 25 in person. This is a draft summary, when the PC reviews and adjusts, the DRAFT notation will be removed, and the documents will be available to the public. The majority of the responses discussed were the on-line survey, the hard copy results still need to be included. Approximately 3% of the residents of Lower Windsor Township filled out the survey, which closed on June 12, 2022.

Chapter 3 of the Plan goes into the Existing Land use. The 2002 plan set the benchmark for curbing residential sprawl, and conserving/preserving agricultural land, and preserving the natural aspects of the Township. 2002 Ag land use was 62%; in 2022 it is 61%. While it's a drop, it's less than 1,000 acres change over a 20-year time frame.

From a residential standpoint land use increased from 24.5 to 28.5% (acreage 3,838 to 4,478 acres). Again, an increase of under 1,000 acres. A 4% growth is not much but matches the population growth.

Traditionally the land use data from assessor's office was used, however, that data gathering changed in the 20-year timeframe. For example, the Marina was classified commercial, it is now light industrial. Are there losses in commercial entities? Small stores were lost with the big box stores, 140 acres of commercial were reclassified (The Ranch on Hilts Rd), but the acreage dropped from 567 acres to 281 acres. Several junkyards were closed as well, but that number still seems drastic.

Mrs. Parrish asked about the pie chart 'Commercial land uses', 47% are short term lodging (rooming house 150 acres) Ms. Love noted that is the private rehab property (The Ranch), which is a commercial use, not a 'rooming house'. Ms. Fieldhouse will note that the private facility has skewed that number.

Cabins and campgrounds along the river make up the remaining. AG security went up from 4,500 acres went up to 5,800+. Mrs. Skiptunas asked if that can be broken out from what the County and private organizations and what the Township did on its own. Tipping fees from the past were used to create those easements, and that would be good to know.

Chapter 5, shows the Township slowing in growth, aging and diversifying. 116% increase between 1960 and 2000 compared to 2.12% from 2000 to 2022 which is a York County trend and even seen nationally. A lot of young people have left the area. The senior population is growing. Current enrollment for the school district will be discussed next month. 45-64 and 65+ are the fastest growing population. The most loss is the younger childbearing and workforce ages. Age 25-44 decreased from 33% in 2000 to 23% in 2020.

In the 2000 data the Township minority grew from 1.5% of total to now 7.8%. Households are diversifying – female head of house doubled from 6.8% to 13.1%.

Community facilities and transportation will be looked at in July. All foundational data will be secured, then goals and objectives will be reviewed. A draft will be ready by the end of the year and on target for adoption in January.

NEW BUSINESS

Solar Farm Ordinance Mrs. Parrish shared that the deeper she looks into this, the more she feels the need to educate herself. Solar farms will regulate hunting – which would have a huge impact on the deer population, if 800 acres of solar farm could not be hunted on. Other predatory animal populations might create issues as well. Any solar farm operator would have sole control on pesticides and herbicides. PA DEP has determined that the solar panels themselves are not to be viewed as impervious. There are not a lot of state regulations, only per municipality.

Screening & buffering may need to be added to the stand-alone ordinance, which would only address large scale solar. Accessory solar would remain in the Zoning Ordinance. The Table of Uses would list the Principal Solar Energy Systems (PSES) and which Zones they are permitted within. Currently it is a Special Exception in the AG and Industrial, not permitted in Residential, Village or Waterfront Recreation. It is not currently permitted as a use by right. The definition would be included in the Zoning Ordinance as well, but the stand-alone ordinance will be somewhat easier to update in the future. Minimum and maximum acreage should be included. The underlying zoning requirements for setbacks and coverage need reviewed. Mrs. Parrish suggested the members spend some time looking at the model ordinance. Prime Ag soils must be discussed, can a percentage of prime soils be used, should there be maximum size requirements, what lot coverage may be used. Within the AG district 20% is the maximum, should that continue? At the July meeting the members hope to address the first few sections.

Multi-Municipal Comprehensive Plan discussion: A March 3, 2022, letter from Hellam Township to the surrounding municipalities as well as memos from Ms. Love to the Board of Supervisors from 2018 were distributed. At the time the Supervisors deemed that the detriments to the Township participating with the multi-municipal comp plan outweighed the benefits.

Dr. Bedell noted that the Hellam Township and the two boroughs it fully surrounds, make sense to participate. LWT should include East Prospect and Yorkana Boroughs. Use of waterfront is contiguous with Wrightsville and Hellam, which we should coordinate. The Regional Comprehensive plan had real ideas for immediate implementation. There were things that LWT need to cooperate with, but perhaps not a complete Comprehensive Plan.

John Bowser, resident, noted that Yorkana and East Prospect Boroughs are a part of Lower Windsor Township, it makes sense for us to be talking to them. Collaboration is an important issue. A lot of the

commercial area is within the boroughs. An intergovernmental agreement would be needed, as well as residents to participate. Working with the Boroughs to increase services available to all residents and focus on how to collaborate with other municipalities would be needed. Yorkana Borough has never had a Comprehensive Plan. Ms. Love will check with Ms. Fieldhouse on the possibility of adding the two boroughs to our Comprehensive Plan, whether work will need to be redone, and how much more cost may be involved. The Board of Supervisors will be asked if the boroughs can be included. If they agree, we will contact the boroughs.

Mrs. Parrish adjourned the meeting at 9:08 p.m.

Respectfully submitted,
Monica Love
Zoning Officer