

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
WORKSHOP MEETING
February 15, 2017**

CALL TO ORDER

Present were Supervisors David Sprigg, Kevin Cummings, Eric Stonesifer, Michael Ryan and Naomi Decker. Also present were Secretary Nancy Zentmeyer and Engineer Phillip Brath. The meeting was called to order at 6:30 p.m. at the Township Municipal Building, 150 Century Lane, Dillsburg, York County, PA.

Chairman Cummings led the pledge of allegiance and Supervisor Decker gave the opening prayer.

ELECTRICAL QUOTES

The township received quotes for work to be done at the EOC with the removal and disposal of an electric baseboard heater and to install a new electric baseboard heater. The quotes are as follows: Leer Electric - \$275.00; SR Electric Motor Service - \$200.00; and Arnold Electric - \$220.00.

Motion: Supervisor Ryan made a motion to accept the quote from SR Electric Motor Service at the price of \$200.00. **Seconded** by Chairman Cummings. The motion carried.

EXECUTIVE SESSION

At 6:33 p.m. the Board went into an executive session. The Board came out of executive session at 6:46 p.m. with no decision made.

DISCUSSION ON ZONING ORDINANCE – STEEP SLOPES

Kathleen Gingrich

Mrs. Gingrich questioned why the proposal from the Planning Commission of November, 2016 was not on the website and it was noted that it was a Board decision. Chairman Cummings stated that this proposal came from the Planning Commission and that the BOS is not proposing it until it is reviewed and discussed. Mrs. Gingrich stated that she is putting the Board on notice that correspondence, emails, text messages need to be preserved for litigation along with the tapes of the meetings. There was discussion regarding the July 2016 meeting on steep slopes and asked what the procedure defects are. Some of the other issues brought up were the YCPC recommendation of the zoning ordinance indicating that it is too restrictive and the Boyer vs. Emerson issue. The zoning ordinance was properly enacted and adopted. Mrs. Gingrich asked Engineer

Brath if he has reviewed any of the documentation and it was noted that he has not. It was noted that nothing will be put on the website until it is updated.

Supervisor Ryan indicated that the draft was proposed by the Planning Commission to look at the facts and that the Supervisors have done extensive homework on this issue. At this time Mrs. Gingrich presented exhibit "H" which is the basic measurement of slope and asked that it be made part of the minutes.

Bob Eichelberger

Mr. Eichelberger stated that he does have a personal interest in the steep slope the same as Mr. Yerger has with his property. He asked that the Board inform the public of any action to be taken. At this time Chairman Cummings indicated that a relative of his does not own any land in Franklin Township.

This proposal that is currently being looked into is full of holes and the biggest problem is with driveways. It was suggested that a driveway to a lot be exempt. Grandfathering was briefly discussed.

It was noted that the comprehensive plan calls out Franklin Township as open space, noting certain areas to be set aside.

Ted Grove

Mr. Grove asked if it is just the proposal from the Planning Commission that will be reviewed. Chairman Cummings indicated that the Board will be going through the proposal from the Planning Commission and omit or add from the document.

Ken Swomley

Mr. Swomley talked about concerns with websites and pushing concerns onto other people.

Stephen Cobb

Mr. Cobb suggested that families who are allowed an increase in the steep slope with issues with the water that there needs to be safe guards for the residents who live downstream. Supervisor Decker stated that a main concern is storm water run-off and that the storm water management ordinance will be enforced. It was noted that there should be no grandfathering with regards to storm water. Other municipalities' ordinances were looked at.

Ken Garner

Mr. Garner who lives in a steep slope area noted that when he built his home he did not add to the storm water run-off as it was engineered correctly. Supervisor Ryan stated that it is the ground that is disturbed that needs the storm water management. There was a brief discussion on the bonding of storm water and what if it would fail.

Donald Lerew, Jr.

Mr. Lerew stated that in the document it notes any land disturbed needs a storm water management plan. He also questioned with an easement who manages that in the more than 15% slope. It was noted that would be in the terms of the right-of-way agreement. Mr. Lerew noted that he feels it is not his responsibility to maintain storm water due to someone above him building.

Slope Recommendation from Franklin Township Planning Commission

At this time Chairman Cummings indicated that they would start the review of the Planning Commission's recommendations.

Section 100: Intent and Purpose

#5 – to establish that the township's "resource protection standards" are uniformly and consistently enforced. It was questioned what are the standards and it sounds as if there is a list. It was noted that this came out of Kennett Township's steep slope ordinance under Section C.3. It was noted that what it is for one has to be for all.

#8 – the slopes are shown as every 5%. After a brief discussion it should not be every 5%. Anything over 15% should be a conditional use.

#9 – this section was omitted in it's entirely by the Planning Commission.

B. & C. – omit in it's entirely. Section C is language that should not be in the zoning ordinance.

Section 200: Identification and Establishment of the Steep Slopes of Franklin Township

A.4 – no development will occur on slopes of 40% or greater. It should be lowered to 30%.

A.3 – regarding any dispute concerning the boundary of any steep slope conservation area, this should be revisited.

F. & G. – these were discussed with the following; Vice Chairman Sprigg noted under F. is this regarding manmade and does it pertain to driveways and should G. be omitted.

Chairman Cummings suggested keeping Sections 200 and 300.

Section 300: Application Procedures

A. - it is noted that plans drawn to a scale of at least 1" equals 50'. Even if this is under scale it is ok.

A.f – photographs showing existing uses, vegetation, and topography within the steep slope areas. With an on-site inspection/visit it would document the existing conditions.

A.g – a signed statement explaining the building methods to be used in overcoming foundation and other structural problems created by the slope alteration with methods proposed to avoid "excess" surface water run-off to neighboring properties. The word excess is to be omitted and at the end of the paragraph add "by complying with the storm water management ordinance.

A.h – a plan of any proposed street, emergency access or driveway within areas of steep and very steep slopes, with the seal of a professional engineer. The words "very steep" should be omitted.

It was noted that anything in the steep slope area gets storm water management.

Section 400: Standards and Criteria for Applications

A. 1-4 – to be omitted.

#5 – the Board will come back to review.

#6 – the proposed development, any impervious cover and resultant disturbances to the land and existing vegetative cover will “minimize” storm water run-off and/or related environmental problems off the site. The word minimize should read “comply”.

#7 – this paragraph discusses removal of or disturbance of existing vegetation in steep slope areas. It mentions “aesthetic characteristics of the landscape” and this needs to be omitted.

It was noted that Section 400 is vague and left up to interpretation. At this time Chairman Cummings suggested to stop at #7 and the Board will pick this up at #8 at the next workshop meeting.

ANY OTHER BUSINESS

Bridge on West Greenhouse Road

There was a brief discussion on the bridge on West Greenhouse Road and what needs to be done to correct it.

Workshop Meeting

It was noted that at the next BOS meeting the Board will schedule another steep slope workshop meeting.

Zoning Issue

Engineer Brath noted that another zoning issue that needs to be discussed and addressed is Pennsylvania’s Medical Marijuana Act. Other municipalities are already reviewing this and adding it to their zoning ordinances.

Ordinance No. 2017-2

This ordinance amendment to the traffic ordinance was received from Solicitor Shaffer and asked that the BOS for to advertise and set a public hearing as this is ready to move forward. This amendment is to add the phrase “during inclement weather” for parking on certain streets in the township during November through April.

Motion: Vice Chairman Sprigg made a motion to approve for advertisement.
Seconded by Chairman Cummings. The motion carried.

Sherwood Forest

Supervisor Ryan stated that information is needed for the homeowner’s association in Sherwood Forest and asked if Mr. Cobb and Mr. Terzis would be interested in informing their neighbors to remove cars from along the roadway.

ADJOURNMENT

Motion: Chairman Cummings made a motion to adjourn the meeting at 9:10 p.m.
Seconded by Supervisor Stonesifer. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary