

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
WORKSHOP MEETING
May 3, 2017**

CALL TO ORDER

Present were Supervisors David Sprigg, Kevin Cummings, Eric Stonesifer, Michael Ryan and Naomi Decker. Also present were Engineer Phillip Brath and Secretary Nancy Zentmeyer. The meeting was called to order at 7:00 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.

It was noted that this a recommendation from The Planning Commission at no cost to the taxpayer, but also nothing is being proposed.

STEEP SLOPES

Section 400 – Standards and Criteria for Applications

#8 – The wording “maximum extent” is vague and it was suggested to by Chairman Cummings look into possibly having a report indicating what it is meant. There is the UCC code.

#9 – the word “minimized” was again questioned. Is this based on an opinion or how it is engineered? Switch backs are better than cut and fill. Slopes are in the driveway ordinance and it was suggested to leave it as is.

#10 – omit the wording “consistent with other applicable codes and regulations”. It was noted that nothing is being proposed, just looking at the recommendation from the Planning Commission. Chairman Cummings spoke regarding the steep slope areas. The York County Soil Survey will be looked at and reviewed by the township engineer.

#11 – omit the word “disturbed” and replace it with “encouraged”.

#12 – the language is ok but would like to see this in a report.

#13 – leave as it is written.

#14 – it was noted that there are many ways to stabilized. The wording is ok.

#15 – this is standard and Engineer Brath is ok with this language. There was some concern with the “permanent vegetation cover shall be planted within 3 days”, but that is what is in the E&S plans.

#16 – this can be merged with #9, but Engineer Brath noted concerned with “principal use”. It was noted that this will be omitted.

#17 – this is to be omitted.

#18 – this is to be omitted, as it is the same as #14.

#19 – the language is ok.

#20 – there was discussion on re-wording this for “designed measures for slope stabilization” but that Solicitor Shaffer is to review and make the correction. The wording “the township will make the repair” should read “the township may make the repair”. There was also discussion on the repair of a property or the properties of other homeowners that would be affected downhill, such as what if a property owner uphill causes problems to a new owner downhill. The word “lean” should be spelled “lien”.

It was noted that 30 days is too long to correct the issue. A maintenance bond for stormwater management was also discussed.

Section 500 – Conditional Use

It is noted that anything above 15% needs a conditional use hearing. The cost to the applicant was discussed.

A. – “provisions of the underlying district” needs clarification.

#1 – the language is ok.

#2 – the clearing of vegetation was discussed and it was suggested to change to “disturbing soil”.

#3 – the first word “Sealed” was omitted from the sentence.

#4 – “sanitary or storm sewers” are to be included in #3 and after the word stormwater delete “detention” and delete “and the Department of Environmental Protection”.

#5 – the word “Soil” needs to be changed to “Sewage”. The type of septic systems was discussed and it’s noted that it is up to the SEO and DEP.

#6 – does this include DAA? A maintenance bond could be posted.

#7 – the language is ok.

#8 – there was discussion regarding the roadway needing to be taken care of; having a recorded plan was discussed along the difference between a formal approval vs. recorded plan. It was questioned why a conditional use if it is already approved. A further review is needed.

Section 600 – Conditional Use Standards and Criteria

A.1 – notes “the objectives set forth in Section 100” and Mr. Yerger questioned why Sections 100.B and 100.C was omitted along with #9. It was noted that #9 and B. are the same.

#2 – this is the same as Section A.3. It was suggested to change to “abutting adjacent and downstream properties”.

#3 – this section needs more clarification, i.e. timberland management. It was suggested to omit #3.

#4 – the phrase “accelerated erosion” needs defined. It was suggested to replace accelerated erosion with “additional”

#5 – this is to be omitted.

#6 – after the word designed add “permitted”.

- #7 – omit “non-agricultural” and after “Article” omit “and”.
- #8 – at the end of the sentence omit “as necessary”.
- #9 – this is to be omitted.

Section 700 – Definitions

The definitions will be discussed after they are checked with the definitions in other ordinances.

PUBLIC COMMENT

Kathleen Gingrich – South Mountain Road

Mrs. Gingrich suggested that the public comment period be addressed earlier in the process at the next workshop meeting.

Bob Eichelberger, Chainsaw Road

Supervisor Ryan noted the issue with the Board at the last meeting. Chairman Cummings commented on the statement Mr. Eichelberger made regarding Mr. Yerger having a vested interest for personal gains and at least one Supervisor and family members. If anyone makes an accusation against someone else, then that person has a right to publicly defend themselves. Chairman Cummings stated that he is the only member of his family that owns land in Franklin Township.

Mr. Eichelberger stated to clear the case, anyone who has has personal vested interest and is an elected official should not vote on that issue and that a statement made to him based on County mapping. Mr. Eichelberger stated that anyone who has a vested interest and is to stand gain must disclose this information. It was noted that he took Chairman Cummings on a tour and showed him his concerns. In Section 200 he noted that the sources are inadequate because the County has LIDAR data which is available. Best management practices do not work on unstable soil. There is also concern with taking property values away.

There was discussion on a soil survey that was done in 1990, Mr. Eichelberger’s testimony in 2008 and in 2001 an addition to his home. It was suggested that in Section 200 the data is too broad. It was brought up that there are other soils in the township besides the South Mountain that are in the steep slope areas.

Mrs. Gingrich noted that restrictions to the South Mountain are to the mountain only and to not be in other areas of the township.

OTHER BUSINESS

Land & Sea Services

The township received a fee schedule from Land & Sea Services for the position of building inspector. It was noted that this will be discussed at the Supervisors regular meeting of May 10th.

ADJOURNMENT

Motion: Chairman Cummings made a motion to adjourn the meeting at 9:45 p.m.
Seconded by Vice Chairman Sprigg. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary