

FINAL

**FRANKLIN TOWNSHIP YORK COUNTY PA
PLANNING COMMISSION MEETING MINUTES
August 3, 2020 7:00 PM**

ROLL CALL

PRESENT:

Vice-Chairman John Perry
PC Member David Christensen
PC Member Andrew Baumgardner
Engineer Andrew Reese
Treasurer/Asst. Sec. Pamela Williams

ABSENT:

Chairman Jennifer Kuntz
Secretary Kerri Smith

CALL TO ORDER:

The August 3, 2020, Planning Commission ("PC") Meeting was called to order at 7:02 PM by Vice-Chairman John Perry. The meeting was held at 150 Century Lane, Dillsburg, PA. For visitors in attendance, please see attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

The Pledge of allegiance and prayer was led by Vice Chairman John Perry.

ACKNOWLEDGEMENT AND WELCOME OF NEW PLANNING COMMISSION MEMBER

Andrew Baumgardner introduced himself to the members and Vice-Chairman John Perry welcomed him.

APPROVAL OF MINUTES

A motion was made by David Christensen to approve the July 13, 2020, PC Meeting Minutes.

Second by Andrew Baumgardner

Discussion: Discussion was held on whether the minutes could be approved due to not having a quorum as Chairman Kuntz was absent and Andrew Baumgardner was not yet on the commission. It was decided to accept the minutes as written but not formally approve them.

The motion carried.

PLANNING COMMISSION DEADLINE

The deadline for plan submission is August 21, 2020, for the next PC meeting on September 14, 2020.

PRELIMINARY/FINAL LAND DEVELOPMENT L-CUBED PLAN

It was noted there are no comments from the York County Planning Commission. There were comments provided by the York County Conservation District. Engineer Reese said they did not submit a revised plan. He stated they still have a lot of comments to address, do soil testing, etc. and submit an erosion and sediment control plan to York County. They will then send a revised plan to the township and clean up the comment letter before returning.

Dave Christensen said when he first came on the commission, his understanding was the township gave them a packet, the applicant completed and returned it, it was moved through, and approved. Is there a way to inform the applicant what the township and county both need? Engineer Reese said the requirements are similar. Dave's concern is the applicant ends up spending a lot of time and money trying to get the plan approved. Engineer Reese said the township doesn't delegate whether there are county requirements.

Pam asked if the applicant's Engineer shouldn't be the one that would know what is needed from the township and the county. Andrew said many of the comments were generic and should have been addressed when the plan was submitted based on the ordinance requirements. Vice Chairman Perry said some of the comments seemed technical, but the Township may run into some that are more substantial in the future. In many of these cases, the applicants may have to go back to the Engineer to make sure their plans are complete when submitted. Many of the comments came from the York County Conservation District which is basically DEP because the plan was large enough to trigger land development. They are stricter than York County Planning Commission.

Pam stated that the Township gets calls from potential property buyers that basically want the Township or Township Engineer to tell them what they need to do. As a Township, we cannot fund that for a private

resident and Engineer Reese said we also should not be giving guidance or definitive answers due to liability reasons. The Township Staff directs them to hire their own Engineer and directs them to Land and Sea for Zoning questions.

Engineer Reese said the plan would be tabled and he thought we would see a plan next month.

A motion was made by Vice-Chairman John Perry to table the consideration of the L-Cubed plan.

Second by Dave Christensen

Discussion-None

The motion carried with all ayes.

ACCESSORY DWELLING UNITS/York County Planning Commission

Information was provided via a letter dated January 6, 2020, which the PC received at the July 13, 2020, meeting (first meeting after COVID). Discussion ensued. The Commission agreed they spent a lot of time on this subject at the last meeting, especially granny flats. Pam reminded them the information from the County was in their July packets and it was asking them to think about the types of housing that could be supported and promoted within the township. Dave said he thought about nursing homes, over 55 communities, etc. John referred to and discussed Messiah Village. He thought it is something we should be looking at in the future.

The zoning would have to be researched to see what it currently states as far as that type of use. Engineer Reese explained how it may be possible based on the current zoning ordinance and like apartments. He talked about how expensive sewer costs can be for that type of project. He said that there also are privately owned sewage facilities. John asked about Highland Park and how their sewage is handled. Dave said we should look at a municipality that is similar to ours and see how they handle them. Dave said the drawbacks to our township is not having public water and sewer.

Pam read the minutes from July 13, 2020, which stated to research the ordinance and look at the sections that may apply to assisted living, senior housing, etc.

It was decided to table this issue until Chairman Kuntz is present.

A motion was made by Vice-Chairman John Perry to table further discussion on the Accessory Dwelling Unit issue until Chairman Kuntz is present.

Second by Dave Christensen

Discussion-None

The motion carried.

BOS RESPONSES TO PC

The PC reviewed the additional terms provided by Todd Lyons on proposed recommendations for Accessory Uses and Structures. The square footage requirements, setback requirements and height requirements were discussed; specifically, the square footage area greater than 200 square feet and the setback requirements based on the zone. John asked if the 15 feet maximum height would be applied to the peak of the roof and discussion ensued. Driveway access was also discussed under the Flag Lot recommendations.

Andrew read a section of the July 13, 2020, minutes where Jennifer asked "if they wanted to follow up with the BOS to see if they've had a chance to review the Silver Spring Township ordinance on livestock with a caveat that if we adopt an ordinance of the same nature to apply to residential only". This would not apply to farmers which is regulated by the Department of Agriculture and DEP. The question was asked who would monitor and regulate it, i.e., chickens in a residential area.

Under Section 2. Noise under the Public Nuisances, the question was asked if this is needed. Andrew noted there is a lot of questions as to how to give credibility to measuring noise and monitoring and enforcing it. Our township currently does not have a noise ordinance. It was decided that if the township were denser in residential, a noise ordinance would possibly be needed.

A motion was by Vice-Chairman John Perry to recommend Article 3, 301, Accessory Uses and Structures of the Zoning Ordinance and 424.E.3., Flag Lot Residences

Second by Dave Christensen

Discussion-None

The motion carried.

LAND DEVELOPMENT SECTION OF THE MPC

John read the email that Andrew sent regarding the definition of “land development” and Section 503 (1.1) of the MPC directly. Andrew said ours is 90% of what this says except for the 1000 square feet threshold. This was to generate discussion as to whether Land Development triggers need to be changed regarding the 1,000 square feet threshold. The questions were asked if it’s too small to trigger Land Development and can you make exceptions for agriculture. Andrew noted that many things are triggered under Conditional Use.

A motion was made by Vice_Chairman John Perry for the PC to recommend 10,000 square feet to trigger Land Development.

Second by Dave Christensen

Discussion-None

The motion carried.

John will look for the section in the Zoning Ordinance to see how it currently reads and prepare a text change document for the September PC meeting.

The PC reviewed Other Business items; the Hazard Mitigation Training Survey, the York County Open Space and Land Preservation Grant and the Municipal Assistance Program/Floodplain Expense Reimbursement from the York County Planning Commission (YCPC).

A motion was made by Dave Christensen for the PC to respond as negative to all.

Second by Vice-Chairman John Perry

Discussion-None

The motion carried.

A motion was made by Dave Christensen to adjourn the meeting at 8:30 PM.

Second by Vice-Chairman John Perry

Discussion-None

The motion carried.

Respectfully submitted,

Pamela Williams

Pamela Williams, Asst. Secretary