

**FINAL**

**FRANKLIN TOWNSHIP YORK COUNTY PA  
BOARD OF SUPERVISORS (BOS)  
CONDITIONAL USE HEARING #2020-03 MINUTES  
December 9, 2020      6:00 PM**

**ROLL CALL:**

**PRESENT:**

Chairman Mark Wenrich  
Vice Chairman David Buckwash  
Supervisor Naomi Decker  
Supervisor Brian Galbraith

Solicitor Bret Shaffer (Zoom)  
Engineer Phil Brath  
Treas./Asst. Sec. Pamela Williams

**ABSENT:**

Supv. David Christensen  
Secretary, Kerri Smith

**CALL TO ORDER:**

The December 9, 2020 Conditional Use Hearing (CUH) #2020-03 for Jared and Carol Wenger for the property at 1893 County Line Road, Dillsburg, PA, was called to order at 6:00 PM by Chairman Mark Wenrich. The meeting was held at 150 Century Lane, Dillsburg, PA and via Zoom. For visitors in attendance, please see the attached sign-in sheet.

Stenographer Roxy Cressler swore in all parties who would be testifying. Treasurer/Asst. Sec. Pam Williams was sworn in and presented Exhibit 1, the first advertisement placed in the Dillsburg Banner for CUH #2020-03 on November 19, 2020; Exhibit 2, the second advertisement placed in the Dillsburg Banner on November 26, 2020 and Exhibit 3, pictures of the posting of CUH #2020-03 provided by Land and Sea Services.

Engineer Terry Sheldon testified that Jared and Carol Wenger owned the property at 1893 County Line Road and the hearing was being held because the Wenger's want to build within 30 feet of steep slope. He stated the property is approximately eight acres and is currently unimproved with only one shed. He reviewed the square footage of the residence, driveway and sidewalk and said there would 1.8% Impervious of the net site.

He also reviewed the driveway options, the amount of slope for each one and stated the utility pole has been replaced. A written document attached to the application provided explanations of the required criteria in the steep slope Zoning Ordinance 2018-3. An NPDES permit is not needed and Terry said he was certain they have met the ordinance requirements as far as erosion control, stormwater and minimizing the disturbance to steep slope.

Resident Rick Hoffman presented pictures of the southeast portion of the driveway which were entered as Exhibit 4. Rick spoke about sight distance and Engineer Phil Brath asked Rick if he was agreeable to the Wenger's grading on part of his property. Rick would like assistance from the township in getting the old pole removed. Discussion was held on how deep the new pole

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was in the ground. Rick said he could get the phone number of the representative he spoke with at Dillsburg Met Ed for documentation if needed to show how far the pole is in the ground.

Terry indicated where their preference for the driveway to be placed will be approximately 14% grade. Phil asked if Terry had any concern about vehicles getting stopped at the bottom and Terry responded that it could be flattened and then would have to go back a little further. Jared Wenger testified that the sight distance is better at the top than the bottom (they currently have a Driveway Permit for the bottom which they want to withdraw). Jared Wenger said the driveway would be stone throughout construction then paved.

Supervisor Naomi Decker asked about the retention area which was also one of Phil's concerns and Terry responded that pipe could be used to take care of it. Phil reiterated this would be his preference too. Another concern was stabilization of the side of the driveway where the slope is approximately 50%. Discussion was held on whether rock should be used or if landscaping would be better. Carol Wenger testified she would like a grass mix and native plants. Phil said rock would be better for stabilization. The BOS asked Phil if he had any concerns. Phil stated he thought it was a good use for placing the house where they specified.

Kathleen Gingrich discussed the foundation of when the steep slope ordinance was changed and the protection of residents in the township. She asked Phil if the Wenger's met the requirements of Section 102 and he confirmed they did.

**A motion was made** by David Buckwash to approve the conditional use requested via the CUH #2020-03 with all evidence as presented at this meeting.

**Second** Mark Wenrich

**The motion passed.**

Bret stated he would draft a letter of decision for the BOS to review. After approval, it should be sent to the applicant and Terry Sheldon.

**A motion was made** by David Buckwash to close the CUH #2020-03 hearing.

**Second** Mark Wenrich

**The motion passed.**

The hearing adjourned at 6:44 PM

Pamela Williams

Treasurer/Assistant Secretary