

**FRANKLIN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
January 9, 2017**

**PRESENT**

Charles Bowers  
Mark Wenrich  
Robert Yerger  
Dana Taylor  
Engineer Phillip Brath  
Secretary Nancy Zentmeyer

**GUESTS**

See attached sign-in sheet

**CALL TO ORDER**

Mr. Yerger called the regular meeting to order at 7:00 p.m.

**RE-ORGANIZATION**

**Chairman**

**Motion:** Mr. Wenrich made a motion to appoint Robert Yerger as Chairman for 2017.  
**Seconded** by Ms. Taylor. The motion carried.

**Vice Chairman**

**Motion:** Mr. Wenrich made a motion to appoint Charles Bower as Vice Chairman for 2017. **Seconded** by Ms. Taylor. The motion carried.

**APPROVAL OF MINUTES**

Chairman Yerger noted that there needs to be clarification on a couple of items as follows: under Old Business – Steep Slopes omit the word “Under” on line 2, re-word the sentence in the same paragraph of instead of “It was noted that there is some concern with Section 500.8” it should read “ Chairman Yerger noted that he had reserve concerns with regards to Section 500.8.; on page 2 under the motion it should read “Ms. Taylor made a motion to recommend the steep slope document be passed on to the Supervisors with omission of Section 100.A.9 from the document and additionally passing on Chairman Yerger’s and Vice Chairman Bower’s comments; also that “Ms. Taylor stated that not anything should be grandfathered”.

**Motion:** Ms. Taylor made a motion to approve the minutes of November 7, 2016 as amended. **Seconded** by Mr. Wenrich. The motion carried.

**DEADLINE FOR PLAN SUBMISSION**

The deadline for plan submission for the February 6, 2017 meeting is January 16, 2017.

## **PLAN REVIEWS**

### **Old Business**

#### **1. Lorin Stough, Final Subdivision Plan, File #2015-07-13**

Mr. Eric Diffenbach was present representing the revised Stough plan. It was noted that the septic systems on this property has been corrected and the plan is now showing 3 lots instead of the previous proposed 4 lots. A variance was granted with the original plan for density but since then one of the dwelling units has burned down. There was discussion on whether or not a new variance is needed with this 3 lot subdivision. Mr. Diffenbach indicated that with the revised plan the density has now been met. The township engineer and solicitor will be reviewing this. The small flow treatment facility has been approved by DEP. Mr. Diffenbach noted that in the zoning ordinance 1 unit is permitted per 4 acres with the density and this plan shows that.

**Motion:** Chairman Yerger made a motion to table this plan at this time. **Seconded** by Ms. Taylor. The motion carried.

### **New Business**

#### **1. Estate of John O. Hoffman, Waiver Request from Section 4.101.C.2.B**

Attorney Victor Neubaum presented this waiver request. This is a 2 lot subdivision plan that was before the Planning Commission and Board of Supervisors. The property is on both side of Range End Road. The road improvement fee is requested to be waived as it is at a cost of approximately \$14,000.00 and there is only going to be a minimal section to be developed (lot 2). The applicant is asking for the requirement of road improvements along Range End Road fronting on lot 2 be waived for the following reasons:

1. The requirement for road improvements at this location is unreasonable, given that there are no such road improvements for the entire length of Range End Road from its start at Rt. 15 and Golf Course Road through its terminus at Rt. 15.
2. The requirement for road improvements at this location is unnecessary given the rural residential neighborhood. The road is not heavily traveled and there is no need for improved berms to handle turning traffic.
3. The road improvements for the 200' or so of frontage along the west side only would be unsightly and out of place for the neighborhood. The literal enforcement of the ordinance section would frustrate the effect of the improvements, because the improvements would not serve the purpose for which the section is intended.
4. While the lot is subdivided as a building lot, any frontage improvements can be made at the time of a building permit that are necessary for the driveway entrance at Range End Road. Such improvements do not require the entire frontage of the lot to be improved with berms and curbs. Development of the driveway entrance at the time of building offers a substantial equivalent to the ordinance requirement.
5. The requested modification is not against the public interest. The improvement of roadways upon subdivision is designed for buildable lots in major subdivisions where lots are closer to each other when the neighborhood is developed so as to generate foot traffic. These are typically in subdivisions of four or more lots. The ordinance requirement in this circumstance offers no additional benefit to the development of

the neighborhood. Current community standards proved for a distinction between major and minor subdivision in terms of the extent of needed infrastructure.

6. The intent of the ordinance is not violated. The expense of the improvement far exceeds any benefit to the township to have one side of a road to have berms and curbs and the other side not to have any improvements.

It was noted that this subdivision is not unique and this expense is holding up the plan being recorded. Mr. Neubaum handed out a copy of Reading Township, Adams County ordinance that deals with minor subdivisions for road improvement fees. It was suggested that the Planning Commission look into this for future plans. The Hoffman's are not selling the land, but keeping it in the family. There was discussion to defer this until it becomes a building lot. It was noted that the Planning Commission originally recommended denial of the waiver request and the Board of Supervisors granted the waiver request for the one side of Range End Road that is not developed. The Hoffman's agreed to the conditions of the plan before they knew what the cost of the road improvements would be. Discussion ensued.

**Motion:** Vice Chairman Bowers made a motion to deny the waiver request. **Seconded** by Mr. Wenrich. The motion carried.

Supervisor Ryan suggested with the "in lieu of fee" that the Planning Commission come up with a program and a recommendation at a later date for a lesser amount.

### **OTHER BUSINESS**

#### **2016 Planning Commission Annual Report**

**Motion:** Vice Chairman Bowers made a motion to accept the 2016 Planning Commission Annual Report. **Seconded** by Chairman Yerger. The motion carried.

### **QUESTIONS FROM THE FLOOR**

Supervisor Ryan thanked the Planning Commission for the recommendation on the steep slopes and noted that since the steep slope recommendation has been passed on to the Supervisors the next task of the Planning Commission is to look at re-zoning in the township for economic growth. It was noted that the Act 537 Plan needs to be updated every 5 years.

### **ADJOURNMENT**

**Motion:** Ms. Taylor made a motion to adjourn the meeting at 7:56 p.m. **Seconded** by Mr. Wenrich. The motion carried.

Respectfully submitted,

Nancy Zentmeyer,  
Township Secretary