

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
WORKSHOP MEETING
July 20, 2017**

CALL TO ORDER

Present were Supervisors David Sprigg, Kevin Cummings, Eric Stonesifer, Michael Ryan and Naomi Decker. Also present were Solicitor Bret Shaffer, 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 noted that an executive session was held prior to the meeting with no decisions made but to consult with the township solicitor.

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

Vice Chairman Sprigg noted an error in the Banner regarding the article on DAA asking for an ordinance from the township to approve their services. Township ordinance #3-1999 designates DAA for water and sewer service.

CONTRACT WITH WEST SHORE EMS

Motion: Supervisor Stonesifer made a motion to sign the contract with West Shore EMS. **Seconded** by Supervisor Ryan. The motion carried. It was noted that it will still be doing business as West Shore EMS. There is a meeting scheduled for July 21, 2017 at 10:00 a.m. at the Dillsburg Senior Center.

STURBRIDGE PLACE SUBDIVISION PLAN

Attorney Jeff Clark was present as legal counsel to the Stoneford Group. As per the court order the plan was revised with regards to the distance between the streets and is now asking for approval of the preliminary plan. It was noted that waivers #1, #2, and #4 are outstanding as they were never acted on. A vote on the waivers will need to be done tonight. This plan was addressed by the township's previous solicitor and engineer. All of the waivers were approved by the Planning Commission not by the Supervisors. Attorney Clark argued that the township cannot revisit previous issues.

Waiver #3 with regards to internal streets being located less than 500' apart was withdrawn per court opinion.

Waiver #5 to permit sewer and water capacity letter to be provided at the final plan stage per court opinion.

The following waivers were acted upon:

1. Waiver request from Section 515.A.3 – to permit installation of sanitary sewer lines within road right-of-way.

2.

Motion: Supervisor Stonesifer made a motion to approve the waiver request from Section 515.A.3. **Seconded** by Chairman Cummings. It was noted that DAA will have the authority on the location. The motion carried.

3. Waiver request from Section 508.A.2 – to permit use of slant curbing.

Motion: Supervisor Stonesifer made a motion to deny the waiver request from Section 508.A.2. **Seconded** by Supervisor Decker. It was noted that slant curbs are okay with single family dwelling lot but not the townhouses and would like to see curb stops along the State road and townhouses. The waivers need to be done at the preliminary plan stage. The motion carried.

4. Waiver request from Section 511.B.4 – permit driveways for townhouses (only) to be constructed within 3' of a side/common property line.

Motion: Supervisor Stonesifer made a motion to deny the waiver request from Section 511.B.4. **Seconded** by Chairman Cummings. It was noted that there needs to be a clear sight triangle and this is stacking driveways which is a safety issue. The motion carried.

Waiver request #5 needs to be corrected with the Section number. Instead of 402.20 it should read 402.A.20.

Solicitor Shaffer reviewed the comments on the plan that need to be addressed:

1. Waiver #5 change Section number from 402.20 to 402.A.20. This needs to be referenced on the plan.
2. Waivers #1, #2, and #4 need to have the approved or denied date on the plan.
3. There is an ordinance in place with DAA regarding water service. DAA may take legal enforcement procedures to enforce the township's ordinance. Also to reference Franklinton Borough are changed to DAA until authorized otherwise. A letter from Franklinton Borough was received rescinding the service to this plan. This is also in general note #29 of the plan and in the site data. All references to Franklinton Borough to be replaced with DAA.
4. NPDES permit – approval of plan conditioned to getting the permit and on the plan it needs to be changed. Once the permit is obtained and is noted on the plan if changes to the plan are so substantial as a result of the permit process this may be cause for the plan to be resubmitted. The traffic study may need to be revised once NPDES permit is submitted.
5. Streets dedicated 32' in width needs to be changed to 33'. This should be a condition that the streets are changed, as they are not to standards. This is in the

Second Class Township Code. The concern is the density for on-street parking. This is #23 of the general notes. When the plan was originally submitted it did comply with the SALDO. Engineer Brath noted interest in what the stormwater management plan and the new NPDES will be and do the property. If this has major changes it would become a new plan.

6. All certifications need to be executed as a condition of preliminary approval.
7. The plan needs to comply with all of the SALDO requirements.

The applicant would need to go through DEP if water would be private.

Motion: Chairman Cummings made a motion to approve the Sturbridge Place Preliminary Subdivision Plan with the 7 conditions. **Seconded** by Vice Chairman Sprigg. The motion carried.

Attorney Clark noted that the applicant has not received an invoice yet for the engineering reviews. This will be sent.

ROAD IMPROVEMENT FEE RESOLUTION

There was a brief discussion on this resolution.

Motion: Chairman Cummings made a motion to table the Road Improvement Fee Resolution until the August 9 regular meeting. **Seconded** by Vice Chairman Sprigg. Solicitor Shaffer indicated that this resolution is not needed as this is at the engineer's discretion, as stated in the SALDO and it may not be binding unless the township amends the SALDO. Chairman Cummings withdrew his motion.

PLANNING COMMISSION APPOINTMENT

Motion: Supervisor Stonesifer made a motion to appointment Supervisor Decker to the Planning Commission temporarily. **Seconded** by Vice Chairman Sprigg. The motion carried with Supervisor Ryan voting no. It was noted that this is a stressful position and Supervisor Decker already holds 2 Board positions, the Supervisor and Park & Recreation. Supervisor Decker stated that she is okay with this as long as the position is temporary and the Supervisors are still pursuing this.

Kathleen Gingrich asked if the revised recommendations on the steep slopes will be going back to the Planning Commission. It was so noted along with any comments from the Supervisors. Copies will be made for the public at the PC meeting.

PUBLIC COMMENT

Tom Lucas, Baltimore Road

Mr. Lucas noted disappointment in the municipalities for not going with Dillsburg EMS, but with West Shore EMS instead. He noted that they should have helped Dillsburg EMS to get out from under the fire company.

Cathy Neubaum, Wellsville

Mrs. Neubaum asked for clarification if the township is or is not adopting the Resolution. It was noted that it is up to the engineer's discretion and that a small subdivision would be charged \$50.00 per square yard.

Mr. & Mrs. Pete Fraser, Washington Township

Mr. & Mrs. Fraser from Washington Township commented on Sturbridge Place and stated that this is a huge proposal and noted their concern. The history of this plan was reviewed and it was also noted that this plan is a long way out of being developed.

ADJOURNMENT

Motion: Vice Chairman Sprigg made a motion to adjourn the meeting at 8:31 p.m.
Seconded by Supervisor Ryan. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary