

**FINAL**

**FRANKLIN TOWNSHIP YORK COUNTY  
PLANNING COMMISSION REORGANIZATION  
MEETING MINUTES  
MARCH 1, 2021 7:00 PM**

**ROLL CALL**

**PRESENT:**

**ABSENT: None**

Chairman Jennifer Kuntz  
Vice-Chairman John Perry  
PC Member David Christensen  
PC Member Andrew Baumgardner  
PC Member Richard Wisher  
Engineer Timothy Letcher  
Secretary Kerri Smith

**CALL TO ORDER:**

The March 1, 2021, Planning Commission ("PC") Reorganization Meeting was called to order at 7:01 PM by Chairman Jennifer Kuntz. 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 was led by Chairman Jennifer Kuntz and Prayer was led by Vice-Chairman John Perry.

**Appointment of Temporary Chairman**

**A motion was made by** John Perry to appoint Jennifer Kuntz.

**Second** David Christensen

**Discussion: There was none.**

**All in favor. The motion carried.**

**Appointment of Permanent Chairman**

**A motion was made by** David Christensen to appoint Jennifer Kuntz as Chairman.

**Second** Andrew Baumgardner

**Discussion: There was none.**

**All in favor. The motion carried.**

**Appointment of Vice-Chairman**

**A motion was made by** Jennifer Kuntz to appoint John Perry as the Vice-Chairman.

**Second** David Christensen

**Discussion: There was none.**

**All in favor. The motion carried.**

**APPROVAL OF MINUTES**

**A motion was made by** Andrew Baumgardner to approve the December 7, 2020, PC Meeting Minutes.

**Second by** Vice-Chairman John Perry

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

**DEADLINE FOR PLAN SUBMISSION**

The 2021 Planning Commission Meeting Dates and Plan Submission Dates were reviewed. David Christensen requested that the Planning Commission meet on a different date so that the Township Engineer, Phillip Brath would be in attendance as Monday's are a conflict for Engineer Brath.

Discussion ensued regarding a possible day. Some dates were changed.

**A motion was made by** David Christensen to approve the 2021 Planning Commission Meeting dates be moved to the first Tuesday of each month.

**Second** by Vice-Chairman John Perry

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**Discussion:** Secretary Kerri Smith will amend the calendar dates to reflect the meeting date change for the submission dates. Kerri will also check with Engineer Brath to make sure that the first Tuesday of each month does not conflict with Engineer Brath's calendar. If it is a conflict then Kerri will contact the PC members to confirm the change, change the meeting/submission calendar accordingly for approval at the next PC meeting, and also advertise the new meeting/submission dates.

**All in favor. The motion carried.**

**A motion was made by** Vice-Chairman John Perry for the April Planning Commission Meeting date to be held April 6, 2021 contingent upon Engineer Brath's approval of meeting date.

**Second** by Andrew Baumgardner

**Discussion:** There was none.

**All in favor. The motion carried.**

**A motion was made by** David Christensen to set the April 6, 2021, Planning Commission Meeting plan submission deadline for March 20, 2021.

**Second** by Rich Wisher

**Discussion:** There was none.

**All in favor. The motion carried.**

### **PLANNING COMMISSION DEADLINE**

The deadline for plan submission is March 20, 2021, for the next PC meeting on April 6, 2021.

### **FRANKLIN TOWNSHIP ZONING AMENDMENT**

The Franklin Township Zoning Amendment has received comments from the York County Planning Commission, they have been reviewed by Solicitor Shaffer, and Solicitor Shaffer with Engineer Brath are going to work on the language for final approval by the BOS. Once that has been completed then the BOS will advertise in The Dillsburg Banner and hold a Public Meeting. No action is needed at this time.

### **715/717 RANGE END ROAD LAND DEVELOPMENT PLAN**

Engineer David Habowski sent an email requested an Extension through May 21, 2021, and the BOS have approved that extension. No action being taken at this time.

### **SUBDIVISION PLAN FOR CARL S. III & DENISE BARKER**

Engineer Chris Hoover was present to discuss the Subdivision plan submitted on behalf of Carl S. and Denise Barker, which were also present. The review letter submitted from the Township Engineer, Phil Brath noted that the purpose of this plan is to fix setback issues and encroachments on Lot 16. The plan proposes to subdivide Lot 16a from Lot 16 and combine Lot 16a with Lot 7 into one lot. A new deed of consolidation will need to be filed with the York County Recorder of Deeds to combine the lots.

Zoning concerns: 1) there are existing non-conformities (house and detached garage do not meet side setbacks) that shall be documented on the plan; and 2) the pole shall maintain a minimum width of twenty-five (25) feet; the permanent improvements within the access easement effectively reduces the width of the pole.

Subdivision and Land Development Ordinance (Ordinance No. 4-1997 as Amended to 2/2005) concerns: 1) the Township signature block is to allow for all five (5) Supervisors signatures and Secretary; 2) show the Conservation Easement on Lot 7 (Section 306.D.10/315.A.3); 3) driveways shall not be located within three (3) feet of a property line unless it is a joint use driveway (Section 4.104.C.2.1); 4) provide and satisfy a review letter from the York County Office of Planning and Development reviewing and commenting on the proposed subdivision and/or and development (Section 317.A.21); 5) provide approved Sewer Planning Module Waiver and request for Non-Building Declaration prior to approval of Final Plan (Section 316.A.6/406.C.3); 6) the means of consolidation of Lots should be approved by the Township (Section 318); a deed of consolidation shall be provided prior to recording the plan for review and shall be filed in the court house upon approval of the plan; 7) provide recreational area or offer fee in lieu of recreational area prior to recording plan (Section 415/316.A.8); the plan is a lot line adjustment and does not generate a new building lot or include improvements; 8) the owner's notarized signatures, acknowledgement (Section 306.D.25) and related certifications by the

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surveyor (Section 3.6.D.1) and seal of the professional engineer responsible for the design (Section 401.E.19) are required prior to final approval; and 9) provide all filing fees, review fees, recording fee and other reasonable fees as required by the Township prior to recording of the Plan (Section 316.A.2). Waivers presented were: 1) when the land development (including subdivision) fronts a public road, the Township shall require the developer to improve the roadway to meet minimum cartway requirements (Section 4.101.C.2.b)—the applicant is requesting a waiver; and 2) the stormwater management plan shall be approved prior to the approval of the plan (Section 316.A.14/506)—the applicant is requesting a waiver until submission of a building permit. Discussion ensued regarding the concerns of the driveway and adjacent lot as well as recreational fees. Secretary Smith is to check the subdivision file regarding the recreational fees and if they have already been paid. If already paid, then the Planning Commission will recommend waiver from the BOS.

**A motion was made by** David Christensen to approve the waiver for road improvement fees.

**Second** by Vice-Chairman John Perry

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** Vice-Chairman John Perry to approve the waiver of the submission of the storm water management plan until the building permit is submitted.

**Second** by David Christensen

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** Andrew Baumgardner to approve the waiver for Section 4.104.C.2.I that reflects the separation distance of the driveway from the property line.

**Second** by David Christensen

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** Vice-Chairman John Perry to recommend the BOS approve the waiver of the recreational fee (Section 415/316.A.8) for this plan contingent upon prior payment made with original subdivision.

**Second** by Rich Wisher

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** David Christensen to recommend approval of this Barker subdivision to the Franklin Township Board of Supervisors pending satisfaction of the comments.

**Second** by Rich Wisher

**Discussion**-There was none.

**All in favor. The motion carried.**

### **L-CUBED – 841 RANGE END ROAD REVISED PLANS**

A letter from the York County Conservation District was received regarding the E&S Plan Approval and it was reviewed by the PC Members. Discussion between Engineer John Madden and PC ensued regarding the status of the project with the extension, protection for the well in parking area, shrubs (arborvitae shrubs/trees was mentioned) to be provided for to the southern side of the parking lot between the business and residence.

The review letter submitted from the Township Engineer, Phil Brath noted that the purpose of this plan is to construct a +/-4000 s.f. building addition and to add an additional parking area for 16 additional spaces with storm water management improvements to mitigate impervious area.

Zoning concerns: 1) Ordinance No. 2018.3 pertaining to steep slopes: Article 2§205.B.1; will rely on the Township Engineer's determination as to if a Conditional Use Hearing will be required.

Subdivision and Land Development Ordinance (Ordinance No. 4-1997 as Amended to 2/2005) concerns: 1) a review letter from the York County Office of Planning and Development reviewing and commenting on the proposed subdivision and/or and development (317.A.21), max building setback in

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Zoning Data shall be relabeled as Minimum Building Setback and the labels on the plan shall be removed.; 2) the owner's notarized signatures, acknowledgement (Section 306.D.25) and related certifications by the surveyor (Section 3.6.D.I) and seal of the professional engineer responsible for the design (Section 401.E.19) are required prior to final approval; 3) provide all filing fees, review fees, recording fee and other reasonable fees as required by the Township prior to recording of the Plan (Section 316.A.2); and 4) provide a note on the plan stating "After Final Plan approval and upon completion of all required improvement, the applicant shall submit an As-Built Plan prepared, signed and sealed by a registered professional engineer or surveyor" (Section 320.A).

Stormwater Management Ordinance (Ordinance No. 1-1997, 1-2004) concerns: 1) prior to the approval of the SWM Site Plan, the property owners shall sign and record an O&M Agreement (see Appendix A) covering all Stormwater control facilities which are to be privately owned (Section 502.A); and 2) detail for Precast Inlet on sheet 5 should show a sump for the inlet; we are concerned that the inlet may fill with sediment from the stone parking area and block the stone bed with fines; confirm operation and maintenance of the inlets.

General concerns: 1) provide surety and escrow for improvements construction as an Irrevocable Letter of Credit or Bond in the agreed amount prior to recording plan; Bonds or Letter of Credit must be self-renewing without limitations (Section SALDO 514.B/SWMO 503); 2) the Township signature block is to allow for all five (5) Supervisors signatures and Secretary; and 3) the Planning Commission block references Middlesex and should be revised.

Waivers presented were: 1) all plans shall be accompanied by a Landscaping Plan that meets the requirements of the zoning ordinance; the Landscaping Plan shall be required and approved as part of the Preliminary Plan Phase (Section 414)—the applicant is requesting waiver of this requirement; 2) when the land development (including subdivision) fronts a public road, the Township shall require the developer to improve the roadway to meet minimum cartway requirements (Section 4.101.C.2.b)—the applicant is requesting a waiver; 3) curbs and gutters shall be installed on both sides of any proposed street to be included in a proposed subdivision or development; curbs may also be required on existing streets where curbs are necessary to control the flow of surface water and regulate traffic (Section 4.16.A); and 4) all subsurface stormwater disposal systems or retention basins shall be located a minimum of one hundred (100) feet from any potable water wells unless otherwise approved (Section 306.8.A.H); please provide the location of existing wells on adjacent properties with appropriate isolation distances—the applicant is requesting a waiver of this requirement; the applicant should clarify the access and protection of the well head if it is located, as shown, in the new parking lot.

**A motion was made by** Vice-Chairman John Perry to recommend waiver to the BOS for the Landscaping Plan (Section 104) submission contingent upon the Applicant adding a proposed row of bushes on the south side of the proposed parking area that would provide visual screening for the adjacent residential property as well as adding these bushes to the proposed site plan, and necessary details added as the Applicant deems necessary to ensure proper installation.

**Second** by Andrew Baumgardner

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** David Christensen to recommend approval for to the BOS for the waiver to Section 4.104.C.2.b road improvement fees for the L-Cubed plan.

**Second** by Rich Wisher

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** Rich Wisher to recommend approval to the BOS for the waiver for Section 4.16.A for curbs and gutters for the L-Cubed plan.

**Second** by Vice-Chairman John Perry

**Discussion**-There was none.

**All in favor. The motion carried.**

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**A motion was made by** David Christensen to recommend approval to the BOS for the waiver of Section 306.8.A.H regarding the existing potable water well on the proposed parking lot with the exception that the applicant provides clarity that the well head will be protected to prevent damage from traffic in the parking lot.

**Second** by Andrew Baumgardner

**Discussion**-There was none.

**All in favor. The motion carried.**

**A motion was made by** David Christensen to recommend approval of the L-Cubed plan to the Franklin Township Board of Supervisors pending satisfaction of the remaining Engineer comments.

**Second** by Vice-Chairman John Perry

**Discussion**-There was none.

**All in favor. The motion carried.**

### **Recap NEWSLETTER FEBRUARY 2021**

No action taken.

### **YCPC PROJECT 21-008-NORTHERN YORK COUNTY REGIONAL COMPREHENSIVE PLAN AMENDMENTS**

Engineer Tim Letcher discussed the proposed Zoning amendments to zoning within Carroll Township around York Road and Route 15. Any reference to Monaghan Township has been removed since Monaghan Township no longer participates in the Comprehensive Plan. The Planning Commission should take time to review the proposed amendments and if necessary prepare questions for the public meeting that is scheduled for June 2021. No action taken at this time.

No new business was provided and there was no one present in the audience in person or on Zoom so there were no questions from the floor.

**A motion was made by** David Christensen to adjourn the meeting at 8:15 PM.

**Second** by Vice-Chairman John Perry

**Discussion**-There was none.

**All in favor. The motion carried.**

Respectfully submitted,

*Kerri J. Smith*

Kerri J. Smith, Secretary