

**FRANKLIN TOWNSHIP
YORK COUNTY
BOARD OF SUPERVISORS
WORKSHOP MEETING MINUTES
March 28, 2018**

ROLL CALL

Present were Supervisors David Sprigg, Naomi Decker, Kevin Cummings, Eric Stonesifer and Michael Ryan, Solicitor Bret Shaffer, Engineer Phillip Brath, and Secretary Teresa Adams, Treasurer Pam Williams. The meeting was held at the Franklin Township Municipal Building, 150 Century Lane, Dillsburg, York County, PA. Visitors please refer to attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

Chairman Cummings led the Pledge of Allegiance and gave the opening prayer the regular meeting was called to order at 6:00 PM.

REVIEW OF MUNICIPAL HANDBOOK OF RULES, REGULATIONS, BENEFITS AND JOB DESCRIPTIONS FOR TOWNSHIP OFFICIALS AND EMPLOYEES

Treasurer Pam Williams submitted a list of items that were not included in the treasurer's job description. The supervisors took a moment to review the list. One of the duties listed is to assist the sewage enforcement officer with a report that previously had not been done. Discussion ensued on the length of time it takes to set up the information in the computer to be able to complete the report. Treasurer Williams said the sewer report is something that must be sent to the state as the state previously sent out reimbursement checks to the municipality. Supervisor Ryan said the Township did submit the report however it was sent late, the secretary wasn't aware of the March 1st deadline for the report. The secretary did send a letter to explain why the report was submitted late and currently we are waiting on a response. Chairman Cummings said he had a concern that was brought up at the Board of Supervisors meeting regarding pay when working on a holiday, Thanksgiving, Christmas and New Year's Day, but after further discussion with the Roadmaster, he could see where an employee wouldn't want to be away from their family on those holidays. He said as far as Presidents' Day, there have been times where there have been snowstorms on those days and he is okay with leaving that section the way that it is. There was discussion on Substance Abuse mentioned on page 5, and defined clearer on page 39 of the handbook. Supervisor Stonesifer ask if a suspension was going to be given, then the number of days for suspension needs to be establish and if the suspension is to be with pay or without pay. Chairman Cummings read aloud the policy that was stated on page 5 of the employee handbook. Chairman Cummings said the substance abuse section is very vague and should be revised for long-term. Discussion ensued on how soon the employer should be notified of the substance abuse, five days versus immediately, and if the employee should be paid during the time of suspension. Supervisor Stonesifer said he really feels the handbook should be reviewed by a professional human resources person. Chairman Cummings said he would like to go through the handbook and go over any other questions the board may have before a decision is made. Supervisor Ryan suggested to reach out to PSATS with questions. Treasurer Williams said to see if PSATS has a handbook to compare with the Township handbook. Supervisor Ryan pointed out on page 29 under Road Worker the section for a valid CDL license either class A or class B, class B should be eliminated. He said it should read he or

she should have a valid class A CDL license. Supervisor Ryan said there is a form that must be completed as part of the job application and is put on file. Chairman Cummings said to reach out to PSATS on the handbook. Supervisor Stonesifer suggested to decide on sending the handbook out for professional review by the next Board of Supervisors meeting on April 11, 2018.

REVIEW OF ZONING ORDINANCE ON STEEP SLOPE

Solicitor Schaefer submitted points to consider dated 3-28-18, the supervisors each received a copy and reviewed the points. Engineer Brath said there's not a lot listed in the points but there is one issue solicitor Schaefer was looking at and the board needs to go through the whole ordinance to make sure it has the right wording and definitions pertaining on just this one issue. Engineer Brath said he thinks that it's important everyone understands what is being talked about. Supervisor Stonesifer said it's the definition of slope. Chairman Cummings said his understanding is, and he knows it's site-specific, that the emphasis of the draft is on stormwater and is in the bottom section which is highlighted and underlined regarding "plateaus surrounded by steep slope on either side. Developing the plateau might not involve development of the steep slope, but the creation of impervious surface might not be ideal. Do we need to consider a buffer area for such instances?" Chairman Cummings asked if this would all have to do with storm water. Chairman Cummings said it's not like you get a pass if you're looking to build on a plateau. Engineer Brath said that is correct, there could be a plateau that your building upon and he doesn't see a problem with that. Supervisor Ryan asked about minimum square footage to build on a plateau. Engineer Brath said there is no minimum in this ordinance. Supervisor Ryan asked if it had been stricken from the ordinance. Engineer Brath said he was not working on a minimum square footage but defining the slope, a rise that if it was left in a certain rise you wouldn't consider it a steep slope, such as in the case of Gingrich where you have a tiny piece that is steep slope and its pre-developed. Just as an example you have something that is 3 feet tall and not significant such as eight or 10 feet tall. A sloped area with a rise of 10 feet would give you a run of 66 feet. Using an 8-foot tall rise would be 53 feet, if you went from the floor to the ceiling in the meeting room you would be from the back of the building to the platform of the meeting room. It would have to be that long of a slope to be considered steep slope. One of solicitor Schaefer's concerns is how do you define that if the property is small. It would have to consider adjacent properties on the contour. It can't just be the property in question you would have to look around it. Supervisor Ryan said so that allows for cut and fill. Engineer Brath said yes it does. Supervisor Stonesifer asked if number two in section 600, where it says existing development within 200 feet of the proposed use. Engineer Brath said yes exactly. Supervisor Stonesifer said that pretty much covers it. Engineer Brath said you pretty much must go outside the property to cover it. Supervisor Ryan said his next question is if we're going to enter slope like that, the zoning board had a case where 20% was cut and filled, so how do we justify cut and fill? With the new ordinance you can cut and fill to 25%. Engineer Brath said you can develop up to 25% if you meet all the conditions.

Chairman Cummings said let's go back up to the underlined section regarding plateau. Stormwater is stormwater so whatever is being proposed needs to show that it's being designed properly. So, if you're concerned about the water runoff from a plateau going on to steep slope down below, then it must be factored in. Supervisor Ryan said not if it's less than 1000 square feet. Chairman Cummings agreed and said it needs to be clarified because what is being proposed is anything, with 25% being the maximum, even if it's less than 1000 square feet above 15% slope, requires

stormwater management, even if it's an 800 Square foot garage at 16% slope, must show storm water management. Engineer Brath said that's right. Supervisor Ryan ask if the ordinance says that new construction over 100 square feet requires storm water management under conditional use. The supervisors reviewed the ordinance sections for conditional use and stormwater management. They determined the section for conditional use states, under 1000 square feet does not require stormwater management. Supervisor Ryan said a structure could be built on a plateau under one thousand square feet and not be subjected to storm water management, the water would be allowed to run off steep slope. Chairman Cummings said this is what needs to be clarified building on a plateau.

A discussion ensued regarding buffers.

The Buffer Area definition was found in zoning ordinance section 314; Engineer Brath read the description as "purpose of a buffer area is to present regulations and certain restrictions necessary for the control of environmentally sensitive areas throughout Franklin Township. Watercourses, springs and seeps, floodplains and steep slopes. Buffer area setbacks are 15 feet for land development and 30 feet no development, no construction and buildings." Chairman Cummings clarified the setbacks or for the current 15% steep slope and would remain if there were a change to 25%. Engineer Brath read the buffer area is intended for areas unfit for human uses by reason of damages to public health safety and welfare. The area is also intended for use in views Vista and quanta. Buffer area shall be used for all outer bank or entrances to watercourses, seeps in the edge of all floodplains wetlands and steep slopes. Supervisor Ryan said the problem with this definition is that as years go by it creates a gutter which flows down to the next persons property and creates damage for that person. He said this needs to be fixed somehow, whether it's change the setbacks or some other means of change. Discussion ensued about a square footage rule for steep slope and stormwater management.

A discussion ensued regarding plateaus.

Chairman Cummings said the current proposal is for any disturbance above 15% slope requires storm water management. The question that came up was what to do with a plateau. Chairman Cummings said he thinks the same standard should apply if the plateau is surrounded by steep slope greater than 15%, they should have storm water management even if it's less than 100 square feet. It gets treated the same way as if someone wants to put a 15 x 20 shed at 16% slope they need to show the storm water management the same as if it were a house with a garage it would need to show storm water management. This would include a cut in at 16% slope. Supervisor Stonesifer said then you need to also consider distance. Supervisor Ryan said there must be a size and a distance. Supervisor Stonesifer asked how close the plateau must be from steep slope to have storm water management plan.

Chairman Cummings read General Standards for Steep Slope conservation, Section; steep slope conservation applies to all land which contains areas of 15% or greater slope, this also includes any plateaus that are surrounded by steep slope. It's also under Section C for prohibitions, all structures, buildings, parking compounds and other substantial improvements except for what is grandfathered shall be prohibited within areas of predevelopment of 15% or greater. Chairman Cummings said to add the wording of, this also includes any plateaus that are surrounded by steep slope, just as it is stated in Section A. Engineer Brath said he was unsure of how you define the plateau in size. Discussion ensued regarding buffer, size of the plateau and setback distance of the

property. Supervisor Ryan said it's defined in section 600.2 which reads a plan by a registered professional engineer or surveyor which accurately locates the proposed use with respect to the steep slope boundaries and existing development within 200 feet of the proposed use. He said it's set at 200 feet. Discussion ensued regarding the 200 feet of proposed use. Chairman Cummings said the way the ordinance is proposed currently you can't do anything above 25% slope unless you do conditional use. Discussion ensued on site specific plans showing details of what's being proposed within 200 feet of steep slope. Supervisor Ryan said it goes by the disturbance and supervisor Decker said you still must measure the runoff from the roof. Supervisor Ryan said make it site specific anything over 15% you need conditional use. He said make it a blanket coverage that way it covers everything upstream downstream and to the sides. Engineer Brath read Section 200 of steep slope ordinance, slope conservation is established in all areas of the Township with the slope of 15% or greater this includes any plateaus that are surrounded by steep slope. There is to be no development permitted on slopes above 25%. Soils and contours are to be documented using the following (but limited to) sources of authority etc. Supervisor Ryan said section 200.D reads this article shall apply on a site-specific basis only to those steep slope portions of a lot which exists of five consecutive 2-foot contour intervals. Engineer Brath suggested to strike the word only for the section to cover plateaus. Engineer Brath said under section 600.4 which reads, a stormwater management plan and supporting evidence for the site shall be provided; add verbiage, for any impervious area over 100 square feet.

Discussion ensued on Rise over Run

Engineer Brath defined a Run to be the shortest horizontal distance between vertical contours. Engineer Brath suggested five consecutive 2-foot contours or 10 foot of rise which equals 67 feet of length. He said if that is too long it could be dropped to eight-foot of rise which equals 53 feet of length. He said a tractor trailer is approximately 50 feet long. Supervisor Ryan said the Board needs to figure out their intent without trying to prohibit. Engineer Brath said yes, where do you want this to fall and he said again he recommends 67 feet long by 10 feet deep. Supervisor Ryan asked if the water was still being managed. Engineer Brath said no, it's not steep slope. Chairman Cummings explained formula to convert steep slope to angle as 15% slope equals 8.53 degrees of angle. Chairman Cummings talked about cutting the land and filling it in, when pouring footers to make a structure level. Supervisor Ryan said 80% of the issue is with driveways on a flag lot property, they don't have enough right-of-way for the water runoff, where's the water going, at 14% or even 20% there's not enough land to contain the water runoff. Supervisor Stonesifer said there's got to be a standard measure for steep slope. Supervisor Ryan asked when does a new rise begin, is it every time there's and increase to the land new run begins. The supervisors talked about what to do with a bump in the land that could possibly create steep slope, a bump should be included on the plans. Supervisor Mike Ryan, Kevin Cummings, Eric Stonesifer and David Sprigg agreed 6 feet of rise over three consecutive contours was a good standard for steep slope. The supervisors agreed on impervious area for a plateau of 100 square feet. Chairman Cummings requested Engineer Brath to submit the answers to Solicitor Shaffer's questions as discussed in the workshop and said another workshop would be set after April's BOS meeting and the Solicitor's review and comments were received by the BOS.

Supervisor Ryan asked a question regarding storm water management plans by a certified engineer due to steep slope. Why do they have to be produced by a professional engineer and why can't

they be presented by a professional individual, who knows what they're doing, for approval. It was discussed due to steep slope the certified engineer would need to review.

Mrs. Gingrich ask about the wording in section 700 to include rate, quality, volume, and dissipation of water. The wording in section 700 was added.

Discussion was held regarding phone service outage. Supervisor Ryan explained how the system is currently set up. Treasurer Pam Williams explained after 6 rings calls go to auto receptionist for options to choose how to forward call or leave voicemail. Laurin Fleming, Supervisor Ryan and Zoning Officer calls all forward to their cell phones. Supervisor Ryan suggested removing remote call forward and set up different forwarding system. Treasurer Williams said a meeting is scheduled with Mr. Fleming to find out the exact issue and try to find a solution to it.

Supervisor Ryan advised additional keys are being made, he already gave the police a copy.

Supervisor Decker asked if advertisement was corrected and placed in paper to include "and other business". Supervisor Ryan said it was and it was just an oversight on this meeting.

Having photo on PSATS ID cards announced. Anyone interested was to respond to Secretary Adams.

Supervisor Decker advised Secretary Adams that her term on the Planning Commission ends 2019 as she was appointed to complete a vacancy created by a previous member.

Executive session on personnel was held beginning at 8:45 p.m., no decisions were to be made during this session.

The workshop adjourned at 9:30 p.m.