

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 9, 2019**

ROLL CALL

PRESENT:

Vice Chairman Kevin Cummings
Supervisor Mark Wenrich
Supervisor Naomi Decker
Supervisor Michael Ryan

Solicitor Bret Shaffer
Engineer Phillip Brath
Treasurer/Asst. Sec. Pamela Williams
Secretary Teresa Adams

ABSENT:

Chairman Eric Stonesifer

CALL TO ORDER:

The October 9, 2019 BOS Regular Meeting was called to order at 8:06 p.m. by Vice Chairman Cummings. The meeting was held at 150 Century Lane, Dillsburg, PA. Visitors in attendance please see attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

Pledge of allegiance and prayer was led by Vice Chairman Cummings.

EXECUTIVE SESSION

There was no Executive Session prior to the start of the meeting.

APPROVAL OF MINUTES

September 11, 2019 BOS Regular meeting minutes

A motion was made by Vice Chairman Cummings to approve the September 11, 2019 BOS Regular meeting minutes.

Second by Supervisor Ryan.

Discussion: Corrections to the minutes were discussed; on page 2 under Route 15 Transportation strike the Twp. Engineer attended the meeting with Carroll Twp. , under the new location for the overpass, the Twin Hills location was the Twp. Engineer's idea, page 6, under the waivers for Phil Garland to read "fire protection" for townhouses and page 8 the name for the Twp. park on Century Lane, is it Franklin Twp. Park or Century Lane.

The motion carried.

PUBLIC COMMENT

There was no public comment.

ORGANIZATION REPORTS

Police - A report was submitted. Vice Chairman Cummings reported 2 new officers were sworn into office, the cost for the police protection has decreased \$3,000.

Fire - A report was submitted. Discussion ensued pertaining to receiving the fire organizations budget, it was said there was none received and that there was talk of new equipment purchase, which is a ladder truck.

EMS – Advisory – A report was submitted. No one attended due to conflicting schedules.

DAA- A report was submitted.

Emergency Management- No report submitted. A discussion ensued on obtaining the Recycle Center building to use as the EMA service building, it was discussed that a letter of intent needs to be written to DEP explaining the proposed change in use of the recycle center.

A motion was made by Vice Chairman Cummings to write a letter stating that Franklin Township will be using the building formerly used as a recycling center for emergency management use and to inquire if there are any grants available to offset the cost of purchasing the building.

Second by Supervisor Ryan.

Discussion: There was no discussion.

The motion carried.

Route 15 Transportation – Engineer Brath and Supervisor Ryan met with PennDOT pertaining to the SWM concerns of the Twp. and were told PennDOT would do their job and nothing else.

Engineer’s Report- Engineer Brath submitted a report.

Franklin Twp. Park driveway access - engineer Brath did a site visit to inspect the access road for compliance to the Township ordinances, specifically the stormwater management section. Engineer Brath said that as long as there were no new improvements made to the recently installed access road and/or parking area the access road meets the requirements and is following the ordinance. Engineer Brath submitted pictures of an area of the recently installed access road that is in question of being in a floodplain, he said it is very likely to be in a floodplain area. Engineer Brath said if any new parking area were to be added it would need to be following the zoning and storm water management ordinances. Engineer Brath said as the Township engineer he would prefer that if any parking area was added it should be moved away from the fence and the creek and move it closer to the access road. A discussion ensued on parking at the ball fields near the access road at Franklin Twp. Park and how it effects stormwater flow. Engineer Brath said he recommends the fence be moved up the hill as those attending events tend to park along side of it.

A motion was made by Vice Chairman Cummings to have the roadcrew move the **fence one** car length below the existing cartway.

Second by Supervisor Wenrich.

Discussion: There was no discussion.

The motion carried.

Water Street Bridge – engineer Brath said he would like the Board to reconsider the replacement of the bridge on Water Street. Discussion ensued on concerns with the proposed bridge replacement; the proposed 20-foot bridge span is considerably larger than the current bridge, raising the road by one foot requires joint permits due to backwater concerns from raising the road level and will require an Army Engineer Corp. **study**, some of the work will be outside of the right-of-way area, which is part of an issue as an easement agreement will be needed by the surrounding land owners. The discussion continued on a new simplified proposed plan to replacing the bridge with concrete box culvert, staying within the right-of-way, not raise the road, the box culvert would be slightly larger than the current bridge with a 22 foot span allowing for two travel lanes, road widening could be done at a later date for the remaining road and a GP 11 permit would be used so the project could be completed in the Spring or Summer, the roadcrew would be able to do much of the work, Monarch Products would be able to set the concrete box and wall headers, the cost from Monarch would be \$44,925. Discussion ensued on the cost of the new proposed project vs the previous proposal, it was discussed that the new proposal would be cheaper and more cost effective.

A motion was made by Vice chairman Cummings for the Engineer to proceed with the design as proposed for the Water Street bridge.

Second by Mark Wenrich.

Discussion: there was no discussion.

The motion carried.

Discussion ensued on programs available for possible assistance with helping fund Twp. road projects.

APPROVAL AND PAYMENT OF BILLS

A motion was made by Vice Chairman Cummings to pay the bills.

Second by Supervisor Decker.

Discussion: There was no discussion.

The motion carried.

TREASURER'S CORRESPONDENCE

Treasurers Report

A motion was made by Vice Chairman Cummings to accept the Treasures Report.

Second by Supervisor Decker.

Discussion: There was no discussion.

The motion carried.

Treasurers Memo

Item #1 – Treasurer Williams said this item should be disregarded as she received an answer for this item. No other items were discussed in the Memo.

BCO REPORT

A report was submitted.

ZONING OFFICER'S REPORT

A report was submitted.

SUBDIVISION AND LAND DEVELOPMENT

Lexington Fields – Engineer Brath submitted a review letter dated October 9, 2019 in which he wrote a preliminary subdivision plan was received by his office and the Township on October 7, 2019 and that the comments in his review letter are limited due to the time available to review the submission. The items listed in bold blue are new/revised comments and the items that were satisfied or not applicable are crossed out. A discussion ensued on the changes in the review letter.

Mr. Garland said he was present to speak about 3 main concerns of the BOS and they were as follows:

1. Sprinklers for the townhouses – Vice Chairman Cummings said he has concerns about adequate water supply to the townhouses for the sprinkler systems and fire equipment should they need to hook up the fire equipment to assist with an emergency situation and he wants to be sure this is something that is being considered as the plans for the development are moving forward.

2. Surveys to be conducted – **Mr. Garland** said his understanding is that PennDOT has done the survey work for Bypass Road due to the bridge project that is to be done and placed on a fast track for completion. **Mr. Garland** said this item has been cleaned up under the Phasing Schedule. Engineer Brath said he discussed the Phasing Schedule in his review letter under General Comments on page 5. Engineer Brath said the Twp. should review the prior 42-year Phasing Schedule and make it a 20-year schedule consisting of a 4 phase Phasing Schedule on sheet 2A of 26. Phasing shall comply with MPC 508 (4)(v) and each phase shall consist of a minimum of 25% of the total number of units and each phase shall be no longer than 5 years. With 324 lots, each phase should include approximately 81 lots. The Township an applicant should agree on a suitable phasing schedule.

3. Subdivision within a subdivision/Parcel 29

Mr. Garland said the correction was made to show an easement across this piece of the property out to Glenwood Road so there would be no question about a subdivision within a subdivision. Engineer Brath said this is to satisfy comment 5 found on page 6 of his review letter dated October 9, 2019. Engineer Brath said the easement will become a private access. Engineer Brath said he was still concerned with Basin A becoming a liability to the Twp. and should stay with the townhomes. **Mr. Garland** said the water collected in Basin A will be road runoff only. **Mr. Garland** said Parcel 29 will remain a separate parcel for use in the future.

Mr. Garland said the following items have been addressed:

- The street trees shown on Plan Sheet 7 have been revised as requested
- Note No. 6 on Plan Sheet 1 has been removed per request

- The net area table has been updated to ensure completeness and correlation with eliminated lots as requested

A discussion ensued on using Bypass Road as an access point to and from the development and route 194. Supervisor Ryan asked **Mr. Garland** if any thought was given to fees in lieu of the access. **Mr. Garland** said he needs to seek help from PennDOT pertaining to traffic studies they may have completed due to the bridge replacement project. **Mr. Garland** said this may take time as PennDOT has a 3-month back log, but he will get studies for both Glenwood Road and Bypass Road. Supervisor Ryan said the Twp. Engineer should look into the costs for improvements to those roads in the meantime. Vice Chairman Cummings said he had a concern regarding fast tracking of the bridge project, was this due to the Bypass Road cart way/access to the proposed development. Supervisor Ryan said he submitted a report on the flooding that occurs at Bypass Road and Route 194 and the bridge replacement project is the results from PennDOT's studies after the report was submitted. Surveyor Todd Lyons said Bypass Road is to remain open while replacing Route 194 bridge, which is to be widened. Mr. Lyons said bypass Road bridge will be completed first and will be widened so the truck traffic is able to continue traveling its normal route while Route 194 bridge is being completed.

A discussion ensued on significant changes to the plan. Supervisor Decker said she feels there are enough significant changes to the plan from when it went before the **court** for the Board of Supervisors not to approve the current plans and not continue moving the current plans forward. Supervisor Decker said the plan has not been before the Franklin Township Planning Commission or York County Planning Commission and was not part of the **plan** went before the **court**, therefore, the board has no review from the County or the Township Planning **Commission**. Supervisor Decker said she feels the Board of Supervisors should have reviews from each of these planning **commission**. Supervisor Decker said the plan that is before the Board of Supervisors currently, is not one that was reviewed by the **court**. Supervisor Decker said she feels these reviews are needed to be able to move forward with processing the subdivision and land development plan. Supervisor Decker said she would like to see this plan go before York County planning commission for review of the changes to the street access and storm water management. Supervisor Decker said **according to the SALDO** a storm water management plan is to be submitted with the preliminary plans. Supervisor Decker said she feels this portion of the SALDO needs to be applied to all and not just some **applicants**. There was discussion that a storm water plan was submitted with the original set of plans but there were changes made to the original plan and the storm water management plan has not been updated to reflect the changes to the plan. Mr. Lyons said a storm water management plan was submitted with the original subdivision and land development plans giving the developer a conceptual stormwater management plan, however, a stormwater management plan will need to be submitted with each phase of the plan and when the final plans are submitted a storm water management plan will need to be submitted with the final plans. Mr. Lyons said if that is the case why is a storm water management plan needed at this moment. Engineer Brath said he storm water management plan is required at the time of the preliminary plan submission. Mr. Lyons said Township planning commission should be reviewing each phase of the plan. Solicitor Shaffer said if something changed due to anticipated change it has a trickle-down effect and should be addressed. Solicitor Shaffer said amending the storm water management plan the board already has, benefits everyone, it helps the developer if he needs to appear in front of a judge and it helps the board by allowing them to call out any areas of concern. Supervisor Decker said she would like to see the entire plan go back before the York County planning commission and have them review the new traffic patterns as well as the entire plan and changes.

There was a discussion on the impact of traffic to Glenwood and Bypass Road due to the proposed access point changes. The **Supervisors** did not like the design of the cul-de-sac on Bypass Road and they didn't want to abandon Bypass Road. **Mr. Garland said he would go ahead and revise the stormwater plan.** The street width of the development was discussed to be at least 33 ft. **Mr. Garland said he would check with PennDOT about obtaining any traffic study they may have done for the bridge project at Bypass Road. Mr. Garland said it could take up to 6 months to have a traffic study prepared for the Lexington Fields project. Supervisor Decker said that in a prior conversation with Mr. Lyons it was her impression that Mr. Lyons thought there were enough significant changes to the plan that it should be resubmitted to the Township Planning Commission.**

EXECUTIVE SESSION

The BOS went into Executive Session at 10:01 p.m. to discuss legal matters pertaining to Lexington Fields. The BOS came out of Executive session at 10:14 p.m.

Vice Chairman Cummings expressed his concerns about the street layout being capable of handling free movement of fire and emergency equipment.

Recap on Lexington Fields –

- The Developer will submit estimate estimate of fee in lieu of off sight improvements to Bypass Road.
- Revise the SWM plan for the current subdivision/land development plan using the current SW Ordinance.
- Update the traffic study to determine turning lane and deceleration lane requirements;
- Provide traffic/bridge study from PennDOT regarding Bypass Road and the bridge replacement;
- Update the plan to show 33' wide streets;
- Reappear before the BOS in December for the Regular BOS meeting.

A discussion ensued pertaining to items the BOS would like to see updated, **Mr. Garland** offered a time extension thru January 10, 2020 with the agreement to appear before the BOS at their December 2019 meeting.

A motion was made by Vice Chairman Cummings to accept Mr. Garland's offer of an extension agreement through January 10, 2020.

Second by supervisor Wenrich

Discussion: There was no discussion.

The motion carried.

MUNICIPAL REPORTS

Solicitor– Solicitor Shaffer

A discussion ensued on changes to the stormwater management agreement as requested by York County Recorder of Deeds Office, the request is to add a paragraph to include the book and page number for purposes of cross-referencing.

Motion was made by Vice Chairman Cummings to adopt the addition of a paragraph to include the book and page number on the storm water management agreement for the Township.

Second by Supervisor Decker.

Discussion: there was no discussion.

The motion carried.

Road Master- no report was submitted due to vacancy.

Parks & Rec- Minutes were submitted.

Horseshoes for the park – A discussion ensued on purchasing more horseshoes for the parks and why they weren't made available at the parks currently.

Dugouts at the park – It was also discussed that the dugouts were built without permission, but the zoning officer was contact, the zoning officer completed an inspection and gave his recommendations and will return to do a final inspection once the project is complete at no charge.

Haar's Crossing park – A discussion ensued regarding the horse jumping equipment that was placed on park property and being used by an adjoining neighbor. The items have been removed from the park.

Planning Commission – Draft copies of the May PC Regular meeting and April PC Workshop were submitted.

NEW BUSINESS

County Convention – a list of attendees was needed so reservation payment could be made.

OLD BUSINESS

Website updates/corrections – All word documents have been replaced with PDF documents.

CORRESPONDENCE

Spotted Lantern Fly – information was passed out.

Todd Lyons resignation letter from PC

A motion was made by Vice Chairman Cummings to accept Todd Lyons resignation letter from PC.

Second by Supervisor Wenrich.

Discussion: There was no discussion.

The motion carried.

PUBLIC COMMENT

Mrs. Gingrich asked about the items the PC sent up for recommendation to the BOS, the Flag Lots, Setbacks, Livestock in Residential Area and Granny Flats. The BOS said the PC is working on the items in question, but more work is needed on some of the ordinances.

EXECUTIVE SESSION

ADJOURNMENT at 11:00 p.m.

A motion was made by Chairman Stonesifer to adjourn.

Second by Supervisor Ryan.

The motion carried.

Respectfully submitted,

Teresa M. Adams, Secretary