

**FRANKLIN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
October 2, 2017**

PRESENT

Jennifer Kuntz
Mark Wenrich
Rob Edwards
Dana Taylor
Naomi Decker
Engineer Phillip Brath
Secretary Nancy Zentmeyer

GUESTS

See attached sign-in sheet

CALL TO ORDER

Chairperson Taylor called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIENCE AND PRAYER

Chairman Taylor led the pledge of allegiance and Vice Chairman Wenrich gave the opening prayer.

APPROVAL OF MINUTES

Motion: Mrs. Decker made a motion to accept the minutes as written of September 5, 2017. **Seconded** by Mr. Edwards. The motion carried.

Mrs. Gingrich noted at last month's meeting 2 articles were received from residents that requested these articles be made part of the minutes. They were not attached to the minutes but were received. Mrs. Gingrich objected to the motion.

Motion: Mrs. Decker amended the motion to that the information received from Bob Eichelberger and Mr. Trygg be recognized. **Seconded** by Mr. Edwards. The motion carried.

DEADLINE FOR PLAN SUBMISSION

The deadline for plan submission for the November 6, 2017 meeting is October 16, 2017.

PLAN REVIEWS

Old Business

Ronald & Kathleen Gingrich, Final Subdivision Plan, File #2017-05-03

The engineer's comments were reviewed as follows:

Zoning Ordinance

1. Comment has been satisfied.

SALDO

1. Comment has been satisfied.
2. The private right-of-way easement is proposed as an access to lot #3. Provide easement ROW agreement for recording with plan (Section 306.D.10) and clear sight triangle (306.D.15) and confirm available sight distance table (Section 306.D.16) contains sight distance from this location. **There was discussion regarding all successors of this land (farm land) and it not fronting a street would need to be up to the specifications (Section 4.104.B.3 from Ordinance 1-2012). There are concerns regarding this being a farm lane (Section 406.B.1). There was a question asking clarification as to whether it is a private farm lane and does the township have jurisdiction for a private lane. In the agreement it does reference the SALDO. The board needs to understand the agreement.**
3. Comment has been satisfied.
4. Comment has been satisfied.
5. The comments from the review letter from YCPC should be addressed (Section 306.A26).
6. A plan for the surface drainage of the land development prepared by a qualified professional in accordance with the Franklin Township SWM Ordinance should be provided (Section 307.A.9). There is a flag access area for lot #3 shown on the plan that would typically be considered for a driveway. This driveway would be over 10,000 square feet of impervious without a method to deal with the SWM due to the shape and size of the access. If this lot is approved as shown, the future applicant could request a hardship waiver demonstrating the difficulty of meeting the ordinance in such a small area. A SWM plan should be provided with this plan or the access should be reconfigured to allow for future SWM. A waiver has been requested. **This was questioned by the applicant because there is no proposed development at this time. . Mrs. Decker stated that she could see waiving for lot #1 but the other are similar to Chainsaw Road. There needs to be enough SWM design for a buildable lot.**
7. An offer of dedication of land for the widening of existing streets (SR4040) shall be provided (Section 315.A.6). PennDOT has been contacted and has not appeared to desire additional ROW in this area. A waiver has been requested.
8. Comment has been satisfied.
9. A copy of the approved sewage planning module shall be provided prior to final plan approval (Section 316.A.6, 409). **This has been sent to the SEO.**
10. An offer of payment in lieu of reservation of land for public purposes and recreation is offered in general note 13. This shall be provided prior to final plan approval (Section 316.A.8, 415).
11. Land shall not be disturbed unless provisions for minimizing erosion and sedimentation are provided as required. Applicant should confirm the amount of disturbed surfaces planned (Section 401.C). Note 16 on the cover sheet should be corrected to indicate earth disturbance related to demo of the building. **It was noted that 2/3's of the building will be coming down and there will just be the slab.**

A driveway will be going over the slab. There was also discussion on the setback from the easement from the stream. Lot #1 goes through the creek. Mr. Lyons, surveyor needs to contact the township engineer on this.

12. Comment has been satisfied.
13. The 60' width of the future right-of-way required for the expansion of existing streets should be shown. The 40' existing ROW is not in accordance with the ordinance section 4.101.C.1 (Section 306.D.13, 315.A.6). Exhibit F in the ordinance indicates S. Mountain road is a major collector. The plan should show the "reserved right-of-way". **The 10' line of the future ROW needs to be properly shown.**
14. When the development fronts a public road, the township shall require the developer to improve the roadway to meet minimum cartway requirements. The subdivision fronts a state road, S. Mountain Road (SR4040). A waiver is being requested (Section 4.101.C.2.b). This requirement should be waived for this project fronting a state road.
15. Comment has been satisfied.
16. Property corner markers shall be installed in accordance with Section 500 or bonded prior to final plan approval (Section 500, 514.A.2).

Stormwater Management

1. For all regulated activities, unless exempt by Section 302, shall prepare and implement an approved stormwater management plan in accordance with ordinance 2013-3. This subdivision is not exempt and requires a plan prior to approval. The applicant should confirm the amount of impervious and disturbed surfaces planned and submit a stormwater management plan. Comments will be provided upon receipt and review of the plan (Section 301.A). A waiver has been requested.

Waivers

1. The applicant is requesting a waiver from Section 4.101.C.2.b requirement for the developer to improve the roadway to meet the minimum requirements or provide a fee to be placed in a road improvement fund. This requirement should be waived for this subdivision fronts a state road.
2. The applicant is requesting a waiver from Section 4.101.C.2 & 315.A.6.a requirement for the dedication of land for widening the existing right-of-way to meet the minimum right-of-way standard of 60' ROW. The required dedication of land for widening the existing ROW to meet the minimum ROW standards should be offered on the plan.
3. The applicant is requesting a waiver of the water resources impact study. The study is not required for this plan.
4. The applicant is requesting a waiver from Section 301.A for a SWM plan

General Comments

1. All fees must be paid prior to plan recording.
2. Add a note under the plan sheet general notes that all sheets must be recorded.
3. The modifications, waivers and/or variances granted should be indicated on the plan with the detail of the action taken by the Board and the date the action was taken.

4. The applicant should confirm the demolition timeframe for the structure crossing the proposed drive and proposed property lines prior to final approval of the plan. **Make sure that this gets done, submit an improvement security and that Mr. Lyons needs to get an amount and to do a written response.**
5. If a modification is granted for SWM planning, revise Note 10 on the title sheet: “property owner will be responsible for submission of stormwater management and grading plan for individual lots for township approval prior to any issuance of a building permit and construction of impervious surfaces”.
6. Add the following note to the title sheet: “all impervious surfaces must be directed into stormwater management detention facilities”.
7. It is requested that the applicant/applicant’s planner respond back to the township with written response to each comment above.

At this time the waivers were acted on:

Motion: Mrs. Kuntz made a motion to recommend waiver #1 from Section 4.101.C.2.b for road improvement fees since this is a State road. **Seconded** by Mr. Edwards. The motion carried.

Motion: Chairman Taylor made a motion to recommend waiver #2 from Sections 4.101.C.2 and 315.A.6 that the required right-of-way is shown on the plan. **Seconded** by Mr. Edwards. The motion carried.

Waiver #3 requesting the water resources impact study is not needed so no action was taken.

Motion: Chairman Taylor made a motion to table waiver #4 from Section 301.A for a SWM plan. **Seconded** by Mr. Edwards. The motion carried.

Motion: Chairman Taylor made a motion to table the Ronald & Kathleen Gingrich subdivision plan. **Seconded** by Mr. Edwards. The motion carried.

New Business

There was no new business to discuss at this time.

QUESTIONS FROM THE FLOOR

There were no questions from the floor at this time.

OTHER BUSINESS

Revisions to Steep Slopes

The Planning Commission continued with reviewing the revisions to steep slopes beginning at Section 500.

Section 500. – Prohibited Uses

The sentence “on steep slopes greater than 15% but less than 25%” was discussed and it was decided to leave it as written.

Section 600 – Conditional Use Application

#2 reads “a topographical survey with contour elevations at no greater than 5’ intervals”. It was changed to read “at 2’ intervals unless approved by the township engineer”.

#3 needs to be split between the E&S control plan and the SWM. This will make #3 into comment #3 and #4 with the remaining comments changing to #5 through #9. #3 will read “the applicant shall provide a suitable erosion and sediment control plan, and #4 will read “stormwater management plan with supporting evidence for the site”. The “supporting evidence” is for both the E&S and the SWM. The SWM plan needs to be prepared by a registered professional engineer.

#7 needs the second “by the” omitted. The old #7.A is now #8 and the old #7.B is now #9.

#8 omit the first sentence.

#9 add after water supply “erosion control and stormwater conveyance”.

New #10 should read “sewage facilities are approved by the township’s SEO”.

Section 700 – Conditional Use Standards and Criteria

#4 with regards to abutting property shall not be adversely affected by runoff or erosion from the proposed use was discussed. How do you measure it? It was suggested to add “measured by existing conditions”.

#6 replace the word “possible” with “practicable”. Omit “It should be” and change “demonstrated” to “demonstrating”.

#7 change “can be” to “shall be” and add “permanently” before the word “stabilized”. Also omit the rest of the sentence after the word “season” and add “at all times the site is to be stabilized in accordance with the E&S plan”.

#10 there was discussion to add that an E&S plan is required but it was decided to omit the entire #10. Old #11 became new #10. Need to correct the spelling of “stabile” under #10.A.

#10.C omit “of the Board of Supervisors” and replace with “to all applicable ordinances and conditions”.

#10.F. omit the word “necessary” at the end of the sentence and replace it with “required under township ordinances”.

Section 800 – Development Regulations

#2 there was discussion on sufficient buildable area. At the end of the sentence instead of “less than 25%” it will read “25% or less”.

Section 900 – Certificate of Compliance

There was discussion on whether this needs to be in this ordinance. There were no changes at this time.

Section 1000 – Limit of Municipality

There was discussion regarding the engineering and scientific studies and Mr. Trygg, resident, asked if they can be reviewed. Mrs. Gingrich noted that the township had spent money regarding the SWM practices and the mountain is different than other areas of the township and there needs to be best management practices put in place

A copy of the steep slope ordinance from Upper Salford Township in Montgomery County was discussed and it was suggested to use their wording in their section of Limit of Municipal Liability.

Mr. Trygg stated that he had given comments on the steep slopes and this issue was litigated, so why is the township ignoring these studies and the court findings.

ADJOURNMENT

Motion: Chairperson Taylor made a motion to adjourn the meeting at 9:25 p.m.
Seconded by Mr. Edwards. The motion carried.

Respectfully submitted,

Nancy Zentmeyer,
Township Secretary