

**FRANKLIN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
November 6, 2017**

PRESENT

Jennifer Kuntz
Mark Wenrich
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 ALLEGIANCE 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 October 2, 2017. **Seconded** by Mrs. Kuntz. Supervisor Decker noted that on page 2, comment #5 should read 306.D.26 not 306.A.26. Mrs. Decker amended she motion with the change and Mrs. Kuntz seconded the motion. The motion carried.

DEADLINE FOR PLAN SUBMISSION

The deadline for plan submission for the December 4, 2017 meeting is November 9, 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. The township solicitor should review for adequacy and the PC should consider suitability of access. Welty Lane was determined to be a "working farm lane" in the agreement. **Solicitor Shaffer needs**

to review this. The driveway will be located out front instead of using Welty Lane.

- a. Any existing farm/field driveway may be continued (as a non-conforming driveway) provided it is used for and limited to agricultural purposes. Any modification to this use shall require the driveway to conform to the standards of Franklin Township. (Section 4.101.E.3) The driveway should be improved as required in this section including paving, drainage and stormwater improvements.
3. Comment has been satisfied.
4. Comment has been satisfied.
5. One remaining comment from the review letter from YCPC should be addressed and satisfied prior to approval of the final plan (Section 306.A.26). The Stone Head Natural Inventories Area should be delineated on the plan. **This is a buffer area up in the woods and the plan has been amended to show this. There was discussion on the watercourses and a 15' easement. The plan shows 10' on each side, but this is to be adjusted. The setback stops at the easement line.**
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). A waiver has been requested. **The engineer gave no opinion on this waiver, although it is not the best but the township has waived this before.**
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 and should be granted.
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. Comment satisfied.
11. Comment satisfied. **It was noted that the concrete pad needs to be removed. A note could be placed on the plan.**
12. Comment satisfied.
13. Comment satisfied.
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 satisfied. **This is regarding the wells.**
16. Comment satisfied. **This is regarding the placement of markers, which will be installed.**

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. **Engineer Brath does not recommend this waiver request.**

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. **This waiver was accepted and acted on at last month's meeting.**
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. **This waiver was accepted and acted on at last month's meeting.**
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. **This waiver was tabled.**

General Comments

1. All fees must be paid prior to plan recording. **The applicant will pay all fees 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.
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.

Motion: Chairman Taylor made a motion to table the Ronald & Kathleen Gingrich Subdivision Plan. **Seconded** by Vice Chairman Wenrich. The motion carried.

Harmony Bethel Church, Subdivision Plan, File #2017-08-16 – Time Extension

A letter was received requesting a time extension until January 30, 2018.

Motion: Mrs. Decker made a motion to recommend the time extension for Harmony Bethel Church until January 30, 2018. **Seconded** by Mrs. Kuntz. The motion carried.

New Business

There was no new business to discuss at this time.

QUESTIONS FROM THE FLOOR

Ann Miller, Water Street & Lake Lea Drive

Mrs. Miller asked if this will impact her property and it was noted that it is for the entire township and there is no limit to the size of the property 15% or greater. Mrs. Miller indicated that she owns property at Water Street and Lake Lea Drive and there is an issue with the water coming off the mountain, i.e. sediment, rocks, etc. A few years ago she met with representatives from DEP, the township, and the township engineer. A letter was sent to the township to fix this problem. Mrs. Miller stated that she is opposed to doing anything as the township did not educate the property owners.

Mrs. Decker stated that the township did a lot of work to help control the water.

Mr. Cummings, Township Supervisor, stated that this is only in the proposal stage. The process is that the PC will give a recommendation to the BOS, the township engineer and solicitor will also need to review this. There will be public meetings/hearings and then this will be advertised for adoption of amending the ordinance.

Mrs. Miller noted environmental impact studies need to be done and that DEP and YCCD need to also be involved.

Bob Eichelberger, Chainsaw Road

Mr. Eichelberger noted that not all stormwater management plans work overall.

Ken Swomley, Franklinton Road

Mr. Swomley stated that there are some things in nature that just happen and water runs downhill, but this should not prohibit property owners from improvements to their property.

Kathleen Gingrich, S. Mountain Road

Mrs. Gingrich noted that zoning is a process with what can and cannot be done, i.e. requirements. Zoning overall is good for the community. The property owners at the bottom of the steep slope areas are the people who suffer from poor stormwater management.

Ken Garner, Ken-Lin Drive

Mr. Garner indicated that he has spoken with the Soils Conservation Office and they have no problem with building on steep slopes. They also indicated that they would go to a property and inspect it, but it needs to be requested from the BOS and this is usually for 1 or more acres.

OTHER BUSINESS

Revisions to Steep Slopes

The Planning Commission reviewed the revisions to steep slopes from what was discussed at the last couple of PC meetings.

Vice Chairman Wenrich indicated that he has a couple of items he would like to address:

1. Flagpole lots – minimum width for switchbacks
2. Catastrophic losses – should be able to re-build, repair

The PC went through the document and again reviewed.

1. Section 100.5 – replace “qualitative materials” with “state of the art materials”.
2. Section 100.6 – omit “criterial management” and replace with “site design and engineering”.
3. Section 200.A.3 – should read “slopes 15% or above”.
4. Section 200.3.C – add after 2’ to read “unless approved the township engineer”.
5. Section 200.3.D – new addition to read “The township shall exempt manmade slopes from the provisions of this Article if it is determined that alteration, regrading, clearing or construction upon such slope will not be injurious to the health, safety and welfare of township residents. It shall be the burden of the applicant to demonstrate that the slopes were manmade”.
6. Section 200.3.E – new addition to read “All steep slope areas shall be shown for the purposes of township review and verification, but only those occurring over five consecutive two-foot intervals will invoke the standards of this section”.
7. Section 300.7 – new addition to read “with a catastrophic loss the property owner should be able to re-build or repair.
8. Section 400.3 – omit “or storm”.
9. Section 400.4 – omit “basins” and replace with “management facilities and storm sewers” and at the end of the sentence “or PA DEP”.
10. Section 400.8 – after the word established add “(e.g. an on-lot septic system)”.
11. Section 500 – first sentence it should read “on steep slopes greater than 15%” and omit “but less than 25%”.
12. Section 600.2 – change “contour” to “contours” and omit “elevations at two foot intervals unless approved by the township engineer”.
13. Section 700.6 – the first sentence should read “Road width of flagpole lots shall be adequate to meet the requirements of this ordinance and driveway construction shall follow the natural topography to the maximum extent practicable”.
14. Section 700.8 – this is the new #8 and it should read “retaining walls as define in the zoning ordinance shall have engineer plans signed and sealed by a registered professional engineer and shall have a minimum 10’ step between retaining walls”. The old #8 becomes #9, old #9 becomes #10 and old #10 becomes #11.
15. Section 700.11.F – should read “surface run-off of water will not create unstable conditions, including erosions, and appropriate stormwater and sediment

management facilities will be constructed as required under the township ordinances”.

16. Section 800.2 – omit “sufficient buildable area within slopes 25% or less” and replace with “at least 5,000 square feet of area with slopes less than 25%”.

It was noted that the changes be made to the last revision and be sent back to the Planning Commission once more for their review.

Motion: Chairman Taylor made a motion to review the revisions once more.
Seconded by Vice Chairman Wenrich. The motion carried.

Mrs. Gingrich asked that copies be made available for the next PC meeting.

ADJOURNMENT

Motion: Chairperson Taylor made a motion to adjourn the meeting at 9:10 p.m.
Seconded by Vice Chairman Wenrich. The motion carried.

Respectfully submitted,

Nancy Zentmeyer,
Township Secretary