

**FRANKLIN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
December 4, 2017**

PRESENT

Jennifer Kuntz
Mark Wenrich
Dana Taylor
Naomi Decker
Engineer Phillip Brath
Secretary Teresa Adams

GUESTS

See attached sign-in sheet

CALL TO ORDER

Chairperson Taylor called the meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIENCE AND PRAYER

Chairman Taylor led the pledge of allegiance and Supervisor Decker gave the opening prayer.

MISCELLANEOUS

Recognition/welcome of new Township Secretary Teresa Adams

APPROVAL OF MINUTES

Motion: Chairman Taylor made a motion to accept the minutes as written of November 6, 2017. **Seconded** by Mrs. Kuntz. Mrs. Decker noted that on page 1, under SALDO, last line of #2 should read: **The driveway will be located on South Mountain Road.** **Motion** to amend November minutes made by Chairman Taylor with the change **Second** by Mrs. Kuntz. The motion carried.

DEADLINE FOR PLAN SUBMISSION

The deadline for plan submission for the December 18, 2017 meeting is January 1, 2018 unless changed due to meeting falls on a holiday.

There was discussion to change meeting date due to holiday. After discussion it was decided to move meeting to January 8, 2018.

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. Clear sight triangle (306.D.15) and site distance (306.D.16) information on Sheet 1 should be updated. Other comments have been satisfied.
3. Comment has been satisfied.
4. Comment has been satisfied.
5. Comment has been satisfied.
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.
7. Comment has been satisfied.
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). **Need copy of signed module.**
10. Comment has been satisfied.
11. Comment has been satisfied.
12. Comment has been satisfied.
13. Comment has been satisfied.
14. Comment has been satisfied.
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 500A/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 this ordinance. This subdivision is not exempt and requires a plan prior to approval. 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 SALDO 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. The Planning Commission recommended granting a waiver.**
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. **This requirement should be waived for this subdivision fronting a State Road. The Planning Commission recommended granting a waiver.**

3. Water Resources Impact Study is not required for this plan, therefore no waiver is necessary. The waiver request should be rescinded and the note removed from the plan.
4. The applicant is requesting a waiver from Section 301.A for a SWM plan.
5. The applicant is requesting a waiver from SALDO Section 307.A.9; **Motion:** made by Mrs. Decker to deny waiver for driveway Lot #3; **Second** by Chairman Taylor. Unanimous denial.

General Comments

1. All fees must be paid prior to plan recording.
2. Comment has been satisfied.
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. Comment has been satisfied.
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”. The word “Future” should be removed.
6. Comment has been satisfied.
7. Comment has been satisfied.

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

Planning Action Dates

1. May 3, 2017 Original plan received by the Township.
2. Time Extension Requested to February 21, 2018.
3. Action by PC required by February 5, 2018 / BOS February 14, 2018.

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

The engineer’s comments were reviewed as follows:

Zoning (Ordinance 2006-1)

1. Comment Satisfied.
2. Applicant has requested a variance from the Zoning Ordinance Section 202.F.3.d for 50 foot well setback from property lines. The Applicant or Zoning Officer should provide the Zoning Hearing Board’s decision and that should be listed on the plans.

Subdivision (Ordinance No. 3-2009, amended 1-2012)

1. Plan approval should not be granted prior to review by Zoning Officer and receipt of proof of conformance to Zoning Ordinance. (Section 304.A/311.A) **Per Engineer Philip Brath this is in compliance. Comment Satisfied.**

2. The owner's acknowledgement and related certification by the surveyor are required prior to recording the plan. (Section 306.D.1) **Zoning verification 50 foot well setback has been met. Comment Satisfied.**
3. Provide all filing fees, review fees, recording fee and other reasonable fees as required by the Township prior to recording the Plan. (Section 316.A.2)
4. Comment Satisfied.
5. Comment Satisfied.
6. Comment Satisfied.
7. Comment Satisfied.
8. The Sewage Facilities Planning has been approved by SEO. (Section 316.A.6) The Planning Commission and Supervisors may wish to deliberate the plan for the septic systems with a holding tank as primary and the septic filed as the back-up, however, **this has been approved by the SEO. Comment Satisfied.**
9. The Applicant should satisfy York County Planning Commission comments to the satisfaction of the Township, prior to approval of the final plan. (Section 306.A.26) Applicant should address the differences in the County parcels and tax assessment office records and this plan. **Comment Satisfied.**
10. Comment Satisfied.
11. Provide dedication or offer of dedication and/or reservation of suitable land for parks and recreation or an agreed fee in lieu of recreational area prior to final plan approval. (Section 415/316.A.8) The Applicant is requesting a waiver and has provided a letter for use of recreation facilities. **Request waiver.**
12. Comment Satisfied.
13. Regarding widening the existing right-of-way to meet the minimum right-of-way standards, the Applicant has requested a waiver and provided appropriate set-backs. (Section 4.101.C2.a) **Request waiver for appropriate set-backs.**
14. Regarding improvements to the roadway to meet minimum cartway requirements, the Applicant has requested a waiver. (Section 4.101.C.2.b) This requirement should be waived for this project fronting State Roads. **Request waiver.**

Stormwater Management (Ordinance No. 2011-03)

1. No stormwater management is required for this plan. Any future development of the property or addition of impervious area will require stormwater management.

Waivers

1. The Applicant is requesting a waiver from SALDO (Section 415/316.A.8) to provide suitable land for parks and recreation. The Applicant has provided a letter for use of recreation facilities. **Motion** made by Chairman Taylor to recommend waiver, **Second** by Mr. Wenrich. **Motion carried.**
2. The Applicant is requesting a waiver from SALDO 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 fronting a State Road. **Motion** made by Mrs. Decker to recommend waiver; **Second** by Mr. Wenrich. **Motion carried.**

3. The Applicant is requesting a waiver from SALDO Section 4.101.C.2 and 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. This requirement should be waived for this subdivision fronting a State Road. **Motion** made by Chairman Taylor to recommend waiver, **Second** by Mr. Wenrich. **Motion carried.**

General Comments

1. The modifications, waivers and/or variances granted should be indicate on the plan with the detail of the action taken by the Board and the date the action was taken.
2. An easement agreement for access to Lot 1 and the proposed backup septic field should be recorded with the plan. The easement agreement should be reviewed by the Solicitor and found to be adequate, prior to recording.
3. We request that the Applicant/ Applicant's planner respond back to Township with written response to each comment above.

Planning Action Dates

1. August 16, 2017 Original Plan received by Township.
2. Time Extension requested to January 30, 2018.
3. Action by PC required by January 8, 2018 / BOS by January 10, 2018

Engineer Brath recommend plan be forward to BOS for further review/approval. **Motion** made by Chairman Taylor to forward to BOS, **Second** by Mr. Wenrich. **The motion carried.**

Hoak/Brown Land Development – Waiver Request

Todd Lyons spoke on behalf of Hoak/Brown; advised all they want to do is construct building to house Combine; Engineer Brath recommends waiver approval with detailed E&S Plan. No change in use of property or to land, SWM is good, conforms to requirements.

Motion made by Chairman Taylor to recommend waiver with modified E & S Plan, **Second** by Mr. Edwards. **The motion carried.**

New Business

Engineer Brath opened discussion for a Declaration of Consolidation combining 2 lots into 1 by a resident in the Township. Advised was recently completed. Resident wants to know if this is possible. PC Board would consider as long as it's simple.

PC acknowledges letter received from James Trygg expressing concerns regarding steep slope.

QUESTIONS FROM THE FLOOR

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 “critical 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,

Teresa Adams,
Township Secretary