

**FRANKLIN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
April 2, 2018**

**PRESENT**

Jennifer Kuntz            Robert Edwards  
Mark Wenrich            Engineer Phillip Brath  
Dana Taylor              Secretary Teresa Adams

**GUESTS**

See attached sign-in sheet

**ABSENT**

Naomi Decker

**1. Call to Order**

The April 2, 2018 Planning Commission Board meeting was called to order at 7:05 p.m.

**2. Pledge of Allegiance and Prayer**

Pledge led by Chairman Taylor and prayer given by Vice Chairman Wenrich.

**3. Approval of Minutes – March 5, 2018**

**Motion** was made by Vice Chairman Wenrich to accept the Meeting Minutes from March 5, 2018 as submitted to the Board.

**Second** by Mrs. Jennifer Kuntz.

**The motion carried.**

**4. Plan Review**

**Old Business**

**Heavenwood Farm Plan review** - Chairman Taylor ask for a few minutes for the board to review the plan submission. Chairman Taylor said prior to the meeting they received an application for consideration of modification and waiver request, and notes from zoning officer Fahey regarding the zoning ordinance.

Chairman Taylor asked engineer Chris Hoover to speak at this time. Engineer Hoover said most of the items for review at the previous month’s meeting were cleaned up. He said there are a few minor items that still need to be cleaned up.

**200-foot setbacks** – Engineer Hoover said regarding the designated 200-foot setbacks they can easily be adjusted without causing any significant plan changes.

**Surveying information** - Engineer Hoover said engineer Brath questions regarding the data that was used for the surveying information. He spoke with engineer Brath on this matter prior to the meeting.

**Easement** - Engineer Hoover said he used a blanket easement versus showing a specific easement but could give a more detailed description for entering the property to complete inspections if needed by engineer Brath. Engineer Hoover said there was a slight error in math regarding calculation of coverage.

**Other items** - Engineer Hoover said most of the comments by engineer Brath are administrative in nature.

**Land Use** - Engineer Hoover said that he reached out to zoning officer Fahey for guidance regarding zoning officer Fahey’s interpretation of the land use being agricultural versus commercial use.

Engineer Hoover said after the past years Conditional Use Hearing they do acknowledge the need for a land development plan and that is the reason they are coming before the planning commission board

regarding the items set down from the Conditional Use Hearing. He said the items for normal commercial use adjacent to residential developments, such as, buffers, paved parking lots, paved access to driveways from roadways. He said they tried to meet that criteria where ever they could, however, a paved parking area is more of an impact to that rural character than it is to commercial use. Engineer Hoover said to address the items in engineer Brath's letter, especially the zoning items, screening of dumpster areas, off street parking details, off street loading and unloading, based on the interpretation of the type of use, these items are not necessary.

**Request for modifications and waivers** - Engineer Hoover said he is asking for three modifications and waivers for the project those deal with roadways, one is traffic impact study, another is road widening or the fee necessary to do the road widening. He said as far as the traffic impact this type of use will generate such a low traffic volume that it will not impact the roadway. Engineer Hoover said the traffic would be about the same as if a home were on the site. He said that once the barn is built there would be traffic of maybe 20 vehicles at the most, with commercial use it may be more, but the traffic would mainly be in the morning and afternoon, with this use the traffic would be throughout the day. Engineer Hoover said he would also like to request a waiver of the fee in lieu of recreation as the project will not have an impact on the recreation areas in the Township and the Spiece's will not be living in the Township when the project is complete. Engineer Hoover asked the board if anyone had any questions at this time.

**Questions** - Mrs. Kuntz asked zoning officer Fahey to clarify the difference between explicit farm use and agricultural use. Zoning officer Fahey said the State recognizes the use of any horse for any reason even if it's to make money as an agricultural endeavor. Mrs. Kuntz asked how this relates to the agribusiness mentioned in zoning ordinance section 402? Zoning officer Fahey said the ordinance relates to a heavy population of animals, he used the illustration of large numbers of chickens to only two chicken coops. Mrs. Kuntz clarified 50-acre minimum requirement is for an agri-business, the ordinance does not differentiate between an agricultural operation and an agribusiness. Chairman Taylor clarified that the planning commission is satisfied the use of horses, as defined by zoning ordinance determines the business to be an agricultural business.

**Township Engineer review** - Engineer Brath reviewed items of concern.

**Screening of stored waste products** - Engineer Hoover said there will be minimum waste products and no dumpster will be used, he said the Spiece's reside in Carroll Township and would take any waste with them to their residence.

**Parking area** - Engineer Brath asked if the parking area would be paved at this time, he said the parking could be marked as off street parking on the plan and this would take care of the parking item.

**Loading area** - Engineer Brath said the loading area can be stone and would be acceptable as stone, to clear this item to be sure to indicate an area for loading on the plans.

**Buffer** - Engineer Brath ask about a buffer. Discussion ensued with engineer Hoover, zoning officer Fahey, Mrs. Spiece that because the use is not commercial buffering is not needed. Engineer Brath agreed and said buffering is removed from the item list.

**Setbacks** - Engineer Brath said the setback area is cleared due to earlier discussion.

**Fence** - Engineer Brath asked if there were going to be a fence around the pasture. Engineer Hoover said the pasture will change over time, but they will comply with the zoning ordinance and they will show an area on the plan for a pasture at this time.

**E&S plan** - Engineer Brath ask about York County E&S plan, is there one completed or being done? Engineer Hoover said yes, it's in the planning stages with the county.

**Landscaping** - Engineer Brath said the landscaping item can go away due to not a commercial use. Mrs. Kuntz said the SALDO ordinance section 307.A.23 and section 414 reads landscaping in accordance with all plans. Engineer Brath said zoning ordinance reads only commercial.

**Request for waiver of recreation fees Zoning Ordinance Section 316.A.2** - engineer Hoover said the Spiece's are providing recreation with the type of business they're bringing into the community. The business will not pose any demand on the townships park system. The fee only adds additional expense to the existing project. Engineer Hoover said there's nothing in the ordinance to reflect on how the fee is calculated. Engineer Brath said the fee is in lieu of \$1000 per dwelling per acre of land. Mrs. Kuntz said the fee is if there is a dwelling on the land, so in this case there is no dwelling, so the fee would be \$1000. Chairman Taylor said \$1000 per acre is for commercial use but this project is for agricultural use, so it doesn't pertain.

**Motion** was made by Chairman Taylor for denial of waiver request for dedication or offer of dedication for parks and recreation and recommend a fee of \$1000 for future dwelling unit about section 415/316.A.8 of the zoning ordinance. Recreational Fee is in accordance to the current fee schedule.

**Second** by Vice Chairman Wenrich

**The motion carried.**

**Property corners and markers** - engineer Brath said to let him know as soon as they are in place.

**Waiver request for property fronts a public road.** -Engineer Hoover said this is a modification request. He said that he understands a fee will be charged but is requesting the amount is reduced from approximately \$50,000 for a cart way improvement to approximately \$20,000 for a shoulder improvement. Engineer Hoover said he understands the planning commission cannot set the amount of the fee but is requesting the modification request of a reduced fee would be sent to the Board of Supervisors as a recommendation.

**Motion** was made by Mrs. Jennifer Kuntz to deny the waiver request for 4.101.C.2.b improve the adjacent public Cartway width to meet with the Franklin Township Subdivision and Land Development Ordinance requirements and recommend to the Board of Supervisors to consider a reduced in lieu of fee in accordance with PennDOT publication 13M table 1.6

**Second** by Vice Chairman Wenrich.

**The motion carried.**

**Setbacks** – already addressed earlier per section 306.D.11

**Traffic impact study** – engineer Brath said this was already discussed and there is low volume traffic which would not be affected significantly. He said he would recommend a waiver for this item.

**Motion** was made by Vice Chairman Wenrich to grant a waiver for section 4.103 on Traffic Impact Study based on engineer Hoover's earlier comments.

**Second** by Chairman Taylor.

**The motion carried.**

**Easements** – Engineer Brath said he'd like to review these a little further to be sure everything complies.

**SWM** – Engineer Brath said a few minor fixes are left to complete.

Engineer Hoover request the planning commission make a recommendation to pass the plan on to the Board of Supervisors for approval. He said the 200-foot setback engineer Brath is referring to, is for future of an addition which at that time the building would be moved back to meet the setback requirements.

**Motion** was made by Vice Chairman Wenrich to forward the plan to the BOS with comments satisfied by the Engineer.

**Motion** amended to include Zoning comments 6 and 7; Subdivision comments 1, 2, 3, 4, 6, 8, 10, 12, 13; SWM comments 1 thru 5; General comments 1, 2, and 3

**Second** by Chairman Taylor.

**The motion carried.**

**4 acres to 2 Acre minimum for Open Space; Zoning Ordinance 2006-1** – Engineer Brath advised the commissioners they need to act on this matter and send to BOS for further action as needed.

**Motion** was made by Chairman Taylor for the ordinance of the open space zoning ordinance under section 202.F.1.A to be forward to BOS as written and sent to York County for review.

**Second** by Vice Chairman Wenrich.

**The motion carried.**

**Motion** was made by Chairman Taylor to accept Ordinance 2018-2 and forward to York County for review.

**Second** by Vice Chairman Wenrich.

**The motion carried.**

#### **New Business**

There was no new business.

#### **5. Public Comment**

There was no public comment.

#### **6. Deadline for Plan Submission for May 7, 2018 meeting (April 16, 2018)**

Chairman Taylor announced the Plan Submission Deadline as indicated above.

#### **7. Adjournment at 8:02 p.m.**

**Motion** was made by Chairman Taylor to adjourn.

**Second** by Mr. Rob Edwards.

**The meeting adjourned.**

Respectfully submitted,

Teresa Adams, Secretary

Franklin Township York County

**Next Meeting – June 4, 2018 (subject to change if meeting falls on Holiday)**