

**FRANKLIN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
June 4, 2018**

**PRESENT**

Dana Taylor                      Rob Edwards  
Jennifer Kuntz                 Engineer Phillip Brath  
Naomi Decker                 Secretary Teresa Adams

**GUESTS**

See attached sign-in sheet

**ABSENT**

Mark Wenrich

**1. Call to Order** by Chairman Dana Taylor at 7:00 p.m., June 4, 2018

**2. Pledge of Allegiance and Prayer**

Pledge of Allegiance and Prayer was led by Chairman Taylor and prayer was said by Vice Chairman Wenrich.

**3. Approval of minutes:**

**April 2, 2018 minutes**

**A motion** was made by Jennifer Kuntz to accept the April 2, 2018 minutes as amended, strike that Naomi Decker was present for the meeting and show she was absent from the meeting.

**Second** by Chairman Taylor.

**Abstained** from vote was Naomi Decker.

**The motion carried.**

**May 7, 2018 minutes**

**A motion** was made by Naomi Decker to approve the minutes as amended, correct the dfate from May 14, 2018 to May 7, 2018; correct the spelling of the Williams Engineer and correct the wording for the Williams Plan to the word Plan as on page 1 of the minutes.

**Second** by Vice Chairman Wenrich.

**The motion carried.**

**4. Plan Submission Deadline** – Chairman Taylor announced the deadline date for plan submission is June 15, 2018 for the PC meeting on July 9, 2018.

**5. Plan Review**

**Old Business**

**Williams Subdivision and SWM plan as amended.** No one was present to speak on behalf of the plan. Engineer Brath no new plans have been submitted and no new comments have been submitted.

**A motion** was made by Naomi Decker to table the plan until July 9, 2018 meeting.

**Second** by Chairman Taylor.

**The motion carried.**

**New Business:**

**Goda/Fleming Reverse Subdivision Plan Review**

Mr. Fleming was present but had no comments to make at this time.

Engineer Brath said there's a small parcel in the middle that appears as if it were not combined with any of the lots. Engineer Brath said the parcel should have been combined with the property through a deed of consolidation, that was never done. He said there are two lots with separate parcel numbers in the one lot should not exist on its own, as no lot shall exist without road frontage, however, there are several that exist. The plan is to be sold back to the Flemings and extinguish some existing lines. Engineer Brath said the Flemings lot is a flag lot and this is labeled as lot number three. Engineer Brath said once it's taken away there are two nonconforming lots. Engineer Brath said once the lot is taken away return it to Lot number one, tax parcel number 29 – NB007-00003, to a nonconforming condition which currently is, but it should not be. Engineer Brath said he doesn't have the previous subdivision so he's not sure if it says in that subdivision about the lot should have been consolidated, but there is no reason why it shouldn't have been consolidated. Engineer Brath said, to me, the plan is dead on arrival you can't have this. Engineer Brath said the lot needs to stay with number one and a deed of consolidation needs to be completed. Engineer Brath said he did speak to surveyor Todd Lyons, who wants to proceed with the plan, and so there are comments on some items that are noncompliant. Engineer Brath said that it is his opinion the plan cannot be approved as submitted. Engineer Brath said some other issues regarding subdivision ordinance, 1) approval shall not be granted prior to proof of conforming with the zoning ordinance, 2) the engineer and surveyor or signatures, 3) proof of abutting owners, this hasn't been seen yet, 4) clear sight triangle for the proposed driveway, there is none, 5) drainage facility, the drain in the corner crosses S. Mountain Rd., this should be shown, 6) the review from York County planning commission has not been reviewed, engineer Brath said he's not sure it was submitted yet, 7) approved sewer planning module, engineer Brath said he would need to see something from the SEO, 8) drainage easements need to be shown on the plan.

Engineer Brath said regarding waivers, 1) an offer of dedication of land for the widening of existing streets, this is a state road so the Township should grant a waiver on this 2) when the land development fronts a public road, again this is a public road in the Township should grant a waiver on this, 3) the means of consolidation of lot should be reviewed by the board, the lot should be consolidated and a deed of consolidation should be filed at the courthouse. Engineer Brath said, again, that is if the plan is to be moved forward. Engineer Brath said there are fees, such as, the recreation fee which a waiver could be requested.

Engineer Brath said he has asked for the previously approved plan to show existing conditions, and he's asked for the applicant's engineer or surveyor to respond in writing, and that a lightning strike be added to the plan.

Engineer Brath asked if Mr. Fleming had any questions or comments at this time. Mr. Fleming said he's not sure what to ask as he thought the plans were complete. Engineer Brath asked, who was the original owner of the property. Mr. Fleming said he originally purchased it from the Kimmels. Mr. Fleming said it's been approximately four or five years ago that he purchased the property. A discussion ensued on the original owner of the property, date it was purchased and possibly locating the deed.

Engineer Brath said there are some things that need to be fixed, such as, under the SALDO, Section 406.B.1, all lots shall front on a designated public Street, existing or proposed or upon a private Street, as to Township specifications and ordinances. Engineer Brath said the Township has many lots that front nothing and he's not sure how that came to be in existence. Mr. Edwards said many of those lots

go with a farm. Engineer Brath said the general rule is that a public Street must be in existence, except for in very rural areas and the Township needs to start pulling back from these.

**Motion** was made by Chairman Taylor to table the Goda/Fleming Reverse Subdivision Plan until July 9, 2018 PC meeting.

**Second** by Naomi Decker.

**The motion carried.**

### **Questions from the Floor.**

**Mike Ryan** asked who is going to categorize the subdivision and land development plans on the plan rack in the Township Map/Plan closet. Engineer Brath clarified that categorizing is making sure the plans on the rack are logged in the subdivision and land development logbook.

Mr. Ryan said there needs to be someone reading and recording on the categorization sheet, someone to read the plan and someone to pull the plan. Mr. Ryan said there are a lot of the plans on the rack that are not listed in the logbook. Discussion ensued on how to categorize, chronologically, alphabetically by Street or owner, etc. Chairman Taylor said she would be willing to help but would have to her work around her long work schedule. Mrs. Kuntz said she has some time coming up that she would be able to help. Mr. Ryan said the way the plans should be on the rack is by date of the plan being approved. The PC agreed to review and discuss the plan categorizing at next meeting.

**Rules for road frontage to form lots.** Mr. Ryan said any new lot needs to have road frontage or it cannot be a lot. Mrs. Decker said that is not the case, there are lots that don't have road frontage.

**Mr. Kevin Cummings** brought the Planning Commission up to speed with the Steep Slope Ordinance that was being submitted by the BOS to YCPC for review. He ask if the Township PC could please place this on their agenda to review at their August meeting and then submit it so the BOS can put it to a vote at the BOS meeting in August.

### **Other Business:**

#### **Franklin Township Zoning Ordinance Amendment; Open Space Zone – Maximum Density; YCPC Project #18-022**

A letter was received from YCPC addressed to Solicitor Bret Shaffer and forward to Franklin Township PC recommending the Municipality adopt the deletion of the maximum density requirement which resolves a conflict between said requirement and the two (2) acre minimum lot area requirement under Section 202, Open Space Zone (O), Subsection F., Lot Area and Dimensional Requirements is being amended by deleting Number 1.a; Section 202.F.2, Lot Dimension Requirements, is being renumbered to 202.F.1 and Section 202.F.3, Setback Requirements, is being renumbered to 202.F.2.

**A motion** was made by Chairman Taylor to adopt the amendment as submitted.

**Second** by Vice Chairman Wenrich.

**The motion carried.**

**Setback changes** requested by Zoning Officer Brian Fahey for the planning commission to recommend to the board of supervisors change the setbacks for small buildings from 25 feet to 10 feet from the property line in the open space zone to reduce the need for a hearing. Chairman Taylor ask what the definition was for small building and if the planning commission would need to define a

small building. Engineer Brath said it may be easier to define a temporary structure rather than a small building. Kevin Cummings said to keep in mind where the storm water will go. Zoning officer Fahey said the proposed new ordinance should take care of that. Discussion ensued on size of the building and the zone, open space or other.

**6. Public Comment**

There was no public comment.

**7. Adjournment at approximately 8:10 p.m.**

**Motion** was made by Jennifer Kuntz to adjourn.

**Second** by Naomi Decker

**The motion carried.**

Respectfully submitted,

Teresa Adams, Secretary  
Franklin Township York County

**Next Meeting – July 9, 2018 (subject to change if meeting falls on Holiday)**