

**FRANKLIN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
September 5, 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

Vice 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: Vice Chairman Wenrich made a motion to accept the minutes as written of August 7, 2017. **Seconded** by Mr. Edwards. The motion carried.

DEADLINE FOR PLAN SUBMISSION

The deadline for plan submission for the October 2, 2017 meeting is September 11, 2017.

PLAN REVIEWS

Old Business

Lamar Hess Final Subdivision Plan, File #2017-04-06

The revised plan was reviewed by the township engineer with significant changes that now allow for potential expansion of the on-site structures. The plan has been reviewed with this consideration and additional comments added as appropriate for the changed condition. The applicant has revised the initial plan and has added additional area to allow for future expansion of the chicken houses. The applicant proposes to subdivide the property into 2 lots from the existing 147.17 acre lot located along County Line Road and Ridge Drive. The plan proposes to separate an existing dwelling and chicken barns from the main farm creating a separate lot. Each proposed lot contains an existing single family home and farm buildings.

The comments are as follows:

Zoning

1. The zoning officer has determined the existing property use to be Section 405 Animal Husbandry.
2. The front setback of 200' and side setback of 100' should be placed on the plan in accordance with this section. Any new buildings shall comply with the new setback requirement. It is noted that the existing buildings do not meet the front setback (405.B.1a&b).

SALDO

1. The applicant should consider providing the plan at the ordinance maximum scale of 50' to the inch, to improve conveyance of plan information. The township engineer has accepted the current scale, however, it may not be adequate for recording required information (306.A).
2. The owner's acknowledgement and related certifications by the surveyor are required prior to final approval (306.D.1).
3. Provide all filing fees, review fees, recording fee and other reasonable fees as required by the township prior to recording the plan (316.A.2).
4. The plan shall show the names of the adjacent land owners. Some of the names in the inset are not readable and should be consistent text size (306.D.5). **This has been done.**
5. Clearly indicate gross and net lot sizes on the plan (306.D.11). **This has been done.**
6. The plan shall show setback lines on all lots. The setbacks shown are for Open Space, however, the existing use is Animal Husbandry which requires a front setback of 200' and side/rear setback of 100'. The plan should be reviewed to shown the required setbacks from the required ROW. The lot acreage should be confirmed and revised to indicate existing conditions and proposed conditions (306.D.11) **The additional 5' is a lot of land with 2,000' of road frontage.**
7. The width of the future right-of-way required for the expansion of existing streets should be shown (306.D13/315.A.6).
8. The plan should indicate the area (additional ROW) being offered for dedication to the township and a note stipulating that the legal means of conveyance shall be by dedication (316.A.6).
9. Sight distances should be added to the plan for the existing driveways to confirm adequacy (306.D.16).
10. The presence or absence of wetlands should be confirmed by a qualified wetland delineator and a note added to the plan indicating the findings (306.D.31). **A waiver is being requested.**
11. The plans should include the soil types and boundaries located on the subject tract (306.D.33). **This has been done.**
12. The sewage facilities planning for the proposed lots must be approved prior to final plan approval. The request for planning waiver has been submitted to the township

for review and approval of the municipal planning body and SEO. The SEO has approved the planning waiver. It is recommended approval by the PC and BOS (316.A.6).

13. For a final plan for a land development that covers only a part of the developer's entire tract, a sketch plan shall be prepared in accordance with this ordinance for the remainder of the tract. This requirement may be waived if the developer certifies that the final plan constituted the entire extent of his development intentions. The applicant should provide the sketch plan as required or a statement on the plan certified by the owner, that "the final plan constituted the entire extent of his development intentions" (307.A.6 & 316.A.10).
14. Provide dedication of suitable land for parks and recreation or an agreed fee in lieu of recreation area prior to final plan approval (316.A.8/415). **A waiver was granted previously.**
15. Property corner markers and monuments shall be shown in accordance with Section 500 and be installed or bonded prior to final plan approval (500.A).
16. When a plan fronts an existing public road or improper right-of-way width, the developer shall provide any required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards, which shall be measured from the centerline of the existing roadway. The subdivision fronts on a township road, County Line Road and contains Ridge Drive (4.101.C.2.a).
 - a. County Line Road is a collector which has a right-of-way requirement of 60'. The required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards should be provided.
 - b. Ridge Drive is a collector which has a right-of-way requirement of 60'. The required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards should be provided.
 - c. The PC denied a waiver request for right-of-way dedication for the previously submitted plan. A new waiver has been submitted. **It was noted that the township should get the r/w with building for the future, but the additional 5' would put it through the building. There was discussion and it was suggested to go with the 60' r/w and if the building is destroyed it cannot be re-built. Solicitor Shaffer needs to give clarification.**
17. When the plan fronts a public road, the township shall require the developer to improve the roadway to meet minimum cartway requirements. The subdivision fronts on a township road, County Line Road and contains Ridge Drive. Both streets are classified as a collector road, with a minimum cartway width of 28'. The plan shows the roads as having a cartway width of 19'. Additional cartway or fee in lieu of, is required prior to final plan approval (4.101.C.2.b).

Stormwater Management

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

Mrs. Decker noted that Galen Hess should be the name on the plan since he is the owner of the property.

There was discussion on whether this property is considered Animal Husbandry or Agricultural Business. This needs to be clarified from the zoning officer.

Motion: Chairman Taylor made a motion to table the Lamar Hess final subdivision plan. **Seconded** by Mrs. Kuntz. The motion carried.

New Business

Harmony Bethel Church of God Final Subdivision Plan, File #2017-08-16

The applicant proposes to subdivide the property of 7.572 acres to separate the existing parsonage, 1.004 acres, from the existing church, 6.568 acres, therefore creating 2 lots. A revised plan was presented at this time. The property is located at the intersection of S. Mountain Road and Clear Springs Road, both of which are State roads. The township engineer reviewed the plan with the following comments:

Zoning

1. A variance to Section 202.F.2 was granted by the ZHB on December 26, 2016. The variance to the requirement of minimum lot size of 2 acres, to allow for the creation of a lot of 1.10 acres on which the existing parsonage is situated.
 - a. The variance requirement and decision should be clearly indicated on the plan.
 - b. The plan indicates that lot 1's gross size is 1.004 acres with a net of 0.862 acres. The zoning officer should confirm if this is consistent with the ZHB's decision.

SALDO

1. Plan approval should not be granted prior to review by the zoning officer and receipt of proof of conformance to the zoning ordinance (304.A/311.A).
2. The owner's acknowledgement and related certifications by the surveyor are required prior to final approval (306.D1). **This has been done.**
3. Provide all filing fees, review fees, recording fee and other reasonable fees as required by the township prior to recording the plan (316.A.2).
4. The plan should show building setback lines on all lots from the required right-of-way. The plan should be revised (306.D.11).
5. The 60' width of the future right-of-way required for the expansion of existing streets should be shown. The 25' reserved ROW is not in accordance with the ordinance section 4.101.C.1. (306.D.13/315.A.6). Exhibit F in the ordinance indicates S. Mountain Road is a major collector and Clear Springs Road is a collector. The plan should show the reserved ROW.
6. Indicate the area (additional ROW) being offered for dedication to the township and a note stipulating that the legal means of conveyance shall be by dedication (316.A.6).
7. Show clear sight triangles and sight distances on the plan for the existing driveways to confirm adequacy 306.D.15&16). **This has been added.**

8. The sewage facilities planning for the proposed lots must be approved prior to final plan approval. The SEO has additional questions as outlined in his August 22, 2017 letter. These should be satisfied prior to approval (316.A.6). **There was discussion on the SEO's letter regarding the fill site. The soils need to be approved by a soils scientist. The wells have now been shown on the plan. There is only 1 site for the church (septic system) and a holding tank could be another option. There are no wetlands on the property. The SEO would have to sign off regarding the fill site.**
9. Provide the review letter from the YCPC reviewing and commenting on the proposed subdivision prior to approval of the final plan (306.A.26). **These comments have not been received yet.**
10. Provide a correspondence regarding approval of wells for the subdivided property from the appropriate jurisdiction or a water resource impact study in accordance with section 411. Final plan approval will not be granted until all permits are obtained (307.A.4/410.A/410.E). **This is not needed.**
11. Provide dedication or offer of dedication and/or reservation of suitable land for parks and recreation or an agreed fee in lieu of recreation area prior to final plan approval (415/316.A.8). **It was suggested to ask for a waiver since there is an existing play area and they are not creating a new building lot.**
12. Provide monument and markers in accordance with Section 500. Property corner markers and monuments shall be installed or bonded prior to final plan approval (500.A/514.A.2).
13. When the plan fronts an existing public road of improper right-of-way width, the developer shall provide any required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards, which shall be measured from the centerline of the existing roadway. The plan fronts on State roads, South Mountain Road and Clear Springs Road (4.101.C.2.a).
 - a. South Mountain Road is a major collector which has a right-of-way requirement of 60'. The required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards should be provided.
 - b. Clear Springs Road is a collector which has a right-of-way requirement of 60'. The required dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards should be provided.
14. When the plan fronts a public road, the township shall require the developer to improve the roadway to meet minimum cartway requirements. The plan fronts State roads, South Mountain Road and Clear Springs Road. Both streets are classified as collector roads, with a minimum cartway width of 28'. The plan shows the roads as having a cartway width of 20'. Additional cartway, or a fee in lieu of, is required prior to final plan approval (4.101.C.2b). This requirement should be waived for this project fronting State roads.

Stormwater Management

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

Motion: Chairman Taylor made a motion to table the Harmony Bethel Church of God subdivision plan. **Seconded** by Vice Chairman Wenrich. The motion carried.

QUESTIONS FROM THE FLOOR

Mrs. Gingrich asked what will be discussed.

OTHER BUSINESS

2-Acre Minimum Lot Size

The PC was asked to look into this requirement to see if they are in agreement with going to a 2-acre minimum lot size instead of the 4-acre. Discussion ensued. It was noted that all of the PC members are in agreement with this request.

Motion: Chairman Taylor made a motion to reduce the minimum lot size requirement to 2-acres per dwelling where there is no public water and sewer in the Open Space zoning district. **Seconded** by Mr. Edwards. The motion carried.

Revisions to Steep Slopes

It was noted that the BOS had made recommendations from Mr. Yerger's draft on steep slopes. There is a third draft that is listed as legislative intent and it mirrors another township and is a road map for the PC to consider. This is a re-write of what the BOS has recommended. It was noted that this is being used throughout the Commonwealth. This is being reviewed by the PC.

Section 100. – Legislative Intent

In #9 of the second draft has been simplified in #6 of the third draft but it needs to have an expanded explanation and needs to define some of the site specific evaluations (more details). In #5 what is qualitative materials, as this needs to be defined.

Section 200. – Definition and Establishment

It was noted that buffer and accesses are not addressed for lots.

There should be a #3 addressing on site survey prepared by registered professional engineer or surveyor. This was originally part of #2. In Section 600, #2 needs to be changed from "contour elevations at no greater than two foot intervals" instead of five foot intervals unless the engineer agrees to the five foot intervals. It was noted that throughout the draft it should read "25% or greater".

Section 300. – Uses Permitted by Right

There were questions regarding disturbance. It was suggested that the first paragraph should read "uses are permitted as by right, provided that they shall not involve any disturbance to include any structures, roads, driveways, parking areas, construction or other development, or grading, or clearing of vegetation".

Section 400. – Use Permitted by Conditional Use

In the first paragraph it should read “25% or less” not “less than 25%”.

There was discussion on #8 on whether or not it should be omitted. It is to be left as is.

Motion: Chairman Taylor made a motion to stop and resume at Section 500 at the October meeting. **Seconded** by Mrs. Kuntz. The motion carried.

ADJOURNMENT

Motion: Chairperson Taylor made a motion to adjourn the meeting at 9:54 p.m.

Seconded by Vice Chairman Wenrich. The motion carried.

Respectfully submitted,

Nancy Zentmeyer,
Township Secretary