

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS MINUTES OCTOBER 7, 2008

Call to Order:

Chairman Richard Whipple called the meeting to order at 7:07 p.m. Present were Supervisors Nan Latimer, Norman Hughes, Paul Overton and Eric Brindle. Mr. Brindle arrived immediately after the 1st Public Comment. Also present were Solicitor Mark Thompson, Assistant to the Township Manager Jeff Eastburn, and Interim Township Manager Stephen Ross,. There were 5 members of the public in attendance.

Public Comment: No public comment.

Approval of Minutes:

On motion by Mr. Whipple, seconded by Ms. Latimer, the Minutes of September 10, 2008 were approved as presented. Motion carried by a vote of 5-0.

New Business:

Stormwater Project, Hunting Hill Drive: Mr. Ross explained that stormwater control infrastructure that was installed years ago, on an easement in Hunting Hills, is in need of repair. The Solicitor has advised that due to the legal specifics of this particular infrastructure, it's the Township's responsibility to make needed repairs. On motion by Mr. Whipple, seconded by Mr. Hughes, the Maintenance Contractor, Yardworks, Inc., is authorized to make the necessary repairs to the stormwater infrastructure in an easement at 5 Hunting Hill Dr., at a cost not to exceed \$6,500. Motion carried by a vote of 5-0.

Planning and Zoning:

Sarana Preliminary Subdivision Plan: The 83.175 acre property is owned by Thomas B. Davis and Robert H. Davis and is located on Chesterville Road. The applicant proposes to subdivide the tract into four large lots with 34.587 acres of open space. The plan has been reviewed by the Township Engineer, Chester County Planning Commission, Traffic Engineer, Sanitary Engineer, Hydrogeologist, West Grove Fire Chief, Chester County Conservation District and PA DEP. DEP approved the application and the Franklin Township Official Sewage Facilities Plan. Mr. Barry Stingel presented the plan on behalf of the applicant. The applicant is seeking a waiver from payment of the Act 209 Traffic Impact Fee. Mr. Thompson advised that he could not find legal authority for the Board to waive the fee of \$11,715. Mr. Stingel requested that the Board defer the decision

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until the final plan is filed and considered by the Board. On motion by Mr. Whipple, seconded by Mr. Brindle, the Sarana Preliminary Subdivision Plan, dated as detailed in the September 16, 2008 LTL review letter, was approved subject to the following waivers and conditions:

1. Waivers as discussed and recommended by the Township Planning Commission:
 - a. Section 604.D - that would require Lot 3 & 4 side lot lines to be perpendicular to State Route 841.
 - b. Section 604.F - Lots 2, 3 & 4 have depth to width ratios that exceed 2 ½ to 1.
 - c. Section 607.D - that would require the dedication of 0.36 acres of parkland to Franklin Township or a fee in lieu of \$14,000 (8 dwelling units @ \$1,800 each).
 - d. Section 610.B.5.a – that requires a 40 ft. buffer along existing roads.
 - e. Section 610.B.5.b – that requires a 30 ft. buffer along other perimeters.
 - f. Section 710 – that sidewalks be required.
 - g. Section 711 – That street lighting be required.
2. The Board of Supervisors acknowledged and exercised their authority to approve driveways intended for the use of two or more families (Section 714.E), as shown on the plan.
3. The applicant shall follow the recommendations of the Chester County Planning Commission as outlined in their letter dated April 16, 2008.
4. Prior to final plan approval, the following will be completed by the applicant and or received by the Township:
 - a. Approved driveway permits with all required approvals, including a Highway Occupancy Permit from PennDOT.
 - b. Approved NPDES Permits from the Chester County Conservation District and DEP.
 - c. Indicate house numbers on the final plan as assigned by the Township and approved by Chester County 911.
 - d. The applicant shall add a note to the plan indicating if there will or will not be a Homeowner's Association.
 - e. The following legal documents will be in acceptable form by the Township Solicitor prior to final plan approval: 1. Subdivision Financial Security Agreement, 2. Subdivision and Land Development Agreement, 3. Homeowners Association Documents (if needed), 4. Common Driveway / Access & Maintenance Agreements.
 - f. The applicant shall revise General Note # 22 on the plans to indicate maintenance responsibility of the newly added emergency access prior to final plan approval.

