

FRANKLIN TOWNSHIP  
PLANNING COMMISSION MEETING  
FEBRUARY 2, 2006

**Call to Order:**

Planning Commission (PC) Chairman Eric Brindle called the meeting to order at 7:07 p.m. Present were Vice Chairman Ralph Olivier and Commission members Dr. David Hoffman and Mr. Richard Squadron. Commission Member Dr. Mark Harris arrived at 7:10 p.m. Township Manager Stephen J. Ross, Township Engineer John Theisen and several residents and developers' representatives were also present.

**Public Comment:**

Chairman Brindle advised that the meeting agenda was being changed to allow the Open Space and the Comprehensive Plan discussions to occur earlier.

**Approval of Minutes – January 5, 2006:**

Vice Chair Olivier moved that the minutes of the January 5, 2006 meeting of the PC be approved as submitted. Mr. Hoffman seconded the motion and the motion carried unanimously.

**Open Space – Conservation Ordinance:**

Mr. Olivier moved that the PC recommend to the Board of Supervisors (BOS) that they approve the Ordinance amending Articles IV, V and XV of the Franklin Township Zoning Ordinance to allow open space conventional development by right in the various Residential Districts - Agricultural (AR), Low Density (LDR), Medium Density (MDR) and High Density (HDR). Mr. Richard Squadron seconded the motion.

Mr. Squadron proposed a friendly amendment to the motion as follows: The PC recommends to the BOS that they approve the noticing of the ordinance and any other steps necessary for eventual approval of the ordinance.

Mr. Hoffman asked whether there is a way to achieve the purpose of the ordinance while allowing the opportunity for "specialty farming" on smaller parcels by deed restricting said parcels for a special purpose. The PC had some concerns regarding enforcement of such a provision and decided to leave the issue for evaluation and action in the future – possibly when all the ordinances are being reviewed in conjunction with the new Comprehensive Plan.

A vote was called for by the Chairman. The vote was unanimous and the motion carried.

**Comprehensive Plan – Thomas Comitta:**

Mr. Comitta addressed the PC and those present. He referenced the Final Draft of the Comprehensive Plan dated December 29, 2005 indicating that it had been sent to the Chester County Planning Commission (CCPC) as well as to each of the adjoining municipalities and the Avon Grove School District.

The public hearing is scheduled for February 15, 2006. Mr. Comitta stated that the Plan would have to be adopted by Resolution and, unlike an ordinance, could be revised right up to the last minute.

The Comprehensive Plan must be adopted prior to the end of March 2006 to avoid forfeiting county grant money. If the PC has suggestions for revisions they will be incorporated as supplementary packets for the February 15<sup>th</sup> public hearing.

Mr. Comitta reviewed the changes that were made as a result of the January 19<sup>th</sup> meeting. He stated that the initial review by the CCPC was documented in their letter of December 20, 2005 and all of their suggested revisions were included in the current draft document except the headers denoting the chapter title which will be inserted on each page of the final document. Several minor revisions were suggested by PC members and noted by Mr. Comitta.

Mr. Comitta reviewed the 12 maps which were prepared by Kevin Anderson. These maps will remain on display at the Township and will be available for the public hearing. He briefly described what is included on each map as well as the color coding on each. Mr. Comitta stated that he is waiting for two maps from the County which will show the entire county including the high density corridors.

Referring to the open space ordinance discussion regarding land use, Mr. Comitta stated that the overall purpose of the Comprehensive Plan is to allow the Township to be poised to make such decisions on future land use in the Township.

Mr. Squadron asked that Mr. Comitta recheck the accuracy of the numbers of homes that are quoted for certain developments, specifically Kemblesville West.

Mr. Hoffman reiterated his concern regarding the lack of emphasis or support for farming practices in the Zoning Ordinance and the SALDO. He asked that it be made clear in the Comprehensive Plan that amendments clarifying the Township's interest in promoting farming activities in the Zoning Ordinance and the SALDO will be considered.

Mr. Squadron moved that the PC recommend to the BOS that they approve a Resolution adopting the 12/29/05 Final Draft of the Comprehensive Plan with revisions and additional provisions based on the comments made at the PC's 2/02/06 meeting. Mr. Olivier seconded the motion. The vote was unanimous and the motion carried.

**Sketch Plan – Joe Neuman:**

Mr. Neuman lives in Carriage Run on a 5 acre flag lot just off Carriage Run Road which is zoned LDR. There is a 2.6 acre parcel adjacent to his parcel and the owner wants to build a house on part of that parcel and sell approximately 1.5 acres. Mr. Neuman wants to buy it. It is mostly woodland with some wetlands. Mr. Neuman has no plans to subdivide his property and is simply interested in preserving the woodland and wetlands. He has submitted a sketch plan to Township Engineer Theisen for review.

Mr. Neuman will be requesting waivers from several of the Township's SALDOs and is interested in getting an idea of whether the PC would recommend approval of those waivers.

In response to questions and comments by the PC, Mr. Neuman made it clear that although he has no intention of subdividing, he does not want to deed restrict his property because he does not want to complicate things for his future heirs. However, because of the wetlands, the limited access to his property and the gas pipeline that runs behind his property, further development would be quite difficult if not impossible.

Mr. Squadron indicated that he would be inclined to proceed along the same lines in considering Mr. Neuman's plan as had been done previously by the PC with other applicants requesting lot line changes with no development. In the past, the PC had recommended waivers of the need for a topographical survey showing 2 ft. contour intervals, the need to locate all the trees and the requirement for sedimentation and erosion reviews.

The PC recommended that Mr. Neuman get Township Engineer Theisen's review and come back before them with a list of the waivers he will be requesting. They also suggested that he combine both his current property and the new parcel in a single deed.

**Final Plans – David Marshall:**

Mr. Marshall referenced the newly submitted plan dated January 24, 2006 and stated that all of URS's recommendations have been included. Specifically the Note on sheet 1 is the exact verbiage recommended by Stan Corbett. The boxes surrounding the perc areas, Nos. 6 and 7, which are located in Franklin Township, have been removed. Also all the setback lines within Franklin Township have been removed, which is referenced on sheets 2, 3, 4 & 6. This was requested by DEP. Note #26 was added to Sheet 1 indicating that all earth moving will occur to the West of the Township line in New London Township.

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Mr. Marshall stated that Mr. Corbett's letter of January 30, 2006 spells out what steps should now be taken by the Township in approving the Planning Module. Mr. Marshall is also asking for approval of the Final Plan.

Manager Ross stated that to the best of his knowledge the applicant has complied with all the Township's requests. He is waiting for Kohli's final review.

Mr. Olivier stated that Chester County requested that Lot #2 be deed restricted from further subdivision and Mr. Marshall advised that he is not willing to do that at this time. He said that although there will be no construction in Franklin Township he may want to create another lot on the Conard Mill side of Lot #2. Mr. Olivier asked for clarification on what would happen to the Franklin Township portion of lot #2 if it is further subdivided. Mr. Marshall indicated that the Franklin Township portion will always be attached to the portion that has the existing home on it.

Mr. Squadron moved that the PC direct the Township Manager to draft and send a letter from Franklin Township to the DEP indicating concurrence with the project for the Marshall subdivision as presented in the Plan dated February 11, 2005, last revised January 24, 2006 and that such letter is in accordance with the recommendation of URS in their letter dated January 30, 2006. Mr. Olivier seconded the motion.

Mr. Olivier asked for an amendment to the motion further clarifying what the Township is concurring with. Mr. Squadron amended the motion to state that the Township is concurring with the DEP's action to approve a waiver of the sewage facility planning module process for the Franklin Township portion of the property.

The vote was unanimous and the motion carried.

Mr. Marshall assured the PC that with respect to Franklin Township there are no other regulatory approvals which need to be received. Mr. Squadron explained to Mr. Marshall that past practice has been that the PC does not recommend that the Board approve a final plan if there are any regulatory approvals outstanding. The Township Manager agrees that it is his understanding that no further regulatory approvals of the Franklin Township's portion of those parcels is required.

Mr. Squadron moved that the PC recommend to the BOS that the Board, upon receipt of the final letter from the Township Engineer Kohli indicating no new issues or further issues with the proposed plan and receipt from DEP of the waiver of the sewage facilities planning module requirement with respect to the Franklin Township portion of the property, approve the final minor subdivision plan for the David Marshall property situated in New London and Franklin Townships dated February 11, 2005, last revised January 24, 2006. Mr. Olivier seconded the motion. The motion carried unanimously.

**Preliminary Plans – Logan Tract:**

Mr. Barry Stingel was present on behalf of the applicant. He recapped that after the December meeting; the PC was interested in seeing other options for accessing the new lots and the existing lot. The plan that John Theisen reviewed proposed a single access point for a common driveway to the three new lots and proposed that the existing home would maintain the existing access onto Appleton Road. Mr. Stingel referenced the two plans recently submitted to the Township. The option on Sheet 2A shows one access point on Appleton Road across from an existing driveway. However, he added an access to the existing house from the common driveway which eliminates the existing access point on Appleton Road. Therefore four homes would be on a common driveway. The sight distance is more than adequate in both directions.

The second drawing shows two new access points. The one to the North is the one originally proposed, however on this option it would provide access only to lots 1 and 2. A second access could be created on Lot 3 which would provide access to Lot 3 and the existing home. The sight distance looking right is 398 ft. – 395 is required.

Mr. Stingel requested guidance from the PC on which option they prefer.

Landscaping buffers would be provided between Appleton Road and the driveway. The loop option discussed at the last meeting will not work because of inadequate sight distances.

Mr. Hughes suggested that the common driveway be made at least 14 feet wide to avoid a problem when two cars pass.

The PC discussed the options and discussed alternatives among the members and the Township engineer, John Theisan.

There was consensus among the PC members that they favored the options (Drawing 2A) with a single access point on Appleton Road since this seemed the safest option given the volume and speed of traffic on Appleton Road.

**Construction Standards Handbook:**

Mr. Olivier moved that the PC recommend that the BOS adopt the Construction Standards Handbook as prepared by LTL Consultants, latest version dated January 24, 2006, with the provision that the drawings be re-plotted with the proper line weight so that the drawings are readable. Mr. Squadron seconded the motion.

Mr. Oliver asked Engineer Theisen why rainwater conductors are shown going through curbs into the street. He feels the rainwater from the houses should be going into dry wells as called for in the Township ordinances. It was decided to leave the

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conductor on the diagram as a guide if this method is utilized, but to correct the drawing to remove the reference on one side of the drawing where it was not appropriate. Mr. Olivier also had an issue with the return curb on the handicap ramp (in that same drawing) noting that it has a large arc which he feels is not necessary. He suggests a 3ft. maximum.

Mr. Elser of Wilkinson Builders commented that there are a lot of conflicts with the MPC and with the Township's SALDO. Mr. Elser agreed to meet with Mr. Ross and Engineer Theisen to discuss the various conflicts.

Mr. Olivier asked that the need for breaker boxes for street lights be investigated.

The Chairman called for a vote. The motion carried unanimously.

**Other/Miscellaneous:**

Mr. Olivier asked that the parameters for requiring silt fence be looked into.

**Public Comment:** There was no public comment.

**Adjourn:** The meeting was adjourned at 9:42 p.m.

Respectfully submitted,



Richard J. Squadron  
Planning Commission Secretary