

**FRANKLIN TOWNSHIP  
PLANNING COMMISSION MEETING MINUTES  
SEPTEMBER 6, 2007**

**Call to Order:**

Planning Commission Chairman Eric Bindle called the meeting to order at 7:07 p.m. Present were Dr. Dave Hoffman, Mr. Ralph Olivier, and Dr. Mark Harris. Mr. Richard Squadron arrived at 7:15 pm but left shortly thereafter to attend to personal business. Other Township officials in attendance included Edward Latshaw, Engineer for LTL Consultants, and Stephen J. Ross, Township Manager. Mr. Mark Gallant was present representing the Chester County Planning Commission. Ms. Jennifer Leister and Mr. Tom Comitta of Thomas Comitta & Associates were present to discuss the Traditional Neighborhood Development (TND) and the Zoning Ordinance amendment. There were 10 members of the public in attendance.

**Public Comment:** No public comment.

**Approval of Minutes – August 2, 2007 Meeting:** On motion by Mr. Olivier, seconded by Dr. Hoffman, the Planning Commission (PC) Minutes of August 2, 2007 were approved by a vote of 4-0 subject to changing the wording on page 3, “Zoning Ordinance Update” 6<sup>th</sup> line, substitute the words “Leed Certification Program” in lieu of “Leed Effort”. The corrected minutes were approved by unanimous vote.

**Preliminary/Final Plans:**

**Godfrey:** Matt Longo and Barry Stingel of Hillcrest Associates were present to receive final approval of a two-lot minor subdivision plan on a 20.77 acre parcel located on Hess Mill Road within the AR Zoning District. Each lot is approximately 10.5 acres (+/-). The plan was last reviewed by the Planning Commission on September 7, 2006. At that time the applicant was awaiting approval of the Sewage Planning Module from DEP, which has subsequently been received. The applicant requested that the PC recommend approval of three waivers as follows:

- a. From the requirement to provide topography for the entire tract.  
SALDO § 502.M.1
- b. From the requirement to widen the driveway 16 ft.  
SALDO § 714.F
- c. From the requirement to replace the existing culvert.  
Ordinance 2005-03, § 405.Z.1.

There was no objection to waiving the provisions of § 405.Z.1 regarding the calculations and flow conditions over the driveway, limiting the depth to 0 .55 feet and the velocity to 3.82 feet per second during a 100-year design storm.

Mr. Olivier questioned whether the note was shown on the plan restricting further subdivision of the tract and also asked to hear the language regarding joint maintenance of the 10 ft. driveway. Mr. Longo advised that the deed restriction has been noted on the Plan. Mr. Longo read from the "joint maintenance" section of the Common Driveway Agreement. Mr. Olivier made suggestions which are covered in his motion as follows:

On motion by Mr. Olivier, seconded by Dr. Hoffman, the PC recommends to the Board of Supervisors that they grant final subdivision approval to the minor subdivision plan of the Godfrey property based on drawings dated 5/11/04, last revised 7/11/07, with the following recommendations and waivers:

Recommendations:

1. That the wording under Maintenance of Driveway in the Driveway Agreement be changed to include the language "maintenance of sub-base, bridge and its abutments" and that this language be made part of the approved plan and deed by reference.
2. That the Township Solicitor confirm his review and approval of the Storm Water Management and Driveway Agreements.

Waivers:

1. Whereas increasing the impervious surface area of the site is not in the Township's best interest because it increases stormwater runoff from the site; and, Whereas the driveway in its present configuration is existing; and, Whereas the applicant is providing a pull-off area attached to the existing driveway which will provide an opportunity for vehicles to pass, we recommend that a waiver be granted from the SALDO §714.F to permit the existing driveway of 10 ft. in lieu of the 16 ft. that is required by the Ordinance.
2. Whereas the site exceeds 20 acres and the area of disturbance is a small portion of that site, we find that requiring a full topographic survey of that site to be unnecessary, we recommend a waiver from the SALDO § 502.M.1 to allow topography at 2 ft. intervals for the area as shown on the Plan.
3. Whereas construction of a new bridge over the existing stream would result in disturbance of the stream and stream bed; and Whereas the existing culvert acts as a flow restrictor during 100 year storms and the existing driveway acts as a natural stormwater retention basin; and Whereas during these 100 year storms a negligible amount of water overtops the driveway, we recommend a waiver from Ordinance 2005-03, § 405.Z.1, to permit the existing culvert to remain without modification.

Motion carried by a vote of 4-0.

**Cornerstone Presbyterian Church:** The 22.77 acre church property is located at the intersection of SR 896 and Gypsy Hill Road and is within the LDR zoning district. Mr. Ken Crossan presented the preliminary plan on behalf of the church. The plan proposes three building additions totaling 16,084 SF and a future 9,553 SF addition onto the existing 11,700 SF building. Additional parking has been shown on the plan. The issues in John Theisen's letter of August 15, 2007 were discussed as well as the following requests for waivers:

1. The applicant requested that the requirement for a screening buffer be waived. Pictures were presented to support the position of the church representatives. Extensive landscape plantings are proposed surrounding the parking area.
2. The applicant is seeking a waiver from §401.A.2 regarding the two and ten year peak flows as recommended by LTL.
3. The need to request a waiver from §607 regarding the open space requirement of a fee-in-lieu-of open space was discussed.

On motion by Mr. Olivier, seconded by Dr. Harris, the PC recommended to the Board of Supervisors that the Preliminary Land Development Plan for Cornerstone Presbyterian Church, dated August 4, 2005, last revised August 8, 2007, be approved with the following waivers and/or conditions:

1. Whereas the existing landscaping provides adequate screening from the Mowrer parcel; and Whereas the proposed landscaping around the parking lot will provide further screening; and Whereas the properties on the northwest side of the parcel are also screened, we find that requiring additional screening along the property boundaries would be superfluous and, therefore, we recommend that no additional screening be provided along the northern property boundary and that a waiver from §610.B.2 be granted.
2. Whereas the new development on the site is a small portion of the total area of the existing site and full compliance with Ordinance 2005-03 §401.A.2 regarding stormwater flows would require the applicant to manage stormwater flows from undisturbed areas, we recommend that a waiver from that section be granted.
3. Whereas the PC finds that the requirement for the open space fee-in-lieu is not applicable because the parcel is not going to be used for residential dwellings or commercial uses, we recommend that a waiver from that requirement be granted.
4. The following items shall be concluded at final plan approval:
  - The design of the access easement for the infiltration basin.
  - The correction of the permanent spillway elevation.

- The redesign of the 18" storm sewer as recommended by the Township engineer.
- The completion of the operation and maintenance.
- The traffic impact fee in the amount of \$9,585 be assessed of the applicant at time of building permit.

Motion carried by a vote of 4-0.

**Sketch Plans:**

**Cochran Plan:** This property is located near the intersection of Elbow Lane and Appleton Road and is within the AR Zoning District. The applicant, Christopher Cochran is proposing the creation of 3 lots on the 8.4 acre parcel. Approximately 3.4 acres would be retained with the existing barn and the rest of the parcel would be split between the remaining two lots. The Township Consultants haven't been charged with reviewing the sketch plan at this time. Mr. Ken Crossan presented the plan for the purpose of receiving input from the Commission. The applicant is not aware of the need for any waivers at this point. The PC raised the following issues:

1. Driveway fronting Appleton Road and possible sight visibility issue because of the existing barn.
2. The joint driveway for the two lots on Elbow Lane would be accessed partially in Franklin Township and partially in Cecil County, MD.

Mr. Crossan advised that he would continue to have discussions with his clients to determine whether they will proceed to the next step of developing a preliminary subdivision plan which would be brought before the PC at some point in the future.

**Vannoy Plan:** The applicant is seeking review by the Planning Commission on the proposed 6-lot subdivision of the approximate 80 acre parcel. The property is located on both sides of Appleton Road near the intersection of Strickersville Road. The individual lot sizes range from 10 to 19 acres. Mr. Ken Crossan presented the plan and advised that it is being considered for subdivision for estate planning purposes. It was proposed that each lot would have a single home with a conservation easement restricting further development or subdivision. The applicant was advised by the Commission that conservation easements are permanent. No construction is currently planned and Mr. Crossan would be requesting waivers to defer any development related features.

The following questions were raised by the Commission Members:

1. Are there going to be improvements that will require establishment of escrow?
2. Why is the lot on the east side of Appleton Rd. contiguous to the parcel on the west side of the road? In other words should the lot on the east side of the road be large enough to stand by itself as 10 acres? The Ordinance needs to be reviewed in this regard.

Mr. Crossan felt that he received enough information from the Commission to allow him to design an acceptable plan and have it reviewed by his client.

**Zoning Ordinance Amendment:**

Mr. Thomas Comitta and Ms. Jennifer Leister were present to discuss the proposed zoning ordinance amendments. Mr. Comitta advised that he will have draft copies available for the October 4<sup>th</sup> meeting and at the November 1<sup>st</sup> meeting and that the ordinance will be close to the public hearing stage. Ms. Leister led the discussion by reviewing various changes to the following sections of the ordinance and further discussion ensued with the members of the Commission and Mr. Gallant from the County Planning Commission. This is the order of discussion:


1. The Preamble
2. The Definition Section
3. Part 4 Agricultural-Residential District (AR)
4. Part 5 Low Density Residential Districts (LDR)
5. Part 6 Medium Density Residential District (MDR)
6. Part 13 Steep Slope Conservation District (SSC)
7. Part 14 General Standards (Environmental Impact Assessment)
8. Part 15 Design Standards
9. Part 16 Supplemental Standards
10. Part 22 Administration
11. Part 24 Natural Resource Protection Standards
12. Part 25 Mushroom Substrate Processing

Ms. Leister and Mr. Comitta advised that they received sufficient feedback from the Commission in order for them to make additional changes and return with a revised ordinance.

**Public Comment:** No public comment.

**Adjourn:** The meeting adjourned at 11:13 p.m.

Respectfully submitted,



Richard J. Squadron  
Planning Commission Secretary

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