

**FRANKLIN TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
NOVEMBER 1, 2007**

Call to Order:

Planning Commission Chairman Eric Brindle called the meeting to order at 7:03 p.m. Present were Mr. Ralph Olivier and Dr. Mark Harris. Mr. Richard Squadron arrived at 7:10 p.m. and Dr. Hoffman arrived at 7:40 p.m. Other Township officials in attendance included John Theisen, Engineer for LTL Consultants and Stephen J. Ross, Township Manager. Mr. Mark Gallant was present representing the Chester County Planning Commission. Ms. Jennifer Leister of Thomas Comitta and Associates was present to discuss the Zoning Ordinance amendment. There were four members of the public in attendance.

Public Comment: No Public Comment

Approval of Minutes – October 4, 2007 Meeting: On motion by Mr. Olivier, seconded by Dr. Harris, the Planning Commission Minutes of October 4, 2007 were approved subject to changing the spelling of Mr. Brindle's name from "Bindle" to "Brindle", 1st page, 1st line. Motion carried by a vote of 3-0.

Plans:

Avon Grove Charter School: Dr. Kevin Brady, CEO and Principal of the Avon Grove Charter School (AGCS), was present to discuss the plans of the school to move into the former Kemblesville Elementary School, following refurbishment. In addition to Dr. Brady the AGCS was represented by Matt Heckendorn of Hooper-Shiles Architects and Joseph DiGiacomo, President of the Board. The school proposes to remove the 4,300 square foot central wing of the existing building and replace it with a five-classroom facility, using the existing footprint of the building. The purpose of the new facility is to accommodate students in kindergarten through 2nd grade. Mr. Ross has been involved in on-going discussions with the representatives of the school regarding their expressed need to move quickly so that occupancy might occur in September 2008. The applicant is requesting approval to move forward without going through the land development process. The Township Solicitor has advised that a land development plan must be filed unless the PC recommends to the Board of Supervisors that the provisions of the SALDO be waived. (Mr. Squadron arrived at this point in the meeting). Traffic Planning and Design (TP&D) has been retained to review the traffic movement in and around Peacedale Road, Rt. 896 and the school parking lot. TP&D will be issuing their report to PennDOT and the Township within the week. Mr. Squadron requested that AGCS provide the Planning Commission with a plan showing information on the proposed septic system, storm sewers, traffic plans and water systems so that Township Consultants might provide a recommendation to the Commission. (Dr. Hoffman arrived at this point in the meeting). Mr. Olivier stated that although he is

supportive of the project, he has serious doubts that the applicant's proposed timeline is viable. A lengthy discussion ensued regarding the pros and cons of the land development process and whether or not it is required in this instance. Mr. Squadron reiterated that although the Commission supports the project and understands the need to move quickly, the Solicitor has stated that a land development plan is required and his opinion cannot be ignored. The Commission did not recommend that the Board waive the provisions of the SALDO because of the various external building factors that require more information. It was recommended that the applicant prepare the required land development plan, submit it to John Theisen for his review, and come back to the PC in December. Mr. Theisen and the Commission will expedite their review of the plan with the expectation that it can be approved by January.

Zoning:

TND Zoning Ordinance: The Commission members received a copy of the proposed ordinance establishing a new Traditional Neighborhood Development District (TND) zoning district. The Commission reviewed the ordinance at their August 2, 2007 meeting and following an explanation by Mr. Comitta and Mr. Gallant, the ordinance was unanimously approved. It was explained by Mr. Ross that the previously submitted ordinance was procedurally flawed because the legal notices were not posted on the property. Thus it was required that the ordinance be re-advertised and the property posted in accordance with the procedures as outlined in the MPC. The Board of Supervisors is scheduled to consider the proposed ordinance on November 14, 2007. Mr. Olivier moved, seconded by Mr. Squadron, to recommend to the Board of Supervisors that they approve the proposed ordinance establishing the Traditional Neighborhood Development District, amending the Franklin Township Zoning Map by rezoning certain parcels to the TND, and adding a new article VIII-A establishing permitted uses and standards for the TND District, as presented, with the following amendments:

- Pg. 19, *Porch & Portico, Design Guidelines, Section 19.2*, add the words "at least" before "14 feet".
- Pg. 22, *Neighborhood Center, Legislative Intent, Section 22.2*, delete the word "good" from the sentence.

Motion carried by a vote of 5-0.

Zoning Ordinance Amendment: Ms. Leister of Thomas Comitta Associates, Inc. (TCA) began by explaining the purpose of this evening's discussion. The members of the Commission each received a copy of the fourth draft of the proposed Zoning Ordinance amendments in advance of the meeting. Ms. Leister reviewed various questionable sections of the proposed Zoning Ordinance and received further input and verification from the Planning Commission. The County Planning Commission received copies of the Ordinance for purposes of conducting Preliminary Vision Partnership Program comments. Mr. Mark Gallant was present to discuss his comments, which included the following general areas:

1. Consistency with Landscapes.

APPROVED

2. Compliance with VPP Grant Agreement (Scope of Work).
3. General Comments of the Mapping and Text
 - a. Definitions
 - b. Design Standards
 - c. Subjective Terminology
 - d. Mapping
4. Conclusion and Adoption

Mr. Gallant advised that the proposed amendments to the Zoning Ordinance are consistent with Landscapes and address the Tasks/Steps included in the Scope of Work and are therefore in compliance with the terms of the Grant Agreement. He stated that overall, the Chester County Planning Commission is pleased with the product. At the conclusion of the discussion Mr. Squadron moved, seconded by Mr. Olivier, that the PC recommends to the BOS that they commence the process of adoption of the Zoning Ordinance Amendments prepared on behalf of the Township by TCA and requests that TCA amend the proposed Ordinance per tonight's discussion, including those changes that were proposed in the letter to the Township from the Chester County Planning Commission, and forward a copy to the Solicitor for his review and advertisement. The motion passed unanimously.

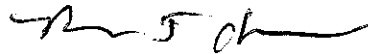
Public Comment:

Earl Hatton provided comment on the history of the Kemblesville Elementary School stating that his mother was a member of the school board that made the decision to purchase the property and build the school at a cost of \$3,000,000.

Mr. Brindle commented on the TND Ordinance and suggested a revision to the map prepared by Thomas Comitta Associates relative to the McMaster Tract.

Adjournment: The meeting was adjourned at 9:43 p.m.

Respectfully submitted,



Richard J. Squadron
Planning Commission Secretary

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