

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES MARCH 5, 2009

Call to Order: Planning Commission Chairman Ralph Olivier called the meeting to order at 7:06 p.m. Present were Mr. Brindle, Mr. Harris, Mr. Hoffman and Mr. Squadron. Others present included Township Engineer John Theisen, Township Secretary Sharon Norris, and Assistant Township Manager Jeff Eastburn. There were 7 members of the public in attendance.

Public Comment: No public comment.

Approval of Minutes – February 5, 2009: On motion by Mr. Brindle, seconded by Mr. Squadron, the Minutes of the Planning Commission Meeting of February 5, 2009 were approved with the following corrections: 1) Top of Page 2, last line, delete the words "subject to" and replace with the words "upon satisfaction of". 2) Page 3, under LTL Review Letter, 2nd bullet, add another sentence as follows: "After further discussion, the PC suggested that the screening could serve its intended purpose and still lie outside the wetlands." Motion carried unanimously.

Planning & Zoning:

Minor Correction to Ordinance: Assistant Township Manager Eastburn advised that this item refers to an amendment to Section 27-1202 of the Township Zoning Ordinance to make Mushroom Composting a conditional use, rather than a special exception.

Mr. Squadron moved, seconded by Mr. Brindle, that the Planning Commission recommend to the Board of Supervisors that it adopt the Ordinance as presented which is "An Ordinance of Franklin Township, Chester County, Commonwealth of Pennsylvania, Pursuant to the Authority of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, et seq., Amending the Franklin Township Zoning Ordinance, to Revise Part 12, SU Special Use District, § 27-1202 to Provide for Mushroom Substrate Composting by Conditional Use."

In discussion, it was explained by Mr. Whipple, Chairman of the Board of Supervisors, that this amendment was recommended by Solicitor Thompson to resolve an inconsistency between two sections of the Zoning Ordinance. Motion carried unanimously.

Charlton Sketch Plan: Representing the applicant were Jim Fritsch of Regester Associates and Vaughn Charlton the Owner of tax parcel #72-5-81.3 located on the south side of New London Road, consisting of 2 acres and zoned "Limited Industrial". At the February Planning Commission meeting, the Planning Commission requested that the applicant prepare a

APPROVED

sketch plan showing how the site could be developed without any waivers. Mr. Fritsch advised the Planning Commission that, based on his meeting with PennDOT, the entrance to the property from Route 896 in the plan will leave the driveway in its current location. He went on to describe the Sketch Plan which requires two waivers and a "Discussion Plan," which was prepared in response to the Planning Commission's request for a sketch plan that would not require any waivers. The Sketch Plan allows for ingress/egress of vehicles from the both the left and right sides of the building. The Discussion Plan would involve moving the building to the left (when facing Route 896 from the front of the building), to approximately 30 feet off the boundary, which prevents ingress/egress on the western side of the building. Mr. Fritsch sees this as a safety issue for vehicles and personnel entering and exiting the building. Mr. Olivier disagreed suggesting that it may be a business issue but not necessarily a safety issue because there would be personnel exits on several sides of the building. The other major difference in the plans involves the stormwater management facility. Mr. Fritsch pointed out what he felt were contradictions in the Township's ordinances regarding stormwater management and asked for direction from the Planning Commission in the following areas: 1) what stormwater ordinances apply to this project; 2) whether the Zoning and Subdivision Ordinances enacted in 2008 amend or replace Stormwater Management Ordinance #2005-03; and, 3) under what circumstances are waivers required.

After a long discussion, the Planning Commission requested that Assistant Township Manager Eastburn contact the Township Solicitor Mark Thompson regarding his advice as to what ordinances govern in this situation and under what circumstances waivers would be required.

In the stormwater discussion, the requirements for a roof drain were discussed and whether or not it qualifies as a stormwater system requiring either a 15 or 18 inch pipe. Mr. Fritsch believes a 6 inch pipe is sufficient. Engineer John Theisen stated that, in his opinion, a roof drain is not a stormwater system and a 6 inch pipe would be adequate. Mr. Squadron stated that the Planning Commission give significant weight to the engineer's opinion in making its decisions, but cautioned Mr. Fritsch that the ultimate decision is the Planning Commission's regarding whether or not a waiver is required. Mr. Fritsch suggested that designing a compliant stormwater management system will be difficult given the required setbacks. Engineer Theisen suggested that using concrete or plastic chambers could possibly help reduce the footprint of the stormwater facility. Mr. Fritsch will look into this.

Mr. Fritsch will approve a Sketch Plan Review Form so that the Township Engineer can review the sketch plans in time for the applicant to revise and resubmit the Preliminary Plan prior to next month's Planning Commission meeting. The Township has received an extension letter from the applicant.

APPROVED

Public Comment: There was no public comment.

Adjourn: Mr. Olivier adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Richard J. Squadron
Planning Commission Secretary

PC.3.5.09.v.2 rjs