

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES APRIL 2, 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, and Mr. Squadron. Mr. Hoffman arrived prior to the first vote. Others present included Township Engineer John Theisen, Township Secretary Sharon Norris, and Assistant Township Manager Jeff Eastburn. There were 8 members of the public in attendance.

Public Comment: No public comment.

Approval of Minutes – March 5, 2009: On motion by Mr. Squadron, seconded by Mr. Brindle, the Minutes of the Planning Commission Meeting of March 5, 2009 were approved as submitted. Motion carried unanimously.

Planning & Zoning:

Charlton Property: Jim Fritsch of Register Associates, Vaughn Charlton, property owner and Russell Losco from Lanchester Soils were present on behalf of the applicant. The property, which is located on the south side of New London Road and contains 2.0 acres, is zoned Limited Industrial. Mr. Fritsch went through Engineer Theisen's review letter of 3/13/09 and advised the Planning Commission that he believes all of the Township's concerns have been addressed. The details of each of the actions taken are noted on the revised Preliminary Plan which has been submitted to the Township. Mr. Olivier confirmed that the revised plan has been submitted and all fees have been paid. The following issues and action plans were discussed:

- The applicant does not believe an Environmental Impact Study is required in this instance and is having Mr. Tom Cummer prepare an assessment to support his position which will be submitted to the Township in the near future.
- The applicant will submit the plan to the respective fire companies.
- The existing sewer system will be abandoned and the applicant has proposed two 1,500 gallon holding tanks which are being designed on a 200 gallon/day flow rate and will be pumped and hauled every two weeks.
- The existing well will be abandoned and a new well drilled upslope of the facility.
- Due to concerns regarding the possibility that seasonal high water could infiltrate the proposed underground stormwater basin, Mr. Losco conducted additional tests which indicated that the basin is adequate as shown on the plan. The applicant will provide the test results to the Planning Commission.
- A new PennDOT driveway permit will be obtained and a copy sent to the Township.
- The applicant has expressed concern regarding the \$52,659 Traffic Impact Fee. Mr. Charlton has hired Henrick & Kline to do a "Trip Generation Study" which will be submitted to the Township when complete. The Planning Commission

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acknowledged the applicant's desire and plan to discuss this issue with the Board of Supervisors.

The Planning Commission agreed that the applicant has made significant positive changes to the revised plan, but indicated that they cannot make a recommendation of approval to the Board until the Township consultants have had the opportunity to review the revised plan. The applicant agreed to come back before the Planning Commission in May.

Baughman Property: Mr. Mark Padula of Register Associates and Mr. Robert Baughman were present on behalf of the applicant. The applicant is requesting a recommendation for final plan approval from the Planning Commission on the Revised Final Plan for the Baughman subdivision. The property is located on the east side of School House Road, just north of Church Hill Road in the AR Agricultural Residential District. There is an existing house which will remain on the property. The new lot, on which Mr. Baughman's son proposes to build a house, is behind the existing house. Both lots are served by on-lot water and sewer. The Plan requires three waivers which are supported by Township Engineer Theisen and are covered in his review letter of March 19, 2009. Mr. Padula stated that all other comments in Mr. Theisen's review letter have been addressed. Clean reviews have been received from Township consultants URS, Tetrahedron and McCormick Taylor. Township Solicitor Bob McClintock has reviewed and approved the Declaration of Easement Regarding Private Driveway and the Stormwater Management Facilities Maintenance Agreement per his email of March 23, 2009.

The implications of Act 319 were discussed and Mr. Olivier asked that the applicant make sure that he is in compliance. Mr. Baughman stated that he has a letter to that effect.

Mr. Squadron moved, seconded by Mr. Brindle, that the Planning Commission recommend to the Board of Supervisors that it approve the Robert B. Baughman Final Minor Subdivision Plan dated November 19, 2008, last revised March 12, 2009, including the granting of the following waivers, after satisfaction of the following conditions:

Waivers

- Waiver of §411 of the Subdivision and Land Development Ordinance regarding the need for a Developer's Agreement. Since the applicant does not propose any public improvements as part of the application, the Developer's Agreement would have no purpose.
- Waiver of §502.M.1 which requires an actual topographical survey to allow the applicant to use USGS topographical mapping and enlargements for the portion of the property which is not going to be developed or disturbed. Since no disturbance is requested for this portion of the property granting of this waiver would not harm the protections to the Township achieved by this section.

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- Waiver of §502.U of the Township's Zoning Ordinance regarding the requirement for a landscaping plan and the corresponding landscaping requirements. To the extent that the Board determines that such a waiver is required, the Planning Commission recommends that consideration be given to the view sheds and open lands nature of the property and the proposed location of the new home on the subdivided 10.727 acre portion of the property. The location of landscaping could impact the view sheds and/or the neighboring property's views.

Conditions

- Payment of an Impact Fee pursuant to the Township's Impact Fee Ordinance in the total amount of \$667.41 to be paid as specified by the Ordinance at such time as the building permit issues.
- A fee-in-lieu of recreational land dedication of \$1,800 per building lot for a total of \$1,800 to be paid at time of building permit issuance.
- The execution and notarization of a Certificate of Ownership as shown on the Final Plan.
- Property pins and monuments being set prior to releasing recorded plans to the applicant.
- A certification by a responsible certified surveyor (approved by the Township consultants) is submitted to the Township.
- Approval of the Driveway Application by LTL Consultants prior to releasing the plans to the applicant.
- Compliance with all the comments in Township Engineer John Theisen's review letter dated March 19, 2009.
- Receipt by the Township of DEP's letter granting an exemption of the sewage planning module for the current subdivision or for any planning module that may be required by DEP prior to recording the Final Plan.
- Submittal by the applicant of house numbers as assigned by the Township and approved by Chester County 911.
- Execution and submittal to the Township of an approved Stormwater Management Agreement and an approved Private Driveway Declaration to be recorded with the final plan within 90 days of final plan approval.
- Payment of all outstanding fees and billings for reviews by consultants prior to the Township releasing the final recorded plan to the applicant.

Motion passed unanimously.

New Business:

Middle Branch Trail Letter: The Township's Open Space Committee is submitting a Grant Application for the development of a trail along the Middle Branch of the White Clay Creek. In this regard, Mr. Geoghegan, Chairman of the Open Space Committee, has submitted a letter addressed to the Department of Conservation and Natural Resources which indicates that the Planning Commission and the Open Space Committee support the Township's decision to submit such application for potential funding. Mr.

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Brindle moved, seconded by Mr. Squadron, that the Planning Commission recommends to the Board of Supervisors that they endorse the Township's Planning Commission and Open Space Committee's decision to submit the application to the Department of Conservation and Natural Resources and authorize the Chairmen of the Planning Commission and the Open Space Committee to execute the letter dated April 15, 2009 to the DCNR. Motion passed unanimously.

Public Comment: Mr. Whipple announced that the BOS meeting scheduled for Wednesday April 8th has been cancelled.

Adjourn: Mr. Olivier adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Richard J. Squadron
Planning Commission Secretary

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