

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES JUNE 4, 2009

Call to Order: Planning Commission Chairman Ralph Olivier called the meeting to order at 7:10 p.m. Present were Mr. Brindle, Dr. Hoffman, Dr. Harris and Mr. Squadron. Others present included Township Secretary Sharon Norris and Township Solicitor Mark Thompson who arrived at 7:37 p.m. One member of the public was in attendance.

Public Comment: No public comment.

Approval of Minutes – May 7, 2009: On motion by Mr. Brindle, seconded by Dr. Harris, the Minutes of the Planning Commission Meeting of May 7, 2009 were approved as submitted. Motion carried unanimously.

Planning & Zoning:

Charlton Property – Preliminary Plan Approval: Jim Fritsch of Regester Associates and Vaughn Charlton, property owner, were present on behalf of the applicant. This property is located on the south side of Rt. 896, contains 2.0 acres and is zoned Limited Industrial. Mr. Fritsch advised that the revised Preliminary Plan and the Environmental Impact Assessment and Mitigation Report (EIAM) were submitted to the Township and have been reviewed by the Township's consultants. Mr. Fritsch believes all the consultants' comments have been addressed and he is seeking a recommendation from the Commission to the Board of Supervisors for preliminary plan approval.

Mr. Olivier requested that the applicant review the revisions made to the Plan and the EIAM Report. Mr. Fritsch advised that Best Management Practices were used in addressing the main issue which is the potential for the presence of hydrocarbons in the stormwater runoff. The revision highlights include the addition of rip rap, sand topsoil and shark filters, inlet filters, planting mix, grass seed mix for hydrocarbon remediation and the planting of three willow trees. Also, geotextile fabric will be installed around the underground stone and the impermeable liner of the stormwater basin itself. All inlets are accessible for maintenance and the project engineer will provide the Township with a maintenance plan for them. Details of these revisions are included on the Plan as well as in the EIAM Report.

Mr. Fritsch reviewed the comments in the "Summary & Recommendations" section of the Tetrahedron review dated May 29, 2009 and the applicant's responses.

1. No wells within 100 ft. of the required setback. Mr. Jake Diem, President of Regester Associates walked the perimeter of the property and attests to the fact that there are no wells or septic systems within 100 ft. of the property boundaries.
2. Regarding maintenance plans for the stormwater basin, a plan will be submitted to the Township and a note will be placed on the plan.

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3. The proposed well will be doublecased and noted on the Plan.

Mr. Fritsch explained that the reason for two landscape plans is to make them easier to read. The plan on the top left shows all the trees and shrubs and the one on the bottom right has the best management practices and shows the filters, willow trees, etc.

Mr. Squadron moved, seconded by Mr. Hoffman, that in connection with the Vaughan Charlton Preliminary Land Development Plan dated December 12, 2008, last revised May 21, 2009, the Planning Commission recommends to the Board of Supervisors that they approve the Preliminary Plan subject to the understanding of the following items:

- A Traffic Impact Fee be imposed based on 11 peak hour trips at \$3,510.60/trip for a total of \$38,616.60.
- Upon final plan approval, the applicant will pay a fee-in-lieu of recreational land dedication of \$2,688 to be paid in two installments – one-half at issuance of a building permit and one-half at issuance of a Certificate of Occupancy.
- The applicant will add notes to the plan in response to Tetrahedron's letter of May 29, 2009, items 1, 2 and 3 of the Summary and Recommendations section.
- Prior to final plan approval the following legal documents will be finalized: Declaration of Covenants, Subdivision and Land Development Agreement, Subdivision and Financial Security Agreement, Stormwater Management & Maintenance Agreement, and the Operations & Maintenance Agreement.
- All other outstanding conditions and comments contained in the Township consultants' review letters (LTL Associates, URS, McCormick Taylor) be resolved prior to final plan approval.
- Receipt of PennDOT's approved Highway Occupancy Permit.
- Consideration of the Planning Commission's recommendation that a sidewalk be installed and that an escrow fund be set up for that purpose.

Motion passed unanimously.

Old Business:

Recommendation to Adopt Trail Study as Part of the Comprehensive Plan: Ms. Nan Latimer addressed the Planning Commission, as a member of the Open Space Committee, regarding the adoption of the newly revised Trail Study as part of the Comprehensive Plan. Ms. Latimer explained the advantages of having the Trail Study as part of the Comprehensive Plan and asked the Planning Commission to recommend to the Board of Supervisors that they approve the adoption of the Trail Study as part of the Comprehensive Plan. She advised that the plan has been reviewed by the Chester County Planning Commission (CCPC) and has been sent to all the contiguous townships, and the school district. The only comments received were from the CCPC and were very general in nature. They were incorporated into this newly revised version.

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Mr. Squadron moved, seconded by Dr. Hoffman, that the Planning Commission recommend to the Board of Supervisors that they notice for approval, and approve, the Franklin Township Trail Feasibility Study and Master Plan, as presented to the Planning Commission at the 6/4/09 meeting, as part of the Township's Comprehensive Plan,.

Motion passed unanimously.

New Business:

Agricultural Security Area (ASA) Additions: Ms. Nan Latimer, Chairperson of the Franklin Township ASA Committee, provided background information on the ASA and explained the process for being accepted into it. There are currently two landowners that have applied for acceptance, i.e., Shirley Harless Keen and Rebecca & Michael Kanzer. Their applications have been accepted, the 180 day waiting period has run and the next step in the process is to have the Planning Commission recommend to the Board of Supervisors that these properties be included in the Township's ASA. The Board will consider them at a public hearing which has been noticed for June 17, 2009. Ms. Latimer explained that during their periodic review, the ASA Committee realized that a 14.7 acre parcel which is part of the Anne Swan farm was apparently omitted when Mrs. Swan's farm was accepted into the ASA. She was notified of this and has now applied for acceptance of this parcel. Her application was accepted by the Board at their 5/13/09 meeting and the 180 day waiting period will expire in November 2009. With the addition of the Keen and Kanzer properties, the Township now has 1,980 acres protected by the ASA which is almost 25% of the land in Franklin Township.

Mr. Squadron moved, seconded by Mr. Brindle, that the Planning Commission recommend to the Board of Supervisors that the Keen and Kanzer properties, as depicted on the map presented to the Planning Commission, be approved for inclusion in, and be treated as, Agricultural Security Areas and that the Chairman of the Planning Commission be authorized to execute a letter to the Board reflecting this recommendation. Motion passed unanimously.

Public Comment: It was agreed that when there are revisions to the minutes that are being considered for approval at a scheduled Planning Commission meeting, the secretary of the PC, together with Mrs. Norris, will issue a red line draft so that members of the Commission can easily see the recommended changes.

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

Respectfully submitted,

Richard J. Squadron
Planning Commission Secretary

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