

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES OCTOBER 1, 2009

Call to Order: Planning Commission Chairman Ralph Olivier called the meeting to order at 7:11 p.m. Present were Mr. Brindle, Mr. Squadron and Dr. Harris. Dr. Hoffman was absent. Two members of the public were in attendance.

Public Comment: There was no public comment.

Approval of Minutes – August 6, 2009: On motion by Mr. Squadron, seconded by Mr. Brindle, the Minutes of the Planning Commission Meeting of September 3, 2009 were approved as submitted, with the exception that the spelling of Energy Endeavors Architect, Mr. "Carey" Haber, be reviewed and corrected, if necessary. Motion passed unanimously.

Planning & Zoning:

- a. **Matsen/Megill:** Mr. Whipple, Chairman of the Board of Supervisors, provided background information since no one was present on behalf of the applicant. The property consists of approximately 74.9 acres with approximately 20.6 acres in Franklin Township. Mr. Whipple explained that the current extension for the Matsen/Megill Preliminary/Final Plan ends prior to the next Planning Commission meeting and in addition, the Board of Supervisors of New London Township voted to deny the Plan at their August 6, 2009 meeting. There is no indication that the applicants have appealed the denial by New London Township and the efforts of the Township Solicitor to have the plan withdrawn have not yet been successful. Therefore it is necessary for the Planning Commission to make a recommendation to the Board so that the Board can consider action on the Plan at the next Board of Supervisors' meeting.

Mr. Squadron moved, seconded by Dr. Harris, that the Planning Commission recommend to the Board of Supervisors that it deny the Preliminary/Final Subdivision Plan of Megill Homes LLC dated November 11, 2007, last revised January 9, 2008, based on the following reasons, including but not limited to:

1. The fact that a portion of the subdivision plan that is located in New London Township was denied approval by New London Township pursuant to their letter dated August 17, 2009.
2. That the plan fails to comply with Franklin Township's Subdivision and Land Development Ordinance 502.J which requires all zoning boundaries on the tract or within 300 feet of the tract to be shown.
3. That the plan is in conflict with Franklin Township Zoning Ordinance Section 301, regarding Franklin Township's Zoning Map.
4. That the district boundary in the plan was redefined in conflict with Zoning Ordinance Section 302.C regarding uncertainty as to the actual location of the district boundary.

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5. That there are inconsistencies between the request for a planning waiver and non-building declaration request and there are indications that the applicant intends to further subdivide the portion of the parcel that is located in New London Township.
 6. That the plan fails to address Franklin Township Zoning Ordinance Article XXIV regarding Natural Resource Protection Standards, as stated and identified in the letter of the Township consultant, Kohli & Associates, dated February 20, 2008, at item 6 on page 2 of such letter.
 7. That the plan fails to indicate an ultimate right-of-way along Walnut Glen Road as is required by Franklin Township SALDO Section 705.A.
 8. That the plan fails to show the placement of monuments in conformance with Franklin Township SALDO Section 717.
- Motion passed unanimously.

Public Comment: No public comment.

Adjourn: Mr. Olivier adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Richard J. Squadron
Planning Commission Secretary

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