

# Approved

---

## **FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES June 4, 2020**

**Call to Order:** The meeting was held remotely via Zoom. Chairman Dave Hoffman called the meeting to order at 7:06 p.m. In attendance were Planning Commission (PC) members John Gontarz, Chuck Phillips, Mark Harris and Brent Van Lith; PC Alternates Zach Elwyn, Dave Gerstenhaber and Paul Lagasse; Township Engineer Pete Eisenbrown; Township Mgr. Joan McVaugh, Asst. Mgr. Jeff Eastburn, and Secretary Sharon Norris. Three members of the public attended including applicant Nuri Heckrotte, Chip Hazel from PELSA, retained by the applicant, and Supervisor John Auerbach.

**Public Comment:** There was no public comment.

### **Approval of Minutes:**

- a. *March 5, 2020 PC Minutes:* Mr. Gontarz moved, seconded by Dr. Harris to approve the March 5, 2020 PC minutes as submitted. Motion passed 5-0.

### **Planning & Zoning:**

- a. *Sketch Plan for Nuri Heckrotte:* Mr. Heckrotte has submitted a sketch plan for an automotive repair shop at his property located at 1691 New London Rd. Chip Hazel, the applicant's land planner, described the property and the sketch plan and advised that the Zoning Hearing Board (ZHB) has approved the two uses on the property with the following conditions: 1) that the space in the garage previously used as a living space, will not be used as a living space in the future; and 2) the existing barn structure will be modified on its interior only, to accommodate the mechanic shop use. An architect's plans for the modifications has been submitted. The PC used Engineer Eisenbrown's May 29, 2020 review letter, with the applicant's responses inserted in red, as the outline for discussion.

#### **Conformance with the Zoning Ordinance:**

1. Plan must reflect ZHB conditions. Engineer Eisenbrown explained that the plan must clearly specify that there is no apartment or living space in the garage and suggested a plan label such as "apartment use abolished".
2. Section 1610.3.B All parking spaces must be paved, including areas currently in gravel. Mr. Hazel explained the current plan has more than enough parking spaces to meet the code requirements. The applicant's intent is to gradually excavate the gravel areas and return those areas to grass with proper landscaping. The final plan will delineate all areas that are to be paved. There was discussion regarding alternate types of paving other than asphalt, such as grass pavers and whether some of the gravel areas could be allowed to remain in gravel with grass growing over them and be used as temporary parking for vehicles that are being repaired. The applicant expressed interest in the idea. The PC questioned whether stacked parking spots can be counted toward compliance.
3. Section 1610.c.B(2) Driveway access to a public road must allow passage of two cars, etc. The applicant's response to Mr. Eisenbrown's review letter indicates that a waiver of this requirement is being requested. The issue is that the existing driveway narrows to less than the required width of 20 ft. for about 80 ft. and should be widened to a consistent 20 ft. The lack of a turn-around at the end of the driveway was discussed. Addressing these two issues may preclude the applicant's ability to use the modified stormwater approach (<2000 sf impervious) which is a significant concern for the applicant. The area to the west of the building, currently labeled as 4 stacked parking spaces, was considered in this discussion. Chairman Hoffman suggested that, if that area is not needed for parking

## Approved

---

compliance, that it not be labeled as parking spaces on the plan, making it the applicant's choice how it is used. Mr. Hazel stated that only the areas that are directly accessible for customer parking will be labeled as parking spaces on the final plan. The lack of a turn-around at the end of the driveway was discussed as having the potential for creating more impervious area by compaction over the years as customers use the grass area for turning around. Mr. Eisenbrown expressed his perception that the double stack area being discussed is where the mechanic might place a vehicle that is waiting for parts, and, in his opinion, that area should be paved. Engineer Eisenbrown referenced an area to the south of the parking lot that could be changed from impervious to pervious which would help the applicant's ability to comply with the stormwater requirement. The applicant will work toward not requesting a waiver by identifying other areas that can be made pervious, but if that effort fails, the applicant will most likely request a waiver of the driveway widening requirement. Engineer Eisenbrown recommended that the applicant meet with the Zoning Officer for guidance and to include in that discussion what is needed for emergency vehicle access which may preclude the ability to grant a waiver of this section. He pointed out other areas where there is the ability to create more pervious surfaces and encouraged the applicant to reconsider whether the two driveways need to be connected or how the applicant might become creative with the use of grass pavers to make the connection.

4. Section 1610.3.B(11) landscaping – applicant understands and the final plan will comply.
5. Label the dwelling – applicant understands and will comply.
6. Outdoor Storage – Mr. Hazel stated that at this point, the architect has completed a plan for internal modification of the building, however outside storage has not been addressed. The applicant will determine if it is necessary and get advice from the Township Engineer and Zoning Officer. If it is not required, Mr. Eisenbrown suggests putting a note on the plan that there is no outdoor storage needed as part of this plan. The issue of impervious vs. pervious has to be considered. If oil or any chemical is stored in a container outside, the container should be on a paved surface because of the potential for spillage.

**Conformance with Subdivision and Land Development (SALDO) Ordinance:** The plan is in compliance with all Sketch Plan requirements.

**Stormwater:** There was discussion regarding the fact that the vehicle repair business is considered a “hot spot” and the “pretreatment” aspect. Mr. Hazel did not find anything in the ordinance that precludes using the simplified method of stormwater management because of the hot spot designation.

**General:**

1. Section 22-404 and 22-406 – separate preliminary and final plans. The applicant is requesting a waiver of the two-step method and agreement to go directly to preliminary/final plan. The PC supports granting the waiver with the understanding that the designation can't be made until the preliminary/final plan is reviewed and approved.
2. Location of existing well for the dwelling. The applicant reports that there is only one well which serves both the barn/shop, the existing house and the other garage bldg. He has submitted all the information regarding the well and 2 septic systems to Chester County Health Dept (CCHD). He questioned whether he has to get CCHD approval that the well is adequate. Engineer Eisenbrown said he will check with the Zoning Officer. Because the applicant is adding plumbing fixtures, the PC cautioned the he needs to be sure the well can adequately supply all of the fixtures in all of the buildings.
3. Zoning Table needs to be expanded – Applicant is aware and will comply.
4. Notation regarding ZHB decision – Applicant will comply.

## Approved

---

5. Signage – The applicant will decide what signage, if any, he wants to consider and will comply with Section 27-2009.
6. Health Dept. approval of the septic system, or details of additional requirements will be provided.
7. Impact Fees – will be due at issuance of building permit.
8. Fee-in-lieu of open space will be \$1,800. Both of these fees are due at permit time and should be noted on the plan. The applicant will know what the Impact Fee is at time of plan approval.
9. PennDOT approval is required for changes to the western entrance and PennDOT may also require a permit for the driveway. Applicant understands and will comply.
10. Approval from Conservation District of E & S plan. Applicant understands and will comply.
11. Financial Security required by the Township for various aspects of the project. Applicant will put together a cost estimate for the various improvements which will be reviewed and agreed to by the Township. The applicant is responsible for providing cash or some form of financial security (such as letters of credit or a bond) for the approved amount. As the improvements are built, they will be inspected by the Township Engineer and, if approved, the applicant will submit an escrow release request to the Township for all or a portion of the money being held in escrow.

The PC members had some questions regarding the plan format and some of the details of the interior improvements to the building. Regarding the waiver of the preliminary plan and designation of preliminary/final plan, the applicant needs to put together a plan that meets all the final plan requirements and upon review by the PC, the plan may be approved as preliminary/final and proceed to final plan approval by the Board of Supervisors. Mr. Heckrotte thanked the PC for their review and for making it possible to move forward via this remotely held meeting. The applicant has requested and will receive a copy of the draft minutes to assist in their effort to move through the process as quickly as possible.

**Public Comment:** There was no public comment.

The July PC meeting has been rescheduled to July 9<sup>th</sup>.

**Adjourn:** Chairman Hoffman adjourned the meeting at 8:14 p.m.

Respectfully submitted,

John Gontarz  
Planning Commission Secretary

PC Mtg. 06.04.2020.v.2er