

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES March 2, 2017

Call to Order: Chairman Dave Hoffman called the meeting to order at 7:04 p.m. Present were Planning Commission members Chuck Phillips, Mark Harris and Brent Van Lith. John Gontarz was absent. Planning Commission Alternates in attendance were Penny Schenk and Paul Lagasse. Alternate Zach Elwyn arrived at 7:06p.m. Also in attendance representing the Township were Mgr. Joan McVaugh, Engineer Pete Eisenbrown and Secretary Sharon Norris. No members of the public were in attendance.

Approval of Minutes:

a. *February 2, 2017 Minutes:* Mr. Phillips moved, seconded by Dr. Harris, that the minutes February 2, 2017 be approved as submitted. Motion passed 4-0.

Planning & Zoning:

a. *Paradox Conditional Use(CU) Plan:* The applicants are Drs. Hoffman and Harris who are Planning Commission (PC) members. Drs. Hoffman & Harris recused themselves from the discussion as did Mr. Phillips as their architect. The Alternates – Penny Schenk, Paul Lagasse and Zach Elwyn sat for this discussion and Mr. Van Lith acted as Chairman. The topic involved Paradox Winery's Conditional Use Application to add a patio and additional walkways and parking area at the winery located at 1833 Flint Hill Road, in the LDR Zoning District. A Stipulated Settlement Agreement dated September 15, 2009, between Franklin Township, Flint Hill Handshake Partners, LP, and Paradox Vineyard, LLC, was signed by all parties and recorded in Chester County Recorder of Deeds on September 17, 2009. The Agreement stipulates, in part, that "...any addition or extension of the Winery Accessory to AG use on the property shall require Conditional Use Approval...", which is the reason this plan is before the PC. It is noted that, moving forward, no other winery/brewery as accessory to AG businesses are required to sign such an agreement.

Mr. Lagasse moved, seconded by Mr. Elwyn, that the Planning Commission recommends to the Board of Supervisors that they approve Paradox' s CU application and additionally, recommends that the Board of Supervisors waive the land development plan for the property. Finally, the PC recommends that the Board remove the Stipulation that currently exists on the property as a result of the original CU plan so that this property will be governed equally by ordinances as are other Township breweries and wineries. Motion passed 4-0.

b. *Mini Cell Tower Draft Ordinance:* The three alternates were replaced by the regular members of the Commission for this discussion. The Mini Cell Tower Ordinance is in response to the increase in demand for wireless broadband and the new wireless infrastructure being installed by the carriers to meet that demand. At last month's meeting, the PC requested the Solicitor to draft a stand-alone ordinance covering mini cell towers, separate from the existing ordinance. The challenge facing the Township is to allow the installation of the necessary infrastructure while maintaining control of where and how it is installed and remaining compliant with federal and local regulations. After reviewing and discussing the Solicitor's draft ordinance it was decided that Mr. Phillips will create an outline based on the definitions in Section 1 of the current draft, as well as the PC's must-haves developed in tonight's discussion. The PC will use the outline to develop the ordinance section by section. Manager McVaugh distributed copies of a Power Point presentation given at the March 13,

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2014 CCATO Conference for reference. She will also check with PSATS and other townships to see what other references may be available and will check with the PUC to determine if cell towers have utility status.

Public Comment: No public comment.

Adjourn: Chairman Hoffman adjourned the meeting at 8:54 p.m.

Respectfully submitted,


John Gontarz
Planning Commission Secretary

PC Mtg. 03.02.17.v.1.er