



## OFFICIAL UPDATE

This is a summary of the June 21, 2017, Franklin Township Board of Supervisors (BOS) meeting.

Chairman Auerbach called the meeting to order at 7:04 p.m. In attendance were Supervisors Schenk, Dea, Snyder and Torres. Also in attendance were Solicitor Mark Thompson, HARB/HC Chairman Paul Lagasse, Manager/Treasurer, Joan McVaugh and Secretary Sharon Norris. Ellen Kohler, the White Clay Creek Pilot Team Leader was also present to discuss the MS4 collaborative project. There were 16 members of the public in attendance.

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

The meeting commenced with the Pledge of Allegiance to the Flag.

**Announcements:** There was an Executive Session after the meeting to discuss legal issues.

**Approval of Minutes:** On motion by the Chairman, seconded by Supervisor Snyder, the May 17, 2017 minutes were approved 5-0.

**Disposition of Records:** On motion by Mr. Snyder, seconded by Mr. Auerbach, Resolution 2017-12 was approved 5-0. The motion authorized the erasure of the audiotapes from the May 17, 2017 BOS meeting and the May 4, 2017 Planning Commission meeting.

**Treasurer's Report:** Supervisor Torres made a motion, 2nded by Mr. Snyder to approve the May 2017 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$179,800.65; the Park and Recreation Fund with disbursements of \$10,526.95; the Open Space Fund with disbursements of \$6,974.10; the Capital Reserve Fund with disbursements of \$18,949.35; the Emergency Services Fund with disbursements of \$735.99; the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$1,310,610.44. The motion carried unanimously.

**Zoning Officer/Building Inspector Report:** Supervisor Dea reported that during the month of May, 8 permits were issued and 13 building inspections took place. \$3,717.35 was collected in building fees; \$5,290.19 in Recreation, Open Space, & Impact Fees was collected; and \$1,360.00 in miscellaneous fees was also collected. There are several ongoing zoning issues. Manager McVaugh updated the Board about 308 Heather Hills (the Township contractor mowed it); 6 Meadow Wood Dr. (the bank mowed it) and the burning at 1006 Wickerton Rd (the Township has lodged another complaint with DEP). The entire report can be reviewed on the Township website [www.franklintownship.us](http://www.franklintownship.us)

**PC Report:** Supervisor and PC Alternate Schenk summarized the June 1<sup>st</sup> meeting where the PC recommended approval of the Appleton Glen Lot Line Adjustment Plan. They also reviewed the Avon Grove Charter School Plans for an addition. Neighbors from Sunset Circle spoke about the traffic issues that have

existed since the school moved in. The PC and school representatives discussed at length the school's solutions to solve this issue once and for all. The AGCS will be back before the PC at the July 6<sup>th</sup> meeting. The PC also reviewed the Flood Plain Ordinance.

**Historical Commission/HARB Report:** These two commissions did not meet in June. Chairman Lagasse reported that the Historical Commission sponsored a joint program with the New London Area Historical Society in May featuring George Miller, a local historian and postcard photographer, who lives in Landenberg and is a professor at the University of Delaware. He has written and lectured extensively about postcards and photography in the early decades of the 20th century. He spoke about local photographer Edward Herbener, who photographed widely in Chester County, Delaware, and Maryland, and about the importance of postcard photography for anyone interested in local history. The program was well attended.

**1620 New London Road Conditional Use Hearing:** The applicants, located in the SU (Special Use) District, submitted a Conditional Use (CU) application to allow for the additional uses that were occurring on this property. The Solicitor opened the public hearing. Property owners who live within 1,000 ft of the property were notified of this hearing and were invited to obtain party status if they desired. No one requested party status. One neighbor commented that the property owner has improved conditions on this property and he had no objection to the requested uses. After the Solicitor closed the Public Hearing, the Chairman made the motion that the Board of Supervisors grant CU approval for the following uses: Tool and equipment storage; truck storage on gravel only; and single family residence. Any additional uses will require conditional use approval. The use of any vehicle requiring a commercial driver's license is limited to 7 a.m. to 8 p.m. The motion was seconded by Supervisor Torres and carried unanimously.

**Appleton Glen Preliminary/Final Lot Line Adjustment Plan** – the owners of the Appleton Glen Subdivision Plan which was conditionally approved on March 18, 2009 submitted this lot line adjustment plan in order to sell the property identified as Lot 5 on the approved plan. Moving the lot line makes the lot consistent with the subdivision plan. On motion by Mr. Snyder, 2nded by Supervisor Dea, the Board approved the Appleton Glen Preliminary/Final Lot Line Adjustment Plan dated May 18, 2017, granting a waiver to Section 22-204, allowing for a preliminary/final plan submission and with the condition that the comments in the Township Engineer's letter dated June 14, 2017 be addressed to the satisfaction of the Township Engineer and Solicitor. The Applicant Engineer noted that 3 Easement documents were being written and would be submitted to the Township Solicitor for final review and approval. The motion carried 5-0.

**MS4 Collaborative Project Update:** MS4 is a DEP mandated program for stormwater. The goal of the MS4 Program is to reduce the nitrates, phosphates, sediments and eventually bacteria (loads) in the waters. The Township is participating in a collaborative effort with neighboring municipalities to not only accomplish larger, more effective projects, but to keep the costs down. Participating partners are: West Grove and Avondale Boroughs, London Grove, London Britain and New London Townships. Ms. Ellen Kohler, White Clay Creek Pilot Team Leader, gave the Board some good news. For the upcoming 5-year permit period, the Township has met our MS4 objectives as have all of the other municipalities. This surprising finding had the pilot team concluding that this was a result of the land use changes between 1995 and 2012 when the building of new residential areas required the management of stormwater. Ms. Kohler also discussed that our current permit application needs to be advertised to start the required 30-day public comment period in the near future. Linda Cluck, the Township Stormwater Engineer is handling this for the Township.

**Wyndemere Phase 1 Maintenance Bond Release** – The 18<sup>th</sup> month maintenance bond period is coming to an end and the builder has requested that the Township release the Phase 1 bond. The Township Engineer has confirmed that the builder has met all of the requirements and therefore, on motion Supervisor Torres, 2nded by Supervisor Schenk, the Board unanimously agreed to release Maintenance Bond No. 1103038 for Phase 1 of the Wyndemere Subdivision.

**Addition to the Township's Agricultural Security Area (ASA) - Resolution 2017-13** – The Chester County Agricultural Preservation Board is purchasing the development rights to a 55.3 acre property located near Pennock Bridge and Guernsey Roads, consisting of two parcels. But first, the property must be a part of the Township's ASA. The appropriate 180 days have passed since the owners submitted their application. Passing the resolution, having it recorded with the Recorder of Deeds and then reporting to the Secretary of Agriculture will allow the sale to be finalized. On motion by Ms. Dea, 2nded by Mr. Torres, the Board adopted Resolution 2017-13, adding tax parcels 72-02-3 and 72-2-1 into the Township's ASA. The motion was unanimous.

**Stoltzfus Agricultural Conservation Easement** – the Brandywine Conservancy contacted the Township on behalf of the Stoltzfus Family regarding the Township contributing financial support to the purchase of an agricultural conservation easement on their 108 acre farm located at Appleton and Strickersville Roads. It is currently an organic dairy farm. Selling the development rights will preserve the land for farming in perpetuity. This was a preliminary discussion to get a sense of the Board. Having a favorable opinion of the Board allows for the Stoltzfus application to receive a higher rating and better chance of being selected out of the hundreds of applications that are submitted. A favorable consensus does not lock the Board into the purchase. The Board was generally in favor of this open space purchase as: 1) conserving the 100 acre parcel would negate a lot of housing; 2) it is a working farm; 3) the timing is good as it coincides with the end of the park loan and therefore, the payments would be manageable; 4) the County allows the Township to make interest free payments over a 5-year period. It was noted that the soils on this farmland are good and it is surrounded by eased properties which makes the application even more attractive. In response to public comment, the Chairman noted that at this time, we are not able to have an Open Space program as we had in the past. The Open Space loan is subsidized by the General Fund until 2040. The Township sees this purchase as a good opportunity that is manageable. It was noted that the Chester County AG Preservation Board always needs a partner when they are purchasing Easements.

**Proposed 4-way stop at Appleton & Strickersville** – Former Supervisor and resident Nan Latimer approached the Township about these two PennDOT owned roads. The Township has unsuccessfully tried to get this intersection turned into a 4-way stop several times over the years. Most recently, PennDOT has said that there aren't enough reportable accidents to warrant a 4-way stop and the State Police have said the site distance is good. A reportable accident is one where an ambulance is required or the cars are not able to be driven away from the scene. With the addition of an Amish family working the farm that is situated on 3 corners of this intersection, Ms. Latimer, the Township and many residents fear for the safety of the children and animals that are crossing the road to the barn multiple times a day. Many people assume that this is already a 4-way stop similar to most of the other intersections in the area and Ms. Latimer shared her daughter's recent crash experience at that intersection. 7 members of the public commented on the hazards of this intersection and the speed of traffic (not only cars but tractor trailers and heavy equipment) on Appleton Rd. They also commented that the site distance from Strickersville turning left onto Appleton (toward Maryland) is limited by the barn. Chairman Auerbach has developed a Community Call to Action. The plan is to establish a dialogue with PA elected officials, Representative Lawrence and Senator Dinniman; set up an online petition to collect signatures in support of the 4-way stop to submit to PennDOT; possibly perform a traffic study, independent of PennDOT, using additional relevant criteria to develop a recommendation for a remedy; and use social media to spread the word about the online petition. Ms. McVaugh noted she contacted PennDOT to see if Lancaster County or more remote counties have different criteria for 4-way stops and was informed that the rules and criteria are the same throughout the State. She has also contacted municipalities in Lancaster County directly to see how they deal with traffic and the Amish and they use the same techniques we do – posting warning signs and horse and buggy signs. Once established, the link to the online petition will be available on the Township's Facebook page and website. Ms. Latimer has already purchased the stop signs whenever PennDOT will put them in place.

**Flood Plain Ordinance:** The Board must adopt this ordinance no later than September 29 to allow for residents who live within a FEMA designated flood hazard zone to obtain flood insurance. This ordinance was presented to the PC at their May and June meetings. Supervisor Dea led the discussion. The Board agreed that the Solicitor should review the ordinance thoroughly and work with Ms. Dea to get the ordinance into an approvable format. The Board will review this again at the July meeting.

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

**Meeting adjourned** at 9:25 p.m.