

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES July 7, 2016

Call to Order: Planning Commission Vice Chairman Mark Harris called the meeting to order at 7:00 p.m. Present were Planning Commission members Chuck Phillips and Brent Van Lith. Dave Hoffman and John Gontarz were absent. Planning Commission Alternates Penny Schenk, Zach Elwyn and Paul Lagasse were present and Mrs. Schenk and Mr. Elwyn were seated on the Commission due to the absence of Dr. Hoffman and Mr. Gontarz. Also present on behalf of the Township were Mgr. Joan McVaugh, Secretary Sharon Norris and Engineer Pete Eisenbrown. Gabe Valentino & Ken Crossan were present on behalf of Gourmet's Delight Mushroom. Nine members of the public were in attendance.

Public Comment: No Public Comment.

Approval of Minutes:

a. June 2, 2016 Minutes: Mr. Elwyn moved, seconded by Mr. Van Lith, that the minutes of the June 2, 2016 meeting be approved as submitted. Motion passed 5-0.

Planning & Zoning:

a. Gourmet's Delight Final Minor Subdivision Plan, Parcel Line Changes, dated April 25, 2016, Last Revised June 23, 2016: Mr. Ken Crossan presented the plan on behalf of the applicant. The project is located at 420 Auburn Road. The plan proposes combining separate parcels owned by Gourmet as well as the exchange of land between Gourmet and the landowner to the south, Mrs. Arrington. No new lots or improvements are included in the plan. The affected parcels are as follows:

- Tax Parcel No. 72-2-10.3 – 24.7226 acres, containing an existing dwelling and associated outbuildings, owned by Gourmet;
- Tax Parcel No. 72-2-11 – 17.2516 acres, containing an existing dwelling and associated outbuildings, owned by Mrs. Arrington;
- Tax Parcel No. 72-2-12 – 7.5081 acres, containing two existing dwellings and associated outbuildings, owned by Gourmet.

The Plan proposes the following:

- Extinguish the lot line between Parcel No. 72-2-10.3 and 72-2-12, creating one lot, Parcel No. 72-2-10.3. Parcel #72-2-12 is eliminated.
- Lot A (1.7815 acres) will be conveyed from #72-2-10.3 to #72-2-11;
- Lot B (1.4245 acres) will be conveyed from #72-2-11 to #72-2-10.3;
- Lot C (0.5781 acres) will be conveyed from #72-2-11 to #72-2-10.3.

Following these changes, Parcel 72-2-10.3 will contain 32.4518 acres and three dwellings with associated outbuildings and Lot 72-2-11 will contain 17.0305 acres and one dwelling with associated outbuildings.

The Planning Commission considered the following review letters:

LTL's review letter of June 29, 2016: The following requests for waivers were discussed:

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Subdivision and Land Development Ordinance (SALDO):

- §22-202 – Definition of Minor Subdivision: No issues.
- §22-502.L(14) – Location of existing wells and septic drain fields, related to parcel #72-2-11: No issues.
- §22-502.M(1) – Contours on parcel #72-2-11: No issues.
- §22-502.M(8) – Delineation of wetlands on parcel #72-2-11: No issues.
- §22-503.A – Plans drawn to scale: A waiver should be requested.

Site Design Standards:

- §22-710 – Sidewalks & street lights may be required by Board of Supervisors. The Ordinance doesn't require waivers. Majority of Planning Commission does not believe sidewalks and street lights are required due to the nature of this subdivision. Mr. Phillips supports preparing an area where sidewalks could be installed at a later date.
- §22-717.1.B – Survey monuments on parcel #72-2-11: The waiver request only relates to requiring monuments along the right-of-way lines on parcel #72-2-11. The property lines on this parcel and the Gourmet parcels will be monumented. The Planning Commission has no issues with the request.

Stormwater: The plan does not propose any improvements or changes in cover; therefore no stormwater management is required.

General:

- Time line for setting pins and monuments: Mr. Crossan advised that the policy is to do so after the plan is approved, although he has no objection if the Township wants to set a time line. Dr. Harris agrees that monumentation should occur after plan approval.
- Review of updated deeds prior to recording: After discussion, it was determined that the Township does not require copies of the updated deeds.

At this point in the discussion, Mr. Pat Talwin, a member of the public, asked for a more in-depth explanation of the Township's position on requiring sidewalks. His concern is based on the safety of pedestrians walking along Auburn Road in this area. This sparked a long discussion with input from several members of the public including Pat & Linda Talwin, Paul Overton, Paul Lagasse, Bob Konopka, and Barbara Mack. Dr. Harris explained that the Planning Commission's position is that requiring sidewalks on the current lot-line plan, which doesn't include any construction or other improvements, is not practical and has not been the past practice of the Township. One of the residents' concerns is that if the requirement for sidewalks is not attached to this plan, there may not be another opportunity if no further improvements are proposed. Mr. Phillips suggested that the area along the right-of-way of parcel #72-2-11 be leveled in such a way that a sidewalk could be installed at a later date if needed. Installing a trail in lieu of a sidewalk was also considered. Mrs. Schenk was opposed to doing anything at this time, stating she is not aware sidewalks have been required on other lot line plans. Dr. Harris agreed. Mr. Crossan contends that the right-of-way meets the need to keep the option open and does not see a need to attach the requirement to the current plan. Mr. Phillips said that when development is planned for that property, the Board of Supervisors will decide whether sidewalks are required. He speculated that the changes proposed in this plan may be setting up future plans for access to the Gourmet property from Auburn Road, making it important to keep the options open for improvements to Auburn Rd., including sidewalks. In the meantime, he is not in favor of recommending that sidewalks be required as part of this plan. Dr. Harris agreed.

Department of Environmental Protection (DEP), letter of January 12, 2016:

A Sewage Facilities Planning Module is not required.

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LTL's review letter of May 26, 2016:

Conformance with the Zoning Ordinance

§27-404 – 100 ft. setback. Mr. Lagasse inquired about the need to obtain written consent from the adjoining property owners regarding a reduced setback. Engineer Eisenbrown said he has the letter from Gourmet.

AECOM review letters dated 6/29/16 and April 25, 2016 :

1. A plan note memorializing DEP's determination. *A plan note has been added.*
2. §22-722.11.D SALDO. Existing sewage locations have been identified but no replacement areas have been provided. *A waiver request has been added to the plan and AECOM has no objection to the waiver request.*
3. §22-502.L.14 SALDO. Requires location of all sewage systems and wells. A waiver has been requested and AECOM has no objections.

Chester County Planning Commission review letter dated 6/1/16:

No issues that need action.

Mr. Crossan is requesting a favorable recommendation on the plan.

There was additional discussion on many of the issues. Dr. Harris summarized by stating that he would advise the Board of the Planning Commission's concerns regarding the potential need for sidewalks along Auburn Road as well as the need to improve Auburn Road if a plan comes in involving additional access to Gourmet's facility from Auburn. Recognizing that it is difficult to make a recommendation based on the unknown, he advised that tonight's action is based solely on the plan that has been submitted.

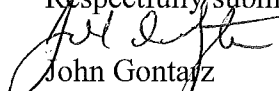
Mr. Phillips moved that the Planning Commission recommend to the Board of Supervisors that they approve the Gourmet's Mushroom Delight Final Minor Subdivision Plan, Parcel Line Changes, dated April 25, 2016, Last Revised June 23, 2016, with the waivers requested. Motion was seconded by Mr. Elwyn and passed 5-0.

Public Comment: Dr. Harris commented that the Township is being as sensitive as possible moving through this process. He understands the complexity of the topic and wants everyone to know that the Township is trying to keep everyone's concerns at the forefront, understanding that the residents need to be aware of the constraints being placed on the Township by the Attorney General.

Pat Talwin thanked the Planning Commission for giving the issues time to be debated and being sensitive to the needs and concerns of the residents tonight and going forward. Mr. Crossan also thanked the Planning Commission for the opportunity to talk about the issues.

Adjourn: Vice Chairman Harris adjourned the meeting at 8:40 p.m.

Respectfully submitted,


John Gontarz
Planning Commission Secretary