

APPROVED

FRANKLIN TOWNSHIP PLANNING COMMISSION MEETING MINUTES

July 6, 2017

Call to Order: Chairman Dave Hoffman called the meeting to order at 7:04 p.m. Present were Planning Commission members Chuck Phillips, Brent Van Lith and John Gontarz. Dr. Mark Harris arrived at 7:10 p.m. Planning Commission Alternates in attendance were Penny Schenk, Zach Elwyn and Paul Lagasse. Also in attendance representing the Township were Mgr. Joan McVaugh, Engineer Pete Eisenbrown and Secretary Sharon Norris. Sixteen members of the public were in attendance.

Public Comment: Jim Kirwin, Sunset Circle, neighbor of Avon Grove Charter School (AGCS). Mr. Kirwin expressed his concerns related to the potential increase in attendance at the school causing increased stress on the septic system and the possible contamination of well water and a spring fed stream in the area. Mary McVeigh, Sunset Circle, expressed concern regarding contamination of the stream and increased traffic.

Approval of Minutes:

- a. June 1, 2017 PC Minutes: Mr. Gontarz moved, seconded by Mr. Phillips, that the minutes of June 1, 2017 be approved as submitted. Motion passed 5-0.

Planning & Zoning:

- a. AGCS Preliminary/Final Expansion Plan: Present on behalf of the applicant were Attorney Joe Riper, Guy DiMartino (traffic), Dan Meier (engineer), Donna Archer and Kirsten Bishop (employees). Mr. Riper acknowledged the comments and concerns of the residents regarding the school's septic system and traffic. He spoke about the stringent regulations of the Department of Environmental Protection (DEP) and the Chester County Health Department (CCHD) and assured the residents that AGCS's Septic plans are in compliance with all the required regulations. Ms. Archer explained that there is a Maintenance Agreement which ensures proper maintenance and inspections, quarterly pumping and monthly water testing which is monitored by Stan Corbett, the Township's Sewage Consultant. Mr. Riper advised that the only outstanding issues in Engineer Eisenbrown's review letter of 6.28.17 involve agreements and outside agency permits which cannot be finalized until later in the process. The two issues to be discussed tonight are tree replacement and traffic. Mr. DiMartino spoke about the carline queuing on Peacedale Rd. and advised that based on additional data collected prior to close of school in June, he determined that the queuing problem on Peacedale occurs with the afternoon carline only. He proposed two options to avoid having the cars backup onto Peacedale and indicated that the school is willing to implement either one. The first option would be to do a "drive-by" to determine if there is a back-up on Peacedale. If so, there is adequate parking for 53 cars on-site. The other option would be to identify by signage 65 parking spaces that could be made available during the hours needed for stacking. This option would also accommodate the vehicles associated with adding the 3rd grade. In addition, "Do Not Block Intersection" signs will be painted on Peacedale Road and Sunset Circle. The consensus of the PC is to go with the 65 parking spaces. Members of the public who had questions or comments regarding this issue were Jim Kirwin, Mary and Joe McVeigh and Susie Harris.

Dan Meier of Duffield Associates, referencing Engineer Eisenbrown's 6.28.17 letter, reviewed the list of requested waivers and the reasons for each. There was significant discussion regarding tree

APPROVED

replacement in the abandoned septic field area and the Township's request for reforestation of the area in a manner that allows for reasonable maintenance. Chairman Hoffman also requested that the undergrowth and invasive species be removed. There was agreement that the requirement in the ordinance of "replacement in kind" is not reasonable in this situation. Engineer Eisenbrown expressed interest in improving the visual appearance along Peacedale Road by adding some new trees and perhaps removing some of the old. In summary, the Township is most interested in improving the visual along Peacedale Road and reforestation of the abandoned Septic area. Chairman Hoffman stressed his request for removing the undergrowth and invasive species from the abandoned septic field.

Mr. Gontarz moved, seconded by Mr. Phillips, that the Planning Commission recommends approval of the Expansion Plan for Avon Grove Charter School dated March 23, 2017, with the following additions: Parking for 65 vehicles; expanding the existing rain garden; installing underground stormwater system and new on-lot septic system; reforest the abandoned septic area, Peacedale Road and the drainfield; and add a paint box at Peacedale Road and Sunset Circle. Approval of the following waivers from the SALDO is recommended:

- §22-404.1 – requires that a preliminary plan be submitted. Given the nature of the project, the reviews were performed based on the premise that a waiver would be approved.
- §22-502.L(14) – requires the plan include surveyed locations of all existing wells and sewage drain fields within 100 ft. of the property. It has been confirmed that there are no existing wells within 100 ft. of the proposed project.
- §22-610.1.A3 – requires tree inventory and replacement. A waiver has been requested to not require this section to apply to the wooded area that will be cleared related to the installation of the septic system.
- §22-613 – requires the preparation of an EIAM report.
- §19-312.2.F for RT-1 – requires a reinforced concrete pipe with rubber gaskets/O ring joints. A 12" HDPE pipe is proposed for the outlet pipe.
- §19-313.3A – this section is requested to allow for the use of a 12" diameter pipe.
- §19-313.3.B – this section is requested to allow for the use of HDPE pipe.
- §19-314.7 – this section is requested due to the 2 areas on the north and west sides of the proposed building are stated to have slopes steeper than 4:1.
- §19-402.2.B(13) – requires that profile sheets of conveyance pipes be added to the plan set.

Requirements:

- §25-112 & Exhibit 25-13 – requires a Traffic Impact Fee of \$3,510.60 for each new peak PM trip for a total fee of \$49,148.40 which shall be paid prior to issuance of a building permit for this project.
- §19-303.1 – requires that no regulated activity within the municipality shall commence until approvals have been issued by PA DEP and Chester County Conservation District.
- The applicant must provide copies of all certificates, documentation, agreements and performance guarantee as outlined in Pete Eisenbrown's 3rd SALDO review letter dated June 28, 2017 and Stan Corbett's review letter dated June 30, 2017.
- It should be noted that the existing O & M Agreement does not appear to be applicable to a new sewage system. See Stan Corbett's letter, page 2, #4. The PC recommends that this be extinguished as the new septic system will be adequate.

Motion passed 5-0.

APPROVED

b. Cell Tower Ordinance: This ordinance has been previously reviewed by the PC. Following their last review, Supervisors Schenk and Dea met with Township Mgr. McVaugh and completed a thorough review and revision of the ordinance. This revised ordinance, presented to the PC, has been reviewed by the Solicitor. The Board of Supervisors is hoping to authorize the ordinance for advertising at their July BOS meeting. Supervisor Schenk led the discussion, providing a brief summary of the reasons for this ordinance and updated the PC on the revisions that have been made. She explained that the Township wants to have an ordinance in place that is easy to understand, that allows mini cell towers to be installed, but provides the Township with control of where the towers are placed and protects the residents from possibly having one placed in their front yard. During the discussion, members of the PC expressed concerns, based to some extent on the lack of understanding of the technology and the lack of data from previous experiences. Their decision to recommend approval was based on the belief that it's important to have something in place as a starting point that can be further refined as more experience and data becomes available. Dr. Harris moved, seconded by Mr. Gontarz, that the Planning Commission recommends that the Board of Supervisors adopt the Ordinance on Mini-Cell Towers, as presented to, and discussed by the PC on July 6, 2017. The motion passed 5-0.

Public Comment: No public comment.

Adjourn: Chairman Hoffman adjourned the meeting at 8:52 p.m.

AGCS Planning Module:

The meeting was reconvened at 8:58 p.m. in order to take action on the AGCS Planning Module. Component-A, Municipal Planning Commission Review, was completed by the Commission. Dr. Harris moved, seconded by Mr. Phillips, to authorize Chairman Hoffman to sign the Planning Module. Motion passed 5-0.

Adjourn: The meeting was re-adjourned at 9:09 p.m.

Respectfully submitted,



John Gontarz
Planning Commission Secretary