



## OFFICIAL UPDATE

This is a summary of the October 19, 2016 Franklin Township Board of Supervisors (BOS) meeting. Chairman Auerbach called the meeting to order at 7:04 p.m. In attendance were Supervisors Dea, Schenk and Snyder. Supervisor Torres was absent. Also in attendance were Solicitor Mark Thompson, Planning Commission Member, Brent Van Lith, Manager/Treasurer, Joan McVaugh, Assistant Manager Jeff Eastburn, and Shane Morgan representing the White Clay Creek Wild & Scenic Management Committee. There were 18 members of the public present.

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

**Approval of Minutes:** On motion by Chairman Auerbach, seconded by Supervisor Snyder, the September 21, 2016 minutes were approved 4-0.

**Disposition of Records:** On motion by Chairman Auerbach, seconded by Supervisor Schenk, Resolution 2016-22 was approved 4-0. The motion authorized the erasure of the audiotape for the September 21, 2016, Board of Supervisors meeting and the September 1, 2016 Planning Commission meeting.

**Treasurer's Report:** On motion by Mr. Auerbach, 2nded by Supervisor Snyder, the Board approved the September Treasurer's Report with a vote of 4-0. The report includes the following disbursements: The General Fund with disbursements and transfers of \$61,877.35; the Park & Recreation Fund with disbursements of \$8,785.52; the Open Space Fund with disbursements of \$7,172.61; the Traffic Impact Fund – West with disbursements of \$2,034.24; the Capital Fund with disbursements of \$17,938.03; the Emergency Services Fund with disbursements of \$34,943.99; and the Fire Hydrant Fund with disbursements of \$580.80 leaving a balance in all funds totaling \$936,358.60.

**Zoning Officer/Building Inspector Report:** Chairman Auerbach reported that during the month of September, 8 new permits were issued which includes 3 new homes on Auburn Road which was the Keen 3-lot subdivision. There were 20 various inspections. Building/zoning fees collected: \$7,064.70; Recreation and Impact fees \$2,002.23; and \$1,890.00 in miscellaneous fees. There is 1 ongoing zoning issue.

**PC Report:** Commission member Van Lith provided a summary of the September 1<sup>st</sup> PC meeting. The PC discussed the one agenda item which was the Gourmet's Delight Preliminary Plan. As requested by the commission at the previous meeting, Pat Talwin submitted a summary of concerns that the PC addressed. Many of the items were not in the purview of the commission or had been addressed by the Attorney General at the time of the ACRE challenge. Two areas of concern were the storage of hay bales on the property and the threat of fire and truck traffic on Auburn Road. The PC recommended the

Board investigate these two issues. For more details about that meeting, please see the minutes once they are approved. After discussion and comments from area residents, the PC recommended the Board of Supervisors approve the plan with four waivers and several conditions.

After the report, there was much discussion regarding the possibility of hay bale fires on the property and truck traffic on Auburn Road. The West Grove Fire Company Chief John Chambers and Franklin Township Emergency Management Coordinator Harold Walls both commented on the hay bale storage issue. Chief Chambers stated that the fire companies have handled hay fires in the past. They would isolate the burning bales and protect any nearby structures. He stated that DEP has requested that the fire companies let the hay burn instead of wetting it down so there is no unintended runoff. The residents asked about the possibility of an ordinance to govern the hay bales. Chairman Auerbach read from a copy of London Grove Township's ordinance that restricts the size of hay bales to 100' long by 20' high by 35' wide. They also require 25' between piles and any structure. He also stated that New Garden Township does not have an ordinance in place at this time. The residents also voiced concern about the availability of water to fight a fire. Mr. Chambers assured them that they would draw water from any available facility, lay hoses and bring in tanker trucks as necessary.

Another area of concern was truck traffic on Auburn. The residents requested that the Township restrict trucks from using the road. Solicitor Thompson stated that even if the Township did restrict the trucks by weight, we must still allow local deliveries. A particular area of concern was the "S" curve north of the Township line in London Grove Township. They asked that we try to work with London Grove to see if together we could address the issue. Chairman Auerbach offered to contact one of the London Grove supervisors.

The residents who expressed opinions and concerns were Janet Smith, Mary Ann Hitchens, Linda Tiberia, Tony and Linda Lauria, Julie Engles, Paul Overton and Gary and Barbara Mack.

**Historical Commission/HARB Meeting Report** –The Historical Commission and the HARB did not meet in October. Therefore, no report is offered.

**Franklin Sportsman's Association (FSA)** – Mr. Jim German of the FSA reported that membership remains full for this season. Two more members have taken their proficiency test which enables 27 members to hunt with a bow and 25 members to hunt with shotgun. Just a reminder that archery season began on September 17<sup>th</sup> and closes Nov 26<sup>th</sup> and opens again on December 26<sup>th</sup> and closes Jan. 28<sup>th</sup>. Shotgun season opens on November 28<sup>th</sup> and closes December 10<sup>th</sup>, then opens again on December 26<sup>th</sup> and closes January 28<sup>th</sup>.

Seven deer were harvested to date. A total of one buck and six doe were taken on three different preserves-Banffshire, Franklin Preserve and White Clay Crescent.

The Board appreciates the following community services performed by the FSA :

- Dead tree removal and clean up of Banffshire parking lot
- Road clean ups of Chesterville and Creek Roads
- Participation in the Great American Cleanup of FT
- Ford Farm trail maintenance and mowing
- Maintenance of grassy area around entrance to Banffshire
- Sanding and painting Township picnic table

**Plans:**

On a motion by Chairman Auerbach, seconded by Supervisor Snyder and a vote of 4-0, the Board approved the Gourmet's Delight Preliminary Land Development Plan Phase 1, 2 & 3 Composting Facility dated April 25, 2016, last revised September 30, 2016 with the following waivers and conditions:

Waiver from:

*Section 19-312.1.A(2).* Basins shall be 50 ft. from any property Line. The wet pond is located less than 50 ft. from the property line to the north. (This property is owned by Gourmet located in an adjoining township)

*Section 19-313.3.E.* The minimum cover of stormwater pipe shall be 24 inches.

*Section 19-313.3.B.* All pipes shall be reinforced concrete Class III or better, meeting PennDOT 100-year life criteria. HDPE pipe is proposed.

*Section 19-313.4.N.* Inlets in paved areas shall be equipped with bicycle safe grates.

*Section 19-313.4.S.* Adjustment rings shall only be made of a single pre-cast concrete structure, a maximum of 6 inches in height.

The following conditions were also noted:

- SALDO Section 22-722.11D requires a plan note which prohibits disturbance of primary and replacement sewage system areas. A note should be added to Sheet 1 of the plan to address this requirement.
- Compliance with all outstanding comments set forth in the Township Engineers' review letters, including but not limited to LTL consultants letter dated September 26, 2016 and AECOM letter dated September 30, 2016.
- Issuance by the Chester County Conservation District/PADEP of the stormwater NPDES permit and CCCD approval of the Erosion & Sediment Plan.
- The applicant shall provide in recordable form Stormwater Management Facilities Maintenance Agreement and Stormwater Easement Agreements to the satisfaction of the Township Solicitor and Township Engineers.
- The applicant shall provide financial security for the stormwater-related aspects of the project including inlets, piping, basins, erosion and sediment controls, etc.
- The applicant shall agree to pay all outstanding and expected legal and consulting review expenses prior to the start of this project.

The discussion regarding the hay bale issue and Auburn Road continued with the same participants before the Board took its' vote.

**Extension:**

Abel Subdivision Plan – A motion was made by the Chairman and seconded by Supervisor Schenk to extend the review clock until April 20, 2017. This motion passed 4-0

**Business:**

**Winery - Fox Chase Farm** – The owners of this property (the former Ford Farm) asked to meet with the Board to discuss the possibility of adding a winery as an accessory to agriculture. Scott and Kim Wilkinson wanted to find a use for the old stone barn on the property. The Wilkinson's along with the owners of the vineyard off of McMaster Blvd. want to combine their efforts to create the vineyard. Since this would require a Conditional Use Hearing, they were looking for a consensus of the Board. All board members present thought this would be a positive addition to the Township.

**Stormwater Resolution 2016-23:** A pilot program sponsored by the Christina Watersheds Partnership Collaboration Project is attempting to have all involved townships work together to develop the necessary projects to meet the DEP's requirements for load reduction. Ms. Shane Morgan of the White Clay Wild and Scenic Association updated the Board on the other townships involved. The resolution would enter the Township into a two year commitment at the cost of \$1,000 per year. This matter was discussed at two previous meeting. At this time on a motion by Mr. Auerbach and seconded by Donna Dea, the Board approved this resolution with a vote of 4-0.

**Traffic Ordinance 2016-09** - When the ordinances were codified in 2008, the 1988-07 ordinance which deals with speed limits and other traffic issues was not transferred correctly. The definition of township roads and the appropriate speed limits for some of these roads was omitted. This ordinance will replace the existing one and will correct the definitions and speed limits. Another issue that will be corrected is the "no left turn" from Peacedale Road to Route 896. This was imposed before the re-alignment and is no longer necessary. The Board voted 4-0 to authorize the Solicitor to advertise Ordinance 2016-09 for adoption. The motion made by Chairman Auerbach was seconded by Mr. Snyder.

**Flood Plain Ordinance** – FEMA is revising their flood plain maps. The Township must have an ordinance in place within six month of FEMA's adoption of the new maps. This will enable any resident who has property in a flood plain area to obtain flood insurance. The Board needs to determine what restrictions and penalties they want in the new ordinance. They asked that the Solicitor and Manager develop a draft ordinance.

**Township Office Renovation:** The renovation of the manager's office is complete. The Board will now move on to the conversion of the bathroom in the meeting room to an ADA bathroom. Mr. Auerbach will develop a scope of work in order to obtain bids.

**Municipal Complex Site Plan** – The first step in improvements to the site took place last week. Trees and shrubs were planted along the post and rail fence behind the parking area. As these grow, they will buffer the area from the view of traffic heading north up Appleton Road. The material storage area will be the next project.

**Public Comment:** The Manager updated the Board on the County's request for the purchase of conservation easements on two township properties. It was learned that if the Township agreed to participate in these projects, this commitment would move them to a higher spot on the Counties list.

No funds would be needed until the end of 2017. Paul Overton commented that if the Township did not want to commit to the full amount, they could offer less and the property owners could donate the difference.

Mr. Overton also discussed the construction of the Wyndemere Trail. He asked Chairman Auerbach to confirm his understanding of a meeting with the two of them and a Wilkinson representative. Since Mr. Auerbach agreed with Mr. Overton's understanding, we will discuss this with the builder.

**Meeting adjourned at 9:38 p.m.**