



## OFFICIAL UPDATE

This is a summary of the July 20, 2016 Franklin Township Board of Supervisors (BOS) meeting. Chairman Auerbach called the meeting to order at 7:07 p.m. In attendance were Supervisors Dea, Schenk, Snyder and Torres. Also in attendance were Planning Commission, Vice Chairman, Mark Harris, Historical Commission/HARB Chairman, Paul Lagasse, Solicitor Max O'Keefe, Manager/Treasurer, Joan McVaugh and Secretary Sharon Norris. There were 6 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 June 15, 2016 minutes were unanimously approved.

**Disposition of Records:** On motion by Chairman Auerbach, seconded by Supervisor Snyder, Resolution 2016-18 was approved 5-0. The motion authorized the erasure of the audio tapes for the June 2, 2016 PC meeting and the June 15, 2016, Board of Supervisors' meeting.

**Treasurer's Report:** On motion made by Mr. Auerbach, 2nded by Supervisor Torres, the Board approved the June Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$121,118.53; the Park & Recreation Fund with disbursements of \$13,806.18; the Open Space Fund with disbursements of \$7,172.61; the Traffic Impact Fund – East with disbursements of \$15,553.77; the Highway Aid Fund with disbursements of \$39,297.00; the Emergency Services Fund with disbursements of \$50,565.99; and the Fire Hydrant Fund with disbursements of \$580.80 leaving a balance in all funds totaling \$1,044,836.

**Zoning Officer/Building Inspector Report:** Chairman Auerbach reported that during the month of June, 9 new permits were issued (including 1 new home permit) and 29 various inspections were performed. Building/zoning fees collected: \$4,688.35; Recreation and Impact fees \$0; and \$1,835.00 in miscellaneous fees. There are 4 ongoing zoning issues. The Board discussed these issues along with an additional property that has received several complaints about burning landscaping material and animal waste. The Manager will follow up with the Zoning Officer.

**PC Report:** Dr. Harris reported that at the July 7 PC meeting, the PC recommended approval of the Gourmet's Delight Parcel Line Change Plan. The plan involves the combination of separate parcels

owned by Gourmet as well as the exchange of land between Gourmet and the adjoining property to the south. No new lots and/or improvements are proposed as part of this plan. The PC and members of the public spoke at length about requiring walking trails along the road. The applicant is providing a 30' ultimate right of way on their side of the road. For more details, please see the minutes from this meeting when they are approved.

**Historical Commission/HARB Meeting Report** – These commissions did not meet in June. Mr. Lagasse reported that there had been several postings to the FERC website regarding Eastern Shore Natural Gas's (ESNG) plans for the Kemblesville Loop as well as for the stretches in the Township to the north and south. He also reported that Delaware's US senators and representative had supported ESNG's request for an expedited decision regarding the Kemblesville Loop. A decision is expected by the end of July. A June posting for what ESNG calls its 2017 project, which includes the other stretches in the township, contained detail maps of the proposed work in Franklin, and Mr. Lagasse provided that information to the Twp. *(While preparing this update, we received notice the FERC approved Eastern Shore's project)*

**Old Business:**

The following two ordinances are changes to the Township Zoning Ordinance and therefore a public hearing was held to enact them, per the Municipal Planning Code.

**Ordinance 2016-06** – on motion by the Chairman, 2nded by Supervisor Schenk, the Board unanimously enacted this ordinance which adds a Brewery Use as a Use Permitted Accessory to Agriculture by Conditional Use. Chairman Auerbach credited the Planning Commission and PC Alternates for their thoughtful review and efforts in considering all of the different details regarding this use. Outdoor events will end at 11 p.m. and the timing of indoor events is governed by the State Liquor Control Board.

**Ordinance 2016-07** – on motion by the Chairman, 2nded by Supervisor Dea, the Board unanimously enacted this ordinance which amends Chapter 19 of the Township Code, Stormwater Management, to replace the current Appendix 19A with a revised Appendix 19A, entitled, "A Simplified Approach to Stormwater Management for Small Projects." This guide is user friendly for residents who are putting stormwater management systems on their properties.

**Township Office Renovation:** The Board continued the discussion to renovate the Township Office in stages. Mr. Auerbach provided a scope of work to renovate the back office and have it available for use by the Township Manager/Treasurer. The office must be completed before work on making the meeting room bathroom ADA compliant can begin. The Board authorized the Manager to secure estimates for the office renovation.

**Municipal Complex Site Plan** – the discussion was brief as none of the Supervisors have much experience with creating a landscaping buffer. Supervisor Torres will reach out to a landscaper he knows to get some advice about the types of trees to use and Mr. Auerbach will ask two adjoining township supervisors who are in the landscaping business if they can offer any guidance.

**Extensions:**

On motion by Mr. Auerbach, 2nded by Mr. Torres, the Board accepted the offer to extend the review clock to October 20, 2016, for the Gourmet's Delight Preliminary Land Development Plan dated April 25, 2016. The motion passed unanimously.

**Escrow Release:**

On motion by the Chairman, 2nded by Mrs. Schenk, the Board, based on the recommendation of the Township Engineer, authorized the release of Escrow No. 12 for Phase 2 of the Wyndemere Subdivision in the amount of \$190,321.71. Motion passed unanimously.

Mr. Auerbach made the motion, 2nded by Mr. Snyder, that the Board, based on the recommendation of the Township Engineer, authorize the release of \$20,760 which was the financial security posted for the Wyndemere Phase 1 Non-Dedicated items. This motion also passed 5-0.

**New Business:**

**Right to Know Requests** - The Board agrees that transparency is their priority and they would like to provide all of the information that comes into the Township to anyone that would like it. However, they want to follow all regulations. Requests for information for a plan formed the basis for the discussion. Several years ago, the solicitor had advised the Township that the consultants' review letters regarding plans weren't public information until the review by the Planning Commission started. Additionally, the Township had been advised that the applicant's plan was not public until it had been recorded. Mr. O'Keefe, tonight's solicitor, reviewed the Right to Know Law, how it has changed over the years and how important it is to know the law. It was established that plans are copyrighted and residents can come in and view them any time they would like – they just cannot have a copy. The Board will continue to review the Right to Know Act to establish a policy.

**Gourmet's Delight Mushrooms Final Minor Subdivision Plan, Parcel Line Changes** - 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. No new lots or improvements are included in the plan.

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.

On motion by the Chairman, 2nded by Mr. Snyder, the Board unanimously approved this parcel line changes with the following waivers of the Subdivision & Land Development Ordinance:

- §22-202 – Regarding Definition of Minor Subdivision;
- §22-502.L(14) – Regarding Location of existing wells and septic drain fields;
- §22-502.M(1) – Regarding Contours;
- §22-502.M(8) – Regarding Delineation of wetlands;
- §22-503.A – Regarding Plans drawn to scale.

**Site Design Standards:**

- §22-717.1.B – Regarding Survey monuments;
- §22-722.11.D – Regarding Location of Existing and Replacement sewage locations

**Public Comment:** Mr. Zach Elwyn commented that he was told by Verizon that the Township was preventing Verizon from providing FIOS TV to our residents. As anyone who reads these updates knows, THAT IS NOT THE CASE! Even though Verizon has the infrastructure in 94% of the Township, they will not bring FIOS TV service to the Township. Mr. Elwyn was given the contact information for the Township Representative at Verizon, Daniel Reavy and asked to talk to him. Mr. Reavy has asked us to let him know anytime a Verizon representative states that the Township is holding up FIOS TV. He can be reached at [Daniel.j.reavy@verizon.net](mailto:Daniel.j.reavy@verizon.net) or 215-362-1900. Mr. Elwyn also asked if there was anything that could be done about the blind hill on Gypsy Hill Road which makes it very difficult for him to exit his driveway safely. He and the Supervisors talked about removing trees to gain more site distance.

**Meeting adjourned** at 9:33 p.m.