



## OFFICIAL UPDATE

This is a summary of the August 17, 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, Snyder and Torres. Also in attendance were Historical Commission/HARB Chairman, Paul Lagasse, Solicitor Mark Thompson, Manager/Treasurer, Joan McVaugh and Secretary Sharon Norris, and Ellen Kohler representing the White Clay Creek Wild & Scenic Management Committee. LTL Engineer, Linda Cluck arrived at 7:15 p.m. There were no 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 July 20, 2016 minutes were unanimously approved.

**Disposition of Records:** On motion by Chairman Auerbach, seconded by Supervisor Snyder, Resolution 2016-20 was approved 5-0. The motion authorized the erasure of the audiotape for the July 20, 2016, Board of Supervisors' meeting.

**Treasurer's Report:** On motion made by Mr. Auerbach, 2nded by Supervisor Torres, the Board approved the July Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$82,304.82; the Park & Recreation Fund with disbursements of \$7,712.78; the Open Space Fund with disbursements of \$7,172.61; the Traffic Impact Fund – East with disbursements of \$16,785.85; the Capital Reserve Fund with disbursements of \$12,042.75; the Highway Aid Fund with disbursements of \$117,882.91; the Emergency Services Fund with disbursements of \$29.99; and the Fire Hydrant Fund with disbursements of \$580.80 leaving a balance in all funds totaling \$937,942.75.

**Zoning Officer/Building Inspector Report:** Chairman Auerbach reported that during the month of July, 6 new permits were issued and 46 various inspections were performed. Building/zoning fees collected: \$115.50; Recreation and Impact fees \$0; and \$840.00 in miscellaneous fees. There are 3 ongoing zoning issues.

**PC Report:** The PC did not meet in August.

**Historical Commission/HARB Meeting Report** – These commissions did not meet in August. Chairman of the Historical Commission, Paul Lagasse, reported that on September 8th the Township's Historical

Commission, in conjunction with the New London Area Historical Society, will co-sponsor a talk on Vintage Baseball in the 1860s. The speaker is Jonathon Kilpatrick, a teacher in the KCSD, and also a player on the Eclipse Baseball Club of Elkton, MD. Mr. Lagasse has heard Mr. Kilpatrick speak on this subject at a program in Oxford and said it is quite interesting and entertaining, especially if you are a fan of baseball. He invites everyone to attend. The program will begin at 7 p.m. and will be held at the New London Academy (aka the New London Township building) at the intersection of State and East Avondale Roads.

It was noted that the Eastern Shore pipeline work on the Kemblesville Loop in Franklin Twp. will begin on 8.29.16. Mr. Auerbach reported he is attending a preconstruction meeting on August 23rd in Cochranville. He will report back to Mr. Lagasse and the Board on what he learns. The Historical Commission will submit comments to the Federal Energy Regulatory Commission regarding FERC's Environmental Assessment of Eastern Shore's planned 2017 work (which will be to the north and south of the work that begins this month) during the public comment period once they have determined which historic properties may be affected. Everyone commented on the apparent lack of public comment or interest in the pipeline work.

#### **Business:**

Ellen Kohler and Linda Cluck spoke about the Christiana Watersheds Partnership Collaboration Project. The DEP has charged the townships in the Christiana Watershed to remove nutrients and sediments from impaired streams as a requirement of our MS4 permit. This pilot program is attempting to have all involved townships work together to develop the necessary remedies to remove the pollutants. We would be collaborating with London Grove Township, New Garden Township, London Britain Township and the Boroughs of Avondale and West Grove. The Board agreed that they would continue to look into this partnership.

**Township Office Renovation:** The Board was informed we are waiting for estimates from two contractors. The third contractor said their schedule was full. It was agreed that we will try to find an additional contractor for another quote.

**Municipal Complex Site Plan** – Supervisor Torres brought in a plan from a local landscape designer to screen the yard as cars enter Municipal Lane to visit the post office and also provide screening along the back side of the yard where material will be stored. The Board had some questions about the variety of plants. Mr. Torres will speak with the landscaper again and report back to the Board.

**Ordinance Revisions** – The Manager presented a list of issues she and the Building Official have encountered which would require minor changes to the Zoning and Subdivision and Land Development Ordinances to address. The Board discussed each issue in detail and the following is the outcome:

**Revise definition of structure** – need more information from building official.

**Accessory Structure** – need more information from building official.

**Two residences on one parcel in the Agricultural District** – Currently the Zoning allows for multiple houses on one parcel in the Ag District. The Board felt that only one additional house should be allowed and the parcel must be large enough to meet the setback requirements, host well and septic and have the ability to be subdivided – this will go to the PC for review.

**Signs** – The issue began with adding “brewery” to Zoning Section 27-2006, Sections 1C and E which deal with winery as accessory to AG. The Board questioned why winery was singled out and maybe the whole section should be deleted. This will go to the PC for review

**Fences** – this issue stemmed from a resident placing their fence in a stormwater swale, causing flooding. The Solicitor advised that if the swale was part of the subdivision plan, the Township had the legal right to have the homeowner remove the fence. This will not go to the PC.

**Engineered Stormwater Plans (For Residents not Developers)** – Currently, the ordinance requires that residents must submit stormwater plans that are signed and sealed by the Engineer who developed the plan. Once submitted the plan is then reviewed by the Township Engineer; therefore they are reviewed twice by an engineer and paid for twice by the resident. The Board is concerned about the financial burden this places on residents. The Solicitor will check with other townships to see how they handle stormwater review and get back to the Board.

**Stormwater Accumulation** – the Township has had difficulty calculating a property’s additional impervious coverage due to the language in the stormwater ordinance. The Solicitor is researching how additional impervious surface should be calculated once the stormwater project is completed with the appropriate BMP (Best Management Practice such as dry well or rain garden) and will report back to the Board.

**Stop Signs and Roads with Speed Limits 35 MPH or Less** – administrative update – to enforce these actions, the Ordinance must have an up-to-date listing of this information.

**High Grass** – the Ordinance has different height requirements in several different places. Needs to be the same - 18” This is an administrative update.

**Driveway Bridge Repairs** – the Building official was concerned that emergency vehicles couldn’t access properties with driveway/bridges in need of repair. The Board did not want to require residents to secure a permit to repair their driveway/bridge.

**Right to Know Requests** –The Board would like to provide information to the resident/taxpayers as soon as the Township receives it. This particular issue involves a Right to Know request for a copy of a Land Development Plan prior to the PC review. The Township had been advised that duplicating Land Development Plans was in violation of copyright laws and therefore, denied the request. The Solicitor has advised that residents can come into the office to view plans, but copyright laws prohibited the Township from duplicating them. The Board asked the Solicitor if plans could be posted on the website with some kind of disclaimer. The solicitor advised that this was a murky area of the Right to Know Law and suggested that the Manager contact the Applicant and asks permission to post the plans. The Solicitor will continue to research this.

**Trees in the Right of way** – the Board discussed dead trees in the Right of Way. The Solicitor confirmed that even if trees are in the right of way, they still belong to the property owner and are the property owner’s responsibility. However, in situations where the property owner is not dealing with dead trees and it becomes a safety issue, the Township must take action. The Solicitor will draft an ordinance that enables the Township to notify affected homeowners of the need to take down a dead tree. If the homeowner fails to do so in the allotted time, the Township will be able to remove the dead tree and bill the property owner. On motion by the Chairman, 2nded by Supervisor Schenk, the Board

authorized the Solicitor to draft and advertise an ordinance for adoption at the September meeting. The vote was unanimous.

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

**Meeting adjourned at 10:12 p.m.**