



## OFFICIAL UPDATE

This is a summary of the September 21, 2016 Franklin Township Board of Supervisors (BOS) meeting. Chairman Auerbach called the meeting to order at 7:05 p.m. In attendance were Supervisors Dea and Torres. Supervisor Schenk was absent. Also in attendance were Planning Commission Chairman, Dave Hoffman, Historical Commission/HARB Chairman, Paul Lagasse, Solicitor Mark Thompson, Manager/Treasurer, Joan McVaugh, Secretary Sharon Norris, and Ellen Kohler representing the White Clay Creek Wild & Scenic Management Committee. Supervisor Snyder arrived at 8:36 p.m. There were 4 members of the public present.

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

**Approval of Minutes:** On motion by Chairman Auerbach, seconded by Supervisor Dea, the August 17, 2016 minutes were approved 3-0.

**Disposition of Records:** On motion by Chairman Auerbach, seconded by Supervisor Torres, Resolution 2016-21 was approved 3-0. The motion authorized the erasure of the audiotape for the August 17, 2016, Board of Supervisors meeting and the July 7, 2016 Planning Commission meeting.

**Treasurer's Report:** On motion by Mr. Auerbach, 2nded by Supervisor Dea, the Board approved the August Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$110,333.82; the Park & Recreation Fund with disbursements of \$10,943.27; the Open Space Fund with disbursements of \$7,172.61; the Traffic Impact Fund – East with disbursements of \$40,908.81; the Traffic Impact Fund – West with disbursements of \$39,318.40; 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 \$888,277. Mr. Auerbach noted that the Traffic Impact fees were used for road improvements as is their intent. Mrs. Dea questioned the difference in Park & Rec and Capital fund balances between last year and this year. Ms. McVaugh pointed out that last year's road program paid from the Capital Fund took place later than this year and therefore, the payment was not yet subtracted from the balance. Also, Ms. McVaugh noted that last year, the Park & Rec funds included money for fee in lieu from the Parkland Fund. Last year's fee in lieu payments were greater because Wyndemere was being built.

**Zoning Officer/Building Inspector Report:** Chairman Auerbach reported that during the month of August, 9 new permits were issued which includes 2 new homes. One was in Colonial Meadows and one in Forrest Glen. There were 40 various inspections were performed. Building/zoning fees collected: \$5,288.95; Recreation and Impact fees \$5,290.19; and \$1,965.00 in miscellaneous fees. There is 1 ongoing zoning issue.

**PC Report:** Chairman Hoffman gave a summary of the September 1<sup>st</sup> PC meeting. The PC had one item on the agenda which was the Gourmet's Delight Preliminary Plan. The PC, based on their own questions and questions from the residents, asked that the Board consider having a hydrology study performed for the property. There were also concerns about truck traffic on Auburn Road and gray water which the PC recognized were out of their purview but wanted to note the residents' concerns. Dr. Hoffman asked if the Gourmet situation was similar to the Artesian water issue of a few years ago and Mr. Thompson stated that Artesian is a public utility and that situation is completely different and not applicable. Mr. Talwin asked if the Chairman was surprised that Gourmet's attorney was present at the meeting and if the Township should have their attorney present at the next PC meeting. For more details about that meeting, please see the minutes once they are approved.

**Historical Commission/HARB Meeting Report** – Chairman Paul Lagasse reported that the Historical Commission met on September 7th. Among the topics discussed was the Eastern Shore Natural Gas Pipeline (ESNG) update. On August 30, 2016, the HC submitted comments to the Federal Energy Regulatory Commission concerning work proposed by ESNG for 2017. The Commission also had their first opportunity to review the artifacts, now returned to the Township that had been discovered on Township property during the archaeological survey of the route along which ESNG is currently laying pipeline. The HC had expected, based on PennDOT's schedule for its proposed 896 roadwork that PennDOT would have already started their review of historic structures along 896 but they have not. The Historical Commission's talk on taverns has been postponed from this Fall to next due to HC members' busy schedules and the need to do further research. The HC will create a new Facebook page to share local history items and plans to have it up and running by the end of October. If the weather is good on Election Day, the HC will have a Township history information table outside the polls.

Mr. Lagasse said the September 9th program on Vintage Baseball in the 1860s, held in conjunction with the New London Area Historical Society, was very enjoyable. The speaker, Jonathon Kilpatrick, a teacher in the KCSD, and also the VP of the Eclipse Baseball Club, was engaging and informative.

Mr. Lagasse also told the group that all are invited to visit the London Tract Meeting House on Saturday, October 15, from 6:30 to 8:30 pm for the return of the Historic Haunting. Visitors can take a tour around the London Tract Cemetery & meet a few of the interesting "souls" from times gone by. There will be a haunted trail and a campfire. The House is open with refreshments, music, and more. The event is free. Rainedate is October 16th.

The HARB also discussed PennDOT's slow progress with respect to its review of historic structures along 896 as well as training opportunities for HARB members.

**Franklin Sportsman's Association (FSA)** – Mr. Jim German of the FSA reported that membership is full for this season. Most members have taken their proficiency tests. Archery season begins 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>.

The FSA has performed the following community service projects and the Board is very appreciative of their service to the Township:

- 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

**Business:**

**Multiple Uses Property in SU District:** The property owner and his father, Jason and Gary Bryde, were seeking input from the Board regarding Jason's property at 1620 New London Road. Currently, this property has been an ongoing zoning issue as it has 3 different uses in place (Lawnmower repair, equipment storage and residential). The Zoning allows for 1 use by right. The Zoning also allows a resident to go through the Conditional Use process to make the multiple uses allowable. Mr. Bryde wanted a consensus from the Board as to whether it would be worth his efforts and money to go through the CU process. He stated that the lawnmower repair business would no longer be a use. The Board said that from what Mr. Bryde has told them, they are not against his plan for having 2 uses (storage and residential) on the property. The next step would be for Mr. Bryde to submit a Conditional use application which will give neighboring residents an opportunity to comment on Mr. Bryde's plans.

**Stormwater Resolution 2016-22:** Ellen Kohler from the White Clay Wild and Scenic Association returned to update the Board on the Christina Watersheds Partnership Collaboration Project. This pilot program is attempting to have all involved townships work together to develop the necessary projects to meet the DEP's requirements for load reduction. Ms. Kohler assured the Board that now, unlike before, DEP is promoting collaboration. Ms. Kohler reported that neighboring townships, London Grove and New Garden, have passed the Resolution to participate in the collaboration and that Avondale Borough will pass the resolution in October. She will be meeting with West Grove Borough this week but it is her thought after conversations with the Borough Manager that the Borough will be passing the resolution. London Britain Township is counting on DEP exempting them from the MS4 process since their portion is small. Ms. Kohler was not hopeful that they could do that and stated that anyone who didn't pass the resolution would still be invited to come to collaborative meetings so they would be up to speed once they realized the benefit of joining in. Since two Board members were not present at this time, Chairman Auerbach asked to table consideration of the resolution until October's meeting. Mr. Auerbach also wanted to consult with Supervisors from LGT.

**Request from County for Purchase of conservation easements:** The Chester County AG Preservation/Open Space Preservation Department contacted the Manager about 2 property owners who wanted to place conservation easements on their properties. Two parcels form a 55.3 acre property near Pennock Bridge and Guernsey and the other parcel is 28.1 acres adjacent to the Peacedale Preserve. It was noted that all 3 parcels would be attractive to developers as they are flat and have no woods or steep slope restrictions. It was also noted that open space properties reduce the monetary burden on the Township in terms of services. The County proposes to contribute 55% of the cost of the easement and asked the Township to contribute 45% payable over 5 years. The 3 Board members discussed the price of the parcels, noting that the low cost per acre could be attractive to the Township. The Supervisors discussed the 2011 referendum where the Township voters voted against raising taxes in order to borrow additional funds to purchase open space. Supervisors Torres and Dea stated that they will not raise taxes to purchase open space, but that perhaps at this cost, over 5 years, the township may be able to find the money in the budget. Mr. Snyder, who entered the conversation at this point, is not in favor of conservation easements and Mr. Auerbach stated that it is his opinion that there is no money in the budget for these kinds of purchases; however, the Chairman tabled this discussion until October when all 5 Board members could discuss this further.

**Keen Escrow Release** – on motion by the Chairman, the Board, based on the recommendation of the Township Engineer, authorized the release of escrow #1 in the amount of \$21,123.80 for the Keen 3-lot subdivision. The motion was 2nded by Mr. Snyder and passed 4-0.

**Ordinance 2016-08 - Trees in the Township Rights of Way:** On motion by the Chairman, 2nded by Supervisor Dea, the Board enacted Ordinance 2016-08, amending Chapter 10, Health & Safety, to add a new Part II governing trees in Township Rights of Way. This motion passed 4-0. The passing of this ordinance allows the Township to bill a resident who does not take down a tree or remove branches that are posing a danger to the public within 21 days after being notified by the Township that this work should be done. When a hazardous situation is noted, the Township will notify a resident that branches and/or tree needs to be removed. If the work hasn't been performed in the noted time frame, the Township will do the work and then bill the resident. If not paid within 60 days, Township has the ability to place a lien on the property. The solicitor made it clear that although the Township has a right to enter rights of ways, the trees belong to the property owners as stated in the Second Class Township Code.

**Ordinance 2016-09:** Because of the popularity of large, TV-like LED billboard signs, one of which is currently being constructed in the Oxford area, the Board asked the Solicitor to draft an ordinance regulating these types of signs in the Township. The solicitor presented two options – one fully restricting the use of such lighting and one regulating its brightness and length of illumination. These provisions would be integrated into Part 20 and Section 2018 governing lighting of signs. Since this is a zoning change, the Board will have the Planning Commission review this ordinance at their next available meeting.

**Ordinance 2016-10** - Mini cell towers continue to be a topic of interest and concern to townships as these companies are claiming utility status and are able to locate these mini towers in rights-of-way (ROW) usually reserved for phone/cable/electric utilities, without the property owner's consent. Currently, the PUC is contemplating whether mini cell towers are a utility. Cell tower companies feel these towers could be necessary, especially in highly urbanized areas, especially if the current systems do not have enough power to transmit the huge amount of data now being transmitted. The towers range from 70-120 ft. high and can be placed in the ROW of the home owner's front yard. The Solicitor drafted an ordinance for this zoning change and the Board will have the Planning Commission review it at their next available meeting.

**Township Office Renovation:** The contract was awarded to low bidder, Tim Siple and work has begun. Chairman Auerbach has been busy buying the supplies with the help of Assistant Manager Jeff Eastburn. The rough in electric is complete so the contractor will continue with the insulation and drywall. The contractor anticipates the office will be finished by the end of September.

**Municipal Complex Site Plan** – On motion by the Chairman, seconded by Mr. Torres, the Board authorized Landscapes by Design to begin the Municipal Complex Screening Project at a cost not to exceed \$2,000. The first planting will take place to the left of the drive behind the Ford Farm parking lot.

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

**Meeting adjourned at 9:48 p.m.**