

Franklin Township, Adams County
Board of Supervisors Workshop Meeting
March 17, 2022

SUPERVISORS PRESENT: Chris Santay, JR Crushong, and Matthew Williams

OTHERS PRESENT: Robin Crushong, Standing in Secretary; Lynda Beckwith, PMCA, R. Clem Malot, PMCA, Melinda Davis, Jeff Richards, Melinda Wood, Brian Redding and Darrin Flake.

The workshop, held at the Franklin Township Municipal Building, was called to order at 7:00 p.m. p.m. by Supervisor Santay.

Line Painting Bid – Reject Bid

Supervisor Williams moved, seconded by Supervisor Crushong to reject the current line painting bid from Alfa Space based on the bids being higher than the Board budgeted for. Motion carried unanimously.

Authorize to re-bid Line Painting

Supervisor Williams moved, seconded by Supervisor Crushong to authorize the Secretary to readvertise the bid for Line Painting at a reduced amount of mileage to be done try and get the bid within the budgeted amount. Motion carried unanimous.

Hauser Hill Event Center – Mr. Richard Thrasher, Attorney

Attorney Thrasher is here tonight to give the Board information about this matter. This property was formerly used as a winery and now they would like to use it as an Event Center. They received a Notice of Violation (NOV) from PA Municipal Code Alliance (PMCA) and contacted Lynda Beckwith, the Zoning Officer. In trying to bring themselves into compliance, they appeared before the Zoning Hearing Board with a request for a special exception. The Zoning Hearing Board denied the request with the main area of concern being the septic was not adequate. They are working on getting a sewer certification and will reapply to the Zoning Hearing Board. It was requested by the Board that they keep an open dialogue with the township and the Planning Commission. Mr. Thrasher said they considered requesting a text amendment, however, they prefer not to do that. Ms. Wood stated that they are still using the vineyards and it is still agricultural. They were under the impression that when they received the Use and Occupancy Permit that they were good to use this as an Events Center. The Board explained that the use of the property changed and that they must go through the proper procedures. The Board is not against what they want to do, the proper procedures need to be followed.

Jeff Richards – 1865 Hilltown Road

Mr. Richards was under the impression that since his property was zoned “commercial” that a multi-family dwelling unit was an approved use of the property, however, Mr. Richards believes a two family dwelling was considered a multi-family dwelling in Franklin Township regulations. this is incorrect. The Board requested that Mr. Richards should have come to the township prior to performing any work at the property. The proper procedures must be followed. Lynda

Beckwith read the definitions of a “**Multifamily Dwelling** – A building containing three or more dwelling units, including apartment houses, garden apartments or townhouses.” “**Two-Family Dwelling** – A building containing two dwelling units arranged either in a manner where both units share a common party wall or in a manner where one unit is located wholly or partially above the other.” “**Single-Family Detached Dwelling** – A building containing only one dwelling unit and having two side yards (in case of corner lots, one side yard).” The commercial zone (C) does not allow the use Mr. Richards is seeking by right or by special exception. The property is an existing residential property in the commercial zone. Lynda Beckwith prepared a zoning determination letter and Mr. Richards has a right to appeal that to the Zoning Hearing Board, if he so desires. Mr. Richards asked about the on-going daily fines. Mr. Malot stated that the township has appointed him as the Building Code Official (BCO) and he is the only one to make the determination concerning on-going violations. Until Mr. Richards delivers a plan to Mr. Malot, the violations will be assessed. Mr. Malot also asked that Mr. Richards hire a licensed building inspector to see what has been done and where the township is starting. Mr. Richards needs to come into compliance by working with the township through PMCA. Mr. Richards needs to obtain a Zoning Permit and a Building Permit as soon as possible. The septic will be the first issue that will need to be resolved. There was a septic permit issued for this property a few years ago and the township should have record of that. Mr. Richards is to contact the Sewage Enforcement Officer (SEO), and get a determination on that first. Mr. Richards is to also prepare a written proposal for the BCO indicating how he will bring things into compliance and a timeline for each. Mr. Richards noted that changing the roof on the building may have been out of line. Mr. Richards will work with PMCA to bring this property into compliance.

25 Mountain Top Drive

Supervisor Williams brought this matter up to be discussed with PMCA. It is his understanding that the accessory structure is not supposed to be in front of the principal structure, however, it is on this property. Lynda Beckwith explained that the accessory structure is a non-conforming structure that existed since at least 2003 and probably earlier. The principal structure was demolished in 2016. A property owner is entitled to place a replacement dwelling on an existing conforming building lot. The zoning ordinance has different types of non-conformances. There is structure, use and lot non-conformances. This property has an accessory structure non-conforming but the use and lot are both conforming. There is no apparent way for the property owner to place the replacement dwelling in a way that would make the existing non-conforming accessory structure become conforming. New construction on a lot must abide by the current ordinance and does not allow for non-conformances. This existing lot conforms but the structure does not.

Fire Hydrants

Supervisor Santay wanted to discuss fire hydrants as they would be required within a development. There may be a large development coming and the Board should be proactive. Supervisor Santay asked if this was addressed in the Subdivision and Land Development Ordinance (SALDO). Ms. Beckwith found Section 146.505. Fire Protection that states “fire hydrants or other means of fire protection as approved by the Township shall be provided as an integral part of any public or private community water supply system or as a part of any water system to serve an industrial use.” Mr. Flake suggested that this be given to the engineer to make sure there is adequate supply and adequate pressure for a proposed development. The fire company should also be contacted to make sure the location within the development is adequate for the fire trucks to get around. The Board all agreed that this is something that they want to continue to pursue to make sure what is in the Ordinance is enough for a large development.

Supervisors Santay requested that Solicitor Yannetti and the township engineer (KPI) be given a copy of Section 146.505 for their review and comment.

Supervisor Santay asked Mr. Malot what the status was on the old barn at 5940 Chambersburg Road. Mr. Malot stated that there has been no communication. The property owner has cleaned it up a little bit. Mr. Malot will follow up with the property owner and get a status report for the Board.

Ms. Beckwith stated that the property owner of 5 Newman Road did apply for a Zoning Permit and a Building Permit.

Jesus is Lord Ministry

Mr. Malot was at the property to issue a search warrant and walked through the property. There are many violations within the “golf ball” structures and the actual building. To name a few: 10-17 people living in the Golf Ball structure; fire hazard issues; lack of current zoning; pets; water leakage; change in use and occupancy – zoning violation prior fire in the building; lack of maintenance; deterioration. This is a complicated violation to write out but he is working to put it all together and hopes to have the Notice of Violation (NOV) out next week. Supervisor Crushong asked if the Jesus is Lord Ministry building is a proper place to be a voting facility for the entire Franklin Township 1 and 2? Mr. Malot stated absolutely not. The Board decided to talk to the Elections Board and the County Commissioners about this. Mr. Malot stated that the building has 6 occupancies full time occupancies. The golf ball structure has a sewer system, sand mound, that was probably put in back in 2009. KPI should be contacted to get more information on the septic at this property. PA American Water may want to be contacted too.

Act 537

Mr. Flake asked about the sewer in this new proposed development and how this would work. It was suggested that he contact the Secretary on Monday to get a copy.

MOTION by Supervisor Williams, seconded by Supervisor Crushong to adjourn at 8:52 pm.

Respectfully submitted by

Robin K. Crushong
Standing In Secretary

Chairman _____

Supervisor _____

Supervisor _____