

**Franklin Township, Adams County**  
**Board of Supervisors Workshop Meeting**  
**July 21, 2022**

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

**OTHERS PRESENT:** Susan Plank, Secretary, Lynda Beckwith, PA Municipal Code Alliance and Solicitor Yannetti via Zoom.

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

**Bill Lumpkin – L & L Mower Shop and Gun Shop - PMCA**

Supervisor Santay explained this is a continuance from the Board of Supervisors Meeting. The Board asked Lynda Beckwith, Zoning Office, PMCA and Solicitor Yannetti to look into this issue in more detail and give advice to the Board. Ms. Lynda Beckwith, Zoning Officer, PMCA addressed the Board saying that from a Zoning perspective that the definition of an Outdoor Shooting Range is an area as part of a sporting or outdoor club which skeet shooting, trapping, rifle shooting, or archery is practiced. Lynda stated that this is clearly not an outdoor sporting club and this is what the definition says it needs to be in Franklin Township. Lynda went on to say that the Accessory Use is not a use customarily incidental and subordinate to the principal use or building and located on the same lot with this principal use or building. Setting up this type of shooting area is not customary to a retail store. Lynda went on to rely on the Section of the Ordinance 175-8 that looks at other uses and reported that the Zoning says that any use not specifically allowed elsewhere in this chapter shall be allowed by special exception in the zone or zones where, and to the extent that, similar uses are permitted or allowed by special exception, provided that said use meets the requirements for a special exception and does not constitute a public or private nuisance. Lynda mentioned that if you take what is closet to what the Gun Shop is doing in the area is in fact Outdoor Shooting Range which is part of a sporting or outdoor club. So where is this allowed, it is allowed in the Open Space and Agricultural Districts. So, if they were located in one of these Zoning Districts, they could apply for a Special Exception to place it there. That in itself would preclude them from shooting in this location. Then it was brought up uses with nuisance effect. Part of the Use and Occupancy approval did stipulate with “175-8 D”, which states - in no case is a use permitted which by reason of noise, dust, odor, appearance, or other objectionable factor creates a nuisance, hazard, or other substantial adverse effect upon the reasonable enjoyment of the surrounding property. Lynda stated that the neighbors have indicated that this has become a nuisance with the noise. Lynda informed the Board that a violation could possibly be written based on this section.

Supervisor Santay asked Solicitor Yannetti if he had anything to add to Lynda’s statements. Solicitor Yannetti replied that he agrees with the analysis so far. Solicitor Yannetti agrees that it is not an accessory use and also agrees that it is a nuisance in that the Township has had multiple complaints about it. The noise is at the level that people

cannot enjoy their own property. The remedy, if they want to pursue it, is to see if they can get a use variance, which Solicitor Yannetti thinks it will be hard to obtain. Solicitor Yannetti mentioned that he has a little bit of a concern about two (2) businesses not under the same operator operating out of the same facility that is owned by an LLC. It is clear that the License for the Firearms is not under Mr. Lumpkin's name, it's in Wade Alexander's and entirely different entity and Solicitor Yannetti was not sure if they can break out the fact there are two (2) different business at the same location. Solicitor Yannetti does not believe that they should be able to have an outdoor shooting range at this location. Solicitor Yannetti mentioned that there are many alternatives to test fire weapons. Solicitor Yannetti continued that it is his opinion that unless they get a variance from the Zoning Hearing Board that a shooting range is not permissible at this location.

Supervisor Santay asked about the two (2) businesses and asked for feedback from Lynda Beckwith, PMCA. Lynda commented that when they applied for their permit it was under the assumption that it would be one (1) business with two (2) product lines. It was determined after the Board of Supervisor's meeting and obtaining the firearms license is not related to the Owner of the property and that the license name is Blueprint Industries, LLC and a Business name: The Battlefield Armory and L & L Operations Group. Solicitor Yannetti informed the Board that they are advertising on a side of a car another business name at that location. Solicitor Yannetti also mentioned that this has nothing to do with the shooting range at this location.

Supervisor Williams whose name was the license under. Mr. Bill Lumpkin explained that the way a Firearms License works is you have one license name on it and responsible names underneath of it. It was determined that the license is signed by Wade Alexander. Supervisor Williams what was the name for the FFL. Mr. Lumpkin informed the Board that there are several names (fictitious names) L & L Operations, Blue Print Operations, and Battlefield Armory. The building is under Billdust Enterprises. Mr. Bill Lumpkin stated that all the name are them. Just different names for legal and accounting purposes.

Supervisor Santay asked Lynda Beckwith, PMCA for her comments and she informed the Board that these names are something that is not her expertise and she would refer this back to the Township Solicitor. PMCA issued the Zoning Land Use Permit under the intent that it was one (1) business with two (2) product lines. If this has changed then this is another whole issue which would require a special exception because it would be categorized as a shopping center per the Zoning. After much more discussion about what is allowed in Commercial Zoning the Board asked that Bernie draft a summary of what was determined and the summary be sent to all involved for review. Supervisor Santay informed Mr. Lumpkin that asking for a variance though the Zoning Hearing Board is still on the table.

## **GUEST**

Mr. Garlach was present to let the Board know that he is working with PennDot to obtain his Highway Occupancy Permit for the yard sale that he wants to hold at 6215 Chambersburg Road.

Carol Rebert addressed the Board and asked what the status of the Walking Trail was. Supervisors informed Ms. Rebert and that County has withdrawn the Walking Trail at this time.

The meeting adjourned at 7:30 p.m.

Respectfully submitted by

Susan J. Plank  
Secretary/Treasurer

Chairman \_\_\_\_\_

Vice-Chairman \_\_\_\_\_

Supervisor \_\_\_\_\_