

Franklin Township, Adams County
Board of Supervisors Workshop Meeting
January 19, 2023

SUPERVISORS PRESENT: Supervisor Williams, Supervisor Crushong, Supervisor Santay

OTHERS PRESENT: Susan Plank, Secretary, Curt MacBeth, Roadmaster, Linda Beckwith, PA Municipal Code Alliance.

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

Open bids for new truck with liftgate

Supervisor Crushong opened the one (1) bid that was received for the pick-up bid. The bid was from Eastern Shore for a 2021 Ram 3500 in the amount of \$63,512.00. Supervisor Crushong informed everyone that this is a used truck that has 5,886 miles on it. Supervisor Crushong asked Curt MacBeth, Roadmaster if this was everything that he spec'd out. Curt MacBeth, Roadmaster replied yes except the color is white instead of red. Supervisor Santay mentioned that this truck is in Alabama. Curt MacBeth, Roadmaster informed the Board that the plan is for him and one (1) other road crew member to fly to Alabama next Thursday and drive the truck home. The Township will have approximately \$300 in airfare and 300 gallons of gas to get it home which is cheaper than having it hauled by a hauler.

MOTION by Supervisor Santay, seconded by Supervisor Crushong to purchase a 2021 Ram 3500 from Eastern Shore Toyota in the amount of \$63,512.00. Motion carried, 3-0.

MOTION by Supervisor Santay, seconded by Supervisor Crushong to approve Curtis MacBeth to sign all paperwork concerning the Purchase of the 2021 Ram 3500 from Eastern Shore on behalf of the Township. Motion carried, 3-0.

MOTION by Supervisor Santay, second by Supervisor Crushong to approve Curtis Macbeth and Chris Elliott to travel to Daphne, Alabama to pick up the 2021 Ram 3500 that is being purchased. Motion carried, 3-0.

Mr. Mike Sneeringer – Zoning Issues

Mr. Sneeringer, Sew N Place addressed the Board saying, the Board knows him pretty well and he appreciates them taking the time to listen to him today. "I began protesting in and attending Township meetings questioning and even allowing myself to ponder our supervisors' viewpoints. I have come to understand a lot of their points and I think they have come to understand some of ours. As many of you at this meeting may know I have been seeking better paths for local businesses and residents when it comes to Land Use. At the last meeting that I attended there was a question from somebody who asked is it harder to build in Franklin Township then other Townships. I thought the question was answered a bit interesting. It was given that the laws are the same in every Township. The difference is how the laws are applied and how are the Supervisors applying those laws in various Townships. That was not really clear if we are easier in that respect. What I have learned through this company is what we have or what we have always had is a Land Use company or the subcontractor PMCA who is hired to simply enforce

every and all codes and everything on the books. So that is their job. The problem is that they have no control over what ordinances exist, how land is zoned, nor are they given the power to change anything. This responsibility falls on this room. It has been made clear by the Supervisors that they will not waver from complete and strict code enforcement. Understandably that previous Boards have enabled projects that perhaps shouldn't have been done and they have faced lawsuits for these actions or irresponsibility. Given that scenario I can understand the cautious approach to avoid any lawsuits but the same time we question are the Supervisors addressing the needs of the community or are they protecting themselves from potential lawsuits pacifying codes that were laid in place a quarter of a century ago. This approach only proves to negate compromise in local government. I have been told that it has been over 25 years since the Township code, zoning, and related ordinances have been established. Our world has changed vastly in the last 25 years and so has our Township. There are those such as my self who are willing to invest in our community, improve their places and hopefully bring progress to our area. There are businesses and residents that have attempted to upgrade and have only given up. They have found that this small little Township has blanket enforcement and with little compromise. This is now the standard for the present and likely our future. We are here to seek change and to seek compromise. We are here to voice the will of our many citizens. Unfortunately, I have experienced over the past couple of meetings a sense that we are doing things wrong all the time. It was mentioned by Mr. Clem Melot at the last meeting that I was running an open mic night in my establishment which was against the land use for my establishment. I was unaware of this, I have a café and a sewing machine shop. I have a commercial building that I invite the public into regularly, I invite groups of people in for classes. If that is wrong, I am okay with fixing it but there was a sense that I should be persecuted – Ah we gotcha Michael and you have done something wrong and you shouldn't be doing this. I just feel the communication should be hey guys let figure this out, this isn't the way it should be and you are doing this wrong. I think there should be another approach to this and that is why I am here. So, with all that being said, I could go into so many things; we want to be civil, we want to have a civil discussion and we want to look for answers and so we are seeking some of these outdated and in cumbersome ordinances to be looked at and re-written. We are also asking to be consider re-zoning some areas. We have areas like Hauser Winery up on the farm that is a farm but it can't be used for an event center. I know they are probably working through that because it is zoned agricultural, why can't be turn that into commercial and why can't we have Adams County Winery or whoever up the road here not be farm, I don't know maybe there can be some changes and make things a little easier. Obviously, I don't have the complete story of everything and I am making some assumptions that these guys will correct me on, but until laws and zoning are change, we ask that a liaison be made available to help us become compliant in a better way, to help us challenge contradicting laws. Literally there are ways you can to it this way which is wrong but there is probably something in the book that says you can do it this way. We need that kind of expertise and I realize there are lawyers and engineers and so on that can help us with that but we are looking for something a little easier at times. Finally, we ask the Supervisors to not take the hardline approach and to allow conversation and things to be resolved without having to escalate everything to the Zoning Board without us having to hire lawyers, engineers, and you name it. So hopefully somebody feels the same as me and we are open to suggestions and compromise on all areas, but we wanted you to understand how we feel as a community regarding these issues. Thank you."

Supervisor Williams informed everyone that every Township has different zoning and it is not the same across the board. Supervisor Williams asked Mr. Sneeringer if he has taken any of the steps that PMCA had given him to resolve his issues. Mr. Sneeringer replied that yes he has gotten with Clem and Clem actually came to his business to help him with the steps and they are headed in the right direction.

Supervisor Williams asked Mr. Bill Lumpkin if Clem stopped down at his place to help him out and Mr. Lumpkin replied Clem? – No. He sent an inspector but Clem was not there.

Mr. Sneeringer would like to see a better way to complete certain things without going to the Zoning Board and he mentioned that Clem Melot, PMCA informed him that there are certain things that the Board can do. Supervisor Williams mentioned that Mr. Sneeringer talked about Hauser Winery Zoning. The Township cannot just go and change Hauser Winery to commercial without it being spot Zoning which is illegal. Mr. Arend Visser commented that you can change the Zoning Laws to say that Ag one of the approved uses in Ag is event centers.

Mrs. Heather Sneeringer commented that the Township is holding \$5k for trees to be planted at the new addition. There are thousands of trees between their shop and the run down home. She questioned the reason for this and that there could be someone between PMCA and the Board that could say we don't need an additional 5K for trees to be planted since you are in the Caledonia Forest. She said it is a ridiculous arbitrary law that doesn't need to be done. Ms. Sneeringer informed that this has been going on for three (3) years and that her project is 250k over budget because of this. Supervisor Williams commented that COVID has caused a lot of increase in material. Ms. Sneeringer replied that she is sick of hearing that COVID caused the cost increase. Mrs. Heather Sneeringer informed the Board that she has gone to every business in this Township and everyone has said that they had to get lawyers or engineers involved. She mentioned this entire process is not bringing business to this area. There was a lot of talk about zoning and how having two (2) businesses under one roof is not permissible.

Resident Arend Visser informed the Board that he has a Right To Know Request into the Township requesting information for all permits pulled the last two (2) years so that he can call or contact everyone to see the issues that they may have had with the process. He suggested that the zoning be looked at and re-written. Mr. Visser feels that the Township has a Zoning Ordinance that looks like they were copied and pasted from some general book that seems to have nothing to do with where we are at. Mr. Visser commented that these ordinances do not reflect our community, how we use our land, or where we live, it looks as if these ordinances reflect living in a suburb. Mr. Visser the problem we have most of the time is not the building permit, it's not the code, its zoning process that is required for everything (putting up window, replacing a roof). Supervisor Williams informed Mr. Visser that this process has been changed and an improvement exemption statement is issued. Mr. Visser asked if they are filling out a Land Use Application and Supervisor Williams replied that they are not filling out an application. Mr. Visser asked that the zoning be revised and have the citizens give their concerns. He also mentioned that most people who come in for a permit do not have the experience to know what is needed to complete the process. He suggested to have a liaison to help with the process. He would like to see the process easier for the Township citizens.

Resident Chuck Lord moved into the Township in 2001 and came to the Township for help in finding information on the property he bought and the lady sitting at the table was very helpful and put a file that was 1/2" thick, if that same request came from where he uses to live it would have been many folders thick. Mr. Lord suggested putting a committee together to take ideas for changes in the zoning from citizens. Mr. Lord also suggested an amplifier system to help the citizens to be able to hear who attend meetings and sit in the back. Mr. Lord believes this can be resolved and resolved in a good way to make money for the Township.

Mr. Sneeringer commented that there are so many positives with upgrading and improving some things. Supervisor Williams commented that he is not sure where anyone gets the feeling that the Board is not willing to discuss change. Mr. Sneeringer commented that he thinks that the

language coming out up there is like you are protecting your opinion and that is your integrity is on the line. You are very principled people and there is nothing wrong with that.

Resident Arend Visher asked everyone in attendance who would like to see the zoning looked at and revamped. He also questioned everyone as to who would like to see a motion from the Board to start this process.

Supervisor Williams asked Mr. Derek Hartzell if he had any issues with the process here in the Township since he does quite a bit of building in this Township and others and wanted to know how this Township compares to others. Mr. Sneeringer commented that with all due respect a builder is not going to rock the boat where there is going to be a potential for backlash. Supervisor Santay informed Mr. Sneeringer that he would like to see what Mr. Derek Hartzell has to say about the process in Franklin Township compares to other Township. Mr. Hartzell replied that he had no issues with this Township when applying for a permit and that there really aren't a lot of differences in the process. Mr. Hartzell commented that he is used to the process, he knows how to fill the permit out and address the issues that may come up. He has a code book that he uses and he doesn't let someone else to tell him what the codes are. Supervisor Santay mentioned that there are two sides of the process which are Land Use and Building which Supervisor Santay believes there are some confusions on that that a lot of people do not understand the way it works. Mr. Hartzell also comments that he does not do a lot of commercial because commercial is a whole other animal to deal with.

Mr. Sneeringer commented that with talking to Mr. Malot he agreed that there are some things on the books here when we had a private meeting together and he understands that the burden to the Township is very expensive to make these changes with lawyer fees, etc. and he understand too that you don't do one thing and spend \$10,000.00 fixing that one thing. Mr. Sneeringer commented that are probably a whole basket full of things that need to be dealt with at one time and that's why I think everybody is looking for updating it all at this point. Again, a quarter of century of this needs to be updated to 2023.

Resident Martha Weishaar, Cashtown resident; commented "it troubles me coming here from an area in Maryland that has been absolutely ruined by progressive development. It troubles me to see that on Route 30 and along some of these little side roads that anybody in their brother can put up a storage lot facility, which to me is an eyesore or used car lot. But someone like the Sewing N Place who are putting up this building which is absolutely breathtaking at night when you go by it makes you say hey what's in there and it makes you want to be part of it. Also, this gentleman, (referring to Mr. Visher) who wants to make an improvement to the community why is there such a disparity. Why do they have to jump through a million hoops?". Supervisor Williams replied that he doesn't think they are necessarily jumping through hoops. Mr. Visher's issue was with the wire – Mr. Visher commented that he doesn't want to talk about his issue but he thinks that this is happening to a lot of people.

Supervisors asked River Grove if he had any issues with the permitting process. Mr. River Grove commented that he would not have been able to do it without the help of his contractor and the fact that he had worked here previously. Mr. Grove commented that he did not know where to begin in filling out the Land Use Application and Building Permit forms.

Resident Dan Stansy asked is the process is something that is just for this Township? Any government paperwork is convoluting and uses words that we don't even use in real life. Supervisor Santay commented that he would say "no" and even Mr. Sneeringer himself said it was easier here in Franklin then it was in other places. Mr. Sneeringer commented that he did not

say that. Supervisor Santay commented that you said that when you first briefed here and Mr. Sneeringer said that he said that Bernie commented it is similar in all Townships.

Supervisor Williams informed everyone that the Board can change zoning but it will take time and money. Supervisors Santay commented imagine trying to capture everyone in this room's request, it is impossible and again we try to capture the best we can as much as we can and there is always going to be that one and that is why we have the Zoning Hearing Board so that residents have the opportunity to present their unique situation and seek whether it be a variance, exemption, or approval. That is why that the Board is there.

Mr. Visher commented that he believes that if the Board sets up someone to be available to talk to the residents and help them through the process. Supervisor Crushong commented that the Board has already talked about this with Mr. Visher and Mr. Sneeringer and that the Township is looking into this with PMCA. Mr. Visher also commented on forming a committee again to view the zoning for changes.

Ms. Heather Sneeringer informed the Board that Michael sent out letters to all the business owners in the Township and there were a lot of responses that the business owners were not going to attend because they were afraid. Supervisor Crushong asked what they are afraid of? Mr. Sneeringer informed the Board that they are people with big personalities that will run their mouths and then the Board will investigate them and find something they are doing that they shouldn't be doing – similar to mic night at his establishment. Ms. Sneeringer also commented that they started the process and it was way too expensive and they decided to stop the process or they are illegally doing it.

Supervisor Williams informed everyone that he agrees that there needs to be some changes but the process is going to take some time and it cannot be done overnight. Supervisors Crushong commented there is a process that can be followed to ask for exceptions to the Zoning. Mr. Sneeringer commented that it is kind of unfair that all the Board members are in the building industry, do you think there should be a little balance where there is someone who doesn't have the knowledge of the process like the Board members. Supervisor Crushong replied that these seats can change at anytime and they are elected positions. The members chose to run for the positions mostly without opposition. Anyone in this room can run for the positions. Supervisor Crushong commented also that the conversation of having someone who knows the process be available to its residents has already begun with PMCA. Mr. Visher asked what the next step is to getting a committee together to start working on the Zoning. Supervisor Crushong replied that the first step is for the Board to ask their Solicitor if this is legal to do so. Supervisor Santay commented that he would like to talk to the Planning Commission to see if they will take a lead role in this if it is legal to do so.

Supervisor Santay commented that all information concerning the committee would come out in a blast email. All residents can sign up for it on the Township website. Gweynn Forsythe mentioned that maybe a bulletin be sent to everyone in the mail twice a year. Ms. Dracilla Herbert feels that the zoning needs to be looked at and also asked if she could put the information on the Cashtown/McKnightstown sites. The reply from the Board was "yes". Mrs. Carol Rebert commented that she thinks a committee is a good idea and that the email blast is a good way to keep up to date with announcements and meeting information. Mr. Weishaar, Cashtown commented that he feels that the zoning needs to be brought up to current standards.

Mr. Visher asked Lynda Beckwith, PMCA if the Land Use is pretty much straight forward to what other Townships are using. Lynda replied that the application is very similar to what other Townships are using. Most other Township are using a Land Use application as their first step.

Lynda asked Mr. Visher which application was more difficult to fill out the Land Use or the UCC Building. Mr. Visher replied that he felt the UCC Building application has some areas that are not needed and that he didn't know which areas to fill out for his particular project and which areas needed to be filled out. Mr. Visher informed Lynda that he never had to fill out a Land Use Permit.

Supervisor Santay asked if face to face interaction here at the Township would help everyone with the process. There were many replies of yes. Supervisors Williams informed everyone that the Board is looking to have a liaison here at the Township, once a week for two hours to help residents with the process. May be something like 5pm to 7pm once a week by appointment.

Chris Herbert, 1215 Old Route 30 commented that the basic issues is the difference between builders who find it relatively easy to get through the system because they know what they are doing versus a regular homeowner or what not who has a very little idea. We moved down here in 2017 and I was a contractor in Massachusetts for 15 years, I know how things worked up there. When we wanted to put in a business, Rock Top Book Shop; I looked at Zoning, what's permissible and all that information was on the website and it was very easy to track it down but I knew what to look for and I had an advantage over people who don't. Having someone to be an liaison between a civilian if you will and professional will probably go a long way to level things out. Supervisor Santay commented that he agrees and commented that Lynda Beckwith and himself have talked about that quite some time and discussed the same thing. Supervisor Santay commented that it is the understanding of the process and he doesn't think that process is that bad but it is definitely the understanding of the process. Supervisor Santay commented that it would be closely monitored and it would have boundaries. They wouldn't be here to be a consultant but rather a way to help through the process.

Supervisor Williams asked who would like to serve on the committee: The following people raised their hands that they would serve: Mr. Arend Visher, Mr. Darrin Flake, Mr. Dale Graves and Mr. Chuck Lord. Supervisor Williams commented that they will have to look into it and the other members agreed that they need to look into it.

Mr. Dale Graves addressed the meeting saying that he drove up tonight to attend the meeting not expecting a crowd. He is not a builder but works for the Federal Government Aviation Administration. He spends his days in rules and regulations and he has been involved in writing rules and regulations and when he moved into town he had questions about zoning and building codes and he did his research on line of what he could and couldn't do and what he couldn't find out he had conversations with Lynda which helped out. He is actually here because has interest in getting involved in the Township on their Planning Commission and such. He is not sure that the Township needs the 2 hour a week type of thing here. We just need to get people the information they need and be able to understand it.

Mr. Sneeringer asked what meeting should they attend to get answers and to see where the process is going. Supervisor Williams replied to attend every meeting. The Board meets every two (2) weeks, the 1st and 3rd Thursday of each month at 7:00 pm.

The meeting adjourned at 8:23 p.m.

Respectfully submitted by

Susan J. Plank
Secretary/Treasurer

Chairman _____

Vice-Chairman _____

Supervisor _____