

Franklin Township Planning Commission*October 20, 2021***In attendance:**

Dennis Robinson, Pat Schindel, Gary Deardorff, Bic Redman, James McDannell & Mary Lower

Also present: Dominic Picarelli from KPI Technology Inc. & Lynda Beckwith, Pennsylvania Municipal Code Alliance (PMCA), Assistant Zoning Officer

The meeting was called to order by Dennis Robinson at 7 pm.

Approval of August 2021 Planning Commission Minutes

Motion by Deardorff, seconded by McDannell to approve the August minutes. Motion carried with Schindel abstaining.

Guests:**Aaron P. Friese** – Final Subdivision – Buchanan Valley Road – Ag Zone

Subdivision of a 10.02 +/- acre lot (Lot 3) from existing 25.65 +/- acre lot (Lot 2). Existing house and buildings will be on Lot 3.

We reviewed KPI's comments dated 10/19/2021, Adams County's comments dated 9/30/2021 and Pennsylvania Municipal Code Alliance's comments dated 10/18/2021.

Issues were the following:

- KPI -An executed owner's acknowledgement required (146-303.A.16)
- KPI -A street/corner monument needs to be set along a common property line: preferably at the street right-of-way line. (146-303.A.18)
- KPI -Sewage facilities planning approval is required. (146-303.B.1)
- KPI -A copy of all previous subdivisions (easements, right-of-ways, etc.) associated with this property needs to be provided to the Township for review. (146-305.B.12)
- KPI – It appears that the location of the proposed driveway may have a greater slope than allowed. The developer will need to provide more information regarding the driveway or, at minimum, a note be placed on the plan that states "A Building Permit will not be issued until a driveway permit (including, but not limited to, accompanying stream crossing permit) has been obtained for Lot 2." (146-404) ***see below
- KPI – A drainage easement is required for the stream. (146-407.B)
- KPI – A fee in lieu of recreational area is required. (146-414)
- PMCA – 175-16(A) Buchanan Valley Road is a Rural Minor Collector Road per the Northwest Adams Joint Comprehensive Plan, therefore subject to a 50' setback from the edge of the road right of way. Add this information to the Dimensional Requirements note on Page 2 and revise the front BSL on the plan.
- PMCA – 175-9(F) Steep slopes shall not be disturbed. A driveway access point has been shown within the area of steep slopes. A variance from this section would be required to allow disturbance of the steep slopes to construct a driveway. ***see below
- PMCA – 175-9(E)(2)(5) The constrained Lands Table indicate there is a stream. Please label it and add to the legend.
- PMCA – Use of lot 2 states for Residential/Agricultural use. PA DEP sewage facilities planning approval is required to create a building lot for residential use served by an on lot septic system. Provide a copy of DEP approval.
- PMCA – Please provide confirmation from the township SEO that the long-term sewage needs of lot 3 can be met for the existing dwelling.

***It was noted their intent is to join into the current shared driveway agreement that goes to Lot 3 until the permit and variance are approved/granted.

MOTION by Deardorff, seconded by Schindel to recommend conditional approval of the plan pending resolution of the issues shown above, including the issue of the shared driveway. Motion carried.

Brian and Patrick Redding – Land Development plan – Chambersburg Road – Commercial Zone
Construction of 4 (2,400 sq. ft.) Mini Storage Units on a 5.59 +/- acre parcel of land. Reviewed Adams County Comments, KPI Technology's comments and PMCA's comments.

Issues are the following:

- KPI & PMCA - A fifty foot (50') Stream Buffer Zone is required for Clear Run. Show the required buffer zone from Clear Run on all pages of the plan. (175-16(F))
- KPI –Lighting (and an appropriate lighting plan) needs to be shown on the plan.
- KPI –An executed owner's acknowledgement required (146-303.A.16)
- KPI –Sewage facilities planning approval is required. (146-303.B.1)
- KPI – An approved NPDES permit from Adams County Conservation District is required. (146-303.B.2)
- KPI – A clear sight triangle is required for the proposed driveway. Also, the required and available sight distance need to be shown on the plan. (146.303.B.18)
- KPI – An as built plan is required. (146-309)
- KPI – The individual parking spots in the RV Parking area needs to be shown on the plan. Also, a schematic for the parking area should be provided to show movement within the parking lot. (146-403)
- KPI – A fee in lieu of recreational area is required. (146-414)
- KPI –An approved E&S Control Plan and NPDES Permit are required. The Township should be provided with a copy of the submission to the Adams County Conservation District. We note that the development is tributary to a High Quality stream (Clear Run) and as such, additional NPDES permit requirements will apply.
- KPI –A detail should be included that shows the basin berm including anti-seep collars and any key trench, clay core, etc. Special protection watershed requirements (Chapter 7 of the PA BMP Manual) will apply to this site. A detail for basin amended soils, etc., will need to be provided.
- KPI –Proposed grading may not exceed a slope of 10% within 20 feet of a property line. (136.23.A.2)
- KPI –A detail should be provided for areas where existing impervious is to be removed and the area converted back to a grass condition.
- KPI –Volume calculations should be provided for review. (136.14.F)
- KPI –It should be shown that flow from the basin (2-18" outfall pipes) enters an existing channel/swale prior to leaving the property. In this regard it is not clear from contours that Clear Run is shown in the correct location. What is the defined swale located just NE of Clear Run? (136.14.C)
- KPI –The point of interest for the site should be identified. In this regard it should be clarified how some portions of the site and proposed improvements will flow to the proposed basin. It is not clear how the area near the entrance will get to the basin.
- KPI –Only the 2-year storm hydrographs were provided. Please provide hydrographs and basin routings for the 1-100 year storms. An electronic version of the information would be acceptable.
- KPI –A letter should be provided by Sunoco Pipeline verifying that proposed pipes and grading in the easement are permitted.
- KPI –A Stormwater Management Operation and Maintenance Agreement will be required.
- KPI –The plan appears to show at least two areas where improvements will take place. It should be clearly identified on the plans what improvements are proposed with this submission and what future improvements/phases are proposed.
- KPI –The plan of purpose statement should be more detailed and clearly indicate the scope of work for the entire project (RV storage area, other graveled area).
- KPI –The plan should be labeled as a Preliminary Plan or a waiver to this requirement requested.
- KPI –The future RV storage area is located partially over the area indicated as a tested septic area.
- PMCA – 175-22(A) Screening requirements are specific for a High Level and Low Level screen as described in the ordinance. Provide additional information about the Existing Mature Vegetation that shows it meets the specific requirements of the ordinance or revise the plan to meet the requirements.
- PMCA – 175-51 Add notes covering sections (C) and (D)
- PMCA – 175-51 (F) Add details or a lighting plan showing compliance with this section.
- PMCA – 175-51 (G) Label the plan areas to be crushed stone and what areas will be paved, if any.

MOTION by Schindel, seconded by Redman to recommend conditional approval of the plan pending resolution of the issues shown above. Motion carried.

Land Conservancy of Adams County (LCAC), Fruit and Wine Trail, Biglerville PA

Located along Boyer Nursery Road and Cashtown Road. Ag Zone

Proposal is to construct a walking trail on the Boyer Nurseries & Orchards, Knouse Fruitlands, Hauser and Steinberger properties.

We reviewed some of the comments from KPI Technology (29 comments) and PMCA (10 comments) who each reviewed this project as a Land Development Plan.

Sarah Kipp, LCAC, also provided a letter requesting a determination by the Planning Commission that no land development plan is required for this project as it does not meet the definition of Land Development provided in the code.

The township's SALDO defines Land Development as: "Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:*
 - a. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or*
 - b. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.*
- B. A subdivision of land.*
- C. Development in accordance with the water supply section of this chapter."*

This project does not involve the improvement of these properties with any buildings, residential or nonresidential. Nor is any land or space being allocated among the occupants of the properties for any of the reasons listed. Items B and C also do not apply; there is no subdivision requested, and no development is occurring in accordance with the water supply section of the ordinance. The properties over which the hiking trail will pass will continue to be privately held. The Land Conservancy, a private non-profit, will acquire leases from the owners to maintain the trail, but use of the trail, will still be controlled by the owners. The owners of the land will retain the ability to limit access to the trail on their own properties as may be desirable under certain circumstances; there will be no public dedication or shared control of the trail area.

There was some discussion as to whether we require land development plans from Michaux State Forest or Caledonia Park when they are putting in hiking trails. Michaux did submit one for a shooting range.

MOTION by Deardorff, seconded by Redman, to request the Supervisors have the solicitor give a legal review to determine if a Land Development Plan is needed. Motion carried with Lower abstaining.

Clayton and Toni Tyler - Zoning Hearing Application – 11 W. Mountain Top Drive – .93 +/- acre – Residential Zone

Requesting a special exception to ordinance chapter 175, section 175-8, to allow poultry, ducks and geese in a residential area.

The Tylers have documents allowing the poultry, ducks and geese for Emotional Support purposes for their daughter. If allowed, they would have 5 chickens, 4 ducks and 2 geese which will be kept in fenced area with a 4' privacy fence.

MOTION by Redman, seconded by Schindel to recommend the Zoning Hearing Board approve the Special Exception due to the Emotional Support aspect, but only for this family, on this particular property. Motion carried.

Meeting adjourned at 8:26 PM.

Respectfully submitted,

Mary Lower
Planning Commission Secretary