



## OFFICIAL UPDATE

This is a summary of the February 27, 2019, Franklin Township Board of Supervisors (BOS) meeting. The meeting was rescheduled from February 20, 2019 due to weather.

Chairman Auerbach called the meeting to order at 7:02 p.m. In attendance were Supervisors Morris, Snyder and Torres. Supervisor Dea was absent. Also in attendance were Solicitor Mark Thompson, Township Engineers Pete Eisenbrown and Glen Kelczewski, Manager/Treasurer Joan McVaugh, Assistant Manager Jeff Eastburn, HARB/HC Chairman, Paul Lagasse and Secretary Sharon Norris. Shane Morgan from the White Clay Creek Wild and Scenic Recreational Rivers was also in attendance. There were 7 members of the public.

The meeting commenced with the Pledge of Allegiance to the Flag.

**Announcements:** The Chairman announced that there would be an Executive Session after the meeting to discuss legal issues.

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

**Approval of Minutes:** On motion by Chairman Auerbach, 2nded by Supervisor Morris, the January 16, 2019 v3 minutes were unanimously approved.

**Disposition of Records:** On motion by Supervisor Snyder, 2nded by the Chairman, Resolution 2019-06, authorizing the erasure of the audiotapes from the January 16, 2019 BOS meeting and the November 1, 2018 Planning Commission meeting was adopted. The motion carried 4-0.

**Treasurer's Report:** On motion by Supervisor Torres, 2nded by Mr. Snyder, the January 2019 Treasurer's Report was approved 4-0. The report includes the following disbursements and transfers: The General Fund with disbursements and transfers of \$115,597.16; the Park and Recreation Fund with disbursements of \$2,598.84; the Open Space Fund with disbursements of \$96,768.42; the Capital Reserve Fun with disbursements of \$9,739.46; and the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$620,967.89.

**Zoning Officer/Building Inspector Report:** Mrs. Morris reported that during the month of January, 6 permits were issued, and 24 building inspections took place. \$1,095.12 was collected in building fees, \$-0- in Rec, Open Space, Impact Fees and \$1,100.00 was collected in miscellaneous fees. There are 4 zoning issues: 1651 New London Road has submitted a Zoning Hearing Application for a change of use; 1620 New London Road has submitted a Conditional Use Application; 206 Fox Run Road has been sold; a resident of that subdivision thanked the Township for continuing to work with the bank to secure the area and take down trees which were a safety hazard while the house was vacant; 3327 Appleton Road – the District Court Judge continued the case until the Court of Common Pleas Judge made a ruling; the Court of

Common Pleas date was cancelled due to weather and has been rescheduled for March 12<sup>th</sup> at 9:30 a.m.. The entire report can be reviewed on the Township website ([www.franklintownship.us](http://www.franklintownship.us)).

**PC Report:** Brent VanLith, PC member, gave a summary of the February 7 meeting where the PC voted in their 2019 officers (they remain the same as 2018) and recommended that the Board approve the Walker/Wilkinson Lot Line Change.

**HARB & Historical Commissions** – Chairman Lagasse reported that the HC/HARB did not meet in February. He reported that the Plow and Harrow Inn and the former Lawrence Property were not deemed eligible by PennDOT's historical resource review even after follow-up comments from Karen Marshall (the county's Heritage Preservation Officer) and the Franklin Township Historical Commission. However, despite PennDOT review recommendations to the contrary, the Pennsylvania Historical and Museum Commission deemed 1668 New London Road and 1881 New London Road eligible for the National Register as historic farmsteads. National Register eligibility allows for more input from the property owner if they have concerns about PennDOT's proposed roadwork.

On March 5th the Oxford Area Historical Association will present "Evan Pugh's Penn State." Evan Pugh was the first president of Penn State. The speaker is author Roger Williams. This talk will be held at the OAHA's new meeting location at the Oxford Masonic Lodge.

On March 15th the New London Area Historical Society and Franklin Township Historical Commission will present a program on "Preserving Family Stories with Your Smartphone." By the end of this program, attendees will know how to use a couple free smartphone apps to record and share your own oral histories, whether on an iPhone or Android phone (Samsung, Motorola, etc.). The talk will be held at the New London Township Building.

**Franklin Sportsman's Association** – Mr. Jim German gave the final report of the 2018-2019 season. The total harvest was 20, the FSA's largest yet. The harvest report is as follows: 5 buck/6 doe from Franklin Preserve; 1 buck/4 doe from White Clay Crescent; 4 doe from Banffshire. The next community service project for the FSA is a Chesterville/Creek Road Cleanup on March 9<sup>th</sup>. The Chairman thanked the FSA for all of their service to the Township.

**Walker/Wilkinson Lot Line Plan**– The PC recommended that the BOS approve this plan at their February 7, 2019 meeting. The intent of the plan is to resize two existing lots; no new lots and/or improvements are proposed as part of the project. An existing 1.12-acre lot is being enlarged and the adjoining 6.95-acre lot will decrease. The parcel being transferred is 0.83 acres. On motion by Mr. Torres, 2nded by Mr. Snyder, the Final Minor Subdivision Plan for Lots 7 and 15 of the Riale Subdivision dated December 27, 2018, last revised February 11, 2019 was approved with the following waivers. The motion carried 4-0.

- a) Section 22-202 with respect to the definition of a Minor Subdivision, to allow this plan to be processed as a Minor Subdivision Plan;
- b) Section 22-502.L.14 which requires the location of all existing wells and sewage drainage fields within 100' of the property boundary;
- c) Section 22-502.M.1 which requires existing contour lines at vertical intervals of 2 feet established by topographic survey;
- d) Section 22-502.M.5 which requires slopes from 15%-25% and slopes in excess of 25% to be highlighted.
- e) Section 22-502.M.8 which requires the delineation of all non-tidal wetlands by field survey;

- f) Section 22-502.L(2) and Section 22-717.1.B which requires survey monuments along the original tract and the street right of way lines;
- g) Section 22-722.11D which requires the delineation and testing of both primary and replacement sewage systems.

**Catch the Rain Rebate Program** – Shane Morgan, Management Plan Coordinator at White Clay Creek Wild and Scenic Recreational Rivers Program was in attendance to update the Board and public about this voluntary stormwater implementation program which has been ongoing since 2016. The Program was developed by the White Clay Wild and Scenic River Program and the Brandywine Conservancy to address stormwater washing off land which is the largest source of pollution to the White Clay Creek. Almost all of the rain falling on roofs, driveways, roads, parking lots, mowed lawns, and patios ends up as stormwater runoff.

Ms. Morgan updated the Board that the program, has now expanded to include both residents and HOA lands and offers up to 50% cost assistance up to \$2,500. It has been very successful in Franklin with about 24% of the participants from the Township. Ms. Morgan stated that 2018 was their biggest year yet with 24 eligible participants. So far this year there are 4. If you are interested and live in the White Clay Creek Watershed, check out the website: <http://whiteclay.org/catchtherain>.

**MS4 Permit** – this agenda item deals with the Municipal Separate Storm Sewer system permit that the Township is required to submit to DEP. The permit cycles are every 5 years. The last permit application the Twp. submitted was rejected by the DEP (as were most other municipalities). The Township must now start implementing the projects to prevent sediment from continuing to pollute our streams. The current permit has been extended through April 2019. As part of the permit application, the Township, working with the Engineer, has to come up with various solutions to managing stormwater in 2 of the 3 watersheds in the Township. The largest Watershed, the White Clay Creek requires a TMDL (Total Maximum Daily Load) Plan and the smaller watershed (The Chesapeake Bay) requires a PRP (Pollutant Reduction Plan). The 3<sup>rd</sup> watershed area is so small no plan is required. This lengthy discussion considered stream restoration (935 feet) in the Franklin Preserve or retrofitting 25 detention basins. For the PRP plan, a stream restoration and tree planting on private property would meet our requirement. Board members were concerned about agreeing to the permit application before knowing the costs of these projects. It is difficult to get a cost estimate until we have engineered plans. The cost of the stormwater projects also has the Board concerned because we may also be required to pay for police protection. The Board decided not to advertise the Permit Application at this time as they need more information. The Township has also asked DEP for a 3-month extension. This topic will be discussed again at the March 20, 2019 Board of Supervisors meeting. The discussion was very lengthy and the following members of the public participated: Jim German, Shane Morgan and Paul Overton.

**Alternative Energy** – After discussion, the Board agreed that our current ordinances are sufficient to deal with the different varieties of alternative energy. It was pointed out that the Township has next to no authority when it comes to pipelines as they are governed by FERC.

**Resolution 2019-07** – On motion by Ms. Morris, 2<sup>nd</sup>ed by Mr. Auerbach, this resolution, endorsing Landscapes3, the Chester County Comprehensive Plan was unanimously adopted.

**Public Comment:** During the MS4 discussion, Paul Overton suggested that the FSA clear trails and invasive vines in Banffshire and recommended using the Air Gap method of cutting vines at the bottom and

at the middle. Then spray with an herbicide like Roundup. It was stated that invasive vines are worse than bamboo! Mr. German of the FSA was agreeable.

**Meeting adjourned** at 9:25 p.m.