

FINAL

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS (BOS)
CONDITIONAL USE HEARING #2022-3 MINUTES
June 16, 2022 6:00 PM**

ROLL CALL:

PRESENT:

Chairman Mark Wenrich, Supervisor Duane Anthony, Supervisor Naomi Decker, Engineer Phil Brath, Solicitor Bret Shaffer, Secretary Traci Kauffman, Zoning Officer Wayne Smith, Stenographer Roxy Cressler

PRESENT via Zoom: Vice Chairman Dave Buckwash

ABSENT: Supervisor Dave Christensen, Treasurer/Asst. Secretary Pamela Williams

CALL TO ORDER:

The June 16, 2022, Conditional Use Hearing, CUH2022-3 for Gary and Angie Francart for the property at 290 Willow Glen Road, Dillsburg, PA, was called to order at 6:02 pm by Chairman Mark Wenrich. The meeting was held at 150 Century Lane, Dillsburg, PA and via Zoom. For visitors attending via in-person attendance, please see the attached sign-in sheet. The application was submitted under Zoning Ordinance Sections 422 Equestrian Farms (Riding Stables) and 405 Animal Husbandry.

Solicitor Bret Shaffer gave an overview of the meeting rules.

Stenographer Roxy Cressler swore in all parties who would be testifying. She swore in Zoning Officer Wayne Smith, Engineer Phil Brath, Gary & Angie Francart of 290 Willow Glen Road, David Getz, Solicitor of Wix, Wenger & Weidner, Harrisburg, Chris Hoover, Engineer-Hoover Engineering, New Cumberland, Regina Shelley of New Freedom, and Secretary Traci Kauffman. Secretary Traci Kauffman presented Exhibit 1, the first advertisement placed in *The Sentinel* for CUH2022-3 June 3, 2022; Exhibit 2, the second advertisement placed in *The Sentinel* on June 9, 2022; Exhibit 3, picture of the posting on June 9, 2022, of CUH2022-03 provided by Zoning Officer Wayne Smith; and Exhibit 4 being the application and any paperwork attached to it at the time it was submitted to the Township office, Exhibit 5, Township Zoning Ordinance.

Dr. Karl Riggle, KPR-MAR Realty LLC – (via Zoom), Mercersburg indicated he was only there for support, was the owner of the property, was there to support the petition, and was not sworn in.

Solicitor Dave Getz spoke on behalf of Gary and Angie Francart of 280 Willow Glen Road in Franklin Township. There are two conditional use applications. The first application is for under Zoning Ordinance Sections 422 Equestrian Farms (Riding Stables). Angie Francart indicated their stable is small and private and is not open to the public. They do not board, train or take the horses off the property. They have rescue horses and private professional training horses. Angie Francart is a private professional trainer. Engineer Chris Hoover described this property as a 21-acre parcel, applicants reside in single family home on the property, there is an existing barn and fencing and the rest of the property is wooded or in pasture. Solicitor Dave Getz went through the requirements for Zoning Ordinance 422 A through E and the property meets all of the requirements of this ordinance. (Copy of Ordinance provided as Exhibit 5). Gary Francart is in the process of building more fencing within the requirements of the ordinance. Discussion ensued.

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The second conditional use they are applying for is Section 405 Animal Husbandry. The property meets all of the requirements of this ordinance. The Francart's have a non-profit organization for their rescue horses that will live out their life on the farm. The horses are over the age of 18 and have medical conditions and will not be ridden. They will not be adding any additional rescue horses to their farm.

The Francart's have their own manure management plan and it is consistent with the requirements given by the county.

A copy of the Francart's Deed dated February 28, 2022 was provided as Exhibit 1 for the Applicant and the oversized colored site plan provided by Hoover Engineering which semi-imposes the property map over a map of the landscape was provided as applicant Exhibit 2. Engineer Phil Brath provided a visual by computer of the York County Tax Assessment Map. Discussion ensued.

Solicitor Bret Shaffer inquired as to whether horses are considered livestock as per the Zoning Ordinance 405 Animal Husbandry. The definition for livestock was provided by Solicitor David Getz under 29 Code of Federal Regulations under Section 780.328 and horses are included in that definition. Discussion ensued.

The Francart's will not be adding any new horses to the property. The only addition will be if any horse passes away, they may replace that horse, but the number of horses will not be increasing. Their commitment is to the 17 horses they have. Discussion ensued.

Dr. Karl Riggle-KPR-MAR Realty LLC – (via Zoom), Mercersburg made several comments in support of the Francarts, and he was then sworn in regarding the testimony he had already given.

There were no further questions from the BOS. No other neighbors or residents asked any questions.

The Board of Supervisors went into Executive Session at 6:57 pm and returned at 7:14pm.

A motion was made by Chairman Mark Wenrich to approve CUH2022-3 application for Zoning Ordinance Sections 422 Equestrian Farms (Riding Stables) and 405 Animal Husbandry with the condition of filing a Manure Management Plan with the County Conservation District and providing Franklin Township with a copy of the plan.

Second by Supervisor Duane Anthony.

No Discussion.

The motion passed.

A motion was made by Chairman Mark Wenrich to adjourn at 7:17pm.

Second by Supervisor Naomi Decker .

No discussion.

The motion passed.

Respectfully submitted,

Traci R. Kauffman

Traci R. Kauffman, Secretary
Franklin Township York County