

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS (BOS)
CONDITIONAL USE HEARING #2024-02 MINUTES
March 13, 2024 6:00PM**

ROLL CALL:

PRESENT: Chairman Mark Wenrich, Vice Chairman Dave Buckwash, Supervisor Duane Anthony (via Zoom), Supervisor Tom Keefer, Supervisor Paula Kostick, Stenographer Roxy Cressler, Treasurer/Asst. Secretary Pamela Williams, Engineer Phil Brath, Solicitor Bret Shaffer, Zoning Officer Wayne Smith, Secretary Traci Kauffman

For in-person visitors, please see the attached sign-in sheet.

CALL TO ORDER:

The March 13, 2024, Conditional Use Hearing 2024-02 for applicants Frank and Kay Rhodes for the property at 109 Bethel Church Road, Dillsburg, PA, was called to order at 6:07 pm by Chairman Mark Wenrich. The meeting was held at 150 Century Lane, Dillsburg, PA. The application was submitted under Zoning Ordinance Section 205 Steep Slope.

Solicitor Bret Shaffer gave an overview of the hearing rules.

Stenographer Roxy Cressler swore in Secretary Traci Kauffman, Engineer Phil Brath, Zoning Officer Wayne Smith, Eric Johnston, representative for applicants, and applicants Frank and Kay Rhodes.

Secretary Traci Kauffman presented Exhibit 1; the first advertisement placed in *The Dillsburg Banner* on February 29, 2024; Exhibit 2; the second advertisement placed in *The Dillsburg Banner* on March 7, 2024; Exhibit 3; picture of the sign posting on February 28, 2024, provided by Zoning Officer Wayne Smith; and Exhibit 4; the application dated February 5, 2024, with any paperwork attached to it at the time it was submitted to the Township; Exhibit 5; Zoning Ordinance and Exhibit 6; certified letters to the adjacent property owners.

Mr. Eric Johnston, of Johnston Associates, indicated that his clients currently own an existing 16.68-acre tract of land located at 109 Bethel Church Road within Open Space Zoning. Steep Slope areas currently exist on the tract. The property is a previously approved lot from the Crooked Creek Preliminary/Final Subdivision Plan. The applicant proposes to construct a driveway and construct a single-family residential dwelling and turn around/parking area. Additionally, the applicant proposes to construct a pole storage building (900 SF) along the driveway closer to Bethel Church Road in an area that is not considered a steep slope. They are seeking conditional use to complete the required grading area disturbance in steep slope area in accordance with the Township Zoning Ordinance. Attached are the plans and narrative as documentation to justify the proposed disturbance. The plans were submitted to the York County Conservation District. The Conservation District will review the more than one acre of disturbance and an NPDES permit will be needed to go along with the Stormwater Management PCSM Plans to be reviewed by Engineer Phil Brath. Those two reviews will be simultaneous. Discussion ensued.

Frank and Kay Rhodes indicated they have no intention of disturbing the rest of the property. The only disturbed area will be where the house and driveway will be.

The applicant stated the driveway will have a 30-inch smooth line corrugated plastic pipe across the creek on the property.

They currently have no permits, but the permit applications were submitted and received by the Conservation District on March 1, 2024.

The house is not located on the steep slope, but the driveway to get to the house is on the steep slope and no additional steep slope will be created.

Engineer Phil Brath recommended slope stabilization even if it is not required by the NPDES permit. The Township will require slope protection for erosion control with matting being used for 15% slopes or greater.

The applicants acknowledge that the conditional use approval does not grant the approval of the Stormwater Management Plan and a permit will be required from the Township to implement the plans. An Operation and Maintenance agreement will be required.

The pole building will be under 900 hundred square feet and is located on a level area of less than 15% slope.

They would like the conditional use approved and no dirt will be disturbed until they receive the correct permits. An NPDES permit will be required in conjunction with the Stormwater Management PCSM permit.

The driveway was moved from the original subdivision plan and the Roadmaster will have to review access and issue a permit as appropriate.

There were no other comments or questions.

No Executive Session was needed.

A motion was made by Mark W. to approve Conditional Use Hearing 2024-02 for 109 Bethel Church Road upon an Operation and Maintenance agreement being signed and the matting being used for 15% or greater slopes for erosion control. Second by Dave B. There was no discussion. The motion passed.

A motion was made by Mark W. to adjourn at 6:30 p.m. Second by Dave B. There was no discussion. The motion passed.

Respectfully submitted,

Traci R. Kauffman

Traci R. Kauffman, Secretary
Franklin Township York County