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**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS (BOS)
CONDITIONAL USE HEARING #2022-6 MINUTES
November 16, 2022 5:30PM**

ROLL CALL:

PRESENT: All Present

Chairman Mark Wenrich, Vice Chairman Dave Buckwash, Supervisor Duane Anthony, Supervisor Naomi Decker, Supervisor Kevin Cummings, Stenographer Roxy Cressler, Treasurer/Asst. Secretary Pamela Williams, Engineer Phil Brath, Solicitor Bret Shaffer, Zoning Officer Wayne Smith, Secretary Traci Kauffman

ABSENT: No one.

CALL TO ORDER:

The November 16, 2022, Conditional Use Hearing, CUH2022-6 for Shawn & Brittany Anderson for the property at 153 Chainsaw Road, Dillsburg, PA, was called to order at 5:34 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 Section 205 Steep Slope.

Solicitor Bret Shaffer gave an overview of the hearing rules.

Stenographer Roxy Cressler swore in all parties who would be testifying. She swore in Secretary Traci Kauffman, Zoning Officer Wayne Smith, Engineer Phil Brath, Shawn and Brittany Anderson-4 Stoney Run Road, Brandon Guiher-KPI Technology, Craig and Linda Warner-129 Chainsaw Road, Bruce and Brenda Sheaffer-135 Chainsaw Road, Jacquelyn Yeakle-39 W. Main Street, Mechanicsburg. Scott Emerson was participating via ZOOM.

Secretary Traci Kauffman presented Exhibit 1, the first advertisement placed in *The Dillsburg Banner* on October 20, 2022; Exhibit 2, the second advertisement placed in *The Dillsburg Banner* on October 27, 2022; Exhibit 3, picture of the posting on November 3, 2022, provided by Zoning Officer Wayne Smith; and Exhibit 4, the application and any paperwork attached to it at the time it was submitted to the Township; Exhibit 5 steep slope amendment to the zoning ordinance, Exhibit 6 certified letters to the Adjacent Property Owners, Exhibit 7 remainder of the Zoning Ordinance.

Brandon Guiher, Consulting Engineer spoke on behalf of Shawn and Brittany Anderson who would like to build a new residence on a lot that is 8.35 acres located on the South side of Chainsaw Road. The lot was created by a subdivision in 2004. A copy of the subdivision was presented as Applicant Exhibit 1. The revised plan was created to minimize the impact on the Steep Slope areas. It will be single family residential home. The total impervious surface is 4,560 square feet and the house will be 1,925 square feet. There are steep slopes of both the 15 to 25% and 25% or greater. The lot frontage is about 200 feet along Chainsaw Road. Development is being proposed as far front and as close to the road as possible to minimize disturbance and the impact on adjoining properties. There were adjustments made as compared to the previous plan at the request of adjoining property owners. The driveway is on the uphill side and was shifted to the East to be placed more in the middle of the two existing driveways across the street to prevent water runoff from entering the other driveways. The driveway will be built

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according to the Township standards. The house was shifted to the West due to concerns regarding the drainage. Any slopes that are disturbed will be given the appropriate stabilization to minimize the erosion. Macadam is proposed for the driveway. The total disturbance is proposed to be 26,700 square feet or less than one acre. Discussion ensued. Engineer Phil Brath indicated there were some new steep slope areas and inquired if the use of retaining walls was considered. Discussion ensued. Additional erosion and sediment control measures were requested and would be subject to review and approval of the Township. Also, a 12-inch CMP driveway culvert will need to be cleared with the Roadmaster. The request is being made for the pipe to be larger. Discussion ensued. A CG2 is being used on the storm water and a request is being made for a CG1 to be used to include rate and volume control. Discussion ensued. Stormwater permitting will be required prior to construction. The Zoning Officer has no concerns at this time. The Board of Supervisors inquired whether the driveway pipe would be plastic or metal. Plastic pipe will be used unless the ditch is not deep enough. The steep slopes listed in yellow are 15 to 25% and red which are 25% or greater. The area behind the house was determined to be 28% and is listed in yellow.

No questions from the audience.

PUBLIC COMMENTS:

Mr. Bruce Sheaffer from 135 Chainsaw Road thanked the applicants for their effort to work with them to cause minimal disturbance. The concern is where the property line touches and that it should remain undisturbed land. Mr. Sheaffer would like to make sure that no issues cause a deviation from the plan that was presented.

EXECUTIVE SESSION:

Executive Session was held to answer legal questions from 6:01 p.m. until 6:26 p.m.

A motion was made by Supervisor Duane Anthony to approve CUH2022-6 based on the following three conditions:

- 1.) A variance is needed from the Zoning Hearing Board for slopes that are greater than 25%.
- 2.) Stormwater shall be designed using the CG1 standard and not per CG2.
- 3.) A retaining wall or walls need to be constructed behind the house to protect the house and to keep the slopes under 25%.

Second by Supervisor Dave Buckwash.

Discussion: There was no discussion.

Abstain: Kevin Cummings recused due to being an adjoining property owner.

The motion passed.

A motion was made by Chairman Mark Wenrich to adjourn at 6:26 p.m.

Second by Supervisor Dave Buckwash.

Discussion: There was no discussion.

The motion passed.

Respectfully submitted,

Traci R. Kauffman

Traci R. Kauffman, Secretary

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Franklin Township York County