

July 26, 2022
Chambersburg, PA 17202
Regular Meeting

The Greene Township Board of Supervisors held a Regular Meeting on Tuesday, July 26, 2022 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, PA 17202.

Present: Todd E. Burns	Gregory Lambert	Gina Griffith
Travis L. Brookens	Dan Bachman	
Shawn M. Corwell	Kurt Williams	

Visitors: See list

The Chairman called the meeting to order at noon, advised that the meeting will be recorded for accuracy purposes and asked visitors to please sign in.

The Minutes of the Regular Meeting held July 12, 2022 shall stand approved as presented and become part of the official record.

The Chairman opened the floor for public comment; none was offered.

The Chairman presented the consideration to schedule a Public Hearing for an Ordinance Amendment for the definition of Convenience Store. The Solicitor explained that this Ordinance definition will amend the current definition to increase the maximum allowable square footage of a convenience store building from 10,000 to 12,500 feet. It also adds that video gaming terminals (VGT's) as authorized and regulated by Pennsylvania Gaming Control Board, and any other games of skill or chance, may be included as an accessory use. He recommended a Public Hearing date of September 13, 2022 at 7:00pm. The genesis for this Ordinance definition change is the Zoning Hearing Board decision from 2019 where an appeal was filed in the Franklin County Court of Common Pleas (still pending) and this is a settlement of the issues raised in that appeal. Mr. Joel Rimby, Associate Council for Rutter's addressed the Board and explained that by law, convenience stores are limited to five (5) VGT's and in order to have VGT's, an establishment must meet the statute's definition of a "truck stop establishment" which includes 1) being equipped with diesel islands, 2) selling an average of 50,000 gallons of diesel per month for a period of 12 months, 3) having a minimum of twenty (20) parking spots dedicated to commercial vehicles, 4) having a convenience store on site, 5) being situated on a three acre + parcel, and 6) being licensed as a PA Lottery retailer. Mr. Rimby stated that the Rutter's Site in Greene Township meets all of the above requirements, and if the Board were to adopt this definitional change of Convenience Store, Rutter's will be withdrawing the appeal filed in the Franklin County Court of Common Pleas. The Chairman asked what happens if the requirement of selling 50 gallons of diesel per month is met and the VGT's are installed, but then fails to meet the requirement afterwards. Mr. Rimby explained that there is a certain "cure" period to increase sales, but if the threshold is not met, the VGT's are required to be removed. Supervisor Brookens asked if there is any language that can be included to distinguish the requirement for establishments to be labeled as a truck stop for their required activities, versus the Township's desire not to have truck stops defined within a particular zoning district. The Solicitor explained that in order to establish a convenience store or truck stop in the Township, the applicant must meet the Township's definition of a convenience store (meaning no more than 12,500 sq. ft.). A truck stop is going to have a much larger building footprint than that, and the new definition of Convenience Store is what will apply for land use purposes, which should not conflict with the gaming laws which allows VGT's only. Mr. Rimby explained that the Pennsylvania Gaming Control Board has a FAQ page available on their website that specifically addresses that point. It states that just because an establishment is considered a truck stop under the PA Gaming law, does not mean it is considered a truck stop under local zoning laws. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0 the Board unanimously voted to schedule and authorize advertisement of

a Public Hearing in regard to the Zoning Ordinance Amendment for the definition of Convenience Store to be held on Tuesday, September 13, 2022 at the Greene Township Municipal office located at 1145 Garver Lane at 7:00pm prevailing time.

The Supervisor Corwell stated the Corker Hill Exterior Painting Project has been advertised on two (2) separate occasions, and on both occasions the Township did not received any sealed bids. After researching how to move forward, he explained that if no bids are received within fifteen (15) days of the second advertisement, the Township may initiate negotiations for a contract to obtain services previously advertised with any provider not otherwise disqualified by law; and then announce the terms of that contract at a public meeting so that it is documented that it was advertised twice.

The Zoning Officer (ZO) presented the Consideration of Sewage Facilities Planning Exemption for the Wellspan Preliminary Land Development Plan located at the intersection of Kohler and Walker Roads. What's proposed is construction of a healthcare medical office facility. This proposes an extension of the sewer line that will be connected into the Borough of Chambersburg. The new sewer line will be owned and maintained by Greene Township Municipal Authority but the flows will go directly into the Borough of Chambersburg. The Sewage Planning Exemption has been provided for four (4) EDU's, and has been approved by the Borough; and the Wellspan plan has been approved by Greene Township Municipal Authority. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0 the Board unanimously voted to approve the sewage facilities planning exemption for the Wellspan Preliminary Land Development Plan as presented.

The Zoning Officer presented the 1 Lot Final Subdivision / Lot Addition Plan for the Robin Faust / Hambright property located on Scotland Main Street. The property is located in the R-2 Zoning district and will have a shared driveway access from Mickey Inn Road. What's proposed is subdivision of the property for purposes of a five acre lot addition. The non-building waivers were submitted to DEP with the plan; the Franklin County Planning Commission reviewed the plan with no comment. The Engineer and Planner's comments are included in the packets for review (attached). On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0 the Board unanimously voted to approve the 1 Lot Final Subdivision / Lot Addition plan for Robin Faust / Hambright with the condition that an updated right-of-way maintenance agreement be provided for the entrance to the property off of Mickey Inn Road.

The ZO presented 1 Lot Final Land Development Plan for the Paetow property located on Lincoln Way East in the HC Zoning District. The plan proposes construction of a 9,900 square foot indoor sports recreation facility. Franklin County Planning Commission reviewed the plan with no comment; Greene Township Municipal Authority and Guilford Water Authority approved the plan; the sewage planning module was approved by PA DEP; the Franklin County Conservation District has found the erosion and sedimentation controls adequate; and the Highway Occupancy Permit is still under review. The project will create 34 new peak hour trips for a total Transportation Impact Fee of \$24,038.00. The Engineer and Planner's comments are included in the packets for review (attached). The Engineer stated that a stormwater bond estimate was provided in the amount of \$17,011.50 which he has found to be adequate, he therefore recommends approval of the plan. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to approve the 1-Lot Final Land Development Plan for Robbie Paetow subject to obtaining the Penn Dot HOP permit, the stormwater bond in the amount of \$17,011.50 be posted prior to the plan release, and the Transportation Impact Fee in the amount of \$24,038.00 be posted before issuance of the Land Use Permit

The Chairman presented the Consideration of Township Resolution 19-2022, CFA MTF Application. This resolution is for the Multimodal Transportation Fund Program requesting grant funding

to assist with the North Chambersburg Improvements Project Phase II, which is the extension of Fifth Avenue to provide connectivity between Parkwood Drive and Kohler Road. The Township has received grant funding for this in the past, and the next round of Multimodal Funding is approaching. Township is in the process of applying for those additional funds in the amount of \$1,400,000.00 based on the new engineering cost of the completion of that project. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0 the Board unanimously voted to adopt Township Resolution No. 19-2022 for the CFA MTF Application as presented, and also authorize the Board to sign the application.

The Chairman presented the Authorization to sign and mail support letters to the Borough and Commissioners for submittal of the CFA MTF Grant as part of the application. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0 the Board unanimously voted to authorize the signature and mailing of the support letters to the Borough of Chambersburg and County Commissioners for submittal of the CFA MTF Grant Application.

Supervisor Corwell presented the Authorization to sign a Letter of Support for the Pleasant Hall Volunteer Fire Department (PHVFD) Grant Application. PHVFD has applied for funding through the Franklin County IMPACT Grant to upgrade a 2003 Rescue Engine and purchase new portable radios, and they have requested a support letter from the Township to present to the County when they submit the grant. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to approve the Letter of Support for the Pleasant Hall Volunteer Fire Department for their Grant Application to the Franklin County IMPACT Grant Program.

The Chairman presented the Consideration of Approval of a Township Mini-Grant Application. Along the same lines as the ARPA money that the County has provided, Greene Township also received money through that program and has put together a Mini-Grant application for nonprofit organizations located within the Township who provide services to Township residents. He thanked the Solicitor for putting this application together and providing that opportunity. Supervisor Corwell asked if the Board wants to entertain an open date and closed date for the application submittal (the County program's deadline is August 30, 2022 and a lot of nonprofit organizations are still working on that one). He would like to provide organizations a little more time to complete the application, and the Chairman agreed. This will be posted on the Township website, as well as in the Green Informer Newsletter. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to approve the Township Mini-Grant Application as presented and set an application deadline of December 31, 2022.

The Solicitor reported that he and Supervisor Corwell worked on a lease extension for Cottle's Asphalt. He also noted that the Carolyn Martin and HR Recycling Zoning decisions from Judge Nicklas were received and are now in appeals as of July 22, 2022, but is not aware of the appeals being filed in the Court of Common Pleas at this point. He received the new date for HR Recycling's UCC related MDJ hearing and that is set for September 1, 2022 at 10:00am. He stated that he updated the convenience store definitions, and his is working with the ZO on miscellaneous zoning ordinance amendments having to do with agricultural equipment sales and service, and ministorage use in the HC zoning district. He noted that the next big project is a new ordinance regarding alcohol sales as recently discussed with the Supervisors. There is no update on the tentative Jaendl oral argument date set for September 12, 2022.

Supervisor Corwell noted a correction on an invoice submitted by Directional Traffic in the amount of \$7.94. After some investigation it was determined that the invoice does not belong to the Township and

that someone entered the Directional Traffic store representing Greene Township and ordered a patch kit for a sign. Directional Traffic instructed the Township to disregard the invoice. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as amended: check numbers 30546 through 30563 and three ACH transactions to be paid from the general fund, check numbers 3845 thru 3848 to be paid from the liquid fuels fund, and check number 2267 to be paid from the electric light fund.

Resident Cortney Cole of 3924 Lincoln Street addressed the Board to voice concerns about the “no parking” signs recently posted on Lincoln Street. He explained that he has an extra vehicle and nowhere to park it. He asked the Board if they would consider turning Lincoln Street into a one-way street because the road is not wide enough for two vehicles. He explained that if the street were one-way, vehicles could park along the street without any issues. The Chairman agreed that the street is not wide enough for two vehicles, which is why the newly updated “No Parking” signs were installed. The street has been posted “No-Parking” for a number of years, but was not correct and in accordance with the Ordinance that was passed. He explained that it is not the Board’s job to resolve the parking issues of the residents, but it is the Boards job to control the roads that are owned and maintained by the Township in order to keep the residents and snowplow operators safe; he also noted that the Township Parking lot serves as overflow parking for residents after hours. He explained that making Lincoln Street one-way is a possibility, but it’s something that would need to be looked into by Traffic Engineers. Mr. Cole asked if the road could be widened. The Chairman stated that the ultimate solution would be to widen the road so that it is more passible and safer, but there is very little yard frontage on Lincoln Street and he does not know if there is enough right-of-way to do that. He stated that it is something the Township will have to look into and do some research on. Mr. Cole stated that he thinks the best option to correct the problem is the one-way street.

The Chairman adjourned the meeting at 1:12 pm.

Respectfully submitted,

Assistant Secretary