

The Greene Township Planning Commission met Monday, February 13, 2023 at 7:00 p.m. in the Township Municipal Building, 1145 Garver Lane, Chambersburg, Pennsylvania. Present: William Green, Chairman; Ralph “Kip” Feldman, Brian Kuhns, and Brooke Wenger, Members; Gregory Lambert, Township Engineer; Tim Cormany, Planner; Daniel Bachman, Zoning Officer; and Tyler Beaston, Solicitor. Absent was member Rich Fogal.

VISITORS

See attached list.

CALL TO ORDER

Chairman Green called the meeting to order at 7:00 p.m., advised that the meeting will be recorded for accuracy purposes and asked any visitors to please sign in.

ELECTION OF OFFICERS

On a motion by Member Kuhns, seconded by Member Wenger, and by a vote of 4-0, William Green was nominated as the 2023 Planning Commission Chairman, Rich Fogal was nominated as the 2023 Planning Commission Vice-Chairman, and Ralph “Kip” Feldman was nominated as the 2023 Planning Commission Secretary.

SET MEETING DATES FOR 2023

The Chairman recommended that the meeting dates for 2023 and January 2024 be set for the second Monday of each month at 7:00pm, with the exception of October which will be held on Monday, October 2nd due to Columbus Day. Member Wenger seconded the motion, and by a vote of 4-0, the Board unanimously voted that the Planning Commission meeting dates for 2023 and January 2024 be set for the second Monday of each month at 7:00 P.M., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, with the exception of October which will be scheduled on the first Monday of October.

APPROVAL OF MINUTES

The minutes of the October 3, 2022 regular meeting stand approved as presented and will become part of the record.

CONDITIONAL USE PERMIT APPLICATION – METROPOLITAN 4 LLC

On behalf of Metropolitan 4 LLC, Mr. Bob Tucker, attorney for Kaplin Stewart addressed the Commission and stated that he received the Township professional consultants’ review letters and will be responding and/or revising the Conditional Use Plan accordingly for resubmission. Because of the anticipated revisions and resubmission, the Board of Supervisors was granted a time extension until May 3, 2023 to render a decision on the application. He requested that the discussion of the plans be tabled until a later time. On a motion by Member Feldman, seconded by Member Wenger, and by a vote of 4-0, it was recommended that the Conditional Use Permit Application for Metropolitan 4 LLC be tabled until the March 13, 2023 meeting. Before opening the floor for public comment, the Solicitor explained to the audience that the Planning Commission is a recommending body that makes recommendations based on consideration of applications or plans received, and its recommendations ultimately go to the Board of Supervisors who make the final decision to approve or disapprove an application. The Township has a responsibility under the law to treat all applicants in the same manner and deal in good faith with any applicant that comes in. The Townships practice

is to provide official comments on the application to the applicant prior to review by the Planning Commission, and not all comments have been received by the applicant yet. The Board of Supervisors is expected to grant the time extension for the first hearing of the Conditional Use Application. He explained that the Planning Commission is happy to hear public comments, but it is not in a position to respond to, or address questions on the current application tonight. He asked that those wishing to comment state their name and address, and direct their comments to members of the Planning Commission as a whole. He also asked that public comment be limited to three (3) minutes per person. The Zoning Officer (ZO) explained that when the Township receives an application, it is distributed to and reviewed by the various agencies that would be concerned with the application. The agencies that received copies of application are the Chambersburg Area School District, Franklin County Planning Commission, Greene Township Municipal Authority, Guilford Water Authority, Franklin County Emergency Services, The Township Planner and Engineer, and Guilford Township Supervisors. Of those agencies, comments have been received back from Franklin County Planning Commission, Franklin County Emergency Services, as well as the Township Planner and Engineer. He explained that there are deficiencies with the plan as far as access, road design, and zoning requirements. Mr. Tim Cormany from Martin and Martin Engineering (Planner) stated that he reviewed the plan and issued a memorandum dated February 7, 2023 that identifies roughly seventeen (17) issues that need more information or correction with the application (attached). The Township Engineer explained that the Plan involves the development of 676 apartment units and 33 buildings within the R1 Low Density Residential Zoning District, which allows for single family dwellings, but other uses such as multiple family dwellings, duplexes and garden apartments are permitted as a Conditional Use. The sketch plan that he reviewed lacks any real type of engineering detail, and if the applicant is successful in Conditional Use, the next level would be to submit a detailed Land Development Subdivision Plan to the Township. In reviewing the plan the Engineer noted several deficiencies in the plan including environment issues, utility issues, traffic and transportation issues, as well as issues of how it will impact the local roads. The Chairman opened up the floor for public comment. Mark Caster of Summer Breeze Lane stated that the residents of that community purchased their homes in an area that they felt protected, and they are looking to the Township to protect them and give them guidelines, but if the Township allows this development to happen when it's not supposed to be there, how are the residents supposed to be restrained from doing whatever it is that they want to do; Mr. Lloyd Beers of Harvest Lane asked what the new timeline will be with regard to the Public Hearing, and the ZO explained that the applicant provided a letter granting the Supervisors additional time until May 23, 2023 to hold their first hearing. The Supervisors will decide at tomorrow night's meeting when that hearing will be; Mr. Daniel Remington of Summer Breeze Lane stated that he hired a contractor to install an in-ground pool and have waited over a year for installation due to delays. He feels the value of his home will depreciate if this apartment complex is approved, and he has until March 1st to let his contractor know whether or not to move forward with the installation; Mr. Glenn Shetter of Interchange Drive asked if tabeling the plan officially stops the 90 day window as opposed to the developer asking for a specific time extension to address the comments. His concern is that the developer will come back after the 60 day deadline because action was not taken, and the plan will go thru by default. He stated that the developer should ask for a specific extension, rather than tabeling the plan. The Solicitor explained that the motion is to extend only until March, and that won't conflict with the timeline that the Commission is working with; Michael Maier of Crestwood Drive stated that there is a 100 year flood plain in that area and asked if the proposed development is in that area. The ZO explained that the flood plain doesn't extend across Ragged Edge Road; Mr. Ron Jones of Colonial Drive stated that when the Chambersburg Mall was thriving, the high speed traffic cutting through North Guilford Hills was a major problem. As a result

of that, a neighborhood watch was established as well as the need for a stop sign at the corner of Hillen and Highland. With the demise of the mall that problem has gone away, but if this project proceeds the problem will come back worse than before; Mr. Bill Sommers of Shively Road expressed concern with the increased traffic as a result of 676 apartment units with 2 automobiles each. He noted that the streets are narrow with no curb and gutter, no sidewalks, and no street lights, which will be a pedestrian traffic issue for children and people walking their pets; Mr. John Martin of Ragged Edge Road noted that a red light was installed several years ago at the intersection of Ragged Edge Road and Route 30 and has served its purpose really well, but it also increased the traffic on that road by 100 percent. If the proposed development is approved, the traffic on Ragged Edge Road will increase dramatically. He also expressed concerns of flooding; Mr. Dan Younkin of Summer Breeze Lane thanked the Township for their work on this project, and asked if it is typical to accept an application and begin a timeline before the application is complete. The Solicitor explained that an applicant can submit a plan or application for Conditional Use, and it can be considered in the form that it was received. If there are minor administrative issues that need to be addressed, they can potentially be dealt with right away, but it is also always standard procedure for any application that is received to undergo the review and comment process; Mr. Darwin Chamberlin of Heritage Road stated that his property corners Heritage and Ragged Edge Roads with a bank approximately 100 feet long that is difficult to mow because of the traffic. He expressed concern that if another 676 apartments are added with two vehicles each, there is no way Ragged Edge Road will be able to handle all of that traffic. He also questioned the R1 (Low Density Residential), and asked how 30 apartment buildings with multiple units is considered Low Density; Ms. Michelle Jansen of Westover Way stated that the pursuit of happiness for many people is property ownership and choice of conditions in which their home is located. She explained that she was aware that someday the field by her house would eventually be developed, but she always assumed that it would be in character with the rest of the surrounding neighborhoods. A high density apartment complex would be a stunning deviation that would significantly disrupt and transform the character culture cohesiveness of the neighborhood. She understands that more lower-cost affordable housing is needed to accommodate the more transient nature of some of the proliferating job opportunities in the area, but destroying the culture, character and attractiveness of home ownership is not the solution. There is plenty of land that is a lot more suitable in the area and close by where such renters would have more access to transportation, and more walkability to amenities. If the character, harmony, and roots of these neighborhoods are destroyed, it's going to hurt the entire area, and it's what makes Franklin County and an attractive place for people to raise their families; Derwin Hutchison of Smoketown Road shared his concerns about the water supply, and noted that Long Pine Dam has been low for a long time. He also expressed concern about the number of sewer hookups that will be needed, as well as traffic concerns; Mr. Scott Melego of Heritage Road asked about the 100 year flood plain and noted that he loves to fish in the Conococheague Creek. He has taken hundreds of pictures of native trout and provided them to the Fish and Boat Commission as well as the Conservation District, who will be watching this activity to make sure that the E&S Control is stellar. He asked how many times this developer can submit insufficient plans instead of the required detailed plans in hopes of approval. He also expressed concern with the infrastructure of the utility lines as well as the impact on police and fire companies; Mr. Warren Hurt of Ragged Edge Road asked if Conditional Use requires an affirmative positive decision or is it something that goes thru by default unless there is an active negative decision. The Solicitor explained that the Planning Commission's responsibility is to provide a recommendation to approve or disapprove to the Board of Supervisors. The Board of Supervisors will hold a hearing on the Conditional use where they take evidence and testimony of the applicant from interested members of the public and they decide whether to grant or deny the

Conditional Use application. Mr. Hurt asked if there will be a definitive end date to the extension, and Mr. Bob Tucker (counsel for the applicant) explained that the decision to extend has already been given by the applicant to extend until May 23, 2023; Mr. Lew Martin of Heritage Road questioned how the emergency access road extending into his neighborhood will be policed; Ms. Pam Serafini of Heritage Road stated she did not understand the process of the meetings and asked for an explanation, at which time the Solicitor and ZO explained the process; a resident from the audience (unknown name) suggested holding the March 13th meeting at a larger venue because many people were not able to attend the meeting tonight and were concerned that they would not have an opportunity to address their concerns; Mr. Dale Myers of Rolling Court asked if the Conditional Use is denied at the Supervisors meeting, if it is possible for the applicant to submit another application at a future date. The Solicitor explained that a Conditional Use could be submitted for that property if it is denied either by an updated plan or a brand new applicant. The property is zoned as R1, and this type of housing is permitted by Conditional Use in that zoning district. There is also the possibility that if the plan is denied, the applicant could appeal to court depending on the circumstances. Mr. Myers stated that the way current ordinance is worded, it allows something to be created that's not in harmony with the existing neighborhood, and he asked if there has been any thought to rewriting the Conditional Use clause. The Planner explained that would be in the hands of the Supervisors and not the Planning Commission; Ms. Sherry Diller of Colonial Drive suggested that anyone wanting to see what this type of building looks like, there are similar types of buildings on Hollywell Avenue; Ms. Jeanine Dickson of Sherwood Drive asked if all of the concerned residents will receive letters or insight regarding any changes on the revised application as soon as they are submitted in order to be prepared for the next meeting, and the ZO explained that whenever the Township receives plans, that information will be posted on the website; Mr. Derwin Hutchison of Smoketown Road expressed concern that the Township previously approved expansion of the landfill, and adding 676 more apartments will generate a lot more trash; Ms. Kate Maier from Crestwood Drive explained that she came to America to chase the American dream and in this country people have the right to protect their property. She moved to Chambersburg from Baltimore where there are a lot of high density apartments and is familiar with the crime that comes along with it. She stated that she loves her home and it is one of the most important investments of her life, but this proposition is going to ruin her life; Ms. Iris Yu of Summer Breeze Lane stated that she is from Taiwan and moved to Montgomery County, Maryland 20 years ago, which is a high density area and is familiar with the issues that come along with areas like that. She bought her property on Summer Breeze Lane and will be adjacent to the proposed apartment buildings. She is concerned with the amount of trash, drugs and alcohol that will be in the area, as well as loud music; Ms. Meredith Dunn of Rolling Lane stated that she was under the impression that per Township Code, any Conditional Use Permit applications need a complete subdivision or Land Development Plan, and asked at what point is that enforced. The Planner explained that he has addressed that question in number eight (8) of his comments (attached); Mr. Dan Remington of Summer Breeze Lane stated that he has learned to know a lot of the people in is development thru this, and noted the compassion of the people in the room. He noted that the Board has a tough job, and he thanked them for that, but he also wants them to understand where everyone in the room is coming from; Mr. Tom Johnson of Constellation Drive stated that he moved here in 2004 and made certain that the land behind him was going to stay in farming. The one thing that welcomed him to this area was the peace and quiet. He previously worked in real estate and has seen areas deteriorate because of this type of zoning. He hopes that every aspect will be considered because putting a major development between two single family home residential developments is not a good idea for the people who live there.

MINUTES – GREENE TOWNSHIP PLANNING COMMISSION

February 13, 2023

The Township Planner stated that the residents who spoke tonight spoke very well and noted that just because they spoke this evening, does not automatically mean that's part of the official record when the Supervisors have their hearing. So unless somebody is saying the same thing that has already been said, he suggested that the residents be sure their comments are on the record when the time comes for the Public Hearing.

ADJOURNMENT

There being no further business before the Commission, the Chairman adjourned the meeting at approximately 8:20 P.M.

Respectfully submitted,

/s/ Ralph (Kip) Feldman, III, Secretary

GREENE TOWNSHIP PLANNING COMMISSION