

The Greene Township Board of Supervisors held a regular meeting on Tuesday, July 25, 2023 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg PA 17202.

Present: Todd Burns, Travis Brookens, Shawn Corwell – Supervisors, Kurt Williams – Solicitor, Dan Bachman – Zoning Officer, Gregory Lambert – Engineer, Lindsay Loney – Secretary/Treasurer

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

The minutes of the regular meeting held July 11, 2023 shall stand approved as presented and become part of the official record.

The Chairman opened the floor for public comment. Mary K. Seville and Jacob Stoner from the Department of Emergency Services presented Advanced Pennsylvania Emergency Management Municipal Coordinators Certificates to Shawn Corwell, Township Emergency Management Coordinator, and Kevin Myers, Township Deputy Coordinator.

The Zoning Officer (ZO) presented an email from Jaindl's attorney offering a review time extension through September 27, 2023 for the Jaindl Preliminary Land Development Plan. The court's last decision came on June 27th, so this would extend approximately 3 months beyond that. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to grant the review time extension for the Jaindl Preliminary Land Development Plan through September 27, 2023.

The ZO explained that the Brendle Martin Stormwater Management Plan was placed on the agenda, but he discovered this morning that the Conservation District has not approved the plan yet and it is not ready for review today. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to table the Brendle Martin Stormwater Management Plan until further notice.

The ZO presented Township Resolution 15-2023, Sewer Tap Ins for Peggy Furry on Black Gap Road. He noted that DEP denied the planning exemption and is requiring a sewage-planning module instead. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to adopt Township Resolution 15-2023, Sewer Tap Ins for Peggy Furry on Black Gap Road as presented.

The ZO presented a request for waiver of Greene Township Code 101-5, construction of a well within the flood plain, for the DeCarlo property located at 638 Mickey Inn Lane. The property consists of a large piece and a smaller adjacent piece, both located in the flood hazard area. The applicant wishes to drill a well due to the cost of running public water to the site. The ZO spoke to Guilford Water Authority and he was told that the main water line comes down Mickey Inn Lane, approximately 400-500 feet from the property; any extension would be at the owner's expense. The ZO pointed out that the Township's well regulations parallel the American Water Works and the primary goal is to reduce the risk of water contamination. The ordinance states a well must be "located at a point free from flooding". The ZO explained that a residence was located on the property many years ago, but it was removed. The sewer was served by Greene Township Municipal Authority, and the water was provided by a cistern or taken directly from the stream. The adjacent property is connected to public water and they hired a private contractor to run a lateral from Mickey Inn Lane to the house; the meter is along Mickey Inn Lane. The Solicitor asked the applicant if there is a maintenance agreement for the private road accessing the property. The applicant was unsure if she had a copy of the agreement but stated that they have always been able to use the private drive to access the property so there must be. Supervisor Brookens asked if the other homes along the lane are connected to public water; the ZO responded he believes so. The applicant explained that she met with Jen at Guilford Water Authority and was

told that the only way she could run water back to the property would be to obtain right of ways through all of the adjacent property owners, which would be cost prohibitive and difficult. She also spoke to Negley's Well Drilling and did some research on her own, and she believes that as long as the cap is sealed and above the flood zone, wells are permitted. Supervisor Corwell asked if FEMA has any rules regarding wells in a flood zone; the ZO responded that they have recommendations but no restrictions. The Chairman pointed out that this is not a waiver due to an emergency; it is for new construction, and the Township does not encourage construction within a flood plain. He questioned if the lot is even constructible because fill would need to be brought in to bring the area out of the flood plain and FEMA would have to provide approval. The applicant referenced a house on the corner that was built up to get out of the flood zone. The ZO explained that the home was placed there long ago and was raised up more recently due to flooding. The home is elevated approximately 4-5 feet above flood level. The ZO stated that the flood level in this area is approximately 4.5 feet deep. Supervisor Corwell pointed out that this particular area has had issues with flooding in the past and the purpose of the regulations are to prevent building in the flood plain. The Solicitor suggested that the applicant review the right of way agreement to determine if it allows utilities, which would eliminate the need for right of ways through all of the properties along the lane. He also suggested contacting the property owner adjacent to the lot to see if he would allow an extension of the water line through his field to Mickey Inn Road. The applicant responded that according to GWA, there is no main water line along that portion of Mickey Inn Road. The Chairman stated that he still questions whether the property is even constructible. Supervisor Brookens added that he has an issue with setting a precedence of granting a waiver without considering all other options. The applicant asserted she feels the well should be permitted because the ordinance reads that as long as the cap is above the flood level, the well is permitted. The Solicitor explained that the comma makes the sentence and pointed out that there are three requirements that must be met: 1) located at a point free from flooding, 2) at a higher elevation, 3) at the following minimum setback distances to existing or potential sources of pollution. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to deny the request for waiver of Greene Township Code 101-5, construction of a well within the flood plain, for the DeCarlo property located at 638 Mickey Inn Lane.

The Engineer gave a brief MS4 update to the Board. The MS4 permit is due to be renewed in August. Due to the new census in 2020, the urban area will increase a bit and the requirements will change some. DEP recently made it a requirement for municipalities to have a Stormwater ordinance, so that is being reviewed as well. Supervisor Corwell noted that the Township has been able to complete a few MS4 projects over the past five years and is continuing to inspect outfalls; most of the work was completed by in house staff.

The Solicitor reported that he is working with Tim Cormany on some ordinance amendments. He has received correspondence from Wawa's council, and they plan to submit a sketch plan for the exit 17 site.

On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to approve and authorize the payment of invoices as follows: check numbers 31404 through 31431 and four ACH transactions to be paid from the general fund, check numbers 3919 and 3920 to be paid from the liquid fuels fund, and check number 2297 to be paid from the electric light fund.

The Chairman adjourned the meeting at 12:45 pm.

Respectfully submitted,

Secretary/Treasurer