

The Greene Township Planning Commission met Monday, March 10, 2025 at 7:00 p.m. in the Township Municipal Building, 1145 Garver Lane, Chambersburg, Pennsylvania. Present: William Green, Chairman; Ralph “Kip” Feldman, Rich Fogal, Brian Kuhns, and Brooke Wenger, Members; Gregory Lambert, Township Engineer; Daniel Bachman, Zoning Officer; and Tyler Beaston, Solicitor.

**VISITORS**

See attached list.

**CALL TO ORDER**

Chairman Green called the meeting to order at 7:00 p.m. and advised that the meeting will be recorded for accuracy purposes.

**APPROVAL OF MINUTES**

On a motion by Member Wenger, seconded by Member Kuhns, and by a vote of 5-0, the Board unanimously voted to approve the minutes of the January 13, 2025 meeting as presented.

**PRIVLAGE OF FLOOR**

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

**REVIEW MONTHLY ZONING OFFICE REPORT FOR FEBRUARY 2025**

The Zoning Officer (ZO) presented the Zoning Report for February 2025 for informational purposes, and it shall stand approved as presented and become part of the official record.

**CONSIDERATION OF ORDINANCE 2025-2, NON-COMMERCIAL KEEPING OF CHICKENS AND DUCKS**

The ZO presented the consideration of Ordinance 2025-2, for the non-commercial keeping of chickens and ducks on a residential property. The Zoning Ordinance currently regulates farm animals but does not have a provision for the keeping of ducks and chickens on a residential property. The proposed ordinance allows for the keeping of a combination of four (4) chickens or ducks on a residential property with a minimum gross lot area of 12,000 square feet. Chickens / ducks are not permitted at duplex dwellings, townhomes, apartment buildings, or mobile home parks. The ordinance has a provision for additional animals to be kept up to a density of ten animals per acre with a maximum number of fifteen animals per lot. The structure used to house the chickens / ducks shall be considered an accessory structure, and a Land Use Permit shall be required prior to the placement / construction of housing. A minimum setback of fifteen feet from the side and rear property lines is required. The ordinance prohibits the keeping of geese, turkeys, peafowl or roosters on a property. A Public Hearing is scheduled for April 8, 2025. The Franklin County Planning Commission reviewed the proposed Ordinance amendment and they are in agreement with it. On a motion by Member Feldman, seconded by Member Fogal and by a vote of 5-0, it was recommended that the Greene Township Ordinance 2025-2, non-commercial keeping of chickens and ducks, be forwarded to the Board of Supervisors.

**GREENE ACRES, PHASE 1 & 1A – 17 LOT FINAL SUBDIVISION PLAN**

The ZO presented the 17 Lot Final Subdivision Plan for Greene Acres Phases 1 & 1A located on Brownsville Road. The property is located in the R-1 (low density residential) zoning district. The Franklin County Planning as well as Guildford Water and Greene Township Municipal Authorities reviewed the plan with no comment; Franklin County Conservation District has been provided with a copy of the plan and the NPDES Permit was issued at the preliminary stage. It was determined that the project will generate 10 new peak hour trips for a total Transportation Impact Fee of \$7,070.00; The Recreation Impact Fee will be \$12,750.00. The Planner and Engineers comments are included in the packets for review (attached), and the Engineer stated that his main comment in regard to the application is that an estimate of the public improvements be provided for the purpose of establishing financial security necessary for insuring proper construction. On a motion by Member Fogal, seconded by Member Feldman and by a vote of 5-0, it was recommended that the 17-lot final subdivision plan for Greene Acres Phase 1 & 1A be forwarded to the Board of Supervisors subject to the comments of the Engineer and Planner.

**GREENE ACRES, PHASE 2 – 21 LOT FINAL SUBDIVISION PLAN**

The ZO presented the 21 Lot Final Subdivision Plan for Greene Acres Phase 2 located on Brownsville Road. The property is located in the R-1 (low density residential) zoning district. Phase 2 involves construction of the remainder of Grace Ann Court. The Franklin County Planning Commission as well as Guildford Water and Greene Township Municipal Authorities reviewed the plan with no comment; Franklin County Conservation District has been provided with a copy of the plan and the NPDES Permit was issued at the preliminary stage. It was determined that the project will generate 10 new peak hour trips for a total Transportation Impact Fee of \$7,070.00; The Recreation Impact Fee will be \$15,000.00. The Planner and Engineers comments are included in the packets for review (attached) and are the same as the comments for Phase 1 & 1A. On a motion by Member Khuns, seconded by Member Wenger and by a vote of 5-0, it was recommended that the 21-lot final subdivision plan for Greene Acres Phase 2 be forwarded to the Board of Supervisors subject to the comments of the Engineer and Planner.

**JAINDL - 1 LOT FINAL LAND DEVELOPMENT PLAN**

The ZO presented the 1 Lot Final Land Development Plan for Jaindl Land Co. for construction of a 987,500 square foot logistics center located on Philadelphia Avenue. The plan includes 988 parking spaces, 101 dock spaces, and 213 trailer spaces. The front portion of the property is located in the Highway Commercial (HC) Zoning District and the rear portion of the property is located in the Transitional Commercial (TC) Zoning District. The proposed distribution facility will be considered a non-conforming use within the TC Zoning District. The plan was last presented to the Planning Commission on September 20, 2020 and tabled at that time. The plan navigated through the court process, which concluded in June 2023 when the Pennsylvania Supreme Court denied the Township's request to review the Commonwealth Court's decision. Since that time several revisions and comments have been submitted to the Township for review. The Franklin County Planning Commission reviewed the plan with no comment; Greene Township Municipal Authority and Guilford Water Authority approved the plan and bond calculations from both have not been received to date; the sewage planning module has been approved by PADEP; the Highway Occupancy Permit for the project is currently under review; the Franklin County Conservation District issued the NPDES Permit; the Traffic Impact Fee has been estimated that the project will create 146 new peak hour trips for a total Traffic Impact Fee of \$231,848.00, The

Stormwater Bond has been estimated to be \$3,892,842.97. The ZO reviewed the Planners' comments (attached), most of which have been addressed, and the Engineer reviewed his comments, most of which have also been addressed, except for two issues that remain unresolved. The first issue the Engineer noted is that that required detailing for the traffic signal improvements at the access / Route 11 / Sycamore Grove Road intersection is NOT included on the plans. Offsite improvements are being shown on private property for which no third-party signature has been provided nor proof of equitable ownership. The agreement for the construction and perpetual maintenance of the traffic signal should be completed. The Engineer also noted that the stormwater plan proposes to control the impervious runoff by utilizing a spray irrigation system, and he has concerns about the complexity of the system and what guarantees can be provided to ensure that it is properly maintained and permanently operational. Before final approval from the Township should be considered, all the documents for the agreements concerning the construction and operation of the Traffic Signal Highway Improvements should be finalized and signed, and an operation and maintenance agreement must be provided for the Township review of the ongoing operation of the irrigation stormwater system and how it will be financially guaranteed. He noted that the Township should not consider approving final plans indicating improvements on private property, and the improvements that will be required within the Township right-of-way have not been indicated nor has the application for the required Highway Occupancy Permit from the Township been made. Scott Bert from HRG, representing Jaindl, explained that once the spray irrigation facilities are built, the developer hires a third-party construction manager who then takes responsibility for all operational and maintenance tasks at the facility. Ms. Nichole Galio, the Director of Engineering and Design with Jaindl, explained the benefits to using a spray irrigation system verses the traditional infiltration system. With an irrigation system, the basins are lined with an impermeable liner and the water can be sprayed on the surface at a modified rate, and because there is no earth disturbance, there's less chance of sinkholes opening up. Mr. Bert explained that regarding the PennDOT issue, they are now focused on determining the signal pole location. With the current layout the pole is located across Sycamore Grove Road from Fisher's, but still on his property, but they are exploring the option of a single pole with two mast arms, which will keep it outside of private property and keep it within the Township right-of-way on Sycamore Grove Road. He stated that they will continue to work with PennDOT to obtain the Highway Occupancy Permit (HOP) and requested that the Planning Commission consider recommending approval with the understanding that construction cannot begin without the HOP. The Solicitor expressed concern about the extent of the changes to the plan, which could potentially require reapproval from the Township. He noted that the plan might be modified depending on the nature of that approval, and if changes are made, it would likely need to be reviewed again. The ZO explained that if a plan is approved by the Board, any revisions to that plan (depending on the nature) will need to be resubmitted and reapproved by the Board. Ms. Galio explained that the original intent was to place the mast arm within the PennDOT right-of-way on the Fisher property, but the reason it was relocated to the Fisher property was at the request of the Township to allow for the possibility of adding a right-turn lane in the future. The Engineer stated that the Township never made that comment. Ms. Galio noted that in terms of plan changes, the striping and site layout will remain the same. The only modification being discussed involves relocating the mast arm, which is approximately 3 to 4 feet in diameter, from one spot to another. It's a very minor revision to the plan compared to everything else that is on it, and the Municipalities Planning Code (MPC) does have guidance that approvals through a Municipality should not be held up by third party reviews. The Engineer explained that traffic signals are owned by Townships in the state of

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Pennsylvania, and in order to obtain a traffic signal permit, it must be issued in the Township's name, and the Township is unwilling to approve a permit until there is a guarantee that it will incur no costs associated with it, and that all necessary easements outlined in the application are already in place, otherwise the burden could fall back on the Township. Mr. Bert explained that they are in a catch-22 situation, where they need the Township's approval on certain items in order for PennDOT to review the signal permit. This is why he is requesting a recommendation from the Planning Commission, so he can meet with the Supervisors and begin addressing the issues. Member Green asked the Solicitor if it would be appropriate for the Planning Commission to hold an executive session in order to seek legal guidance to which the Solicitor confirmed that it would be. On a motion by Chairman Green, seconded by Member Kuhns, and by a vote of 5-0 it was voted that the Planning Commission recess for an Executive Session with the Solicitor at 8:40pm. The meeting resumed at 8:55pm. On a motion by Member Fogal, seconded by Member Kuhns and by a vote of 5-0, it was recommended that the 1 Lot Final Land Development Plan for Jaindl Land Co. be forwarded to the Board of Supervisors contingent upon the satisfaction of the Planner and Engineers comments, and the resolution of the placement of the traffic signal apparatus and the completion of the Operation & Maintenance Agreement for the traffic signals and stormwater management.

**ADJOURNMENT**

There being no further business before the Commission, the Chairman adjourned the meeting at approximately 9:00 P.M.

Respectfully submitted,

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

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