

October 22, 2013
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, October 22, 2013, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following two (2) Public Hearings.

Present:

Charles D. Jamison, Jr.
Todd E. Burns
Travis L. Brookens

Gregory Lambert
Daniel Bachman
Diann Weller
Welton J. Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:08 P. M..

The Minutes from a Public Hearing held October 8, 2013, which could not be held due to missed being advertised, therefore, was scheduled for this date, time, place, shall stand approved as presented.

The Minutes from the Regular Meeting held October 8, 2013 shall stand approved as presented.

A member of the audience present (and later identified as Mr. Jay Lightfoot) asked the Board how far they (the Township) were regarding the "Rails to Trails" and the Chairman asked Board Member Todd E. Burns to respond. Member Burns noted that at this point only the feasibility study has been completed and the Township is continuing to review that study. Mr. Lightfoot thanked the Board for the information.

Mr. Ken Mummert, Presidential Heights, complimented the Board on what the Township had done on the streets in Presidential Heights and trimming of trees. He stated "they (the streets) should last the development a good while". He then commented to the Board that he would like them to encourage someone with too many trees in their back yard. He then proceeded to comment regarding industrial waste that was discussed earlier before this Meeting and asked if that was related to his quarterly bill he recently received. He said he had lived at his present address for ten years and that he could handle the bill but said he knew of a number of elderly, widowed ladies in the development and asked what they were to do when they received a high bill. He noted what he paid quarterly and what someone he knows that lives in the Borough pays (for sewer) and how a widow lady could be asked to pay as much as someone else. Mr. Mummert commented to the Board "you should get out of the office and see what's going on"; he voiced several concerns he had and shared with the Board. The Chairman responded to Mr. Mummert by asking him to get his facts straight as to industrial waste and other matters. The Chairman informed Mr. Mummert the rates he is paying for the sewer right now unfortunately were not increased gradually and is not happy with the way things were handled by the Sewer Authority and that was the reason for the lengthy discussion and ordinance being passed in August. The Chairman informed Mr. Mummert the industrial waste being referred to at the earlier Public Hearing was entirely different.

The Chairman asked Board Member Todd E. Burns to present the next item on the Agenda. Member Burns stated he had received correspondence from Mr. Guy Shaul, Borough of Chambersburg Recreation Director, requesting a letter of support from the Township regarding a tennis court feasibility study the Borough is interested in pursuing. He stated the study would include various things such as rates, amount of users, etc and had asked the County to help fund the study and was only asking the Township for “moral support”. Member Burns noted that once the study is completed it may be of interest to the Township as to the Township Park perhaps adding tennis courts and offer some information for the future. He emphasized again the Borough is only asking for (moral) support. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request from the Borough of Chambersburg for a support letter regarding a tennis court feasibility study be granted, compiled, and forwarded to the Borough.

The Township Engineer presented a request for refund of plan review escrow submitted by Abram Hartzok for a Land Development Plan, Project #13-010, in the amount of \$975.00. The Engineer stated the Township had approved the Plan last month to develop a residential lot along Woodstock Road. The Engineer stated an original escrow submitted by Mr. Hartzok was in the amount of \$1,500 with \$525 being expended in fees which have all been paid with no amount to be retained, therefore, he would recommend the remaining balance of \$975 be refunded in full to Mr. Hartzok. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for refund of plan review escrow for the Abram Hartzok Land Development, Project #13-010, in the amount of \$975 be returned to Mr. Hartzok.

The Township Engineer presented a request for refund of plan review escrow submitted by All Land Services on behalf of Burkman Enterprise LLC for their Subdivision Plan, Project #13-014, in the amount of \$1,182.50. The Engineer stated the Plan was a small minor plan for a lot addition along Elevator and Scotland Main Streets. He stated an original escrow submitted by Burkman Enterprise was in the amount of \$1,500 with \$317.50 being expended in fees which have all been paid with no amount to be retained, therefore, he would recommend the remaining balance of \$1,182.50 be refunded in full to Burkman Enterprise LLC. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for refund of plan review escrow for Burkman Enterprise LLC Subdivision, Project #13-014, in the amount of \$1,182.50 be granted.

The Township Engineer presented a request for refund of plan review escrow submitted by All Land Services on behalf of Angle/Rawlings/Eckenrode Subdivision, Project #13-016, in the amount of \$1,212.50. The Engineer stated the original escrow of \$1,500 was posted by Russell & Ada Eckenrode and was a minor subdivision the Township had approved last month; consisted of two (2) lot additions involving the Angle, Rawlings, and Eckenrode properties. There was \$287.50 expended in fees which have all been paid with no amount to be retained, therefore, he would recommend the remaining balance of \$1,212.50 be refunded to Russell & Ada Eckenrode. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for refund of plan review escrow for the Angle/Rawlings/Eckenrode Subdivision, Project #13-016, in the amount of \$1,212.50 be returned.

The Zoning Officer presented written correspondence regarding a request for a review time extension of ninety (90) days submitted by All Land Services on behalf of the Bradley Gsell Subdivision; first extension being requested; current deadline is November 4, 2013. The ZO noted there were some comments in particular from the Franklin County Conservation District that were not offered by the previous plan submitted but were commented on the second submission. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for review time extension for the Bradley Gsell Subdivision be granted an additional ninety (90) days commencing November 4, 2013 forward.

The Zoning Officer presented written correspondence regarding a request for transfer of Land Use Permit (LUP) submitted by Thomas Mongold of Divinity Investments from Lot #2, Gabrielle Lane (Village Greene Development), to Lot #21, Mountain View Drive; correspondence stated, "... for reasons that were not able to be forecasted". Mr. Mongold addressed the Board stating there were about three things that happened at the same time and included issues being experienced with one current adjacent neighbor and what has been involved to try and placate him. Mr. Mongold noted the following to the Board: (1) financial reasons; (2) seems neighbor has problem with grass/weeds and Mr. Mongold is concerned with issues with him; had a request for 'spec home' but could not get sewer tap. The Chairman noted that when the issue of the sewer ordinance was done, one important part was this very thing; would not want to see this become a habit (requesting transfer of Land Use Permits when problem encountered). He would not want to set a precedent and create more problems the newly adopted sewer ordinance tried very hard to avoid. Mr. Mongold stated he understood the Chairman's concern. The ZO stated he had spoken to the Sewer Authority Manager regarding this matter and the Manager did not see a problem with it. The Township Solicitor emphasized the Sewer Authority needs to handle that (sewer permit transfer) and notify the Township as it normally does. He stated the sewer permit goes first before the Land Use Permit. Supervisor Burns stated he would like to see the sewer permit first before the transfer of the Land Use Permit. The Chairman stated that approval could be made conditional and voiced his concern again regarding this request. The ZO stated he preferred if the Township permit was voided so as to avoid any problems in the future. The Solicitor stated that a sewer permit be obtained first and then void the current Land Use Permit and then issue a new LUP. Supervisor Brookens stated he would feel more comfortable if the current (Township) permit was voided and then issue a new permit; makes it 'cleanest'; does not want to set a precedent; void current permit and then have developer apply for new. Supervisor Burns agreed and also stated he did not want to set a precedent. The Chairman stated that with the Sewer Authority notifying the Township then the Land Use Permit will be automatically voided. Supervisor Burns asked Mr. Mongold about the existing lot where the rock was found and if he could tell the Board the condition of the existing lot. Mr. Mongold explained and stated it needed to be stabilized. Supervisor Burns informed Mr. Mongold he needed to make sure it is manageable (i.e. mowing season) and Mr. Mongold responded that hopefully they will have a permit by then. Following further discussion, review, and consideration, on a motion by Charles D. Jamison, Jr., seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for transfer of Land Use Permit from Divinity Investments be granted with conditions: (1) Sewer Authority has to notify Township of issuance of permit moved from Lot #2, Gabrielle Lane, to Lot #21, Mountain View Drive;

(2) once the Township receives that notification, the Land Use Permit for Lot #2, Gabrielle Lane, be voided and Mr. Mongold can apply for Mountain View Drive. The Zoning Officer asked Mr. Mongold if a Building Permit from Commonwealth Code had been issued and if so it would also have to be voided as well. Mr. Mongold stated he would check.

The Zoning Officer presented a 1-lot Final Land Development Plan for Culbertson Mennonite Church; property located along Sunset Pike; existing church entrance onto Sunset Pike; propose to construct 24' x 22' addition to rear of existing structure and additional parking to be used for handicap (parking). A copy of the *Approval Checklist* with comments from the various reviewing agencies was distributed to each Board Member for their review as follows: Franklin County Planning Commission – reviewed with no comment (6.28.13); ZO asked Sewage Enforcement Officer if anything would be needed and the SEO stated that because there is no additional flow to be created, he would have no problem with the proposed expansion (on-lot septic system); Guilford Water Authority – reviewed and approved (9.23.13); Franklin County Conservation District noted as “adequate”; Township Engineer and Planner – previous comments have been addressed and found plan to be satisfactory and would recommend approval (10.22.13/9.17.13); plan was reviewed by Township Planning Commission at their Meeting held August 12, 2013 and recommended approval subject to all comments being addressed and impact fee paid. The ZO stated the traffic impact fee had not been calculated at the time of the Planning Commission Meeting but now has been determined that the proposed addition will not create any additional peak hour. The Solicitor asked the ZO if the main entrance is across from former Letterkenny Gate 6 and the ZO stated ‘no’, that it is the actual church and the building the Solicitor referenced was a school house. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the 1-lot Final Land Development Plan for Culbertson Mennonite Church be approved as presented.

The *2014 Greene Township Preliminary Budget* was presented for review and consideration. The Chairman stated he felt it was a good budget with this being the 35th year with no property tax in Greene Township. He stated no services have been cut completely but perhaps scaled back a little. Supervisor Brookens stated he hoped that revenues will increase with the issuance of sewer permits and he also felt it was a good budget. The Chairman noted income was not as hoped this year due to no sewer permits and the state of the economy. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the *2014 Greene Township Preliminary Budget* will become available for the next thirty (30) days for review by Township residents and that consideration of the 2014 Final Budget will be at the Meeting scheduled to be held December 10, 2013, at 7:00 p.m., at 1145 Garver Lane, Scotland, PA.

The Township Solicitor had no further comments to offer at this Meeting.

On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 20693 through 20722, inclusive, to be paid from the General Fund; Check Numbers 3065, 3066, and (1) online pay, inclusive, to be paid from the Liquid Fuels Fund; and, (1) online pay to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:41 P.M..

Respectfully submitted,

Secretary