

September 10, 2013
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, September 10, 2013, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

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 7:00 P. M..

The Chairman asked for a moment of silence as an observance and memorial for the 12th Anniversary of “9-11” (the following day).

The Minutes of the Public Hearing held August 27, 2013 regarding *Sewer Permit Provisions* shall stand approved as presented.

The Minutes from the Regular Meeting held August 27, 2013 shall stand approved as presented.

There was no public comment offered at this Meeting.

The Board received and considered to accept the resignation of Mr. Lynn Rotz who has served on the Greene Township Municipal Authority as a Board Member and Board Secretary for a number of years. Supervisor Todd E. Burns stated ‘hate to lose Lynn and good member over the years; appreciate his service but understand resignation’. Supervisor Travis L. Brookens stated ‘an asset to the Board and served the Township well’. The Chairman stated “sentiments exactly, good financial basis, going to be missed and hard to replace and understand the reason for resignation’. Following their 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 resignation of Lynn Rotz, Greene Township Municipal Authority Board Member and Secretary will be accepted and retroactive to September 4, 2013.

The Chairman stated he had spoken to the insurance adjuster from Selective Insurance regarding the disposition of an older Township vehicle recently involved in a vehicle accident. The adjuster told him the vehicle would be totaled due to the amount of damage and the age of the vehicle. The insurance company was offering \$16,518 with a deductible of \$1,000; salvage value would be \$3,300. The Chairman stated that because of the damage to the truck it would not be worth repairing, therefore, he would recommend accepting the offer from the insurance company. He further noted the insurance company required an answer from the Township by the next day due to storage costs being incurred. 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 offer from the insurance company for the value of the 1986 Mack of \$16,518 will be accepted with \$1,000 deductible and the check will be \$15,518.

The Township Secretary presented a request for refund of the fire insurance escrow for the Michael Heims' property located at 8078 Lincoln Way East, Fayetteville. Mr. Heims had applied for a demolition permit for a dwelling destroyed by fire and by law, a certain percentage of the insurance value was forwarded to the Township to be held in escrow until such time the property was completely cleaned, put back into order, inspected and released by both the Township Zoning Office and Commonwealth Code Inspection Service. She stated that Mr. Heims has shown proof of Commonwealth's clearance inspection and was requesting his escrow of \$18,617.14 to be refunded. The process to complete this transaction was explained to Mr. Heims, hence the request being presented to the Board for their consideration at this Meeting. The Zoning Officer stated he had also inspected the property and noted the former old home was long gone and new home has been completed, therefore, he would recommend release of the escrow fund to Mr. Heims. 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 fire insurance escrow refund request regarding Michael Heims' property located at 8078 Lincoln Way East, Fayetteville, be refunded to him in the amount of \$18,617.14.

The Township Engineer presented a time extension request TPD (Traffic Planning and Design, Inc.) regarding their Rts 11/997 Preliminary Engineering Contract they have with the Township because the Township is the local lead for PennDOT regarding this project; current Contract expiration date is November 9, 2013. The Engineer stated the primary reasons TPD is requesting the extension are delays associated with the Riley Inn historic property and on-going coordination efforts with Sheetz regarding their proposed relocation. TPD stated that with the requested extension, the new expiration date for the Preliminary Engineering would be May 9, 2014. The Engineer stated he would support the request due to the good rapport that TPD and the Township have experienced and the progress of the project so far and also because of PennDOT's position on a "round-about". He again noted the project is progressing and that PennDOT has scheduled another meeting for the coming month and also that Clem Malot of CCIS is going to inspect the property. In view of all information, the Engineer stated he would recommend the requested extension be granted. Following review and consideration of the request, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the time extension request from TPD (Traffic Planning and Design, Inc.) with delays associated with Riley historic property and proposed relocation of Sheetz be extended to May 9, 2014.

The Township Engineer noted that at the previous Regular Meeting on August 27, 2013, the Board discussed a request from the developer of Marcella Drive for the Township to accept Marcella Drive. At that Meeting, the Board had reviewed and approved an amendment to the original plan whereby Marcella Drive was first considered to be private but the developer requested the Township to accept after the plan was revised and all other conditions were met. He stated the request is moving forward but the developer still has to record the plan amendment. With the Township accepting Marcella Drive, it will be necessary to adopt an ordinance for the stop signs on Marcella Drive. The Township Solicitor recommended a public hearing be scheduled noting the subdivision plan has been approved and it removed a previous private easement down the middle of the road. The Solicitor further noted the resolution has been prepared but there are blank spaces that cannot be completed until the

recording information has been received. The Solicitor asked the Engineer if he would contact the developer or someone to have the amended plan recorded noting there will need to be a stop sign ordinance and a speed limit resolution; because of a proposed ordinance a public hearing must be held which should give enough time to have the amended plan recorded. Supervisor Brookens asked the Engineer if stop signs were already in place; the Engineer stated 'yes' but an ordinance is required for them to be enforced and the Solicitor concurred that without an ordinance, the stop signs could not be enforced. 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 that a public hearing to establish the Marcella Drive stop sign be set for October 22, 2013, at 7:00 p.m., prevailing time, in the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA.

The Zoning Officer reviewed his August 2013 Monthly Zoning Office Report with each Board Member having received a copy for review. Hearing no questions, additions, or corrections, the Chairman stated the Monthly Zoning Office Report for August 2013 shall stand approved as presented.

The Zoning Officer presented a request for interim occupancy permit to occupy existing mobile home during new home construction submitted by Anna Pentz for property at 7730 Nyesville Road per correspondence he received from Ms. Pentz March 4, 2013 and May 5, 2013. He stated Ms. Pentz wishes to build new home while occupying an existing mobile home and then will demolish old mobile home. The ZO stated one concern was the on-lot septic system and no public sewer being available at this time. He stated a hydraulic load testing had been done, required paperwork was completed, and the Township SEO, Vince Elbel, had reviewed all information and is satisfied for new septic work to be done. The ZO noted the Board on previous similar requests has allowed six (6) months for occupancy and then after that it would expire and work needed to be done. Following review, discussion 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 interim occupancy permit to occupy existing mobile home during new construction submitted by Anna Pentz for property located at 7730 Nyesville Road be granted for a period of six (6) months and at the end of that time if everything is moving forward, an additional six (6) months could be requested, if needed, provided there is movement for the construction of the new home.

The Zoning Officer presented a 1-lot Final Land Development Plan for Cargill Animal Nutrition, Inc.; property located along Overcash Avenue in the HI (Heavy Industrial) zoning district; propose construction of enclosure over existing scale adjacent to the existing building and operation on the property. He stated the applicant went through the Township Zoning Hearing Board and received a variance for front yard encroachment. 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 (8.23.13); Greene Township Municipal Authority – n/a; Franklin County General Authority – approved (8.22.13); Franklin County Conservation District – adequate (9.5.13); Township Engineer and Planner – Engineer stated that based on proposed construction there would be no new traffic generated so there would be no traffic impact fee required, no increase to impervious surface for stormwater, and noted that he is in agreement with the

Township Planner, occupancy use not changing, therefore would recommend the plan could be approved; Township Planning Commission reviewed at their meeting held September 9 (2013) and recommended approval as presented. 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 Cargill Animal Nutrition, Inc. 1-lot Final Land Development Plan be approved as presented.

The Zoning Officer presented the Verizon/Rotz Farm Cellular Telecommunication Facility 1-lot Final Land Development Plan; property located along Pine Stump Road in the AR (Agriculture Residential) zoning district; propose construction of cell tower; use is a Conditional Use as approved at public hearing held June 11, 2013 with three conditions which all have been met. 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 (FCPC) – no comment to date with ZO stating that FCPC has had the plan since the end of August but Township still has not received any comment; Greene Township Municipal Authority – n/a; Franklin County Conservation District – adequate (8.19.13); traffic engineer noted no new peak hour trips will be created therefore no fee required; Greene Township Planning Commission reviewed at their regular meeting held September 9, 2013 and recommended approval subject to required signature(s) being placed on the plan; Township Planner's previous comments have been addressed; Township Engineer – soils report has been provided to him, plan is adequate and conforms to Township requirements regarding cell towers, therefore, he would recommend approval. The representative for the applicant had nothing further to add. It was noted there is a beacon proposed for the cell tower and is shown as such on the plan. Supervisor Brookens asked the ZO if he had any reason why FCPC hadn't commented and the ZO stated that nothing had been received from them yet. Supervisor Brookens asked if the Township had received the plan back from FCPC. The ZO stated he had given a second set of plans to FCPC and they did not respond to the first set, nothing on the revised set, and had ample time to respond. Supervisor Brookens noted that initially FCPC had an issue with the proposed location being in an agriculture area. Supervisor Burns asked the property owner, Mr. Rotz, if he was aware of the potential for this property to go into the ag security in the future and Mr. Rotz stated 'yes'. Following further review, discussion 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 Verizon/Rotz Farm Cellular Telecommunication Facility 1-lot Final Land Development Plan be approved with the condition the plan not be released from the Township Office until such time the plan is signed, dated and notarized by the owner.

The Zoning Officer presented a Parking and Circulation Plan for Sollenberger's Messenger Service; property located along Philadelphia Avenue in the R-2 (Medium Density) zoning district; property is former M & T Bank; proposes additional parking space; because of change in use, a P & C plan is required. The ZO stated there had been considerable discussion at the Township Planning Commission Meeting regarding access and future access to shaded areas for parking as shown on the plan. An agreement has been recorded and reflected on the plan depicting separate tracts but that has been addressed and recorded. The ZO noted two existing stalls that adjoin Horst Avenue but there is more than enough parking

without these two stalls and are not counted as parking stalls on the plan. A copy of the *Approval Checklist* with comments from the various reviewing agencies was distributed to each Board Member for their review as follows: only comments required were those from the Township Planner and Township Engineer – Township Planner recommended the two aforementioned parking stalls be removed; Township Engineer noted that with easement in place he would recommend approval; Township Planning Commission reviewed at their regular meeting held September 9, 2013 and recommended approval of the plan as presented. Supervisor Burns asked if the issue of the two parking stalls was because of traffic backing out onto Horst Avenue and the Engineer stated the parking does not extend out onto street; Horst Avenue is wide enough. The Engineer stated his concern was the easement for the two parcels but that agreement has been placed on the plan, therefore, he would recommend approval of the plan. 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 Sollenberger's Messenger Service Parking & Circulation Plan be approved as presented.

The Zoning Officer presented a Parking & Circulation Plan for Fabio's Events & Catering; property located at former Mann Plumbing & Heating along Route 30 East (Fayetteville). The ZO noted on the plan the locations of Mann P & H and accessory building as well as the other proposed business locations. He stated that per Township ordinance, there would be 22 parking spaces required and there are 26 shown and Mr. Mann is not going to use more than 3, therefore, there should be enough 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: only comments required were those from the Township Planner and Township Engineer – Township Engineer stated that initially he did not have enough information but received additional information for his review. He stated the staff agree the proposed use is public assembly and that ample parking is provided and conforms to all other requirements satisfactorily. 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 Fabio's Events/Mann Plumbing Parking & Circulation Plan be approved as presented.

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

On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 20549 through 20578, inclusive, to be paid from the General Fund; Check Numbers 3055 through 3057, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2021 to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:42 P.M..

Respectfully submitted,

Secretary