

January 26, 2016
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, January 26, 2016 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA

Present:

Todd E. Burns	Gregory Lambert
Travis L. Brookens	Daniel Bachman
Shawn M. Corwell	Diann Weller
	Welton Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:00 P. M..

The Minutes of the Public hearing held January 12, 2016 regarding amendments to Chapters 85 and 105 shall stand approved as presented and become part of the official record.

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Mr. Ed Davis, Engineer with MBC Development, and Mr. Pat Higgins, Real Estate Manager with MBC Development, asked to address the Board with several concerns regarding the proposed Dollar General project at the Chambersburg Mall; namely, those concerns were the amount of required parking area on site and the traffic impact fees. Mr. Davis stated they were aware of the fees and according to the traffic engineer the fees in that "zone" would be \$150,000. Mr. Davis alledged the new store would not generate any new traffic but basically it is people stopping for a brief time on their way to work, etc. Mr. Davis continued by noting the project would be on a lot already available for development and the Mall existed before the Traffic Impact Fee Ordinance was enacted and asked for consideration of reducing the fees. They would prefer paying something similar to other Dollar General stores in the area and asked if there was some way they could pay the impact fee in line with the others. Mr. Higgins informed the Board that he had a site plan with him if they wished to review it. The Chairman noted the intent of the store and construction of the store would mostly be the same as the one in Fayetteville. He continued by stating that as to the impact fees he is not sure how many trips would be generated but the Township is divided into seven different sections; each has its own fees based on the number of trips, etc; and, that even though Dollar General has two stores that are the same but they are located in different sections where the fee would be different. He noted that in the new manual and category there are similar stores defined by the manual and believed that was utilized in preparation of the fees. The Township Engineer stated the Chairman was correct and the new category was created for stores of this similar type. The Zoning Officer noted the store on Route 11 was constructed prior to the Ordinance and the store on Route 30 had thirty new peak hour trips. The ZO stated there is an appeal process and the Chairman stated there have been others who have appealed and specifically noted the proposed new Sheetz in Greenvillage had performed their own studies and calculations regarding traffic to be generated. Mr. Davis asked if the Board would look at the Mall already being there for consideration. Mr. Higgins asked if a new tenant at the Mall would have to go through the same process and together the Chairman

and Engineer stated that basically fees are charged when a new subdivision or land development is proposed for development. Supervisor Brookens stated that at the time of the Mall's construction, there would not have been any consideration as to traffic impact fees but only those perhaps required by the State, etc. Mr. Higgins stated they are not against paying the fees but thinks the \$150,000 (fees) is ridiculous noting they only have a few cars at any one time. The Township Solicitor explained the process which Dollar General could appeal the decision of the traffic engineer regarding the fees calculated. The Solicitor further explained that in order for them to gain relief from the fees being charged they must go through the appeals process. Supervisor Brookens stated that it is outlined in the Township Ordinance how the fees are derived, etc. The Township Engineer noted the ITE Manual sets the vehicle trip generation which is the basis of the fee being charged and allows for an appeal and suggested that with other store locations in the County, they have representative locations to perform their own traffic counts and present their calculations to the traffic engineer for consideration. The Solicitor noted the traffic engineer is not on staff (Township) although he is contracted with the Township. Again, it was stated that Dollar General could appeal the number of trips and not the actual per trip fee. The Township Engineer briefly explained the process of calculating the "per trip number" to tackle the "peak hour" of the volume. The Chairman noted that Dollar General may want to pursue the appeal process. The Solicitor noted the parking issue they referred to earlier is regulated under the Zoning Ordinance and Mr. Davis stated he is aware of asking for a variance regarding the parking requirement. Mr. Higgins inquired as to when the new ITE Manual was published and the Township Engineer noted either last year or the year before. Mr. Higgins stated that up until last week the fee was \$38,000 and then suddenly changed to \$150,00 which was quite a difference and Dollar General was quite taken aback to learn of this. He further stated that in a previous meeting was the first time they had heard of the fee difference and questioned the Township Engineer. The Solicitor stated it was not the Township Engineer who calculated the fees but the traffic engineer. Mr. Davis and Mr. Higgins thanked the Board for the opportunity to address them regarding their concerns.

Supervisor Corwell explained the Governor had declared an emergency disaster during the recent snowstorm which may allow for some reimbursement from the State of costs incurred by local municipalities which would have greatly taxed resources. In view of this fact, in the absence of both of the other Board Members he went ahead and declared an emergency with a Township Resolution number and forwarded it to the County. He explained that if the Township were to declare an emergency disaster then it would greatly enhance the chance of reimbursement to cover costs incurred if the State were to do so. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to officially adopt Township **Resolution No. 5-2016** regarding the Declaration of Disaster Emergency for the winter blizzard January 22-24, 2016.

Supervisor Corwell stated that each year the Township's Emergency Operations Plan (EOP), of which some was used this past weekend, is reviewed. He had no changes to make and kept it the same as 2015. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 6-2016**, identified as the *Greene Township 2016 Emergency Operations Plan (EOP)*, as presented.

The Township Secretary presented a list of Township records ready for disposal as set forth in guidelines of the Records Retention Manual. She noted a copy had been forwarded to the Township Solicitor for his review; however, at this time the Solicitor noted he had not seen it (sent via fax) before leaving his office. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 7-2016** for disposition of certain Township records.

Supervisor Corwell presented a report from Pleasant Hall Volunteer Fire Department Fire Police listing all incidents they responded to in 2015, as submitted by Mr. Wayne Shannon, Fire Police Captain. He noted the report is very similar to the one recently submitted by Fayetteville Volunteer Fire Department Fire Police for the Board's review. Supervisor Corwell also noted that Pleasant Hall Fire Police also participate in the special events within the Township. After the Board's review, the Chairman stated the annual report from the Pleasant Hall Volunteer Fire Department Fire Police shall become part of the official record.

The Zoning Officer presented a 1-lot Final Subdivision Plan for Dennis Diehl, Project #15-019; property located on Frecon Road; zoned R-1 (Low Density Residential); consists of approximately 3.75 acres. The ZO reviewed the *Approval Checklist* with the Board, each Member having received a copy for their review: Franklin County Planning Commission – reviewed with no comment (9.24.15); Greene Township Municipal Authority – Approved (1.14.15); Sewage Enforcement Officer – module approved by PA DEP (12.7.15); Guilford Water Authority – N/A due to onsite well; Franklin County Conservation District noted as 'adequate' (11.16.15); Township Planner noted some previous comments have been addressed and others that continue to be considered; Township Engineer – reviewed and found it to comply with the Township's Subdivision Ordinance, therefore, would recommend approval of the plan; reviewed by Township staff on behalf of the Township Planning Commission and would recommend approval (1-26-16); requires \$500 recreation impact fee and transportation impact fee of \$1,778 (TSA-3, 1 trip). The Chairman inquired if the plan provides the portion of 50-foot right-of-way and the Township Engineer confirmed that it did. Supervisor Burns inquired as to the size of the existing turnaround and the Engineer stated around 15 to 20 feet, enough only for a three-point turn. Supervisor Brookens noted it is not a standard turnaround and the Engineer confirmed. The Engineer continued by noting the right-of-way that is being provided for the cul-de-sac and the on-lot stormwater facility provided to the rear of the property in lieu of bonding, therefore, there is no need for bonding with the stormwater facility being provided. The Chairman inquired if it was the developer's idea to install the rain garden for stormwater and the Engineer confirmed that it was. The Chairman addressed the Township Engineer by noting the Township usually requires stormwater drainage but if they are choosing to use a rain garden that would also be acceptable and the Engineer confirmed that was correct. Supervisor Corwell addressed the Engineer that he had referred to a cul-de-sac in the future and the Engineer stated that if the Township wanted to increase the size of the cul-de-sac in the future, the road has already been dedicated to the Township, therefore, the Township would have to perform the work. Supervisor Brookens inquired if the area was big enough to build it full size and the Engineer stated that it would with the 50-foot radius being provided. Supervisor Corwell noted the area

in question is a “tight fit”. Supervisor Brookens stated he had spoken with the Zoning Officer earlier and his concern was adding another driveway to a large parcel of land. Some discussion ensued as to the number of private drives off Frecon Road and would suggest consider looking at closely going forward. The Solicitor suggested that if there is any proposal of additional lots with private drives, they may be required to extend the road and then the Township could require the number of driveways. He stated the Township may wish to put Mr. Diehl on notice of possible future requirements of private drives. Following discussion and review, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to approve the 1-lot Final Subdivision Plan for Dennis Diehl with conditions the traffic impact fee of \$1,778 be paid at the issuance of the Land Use Permit, the recreation fee of \$500 also be paid at the issuance of the Land Use Permit, and the plan not leave the Township office until both of these fees have been paid.

The Solicitor stated he reviewed the **Resolution** regarding the disposition of records as earlier discussed at this Meeting and he agreed with the submission.

On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 23768 through 23795, two online payments, one direct deposit, four credit card payments, inclusive, to be paid from the General Fund; Check Numbers 3238 and 3239 and one online payment, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2070 and one online payment, inclusive, to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:43 P.M..

Respectfully submitted,

Secretary