

October 13, 2015
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, October 13, 2015, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns

Travis L. Brookens

Shawn M. Corwell

Gregory Lambert

Daniel Bachman

Diann Weller

Welton Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:00 P. M.. The Chairman noted the presence of several students in the audience, welcomed them, and informed them to feel free to ask questions at any time or they could ask afterwards as well.

The Minutes of the Regular Meeting held September 22, 2015 shall stand approved as presented and become part of the official record.

Mr. Elam Reiff, developer of Beacon Lights development off Woodstock Road, addressed the Board voicing his complaint regarding his unsuccessful attempt to obtain additional sewer permits. He stated when he went to the Sewer Authority to get more sewer permits they informed him he could only not get any further permits until his existing spec houses were sold and proof shown of same. They stated he would need to contact the Supervisors to further answer his inquiry; therefore, he was present to ask the Supervisors the question "why?". He stated he has put a lot of monies into installing utilities and now unable to get sewer permits to build. The Chairman asked Mr. Reiff how many homes he had under construction currently and Mr. Reiff answered 'none'. Mr. Reiff further stated the (constructed) homes are under lease (rent to purchase) and there are an estimated 6 or 7 but he would have to check his records to be certain. Mr. Reiff again questioned why they (Sewer Authority) would not give him sewer permits with proof of the contracts he has with each prospective homeowner. The Chairman stated the first question to answer as to 'why' was that Mr. Reiff should be well aware of why the situation. The regulations for disbursement of sewer permits were adopted several years ago and the Township held a number of meetings and Mr. Reiff had voiced his opinion at those meetings. The Chairman informed Mr. Reiff that PA DEP has placed the Township under a moratorium; regulations were reviewed by DEP and (DEP) asked for changes which were done and because DEP has the Township under the moratorium, persons will continue to see the limits imposed being adhered. Supervisor Brookens stated that everyone has to abide by the same rules; only two (2) per development and the homes are sold a new tap can be applied for and it is not discriminating against Mr. Reiff or anyone. The Township Solicitor stated there was no discrimination and why the provision was put in the ordinance as to spec homes was to be sure that a developer could not obtain all taps released by the State and a single homeowner would not be able to obtain a permit. The Solicitor proceeded by noting an example of one homeowner who had sold home and built a new home but could not move in it because no sewer tap could be received. He further stated that DEP had begun the process and that formula was developed by many persons (i.e. realtors, developers, etc). Mr. Reiff then asked what seemed to be the problem and asked if the Sewer Authority was doing their job to which the Chairman

answered unequivocally the Authority was doing their job and the moratorium is not a short-term fix and there are many problems involved. One problem is water infiltrating into the sewer system and overloading it (system). The Chairman stated the type of business model that Mr. Reiff is operating under does limit him and he may want to reconsider his way of doing business in view of this situation. The Township has no control over the number of taps as issued by DEP; only DEP has that power and also to impose its regulations on the local municipality. Supervisor Corwell stated the allotment is based on the amount going into the system and this situation will continue for many years. It is not a quick or easy fix and will cost the Sewer Authority much money. The Solicitor again noted the many meetings held regarding this and that it was a very concerted effort to provide something for everyone as much as possible. Mr. Reiff thanked the Board.

The Township Engineer presented a request for refund of plan review escrow for Fayetteville Storage 1-lot Final Subdivision, Project #15-013; said development along Route 30. Original escrow submitted - \$6,850; \$1,897.29 expended in fees; letter of request received for refund of remaining \$4,952.71. He stated the plan was recorded and recommends the Township retain \$500 for a significant stormwater basin along with piping to be installed yet and inspection(s) would be required after construction. Therefore, the Engineer recommended a partial refund of \$4,452.71 be returned. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for refund of plan review escrow for Fayetteville Storage 1-lot Final Subdivision, Project #15-013, in the amount of a partial refund of \$4,452.71 and the Township will retain \$500 for future stormwater inspections and the check be made payable to Kenneth E. Stake.

Supervisor Corwell noted the Township provides allotments to four (4) fire companies that operate in the Township; the year's second half donation will be the same amount as distributed in the year's first half as follows: Fayetteville Vol. Fire Dept. - \$27,258; Franklin Fire Co. No. 4 - \$18,753; West End Fire & Rescue - \$7,500; and, Pleasant Hall Vol. Fire Dept. - \$7,500. Supervisor Brookens inquired if the fire companies were still being required to provide a letter of what the funds were used for and Supervisor Corwell stated they were. 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 to release the year's second half donation amounts to the respective fire companies as follows: Fayetteville Vol. Fire Dept. - \$27,258; Franklin Fire Co. No. 4 - \$18,753; West End Fire & Rescue - \$7,500; and, Pleasant Hall Vol. Fire Dept. - \$7,500 with condition that a letter be provided to the Township specifying those expenses paid from those funds.

The Chairman presented a proposal for consulting agreement from Government Management Services LLC (GMS) to provide services on an "as-need" basis for different projects (i.e. grant writing, construction permit reviews, landfill issues, permitting through DEP, etc) noting that some permits are hundreds of pages in length. He stated the Township has used GMS in the past and they provide an extensive knowledge in grant writing. This agreement would involve a monthly retainer of \$1,500 (per month) over a 12-month period. Supervisor Brookens noted the Township knows the benefits of grant funding (i.e. Compost Facility) and other grants that are available to fire companies and this firm is quite experienced with this fiercely competitive field. Supervisor Corwell informed the two

remaining Board Members that he would need to abstain from voting on this item due to a relative currently working for this company. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0-1, with Supervisor Corwell abstaining, the Board voted to enter into a consulting agreement with Government Management Services LLC (GMS) and authorize signature of that proposal for the work as outlined in that proposal.

Supervisor Brookens, Director of Parks and Recreation, presented a cost estimate from Yost, Strodoski, Mears (YSM) for further development at the Township Park particularly in the area where the former Knouse building was located; proposed plans call for fitness areas for adults and children. He stated that YSM are landscape architects and have done some other work previously at the Park and it is hoped the project will be done next year; proposal estimate is \$20,150. The Chairman noted the plan that is proposed is quite dynamic; provides recreation for all age groups and once that particular area is developed it will be an exciting addition to the Park and great use of that area. Supervisor Corwell agreed with the Chairman's comments and noted they Supervisors had looked at different venues for that area and glad to move forward in developing that area. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Todd E. Burns, and by a vote of 3-0, the Board voted unanimously to authorize signature on the agreement with YSM for the projected development for the Township Park as presented in the amount of \$20,150.

The Board received and reviewed the Fayetteville Volunteer Fire Department (FVFD) Fire Police Monthly Report for September (2015) as submitted and presented at this Meeting. Supervisor Corwell noted there only three (3) Fire Police at FVFD, one had knee replacement and one had other surgery which left only Michael Balsley who has put in quite a bit of time as noted in the Report. It was consensus of the Board to accept the Fayetteville Volunteer Fire Department Fire Police Monthly Report for September (2015) and becomes part of the official record.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report for September 2015 and following his review he noted two times the month of 'August' was stated and it should state 'September'. Following review, it was consensus of the Board to accept the Monthly Zoning Office Report for September 2015 with the corrections duly noted and it becomes part of the official record.

The Zoning Officer presented a public sewer tap-in for Dennis and Lisa Diehl Subdivision, Frecon Road, on behalf of and as submitted by Vince Elbel, Township Sewage Enforcement Officer (SEO). The ZO stated this is one lot to be subdivided from the larger Diehl property; development would require one edu of sewer; connection to public sewer and water will be provided by a well; currently in the review process at the Township office. Supervisor Brookens referred to a statement in the narrative "previously approved" and questioned same. The ZO stated it was referring to a previous subdivision of the Diehl property and this plan is a further subdivision for residential use. Supervisor Corwell inquired if sewer was located along Frecon Road and the ZO stated only a portion but this particular parcel can connect (to public sewer) because they do not have to go across any wetlands, etc as experienced by other property owners in the vicinity. Following review and consideration,

on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 19-2015** for a public sewer tap-in for Dennis and Lisa Diehl Subdivision, Frecon Road, as submitted by Vince Elbel, Township Sewage Enforcement Officer.

The Zoning Officer presented a request for waiver of Greene Township Code 85.54.E, *Limiting A Residential Lot To One Driveway*, as submitted by Tony Laidig for property located at 3045 White Church Road. Mr. Laidig resides on the corner of the intersection of White Church Road and Spanish Moss Court and submitted an aerial view in color of his property, location of current driveway, and the locations of both the proposed garage and proposed (new) driveway. The ZO stated he had visited the site when a Land Use Permit Application had been submitted by Mr. Laidig and that was when the issue of multiple driveways arose. The ZO noted there are other properties in the neighborhood who have more than one driveway and those properties are corner lots as well. Mr. Laidig addressed the Board on the problems he would encounter if he had to have just one driveway due to the location of his garage and that would be that it would have to go through the entire property plus limit the use of yard area. The Chairman stated he understood and personally had no issues with the request. Supervisor Brookens stated he did not either and noted that when the Ordinance is reviewed in the future the Township may want to amend it for this type of scenario (i.e. corner lots). The ZO noted the provision of only one driveway per lot was just added in May of this year and before that it was permitted. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85.54.E, *Limiting A Residential Lot To One Driveway*, as submitted by Tony Laidig for property located at 3045 White Church, as presented.

The Zoning Officer presented a request for review time extension of ninety (90) days submitted by William A Brindle Associates, Inc. on behalf of their client, Brownsville Church, Greene Township Project #15-016; first extension requested; current deadline is October 20, 2015. The ZO stated the plan is actually ready to go before the Board except for the issue of a cemetery on the property and continue to work on resolving the concern of the cemetery maintenance. The Township Solicitor noted there had been discussion some time ago regarding the Second Class Township Code states that when a cemetery is abandoned, it will revert to the Township. He stated he has asked the Church to provide some type of information as to how they plan to maintain the cemetery and he has received no details to date. His concern is that when a church has removed themselves from the property how they plan to provide maintenance for the future of the cemetery. Supervisor Corwell stated he felt it was a good idea to ask because the Township currently has two (2) cemeteries it is responsible to maintain. The Solicitor stated that at least with the church there is an asset but concerned due to its location as to a maintenance provision. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for review time extension for Brownsville Church, Greene Township Project #15-016 for a period of ninety (90) days commencing October 20, 2015.

The Zoning Officer presented a request for review time extension of ninety (90) days submitted by Dennis E. Black Engineering, Inc. on behalf of their client, Thomasville Properties, Greene Township Project #15-002; third extension request; current deadline is October 23, 2015; property located on the east end of the Township. The ZO stated the plan is very near to the approval phase and only the issue at present is regarding the sidewalk agreement. The ZO stated he had spoken with the developer's engineer and they are still moving forward although very slowly but the engineer is hopeful it will be settled within the 90-day extension being requested. The ZO asked the Township Solicitor what the difference between "right-of-way" and "license agreement" would be referring to the wording being used in the correspondence requesting the review time extension. The Solicitor gave the definition of "right-of-way" but was not familiar with the term of "license agreement". The ZO again noted the Township's previous offer to approach Dollar General but the developer's engineer asked it still be withheld. Following review and consideration, 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 request for review time extension for Thomasville Properties, Greene Township Project #15-002, for a period of ninety (90) days commencing October 23, 2015.

The Zoning Officer presented a request for waiver of Greene Township Code 85-18.A, *Minimum Drawing Scale*, for the Milton Rotz Subdivision, Greene Township Project #15-017; property located at Rice and Pine Stump Roads; large agricultural tract; actually two (2) tracts both with homes; does not wish to maintain the homes. He further noted this plan is showing a 1" = 200 feet rather than the 1" = 100 feet as required by the Ordinance. The Township Engineer stated that due to the large tracts and no development being planned, he would recommend approval since they are all agricultural lands. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85-18.A, *Minimum Drawing Scale*, for the Milton Rotz Subdivision, Greene Township Project #15-017.

The Zoning Officer presented a 2-lot Final Subdivision Plan for Milton Rotz; property located at Rice and Pine Stump Roads; acreage total of 60.9; zoned "Agriculture Residential". The ZO stated he had spoken with Vince Elbel (Township S.E.O.) regarding perc testing and was informed there are backup testing sites on the property. The ZO noted that an access easement will be over the residue owned by Mr. Rotz and that he intends to farm but not retain the dwellings on the lot. The Township Engineer commented there is an access being provided to Pine Stump Road and there will be three (3) accesses with two (2) for residential use and one (1) for agriculture; he recommends approval of the plan. 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 (9.1.15); Greene Township Municipal Authority – N/A; Sewage Enforcement Officer – non-building waiver forwarded to PA DEP (8.31.15); Township Planner and Engineer comments attached; plan was staff reviewed on behalf of Township Planning Commission, had no comments, and recommend approval (10.13.15); sidewalk waiver was granted by the Board at their Regular Meeting held August 25, 2015. Supervisor Brookens inquired if the existing access to the lot will still be used as access to the residue. The Township Engineer stated it could but the

access being proposed is to use the one to Pine Stump but that access could be continued. Supervisor Brookens then asked if there was some type of maintenance agreement or something that should be required (by the Township) noting that usually if there is a shared access, there is a statement and a note should be required on the plan. The ZO deferred the question to the Township Engineer by asking if they (Rotz) plan to continue using. Discussion ensued regarding this access. The Solicitor commented that perhaps this would be a question to ask the developer. The Township Engineer noted they (Rotz) is providing an access easement to the agricultural area. The Chairman asked the ZO if there was a time limit on this plan and he stated 'no' and the Chairman noted it could be tabled until the first meeting in November with the Solicitor stating it is a good question to have a correct answer. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to table the Milton Rotz 2-lot Final Subdivision Plan for further clarification on the plan.

The Solicitor noted he had one final comment relating to the earlier discussion regarding cemeteries. He stated he was aware of a church in Greenvillage who was 'going out of business' and he was contacted as to transference of the lot and cemetery as a whole or separately. The Solicitor informed the inquiring party the Township would endeavor to work with them and they should submit a proposal to the Township. Supervisor Brookens stated he thought it would possibly be best to keep as one lot. The Solicitor stated he was not aware of what type of maintenance would be needed but was just advising the Board that something may be forthcoming to them.

On a motion by Shawn M. Corwell, 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 23388 through 23429, six credit card payments, one online, and one direct payment, inclusive, to be paid from the General Fund; Check Numbers 3215 through 3220, with one online payment, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2064 and one online payment, inclusive, to be paid from the Electric Light Fund.

There being no further business before the Board, the Chairman adjourned the Meeting at approximately 8:02 P. M..

Respectfully submitted,

Secretary