

December 14, 2010  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, December 14, 2010, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

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

Daniel Bachman  
Gregory Lambert  
Diann Weller  
Welton Fischer

Visitors: See list

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

The Chairman noted several attendees and asked to introduce themselves. They were one (1) student from Chambersburg Area Senior High School and two (2) students from Franklin County Career & Technical School; all students were required to attend a meeting for "Civics" class.

The Minutes of the November 9, 2010 Public Hearing regarding installation of "STOP" signs in Salem Road Village Development shall stand approved as presented.

The Minutes of the November 9, 2010 Public Hearing regarding installation of "STOP" signs in John denHartog Orchard Estates Development.

The Minutes of the November 9, 2010 Public Hearing regarding installation of "STOP" signs in Upland Estates Development.

The Minutes of the November 9, 2010 Public Hearing regarding installation of "STOP" signs in Greene Valley Estates Development.

The Minutes of the November 9, 2010 Public Hearing regarding installation of "STOP" signs in Saddle Ridge Estates Development.

The Minutes of the November 9, 2010 Regular Meeting shall stand approved as presented.

Mr. Tom Martin, resident in Scotland Run development, addressed the Board noting he was aware of the bond reduction request for the development later shown on the Agenda, however, he wished to share with the Board that he felt "let down" after attending numerous meetings and believing the landscaper was going to take care of matters and felt he was misled. He noted his concerns of his yard is sinking, etc and stated he was going to protect his house. The Township Engineer, Mr. Gregory Lambert, responded he had attempted to get "Wanda" to get things done and in the reduction letter he has a portion of work to be done which one is the hole and Mr. Lambert stated that construction is needed with grading, etc.

Mr. Lambert noted the stormwater and work that has been done to date by R & D. Mr. Martin noted that water is still running from the middle (lot) and Mr. Lambert stated that until a building pad is placed there it may be a problem. Mr. Martin stated he would have to take care of his property. Mr. Lambert stated he has gotten the “run-around” by Wanda and the Township has no recourse but he could not direct R & D. The Chairman asked Mr. Lambert if there was water coming from that lot and what controls were in place. Mr. Martin stated that the water is going back farther and that power boxes are under water. Mr. Martin stated he had filled in a hole several years ago; the Chairman asked if it could be seen and Mr. Martin stated ‘yes’. The Chairman stated he and Mr. Lambert will meet with Mr. Martin on site the next day (Wednesday) to observe the site. The Chairman emphatically stated that it is time to get things done. Mr. Martin noted his appreciation of the assistance the Township has given. Another resident of the development, Mr. Carl Jamarik, asked about the detention pond put in that if a large rain occurs and the leader pond fills if it would go onto another property but Mr. Lambert stated there is a subsurface drain underneath and drains out to a pipe. Mr. Lambert explained how the basins work during a rainfall. Mr. Lambert asked if one neighbor had any water in his basement during heavy rainfall and Mr. Jamarik stated he did not think so. Mr. Martin asked when Township officials thought they would be visiting the site and the Chairman and Township Engineer noted other meetings already scheduled for that day but felt most likely around noontime. Mr. Martin thanked the Board for their assistance.

The Chairman noted that in the new (2011) budget in the Electric Light Fund due to electric deregulation, an increase of 6 cents per foot for all affected developments except one would be needed to meet all electric invoices received (for street lights in those developments). He noted then that later with increased footage, (the revenues) would help offset electric costs. He further stated that if that does not work with four districts then there would be draw down to a lesser number; he stated the electric deregulation is of great concern. He stated the Township is considering taking the nine districts and combining into four for more foot frontage. The lowest district will be increased 4 cents per foot with the maximum being 6 cents per foot. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the street lights for 2011 be increased to the following: Culbertson – 6 cents; Fayetteville – 6 cents; Meals Development – 6 cents; Presidential Heights – 4 cents; Scot-Greene Estates – 4 cents; Woodstock – 6 cents; Font Hill – 6 cents; Greenvillage will remain same; and two smallest districts of Shadle Drive and Woodstock be recommended for combining in the future.

The next item on this Agenda was the Board’s consideration of the *Greene Township 2011 Final Budget*. The Chairman noted the Township’s 2011 Preliminary Budget had passed and had been placed on public display for thirty days with no public comment being received. He noted this was the hardest budget he has ever had to work on over the many years of doing such and noted some of the various income aspects that are down. He stated the total budget of all three funds is a 4 million dollar budget with just the General Fund in 2010 being \$4,105,700 and the final budget for 2011 is \$3,706,200 so there was some cutting done. He noted there would be more expenses funneled through State funds received. Supervisor Burns stated he felt the Chairman had summed up well and that even though there

were cost cuts made, the Township will still strive to offer the current services. He noted this will be the 32<sup>nd</sup> year with no property tax and wished to commend the Board and past Boards that Greene Township is fiscally cognizant and commend this Board again for a difficult budget. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the *Greene Township 2011 Final Budget* be approved as presented.

The Board considered the Chambersburg Area Wage Tax Board's Proposed 2011 Operating Budget. The Chairman stated their budget was the same scenario as the Township's with some wages being cut with slight increase but took out some benefits. It is a very lean budget plus the Chambersburg Area Wage Tax name has been changed to the "Franklin County Area Tax Bureau" due to taking on more entities due to the passage of Act 32. The Chairman noted he chairs that organization and as of December 31 (2010) he is stepping down as (their) Chairman and also as a member of the Board. He stated it is time for change after years of serving since the 1980's. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Chambersburg Area Wage Tax Board/Franklin County Area Tax Bureau Proposed 2011 Operating Budget be approved as presented.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Monthly and Year-to-Date Reports as submitted by Mr. Michael Balsley and it was the consensus of the Board to accept the Reports as submitted and become part of the (Township's) official record.

The Zoning Officer presented a request submitted by Mr. Vincent Elbel, Township Sewage Enforcement Officer (SEO), to refund the fee of \$190.00 to Scott and Peggy Miller, 1555 Mt. Pleasant Road, Fayetteville, for "voided" sewage disposal system permit application. 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 from Vincent Elbel, Twp. SEO, to refund Scott and Peggy Miller, 1555 Mt. Pleasant Road, Fayetteville, the "voided" sewage disposal system permit fee of \$190.00.

The Zoning Officer presented Township **Resolution No. 29-2010**, from Vincent Elbel, Township SEO, for a requested sewer tap-in at S.R. 0997 (Black Gap Road) and T.R. 711 (Doron Drive) from Bernard Washabaugh. The ZO stated this request was received as part of a Land Development Plan submitted for a proposed construction of garden apartments (3 units of 6 each for a total of 18). The property is served by public water; the module applications have been signed by both the Borough of Chambersburg and Greene Township Municipal Authority. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that Township **Resolution No. 29-2010** for a sewer tap-in at S.R. 0997 and T.R. 711 (intersection of Black Gap Road and Doron Drive) be approved.

The Zoning Officer presented a request from Jeffrey Yeager, 2779 Rocky Spring Road, for refund of remaining plan review escrow for Project #10-007 in the amount of \$1,303.35. The ZO noted the required full amount fee had been submitted with the (David) Yeager plan which was subsequently approved; appropriate fees were deducted from the original full amount and asked the remaining escrow funds be refunded to Mr. Yeager. Mr. Lambert noted only two (2) minor notes and that no further improvements are required, the plan has been approved, and would recommend release of the remaining funds. 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 remaining plan review escrow received from Jeffrey Yeager, Project #10-007, in the amount of \$1,303.35, be granted.

The Zoning Officer presented a request from George Harris, Fayetteville, for refund of remaining plan review escrow for Project #10-008 in the amount of \$1,218.90. The ZO stated the escrow was required and submitted as part of the Harris Land Development Plan. The plan was approved and appropriate fees were deducted from the original full amount and asked the remaining escrow funds be refunded to Mr. Harris. Mr. Lambert noted there were no further improvements required and recommended release of the remaining escrow funds. 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 remaining plan review escrow from George Harris, Fayetteville, Project #10-008, in the amount of \$1,218.90, be granted.

The Zoning Officer presented and reviewed the November 2010 Monthly Zoning Office Report with the Board. He noted the "Re-zoning request" as shown on the Report relates to Item #18 on this (evening's) Agenda. Following review, it was consensus of the Board the November 2010 Monthly Zoning Office Report be approved and accepted as presented and become part of the (Township's) official record.

The Zoning Officer noted that at the Supervisors October 12, 2010 Regular Meeting a request for zoning map amendment was presented to the Board for property at the intersection of Route 30 and Anthony Highway and the applicant was informed at that time the Board would entertain a formal request for the amendment with no guarantees of approval. The ZO stated the Township received a formal *Petition for Zoning Amendment* November 11, 2010 from Trinbar Associates. They request changing the current zoning of R-1 (Low Density Residential) to Highway Commercial. The Solicitor informed the Board this type of request is required to be forwarded to the County (Planning Commission) for their review so 45 days would be needed for a review period. The Chairman inquired if this application was any different from a previous request received and the ZO stated that letters from adjacent property owners were dated 2007 and not current dates. Mr. Lance Kegerreis stated he was only aware of a request submitted in 2006 from the trustee for the former Edna Smith property and not from this new owner. The Chairman stated that request had not been pursued further and the Board had noted that at least one of the affidavits (letters) was from a person since deceased. Mr. Larry Lahr stated it was their intent that when a public hearing was held, neighbors would be invited to attend and present testimony and was not aware that information was needed at this time rather than at the public hearing. He stated there appears to be two different ideas of what was expected at this meeting and the Chairman stated there

is much work ahead for the applicant. Mr. Lahr stated he appreciated the work that is needed and apologized to the Board for not being as prepared for this meeting as was previously thought. Supervisor Burns stated he concurred with the Chairman and was looking for information at this meeting. Mr. Kegerreis stated he was not quite understanding what was expected; the letters of discussion on this project from years past and this is only a conceptual sketch at this time. He further noted that PennDOT will not give much opinion until more detailed information from the Township public hearing is obtained. Supervisor Burns stated he and the Board were under the impression at the previous meeting there were some ideas to re-alignment in the road and other ideas for the Board to consider in the future and does not see that on the conceptual plan and the letters should be more updated rather than three years old. Mr. Lahr stated they were not trying to deflect on the letters and assured the Board they would be obtaining the needed information. The Chairman stated he only wanted to alert and caution the applicant(s) of what is needed and again noted the age of the letters. Following a lengthy discussion, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to schedule a public hearing to consider the zoning map amendment request to be held Tuesday, February 22, 2011 at 7:00 p.m., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania.

The Zoning Officer presented a request for bond reduction for Scotland Run development via correspondence received and noted a copy of the correspondence had been provided to each Supervisor for their review and information. Mr. Lambert stated the current bond of \$152,000 did include for the completion of the street with sealing and sidewalk construction. He noted was has been completed and that a great deal of work to improve the site had been done this fall. He noted, however, there are still some items the Township needs to keep bonded referring to his comments to the Board dated December 14, 2010 and reviewed same in detail. Following his review, site inspections, calculations, etc he recommended the Township retain \$50,900 plus 10% for a total of \$55,990. Township resident Shawn Corwell addressed the Board and stated he wished to ask the Board to consider holding a decision until the Board has time to look at the site. Supervisor Burns agreed with the suggestion and desired the matter be tabled until the December 28 meeting to allow the Board to review the issues and the desired bond reduction. Mr. Lambert explained the original bond did not need to include what were already there (i.e. sediment and some earthmoving, finishing basins, etc) and that now that work has been completed. Mr. Chester King, US Bank employee, stated he sympathized with residents but cautioned that some issues are HOA and some are issues of US Bank. He stated he would like to request that when reviewing this particular problem, it would be separated as to which is HOA and which is US Bank. He stated he would like to see that all issues are resolved appropriately noting lots cannot be sold until these issues are addressed. He thanked the Board for allowing his input. Following a lengthy review and discussion on this matter, 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 bond reduction for Scotland Run development be tabled until the December 28 meeting at 7:00 p.m., at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania.

The Zoning Officer presented a request from White Church Meadows for a review time extension until March 22, 2011; current deadline is December 16, 2010. He noted the plan was presented to Township Planning Commission for their review and the Township did receive a revised plan and the Commission tabled it due to unanswered issues. Mr. Lambert stated this plan has been 'stalled' for quite some time due to several issues and perhaps might even be appealed to the Township Zoning Hearing Board but noted an agreement has been reached with a property owner, Mr. Wingert. He did note there has been extensive work into resolving issues though there are still two outstanding issues with Franklin County Conservation District and Guilford Water Authority. He stated he did feel there was some improvement in a positive way and understands the Board's frustration with the time this plan has been taking. Supervisor Burns inquired as to the District's and Authority's issues and Mr. Lambert stated the District's comments were forwarded to PennDOT. Mr. Kris Raubenstein, engineer for the developer, stated the developer is most anxious to finish and that the issues were out of their control at this time. The Chairman inquired as to whether there was a HOA (Homeowners Association Agreement) and the Solicitor stated he had not seen one to date. An unidentified party stated there was an original HOA from the original developer and it is being worked on. The Solicitor stated the original was recorded and inquired if there was suppose to be anything new and the person stated only a maintenance agreement has to be submitted yet. Following review and discussion, 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 review time extension for White Church Meadows be granted commencing December 16, 2010 and expire March 22, 2011.

The Zoning Officer presented a request from Poetry Estates for a review time extension of thirty (30) days; current deadline is December 15, 2010; copies of traffic study have been forwarded to Trans Associates for their review; copy of revised plan with brief note from Township Engineer was forwarded this date to PennDOT for their review and information. Mr. Lambert stated he performed a 'light' review of the amended traffic study but would need another 30 days for a thorough review. Supervisor Burns inquired if the requested 30 days would be enough time for both Trans and PennDOT reviews. Mr. Lambert stated he will contact PennDOT to inquire and the Board could move forward and just hold the requirement of funding. It must also be determined whether the traffic study will warrant a (traffic) signal. Following review and discussion, 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 Poetry Estates be granted an additional thirty (30) days commencing December 15, 2010 forward.

The Zoning Officer presented a Parking and Circulation Plan for S-N-D Tires noting a change of use for this property located along Route 11; providing two (2) handicapped parking spaces in front of the building with fifteen (15) additional parking spaces. A copy of the *Approval Checklist* was distributed to each Board Member for their reference and comments were as follows: Franklin County Planning Commission – N/A; Township Engineer and Planner both reviewed plan with their comments attached (12-10-10); Township Planning Commission reviewed at their meeting held December 13 and recommended approval subject to approval. The ZO stated the plan has since been revised

and the comments were addressed. Both the Township Engineer and Planner had reviewed the plan several times and feel it does meet Township Parking and Circulation requirements and would recommend approval. Mr. Lambert noted the regular parking spaces are 9 feet wide and the handicapped are 12 feet wide and a new, submitted sketch indicates a proposal of placing 15 spaces in the front parking lot with 3 additional inside the building. The Board reviewed the sketch as submitted and noted an area that needs to be "hatched" to prevent possible parking in a too-small area that could be potentially hazardous for vehicles and/or pedestrians. Board members explained to the applicant, who was present at this Meeting, the reason for "hatching" this particular area. Following review and discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Parking and Circulation Plan for S-N-D Tires be approved with the addition of the "hatched" area in the area outlined during discussion with the applicant.

There were no Subdivision and/or Land Development Plans submitted for review for 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 16047 through 16082, inclusive, to be paid from the General Fund; and, Check Numbers 1887 through 1889, inclusive, to be paid from the Liquid Fuels Fund.

There being no further business before the Board, the Chairman adjourned the meeting at approximately 8:30 P.M..

Respectfully submitted,

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Secretary