

December 22, 2015  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, December 22, 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 Minutes of the Regular Meeting held December 8, 2015 shall stand approved as presented and become part of the official record.

There was no public comment offered at this Meeting.

The Chairman noted the Township's 2016 Preliminary Budget had been approved at the November 10 Meeting and as required by law had been on display for thirty (30) days. To the best of his knowledge and that of the staff, there were no comments and/or questions presented by the residents. He noted the total Budget for all Funds for 2016 is \$4,939,952 with no changes to services provided to residents in 2016; no big changes on line items; nothing changed from Preliminary approval; good working budget. He further noted that yet another year the Township will have no property tax and is very proud of that and it is a good tribute to Boards serving prior to this Board. Supervisor Brookens stated he agreed with all the Chairman's sentiments and noted additionally it seems the last few years the Township has been able to continue having a little surplus; spending not outweighing income, therefore, able to save for future projects. 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 the *2016 Greene Township Final Budget* as presented.

Supervisor Brookens presented a quote from Bitting Recreation Inc., CoStars contract pricing vendor, for 4 pieces of stand-alone equipment that will work with other equipment purchased to be placed on the former Knouse building site; each Member received a copy of that quote to review. The pieces include: one arch swing, one see-saw, and two spring-type pieces of equipment (for single person use at a time); total amount of all four pieces under CoStars contract pricing is \$9,635.77. The Chairman noted it was good that equipment for the play area was continuing to move forward and to obtain the items at discounted rates before the end of the year. On a motion by Shawn M. Corwell, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to purchase various pieces of playground equipment from Bitting Recreation Inc. under CoStars contract pricing in the total amount of \$9,635.77, as presented.

The Township Engineer presented a recently received request for bond reduction from Franklin County Area Development Corporation (FCADC) for Platea/Torcomp Parcel 3-89-10 in the Cumberland Valley Business Park. He noted the parcel location is along Opportunity Avenue towards the Prison near the water tank. The request is for a reduction in the bond required for the stormwater management plan in the amount of \$42,225 to \$7,930 (reduction of \$34,295). The Engineer stated he did a site inspection and found the catch basin in the existing rain garden needs cleaned out as well as the infiltration basin located to the rear of the property. He spoke with the developer's engineer and the work is intended to be done in the spring, therefore, he would recommend approval of the bond reduction in the total amount of \$34,295. Supervisor Corwell inquired as to the copies provided to the Board for this Meeting and the Engineer explained the Board received copies from the information sent to the developer. Supervisor Brookens asked if a new bond would need to be submitted and the Engineer confirmed a new bond would be needed and the current one was due for renewal in January (2016). The Solicitor explained that when an insurance bond is submitted, such as this one, it must be re-done meaning a totally new document will need to be forthcoming to the Township; he briefly explained the difference between construction and performance bonds. Supervisor Brookens asked the Engineer if there had been any indication from the developer how he planned to submit new bonding and what type and the Engineer stated there had not. Following review and discussion regarding this request, 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 bond reduction received from Franklin County Area Development Corporation for Platea/Torcomp Parcel 3-89-10 in the Cumberland Valley Business Park in the amount of \$34,295 from the original amount of \$42,225 and the Township would retain \$7,930 which will require the developer to submit that amount in the form of another bond.

The Township Solicitor presented a request received by the Township from Sheetz to release conditions regarding the Rose-Marie Salter property transfer (to Sheetz). He stated that in order for Sheetz to finalize their development of a new store at the corner of Routes 997 and 11, they had to acquire additional land from Rose-Marie Salter. However, there were conditions previously placed on this property to restrict development with a statement placed on the plan the lots could not be used for commercial development unless the restrictions were deleted. He noted there were several lots listed on the plan and he read the requirements and those requirements would be required now. Therefore, in order for Sheetz to acquire the property they desire the Township's signature as well as all others to release the conditions as originally stated. The Solicitor stated he would recommend the Chairman sign on behalf of the Board and release the restriction; the restrictions would be what the Township would require anyway. 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 release of the conditions of Rose-Marie Salter Subdivision Plan and authorize the Chairman to sign the Agreement provided by Sheetz for the property transfer to them.

The Township Solicitor stated he had asked the Township Secretary to verify the Township was fulfilling all requirements regarding the disposition of Township records; namely, that each Resolution approved by the Board is not required to be sent to the Historical

Commission. The Secretary stated she is checking to verify for the Township Solicitor and then presented Township **Resolution No. 26-2015** for the disposition of certain Township records. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board adopted Township **Resolution No. 26-2015** for the disposition of certain Township records according to the guidelines as set forth in the PA Municipal Records Manual.

The Zoning Officer informed the Board the Township had received a Conditional Use Permit Application from Diane Morrow, 687 Houser Road, Fayetteville, for the installation of a solar conversion system. He stated if the Board wished to consider the request, it would be necessary to set a date for a public hearing stating payment for the Application fee had been received and the public hearing would need to be held within sixty (60) days. He stated the information would need to be forwarded to the Township Planning Commission for their review and consideration, the Township Planner, and the Franklin County Planning Commission prior to the Board holding the public hearing. 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 schedule a public hearing to consider the Conditional Use Permit Application submitted by Diane Morrow, 687 Houser Road, Fayetteville, for the installation of a solar conversion system, said hearing to be set for Tuesday, February 9, 2016, at 7:00 P.M., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA.

The Zoning Officer presented a request submitted by S&A Homes for an Interim Occupancy Permit for property located at 160 Featherdale Circle, Lot #69, in the Eagle Rock Development (off Black Gap Road). The ZO stated that upon inspection for the Occupancy Permit he discovered the constructed home encroached into the front yard one foot six inches and S&A was requesting an Interim Permit so the home may be occupied. The ZO noted the encroachment was primarily due to a front porch. The ZO stated there were two possible options: (1) make application to the Zoning Hearing Board for a variance and hope for approval; or, (2) re-subdivide the lots in order to add the additional area setback to meet the Township requirements; however, he stated this would be difficult because Featherdale Circle has been dedicated to the Township and the Township most likely would not want to even consider that option because of its complexities. The project manager for S&A regarding this construction addressed the Board stating he was taking responsibility for the error and was due to a miscommunication. He further noted the lot is irregular in shape, the encroachment of one foot six inches is more of a wedge shape, and their intent is to make application to the Zoning Hearing Board for a minimal impact. Supervisor Brookens stated that would probably be their best option to begin and the subdivision would not be giving up area but the Township giving roadway which they would not agree to do. The Solicitor also noted the Zoning Hearing Board would be the most appropriate approach at this point and they would be considering a “de minimus” but warned it was not a guarantee of approval. The S&A representative stated they would like the Interim Permit because the new owners were anxious to move into the home. Supervisor Brookens asked if the new owners were aware they would be moving in at their own risk if approval were not given and the representative stated ‘yes, they are’. Supervisor Brookens stated he had no problem in working towards a solution

but it would be in the hands of the Zoning Hearing Board whether to approve or not. The Solicitor noted the Township's experience with S&A has been very good and the ZO stated the same. The Chairman stated his only comment would be that the new owners would be notified of the situation and also that the decision is made by the Zoning Hearing Board and if not approved, they (new owners) would have to vacate the property. The Solicitor informed S&A that when it is the law, the Supervisors cannot change that and only the Zoning Hearing Board can decide. Supervisor Corwell also stated that S&A need to definitely make sure the new owners are aware of the situation. There being no further questions or comments, Shawn M. Corwell motioned to grant the request of S&A Homes for an Interim Occupancy Permit for 160 Featherdale Circle, Lot #69, in the Eagle Rock Development. Todd E. Burns asked if there should be a time limit imposed with the approval and the ZO suggested it should not be more than the schedule of the Zoning Hearing Board meeting and make it a temporary permit through their meeting date and if the ZHB were to deny the request the property would have to be vacated within a certain time period. Shawn M. Corwell then amended his motion to place a 60-day time limit on the permit. Travis L. Brookens seconded the motion and by a vote of 3-0, the Board unanimously voted to grant the request submitted by S&A Homes for an Interim Occupancy Permit for 160 Featherdale Circle, Lot #69, in the Eagle Rock Development and that the Interim Permit would be valid for a period of sixty (60) days. S&A inquired as to the process of applying to the Zoning Hearing Board, the Solicitor explained, and S&A informed the ZO they would be in contact with him yet this week in order to meet the deadline for the next Zoning Hearing Board Meeting. They thanked the Board for their input and consideration.

The Zoning Officer presented a request for review time extension submitted by William A. Brindle Associates, Inc. for the Dennis Diehl Subdivision, Project #15-016, for a period of ninety (90) days; property located at the end of Frecon Road; first extension request submitted; current deadline is December 22, 2015. The ZO stated the Township has received the module from PA DEP but it has not been reviewed by the Greene Township Municipal Authority. Supervisor Brookens inquired if there was anything else holding up the plan and the ZO stated 'no'. 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 the Dennis Diehl Subdivision, Project #15-016, for ninety (90) days and commence December 22, 2015.

The Zoning Officer presented a 1-lot Final Subdivision Plan for Brownsville Church of God; propose subdivision of the existing cemetery from the former church lot located on the same property to ensure maintenance of the cemetery; property located in R-1 (Low Density Residential) zoning district; meets Zoning Hearing Board conditions; sidewalk waiver was granted previously by the Board of Supervisors. The ZO then reviewed the *Approval Checklist* with the Supervisors, a copy having been provided to them: Franklin County Planning Commission reviewed with no comment (8.11.15); Greene Township Municipal Authority – no comment; non-building waiver forwarded to PA DEP (7.30.15); Guilford Water Authority – no comment; no further comments offered by the Township Planner or Township Engineer, therefore, would recommend approval of the plan. The ZO further noted the subdivision is for the future maintenance of the cemetery and that several

notes have been added to the plan regarding that future maintenance. The Solicitor stated the church's conference by-laws require them to be responsible for the cemetery. He then noted that State law requires if anyone were to abandon a cemetery then the Township would be required to take over and maintain. 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 1-lot Final Subdivision Plan for the Brownsville Church of God as presented.

The Solicitor informed the Board that he wished to bring to their attention that the Ragged Edge Inn is holding large gatherings and other issues that may be in violation of provisions that were originally attached to the use of the property. Supervisor Brookens noted there is a new owner and may not be aware of what is permitted and not permitted. The Solicitor stated he was not asking the Board for a decision at this meeting but to make them aware and request they review the situation. The Board held some discussion and the Solicitor recommended the Township review the previous conditions placed on the property and may want to contact the new owner to make him/her aware of said conditions. The Solicitor asked the Zoning Officer to forward the specific conditions to him for review.

On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to approve the payment of invoices as follows: Check Numbers 23662 through 23684, one on-line pay, one direct deposit, and six credit card payments, inclusive, to be paid from the General Fund; Check Numbers 3232 through 3234, one on-line pay, inclusive, to be paid from the Liquid Fuels Fund; and, one on-line 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 7:50 P.M..

Respectfully submitted,

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Secretary