

February 10, 2015  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, February 10, 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 Public Hearing (#1) held January 27, 2015 regarding Township participation in PSATS UC (Pennsylvania State Association of Township Supervisors Unemployment Compensation) Group Trust (Township **Ordinance No. 2015-2**) shall stand approved as presented and become part of the official record.

Supervisor Corwell noted a correction to the Minutes of the Public Hearing (#2) held January 27, 2015 regarding an Amendment to Chapter 90 (Taxation) of the Township Code (provide collection of fees by Township Tax Collector for providing tax status information for specific properties) (Township **Ordinance No. 2015-3**), as follows: Remove former Supervisor Charles D. Jamison, Jr.'s name from those Present and in its place, Shawn M. Corwell. It was consensus of the Board that the approval of those Minutes shall reflect that corrected error.

The Minutes of the Public Hearing (#3) held January 27, 2015 regarding an Amendment to Zoning Ordinance (authorize additional uses in Zoning Districts AR, R-1, and R-2 and add new zoning section for *Higher Learning Campuses* in Zones R-1 and R-2) (Township **Ordinance No. 2015-4**) shall stand approved as presented and become part of the official record.

The Minutes of the Regular Meeting held January 27, 2015 shall stand approved as presented and become part of the official record.

There was no public comment offered by those in attendance at this Meeting, at this time.

The Chairman asked Mr. John Van Horn to present the next item on the Agenda. Mr. Van Horn thanked the Board for allowing him the opportunity to present the request to extend the KOZ (Keystone Opportunity Zone) of the Letterkenny Industrial Development Authority (LIDA). He formally introduced and identified himself and Mr. Kip Feldman, both as representatives of LIDA here to present the request for extension in developing the excess of the former Letterkenny Army Depot (LEAD). He wanted to briefly outline how successful the KOZ program is so far. He and Mr. Feldman then proceeded with a slide presentation to the Board outlining the beginning of KOZ to present day. It began in 1995 with BRAC (Base Realignment And Closure) proposed for LEAD with the undeveloped areas shown. In the beginning there had

been acreage anticipated to be utilized by the Chambersburg Area School District (CASD) but did not materialize. In addition, there was acreage that was returned to the Depot. Mr. Van Horn continued by giving a brief history of the CVBP (Cumberland Valley Business Park) KOZ: (1) 1999 – original KOZ approval (required approval by all taxing bodies: CASD, Franklin County, Greene and Letterkenny Townships); 280 acres of raw land; 1 structure, Building 56 (3 acres); 2003 – addition of the (round) tank farm, KOIZ acreage (40 acres) which increased the total acreage to 320 (also required approval by all taxing bodies as noted previously); 2008 – 10-year variable extension period from date of occupancy (required approval by all taxing bodies); 2015 – *KOZ Extension Period, Specific Expiration Date: December 31, 2015* – a solid 10-year plan, different from 2008; (2) KOZ Marketing Value - #1 State economic development incentive, priority with Governor's Action Team & DCED (Department of Community and Economic Development), global exposure (foreign companies looking at the area with tax benefits, etc). (Mr. Van Horn gave the example that Ingram Books had looked at this area site but did not locate in it, however, they wanted to be in the community so a location was found in Guilford Township.); important site selector criteria; richoet or multiplier; limited resources of DCED, only KOZ site on south central Pennsylvania. Next was an overview of the overall KOZ Map, then an overview of prior KOZ sites, and prior KOZ industrial properties who are still currently located in the KOZ (Warrior Roofing, Volvo, and Raytheon Aerospace all in 2010); prior KOZ sites whose tax waiver expired in 2010 (3 sites, 31.3 acres, 170,000 square feet, 135 estimated jobs, annual County taxes \$24,523, and annual CASD taxes \$91,897. Next was an overview of the current KOZ sites noting the following six (6) industrial properties and the year their tax waiver will expire: DeeTag (2020), Stouffer Mechanical (2024), Vetter Forks (2018), Burnside (2018), Edge Rubber (2018), and Torcomp (2024); of those companies, which does not include the County Jail, the properties encompass 36.6 acres, 176,400 square feet, 150 estimated jobs; *Future: annual County taxes \$23,327, Future: annual CASD taxes \$87,415* (these properties are located in the floating 10-year plan). Supervisor Brookens inquired if Stouffer Mechanical had been located in the KOZ at other locations and Mr. Van Horn stated 'no, they have moved to different locations and have also expanded. Chairman Burns asked Mr. Van Horn if there had been many businesses that have left once their time had expired or were most still present. Mr. Van Horn stated that a few had left while located there but also stated that some had left due to slow or no business. Mr. Van Horn referred to Mr. Feldman if he was aware of any in the CVBP. Mr. Feldman was not aware of any and also noted a business could go back five years and recoup some of the benefits. Supervisor Brookens inquired if the benefits stayed with the site, in the case if someone else would move into the property, would they have full benefits or only what was remaining for the site and Mr. Van Horn stated that whatever (time) remains. Mr. Feldman stated that if a tenant leaves the property, the property owner is free from taxes. Mr. Feldman commented of an annual program on reviews. Next, an overview of the Expansion KOZ Sites; have some leasing in the former (round) tank farm (dry storage buildings and are dehumidified); some ground is shale – it was used as a parking lot for military vehicles for 50+ years. The Expansion KOZ sites (Expire 2015) encompass 21 sites, 254 acres, 0 square feet (30,000 square-foot, \$3M construction project proposed by LIDA); annual County taxes – Current \$0 / Future \$?; annual CASD taxes – Current \$0 / Future \$?. Mr. Van Horn continued by briefly reviewing KOZ Legislation: qualified parcels must be an unoccupied existing KOZ site as of December 31, 2015; site will have a specific KOZ expiration date of December 31, 2025; State & Local Benefits: KOZ Program is representative of a partnership between State and Local Authorities – PA State Incentives Include: No Corporate Net Income Tax (9.9%), No

State Sales Tax (6.0%), No Corporate Stock/Franchise Tax, No Insurance Premiums Tax; Local Incentives Include: No property tax (although there is currently no *property* taxes in Greene Township). In closing, Mr. Van Horn again stated LIDA's request for the adoption of a resolution from local taxing bodies providing the extension of the KOZ benefits for each unoccupied KOZ parcel to December 31, 2025 as authorized in the Pennsylvania Keystone Opportunity Zone Act 63 of 2005, as amended by Act 79 of 2008 (SB 1412). He thanked the Board for the opportunity to present the request and asked if they had any further questions; they had none. The Chairman asked the Solicitor if he had questions; he did not. Supervisor Brookens asked the Solicitor if he was satisfied with the resolution as presented and the Solicitor stated 'yes'. The Chairman stated from a personal standpoint he saw the benefits for the community as well as for LIDA and in favor of extending for the next ten years. The Solicitor commented that when the KOZ first began, there was some concern that it would not encourage an established business to move from another area to this site, taking revenues, etc from that area, and asked if there was any prohibition. Mr. Feldman agreed there had been a big fear initially of that happening but there are guidelines that must be adhered. Mr. Van Horn stated it has not happened, thankfully, so far. Mr. Feldman stated that initially a business would be required to pay three times the minimum wage but the State cut back that provision. Supervisor Brookens commented that it is a good program; been a successful program over the years; may be easy for the Township to say having no property tax but the School District and County looks at bringing jobs to the area. The Chairman noted the Township benefits some through wage tax. 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. 9-2015** for the request of the KOZ Extension on premises of the former Letterkenny Army Depot and now owned by the Letterkenny Industrial Development Authority (LIDA).

The Chairman presented a Proposal for "Scope of Services" for the next phase of the Conococheague Trail submitted by Campbell Thomas (CT) and noted they currently serve as the "Trail" consultant to the Township. A Feasibility Study for the Trailway completed in 2013 by CT identified a corridor for non-motorized vehicles and became known as the "Conococheague Trail". This proposal is a continuation of that work on the Trail with more study to be done. He briefly outlined the Scope of Services which included, but not limited to, specific items to receive attention (i.e. detailed view of current conditions in certain areas; conduct "Town Hall Meetings"; development of detailed implementation process; determine funding sources; coordinate meetings with key contacts to move project ahead). The Chairman then noted the results anticipated to be accomplished by the proposed work to include, but not limited to, detailed identification of right-of-way issues and recommendations for their resolution; continued meetings with key property owners in this segment of the Trail; input from "Town Hall Meetings"; detailed implementation plan; identification of funding sources for this phase's work; projected timetable for this phase; Project Memorandum will be issues at the conclusion of this phase and will not duplicate detailed work performed in the 2013 Feasibility Study but shall complement the Study. He also noted the coordination of the "Town Hall Meetings" throughout the year to invite the public to express concerns, pose questions, etc. CT provided an estimated total cost of \$23,600 for professional services of this study. CT gave a time table for the project at 12-16 weeks with an additional 2 weeks to allow CT to prepare the Final Project Memorandum and review with Township officials; for a total overall time table of 14-16 weeks (or 3-1/2 to 4 months). No comments were offered by those in the audience at this Meeting.

Supervisor Corwell stated he felt the Township needed to continue advancing the trails and keep the project moving. He further stated he felt that 4 months was a good timeframe and the Township should proceed. The Chairman noted that CT are “movers and shakers” in that when they are assigned a project, they move immediately. Supervisor Brookens noted one point he would like to suggest would be that perhaps they could focus on the sewer interceptor in Fayetteville while that work is being done; when finishing the sewer upgrade, the Trail work would be part of that and placed on top. The Chairman stated that was a good comment and definitely something to take into consideration. Following review, discussion, 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 accept the “Scope of Services” for the Conococheague Trail by Campbell Thomas with an estimated total price for the proposal at \$23,600.

The Chairman noted the annual contributions the Township has made over the years to various athletic associations located within the Township; specifically, Fayetteville Athletic Association, Greenvillage Youth League, Guilford Area Athletic Association, and Scotland Youth League. Supervisor Brookens continued by noting that all Associations own their own properties and conduct their own fundraising and the ball teams also now include midget football. The donations given are to assist with the upkeep and maintenance of fields and to help subsidize some of their expenses. He further noted that when this program was first started it was before the Township had a recreation program and facilities and provides Township residents with recreational opportunities. The Chairman stated that without the youth leagues the Township would be faced with great cost to provide this recreation. Supervisor Brookens commented the leagues do an admiral job with basically all volunteer staff running the programs, etc. Therefore, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to release the 2015 recreation contributions in the amount of \$6,000 each to Fayetteville Athletic Association, Greenvillage Youth League, Guilford Area Athletic Association, and Scotland Youth League, as presented. The Solicitor noted that Guilford AAA is located in Greene Township and Supervisor Brookens further commented that when the boundary was established, they are now more located in Greene Township.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report for January (2015) with the Board who had each received a copy for their review and consideration. There being no comments, it was consensus of the Board that the Monthly Zoning Office Report for January (2015) become part of the official record.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51.A., *Requirement to Install Sidewalks*, for Thomasville Properties, Greene Township Project #15-002 submitted on their behalf by Mr. Glenn Watson of Dennis E. Black Engineering, Inc.. The ZO stated it is a Preliminary Plan located at the East Point of Fayetteville at the intersection of Route 30 and Main Street, Fayetteville. According to Mr. Watson’s correspondence to the Board, the request for waiver is based on the following reasons: (1) the property owner/developer not be required to install sidewalks along the public roadways; (2) adjoining properties do not have existing sidewalks to tie into; (3) the nearest sidewalk in any direction lies 4,000 feet; (4) unreasonable and undue hardship to construct sidewalks along their 1,370 linear feet of road

frontage; and, (5) anticipate if sidewalks were constructed, their use would be rare and possibly not at all. The request was forwarded to the Township Planner for his review and comments and the ZO stated he had spoken with him this date. The Planner noted that although there are no sidewalks in the area at present, he would recommend if a waiver were granted, the Board attach a condition that if any adjoining properties were developed they would then be required to install sidewalks. The Solicitor informed the Board that if they were to grant approval they should be more specific in any conditions to include the condition they reserve the right to require sidewalks at any time in the future to require sidewalks rather than just when adjoining properties may be developed. The Chairman asked the Solicitor that if in the future the Township would require sidewalks would a bond be required. The Solicitor stated 'no' but the Township would give sufficient time to have sidewalks constructed and then if they are not (constructed), the Township would install and invoice for said work. The Chairman agreed with the Solicitor and stated there is a purpose for the Ordinance as to safety for pedestrian traffic. He further noted that when looking at the Plan with proposed construction next/near to the Dollar General and housing, there is definitely going to be pedestrian traffic in the future. He continued by noting there are sidewalks along Fayetteville Main Street, maybe not continuous but there are areas where sidewalks could be developed. He asked if it would make sense to have along Lincoln Way East and was not sure but it seemed to him there should be some sidewalks from housing development to the Dollar General in that particular direction. At this time, Glenn Shetter commented that at the Township Planning Commission held Monday, February 9 (2015), there was concern voiced of construction along Route 30 and it was felt that it would make sense to install sidewalks now or at least very soon since the developer has indicated there will be development. The Chairman inquired if there had been a waiver granted to the Dollar General but neither any Board Member nor staff knew at this time if one had been granted; that would have to be researched for a definitive answer. The Township Engineer noted the Plan indicates sidewalks on the fronts of the units but do not connect to Dollar General. The Chairman noted that full scale sidewalks may not be needed but absolutely some sidewalk connections need to be installed between the two properties. The Zoning Officer noted the Plan showed sidewalks but they were all 'internal'. Supervisor Brookens inquired if the Ordinance indicated where sidewalks are to be placed; if the density requirement addressed it to be more for internal sidewalks. Discussion also ensued regarding road right-of-way and pavement and then Supervisor Brookens suggested tabling this request until more information could be obtained and questions answered. The Chairman inquired as to the time frame for the Plan and the ZO noted the Plan has just been received by the Township on January 26 (2015). Following review, discussion, 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 table the request for waiver of Greene Township Code 85-51.A., *Requirement to Install Sidewalks*, for Thomasville Properties, Greene Township Project #15-002.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51.A., *Requirement to Install Sidewalks*, for Chambersburg First Church of God, Greene Township Project #15-004, submitted on their behalf by Mr. Glenn Watson of Dennis E. Black Engineering, Inc.. He stated the Township has received the Final Land Development Plan; propose two (2) additions to existing church facility. The ZO proceeded to read correspondence addressed to the Board received from Mr. Watson citing the reasons for the waiver request: (1) property owner/developer not be required to install sidewalks along public roadways; (2) adjoining properties do not have sidewalks to tie into; (3) nearest sidewalk in any directions lies 2,200 feet; (4) unreasonable and undue financial hardship to construct sidewalks along the property's 2,285 linear feet of road frontage; and, (5) anticipate if sidewalks were constructed, their use would be rare and possibly not at all. The ZO noted the existing development across the road is zoned R-1 and the density requirement does not require sidewalks. The Township Engineer noted the church is an internal campus and there would not be so much of a need for sidewalks now but reserve the right maybe for in the future; perhaps when Parkwood is developed, there may be some pedestrian traffic if residential construction would be developed. The Chairman stated there may not be alot of development in that area at present but need to take into consideration the rezoning requests for parcels received in that area. Supervisor Brookens stated he felt even a bigger problem with this request than the previous because the Board is aware of what is proposed for the somewhat near future and are anticipating foot traffic, biking, etc. The Solicitor noted he travels the area at least several times a day and sees many joggers, etc. The Chairman noted they must look towards the future, rezoning requests, etc, and the question, "Do you want to build it now or build it later?" that needed to be asked and considered. Supervisor Corwell asked the Township Engineer if installation of a traffic signal at the intersection would have any criteria and/or require sidewalks. The Engineer stated that sidewalks would be required with pedestrian walk light. Supervisor Brookens commented it could be envisioned a sidewalk could be needed the entire way into the shopping center and residential housing behind that and at what point of development of adjacent properties you would require installation. At this time, Glenn Shetter commented that perhaps something else to consider may be the possibility of turn lanes being created before sidewalks are constructed. The ZO advised to keep in mind that Grand Point Crossing (residential development located across from this property) Subdivision extends into adjacent farming area, at least shown on a future phase currently and could be built at any time. The ZO noted that only the Grandpoint (Road) side (of the property) would need sidewalk for approximately 1,400 to 1,500 feet. Supervisor Brookens noted the right-of-way is 50 feet and the ZO noted the Township Ordinance requires the sidewalk has to be built in the right-of-way. Supervisor Corwell inquired if the sidewalk was located in the Township right-of-way and some type of roadwork is performed at a later time, would it (sidewalk) then be the Township's responsibility and he was informed it would be. The Township Engineer stated there are issues that are proposing stormwater grading in the Township right-of-way and has asked for cross-sections along the road that could aid in the discussions. The Solicitor stated he could send wording the Borough uses for similar situations to the Zoning Officer if desired.

Following review, discussion, 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 request for waiver of Greene Township Code 85-51.A., *Requirement to Install Sidewalks*, for Chambersburg First Church of God, Greene Township Project #15-004.

The Zoning Officer presented a 1-Lot Final Subdivision/Lot Addition Plan for Carl Walter, Jr.; property located on Grand Avenue in the R-2 (Medium Density Residential) zoning district; propose subdivision of a very small portion of property to the rear and convey to adjacent property as a lot addition. The ZO reviewed the following comments from the various agencies, as he had noted on the *Approval Checklist*, of which copies were provided to each Board Member for their review: Franklin County Planning Commission – reviewed with no comment (1-26-15); Sewage Enforcement Officer forwarded a Non-Building Waiver to PA DEP (1-25-15); Township Planner – Township approval of the PA DEP Non-Building Waiver is required and remaining lands should include an assigned address/house number for future development (2-5-15); Township Engineer – proposal does not involve any construction and only involves the conveyance of the land – Plan appears to conform to both The Township’s Subdivision and Zoning Ordinances such that he would recommend approval (of the Plan) (2-10-15); Township Planning Commission – Township staff reviewed on their behalf and would recommend approval (2-10-15). The ZO noted that nothing (construction/building, etc) is there now and when someone would apply for a Land Use Permit, an address would be issued at that time. The Chairman asked the Township Engineer if he had anything further to add at this time and the Engineer stated it is a very simple lot addition and would recommend approval. There was some discussion on Mr. Walter’s driveway access and direction of travel and it was noted there have been other (boundary) lines in the past moved in order to straighten the lots. Following review, discussion, 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 Carl Walter, Jr. 1-Lot Final Subdivision/Lot Addition Plan as presented.

The Zoning Officer presented a 2-Lot Final Subdivision/Lot Addition Plan for Yates/Shervanick properties located along Letterkenny Road in the R-1 (Low Density Residential) zoning district. He stated the purpose of this Plan is to correct error in the common property lines; exchange of footage between Yates and Shervanick properties; all homes were on the same parcel at one time; they are non-conforming and pre-existing. He further stated this subdivision did make one lot slightly smaller and applied to the Zoning Hearing Board and was granted variances. The ZO reviewed the following comments from the various agencies, as he had noted on the *Approval Checklist*, of which copies were provided to each Board Member for their review: Franklin County Planning Commission – reviewed with no comment (12-11-14); Greene Township Municipal Authority – N/A; Sewage Enforcement Officer (SEO) forwarded Non-Building Waiver to PA DEP (11-14-14); Guilford Water Authority – N/A; Township Planner – Township and Township SEO approval of the PA DEP Non-Building Waiver request is required (1-28-15); Township Engineer – involved a minor land swap between both the Garner

Yates and Jerome Shervanick properties along Letterkenny Road – proposal appears to be made to correct some error in their common property line and would exchange 210 square feet of Shervanick property in the front to Yates for 127 square feet of the Yates property in the back – land trade did require a zoning variance from Zoning Hearing Board involving both minimum lot width and lot area and variance was granted in January 2015 – with zoning variance the subdivision appears to conform to both the Township’s Subdivision and Zoning Ordinances such that he would recommend approval (of the Plan) (2-10-15); Township Planning Commission – Township staff reviewed on their behalf and would recommend approval. The Chairman asked the Township Engineer if he had any further comments and the Engineer commented the Plan was quite complicated because there was so much to do for such a small change. He continued by stating the Plan meets all Ordinances, went to the Zoning Hearing Board and received variances for subdivision and, therefore, would recommend approval. Following review, discussion, 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 approve the Yates/Shervanick 2-Lot Final Subdivision/Lot Addition Plan as presented.

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

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 22455 through 22502, with one online pay, inclusive, to be paid from the General Fund; Check Numbers 3163 and 3164, with one online pay, inclusive, to be paid from the Liquid Fuels Fund; and, Check Numbers 2049 and 2050, to be paid from the Electric Light Fund.

At this time, approximately 8:15 P.M., the 3-Member Board and the Township Solicitor moved from the Regular Meeting to Executive Session to consider personnel matters.

At approximately 8:54 P.M., the 3-Member Board and the Township Solicitor returned to the Regular Meeting.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:55 P.M..

Respectfully submitted,

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Secretary