

February 24, 2015
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, February 24, 2015 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns
Travis L. Brookens

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 asked if anyone in attendance had not already signed in, they would please do so and also pick up a copy of the Agenda as provided.

The Chairman also noted the absence of Board Member Shawn Corwell who was enroute to receive a new kidney and wished him well.

The Minutes of the Regular Meeting held February 10, 2015 shall stand approved as presented and become part of the official record.

The Chairman noted the attendance of a student and asked that he introduce himself and the class he was attending for this Meeting. The student introduced himself and stated it was for a Civics class. The Chairman informed the student that if any time during the Meeting he would have questions, he was welcome to ask or if he preferred, he could wait and ask after the Meeting.

The next item on this Agenda was presented and explained by the Township Solicitor. He stated because of the Township being a government agency, they were not totally free to throw certain records away without following the proper protocol. The Township must follow the guidelines of the *Municipal Records Manual* as issued for the Local Government Records Committee by the PA Historical and Museum Commission, Bureau of Archives and History, last approved December 16, 2008 by the Commonwealth. The *Manual* identifies those records affected, the Township identifies the records they wish to dispose, and the Board has to approve the list. He noted there is a form from the Commission that is to be submitted to them to see if they want to keep any of the records. The Chairman noted the items listed in the Resolution were those the Township would be disposing as follows: (1) Previous Township-owned vehicles sold and/or totaled in vehicular accident(s), beginning October 6, 1987 to February 24, 2012, inclusive; (2) Non-hire Applications for Employment; (3) Pennsylvania One-Call Reports, Year 2012 and Year 2013; (4) Roadmaster Reports, Year 2008 and Year 2009; (5) Road Occupancy Permits, Years 2002 through 2009, inclusive. He noted there is a statutory requirement and all records have been kept in excess of the retention

schedule. Supervisor Brookens asked the Solicitor if a 'blanket' resolution could be done at the (Supervisors Annual) Re-organization Meeting for the year and the Solicitor stated the Township has to retain the records until a response is received from the Historical Commission and also a resolution is required for each listing of records to be disposed. There were no further comments or questions offered. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to adopt Township **Resolution No. 10-2015** authorizing the Board to dispose of certain Township records according to the guidelines of the *Municipal Records Manual* as issued for the Local Government Records Committee by the PA Historical & Museum Commission, Bureau of Archives and History, last approved December 16, 2008 by the Commonwealth. The Solicitor noted to the Board they would notice on the Resolution there was mention of 'cubic feet' and it seems they (Historical Commission) would need to know for storage space. The Chairman noted the age of some of the equipment sold that was listed on the Resolution (i.e. 1955, etc) and the Solicitor stated that perhaps there was too much detail on the Resolution but 'ere on the side of caution'.

The Township Engineer presented the next item on this Agenda. He noted an Amendment from the (January) Re-organization Meeting pertaining to the Agreement for Routes 997/11 Intersection Improvement Project. The Preliminary Design has been completed and PennDOT's structure is to open phases and funding. In January the final phase was opened and was approved and the question arose that when approving it why not open up the right-of-ways and utility acquisition? He referred to a handout he supplied to each Board Member for their review and information that noted the costs of the right-of-way and utility phases and a summary of what has been done to date. After briefly reviewing this information, he informed the Board of the need to authorize signature of the letter amendment. The Chairman asked the Engineer if he knew when the last phase of construction may occur. The Engineer stated perhaps the end of this year and then begin next spring further noting the design is done, environmental process done, right-of-way plats for acquiring the right-of-ways and also noted the federal guidelines to be followed for the project. He stated a right-of-way consultant at PennDOT will be used for this phase of the project and conceivable to begin construction next spring. Supervisor Brookens commented it could not be soon enough due to the condition of the roadway now. Following review and discussion, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to adopt Township **Resolution No. 11-2015** to authorize the Chairman to sign the "Letter of *Revised* Amendment" (Amendment A) to *Agreement #089866* regarding Routes 997/11 Intersection Improvement Project to include phases for right-of-ways and utilities.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Monthly Report for January 2015 as submitted and presented. The Chairman noted calls appeared minimal for the month of January. Following the Board's review, it was their consensus to accept the Report as submitted, presented, and reviewed and shall become part of the official record.

The Zoning Officer presented the continued consideration of request for waiver of Greene Township Code 85-51.A, *Requirement to Install Sidewalks*, submitted by Thomasville Properties, Greene Township Project #15-002, as tabled from the February 10, 2015 Regular Meeting. The ZO referred Board Members to a copy of correspondence received from Glenn Watson, engineer for the developer, that was previously submitted which outlined the reasons for the request. Mr. Watson addressed the Board and distributed packets of photographs showing the area and noted the concern for the need of sidewalks in that area at this time. Mr. Watson noted once again the distance of approximately 1,400 lineal feet located on two State roads and that he is not convinced that PennDOT would want sidewalks be installed in right-of-ways and did not feel it appropriate for non-signalized, non-ADA compliant intersection. He also stated again there are no places to connect to sidewalk and the nearest is 4,000 feet away in Fayetteville at St. Paul's church. He reviewed the reasons for the waiver request as follows: (1) lack of need; (2) lack of connections; (3) not appropriate for non-signalized, non-ADA compliant intersection. He again noted that PennDOT historically has not been allowing sidewalks in their right-of-ways. He also noted that if sidewalks were to be installed along Fayetteville Main Street, there is not adequate passageway where the culvert crosses under the roadway. The Chairman asked Mr. Watson where the culvert was located and Mr. Watson showed the area on the map. Mr. Watson noted there are screening trees on Dollar General's property. The Chairman inquired as to an outlet structure on Dollar General's property and Mr. Watson confirmed there was. Mr. Watson informed the Board the calculation of cost installing 1,400 lineal feet of sidewalk, 4-foot wide at approximately \$20 per lineal foot, for an approximate total of \$28,000, is a tremendous financial burden when the need is not there. Supervisor Brookens asked if the design already completes sidewalks in front of the units and Mr. Watson stated there are sidewalks internally with access from the parking lot. The Township Engineer stated there is a propensity from PennDOT not to construct sidewalk in their right-of-way; it is not impossible but it would be a case-by-case basis; PennDOT possibly not in favor along Route 30 and could not answer for Main Street. The Chairman noted there are some sidewalks along Main Street and Mr. Watson responded again, 'but the existing sidewalk to the west is 4,000 feet away'. It was noted there is a connection from the easternmost unit all the way to the westernmost (unit) and that movement would be to the Dollar General and have access across their parking lot to the front door. During discussion Mr. Watson presented several scenarios: (1) if taking a direct route to Dollar General, it would necessitate Dollar General's cooperation to install their sidewalk at the same time to meet with Thomasville's sidewalk; (2) the 'yellow route' has to go over a drainage swale and it would actually take a corner of a detention basin; (3) area highlighted in green when arriving at end of pavement, it would utilize the berm of the basin and arrive to the parking lot; (4) continue the grass walkway and end up at the parking lot; however, the drainage swale would have to be traversed. A suggestion was made that in addition to the waiver, Mr. Hawbaker (developer) would construct the yellow portion and Dollar General would be asked to construct the green route. The Chairman noted that historically there was a sidewalk waiver for several properties west of Main Street but with the caveat that if they were required at any future date, they would need to be installed so he felt that 4,000 feet was not quite accurate. They may not be there now but waivers had the condition that sidewalks could be required in the future. The Chairman asked the Township Solicitor about requiring sidewalks in right-of-ways and the Solicitor stated that perhaps there could be a compromise

as to the location of the sidewalk. He noted one of the problems is that when there is no place to connect now, it would never happen because of no connections required previously. Mr. Watson stated the Township could compel anyone at any time to install sidewalks. He further noted that if the Township could create a strategic plan that would identify pedestrian walkways, it would greatly help in determining the location and extent of constructing sidewalks. The Chairman noted they have been identified throughout the Township and although they may not be installed at this time they will certainly be sometime. He further noted the location of this development in proximity to businesses, residential properties, and points of recreation in Fayetteville. Another concern voiced was a commercial property next to a residential property; ultimate goals would be to connect those commercial areas with residential areas and they should be connected. Supervisor Brookens commented that because this particular property is bounded on two sides by two State routes, it certainly makes it unique. Mr. Hawbaker stated that being required to install sidewalk on Main Street, there is a line of mature pine trees and the screening was important for the Dollar General to have the screening of the homes across the street. If someone from this development were to go to Dollar General's Main Street entrance this way, they would have to go a long way to get to the front of the building. Supervisor Brookens stated there was not too much more to say but logically the pedestrian use in this area is coming from nearby residences and biggest concern is the people living in these (proposed) 12 townhomes is their access to this business. He did not have a problem granting some type of relief at this time but there still has to be something done that Dollar General would be willing to also install sidewalk. Mr. Hawbaker stated he would certainly contact Dollar General, not that they can be compelled but he can certain contact them to discuss the matter. The Chairman stated he would agree with Supervisor Brookens and the ultimate goal is the connectivity; the site is unique and creates some very unique circumstances. Mr. Hawbaker asked what would be his position if Dollar General is not interested in working with him. Supervisor Brookens stated the Township could compel a property owner to install sidewalks when the condition was given at the time of approval. Mr. Hawbaker stated he knew persons involved in the development of the Dollar General and he would be willing to contact them to see if they would be willing to work with him regarding the sidewalk issue first rather than Dollar General being contacted by the Township informing them they would be required to install the sidewalk. The Solicitor noted that if school children live in the units then it may be required. Supervisor Brookens voiced concern regarding elementary children having to walk a distance. There being no further questions or discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to grant the request of waiver of Greene Township Code 85-51.A, *Requirement to Install Sidewalks*, submitted by Thomasville Properties, Greene Township Project #15-002, with the conditions that in the future sidewalks will be installed if required for the connectivity between lands of Thomasville Properties and Dollar General. The Township Engineer noted that when the Open Space Agreement is completed, they would be required to curb the pedestrian walkway across the right-of-way. The Solicitor commented he would hope that Dollar General would be agreeable to working through this matter regarding something that would bring business to their store.

The Zoning Officer presented the continued consideration of request for waiver of Greene Township Code 85-51.A, *Requirement to Install Sidewalks*, submitted by Chambersburg First Church of God, Greene Township Project #15-004, as tabled from the February 10, 2015 Regular Meeting. The ZO referred Board Members to a copy of correspondence received from Glenn Watson, engineer for the developer, that was previously submitted which outlined the reasons for the request for proposed addition to the church building. The ZO noted the request was discussed in length at the February 10 Meeting with concerns of adjacent residential development and the future extension of Parkwood. The Township Engineer stated he had met with the developer and discussed a portion of the request and one of his concerns was to see cross-sections which have been provided to him. He noted that in reviewing the information it appeared to him that some type of curbing at the intersection of Kohler and Grandpoint Roads may be necessary for potential widening. Mr. Watson stated there were still some of the same concerns as the last Meeting; namely, no connection point, no pedestrian needs at present, church stated that if sidewalk were required, it only be for the area between the two intersections. It is felt that it would be many years before sidewalk would be needed on Kohler Road to the east and pedestrian up Grandpoint towards Scotland beyond the church's entrance. Further, it has yet to be determined if road widening will occur and if the intersection is going to have curbing that would be a major factor on how wide the road and the handling of drainage. The church is very concerned if sidewalks are required now before more determinations and decisions are completed regarding the construction of the roadway, signalization at the intersection, etc. Another major concern is the cost at a time when too many variables are still very much in consideration; cost for sidewalks along the entire frontage at this time could run \$46,000 or more. The church asked if that could be broken into phases as Parkwood is developed and constructed; perhaps into three at \$15,000 per phase which would be more manageable. Mr. Watson requested that when the Township figures what will be done at the intersection, they would only require what is to be done in increments. The Chairman stated the entire intersection will be developed with the proposed Parkwood Drive; it is known it is going in, it is known the properties are going to be built, do not know exactly when but certainly some of those properties will be sooner than later; houses to the rear of the church property will have a need for sidewalks but not at this exact moment. The Chairman further noted that Mr. Watson needs to advise the church that the cost of installing sidewalks will increase tremendously in the future. He concluded by stating the Township cannot consider financial hardship when it comes to requiring sidewalks but there will be a need sometime in the future for sidewalks. The Township Engineer stated he had spoken with the traffic engineer and it is thought the roadway will be needed to be widened to at least 36 feet on Kohler. Curbing is needed coming up around Grandpoint; 300-foot section from the intersection back Kohler towards I-81 and then around the radius up Grandpoint going past the infiltration basin to an existing driveway; possibly a total of 500 feet of curbing being placed. It is thought that it would be better that sidewalk be installed when the road is widened but certainly when the intersection is built. Supervisor Brookens stated it would make no sense to put in sidewalk if it did not line up with the road level; this project is going to happen in a year. The Township Engineer stated the design should be done by then. Supervisor Brookens stated he would rather see it built now and asked Mr. Watson if there had been any thought to grading for a

walkway and Mr. Watson stated it could be done but it would be difficult vertically when the exact work has not been determined. The Engineer stated it would just be specific to the intersection; no need for vertical alignment for that sidewalk. Mr. Tony Diehl, representing the Church, stated they are not opposed to installing sidewalk but not just now before more final determinations are made; mainly, not on church side now but on the other side at Grandpoint Crossing (residential development). The ZO asked what was the church's timeframe for proposed construction and Mr. Diehl stated they would like to start late spring (this year) so that hopefully construction would be done by end of December to early January. Supervisor Brookens stated he would be in favor of having the work done in sections but hard trying to figure out exactly where and how much now. Mr. Watson thought the initial need would be from the intersection of Grandpoint and Kohler and then extending along Lynn Drive to Grandpoint. The Chairman stated it would certainly have bearing on the development of that intersection. Supervisor Brookens stated the minimum plan would show what is needed and that be included on the entire property and the Township would determine how much and when the Plan is recorded and a document that sidewalks are required. The Chairman stated he would agree with Supervisor Brookens noting that eventually they are going to be installed and would rather see that shown now. Supervisor Brookens asked the Township Solicitor that until the Township deems the work necessary or ready for sidewalks to be constructed, is that denying the waiver and not note on the plan or design; or, a waiver not needed now but in the future. The Solicitor stated that since they are discussing sometime in the future, it should be noted on the plan and that then becomes a written part of the plan. The Solicitor suggested that sidewalks be shown to be constructed at a future date at the discretion of the Township. Supervisor Brookens inquired if the Township was really doing anything but denying the request but wanted the sidewalks to be shown on the design. The Solicitor stated the actual request is to construct sidewalks so the note could indicate that sidewalks are not required at this time but the Township reserves the right to require them in the future and a provision should be made on the plan to show the location of the sidewalks and a note explaining that which would be easier on the plan and waiving the requirement to be installed right now. Mr. Watson asked the Board and Solicitor if it would make sense to withdraw the waiver request rather than be denied. The Chairman stated the request was not being denied at this time and the Solicitor suggested a compromise when the sidewalks were to be constructed. Discussion continued as to exactly what was being requested and the aspects, if any, as to denying the request or placing conditions on the approval. It was the consensus the request was not being denied, just delaying when the construction is to be done. The Solicitor stated he wanted to see a note on the plan to protect both the Township and the church. Following further discussion, Mr. Watson informed the Board that he was requesting to withdraw the waiver request. Supervisor Brookens noted the Township is agreeable to what is being done so there is no confusion now or in the future. Because the waiver request was being withdrawn, no action is needed by the Township.

The Zoning Officer presented a 1-lot Final Land Development Plan for Cumberland Valley Business Park, Parcel 3-89-19; said property located along Opportunity Avenue; composed of approximately 7.5 acres; zoned HI (Heavy Industrial); industrial manufacturing facility proposing warehouses and proposed future extension of Opportunity Avenue. The

Preliminary Plan was submitted and approved by the Township in early 2014 with this being the Final Plan. 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 at preliminary and have no comment (9-25-13); Sewage Enforcement Officer – planning module previously approved by PA DEP (7-16-99); Franklin County General Authority – approved (1-27-15); Franklin County Conservation District – adequate at preliminary (2-6-14); Township Planner – comments have been addressed as of this date (2-25-15); Township Planning Commission – reviewed at regular meeting held February 9, 2015 and following review and discussion, recommended approval subject to bonding; Transportation Impact Fee – parcel located in TSA-1, 14 trips calculated for a total fee of \$21,042. The Township Engineer stated this Plan is an exact replica of the Preliminary and a previous comment regarding truck use across reserved road has been addressed and is covered in the note assigning a temporary driveway/easement on Sheet 3 of the Plan. The Engineer stated he would recommend a bond in the amount of \$30,000 for stormwater which does include a 10% contingency and would recommend approval of the Plan with bonding as security. Supervisor Brookens asked if this involved any credit for the developer and the Engineer stated he had not heard of any created. Following review and discussion, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve the Cumberland Valley Business Park, Parcel 3-89-19, 1-lot Final Land Development Plan, with the condition the Plan not be released prior to the posting of the stormwater bonding in the amount of \$30,000, and, that prior to issuance of the Land Use Permit the Transportation Impact Fee of \$21,042 also be posted.

The Zoning Officer presented a Revision to a Previously Approved Final Plan, Sheet 3 of 9, for Scot-Greene Estates, Phase IV, Section 1C, Baltusrol Drive; Plan is for the construction of homes on Baltusrol Drive. The revision consisted of the stormwater detention basin grading amendment relating to Lot 125 along Baltusrol Drive in Phase IV of the Scot-Greene Development. It specifically involved a revision to the basin grading to match the stormwater easement line as shown on the original development plan. Stormwater calculations have been presented with this submittal showing that the diminished basin capacity does not have an impact to the functionality of the stormwater quantity releases. In view of this, the Engineer stated he would recommend approval of the Plan. The Chairman asked if any additional bonding would be needed and the Engineer stated ‘no’, construction of the home will be part of putting the grading in place. The ZO asked if the basin is already in place, the Engineer stated ‘yes’, and the ZO noted the basin is part of the original Plan. Following review and discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to approve the Scot-Greene Estates, Phase IV, Section 1C, Baltusrol Drive, Revision to Previously Approved Final Plan, Sheet 3 of 9, as presented.

The Zoning Officer presented a Final Subdivision Plan identified as Susan Kelly (Former LOZ-02) requesting re-approval for recording purposes. The Plan was previously approved in June 2008; property located off Main Street, Fayetteville; subdivision partly

situated in Greene Township and partly in Guilford Township; Plan was never released; previous developer sold the property; found that lots could not be sold because the Plan was never recorded. The ZO noted that Franklin County Conservation District has changed the minimum lot disturbances permitted since the Plan was originally approved; however, correspondence received from the District noted that a revision made for e and s control is adequate. He further noted that on the previous Plan the Township was in the process of establishing the Greene/Guilford boundary line and is now shown exactly. The Township Engineer commented as follows: (1) Plan proposes a series of underground stormwater infiltration tanks which appear to meet the Township's current stormwater regulations; (2) note has been added to the Plan requiring their installation and inspection prior to issuance of any building occupancy following the rules the Township has instituted for such construction; and, (3) since this is the only required stormwater facility, there will be no need for posting of any security for stormwater improvements. Recreation and Transportation Impact fees were established on the previous Plan. The Solicitor inquired if any of those fees had been paid and the ZO stated a check was forthcoming for the recreation fee and the Transportation Impact fee would be due at the time of application for the Land Use Permit. Supervisor Brookens inquired as to how the Township (boundary) line was moved and the ZO stated it was placed farther towards Fayetteville Main Street. Following review and discussion, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to re-approve the Susan Kelly (Former LOZ-02) Final Subdivision Plan with the condition that all previous conditions of approval remain in effect including the Transportation Impact Fee as well as the Recreation Fee.

The Chairman noted that last year one person serving on the Township Planning Commission and whose term expired December 31, did not wish to be re-appointed which left a vacancy on the Commission. The Board has been notified of someone interested in serving on the Commission, has a background beneficial to serve on the Commission, and a Township resident as required. Therefore, it was recommended to appoint Mr. William Green to serve as a Member on the Township Planning Commission. Supervisor Brookens stated that Mr. Green has been doing a good job working on other projects, certainly has the background, has been a Township resident for some time, and has been involved in the Township. He further noted it was good to have someone with planning and land use experience and should be an asset to the Commission as well. The Chairman noted his agreement with Supervisor Brookens' comments. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to appoint Mr. William Green as a Member to the Greene Township Planning Commission and that term will be a full four-year term commencing this date. It was noted that Mr. Green will also need to provide the necessary documents and take the Oath of Office to the Township Secretary prior to the Commission's next Regular Meeting.

The Chairman noted the Township has an individual who will be filling a position with the Township as a road crew foreman; namely, Mr. Aron Shoap. His starting date will be retroactive to February 23, 2015. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to hire Aron Shoap as a fulltime Township employee as road crew foreman pending completion of his probationary period; said time to commence February 23, 2015.

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

On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve the payment of invoices as follows: Check Numbers 22528 through 22570, inclusive, to be paid from the General Fund; Check Numbers 3165 through 3167, inclusive, to be paid from the Liquid Fuels Fund; and, one online 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 8:38 P. M..

Respectfully submitted,

Secretary