

March 26, 2019  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors held their Regular Meeting on Tuesday, March 26, 2019 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 Meeting to order at approximately 12:00 Noon. He welcomed all those in attendance, noted the Sign-in sheet, copies of Agenda available, and the Meeting was being recorded.

The Minutes of the Public Hearing and Regular Meeting held March 12, 2019 shall stand approved as presented and become part of the official record.

There was no public comment offered at this time.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51.A. *Requirement to Install Sidewalks*, submitted by HRG Engineering on behalf of Greenwood Hills Final Land Development Plan. He stated at a previous Supervisors Meeting a waiver request was presented to allow the sidewalk placement be placed outside the road right-of-way which was granted by the Board. Another waiver request presented at the same time was to allow mulch in place of (i.e.) concrete sidewalks, however, that request was denied. Mr. Scott Bert of HRG Engineering addressed the Board first thanking the Board for their previous approval. He stated this current waiver request was for the installation of sidewalk and the entire proposed development is within private property and there are no public rights-of-way on the property. He stated the camp would prefer to not install sidewalks (i.e. concrete) in order to maintain the natural aesthetics of the campground. The camp would prefer a type of 'walking trail' at this time and there is an area that has been reserved along the private right-of-way for sidewalk if it would ever be required in the future. Mr. Bert stated the camp requests using wood chips. He stated that any sidewalk, walking trail, etc would not meet ADA requirements due to the slope of the land. There is one handicap parking area at the location for the facility. Mr. Bert again stated that with the camp all being private, their desire to maintain a natural feel for the campus; private right-of-ways but public can use as well; requesting sidewalk waiver, however, reserving area for sidewalk if Township thought it was needed in the future. Supervisor Brookens inquired if the trails would be utilized by persons onsite in this community; Mr. Bert stated they could possibly. Supervisor Brookens then inquired as to what pathways were used previously. Mr. Bert stated that trends have shown that people normally 'spread out' walking from one facility to another (as people are known to do) rather than everyone staying on a specified pathway. He stated he understood that it makes sense to connect one building to another but the camp preferred not to use concrete sidewalk. The Township Engineer inquired if the camp would be opposed to another material; i.e. bituminous material. Mr. Martain Ferguson, representing Greenwood Hills Bible Conference, addressed the Board stating the facilities are not for the residents but strictly for those who are

coming to camp. As to the suggestion of the Township Engineer he could not address that matter at this time. Supervisor Brookens stated he was satisfied with the sidewalk being out of the right-of-way but not with wood chips; would rather see something more substantial. The Chairman inquired if there were other sidewalks and Mr. Bert stated in front of the dining hall with curb and sidewalks. Mr. Ferguson noted several other small areas of concrete sidewalk mainly in front and/or beside other buildings. Discussion ensued as to wheelchair access on pathways and ADA requirements. The Solicitor noted that even though the property layout would not meet ADA it would still be difficult to impossible to push a wheelchair or someone on crutches to navigate any paths that were not more stable (i.e. concrete) as opposed to wood chips or similar material being used. The Chairman inquired if the new proposed gymnasium would be ADA compliant and Mr. Bert stated it would with ramps and such to access; will have three switchback ramps to get to the facility. Supervisor Corwell inquired as to definitions of walking trail and sidewalk and Mr. Bert stated there is not a definition for 'walking trail'. The Solicitor stated that it is not the definition but the purpose of the trail or walkway. Supervisor Brookens asked the Zoning Officer what prior approval was granted and the ZO stated the sidewalks would be permitted outside the right-of-way of the road and the other request had been to use mulch rather than a material such as concrete which was denied. Discussion continued regarding the use of mulch or other surfaces for the sidewalk to be used; i.e. concrete, blacktop instead of crushed aggregate, compacted stone, trail mix, etc. Mr. Bert asked the Board what they may be open to and what would be permissible? Other options? What would Board allow? He inquired so that he could take this information back to camp officials. The ZO asked the Solicitor if the Applicant would be permitted to withdraw and return with another request. Mr. Bert stated it would be a revised plan. Discussion ensued among all entities as to what may or may not be permitted, substituting one material for another for the paths. The Solicitor recommended taking action on what was presented to them. Following a lengthy 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 deny the waiver request of Greene Township Code 85-51.A, *Requirement to Install Sidewalks* for the Greenwood Hills Final Land Development Plan as presented. Mr. Bert thanked the Board for their time at this Meeting and for the first waiver approved at a previous Meeting.

The Zoning Officer presented a Final Land Development Plan for Franklin County Regional Airport; propose demolition of existing office and hangar and re-construct new hangar and storage building. He stated that when the Conditional Use public hearing was held part of the application was for a taxiway which was approved. This is now the land development plan for the building construction. The ZO reviewed the *Approval Checklist*, a copy of which had been provided to each Board Member for their review: Franklin County Planning Commission – reviewed with no comment (10.29.18); Greene Township Municipal Authority – N/A; Sewage Enforcement Officer – no change in existing flows; Franklin County Conservation District – NPDES Permit Approved (3.12.19). The ZO displayed the plan and indicated the various areas of the proposed demolition and construction; new hangar facility with attached office; new pole building structure. There will be no transportation impact fee required due to no additional peak hour trips. The Township Planner's previous comments have been satisfied and Supervisor Corwell, who serves as Township EMA Coordinator, reviewed the plan relative to the Township Planner's comment as to his recommend plan be reviewed by Fire Chief or other EMS professional. The Township Engineer stated that following his review of the revised plan he found his previous comments had been adequately addressed. He noted the stormwater is being

forwarded to an existing bio-retention basin to drain the front portion of the property. He stated the proposed pole building is being constructed over impervious material with some to be moved for the construction and then returned. He found the plan met all stormwater requirements and the parking adequate, therefore, he would recommend approval of the plan as presented. The Plan was reviewed by the Township Planning Commission and recommended approval subject to all reviewing agencies' comments being satisfactorily addressed. The Township Engineer noted he had a pre-construction meeting recently for the taxiway project and that this project is needed; very old; nice addition to the airport when completed. There being no further discussion from the Board, 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 Final Land Development Plan for the Franklin County Regional Airport as presented.

The Zoning Officer presented a Final Land Development Plan for Caretti's Pizza; property located along Philadelphia Avenue; propose construction of new restaurant and future retail office space; parking to be provided for each new area. The Zoning Officer reviewed the *Approval Checklist*, a copy of which had been provided to each Board Member for their review: Franklin County Planning Commission – reviewed with no comment (8.8.18); Greene Township Municipal Authority – approved (10.12.18); Sewage Enforcement Officer – planning exemption approved by PA DEP (6.22.18); Guilford Water Authority – approved (2.13.19); Franklin County Conservation District – NPDES Permit approved (11.5.18); Township Planner's previous comments have been satisfactorily addressed; plan reviewed by Township Planning Commission and recommended approval subject to Township Engineer and Township Planner comments being addressed and approvals from Greene Township Municipal Authority, Guilford Water Authority, and Franklin County Conservation District (8.13.18); requires transportation impact fee of \$145,635 (TSA #1 x 57 trips). The Township Engineer stated he had reviewed the revised plan and all his previous comments have been satisfactorily addressed and would recommend approval subject to the posting of a stormwater bond in the amount of \$103,431. Mr. Greg Lebo of Brehm-Lebo Engineering was in attendance at this Meeting and addressed the Board on behalf of the applicant inquiring as to the peak hour trips as stated by the ZO. He stated the applicant plans to construct the restaurant first and then at a later time construct the retail space. He also noted the sidewalk waiver requested but reserving an area for future sidewalk if required by the Township. He also described and explained the size of a large pipe going to Route 11 and how any future sidewalk would be constructed across it. The Chairman inquired if a sidewalk waiver had already been granted for this property and the ZO and Township Engineer both confirmed it had been granted. There was a discrepancy as to correspondence received having two different dates (February and August 2018). Mr. Lebo inquired if the first half of the transportation fee for the restaurant could be paid and the retail fee be paid at a later date when that construction would occur. The Chairman inquired if there were plans ready for the retail side of the building at this time to which Mr. Lebo stated 'no'. The ZO noted the February date must be wrong because it was received before the August letter. The Chairman asked the Township Solicitor to verify that the traffic impact fee is a large part of the approval process to which the Solicitor stated 'yes'. The Chairman stated he would like clarification regarding the fee and would need to be sure of what was being approved. At this time, the ZO exited the Meeting Room to quickly procure the correct correspondence. The Chairman continued by stating if this could not be clarified then he would be in favor of tabling the matter until it was resolved. Discussion ensued, concerns voiced, and questions raised as to the amount of traffic impact fee, whether it could be divided, etc. Supervisor Brookens stated because these fees are required at the time of Land Use Permit issuance, it would be difficult to try

and separate. The Solicitor stated there was no way the Board could set the impact fee and indicate same when it has not been determined what is going to exactly be constructed. The Township Engineer stated the applicant had Grove-Miller Engineering perform an analysis based on the square footage. The Solicitor noted the difficulty in determining a 'partial' traffic fee when it is not totally known what type of business is planned for the one part because the use could change in the future stating payment of the fee is made at the time of the Land Use Permit but the determination of fee is supposed to be at the time a plan is approved. The ZO returned to the Meeting with correspondence from HRG Engineering who determines the traffic impact fee based on criteria already adopted by the Township. Much discussion continued regarding if the project were to be done in two phases then two Land Use Permits would be required; criteria used by traffic engineer to determine impact fees, party wall between two proposed uses and possibility of that changing and being removed; whether one half of the structure is going to be left as a 'shell building'; whether impact fees would need to be recalculated; concerns as to time lapsing and possible use changes for part of building; how this project is going to be constructed; this is land development plan for restaurant only and would have to return with another plan for future development. Mr. Lebo asked the Board if the applicant could receive approval for the restaurant portion so that he could proceed and then if future development were something different he would return with another plan. The Board discussed possibly splitting the transportation impact fee; Township Engineer noted whether a fee would be paid when there is no traffic being generated. Following lengthy discussion, 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 Caretti's Pizza Final Land Development Plan with conditions: (1) a stormwater bond in the amount of \$103,431 be posted prior to the Land Use Permit being released; (2) a transportation impact fee of \$66,430 for the restaurant portion of this plan be posted at issuance of Land Use Permit; (3) a transportation impact fee of \$30,660 for the retail portion of the building that has been determined for that particular use, if and when that particular side of building is constructed and is not in accordance with retail specifications of the determined traffic impact fee, the owner will be required to have the traffic impact fee recalculated prior to issuance of a Land Use Permit for that particular building with a note being placed on the plan stating so.

The Chairman noted that sealed bids for bituminous materials are done yearly and the legal notices have been prepared in draft awaiting final letting date, etc. He stated there have been several issues in the past with awarding bids for the materials and utilizing Co-Stars pricing; however, still feels worthwhile to compare bid prices with Co-Stars pricing to obtain best prices. The Township does not have to award sealed bids if it wishes to use only Co-Stars. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the receipt of Sealed Bids for *2019 Bituminous Materials* to be received on April 22, 2019, no later than 3:00 P.M., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, and those bids to be opened and read aloud at the regularly scheduled meeting to be held April 23, 2019, at 12 Noon, prevailing time.

On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the receipt of Sealed Bids for *2019 Road Paving Equipment Pricing* to be received on April 22, 2019, no later than 3:00 P.M., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, and those bids to be opened and read aloud at the regularly scheduled meeting to be held April 23, 2019, at 12 Noon, prevailing time.

Resident Glenn Shetter stated that on March 14 (2019) he and his wife had the pleasure of attending the dedication and ribbon cutting ceremony for the new project proposed at SpiriTrust Lutheran Nursing Home and Rehab. He did not know if any of the Board Members were able to attend but he wished to go on public record to say that two of the speakers highly complimented the municipality where the facility was being placed and thanked Greene Township for their input in the implementation of this project. They were very appreciative of the efforts of the Township and Mr. Shetter wanted the Board to know of this and stated it made him very proud to hear these comments/compliments. The Board thanked Mr. Shetter for his statements.

The Chairman stated the Scotland Pond Canoe/Kayak Ramp project is currently under the permitting process and design stage at this time; some grant funding may be reallocated for the dam removal and part of that would be to remove an existing house along the creek and erecting a boat ramp. The additional work would be required to have a general permit from PA DEP and since the Township is already in the process of procuring all necessary items for the dam removal, it behooved the Township to include the boat ramp with the dam removal paperwork and not duplicate processing work. Therefore, a quote was received from ECS Mid-Atlantic, LLC, for "Authorization for Professional Services" as follows: Canoe/Kayak Launch Design and Permitting - \$2,375; and, Construction Monitoring of Canoe/Kayak Launch and J-Hook - \$2,990; total cost estimate - \$5,365. Supervisor Corwell inquired if ECS anticipated how long this would take and the Chairman stated the project is still on schedule to be completed by late this summer. 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 approve the "Authorization of Professional Services" submitted by ECS Mid-Atlantic, LLC for the Scotland Pond Canoe/Kayak Ramp permitting process in the amount of \$5,365.

The Zoning Officer presented a resolution for consideration submitted by Vince Elbel, Township Sewage Enforcement Officer, for a sewer extension/sewer tap-in for Hillside Poultry Farm property located at 3016 Letterkenny Road. It is anticipated that 1,100 gallons of wastewater per day will be generated; signed off by both Borough of Chambersburg and Greene Township Municipal Authority. The SEO would include the resolution with the application to PA DEP for their review. The Solicitor inquired if this was the Hillside located in part of Hamilton Township. The ZO stated there are actually two locations occupied by Hillside Poultry and this is the one fully located in Greene Township. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 12-2019**, request for sewer extension/sewer tap-in for Hillside Poultry Farm, 3016 Letterkenny Road, as submitted by Vince Elbel, Township Sewage Enforcement Officer.

The Township Engineer stated that when consideration for a three-way stop at Woodstock and Mower Roads was presented and approved, he had noted he would be submitting a speed limit study report for both Musser and Rice Roads; neither of these roads currently have posted speed limits. He presented each Board Member with a copy of his Speed Study Report for these roads noting an appropriate speed for both of these roads would be 40 mph. The Report included a review of site conditions, road hazards, and speed trials. He stated that other surrounding and nearby roads that are along agricultural lands appear to be similar to these roads and recommended keeping the speed limit uniform to already established speed limits. He stated that an ordinance would be required to post and enforce speed limits. 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 hold a public hearing for the regulation of speed limit for Rice and Musser Roads to be held May 14, 2019, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, at 7:00 P.M., prevailing time.

The Township Solicitor had no further comment to offer at this Meeting.

On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 27394 through 27425, one direct deposit, and two credit card payments, inclusive, to be paid from the General Fund; Check Numbers 3527 through 3531, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2166, and one direct deposit, inclusive, to be paid from the Electric Light Fund.

There being no further business to be presented at this Meeting, the Chairman adjourned at approximately 1:11 P.M..

Respectfully submitted,

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Secretary