

April 12, 2016
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, April 12, 2016 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 and Regular Meeting held March 22, 2016 shall stand approved as presented and become part of the official record.

The Chairman noted the attendance of several students at this Meeting and informed them to feel free to ask questions during the Meeting or to ask afterwards.

Supervisor Shawn Corwell presented proposed Township **Resolution No. 10-2016** that would appoint a **Designation of Agent** for 2016 snow storm reimbursement. He stated he had attended a meeting this date with representatives of PEMA (Pennsylvania Emergency Management Agency). In January 2016 the Township and State declared emergencies, then the federal government declared state of emergencies, and it was announced that possible reimbursement could be obtained for costs incurred by the municipality during that time. He stated part of that possible reimbursement process was to appoint a **Designation of Agent** which would be the point of contact from the Township with state and federal representatives. He stated he would be willing to serve in that capacity as the Township's EMA Coordinator with the alternates being the remaining two (2) Board Members. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 10-2016** for the appointment of **Designation of Agent** for 2016 snow storm reimbursement and that person would be Shawn Corwell as the Agent and Todd E. Burns and Travis L. Brookens appointed as Alternates.

Supervisor Corwell noted receipt of correspondence from the ATC (Appalachian Trail Conservancy) requesting a letter of support regarding the South Mountain Partnership and the Conservancy's application to the Department of Conservation and Natural Resources for grant funding. He stated the Township has worked with ATC in the past, most recently the Eagle Rock project, have been instrumental in assisting the Township with the Trail, and have many good projects in the works. The Chairman noted that ATC is continuing to request grant funds with the Partnership to the State Conservation department as well. He further noted the Township has worked very well with ATC over the years and it benefits everyone. Supervisor Brookens agreed with the comments offered. 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 provide a letter of support for the South Mountain Partnership and Appalachian Trail Conservancy regarding application to the Department of Conservation and Natural Resources for future funding of the C2P2 Grant.

The Chairman stated a request had been received from the Scotland Campus for support of a special campus police force at the March 22, 2016 Meeting, however, there was no one in attendance at that Meeting so the matter was tabled until more detailed information could be obtained. He noted the presence of a representative from the Scotland Campus was in attendance at this Meeting. Mr. Graham Messner addressed the Board regarding the request stating the Campus wishes to add some special police to the campus for their purposes and uses. He noted there is much more activity on their campus now than what the former Scotland School had previously experienced; i.e. 16 businesses including educational facility located on the campus; currently 170 students attending year-round and will be increasing over the next few years; there are small children on the campus; and, have experienced some criminal activity; many more vehicles traveling through the campus; etc. They wish to have police coverage the same as Shippensburg State University and the Mont Alto (Penn State) Campus. Supervisor Corwell presented several questions/concerns he had regarding the request and began by asking Mr. Messner as to the process to have their own police department. Mr. Messner stated they would have to petition the courts and based on the petition and information provided, the courts would decide whether to reject or grant permission to do so. He stated they had submitted a request last year and the request was denied. He stated there would be no liability to the Township; only requesting a letter in support of the Campus's request and would also be requesting from Senator and State Representatives. Supervisor Corwell asked for clarification that the Township would have no financial interest and no liability and the special police would be just for the campus and Mr. Messner affirmed. The Township Solicitor stated that under the Act referred to regarding this request would allow the special police to be able to go off campus if needed. The Chairman inquired as to how far and the Solicitor stated he thought the area would be the campus and nearby surrounding area only. The Solicitor asked Mr. Messner if their officers would be armed and Mr. Messner stated they would be and would all be certified to carry just as their current campus security under Acts 120 and 235. Supervisor Brookens inquired as to who would issue tickets and was informed the State Police and then inquired as to what process was expected of the Township. The Solicitor stated there is nothing that is required of the Township and only wished to bring to the Board's attention the special police could go off campus. Mr. Messner stated they would go off campus if the infraction began on campus. Supervisor Brookens noted that ordinances had to be enacted by the Township in order for the State Police to enforce and inquired how Scotland Campus would enforce a speed limit on campus and it was noted that if someone were to appear before the District Magistrate, the burden of proof would be on the Campus. The Solicitor noted the special police could not just go off campus but the issue would have had to begin on campus thereby they would not lose their authority. The Chairman agreed with the other Board Members that the Township would have no financial liability and it would strictly be the Campus's choice and they would be fully responsible for funding and any potential liability. The Solicitor stated his research was with regard only to any financial liability and the Board noted their concerns as to any

financial or liability being incurred by the Township. The Solicitor stated there is nothing in the statute that would cause the Township to incur said costs. Supervisor Corwell reiterated Supervisor Brookens' earlier statement confirming that even for the State Police to enforce speed, the (Township) roadways had to be ordained by the Township and speed limits posted. Following 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 provide a letter to Winebrenner/Scotland Campus for special campus police and the letter provided will state the Township is not responsible for any financial funding or liability for said special police officers.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Monthly Report for March (2016) and noted it would become part of the official record.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report as submitted to the Board for their review. Hearing no further comments or questions, the Monthly Zoning Office Report shall become part of the official record.

The Zoning Officer presented a request for waiver of Greene Township Code 80-27.A. (Minimum Culvert Diameter of 15") and 80-27.F. (Use of Polyethylene End Sections) regarding property located at 148 Granny Smith Lane. The ZO stated the pipe installed in the culvert under the driveway lacks end sections and has 12" plastic pipe whereas the Code requires 15" steel pipe. The Township Engineer proceeded to further explain the issue is primarily because the driveway pipes are within the public right-of-way and the Township needs to be able to maintain the public area. He stated the reason the end sections need to be galvanized metal is that tests have shown that when plastic pipe is exposed to UVA rays they deteriorate more quickly and it is important that the driveway pipe remain open and free and be part of the stormwater system. He noted, however, this property is located on top of a hill and there would be very little, if any, runoff and by installing a deeper pipe, it would create a larger ditch and the smaller (pipe) would be more easy to maintain. He further noted that many people who applied for driveway permits were not aware that steel pipe was required and that has since been corrected. He stated he has observed the matter on site and is comfortable with waiving the requirement. Supervisor Brookens asked the Engineer's opinion regarding the end sections and discussion ensued regarding this matter. The Engineer suggested the Board may want to consider at the next ordinance change to consider allowing plastic pipe. The Chairman asked the Engineer if the end sections had been installed and the Engineer stated they had not, recommends they be installed, and should be compatible with the plastic there currently. Supervisor Brookens asked the Engineer if he was satisfied with the ditch that is established and the Engineer stated he was. Supervisor Brookens asked the Engineer if it was functioning to Township requirements and the Engineer stated it was. Supervisor Corwell asked if there was enough coverage over the pipe and the Engineer stated that at the time not quite enough and the contractor indicated to him that it was being resolved. Mr. Nathan Oberholtzer, contractor, addressed the Board and stated that he was not aware at the time of construction that 15" steel pipe was required and spoke with the paving company regarding the matter and they were waiting to hear what the Township had decided regarding the waiver request. Supervisor Corwell asked the Township Engineer to clarify

using the end sections and the Engineer stated the standard plastic pipe ends would be better used and compatible with the existing pipe. Following review and discussion, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 80-27.A. (Minimum Culvert Diameter of 15") and 80-27.F. (Use of Polyethylene End Sections) for property at 148 Granny Smith Lane with the condition that the polyethylene end sections be placed on the pipe that is in place presently.

The Zoning Officer presented and reviewed correspondence received on behalf of Connie Wagner/SpiriTrust Lutheran Subdivision Plan, Project #16-009, requesting a waiver of Greene Township Code 85-20.A (Minimum Plan Scale 1"=100'). He stated the plan is currently in the Township process and the properties involved in this subdivision are quite large and in order to show a better view of those properties, they were requesting a scale in feet rather than inches. Supervisor Brookens commented the Township has allowed this size scale previously. 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 waiver of Greene Township Code 85-20.A. (Minimum Plan Scale 1"=100') for the Connie Wagner/SpiriTrust Lutheran Subdivision Plan, Project #16-009.

The Zoning Officer presented and reviewed correspondence requesting a waiver of Greene Township Code 85-52.A. (Requirement to Connect to Public Sewer), received in connection to the previous item noting it was being submitted on condition of the previous waiver request. He referred the Board to a copy of the Ordinance being referenced that had been distributed to them noting there is public sewer within 500 feet of the property subdivided; properties currently served by on-lot systems. The ZO stated he had spoken with the SEO (Sewage Enforcement Officer) and the SEO visited the property and observed and did not see any malfunctions of the systems. The ZO stated he had not had an opportunity to speak with the Municipal (Sewer) Authority. He noted this is only a lot addition, not a land development plan, but the letter was submitted; subdivision of the Wagner property to be conveyed as a lot addition. Mr. Craig Smith of RGS Associates addressed the Board noting the actual distance in one area was 900 feet. He stated the on-lot sewers are functioning properly and one house actually sites lower. Supervisor Brookens inquired as to the time table on a land development and Mr. Smith stated that SpiriTrust Lutheran is planning to propose a skill care facility yet this year on the one portion of property being subdivided. Supervisor Corwell referred to Tract 2 as shown on the plan and asked Mr. Smith what was being planned regarding sewer and Mr. Smith stated they are looking at several options but nothing definite at this time. Supervisor Brookens noted the reason for asking is that it is very rare that waivers are granted *not* to hook into sewer. The Solicitor informed the Board that if they would choose to grant a waiver at this time they could place it contingent upon any future development. Further discussion continued among Board Members and Mr. Smith regarding the distance of existing dwellings and their on-lot systems working properly at this time and which tract those properties are included. 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 grant the request for waiver of Greene Township Code 85-52.A. (Requirement to Connect to Public Sewer) for the Connie Wagner/SpiriTrust

Lutheran Subdivision Plan, Project #16-009, with the condition that in the future if Tract 2 would require a land development plan or subdivision plan, the Wagner properties would be required to connect at that time.

The Zoning Officer presented correspondence from Glenn Watson, Dennis E. Black Engineering, on behalf of client, Thomasville Properties, requesting a review time extension of ninety (90) days; current deadline is April 20, 2016; fifth request for time extension; current issue is regarding requirement to install sidewalk; appears that neighboring property owner is not cooperating and need time to pursue further options. Supervisor Brookens asked the ZO if this was the only outstanding issue and the ZO stated it was and this is a preliminary plan. Supervisor Brookens noted there is a meeting to be held the following day to meet with staff to review options or any other relief that may be available. 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 Thomasville Properties Preliminary Subdivision Plan, Project #15-002, for ninety (90) days commencing April 20, 2016.

The Zoning Officer stated a request had been received from Mr. Jeffrey Hager to waive a Conditional Use Permit (CUP) Application fee regarding a proposed solar energy system. The ZO stated that Mr. Hager currently has a system on his property on Grandpoint Road and wishes to move it to reinstall on his new property at Baltusrol Drive. The ZO noted costs incurred by the Township for advertising, i.e. conditional use permit request, etc, and is a significant expense. The Solicitor inquired as to how far the process of the application submittal had progressed and Mr. Hager stated he submitted the application and fee and wishes to move his current system to a new address belonging to him. The Solicitor noted some of the considerations and by moving the system then the process will be substantially the same. Mr. Hager was inquiring as to the fee he submitted and the Chairman stated the actual advertising fees are set by the newspaper. Supervisor Corwell stated he had researched this date of a similar request and the minimum (advertising) charge was \$300. Supervisor Brookens noted that a legal advertisement for rezoning recently was \$1,200. Mr. Hager indicated his desire to continue with the CUP hearing and thought he would ask for a waiver of the fee since he was moving from one property to another, both of which he owns. Mr. Hager asked the Board that when the letters are sent to adjacent property owners regarding the public hearing and if one of the three (3) owners would object, what would happen to his request. The Chairman stated the purpose of the public hearing is to gain public input and they could comment at that time. 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 deny the request to waive a Conditional Use Permit Application fee for the Jeffrey Hager solar energy system.

In connection with the previous item discussed, the Zoning Officer presented information to schedule a public hearing for the Conditional Use Permit Application for the Jeffrey Hager solar energy system. 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 for the Conditional Use Permit Application for the Jeffrey Hager solar energy system to be held May 10, 2016, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, at 7:00 P.M., prevailing time.

The Zoning Officer presented a stormwater management plan submitted by David H. Martin Excavating for property known as the Hoover tract which is located to the rear of their property along Cumberland Highway. The ZO stated that Martin Excavating had received approval and was granted by the (Township) Zoning Hearing Board (ZHB) for the expansion of a non-conforming use and one condition was that Martin Excavating would address any stormwater issues. The Township Engineer stated that when the ZHB set that condition they had set a time when that had to be completed. The Engineer stated there are three (3) basins currently located on the outlying perimeter that do adequately handle and maintain standards of the Township ordinance and would recommend approval; however, he stated he would note the Township should consider a time limit to have any stormwater basins constructed to handle any additional runoff that is created by the acreage that has been filled and gravel surfaced. Supervisor Brookens asked if possibly by a bond and the Engineer stated that could be a possibility. The Solicitor suggested setting the time at one year or similar and if more time was needed, then it could be requested. Supervisor Corwell inquired as to how long it may take and it was noted that due to Martin's operation, they could perform the work themselves and that six (6) months could be a good time frame. The Solicitor noted that if a problem would occur, they could request additional time. The Engineer again noted it was a condition of the ZHB's approval. The Solicitor stated that Board cannot revise the ZHB decision but could set the time limit. 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 stormwater management plan submitted by David H. Martin Excavating with the condition the stormwater basins be constructed within a six-month time period.

The Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Ronald Gayman; Project #16-007; property located off Letterkenny Road; lot addition of 0.15 acre to be conveyed to Mr. Gayman to square off the corner of the property; very simple plan. The ZO reviewed a copy of the *Approval Checklist*; a copy was distributed to each Board Member for their review, as follows: Franklin County Planning Commission – reviewed with no comment (2.22.16); copy of plan furnished to Greene Township Municipal Authority just for information with no comment required; Form B's forwarded to PA DEP (3.1.16); comment of Township Planner has been satisfactorily addressed (3.17.16); Township Engineer reviewed plan, found it to comply with Township requirements, and would recommend approval (4.12.16); staff reviewed the plan on behalf of the Greene Township Planning Commission and recommended approval. There were no further comments or questions from Board Members or Township staff. 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 1-lot Final Subdivision/Lot Addition Plan for Ronald Gayman as presented.

The Zoning Officer presented the Final Subdivision/Land Development Plan for Quattro Chambersburg, LLC, for recording purposes; property located across from Norland Avenue; request for use variance was submitted and was granted by the Township Zoning Hearing Board for the portion located in Greene Township; when developed it will be consistent with the Borough of Chambersburg regulations; only being presented for Board approval to be stamped (by the Township) for recording purposes; needs approved and stamped by both the Borough of Chambersburg and Greene Township Board of Supervisors;

has been approved by the Borough of Chambersburg; once stamped by the Borough the plan would then be brought to the Township to retain one copy; no escrow and no reviews required by the Township. Supervisor Brookens inquired if the Township would need to make any stormwater inspections, etc and the ZO stated the Borough would perform all necessary inspections. The Solicitor noted the Borough has agreed to perform all necessary inspections with the Chairman asking if some type of bond would be submitted to the Borough and the Solicitor stated he had prepared the resolution for the Borough and the entire property would be inspected by the Borough and subject to all the Borough's regulations. The ZO stated he was in attendance at the Zoning Hearing Board meeting involving this property and the appellant's attorney made very sure they would be in compliance with all Borough regulations. The Solicitor stated this is not an unusual situation for the Township. The Chairman asked if the entire building was located in the Borough with Supervisor Brookens asking if tenants of the buildings noted on the plan are known at this time and the ZO indicated on the plan what is proposed at this time. 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 Quattro Chambersburg LLC Final Subdivision/Land Development Plan for recording purposes only with the condition the plan not be released until it has received the Borough stamp and that the Borough be responsible for stormwater management controls within the Township boundary.

The Board considered cancelling the regular scheduled meeting April 26 due to the Township office being closed for Election Day. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to cancel the April 26 (2016) Regular Meeting and re-schedule for April 27 (2016) at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, at 7:00 P.M., prevailing time.

The Township Solicitor had no further comments 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 24042 through 24084, inclusive, to be paid from the General Fund; Check Numbers 2074 and 2075 to be paid from the Electric Light Fund; and, Check Numbers 3256 and 3257 to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:32 P.M..

Respectfully submitted,

Secretary