

April 27, 2016
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Wednesday, April 27, 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 Regular Meeting held April 12, 2016 shall stand approved as presented and become part of the official record.

There was no public comment at this time.

The Township Engineer presented a request for refund of remaining plan review escrow for the Dennis Diehl 1-Lot Final Subdivision Plan, Project #15-019, as submitted by Jeffrey & Stacy Myers who had submitted the original escrow amount of \$1,500; \$980.50 was expended in fees; request refund of remaining \$519.50. The Engineer stated the plan was approved by the Board in January 2016 for property located at the end of Frecon Road; subdivision for the Myers's to construct home on the lot. Following his review, the Engineer recommended refunding the remaining \$519.50. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to refund the remaining plan review escrow for the Dennis Diehl 1-Lot Final Subdivision Plan, Project #15-019, in the amount of \$519.50 and the check be made payable to Jeffrey & Stacy Myers.

The Township Engineer presented a request to refund the Franklin County Area Development Corporation's (FCADC) Letter of Credit, in the amount of \$30,000, currently held by the Township for Parcel 3-89-19, Opportunity Avenue, in the Cumberland Valley Business Park. He stated the project was completed in late fall, early winter 2015; property located across street from (Franklin County) Prison; consists of shell building that FCADC has constructed; large basin and piping with swale work located in rear of property. He stated that over the winter months, he had conducted several inspections and former problems have been fully stabilized and all stormwater improvements have been completed, therefore, he would recommend refunding the Letter of Credit the Township currently holds. There were no further comments or questions from the Board or public. 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 of refund for the Franklin County Area Development Corporation's Letter of Credit in the amount of \$30,000 currently held by the Township for Parcel 3-89-19, Opportunity Avenue, in the Cumberland Valley Business Park.

The Township Engineer presented a request to reduce the Letter of Credit for Chambersburg First Church of God from the current amount of \$91,274 to \$21,798, a reduction of \$69,476, for public improvements. He noted the expansion project at the church located at Grandpoint and Kohler Roads; (David H.) Martin Excavating had performed some work and had completed in Fall 2015; a sediment basin required as part of the project and accessory piping; stormwater improvements to be completed; would recommend reduction in the amount of \$69,476; however, the bonding which covers the sidewalks for Stage 1, that have not been installed, should be retained in the amount of \$21,798. He stated the church had requested a full refund but the Township Engineer could not release the full amount due to the sidewalk installation being completed. Supervisor Brookens inquired as to the time table for the construction of Parkwood Drive and the Engineer stated he hoped the church would hold off until Parkwood intersection issue is resolved. Discussion ensued among the Board, the Township Engineer, and Glenn Watson, engineer for the church project, regarding these two projects. Supervisor Corwell inquired as to what is Stage 2 and Mr. Watson noted the church property along Grandpoint Road at the ballfields and Stage 3 is area along Kohler Road. 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 grant the request for reduction of the Letter of Credit for Chambersburg First Church in the amount of \$69,476 with the Township retaining \$21,798 for future public improvements, of the original Letter of Credit amount of \$91,276.

The Zoning Officer presented a request for withdrawal of Conditional Use Permit Application and refund of the application fee submitted by Mr. Jeffrey Hager for a solar energy conversion system. The ZO explained that Mr. Hager had originally requested moving the system from his property at 2779 Grandpoint Road to his new property at 3210 Baltusrol Drive but now has decided to let the system remain at Grandpoint Road and will not need a Conditional Use Permit (public) hearing. The ZO stated no expenses have been incurred by the Township to date so he would recommend a full refund. 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 withdrawal of Conditional Use Permit Application and refund the \$500 Application fee to Mr. Jeffrey Hager for the solar energy conversion system for which he applied.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*, submitted by Sharrah Design Group, Inc. on behalf of their client, Black Gap Road Dollar General, Project #16-001. The ZO noted the project is in the process as a Land Development Plan and is proposed to be constructed on one of the out parcels of the Chambersburg Mall, near the unsignalized intersection entrance to the Mall (next to Clyde Fox property and across Black Gap Road from Fleagle's Painting). The ZO read correspondence received from Sharrah Design which outlined the reasons for the waiver request. Mr. Ed Davis, representative of MBC Development and in attendance at this Meeting, noted to the Board that Sharrah's correspondence basically explained the reasons for the request and is a similar situation with the same request for their Route 30 location. The Solicitor commented that if development continues in this area and everyone asks for the same request, then nothing may happen and should be considered. Mr. Davis stated they

would put a provision on the plan referencing that if future development were to occur they may be required to install sidewalk and the Solicitor stated the Township routinely makes that part of similar approvals. Supervisor Corwell stated it appeared on the plan that if sidewalk were installed it would be located within the PennDOT right-of-way and the Township Engineer stated it would not but just outside the right-of-way. Discussion ensued that if sidewalk were required to be installed in the future if there would actually be ample room to do so. The Solicitor noted to the Board that whatever they would decide they should be sure to have it noted on the plan and if needed, he would forward the proper wording as used by another municipality in this situation. The Chairman asked Mr. Davis if he was confident this could be accomplished and Mr. Davis stated he did not see any problem with future construction of four-foot sidewalk and that said wording could be placed on the plan. The Township Engineer asked Mr. Davis if natural contours were being used on this project and Mr. Davis stated 'yes'. 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 grant the request of waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*, for the Black Gap Road Dollar General, Project #16-001, with condition that in the future if the Township deems necessary that sidewalk be installed, it shall be constructed and a note be added to the plan that the grading would take place now for future sidewalk so that no further construction action would be required in the future.

The Zoning Officer presented a request from Curfman & Zullinger Surveying on behalf of their client, Fleagle's Painting Land Development Plan, Project #16-008, for waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*. The ZO noted the property is the former site of Interstate Garage Doors along Black Gap Road; site improved for Fleagle's Painting; use on property is currently non-conforming in a residential zoning district. 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 grant the request of waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*, Fleagle's Painting, Project #16-008, with condition that if the Township deems necessary in the future, sidewalk will be required to be installed, the owner shall construct said sidewalk and also a note be placed on the plan.

The Zoning Officer presented a 12-lot Preliminary Subdivision Plan for Thomasville Properties; proposed construction of townhomes; entrance off Fayetteville Main Street; directly abuts the current Dollar General store; townhomes are a permitted use in the Highway Commercial (HC) zoning district; propose four-unit, 3-unit, and 5-unit; has been in process at the Township for quite some time. The ZO reviewed the *Approval Checklist*, a copy of which was distributed to each Board Member for their review, as follows: Franklin County Planning Commission – reviewed with no comment (1.30.15); Greene Township Municipal Authority – approved (3.13.15); planning module approved by PA DEP (1.14.15); Guilford Water Authority – comments can be addressed and water bond due at final (4.27.16); PennDOT – Highway Occupancy Permit required; Franklin County Conservation District – adequate (2.25.15); Township Planner – previous comments have been satisfactorily addressed; Township Engineer – reviewed and revised previous comments to the Township Planning

Commission dated March 6, 2015 and would recommend the plan be forwarded to the Supervisors with the requirement the language for the maintenance of the shared easements be changed to satisfy the Township Solicitor's comments and that the location of sidewalk onto Dollar General property be resolved; Township Planning Commission – reviewed at their meeting held March 9, 2015 and at that time recommended approval subject to the Planner's comment regarding 'Note 9', Guilford Water Authority approval, and sidewalk issue resolved on final approval; transportation impact fee required (TSA-7, 11 trips = \$15,246); recreation impact fee required - \$500 per unit. The issue of sidewalk being connected to the adjacent property has not been resolved to date but there would need to be some connection internally. Guilford Water Authority (GWA) has concern with the easement and the ZO stated he had spoken with the Manager of GWA and they are working on resolving the issue. The Township Planner's concern with Note 9 on the plan has been resolved with the Township Solicitor providing the proper language and now noted on the plan. Glenn Watson, engineer for the developer, stated the Water Authority's comment(s) is/are extremely minor and does not see any problem with resolving quickly and easily. Mr. Watson stated the developer (Mr. Del Hawbaker) wished to express his deep appreciation for the Township's cooperation with him trying to work with the adjacent property owner. Supervisor Brookens questioned the absence of a play area and Mr. Watson stated that one had been shown on the earlier original, however, the Planner agreed that the density did not require it. 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 Thomasville Properties 12-lot Preliminary Subdivision Plan with condition the Township Engineer's comments be satisfied for the final plan, the traffic impact fee of \$15,246 be paid, and the recreation fee of \$500 per unit is due at the time of the final plan approval.

The Zoning Officer presented a 3-lot Final Subdivision/Lot Addition Plan for Lemma and O'Conner; undeveloped area along I-81 to the rear of Scot-Greene Estates; proposed subdivisions for lot additions to three current lots 158, 171, and 66; relatively simple plan. The ZO reviewed the *Approval Checklist*, a copy of which was distributed to each Board Member for their review, as follows: Franklin County Planning Commission – reviewed with no comment (3.30.16); Form B to PA DEP (4.5.16); Township Planner and Township Engineer – comments have been satisfactorily addressed and would recommend approval (4.13.16, 4.27.16); Plan was staff reviewed on behalf of the Township Planning Commission and would recommend approval as presented. The Township Solicitor inquired if the lots receiving the additions are presently owned by someone other than the developers and Glenn Watson, engineer for the developer(s), stated 'yes' and that each of the three landowners have sales agreements. The Solicitor requested that a note be placed on the plan indicating same and Mr. Watson agreed to do so. Supervisor Brookens inquired if the drainage easements would be extended and Mr. Watson stated they are just eliminating the original lines and moving the lines to the end of each lot addition. 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 3-lot Final Subdivision/Lot Addition Plan for Lemma & O'Conner as presented. The Solicitor briefly explained to the Board his reason for commenting earlier regarding ownership of the lots receiving the lot additions.

The Zoning Officer presented a 1-lot Final Land Development Plan for Dollar General, Black Gap Road. The ZO reviewed the *Approval Checklist*, a copy of which was distributed to each Board Member for their review, as follows: Franklin County Planning Commission – reviewed with no comment (1.14.16); Greene Township Municipal Authority – approved (4.15.16); module approved by PA DEP (3.16.16); Guilford Water Authority – approved (4.26.16); PennDOT - Highway Occupancy Permit issued (3.17.16); Franklin County Conservation District – NPDES Permit issued (3.18.16); Township Planner – most comments addressed, however, comments 6 and 7 on his correspondence dated February 24, 2016 have not been addressed; Township Engineer – comments addressed and Engineer recommends stormwater bond in the amount of \$74,824.20; Township Planning Commission – recommend approval subject to agency approvals and all comments being satisfactorily addressed (3.14.16); transportation impact fee required (TSA-4, 59 trips = \$149,329). The ZO stated the Planner’s comments 6 and 7 have not been addressed noting the sidewalk issue was discussed earlier at this Meeting. The Engineer stated he had reviewed the stormwater bond amount submitted by the developer in the amount of \$74,824.20 and was in concurrence; otherwise, the plan meets (Township) Ordinance requirements. Supervisor Brookens inquired as to the parking area not being constructed at this time and the ZO stated there is an application pending with the (Township) Zoning Hearing Board requesting a variance for parking, that it would not be required to be constructed at this time. Mr. Davis of MBC Development stated they do not need all the parking spaces at present. Supervisor Corwell asked the ZO if the Zoning Hearing Board could place any conditions and the ZO stated they could. 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 approve the 1-lot Final Land Development Plan for Dollar General, Black Gap Road, with condition: (1) traffic impact fee of \$149,329 be posted at the issuance of a Land Use Permit; (2) stormwater bond of \$74,824.20 be posted prior to the plan leaving the office; (3) a note be placed on the plan regarding sidewalk waiver and future construction and if the Township would deem necessary, sidewalk would be required to be constructed.

The Zoning Officer presented the Eberly Subdivision Plan, Revision to front yard setback, stating the plan was previously approved in 2015 and as approved the plan showed the front yard with 100-foot setbacks; property located south of Strawberry Hill Drive; three lots were created; ZO spoke with surveyor who prepared the original plan and inquired as to why the front yard setbacks were 100 feet rather than the required 30 feet. The ZO stated the purpose of the revision is that Lot 2 will change to meet the current setback requirements and Lot 3 will meet the Ordinance requirements. The ZO also stated that all three property owners affected by this change have signed the plan. Supervisor Corwell inquired if this was a private driveway and the ZO stated he was correct, a private driveway located in the 50-foot right-of-way. 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 Eberly Subdivision Plan, Revision to front yard setback as presented.

The Township Solicitor had no further comment 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 authorize the payment of invoices as follows: Check Numbers 24099 through 24136, one direct pay, one online pay, and two credit card pays, inclusive, to be paid from the General Fund; Check Numbers 3258 through 3262, one online pay, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2077 and one online pay, to be paid from the Electric Light Fund.

There being no further business before the Board of this Meeting, the Chairman adjourned at approximately 7:59 P.M..

Respectfully submitted,

Secretary