

The Greene Township Board of Supervisors held their regular meeting on Tuesday, August 25, 2020 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, PA 17202. (Note: Due to COVID-19, all persons maintained an additional distance during this meeting.)

Present:

Todd E. Burns	Gregory Lambert
Travis L. Brookens	Lindsay Loney
Shawn M. Corwell	Kurt Williams
Daniel Bachman	

Visitors: Glenn Shetter, Robert Bennett

The Chairman called the Meeting to order at 12:00 Noon. He informed the visitors that there are copies of the agenda and a signup sheet by the backdoor and that the meeting is being recorded for accuracy purposes.

The Minutes of the Regular Meeting held August 11, 2020 shall stand approved as presented and become part of the official record.

The Chairman opened the floor for public comment and there was none offered. The Zoning Officer (ZO) advised the Board that Mr. Glenn Shetter raised a question during public comment back in June regarding driveways. The ZO informed the Board that he did some research on those three driveways on Interchange Drive. Two of those driveways have been that way since 2013, and the wide driveway on the corner has been that way since 2003. The ZO stated that the Franklin County areal tax mapping goes back to 2013 and Google Earth goes back to 2003, and both provide accurate views of the area.

The Chairman presented for consideration *Resolution #16-2020 North Chambersburg Improvements Project Phase II*. The Chairman reminded everyone that this project consists of the completion of Fifth Avenue Extended to Kohler Road, along with the addition of a roundabout at the Fifth Avenue/Parkwood Drive extension and a roundabout at Kohler Road with additional traffic signals and realignment there. The Chairman informed the Board that the Township applied for grant funding through PennDOT earlier this year and did not receive anything. In fact, very few projects within the state received any funding – most were in the Philadelphia and Pittsburgh areas. The Chairman noted that the Township has the option to apply for the same amount of funding through the Multimodal Transportation Funding (MTF) funded by the Commonwealth Financing Authority, rather than through PennDOT. The Engineer noted that the Township has received the NPDES permit to complete that section of roadway, and the design of the roadway is approximately 85% complete; that should look favorable on the application. The Solicitor asked if Shelly (Government Management Services) had been working on this, and the Chairman replied that she and Amy have been working together. Supervisor Corwell inquired if the project will be funded by impact fees, to which the Treasurer replied what is not reimbursed by the grant would be funded by impact fees. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to adopt *Resolution #16-2020 North Chambersburg Improvements Project Phase II* and also authorize signature of that document and submission for the grant funding.

The Chairman presented the next item on the agenda by reminding the Board that each year the Township enters into a Winter Maintenance Agreement with PennDOT, in which PennDOT pays the Township to perform winter maintenance on a few roads that are connected to or adjacent to Township

roads. The Chairman stated that this year PennDOT is asking for a five year agreement, rather than the usual one year agreement. Supervisor Corwell notified the Board that he spoke with Ms. Carley Rotz from PennDOT this morning, and she informed him that PennDOT is trying to eliminate some of the annual administrative costs related to these agreements, which is one of the reasons for the five year agreement. Ms. Rotz also informed him that the payment amounts for each year are just an estimate; they do not know what the actual payment or increase will be from year to year. Supervisor Corwell noted that he spoke with the Township Treasurer, who confirmed that the funds received are usually different than the estimates provided. The Solicitor made note that this five year contract is a bit unusual. It makes sense if they are trying to cut back on administrative duties, but Greene Township is the only municipality that he represents that has received a five year contract. The Chairman pointed out that the mileage is very minimal and the Township has to go through most of these areas to plow its own roads anyway. It is more difficult to skip these sections, as the driver would have to raise the plow, drive through and drop the plow back down. 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 authorize the Chairman to sign the Winter Maintenance Agreement with PennDOT, as presented. 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 *Resolution #18-2020 Five Year Winter Maintenance Agreement with PennDOT*.

The Zoning Officer (ZO) presented *Resolution #17-2020, Sewage Planning Module for RCI Investments, 6 lot Final Subdivision Plan*. The property is located off Rocky Spring Road and is in the R1 zoning district. The plan proposes a tie in to the Municipal Authority public sewer line (approximately 1,300 feet to the closest manhole). The property will be served by on-lot well, as there is no public water nearby. It will be approximately 1,530 gallons per day. The Township has not received an official plan submission yet. However, a copy of the plan was included with the module, and does show a cul-de-sac. The ZO noted that he spoke to the engineer and informed him that the Township no longer allows cul-de-sacs. The engineer confirmed that these lots will be served by private drives and there will not be a cul-de-sac included on the plan when it is submitted. The Greene Township Municipal Authority and the Borough of Chambersburg have both signed off on the sewage planning module. The ZO informed the Board that there had been a dwelling on the property, and it has been demolished. There had been some sight issues with the property, and the top of the bank has been graded to try to fix that. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to adopt *Resolution #17-2020, Sewage Planning Module for RCI Investments, 6 lot Final Subdivision Plan*, as presented.

The ZO presented a review time extension request for Greene Township Code 85-19.C&D – Jaindl Land Co. Preliminary Land Development Plan, Greene Township Project No. 20-001. The ZO presented email correspondence between Attorney Kaplin and the Township Solicitor, in which Attorney Kaplin agrees to a time extension of the plan review through October 30, 2020. The ZO noted that the plan was originally submitted on January 14, 2020; this will be the fourth extension for the plan. The Township Engineer stated that in March, PennDOT provided the Township with scoping comments, and they are recommending an entrance off of Sycamore Grove Road. The last set of revised plans the Township received was in April, and those plans did not address PennDOT's comments. The Solicitor asked if the Engineer provided any recent stormwater comments to Jaindl. The Engineer replied that he has not because any type of revision to the plan to accommodate PennDOT would change the stormwater as well. The ZO informed the Board that the Township planner did review the plans and provide comments on the second plan that was submitted. The planner indicated that some comments from the first submission had been addressed, but some were

still outstanding. The Engineer pointed out that DEP has not issued any NPDES permitting; they received a completeness application and it was submitted to Harrisburg for approval. The ZO noted that a sewage planning module was submitted with the initial application in January and the Sewage Enforcement Officer (SEO) has reviewed it. The SEO found several items missing out of the packet and advised Jaindl's engineer of those items. Jaindl has never picked up the original planning modules or submitted revised ones. The Chairman reiterated that this is the fourth extension request, and the Board does grant extensions when plans seem to be moving forward. He asserted that the Township needs to get to a position with this plan where a decision can be made – either the comments are being addressed or they are not – but the plan should be reviewed at a future date. The Chairman noted that the Township should be providing the applicant with as many comments as possible, and it is up to them to address or not address those comments. Supervisor Brookens agreed with the Chairman and expressed that the ZHB should review the plan at their next meeting in September, and subsequently get it on the Board of Supervisor's agenda for consideration. The Solicitor noted that when the plan is on the agenda for action, it must be advertised on the Township website five days prior to those meeting dates. 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 review time extension for Greene Township Code 85-19.C&D – Jaindl Land Co. Preliminary Land Development Plan, Greene Township Project No. 20-001. The extension is granted to October 30, 2020, and it is noted that the plan may be placed on a future agenda for action.

The ZO presented the Monthly Zoning Office Report for July 2020, a copy of which each Board Member received. There were no ZHB applications or Conditional Use Permit applications received in July. The ZO reported that 35 land use permits and 8 driveway permits were received during the month. In addition, one road map was sold. The total zoning fees for the month were \$5,331.00. The ZO noted that last month the Township was about 30 permits behind the previous year, but this past week has been quite busy and seems to be making up for that.

The Solicitor stated that the ZHB gave a verbal decision at their meeting last week regarding the Jaindl validity challenge. The ZHB ruled in the Township's favor that the ordinance was valid. A written decision should be released by the end of the month; Jaindl has already said that they intend to appeal. The Solicitor mentioned that he spoke to the council for Jaindl, and the two appeals will be consolidated. The Solicitor advised that he has been working with the ZO on compliance issues, specifically regarding HR Recycling. A check was received for a Conditional Use application, and the plan is expected to be delivered the first week of September. The Solicitor made note that the Township has been more than generous with the time to allow this facility to operate, and it has been a challenge working with the tenant running the business. The Township has a complaint ready to be filed with the District Justice should an application not be received.

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 28862 through 28889, inclusive, four credit card transactions and one ACH transaction to be paid from the General Fund, check numbers 3653 and 3658 to be paid from the Liquid Fuels Fund and check number 2211 to be paid from the Electric Light Fund.

The Chairman noted that a visitor entered the meeting a little bit late, and he wanted to offer him the opportunity for public comment. Mr. Robert Bennett (7200 Brownsville Road) stated that last month a group of his neighbors attended a meeting and complained that he plays his music loud all day, every day. He asserted that this is not true. Mr. Bennett claimed that he does have barbecues on occasion and

he does have a speaker outside with music, but he does not blast it. He works from 9pm to 7am, sometimes 8am or 9am. He has a 2 year old daughter and 13 year old son. When he gets home he spends time with the kids and doesn't typically get to sleep until noon, so he doesn't have time to play music all day long. He stated that he is normally off Friday, Saturday and some Sundays, and uses those days to get things done around the house. Mr. Bennett noted that he does have four vehicles and plays music when he's coming and going. Mr. Bennett informed the Board that he moved to Pennsylvania in 2013 after spending 23 years in a penitentiary in Texas. In a penitentiary, you aren't allowed speakers; you have to use headphones. Being free, he enjoys being able to play music. Mr. Bennett stated that he just wanted to come before the Board to give his side of the story. The Chairman expressed that he appreciated Mr. Bennett taking the time to come to the meeting today. He explained that the Township has not received any formal complaint following the Board meeting that the neighbors attended. The Chairman informed Mr. Bennett that the Board is in the process of reviewing the Noise Ordinance in hopes of revising the language to further strengthen and bring the ordinance up to date. The Chairman invited Mr. Bennett to attend meetings if he would like to be a part of that process; he noted that he invited the neighbors to do the same. There will be a Public Hearing in the near future where the new language will be offered, and residents in attendance will be given the opportunity to provide public comment. The Chairman thanked Mr. Bennett for coming and sharing his side of the story. Mr. Bennett noted that just a few weeks ago, around 10pm, his neighbors were shooting off fireworks for 30 minutes. He expressed that noise doesn't bother him and he wouldn't complain about it, but why would they do that after complaining about his noise. He reiterated that he just wanted to come to the meeting to give his side of the story. Supervisor Corwell thanked him for coming and sharing his side.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 12:39 PM.

Respectfully submitted,

Treasurer/Assistant Secretary