

September 14, 2010
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, September 14, 2010, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Charles D. Jamison, Jr.
Todd E. Burns
Travis L. Brookens
Welton Fischer

Daniel Bachman
Gregory Lambert
Diann Weller

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:00 P. M..

The Minutes of the August 24, 2010 Regular Meeting shall stand approved as presented.

Supervisor Burns requested the Board to advertise and accept Sealed Bids to furnish fencing *only* at the baseball and softball fields, foul poles, dugouts, backstop, and outfield. He stated that Township personnel will install the fencing. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the advertisement for the receipt of Sealed Bids to be received no later than 3:00 P.M., Tuesday, October 12, 2010, then to be opened and read aloud at the Regular Meeting to be held at 7:00 P.M., Tuesday, October 21, 2010, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Mr. Gregory Lambert, Township Engineer, presented a request for plan review escrow refund from Glenn H. Gutshall, Project #10-012, in the amount of \$1,278.15. Mr. Lambert stated the project was a minor plan in Greenwood Hills, had been approved, and there were no further inspections required; therefore, he recommended the requested full amount be refunded. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for plan review escrow refund from Glenn H. Gutshall, Project #10-012, in the amount of \$1,278.15 be authorized for payment.

Mr. Lambert presented a request for plan review escrow refund from Dan Ryan Buildings for Lot 29/30, Uplands Development, Project #10-013, in the amount of \$1,359.44. He stated it was a project with Guilford Water Authority to re-adjust a water line and there would be no further invoicing; all invoices have been appropriately paid; therefore, he recommended the requested full amount be refunded. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for plan review escrow refund from Dan Ryan Builders for Lot 29/30, Uplands Development, Project #10-013, in the amount of \$1,359.44 be authorized for payment.

Mr. Lambert presented a request for plan review escrow refund from RWR Construction, Inc., Project #10-017, in the amount of \$109.45. He stated it was a Parking and Circulation Plan for RWR along Route 11. There would be no further invoicing, therefore, he recommended the requested full amount be refunded. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for plan review escrow refund from RWR Construction, Inc., Project #10-017, in the amount of \$109.45 be authorized for payment.

Mr. Lambert presented a request for plan review escrow refund from Dennis E. Black Engineering, Inc. on behalf of Chambersburg First Church of God, Project #10-018, in the amount of \$81.30. He stated it was a Parking and Circulation Plan for the Church along Grand Point and Kohler Roads. There would be no further invoicing, therefore, he recommended the requested full amount be refunded. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for plan review escrow refund from Dennis E. Black Engineering, Inc. on behalf of Chambersburg First Church of God, Project #10-018, in the amount of \$81.30 be authorized for payment.

The Chairman reviewed correspondence received from the Fire Chief of Fayetteville Vol. Fire Department requesting permission to add Mr. Robert McCleary to the roster of Active Special Fire Police Officers for the Department. He noted the background of Mr. McCleary, that he was anxious to be back in service and that a medical release would be requested by the Department before Mr. McCleary would begin. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that Mr. Robert McCleary be appointed to the Fayetteville Vol. Fire Department as a Special Fire Police Officer.

The Board reviewed the Fayetteville Vol. Fire Department Fire Police Monthly and Year-to-Date Reports and it was the consensus of the Board the Reports shall stand approved as presented and become part of the official record.

The Zoning Officer presented and reviewed the August 2010 Monthly Zoning Office Report noting there were no Zoning Hearing Board applications received or any Conditional Use Permit requests. It was the consensus of the Board the August 2010 Monthly Zoning Office Report be approved as presented and become part of the official record.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51-A, *Requirement to Install Sidewalks*, relating to the FCADC/DeeTag Facility in the Cumberland Valley Business Park. Supervisor Burns noted that in the correspondence received regarding the request, it was noted this would be the only business in the area to have sidewalks, if installed. The Chairman stated that sidewalks would be required if in the future others in the area were required to install (sidewalks). Following review and consideration of the request, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for waiver of Greene Township Code 85-51-1, *Requirement to Install Sidewalks* at the FCADC/DeeTag Facility in the Cumberland Valley

Business Park be granted with condition that if sidewalks become available at the adjacent properties then this business would be **required** to install as well.

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The Zoning Officer presented a request for bond reduction received from Dan Ryan Builders for Saddle Ridge, Phases 5 and 6. He stated the request was reviewed by the Township Engineer and his comments had been included with a copy of this request for the Supervisors consideration at this Meeting. Mr. Lambert informed the Board that he had inspected Saddle Ridge and did find three (3) streets, Crestwood Drive and Belmont Way partially completed, and the entire length of Thistledown up to the wearing coarse and saw a possible ponding which could have been caused by silt sacks and they have been removed but would recommend holding 50% to be retained and also found areas in the wearing course through the construction process with marks and scratches in the road which will need some type of repair. He recommended the required bond be set at \$204,206.75 and that \$216,352.40 be released from the current bond being held by the Township. Supervisor Burns inquired if all curb seals, etc had been completed and Mr Lambert stated 'yes' but did not allow seal coating and paving at this time until the project is more completed. The Chairman noted that one (1) street will not be accepted by the Township which is Belmont Way to Crestwood Drive due to there being no cul-de-sac and two (2) sections of Crestwood, 350 feet of Belmont Way, 200 feet of Crestwood, and all of Thistledown could be accepted by the Township when completed to meet PennDOT criteria. The Township Solicitor verified the speed limit advertisements, etc for the necessary ordinance. Following review and consideration of the request, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for bond reduction from Dan Ryan Builders for Saddle Ridge, Phases 5 and 6, will be granted in the amount of \$216,352.40 to be released and the Township will retain \$204,206.75 with a new bond created for that amount and the previous (bond) will be released when the new bond is received.

The Zoning Officer informed the Board that the Township had received a Conditional Use Permit request regarding the Dana Funk farm, 6788 Rowe Run Road (located at its intersection with Wagner Road; regarding animal housing to exceed 100 cows. Also received was a Land Development Plan which has been distributed to the appropriate agencies for review. The Zoning Officer asked the Board to schedule a Public Hearing to hear this request. Mr. Funk asked the Board for their cooperation in expediting his request due to weather conditions approaching. The Board discussed the time needed, whether the County had to review, etc and the Township Solicitor stated since it was not a rezoning request, the County did not have to review this request. Following discussion, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Public Hearing for the Conditional Use Permit request from Dana Funk farm, 6788 Rowe Run Road, be set for Tuesday, October 12, 2010, at 7:00 P.M., at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA.

The Zoning Officer presented a request for review time extension of ninety (90) days submitted by LSC Design on behalf of Rutter's Farm Store #5; current time expires September 22, 2010. The ZO noted that when the last time extension was granted a condition had been that the developer's engineer would demonstrate progressive work on that project and the closing of Bronson Road. He stated a revised sketch plan has been received by the Township. Mr. Lambert stated on this date that a new land development package had

been received by the Township. He noted the entrance off Bronson Road has been removed and was made an emergency only access and now they have only one primary access at the

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(traffic signal) light thereby resolving the Bronson Road issue. Mr. Lambert stated the Township Planning Commission had reviewed this request at their recent meeting and requested the Board to eliminate one turn onto Bronson Road. He further noted Rutter's has made great strides in the last thirty (30) days and an extension would be in order if so approved by the Board. The Chairman stated that PennDOT would not allow any raised curbs or center island. Following review and discussion regarding this request, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for review time extension for Rutter's Farm Store #5 be granted an additional ninety (90) days commencing September 22, 2010.

The Zoning Officer presented a request for review time extension from Hanover Land Services, Inc. on behalf of White Church Meadows; current time expires September 17, 2010. He stated the last time extension that was granted for this project was on the condition that work progress be shown regarding several issues. He stated that revised sketches of the plan have been received and that a neighbor has spoken with Township officials regarding this project. Mr. Lambert stated the applicant has abandoned the proposed garden apartments. It was stated that a neighbor, Mr. Wingert, will have his attorney look at a proposed agreement for access to the development and feels it may be workable. Mr. Lambert stated he has also met with Franklin County Conservation District regarding stormwater issues and that progress appears to be made. He further noted the Township has received responses to various previous comments by the Township Engineer and Township Planner and those comments will be reviewed by both. The Chairman asked if all the necessary work could be completed within the time requested and Mr. Kris Raubenstine of Hanover Land Services, Inc. stated he felt they could be done in the time frame requested. The Chairman was concerned with the HOPs (Highway Occupancy Permits) needed, Mr. Wingert's agreement being signed, and the Franklin County Conservation District comments. Following review and discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-1, with Chairman Jamison opposed, the request for review time extension for White Church Meadows was granted an additional ninety (90) days commencing September 17, 2010.

The Zoning Officer presented a 38-lot Mobile Home Park Preliminary Land Development Plan for Capital Estates, Phase I, stating the project was granted an extension on June 8, 2010 with condition that progress be made towards the completion within those ninety (90) days. He stated the Township received the Plan on June 30, 2008 and that no revised plans have been received since March 18, 2009. The ZO stated he had spoken with the project engineer, Joe McDowell of Martin & Martin, Inc., who had received a copy of the extension and Mr. McDowell stated he has left messages on the developer's answering machine and as of this date he was not sure of the disposition of the project. Supervisor Burns inquired as to the outstanding issues and Mr. Lambert stated the Conservation District requires a discharge agreement and there are also problems with the access right-of-ways, etc. It was noted the original plan was submitted June 20, 2008 which was reviewed by the various agencies and a set of revised plans were received March 18, 2009 which were the last ones received but no further contact has been made by the developer. The only time the plan

was presented to the Township Planning Commission was at their meeting held July 14, 2008 and was tabled by them at that time. The Chairman noted these plans have been on-going

since 1991, then again in 1992 or 1993 and were held up due to entrance problems and then they came back in 2008. Following discussion and review, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the 38-lot Mobile Home Park Preliminary Land Development Plan for Capital Estates, Phase I, be denied for the reason they did not meet Township Land Development and Subdivision Ordinance requirements in the ample time permitted.

The Chairman noted the resignation of Mr. James Hammond from the Township; he further noted Mr. Hammond's age, his time serving the Township, and was asked if interested in working part-time and Mr. Hammond said he would think about it; his last day was officially this date. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the resignation of Mr. James Hammond be accepted as submitted.

On a motion by Todd E. Burns, 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 15771 through 15808, inclusive, to be paid from the General Fund; Check Number 1430 to be paid from the Electric Light Fund; and, Check Numbers 1856 and 1857 to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:47 P.M..

Respectfully submitted,

Secretary