

November 26, 2019
Scotland, PA 17254
Public Hearing &
Regular Meeting

The Greene Township Board of Supervisors held a Public Hearing and Regular Meeting on Tuesday, November 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 12:01 P.M.. He welcomed everyone in attendance, noted there was a sign-up sheet asking everyone to be sure they had signed it before leaving, and also there were copies of the Agenda.

The Chairman then called to order a Public Hearing to gain public input for consideration and enactment of a proposed ordinance which would revoke (current) Township Ordinance No. 2-1991 by changing several streets from 30 mph to 25 mph and also posting of those streets as well as additional streets not currently posted. He then asked the Township Solicitor to continue. The Solicitor stated that a number of the stop intersections fell into a classification under a State law for residential areas to be posted for 25 mph. In the 1990's a number of those streets were designated at 35 mph and this proposed ordinance would delete that ordinance and replace with this new ordinance for 25 mph. The Chairman stated this all began with an inquiry after it was noted a posted speed limit was different from what was on the books. He stated it had been a very lengthy process to determine what streets had already been posted, incorrectly posted, or not posted at all. This is to clear up those streets and have streets posted at 25 mph; some even had multiple speed limits on one street. The Solicitor stated the ordinance changes streets to 25 mph that were originally set at a different speed limit by the 1991 ordinance and those streets that qualify for 25 mph were numerous, therefore, it was necessary to also create a resolution for speed limit on roads that were not in the 1991 original ordinance so there are two documents to be considered. The Chairman stated that was a brief explanation of the ordinance and resolution and the purpose of the public hearing. He then opened for any public input. Resident Robert Gearhart, Mount Cydonia Road, asked why Mount Cydonia Road was not listed. The Township Engineer stated that several years ago a speed study was enacted and Mount Cydonia is not recognized under the criteria for "residential". The Solicitor stated the definition (for residential) is by State law and not by the number of residential dwellings; the State tells the Township what is considered "residential". Mr. Gearhart then asked if the Township sets speed limits and the Chairman informed him the Township does on Township roads only and there are certain parameters that must be met before posting. It was difficult for the residents to understand that even though there are residences on a street/road, it may not fall into the State's classification/definition of "residential". The Engineer noted there are various parts to meet the definition of residential; i.e. number of driveways, length of street, density of residences, etc. Mr. Gearhart stated the speed limit is not being enforced noting he had called a number of times to the PA State Police (PSP), the trucks are going faster, and when they call PSP, no one comes. He further noted he thought there

was supposed to be some guard rails installed at the pipeline on the curve where the road was widened. He stated the trucks will run a vehicle off the road which could cause it to go into the ditch and the creek. He stated multiple times trucks have run his wife's vehicle off the road. The Chairman stated he will check into the issue. He stated the Township will call the State Police and in addition the Township has electronic speed indicators that can be placed to help in slowing down traffic. Mr. Gearhart requested something be done and appreciates the Township calling the Police and also offered the Township to place the indicators in his yard. Supervisor Corwell stated a letter had been sent to PSP on April 21, 2017 regarding speed limits on the road and the Township did not hear anything back. The Chairman stated that it seems in the day and age we are living in it is more of a suggestion to slow down, etc; for someone else; motorist mentality. The Engineer also noted it is a two-edged sword; the residents appreciated the road being widened, etc, but then the trucks seem to travel faster. Resident Richard St. Clair, Mount Cydonia Road, also commented regarding no response from either the parent company (New Enterprise) or PSP. He stated he has taken pictures from his car when he has been behind the trucks showing they are half on either side of the centerline. Supervisor Brookens inquired if most of the vehicles are New Enterprise and if they were able to obtain truck company name, number, etc. Mr. St. Clair stated he has called New Enterprise and received no response. Supervisor Brookens stated he was just making a suggestion and it may help if someone complains to a company of a driver carelessly operating a vehicle. Mr. St. Clair stated the road was made safer but speeding vehicles is still an issue. Mr. St. Clair also noted the inquiry as to guardrails to Supervisor Corwell. Supervisor Corwell stated he will also check into the matter. Mr. St. Clair thanked the Board. The Chairman adjourned the Public Hearing at approximately 12:19 P.M.. The Solicitor stated the proposed ordinance does more than revoke the previous ordinance and also establishes 25 mph for those streets. The Resolution proposed is something different. Following lengthy review and discussion, 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 Township **Ordinance No. 2019-5** thereby revoking 1991 ordinance changing several streets from 30 mph to 25 mph for those streets listed within that ordinance.

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 Township **Resolution No. 22-2019** establishing speed limits on certain Township roads as presented by the Township Solicitor with the exclusion of Heisey Road having no Township road number. The Solicitor reminded the Board the Resolution would not be legal until the roads have been posted.

The Minutes of the Regular Meeting held November 12, 2019 shall stand approved and become part of the official record.

There was no further public comment at this time.

The Zoning Officer presented a Parking and Circulation Plan for Chambersburg Citgo (3rd Elite Corporation); propose additional business on property located along Black Gap Road near Interstate 81. Their request did not meet the criteria required for area and applied to the Township Zoning Hearing Board which granted a variance. The ZO displayed the Plan as to the proposed area for future large and box truck parking. He reviewed the few comments as noted on the

Approval Checklist, a copy distributed to each Board Member for their reference and review as follows: Franklin County Planning Commission – all previous comments had been addressed; previous comments of both the Township Planner and Township Engineer have been satisfactorily addressed and would recommend approval; Plan was reviewed by Township Planning Commission at their November 4 regular meeting and recommended approval subject to comments being addressed. The Township Engineer stated the revised Plan now seems to conform to Township requirements for parking and circulation. Supervisor Corwell inquired if there is an established entrance on Valley View Drive and the ZO stated there is and that is what is proposed to be used. The ZO stated the Zoning Hearing Board’s granting of variance was based that when Black Gap Road was widened and the median strip was put in by the State it created a hardship for the applicant. Supervisor Brookens inquired if there was any provision in the convenience store for the proposed additional use. Mr. James Maun, William Brindle & Associates, engineer for the applicant, stated the person working the store would also handle those wishing to park in the designated areas with no additional employees, moving supplies, etc. Supervisor Corwell inquired if the driveway met the Township’s standards and the Township Engineer noted the driveway is existing. 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 Chambersburg Citgo Parking and Circulation Plan as presented.

The Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Sandra Brookens; property located along Black Gap Road; propose to subdivide approximately one-half acre from Brookens property to adjacent lands of Lisa Berrier. Supervisor Brookens inquired if there was a significance why it was an odd-shaped portion? The Zoning Officer stated he did not know. The ZO reviewed the *Approval Checklist*, a copy being distributed to each Board Member for their review: Franklin County Planning Commission – reviewed with no comment (10.3.19); Greene Township Municipal Authority – N/A; Sewage Enforcement Officer – non-building waiver to PA DEP (10.3.19); previous comments from both the Township Planner and Township Engineer have been satisfactorily addressed and would recommend approval (10.30.19); Plan was staffed reviewed by the Zoning Office and would recommend approval. 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 Sandra Brookens 1-lot Final Subdivision/Lot Addition Plan as presented. The Solicitor noted a point of information to the Board regarding a “lightning strike” appearing on this Plan and what is normally perceived by surveyors but how it is used on this plan noting an issue experienced by another municipality.

Mr. John VanHorn, Executive Director of LIDA (Letterkenny Industrial Development Authority), 5504 Coffey Avenue, Chambersburg, introduced himself and Mr. Kip Feldman. He stated the Board has seen much of the information being presented before and they are back again to request an extension to the existing KOZ (Keystone Opportunity Zone). He noted the importance of the KOZ to continue development of the remaining portion; this KOZ being one of the few left in Pennsylvania. Mr. VanHorn stated he will be retiring in December 2019 and Mr. Feldman will become the new Executive Director. He then turned the presentation over to Mr. Feldman. Mr. Feldman presented a slide presentation beginning with a brief history of Letterkenny Army Depot. (A hand-out of this presentation shall be made an integral part of these Minutes.) He stated the area encompasses approximately 20,000 acres with the majority being located in

Greene Township. The Chairman noted the School District property is not located in the KOZ. Mr. Feldman noted the portion of the Base Realignment and Closure (BRAC – Re-Use) of 1995 and stated that LIDA is requesting an extension for 238 acres to the end of Year 2030; also stating that LIDA is not allowed to add more acreage to the current KOZ area; if they tried to add acreage it would be denied. He noted on the displayed print the explanation for the colors: green – those areas that have expired; blue – waiting to expire; red – not developed to date and the area being requested for extension. He gave a brief CVBP (Cumberland Valley Business Park) KOZ History as follows: 1999 – Original KOZ approval*, 280 acres of raw land, 1 structure, Building 56 (3 acres); 2003 – addition of KOIZ (Keystone Opportunity Industrial Zone) acreage* (40 acres); 2008 – 10-year variable extension period (283 acres) from date of occupancy*; 2015 – KOZ extension period* (254 acres), specific extension date, December 31, 2025; 2020 – KOZ extension period – request (238 acres), specific extension date, December 31, 2030; * - required by all taxing bodies of CASD (Chambersburg Area School District), Franklin County, Greene and Letterkenny Townships. The Township Solicitor asked if the extension must be by resolution to which Mr. Feldman confirmed it must be by resolution. Supervisor Brookens inquired as to what responses had been received from other entities. Mr. Feldman stated this was the first presentation and had success last four times requests for extensions were presented. Brief discussion ensued regarding build-out time, reasons for slowdown in construction, with the Township Engineer inquiring as to status of shell building that was returned to Letterkenny. Mr. Feldman stated that building has been leased to the Army; area around it had to be fenced for security purposes; not located in the KOZ; Army does not apply for KOZ and neither has the (Franklin County) Jail. Supervisor Corwell inquired if a building would qualify in the requested extension area and Mr. Feldman stated it would but there are no buildings on that acreage at this time. Mr. Feldman continued his (slide) presentation as follows: (1) KOZ Marketing Value; (2) KOZ map depicting: (a) Prior areas now taxable with notation and photos of industrial properties, size of constructed buildings, annual County taxes of \$42,739 and annual School District taxes of \$163,046 now being collected; (b) Current KOZ areas with notation and photos of industrial properties, **future** annual County taxes of \$26,414 and annual School District taxes of \$100,767; Requested Expansion KOZ sites to expire 2030, **unknown current or future** taxes to be collected; KOZ Legislation – Act of October 6, 1998, P.L. 705, No. 92, as amended. Mr. Feldman concluded by noting the importance of the KOZ in that it gives incentives to purchase products in Pennsylvania. The Chairman noted the benefits have been identified throughout the years, has encouraged and created development for the area, and would be good to extend another ten (10) years for further development. 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 adopt Township **Resolution No. 23-2019** approving an extension for the Keystone Opportunity Zone as requested by Letterkenny Industrial Development Authority (LIDA), as presented.

The Chairman noted specifications are ready to be distributed for sealed bids to purchase one (1) used water truck and suggested they be received and considered at the December 10 meeting; bids to be received no later than 3:00 P.M. that day. 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 receipt of sealed bids to purchase one (1) used water truck on December 10, 2019, bids to be received no later than 3:00 P.M., prevailing time, on that date and opened that evening at the regularly scheduled Board of Supervisors Meeting at 7:00 P.M., prevailing time.

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 28097 through 28125, one (1) direct deposit, two (2) credit card payments, inclusive, to be paid from the General Fund; Check Numbers 3585 through 3589, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2189 and one (1) 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 12:59 P. M..

Respectfully submitted,

Secretary