

March 22, 2016
Scotland, PA 17254
Public Hearing &
Regular Meeting

The Greene Township Board of Supervisors held a Public Hearing and Regular Meeting on Tuesday, March 22, 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 Meetings to order at approximately 7:00 P. M..

The Minutes of the Regular Meeting held March 8, 2016 shall stand approved as presented and become part of the official record.

There was no public comment offered.

A Public Hearing was conducted to consider amending the Greene Township Code to revise and add a zoning district identified as *Transitional Commercial District and Exit 17 Interchange Overlay District*. The Chairman opened the Public Hearing and requested the Zoning Officer to present the pertinent information. The ZO stated the area is currently zoned as R-1 (Low Density Residential); borders the Borough of Chambersburg west of Interstate 81; follows Kohler Road to Walker Road intersection to railroad highline (Township/Borough boundary line) to be known as the Transitional Commercial District; and, in addition, a small portion adjacent to the I-81 corridor being proposed as the Exit 17 Interchange Overlay District. The intent of the proposed amendments are to act as a buffer between the Borough's current commercial development and the adjacent Township's R-1 zoning district. The ZO referred to displayed photos of the proposed areas. He stated the proposals have been in discussion since 2006 when at that time it was discussed in the Township Comprehensive Plan having a similar district due to the zoning districts that were adjacent to the Township. After the Comprehensive Plan was approved in 2006, there was an application for a change but it was denied and then discussed later that this area should be more of a transitional area. The last hearing in 2009 proposed an amendment and at that time the hearing was postponed indefinitely due to numerous concerns; one being how traffic would be channeled, etc. That particular concern is now being reviewed with the connection of Grandpoint Road and Kohler Road to Norland Avenue by construction of a new roadway to be known as Parkwood Drive. The ZO continued by stating that in January 2016 the Township Supervisors received a request from Chambersburg Hospital for some type of rezoning and this is in line with what was originally discussed years ago. The ZO stated information was submitted to Franklin County Planning Commission (FCPC) for review and correspondence was received from them. That correspondence from Mr. Phil Tarquino, Director of FCPC, stated that following their review, found the proposed amendment and intended uses are in compliance with the

goals and objectives of the Franklin County Comprehensive Plan. He further stated the Township Planning Commission had reviewed the proposal at their last two meetings and at their last meeting, they recommended adoption of the map and test amendments as presented. The Chairman then asked comments from Mr. Tim Cormany of Martin & Martin, Inc. as Township Planner. Mr. Cormany stated he began in 2014 working with the Township on this matter and this is not only the hospital's request but looking at construction of Parkwood regarding traffic issues, etc within that district. It was proposed that an area in the vicinity of Exit 17 should be kept for more intense commercial uses which would include certain uses and some with conditional uses. One of those with conditional use anticipated would be residential uses, a type of neighborhood residential district, a campus neighborhood type of residential; another conditional use permitted would be health care medical campus. Mr. Cormany noted there are several primary property owners, including the hospital, who are in favor of the changes but have specific concerns. At this time, the Chairman opened the public hearing to take public comments. Mr. John Massimilla, Chambersburg Hospital, stated he wished to thank the Township for getting to this point; health concerns are important to everyone in the community; it's the right time to do this; again, thanked the Board for considering the changes. Mr. Massimilla concluded by stating he would guarantee they would be good stewards of the land. Mr. Ryan Johnston of Falling Spring IV and local landowner stated he had submitted several questions/comments/concerns to the Township Planning Commission, Zoning Officer, and Supervisors to encourage the Township to move forward. Mr. Johnston's Question/Comment 1: In the TCD (Transitional Commercial District) he feels that all uses should be able to build the same size of buildings; why wouldn't conditional uses be allowed to build up to three times the size of permitted uses? Mr. Cormany referred Mr. Johnston to Page 9 of 14 in the proposed ordinance under "Building Size Limitations", paragraphs 1 and 2. He stated the Township's number one goal is to keep the area as a transitional area from big commercial to residential; it was the wish of previous Board and this Board to eliminate large box type structures which would reduce the footage and the uses permitted; keep it more of a professional small building, smaller lot size concept. The square footage had actually started smaller than the current proposed footage but also to allow certain conditions or requirements and the proposed ordinance is successful in doing that and what it achieves. He stated the ordinance would provide for a medical campus that would be a minimum fifty-acre area and be able to building to a larger capacity. Mr. Johnston commented that if the entire TCD were to be built as all health care facilities, they could conceivably be 60,000 square feet and by three stories tall but other uses could only be built a smaller size. The Chairman noted the difference between *conditional* and *permitted* uses regarding square footages allowed. Discussion ensued on the aspects of difference footages; health care is a *conditional* use from the beginning. The Chairman noted the square footage in the Exit 17 Interchange Overlay has a maximum square footage and is different from the TCD. The Solicitor informed Mr. Johnston there had been much discussion on this matter and this is a compromise that all parties have had to accept. Mr. Johnston's Question/Comment 2: He is still in full favor of the Interchange Overlay but there still seems to be a somewhat common use overlooked in that district and it is forbidden and that would be a convenience/gas store. Mr. Cormany noted that on Page 8 of 14 in the proposed ordinance under "Uses Not Permitted" but Mr. Johnston asked if it wouldn't make sense to have some

type of use in this area? The Chairman stated that was a viable question and noted that it should be considered to allow that type of use in that area. Supervisor Corwell stated he would agree that use should be allowed in the Exit Overlay. Supervisor Brookens stated he would not want to see a twenty-four hour operation with traffic lines, etc at the intersection of Grandpoint and Parkwood but the area in Exit 17 Overlay could handle it better; those types usually are open 24 hours; from a traffic impact standpoint, if a fast-food place were allowed, there could be more traffic than a convenience store, therefore, he would be agreeable to allowing that type of use. He asked the Solicitor what would be involved in adding that type of permitted use to the Ordinance. The Solicitor stated it would have to be re-advertised because the Code states after a material change, a hearing must be held. It would delay action briefly but not significantly. Mr. Bryan Salzman attending this Meeting and sitting in the audience offered an alternative to move forward and adopt what is being presented; then later present a text amendment and not a zoning map amendment; adopt what is at present and then move forward to advertise a text amendment for that zoning area; it would only involve those within the Exit 17 Overlay area. The Solicitor stated that Mr. Salzman's suggestion would be acceptable to be handled in that manner. Mr. Johnston suggested the same idea, fully in favor, and would be happy to present any concerns and comments that would assist in developing a text amendment. The Chairman then closed the Public Hearing for receiving public comments.

At this time the Board considered the proposed Ordinance and public comments received. Supervisor Corwell stated the Ordinance was well written and appreciated the comments regarding the convenience/gas store. However, he stated his concern is there is no sewer in that area and what would happen if a plan would be submitted rather quickly and they want to hook to sewer, but there would not be a definite answer as to who would provide sewer; therefore, he would like to see that clarified in the near future. The Chairman noted there were other utilities to consider as well; water and gas are available close to the area and not just the sewer agreement delaying matters. He stated that is being worked on towards a solution as well as working on a solution for other utilities but they have not been finalized yet and now is the time to resolve those. The Chairman noted to the Township Solicitor with regard to a plan coming in and not having utilities in place and there are on-going efforts to resolve that and hopefully something will come of that soon. Supervisor Brookens stated he understands Supervisor Corwell's concern and the concern of all regarding the absence of utilities. Supervisor Corwell inquired if a plan were to be received would the Township have the right to not accept the plan if the utilities are not in place? The Solicitor stated 'yes, but if the developer comes up with their own solution, then it would be questionable. The Zoning Officer inquired if there was a provision for holding tanks if sewer is imminent. The Solicitor stated the use of holding tanks would be very limited for commercial use; he did not think that PA DEP would permit. The Township Planner stated that for this size of development it would not be permitted. Supervisor Brookens noted again that this zoning issue (in this area) has been in the works for many years noting it was discussed during the Comprehensive Plan in 2006. He further noted the development that has been occurring in the Borough and moving towards the Township and the direction the Township and County Planning Commissions are moving regarding commercial development. He stated it is a starting point, need to adopt it, and see how it operates and then respond to it accordingly. As

to utilities, it is as much of the developer's interest how it is going to be handled and needs to be a cooperative effort how it all will work. He felt it would be addressed sooner rather than later and a good way to start. The Township Engineer stated that one of the main concerns has been traffic and one of the entities involved has put much time, effort, expense and their commitment has been great and should be noted and recognized. The Chairman stated he would agree with Supervisor Brookens' comments that the Township has been working on this issue for approximately ten years and there are some things that need to be worked out; i.e. agreements for utilities in the very near future and other transportation concerns in the area especially around Kohler and Walker Roads; may just need to take that step forward; construction of I-81 overlay being the first step and construction of Parkwood being the next step. This is a good starting point and definitely in the future when a need arises it will be worked on; there have been compromises by all parties involved. Following a lengthy discussion and review, 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 **Ordinance No. 2016-2** to amend Greene Township Code to revise and add a zoning district identified as *Transitional Commercial District and Exit 17 Interchange Overlay District* as presented. On a further motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to authorize the Township Solicitor and Township Planner to prepare a text amendment to Township Ordinance No. 2016-2 providing for convenience store within the Exit 17 Overlay District.

The Chairman noted the Township is in the process of submitting a request for funding to have a feasibility study for the Corker Hill property which includes the existing barn. It is currently on the historical list and the study will provide the proper methods for the preservation, permitted uses, and any additional future funding regarding work to the property; therefore, the Township must provide a letter regarding the request for grant funding which will provide \$25,000 towards that which the Township would be pledging to complete the two studies. 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 a letter of commitment regarding the Keystone Historic Preservation Grant for the funding of the Corker Hill project.

The Chairman stated the Township has received a request to support Winebrenner Seminary's search and providing special police officers on campus activities through Act 22. Supervisor Corwell further explained that during his research of Act 22 he contacted the PA State Police who currently cover the Township. They had no information on this and had not been contacted by Winebrenner and neither was the County District Justice. Supervisor Corwell stated he was concerned with the training that would be part of this and noted there was no one from Winebrenner in attendance at this Meeting; therefore, he would recommend tabling this matter until more information can be obtained. The Solicitor stated there is training required but did not know what level. Supervisor Brookens agreed the Board did not have enough information as to carrying firearms, training, etc. The Chairman noted that Winebrenner may have had something occur at the last minute and unable to attend. He further noted the Township would not be responsible for any funding, liability, and there

would be no affiliation between the Township and Winebrenner regarding this matter and felt it may need to be approved by the Common Pleas Court. The Solicitor stated he had checked on any financial responsibility and the Township would have no responsibility in that respect. Supervisor Brookens stated there was a lot of guessing of what they are requesting. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to table the discussion regarding Winebrenner's request for on-campus special police to a later date.

The Zoning Officer presented information regarding the scheduling of a public hearing regarding the seven-year review of the Greene Township Agricultural Security Area. The Township is currently working on the seven-year review of the agricultural areas in the Township; there has been a good return on questionnaires sent to those currently in the Security Area and also received four requests for new properties with a total of 270 acres. The next step will be a joint meeting between the Township Planning Commission and the Agriculture Security Area Committee which is scheduled to be held at the Commission's regular scheduled meeting on April 11 for the purpose of review and consideration. The ZO stated he had spoken with the Franklin County Planning Commission and their comments should be received for the April 11 meeting. The ZO stated he would recommend holding the public hearing at the Supervisors first meeting in May and the Township would need to adopt a resolution. The Chairman noted the Township still needed to appoint a citizen-at-large to the Ag Security Committee and discussion ensued as to the actual number required to serve the on Ag Committee. The ZO noted that Stanley Stratton had previously served as the citizen-at-large but he did not know if he would continue serving or needed to make a new appointment. Discussion ensued regarding appointing a citizen member for the April 11 joint meeting or for the public hearing May 10. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to appoint Stanley Stratton to the Ag Security Committee as a citizen member and schedule a public hearing for the seven-year review of the Agricultural Security Areas for May 10, 2016, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, at 7:00 p.m., prevailing time.

The Zoning Officer presented a request for review time extension for the Black Gap Road Dollar General; first extension request; request extension to April 30, 2016; plan is moving through the process; receiving approvals; still have some outstanding comments. 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 a review time extension commencing March 22, 2016 to April 30, 2016, for the Black Gap Road Dollar General.

There were no Subdivisions and/or Land Development Plans presented at this Meeting.

The Township Solicitor had no further comments.

On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously approved the payment of invoices as follows: Check Numbers 23977 through 24005, two credit card payments, one online payment, inclusive, to be paid from the General Fund; Check Numbers 3249 through 3253, with one online payment, inclusive, to be paid from the Liquid Fuels Fund; and one online payment to be made from the Electric Light Fund.

There being no further business before the Board, the Chairman adjourned the Meeting at approximately 8:16 P. M..

Respectfully submitted,

Secretary