

January 13, 2009
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, January 13, 2009, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following two (2) Public Hearings.

Present:

Charles D. Jamison, Jr.
Todd E. Burns
Glenn O. Shetter
Welton Fischer

Travis Brookens
Daniel Bachman
Diann Weller

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:36 P. M..

The Minutes of the December 23, 2008 Public Hearing regarding Conditional Use Permit request for the Township Park stand approved as presented.

The Minutes of the December 23, 2008 Regular Meeting stand approved as presented.

The Minutes of the January 5, 2009 Re-organization Meeting stand approved as presented.

Resident Jane Wilson, 5871 Cumberland Highway, asked if Greene Township is ever going to recycle plastics noting correspondence recently received from IESI. The Chairman stated it is being discussed and there already is a meeting scheduled to discuss and that the Township is also exploring other areas.

The Chairman presented Township **Resolution No. 4-2009** for the reduction of speed limit on Valley Circle to 25 mph. Township Solicitor reminded the Board of the State law regarding establishing 25 mph speed zone in a residential district that in order for it to be enforceable it must also be posted with the appropriate signage, the area recognized as a residential district, and this would be accomplished by the adoption of a *Resolution* for this item as well as the next item appearing on this Meeting's Agenda. On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 4-2009** that speed limit on Valley Circle be reduced to 25 mph as allowed by State law in a recognized residential district.

The Solicitor had no further comment regarding reduction of speed limit on Valley Drive to 25 mph as the recommended speed limit by the Vehicle Code on residential streets. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 5-2009** to reduce the speed limit to 25 mph on Valley Drive.

The Fayetteville Volunteer Fire Department Fire Police 2008 Year-to-Date Report was distributed to the Board for their review and consideration. On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the Fayetteville Volunteer Fire Department Fire Police 2008 Year-to-Date Report be accepted as presented.

The Zoning Officer presented a request for review time extension of ninety (90) days for the Michelle L. Sollenberger Subdivision Plan for Lot 1 and Residue; property located along Black Gap Road (S.R. 0997); current time expires January 23, 2009. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for review time extension for Michelle L. Sollenberger Subdivision Plan for an additional ninety (90) days be granted from the current deadline date of January 23, 2009, commencing forward.

The Zoning Officer presented the (December 2008) Monthly Zoning Office Report noting that Request #1 presented to the Township Zoning Hearing Board was accepted and approved. He further noted the Conditional Use Permit Request for AT & T Mobility was heard and subsequently approved at this evening's Meeting. There being no additions or corrections, the (December 2008) Monthly Zoning Office Report shall stand approved as presented.

The Zoning Officer presented the 2008 Annual Zoning Office Report with comparisons to statistics for 2007 and 2006 as well. He noted significant drop in the total number of permits issued: 2006 – 696; 2007 – 603; and, 2008 – 479 noting the economic downturn being attributed to decline. Member Shetter noted the slight increase with *demolition* and *sign* permits issued. It was also noted the large drop in *duplex dwelling* and *single family dwelling* permits issued as well. There being no further comments regarding this Report, on a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the 2008 Annual Zoning Office Report be accepted as presented.

The Assistant Zoning Officer presented a 79-lot Preliminary Subdivision Plan for Salem Road Village, L.P.; property located off Salem Road; propose construction of extending Township roadways to accommodate development of 75 townhome units and 1 commercial property. Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Franklin County Planning Commission reviewed with no comment (8-29-08); GTMA – approved (11-13-08); planning exemption approved by PA DEP (10-3-08); Guilford Water Authority – approved (10-27-08); Franklin County Conservation District – ‘adequate’ (12-5-08); Chambersburg Area School District was provided a copy of the plan (7-30-08); comments from the Township Engineer / Planner were attached (12-5-08); Township Planning Commission reviewed at its regular meeting held January 12, 2009 and recommended approval subject to engineer's comments being addressed

on the final plan; total transportation impact fees of \$98,688 due; recreation impact fee, sewer bond, water bond, road deed of dedications and traffic control/speed limit ordinance all addressed on final plan. Vice Chairman Burns asked if there was a 'snow drop easement' or similar item for this plan and Mr. Adam Schellhase stated it was anticipated and that was confirmed after review by the Assistant Zoning Officer stated it was shown on the plan. There being no further comments, on a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the 79-lot Preliminary Subdivision Plan for Salem Road Village, P.P. be approved with conditions: all engineer comments be addressed on the final plan; recreation fees be determined at final plan stage; and, all traffic control/signs and road deed of dedications be addressed on final plan.

The Assistant Zoning Officer presented a 3-lot Final Subdivision Plan for Melvin Diem; property located near the Greene/Southampton Townships boundary; parent tract is partially located across Township boundary line. Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Southampton Township processed plans through Franklin County Planning Commission, Franklin County Conservation District, PA DEP, etc; Southampton has approved plan and await PA DEP approval prior to their release of plan; after approval by Greene Township and payment of review invoice, Greene Township will stamp plan held by Southampton Township; Township engineer / planner comments addressed (1-9-09); plan reviewed by Township zoning staff with no comment and recommended approval (1-13-09). An unidentified Township resident voiced his concern regarding green space being provided. The AZO noted there are no specific green space area requirements but stated there are open public spaces required. The resident asked the Supervisors seriously consider open space. The Township Solicitor stated the issue is addressed in two ways: (1) Township has requirements for lot size and how much each lot can be covered; and, (2) Township requires recreation area or recreation fee in lieu of and noted the Township Park will be centrally located within the Township. The Solicitor stated other municipalities (i.e. Borough of Chambersburg) required recreation areas but these small areas soon became "very troublesome" and now require "fee in lieu of" which gives a developer a choice of either land or fee. It is a State mandate that a fee can be paid instead of land to offset costs for the Park. Vice Chairman Burns noted the Township has acquired areas for passive recreation in the past few years. Following review and discussion, on a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the Melvin Diem 3-lot Final Subdivision Plan be approved as presented and the plan not leave the Township office until payment of review fees and the plan has been stamped by Southampton Township.

The Board discussed a pay increase for full-time and part-time Township employees. Member Shetter stated he felt the Township had very good employees and deserved a raise. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that all full-time and part-time Township employees will receive a 4.33% pay increase for 2009.

The Board discussed the current benefits for full-time Township employees noting they had received Martin Luther King Day beginning in 2009 and there would be nothing additional to the benefits package, therefore, staying the same as 2008 with the additional of Martin Luther King Day beginning in 2009. On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the benefits package for full-time Township employees remain the same as 2008 which includes Martin Luther King Day.

The Chairman requested discussion of an item not appearing on this Agenda. He noted recent construction at Depot and the Assistant Zoning Officer stated it had come to the attention of the Zoning Office recently that a structure at the Myers Distribution site was recently completed and occupied without a COO (Certificate of Occupancy). The AZO stated that during an inspection the parking being utilized is not for the approved land development nor does it meet the requirements of the Zoning Ordinance. He stated that 15 spaces are minimum required and only 7 spaces are being provided. He stated he has prepared correspondence to the owner and others who had been involved in the process and that he received this date a revised plan and that plan does not meet the parking aisle width; the engineer for the plan will receive notice the morning after this meeting of this issue. Member Shetter asked if the occupant had been notified they were illegally occupying the building and the AZO stated a COO had been issued by Commonwealth Code in September 2008 but a COO had not been obtained from the Township. The Chairman noted he thought that Township had asked Commonwealth Code to notify the Township of any COO being issued. The AZO stated there is wording on the land use permit application to the effect of notifying Township regarding occupancy. The Solicitor stated that Commonwealth Code needs to be notified they need to make applicant and/or Township aware of the issuance of a COO as well. The Solicitor stated this and all developers need to be reminded they must build according to the plan that was approved and if they want to change they must submit a revised plan. The Chairman stated this has occurred at the Depot before with the same builder. The Solicitor asked if a meeting had been scheduled yet and the AZO was instructed to schedule a meeting with the builder and that individual needs to contact all others involved.

The Chairman requested discussion of a second item not appearing on this Agenda. He noted he had met with David H. Martin Excavating, Inc., regarding PennDOT returning their HOP (Highway Occupancy Permit) for access to their proposed project along Cumberland Highway. He stated DHME had been advised they would need to submit a revised plan and that DHME still wanted to have a second entrance but looking at the current economic times were not sure if they wished to proceed. The Chairman, however, stated he would like to see the second entrance installed during the construction phase.

The Solicitor took a few moments to explain and clarify to the young persons in attendance of the last two items being discussed by the Board as to how State law directs Townships to require certain criteria, adopt ordinances, the process of submitting plans to meet the requirements, etc.

On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 13701 through 13718, inclusive, to be paid from the General Fund; and, Check Numbers 1597 through 1603, inclusive, to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:20 P. M..

Respectfully submitted,

Secretary