

February 24, 2009  
Scotland, PA 17254

The Greene Township Board of Supervisors met in regular session Tuesday, February 24, 2009, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following a Public Hearing regarding the Township Act 537 Plan Update.

Present:

Charles D. Jamison, Jr.  
Todd E. Burns  
Glenn O. Shetter  
Gregory Lambert

Travis Brookens  
Daniel Bachman  
Diann Weller  
Welton Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:06 P. M..

The Minutes of the February 10, 2009 Regular Meeting stand approved as presented.

The Chairman presented a request from PennDOT requesting utilization of Township roadways while a portion of Siloam Road is closed for bridge replacement. He noted that Siloam Road had been turned over by the State to the Township and at that time the Township had advised the State the Township did not want the bridges over the Conococheague on Siloam and Airport Roads and would have to be maintained by the State. The State agreed and when the bridges were inspected they were found to be in need of repair, however, it was further determined the bridge would need to be replaced. A descriptive plan was displayed which indicated the area being closed and the detour routes. The Chairman stated a *Memo of Understanding* needed to be signed by the Township and returned to the State regarding this request. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to approve PennDOT's request for the closing of Siloam Road and utilizing Township roadways for detour and authorize the Chairman to sign the *Memo of Understanding*.

The Township Solicitor presented an "Agreement to Amend Approved Subdivision Plan" for White Church Meadows, Phase I, regarding lot numbering error. He stated that on a plan that was recorded approximately one year ago there was one lot that was incorrectly numbered and it was just discovered, therefore, the plan needed to be changed to reflect the correction. The Agreement would then be recorded at the Court House to reflect the change. On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the "Agreement to Amend Approved Subdivision Plan (White Church Meadows, Phase I)" regarding lot numbering error be approved as presented.

The Chairman presented a "Memo of Understanding" received from the Franklin County Conservation District (FCCD) that was being requested to clarify what was approved in previous years. The Township Engineer stated that FCCD provides a visual observation while construction is progressing but the Township has a responsibility of pointing out deficiencies and giving reports to FCCD so that everyone can be kept informed. The Township Solicitor noted that in Item 1.B., Page 1, it states '50 days' is included, not 90-day time frame as in Township Ordinance; it was noted that has not been a problem in the past. On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the "Memo of Understanding" from Franklin County Conservation District be approved as presented.

The Chairman presented written correspondence from the Fire Chief of Fayetteville Volunteer Fire Department (FVFD) requesting Curtis Bumbaugh be approved to serve as a Special Fire Police Officer for FVFD. The correspondence also listed those persons presently serving as FVFD Fire Police as previously approved by the Board. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that Curtis Bumbaugh be approved as an Active Fire Police Officer for the Fayetteville Volunteer Fire Department and also the list of seven (7) others be re-affirmed as approved (FVFD) Special Fire Police Officers.

The Zoning Officer presented the following three (3) requests for waiver of topographic requirements and PA One-Call notice for Thomas Kriner Lot Addition Plans:

- (a) Lot addition to Jason Forrester; (b) Lot additions to Kearns and Reasner (two separate parcels); and, (c) Lot addition to Wadel.

The ZO noted the plan was revised and re-submitted and is currently in the review process.

(a) On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the request for waiver for the Lot Addition to Jason Forrester be approved.

(b) 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 waiver for the (two separate) Lot Additions to Kearns and Reasner be granted.

(c) On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the request for waiver for the Lot Addition to Wadel be granted.

The Assistant Zoning Officer informed the Board he received correspondence from Rodney Shuman of Carl Bert & Associates (Shippensburg), regarding Letter of Credit No. 06-20 (in the amount of \$42,995.00) currently being held for Sycamore Meadows Development will expire March 8, 2009. Mr. Shuman stated in his correspondence that upon his field check of previously noted items, most had all been addressed; the remaining five items still needing correction total \$450 based on estimates at the time. Mr. Shuman further noted that he has been assured that a renewed Letter of Credit (LOC) commencing March 9, 2009 would be issued prior to March 8, 2009 for the remaining work. The AZO stated he had spoken with Mr. Shuman and informed the minor work will be completed by February 28 and the LOC will be issued and submitted to the Township prior to March 8, 2009. The AZO stated the new bond would be in the total current amount and then a request would be submitted for a reduced amount in the future. It was noted there was not enough time to inspect prior to the next (Supervisors) meeting and submit the request. The Solicitor stated he is not comfortable the bond is being replaced at the last minute and does not give him time to check to be sure all is in order. He then stated that due to March 8 being a weekend day, he recommended the Township Zoning contact the developer/engineer that the bond must be submitted by Thursday (March 5) in order to have time to review. It was noted the developer has quite a few years' experience with the Township and has always been in compliance and well to work with. Following discussion and review, 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 Zoning Department to follow up on the request that the bond is in place Wednesday, March 4, 2009, by 4:00 P.M. and determine status of the new bond and if not in place, then authorize the Township Solicitor on Thursday, March 5, 2009, to call said bond because of time frame for bond to be in place.

The Assistant Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for 4/10 acre to be conveyed from Thomas Kriner to adjoining Wadel property; property zoned AR (Agriculture Residential); located off Rice Road. Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Franklin County Planning Commission reviewed with no comment (2-13-09); Form B submitted to PA DEP (2-17-09); Township Engineer and Township Planner both noted 'ok' (2-17-09); plan was staff reviewed by Township Zoning Department for the Township Planning Commission with no comment and recommended approval (2-23-09). The Chairman asked if the note regarding the lot addition could not be sold separate and apart and the AZO concurred the note was on the plan. Supervisor Shetter asked if the plan should show that it is a lot addition with the proper indication and the Township Engineer stated it should be shown as an 'adjoiner'. 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 Kriner/Wadel 1-lot Final Subdivision/Lot Addition Plan be approved with condition the plan not be released until such time there is a note or 'zig-zag' emblem placed on the plan that it is a lot addition to the Wadel tract and then it can be released.

The Assistant Zoning Officer presented a 2-lot Final Subdivision/Lot Addition Plan for Lot #9 (0.7 acre) and Lot #10 (0.25 acre) to Kearns and Reasner adjoining properties respectively; property zoned AR (Agriculture Residential); located off Rice Road. The AZO noted the lot additions were to correct an encroachment issue. The Chairman asked if the note regarding the lot additions could not be sold separate and apart and the AZO stated the note was on the plan. Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Franklin County Planning Commission reviewed with no comment (2-13-09); (two) Form B's submitted to PA DEP (2-17-09); Township Engineer and Township Planner both noted 'ok' (2-17-09); plan was staff reviewed by Township Zoning Department for the Township Planning Commission with no comment and recommended approval (2-23-09). Following review and discussion, on a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Kriner/Kearns/Reasner 2-lot Final Subdivision/Lot Addition plan be approved as presented.

The Assistant Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Dan Ryan Builders; property located in the Upland Estates Development; zoned R-1 (Low Density Residential). The AZO stated the intent of this lot is not to be a building lot but only act as an access. Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Franklin County Planning Commission reviewed with no comment (2-9-09); Form B submitted to PA DEP (2-17-09); Township Engineer and Township Planner both noted 'ok' (2-19-09); plan was staff reviewed by Township Zoning Department for the Township Planning Commission with no comment and recommended approval (2-23-09). The Township Engineer stated the only concern was the lot does not meet the minimum requirements but stated there is a note on the plan as to the reason for the odd lot. Supervisor Burns asked if the entire lot became an easement or just part. It was noted that Comments 5 and 7 address this issue of odd lot dimensions. Supervisor Shetter asked regarding the maintenance of the lot and also asked if a note should be on the plan even though it is anticipated the lot will be purchased by Guilford Water Authority. The Solicitor stated that Notes 5 and 7 should handle that issue and the Township could require a note but they (the developer) will still be bound by the law. The Zoning Officer stated this lot would probably not fall into the size requirements for keeping grass cut (i.e.). Discussion ensued as to whether a note was required on the plan or not. Following

further 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 Dan Ryan Builders 1-lot Final Subdivision/Lot Addition Plan be approved with condition that a note be added to the plan stating that it must be maintained, i.e. grass cutting on that lot, with assistance from the Township Solicitor regarding the proper wording, and the plan not be released until the note is placed on the plan.

The Assistant Zoning Officer presented a Revision to an Approved Subdivision for Lots 9, 33, and 36 for Upland Estates; property zoned R-1 (Low Density Residential). Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Franklin County Planning Commission reviewed with no comment (2-12-09); Guilford Water Authority – no comment to date; Franklin County Conservation District – minor comment regarding swale cross-section; Township Engineer and Township Planner both noted ‘ok’ (2-17-09); plan was staff reviewed by Township Zoning Department for the Township Planning Commission with no comment and recommended approval (2-23-09). The AZO also noted a copy of the Engineer’s comments had been included. The Township Engineer briefly reviewed his comments and further commented the bonding should be adjusted. Following discussion and review, on a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Upland Estates Revision to Approved Subdivision Plan for Lots 9, 33, and 36 be approved and the Franklin County Conservation District comment received this date via correspondence be addressed and once that note is placed on the plan it may be released. The Chairman noted there is presently a moratorium on this development but was advised that once these lots were addressed the moratorium may be lifted for these three lots. The Zoning Officer stated the plan has to be recorded prior to application for any permits. Following discussion and review, on a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted that for Upland Estates Lots 9, 33, and 36, the Board hereby authorizes Land Use Permit issuance on these three lots only in that development but the Land Use Permits will not be issued until a receipt is received by the Township that the revised plans have been recorded at the Court House. Mr. Joel Rensberger of Dan Ryan Builders thanked the Board for their consideration and approval and asked if the Land Use Permits might be expedited with consideration for the buyers only. The Chairman stated the process must be adhered to.

The Chairman stated the Township Code states the Township Auditors are entitled to \$10.00 per hour for their services. 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 payment of the Township Auditors for 9 hours of audit work based on the Township Code at \$10.00 per hour.

On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 13834 through 13864, inclusive, to be paid from the General Fund; and, Check Numbers 1623 through 1629, inclusive, to be paid from the Liquid Fuels Fund.

There being no further business before the Board, the Chairman adjourned the Regular Meeting at approximately 7:55 P.M..

Respectfully submitted,

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Secretary