

September 27, 2011
Scotland, PA 17254
Public Hearing

The Greene Township Board of Supervisors continued a Public Hearing on Tuesday, September 27, 2011, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA. The Public Hearing was continued to gain public input regarding a Conditional Use Permit request submitted by State Capital Investments, LP.

Present:

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

Daniel Bachman
Gregory Lambert
Diann Weller
Welton J. Fischer

Visitors: See list

The Chairman called the Public Hearing to order at approximately 7:00 P. M. stating this was a continuation of a Public Hearing for State Capital Investments. He asked the Zoning Officer to proceed.

The Zoning Officer stated the original Public Hearing had been advertised in the Public Opinion (newspaper) as required; continued from August 9, 2011; property located in R-1 (Low Density Residential) zoning district; multi-family dwellings are permitted by Conditional Use in that zoning district; tabled by Township Planning Commission at their August 8 meeting and continued to their September 12 meeting. The ZO noted this now was a revised conceptual plan that was submitted and was reviewed by the Franklin County Planning Commission, the Township Engineer, and Planner for the Township (Mr. Frank Chlebnikow, AICP). He stated one major difference between the original submission and this submission is the number of units proposed reduced from 456 dwelling units to 312 dwelling units; another revision related to moving the site of parking. The Township Solicitor noted again that this is a Conditional Use which is permitted in the R-1 zoning district but the Supervisors are permitted to set conditions for that use in this zoning district. The ZO continued by noting the revised plan was presented to the Township Planning Commission at their September 12 meeting and the Commission had recommended seven (7) conditions for the proposed development which the ZO reviewed. The ZO reviewed comments as submitted by Franklin County Planning Commission which included: (1) concern that plan only shows one means of ingress/egress for entire complex and recommended a traffic study at the intersection with Black Gap Road due to the number of proposed units and associates traffic impact; (2) concern where primary access road ends especially since it narrows and becomes an emergency access road at the rear of the proposed development; (3) currently one property adjacent to the rear of the proposed development property that is enrolled in Franklin County Agricultural Preservation Program which has a conservation easement placed upon it and an easement for a right-of-way will not be permitted. Mr. Frank Chlebnikow of Rettew Associates and acting as Planner for the Township reviewed his multi-page listing of comments from the previous submission which included but not limited to: (1) believed it is a good use for the property, however, questioned the absence of adult recreation facilities; Planning Commission recommended that community center be located more towards the center of the development for easier access by all persons and concurred with that recommendation; (2) noted changes made from the original submission to this submission; (3) project continues to provide one type of dwelling, a garden

apartment, and stated there is an opportunity to provide for a mixture of dwelling types and densities that would retain the existing character of the Township, specifically along the portion of property that abuts existing single-family dwellings; (4) impact (noise, light assembly, etc) from location of development parking areas on the rear yards of the existing single-family dwellings stating that the development, as proposed, is not in character with existing single-family dwellings or this area of the Township—buildings and parking should be flipped so that rear yards of single-family dwellings abut rear yards of the apartment dwellings; (5) questioned the targeted demographic for the proposed units and noted the lack of adult recreation areas and facilities (i.e. internal walking trail, picnic area, volleyball court, etc); (6) current location of community center and pool are located approximately 1,200 feet from the furthest building and would recommend the community center and pool be more centrally located for all residents; (7) discussion is needed regarding the overall transportation network including one point of access to the development; whether internal roads public or private; cul-de-sacs as shown on the plan not permitted to serve total number of units proposed; parking areas need to be better integrated/connected to internal roads; Township Engineer shall determine if proposed roads meet Township standards; need for required sidewalks along Black Gap Road to ensure pedestrian accessibility to the recreation facilities; (8) both buildings along Black Gap Road should have a front orientation towards Black Gap Road and access to units can still be from the rear of the building; (9) what is intended plan to manage stormwater runoff—three detention areas proposed do not appear to be large enough to handle run-off—Township Engineer should determine if the proposed stormwater management system is suitable. Mr. Gregory Lambert, Township Engineer, reviewed his comments from the updated original which included but not limited to: (1) specific standards that must be met regarding height, distance between buildings, and the number of units erected on the property; (2) second access is not clearly shown and there is not a 50-foot right-of-way—should be built to Township standards; (3) concept plan does not meet Township Ordinance requirements; (4) boulevard has been eliminated; (5) an analysis needs to be done regarding traffic impact off Route 997; (6) parking areas were previously shown in the 100-year floodplain and are now located outside of the 100-year floodplain; (7) no internal street system and does not meet current Township street standards; (8) Township Comprehensive Plan clearly states a transition of variety of mixture of dwellings and would encourage there would be multi-type residential dwellings; (9) rather high density proposal and need to look at impact on community services (schools, fire, police, water, sewer and other utilities, etc); (10) a community impact study and statement should be prepared so the Township can be prepared and for the long term.

At this time, the Chairman opened for public comment. Mr. Dave Campbell, 3640 Valley View Drive, voiced concern with the high density (312 units with possible total 936 new residents in a small area); questioned that households with multiple children who would pay for the extra students in the school system; big impact going from single family homes to apartments and going from low density to high density population; a problem with roads with past experience of (Route) 997 bridge work and now more traffic; the cost per student per year in the State of Pennsylvania. Mrs. Jane Johnson, 1882 Orchard Road, asked where the emergency road access would be located. Mr. Chuck Sioberg, engineer for the developer, stated it is where the existing farm lane calls for this to be the emergency access and additional entrance will be directly across from the (Chambersburg) Mall. Mrs. Johnson

asked if the traffic would be coming back out onto (Route) 997 and Mr. Sioberg stated 'yes'. Ms. Lynette Shaffer, 3048 Black Gap Road, who owns the property at the farm lane and asked what type of emergency access they proposed and Mr. Sioberg stated 20-foot (wide) with gate only to be open during times of emergency. Mr. Shawn Corwell, 478 Allen Drive, asked if it (the development) was going to be completely gated as stated at the Planning Commission and Mr. Sioberg stated it is not definite but appears to be going in that direction. Mr. Corwell asked if older or younger persons were the targeted group and Mr. Sioberg stated they will be 1 and 2 bedroom apartments so would believe to be "empty nester"—larger apartment only has 2 bedrooms. Mr. Corwell asked if the apartments would all be rentals and Mr. Sioberg stated 'yes'. Mr. Steve Updegraff, 3144 Black Gap Road, asked if it was a gated community, would it go all the way around and also asked if his property would be separated from the development. Mr. Sioberg stated there will be some type of divider by planting a visual buffer such as trees, mounding, etc. He further noted the development will most likely be a gated community for traffic. Mr. Updegraff asked if the emergency access would be onto (Rt.) 997 at the farm lane or Olde Scotland Road and Mr. Sioberg stated there will be two entrances. Mr. Updegraff noted the bridge had just been done (reconstructed) and wondered if it would have to be widened again to accommodate the increased traffic. Mr. Donald Farner, Black Gap Road, stated there is already too much traffic and wondered if (Township) would always be called "green" or something else; also stated he feels buildings along Rt. 11 is a disgrace with more buildings. Mr. Dave Campbell inquired as to the average rental rate and Mr. Sioberg estimated at \$900 to \$950. Mr. Campbell further expressed concern regarding the type of persons who would rent these units and asked if studies regarding impact on schools and traffic would be done before the development is approved. The Chairman stated *again* that it is not a matter of whether the development would be approved but what conditions will be placed on it and that there were some good points made (here) and others to be considered. Mr. Campbell stated he felt that developer should be responsible for extra expenses. The Township Solicitor explained yet *again* the Township has no authority to not allow the development. The Chairman then stated there is still much more that needs to be done before this can proceed (i.e. traffic studies, school studies, impact on water and sewer services, etc). Mr. Campbell stated he was just asking officials to look at all the parts of this request and the Chairman asked Mr. Campbell and anyone else to put in writing his/their many comments and submit to the Township. Mrs. Jane Johnson asked if this development would abut against the landfill and Mr. Sioberg stated 'no'. Supervisor Brookens stated that part of the property does abut the landfill and Mr. Sioberg stated that development will be in the front portion and not in the section next to the landfill. Supervisor Brookens further noted that before any motion or conditions were placed there are still very inadequate portions and various parts that do not meet Township ordinance (i.e. whether there is adequate stormwater, parking for access throughout the property, etc). Supervisor Brookens asked Mr. Sioberg whether the buildings would be single story or more and Mr. Sioberg stated 'three- story'. Supervisor Burns addressed the developers noting that as they looked over the Engineer's and Planner's comments, if they had any feedback as to how they were going to address some of the issues as noted; i.e. two means of ingress/egress with only one being shown at this time with emergency access which does not meet Township ordinance; any insight as to how you may resolve those issues? He also noted the parking lots, buffer zones, and recreation area are more centrally located. Mr. Sioberg stated if the Board makes a condition then they will have to abide. Mr. Lambert stated a waiver would

have to be granted for an emergency access. Supervisor Burns asked if this property was to be done in “phase” construction and Mr. Sioberg stated that no one knows at this time what the market may be but they propose to build one building at a time and it could be as much as a 20-year program. The Planner referenced the phase development and stated that usually only one building at a time is not built and when they (developers) come back with land development plan it should show the second phase. Mr. Lane Thrush, developer, stated that from a financial standpoint they will only build one building at a time, supply and demand, and the project is proposed for a lengthy timeframe. Mr. Lambert asked if they could give the Board an idea how the property is going to be developed. Mr. Sioberg stated they had gone over that with the Planning Commission that once they know what the conditions are they can return with better answers. The Chairman asked if the second access over to Orchard Road was still a viable option and Mr. Sioberg stated ‘yes’. Mr. Glenn Shetter, 3353 Interchange Drive, (serves as Chairman of the Township Planning Commission) stated it is known where the first emergency access is located but should also have the developer show where the second entrance will be located. The Chairman stated it has to be shown and Supervisor Burns stated that it is required at the time of land development plan submission where the second entrance is shown. The Chairman also noted the traffic study will also show its location. Mr. Sioberg stated it will be a phase study; one entrance and what does that do to traffic and then a second entrance and what does that do to traffic. Supervisor Burns asked if the developers had any comments addressing the mix use of housing. Mr. Sioberg stated they are an “apartment” developer, not a single family developer. Supervisor Burns asked if the developers plan to sell lots to other parties (developer, contractor, etc) and Mr. Sioberg stated this (property) will be held by one individual, Mr. Lane Thrush, and there is not enough area to “step it down”. Supervisor Brookens disagreed and stated it could be “stepped down”. The Planner stated there are other (types of dwellings) that could be built to be more in character with the neighborhood; other types available to “ease” to single family. Mrs. Johnson asked about the access, if there would be a second road out onto Orchard Road and Mr. Sioberg stated not proposed at this time but have (area) available. Mrs. Johnson asked where they would come out on Orchard Road and Mr. Sioberg stated near the landfill entrance. Supervisor Burns asked the Zoning Officer to talk about the County’s comments regarding the agriculture preservation. The ZO stated the easement is actually on landfill property and other on agriculture security land owned by Forrester’s. Mr. Sioberg acknowledged the easement already exists. The Board then discussed the various conditions to be considered. Supervisor Burns asked Mr. Lambert if a crosswalk would be considered as part of a traffic study and Mr. Lambert stated ‘yes’. During discussion Supervisor Brookens asked if the Board had a preference for the parking, along Black Gap Road or more internal and the Board discussed these points. The Board then asked the Planner about the location of parking and he noted the parking impact on adjoining properties and noted various things that could help; i.e. mounding (of earth), could have parking in front; felt that existing residents would be affected by the parking area as shown. Mr. Dave Campbell asked how many acres in the development and Mr. Sioberg stated ‘35’. Mr. Campbell asked if there was a property in the Township of that size and Mr. Sioberg stated this density is half of what the Ordinance allows. Supervisor Brookens noted the development, Highlands of Greenvillage, is similar in size and portions of that density and it is in its first phase with approximately 60 units built now. Supervisor Brookens noted the buildings that Mr. Farner had mentioned at the former Sunset Drive-in and that is dense in that area as well. The Planner asked Mr. Sioberg if the

acreage included up to the stream and Mr. Sioberg stated 'yes'. The Planner then asked Mr. Sioberg how much of the development was in the floodplain and Mr. Sioberg stated '10'. Supervisor Brookens stated that if the development may take over 19 years, the market could change in that time frame and suggested keeping the apartments away from the neighboring single family homes, have a mix, and would have the ability to change in the future. Mr. Sioberg noted that right now they were here for a Conditional Use for garden apartments for that property on 35 acres and could continue to think about the future. A member of the audience asked for a timeline to submit comments in writing to the Township and the Chairman noted 'as soon as possible' while fresh on their minds noting that some comments could help in the design or take into consideration; he informed the residents by October 31 and then a copy would be forwarded to the developer. There were no further comments offered and the Board then considered the conditions to be placed on this development. After discussion and deliberation, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to approve the Conditional Use request with conditions: (1) a traffic study be required by the developer; (2) a community impact study be required by the developer; (3) a planted visual buffer be required around the development to include fencing along the existing housing; (4) developer consider multi-family housing as a buffer; (5) any traffic control devices be paid by the developer; (6) sidewalks along (Rt.) 997 be required if further development occurs; (7) parking be integrated to internal; (8) second access to be shown and put in use will be determined at the land development plan stage; and, (9) the land development plan shall meet all current zoning and subdivision/land use regulations.

There being no further comment or business before the Board regarding this Public Hearing, the Chairman adjourned at approximately 8:10 P.M. and recessed for several minutes before calling to order the Regular Meeting to follow this Public Hearing.

Respectfully submitted,

Secretary