

August 12, 2014
Scotland, PA 17254
Public Hearing

The Greene Township Board of Supervisors held a Public Hearing on Tuesday, August 12, 2014, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA. The Public Hearing was held to gain public input regarding a request for zoning map amendment submitted by Winebrenner Theological Seminary, 3583 Scotland Road, Scotland, PA.

Present:

Todd E. Burns
Travis L. Brookens
Shawn M. Corwell

Gregory Lambert
Daniel Bachman
Diann Weller
Welton J. Fischer

Visitors: See list

The Chairman called the Public Hearing to order at approximately 7:00 P. M.. He asked those in attendance who wished to speak to state their name and address clearly for the record.

The Chairman asked the Zoning Officer to present this item. The Zoning Officer began by reading the public notice as it appeared in the legal section of the Public Opinion newspaper. The Application was for a request to amend the Township zoning map for property at 3583 Scotland Road to rezone the property from the current R-1 (Low Density Residential) zoning to CC (Community Commercial). The ZO then noted to the Board that included in their information packets prepared for this Public Hearing were copies of the Application as submitted by Dr. David Newell on behalf of Winebrenner Theological Seminary; attached to the Application a 11x17 map showing the area proposed for re-zoning; copy of the same plan displayed at this evening's Meeting; copy of the (Township) zoning map; and, comments from various reviewing agencies. The property consists of two (2) tracts; property is subdivided by the railroad; currently located in the R-1 (Low Density Residential) zoning district. The request was forwarded to the Franklin County Planning Commission for their review and comment with a copy of their letter provided for Board Members; the ZO read the letter. The ZO continued by noting that also included in the packets were the following: a review letter from the Township Planner with comments; regulations of the CC (Community Commercial) zoning district; and, a letter from Michael and Pamela Gaudiose addressed to the Supervisors expressing their concerns regarding the request. The request was also presented to the Greene Township Planning Commission and they had the opportunity to review at both their July 14 and August 11 meetings. Following the Commission's review, their recommendation was the (property) area north of the railroad tracks be excluded (from the original rezoning request) as well as 300 feet parallel to Scotland Road. The Chairman asked if the Applicant had anything further to add and Dr. Newell stated he was in attendance at this Meeting to answer questions. Keith Quimbach, 4085 Scotland Main Street, asked for a clearer definition of the '300 feet exclusion'. The ZO again explained that when the request was presented and reviewed by the Township Planning Commission, they made the recommendation to the Board of Supervisors that a 300-foot buffer would be 300 feet (back) parallel to Scotland Road. Mr. Quimbach asked why Scotland Main Street and the Township Solicitor responded by stating that (Scotland Main

Street) was not part of that discussion. The Board informed Mr. Quimbach that portion of Scotland Main Street is already zoned CC and the ZO explained the actual zoning boundaries in the area. Dr. Newell stated their request is to extend the CC zoning district onto the Winebrenner property. The Township Engineer noted that from an engineering point of view, the infrastructure at present restricts the ability to have access out of the campus; access into the north side portion of the property is cut off by the railroad tracks; only a railroad crossing there at present. Discussion continued regarding access noting closer access is across the (Conococheague) Creek at Elevator Street; only marginal access currently; if zoned CC it would require more trips into that region; seemed prohibitive from that point. If Winebrenner's desire is to provide more residential uses, they may need secondary access; Winebrenner seeking senior housing which would fall under R-1 zoning district so if along Scotland Road they could provide access; Winebrenner could still have CC in the rear portion of the property; available water and sewer is certainly adequate; green space and stormwater controls that may be necessary. Chairman Todd Burns noted to Dr. Newell that on the map provided with the Application, there were two (2) distinct lines dividing the campus, one red and one green, and asked Dr. Newell to explain them. Dr. Newell stated the lines shown indicate long term leases for two (2) partners, one represents Global Vision of Korea and the other for Broadfording Christian Academy of Maryland; anticipating that housing and food service would be part of the school with the long term leases with the other portion primarily being Winebrenner Theological Seminary (WTS). Dr. Newell stated that since the map was submitted, some things have changed; i.e. significant student numbers going to cause rethinking the line; there is enough space on campus for approximately 600, 400 from Global Vision and approximately 200 from Broadfording; most students would be high school; the numbers could be much greater and beyond the current capacity; most likely there would need to be more dormitories. Dr. Newell stated that Franklin County does not have a good conference center and overall vision would be to provide that for the community as well as possibly a library, coffee shop, etc and the current zoning restricts many of those possibilities. He stated that both profit and non-profit could locate on the campus but primarily it will be for educational purposes. Dr. Newell continued by stating the campus needs other options in order to meet financial obligations which do not exist and the current students for the WTS cannot cover the required expenses; desires community-wide use facilities, both educational and conference use; want to open it up to the community so that fees could assist with finances from Global and Broadfording. Dr. Newell further noted there is a walking trail that goes through the campus, however, he has great concern for safety and there have been some security changes made to protect persons on the campus as well as students attending. The Township Solicitor noted that with all due respect to Winebrenner, if there is a zoning change, anything that would be permitted in that zoning district would be allowed to locate and persons have to be aware of what is being requested is the lowest level of allowable commercial activity. The Solicitor noted someone had inquired as to the types of activity that would be permitted and the ZO read the businesses permitted in the requested zoning district. Mr. Quimbach asked if the current roadways both inside and outside the campus would be able to handle the increase in traffic and also asked about the students driving if there was ample parking spaces. Dr. Newell noted there are only 176 parking spaces currently in the area in question so part of future plans is to increase the parking and stated that traffic for midget football using the campus is parking on grass areas which they wish to change. Mr.

Quimbach referenced the area near the pond and Dr. Newell stated that WTS is currently working to utilize that area more. Ben Stonesifer, Frecon Road, noted the railroad tracks run through the property so he inquired if the west side of the tracks was going to be used more as a walking trail. Dr. Newell stated he would like to see that part of the campus developed similar to the grotto at St. Mary's, quiet and peaceful, a respite for the community. He stated the back fifty feet are basically restricted for access so if an access is increased and improved the area would become more viable; discussion ensued as to the zoning request, etc. Mr. Stonesifer stated that a big concern is what happens if the entire area is zoned CC and how a project of this size is to be funded. Dr. Newell explained the costs of currently operating the campus as well as costs of the proposed improvements to the campus. Dr. Newell stated he cares deeply about people coming to the Lord and creating leaders for around the world. (Dr.) Michael Gaudiose, Frecon Road, addressed Dr. Newell stating he felt the request would get more support if the R-1 zoning was kept on the railroad side of the property rather than changing that area to CC. Dr. Gaudiose stated he really commends the Board for their vision to keep the pastoral setting and noted there is a natural runoff that goes down to their (Gaudiose) property and others as well; stated the vision could still be kept if the current zoning is maintained and consider changing only the area on the other side of the railroad tracks. Dr. Gaudiose voiced very emphatically what 'could' happen if Winebrenner had to sell off a portion of the property (if zoning were changed) and the effect on both the neighbors' properties and his. Ben Stonesifer asked if the tract of land on this side of the railroad could be maintained as R-1 now instead of rezoning the entire tract and then see in years ahead if necessary to change further zoning. Ken Mummert, Jefferson Drive, inquired as to water pressure and noted the removal of the water tower but was informed there was no correlation. Mr. Mummert asked about cell towers and the ZO stated that neither R-1 nor CC zoning districts allow cell towers. Mr. Mummert asked how the water tower was allowed and the ZO stated it was prior to zoning. Eric Bender, Frecon Road, addressed Dr. Newell asking when the property was bought was this Dr. Newell's first vision, something else, or changed. Chairman Burns stated the responsibility of the Board and why this Hearing was being held was to gather the thoughts of everyone, determine whether this Application is approved in portion or none of it; regardless of the vision that Winebrenner has they have to consider the entire property. The question was asked if any traffic studies had been done and Chairman Burns stated 'no, there has not at this point'. The Chairman stated that if Winebrenner were to submit a land development plan later they could be required to have the studies done by PennDOT since Scotland Road/Scotland Main Street are State highways. Kevin Bodner, Carnoustie Drive, asked for the definition of 'variety store' as one of the permitted uses and the ZO described variety stores as selling many things; however, an adult bookstore or 'Lions Den' would only be permitted in the Industrial zoning districts. Randy Jones, Garver Lane, asked 'who is responsible; our little roads cannot handle; roads too small, too narrow. The Chairman informed Mr. Jones that all the roads he was referring to were PennDOT and the Township has no jurisdiction over any of those roads and that no traffic studies are required for rezoning; rezoning does not require a traffic study to be completed. Andrea Malmont, 3595 Eagle Drive, stated that neighbors have used the (Winebrenner) property to practice golf, walk their dogs, etc and if that would be stopped. Dr. Newell stated the Winebrenner property is not a public park; it is private property and as such should be treated with the respect it deserves. Dr. Newell reminded persons that he would not think of entering onto

their property without permission and misuse and would expect no less from others and to have respect for someone else's property. He stated he is keenly aware of liability insurance and having people on the campus that he does not know is of great concern to him; responsibility to look at everything. Non-identified person of Frecon Road stated they are trying to protect their neighborhood the same as Winebrenner is trying to protect their property. Dale Stouffer, 3359 Scotland Road, asked Dr. Newell if it was his intention at this time to subdivide off and sell parcels (i.e. to help with costs) and Dr. Newell stated 'no, we do not want to sell anything'. Mr. Stouffer inquired as to height restrictions and Chairman Burns stated 40 feet is the height limitation and Mr. Stouffer estimated that buildings could be no more than three stories high. Lauran Jacobs, 3131 Frecon Road, asked if students would be driving their own vehicles and Dr. Newell stated they are high school and as such would walk or be chauffeured. Ben Stonesifer asked Dr. Newell what grade his vision was to have students attend and Dr. Newell stated that Winebrenner will offer education from high school to doctoral degrees. The Chairman then closed the floor for any further public comment and opened up to the Board and Solicitor. The Solicitor stated he had no further comments at this time. Supervisor Shawn Corwell stated he had been listening to some of the concerns voiced and had some of the same concerns, one of them as to the back parcel access; traffic; with reference with the campus housing students, asked Dr. Newell if he had any idea as to how many students would need housed in dormitories, etc. Dr. Newell stated that existing buildings are now being used as dorms and it could be several years before it is known if more would be needed. Supervisor Corwell asked if the cottages are being used and Dr. Newell stated they are and explained. Supervisor Corwell asked if there are any plans to demolish any existing structures and Dr. Newell stated he did not wish to demolish anything. He would like to see the pool refurbished and there are one or more roofs and structures that need various work as well. Supervisor Brookens stated he perceived the following: opinions were the back section of the property has been established that most do not want to see it rezoned at this time; there were concerns as to traffic; reuse of the buildings and if students would be driving. He noted the change at HJC of Robinwood over the years as to increased traffic, traffic patterns, lanes of travel, etc but stated that PennDOT would be involved in that respect. He further stated the Township does not have the ability to special zone but does want to allow someone to be successful but yet have to take in account that actions stay in harmony. He concluded by stating he did not know if the Board or he was ready to make a decision at this time with so much information being given and referenced the suggested buffer off Scotland Road and asked Dr. Newell if he could be agreeable with either 200 or 100 feet. Dr. Newell stated he felt 200 feet was too much but 100 feet would be more agreeable and would have very little impact on the property. Chairman Burns stated he agreed with Supervisor Brookens regarding the zoning for the portion on the other side of the railroad tracks and it would behoove the Board to review again in the future; voiced concern regarding limited access; stated 300 feet as a buffer is quite excessive and then posed the question of whether there is a better way for the Board to review this issue and handle now rather than dividing it up into two or three zoning districts. It was suggested perhaps the Township should review the criteria and revamp in the Zoning Ordinance to include additional buffering whether adjacent or in conjunction. The Solicitor noted that all those items are possible and the Board does not have to make a decision at this Meeting considering all the information offered. He recommended the Board close the Public Hearing and give

some thought to the matter and announce a decision at a later date if they wished. Supervisor Brookens asked the Solicitor that if the Board would decide upon a different boundary than what was originally requested, would something else have to be done, i.e. advertising, etc. The Solicitor stated they would if the Board were to decide something different than what was advertised then it is required to be re-advertised and hold another Public Hearing on the new proposal. Chairman Burns stated that with all the comments that were presented at this Meeting and from the Board, he was not certain he was ready to make a decision on the Application as submitted and presented. He continued by stating that it appeared by what he had heard in the comments presented, that most if not all, were in agreement the tract on the other side of the railroad would not be included in this Application and that it would be a substantial change to the Application, it would have to be re-advertised as to what is exactly being considered for rezoning. He also advised the Board they may want to take into consideration the "McCoy" property as well. Supervisor Corwell stated he would like to see a buffer area and agreed that 300 feet is a little too excessive. Chairman Burns asked if that would be something the Board would want to perhaps amend in the CC or in the entire zoning or overlay in this particular situation and the uses as well. Discussion ensued among the Board and Solicitor as to whether they wished to make a decision at this Meeting, re-advertise and hold a Public Hearing, etc. The Solicitor advised the Board that rezoning is a legislative prerogative; they do not have to vote; at liberty to take action or no action; the Board has that option. Following a very lengthy 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 close this Public Hearing regarding the request for zoning map amendment from Winebrenner Theological Seminary and the rezoning will be re-advertised and a Public Hearing scheduled at a later date.

There being no further comments, discussion, etc presented at this Public Hearing, the Chairman adjourned at approximately 8:20 P.M. and called for a brief break before the Regular Meeting would be called to order following this Hearing.

Respectfully submitted,

Secretary