

September 23, 2014  
Scotland, PA 17254  
Public Hearing

The Greene Township Board of Supervisors held a Public Hearing on Tuesday, September 23, 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  
Gina Griffith  
Welton J. Fischer

Visitors: See list

The Chairman called the Public Hearing to order at approximately 7:00 PM and advised that the meeting will be recorded for accuracy. He asked those in attendance who wished to speak to state their name and address clearly for the record and also reminded everyone in attendance to sign the sign-in sheet in order to have a record of everyone in attendance.

The Zoning Officer stated that the initial hearing for this request occurred on August 12, 2014 and after considerable discussion the hearing was closed with the thought being that the request would exclude the area of the Winebrenner property north of the railroad tracks. The request was subsequently re-advertised in the newspaper due to the significant change and a public notice was reposted on the property. The Solicitor explained that at the last meeting the Board indicated that the hearing was closed and as a normal consequence of that, no further testimony is normally received; but the Board has indicated that it is willing to receive further comments if someone has a desire to do so at this meeting. A copy of the request was provided to the Franklin County Planning Commission and their comments were much the same as the initial request. Copies were also provided to the Township Planner for review and his comments are included in the packet. Mr. Tim Cormany, the Township Planner introduced himself and stated that he drafted a memo on September 17, 2014 to offer the Board some alternatives in the event they wanted to assist the applicant in providing the business element on campus. Options to consider other than rezoning the property to Community Commercial (CC) may include rezoning the property to a new zoning district specific to the Campus property, or to include a text amendment to the current R-1 district to allow commercial elements within the confines of an educational campus. He stated that his personal and professional recommendation would be to proceed with a text amendment that is specific to this type of use rather than rezoning the property to CC and having another entity show up that might have a dramatically different vision than what Winebrenner has. He noted that this approach has worked well for the Township in the past, and it may be an appropriate

approach again. He explained that in 2004 Menno Haven underwent a text amendment to the Township ordinance to accommodate “retirement communities” in response to changing conditions within their community. In 2009 the Chambersburg County Club underwent a similar process because of the evolving nature of golf courses and country clubs. In such a scenario, the Ordinance would undergo a text amendment addressing “expanded uses within an educational campus.” Elements to be considered would include a list of allowed uses, the dimensional requirements, building setbacks and sizes, lot areas, parking requirements, infrastructure on the campus, etc. He explained that the Township has a specific CC district intended to result in certain things for certain portions of the Township and the Winebrenner property would be adjacent to a CC district. The Chairman explained that there is a request for the rezoning of the CC area, and with the Planners recommendations the Township has the possibility of creating a new zoning district that would encompass the property, doing a text amendment to the current R-1 zoning district, or amending the CC zoning as it is written now. He explained that since the last hearing he has reviewed the current CC regulations and there are some permitted uses in that district that makes him apprehensive as to rezoning the property to CC, such as manufacturing type facilities, larger business areas, and strip shopping areas similar to what is currently located on Scotland Main Street. Mr. David Newell with Winebrenner thanked the Township Planner for his input and stated that he feels the most simple and cleanest way to go would be the expansion of the CC zoning district and indicated that this still remains the direction he would prefer to go. He explained that in regard to the potential box stores and strip shopping areas, Winebrenner would be glad to stipulate in a legal document as an addendum that they have no interest in building anything of that nature. He stated that Winebrenner’s interest is mainly near the pond area where the walk-way through there would create traffic for the general populous to have a subway or something of that nature. Mr. Newell stated that at some point there has to be a degree of trust. He explained that Winebrenner took a risk in terms of buying the property and they took that risk mainly because they were encouraged by numerous people within the community as to the unique nature of the property and the opportunities available. He stated that he understands what could happen if another entity comes in, but reassured the Board that Winebrenner intends to be there for the long haul. He explained that Winebrenner does not intend to sell anything and plans to hold on to the land. The Township Solicitor stated under Pennsylvania state law it is illegal for Winebrenner to enter into an agreement with the Township not to engage in certain activities in exchange for zoning; that is contract Zoning and the Township is not permitted to do that. The Chairman stated that he appreciates the commentary on the status of Winebrenner and stated that the Township wants nothing more than to have Winebrenner survive and be a solid part of the community, county and Township. It’s in the Township's best interest do what it can to make things viable there and to see the campus grow, and alternatives and the rezoning of that property is exactly that. He stated that the Township needs to make sure that what is done on the Campus is done right the first time, because it takes a lot more effort and energy to go back and redo things. The Township Planner stated that he wants to make sure that Mr. Newell understands that he loves Winebrenner’s vision for property, and he is right in saying that switching the property to CC would be the easiest way to go about it, but the easiest way isn’t always the best and it will not take that much longer to put something together that is suitable for all parties to accomplish something unique to suit everyone’s needs. The Chairman stated that the ultimate

question is can the Township provide what is necessary for Winebrenner to survive and be successful and also take care of the Boards concerns, which means eliminating the possibility of certain development that the Township is not comfortable with. Resident Jon Baughman of 3595 Eagle Drive addressed the Board and stated that at the Public Hearing held on August 12, 2014 the Board talked about a buffer zone of 100 or 300ft. off of Scotland Road for people facing the campus and asked if there are plans to install some type of privacy screening such as a natural tree buffer. He stated that he would like to see Winebrenner accomplish their goals, but as a resident across the road from the property, he does not want to look at things that may be undesirable such as the back side of a store or dumpster, or a parking lot. The Chairman stated that those comments were taken into consideration and provided to the Township Planner and will most likely occur in whatever decision is made. Supervisor Corwell stated that he agrees with the Chairman and wants to see Winebrenner be successful and after hearing concerns at the last public hearing he agrees that there needs to be a buffer zone. He stated that he does not think that zoning the property CC the way to go and if the Board decides to do a text amendment or an amendment to the CC, they can incorporate the setbacks, limit the size of the buildings while still providing Winebrenner with the opportunity to expand on what they want to do. Supervisor Brookens stated that initially the Township did direct Winebrenner towards the CC zoning because it was an easier extension of the existing zoning, but after having the public hearings and looking at the CC a little closer he agrees that the CC as written is not a good fit to be expanded onto to the campus. He explained that things such as sporting goods and grocery stores are currently permitted uses in the CC district and his concern is that these types of stores would be allowed on the Winebrenner property because of the size of the property. The CC district is limited in this type of activity because of the size of the areas in those zoning districts, generally along Main Street in Fayetteville and Main Street in Scotland. He explained that the CC district was probably developed when Zoning was established 1973 and the idea then was for the smaller corner stores and this type of activity is certainly a lot different than from what's contemplated today with those same uses. He stated that he thinks everyone's goals can still be accomplished with a text amendment to the R-1 Zoning district or amending the CC district as written to accommodate Winebrenner's vision. Dave Newell stated that he appreciates the input and enjoys working with the Board and he thinks whatever decision is made, the end results will be suitable for everyone. The Township Engineer stated that he initially thought that extending the CC into the middle of the campus would to be the best way to go, but it's obvious after reviewing the CC regulations and from Supervisor Brookens' interpretation of what could occur there, extending the CC zoning is not the way to go. He stated that the intention is to create a campus environment that would typically occur in a university campus setting that allows smaller commercial enterprises. He encouraged Winebrenner to share more of their vision and be more specific in the kinds of things that would like to see happen on the campus. The Township Solicitor explained that if the Board were to attempt to amend the current CC district to fit the needs of the Winebrenner property, those amendments would be Township wide and that may not be appropriate. The Township has developed a track record with how it handled Menno Haven, the golf course, and the country club and while there is no requirement that says the Board has to follow the same path, it is always good from a legal standpoint to be consistent. He stated that he would recommend that the Board continue the Public Hearing indefinitely, but give the Township

Planner some specific direction as to what the Township wants him to develop for the Boards consideration. Supervisor Brookens questioned the term “indefinitely” and asked if the hearing would need to re-advertise? The Solicitor stated that it would need to be re-advertised and explained that the only reason he says indefinitely is because he’s not sure how long the process will take. He explained that in the process of developing whatever the Township Planner is directed to do, he recommends that the staff, ZO and Township Planner consult with Winebrenner to get some input to try as best as reasonable for the Township to include things that they would find desirable. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to provide the Township Planner with the process to proceed with a text amendment option for the R-1 zoning district and or a new zoning district for the Winebrenner Theological Seminary, and to continue the Public Hearing regarding the Winebrenner Theological Seminary zoning map amendment request indefinitely and a date will be set later to review the option that the Township Planner will be providing to us.

There being no further comments, discussion, the Chairman adjourned the Public Hearing at approximately 7:40 P.M. and called for a brief recess before the Regular scheduled Township Board of Supervisors Meeting.

Respectfully submitted,

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Assistant Secretary