

The Greene Township Board of Supervisors held its regular meeting on Tuesday, May 14, 2024 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, PA 17202.

Present: Todd Burns, Travis Brookens, Shawn Corwell – Supervisors, Kurt Williams – Solicitor, Greg Lambert - Engineer, Daniel Bachman – Zoning Officer, Lindsay Loney – Secretary/Treasurer

The Chairman called the meeting to order at 7:00 pm, advised that the meeting would be recorded for accuracy purposes and visitors were asked to sign in.

The minutes of the regular meeting held April 22, 2024 shall stand approved as presented and become part of the official record.

The Chairman opened the floor for public comment; none was offered.

The Zoning Officer (ZO) presented the monthly Zoning Office Report for April 2024. The report shall stand approved as presented and become part of the official record.

The ZO presented a request for waiver of Greene Township Code 85-51.A.1, requirement that sidewalks be in road right of way, for the Jaindl Land Development Plan, located off Philadelphia Avenue across from Sycamore Grove Road. The applicant proposes to construct sidewalks outside of the PennDOT right of way. The Greene Township Planning Commission (GTPC) reviewed the request last evening and recommended approval. The applicant's engineer explained that both waivers presented tonight have to do with design items. He explained that the waiver is being requested for safety reasons due to Philadelphia Avenue being a heavily traveled road and also that Philadelphia Avenue is a PennDOT road and they typically do not allow anything in their right of way. There are also some physical obstacles such as utility poles, swales, etc. that make sidewalks in the right of way more difficult. In reviewing the Plan, the Chairman asked if the applicant was proposing the sidewalk to go up to Carbaugh Drive. The applicant's engineer responded they are following the Ordinance, which states it must be the full length of the property. The Solicitor asked if the Ordinance is written in such a way that if a sidewalk is on private property it must be open to pedestrian thoroughfare. The ZO responded no, which is why the sidewalk is required to be in the right of way. The Solicitor suggested placing a note on the plan that the sidewalk is open for pedestrian/bicycle use and the owner is responsible for maintenance and repairs. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85-51.A.1, requirement that sidewalks be in road right of way, with the requirement that a note be placed on the Plan that the sidewalk will remain open to pedestrian thoroughfare and maintenance will be required by the property owner.

The ZO presented a request for waiver of Greene Township Code 85-54.B, driveway radii greater than 25', for the Jaindl Land Development Plan. The request noted that a driveway radius of 25 feet is not conducive with tractor-trailer turning. The GTPC reviewed the request and recommended the driveway should be done according to PennDOT standards. The applicant's engineer explained that what is shown on the plan is what will be submitted to PennDOT. The plan is for a compound curve with a deceleration turn lane before the entrance, which is typical for an entrance like that. The Township Engineer pointed out this is a PennDOT road and will be subject to their final approval. He agreed with the request and noted that it is not unlike other requests granted for similar properties. The Chairman added that this part of the Code might need to be re-evaluated in the future. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to grant request for waiver of Greene Township Code 85-54.B with condition that PennDOT have final determination as submitted through their Highway Occupancy Permit (HOP) process.

The ZO presented a request for waiver of Greene Township Code 85-51, requirement to construct sidewalks, for the Family Cow Land Development Plan, located off Old Scotland Road. The Plan, which is for a farm expansion with new buildings, has not been submitted yet but is expected to be in the near future. The applicant's engineer explained that flood and topographic issues make sidewalks difficult, but more importantly the close proximity to the

I-81 interchange makes sidewalks dangerous. There is no residential development in the area. The applicant's engineer added that typically the Township would require the sidewalks be depicted on the plan when a waiver is granted, but he is asking for that not to be required in this case due to safety reasons. The ZO pointed out that Old Scotland Road is also the main haul route to the Blue Ridge Landfill, making it subject to heavy truck traffic. The Chairman agreed that the Township would not want to encourage pedestrian traffic in this area. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85-51, requirement to construct sidewalks, for the Family Cow Land Development Plan as presented.

The ZO presented a request from George Katsaros regarding potential development of a property located in the R2 zoning district off Philadelphia Avenue, bordered by Yeager Drive and Sampache Drive. The applicant is hoping to subdivide and develop houses or townhomes on the property but there is currently only one way in and out of the development. Township Code 85-39.H.(1)(c) requires two means of ingress and egress to and from four or more lots. The ZO explained that the original subdivision was done long ago and there are currently 29 dwellings using one access to Philadelphia Avenue, which would not be permitted under the new Code. The property owner's engineer has provided sketches for the area – one showing duplexes and one showing approximately nine new lots with shared driveways. A private right of way exists on the backside of the lot coming from Philadelphia Avenue, but the current width is 33 feet, which does not meet the Township minimum of 50 feet. The property owner was told by PennDOT that even if the Township gave a variance on the width, PennDOT would not approve connecting a road that narrow to Philadelphia Avenue. The property owner explained that the property was listed for sale and developers were interested until realizing the Township Code prevents any sort of development as it sits. The applicant is here looking for guidance from the Board on how the property could be subdivided or if the private right of way could be used as a means of ingress/egress for emergency purposes to meet the Code requirement. The applicant did reach out to Milton Rotz, who owns the farm beside the right of way about purchasing land to make the road wider, but he is not able to sell due to County owning agriculture rights. The ZO noted he was not aware of that. The Township Solicitor advised the Board that they are not required to make a decision on this request. The Township Engineer asked the owner what is the minimum amount of lots he would like to have. Mr. Katsaros responded that for a developer to purchase the property it would have to be worth the cost of building roads, running sewer, etc. One developer he spoke to wanted to build 15 to 20 duplexes; the property is 10 acres total. The Chairman stated that he is not in favor of providing any waiver for less than two means of ingress and egress because it sets a precedence for other developers to do the same. The Code is written that way for safety reasons and putting 20 duplexes in that area appears too much for the property; adding more properties only enhances the potential issues and the development already exceeds the number of homes permitted with one access as it is. The Chairman added that he is also not in favor of creating an egress with emergency access only; that has been done before and it has not worked out well. The emergency access ended up becoming a full movement drive and it does not meet the road requirements for regular traffic. Supervisor Corwell agreed and added that when that much density is added, regular traffic is increased and one road in/out is not enough. He gave the example that one family is typically four people and when the kids grow up, there is a potential for four to six cars at one house. The Engineer added that the intersection at Philadelphia Avenue and Sampache Drive is not the best intersection to begin with, so adding more traffic would not be ideal. The Chairman recommended that the applicant's engineer continue discussions with the ZO and Township Engineer to come up with some alternative designs to subdivide the area with fewer properties.

The ZO reported that a Conditional Use Application was received from LK 29 and a Public Hearing needs to be scheduled. He recommended the first meeting in June so that the GTPC can review at their meeting on June 10. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to schedule a Public Hearing on June 11, 2024 at 7:00 pm regarding a Conditional Use Application for LK 29. The Hearing will be held at the Greene Township meeting room, 1145 Garver Lane, Chambersburg PA 17202.

The ZO presented the Patriot ATM 1 Lot Final Land Development Plan, which proposes placement of an automated teller machine (ATM) at an existing cite on Coffey Avenue. The Solicitor recused himself from the discussion due to his representation of Patriot in other areas. The ZO explained that the property already has a building

and parking lot, and the Plan is simply to place an ATM on the right side of the property. A variance request was submitted to the Zoning Hearing Board (ZHB) for two uses on one property where the lot was not large enough, and the ZHB granted the variance for the second use of an ATM. Construction would consist of the ATM, a small canopy and a clearance bar. The Franklin County Planning Commission and Cumberland Valley Business Park both reviewed the Plan with no comment. The Plan was reviewed by the Traffic Engineer and it was determined that the ATM would not produce any new peak hour trips. The GTPC reviewed the Plan and recommended approval subject to comments being addressed. Rettew reviewed the Plan and the only comment made was in regards to sidewalks, which already exist. The Township Engineer had no comments. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to approve the Patriot ATM 1 Lot Final Land Development Plan as presented.

Supervisor Brookens presented an application for a seasonal park employee, Eli Shearer. He is a college student and would be available to work now through August when he returns to school. He added that it is typical for the Township to hire seasonal park crew to help with mowing and maintaining the grounds, restrooms and playground facilities. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to hire Eli Shearer as a seasonal park employee, beginning May 15, 2024.

Supervisor Corwell explained that during the search for a future engineer, he met a student of mechanical engineering, Tyler Kline. Mr. Kline is in need of a summer internship for his college education and Supervisor Corwell recommends the Township hire him to help work on MS4 this summer, inspecting basins and outfalls. He will be available the first week of June, initially only one day per week until his classes are complete and then more as needed in July and August. The Township Engineer added that it would be useful to have the help with MS4. On a motion by Supervisor Brookens, seconded by Supervisor Corwell and by a vote of 3-0, the Board unanimously voted to hire Tyler Kline as a summer intern, beginning June 3, 2024.

Supervisor Corwell presented a quote from CertaPro Painters to paint the exterior of the Township office building. He met this company at the PSATS conference and they are a COSTARS contractor. The exterior of the building is peeling and because it was done in stages, it is different colors. The COSTARS quote provided is \$11,990.44, which includes scraping, pressure washing and painting the exterior as well as the trim around the doors and windows. CertaPro is able to start next week, but Supervisor Corwell recommends having some windows repaired first. Supervisor Brookens commented that the painting certainly needs done and the Chairman agreed it is long overdue. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to approve the quote from CertaPro Painters to paint the exterior of the Township office building for the COSTARS price of \$11,990.44.

The Engineer presented one escrow balance to be refunded for the Patterson Lot Addition Plan, which was approved by the Board in March. The Plan has been recorded and no funds need to be retained for future inspections. The amount to be refunded is \$888.50. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to grant a refund for \$888.50 for the Patterson Lot Addition Plan.

The ZO presented proposed Resolution 13-2024, sewer extension for 3854 Old Scotland Road, which is the Family Cow property. The extension would generate 1,546 gallons per day, including the existing farmhouse. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to adopt Township Resolution 13-2024, sewer extension for 3854 Old Scotland Road.

The ZO presented proposed Resolution 14-2024, public sewer tap in at 1881 Black Gap Road, which is at the Shearer Road intersection. The applicant wishes to subdivide the property for placement of another single-family dwelling. The connection would be for one EDU. The Greene Township Municipal Authority approved the connection and the Borough of Chambersburg signed off as the treatment facility. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to adopt Township Resolution 14-2024, public sewer tap in at 1881 Black Gap Road.

The Solicitor reported that he is researching the Township potentially loaning funds for the Fayetteville Volunteer Fire Department Fire Hall. He thinks it will be permitted but will have a definite answer next week.

On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to approve and authorize the payment of invoices as follows: check numbers 32081 through 32106 and six ACH transactions to be paid from the general fund, check number 3970 to be paid from the liquid fuels fund and check number 2323 to be paid from the electric light fund.

The Chairman adjourned the meeting at 8:14 pm.

Respectfully submitted,

Secretary/Treasurer