

August 13, 2024
Greene Township Board of Supervisors
Public Hearing & Regular Meeting

The Greene Township Board of Supervisors held a public hearing and regular meeting on Tuesday, August 13, 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

Visitors: See list

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 Chairman opened the public hearing continuation scheduled for this date and time for the Clinton Burkholder conditional use application for expansion of an existing farming operation. A court stenographer was present, and the transcript will be the official record. Copies can be obtained by contacting the stenographer, Over Reporting Agency, at 717-261-9431.

Off the record, the Chairman opened the floor for public comment regarding the Clinton Burkholder conditional use application. Robin Johnston (2759 Grand Point Road) questioned why when she built her home, the setback for animal housing was 100 feet from all property lines, and the Burkholder plan proposes to place a building to store deceased animals 10 feet from the property line. The Zoning Officer (ZO) explained that the Ordinance requires a 100-foot setback for a structure housing a certain number of animals. Anything beyond that number requires a 200-foot setback, which is what applies to the Burkholder farm. However, that ordinance is for live animals. The proposed structure is considered an accessory building, and that setback requirement is 10 feet.

Jennifer Bratthauar, representative from the Franklin County Conservation District, explained that only one end of the structure will be used for composting. The Burkholder farm must follow the Act 38 Nutrient Management Plan, which is more stringent than a Manure Management Plan. Mortality composting is considered manure storage and requires 100 feet from the property line. Ms. Bratthauar pointed out that the building in question consists of multiple uses and the portion that will house deceased animals is 200 feet from the property line. The remainder of the building closest to the property line will be used for equipment storage.

Roger Wingert (2701 Grand Point Road) stated that he just wanted to confirm that dead animals are being moved to a new building so the runoff will not be on his property anymore.

There being no further comments from the public, the Solicitor advised the Board that a written decision must be sent to the applicant within 45 days of the hearing being closed. The Chairman closed the public hearing at 8:05 pm and resumed the regular meeting.

The minutes of the regular meeting held July 23, 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 ZO presented the monthly Zoning Office Report for July 2024. The report shall stand approved as presented and become part of the official record.

The ZO presented a request for review time extension for the Clinton Burkholder Land Development Plan. The current deadline is August 22, and this is the first extension. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to grant the review time extension for the Clinton Burkholder Land Development Plan to commence August 22, 2024, and extend through November 22, 2024.

The ZO presented a request for waiver of Greene Township Code 85-54.B, maximum driveway radius, for the LK 29 Final Land Development Plan. The property is located off Development Avenue in the Cumberland Valley Business Park. The driveway comes out onto Progress Avenue, which is a private street. The Ordinance requires a maximum radius of 25 feet, but the applicant is proposing a minimum of 25 feet and a maximum of 50 feet. The property will primarily be served by tractor trailers and 25 feet is not conducive. The proposed measurements are in line with PennDOT standards. 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 85-54.B, maximum driveway radius, for the LK 29 Final Land Development Plan.

The ZO presented a request for waiver of Greene Township Code 85-51.A, requirement to install sidewalks, for the LK 29 Final Land Development Plan. These waivers have been granted in the past with the requirement that the sidewalks be designed and shown on the plan. However, the applicant is requesting an outright waiver since this is an industrial area with no other sidewalks. The Chairman pointed out that the property is on a private stone road with a dead end, and in this instance a complete waiver makes sense. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85-51.A, requirement to install sidewalks, for the LK 29 Final Land Development Plan.

The ZO presented a request for waiver of Greene Township Code 85-18.A, plan scale no less than 1" = 100', for the WKT, LLC Final Subdivision Plan. The plan proposes subdivision of the Gsell property located off Pine Mountain Drive. The second sheet of plan is a master diagram showing various parcels subdivided off the Gsell properties over the years. That page is shown at a scale of 1" = 250', which is odd, but it does allow the entire property to be shown on one sheet. The ZO explained that the Board has granted these waivers before for large properties. 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 85-18.A, plan scale no less than 1" = 100', for the WKT, LLC Final Subdivision Plan.

The ZO presented the Grand Point Crossing, Phase III 26 lot Preliminary Subdivision Plan located along Grand Point Road. The plan proposes 26 lots on the south side of Grand Point Rd, extending Winchester Drive and Austin Avenue. The Franklin County Planning Commission reviewed the plan with no comment. The Greene Township Municipal Authority approved the plan. A sewage planning module was previously approved. The Guilford Water Authority approved the plan and set a bond for when the final plan comes in for review. The NPDES permit was approved by the Franklin County Conservation District (FCCD). The Greene Township Planning Commission reviewed the plan and recommended approval based on satisfaction of the engineer and planner comments as well as approval by FCCD. The plan is in transportation service area 4 and will create 26 new trips for a total traffic impact fee of \$57,070. The recreation impact fee is \$750 per lot, for a total of \$19,500. The Solicitor asked if this was a revised preliminary plan. The ZO responded that is correct; the preliminary plan expired, and the final plan was approved as part of phases I and II, but this piece was relinquished from recording and has been redesigned to meet the Township's new standards. The Solicitor recommended placing a note on the plan that this plan phase III supersedes the plan phase III previously approved. The Township Engineer noted that all stormwater comments have been addressed. He also pointed out that the sight issue at the crest curve in Grand Point Road was addressed and noted on the plan. The developers have agreed to redesign and flatten that crest as part of the final plan. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to approve the Grand Point Crossing, Phase III 26 lot Preliminary Subdivision Plan with conditions that the traffic impact fees totaling \$57,070 and recreation fees totaling \$19,500 be paid at the time of application for land use permits.

The ZO presented the Scot-Greene/DR Horton, Phase I 72 Lot Final Subdivision Plan for re-approval. The plan was previously approved May 24, 2022 but the developer decided not to follow thru and the plans never left the Township office. A new developer is interested in purchasing the property and finishing the development. The ZO recommended that if approved, the previous conditions of approval remain. Supervisor Corwell inquired if the impact fee changed since 2022 with the recent update done to the fees. The ZO responded that it most likely had, and the motion could be made to have the impact fee updated to current amounts. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to re-approve the Scot-Greene/DR Horton,

Phase I 72 Lot Final Subdivision Plan with all prior conditions remaining and the traffic impact fee updated to current amounts.

The Chairman stated that it is time to solicit sealed bids for ultra-low sulphur diesel, #2 fuel oil and striping and marking. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to advertise the receipt of sealed bids for the following contracts: ultra-low sulphur diesel, #2 fuel oil and striping and marking; bids to be received no later than September 10, 2024 at 3:00 pm and to be opened at the regular meeting on September 10, 2024 at 7:00 pm at the Greene Township Municipal Building (1145 Garver Lane, Chambersburg PA 17202).

The Chairman called an executive session at 8:38 pm. The Board returned at 9:13 pm, and the Chairman explained the executive session was held to discuss potential litigation and to get legal advice on the Conditional Use Hearing held earlier this evening. No decisions were made regarding the conditional use application.

The Solicitor reported that the Chambersburg Petroleum oral argument is scheduled for August 26 in Franklin County.

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 32287 through 32322 and nine ACH transactions to be paid from the general fund, check numbers 3984 through 3986 to be paid from the liquid fuels fund and check number 2328 to be paid from the electric light fund.

The Chairman adjourned the meeting at 9:15 pm.

Respectfully submitted,

Secretary/Treasurer