

August 27, 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 27, 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 noon, advised that the meeting would be recorded for accuracy purposes and visitors were asked to sign in.

The Chairman opened the public hearing scheduled for this date and time for proposed Ordinance 2024-3, Zoning Map Amendment. The Zoning Officer (ZO) explained the purpose of the zoning map amendment is to change four areas of the Township from R-2 (medium-density residential) to R-1 (low-density residential). The ZO confirmed that the Public Hearing was advertised in the Public Opinion on August 12 and 19, 2024 and posted on the office and meeting room doors on August 8, 2024. A copy of the proposed Ordinance was sent to the Public Opinion and has been on display at the office since July 11, 2024. A copy was sent to the Franklin County Planning Office on July 12, 2024 and they provided comment. An attested copy was sent to the Franklin County Law Library on July 18, 2024. Notices were mailed to affected residents July 10, 2024.

The ZO described the four areas of the Township that would be affected by the Ordinance. Area 1 totals 202 acres and will affect five properties east of Rowe Run Road and north of PA 997. Area 2 totals 104 acres and will affect three properties north of Wagner Road and west of Molly Pitcher Highway. Area 3 was broken down into two sections: Area 3 West totals 523 acres and will affect 32 properties west of Byers Road, north of PA 997 and east of Route 11, Area 3 East totals 247 acres and will affect 13 properties east of Byers Road, north of PA 997, west of I-81 and south of Pine Stump Road. Area 4 totals 231 acres and will affect four properties east/south of Scotland Road, north of the Franklin Square Development and west of CSX Railway. In total, the ordinance proposes to change 57 properties and a total of 1,307 acres.

The ZO explained that the Supervisors have been reviewing the Zoning Ordinance for areas that would benefit from amendments. Recently an ordinance was approved to remove townhomes and apartments in the R-1 zoning district. This is the second step to rezone areas to the R-1 area in an effort to protect areas with residential developments. The Franklin County Planning Office was mostly in favor of the amendments, with the exception of area 4, noting that it was an area they had identified for additional development in the Franklin County Comprehensive Plan. The amendment was presented to the Greene Township Planning Commission in July, and they had a split recommendation. Three members fell in line with County and recommended excluding Area 4 and the Mummert property located in Area 3 West. The other two members recommended Area 4 be included and the Mummert property located in Area 3 West be excluded.

The Township Planner, Tim Cormany, explained that the idea of rezoning began at the time of the 696 issue when the Township realized that high density was allowed to a greater degree than anticipated. Currently 11.5% of the Township is zoned for R-2 and if adopted in its entirety, this Ordinance would drop that to 8%. Mr. Cormany explained that back in 2006, just before the bubble burst on residential housing growth, census data indicated a 30% growth from 2000 to 2010. When the 2020 census came out, it showed only a 10% increase. Since that time the most recent population estimates indicate a slight decrease in population for Greene Township. Franklin County is one of the few counties in the state of Pennsylvania expected to have a population increase, however it is only a 0.5% increase, which is nowhere near 30%. For these reasons, the Township has been working to take properties zoned R-2 and make them R-1, which is still residential but more restrictive on types of housing and density.

The Chairman asked where the Mummert property is located in Area 3. The ZO showed the property on a map, which is a triangle bounded by Philadelphia Avenue (RT11) and Pine Stump Road. The front portion goes out to RT11 and is zoned HC (Highway Commercial) and the rear sits behind Greenvillage Diner and is bounded by the mobile

home park along Pine Stump Road. Mr. Mummert requested that the front of the property remain HC and the remaining triangle remain R-2 (approximately 13.75 acres).

The Chairman asked where public utilities stop in Areas 3 and 4. The ZO responded that in Area 4, public sewer and water is available on Scotland Road and the Franklin Square Development. In Area 3 utilities are limited and there are no utilities serving Pine Stump Road, Byers Road or Railroad Road.

Supervisor Corwell noted Area 4 borders the Chambersburg Borough and asked if that area was also residential. The ZO responded yes; it is varying degrees of residential. Townhomes were recently constructed along the border.

The Chairman opened the floor for public comment. Glen Deardorff Jr (Fayetteville Contractors) is in Area 3 and currently has a non-conforming use. He asked if this would affect that use, and the ZO responded it would not.

Margaret Bundy (2497 Grand Point Road) stated she is in favor of the rezoning and was disappointed at the Planning Commission meeting when some members voted to drop Area 4. As a 50-year resident she expressed her wish that Area 4 would remain part of the Ordinance and be rezoned to R-1.

The Chairman asked the Township Planner to elaborate on the response from Franklin County regarding Area 4. Mr. Cormany explained that by law, Franklin County is required to review proposed ordinances. Staff members review the County's comprehensive plan when responding. It is rare that county and municipal comprehensive plans are always consistent; each can have different goals and objectives. Franklin County defined that area as a suburban character area and the letter indicated they want to make sure they do not create barriers to attainable housing within the County. One barrier is low density developable areas, and in their minds R-2 to R-1 would cross that line. Mr. Cormany explained that this is not necessarily a recommendation to change the Ordinance, but a request that the Board consider their comments. The Chairman pointed out that a large portion of Area 4 is made up of the Lehman and Etter farms. Mr. Cormany added that both R-1 and R-2 are developable, and Greene Township is good at changing with the times. This is not a permanent change and if another boom occurs changes could be made in the future.

Supervisor Brookens stated he feels the Mummert request is reasonable given the location, infrastructure and adjacent land use. He added that he does not agree with Franklin County and the Planning Commission regarding Area 4. That area does not have the road infrastructure to support higher densities; Scotland Road is a single lane. The areas adjacent are predominantly single-family homes, Menno Haven is predominantly cottages and most of the remaining property is agricultural.

Supervisor Corwell agreed and added that the Township will still have a sufficient amount of R-2 with the proposed changes. He also agreed with excluding the Mummert property and asked how that should be done. The Solicitor explained that to change the Ordinance, another Public Hearing would need to be held and advertised, and it would need to go back to both Planning Commissions. All residents would need to be re-notified, which means mailing another 60 letters. Another option would be to adopt the Ordinance as it is written and then make an amendment to remove the Mummert property after the fact.

Supervisor Corwell added that Mr. Lehman was not able to make the meeting, but he called the office and expressed his support, especially for Area 4.

On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to close the Public Hearing at 12:42 pm.

On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to adopt Greene Township Ordinance 2024-3, Zoning Map Amendment, as presented. The Chairman recommended setting a date for a Public Hearing to consider rezoning the Mummert property at the next meeting.

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

The minutes of the public hearing and regular meeting held August 13, 2024 shall stand approved as presented and become part of the official record.

The ZO presented a request for review time extension for the Jaindl Land Development Plan. The current deadline is August 31, and the extension is granted through November 30, 2024. 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 Jaindl Land Development Plan to commence August 31, 2024, and extend through November 30, 2024.

The ZO presented the WKT, LLC 1 Lot Final Subdivision Plan, to subdivide a portion of the Gsell Whitetail Refuge to the west, bordered by Pine Mountain Drive. The Guilford Water Authority (GWA) has a right-of-way through the property to the rear, and the property is in both Greene and Guilford Townships. Guilford Township has reviewed and approved the plan. The Township Planner had a comment regarding the right-of-way maintenance agreement with GWA. The Township Solicitor has reviewed the agreement, and it will be recorded separately as an attached document to the plan. A sewage planning exemption was forwarded to DEP in June. The Township Engineer and Planner comments have all been addressed. The Supervisors granted a waiver regarding plan scale at the last Board Meeting. On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to approve the WKT, LLC 1 Lot Final Subdivision Plan as presented.

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 presented a request from the Fayetteville Volunteer Fire Department for a letter of acknowledgement to the Liquor Control Board for their Gun and Cash Bash Drawing. On a motion by Supervisor Corwell, seconded by Supervisor Brookens, and by a vote of 3-0, the Board unanimously voted to provide a letter to the Liquor Control Board acknowledging Fayetteville Volunteer Fire Department's Gun and Cash Bash Drawing.

The Solicitor reported that he sent a copy of the brief filed for the PAUC One Call appeal, and the hearing is scheduled for September 10. The oral arguments for the Chambersburg Petroleum Zoning Hearing Board appeal were yesterday and he felt it went well.

On a motion by Supervisor Brookens, seconded by Supervisor Corwell, and by a vote of 3-0, the Board unanimously voted to approve and authorize the payment of invoices as follows: check numbers 32330 through 32360 and three ACH transactions to be paid from the general fund, check numbers 3987 through 3988 to be paid from the liquid fuels fund and check number 2330 to be paid from the electric light fund.

The Chairman adjourned the meeting at 12:53 pm.

Respectfully submitted,

Secretary/Treasurer