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Greene shouldn't grant variance for ethanol plant

The developers of a proposed ethanol plant in Greene Township are seeking a zoning variance so that they may build 31 structures taller than the 45-foot maximum height allowed in the township's heavy industrial zone.

When Greene's zoning hearing board considers the request from Penn-Mar Ethanol on Monday, they should deny the variance. Why have a height restriction if a deviation of this magnitude is approved?

It would set a dangerous precedent. The township would be hard-pressed to turn down any request in the future if it allows such a variation from its own rules.

A rejection wouldn't necessarily mean that the ethanol plant project is dead in Greene Township's Cumberland Valley Business Park, but it would require Penn-Mar Ethanol to abide by the rules that have been in place for a number of years.

When any municipality passes a zoning ordinance, it's impossible to include every possible use in its written regulations or to know what may be proposed in the future. After all, if Penn-Mar's plant is approved, it would be the first ethanol plant built in the Northeast.

Nevertheless, elected supervisors did agree to a 45-foot maximum, which is higher than the 40-foot maximum in Southampton and Washington townships in Franklin County. Greene officials should follow the established rules.

Variations often are sought when the dimensions of a property vary slightly from a municipality's rules. Another request being considered Monday, for example, involves property owners who want to sell two lots as separate parcels but can't because their land width is 10 inches short of the ordinance's requirements.

That's a far different story than Penn-Mar's request to allow a 160-foot grain elevator, a 125-foot thermal oxidizing stack and seven tanks at least 60 feet tall, as well as other structures that exceed the restrictions.

Some of the 31 structures may be exempt from the ordinance. Agway, for example, has a grain elevator near the proposed Penn-Mar Ethanol site that exceeds the height restriction.

A legal ad placed by the township — published Monday in Public Opinion — said 19 of the proposed structures exceed the 45-foot limit.

Penn-Mar maintains that a variance "will not alter the essential character of the heavy industrial district and will not be detrimental to the public welfare," according to its application.

Whatever decision it makes, the zoning board should be sure it has solid legal footing.

There's a chance that opponents of the ethanol plant — and there are many — would take the matter to court if Penn-Mar's request is approved.

The township doesn't need another expensive, drawn-out legal battle like it endured when it spent more than \$1 million to fight Exit 7 of Interstate 81 (now Exit 17, which will soon be completed).

Opponents, calling themselves Citizens for a Quality Environment, already are questioning why township officials consider the ethanol plant a permitted use rather than a conditional use, which would require a different approval process.

If the plant receives the necessary approvals, Penn-Mar Ethanol investors hope to begin construction in late summer or early fall, with operations beginning in late 2006.

The zoning hearing is an important early step for developers. Hearings on Penn-Mar's request and other variances will

begin at 5:30 p.m. Monday in the township building at 1145 Garver Lane, Scotland.

Another public meeting will be at 7 p.m. April 28 at J. Frank Faust Junior High School, 1957 Scotland Ave., to hear comments about the ethanol plant project.

Those in favor of the ethanol plant or against it should take advantage of these opportunities to learn more about the project and to have their voices be heard.
