

**DRAFT RAPHO TOWNSHIP BOARD OF SUPERVISORS' MINUTES
JULY 7, 2016**

The Board of Supervisors met at the Township Office Building for their regular meeting on July 7, 2016, 7:30PM with Lowell Fry, Jere Swarr & Duane Martin present. The meeting was called to order by the Chairman and followed with the Pledge of Allegiance.

The Minutes of the June 16st Meeting were distributed. Mr. Swarr made a motion to approve the Minutes as presented; second by Mr. Martin. All voted in favor.

PUBLIC COMMENTS

Tom Degnan of Oak Leaf Drive has concerns about the "No Parking" signs along his street. He feels that parking should be allowed on the hydrant side of the street instead of the non-hydrant side near his house. Mr. Degnan would also like to see parking allowed along the basin. He said that when he has a party his guests have to park 50 feet away from his property. He has measured the width of the street and feels it is wide enough to have parking on both sides of the street. Mr. Martin said he disagrees. He said when operating emergency equipment the streets feels very narrow. Mr. Fry said that not allowing parking on both sides of the street is not only because of emergency access but he is also concerned about the Public Works Department clearing snow in the development if there is parking on both sides. **Tom Stahl** of Oak Leaf Drive said he feels the residents of the development cooperate with the snow plows so that their streets can be cleared. Township Manager Sara Gibson said the parking areas are designated by ordinance for the entire development. Mr. Fry explained that since the Board adopted the ordinance, they would have to take specific legal action in order to move the placement of the "No Parking" signs. Mrs. Gibson said she will make sure all the signs are in compliance with the ordinance.

Paul Hann of Canterbury Drive asked if the basketball court that is planned for the park can be moved. He feels it is too close to homes. Mrs. Gibson said it will not be moved and construction will begin next week.

Melissa Foltz introduced herself to the Board as the new director of the Manheim Library. She was happy to see the Big Little Library in the township building and wants to make sure there are up-to-date library handouts for residents displayed in the township office.

CHAIRMAN'S COMMENTS - None

PLANNING

FINAL APPROVAL:

Skyview Tractors Final Land Development Plan #16-312

608 Fairview Road

The applicants propose to construct a 12,000 square foot tractor repair shop and associated parking, drives, and storm water management facilities on a 52.145 acre parcel at the intersection of Esbenshade and Fairview Roads. The project was granted several variances, including relief from landscaping, parking, and outdoor storage requirements, by the Zoning Hearing Board on December 3, 2015. The project was granted conditional use approval as an agricultural-related business by the Board of Supervisors on December 17, 2015. The property includes a single-family detached dwelling, several farm buildings, one of which is currently used for the tractor repair shop, and a seasonal roadside stand. The applicants have requested nine waivers, relating to preliminary plan, water and sewer feasibility, and road improvements. Stormwater is proposed to be managed with an infiltration basin and an underground stone infiltration bed. The property is located in the Agricultural Zoning District.

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MODIFICATIONS

SUBDIVISION AND LAND DEVELOPMENT

- A. *Section 403.3.B – Existing Features*
The applicant has requested a modification of the requirement to provide the location of all existing features within two hundred feet (200') of the subject tract. In the alternative, the applicant is proposing to show all existing features within two hundred feet (200') of the development area.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of this modification based upon the alternative provided.
- B. *Sections 405.2.F and 602.1.N – Concrete Monuments along Right-of-Way*
The applicant has requested a modification of the requirement to provide concrete monuments at the limits and all break points of the dedicated right-of-way. No alternative is provided.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of this modification with the condition the applicant provide a minimum of two (2) concrete monuments along the dedicated right-of-way.
- C. *Section 602.5.E – Dedication of Additional Right-of-Way*
The applicant has requested a modification of the requirement to provide additional right-of-way along Fairview Road and Esbenshade Road. No alternative is provided.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of this modification with the condition the applicant dedicate additional right-of-way along the north side of Esbenshade Road from the applicant's west property line to its intersection with Fairview Road and along the west side of Fairview Road from its intersection with Esbenshade Road to a point three hundred fifty feet (350') north of the dedicated right-of-way of Esbenshade Road
- D. *Sections 602.6.A, 603.1.A, and 605.I – Construction Paving Standards*
The applicant has requested a modification of the requirement to pave all access drives and parking areas in accordance with Ordinance paving standards. In the alternative, the applicant is proposing to utilize a three inch (3") reclaimed asphalt surface which will be installed on top of a six inch (6") 2A Modified Subbase.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of this modification based upon the alternative provided with the condition that a minimum of one hundred feet (100') of the proposed access drives be paved in accordance with the collector street construction standards where they intersect with the adjoining streets.
- E. *Sections 603.2, 605.H - Access Drive and Parking Area Lighting (This Modification Was Verbally Requested at the April 4, 2016 Planning Commission Meeting)*
The applicant has requested a modification of the requirement to provide access drive lighting at a minimum average of one-half (½) foot candle at an elevation of three feet (3') above the surface and parking area lighting at a minimum average of two (2) foot candles at an elevation of three feet (3') above the surface. In the alternative, the applicant is not proposing any access drive lighting and to provide building mounted lighting to illuminate the parking areas.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of the verbally requested modification subject to the following conditions: 1) The applicant provide additional lighting for the loading area; and, 2) The applicant will submit a formal, written modification request to support this verbal request.

STORM WATER MANAGEMENT

- A. *Section 502.2 – Combination of Hydrographs*
The applicant has requested a modification of the requirement to allow for the combination of Rational Method hydrographs based on timing. In the alternative, the applicant proposes to overlay or combine hydrographs in post-development conditions due to the relatively small size of the watersheds and based on the factor of safety provided by modeling the hydrographs using three times the Tc for the ascending leg and seven times the Tc for the descending leg.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of this modification based upon the justification provided.
- B. *Section 506.1.B.3.b. – Loading Ratios*
The applicant has requested a modification of the requirement to provide loading ratios in non-karst geology of 5:1 for impervious area and 8:1 for overall area and, in the alternative, provide loading ratios of 9:1 and 14:1, respectively, for the infiltration basin.
The Planning Commission, at their April 4, 2016 meeting, recommended approval of this modification request with the condition that a statement be provided on the cover sheet of the plans indicating the design professional certifies the storm water management facilities are not underlain by carbonate geology.

CONDITIONS

ZONING

1. *The Hours of Operation and Management Plan needs to be revised to reflect the zoning relief granted by the December 3, 2015 Zoning Hearing Board decision and the proposed conditions indicated on the land development plan. The Hours of Operation and Management Plan needs to be updated accordingly to address the following:*

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- *The approved agricultural related business shall be limited exclusively to: (i) The repair/service of specialized equipment, machinery, vehicles, and related parts used in agricultural and farm activities; and, (ii) the rental/sale of specialized equipment, machinery, vehicles and related parts used in agricultural and farm activities. No service of over-the-road trucks or tractor trailers shall be permitted unless such trucks or trailers are registered with a farm license.*
 - *The last sentence in the second paragraph under Section III.A needs to include "for the agricultural related business."*
2. *The agreement for the overflow reserve parking areas needs to be reviewed by the Township, executed by all parties and notarized (§ 520.G, 520.H, 906.C.3.c).*

SUBDIVISION AND LAND DEVELOPMENT

1. *A written modification request needs to be provided for Sections 603.2 and 605.H - Access Drive and Parking Area Lighting (§ 309).*
2. *The applicant needs to verify that all sheet titles are correct. By example and not inclusive, Sheet 10 is titled "Final Land Development Plan (Proposed Features)," however, Sheet 10 contains lighting and photometrics.*
3. *The date, final action and conditions of approval by the Board of Supervisors on any approved modification requests needs to be included on the plan (§ 403.2.I, 403.4.J).*
4. *The clear sight triangle at the north west quadrant of the intersection of Esbenshade and Fairview Roads needs to be dimensioned on the plans. In addition, a note needs to be added to Sheet 4 that states that the clear sight triangle at the northwest quadrant of the intersection of Esbenshade and Fairview Roads will be increased to one hundred feet (100') if the existing dwelling is removed (§ 403.4.O, 602.10).*
5. *Evidence of review by emergency service providers needs to be provided (§ 403.6.A).*
6. *The inspection schedule on Sheet 5 needs to be revised to include General Site Construction in accordance with Section 504 of the Rapho Township Subdivision and Land Development Ordinance (§ 405.2.L, 504).*
7. *All certificates need to be completed prior to recording the plan (§ 405.3).*
8. *Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 405.4.A).*
9. *The cost estimate needs to be revised to include the collector street pavement section. In addition, we recommend the cost estimate include quantities for each line item. A revised cost estimate (which includes the required ten percent (10%) contingency), financial security, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*
10. *The following note needs to be added to the plan: "This plan reserves additional right-of-way along all or portions of the existing road frontage of the subject property. This additional right-of-way is hereby reserved for possible future use by Rapho Township for future roadway and related improvements." In addition, the "Skyview Tractors" business sign and the proposed vegetable cart sign need to be relocated outside of the dedicated right-of-way (§ 602.5.E).*
11. *A minimum of one hundred feet (100') of the proposed access drives need to be paved in accordance with the collector street construction standards where they intersect with the adjoining streets (§ 602.6.A, 603.1.A).*
12. *The lighting plan needs to provide lighting for the parking area at a minimum average of two (2) foot candles at an elevation of three feet (3') above the surface. Site Lighting Information Note 1 on Sheet 10 states that lighting for the parking lot will be a minimum average of one (1) foot candle. In addition, pole and footer details need to be provided on the plan (§ 605.H).*
13. *The sign at the driveway serving the dwelling directing Skyview Tractor Repair traffic to utilize the main entrance on Esbenshade Road needs to be provided on the plan.*
14. *A detail for the proposed 1,000-gallon holding tank needs to be provided on the plan. The applicant provided a 1,000-gallon concrete septic tank detail which shows an inlet and outlet; however, a holding tank should not have an outlet.*

STORM WATER MANAGEMENT

1. *An ownership and maintenance program, in recordable form acceptable to the Township, that clearly sets forth the ownership and maintenance responsibility of all temporary and permanent storm water management facilities and erosion control facilities needs to be provided (§ 601).*

Mr. Martin made a motion to approve the Skyview Tractors Final Land Development Plan #16-312 with the modifications and conditions as stated; second by Mr. Swarr. All voted in favor. Mrs. Gibson noted that the dedication of additional right of way around the project area will be moving forward in the near future.

Mr. Martin made a motion to approve the release of financial security for Four Seasons at Elm Tree Phase 4A in the amount of \$5,825.60, Four Seasons at Elm Tree Phase 4B in the amount of \$19,667.00 and Four Seasons at Elm Tree Phase 5 in the amount of \$33,823.00; second by Mr. Swarr. All voted in favor.

Rettew Associates has recommended the reduction of financial security for Elm Tree Phase 2 from \$100,825.00 to \$36,510.00. Mr. Martin feels that the remaining amount is not enough to complete all the

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outstanding work. There was some discussion on what exactly is incomplete at this point. Mrs. Gibson said the developers have historically been extremely cooperative. They currently pay the engineer invoices but if the township wants to do additional studies on repairs to the stormwater facilities she asked who would be responsible for those bills. Mr. Martin does not understand how the engineer can come up with a cost estimate if they are not exactly sure what remains to be done. The developer, Tom Kile, who was in the audience, made a verbal request for a 2 week extension to allow the Board to table their decision until July 21, 2016. **Mr. Swarr made a motion to grant an extension for the reduction of financial security for Elm Tree Phase 2 from \$100,825.00 to \$36,510.00; second by Mr. Martin. All voted in favor.**

Mr. Martin made a motion to reduce the financial security for Donegal Square from \$231,474.70 to \$150,638.12; second by Mr. Swarr. All voted in favor.

Mr. Martin made a motion to release the financial security in the amount of \$8,609.50 for the David King Stormwater Plan #15-304; second by Mr. Swarr. All voted in favor.

Mr. Martin made a motion to release the financial security in the amount of \$39,167.00 for the Hiltz Stormwater Plan #14-274; second by Mr. Swarr. All voted in favor.

Mr. Martin made a motion to approve the Jason and Amy Moyer Stormwater Management Agreement for 2930 Zink Road, #16-317; second by Mr. Swarr. All voted in favor.

Mr. Swarr made a motion to grant a 90-day extension to October 7, 2016 for the Mastersonville Volunteer Fire Company Land Development Plan #15-307; second by Mr. Martin. All voted in favor.

Mr. Swarr made a motion to approve a Non-building Planning Waiver for Hilltop Acres Land Development Plan #16-314; second by Mr. Martin. All voted in favor.

Mr. Martin made a motion to approve the June 2016 Zoning Officer's Report; second by Mr. Swarr. All voted in favor.

OLD BUSINESS

The proposed amendment to the Stormwater Ordinance was reviewed. The proposed amendment would change the definition of major land disturbance. The proposed amendment gives the staff more flexibility in determining whether plans require engineering. **Mr. Swarr made a motion to approve the advertisement of the proposed amendment to the Stormwater Ordinance; second by Mr. Martin. All voted in favor.**

NEW BUSINESS

Mr. Swarr made a motion to approve the request for use of roads by overweight vehicles by WFM Transport/Wenger Feeds LLC; second by Mr. Martin. All voted in favor.

The Tax Collector's June 2016 Report was distributed and reviewed.

The 2nd Quarter Financial Report was reviewed. The Earned Income Tax is running above budget estimates. Legal fees concerning trash liens are listed under the trash expense category. Mrs. Gibson is pleased with how the trash/recycling is on budget due to the revenue from the trash billing paying for the trash services.

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She has received correspondence from FEMA and is optimistic that the township will be receiving \$38,000 for the snow blizzard reimbursement.

APPROVAL OF THE DISBURSEMENT LIST - Mr. Martin made a motion to approve the disbursement list and pay the bills; second by Mr. Swarr. All voted in favor.

Trash Update - Mrs. Gibson reminded the Board that a decision will need to be made on whether or not to extend the current contract with Penn Waste. Also a process of how the Board will allow current customers to opt out and the time frame for when that will happen is going to need to be determined. Mrs. Gibson reported that to date 630 fobs have been sold for the Yard Waste Facility. There have been questions recently concerning residents that are part of a Homeowners' Association who are signing up with the township hauler instead of the hauler used by the HOA.

CORRESPONDENCE

Northwest Emergency Medical Services Monthly Report

Lancaster County Planning Commission – MacNair plan to be considered 7/11

Lancaster County Planning Commission – comments on Canine Country Club plan

Northwest EMS 2015 annual report and 2014-15 financial statements

Lancaster County Planning Commission – recommend approval of amendment to Manheim Borough Zoning

Ordinance re: outdoor cafes

Lancaster County Agricultural Preserve Board – notice of preservation of Sumpman farm 1654 Mastersonville Rd.

Lancaster County Planning Commission – new staff appointments

Mrs. Gibson reported that the municipal leaders have been meeting with DEP to determine whether an Inter-governmental Agreement would be allowed to meet MS4 requirements. Penn State is planning to work with farmers who have over 20 acres to insure that they have Conservation Plans and Nutrient Management Plans in place for their properties.

Mrs. Gibson reported that 275 people attended the Chiques Creek Watershed Alliance Expo on June 22, 2016.

There being no further public business or public comments, the meeting adjourned at 9:30PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary