

The Board of Supervisors met at the Township Office Building for their regular meeting on January 21, 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 January 4th Reorganizational and Regular Meetings were distributed. Mr. Swarr made a motion to approve the Minutes as presented; second by Mr. Martin. All voted in favor.

POLICE REPORT

Chief Joe Stauffer reported on the statistics for December which included 21 traffic tickets, 1 non-traffic ticket, 15 criminal arrests, 53 warnings, 6,617 vehicle miles, 51 incident reports and 14 traffic accidents. He is currently working on the 2015 year-end report and hopes to have it ready in mid February. He reported on 2 pedestrians being stuck by a hit and run driver at Cat's Meow in Manheim Borough and then being apprehended in Rapho Township. In his report, Chief Stauffer included a reminder for licensing of dogs and the laws associated with dogs. He distributed a report of the dogs that were picked up in the township. Of the 15 dogs picked up in the township, all but 3 were reunited with their owners. The remaining three were taken to SPCA. Chief Stauffer said the state has put a snow emergency into affect beginning at 9PM. He reminded everyone to drive safely if caught in the blizzard that is to begin tomorrow night.

PUBLIC COMMENTS

Abner Glick of 6793 Elizabethtown Road said he received his green card concerning trash late. He said he filled it in explaining that he will not be enrolled in the township's contract because he hired Republic Services and after they discontinued service enrolled with Take Away Refuse. He has been receiving invoices from the township for trash service and asked the Board how to now handle this situation. He wants the bills to go away and to stop receiving them. Mr. Fry told Mr. Glick that if he had come to the Board after receiving the first or second bill they may have been able to do something but since he has not contacted them till after receiving the 6th invoice it is not that simple. He explained to Mr. Glick that the staff had tried to contact him but the phone numbers provided didn't work. Mr. Glick felt the township should have tried harder to contact him and let him know that he was enrolled in the township program and that he was in for a three year term instead of for life. Mr. Fry said the invoices that he was receiving regularly were his notification that he was enrolled. Mr. Glick said the invoices are in his father's name but mailed to his address and he ignored them. Mr. Fry explained that the owner of the property is where the invoices go. That is why they are in his father's name but the billing system had the service address as the owner's mailing address. Mr. Martin said the Board had a time in the beginning of the program where residents could provide proof that they had trash and recycling service and the Board did allow them to opt out of the program. That time has passed and the Board is no longer accepting appeals to opt out. Mr. Fry explained to Mr. Glick that he had 2 options. One is to continue to use Take Away Refuse and also pay the township since he is enrolled or Mr. Glick could discontinue his service with Take Away Refuse and begin using the service that Penn Waste would provide for him.

CHAIRMAN'S COMMENTS - None

PLANNING

BRIEFING ITEM:

**Mastersonville Volunteer Fire Company Final Land Development Plan #15-307
2166 Meadow View Road
Harbor Engineering, consultant**

The property comprises 10 acres across the street from the existing Mastersonville Fire House. The Fire Company received Zoning Hearing Board approval to create a 10-acre lot for institutional use on July 1, 2008. The applicants propose to construct an approximately 13,000 square foot fire house, along with associated drives and parking areas. The building is proposed to be served by on-lot sewage and water. Stormwater is proposed to be managed using 2 infiltration basins and a 10,000 gallon underground cistern. The property is located in the Agricultural Zone.

Township Manager Sara Gibson presented the plan to the Board. Mr. Fry asked what would happen if the Board approved the plan and it got changed after the approval. He wondered if they would need to come back to the Board for a modification. Mrs. Gibson said the fire company cannot move forward without Land Development approval. She said if the footprint changed leaving the building footprint the same or smaller it should not affect the overall plan. Mr. Martin has a concern that they are moving full speed ahead without knowing if they have support of the community. Mr. Fry said the fire company has approached some businesses in the community that are giving in kind contributions. He said if things pan out the excavation costs would be minimal and there are other businesses willing to donate products. He feels this way of getting donations seems better than fund raising and shows community support.

ACTION ITEM:

**Keller Tract (Rapho Partners LLC) Request for waiver of subdivision plan processing #15-309
Mount Joy Road at Little Chiques
David Miller/Associates, consultant**

The applicants own a 23-acre tract of land known as the Keller Tract, off Mount Joy Road near the Little Chiques Creek. The applicants propose to subdivide a small portion of the tract to separate three existing structures currently used for personal storage from the remainder of the undeveloped tract. The proposed subdivision would result in a 23.05-acre undeveloped tract and a .38-acre tract with no additional improvements. The applicants request to waive the subdivision plan process in order to separate a non-conforming lot on which no improvements are proposed from the larger tract in preparation for future development. The applicants have been granted several variances from the Zoning Hearing Board to allow for the creation of a lot which is less than the required lot area and does not meet requirements for rear and side yards or lot coverage. The property is located in the Residential-1 Zoning District, in the Open Space Development Overlay Zone.

Mr. Fry has a concern about the size of the .38-acre tract that is being subdivided off the parent tract. His concern is if the current owner eventually sells the tract and Rapho Partners LLC does not purchase it, the township has a lot that a dwelling cannot be built on because there would not be enough ground for a septic system and a replacement system. Mark Stanley the attorney for Rapho Partners LLC said that even though they have submitted a Non-Building Waiver to DEP, they were told sewage planning would need to be completed. Rapho Partners LLC is trying to obtain a Right of First Refusal from the land owners but has nothing in writing at this point. Mrs. Gibson said the Zoning Hearing Board decision is very clear in how the existing buildings can be used. Mr. Fry asked if the lot is never part of the proposed development, if it can stand alone. Mr. Stanley said the zoning decision does make the lot conforming. He said a condition can be put on the plan that states that no building can occur on the lot until an approved sewage plan is recorded. There was some discussion on the list of conditions recommended by Jim Caldwell of Rettew Associates. **Mr. Swarr made a motion to approve the Keller Tract (Rapho Partners LLC) Request for Waiver of Subdivision Plan Processing Plan #15-309 on Mount Joy Road at Little Chiques Creek with the conditions as listed below; second by Mr. Martin. All voted in favor.**

Keller Tract (Rapho Partners LLC) Request for waiver of subdivision plan processing #15-309

MODIFICATION:

- A. *Section 303 – Application and Processing Requirements*

The applicant has requested a modification of the requirement to process a subdivision plan without complying with the full application and plan processing requirements. In the alternative, the applicant is proposing to submit and record an "Abridged" subdivision plan.

This modification is approved based upon the justification and alternative provided with the condition that the applicant address the following comments to the satisfaction of the Township:

1. *Lot 1 shall be developed as an open space design development and comply with Section 405 – Open Space Design Overlay (OSDO) Zone of the Rapho Township Zoning Ordinance, as may be modified by the Board of Supervisors.*
2. *The conditional use open space plan needs to be submitted within twenty-four (24) months of recording this abridged subdivision plan. The final plan for the first phase of the open space plan shall be submitted within two years from the approval of the Conditional Use Decision.*
3. *The applicant shall incorporate Lot 2 into the land development plan for Lot 1 to provide utilities (i.e. water, sewer, etc.) and access that complies with the design standards of the Township's Zoning and Subdivision and Land Development Ordinances as may be modified by the Board of Supervisors.*
4. *The applicant needs to clarify the Site Data information on the Cover Sheet. It's unclear whether the building and lot coverages and density are for Lot 1 or Lot 2. In addition, the number of lots needs to be revised from one (1) to two (2) and the total acreage needs to be broken out and shown on the plans.*
5. *All certificates need to be completed prior to recording the plan (SLDO § 405.3.C, 405.3.E).*
6. *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 (SLDO § 403.2.I, 403.4.J).*
7. *The Use Restrictions Notes need to be modified to state that Lot 2 will be included in the initial conditional use plan and the initial preliminary and/or final plan submission(s) for Lot 1.*
8. *There shall be no construction on Lot 2 without complete approved sewage planning.*

OLD BUSINESS

Esbenshade/Strickler Road Traffic Signal - Mrs. Gibson presented some options to improve this signal that included reflective backplates, timing changes and additional signage. Mr. Martin does not like where the placement of additional signage would be. He doesn't think it will help the current problems. He would like to see the reflective backplates installed. He and Mr. Fry do not think the timing of the signals should be changed. They are afraid that may cause traffic back-ups. **Mr. Martin made a motion to start the process to change the signal permit for the Esbenshade/Strickler Road Traffic Signal in order to install reflective backplates; second by Mr. Swarr. All voted in favor.**

NEW BUSINESS

Mr. Swarr made a motion to approve the request from Penn Township to provide Fire Police service for the Penryn Fire Company Mud Sale on March 18 and 19, 2016; second by Mr. Martin. All voted in favor.

Mr. Swarr made a motion to rescind the Fire Police powers from Jay Campbell, David Stoltzfus and Bryan Cook who are inactive members; second by Mr. Martin. All voted in favor.

The December 2016 and Year-end Tax Collector's Reports along with the Delinquent Street Light Report were distributed and reviewed. **Mr. Martin made a motion to send the list of delinquent street light properties to the township attorney for collection; second by Mr. Swarr. All voted in favor.**

Emergency Management Coordinator Lori Shenk distributed her Year-End Report. She is a bit nervous that a declaration of snow emergency has been declared by the state before any snow has fallen. She has not yet reached out to the Public Works Director John Haldeman or the emergency providers in Rapho concerning the upcoming storm. Mrs. Shenk will e-mail the Board after the snow begins if she feels a snow emergency for the township should be declared. She also reported on the new ambulance building in Manheim. She

said the fundraising has gone very well and they are meeting their goal. Mr. Swarr told her to keep up the good work.

Yard Waste Recycling Facility Policies and Procedures - Mrs. Gibson distributed proposed Yard Waste Facility Usage Policies for Residents and Business Owners in Rapho Township and Commercial Landscapers/Haulers Headquartered in Rapho Township. The residents and business owners would be able to purchase a key fob for \$5.00 in order to have access to the yard waste facility. Commercial Landscapers/Haulers headquartered in Rapho Township would be charged \$100/vehicle per calendar year for a key fob. They would only be able to bring yard waste from properties that they service in Rapho Township. There was some discussion on whether the key fobs would need to be renewed and/or reactivated every year. **Mr. Martin made a motion to adopt the Yard Waste Recycling Facility Policies and Procedures; second by Mr. Swarr. All voted in favor.**

CORRESPONDENCE

Chamber of Commerce January/February newsletter

Manheim Library report

Mastersonville Fire Company annual membership banquet – 2/27 RSVP by 2/12

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.**

Mr. Martin asked Mrs. Gibson whether any decisions have been made about the agreement with Mount Joy Square Associates for the Route 230/Elmcrest Boulevard Traffic Signal. Mrs. Gibson said there had been some discussion at the Workshop and she took that information to Greg Kile. Mr. Martin feels that the businesses in the shopping center should share the cost of the traffic signal and not just the Homeowner's Associations. Currently the township maintains the traffic signal and then bills the shopping center for that cost, under an agreement with Mount Joy Square Associates.

Mrs. Gibson met with John Frey of the Center of Dairy Excellence who would like to hold a half marathon in East Hempfield Township and Rapho Township. She said discussion is continuing. There is a lot involved with hosting an event like this.

There being no further public business or public comments, the meeting adjourned at 9:42PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary