

The Board of Supervisors met at the Township Office Building for their regular meeting on February 4, 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 21<sup>st</sup> Meeting were distributed. Mr. Martin made a motion to approve the Minutes as presented; second by Mr. Swarr. All voted in favor.

Mr. Fry announced that the Board met for an executive session prior to the start of this meeting to discuss a legal matter with an attorney concerning the township's Act 537 Sewage Plan enforcement. **Mr. Swarr made a motion to engage the services of Brubaker Connaughton Goss & Lucarelli LLC for enforcement action of the Act 537 Plan; second by Mr. Martin. All voted in favor.**

**PUBLIC COMMENTS** - None

**CHAIRMAN'S COMMENTS**

Mr. Swarr praised the leadership of the Public Works Department for an excellent job of clearing roads during the recent blizzard. He has received compliments for the work of John Haldeman, Public Works Director. Mr. Fry appreciated all the hard work that the Public Works Department put in over the week-end.

**PLANNING**

**FINAL APPROVAL:**

**GFI Transport Preliminary/Final Land Development Plan #15-305  
860 Milton Grove Road  
David Miller/Associates, consultant**

The applicants propose to construct a new 7,360 square foot office/shop building. The 84-acre farm property currently houses multiple uses, including a single-family dwelling, self-storage units, and a trucking business that hauls agricultural related products. The trucking business was approved as a conditional use in 2005. The conditional use decision was amended in 2015 to accommodate the additional structure on the property and relocate the 5-acre area permitted for the trucking business use. The applicants propose to manage stormwater using swales and a detention basin. The property is located in the Agricultural Zoning District.

**Modification:**

**STORM WATER MANAGEMENT ORDINANCE**

A. *Section 506 – Volume Control*

*The applicant has requested a modification of the requirement to meet the post-development storm water runoff volume control over the site. In the alternative, the applicant is proposing several BMP's which will improve the quality of the water leaving the site and provide for a level of infiltration across the site during smaller storm events. This modification request is based on the justification that a detailed geological analysis for the property was completed and indicated that the site is located in an area of Karst topography.*

*We recommend approval of this modification request based upon the alternative and justification provided, and with the condition that the following are provided: all applicable DEP worksheets regarding the water quality designs; supporting documentation for the BMP loading ratios; and documentation from the professional geologist in support of the proposed design, specifically as it relates to the proposed infiltration loading ratios in a karst area. The BMP loading calculations indicate the proposed ratios will exceed the requirements of Section 506.1.B.3.a by as much as four times. The infiltration and geologic review from Becker Engineering dated October 9, 2015 indicated a moderate risk of aggravating karst type erosion and that infiltration facilities should be designed to decrease the loading ratios as much as possible.*

Conditions:

**SUBDIVISION AND LAND DEVELOPMENT**

1. *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).*
2. *The location of the percolation holes, deep probe holes, and replacement area easement(s) need to be provided. In addition, the replacement sewage absorption area note needs to be included on the plan (§ 403.3.B.3, 403.4.M, 403.4.N, 611.C.2, 611.C.3, 611.C.4.b).*
3. *The landscape plan needs to be signed and sealed by a landscape architect (§ 405.2.K).*
4. *An acknowledgment for the adjoining property owner certificate needs to be provided on the plans. All certificates need to be completed prior to recording the plan (§ 405.3).*
5. *Financial security, in the amount of \$188,943.70, which includes the required ten (10) percent contingency, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*

**STORM WATER MANAGEMENT**

1. *Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit, if applicable, by the Lancaster County Conservation District needs to be provided (§ 405.1).*
2. *The operations and maintenance (O&M) agreement needs to be completed. By example and not inclusive, specific inspection requirements that clearly set forth the ownership and maintenance responsibility of all temporary and permanent storm water management facilities and erosion control facilities needs to be provided (§ 601).*
3. *In addition to Storm Water Management Note 7, which was added to the cover sheet, a typical detail or specification needs to be provided for the amended soil installation.*

**Mr. Swarr made a motion to approve the GFI Transport Preliminary/Final Land Development Plan 15-305 at 860 Milton Grove Road with the modifications and conditions as stated; second by Mr. Martin. All voted in favor.**

**Mr. Martin made a motion to approve the GFI Transport Stormwater Management Agreement; second by Mr. Swarr. All voted in favor.**

**FINAL APPROVAL:**

**Galyn Musser Major Land Disturbance Plan #16-310**

**1577 Auction Road**

**Harbor Engineering, consultant**

The applicant proposes to construct to demolish an existing 22,870 square foot pullet house and replace it with a 28,900 square foot pullet house on an 87.2 acre property located in the Agricultural Zoning District. Stormwater for the site is proposed to be managed by a detention basin, and soil amendments are proposed to improve the quality of the stormwater runoff. Geologic testing indicated that existing soils are not suitable for infiltration. The project received approval from the Zoning Hearing Board for an Agri-Business on January 5, 2016.

Modification:

A. *Section 404.1.A – Plan Scale*

*The applicant has requested a modification of the requirement to provide a plan at a scale not to exceed one inch equals fifty feet (1"=50') and, in the alternative, provide a plan scale of one inch equals two hundred feet (1"=200') for the Overall Site Plan sheet.*

*We recommend approval of this modification request based upon the alternative and justification provided.*

Conditions:

**STORM WATER MANAGEMENT**

1. *A copy of the Zoning Hearing Board decision needs to be provided (§ 302).*
2. *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 (§ 404.2.I).*
3. *The right-of-way and cartway widths of Auction Road and South Erisman Road need to be included on the plans (§ 404.3.B.1).*

4. *The locations of existing wells and septic systems upon and within two hundred (200) feet of the subject tract need to be included on the plan (§ 404.3.B.3, 404.3.C.2).*
5. *The net and gross acreage needs to be provided on the plans (§ 404.4.P).*
6. *Sheet 4 needs to include the finished floor elevation of the proposed poultry house (§ 404.4.Q).*
7. *Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit, if applicable, by the Lancaster County Conservation District needs to be provided (§ 405.1).*
8. *Financial security, in the amount of \$20,126.15, which includes the required ten (10) percent contingency, and a financial security agreement need to be provided (§ 405.3, 602).*
9. *Evidence of approval from the Pennsylvania Department of Environmental Protection needs to be provided for all Water Obstruction and Encroachments. The applicant needs to confirm that a General Permit will not be required for the outfall to the stream (§ 405.5, 501.5).*
10. *All certificates need to be completed prior to recording the plan (§ 406).*
11. *Unless a modification is requested and approved by the Township, volume controls need to be provided (§ 506).*
12. *The operations and maintenance (O&M) agreement needs to be reviewed and executed by the Township (§ 601).*
13. *Note 12 on the PCSM plan needs to include the amount of existing impervious cover that is to be removed and the net impervious coverage that will result.*
14. *The amended soil mixture proposes to use a large percentage of onsite soils. Based on the information provided, the existing soils are primarily clay and inhibited infiltration during testing. The amended soil specifications need to be revised.*

**Mr. Martin made a motion to approve the Galyn Musser Major Land Disturbance Plan 16-310 for 1577 Auction Road with the modification and conditions as stated and to also approve the Stormwater Management Agreement for this plan; second by Mr. Swarr. All voted in favor.**

**FINAL APPROVAL:**

**Randall R. and Jodie L. Brubaker Major Land Disturbance Plan #16-311**

**1681 Hossler Road**

**Team Ag, consultant**

The applicants wish to replace one of five existing poultry barns at this 83.23-acre farm in the Agricultural Zoning District. The proposed barn will be 32,400 square feet, with the area of disturbance totaling .98 acres. Currently runoff from the site flows to an existing agricultural swale which becomes a tributary to Back Run. Back Run is classified as a Trout Stocked Fishery. With accessory structures and driveways, the net increase in impervious coverage is 4,620 square feet. Stormwater from the new structure is proposed to be managed by a stone infiltration trench and vegetated swales.

**STORM WATER MANAGEMENT**

1. *The locations of existing wells and septic systems upon and within two hundred (200) feet of the subject tract need to be included on the plan (§ 404.3.B.3, 404.3.C.2).*
2. *The net and gross acreage needs to be provided on the plans (§ 404.4.P).*
3. *Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit, if applicable, by the Lancaster County Conservation District needs to be provided (§ 405.1).*
4. *A cost estimate, financial security, and a financial security agreement need to be provided (§ 405.3, 602).*
5. *Evidence of approval from the Pennsylvania Department of Environmental Protection needs to be provided for all Water Obstruction and Encroachments. The applicant needs to confirm that a General Permit will not be required for the outfall to the stream (§ 405.5, 501.5).*
6. *All certificates need to be completed prior to recording the plan (§ 406).*
7. *The carbonate geology certificate will need to be included on the plans (§ 501.16.D).*
8. *An ownership and maintenance (O&M) 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. If an NPDES permit is required, then annual written reporting of all inspection and maintenance activities needs to be included in the operations and maintenance (O&M) plan (§ 601).*
9. *The type of stone proposed on the surface of the infiltration trench needs to be specified on the detail.*

10. *The infiltration trench is proposed to be placed against the south face of the new poultry barn. It is unclear if the barn will be constructed with a foundation. Typically, infiltration facilities are placed at least 10' away from any building foundation.*
11. *The infiltration trench needs to be equipped with an earthen berm on the downslope side to ensure runoff will not bypass the facility. Additionally, the applicant needs to ensure the width of the infiltration trench is adequate to allow runoff that sheets off the roof to fall on the trench, particularly if the building has an overhang.*
12. *The infiltration trench sequencing on Sheet PC-2 starts at step 7. Clarification is needed.*
13. *The loading ratio to the infiltration trench needs to be provided (§ 506.1.B.3, 507.2.a.2).*
14. *Observation ports need to be provided for the infiltration trench (§ 507.2.b.3, 507.5.A).*

Mr. Brubaker questioned Condition 1 concerning neighboring wells. He said the closest well to this project is 750' and that one is uphill. The closest well that is downhill from the project is 1015'. He is requesting a modification of Condition 1. Mr. Brubaker also questioned Condition 10. He would like to keep the infiltration trench along the building not 10' away. After some discussion it seemed that the condition did not specify that the infiltration trench is required to be 10' away. **Mr. Swarr made a motion to approve the Randall R. and Jodie L. Brubaker Major Land Disturbance Plan at 1681 Hossler Road with the addition of a modification of Stormwater Management Condition 1 to not require locations of existing wells and septic systems within 200' of the tract and subject to Conditions 2 - 13; second by Mr. Martin. All voted in favor. Mr. Swarr made a motion to approve the Stormwater Management Agreement for Randall R. and Jodie L. Brubaker; second by Mr. Martin. All voted in favor.**

**Mr. Martin made a motion to grant a reduction of the Letter of Credit for A and M Hardware Land Development Plan #15-284 from \$315,538.98 to \$145,525.00; second by Mr. Swarr. All voted in favor.**

**Mr. Swarr made a motion to grant a reduction of the Letter of Credit for the Kerek Musser Stormwater Plan #15-288 from \$55,046.42 to \$14,761.42; second by Mr. Martin. All voted in favor.**

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

## **OLD BUSINESS**

### **Township Facility Improvements -**

Martin Kimmel and Jared Murphy of Kimmel and Bogrette distributed a site plan for the Township Facility Improvement along with a description of their architectural services and fees for the project. They also discussed the project of improving the Public Works bathroom facilities which would include making them handicap accessible. Mrs. Gibson said these proposed improvements are really 2 separate projects. The Public Works Bathroom project could be launched in 2-4 weeks with a cost of approximately \$25,000. **Mr. Martin made a motion to proceed with the Public Works Bathroom Project; second by Mr. Swarr. All voted in favor.**

Mr. Kimmel pointed out that he had made some changes in the design of the Township Office Building since the last time he addressed the Board. He did add a second entrance to the lobby as requested and was able to keep the island in the parking lot separating the traffic using the yard waste facility from that going to the office building. He explained that the PA Separations Act requires the project to go out in four bids - General Contractor, Mechanical, Electrical and Plumbing. Mr. Swarr said he is reluctant to go forward with the addition but when looking to the future knows it is necessary. Mr. Martin said he likes everything Mr. Kimmel and Mr. Murphy are proposing and how it ties everything together with the new driveway entrance already installed. **Mr. Martin made a motion to authorize the staff to proceed with developing a**

**contract with Kimmel and Bogrette for architectural drawings of the proposed addition to the current township office building; second by Mr. Swarr. All voted in favor.**

**Mr. Swarr made a motion to request 172 sewer EDU's from Mount Joy Borough Authority and to change the agreement to reflect the change; second by Mr. Martin. All voted in favor.** This would increase the number of sewer EDU's by 134 to match the water EDU's that are reserved and there would be 38 EDU's for the Rapho Industrial Park which currently has public water but not public sewer. These numbers should be adequate for approximately 18 to 24 months.

**Mr. Swarr made a motion to grant the request for 2 water and sewer EDU's for the Keller tract subdivision; second by Mr. Martin. All voted in favor.**

**NEW BUSINESS**

**Mr. Martin made a motion to grant the request from Pro-Am Cycling Inc. to use roads in the township for the Mount Joy Road Race on June 11, 2016; second by Mr. Swarr. All voted in favor.**

Mrs. Gibson has received a renewal contract from SPCA. She said she feels the township has a tremendous relationship with the SPCA. The new contract would be \$800 based on the number of dogs they received from Rapho Township in 2015. **Mr. Martin made a motion to renew the agreement with SPCA in the amount of \$800; second by Mr. Swarr. All voted in favor.**

Mrs. Gibson received the Annual Report from the Lancaster County Conservation District. She pointed out that in past years the number of E & S Plans was 12 or 13 but in 2015 there were 23 E & S Plans submitted to the county.

**CORRESPONDENCE**

- Mastersonville Fire Company annual membership banquet – 2/27 RSVP by 2/12*
- Senator Ryan Aument breakfast invitation – 2/19 RSVP by 2/12*
- Fire Department Mount Joy – announcement of officers*
- Lancaster County Planning Commission – Mount Joy Borough Zoning Ordinance to be considered 3/14*
- Representative Mindy Fee invitation to EMS Providers Seminar 2/18*
- Lancaster Farmland Trust 2015 highlights*
- Lancaster County Drug Enforcement Task Force – annual report and request for funding*
- PA Auditor General – Liquid Fuels fund audit 2013-2014*
- Fire Department Mount Joy – invitation to annual banquet 3/19*
- Northwest Ambulance – December report*
- Lancaster County SPCA report*
- Ron and Charlotte Coble – resident thank you for snow removal*
- Ed and Marsha Parido – resident thank you for snow removal*
- Carol and Don Miller – resident thank you for snow removal*
- Floral Designs of Mount Joy – thank you for snow removal*

Mrs. Gibson pointed out the number of thank you notes received for the snow removal. Mr. Swarr will attend the Fire Department of Mount Joy's Annual Banquet. Mr. Martin will attend the Mastersonville Fire Company's Annual Banquet and Mr. Fry will attend the Manheim Fire Company's Annual Banquet.

**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.** Mrs. Gibson noted that

she is working on a County EMA Report that is required for emergency funding from the state. She is hopeful that the township will receive money back for the expenses incurred during the blizzard.

Mrs. Gibson reported that the key fobs are now available for the yard waste facility.

Paul Hann of Canterbury Drive asked the Board for the definition of EDU's. The Board explained that every residence served by public sewer and water needs 1 EDU or equivalent dwelling unit. Mr. Fry said the EDU is for the hook-up of public water and sewer and not based on the actual usage. Mr. Hann also asked who compiles the list of modifications and conditions for the various plans that are brought before the Board. The township engineer works on the modifications and conditions for the plans before approval.

There being no further public business or public comments, the meeting was adjourned at 9:00PM.

Respectfully Submitted,

Melva J. Kready  
Recording Secretary