

**DRAFT RAPHO TOWNSHIP BOARD OF SUPERVISORS' MINUTES  
MAY 4, 2017**

The Board of Supervisors met at the Township Office Building for their regular meeting on May 4, 2017, 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 April 20<sup>th</sup> Meeting were distributed. Mr. Martin made a motion to approve the Minutes as presented; second by Mr. Swarr. All voted in favor.

**POLICE REPORT**

Chief Joe Stauffer gave the statistics for March 2017 that includes 70 traffic tickets, 2 non-traffic tickets, 10 criminal arrests, 65 warnings, 6,251 vehicle miles, 32 incident reports and 19 traffic accidents. A Memorial Day Parade will be held May 29, 2017 at 10:00AM with assistance from the Manheim Borough Police Department. Two officers are attending an Active Shooter Training at a Federal Law Enforcement Training Center. Manheim Central School District has given permission for the police department to use the Gramby Street School for a summer active shooter/critical incident training before the school is demolished. Chief Stauffer reported that with the donation they received from Elstonville Sportsman Club a transition from 40 caliber firearms to 9mm was made. Aggressive Driving Grants continue to be used to reduce traffic fatalities and injuries that are a result of aggressive driving.

**PUBLIC COMMENTS** - None

**CHAIRMAN'S COMMENTS**

Mr. Swarr said he stopped at the Newcomer Road project. He talked to Matt Smith the new Public Works employee who is adapting well to his new job. Mr. Swarr also stopped at the Lefever Road project which is progressing as scheduled. Township Manager Sara Gibson said the box culvert on Lefever Road has been removed intact and will be used on Cold Springs Road.

**PLANNING**

**FINAL APPROVAL:**

**Wilmer and Frieda Nolt – Hilltop Acres Final Land Development Plan #16-314**

**347 Rife Run Road**

**Diehm and Sons, consultant**

The applicants propose to add on a .7-acre tract to their 21-acre property, remove the dwelling on the smaller property, and expand the Hilltop Acres parking lot along with access drive relocations. The 21-acre property currently includes one residential building, the Hilltop Acres Market, a barn, and various out buildings. The applicants received a variance from the Zoning Hearing Board for a “de minimus” addition to the building, including a modification of a condition of a previous decision in 1996. A number of modifications have been requested, relating to, among other provisions, dedication of right-of-way, clear sight triangles, and proximity of the parking area to the public street. Stormwater for the expanded parking lot is proposed to be managed by a subsurface infiltration trench. The property is located in the Agricultural Zoning District.

**MODIFICATIONS:**

**SUBDIVISION AND LAND DEVELOPMENT**

- A. *Section 305.A – Preliminary Plan Processing*  
*The applicant has requested a modification of the requirement to process a preliminary plan and, in the alternative, proceed directly to final plan.*

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*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting based upon the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township.*

**B. Section 408.4 – Wetland Study**

*The applicant has requested a modification of the requirement to provide a wetland study. No alternative is provided.*

*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting with the condition the applicant provide a modified presence/absence wetland study.*

**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 Rife Run Road. No alternative is provided.*

*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting based upon the justification provided with the condition that the applicant provide a Roadside Maintenance Easement Agreement, in a recordable form acceptable to the Township, for the future roadwork along the subject tract.*

**D. Section 602.10.D – Clear Sight Triangle**

*The applicant has requested a modification of the requirement to provide a one hundred foot (100') clear sight triangle at the western and eastern access drives intersections with Rife Run Road. In the alternative, the applicant is proposing to provide:*

- *A clear sight triangle that is seventy-five feet (75') in depth along the centerline of the western access drive and seventy-five feet (75') in length in a westerly direction along Rife Run Road;*
- *A clear sight triangle that is fifty feet (50') in depth along the centerline of the western access drive and fifty feet (50') in length in an easterly direction along Rife Run Road;*
- *A clear sight triangle that is fifty feet (50') in depth along the centerline of the eastern access drive and fifty feet (50') in length in a westerly direction along Rife Run Road; and,*
- *A clear sight triangle that is seventy-five feet (75') in depth along the centerline of the eastern access drive and seventy-five feet (75') in length in an easterly direction along Rife Run Road.*

*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting based upon the justification and alternative provided.*

**E. Section 602.10.F – Minimum Radii at Street Intersection**

*The applicant has requested a modification of the requirement to provide the minimum required thirty-five foot (35') radii at the intersection of the eastern access drive with Rife Run Road. In the alternative, the applicant is proposing to provide a twenty foot (20') radii at the intersection of the eastern access drive with Rife Run Road.*

*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting based upon the alternative provided with the condition that the applicant provide turning movements for both access drive intersections that demonstrate that the largest vehicle anticipated to access the site can enter, maneuver through, and exit the site without encroaching on opposing lanes of traffic on Rife Run Road, and subject to the applicant installing concrete curbing at both access drive intersections with Rife Run Road.*

**F. Section 605.D – Parking Compound Setback**

*The applicant has requested a modification of the requirement to have no portion of the parking compound within ten feet (10') of the Rife Run Road right-of-way. In the alternative, the applicant is proposing to provide a seven foot (7') setback for the parking compound from the Rife Run Road right-of-way.*

*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting based upon the alternative provided.*

**STORM WATER MANAGEMENT ORDINANCE**

**A. SWMO Section 504.4.a.4 – Minimum Pipe Diameter**

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*The applicant has requested a modification of the requirement to use a minimum storm sewer pipe diameter of eighteen inches (18"). In the alternative, the applicant is proposing to provide eight-inch (8") diameter storm sewer pipes for the collection of two small onsite drainage areas for conveyance to the infiltration trench. Calculations have been provided to show the eight-inch (8") pipe is capable of conveying the 100-year peak flow.*

*The Rapho Township Planning Commission recommended approval of this modification at their May 2, 2016 meeting based upon the alternative provided.*

### **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. *All certificates need to be completed prior to recording the plan (§ 405.3).*
3. *Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 405.4.A).*
4. *Based upon the current design, financial security, in the amount of \$47,299.96, which includes the required ten percent (10%) contingency, and a financial security agreement need to be provided. We note that this amount may change pending the resolution of Storm Water comments 3, 4 and 5 below (§ 405.4.E, 405.4.F, 501).*
5. *The Roadside Maintenance Easement Agreement needs to be reviewed, approved, and executed by the applicant and the Township. A copy of the recorded agreement needs to be provided.*

#### **STORMWATER MANAGEMENT**

1. *The operations and maintenance (O&M) agreement needs to be executed by the applicant, the Township, and Joinder by Mortgagee, if applicable; and, a copy of the executed agreement needs to be provided (§ 501.1.C, 601).*
2. *Proposed grading needs to be shown on the plans for the widening and vertical curb at the access drive (§ 404.4.Q). Additionally, an existing four-inch PVC pipe will be impacted by the improvements at the drive.*
3. *Proposed grading needs to be shown on the plans for the relocated dwelling and proposed driveway (§ 404.4.Q).*
4. *The amount of new impervious cover shown on the plan for the relocated dwelling driveway and the paved area at the relocated shed does not appear to be reflected in the post-development Area B peak flow calculations (§ 501.2).*
5. *With the proposed relocation of the dwelling, the size of drainage area B has greatly expanded and the time of concentration path cannot be assumed to be five (5) minutes. It appears the new location for the dwelling may impact the time of concentration path in post-development conditions (§ 502.9).*

**Mr. Martin made a motion to approve the Wilmer and Frieda Nolt - Hilltop Acres Final Land Development Plan #16-314 for 347 Rife Run Road with the modifications and conditions as stated; second by Mr. Swarr. All voted in favor.**

### **BRIEFING ITEM:**

#### **Final Land Development plan for Sporting Valley School #17-332 803 South Colebrook Road, Manheim**

##### **D.C. Gohn, consultant**

The applicant, Jesse L. Esh, has contracted with the property owners, Elam F. and Esther R. Blank, to construct a new 44'x33' school, stone access drives, restrooms, horse tie area, and stormwater management facility on a .75 acres portion of a 31.823-acre property. Stormwater is proposed to be managed by a stone infiltration bed. The school will be accessed using an existing gravel driveway and a 16' wide stone driveway. The property is located within the Agricultural Zoning District.

Mr. Martin said he feels there may currently be problems at the current driveway with water flow and ponding causing icy conditions in the winter. He feels the Public Works Director John Haldeman should be asked about this to see if improvements should be made to the driveway.

**Mr. Swarr made a motion to move the Final Land Development Plan #17-332 for Sporting Valley School at 803 South Colebrook Road to an action item; second by Mr. Martin. All voted in favor.**

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**Mr. Martin made a motion to approve the Final Land Development Plan #17-332 for Sporting Valley School at 803 South Colebrook Road subject to the following modifications that were in the Rettew letter dated April 7, 2017 and subject to the recommendation of the Public Works Director about the concerns of water at the end of the driveway; second by Mr. Swarr. All voted in favor.**

**REQUESTED MODIFICATIONS**

- A. *Section 305 – Preliminary Plan Processing (New Request this Submission)*  
*The applicant has requested a modification of the requirement to process a preliminary plan and, in the alternative, proceed directly to final plan.*  
*We recommend approval of this modification based upon the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township.*

**ZONING**

1. *Driveway clear sight triangles need to be provided. Clear sight triangles need to be clear of any permanent obstructions and plant materials over thirty (30) inches high and below ten (10) feet. In addition, easements will be required for those portions of the clear sight triangles that encroach upon adjoining properties (§ 504.D.2).*

**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 adjoining landowners along the eastern property line and all adjoining plan book recording references (if any) need to be included on the plan (§ 403.2.J).*  
3. *The required and available safe stopping distances need to be provided for the existing driveway (§ 403.4.O).*  
4. *Evidence of review by emergency service providers needs to be provided (§ 403.6.A).*  
5. *Evidence of notification, concurrence of the project and any restrictions imposed on the site by the Columbia Gas easement needs to be provided (§ 403.6.B.1, 403.6.B.2, 608.3.A, 608.3.B).*  
6. *A wetlands report needs to be provided (§ 403.7.E, 408.4).*  
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. *Financial security, in the amount of \$21,498.10, which includes the required ten percent (10%) contingency, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*

**STORM WATER MANAGEMENT**

1. *A plan note needs to be provided referring to the storm water management report by title and date (§ 404.4.H).*  
2. *Finished floor elevations need to be provided on the plan (§ 404.4.Q).*  
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, 503).*  
4. *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 (§ 501.1.C, 601).*  
5. *Unless a modification is requested and approved by the Township, non-woven geotextile needs to be installed on the bottom of the infiltration bed (§ 507.9).*  
6. *A note needs to be added to the plans stating that post-construction infiltration testing needs to be performed and the results provided as part of the as-built plan submission (§ 604.5.D.5).*  
7. *The six-inch (6") diameter pipe for the observation well/cleanouts needs to be extended to finished grade.*

**BRIEFING ITEM:**

**Final Land Development plan for Verizon Wireless #17-333  
6097 Elizabethtown Road, Manheim  
Pioneer Management, consultant**

The applicants, Cellco Partnership d/b/a Verizon Wireless, have contracted with the property owners, Stephen and Esther Miller, to construct a 185' lattice telecommunications tower, along with a stone pad and stone access drive, on .46 acres of a 50.83 acres property. The tower would be surrounded by a 60' X 60' fence. The project would be accessed using an existing gravel driveway. Stormwater is proposed to be

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managed by stone infiltration trenches. The project received conditional use approval by the Board of Supervisors on September 15, 2016. The property is located within the Agricultural Zoning District.

**Mr. Swarr made a motion to release the financial security in the amount of \$12,736.63 for Randy and Jodie Brubaker at 1608 Hossler Road; second by Mr. Martin. All voted in favor.**

**Petition to amend the Township Zoning Map from Agricultural to Mixed Residential (R-2)**

Elm Tree Properties/Harry H. Musser Parcel #540-34532-0-0000, 936 Strickler Rd.

The Board reviewed the current zoning map looking at the zoning of the neighboring properties. **Mr. Swarr made a motion to set July 6, 2017 as the hearing date for this petition and to forward the petition to the Rapho Township Planning Commission and the Lancaster County Planning Commission; second by Mr. Martin. All voted in favor.**

**Mr. Martin made a motion to approve the Zoning Officer's Report for April 2017; second by Mr. Swarr. All voted in favor.**

**OLD BUSINESS**

**MS4 Permit Application Update** - Kara Kalupson of Rettew Associates distributed maps of the Rapho Township 2010 Urbanized Area and Sewershed Area and a Pollutant Reduction Plan. The Board reviewed the maps and Ms. Kalupson explained that the required sediment reduction for Rapho Township is 64,156 lbs/year. The proposed Best Management Practices (BMPs) to achieve the required reductions are to retrofit the township owned detention basin on Lefever Road at an approximate cost of \$140,000 and to do streambank stabilization on the Keller property off of Mount Joy Road at an approximate cost of \$240,000. Mrs. Gibson is hopeful that the township will be able to receive a grant for the detention basin project. Jim Caldwell of Rettew Associates said he feels there is potential for more projects along the Little Chiques Creek in the future.

**NEW BUSINESS**

Brian Shaub of Keystone Fireworks applied for a fireworks permit in order to dispose of fireworks. Mr. Shaub is asking for permission to do this at 9:00AM on May 12, 2017 at LCBC. Fire Department Mount Joy will be on site and he will also notify Chief Stauffer. **Mr. Swarr made a motion to grant permission for Mr. Shaub to dispose of fireworks on May 12, 2017 at LCBC; second by Mr. Martin. All voted in favor.**

**Township Building Project Update** - Mrs. Gibson distributed a Township Building Project Updated Schedule. Bid opening for the project will be May 16 and the project will be awarded at the June 1 meeting. Meetings will begin to be held at East Fairview Church of the Brethren June 13. The week of June 19<sup>th</sup> is the proposed dates to move the office staff to the schoolhouse at 2685 Hossler Road. Items that will no longer be needed will be placed on Municibid to be sold. She is hopeful that construction will begin in early July.

**Mr. Swarr made a motion to do a Request for Proposal for actuary services; second by Mr. Martin. All voted in favor.** The current actuary is not providing reports that the Township Auditors are requesting.

Mrs. Gibson distributed a map with the Elm Tree Sewer Service Area and the Rapho Triangle Sewer Service Area outlined. A Mandatory Connection Ordinance for the Mount Joy Authority is being proposed. There

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are some unintended consequences with the proposed ordinance so Mrs. Gibson is going to contact the township solicitor to see if it could be reworded to include commercial properties only.

**Mr. Swarr made a motion to authorize the Mastersonville Fire Police to serve at IM ABLE Got the Nerve Triathlon race on May 20, 2017 and to also serve at the Manheim Rock-N-Glow race on June 3, 2017; second by Mr. Martin. All voted in favor.**

The April 2017 Tax Collector Report was distributed and reviewed.

**CORRESPONDENCE**

*PADEP – Extension for deadline for Transcontinental Gas Pipe Line Company*

*Senator Scott F. Martin – meeting invitation*

*Manheim Borough – April newsletter*

*Northwest EMS – thank you for contribution*

*District Attorney of Lancaster County – Drug Task Force report, 1<sup>st</sup> quarter*

*Lancaster County Planning Commission – comments on Sporting Valley School*

*Lancaster County Planning Commission – comments on proposed rezoning – East Donegal Township*

*West Hempfield Township spring newsletter*

**APPROVAL OF THE DISBURSEMENT LIST - Mr. Swarr made a motion to approve the disbursement list and pay the bills; second by Mr. Martin. All voted in favor.** After some discussion it was decided not to mail the check to East Fairview Church of the Brethren till after the bids for the township building project are opened and awarded so that it can be determined what date the meetings will actually begin to be held there.

Mrs. Gibson reported that the Partners' Meeting will be held at Rapho Township on May 17<sup>th</sup>. She also reminded the Board that a Joint Planning Meeting will be held on May 30.

The Chiques Creek Watershed Alliance Expo will be held on June 7 at the Manheim Farm Show Complex.

Mr. Martin said he received a call from Sam Zook who is appealing the Zoning Hearing Board's decision on his breeding kennel. He said Mr. Zook told him that there is a proposed amendment being worked on that would address kennels. Mrs. Gibson said that staff is working on an amendment but it is in the very early stages. The proposed amendment would clarify the definition of livestock.

There being no further public business or public comments, the meeting adjourned at 9:20PM.

Respectfully Submitted,

Melva J. Kready  
Recording Secretary