

**DRAFT RAPHO TOWNSHIP BOARD OF SUPERVISORS' MINUTES  
FEBRUARY 4, 2021**

The Board of Supervisors met at the Township Office Building for their regular meeting on February 4, 2021, 7:30PM with Lowell Fry, Jere Swarr & Mark Erb 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. Swarr made a motion to approve the Minutes as presented; second by Mr. Erb. All voted in favor.**

**CONDITIONAL USE HEARING #2020-36**

**KW Cornerstone Lot W-1 LLC Conditional Use Application 2020-36**

**1010 Cornerstone Drive, Mount Joy**

**Warehaus**

Consideration of the conditional use application of KW Cornerstone W-1, LLC which seeks approval to use property located at 1010 Cornerstone Drive in Rapho Township for warehousing in the Township's Industrial Zone. The application is submitted under Sections 304.B.2.c.22 and 605.L of the Zoning Ordinance.

Mr. Fry explained the procedure for a Conditional Use Hearing. He asked if anyone would like to be a party to the hearing which means they believe they will be impacted specifically more than other township residents. **Don Falkinburg** of 1413 Willow Creek Drive asked to be a party to the hearing. The applicant did not object to Mr. Falkinburg being a party to the hearing. **Mr. Swarr made a motion to allow Don Falkinburg of 1413 Willow Creek Drive to be a party to the KW Cornerstone Lot W-1 LLC Conditional Use Hearing 2020-36; second by Mr. Erb. All voted in favor.**

Mr. Fry called the hearing to order. Attorney **Jeffrey Lobach** introduced the applicants **Joe Stern**, project manager and **Mike Jeffers** of Kinsley. Mr. Lobach reviewed the project by reviewing the existing conditions of the lot, the proposed improvements, the neighboring property owners and uses, the floor plans and elevations, the traffic impact update and the hours of operation. Mr. Lobach also reviewed how the plan falls within the general standards of the township ordinance. He said that the applicants have reviewed the conditions listed in the Rettew Letter dated January 7, 2021 and feel the conditions are acceptable. The Board discussed with the applicants building height and the projected traffic impact. They also discussed the condition concerning the intersection of Cornerstone Drive and Route 230. If a traffic signal at that intersection is warranted, the applicant would be responsible to install the signal. The proposed warehouse would be a spec warehouse meaning the building would be modified depending on the tenant. Mr. Falkinburg asked if there is any credible evidence that this use would lower property values in the neighboring residential development. There does not appear to be any credible evidence that would indicate an impact on neighboring property values. Mr. Falkinburg also asked about environmental issues such as dust, odor, smoke, litter and radiation. The applicants said the lighting will be directed down, the property will be paved, there will be no odor or smoke, nothing will interfere with satellite and no radiation. The township's zoning for this area has been for industrial use. Mr. Falkinburg asked the Board for a delay in their approval until he can review the traffic study which was released today. Mr. Jeffers explained how the traffic study was calculated.

Township Solicitor Susan Peipher asked Township Manager Randall Wenger if the Conditional Use Hearing was advertised and if the property was posted. Mr. Wenger said it was with a Proof of Publication dated January 25, 2021. He also said he had distributed the Rettew Letter dated January 7, 2021 which listed proposed conditions for this use. Mr. Falkinburg questioned why the applicant was given the recommendation for a fee in lieu of rather than reconstructing the street. Township Engineer Jim Caldwell explained that Cornerstone Drive is scheduled to be repaved 2 years down the road and that it makes more

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sense to come up with a fee and then do the entire street at one time rather than in pieces. The Rapho Township Planning Commission has recommended the approval of this hearing subject to the conditions listed in the Rettew Letter dated January 7, 2021. Mr. Falkinburg stated that he believes this is the first time

a large warehouse has been proposed beside a large residential area. He asks the Board to carefully consider the residential neighbors and the fact that a park is close by before approving this use in this location since it is unknown who the tenants will be. Mr. Swarr asked Mr. Caldwell what other uses could go in the industrial zone. There was some discussion about other types of industrial uses approved for this property. **Karen Falkinburg** asked the Board to consider the negative impacts that will be created including dust and traffic.

**Mr. Erb made a motion to close the hearing; second by Mr. Swarr. All voted in favor. Mr. Erb made a motion to approve the Conditional Use Hearing 2020-36 for KW Cornerstone Lot W-1 LLC located at 1010 Cornerstone Drive, Mount Joy subject to the conditions listed in the Rettew Letter dated January 7, 2021; second by Mr. Swarr. All voted in favor.**

Mr. Fry responded to questions from Mr. Falkinburg concerning this use. He said the Zoning Ordinance provides for this use in the Industrial Zone. He said he supports the applicant and project. This property has been zoned Industrial for 30 years and this use is consistent with other uses in that area. He does realize it joins to residential zoning and the Land Development phase will deal with those concerns. He believes the traffic will remain well under what was allocated previously.

Mr. Swarr said the township has to provide for commercial and industrial uses. He feels the industrial uses are the best value for taxpayers because they have the least impact. He said when other uses have come into the township, there were concerns from residents about property values going down and yet he has never seen that happen.

### **PUBLIC COMMENTS**

Mr. Falkinburg asked the Board to consider making the signs larger that are posted on properties for various hearings and to also change the format of the sign. He said he cannot read them unless he stops the car. Mr. Fry said there are rules and regulations about what needs to be posted and that the state legislature determines that.

**CHAIRMAN'S COMMENTS** - None

### **PLANNING**

#### **BRIEFING ITEM:**

**Shane Raffensberger Sketch Plan #21-408**

**3691 Elizabethtown Road**

**Diehm and Sons**

Mr. Raffensperger and his wife own a 19-acre property located at 3691 Elizabethtown Road, Manheim. The majority of the property (18.9 acres) is in Rapho Township with a small portion (0.1 acres) at the southern end located in Penn Township. The site is located in the Agricultural zoning district. Chickies Creek runs along the southern property line. The property is located at the end of an existing private street that was approved in 1986. Three other properties have frontage and access from the private street. Modification

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requests: Section 602.2.A – All streets must be proposed for dedication to the Township, Section 602.6.A – Existing streets must be reconstructed in accordance with Township standards, Section 602.7 – Cartway width , Section 602.8.C – Street centerline must conform with right-of-way centerline, Section 602.10.F.2 – Minimum radius at street intersection, Section 602.14.E.1 – Dead end streets must be provided with a cul-de-sac.

### **ACTION ITEM:**

#### **Approval of Stormwater Management Plan**

**Daniel and Wafi Brandt, RT# 21-406**

**2040 Cider Press Road**

#### **ELA Group**

Daniel and Wafi Brandt are proposing work at the property located at 2040 Cider Press Road. The work includes the following: The existing dwelling will be demolished to the foundation and then reconstructed on the same footprint. A new garage will be constructed to the east side of the existing dwelling footprint. The existing wood barn will be demolished. A new shed will be constructed northeast of the dwelling location and behind the demolished wood barn area. A new barn will be constructed to the west of the existing/reconstructed dwelling location. This barn will have a new minimum use driveway off of Cider Press Road. Installation of a new minimum use driveway and parking area off of Cider Press Road. The parking area will connect the new garage and shed. Appropriate storm water management control, collection and conveyance facilities. Site grading to accommodate flows from the proposed improvements as detailed on the plans. **Mr. Swarr made a motion to approve the Daniel and Wafi Brandt Stormwater Management Plan #21-406 located at 2040 Cider Press Road subject to the conditions listed on the Rettew Letter dated January 20, 2021 and to approve the modification request for Section 404.4.D(1); second by Mr. Erb. All voted in favor.**

**Mr. Swarr made a motion for the authorization of signatures to complete the Stormwater Management and Land Development Agreement with M5V2LLC; second by Mr. Erb. All voted in favor.**

**Mr. Swarr made a motion to accept the Zoning Officer's January 2021 Report; second by Mr. Erb. All voted in favor.**

**OLD BUSINESS** - None

### **NEW BUSINESS**

**Mr. Erb made a motion to approve the Rapho Park Post Construction Stormwater Management Agreement; second by Mr. Swarr. All voted in favor.**

**Mr. Swarr made a motion to approve the sale of a Mow Master BG-102TF Three Point mounted Offset Flail Mower at MM Weaver Public Auction on March 15, 2021 located at 169 N. Groffdale Road, Leola, PA 17540; second by Mr. Erb. All voted in favor.**

The Tax Collector's January 2021 Report was distributed and reviewed.

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A report of EIT Collections was distributed and reviewed. The revenue is a little ahead of budget at this time.

### **CORRESPONDENCE**

*COVANTA Environmental Solutions – notice of Major Permit Notification*

*LCPC – Receipt of Community Plan Review – Proposed rezoning MU to R-2 – Hershey Enterprises MJ Twp*

*MAWSA – Letter of agreement with Rapho Township*

*US Census Bureau – Recognition of the 2020 Census Community Partnership and Engagement Program*

*Sager, Swisher and Company, LLP – Letter of engagement to audit township financial statements for 2020.*

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

Mrs. Falkinbug thanked the Board for a well kept park. She said she appreciates all the work that Herman Fittery does at Rapho Park by keeping the bathrooms clean and the playgrounds. She also appreciates his friendly demeanor to the residents.

There being no further public business or public comments the meeting adjourned at 8:56PM.

Respectfully Submitted,

Melva J. Kready  
Recording Secretary