

The Board of Supervisors met at the Township Office Building for their regular meeting on July 7, 2022, 7:30PM with Lowell Fry & Jere Swarr present. The meeting was called to order by the Chairman and followed with the Pledge of Allegiance.

CONDITIONAL USE HEARING #2022-42

KW Cornerstone W-3, LLC seeks to construct a 132,000 square foot expansion for a warehouse use on property located at 1000 Strickler Road in Rapho Township in the Industrial Zone. The application is submitted under Section 304.B.2.c.22 of the Zoning Ordinance.

Mr. Fry explained the procedure for the Conditional Use Hearing. He asked if anyone present wanted to be a party to the hearing. The following residents are neighboring property owners and requested to be a party to the hearing –

- **Robin Murray**, 1511 Fieldstone Drive
- **Mallory Darco**, 1513 Fieldstone Drive
- **Joe McGroarty**, 1513 Fieldstone Drive
- **Don Falkinburg**, 1413 Willow Creek Drive

Mr. Fry called the hearing to order. **Jeff Lovach**, of Barley Snyder Attorneys at Law represented the applicant. He introduced **Brian Johnson** and **Mike Jeffers**. Mr. Lovach reviewed the application and the history of the parcel. The current warehouse on this property was approved in 2007. The conditions that the Rapho Township Engineer recommended are acceptable to the applicant. The Rapho Township Planning Commission has recommended approval of the Conditional Use. Mr. Fry had questions concerning the traffic and whether the number of trips this expansion would generate are within the allotted trips in the traffic study that was completed in 1999. Mr. Swarr asked if the applicant is intending for the warehouse to have one tenant which they are. There was some discussion on the expansion of the loading docks. Mr. Fry asked about the trailer parking area shown on the plan. Mr. Johnson explained that area will be used in the future if needed and will be for storage for truck trailers, not trucks. There was discussion on the landscape and screening.

Mr. Falkinburg asked if the applicant did a study on surrounding property values and how this use could affect those values. He also questioned the security and safety of surrounding homes. He feels there was no study on the impact that noise, dust and smoke may make to the neighboring properties. The Board explained that this property is zoned Industrial and this use is less intense than what is allowed by right.

Mr. McGroarty questioned the time frame of this project. Mr. Johnson said that their plan is to hopefully have building permits in hand by the second quarter in 2023.

Mrs. Murray said that currently there are trucks parked overnight with their motors running which keeps her awake and asked if that will continue or get worse.

Ms. Darco asked about the landscaping. She is concerned about some mature trees at the property line and is hoping they stay and are not taken out. It was explained to her that there will be a portion removed to install the berm. These are items that will be discussed and worked out during the land development process.

Mr. Fry asked if the trucks drop and hook or if they will sit while the trailers are unloaded. Mr. Jeffers said it is hard to say since they do not have a tenant at this point. Some warehouses do not allow trucks on the

lot off operational hours. Mr. Fry does have a concern about overnight parking and would like to consider an additional condition not allowing trucks to sit and run their reefer units all night long. Mr. Jeffers said the building is not designed for cold storage.

During the comment period Mr. Falkinburg expressed his concern about this use and does not feel there have been sufficient studies on the traffic this use will generate. He does not feel the applicant has conducted a property value impact study. He asked the Board to hold approval until the applicant has done his due diligence. Mr. Lovach said many homes have been built in the surrounding development since the first phase of this project was built. He said the applicant could be providing jobs at this facility for residents in this community.

Mr. McGroarty read a letter he wrote to the Board asking for the trees behind his property to not be removed. He does not want to lose his privacy.

Mr. Swarr made a motion to close the hearing; second by Mr. Fry. All voted in favor. Mr. Fry said he has concerns about overnight truck parking during non-operational hours. Mr. Swarr feels this type of business was invited into this area when the Board rezoned this area 30 years ago. Mr. Johnson said he feels this use is consistent to what was approved in 2007 for the expansion.

Mr. Swarr made a motion to approve Conditional Use Hearing #2022-42 for KW Cornerstone W-3, LLC located at 1000 Strickler Road subject to the applicant addressing the conditions listed on the Rettew Letter dated June 2, 2022 and with the additional condition that the applicant submit a plan during the Land Development process on how they plan to address parked trucks during non-operational hours to the satisfaction of the Township and to authorize the appropriate Township officials to execute the related plans and documents following review by the Township Solicitor and/or Engineer; second by Mr. Fry. All voted in favor.

PUBLIC HEARING TO VACATE A PORTION OF JOHNSON MILL LANE

Public hearing to consider an ordinance to vacate a portion of Johnson Mill Lane to Paul J. Rineer

Mr. Fry called the hearing to order. Township Manager Randall Wenger reviewed the history of this portion of road. Johnson Mill Lane is an unimproved single width road that is a dead end. By vacating a portion there will be documentation of exactly where the road ends and where Mr. Rineer's property begins. There is also an easement agreement to be considered that would allow township vehicles to turn around at Mr. Rineer's property. Mr. Rineer has requested that the township does not remove the materials from the township's easement. Mr. Wenger said he expects to be able to honor the request to the extent that they are able to without depositing any materials into the flood plain or leaving the township's easement. **Mr. Swarr made a motion to close the hearing; second by Mr. Fry. All voted in favor. Mr. Swarr made a motion to approve Ordinance #2022-2 vacating a portion of Johnson Mill Lane; second by Mr. Fry. All voted in favor.**

Mr. Swarr made a motion to approve the Easement Agreement with Paul J. Rineer for a turnaround area on Johnson Mill Lane; second by Mr. Fry. All voted in favor.

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

PUBLIC COMMENTS - None

CHAIRMAN'S COMMENTS

Manheim Fire Department Building Renovation Request for Capital Funds– Dan Reif

Mr. Swarr made a motion to release \$400,000 to the Manheim Fire Department from their Capital Fund for their building renovations at a date to be determined; second by Mr. Fry. All voted in favor.

PLANNING

Shane Raffensperger
3691 Elizabethtown Road
Final Plan RT# 21-408
Diehm and Sons

Consideration of conditional approval of applicant's Stormwater Management Plans and Land Development Plan and requested SLDO modifications: Section 403.1.A – Plan Scale, Section 602.2.A – Street Dedication, Section 602.6.A – Street Improvements, Section 602.7 & 602.8 – Cartway Width & Right-of-Way, Section 602.10.F.2 – Minimum Radius at Street Intersection and Section 602.14.E.1 – Cul-de-sac.

Mr. Swarr made a motion to grant conditional approval for the Shane Raffensperger Land Development and Stormwater Management Plan and modifications subject to the applicant addressing the comments in the Rettew Letter dated June 28, 2022 to the satisfaction of the Township and to authorize the appropriate Township officials to execute the related plans and documents following review by the Township Solicitor and/or Engineer; second by Mr. Fry. All voted in favor.

Kenton Reiff Poultry operation
1775 Pinkerton Road
Final Plan and Stormwater Management Plan RT#22-419
Red Barn

Consideration of conditional approval of applicant's Land Development and Stormwater Management Plan and requested SLDO Modifications: Section 305 – Preliminary Plan Processing, Section 403.1.A – Plan Scale, (New request this submission) Section 602.5.E – Additional Right-of-Way, (New Request this submission) and the following Storm Water management Ordinance Modification: Section 504.4.a.4 – Pipe Size.

Mr. Swarr made a motion to grant conditional approval for the Kenton Reiff Land Development and Stormwater Management Plan and modifications subject to the applicant addressing the comments in the Rettew Letter dated June 17, 2022 to the satisfaction of the Township and to authorize the appropriate Township officials to execute the related plans and documents following review by the Township Solicitor and/or Engineer; second by Mr. Fry. All voted in favor.

Harry Turner
3491 Back Run Road
Stormwater Management Plan RT# 22-425
Harbor Engineering

Consideration of conditional approval of applicant's Stormwater Management Plan and requested modification of Stormwater Ordinance: Section 2016-2.B.4 – Minor Land Disturbance Plan Criteria.

Mr. Swarr made a motion to grant conditional approval for the Harry Turner Stormwater Management Plan and modifications subject to the applicant addressing the comments in the Rettew Letter dated June

30, 2022 to the satisfaction of the Township and to authorize the appropriate Township officials to execute

the related plans and documents following review by the Township Solicitor and/or Engineer; second by Mr. Fry. All voted in favor.

Josh Turner
3483 Back Run Road
Stormwater Management Plan RT#22-424
Harbor Engineering

Consideration of conditional approval of applicant's Storm water Management Plan and modification of Stormwater Ordinance Section 2016-2.B.4 – Distance to Downslope Property .

Mr. Swarr made a motion to grant conditional approval for the Josh Turner Stormwater Management Plan and modifications subject to the applicant addressing the comments in the Rettew Letter dated June 30, 2022 to the satisfaction of the Township and to authorize the appropriate Township officials to execute the related plans and documents following review by the Township Solicitor and/or Engineer; second by Mr. Fry. All voted in favor.

Beacon of Manheim
Preliminary/Final Plan RT#20-392
3003 Lebanon Road
Dynamic Engineering

Mr. Swarr acknowledged Beacon of Manheim's grant of a time extension until August 19, 2022; second by Mr. Fry. All voted in favor.

Mr. Swarr made a motion to accept the Zoning Officer's June 2022 Report; second by Mr. Fry. All voted in favor.

OLD BUSINESS - None

NEW BUSINESS

Mr. Swarr made a motion to set the Conditional Use Hearing for Derlyn G. and Karen Z. Musser at 742 South Colebrook Road application #2022-43 for Thursday, August 18 at 7:30PM; second by Mr. Fry. All voted in favor.

Mr. Swarr made a motion to approve Resolution #2022-10 authorizing participation of Rapho Township in the Pennsylvania Municipalities Pension Trust Pursuant to the Pennsylvania Intergovernmental Cooperation Law; second by Mr. Fry. All voted in favor.

Mr. Swarr made a motion to approve Resolution #2022-11 authorizing the Multimodal Transportation Fund Grant Application for East Main Street and Elm Crest Blvd, Mount Joy Sidewalk Connectivity Project; second by Mr. Fry. All voted in favor.

Mr. Swarr made a motion to approve authorizing advertisement in LNP and the Lancaster Law Review notice of a public hearing regarding the creation of a joint EMS authority under the Authorities Act, in the substantial form of the notice as presented at this meeting; second by Mr. Fry. All voted in favor.

Mr. Swarr made a motion to approve authorizing the sale of recycling cans to the listed municipalities for the amounts and quantities listed below; second by Mr. Fry. All voted in favor.

- 400 to East Hempfield Township for \$8.20 each for a total of \$3280
- 200 to Mount Joy Township for \$8.20 each for a total \$1640.00
- 200 to Mount Joy Borough for \$8.20 each for a total \$1640.00
- 200 to West Donegal Township for \$8.20 each for a total of \$820.00.

The Tax Collector's June 2022 Report was distributed and reviewed.

The Earned Income Tax Collections Report for June 2022 was distributed and reviewed. This revenue line item is still running ahead of budget by approximately \$168,000.

CORRESPONDENCE

- Notice of repeal of existing Zoning Ordinance & Map and enactment of new Zoning Ordinance & Map – West Cornwall Twp*
- LCCD E & S Plan Review – 3483 & 3491 Back Run Rd – Harold Turner*
- Mount Joy Borough Authority – 2022 Annual Report*
- Milano -Schock Library – June 2022 Report*
- Northwest EMS – Letter of thanks for generous quarterly donation*
- LCCD – Notice of Termination Denial Letter – 1976 Auction Rd – Utility Keystone Trailer Sales*
- Manheim Community Library – Letter of thanks for generous quarterly donation*
- Manheim Historical Society – July 2022*

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

There being no further public business or public comments the meeting adjourned at 9:40PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary