

**DRAFT RAPHO TOWNSHIP BOARD OF SUPERVISORS' MINUTES
AUGUST 1, 2019**

The Board of Supervisors met at the Township Office Building for their regular meeting on August 1, 2019, 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 July 18th Meeting were distributed. Mr. Martin made a motion to approve the Minutes as presented; second by Mr. Swarr. All voted in favor.

PUBLIC COMMENTS

Charlie & Tami Hawkins of 832 Hossler Road shared their concern about what they feel is a dangerous intersection at North Colebrook (coming from Sporting Hill) and Hossler Road. They feel there is not enough sight distance at the stop sign on North Colebrook Road. They said there was recently an accident involving a horse and buggy and they are afraid someone is going to get killed at that intersection. Mr. Hawkins feels some of the problem is the obstruction of view because of overgrown shrubs on the property located at 805 Hossler Road which is the corner lot. Mrs. Hawkins read a letter from **Dan Fitzkee** of 746 Hossler Road who also has concerns about the sight distance. **Nathanael Fidler** of 770 Hossler Road said he believes the problem is due to low hanging limbs on a tree on the corner property. Mr. Fry said the problem with the obstructions located at 805 Hossler Road is that they are not within the township's road right of way or the clear sight triangle. He said that it is possible the cars need to pull front further at the stop sign in order to see the oncoming traffic. He suggested looking at the possibility of painting a stop bar on North Colebrook Road. Mr. Martin said he remembers an issue at another intersection where the property owner was not willing to work with the township on creating a safe intersection and they had to put a 4-way stop sign there. He said maybe the township should look into making this intersection a 3-way stop. Township Manager Sara Gibson said the Public Works Director John Haldeman has spoken with the property owners at 805 Hossler Road but he has not been successful at resolving the concern.

Mr. and Mrs. Hawkins also had a concern about the speed in this area and the use of jake brakes. Mrs. Hawkins said she has talked to Chief Stauffer before and told him the police cars may sit in their driveway but that has never happened. Mr. Hawkins has a concern for the young children that live in this neighborhood and is afraid one will get hit sometime. He also said that trucks use their jake brakes so hard that his windows rattle. Mr. Fry said the jake brakes are a noise ordinance issue which is very hard to enforce. The police would need to be there when the jake brakes are used in order to fine the driver. He also explained that changing the speed limit in that area is not easy. Hossler Road is a state road so PennDot would need to be involved. Mr. Fry thanked the Hawkins for their concern but unfortunately he does not have an immediate solution. He said the township will continue to see what can be done in regard to these issues.

CHAIRMAN'S COMMENTS - None

PLANNING

FINAL APPROVAL:

Aaron Stoltzfus Major Land Disturbance Plan #19-373

1940 Sunnyside Road

Harbor Engineering, consultant

The property comprises 23+/- acres, and includes a house, barn, sheds, and a macadam drive. The applicant proposes to construct a 1,839 square foot addition to the residence, plus a 1,152 square foot horse barn and a 4,270 stone driveway. The total area of disturbance would be .65 acre. Stormwater is proposed to be

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managed by a grass swale along the driveway and a 60'x24' stone infiltration trench. The property is located in the Agricultural Zoning District.

REQUESTED MODIFICATIONS

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 one hundred feet (1" =100') for the Overall Site Plan.

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

B. *Section 507.9 – Geotextile Placement*

The applicant is requesting a modification of the requirement that geotextile be placed on all sides of the infiltration bed, including the top and bottom. In the alternative, the applicant proposes to wrap the sides and top of the infiltration bed as it is currently standard practice to not line the bottom.

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

CONDITIONS:

STORMWATER MANAGEMENT

1. *The date, final action and conditions of approval by the Board of Supervisors on any approved modification requests need to be included on the plan (§ 404.2.I).*
2. *A cost estimate, financial security, and a financial security agreement need to be provided (§ 405.3, 602). The cost estimate needs to be revised as follows:*
 - a. *The quantity for non-woven filter fabric needs to be reviewed as it appears to be low.*
3. *All certificates need to be completed prior to recording the plan (§ 406).*
4. *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).*
5. *The applicant needs to verify that the infiltration facility, when constructed, will maintain a minimum separation of 24-inches between the bottom of the infiltration bed and the limiting zone (§ 501.14.C).*

Mr. Swarr made a motion to approve the Aaron Stoltzfus Major Land Disturbance Plan #19-373 at 1940 Sunnyside Road with the modifications and conditions as listed; second by Mr. Martin. All voted in favor.

FINAL APPROVAL:

Jevin Kready Request for modification of a Major Land Disturbance Plan #19-377

1113 North Colebrook Road

Team Ag, consultant

The applicant has requested a modification of the requirement to process a Major Land Disturbance to allow the plan to be processed as a Minor Land Disturbance. The applicant proposes to construct a covered manure stacking structure, with associated gravel access lanes on a 94.9-acre farm. Some existing concrete would be removed, for a net impervious increase of 7,095 square feet. The total area of earth disturbance would be .78 acres. The property is located in the Agricultural Zoning District.

MODIFICATIONS

A. *Section 404 – Major Land Disturbance*

The applicant has requested a waiver of the requirement to process as a Major Land Disturbance application and in the alternative, process the plan as a Minor Land Disturbance. The applicant states that this project meets the standards to be processed as a Minor Land Disturbance except the project was preceded by a Major Land Disturbance project on the same property.

Technically, the project is a Major Land Disturbance because it was preceded by the chicken house project. The Ordinance states that total earth disturbance and impervious area permitted as a Minor Land Disturbance is cumulative from the effective date of the Ordinance.

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We recommend the Township consider developing a policy for administering projects that otherwise meet the standards to be processed as a Minor Land Disturbance but do not qualify as a Minor Land Disturbance because they were preceded by a Major Land Disturbance project.

Lastly, we recommend the Township approve this modification request and allow the project to be processed as a Minor Land Disturbance.

Mr. Martin made a motion to grant the Modification Request from Jevin Kready at 1113 North Colebrook Road to process his project as a Minor Land Disturbance Plan instead of a Major Land Disturbance Plan; second by Mr. Swarr. All voted in favor.

FINAL APPROVAL:

Ron and Lauren Lane Request for modification of a Major Land Disturbance Plan #19-380

757 Lebanon Road

G.D. Keener, LLC, consultant

The applicant has requested a modification of the requirement to process a Major Land Disturbance to allow the plan to be processed as a Minor Land Disturbance. The applicants propose to demolish several structures and remove paving and construct a garage and install additional paving, resulting in a net reduction in impervious surface of 4,164 square feet. The total area of earth disturbance is 15,500 square feet. The structures to be constructed as part of the plan are improvements only to the residential use on the property. The property is located in the Agricultural Zoning District.

REQUESTED MODIFICATIONS

A. *Section 404 – Major Land Disturbance*

The applicant has requested a waiver of the stormwater management plan requirements for a Major Land Disturbance as the plan proposes a net reduction in impervious surface of 4,164 square feet. In the alternative, the applicant proposes the plan be submitted as a Minor Land Disturbance.

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

CONDITIONS:

STORMWATER MANAGEMENT

- 1. The date, final action and conditions of approval by the Board of Supervisors on any approved modification requests need to be included on the plan (§ 404.2.I).*
- 2. The project information bar on the plan needs to be revised.*
- 3. The existing and proposed use needs to be labeled as residential.*
- 4. An identification of the rectangular features to the North, South, and East of the limit of disturbance needs to be provided.*
- 5. Confirmation of the flow path needs to be provided. It appears that the flow path may flow between the two 526 contour lines and onto the second Lane property.*

Mr. Martin made a motion to grant the request from Ron and Lauren Lane at 757 Lebanon Road to process their plan as a Minor Land Disturbance Plan instead of a Major Land Disturbance Plan; second by Mr. Swarr. All voted in favor.

There was some discussion on the definition of a major stormwater plan versus a minor stormwater plan and the cumulative totals. Mrs. Gibson explained that each plan is unique and the staff tries to be flexible and accommodating yet also be consistent. Mr. Fry said he believes there should be a review of the ordinance to add clarity. Mrs. Gibson said the Board may want to consider adopting a policy to clarify these issues rather than make changes to the ordinance. The Board will continue to look at this issue.

Mr. Martin made a motion to approve both a Short Term Financial Security Agreement and a Long Term Financial Security Agreement for B.C. Desai Holiday Inn Preliminary/Final Land Development Plan #18-368; second by Mr. Swarr. All voted in favor. The total Financial Security which will be provided for both agreements is \$685,189.00.

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

OLD BUSINESS

Mr. Swarr made a motion to adopt Resolution 2019-9 to opt out of video gaming terminal legislation; second by Mr. Martin. All voted in favor.

NEW BUSINESS

Emergency Management Coordinator Lori Shenk reviewed the purpose and procedure of having a Township Emergency Operations Plan. She said she updates the plan every year. When asked, Mrs. Shenk said everyone should have 72 hours worth of supplies and medications at all times. Mr. Fry said it may be a good idea to use our township newsletter to give the residents guidance and instructions on being prepared should some type of disaster happen in the township. **Mr. Swarr made a motion to adopt Resolution 2019-10 and to promulgate the Township Emergency Operations Plan; second by Mr. Martin. All voted in favor.**

The Tax Collector's July Report was distributed and reviewed.

CORRESPONDENCE

District Attorney of Lancaster County – 2nd quarter Drug Task Force report

Northwest Emergency Medical Services – invitation to municipal officials meeting

LCPC – Receipt of Community Planning Review – Mount Joy Rd., Rt. 772 & N. Strickler Rd- Rezoning from Ag to Highway Commercial

Agricultural Preserve Board – Notice of Sale/Purchase of Ag Conservation Easement – 768 Garfield Rd. – G. David & Nancy L. Ginder

Invitation to CASA event

LCPC – recommended approval of rezoning of Old Tree Drive from Enterprise (E) to Regional Commerce Center (RCC) – East Hempfield Twp

Petition to amend Zoning Ordinance – West Hempfield Twp

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.

There being no further public business or public comments the meeting adjourned at 8:41PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary