

The Board of Supervisors met at the Township Office Building for their regular meeting on April 17, 2014, 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 4th 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 reviewed the statistics for March which included 43 traffic tickets, 1 non-traffic ticket, 9 criminal arrests, 24 warnings, 49 incident reports and 15 traffic accidents. He commented on the high incident reports stating that number included groups of cars that meet at businesses along 230 and then drive to Route 283 to drag race. Jason Riggle has begun with the Manheim Borough Police Department effective April 1, 2014. He replaces Officer Holzer who has left the department. Chief Stauffer reviewed the PA Dog Law which is being enforced by the Dog Law Officer who works through the Department of Agricultural. By June the bike patrols will begin. Chief Stauffer also reported on a fatal accident that occurred on Auction Road on April 16th and also on a stalker that was arrested on April 15th. Three people were charged while meeting in LCBC's parking lot with distribution amounts of marijuana.

PUBLIC COMMENTS - None

CHAIRMAN'S COMMENTS - None

PLANNING

Mr. Swarr made a motion to approve a Planning Module Resolution #2014-6 for Dennis and Eunice Metzler of 429 Hossler Road; second by Mr. Martin. All voted in favor.

FINAL APPROVAL:

Final Lot Add-On plan #13-265

Robert A. and Barbara Warihay, 580 North Colebrook Road

Clark Surveying and Engineering

The property is located near the intersection of Earhart Road and North Colebrook Road. The applicants propose to add 6.34 acres from the adjacent property owned by Fairview Enterprises, LLC onto their existing 107.45 acre farm. The Warihay lot will total 113.79 acres following the lot add-on, and the Fairview Enterprises property will total 20.00 acres. The add-on area includes a length of Dellinger Run, where the land is wooded and within the FEMA 100-year the flood plain. The Fairview Enterprises parcel has no road frontage and contains no structures at this time. Both lots are located in the Agricultural Zoning District.

MODIFICATIONS:

A. *Section 403.1.A – Plan Scale*

The applicant has requested a modification of the requirement to provide a plan at a scale not to exceed one (1) inch equals fifty (50) feet and, in the alternative, provide a plan scale of one (1) inch equals two hundred (200) feet.

The Planning Commission at their meeting on November 4, 2013 recommended approval of this modification request based upon the justification provided.

B. *Section 403.3 – Existing Features*

The applicant has requested a modification of the requirement to provide a separate existing features sheet and, in the alternative, provide a single plan sheet illustrating existing features and the lot add-on change which is the only proposed plan information.

The Planning Commission at their meeting on November 4, 2013 recommended approval of this modification request based upon the justification provided.

CONDITIONS:

ZONING

1. *The agricultural warning disclosure needs to be included as a declaration to the recorded deed for the lot (§ 201.6.8).*
2. *The agricultural zoning data for the Agricultural Zoning District needs to be included on the plan (§ 201.7).*
3. *Clear sight triangles need to be provided for all the driveways. Clear sight triangles need to be clear of any permanent obstructions and plant materials over three (3) feet high. In addition, easements will be required for those portions of the clear sight triangles that encroach upon adjoining properties (§ 306.3).*
4. *An access and maintenance agreement, in a recordable form acceptable to the Township, needs to be provided for the shared driveway.*

SUBDIVISION AND LAND DEVELOPMENT

1. *The adjoining landowners across Fairview Road and all adjoining plan book recording references, if any, need to be included on the plan (§ 403.2.J).*
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 (§ 403.2.I, 403.4.J).*
3. *A deed plot of the parent tract as it existed on January 25, 1994, or the date of an amendment to the Rapho Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District, with all parcels subdivided from the parent tract after January 25, 1994, or the date of an amendment to the Rapho Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District, including the deed reference(s), recording date(s), and subdivision plan book reference number(s) of any lot subdivided after January 25, 1994, or the date of an amendment to the Rapho Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District needs to be provided. In addition, the "single family dwelling quota" note needs to be included on the plans (§ 403.4.K).*
4. *All certificates need to be completed prior to recording the plan (§ 405.3).*
5. *Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 405.4.A).*
6. *Additional right-of-way needs to be provided along the North Colebrook Road (§ 602.5.E).*
7. *For all lot add-on plans, a new deed must be recorded which contains either: 1) a description of the parcels joined together into one new tract; or, 2) legal descriptions for the parent tract and the added tract(s) on the same deed, with a note that states, "These tracts are hereby joined as one and no single tract can be sold separately without the submission and final approval of a new subdivision plan."*

Mr. Martin made a motion to approve the Final Lot Add-On Plan #13-265 for Robert A. and Barbara Warihay, 580 North Colebrook Road with the modifications and conditions as stated; second by Mr. Swarr. All voted in favor.

Mr. Swarr made a motion to reduce the financial security for Cornerstone Business Park Lot W-2 from \$506,096.25 to \$15,000.00 and to release the financial security for Cornerstone Business Park Lot W-2 Dock Expansion; second by Mr. Martin. All voted in favor.

Mr. Martin made a motion to grant conditional release of the Letter of Credit for Rapho Triangle East in the amount of \$686,466 and to sign an agreement between Rapho Township and Four Star Associates; second by Mr. Swarr. All voted in favor.

OLD BUSINESS

Mr. Swarr made a motion to approve Resolution 2014-7 confirming the deed for 965 North Colebrook Road from Raymond and Deborah Woolley transferred in lieu of condemnation; second by Mr. Martin. All voted in favor.

Police Contract - There was some discussion on the proposed revised language for Item #11.2 in the draft police contract with Manheim Borough Police Department concerning an exit clause. With 18 months' notice, the township would be able to exit the contract after 5 years by paying costs to release 7 officers. The

Board agrees that the Borough staff should present this proposed language to Borough Council at their next meeting.

Recycling Update - Township Manager Sara Gibson reported on a meeting with representatives of Penn Waste. They will be designating a page on their website for Rapho residents to answer questions they may have. Mrs. Gibson also reported on the information she has gathered from various utility billing systems. She also reported on how a lock box would work to collect payments for trash and recycling. Mr. Fry feels that one of the biggest issues is when a property opts in and cannot opt out. For example, he asked if a farmer would opt in but then realized a dumpster is needed how he would opt out. Mrs. Gibson explained that would be a change of use for that property, going from a residential to commercial use. The utility billing program that she thinks would be the best suited for Rapho Township and the most economical is Munibilling. The start up fee is \$500 with a quarterly fee of \$400. The bill mailings would be a cost in addition to this. **Mr. Swarr made a motion to approve using Munibilling for utility billing of the trash and recycling invoices; second by Mr. Martin. All voted in favor.**

Robert Potter of the Thunderbird Motorcycle Club asked how the club should respond to the Opt In, Opt Out mailing. Mr. Fry explained to him that because there is no regular business or residence at the site, it would be considered a special events venue. When events are held they need to have their trash and recycling picked up at the property or the members can take the trash and recycling off site and then forward the receipts to the township office when asked.

Mrs. Gibson reported that the yard waste facility is being heavily used. The yard waste collected so far was chipped and 3 tractor trailer loads of chips were hauled away.

Nevin Groff - asked what happens if he opts in and the price goes up and he can't get out of the contract. Mrs. Gibson explained that most likely the prices will not increase because the more people that opt in the cheaper the price. Mr. Swarr said it was hard for the trash haulers to bid because of not knowing how many people will choose their service. Mr. Groff asked who the haulers are that serve the township and Mrs. Gibson directed him to the township website to find the list. He also wondered about sharing the service with his father who does not have property adjoining his. Mrs. Gibson explained that trash service is a utility and the sharing should happen minimally.

Mr. Martin made a motion to approve the advertisement of the Act 167 Stormwater Ordinance to be considered for adoption May 1, second by Mr. Swarr. All voted in favor.

NEW BUSINESS

Mr. Martin made a motion to grant the request for Mastersonville Fire Police to assist in Mount Joy Township on May 17, 2014; second by Mr. Swarr. All voted in favor.

CORRESPONDENCE

Northwest Emergency Medical Services March report

Lancaster County Planning Commission – Mount Joy Township proposed amendment to zoning ordinance to be considered 4/28

Lancaster County Planning Commission – Penn Township proposed amendment to zoning ordinance to be considered 4/28

Mrs. Gibson distributed flyers for the 2014 Rapho Township Summer Playground program to be held June 16 through July 31st at Rapho Park.

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 8:45PM..

Respectfully Submitted,

Melva J. Kready
Recording Secretary