

**RAPHO TOWNSHIP  
PLANNING COMMISSION MINUTES  
MARCH 2, 2020 7:00 p.m.**

The meeting was called to order at the Rapho Township office by Temporary Chairman Jay Gainer at 7:00 p.m., followed by the Pledge of Allegiance. In attendance were Dennis Shellenberger, Chet Eckman, Carrol Ehrhart, Howard Boyd, Jay Gainer, Jim Caldwell, RETTEW, and Sara Gibson.

**REORGANIZATION:**

Ms. Ehrhart made a motion, seconded by Mr. Boyd, to appoint Mr. Gainer as Chair, Ms. Ehrhart as Vice-Chair, and Mr. Shellenberger as Secretary. All in favor.

The minutes of the December 2, 2019 meeting were approved on a motion by Ms. Ehrhart, seconded by Mr. Boyd. All in favor.

**BRIEFING ITEM:**

**Levi King/Back Run School Final Plan #20-387  
1331 Shelly Road  
Diehm and Sons, consultant**

Mr. Caldwell presented the plan. The applicants have proposed the development of a 1,160 square foot one-room Amish schoolhouse on a .96-acre section of the existing 93.43-acre farm. The property is already improved with a single-family dwelling, barn, and agricultural sheds. The school would house 30 students. A modification to driveway requirements has been requested due to the applicants' intent to use the existing gravel farm lane. The proposed school would use a privy for sewage disposal. The property is located in the Agricultural Zoning District.

Ms. Ehrhart made a motion to move the application from a briefing item to an action item. Mr. Shellenberger seconded the motion. All in favor.

Ms. Ehrhart made a motion to recommend approval of the plan, with the conditions of the Rettew review letter dated February 27, 2020, with the exception of striking Zoning comments #4 and #5, and striking Subdivision and Land Development comment #6, since the farm was not enrolled in the Agricultural Preserve program. Additionally, she recommended the approval of a modification to the access drive construction standards, as referenced in Subdivision and Land Development comment #11 of the Rettew review letter, pending receipt of a written request. Mr. Shellenberger seconded the motion.

Mr. Caldwell noted that the applicants' engineer was on vacation this week and had informally requested the modification in advance of the Commission meeting.

All voted in favor of the motion. The conditions and modifications, as approved by the action are listed in abbreviated format as follows:

**REQUESTED MODIFICATIONS:**

- A. *Section 305 – 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.*  
*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.*

- B. *Section 403.4.M & O – On-Lot Sewage Facility and Replacement Location*  
*The applicant has requested a modification of the requirement to provide percolation test holes, deep probe holes, and easements for on-lot sewage absorption area replacement locations. In the alternative, the applicant proposes to not provide percolation test holes, deep probe holes, and easement for on-lot sewage absorption area replacement locations since a privy for sewage disposal is proposed.*  
*We recommend approval of this modification request based upon the alternative and justification provided.*
- C. *Section 603.1.B – Access Drive Width*  
*The applicant has requested a modification of the requirement to provide a twelve-foot-wide access drive and in the alternative, provide a thirteen foot wide gravel farm lane.*  
*Due to the limited increase in the use of the existing farm lane, we recommend approval of this modification request based upon the alternative and justification provided with the condition that the gravel farm lane be improved to ordinance requirements if/when a change in use or an increase in the intensity of the use is proposed.*

**CONDITIONS:**

**ZONING**

1. *The zoning data on the cover sheet needs to include the bulk requirements for other principal uses (§ 301.C.1.e).*
2. *A note needs to be added to the plan stating that no shrub or tree shall be planted within twenty (20) feet or thirty (30) feet, respectively, of any land used for agricultural purposes (§ 526.H.2).*
3. *The following note needs to be added to the plans: “Clear sight triangles need to be clear of any permanent obstructions and plant materials over thirty (30) inches high and below ten (10) feet (§ 504.B).*
4. *Provide dimensions for the width of the proposed and existing access drives to the school facility. In addition, the plan needs to include the configuration of the access drive at its intersection with Shelly Road.*

**SUBDIVISION AND LAND DEVELOPMENT**

1. *This plan proposes changes to a plan of record (J-220-093) and needs to be titled and processed as a revised final plan (§ 308.D).*
2. *A separate sheet needs to be provided to depict existing features. No proposed features can be included on this sheet (§ 403.3).*
3. *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).*
4. *The locations of existing wells and septic systems upon and within two hundred (200) feet of the subject tract need to be included on the plan (§ 403.3.B.3).*
5. *Evidence of review by emergency service providers needs to be provided (§ 403.6.A).*
6. *An inspection schedule needs to be provided on a plan sheet to be recorded (§ 405.2.L, 504).*
7. *A certification of review by the County Planning Commission needs to be included on the plans. In addition, 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. *A cost estimate, financial security, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*

**STORMWATER MANAGEMENT**

1. *Stormwater facilities not located within public rights-of-way need to be centered within easements having a minimum width of twenty (20) feet (§ 404.4.D).*
2. *An ownership and maintenance program, in recordable form suitable to the Township, that clearly sets forth the ownership and maintenance responsibility of all temporary and permanent stormwater management facilities and erosion control facilities needs to be provided (§ 501.1.C, 601).*
3. *A note needs to be provided indicating that a professional geologist or geotechnical engineer, in addition to the Township, shall be contacted upon the discovery of any sinkhole or carbonate geology formations during construction of the stormwater management facilities.*
4. *Where the pre-development hydrograph cannot be matched, the two-year post-development rate needs to be less than or equal to 50% of the two-year pre-development. Post-development runoff from any regulated activity shall not exceed the peak rates of runoff prior to development for all design storms (§ 501.17.B).*
5. *The applicant needs to verify that the basin interior side slopes are not steeper than 3:1 (§ 505.3.a.2 & 3).*
6. *An anticlogging device needs to be included in the design of the rain garden (§ 505.3.d.3).*
7. *The following note must be added to the plan. “An as-built plan meeting all of the requirements of Section 604 of the Rapho Township Storm Water Management Ordinance must be submitted prior to final approval*

*of the installed improvements. Along with the required as-builts, storm water facility routings and post-construction infiltration testing that compare the as-built outflows and infiltration rates to the design outflows and infiltration rates must be provided prior to the final release of the financial security for all storm water management and conveyance facilities.” (§ 604).*

### **ACTION ITEM:**

#### **Messick’s Farm Equipment (M5V2, LLC) Sketch Plan #20-388**

**1475 Strickler Road**

**ELA Group, Inc., consultant**

Mr. Caldwell presented the plan. The applicants have proposed to develop a heavy-duty vehicle sales, service, and repair facility on a two-parcel, 28.74-acre lot in the Industrial Zoning District. The applicants propose to construct a 368,100 square foot 3-story building in two phases. The proposed project includes two access drives to Strickler Road and five separate parking lots. Stormwater would be managed by a community basin, as well as on-lot stormwater best management practices (BMP’s). The applicants anticipate requesting a number of modifications and variances, and have submitted a sketch plan for the Township’s review prior to proceeding with a conditional use application.

Mr. Caldwell also said that the applicants had said they planned to present a request to the Zoning Hearing Board for fewer parking spaces than are required.

He pointed out the overall grading plan, and explained the applicants’ intention to expand the existing basin, as well as adding two small basins. He said that almost the entire street frontage of the site would be developed as stormwater basins. He said the applicants’ indicated that they wanted to request a modification of street tree requirements. Mr. Caldwell said he hoped to challenge the applicants to find locations, either on site or at the Township park, to plant trees.

Mr. Caldwell said that the most difficult aspect of developing the site was stormwater management, because the state was requiring the applicants to address the stormwater flowing from Route 283.

Mr. Boyd asked about how the water moved across this site to Route 230. Mr. Caldwell said some of the water currently passes into the basin already constructed by Murry during the development of the Rapho Triangle plan and some flows through the mobile home park along McKinley Drive to Route 230.

Mr. Caldwell noted that the applicants’ consultant, Mike Huxta of ELA Group, was in attendance, seeking input from the Commission. He explained that because of the Rapho Triangle plan, the application would have to be reviewed as a conditional use, but would not have to go through the preliminary planning process.

Ms. Ehrhart commented that the applicants should look at the parking requirements in case a future use would require more parking. She suggested that they consider how many parking spaces another building of comparable size might require and determine where other parking spaces might go. Ms. Ehrhart said when the applicants present their application to the Zoning Hearing Board, they should justify where other parking spaces could be placed.

Mr. Caldwell said the Zoning Hearing Board could approve the variance, with the condition that any change to the use of the property would require additional parking spaces.

Ms. Ehrhart stated that she felt that some landscaping was necessary. Mr. Caldwell said the applicants could be requested to create an alternate landscaping plan.

Mr. Boyd asked about the fiber optic line running through the site. Mr. Huxta indicated that no grading would take place over existing utility easements.

Mr. Gainer also spoke to the Commission as a representative of the applicants. He shared renderings of the proposed architectural features of the building. He said the building will be 35 feet tall. He described the phasing plan for construction.

Mr. Boyd asked about employees. Mr. Gainer said that they currently have 180 employees, and planned 328 spaces for this building.

Ms. Ehrhart said she was somewhat concerned about the basins adjacent to each other and the size of the basins. She said that with the Karst geology in the area, she was concerned that there would be a great risk of sinkholes.

Mr. Huxta said that they have done significant testing and found several sinkholes. He said they would have to line the basins. He said they had looked at green roofs, but that added at least \$2 million to the cost of the building. He said they were considering injection wells and were investigating every option for the site.

Mr. Huxta said the stormwater issues were precipitated by the Department of Environmental Protection's new clean water standards. He said they have worked to explore what building space Messick's will need for the future and tried to calculate the stormwater needs from there.

Mr. Caldwell said that a full traffic study would not be required, but a trip generation schedule would be needed.

Ms. Ehrhart asked questions about parking, driveways, and loading docks.

Mr. Huxta said they would be requesting variances for signage. He said that since it was such a long site, they hoped to install three signs along Route 283.

Mr. Caldwell had prepared a review letter, which had been provided to the applicants and the Commission.

Mr. Huxta asked about the process if they wanted to submit the conditional use plan to the Board of Supervisors and the variance requests to the Zoning Hearing Board at the same time.

Mr. Caldwell felt that the parking reduction was a significant request, and that might impact the conditional use application if the Zoning Hearing Board did not agree to that variance. He felt that the Zoning Hearing Board application should be processed first.

Ms. Ehrhart said they would be proceeding at their own risk if they submitted both plans concurrently.

There was some discussion on the timetable for the application process. Mr. Gainer said they hoped to break ground by November 2020, to be completed by November 2021. The group agreed that this would be aggressive, but the Township would try to move the application through the process as efficiently as possible.

**OTHER BUSINESS:**

There was some discussion on the current status of the Township's processing of an amendment to the Act 537 plan for the Hampton Inn and Renaissance Faire sewage issue.

Respectfully submitted,  
Sara M. Gibson  
Township Manager