

The Board of Supervisors met at the Township Office Building for their regular meeting on April 6, 2023, 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 March 16<sup>th</sup> Meeting were distributed. **Mr. Erb made a motion to approve the Minutes as presented; second by Mr. Swarr. All voted in favor.**

### **PUBLIC COMMENTS**

**Michael Carper** of 6266 Meadowfield Drive shared with the Board his concerns about the posted speed limit of 55MPH along Route 772 coming out of Mount Joy and continuing past the bridge over 283. He said the speed has become excessive and dangerous for those pulling out onto 772 from their driveways and also for traffic pulling out of the Country Store parking lot. He also told the Board of his concern about truck traffic in that area and their use of brake retarders as they are approaching the traffic light at Elm Crest Boulevard. Mr. Carper said he is president of his Homeowner's Association and is bringing these concerns on behalf of the residents. Mr. Carper said he had contacted State Representative Mindy Fee and she recommended him taking his concerns to the Board first. He said the area continues to grow and feels things will not get better unless something is done. Mr. Fry commended Mr. Carper for doing his homework and said the township has asked PennDOT about lowering the speed limit in that area multiple times in the past but will ask again.

**Lance Noll** of 1070 Old Line Road addressed the Board about regulations concerning short term rental properties. He had went before the Zoning Hearing Board and was approved for converting an old schoolhouse on his property to a short term rental. When he applied for a building permit, he was denied because he did not have plans for fire suppression (sprinkler system). He appealed to the Joint UCC Appeals Board and was denied. Mr. Noll feels that his rental should be considered a residential use and not a transient use. Mr. Fry said the Board is working on an ordinance to deal with this use. He explained that fulltime non-residential properties fall under commercial use. Currently the Pennsylvania Building Code requires the installation of sprinkler systems in transient uses. Mr. Noll feels the township is being over restrictive and would like them to see what can be done to relieve the requirement of sprinklers.

**Dale Murray** of 1286 Willow Creek Drive thanked the Board for pursuing the grant that was available to install sidewalks along East Main Street.

**CHAIRMAN'S COMMENTS** - None

### **PLANNING**

#### **ACTION ITEM:**

CORE 5 at I-283

Final Plan RT# 23-434

1295 E. Main St

HRG

The applicant is seeking a land development plan and modification for the 46.94 acre property located at 1295 E. Main Street in the Industrial Zone. The Applicant is seeking the following modifications: SLDO Section 305-Preliminary Plan Application, SLDO Section 602.5.A.1 – Perimeter streets reconstructed to their centerlines SLDO Section 403.1A – Plan Sheet Scale, Section 403.1F – Plan Sheet Size, Section 603.1 – Private Access Drives

Designed to Collector Street Standards, Section 602.10.B – Access Drive Connecting at a Right Angle. SWMO Section 504.4.a Minimum pipe size and cover requirements and SWMO Section 506.1 Volume Control Requirements, SWMO Section 402.11 – 72-hour Dewatering Time, SWMO Section 402.12 – Rate Control Dewatering Time.

**Claudia Shank** of McNees, Wallace and Nurick and **Chris Wallace** of HRG reviewed the plan for 2 warehouses and stormwater facilities proposed for 1295 East Main Street with the Board. **Mr. Swarr made a motion to grant conditional approval for the CORE 5 Land Development Plan and Modifications #23-434 subject to the applicant addressing the comments in the RETTEW letter dated March 31, 2023 with an additional modification request that accepts the DEP proposal for the Managed Release Concept project for the property located at 1295 East Main Street to the satisfaction of the Township and the applicant contributing the \$1400 per acre for offsite improvements 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. Erb. All voted in favor.**

**ACTION ITEM:**

Calvin & Stephanie Greiner, The Ministry Center

Revised Final Plan RT# 23-438

Rife Run Road/Glory Way

Saxinger & Associates

The applicant is seeking to revise a final plan to remove the proposed ministry center and to provide stormwater management for Glory Way and for two residential dwellings and their driveways located on Glory Way. The applicant is seeking modifications of the SLDO Section 295-602.F.(1) and Section 295-602.G – Street Construction and Right of Way. The applicant is seeking modifications of the Stormwater Management Ordinance Section 286-29.C Embankment Geometry – Maximum Interior Slope and Section 286-29.C- Outlet Structure Minimum Pipe Size, Section 286-29.C- Outlet Structure- Required Anti-Vortex Design, Section 286-30.A(2)(c)[1] – Maximum Loading Ratios for a Volume Control Facility in the Karst Area.

**Mr. Erb made a motion to grant conditional approval for the Revised Final Land Development Plan and Modifications # 23-438 subject to the applicant addressing the comments in the RETTEW letter dated March 31, 2023 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. Swarr. All voted in favor.**

**ACTION ITEM:**

MAA DURGA ENTERPRISES

1540 Strickler Road

Preliminary/ Final Plan and Modification Request RT #22-422

Johnston and Associates

The applicant is seeking to construct a 45 Unit Hotel and a KFC on a lot at 1540 Strickler Road. The applicant is requesting the following modifications: SLDO Section 602.1.N – Concrete Monuments, SALDO Section 602.8.E, Section 602.8.F, and 603.1.D – Private Access Drive – Horizontal Street Alignment and requirement to provide a minimum 100' feet tangent between reverse curves. The same vertical and horizontal alignment standards shall be required for access drives that are required for local streets. SLDO Section 602.11 – Curbs shall be constructed

and installed in accordance with the specifications in the SLDO., SLDO Section 602.12 – Sidewalks, SLDO Section 609.5.10 – Street Trees, Storm Water Section 506 Design Standards – Volume Control. SLDO Section 408.3 - Traffic Impact Study.

**Mr. Erb made a motion to grant conditional approval for the MAA DURGA Land Development Plan and Modifications #22-422 with property at 1540 Strickler Road, as recommended in the RETTEW letter dated March 30, 2023 subject to the applicant addressing the comments in the RETTEW letter to the satisfaction of the Township and the applicant contributing the \$1400 per acre for offsite improvements per the Master Agreement 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. Swarr. All voted in favor.**

**ACTION ITEM**

Kevyn Musser- Proposed Finishing Barn  
 878 S. Colebrook Road  
 Major Stormwater Management Plan RT#23-440  
 Team Ag

The applicant is seeking conditional approval of their stormwater management plan and the following waivers/modifications of the Stormwater Management Ordinance: Section 286-22.C.(2) .(c) Existing Wells and Septic Systems, Section 286-30.A.(2).(c).(1) Maximum Loading ratio.

**Mr. Swarr made a motion to grant conditional approval for the Stormwater Management Plan and Modifications #23-440 with property at 878 South Colebrook Road subject to the applicant addressing the comments in the RETTEW letter dated March 3, 2023 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. Erb. All voted in favor.**

**ACTION ITEM**

PA Property Investors  
 Promise Farm RT#19-378  
 4753 Elizabethtown Road  
 Harbor Engineering

**Mr. Erb made a motion to release the remaining financial security in the amount of \$10,042.90 for PA Property Investors with property located at 4753 Elizabethtown Road; second by Mr. Swarr. All voted in favor.**

**BRIEFING ITEM:**

Chiques Crossing  
 3729 Mount Joy Road  
 Sketch Plan RT#23-441  
 ELA Group

The applicant is the equitable owner of the 25-acre Keller tract located along the south side of Mount Joy Road and north of Chiques Creek and is proposing a multi-family residential development.

**Brandon Conrad** of Vistablock, **Michelle Madzellan** of ELA Goup and **Brent Good** of ELA Group reviewed their sketch plan with the Board. There was some discussion on the proposed round about that is to be constructed at the main entrance and Route 772. PennDOT is in favor of the round about on 772. The round about would allow large trucks and emergency equipment plus it would slow down traffic and eliminate blind spots. The proposed units would be built on less than half of the parcel. The remainder would be open space with some of that area being located in the flood plain. There are 378 units planned with 149 being 1 bedroom units, 37 of them 3 bedroom units and the remainder 2 bedroom units. There are walking paths proposed, linking the Rapho Park to the Little Chiques Park.

Even though this is a briefing item, Mr. Fry did allow questions from concerned residents about specific areas they would like to see addressed during the planning process. **Dave Christian** of 277 Park Avenue asked if the developers have been in discussion with Mount Joy Borough about the proposed plan. Mr. Conrad said they have had brief discussions with them. Mr. Christian asked if a traffic study had been done and yes it had been. Mr. Christian believes this development would harm the character of the neighborhood but Mr. Good explained that the township has zoned this area as an Overlay District which allows higher density.

**Allen Smucker** of 505 Milton Grove Road said he has concerns about the traffic and feels this development will generate a lot more traffic in the area. He is particularly concerned about the intersections of 772 and Milton Grove Road and 772 and Lefever Road.

**Kathleen Harrison** of Crestwyke Circle said her concerns are traffic, Little Chiques Park wildlife and flooding. Mr. Conrad said he is spending 2.5 million on stormwater so that it won't be adding to the existing stormwater but would be stored on his property for a period and released over time.

**Cameron Nolt** with property at 3695 Mount Joy Road had questions on the proposed round about.

Mr. Fry thanked the attendees for their input and also Mr. Conrad for his time. Mr. Swarr showed those in attendance the current zoning map and explained that most of the township is zoned agricultural and therefore the developed areas are more zoned for high density. This was done so that development is not spread throughout the township, especially in agricultural areas.

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

**OLD BUSINESS** - None

**NEW BUSINESS**

2022 Auditor's Report – Mr. Fry said there were no findings in the audit. **Mr. Erb made a motion to accept the 2022 Auditor's report; second by Mr. Fry. All voted in favor.**

**Mr. Swarr made a motion to approve Resolution 2023-3 to authorize the township manager to complete and submit an opioid settlement release specifically Teva, Allergen, Walgreens, Walmart and CVS on behalf of Rapho Township; second by Mr. Erb. All voted in favor.**

**Mr. Swarr made a motion to approve Mastersonville Special Fire Police to provide security, traffic and crowd control for the Manheim VFW Post #5956 Memorial Day parade from approximately 9:15AM to 11:00AM on Monday, May 29, 2023; second by Mr. Erb. All voted in favor.**

**Mr. Erb made a motion to authorize the manager to enroll 2764 Lebanon Road, Manheim, a vacant property, with the Lancaster County Redevelopment Authority Vacant Property Reinvestment Board; second by Mr. Fry. Mr. Erb and Mr. Fry voted in favor. Mr. Swarr opposed.**

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

The Earned Income Tax Collections were reviewed. Currently the revenue is running 5% ahead of budget.

**CORRESPONDENCE**

*Mastersonville Volunteer Fire Company – Spring 2023 Newsletter*

*PA Turnpike Commission – Reminder to municipalities of encroachments and incursions on properties adjacent to the Turnpike*

*PA DCED – Notification of awarded grant money for playground surface and Elmcrest Blvd & Rte 230 sidewalk*

*Milanof-Schock Library – March 2023 Report*

*Northwest EMS – Letter of Thank You for first quarter donation*

*Mount Joy Borough – Spring/Summer 2023 Newsletter*

*Manheim Community Library – Thank you for support of the library with the monetary donation*

*Mount Joy Borough Authority – Certification of available sewage capacity – 1294 Strickler Rd – Scheler Realty, LLC*

*Manheim Historical Society Newsletter – April 2023*

*Chiques Creek Watershed Alliance – Thank you for your generous donation*

*LCCD – E & S Plan Approval – 363 Glory Way – Calvin Greiner*

*LCCD – Notice of Intent Completeness Letter – 878 S Colebrook Rd – Kevyn Musser*

*LCCD – E & S Plan Approval – 983 Breneman Rd – Kevin Garman*

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

There being no further public business or public comments the meeting adjourned at 9:26PM.

Respectfully Submitted,

Melva J. Kready  
Recording Secretary