

The Board of Supervisors met at the Township Office Building for their regular meeting on May 2, 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 April 18th Meeting were distributed. Mr. Swarr made a motion to approve the Minutes as presented; second by Mr. Martin. All voted in favor.

PUBLIC COMMENTS

Tommy Gaulden of 1291 Willow Creek Drive told the Board that he bought his house three years ago. He lives on a corner lot and there is a bench on his property. He had asked the Homeowners' Association (HOA) if he could move it but they didn't have any answers for him and he was told to contact the township. He said people use the bench quite often and some have their dogs with them on a leash. He said the dogs go to the bathroom in his yard and even though the dog owners clean up after them, Mr. Gaulden does not like this happening on his property. He feels that his family has no privacy with the bench located where it is. He said that when he mows his lawn he has been told to stop by the public using the bench. Mr. Fry explained that the Land Development Plan was approved with the public infrastructure that includes benches, street lights, signs, etc. The bench was placed in a Public Space and is to be maintained by the HOA. Mr. Fry also explained that the plan concept is changed when residents start moving things around. Township Manager Sara Gibson said the bench is in the road right-of-way. She explained that the community was designed to be part of a walking trail and the benches were put along the trail. Mr. Swarr said he understands Mr. Gaulden's issue with the bench and said he would like to see it moved to the other side of the sidewalk but doesn't know if that is possible. Mr. Fry told Mr. Gaulden that the first step would be for him to contact the HOA and see if they are willing to petition the Board to change the plan by moving the bench.

CHAIRMAN'S COMMENTS

Mr. Swarr asked Mr. Fry what the hot topics were at the PSAT's State Convention this year. Mr. Fry said there were a couple of emotional issues discussed. One was the topics of interest was concerning tax collectors stemming from the Manheim Township Tax Collector vs. the Manheim Township School District case. The other issue was emergency services with the discussion mostly being about fire companies not having the volunteers needed.

PLANNING

Conditional Use Plan #2019-34 PA Property Investors, LLC

Mr. Fry and Mr. Martin reviewed the 25 proposed conditions. Mr. Fry said he would like to change #9 by allowing sale of merchandise or display outside of the barn. He shared that he has attended fund raisers and craft shows at venues similar to this one and feels that condition would limit the types of events the applicant could hold. Mr. Fry also mentioned that the typographical error in proposed conditional #14 would be corrected. **Mr. Martin made a motion to approve PA Property Investors, LLC Conditional Use Plan #2019-34 with the conditions as stated removing the restriction of not 54056640 allowing the sale of merchandise or outdoor displays from Condition #9 and to correct the spelling of "unpaved" in condition #14; second by Mr. Fry. All voted in favor.** Mr. Swarr did not participate in the vote due to his absence during the hearing.

FINAL APPROVAL:

Major Land Disturbance Plan #19-369

Edwin L. and Linda S. Bentzel

3177 Elm Tree Road

Diehm and Sons, consultant

The applicants propose to construct a dwelling with a shed and a 12' wide driveway on a 1.393-acre vacant lot. Impervious coverage would total 6,100 square feet, or 11% of the lot. Stormwater is proposed to be managed by two subsurface drainage facilities. The property is located in the Agricultural Zoning District.

Modifications:

- A. *Section 504.4.a.4 – Design Standards – Water Carrying Facilities*
The applicant has requested a modification of the requirement to use a minimum storm sewer pipe diameter of 18 inches. In the alternative, the applicant proposes to utilize 8-inch diameter storm sewer pipes to convey small drainage areas to the proposed subsurface infiltration trenches. Capacity analysis has verified that the pipe will be capable of conveying the 100-year storm event.
We recommend approval of this modification request based upon the alternative and justification provided.

- B. *Section 506.1.B(3) – Design Standards – Volume Control*
The applicant has requested a modification of the requirement that the maximum overall loading ratio be 8:1 as it relates to Infiltration Facility No. 2. In the alternative, the applicant proposes an overall loading ratio of 12.3:1 with an impervious area loading ratio of 0.6:1 which is significantly less than the 5:1 maximum.
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. *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 (§ 404.3.B.3, 404.3.C.2).*
- 3. *A note needs to be provided indicating a private water supply is proposed (§ 404.3.B.2).*
- 4. *The label for the rear set back line needs to be revised from side yard setback to rear yard setback (§404.4.E).*
- 5. *An easement needs to be provided around the on-lot sewage replacement location. In addition, a note needs to be added stating that no improvements shall be constructed upon the on-lot sewage replacement location (§ 404.4.N).*
- 6. *A cost estimate, financial security, and a financial security agreement need to be provided (§ 405.3, 602)*
- 7. *All certificates need to be completed prior to recording the plan (§ 406).*
- 8. *The title for the Rapho Township Board of Supervisors certificate needs to be revised to Rapho Township Board of Supervisors Stormwater Management Site Plan Approval Certificate (§ 406.2).*
- 9. *The runoff coefficients for cultivated and grass areas are consistent with the ordinance. The “c” value for impervious appears to be different. This needs to be clarified (§502.8).*
- 10. *An operations and maintenance program, in recordable form acceptable to the Township, that clearly sets forth the ownership and maintenance responsibility of all temporary and permanent stormwater management facilities and erosion control facilities need to be provided (§ 501.1.C, 601).*
- 11. *A note needs to be added to the plan stating that post construction infiltration testing needs to be performed and the results provided as part of the as-built plan submission (§ 604.5.D.5).*
- 12. *The driveway trench drain needs to be moved closer to the street to minimize the extent of the undetained portion of the driveway that discharges on to Elm Tree Road. In addition, Calculations need to be provided to show that the trench drain will accept all stormwater flows without surcharge.*
- 13. *The driveway/roadside swale needs to have adequate capacity so that runoff from the driveway will not discharge on to Elm Tree Road.*

Mr. Martin made a motion to approve the Edwin L. and Linda S. Bentzel Major Land Disturbance Plan #19-369 at 3177 Elm Tree Road with the modifications and conditions as listed; second by Mr. Swarr. All voted in favor.

FINAL APPROVAL:

Major Land Disturbance Plan #19-372

Keith Bollinger

822 Orchard Road

Light-Heigel, Consultant

The applicant proposes to construct a new house with an attached garage at a location separate from an existing house, which was destroyed by fire in 2018. The damaged house and attached would be demolished, and the new house would be served by an extension of an existing driveway. A new septic system would be installed. The total area disturbed would be .95 acre. Stormwater would be managed by a stone infiltration trench and removal of other impervious area. The property is located in the Agricultural Zoning District.

Modification:

A. *Section 507.2.a.2 – Maximum Stormwater Loading Ratio*

The applicant is requesting a modification from the requirement of providing a maximum stormwater total area loading ratio of 8:1. In the alternative, the applicant is proposing a total area loading ratio of 12:2. Sanitary percolation testing results within 60 feet of the proposed infiltration trench indicate the underlying soils can handle higher stormwater loading rates.

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

Conditions:

STORMWATER MANAGEMENT

1. *An on-lot sewage replacement area, easement, and note need to be provided (§ 404.4.N).*
2. *Financial security, in the amount of \$19,342.95, which includes the required ten (10) percent contingency, and a financial security agreement need to be provided (§ 405.3, 602).*
3. *All certificates need to be completed prior to recording the plan (§ 406).*
4. *The applicant needs to confirm that the rate and volume in post development does not exceed the pre-development hydrograph at all points, as there is a discharge from the infiltration trench in the 2-year storm (§ 501.17.A).*
5. *The operations and maintenance (O&M) agreement needs to be executed by the applicant and the Township (§ 501.1.C, 601).*

Mr. Martin made a motion to approve the Keith Bollinger Major Land Disturbance Plan #19-372 at 822 Orchard Road with the modifications and conditions as stated; second by Mr. Swarr. All voted in favor.

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

OLD BUSINESS - None

NEW BUSINESS

Mr. Swarr made a motion to approve Resolution 2019-6 designating Sara Gibson as the Agent for the Hazard Mitigation Grant Program Application and to approve the Open Space Sub-Applicant Maintenance Agreement Certification; second by Mr. Martin. All voted in favor. This application would be used for the acquisition of 1050 Drager Road plus for the protection of property for four properties along the north side of Mount Joy Road at 8 North Erisman Road and the church on the south side of Mount Joy Road. The grant would also be used for property at 360 South Esbenshade Road that suffered damage to the buildings and loss of crop land which may be alleviated by replacing a pipe under the road.

Mr. Swarr made a motion to approve the request for Mastersonville Fire Police to assist at the Manheim Borough Rock N Glow race to be held June 1, 2019; second by Mr. Martin. All voted in favor.

RAPHO TOWNSHIP BOARD OF SUPERVISORS' MINUTES

MAY 2, 2019

Mr. Martin made a motion to adopt the Memorandum of Understanding with Lancaster County Conservation District; second by Mr. Swarr. All voted in favor.

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

CORRESPONDENCE

Mount Joy Twp Newsletter

West Hempfield Twp Newsletter

PSATS – 2018 Annual report

LC Commissioners – Lanc County-Wide Communications Expo – 5/16/2019

LC DA Drug Task Force 2019 First Quarter Report

LCPC – East Hempfield Twp - Zoning Ordinance Text Amendments

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.

Mr. Martin made a motion to approve the transfer of \$150,000.00 from the General Fund to the Capital Reserve Fund; second by Mr. Swarr. All voted in favor.

There being no further public business or public comments the meeting adjourned at 8:42PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary