

**RAPHO TOWNSHIP  
PLANNING COMMISSION MINUTES  
JUNE 1, 2020 7:00 p.m.**

**The meeting was called to order in a virtual format by Chairman Jay Gainer at 7:00 p.m., followed by the Pledge of Allegiance.** The meeting had been advertised on the Township website to provide instructions for public participation. Participating in the meeting were Dennis Shellenberger, Chet Eckman, Carrol Ehrhart, Howard Boyd, Jay Gainer, Jim Caldwell, RETTEW, and Sara Gibson.

**The minutes of the May 4, 2020 meeting were approved on a motion by Ms. Ehrhart, seconded by Mr. Shellenberger. All in favor.**

**ACTION ITEM:**

**Conceptual Sketch Plan for Beacon of Manheim, LLC #20-392  
3003 Lebanon Road**

**Dynamic Engineering, Consultant**

Mr. Caldwell presented the plan. The applicants propose to develop a 5,000 square foot 7-11 convenience store with fueling stations and associated parking on a 2.08-acre section of the lot currently utilized for a park-and-ride at the intersection of Route 72 and the Turnpike interchange. The applicants propose 57 parking spaces associated with the 7-11, along with fueling canopies and an existing billboard. The additional 1.86-acre parcel would continue to be used as a park-and-ride, with a total of 100 parking spaces. The proposed use would be served by on-lot water and sewer. The property is located in the Highway Commercial Zoning District.

The applicants have submitted a sketch plan in order to receive feedback from the Planning Commission and the Board of Supervisors prior to submission of a plan.

Mr. Caldwell noted that the property is located in the Shearer's Creek High Quality Watershed, and therefore, they would have to make space for a 100-foot riparian buffer. He said that the site design is very crowded for the amount of truck traffic they might expect. His recommendation would be that the proposed northern driveway should be right in/right out, and there should be a median installed to direct left turn traffic to the signal at the Turnpike entrance.

Ms. Ehrhart asked about whether they would have room for a septic system. Mr. Justin Geonnotti from Dynamic Engineering participated in the meeting and spoke on behalf of the applicant. He said the design for sewage disposal would have to be approved by PADEP.

Mr. Mark Wendour participated in the meeting and spoke on behalf of the applicants as their attorney. He said that the park-and-ride area would be transferred to the Lebanon Transit Authority as a land swap. He felt that the project would be a benefit to the community.

Mr. Geonnotti said indicated that there would be two fueling stations at the site. He said that the applicants have a scoping meeting set up with PennDOT to discuss traffic improvements.

Mr. Bob Miller participated in the meeting and spoke on behalf of the applicants.

Ms. Ehrhart pointed out that this is a gateway to the Township. She said the Township is concerned about how the sewage and stormwater would be managed in that area.

Ms. Ehrhart said she thought the parking design was not in a predictable pattern, so trucks and cars might cross paths. She asked about truck turning movements.

Mr. Miller said that the new 7-11 buildings are very attractive.

Mr. Geonnotti said that they have checked the turning radius for trucks. He said there would be no room for trucks to stay overnight.

Mr. Gainer said this is a good spot for a gas station, but he felt they need more room for trucks. Mr. Geonnetti said he felt the site could accommodate the anticipated truck traffic.

Mr. Shellenberger said he was concerned about stormwater runoff into the Shearer's Creek. He was also concerned about the large number of parking spaces.

Mr. Anthony Circio participated in the meeting and spoke on behalf of the applicant. He said there would not be indoor restaurant seating. He did expect that they would sell wine and beer eventually.

Mr. Eckman was concerned about the look of 7-11 stores he has seen.

Mrs. Gibson asked about bus traffic. The applicants said they have a plan for the flow of buses, but it is not shown on the plan because they aren't sure how many trips per day there will be.

Ms. Ehrhart noted that the driveways were offset. Mr. Caldwell said that he thinks PennDOT will make them move the driveways so that they are more than 100' from the signalized intersection.

**ACTION ITEM:**

**M5v2/Messick's Conditional Use application #2020-35**

**1475 and 1575 Strickler Road**

**ELA Group, Consultant**

Mr. Gainer stepped down as Chairman and deferred to Ms. Ehrhart for this application, as he is a representative of the applicants.

Mr. Caldwell presented the plan. The applicants propose a heavy-duty farm equipment sales, rental, and service center on two consolidated tracts, under Section 304.B.2.c.19 of the Zoning Ordinance. The applicants propose to construct a 3-story building in two phases, with a final building footprint of 358,100 square feet. All site improvements required for phases 1 and 2 of the building, including all access drives, parking, loading, and stormwater management facilities, would be constructed as part of phase 1. The property is located in the Industrial Zoning District, and would be served by public water and sewer. The conditional use hearing for the application is scheduled for the Board of Supervisors' meeting on June 18.

Mr. Reilly Noetzel of Barley Snyder and Mr. Michael Huxta of the ELA Group participated in the meeting and spoke on behalf of the applicants.

Mr. Caldwell noted that some of the stormwater will be captured through an injection well system.

Mr. Caldwell said that the applicants had acquired variances for parking, signage, and landscaping from the Zoning Hearing Board. He pointed out that there was a large retaining wall.

Mr. Caldwell had prepared conditions for discussion. He said the applicants could use the traffic study previously completed for the Rapho Triangle because the anticipated traffic was less than what was envisioned for that site.

Ms. Ehrhart asked about the fire suppression system. Mr. Huxta said they are in the process of securing water and sewer capacity. Mr. Gainer said there should be enough capacity that they would not need an extra tank.

Mr. Noetzel said that the applicants were hoping that the Commission would recommend the plan for approval to the Board of Supervisors. He noted that this is a use permitted by conditional use. He pointed out that there would be a 212,000 square foot building in Phase 1, with a planned 18,000 square foot addition in Phase 2.

Mr. Huxta said the applicants were moving their entire business under one roof. He reviewed the phasing plan.

Mr. Caldwell said his biggest design concern is getting pedestrian access to the south side of Strickler Road.

Mr. Eckman said he could see why the applicants need so much space, as he has visited their current store. Mr. Gainer said that they wait on 650 customers daily, with 18% of them in person. He said they will still be able to do their community Christmas lights show.

Mr. Boyd commented that it was a very large project, and he was concerned about stormwater management in the 100-year storm.

Mr. Don Falkinburg spoke as a member of the public. He asked about the impact on traffic. Mr. Caldwell explained the previous traffic study done. Mr. Falkinburg asked about how much noise there would be. Mr. Gainer said their doors stay closed most of the time, but if they were open they would have exhaust hoses.

Mr. Falkinburg asked about the number of signs that would be added and the aesthetic impact. Mr. Gainer said the signs will not look gaudy.

Mr. Falkinburg said he thought the Planning Commission agenda and materials should be posted on line. Ms. Ehrhart explained the conditional use process.

**Mr. Boyd made a motion, seconded by Mr. Eckman, to recommend approval of the conditional use application, contingent upon the following conditions from the May 28 Rettew review letter:**

- 1. The Phase 1 building area described in the narrative and in the Trip Generation Study differs from that shown on the plan. This needs to be clarified.*
- 2. The number of employees at full build out described in the Trip Generation Study and the Hours of Operation and Management Plan differ. This needs to be clarified.*
- 3. The areas designated for storage of equipment for service and repair and equipment for sale and rental need to be generally designated on the plans.*

4. *The location of the proposed gas line needs to be shown on the plan (§ 906.B.4).*
5. *General Note No. 1 needs to be revised as the Conditional Use Plan has yet to be approved.*
6. *If the Township determines the project meets the criteria and grants conditional use approval, we recommend the following conditions be included in the decision:*
  - a. *Applicant shall obtain all permits and approvals required by the Rapho Township Zoning Ordinance and any other applicable Township ordinances, regulations and specifications, except to the extent specifically modified by the Decision of the Board of Supervisors on the conditional use application, and as required by all county, state and federal laws and regulations applicable to the development of Messick's. Applicant shall perform all work at Messick's in accordance with all applicable state and municipal statutes, ordinances, and regulations.*
  - b. *Applicant shall reimburse the Township for all engineering and legal fees incurred in the processing and review of the Conditional Use Application and the conduct of the hearing on the Conditional Use Application, review or preparation of documentation required in connection with the conditional use hearing, and for other costs as set forth in these conditions within forty-five days after receiving an invoice for the same from the Township. If any party other than Applicant files an appeal from the decision of the Board of Supervisors, these fees are to be paid 45 days after the final disposition of all appeals. If Applicant fails to pay such costs within such period, Applicant shall be in violation of this condition.*
  - c. *The use of the exterior of the property will be limited to the storage of equipment for sale, lease or for service. All repair and service work shall be conducted within a completely enclosed building.*
  - d. *All farm machinery and equipment on site to be serviced (not rental or "for sale" equipment) shall be repaired and removed from the premises within 30 days of their arrival on site.*
  - e. *All dumpsters located on the site are to be screened and shall comply with all requirements of the Zoning Ordinance.*
  - f. *Applicant shall obtain approval from the Township during the land development process for the materials to be utilized for the sidewalks and for the ADA compliant pedestrian ramps, which shall be constructed of such materials as are acceptable to the Township, and are of a type and color consistent throughout the site.*
  - g. *Messick's shall be developed substantially in compliance with the Plans submitted for review by the Township as part of the conditional use application and other materials presented to the Board, including but not limited to the conceptual architectural elevations of the buildings, except as modified during the course of the hearings on the application or by these conditions, and during the land development. The building locations and dimensions depicted on the Plans are conceptual and may be modified during final design and land development provided that: the gross building floor area or lot coverage shall not be increased by more than 10 percent or exceed any of the height, setback, coverage or any other applicable dimensional requirements of the Ordinance; traffic shall not be materially increased beyond the projections submitted as part of the traffic impact study; or such other changes are made as significantly alter the approved conditional use plan.*
  - h. *Applicant shall comply with all applicable ordinances and regulations in designing, constructing and maintaining the stormwater management facilities and system on the site or obtain appropriate relief under the applicable regulations.*
  - i. *Any violation of the Conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the MPC and in the Zoning Ordinance. In addition, the Township may refuse to issue any permit or grant any approval necessary to further improve or develop the Property in the event of the violation of or failure to comply with any condition contained in this Decision.*
  - j. *The conditions set forth in this Decision shall be binding upon the Applicant, its legal representatives, successors and assigns, and any other entity having an interest in the Property now or at any time in the future.*
  - k. *Applicant, its successors and assigns, shall always comply with and adhere to the evidence presented to the Board of Supervisors at the public hearing, except to the extent modified by these conditions or as may be modified as part of the land development process.*
  - l. *The conditions contained in this Decision shall not be deemed to limit, restrict, diminish, impair or otherwise affect any statutory, administrative or common law rights or remedies either at law or in equity which any person or entity, including the Township, may have as a result of the development or use of the Property.*

**All voted in favor of the motion, with Mr. Gainer abstaining.**

Mr. Gainer resumed his position as Chairman.

**BRIEFING ITEM:**

**Final Subdivision Plan for Elm Tree Phases 5B and 5C #20-393  
936 Strickler Road**

**David Miller/Associates, consultant**

Mr. Caldwell presented the plan. The applicants propose to construct 43 single-family homes on 14.218 acres of land adjacent to Rapho Park. The completed development will have two public road access points along the west side of Strickler Road. The property is currently improved with public infrastructure associated with Elm Tree Phase 5A, as well as a farmhouse, barns, and related structures. Mr. Caldwell said that these structures will be demolished and completely removed prior to construction. The owner has lifetime rights to use the property.

Several modifications are requested, relating to off-street parking and maximum build-to lines. The property is located in the R-2 Mixed Residential Zoning District and is within the Village Overlay District.

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

**Ms. Ehrhart made a motion, seconded by Mr. Shellenberger, to recommend approval of the plan, contingent upon the conditions of the RETTEW letter dated May 29, 2020. All voted in favor of the motion, with Mr. Boyd abstaining. The conditions are listed in abbreviated format as follows:**

**MODIFICATIONS:**

**SUBDIVISION AND LAND DEVELOPMENT**

- A. *Section 602.1.M – Snow Stockpile Easements*  
*The applicant is requesting a waiver to provide snow removal stockpile easements. The applicant has reviewed the necessity of the snow removal stockpile easements with the Township and the Township indicated they do not want the easements provided.*  
*We recommend approval of this modification request based upon the justification provided.*
  
- B. *Section 404.D.5 – Maximum Parking Spaces*  
*The applicant has requested a modification of the requirement that lots have no more than three off-street parking spaces and, in the alternative, propose four off-street parking spaces on all lots with the exception of Lot 70 which will have three additional parking spaces. The additional parking spaces on Lot 70 are to allow residents access to a Centralized Cluster Box Mail Unit. The HOA will maintain the Centralized Cluster Box Mail Unit and parking spaces.*  
*We recommend approval of this modification request based upon the alternative and justification provided.*
  
- C. *Section 404.D.3 – Minimum/Maximum Front Build-To Line*  
*The applicant has requested a modification of the requirement that the minimum/maximum front build-to line be 10 foot/20 foot (previously approved under Section 206.5.3) and, in the alternative, proposes the minimum/maximum front build-to line be 10 foot/25 foot.*  
*We recommend approval of this modification request based upon the alternative and justification provided with the condition that a minimum of 24 feet be maintained from the inside edge of the sidewalk and the outside edge of the garage.*

**CONDITIONS:**

**ZONING**

- 1. *The provided parking spaces note needs to be revised as it states that 108 and 180 spaces are provided.*

**SUBDIVISION AND LAND DEVELOPMENT**

- 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 (§ 403.4.J).*
- 2. *All certificates need to be completed prior to recording the plan (§ 405.3).*

3. *Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 405.4.A).*
4. *Evidence of approval of water and sewer design, capacity, and financial security needs to be provided (§ 405.4.E, 405.4.G, 501).*
5. *A street lighting plan needs to be provided (§ 602.13). In addition, streetlights need to be provided along Strickler Road.*
6. *The available and required minimum safe stopping sight distances need to be provided for the proposed parking area for the Centralized Cluster Box Mail Unit (§ 602.10.G).*
7. *Specific inspection and compaction testing requirements need to be included for the building demolition areas where streets are being installed.*
8. *An access easement and maintenance agreement, in a recordable form acceptable to the Township, needs to be provided for the proposed USPS Centralized Cluster Box Unit and parking spaces.*
9. *On the previously approved and recorded Preliminary Plan a pedestrian easement and asphalt path existed between lots 15 and 16; however, it is not shown on the current Phase 5BC plan. Clarification needs to be provided.*
10. *The applicant needs to provide site-specific design calculations and appropriate details for the proposed retaining wall. The retaining wall is an integral part of this design and needs to be accounted for in the plan and cost estimate.*

#### **STORMWATER MANAGEMENT**

1. *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 will need to be provided (§ 501.1.C, 601).*
2. *The basin routings for the high tailwater condition do not appear to match the summary results on page 23 of the report. Clarification needs to be provided.*

#### **OTHER BUSINESS:**

Mrs. Gibson said that the Taco Bell/Starbucks plan would be coming back again with a new design with two drive through lanes.

There being no further business to come before the Commission, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,  
Sara M. Gibson  
Township Manager