

**RAPHO TOWNSHIP
PLANNING COMMISSION MINUTES
JULY 2,UNE 4, 2018 7:00 p.m.**

The meeting was called to order at the Rapho Township office by Vice-Chair Carrol Ehrhart at 7:00 p.m., followed by the Pledge of Allegiance. In attendance were Dennis Shellenberger, Howard Boyd, Darwin Nissley, Carrol Ehrhart, Carrol Ehrhart, Jim Caldwell, RETTEW, and Sara Gibson.

The minutes of the June 4May 7, 2018 meeting were approved on a motion by Mr. ShellenbergerBoyd, seconded by Mr. Nissley. All in favor.

BRIEFING ITEM:

Dan Reist subdivisionPreliminary/Final Land Development Plan #18-354

Mr. Caldwell reviewed the plan. He noted that the plan had been presented as a sketch plan previously as one lot. The Township had given feedback that the lot proposed would be too large. The applicants have now come with a two lot subdivision. The applicant's engineer has done hydrology studies to demonstrate that the lots need to be larger. Mr. Caldwell

Mr. Gainer said that he liked this layout better than what had been presented previously. Mr. Boyd said he felt the stormwater design was wise. Mr. Nissley noted that the subdivision improvements would be an asset to the area.

Ms. Ehrhart made a motion, seconded by Mr. Nissley, to authorize staff to complete the planning module for the Dan Reist subdivision. All in favor.

BRIEFING ITEM:

Taco Bell

Mr. Caldwell presented the plan. The application had been reviewed previously by the Planning Commission and the Board of Supervisors as a sketch plan and as a conditional use application. He noted that access would be provided from Sheetz Lane. The applicant are providing sidewalk from the Sheetz out to Strickler Road. Mr. Caldwell pointed out the stormwater plan, which included a basin and underground pipe through the middle of the site.

Mr. Caldwell has asked the applicants for a curbing legend to clarify whether any of the curbed areas are intended to be part of the stormwater system. He pointed out small facilities throughout the site that will help manage the stormwater without infiltrating due to the Karst geology.

Mr. Nissley noted that this will be a busy site because the Sheetz is so active. Mr. Caldwell said it will be busy in the area, but all the traffic moving around will be internal to the site. The Taco Bell applicants have been asked to provide a trip generation summary to ensure that there is adequate accommodation at the intersections with Strickler, Esbenshade, and Route 230 for all the traffic. There was some discussion about whether the Sheetz will expand.

Mr. Caldwell reviewed the various modifications requested by the applicants. There were seven requested under the Subdivision and Land Development Ordinance and four requested under the Stormwater Ordinance.

Several of the requests related to sidewalks and parking lot radius requirements. Mr. Caldwell referenced the preliminary plans which had been recorded as part of the Rapho Triangle. The applicants are permitted to reference the Triangle Traffic Study, which was updated in 2011.

Mr. Caldwell said he likes the smaller basins around the site, but he wants to make certain that the facilities can accommodate the 100-year storm.

Good's Country Properties LLC, 1335 Strickler Road

The property has been previously subdivided, with this plan proposing the development of Lot 2 of 3, which comprises 3.77 acres. The applicants propose to construct a 28,750 square foot commercial building, including a 16,020 square foot warehouse, distribution and wholesale facility, a 2,880 square foot office, and a 10,540 square foot future warehouse expansion, plus parking and loading facilities and stormwater conveyance facilities. Stormwater would be managed by an existing regional detention basin on the southeastern side of the property. The proposed impervious area is 67.1%. The building would be accessed via a joint driveway. Several modifications are requested. The project was granted conditional use approval by the Board of Supervisors on April 19, 2018. The property is located in the Industrial Zoning District and is served by public water and sewer.

Mr. Caldwell reviewed the plan. He reviewed each of the requested modifications. He noted specifically that he had determined that the modification request for separate emergency access should be approved because the joint driveway would function as a local street.

Mr. Caldwell had recommended postponing action on the request to eliminate curbing, which was required in order to keep mud from accumulating on the drive. He felt that curbing was the best way to address stormwater flow. Mr. Bill Swiernik was in attendance and spoke on behalf of the applicant. He requested that the applicant not be required to provide a long continuous curb, but rather only have curbing at the entrance to the access drive. He said it would be difficult to install curbing throughout the site due to the pipeline easement. There was some discussion about adding boulders or stone to prevent trucks from undermining the edge of the driveway. Mr. Nissley said he would feel comfortable with having boulders or bollards instead of curbing. Applicant Mr. Ferrill Good indicated that he felt boulders discourage truck drivers from going off the driveway more than tapered curb.

Ms. Ehrhart asked about the flow of stormwater throughout the site as it related to curbing. Mr. Swiernik identified several locations where the drive had been widened to allow adequate space for trucks to make the turn without running onto the ground.

Mr. Caldwell talked about the potential for pedestrian connections. He noted that they have recommended waiving landscape screening requirements each time this site has applied to the Township throughout the development process.

Mr. Boyd made a motion to move the item from a briefing item to an action item, seconded by Mr. Nissley. All in favor.

Mr. Boyd made a motion, seconded by Mr. Nissley, to recommend conditional approval based on the May 30, 2018 Rettew letter, provided that a revision to the letter requesting modification item E. is made so that the applicants would place curbing at all access drive intersections and/or boulders along curves in the parking and internal access drive areas. All in favor. The conditions are listed in abbreviated format as follows:

MODIFICATIONS:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

A. *Section 305 – Preliminary Plan Application*

The applicant has requested a waiver of the requirement to process a preliminary plan and, in the alternative, proceed directly to final plan.

Because this plan is subject to the provisions of the preliminary plan for Rapho Triangle East LLC, dated June 1, 1999, last revised March 22, 2000, preliminary plans are not required for the development of the individual lots. Accordingly, this request can be withdrawn, in writing, by the applicant.

B. Section 403.1 – Profile Scale

The applicant has requested a modification of the requirement to provide profiles at a horizontal scale of one inch equals fifty feet (1"=50') and, in the alternative, provide a horizontal scale of one inch equals thirty feet (1"=30').

We recommend approval of this modification request based upon the justification provided and consistency with plan scale.

C. Section 529.E – Emergency Access

The applicant is requesting a modification of the requirement to provide a separate access. In the alternative, the applicant is proposing to use the shared access drive to access the site.

Because the shared access drive functions as a "local street", and the applicant has three (3) separate access points to the shared access drive, we recommend approval of this modification request based upon the justification provided.

D. Section 602.10.D – Clear Sight Triangle

The applicant is requesting a modification of the requirement to provide one hundred (100) foot clear sight triangles at the intersections of the access drives with the shared access drives. In the alternative, the applicant is proposing a seventy (70) foot clear sight triangle at the northern entrance, and a forty (40) foot clear sight triangle at the middle entrance.

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

E. Section 602.11.A - Curbing

The applicant is requesting a modification of the requirement to provide curbing along the interior parking areas.

We recommend the Township postpone action on this request to allow the applicant to amend its request to include an updated narrative and exhibit depicting the proposed limits of curbing on the site.

F. Section 602.12.A and B. – Sidewalks

The applicant has requested a modification of the requirement to provide sidewalk along the north side of Strickler Road.

Because this plan is subject to the provisions of the preliminary plan for Rapho Triangle East LLC, dated June 1, 1999, last revised March 22, 2000, sidewalks are not required along the north side of this portion of Strickler Road. Accordingly, this request can be withdrawn, in writing, by the applicant.

G. Section 602.5 – Reconstruction of Existing Street

The applicant has requested a modification of the requirement to reconstruct Strickler Road to its centerline.

We recommend approval of this modification request subject to verification of the repair of the existing damaged curb and street base course and completion of the wearing course on the Four Star section of Strickler Road to the satisfaction of the Township.

H. *Section 603.1.F., 601.3.G –Access Drives setbacks*

The applicant is requesting a modification of the requirement to provide a fifteen (15) foot setback along the western lot line. In the alternative, the applicant is proposing a one (1) foot setback between the access drive and the side lot line to allow for a 1' minimum access drive setback along the western lot line.

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

I. *Section 609.1.A – Landscape Screen*

The applicant is requesting a modification of the requirement to provide a landscape screen along the adjoining residential properties.

We recommend approval; of this modification request subject to the applicant providing an alternative landscape plan acceptable to the Township.

STORMWATER MANAGEMENT ORDINANCE

A. *Section 402.6, 501.1.D.2, and 506 –Volume Control*

The applicant is requesting a waiver of the requirement to provide volume control measures via infiltration so that the post-development runoff volume does not increase for the 2-year, 24-hour storm event. In the alternative, the applicant proposes to provide water quality measures.

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

CONDITIONS:

ZONING ORDINANCE

1. *General Design Note #1 needs to indicate Warehousing, Distribution, and Wholesaling as the use, in lieu of “Light Industrial” (§ 304.B).*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. *Evidence of approval of the Erosion and Sedimentation Control Plan from the Lancaster County Conservation District will need to be provided (§ 405.4.C).*
2. *Evidence of approval and receipt of water and sewer financial guarantees will be needed (§ 405.4.E, 405.4.G).*
3. *A lighting plan, including access drive lighting needs to be provided (§ 602.13, 603.2).*
4. *Evidence of notification, concurrence of the project, and any restrictions imposed on the site by the utility easements will need to be provided (§ 608.3.A, 608.3.B).*

STORMWATER MANAGEMENT ORDINANCE

1. *Computations are needed to verify dewatering time (§ 402.11).*
2. *An Operations and Maintenance Agreement, in recordable form acceptable to the Township needs to be provided (§ 501.1.C).*
3. *The basins shall comply with the above-ground storage facility design criteria. The embankment top widths and exterior and interior side slopes need to be provided. The embankment construction, pipe collar, and spillway requirements for facilities with a depth of over 2 feet need to be provided for BMP Area #1. The spillway widths need to be provided. Calculations for the routing of the 100-year storm needs to be provided through both the outlet structures and emergency spillways, which should establish the top of grate for the outlet structures (not provided) (§ 505.3).*
4. *The applicant will need to demonstrate that the overall development of the “K Lot” will not increase the rate of runoff for the 2-yr storm event.*

ACTION ITEM (continued from June 4May 7 meeting):

Spring Hollow Enterprises, LLC Conditional Use application #2017-29

2180 Hossler Road

The applicant proposes to use existing buildings and driveways to operate an agricultural-related business. The business would provide for the service and repair of agricultural equipment and similar motor vehicles, as well as sales and rentals of agricultural-related equipment, including parts and supplies. No employees would be employed other than immediate family members. There would be outdoor display of no more than four pieces of equipment. The property is located in the Agricultural Zoning District.

Mr. Caldwell reported that the applicant had met with staff and had clarified what he wished to do with the property.

Mr. Boyd asked the applicant, Joshua Kreider, what percentage of his work would be done in the field instead of —at the property. Mr. Kreider was in attendance, and responded that he anticipated his work would be 50% in the field and 50% at the property.

Mr. Kreider indicated that he wished to do some of his work outside. Mr. Nissley asked for clarification about how many vehicles he anticipated working on outside. Mr. Kreider indicated that he would only be working outside on short-term jobs.

Mr. Gainer asked about the equipment parking area. He was concerned that some of the equipment could pile up if it was older and he was using it for parts.

There was some discussion about how many vehicles would be stored on site. Mr. Dave Keener was in attendance and spoke on behalf of the applicant. He clarified how the equipment parking would differ from outside display.

Mr. Nissley asked about skid loaders. Mr. Kreider said he prefers to not work on skid loaders.

Ms. Ehrhart suggested that equipment storage and staging for emergency service separated from the driveways. The remainder of the work area could be delineated on the plan as “flex space” to allow for the various storage aspects of the business. She emphasized that the ingress/egress routes should stay clear. She said if the applicant wanted to expand the gravel area, he would have to come back.

Mr. Gainer encouraged the applicant to request an average number of trips per day. Mr. Keener agreed that 20 trips per day (total in and out) on a weekly basis associated with the business would be satisfactory.

Mr. Kreider anticipated that he would have no more than two employees who did not reside at the property.

Mr. Kreider discussed what would be done with equipment that needed to be washed and how wastewater would be disposed. Mr. Nissley clarified that Mr. Kreider should have an agreement with a truck wash.

Mr. Caldwell reviewed the remainder of the proposed conditions. The group agreed to clarify that some outside work would be permitted in the flexible outdoor storage and display area.

The applicant will appear before the Board of Supervisors at a hearing on July 19. Mr. Caldwell encouraged him to be clear about his intentions in his testimony before the Board so that he would be able to comply with the conditions.

Ms. Ehrhart made a motion to recommend conditional approval of the plan contingent upon the conditions proposed as edited during the discussion.

Mr. Caldwell talked about the review letter based on the revised submittal made by the applicant. He noted that there were questions remaining about the disposal of fluids and the width of the driveways.

Mr. Caldwell noted that the outdoor display area was proposed as grass on the plan submitted. He said that display areas are required to be paved. Mr. Nissley agreed that it would be risky to have vehicles parked that might drip oil onto grass area.

Ms. Ehrhart felt the most significant concerns that had been discussed at the May were the traffic circulation issues, and the capture of automotive fluids. The conditions recommended by Mr. Caldwell included a requirement that road-worthy vehicles not be repaired.

There was discussion about the width of the driveway. Mr. Caldwell said for this type of use the driveway should be 24'. Mr. Shellenberger asked if signage could be added to provide for one-way traffic in each driveway.

Mr. Dave Keener was in attendance and presented the plan on behalf of the applicant. Mr. Keener asked if a land development plan would be required for this limited use. Mr. Caldwell suggested that a waiver of land development might assist the applicant in achieving his goal.

Mr. Nissley asked about whether there would be any vehicle washing done at the site. Mr. Keener felt that the applicant would not bring vehicles for repair that needed to be cleaned. He also noted that at least 50% of the applicant's business would be done in the field.

Mr. Boyd and Mr. Nissley agreed that agricultural-related uses such as this should be treated comparably. They did not object to the business, they just felt that a standard should be set and the Township should not allow applicants go below that bar.

Ms. Ehrhart felt that the applicant should review the conditions proposed by Rettew further to determine if they were reflective of what he wants to do.

Mr. Nissley noted that there was a similar use nearby. Mr. Keener was unsure as to whether the applicant would be working cooperatively with that company.

Mr. Caldwell discussed what improvements might need to be made to bring the buildings to be used into compliance with the Uniform Construction Code. He suggested to Mr. Keener that he explore the potential cost of improvements with the applicant.

Ms. Ehrhart felt that the applicant would be better served to respond to their concerns if he had more time to consider the proposed conditions prepared by Rettew.

Mr. Boyd made a motion to table the application until the Commission's July 2 meeting to seek further responses from the applicant. Mr. ShellenbergerNissley seconded the motion. All in favor.

Mr. Caldwell noted additionally that he believed gravel had been installed at the Spring Hollow Enterprises property with no stormwater improvements since the Township's stormwater ordinance was adopted in 2016. Mr. Keener said that the property had been purchased by the applicant in 2017.

Mr. Keener felt the applicant should not be required to meet these standards for the small business. There was some discussion on the benefits of doing work on customers' sites rather than bringing equipment to his small buildings.

Mr. Nissley emphasized his concern that vehicles to be repaired or resold would still need to be washed. Mr. Caldwell noted that the applicant had stated at the previous meeting that he would be taking vehicles to a car wash. Mr. Nissley felt that was unlikely.

OTHER BUSINESS:

Mrs. Gibson updated the group on the current status of the possible installation of public sewer in the Turnpike area. Mr. Caldwell indicated that staff is working on setting up a meeting with the Pennsylvania

Department of Environmental Protection to determine what their expectations were with regard to the Township's need to update the Act 537 plan. The sewage feasibility study indicated that running a line to Manheim could be the optimum solution.

There was some discussion of tiny homes and Air BNB rental units and tents.

There was some discussion about the current status of the Atlantic Sunrise Pipeline installation.

There was some discussion on the potential for revised standards for the MS4 plans. The Pennsylvania Department of Environmental Protection may be considering new requirements for defining stormsewersheds, based on deficiency letters that have been received by other municipalities. Rapho Township has not received a letter yet. Mrs. Gibson felt the Chiques municipalities' plans were not being reviewed yet because the Alternative TMDL had not been completed by DEP yet.

There being no further business to come before the Commission, the meeting was adjourned at 8:1530 p.m.

Respectfully submitted,
Sara M. Gibson
Township Manager