

The Board of Supervisors met at East Fairview Church of the Brethren for their regular meeting on July 20, 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 July 6<sup>th</sup> Regular Meeting and the July 12<sup>th</sup> Special Meeting were distributed. **Mr. Erb made a motion to approve the Minutes as presented; second by Mr. Swarr. All voted in favor.**

### **POLICE REPORT**

Chief Joe Stauffer reported on the statistics for the month of June which included 41 traffic tickets, 2 non-traffic tickets, 8 criminal arrests, 47 warnings, 5,168 vehicle miles, 177 incident reports and 30 traffic accidents. The burn ban was rescinded June 21<sup>st</sup>. Chief Stauffer reported that the Manheim Borough Police Officers responded to the explosion at the Rapho Township Maintenance Building on July 5, 2023 at 5:49AM to assist fire companies and EMS. The officers assisted the township, first responders and homeowners throughout the day and patrolled the properties that were affected. Chief Stauffer commended the township and fire and emergency responders for doing a good job that day. He announced that National Night Out will be held on August 1<sup>st</sup> from 5PM – 8PM at the Manheim Fire Company. Mr. Fry thanked the Chief and all the officers.

### **FIRE DEPARTMENT REPORT- Mastersonville Fire Department**

Captain Ivan King gave the 2<sup>nd</sup> quarter report. The fire company responded to 110 calls April through June with 52 of them fire calls (29 in Rapho) and 58 EMS calls. Average manpower per call was 9.5 and the man-hours were 419 hours and 59 minutes. Mr. King noted that the explosion did not occur in the second quarter and so it was not noted in this report. Mr. Fry wanted to take the opportunity to thank Mastersonville Fire Department for accommodating the township staff. The transition to the temporary facility went very smoothly. Mr. King said he felt it was a group effort and they were glad to help.

### **ADMINISTER OATH/AFIRMATION TO 2 NEW MASTERSONVILLE SPECIAL FIRE POLICE OFFICERS:**

Mr. Fry administered the Mastersonville Special Fire Police Oath/Affirmation to Ashley Sinniger and Randy Fulkrod. He thanked them for volunteering their time.

### **HEARING ON BILLBOARD ZONING AMENDMENT**

Mr. Fry called the hearing to order. Claudia Shank of McNees Wallace and Nurick and Devin Wagner, President of Oak Tree Outdoor Advertising presented the amendment. Ms. Shank said her client has a lease to operate a billboard at 1156 Four Star Drive, in the Industrial Zone within the Rapho Triangle. The billboard proposed would be 672SF and 45' tall and would be seen by motorists driving either direction on 283. When they began discussing construction of the billboard, they felt the township ordinance regulations were not the same as other areas along the 283 corridor. The proposed amendment would establish separate setback requirements for billboards, establish a separate maximum sign area and establish a separate maximum permitted height for billboards located along limited access highways. It would also establish regulations for electronic billboards and establish the maximum sign area of billboards for the owner's logo, trademark and/or name. Township Manager Randall Wenger said this amendment request was advertised properly in the Lancaster Newspapers. Mr. Fry clarified the current size requirements and the amended size requirement with the size of the proposed new billboard. There were no public questions or comments. **Mr. Swarr made a motion to close the hearing;**

second by Mr. Erb. All voted in favor. Mr. Erb made a motion to approve Ordinance 2023-5 amending the Rapho Township Code of Ordinance pertaining to billboards; second by Mr. Swarr. All voted in favor.

**HEARING ON SHORT TERM RENTAL ZONING AMENDMENT**

Mr. Fry called the hearing to order. Mr. Wenger said this amendment for Short Term Rentals was advertised. He explained that the township staff had received 4 short term rental Zoning Hearing Board applications which is a use not provided for in the Rapho Zoning Ordinance. All 4 applications were approved provided life safety issues were met. The proposed amendment, if approved, would be permitted by right within the Agricultural and Rural Zones and also would establish life safety and health regulations. Mr. Wenger has not received any response from the Lancaster County Planning Commission. The Rapho Township Planning Commission was okay with it but did want to encourage the Board to follow the UCC Code. Mr. Fry said he feels there are questions that need additional language to clarify. He said the proposed amendment may not be accomplishing what the Board intended with the current language. There were no public questions or comments. **Mr. Erb made a motion to close the hearing; second by Mr. Swarr. All voted in favor.** Mr. Fry explained that the Board could vote now or allow the staff to provide additional clarity. Mr. Erb said he would like to table the decision for this amendment until the wording is changed to provide clarity. Mr. Fry said a vote will be tabled until a meeting to be held at a future date and time. He said the intent of the ordinance will not be changed.

**PUBLIC COMMENTS** - None

**CHAIRMAN'S COMMENTS**

Mr. Fry announced that there was an executive session prior to the meeting to discuss legal and real estate issues. Mr. Swarr said he feels that the Public Works Director John Haldeman and Township Manager Randall Wenger have stepped above and beyond with their responses to move the township forward since the explosion 15 days ago. He thanked them both.

**PLANNING**

**BRIEFING ITEM:**

JURA USA Hospitality Center  
 1480 Strickler Road  
 Final Plan and Modifications  
 David Miller Associates, Inc.

The project area is made up of two properties (1480 Strickler Road and 1475 East Main Street). In October 2022, the project area was rezoned from Mixed Use Commercial (MUC) to Industrial. The purpose of this plan is to obtain approval to join the properties together into 1 lot and land development approval to develop the combined lot with an 82,000 S.F. facility for the applicant to service Jura products including coffee machines. The facility will be accessed from three proposed access points/ driveways, one aligned with the existing Messick's driveway along Strickler Road and two connecting to the shared access drive directly east of the property. The shared access drive has been shown on the plans as proposed by the adjoining property (N/F Mount Joy Property LLC). Activities within the JURA facility will include an area for service technicians, product

and parts storage, display of projects and offices. To allow for the development of the building on the site, the existing on-site stormwater regional basin will be removed/ modified as specified on the plan to allow for the installation of two stormwater BMP's (MRC Basins) which have been designed to provide rate and volume control of runoff. The MRC Basins will provide managed release of stormwater, as on-site infiltration is not possible per existing soil and geologic conditions. Public sewer and water are proposed for the project and will be provided by Mount Joy Borough Authority. As part of the development of the site, sidewalks have been proposed along the frontage of Strickler Road and McKinley Drive. Landscaping has been proposed along McKinley Drive to the proposed use from the residential use located to the west. It is the applicant's intention to proceed with construction of the project upon the receipt of all approvals/permits.

The applicant is seeking the following modifications of the Subdivision and Land Development Ordinance: Section 305 Preliminary Plan application, Section 403.1.A. Drafting Standards - Plan Scale, Section 602.K Curbing, Section 602.E.1, 602.F, 602.G Roadway Reconstruction.

**Bill Swiernik** of David Miller Associates and **Scott Reed** of JURA presented their plan to the Board. Mr. Swiernik said the applicant would like to request not putting sidewalks along East Main Street and McKinley Drive. After quite a bit of discussion on the sidewalks, Mr. Swarr said he feels the sidewalks should be placed along East Main Street since other property owners along East Main Street have been required to install them. Mr. Reed said he doesn't have a problem doing it later but would like to defer sidewalks along East Main Street for 5 years. Mr. Fry encouraged Mr. Reed to continue to talk with township staff and engineer.

**OLD BUSINESS** - None

### **NEW BUSINESS**

**Mr. Swarr made a motion to approve Resolution 2023-10 authorizing the Township of Rapho and Borough of Mount Joy, both of Lancaster County, Pennsylvania, to enter into an Intermunicipal Agreement to provide temporary assistance to Rapho Township and to authorize township officials to execute the related agreement; second by Mr. Erb. All voted in favor.** Mr. Wenger explained that this allows Rapho residents to dispose of their woody yard waste at the Mount Joy Borough Yard Waste Facility.

**Mr. Swarr made a motion to waive Township Building/Zoning/Demolition Permit fees for repairs to properties damaged by the July 5<sup>th</sup> explosion through November 30, 2023; second by Mr. Erb. Gary Devonshire** of 915 North Colebrook Road was concerned that he may not be able to work through all the insurance and decisions that he will have to make regarding his house by November 30, 2023. Mr. Fry explained that he could write a letter to the Board if he needs an extension of time to repair or rebuild his house. Mr. Fry feels that most people needing permits would have enough time, but extensions would be considered if needed. **All voted in favor of the motion.**

**Mr. Erb made a motion to approve a Truck and Equipment Lease with Mount Joy Borough Authority for a Ford F150 Pick-up truck and authorize township officials to execute the agreement; second by Mr. Swarr. All voted in favor.**

**Mr. Swarr made a motion to approve a Temporary Public Works Facilities Lease for 7 Quarry Road, Elizabethtown PA 17022 with Mount Joy Township and authorize township officials to execute the related documents; second by Mr. Swarr. All voted in favor.**

**2024 EMS Coverage Options** – Mr. Wenger said he has received and distributed to the Board 4 proposals to provide EMS coverage in Rapho Township. Penn State Health Life Lion currently serves the southern end of the township. **Mr. Erb made a motion to authorize the township manager and solicitor to prepare an agreement with Penn State Health Life Lion for action at the August 3, 2023 Board of Supervisors Meeting; second by Mr. Swarr. All voted in favor.**

**Mr. Erb made a motion to approve the agreement with Willow Playworks (Costars) for Rapho Community playground surface replacement to be completed in fall of 2023 and authorize township officials to send the deposit and execute the agreement; second by Mr. Swarr. All voted in favor.** A grant was received in the amount of \$202,881 for this project.

**Mr. Swarr made a motion to approve the Fireworks Permit Application for Tim Good and Celebration Fireworks for 706 Milton Grove Road on August 4, 2023; second by Mr. Erb. All voted in favor.**

#### **CORRESPONDENCE**

*LCSWMA - Notification of 2<sup>nd</sup> Quarterly trash/recycling rebate in the amount of \$5,584.50*

**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 8:32PM.

Respectfully Submitted,

Melva J. Kready  
Recording Secretary