

**RAPHO TOWNSHIP  
PLANNING COMMISSION MINUTES  
AUGUST 6, 2018 7:00 p.m.**

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

The minutes of the July 2 May 7, 2018 meeting were approved on a motion by Mr. Shellenberger Boyd, seconded by Mr. Nissley. All in favor.

**ACTION ITEM:**

**Dan Reist Final Subdivision Plan #18-355**

**720 Longenecker Road**

**David Miller/Associates, consultant**

Mr. Caldwell reviewed the plan. The applicant proposes to subdivide two single-family lots from a 120.55-acre farm. A preliminary hydrogeologic study has indicated that a 5.28-acre lot is the required minimum for the development of a lot in this area, due to the nitrate concentration. Proposed dwellings with a shared driveway have been indicated on the plan. Both lots would be served by on-lot water and sewer systems. The property is located in the Agricultural Zoning District.

Mr. Caldwell 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 submitted a two-lot subdivision. The applicant's engineer has done hydrology studies to demonstrate that the lots need to be larger.

Mr. Caldwell noted that several modifications had been requested, including a request to exceed 8% for the slope of the driveway, a request to waive dedication of additional right-of-way, and deferral of financial security. All of these were recommended for conditional approval.

Mr. Todd Vaughn from David Miller/Associates was in attendance, and spoke on behalf of the applicant. He noted that the septic system would require an easement from the adjacent property owned by David Ginder. This had been initially approved by the Department of Environmental Protection.

Mr. Vaughn said that a shared driveway agreement was also under review.

**Ms. Ehrhart made a motion, seconded by Mr. Shellenberger, to recommend approval of the plan contingent on the conditions and modifications of the RETTEW review letter #2 of August 6, 2018. All in favor. The conditions are listed in abbreviated form as follows:**

**REQUESTED MODIFICATIONS:**

A. *Section 405.2.G – Driveway Slope*

*The applicant has requested a modification of the requirement of a maximum driveway slope of 8%. In the alternative, the applicant has proposed paving the driveway from Longenecker Road to the end of the section that exceeds 8% slope.*

*We recommend approval of this modification based upon the justification and alternative provided with the condition that the owner of Lot 1 construct the portion of the driveway serving Lot 2 that is located on Lot 1.*

B. *Section 602.5.E – Dedication of Additional Right-of-Way*

*The applicant has requested a modification of the requirement to dedicate additional right-of-way along Longenecker Road. No alternative has been provided.*

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

C. *Section 501 – Financial Security*

*The applicant has requested a modification of the requirement to provide financial security for the proposed improvements on Lot 2. In the alternative, the applicant has proposed financial security being required as a condition for any permit approval for Lot 2.*

*We recommend approval of this modification request based upon the justification and alternative provided subject to the following conditions:*

- 1. The Applicant shall apply for & receive any permits necessary to install the facilities which are required to protect and/or improve public streets or adjoining properties. The fee for such permits shall be based upon the fee schedules in effect at the time of permit application.*
- 2. An improvement guarantee shall be posted to secure the completion of specific improvements and/or stormwater management or other facilities to serve the individual lot prior to issuance of any zoning permit to authorize erection of a structure on the lot.*
- 3. A note shall be added to the subdivision plan prior to recordation which shall state:  
The owner of Lot 2 shall be required to post necessary financial security to insure the installation of the specific improvements and/or stormwater management or other facilities serving Lot 2 prior to the issuance of any permit to authorize any construction or the erection of any structure upon Lot 2.*
- 4. A violation of these conditions shall be considered a violation of the Rapho Township Subdivision and Land Development Ordinance and the Rapho Township Stormwater Management Ordinance.*

**CONDITIONS:**

**ZONING**

- 1. An ownership, access and maintenance agreement, in a recordable form acceptable to the Township, needs to be provided for the shared access drive (§ 507).*

**SUBDIVISION AND LAND DEVELOPMENT**

- 1. An easement agreement, in a recordable form acceptable to the Township, needs to be provided for the existing on-lot sewage system absorption area and the secondary (replacement) on-lot sewage system absorption area location easement serving the remaining lands (§ 403.4.O).*
- 2. All certificates need to be completed prior to recording the plan (§ 403.5, 405.3)*
- 3. Evidence of review by emergency service providers needs to be provided (§ 403.6.A).*
- 4. Evidence of notification, concurrence of the project and any restrictions imposed on the site by the utility easement will need to be provided (§ 403.6.B, 608.1, 608.2).*
- 5. An inspection schedule needs to be provided (§ 405.2.L, 504). The applicant appears to have outlined the critical stage inspections on Sheet 4; however, the applicant needs to also outline the inspections required by the Township in Section 504.*
- 6. Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 405.4.A).*
- 7. Financial security, in the amount of **\$31,520.50**, which includes the required ten (10) percent contingency, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*
- 8. The applicant will need to satisfy the park and recreational land dedication requirements prior to plan recording (§ 612).*

**STORMWATER MANAGEMENT**

- 1. An ownership and maintenance agreement, 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 needs to be provided (§ 501.1.C, 601).*
- 2. Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit by the Lancaster County Conservation District needs to be provided (§ 405.1).*
- 3. The applicant needs to confirm that Rain Garden 1B, Rain Garden 2 and the secondary septic (replacement) on-lot sewage system absorption area serving the remaining lands isolation distance will not encroach upon the existing drainage course (§ 501.13). A drainage area map and the cross-section locations need to be provided with the calculations.*
- 4. The applicant needs to confirm that Rain Garden 1A will maintain a minimum of 24 inches between the facility bottom and bedrock (§ 501.14.C). Based on the test pit #2 results, the bottom of Rain Garden 1A will encounter shallow rock and require over-excavation. A detail specific to this rain garden is needed.*

5. *To ensure the driveway runoff is directed into Rain Garden 1B, a broad-based dip or other means of diversion needs to be provided. It appears that doing so would allow more runoff from the driveway to be detained, rather than potentially being directed to Longenecker Road.*
6. *The calculated dewatering time of Rain Garden 1B (120 hours) cannot exceed 72 hours (§ 402.11).*
7. *Rain Garden 1B needs to completely drain the rate control storage from the 100-year water surface elevation in 24 hours or less (§ 402.12).*
8. *Swale A needs to be constructed with a minimum of six (6) inches of freeboard and with side slopes no greater than 4:1 in a residential area (§ 504.4.d.1, 504.4.d.4).*

**ACTION ITEM:**

**Taco Bell and Commercial Building Preliminary/Final Land Development Plan #18-356**

**1581 Strickler Road**

**Mount Joy Investors, LLC**

**The Pettit Group, consultant**

Mr. Caldwell presented the plan. The applicants propose to construct a 2,753 square foot Taco Bell 66-seat restaurant, as well as a 9,456 square foot retail and restaurant building, with associated parking and driveways. The property is identified as Lot M5 within the approved Mount Joy Industrial Park and Mount Joy Corporate Center plan. Stormwater is intended to be directed to a community basin. A rain garden would be added on site to accommodate volume reduction requirements. The private road identified as Sheetz Lane would be reconstructed as part of the project to bring the road closer to current design standards. The property is located in the Mixed Use Commercial Zone and would be served by public water and sewer. The project received conditional use approval by the Board of Supervisors on March 1, 2018.

Mr. Caldwell noted that several modifications had been requested with the notes on the plan, but the applicants had not requested them in writing. He also pointed out that the infiltration basins had been removed from the plan, so that modification could be withdrawn.

Several modification requests were not relevant due to the recorded Master Plan for the Rapho Triangle, which included a traffic study and a wetlands study. There was some discussion of the applicants requesting an extension, due to the number of comments remaining in the review letter.

Ms. Ehrhart felt that the number of comments were significant, but she hesitated to delay making a recommendation on the plan. Mr. Boyd felt that because the group had seen the plan multiple times before, he was comfortable with allowing staff to work through the comments with the applicants.

**Ms. Ehrhart made a motion, seconded by Mr. Shellenberger, to recommend approval of the application, subject to the comments of the RETTEW review letter dated August 6, as well as a condition that the applicants confirm that the slope of the 12” pipe is sufficient to provide the minimum required velocity. The conditions are listed in abbreviated format as follows:**

**REQUESTED MODIFICATIONS/WAIVER:**

*It appears that the following modification requests were noted on the plan; however, a written request needs to be provided:*

**SUBDIVISION AND LAND DEVELOPMENT**

1. *Section 602.10.B – Right Angle Intersections;*
2. *Section 602.10.D – Clear Sight Triangle;*
3. *Section 603.1.E – Right Angle Intersections;*
4. *Section 603.1.G – Fifteen (15) Foot Wide Green Strip; and,*

## **STORMWATER MANAGEMENT**

1. *Section 506.1.B – Infiltration Loading Ratio.*

## **SUBDIVISION AND LAND DEVELOPMENT**

- A. *Section 305 – Preliminary Plan Processing*  
*The applicant has requested a modification of the requirement to process a preliminary plan and in the alternative, proceed directly to final plan.*  
*In accordance with the provision of the approved preliminary plan, this modification is not necessary and needs to be withdrawn, in writing, by the applicant.*
- B. *Section 403.3 – Existing Features Sheet*  
*The applicant has requested a modification of the requirement to provide an existing features sheet in the plan set. In the alternative, the applicant has provided a separate existing features sheet with the application.*  
*We recommend the Township approve this modification request with the condition the ALTA/NSPS Land Title Survey plan sheet be included in the plan set.*
- C. *Section 403.3.B – Existing Features Within 200 feet*  
*The applicant has requested a modification of the requirement to provide the location of existing features within two hundred (200) feet of the subject tract. In the alternative, the applicant has provided the location of existing features in the vicinity of the subject tract.*  
*We recommend the Township deny this modification request. We note that this information can be provided by using Lancaster County GIS and other publicly available information.*
- D. *Section 403.4.M – Location of Percolation Test Holes*  
*The applicant has requested a modification of the requirement to provide the location of percolation test holes on the plan. In the alternative, the applicant has provided the location of percolation test holes in the Stormwater Management Report.*  
*Because the applicant is no longer proposing infiltration, this modification request is no longer applicable and needs to be withdrawn, in writing, by the applicant.*
- E. *Sections 403.7.B, 403.7.C, and 403.7.D – Water, Sewer, and Traffic Reports*  
*The applicant has requested waivers of the requirements to provide water feasibility, sewer feasibility, and traffic evaluation reports.*  
*Regarding the water and sewer feasibility waiver requests, based upon the Township’s practice regarding lots served by public water and sewer, water and sewer feasibility studies are not required.*  
*This lot is included as part of the overall Rapho Triangle Traffic Impact Study. The applicant need only provide a trip generation summary.*  
*Because these modifications are not required, they need to be withdrawn, in writing, by the applicant.*
- F. *Section 403.7.E – Wetlands Report*  
*The applicant has requested a waiver of the requirement to provide a wetlands study.*  
*We recommend the Township approve this waiver with the condition the applicant provide an abbreviated presence/absence study verifying no regulated wetlands exist at the site.*
- G. *Section 602.12.A.1, 602.12.A.4, 605.E – Sidewalks on Both Side of Streets, Grass “Beauty” Strip and Parking Lot Radius*  
*The applicant has requested a modification of the requirement to provide sidewalk on the west side of Sheetz Lane, a beauty strip along the east side of Sheetz Lane and five (5) foot minimum parking lot radius requirements.*  
*We recommend approval of these modifications to allow the final plan to be consistent with the conditional use approval and plan.*

## **STORMWATER MANAGEMENT**

- H. *Section 504.4.c.1 –Manhole Material*  
*The applicant has requested a modification of the requirement to provide concrete manholes. In the alternative, the applicant has proposed “ADS” manholes.*  
  
*We recommend approval of this modification based upon the justification and alternatives provided subject to all structures within traffic loading areas meeting Pennsylvania Department of Transportation Publication 408 standards.*

I. *Section 504.4.a.3 – Minimum Pipe Cover*

*The applicant has requested a modification of the requirement to provide a minimum of twelve (12) inches between the storm pipe crown and the bottom of stone subgrade. As an alternative, the applicant has proposed six (6) inches between the storm pipe crown and the bottom of stone subgrade.*

*We recommend approval of this modification based upon the justification and alternative provided, subject to the applicant verifying that the proposed cover meets the manufacturer's requirements.*

J. *Section 504.4.a.4 – Minimum Pipe Diameter*

*The applicant has requested a modification of the requirement to provide a minimum pipe diameter of eighteen inches (18") for pipes outside the public right-of-way. In the alternative, the applicant has proposed pipe diameters of twelve (12) and fifteen (15) inches.*

*We recommend approval of this modification request based upon the justification and alternative provided, subject to the applicant providing routings demonstrating that the proposed storm sewer and rain gardens have sufficient capacity to safely convey the runoff from a 100-year storm event without damage to public or private property.*

K. *Section 506.1.B.3.a – Karst Geology Loading Ratios*

*The applicant has requested a modification of the requirement to provide a maximum impervious area to infiltration area loading ratio of 3:1. As an alternative, the applicant has proposed an impervious area to infiltration area loading ratio of 3.5:1.*

*Because the applicant is no longer proposing infiltration, this modification request is no longer applicable and needs to be withdrawn, in writing, by the applicant.*

**CONDITIONS:**

**ZONING**

1. *The applicant needs to verify, for the retail/restaurant facility, that rooftop equipment, such as HVAC, are incorporated into the overall design and out of ground-level view within 200 feet of the equipment (§ 303.D.2.c.(5).(b)).*
2. *Provide architectural design assurances, in a recordable form acceptable to the Township, prior to final plan approval (§ 303.D.2.c.(7)).*
3. *Sidewalks shall not be less than 8 feet wide when adjacent to a non-residential building entrance (§ 303.D.2.g.(2)). The sidewalk along the frontage of the retail/restaurant building with Strickler Road needs to be 8 feet wide.*
4. *Outdoor signs shall comply with Section 303.D.2.m. The retail/restaurant facility signage is unknown at the time of application.*
5. *An access and maintenance agreement, in a recordable form acceptable to the Township, needs to be provided for Sheetz Lane (§507).*
6. *The hours of operation plan shall address how disposal of materials will be accomplished. The Township should determine if the proposed schedule for refuse collection is acceptable (§ 902.C.3.j).*

**SUBDIVISION AND LAND DEVELOPMENT**

1. *A copy of the Conditional Use Approval decision needs to be submitted (§ 403.2.I).*
2. *All adjoining plan book recording references (if any) need to be included on the plan (§ 403.2.J).*
3. *A metes and bounds description of the revised Sheetz Lane access easement needs to be provided (§ 403.4.D).*
4. *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. In addition, the modification/waiver section references on the cover sheet need to be revised to match the Ordinances (§ 403.4.J).*
5. *The minimum required and available safe stopping sight distances need to be provided at the intersection of the access drive with Sheetz Lane. In addition, the applicant needs to verify that the access drive intersection with Sheetz Lane is a right-angle intersection (§ 403.4.P, 602.10, 603.1.E).*
6. *All certificates need to be completed prior to recording the plan (§ 403.5, 405.3).*
7. *Evidence of review by emergency service providers needs to be provided (§ 403.6.A).*
8. *A landscape plan, signed and sealed by a landscape architect, needs to be provided (§ 405.2.K).*
9. *Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 405.4.A).*
10. *A cost estimate, financial security, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*
11. *Evidence of approval of water and sewer design, capacity, and financial security needs to be provided (§ 405.4.E, 405.4.G).*
12. *The perimeter streets need to be reconstructed to its centerline including curb and sidewalk (§ 602.5.A.1, 602.11, 602.12, 609.5.A.8).*

13. *The vertical curb detail needs to be revised to meet the requirements of the ordinance (§ 602.11.B). The vertical curb needs to be revised from a 6" curb reveal to an 8" curb reveal.*
14. *The access drive needs to be constructed to the collector street standards (§ 603.1.A).*
15. *Street trees need to be provided and spaced not less than forty (40) feet and no more than sixty (60) feet apart along the entire frontage of Strickler Road, South Esbenshade Road, and Sheetz Lane (§ 609.5.A.9).*
16. *A curb line type legend needs to be provided.*
17. *It appears that the index of drawings on the cover sheet is not consistent with the plan set. This needs to be addressed.*

### **STORMWATER MANAGEMENT**

1. *Profiles of all stormwater management facilities drawn at a horizontal scale of one (1) inch equals fifty (50) feet and a vertical scale of one (1) inch equals ten (10) or five (5) feet need to be provided on the plans. The profiles need to include horizontal and vertical alignment as well as potential utility conflicts (§ 404.4.H.2).*
2. *The plans need to include the vertical and horizontal location, size, and type of material for all stormwater management facilities (§ 404.4.H.2). The following discrepancies need to be clarified:*
  - A. *From the invert of the amended soils/ underdrain in Rain Garden RG-1 it is not clear how there will be a 6" sump in the manhole as shown in the detail.*
  - B. *The grate elevations of the Manhole ST #6 and ST #7 shown on the plan do not appear to match the report.*
  - C. *The invert of Rain Garden RG-4 shown on the plan does not appear to match the report.*
  - D. *The applicant needs to clarify the structure invert and the inverts of all connected pipes for all proposed structures.*
  - E. *The invert of the inlets with snouts needs to be provided to confirm the required sump.*
3. *Stage/storage/discharge curves need to be provided for Rain Garden RG-1, RG-2, RG-3, RG-4, and RG-5 (§ 404.4.H.3, 501.D.6).*
4. *A note needs to be provided on the plan indicating the number of square feet of impervious coverage for which the stormwater management facilities are designed on the subject tract (§ 404.4.J).*
5. *Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit by the Lancaster County Conservation District needs to be provided (§ 405.1).*
6. *The Storm Drainage Plan Certificate needs to be revised to match the certificate in the Appendix (§ 406.4).*
7. *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 needs to be provided (§ 501.1.C, 601).*
8. *The applicant needs to provide routing of the proposed Rain Gardens to verify if/when the Rain Gardens surcharge it will not cause stormwater to bypass the regional basin (§ 501.9, 505.6)*
9. *The applicant needs to verify that there is more than two (2) years between the 100- year water surface and the finish floor elevation of either structures (§ 501.12).*
10. *The applicant needs to verify that the drainage areas that bypass the regional basin meet the rate and volume control requirements of the Ordinance. In addition, the Drainage Areas OFF-03 and OFF-04 exit the site at different locations and will need to meet the rate and volume control requirements separately (§ 501.15, 501.17).*
11. *The carbonate geology certificate needs to be provided (§ 501.16.D). In addition, a note needs to be provided indicating that a professional geologist or geotechnical engineer, in addition to the Township, shall be contacted upon the discovery of any sinkhole or carbonate geology formations during construction of the stormwater management facilities.*
12. *NOAA Atlas 14 shall be used to compute the rainfall intensity and needs to be attached as an appendix to the stormwater management report. The runoff calculations need to be revised accordingly (§ 502.5, 502.6). It appears that the 5 year, 24-hour and 25 year, 24-hour rain volumes used in the pre-development calculations do not match the NOAA Atlas 14 chart in the appendix. In addition, it appears that the 5, 10, 25, 50, and 100 year, 24-hour rain volumes use in the post-development calculations do not match the NOAA Atlas 14 chart in the appendix. This needs to be addressed.*
13. *Spillways need to be provide for all proposed rain gardens. In addition, the 100- year storm needs to be routed through the spillway with the minimum freeboard provided (§ 505.3.E, 505.15).*
14. *The applicant needs to request a waiver of the volume control requirement for the post-development drainage area to the regional basin. We note that the applicant has proposed water quality facilities in lieu of volume control. The applicable NPDES worksheets need to be provided. (§ 506).*
15. *The following note must be added to the plan. "An as-built plan meeting all of the requirements of Section 604 of the Rapho Township Storm Water Management Ordinance must be submitted prior to final approval of the installed improvements. Along with the required as-builts, storm water facility routings and post-construction infiltration testing that compare the as-built outflows and infiltration rates to the design outflows and infiltration rates must be provided prior to the final release of the financial security for all storm water management and conveyance facilities." (§ 604).*
16. *The drainage area that discharges into the existing storm pipe network on Strickler Road appears to be larger than the drainage area shown on the Mount Joy Corporate Center Final Plan. The applicant needs to verify that the additional runoff will not cause surcharging in the downstream storm pipe network.*

## **ACTION ITEM:**

### **Petition to amend the Township Zoning Ordinance and Zoning Map**

The Commission was presented with the petition made by M5v2 LLC, with a principal place of business at 187 Merts Drive, Elizabethtown, to rezone the parcels at 1475 and 1575 Strickler Road from Mixed Use Commercial to Industrial. The petition also proposed to amend the zoning ordinance to allow 80% maximum lot coverage in the Industrial Zoning District. In addition, at the request of the Township, the petitioners had incorporated a change to reclassify Strickler Road as a Collector Street.

Mrs. Gibson noted that the Board of Supervisors had questioned whether it would be wise to rezone both lots as proposed, or whether the Mixed Use Commercial Zone should be preserved on the smaller lot.

Ms. Ehrhart felt that the zoning of the two lots should not be split. Mr. Boyd said since the Township now has a mixed use development on the east side of Esbenshade Road, so it was not as significant for this side. Mr. Nissley agreed.

Mr. Shellenberger asked about the applicants' request to increase the maximum lot coverage to 80%. Mr. Caldwell stated that would be for the applicants to determine whether they could make that work. Ms. Ehrhart felt it would be difficult for a developer to meet setback and stormwater requirements and achieve 80% coverage. Mr. Caldwell reminded the group that this provision would apply to all lots in the Industrial Zoning District.

Mrs. Gibson pointed out that that petitioners agreed to add a provision to change Strickler Road to a Collector Street, recognizing its function.

**Ms. Ehrhart made a motion, seconded by Mr. Nissley, to recommend approval of the petition, contingent upon the verification of the acreage to be rezoned. All in favor, with Mr. Gainer abstaining.**

### **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**

2. *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.*

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 a public sewer system in the Turnpike area.

Mrs. Gibson gave an update on the recycling crisis being addressed by the Lancaster County Solid Waste Management Authority.

There being no further business to come before the Commission, the meeting was adjourned at 7:53 p.m. 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

Respectfully submitted,  
Sara M. Gibson  
Township Manager