

**WARWICK TOWNSHIP BOARD OF SUPERVISORS**

**Meeting Minutes**

December 16, 2020

7:00 p.m.

**Due to COVID-19 this meeting was held virtually.**

W. Logan Myers, III, convened the December 16, 2020 Warwick Township Board of Supervisors meeting to order at 7:00 p.m. In attendance were Supervisors Logan Myers, Kenneth Eshleman, Herbert Flosdorf, Jeffrey Tennis, and Kelly Gutshall. Also in attendance were Daniel Zimmerman, Township Manager; Tom Zorbaugh, Code and Zoning Officer; Chuck Haley from ELA; Ted Cromleigh from Diehm & Sons; Calli Vega; Luke & Donna Weidler; Kevin Ember with Rettew Associates; Joe Eisenhauer and Dave Schreder with Landmark Homes; Laura Knowles from the Lititz Record Express; Rick Rittler; Mark Will; Deb Ferguson; and James Herbert.

**GUEST RECOGNITION:** One gentleman has requested to speak on item #7 under Subdivision/Related Business. He will be brought in when the Board gets to that item on the agenda to speak at that time.

**CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR LITITZ LAND TRUST PHASE 1:** On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously approved the release of Letter of Credit for Lititz Land Trust Phase 1 as per the Arro Letter dated December 2, 2020.

**CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR LITITZ LAND TRUST PHASE 2:** On a motion by K. Gutshall, seconded by J. Tennis, the Board unanimously approved the release of Letter of Credit for Lititz Land Trust Phase 2.

**CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR MOOVE IN STORAGE:** On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved the request for release of Letter of Credit for Moove In Storage.

**CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR THE STOBRO FULTON BANK PROJECT:** On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously approved the request for release of Letter of Credit for the Stobro Fulton Bank Project.

**CONSIDER THE GONZALO & CALLI VEGA FINAL SUBDIVISION PLAN, PREPARED BY DIEHM & SONS, DATED 6/24/2020:** Ted Cromleigh from Diehm & Sons presented the plan before the Board. The subdivision is located on a farm owned by Luke & Donna Weidler located at 665 E. Millport Road. The farm is 100.288 acres in size and is enrolled in the Lancaster County Ag Preserve. The proposal is for the subdivision of a two acre lot and is the one subdivision of a family member allowed on the farm. The lot is being subdivided for the Weidler's daughter and family. The proposal is for a single family dwelling with on lot water and sewer. The required primary and replacement testing areas have been completed as well as a preliminary hydro study to ensure the lot is in compliance with DEP requirements. The property is bordered by a small run that divides through the farm. This area will be used for stormwater.

The following waiver is being requested:

-Section 285-27.J(3) Improvement to existing streets.

On a motion by H. Flosdorf, seconded by J. Tennis, the Board unanimously approved waiver 285-27.J(3).

On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved the Gonzalo & Calli Vega Final Subdivision Plan, prepared by Diehm & Sons, dated 6/24/2020.

**CONSIDER SKETCH PLAN SUBMITTAL FOR WALTON HILL, PREPARED BY RETTEW ASSOCIATES, DATED 11/04/2020:** Kevin Ember with Rettew Associates along with Joe Eisenhauer and Dave Schreder from Landmark Homes presented the plan before the Board. The property is located at 369 W. Woods Drive and is 25 acres in size. The proposal is to develop the property using the Cluster Zoning Provisions and will include 50 single family residential lots with a minimal lot size of 6,000 square feet. There is one proposed larger lot located in the southwest corner of the property which would maintain one of the existing barns on the property for the current owners in addition to building a new home. This lot would be a standalone lot and would not be associated with any Homeowner's Association. The main thoroughfare would be an extension of Tupelo Street as well as an extension of Hillcrest Avenue. In addition, three cul-de-sacs are proposed throughout the neighborhood. Road "D", due to some existing constraints with the existing stream as well as an existing sanitary sewer easement, could not meet the minimum 250 foot cul-de-sac length. Moving forward this would be a potential waiver request. Open spaces are being proposed to the north and east of the property. Sidewalks are proposed within the development on the roadway right-of-way.

D. Zimmerman gave some additional background information stating the Applicant is going to apply under the new Conservation Cluster provision. This property is one of the target areas that were looked at when this provision was made due to its high concentration of both flood plain and wetlands along with the potential to extend the riparian buffer down through the established mature wooded area all the way down through the Whitmer Tract. Regarding the cul-de-sac waiver, this would not meet liquid fuels criteria which means the Township will not be eligible for any state reimbursement for maintenance. H. Flosdorf inquired why the cul-de-sac could not go over the sewer easement. K. Ember stated the main concern was a large amount of fill would be required due to the grade.

D. Zimmerman stated as part of the Conditional Use process the Developer should be required to offer a fee in lieu of. L. Myers inquired if there would be an HOA Association that would be responsible for maintaining the basins. J. Eisenhauer stated an HOA is being considered for this development. D. Zimmerman stated another component of the cluster subdivision is a maintenance program must be created specific to the open space. He stated there was also some discussion regarding the possibility of a gravel trail along the sewer right-of-way. This could possibly tie in all the way down to W. Woods and to the trail system at Lititz Bend and TOA for access all the way to Highlands.

K. Gutshall voiced her concern about the steep slopes in the open areas and the difficulty of maintaining these areas. Overall however the Board's general consensus was that the plan made good use of a difficult piece of land.

**CONTINUED DISCUSSION ON TOA PHASES 1-3:** D. Zimmerman stated at last month's Board of Supervisors meeting, the Board tabled any action because they wanted a timeframe as to when the completion of the outstanding items could be expected. Yesterday the Township had a Zoom meeting with representatives of TOA and a process was outlined. The Board will receive this outline in writing along with some other commitments that were discussed at this meeting. The outline addresses how they will proceed with addressing mainly four primary areas. One is the condition of the basins with the closeout of the NPDES permit and verification of the vegetation in the basins. Also discussed were grading issues, some deterioration on the trail system, the trash racks and the concrete intersections in Phase 5. TOA will be utilizing contractors to complete this work. TOA has requested any action be tabled until next month so they can provide the information the Township has requested. D. Zimmerman felt the meeting was productive and that there is a willingness to bring a conclusion to these outstanding items in Phases 1-3. C. Haley mentioned that the Township's solicitor participated in the meeting as well and explained the Township's legal position on several of the items. H. Flosdorf inquired if the Township could write a letter to the Homeowner's Association at TOA stating which items the Township has the authority to follow-up on in Phases 1-3 and which they do not. D. Zimmerman acknowledged that this would be done.

At this time Rick Rittler, a resident of TOA, spoke about his concerns regarding the outstanding items on the punchlist.

**CONSIDER RESOLUTION 12-16-20-01 TO LEVY TAXES UPON REAL PROPERTY WITHIN THE TOWNSHIP FOR YEAR 2021:** D. Zimmerman stated there is no increase in the milage rate proposed for 2021. On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously approved Resolution 12-16-20-01 to Levy Taxes Upon Real Property Within the Township for the Year 2021.

**CONSIDER MIOTON TO APPROVE AND ADOPT THE 2021 BUDGET:** D. Zimmerman stated there was very little modification to the draft that was presented to the Board at the November meeting. There was a slight adjustment on two insurance items and there was a slight increase on consultant fees for the manager search effort for next year. Between these two items the adjustment was approximately \$20,000.

On a motion by K. Eshleman, seconded by K. Gutshall, the Board unanimously approved to adopt the 2021 Budget.

**CONSIDER AND AWARD BID FOR SALE OF A 2002 FORD F-550:** D. Zimmerman stated the minimal price was set at \$13,000.00 and the highest bid came in at \$15,000.00. On a motion by H. Flosdorf, seconded by J. Tennis, the Board unanimously approved the sale of a 2002 Ford F-550 for \$15,000.00.

**APPROVAL OF MINUTES:** With no additions or corrections to the November 4, 2020 or November 18, 2020 minutes, they were approved as submitted.

**TREASURER'S REPORT:** On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved the Treasurer's Report.

**PAYMENT OF THE BILLS:** On a motion by J. Tennis, seconded by K. Gutshall, the Board unanimously approved Payment of the Bills.

**MANAGER'S REPORT:** WESC- At the January 4, 2021 meeting the revised inter municipal agreement and service agreements for Brunnerville, Rothsville and Lititz Fire Companies will be adopted. These agreements were approved by WESC at their last meeting.

6<sup>th</sup> Street Roundabout Project- The roundabout was opened the Wednesday before Thanksgiving. Due to the delay on utility relocations, it will need to be closed for two weeks in the spring, approximately the third and fourth week of April, for milling and a final overlay of the road. Some minor touchup on the properties involved also need to be completed.

Reimbursement for COVID-19 Impact-The Township is still awaiting a second check from the County in the amount of \$164,000.00. This should be received by 12/31/20.

**TAX COLLECTOR'S REPORT:** On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved the Tax Collector's Report.

**PUBLIC WORKS REPORT:** The Board reviewed J. Minnich's December Report provided to them.

**POLICE DEPARTMENT REPORT:** The Board reviewed the November 2020 Report to the Commission that was provided to them.

**ZONING OFFICER'S REPORT:** The Board reviewed T. Zorbaugh's November 2020 Report that was provided to them.

Board of Supervisors  
December 16, 2020

**WESC/EMC REPORT:** The Board reviewed D. Ober's November 2020 Fire Commissioner Report that was provided to them.

**ADJOURNMENT:** With no other business to come before the Board, the meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Daniel L. Zimmerman  
Township Manager