

**WARWICK TOWNSHIP BOARD OF SUPERVISORS**  
**SEPTEMBER 20, 2023**  
**7:00 p.m.**  
**WARWICK TOWNSHIP MUNICIPAL BUILDING**

Chairman, Kenneth Eshleman convened the September 20, 2023 meeting of the Warwick Township Board of Supervisors at 7:00 p.m. In attendance were Supervisors Ken Eshleman, Ken Kauffman, Jeremy Strathmeyer, Jeff Tennis, and Kelly Gutshall. Also in attendance were Brian Harris, Township Manager; Tom Zorbaugh, Code & Zoning Officer; Chuck Haley, Township Engineer; Chris Vernarchick, RGS Associates; Sue Verdegem, United Zion Retirement Community; Kevin Varner, Diehm & Sons; Elvin & Carol Hurst, 61 Clay Road Lititz; Laura Knowles, Lititz Record Express; Jim Bushong, 1403 Brunnerville Road Lititz; Deb Ressler, 529 Millway Road Lititz; and Stephen Bachman, 357 Autumn Harvest Lane Lititz.

Mr. Steve Bachman, residing at 357 Autumn Harvest Lane (Lot 1 in Warwick Crossing) was present to discuss concerns with his property. He stated that he moved into his brand new model home in November of 2022. He states that they have had nothing but aggravation and problems with the house. He mentioned the cold winter air coming into the house making it uncomfortable and raising the utility bills. He notes air infiltration even with the heating system engaged and running and it makes a whistle sound because of the volume of air coming into the house. He has concerns with his HVAC units being undersized because when the house was built the HVAC system specialist put the duct work in the basement and made the entire basement conditioned space. He mentioned the certificate of use and occupancy from the township and it references a 2006 IRC (International Residential Code). The plans Mr. Bachman got from the township do not have that reference code but rather have 2 other reference codes being a 2015 IRC and 2018 having to do with the energy code. There are documents in it that he never knew existed including the fact that there is maximum that your clothes dryer vent shall be which they are 12 feet past. Mr. Bachman stated that the main discharge pipe in the basement is supposed to flow downhill to the exit point but they had a section of pipe that made things go uphill. The pipe was not placed in the J hook. He requested the blower door test, air infiltration test and thermal envelope test results but never got it. Radon tested high because the basement floor was never sealed against the entry of radon gas. They have had the house tested twice and the first numbers was in excess of 8.0. Anything result from 2.0 and up is a problem. When the hot and cold water lines for the clothes washing machine they reversed them. The walls were sealed so you could not see which was the red line and which was the blue line. The garage door openers still have not been fixed. The left switch opens the right door and the right switch opens the left door. He mentioned concerns with framing for the dwelling. He has requested information from the builder with no results. T. Zorbaugh stated that all the inspections were done but it was a spec home so there were modifications after it became a spec home before they bought it and moved in. Zorbaugh stated that 90% of Mr. Bachman's grievances are with the builder. T. Zorbaugh recommends that Mr. Bachman get everything in writing and sent it to the builder and to the township so that the township would have the list when it was sent. B. Harris stated that the CO was issued in October of 2022. The footer inspection was done in November of 2021, framing in March of 2022, foundation was done in December of 2021, and the final inspection was in October of 2022. Harris agreed that Mr. Bachman should sit down the E.G. Stoltzfus while the home is still under warranty.

**CONSENT AGENDA:**

Approval of minutes: August 16, 2023  
Manager's Report  
Tax Collector's Report  
Public Works Report

Police Department Report  
Zoning Officer's Report  
WESC/EMC Report

B. Harris stated that the 2024 budget process has begun. The township is still working on contract negotiations with Northern Lancaster County Regional Police Department. At the most recent Warwick Township Municipal Authority meeting they did

present the township rate study along with recommendations but no decision was made by the Authority. The last time water and sewer rates were raised was in 2009. Dave Busch prepared a rate study analysis for both water and sewer looking at the capital needs over the next 10 years and what needs to be done to achieve them. The only item on the next Planning Commission agenda is Touring Boulevard stormwater management plan. The last content meeting for the comprehensive plan has been completed and the next meeting is October 12, 2023 at the Warwick Middle School. The intent is to get the draft plan prepared by the end of the year with a motion for the municipalities to adopt in the new year. T. Zorbaugh mentioned the property violations with one settled and the issues taken care of. There are 2 that need to be cleaned up by the end of September 2023. There is another one that we were waiting on a letter that just came in and it will be headed down to Lancaster County Court for a hearing. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the Consent Agenda as submitted.

**CONSIDER THE UNITED ZION RETIREMENT COMMUNITY PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, PREPARED BY RGS ASSOCIATES, DATED AUGUST 8, 2023:**

Chris Vernarchick with RGS Associates addressed the Board. He wants to bring the Board up to speed with where they are at on the final plan for United Zion and the proposed expansion. The plan is pretty much the same they are just converting it from a Conditional Use Application to a Final Subdivision Plan. Vernarchick outlined the plan for the benefit of those present. Chris stated that there were a lot of questions about internal circulation which is important to the township and the Planning Commission. Chris provided graphics and explanations for those in attendance. They did reach out to PennDOT to let them know about the project because Route 501 is a state road. He mentioned what requirements need to be met to trigger a traffic impact study per township ordinance. Given the nature of the development being a retirement community it ranks very low in the category of trip generation. The applicant had no trouble reexamining the ordinance and did a traffic assessment. Initially they looked at post project and that did not trigger the threshold for a traffic impact study. The traffic engineer suggested looking at the entire property and they still did not meet the threshold for a traffic impact study. There was some discussion regarding a left turn lane into the property. The applicant has agreed to enter into an agreement that if it is determined after this project is built that a left turn lane is warranted, they will take care of it. There was a discussion with the turning radii in and out of the site from different directions and the proposed parking spaces. K. Kauffman shared his concern with the turning movement is that they have everything drawn exactly and perfectly in terms of where the cars are sitting, but they are never going to be there. He is concerned if people stack there and you have people trying to come off of Route 501 they have nowhere to go and then there would be stacking back up onto Route 501. K. Kauffman asked if the applicant has considered making the traffic one way around to prevent traffic trouble. They shared concerns with having multiple points of direction for egress and ingress. The applicant also is willing to ask employees to use the southern entrance/exit only. They also mentioned that deliveries are all being directed to the back of the existing campus where there is a loading dock. S. Verdegem stated that most of the staff comes in the southern driveway already and almost all of the deliveries use that entrance. J. Tennis mentioned blocking off some spaces during events if needed. C. Haley mentioned possibly doing a one-way around during events. There was a discussion regarding possible options for the northern entrance to the site and the proposed parking spaces. K. Gutshall shared her concern from northbound the right hand turn in. When you come up over the hill if someone is sitting there why don't we have right turn lane since there is such a wide shoulder. S. Verdegem stated that the signage has not been worked out yet. C. Haley stated that there is a stop bar and line on both entrances currently. There was an explanation on drop-off zones and and C. Vernarchick noted that they checked traffic movements for fire trucks, tractor trailers, and a 25 seat bus owned by the home. S. Verdegem stated that if there were a need for a tour bus loading and unloading would be done at the northern end of the building. K. Kauffman asked about the existing entrances north of the entrance in question. He asked if it would be possible to keep one of those entrances open to be used as an emergency entrance for emergency vehicles. Vernarchick stated that grade change would be a problem. They are going to be utilizing one of the driveways during the construction then close it. Chris stated that it is a 4-5 foot drop from the edge of the road down to the proposed parking lot. K. Kauffman mentioned evaluating whether it makes sense to lose a couple parking spaces at the bottom where the turn is. J. Strathmeyer stated that any amount of reaction time is an advantage so removing 3 parking spots on each side would provide the ability to stack and react of potential traffic would be beneficial. S. Verdegem stated that those spots be referred to would be utilized by visitors. She stated she would give up those

spots if that is what they need to do. On a motion by K. Kauffman and seconded by J. Tennis, the Board unanimously approved the waivers as presented as well as the plan conditioned on ELA's review letter dated August 18, 2023 and the discussion that took place tonight regarding amending those visitor parking spots on the east side entrance, the line and stop bar and signage.

**CONSIDER THE REVISED CONDITIONAL USE DECISION FOR ELVIN & CAROL HURST, 61 CLAY ROAD:** B. Harris stated that the only thing that had been revised on the decision is the date of approval. Sidewalks were discussed at the last Board Meeting. There was further discussion with ELA. Most of the efforts have been on the other side of Clay Road. Harris stated that we will get a pedestrian easement from the Authority. Harris recommends the Township apply for the LSA funding (casino money) that is available again. If they are willing to grant us a pedestrian easement we will seek funding for the trail. There are some steep slopes at the southern end from the sewer plant that will require a 3-4 foot wall and then there would be a pedestrian bridge across Lititz Run which would lead to the round-a-bout. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the Conditional Use Decision for Elvin & Carol Hurst, 61 Clay Road.

**CONSIDER THE REQUEST FOR A REDUCTION OF THE LETTER OF CREDIT FOR LITITZ BEND, PHASE 2:** B. Harris stated that this is Phase 2 letter of credit reduction. He did mention that the street dedication for Lititz Bend Phase 2 will be on our October 4, 2023 agenda for approval. Based on the ELA letter dated September 15, 2023 it is recommending the release of \$241,497.96 and retaining \$13,750.00 until final dedication. On a motion by K. Kauffman and seconded by J. Strathmeyer, the Board approved the request for a reduction of the letter of credit for Lititz Bend, Phase 2. K. Gutshall abstained.

**CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS:** B. Harris stated there is a fairly large bill registry due to the pass through funding for the RACP funding for Rock Lititz which we received and then passed along. The general fund expenditures were \$237,000.00. We paid Pennsy for our paving project for 2023 which \$217,000.00 and then we had a few checks out of the escrow as well as the stormwater fund. The total register is \$3,043,000.00 of which almost \$2,500,000.00 is the pass through from the RACP. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the payment of bills as presented.

**CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT:** B. Harris mentioned there is nothing out of the ordinary to note. Our EIT continues to be strong and we will likely exceed our transfer tax. Transfer tax revenue will be higher if Sam High's property does settle this year. We are currently at 67% of our expenditures. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the Treasurer's Report as presented.

**CONSIDER GRANT APPLICATION TO THE LANCASTER COUNTY COMMUNITY FOUNDATION CLEAN WATER FUND, LARGE IMPLEMENTATION FUND, FOR IMPROVEMENTS TO LITITZ RUN AT BALLSTOWN ROAD:** B. Harris stated that this is the grant application to the Clean Water Fund. The grant is due September 30, 2023 and we are going to apply for \$500,000.00. If we do receive the county ARPA funding that we applied for they would then match that with this \$500,000.00. This will be in conjunction with the SRBC funding for the project on Lititz Run at off of Warwick Road close to Ballstown Road where we have the meandering conditions. On a motion by K. Kauffman and seconded by J. Tennis, the Board approved the grant application to the Lancaster County Community Foundation Clean Water Fund, Large Implementation Fund. K. Gutshall abstained.

B. Harris stated that the traffic analyzer counted 18,000 cars in a 2 week period on Sixth Street. The analyzer was placed in front of Wayne Seigrist's house on Peirson Road and picked up 93,000 cars.

B. Harris mentioned that 1164 Pine Hill Road will not come before the Planning Commission until November. This is the digester project on the Nolt farm that takes food waste.

J. Tennis asked if we have any areas of the township that are not serviced with internet speeds that are 25 megabits per second or better. He stated that there is a grant for residents to do a survey and report their lack of service and then that could avail funds to provide better service to those areas. B. Harris stated he will look into this.

Board of Supervisors  
September 20, 2023

There was some discussion regarding greenways in the township.

**NEXT MEETING:** Wednesday, October 4, 2023 at 7:00 a.m. via Zoom

**ADJOURNMENT:** On a motion by J. Strathmeyer and seconded by J. Tennis the meeting was adjourned at 8:19 p.m.

Respectfully Submitted,

Brian Harris  
Township Manager