

**WARWICK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
Warwick Township Municipal Office**

July 20, 2016

Chairman W. Logan Myers, III convened the July 20, 2016 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors Herbert Flosdorf, Michael Vigunas, Kenneth Eshleman, and David Kramer. Also present was Daniel L. Zimmerman, Township Manager; William Crosswell, Township Solicitor; Tom Zorbaugh, Code and Zoning Officer; Mark Hackenburg and Chris Venarchick from RGS Associates, Inc.; Michelle Bingham 603 Woodcrest Ave.; Caroline Hoffer from Barley-Snyder; Wallace Kerrigan from Greenskies Renewable Energy; Laura Knowles from the Lititz Record Express; Reid and Whit Buckwalter from BFLP; Bill Kendall 700 Centennial Court; Nathan Jameson from Traditions of America; Andrea Shirk from Rock Lititz; Jim Wenger from Derck & Edson; and Dan Bloznak from ARC One.

PUBLIC HEARING #1: CONSIDER APPLICATION TO MODIFY ORIGINAL CONDITIONS BY APPLICANT-TARGET STORE, THRU GREENSKIES RENEWABLE ENERGY LLC TO MODIFY CONDITION B.2- TARGET ROOF. THE APPLICANT DESIRES PERMISSION TO INSTALL SOLAR PANELS ON THE ROOF AT 960 LITITZ PIKE: Crosswell, the Township's Solicitor, inquired if there was anyone present other than the Applicant who wished to be a party to this hearing; there was no one. Caroline Hoffer and Wallace Kerrigan were sworn in. Caroline Hoffer, representing Target Corporation, was present to discuss the application. Five exhibits were marked for evidence which include a copy of the application, a copy of the deed to the property, a letter from Warwick Devco LP, a copy of a picture of a Target Store with solar array installed, and a copy of the Land Development Plan.

Hoffer stated Warwick Devco LP received a Conditional Use approval on May 21, 2008. As part of this approval there was a condition imposed upon the approval indicating Target shall have a tan roof membrane and rooftop units. Subsequently the Zoning Ordinance was amended in 2011 adding Section 340-92.1 Renewable Energy Systems which allows as a use by right a rooftop solar array. As per a Greenskies representative a solar array cannot be tan in color and be effective.

The proposal is to change the condition to read "Target shall have a tan membrane and rooftop units provided Target shall be permitted to install a solar array on the roof in accordance with the applicable regulations set forth in Section 340-92.1C for a roof mounted system and such solar array shall not be required to be tan."

Wallace Kerrigan from Greenskies identified his position with Greenskies Renewable Energy LLC as an Electrical Chair. Kerrigan is familiar with the installation and design of the solar array for the company. Hoffer stated the amendment to the ordinance had some specific requirements and the solar array would still need to be submitted as part of the building permit application and have to demonstrate that the requirements are met. Hoffer inquired of Kerrigan if he was familiar with all the requirements and if they would be met. Kerrigan answered in the affirmative. Kerrigan confirmed that the solar array will be in compliance with all applicable industry standards and building code regulations. The interconnection to the grid will be subject to PP&L's authorization. The transmission lines for the electrical energy created will be located either in the store or with equipment mounted to the store. The mechanical systems will comply with all setback requirements of the Township. They will be located either within the store,

on equipment mounted to the store or underground. The collectors will be placed so there is not solar radiation or glare to neighboring properties or roads. Kerrigan stated there is only up to 2% potential glare. The solar array will be located within the confines of the roof. The solar panels will be on a 10 degree tilt facing south and are 16 inches from the surface of the roof.

Hoffer reviewed the following exhibits: the deed of the Applicant; a letter from Warwick Devco; and a picture of another Target Store with the solar arrays mounted. Kerrigan stated for all Target projects there is a 20 foot setback from the parapet.

Hoffer inquired of Kerrigan if he believes there is any adverse impact on the health safety or welfare by the installation of the solar arrays. Kerrigan stated he did not. Hoffer asked Kerrigan if he sees any adverse effect from adding solar panels on top of a tan roof membrane to the general public. Kerrigan stated he did not.

Hoffer is requesting from the Board approval of the modification of the condition that limits the rooftop systems and equipment to be tan to allow for the solar array.

This modification was reviewed with the Warwick Township Planning Commission at their meeting on June 22, 2016. The Planning Commission recommended approval of the modification.

Vigunas inquired if all the solar panels were going to be at the same angle and the same direction. Kerrigan stated they would be at a 10 degree angle facing south. Flosdorf inquired how many panels were going to be installed. Kerrigan stated there would be 1,420 panels 6 x 4 x 3.5 in size installed.

Myers inquired with the panels at a 10 degree angle what would the height be from the existing roof to the top of the panel. Kerrigan stated it would be 16 inches. Kramer inquired how the solar arrays are fastened to the existing structure. Kerrigan answered with concrete blocks 16 x 4 x 8 in size and with a weight of approximately 30-35 pounds and also with mechanical attachments. Vigunas inquired how much the panels weighed. Kerrigan stated each panel weighs 49 pounds. Kerrigan stated a structural engineer reviewed the building to make sure it can handle the build capacity. Approval from this review will be submitted to the Township. Zimmerman inquired how much percentage of electrical energy this would produce. Kerrigan replied typically approximately 20-30% of the stores requirement. Vigunas inquired why the panels were going to be angled to the south versus the west. Kerrigan stated east-west facing modules have less production.

Croswell inquired of Kerrigan if the Target Store located near the Baltimore Airport that has a similar solar array was evaluated by the FAA to make sure there was not any glare as far as air traffic. Kerrigan was not sure if this was reviewed or not by the FAA but he is not aware of any problems being reported.

Hoffer stated a Greenskies representative met with Mr. Blevins, an immediate neighbor on Lititz Pike, to discuss the roof color and he is in favor of the application.

Myers inquired if the conditions of the Conditional Use Approval were reproduced on the Subdivision and Land Development Plan. Hoffer stated she was unsure. Croswell stated if the condition is on the recorded plan the Township may want to record something to reflect the modification if granted by the Board.

Vigunas questioned how much wind the panels can take before they start to move. Kerrigan stated Greenskies does not do any type of rating however the Structural Company does an analysis and it will be on the engineer's record.

A building permit and a complete set of plans would be submitted to the Township for review.

Myers inquired if there were any questions from the public. There were none. On a motion by Flosdorf, seconded by Vigunas, the Board unanimously approved to close the hearing. Myers stated the Board has 45 days to render a decision. By the next Board of Supervisors meeting on August 17, 2016 a decision will have been made.

PUBLIC HEARING #2: CONSIDER APPLICATION FROM UNITED ZION RETIREMENT COMMUNITY, 722 FURNACE HILLS PIKE. SEEKING APPROVAL UNDER PART II SECTION 340-1J D(2) PERTAINING TO MEDICAL RESIDENTIAL CAMPUSES WITHIN THE R-2 RESIDENTIAL ZONED DISTRICT. THE APPLICANT IS PROPOSING A MINOR EXPANSION OF 9,300 SQ. FT.: Mark Hackenburg, who was representing United Zion, was present to review the plan. Hackenburg was sworn into testimony. Hackenburg asked that the application provided be marked as exhibit #1. This application includes a sketch plan, a Conditional Use narrative, and a project narrative.

Hackenburg stated the purpose of today's Conditional Use hearing is related to the use occurring on this property which is a medical residential campus. Since United Zion was first established on this property there has been an ongoing nursing home and retirement facility use in existence as defined in the Ordinance. Special exceptions were granted for nursing home and retirement living uses. The Ordinance was amended to include a definition for a medical and residential campus. Over a period of time healthcare expansions took place, and apartments and cottages were built on the campus providing independent living. Hackenburg is asking for the Board's consideration in an action related to a Conditional Use to allow the use interpretation to be that of a medical residential campus. This would constitute the mix of uses including independent living, recreational facilities, and support facilities that go beyond just providing retirement care.

Hackenburg stated an application has been submitted along with a letter dated June 1, 2016 that substantiates compliance with all the criteria for a medical residential campus.

Hackenburg showed the existing conditions related to the campus. This was entered as exhibit A1. In the interpretation of the campus as a medical residential campus there is a difference in setbacks. A medical residential campus requires a 50 foot perimeter setback. All of the proposed expansions on the property will occur within this 50 foot perimeter setback. The property is comprised of four parcels. When the Land Development process is started these parcels will be consolidated to consist of approximately 12.4 acres. Hackenburg stated the medical residential campus allows densities as high as 18 units to the acre. The proposed density for this project is approximately 8.29 volumes per acre.

What is proposed for expansion, in blue on the handout, represents approximately 9,300 square feet of additional floor area. The change in use results in one additional nursing bed. A conversion will take place that will convert shared rooms and semi-private rooms to larger facilities and some reconfiguration will be done to represent a more household care model to include repositioning of dining facilities within the footprint of the building which results in the north wing expansion and reconstruction and renovation throughout three other wings.

Exhibit A2 represents the proposed additions. The main building expansion will include a new entry point and a new ambulance entrance. The north wing expansion will include a household expansion for 27 beds. Porch expansions and dining renovations are proposed for the west and south wings. The character of the building is intended to blend with what already exists.

Hackenburg addressed a comment from the RGS letter dated June 1, 2016 relating to 10% of the total parking spaces be designated as handicap. The repositioning of several parking spaces that are displaced by the proposed additions is being considered. Hackenburg also addressed a comment from the RGS letter dated June 15, 2016 regarding traffic impact. With the addition of one bed one trip every third day is added so the project does not create any additional traffic. Hackenburg stated the project has been reviewed by the Warwick Emergency Services Commission who is requesting that a new Knox Box be installed at the new ambulance entrance.

Flosdorf inquired if the additional stormwater can be handled onsite. Hackenburg stated infiltration testing has been done. A disbursement and distribution of stormwater is being considered in small facilities rather than trying to expand the large existing basin.

Hackenburg stated when the project was presented to the Planning Commission on June 22, 2016 there was a favorable review with the recommendation to incorporate the one condition from the WESC review letter.

Myers inquired if there were any questions from the public or if anyone in attendance would like to be a party to the Applicant. There were no questions from the public and no parties to the Applicant.

On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved to close the hearing. Myers stated the Board has 45 days to render a decision. By the next Board of Supervisors meeting on August 17, 2016 a decision will have been made.

APPROVAL OF MINUTES: On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved the minutes from the June 1, 2016 and June 15, 2016 as submitted.

TREASURER'S REPORT: On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved the Treasurer's Report.

PAYMENT OF BILLS: On a motion by Vigunas, seconded by Eshleman, the Board unanimously approved the Payment of the Bills.

MANAGER'S REPORT: NLCRPD: See attached report.

WESC: See attached report.

Farmers Meeting: Zimmerman stated over 120 farms have been contacted to attend this meeting on Tuesday, July 26, 2016.

Wrigley Tract: The NPDES permit has been filed.

PW Contract Negotiations: An initial meeting was held with another meeting scheduled in two weeks. Zimmerman is hoping to have a draft of the contract by September for the Board to review.

MS4 Program: A response was received from the annual report that was filed giving feedback as to what DEP would like to see in next year's report.

Strategic Plan: The Coordinating Committee meets on Thursday, July 21, 2016 here at the Municipal Building. One topic to be discussed is the format for next year's update to the Regional Strategic Plan.

Meadow Valley and Millway Road: The project is expected to start within the next two weeks.

Warwick Road: The pipe replacement work is being done currently. Since this road will be heavily traveled once the work begins on the bridge on SR772, Zimmerman is requesting approval to do some base repair and widening. This work was originally scheduled to be done in 2017. The final overlay would be done after the completion of the bridge work. Zimmerman is requesting to adjust the liquid fuels budget by \$22,000 and moving the work slated for 2017 to 2016. The Board was agreeable to the base work being completed.

TAX COLLECTOR'S REPORT: Zimmerman stated the Township is ahead in the amount of taxes collected as compared to previous years.

PUBLIC WORKS REPORT: Zimmerman stated the culvert replacement on New Haven Drive has been completed.

POLICE DEPARTEMENT REPORT: Zimmerman discussed the change with utilizing the Breathalyzer. The NLCRPD will be working jointly with Lititz Borough in purchasing this test. Grant options are also being looked into.

ZONING OFFICER'S REPORT: Zorbaugh provided a price breakdown for the Lititz Rec Center satellite office at Rock Lititz.

WESC/EMC REPORT: See attached report.

LANCASTER COUNTY ASSOCIATION OF TOWNSHIP SUPERVISORS: See attached form.

LANCASTER FARMLAND TRUST: The Board acknowledged the letter of thanks for allowing the roadways in the municipality to be used for the annual Pedal to Preserve Bike Ride.

LITITZ REC CENTER: The Board acknowledged the letter of thanks for the Township's 2nd Quarter contribution.

YOUNG FAMILY: The Board acknowledged the letter of thanks for the floral arrangement.

LITITZ LIBRARY: The Board acknowledged the letter of thanks for the Township's 2nd Quarter contribution.

CONSIDER THE TRADITIONS OF AMERICA PHASE IV FINAL LOT ADD-ON AND PRELIMINARY PLAN, PROPOSED BY RGS ASSOCIATES, DATED 5/4/2016: Chris Venarchick from RGS Associates along with Nathan Jameson representing TOA and the landowners the Buckwalter's are here to review the final phase of TOA. This phase represents 51 units which include 33 single family and 18 duplex units. The Planning Commission has given their approval of the final phase.

Zimmerman inquired if Venarchick saw any issues with closing out the NPDES for this portion of the contract. Venarchick stated no. He would work with the Conservation District and have them sign off on the process as necessary to convert the basins. This was discussed with the Applicant and the Township staff on how this can be accomplished without being disruptive to the existing residents. There will be an easement for access with equipment from the Buckwalter's property to complete the conversion.

Vigunas stated the original sketch plan for Phase V showed possible utilization of Hess Lane for a possible in out road. Vigunas asked if there was any intention of starting to incorporate the use of Hess Lane in Phase IV? Venarchick stated Hess Lane is currently being utilized as an access to construction trailers. As far as earth work there are permit limits that do not allow disturbing this area.

On a motion by Eshleman, seconded by Vigunas, the Board unanimously approved Traditions of America Phase IV Final Lot Add-on and Preliminary Plan as presented with the recommendations listed by the staff along with the ELA letter dated July 12, 2016.

CONSIDER THE REVISED ROCK LITITZ PHASE 1C FINAL LAND DEVELOPMENT PLAN, PROPOSED BY DERCK & EDSON ASSOCIATES, DATED 5/24/2016: Jim Wenger from Derck & Edson was present to review the plan. Wenger stated the Board first saw this plan approximately one year ago. Lease agreements have been worked on for the building. Now that the building is under construction these agreements have been finalized. As a result of this there are some changes to the approved plan. The user in the far west end needed more loading docks

further west so some paving and a turnaround space need to be modified between the two buildings. The amount of loading dock and turning space was increased reducing the size of the second building. Another parking bay was added to the east end of the double bay already there in part to serve the next plan. With the addition of the loading area to the west a Best Management Practice Facility was impacted which got shifted to the north. To compensate for this, porous paving is being done on the last two parking bays on the east side.

In summary, the following changes were made to the plan: 1. More distance between the buildings. 2. Future Pod 3 is smaller. 3. Downsized one BMP but added additional BMP on the east side of the property. 4. Added additional parking. Wenger stated final approval from the Conservation District has been obtained for the changes.

On a motion by Florsdorf, seconded by Eshleman, the Board unanimously approved the Revised Rock Lititz Phase 1C Final Land Development Plan, proposed by Derck & Edson, dated 5/24/2016.

CONSIDER THE UPDATED MASTER PLAN FOR ROCK LITITZ, PREPARED BY DERCK & EDSON, DATED 6/4/2016: Jim Wenger also reviewed the Master Plan. When the Board first saw the updated Master Plan it showed an L-shaped building between the set-up building and building 1C that was to be a hotel. A real hotel is now proposed and instead of an L-shaped building it is more of a C-shape oriented north-south so the flow of pedestrians back and forth between the two buildings can freely flow from the hotel. This is the only change to the Master Plan. Haley stated the Master Plan contains the changes made on Phase 1C.

On a motion by Florsdorf, seconded by Eshleman, the Board unanimously approved the Master Plan for Rock Lititz, prepared by Derck & Edson, dated 6/4/2016.

DISCUSS THE SKETCH PLAN FOR HOTEL (BUILDING 1B) FOR THE ROCK LITITZ PROJECT: Jim Wenger reviewed the sketch plan. There will be access to the hotel off of Rock Lititz Blvd. into a parking lot in front to serve the hotel. There is access off of Studio Drive to a parking lot that will serve the restaurant on the first floor of the facility. The front of the hotel faces west internally to the campus. Currently the hotel consists of 138 rooms. There will be no rooms on the first floor which affects one request with the application which is to possibly increase the height restriction in the Industrial Zone for a hotel going up to 65 feet of habitable space for a total of 6 floors. The hotel will have an indoor pool and will be open to the general public. The goal is to have the hotel blend in with the surrounding buildings.

Vigunas questioned the TDR's and impervious service mentioned in the ELA letter dated June 8, 2016. Zimmerman explained the TDR's are calculated per project. Rock Lititz has purchased TDR's for the current building under construction. TDR's are constantly updated as plans are submitted.

Wenger stated one issue he would like to discuss is the height of the building to allow going to six floors for space that is occupied. This would allow for the first floor to be primarily auxiliary space and common space. Wenger stated in a meeting with WESC it was recommended that when preparing the Land Development Plan, the aisle in front of the building and to the north side of the building as well as the aisle at the Rock Studio parking lot be preserved for fire access. Emergency access would be looked at for the east side of the building to gain access to this portion of the hotel. Zimmerman stated per Code the hotel must have sprinklers and the building itself will be constructed of block and plank.

Florsdorf inquired if the water pressure is adequate for six floors. Zimmerman stated this will be evaluated by the Municipal Authority and could require either a separate auxiliary pump or a stand tank.

Another issue is related to signage. The hotel developer was looking to have the name of the hotel above the roofline. In discussions with Township Staff and the hotel developer, a wall sign is being considered to meet the parameters permitted within a Campus Industrial Zone. The hotel developer was also looking to have a second wall

sign as part of the entry. The wall sign will face the interior of the campus and will not be visible from Route 501. The lighting for this sign will be internal. Vigunas confirmed that if traveling north on Route 501 approaching the campus you will not see a sign; however, if traveling south the wall sign would be visible.

Wenger stated a signage issue will be brought before the Zoning Hearing Board to request a second wall sign to be permitted.

Zimmerman stated the Planning Commission at their meeting on June 22, 2016 recommended due to the extra density being proposed there be some allocation with the TDR's required.

Flosdorf inquired why a text amendment is being considered instead of a variance in regards to signage. Flosdorf stated a text amendment process takes considerable more time to request. Therefore, could a variance be requested first with the intention of following with a text amendment? Zimmerman stated the text amendment would be filed after the Sketch Plan and will follow the same path as the Land Development Plan. The text amendment consideration and approval of the plan can be done after the Land Development Plan has been submitted. This text amendment would apply to all hotels and office buildings in the Campus Industrial Zone except to the south side due to the height restriction from the FAA and Zone 1. Flosdorf said consideration should be given to a variance for this specific building. A discussion ensued regarding the pros and cons of a text amendment versus a variance. After much discussion it was decided that a Text Amendment for a Conditional Use be done. This would allow for control over height in all Industrial Campus Zones within the Township.

CONSIDER REQUEST FOR REDUCTION OF IMPROVEMENT GUARANTEE FOR GARDELL LLC PROJECT:

On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved the request for Reduction of Improvement Guarantee for Gardell LLC project.

CONSIDER RESOLUTION 07-20-16-01 AUTHORIZING THE FORMAL EXPRESSION OF SUPPORT FOR THE MULTI-MUNICIPAL SIXTH STREET EXTENSION: Zimmerman stated since the Township is the lead municipal applicant for the potential grant from PennDOT, a resolution is needed to give authorization to the Township, Lititz Borough, and the private developers.

On a motion by Flosdorf, seconded by Vigunas, the Board unanimously approved Resolution 07-20-16-01 authorizing the formal expression of support for the multi-municipal Sixth Street extension.

CONSIDER THE GREEN LIGHT GO PROGRAM GRANT AWARD FOR THE ROTHSVILLE CORRIDOR:

Zimmerman stated this is the grant the Township received from PennDOT to allow for elimination of the loop system on the Rothsville corridor. A camera system will be utilized instead which will be more reliable and will register motorcycles and buggies. A "fish eye" type of approach will be used that is not subject to winter conditions. The goal is to have this functioning before the bridge closure on SR772. The grant would cover approximately 50% of the total cost which is approximately \$30,000.

On a motion by Eshleman, seconded by Flosdorf, the Board unanimously approved the Green Light Go Program grant award for the Rothsville corridor.

CONSIDER REQUEST BY LANCASTER POLO CLUB TO PLACE AN ADDITIONAL SHED AT THE FORNEY FIELD COMPLEX: Zimmerman stated there are currently two sheds at the field. The third shed would be placed to the rear of the field and would not be visible from Church Street. Zimmerman recommended a condition be placed to include the placement of a stone bed under the shed so no weeds can grow around the shed. This would allow for there to be no impact on stormwater.

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On a motion by Vigunas, seconded by Eshleman, the Board unanimously approved the request by Lancaster Polo Club to place an additional shed at the Forney Field Complex with the condition recommended by Zimmerman.

CONSIDER THE REQUEST FOR THE HARTZ FALL BLAST 5K RUN/WALK: On a motion by Eshleman, seconded by Flosdorf, the Board unanimously approved the request for the Hartz Fall Blast 5K Run/Walk.

CONSIDER REQUEST BY UNITED ZION TO HOST ANNUAL UZRC CAR CRUISE 8/31/2016: On a motion by Vigunas, seconded by Eshleman, the Board unanimously approved the request by United Zion to host the Annual UZRC Car Cruise 8/31/2016.

CONSIDER REQUEST BY GLENN & SHARON MILLER FOR WAIVER OF 100 FOOT SEPARATION BETWEEN SEPTIC ABSORPTION AREA AND EXISTING WELL: Zimmerman stated these types of waivers have been done in the past. A waiver will also be signed by the homeowner.

On a motion by Flosdorf, seconded by Vigunas, the Board unanimously approved the request by Glenn & Sharon Miller for waiver of a 100 foot separation between septic absorption area and existing well.

CONSIDER REQUEST BY HANDS ON HOUSE HALF MARATHON ON 9/24/2016: On a motion by Eshleman, seconded by Vigunas, the Board unanimously approved the request by Hands On House to host a Half Marathon on 9/24/2016.

OTHER BUSINESS TO COME BEFORE THE BOARD: A discussion was held on the lack of donations from area businesses to various fundraisers such as the Fire Company fund drive held in the community.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager