WARWICK TOWNSHIP BOARD OF SUPERVISORS MEETING MINUTES Warwick Township Municipal Office

August 17, 2016

Chairman W. Logan Myers, III convened the August 17, 2016 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors Herbert Flosdorf, Michael Vigunas, and Kenneth Eshleman. Absent was David Kramer. Also present was Daniel L. Zimmerman, Township Manager; William Crosswell, Township Solicitor; Dean Saylor, Public Works Superintendent; Jonathan Wakefield representing Christian Brothers Automotive; Nathan Jameson and Kurt Benner representing TOA; Chris Venarchick and Mark Hackenburg representing RGS; Whit and Reid Buckwalter from BFLP; Steve Gergely representing Harbor Engineering; Kristin Holmes representing Holmes-Cunningham Engineering; Richard Phillips 1052 Presidents Drive, Lititz; Gerald Pfautz 83 N. Heck Road, Lititz; Arthur Stoner, Jr. 450 Allegiance Dr., Lititz; George and Gertrude Walter 369 W. Woods Dr., Lititz; Al Olah 479 Pilgrims Dr., Lititz; Wally Campbell 1063 Presidents Dr., Lititz; Gary and Janet Willier 610 Water Edge Rd., Lititz; Michelle Bingham 603 Woodcrest Ave., Lititz; Todd Bomberger 340 A Lakeview Dr., Lititz; Raymond Buckwalter 238 N. Mary St., Lancaster; John Sparmblack 27 Woodland Ave., Lititz; Jane Glass 482 Pilgrims Dr., Lititz; Thomas and Kathy Thompson 503 Allegiance Dr., Lititz; Brian Wiczkowski 241 Andover Lane, Lititz; Tom Daly 242 Andover Lane, Lititz; Ray Bomberger 555 Furnace Hills Pike, Lititz; Jake Toews 300 Centennial Ct., Lititz; Bill Kendall 700 Centennial Ct., Lititz; Kenneth Kline 836 Brunnerville Rd., Lititz; Kevin McAllister 1065 Declaration Dr., Lititz; Susan Keyser 229 W. Woods Dr., Lititz; Tom Eisemann 231 W. Woods Dr., Lititz; Will Burkhart 400 W. Woods Dr., Lititz; Dan Berger EMI; Eric Cristina from TOA; John Olshoefer 458 Allegiance Dr., Lititz; Todd and Ruby Witmer 359 W. Woods Dr., Lititz: Bill and Lou Ellen Michael 432 Settlers Dr., Lititz: Jim and Karen Thorn 403 W. Woods Dr., Lititz: and John Burke 800 Centennial Ct., Lititz.

Crosswell inquired of the public if there was anyone interested in being a formal party to Public Hearing #1. Wally Campbell came forward and filled out the proper paperwork required. Crosswell then inquired if there was anyone present who objected to Board Member Kramer, who is absent from tonight's proceedings, to be able to familiarize himself with the hearing and render a vote when the Board makes its decision. There was no objection from the public or Applicant. Finally, Crosswell inquired if the Applicant had any objection to Flosdorf, who resides in the current TOA development, participating in the hearing. There was no objection from the Applicant or Mr. Campbell.

PUBLIC HEARING #1: CONSIDER APPLICATION BY TRADITIONS OF AMERICA LITITZ, LP TO EXPAND UNDER SECTION 340-108.2 OF THE ZONING ORDINANCE TO ALLOW MODERATE DENSITY HOUSING FOR AGE RESTRICTED DEVELOPMENT. CURRENT DEVELOPMENT CONSISTS OF SIXTY (60) ACRES. EXPANSION WOULD INCLUDE AN ADDITIONAL TWENTY FOUR ACRES (24) EXTENDED TO W. WOODS DRIVE: Chris Venarchick, with RGS Associates and Nathan Jameson with TOA were present to review the application. Venarchick and Jameson were sworn in. Venarchick stated there is demand for this type of housing and this is what prompted the submittal of the Conditional Use Application for the expansion. Venarchick gave a brief background of the project. If the Conditional Use is approved the next step would be to file a Land Development Plan with a lot add-on to eliminate

the common property line and add the 24 acres to the lower 60 acres to create one community. The development would consist of 66 proposed single family homes and 22 duplexes. This is approximately 3.98 units per acre which is slightly less than the original 60 acre tract. Public sewer and water will be extended from the lower 60 acres. A Community Building is also being proposed. Public sewer and water will be extended from the existing community.

Venarchick stated Allegiance Drive will be extended from the lower 60 acres. The trail system will continue north towards W. Woods Drive and eventually connect with the existing network on the hospital property.

Venarchick stated the impact to utilities will be low. There will be no impact as far as children to the school district however the residents will pay taxes to the school district. There will also be a low generation of traffic.

Vigunas noted in the letter from Ober, the Emergency Services Administrator, it was recommended Hess Lane and the access lane be full width streets to support emergency vehicles. However, Venarchick had previously stated the width would be 12 feet wide. Venarchick stated the proposal was modeled from the Lititz Reserve Community in which a 12 foot wide emergency access is provided and this was approved by the Township.

Myers questioned what the plan is for the existing farmhouse located on this property. Jameson stated the farmhouse is in the process of being evaluated and appraised by two real estate companies to determine if the home has market value. It has been determined that the house cannot be maintained as a home in the community and it cannot be used for commercial use. Jameson stated there is the proposal of creating a one acre lot around the farmhouse and making it available for sale with certain deed restrictions for a period of three months to see if there is any interest.

Crosswell had a question regarding the emergency connection. He inquired whether this was going to be at Resolution Drive or Allegiance Drive. Venarchick stated the horizontal connection will be with Allegiance Drive with a bollard mechanism similar to what was placed at Lititz Reserve.

Flosdorf asked what the benefit was of having Hess Lane restricted to emergency access as opposed to regular traffic. The traffic study did not require that a connection be made to the two communities however the Planning Commission was in favor of a connection. The idea of emergency access only is to discourage the streets as being used as a cut through. Flosdorf thought with having no traffic flow on the east side this would create more traffic on the west side. Also, he felt the street system was inconsistent with the lower 60. Venarchick stated the curvilinear streets follow the curvilinear topography of the 24 acre tract. Venarchick addressed the short block system concept. Due to the topography of the property if the grid system were to be imposed there would be significant earth work and retaining walls needing to be done. Flosdorf inquired if there was room to make the connection a 24 foot wide street. Venarchick stated yes there is physically room to widen this street.

Eshleman had a question regarding the farmhouse. If the farmhouse is not sold in the three months allotted, what would then be done? Jameson stated the house would be removed and this would become open space for the home owners.

Zimmerman reviewed the comments from the Planning Commission. The Planning Commission was also concerned about the historic farmhouse. Zimmerman stated there is no requirement to retain the farmhouse however if the farmhouse could be preserved that would be favorable. Conditions can be placed for this property and the thought of the Planning Commission was to see if there is any interest in the farmhouse prior to taking other measures on the fate of the house.

Regarding the emergency access, Zimmerman clarified the development meets the standards for access. There will be three separate access points within the development. The Planning Commission suggested there be pedestrian

access from the lower community to the upper community. The Planning Commission also suggested the consideration of a partial 12 foot dedicated and restricted emergency access road as recommended in the memo from Emergency Services.

The floor was then opened to public comment from residents, taxpayers or rate payers of the Warwick Township/Warwick Township Municipal Authority.

Crosswell inquired of Zimmerman if the Applicant has already agreed to certain conditions? Zimmerman replied yes a list was submitted with the Conditional Use Application as part of the approval process. The Board will be given a copy of these conditions.

Crosswell inquired if the legal owners of the property, Buckwalter Family Limited Partnership, have reviewed the conditions and are in agreement with them. A representative from BFLP stated the conditions were reviewed and there are no issues.

The public's comments were then addressed. Jim Thorn who resides at 403 W. Woods Drive inquired if W. Woods Drive was going to be widened with this project. Zimmerman responded that TOA is required to provide widening from the center line on their side of the property.

John Ulshoefer who resides at 458 Allegiance Drive has a concern regarding an emergency access. He feels there should be an additional access onto W. Woods Drive.

John Sparmblack who resides at 27 Woodland Avenue has a concern with W. Woods Drive. His concern is about the speed and sight on W. Woods Drive.

Wally Campbell who resides at 1063 Presidents Drive is the elected homeowner representative for TOA. One concern of the present homeowners is the existing and future traffic on Allegiance Drive. The homeowners are in support of making Hess Lane a full width road accessible to both regular vehicles and emergency vehicles. Another concern is the proposed gathering space. Homeowners are in favor of a new hall however it is felt that a 1,000 square foot gathering space would not meet their needs. They are requesting a larger space in which to hold dances, dinners, or be able to do crafts etc. The last concern is the farmhouse. The homeowners feel it does not conform to the current community and are in favor to the demolition of this structure.

Ronald Swanson who resides at 500 Centennial Court was also concerned about the gathering space. The present clubhouse already gets filled during events so he feels a larger gathering space is needed to accommodate more residents.

Karen Brown-Thorn who resides at 403 W. Woods Drive wanted to reinforce the concern about the extra traffic that will be generated on W. Woods Drive.

Gertrude Walton who resides at 369 W. Woods Drive is also concerned about speeding traffic on W. Woods Drive. Zimmerman stated the NLCRPD does monitor the traffic on W. Woods Drive.

Tom Eisemann who resides at 231 W. Woods Drive says the topography of W. Woods Drive is his concern. He feels traffic from Hess Lane should only be able to turn right and not left.

Al Olah who resides at 479 Pilgrims Drive had concerns about the access points. Olah stated he also had a concern with having to pay for the resurfacing of the roads.

John Burke who resides at 800 Centennial Court supports the need for another access point and was concerned about the clubhouse not being able to handle all the residents when a function is held.

Arthur Stoner who resides at 450 Allegiants Drive stated he has concerns with Millport Road becoming heavily traveled.

Russ Campagna who resides at 1085 Declaration Drive also had concerns about the clubhouse and there being not enough parking.

Kevin McAllister who resides at 1065 Declaration Drive inquired if there was a maximum occupancy rating on the clubhouse. Zimmerman stated under the fire code there would be however he was unsure of the number.

Richard Phillips who resides at 1052 Presidents Drive has concerns about the traffic going back and forth between the two developments.

Dr. Eric Cristina who resides at 535 Allegiance Drive had questions regarding drainage and mosquitos. Zimmerman replied the area has been tested by the County and there have no indications of any problems. During mosquito season traps are set and the water is tested.

Ruby Whitmer who resides at 359 W. Woods Drive inquired if speed bumps would be applicable to help slow down traffic on W. Woods Drive. Zimmerman stated this has not been evaluated. Typically at this speed limit it is not initiated.

Flosdorf asked Jameson if the condition were proposed to have Hess Lane be connected as a full road would this be accepted by TOA? Jameson stated TOA is opposed to it but would accept it.

Crosswell asked that two exhibits be entered into evidence, Appendix A which is the conditions Mr. Jameson has signed and the written testimony presented by Mr. Campbell.

With no other questions from the public or the Board, a motion was made by Vigunas, seconded by Eshleman and unanimously approved by the Board to close the hearing. Myers stated the Board has 45 days to render a decision.

PUBLIC HEARING #2: CONSIDER APPLICATION BY EAGLES MERE INVESTMENT, LLC UNDER SECTION 340-18-C-4 BILLBOARDS IN THE INDUSTRIAL I-1 ZONE SPECIFIC TO CRITERIA UNDER SECTION 340-54. LOCATION IS 573 FURNACE HILLS PIKE. APPLICANT IS PROPOSING AN LED BILLBOARD: Tim McGovern with Eagles Mere Investment was present to discuss the application. Crosswell asked McGovern if he had any objection to the missing Board member participating in the decision after he has reviewed the hearing proceedings. McGovern stated he did not have any objection. Todd Bomberger requested to be a party to the hearing. Both gentlemen were sworn in.

McGovern stated he was before the Planning Commission with this application on July 27, 2016. The site is owned by Gibbel Brothers and contains three self- storage buildings. The proposed Billboard is a 10 x 30 25 foot LED single faced Billboard that would face to the south. The 35 foot front yard setback and 50 foot side yard setbacks have been met. The sign would be programmed offsite. McGovern stated the sign can be controlled from a smart phone, tablet, or computer. There will be approximately 6-7 advertisers rotating on the sign once every minute. The brightness would be 7,500 nits during the daytime and 350,000 nits at night.

Flosdorf inquired if the sign would be lit 24 hours a day seven days a week. McGovern stated yes this is typically how the sign is operated. McGovern stated the sign could advertise anything from political messages to

advertisements for businesses. It can be linked to Amber Alert notifications and emergency services would have access to the sign as well.

Flosdorf also inquired if there was another Billboard such as the one proposed that he could look at? McGovern stated there is one the same size located on Dillerville Road. This sign has a center mount whereas the one being proposed is a flag unit with the pole being along the end of the sign.

Vigunas inquired if Eagles Mere Investments outsources the advertisements. McGovern stated Eagles Mere owns the sign, they pay land rental to the property owner and they sell the advertising to the businesses.

Zimmerman reviewed the conditions presented by the Planning Commission. The Township's Ordinance requires that every project meet a zero impact at the property line at night. Another condition is once the billboard is operational the Applicant would have to submit a measurement that the billboard does comply with the zero impact at the property line.

Eshleman inquired how many other billboards Eagles Mere has? McGovern stated they currently have four leases in Lancaster County.

Myers inquired if McGovern saw any issues with the conditions raised by the Planning Commission. He stated he has a letter from the manufacturer that the billboard meets the dark sky criteria. McGovern stated as far as zero lumens, there would be no increase in light. McGovern said he would consider the condition of availability for public service to a municipality or to a fire company. Myers stated it would be beneficial for the Township to have a percentage as to how many minutes/hours a year to set up a program for when the Township is approached for an advertisement request. McGovern stated he would not like to just provide public service to Warwick Township. He would like to make it available for county wide, statewide and national services. McGovern decided as a compromise he could offer two weeks per year for public service for one 10 second slot.

Zimmerman inquired if there were minimal standards for maintenance in the lease. He also asked what were to happen if the billboard is sold or if the business ceases to operate. McGovern stated if the lease is terminated the sign would be removed at their cost. If the billboard is sold the lease would be signed over to the new owner.

Flosdorf inquired if there were any way the Township could regulate what advertisements are place on the billboard. McGovern stated restrictions on advertisements are common but are generally set by the landowner and the billboard company. Myers questioned if something could be written in the Conditional Use request that if the billboard were to be sold the Township has review authority. Crosswell stated that this cannot be done under a Conditional Use.

Vigunas asked what security measures are taken so the system cannot be hacked into. McGovern stated the system is encrypted however if someone is knowledgeable enough they will get in. McGovern stated the website is secure and the manufacturer monitors the website. A password and login are required to change the messages. McGovern stated the advertisers have access to the system and can change the messages themselves. Vigunas inquired if anyone is notified when a message is changed. McGovern stated someone is notified only if the wrong login was used.

Crosswell informed McGovern that the property owner's name is spelled incorrectly on the application. It should be Gibbel not Gibble. Crosswell inquired if McGovern would comply with the Township's illumination standards as stated in the Code of Ordinances. McGovern stated the standards would be adhered to. Crosswell also inquired if PennDOT's sign standards would be adhered to as well and McGovern stated yes.

Myers inquired if the public had any questions. Todd Bomberger is present on behalf of Bomberger's Store located at 555 Furnace Hills Pike. Bomberger stated his concern with this sign is all of the current business signs along the 501 corridor are uniform in size and shape. He feels this sign does not flow with those already present. Bomberger also stated this sign would allow competitors, who do not reside in the Township, to compete against other businesses in Warwick Township. In addition, Bomberger feels the sign will be a distraction to drivers.

With no other questions from the public or the Board, a motion was made by Vigunas, seconded by Eshleman and unanimously approved by the Board to close the hearing. Myers stated the Board has 45 days to render a decision.

PUBLIC HEARING #3: CONSIDER PETITION TO ADD LAND TO THE WARWICK TOWNSHIP AGRICULTURAL SECURITY AREA: Zimmerman stated this is an application for preservation of the Grube Farm on E. Woods Drive. It is a prerequisite that prior to preservation that a farm join the Ag Security Area.

Myers inquired if there were any questions from the Board or the public. There were no questions so a motion was made by Vigunas, seconded by Eshleman and unanimously approved by the Board to close the hearing.

APPROVAL OF MINUTES: On a motion by Flosdorf, seconded by Vigunas, the Board unanimously approved the July 20, 2016 meeting minutes as submitted.

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

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

MANAGER'S REPORT: Farmer's Meeting: Farmland Trust held the meeting and approximately 30 farmers were in attendance.

Wrigley Tract: ELA Group has resubmitted for the NPDES permit.

PW Contract Negotiations: There have been a total of 5 hours of discussion. Zimmerman is anticipating an agreement at the next session.

MS4 Program: There are a lot of new requirements for 2017 which will have an impact on the Township's budget.

Strategic Plan: The next meeting is scheduled for Thursday, August 18, 2016 at 7:00 a.m. at the Lititz Borough Office.

Pension Report: The Township's funded ration is 97% with a distress score of 0.

Meadow Valley Road Project: The HOP from PennDOT has been obtained. The project is slated to begin the week of August 22nd.

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

PUBLIC WORKS REPORT: Saylor stated work has been in progress on Warwick Road for three weeks. Saylor is anticipating approximately two more weeks until the project is completed. The intersection work at Meadow Valley and Millway Road will be completed before the start of the new school year. The overlay at Crosswinds Drive and

Highlands Drive is slated for September. Also in September further work on the Rail Trail will be done. All property owners concerns have been addressed.

POLICE DEPARTMENT REPORT: See attached report.

ZONING OFFICER'S REPORT: See attached report.

WESC/EMC REPORT: See attached report.

LCPC: See attached memo.

PSATS: See attached handout.

LRC: See attached handout.

DA-DRUG TASK FORCE: See attached report.

ROHRER FARM: See attached handout.

CONSIDER DECISION FOR CONDITIONAL USE APPLICATION BY TARGET-INSTALLATION OF SOLAR PANELS: Zimmerman stated a hearing was held last month with regard to the installation of solar panels at the Target Store located along 501.

On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved Greenskies Renewable Energy LLC Conditional Use Application for the installation of solar panels.

CONSIDER DECISION FOR CONDITIONAL USE APPLICATION BY UNITED ZION RETIREMENT COMMUNITY SEEKING CLASSIFICATION AS MEDICAL RESIDENTIAL CAMPUS WITHIN THE R-2 RESIDENTIAL ZONE DISTRICT: Zimmerman stated a hearing was held last month with regard to seeking classification as a Medical Residential Campus. A recommendation from Emergency Services was that Knox boxes are to be installed.

On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved the Conditional Use Application by United Zion Retirement Community for re-classification as a Medical Residential Campus within the R-2 Residential Zone District.

CONSIDER THE REVISED FINAL PLAN FOR GARY WILLIER, PREPARED BY HARBOR ENGINEERING, DATED 7/1/2016: Steve Gergely with Harbor Engineering was present to review the plan. This plan affects Lots 3, 4, 11 and 12. The proposal is to switch the front and rear yard setback for these lots. The original plan had a 75 foot setback from the private street and a 40 foot setback off of Woodcrest Avenue.

A modification for Lot 11 to have a 75 foot rear yard setback from Woodcrest Avenue is being requested due to the reduced building envelope space created by the cul-de-sac bulb.

The Planning Commission put forth the condition that the landscaping buffer for the rear yards be increased by 50%.

Vigunas questioned with the change to the setbacks would there be any issue with drainage for the tract? Gergely stated all drainage will go toward the private street.

On a motion by Eshleman, seconded by Flosdorf, the Board unanimously approved the Revised Final Plan for Gary Willier, prepared by Harbor Engineering, dated 7/1/2016 with the condition put forth by the Planning Commission of increasing the landscape buffering by 50%.

CROSSWINDS, PREPARED BY KRISTEN HOLMES, DATED 7/6/2016: Kerri Nace, an attorney with Fox-Rothschild, was present on behalf of the Applicant. Jonathan Wakefield, Development Director for Christian Brothers Automotive and Kristen Holmes, engineer of the project were also present. The property is located at the intersection of Highlands Drive and Crosswinds Drive. The property is less than 2 acres in size. Wakefield gave an overview on Christian Brothers. Wakefield stated Christian Brothers is a stone/brick cottage with a nine car garage and architectural shingles. The building is just under 5,000 square feet with a cost of approximately \$725,000.000. Operation hours are from 7:00 a.m. to 7:00 p.m. Monday through Saturday for the first 180 days of operation. After the 180th day they are open 7:00 a.m. to 7:00 p.m. Monday through Friday. A shuttle car will take customers to and from destinations.

Christian Brothers is considered a Life Automotive Service. Engine overhauls, body work, and expedient tire replacement is not done at the establishment. Wakefield compared Christian Brothers with a warranty level service provider. When a vehicle goes past its warranty instead of taking it back to the dealership where prices tend to be higher customers can bring their car to Christian Brothers for "dealership" service without the wait and cost. Christian Brothers is considered to be a low traffic volume destination as it is used as a planning destination base. 15 vehicles will be serviced at the start-up building with the possibility of up to approximately 20.

Myers inquired how many stores Christian Brothers has in Pennsylvania. Wakefield stated Christian Brothers is a well-established company from the south. The Township would be one of two stores slated for Pennsylvania. Wakefield stated the majority of the stores are franchised. Christian Brothers does not let a franchise close the business. Someone from Christian Brothers will run the business until a suitable franchisee can be found. Eshleman inquired if the store is built before a franchisee is found? Wakefield stated a franchisee is found first and then the store is built.

Zimmerman inquired how stormwater management was going to be addressed. Holmes indicated the basin to the rear of the building was going to be tapped into. It was her understanding that credits were reserved as part of this development to be able to use the basin. Christian Brothers is working with the property owner to receive these documents to see what was designed for the stormwater management. The calculations for stormwater management have not been completed as of this time.

An approximately 5 foot retaining wall will be constructed along the front curb line of the parking area.

The Board's questions were answered to their satisfaction.

CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR BUCKHILL FARM SUBDIVISION: On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved the request for Release of Letter of Credit for Buckhill Farm Subdivision as per the letter from ELA Group dated August 9, 2016.

CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR LANCASTER EVANGELICAL FREE CHURCH: On a motion by Eshleman, seconded by Flosdorf, the Board unanimously approved the request for Release of Letter of Credit for Lancaster Evangelical Free Church as per the letter from ELA Group dated August 12, 2016 conditional upon execution of the construction easement on the existing wetlands area to the Township.

CONSIDER REVISION TO WARWICK TOWNSHIP SAFETY MANUAL: Zimmerman stated Public Works and the Municipal Authority have a mandatory safety manual through Worker's Comp. There is one item that needs to be updated-see handout.

On a motion by Flosdorf, seconded by Eshelman, the Board unanimously approved the revision to the Warwick Township Safety Manual.

DISCUSSION ON REVISIONS TO GREEN LIGHT GO PROGRAM: Zimmerman stated a grant has been obtained from PennDOT in order to implement a camera system along the Rothsville corridor. The grant was originally a 50/50 split. The program has since changed and only requires a 20% match. The Township will need to reapply for the grant. Flosdorf inquired approximately how much the Township will pay. Zimmerman stated it will cost approximately \$15,000.

On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved to resubmit the grant.

ACKNOWLEDGE REQUEST FOR A TEXT AMENDMENT FOR ROCK LITITZ: The Board is receiving acknowledgement of the request. On a motion by Eshleman, seconded by Flosdorf, the Board acknowledged receipt of the Text Amendment.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 9:55 p.m.

Sincerely,

Daniel L. Zimmerman Township Manager