

WARWICK TOWNSHIP BOARD OF SUPERVISORS

September 16, 2015

Chairman Logan W. Myers convened the September 16, 2015 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors Herbert Flosdorf, Michael Vigunas, C. David Kramer, and Anthony Chivinski. Also present were Daniel L. Zimmerman Township Manager, Tom Zorbaugh Zoning and Coding Enforcement Officer, Dean Saylor Public Works Supervisor, Kevin Varner representing Diehm & Sons, Trevor Gochnauer 519 Hackman Road, Lititz, Whit Buckwalter and Reid Buckwalter representing BFLP, Nathan Jameson representing TOA, Laura Knowles representing the Lititz Record, William Kendall 700 Centennial Court, Lititz, David Trimble 349 West Woods Drive, Lititz, Rob Gabriel representing Gabriel Associates, Inc., and Greg Wright 350 Cardinal Road, Lititz.

APPROVAL OF MINUTES: On a motion by Vigunas, seconded by Chivinski, the meeting minutes from August 19, 2015 were unanimously approved.

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

PAYMENT OF THE BILLS: On a motion by Chivinski, seconded by Kramer, the Board unanimously approved Payment of the Bills.

MANAGER'S REPORT: NLCRPD: Zimmerman noted the second meeting for the contract negotiations will take place the week of September 21st.

WESC: See attached report.

Cat Regulation: Zimmerman stated the Township receives a lot of calls regarding stray cats. This particular species is not placed under state law or any particular regulation. Zimmerman stated the Township is going to try and find out who is directly responsible for enforcing the Rabies Act.

Tree Service: See attached report from Bartlett Inventory Solutions. 17 trees in Linear Park were analyzed for the Township to come up with this enclosed report. Zimmerman stated between all the parks, particularly with the Watershed, the Township has planted numerous trees. Zimmerman stated he would like to establish a long term maintenance program for the Public Works Department.

Rails to Trails: The start date for the portion of the trail from the Municipal Building to Newport Road is tentatively scheduled for October 1st depending on the weather. Zimmerman stated he has enacted the memorandum of understanding with the Lancaster County Conservation District.

This pertains to the Township and ELA as the Township Engineer outlining the responsibilities as far as erosion control.

Strategic Plan: The Housing and Economic Committee meeting is scheduled for Thursday, September 17, 2015 at 7:00 a.m. at Elizabeth Township.

Sixth Street Project: There is a meeting with Penn DOT on October 7, 2015. There will be a joint meeting on October 29, 2015 which will also involve the Borough and the school district. An application for a grant will be submitted for this project in 2016. Flosdorf inquired if the developers were on board and will they be in attendance at the October 29, 2015 meeting. Zimmerman stated he was going to meet with the developers prior to the October 29th meeting to get their feedback.

TAX COLLECTOR'S REPORT: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the July and August Tax Collector's reports.

PUBLIC WORKS REPORT: Saylor stated prep work is being done on Newport Road, Owl Hill Road and Clay Road this week and then paving is scheduled for Monday, September 21st, and Tuesday, September 22nd on Clay Road and Newport Road and on Wednesday, September, 23rd on Owl Hill Road.

Saylor stated after the paving is completed the work on the Rail Trail will commence. Saylor is anticipating this first section should be completed by the middle of October. Myers inquired if it will be able to be used at that time and Saylor indicated that it will be.

Kramer inquired if any progress has been made regarding the Shomo's concerns on Cinder Hill Road. Saylor stated they placed edge lines, reflectors, and a stop bar. Saylor stated one thing that has been noticed was if the stop bar is wet it gets slick. The Shomo's are pleased with what has been done.

Kramer inquired as to what the schedule is for the work that is to be done at the intersection of Meadow Valley and Millway. Saylor stated this project will be done in 2016. Zimmerman is hoping to get all the legal paperwork completed by the end of 2015 so the project can be started in the spring of 2016.

POLICE DEPARTMENT REPORT: See attached report including the preliminary 2016 budget report.

ZONING OFFICER'S REPORT: Zorbaugh stated there were three hearings for the month. Myers questioned Case #824 the Ted Kleinsasser variance. Myers thought this was nonconforming for many years. Zorbaugh stated it had not been used in over eight years. Nonconforming can only be nonconforming if it has been used for less than one year. Zorbaugh stated the notice of concern for Woodcrest Avenue is still in progress. This involves the use of the property as well as the condition of the property. The solicitor would like these made into two separate violations because there are building code violations and property maintenance violations.

WESC/EMC REPORT: See attached report.

LCATS FALL CONFERENCE: See attached memo.

MATERIAL MATTERS: See attached letter.

WARWICK AMBULANCE: See attached letter.

CONSIDER CONDITIONAL APPROVAL OF SIGNATURE PERSONAL AND MEMORY CARE, PREPARED BY RETTEW ASSOCIATES, DATED 5/8/2015: Dave Miller with Rettew Associates is here to seek Conditional Final Approval for the property located at the corner of Millport Road and Buckwalter Road. Signature Personal and Memory Care is proposing a 68,000 square foot building with 80 units and approximately 120 beds. There will be access off of Millport Road to a parking lot for visitors and access off of Buckwalter Road for staff. There will be sidewalks and curbing along both Millport and Buckwalter Roads.

At the Planning Commission meeting last month additional suggestions for landscaping in addition to what has been proposed and these will be taken into consideration.

The items on the review letter from ELA dated September 9, 2015 are mostly administrative in nature and will be addressed.

Flosdorf inquired if a lighting plan had been submitted yet. Haley from ELA stated a photometric plan was submitted however the details on the lights have not been received yet. Flosdorf stated a completed lighting plan should be received before final approval is given. Miller stated the architect is preparing the isometric plan and the specs have been submitted. Miller stated the lighting is shown on the plan. In addition, there will be bollard lighting along the driveway.

Flosdorf made a motion to approve the plan subject to the developer satisfying all 13 conditions listed on the ELA letter dated September 11, 2015 and the submission of an acceptable lighting plan. This motion also includes approval of the waiver request. This motion was seconded by Chivinski, and was unanimously approved by the rest of the Board.

CONSIDER THE JAMES HOOVER SUBDIVISION PLAN, PREPARED BY DIEHM & SONS, DATED 7/9/2015: Kevin Varner with Diehm & Sons gave some background on the plan. This is a 15 acre tract of land on Skyview Lane. The tract currently consists of an existing dwelling, a barn, an outbuilding, and a driveway. The rest of the farm has Christmas Trees on it. The proposal is to subdivide the house and barn from the tree farm. The tract is approximately 1.4 acres.

Varner is requesting a deferral of storm water erosion and control planning until Mr. Hoover knows what he wants to build and where he wants to build. A waiver is being requested for a fee in lieu of roadway improvements until construction occurs. A motion was made by Vigunas to approve the Final Subdivision Plan to include the waiver requests as outlined in the ELA letter dated September 1, 2015. This motion was seconded by Kramer and was unanimously approved by the rest of the Board.

CONSIDER PARTIAL RELEASE OF LETTER OF CREDIT FOR THE WILLIER PROJECT: Flosdorf made a motion for partial release of the Letter of Credit for the Willier Project in accordance with the ELA letter dated September 9, 2015. This motion was seconded by Chivinski and was unanimously approved by the rest of the Board.

CONSIDER THE GOCHNAUER LOT ADD-ON PLAN, PREPARED BY GABRIEL ASSOCIATES, DATED 7/9/2015: Rob Gabriel of Gabriel Associates is here to represent the Gochnauer's. The Gochnauer's live at 519 Hackman Road which is a nonconforming lot. The Gochnauer's would like to add enough land to this lot to make it a total of one acre which is the minimum lot size allowed in the rural estate and residential zone. There is also a triangular shaped piece of land next to the Gochnauer's that was created by a plan several years ago to be added on to their lot but was never conveyed so this will be done at the same time.

Gabriel stated all the recommendations from the letter from ELA dated September, 3rd have been addressed with the exception of the road dedication documents.

On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved the Gochnauer Lot Add-on Plan.

DISCUSSION ON THE SKETCH PLAN FOR TRADITONS OF AMERICA, PREPARED BY RGS ASSOCIATES: Chivinski asked of Jameson if he would respond to the memo of August 17, 2015 indicating the plan may be premature to request and that it might benefit the Board to see the final outcome of Phases 1 & 2 before proceeding with the proposed sketch plan. Jameson said he would touch on this in his presentation tonight.

Jameson stated the sketch concept is for 23 acres north of the existing development. It does sit a little higher as far as topography. This development would be cohesive with the existing development with the same product offering, same customer, and same regulations as far as a homeowners association.

Venarchick stated the street system would be private. There would be duplexes and single family housing that would be hooked up to public sewer and water as stubs are already connected into the site. Storm water management facilities would be located at the corners of the lot. The same street widths would apply. There would be a total of 88 units, 24 of which are duplexes and 64 are single family. The grading of the lot prohibits a walkway and roadway to connect to the existing development at the center section. The walking trail will be extended. There will be an entrance off of West Woods Drive. An evaluation of the historic existing structure is being conducted to determine if it is feasible to incorporate into the plan based on its condition.

Zimmerman inquired of Venarchick what would be the net gain of the existing R1 in units. Venarchick stated 15,000 square feet is the minimum lot size in an R1 zone and there can be a maximum of 66 units which is lower than in an R2 Zone.

Vigunas was concerned with the four units situated on the North West side close to the flood plain. He questioned how this was going to be addressed. Venarchick stated if this plan were to be successful this is something that would be looked at with an engineer. At this time this is just a conceptual plan. Vigunas also had a concern with the access off Woods Drive located at the bottom of a hill. There is the question of sight distance. Venarchick stated this area has been looked at on-site. Some components that are looked at are is there is a blind spot created by a crest where you can't see on the other side. There is a 35 MPH speed limit at this particular area and with the criteria received from Penn DOT there should not be any problems however this is something that can be looked at again. Myers was concerned that the access off of Woods Drive might become a main entrance for residents who live in the first section.

Venarchick stated this plan is not set in stone and is likely to change. This type of feedback is what they are looking for.

The buyers of TOA are the active, younger buyer. The average customer is in their early 60's.

Jameson gave the following reasons as to why this tract should be rezoned.

Jameson stated traffic infrastructure is a big reason why zoning this piece of land to R2 makes sense. With all the improvements that have been made at active intersections in the Township and heavily traveled roads have all contributed to handling the high density of traffic. He feels looking from a consistency standpoint moving from a more dense to a less dense zone makes sense.

In terms of infrastructure, $\frac{3}{4}$ of the plan property has been developed. The sewer and water lines are already in place with the capacity to handle additional development in the area. 73% of what has been made available for sale has been purchased. 66% of buyers have come from within 10 miles. Another 20% are moving from somewhere else in Pennsylvania. 14% are from out of state. Jameson states the development has been a success thus far and he expects it to continue to be a success based on the demand levels and interest.

Jameson stated the clubhouse is under construction and is slated for a December opening. The tennis court is paved and it just needs to have the asphalt cured and painted and to have the net installed.

From a monetary standpoint Jameson stated when he met with the Planning Commission a few years ago he told the Commission the homes would sell for an average of \$350,000.00. At that time there were 244 homes. It was projected the 10 year tax revenue to the Township would be approximately one million dollars. Today an average selling price is now \$400,000.00 and with the expected additional 88 homes the tax revenue to Township would increase to 1.4 million over ten years. The county millage would amount to approximately 4 million over ten years to the Township.

Jameson stated a proposed tentative path moving forward would be to get the rezoning application in October or November, the Conditional Use in January or February, Preliminary Plan in June or July and looking at a Final Plan in approximately one year.

Flosdorf inquired if there is a way to move forward so the Board is looking at the rezoning at the same time as some of the development issues to make sure if the rezoning is approved the plan goes through. Zimmerman stated with the original 60 acres there were commitments made as part of the rezoning process with TOA. Jameson stated he understands the Board Member's concerns and stated TOA is open to discussing possible options on how to address this issue.

Jameson stated density is a concern. The sketch plan is less dense than the proof plan at 3.6 versus 4.2. Jameson stated provided the egress questions can be dealt with there would be difficulty moving forward on the project if the density dipped much below where it is.

Vigunas inquired if the farmhouse that is currently on the plan now is not deemed historical what the plan would be for that area. Jameson stated ideally an entrance would be placed in this area.

Jameson stated he is concerned about getting to where the Board would like to be. He could conceive of a zoning amendment where an existing development exists with a property adjacent to it in which the property may be eligible for R2 due to proximity and consolidation.

Jameson stated he would take the Board's comments/suggestions back to his staff. Myers stated the Board is open to the concept and moving forward. As long as there is open dialogue and both parties work together he feels this project can happen.

DISCUSSION ON THE 2016 FISCAL BUDGET: Zimmerman stated there will be a tentative draft available at the November 18th meeting. Zimmerman stated part of the process will be to give a three year projection on certain elements such as revenue trends. At this time Zimmerman predicts there will be a surplus for 2015

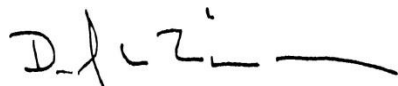
OTHER BUSINESS TO COME BEFORE THE BOARD: Flosdorf stated someone should contact Heart of Lancaster and let them know that there are some areas of the walkway that are starting to crack and now would be a good time to put on a seal coat.

DISCUSS WRRRC OBJECTIVE LIST: Zimmerman stated the goal is to make sure there is a commitment between all five partners which include Elizabeth Township, Lititz Borough, Warwick School District, Lititz Rec Center, and Warwick Township. The maintenance of the existing system is large. The plan is to get Tom Becker from the School District, the Township's Public Works employees, Lititz Borough's Public Works Department, and the Road Master from Elizabeth Township to come up with ideas on how to work together to create a more efficient maintenance program. A WRRRC meeting will be held on October 29, 2015 at the Township Office.

CONSIDER THE 2015 MMO FOR THE WARWICK TOWNSHIP PENSION PLAN: These figures also include Duane Ober and Billy Clauser which is the reason the amount has increased. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the 2015 MMO for the Warwick Township Pension Plan.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Zimmerman', followed by a horizontal line.

Daniel L. Zimmerman,
Township Manager