

**WARWICK TOWNSHIP BOARD OF SUPERVISORS**  
**MEETING MINUTES**  
**Warwick Township Municipal Office**  
September 20, 2017

Chairman W. Logan Myers, III convened the September 20, 2017 meeting of the Board of Supervisors at 7:00 p.m. In attendance were Herbert Flosdorf, Michael Vigunas, and C. David Kramer. Absent was Supervisor Kenneth Eshleman. Also in attendance were Daniel L. Zimmerman, Township Manager; Tom Zorbaugh, Code and Zoning Enforcement Officer; Jon Zajac 3 W. Woods Drive, Lititz; Ivan Nolt 918 Lititz Pike, Lititz; Daniel McTomney-Prexta and Nick Prexta 6 Ridge Road, Lititz; Gabriel Martin 355 Creekside Lane, Lititz; Alex Piehl representing RGS Associates; Denise Freeman and Michelle Bingham 603 Woodcrest Avenue, Lititz; Caroline Hoffer representing March Capital LLC; Steve Gergely from Harbor Engineering; and John Schick representing Rettew Associates.

**PUBLIC HEARING**

**TO CONSIDER CONDITIONAL USE APPLICATION FROM MARCH CAPITAL LLC (THE APPLICANT). APPLICANT IS SEEKING APPROVAL UNDER SECTION 340-16.1.D(4) PERTAINING TO DRIVE-THRU FACILITIES THAT INCLUDE BANKS AND ALSO UNDER CRITERIA OF SECTION 340-66 FOR THE LOCAL COMMERCIAL ZONE DISTRICT. PROJECT INVOLVES CONSTRUCTION OF A 3,000 SQUARE FOOT BANK WITH THREE (3) DRIVE-THRU LANES:** Myers reviewed the procedure for a Public Hearing. There were no requests to be a party to the hearing from the public. Phil Wolgemuth, Principal of March Capital, Alex Piehl with RGS Associates, and John Schick with Rettew Associates were all sworn in. The site is owned by March Capital LLC and is located at the north-west corner of Lititz Pike and W. Woods Drive. The property is comprised of three different lots, 920 & 922 Lititz Pike and the third lot has an address on W. Woods Drive. The lots are currently residential, two of which have a driveway connection off of Lititz Pike and the third has a driveway connection off of W. Woods Drive. All three properties are in the Local Commercial District. The proposed use for this site is a bank which is an allowed use in the Local Commercial District however drive-thru lanes require Conditional Use Approval. In addition to the Conditional Use under Section 340-66 some variances would also be required. This application was reviewed with the Planning Commission in both July and August. Some modifications have been made to address comments made by the Planning Commission at both of these meetings.

Piehl gave a brief history of his background for the court reporter. Piehl pointed out the location of the three residential properties on a map. He then showed the original initial plan that was submitted which proposes access off of W. Woods Drive with parking along the south and east side of the building. There is two way circulation around the building to the drive-thru lanes which then circulate back out onto W. Woods Drive. No plans are shown as far as potential uses for the western portion of the tract.

After meetings with the Planning Commission, revisions were done to the plan. One thing the Planning Commission would have liked to see was if there was any way to pull the bank closer to Lititz Pike. One challenge associated with this is the three tracts are in a wedge shape so the bank can only be pulled so far forward and still be able to provide circulation around the building. To accomplish this request, the parking that was located on the east side of the building was eliminated. In addition, the drive aisle was narrowed to a one-way lane and the potential future right-of-way from Lititz Pike was reduced from 80 feet to 45 feet. To make up for the lost parking, parking was added to the rear of the building. A photo and floor plan of a similar bank were shown

In order to accomplish the new layout, there are some variances that will need to be addressed. Piehl stated in a Local Commercial District there is a maximum building setback of 25 feet. Since the building has been moved forward relief would be needed from the maximum building setback from W. Woods Drive. Also along W. Woods Drive there is a 15 foot parking buffer on the property line. This would be encroached upon with the parking lot by approximately 10 feet. Access to the site as a requirement to the Conditional Use for the drive-thru is that there be access from an arterial or collector road which would be Lititz Pike. Access to the bank is being proposed off of W. Woods Drive based on not wanting to create additional entrance points along Lititz Pike. For a drive-thru use a property has to be 200 feet from a Residential District. The property is joined to the west by a Residential District however it is approximately 364 feet from the closest residential building.

Piehl stated on the original plan the concept of adding apartments to the western side of the site was discussed. A sketch was prepared to show how these apartments might fit into the property. An access drive would go into a parking area. There would be a 12 unit apartment building and an enclosed dumpster location. This site is also zone Local Commercial. In order to have this kind of a development on this lot, a variance would be needed from the Zoning Hearing Board to be re-zoned to another district.

Hoffer went through the specific requirements of Section 340-66 for a drive-thru facility.

1. The subject must front or gain access to the arterial or collector road.
2. Exterior trash receptacles will be provided and routinely emptied.
3. Drive-thru window lanes should be clearly designated in the parking lot interior by curbing, landscaping, or painted lanes.
4. Any exterior speaker must be screened to prevent any noise impact on adjoining properties.
5. No part of the property will be located within 200 feet of any residentially zoned land.

John Schick with Rettew Associates reviewed the traffic assessment. The study included the intersections of 501, East and West Woods and Highlands Drive. The study was done during the peak a.m hours of 7:00-9:00 and during the peak p.m. hours of 3:00-6:00. Site distances and accident data were also reviewed.

Hoffer stated if the Conditional Use is approved, it will come back to the Board as a Land Development Plan.

On a motion by Flosdorf, seconded by Vigunas, the Board unanimously voted to close the hearing.

**APPROVAL OF MINUTES:** On a motion by Kramer, seconded by Vigunas, the Board unanimously approved the August 16, 2017 meeting minutes as submitted.

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

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

**MANAGER'S REPORT:** Zimmerman brought the Board up-to-date on the current staff situation.

Newport Road Curbing: Curbing will be poured week of September 18<sup>th</sup>.

501 Project: Public Works will start stormwater work the week of September 18<sup>th</sup>.

Bike Share Program: The program is up and running.

MS 4: The Township will be audited on the MS 4 program the week of September 25<sup>th</sup>.

Strategic Plan: See attached. The plan will be reviewed on Thursday, September 21<sup>st</sup> at 6:30 at the Warwick Middle School.

WERT: A letter was sent to the Township inquiring about the design of the trail crossing on Newport Road. Zimmerman explained that all signage must be approved by PennDOT. In addition, two separate engineers also looked at the crossing. It duplicates the crossing here on Clay Road having the same sight distance and same speed limit.

**TAX COLLECTOR'S REPORT:** See attached report.

**PUBLIC WORKS REPORT:** Zimmerman stated the inline hockey court is approximately  $\frac{3}{4}$  complete. The paving on E. Woods Drive in front of the Hess Development was finished today.

**POLICE DEPARTMENT REPORT:** See attached report.

**ZONING OFFICER'S REPORT:** See attached report.

**WESC/EMC REPORT:** See attached report. Flosdorf stated he would like to purchase a vehicle for Duane Ober this year. It would be titled under the Brunnerville Fire Company in order for it to have lights and equipment.

On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved the purchase of a vehicle for use by Duane Ober.

**SENATOR AUMENT:** See response letter relating to House Bill 1620.

**ROTHSVILLE FIRE COMPANY:** See attached report.

**CONSIDER THE LITITZ LAND TRUST PHASE 2, PREPARED BY HARBOR ENGINEERING, DATED 5/3/2017:** Steve Gergely with Harbor Engineering presented the project to the Board. Also here tonight is Dan Cicala developer of the property. Phase 2 contains Lot 4, is 3.6 acres in size and is located on the west side of Highlands Drive. It is in the Local Commercial District. The project proposal is for two apartment buildings three stories in height. Each building would have a footprint of approximately 9,000 square feet. Together the two buildings will contain 55 units. 23 of these units will be age restricted and the remaining 32 will be market rate. Because the density exceeds the eight units per acre Cicala is applying to purchase 14 TDR's to get the density shown on the plan. 104 parking spaces are located on site and there are 16 shared parking spaces being proposed on an adjacent property. Stormwater will be managed using the existing retention basin. There is a wetlands area on the property and a joint permit has been issued from DEP and the engineers to relocate this area elsewhere. Conditional approval has been obtained from the Municipal Authority.

There are two waivers that are being requested.

1. To reduce the building setback from the access drive cart way. The requirement is 30 feet. One of the buildings is 13.5 feet and the other is 16.5 feet from the cart way that bisects the two buildings.
2. The stormwater management waiver related to infiltration volume based on the site characteristics.

The shared parking continues to be an issue. The shared parking spaces on the adjacent lot need to be allocated for use for the apartment occupants only which at this time Cicala does not agree to.

On a motion by Flosdorf, seconded by Kramer, the Board unanimously voted to disapprove the plan due to lack of parking.

After this motion was made, Cicala agreed to designate 16 parking spaces on the adjacent lot solely for use by the apartment renters. On a motion by Flosdorf, seconded by Kramer, a motion was made to approve the plan subject to the comments from the Township dated September 15, 2017 and that the approved plan show the spaces designated to be used exclusively by the apartments and this motion rescinds his previous motion of disapproval. The Board unanimously approved.

**CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR GOLDEN HAWK:** On a motion by Kramer, seconded by Vigunas, the Board unanimously approved the request for the release of the Letter of Credit in the amount of \$6,242.00 for Golden Hawk.

**CONSIDER REQUEST FOR PARTIAL RELEASE OF LETTER OF CREDIT FOR THE VICTORY CHURCH PROJECT:** On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the partial release of the Letter of Credit in the amount of \$19,054.48 for the Victory Church project.

**CONSIDER REQUEST FOR PARTIAL RELEASE OF LETTER OF CREDIT FOR TOA PHASES 1, 2,3 & 4:** On a motion by Vigunas, seconded by Kramer, the Board unanimously approved the request for the partial release of the Letter of Credit in the amount listed for each of the four phases of TOA.

**CONSIDER BID SUBMITTED FOR PURCHASE OF 14 TDR'S:** On a motion by Vigunas, seconded by Kramer, the Board unanimously accepted the bid for 14 TDR's from Warwick Lititz Living LLC.

**CONSIDER ORDINANCE 280 TO AMEND CODE OF ORDINANCES TO ADD A VEHICLE WEIGHT RESTRICTION ON MEMORIAL ROAD-10 TON LIMIT:** On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved Ordinance 280 to Amend Code of Ordinances to Add a Vehicle Weight Restriction on Memorial Road-10 Ton Limit.

**CONSIDER ATTENDANCE TO THE LCATS ANNUAL CONVENTION ON 11/6/2017:** See attached sheet.

**CONSIDER THE 2018 MMO FOR NON-UNIFORM PLAN:** On a motion by Vigunas, seconded by Kramer, the Board acknowledge receipt of the 2018 MMO non-uniform plan.

**ADJOURNMENT:** With no other business to come before the Board, the meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Daniel L. Zimmerman  
Township Manager