

**WARWICK TOWNSHIP BOARD OF SUPERVISORS  
MEETING MINUTES  
Warwick Township Municipal Building  
May 2, 2018**

W. Logan Myers, III convened the May 2, 2018 Warwick Township Board of Supervisors meeting at 7:00 a.m. In attendance were Supervisors W. Logan Myers, Kenneth Eshleman, Herbert Flosdorf, Michael Vigunas, and Andrew Spade. Also in attendance were Daniel Zimmerman, Township Manager and Pat Barrett, Assistant Township Manager.

**PRESENTATION OF THE 2017 FISCAL AUDIT-SAGER/SWISHER COMPANY:** Mike Reiner from Sager/Swisher gave an overview of the Township's 2017 Fiscal Audit. On a motion by M. Vigunas, seconded by H. Flosdorf, the Board unanimously approved the 2017 Fiscal Audit.

**PSATS NEWS BULLETIN:** The April Bulletin was provided for review.

**CONSIDER PARTIAL RELEASE OF LETTER OF CREDIT FOR HASSON PROPERTY ON FIRESTONE ROAD:** On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously approved the partial release of the Letter of Credit for the Hasson Property on Firestone Road as recommended in the ELA Letter dated April 25, 2018.

**CONSIDER REQUEST FOR AN EXTENSION OF TIME FOR THE ELI ESH STORMWATER MANAGEMENT PLAN:** D. Zimmerman stated this involves the Conditional Use for the farm related business on Disston View Drive. The Applicant is moving forward but will not be able to finish by the June 30<sup>th</sup> deadline. Therefore the Applicant is requesting a time extension. On a motion by M. Vigunas, seconded by K. Eshleman, the Board unanimously approved a 90 day time extension for the Eli Esh Stormwater Management Plan. No additional time extensions will be granted.

**UPDATE TO ZONING INITIATIVES:** D. Zimmerman stated at the PSATS convention a lot of attention was given to telecommunication facilities. The Township had amended this section three years ago. Now 5G technology is being rolled out and this will require 15 times the amount of facilities that can be 24" x 36" pods which are placed on streetlights, PP&L poles or even traffic signal poles. One problem with this is when the utilities are underground and there is nowhere to place the pods.

Another other factor involves the right-of-way. Anything that occurs within the 50 or 60 foot right-of-way is the Township's. Another big push involves internet capacity and the need to run conduit in the right-of-way. A problem arises here with all the other existing utilities and the issue of crowding. In addition, if these are in a right-of-way a fee may be charged. M. Vigunas inquired if this were a way to replace the cable fee. D. Zimmerman stated it would supplement the loss and this is where a right-of-way fee would come in to play. In addition, when the conduits are abandoned there is no way to tell which one is live and which one is not so provisions need to be placed so that if a conduit is abandoned it needs to be either removed or deactivated. The primary purpose is to regulate within the public right-of-way.

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D. Zimmerman stated the Township should go back and review the right-of-way amendment again and consider possible changes due to the changes in technology. The Township can talk with Lititz Borough and Elizabeth Township to see if they would like to be a partner on this to split the cost. The Township will also contact Dan Cohen who was instrumental in assisting the Township in the past.

**OTHER BUSINESS TO COME BEFORE THE BOARD:** D. Zimmerman stated the case on the AirBNB was appealed and the Zoning Hearing Board denied it. The Township received word last week that a similar case has been accepted by the Supreme Court. This will set the parameters for these types of cases. D. Zimmerman stated for this particular case he would suggest the Board authorize to file a motion to become party to the hearing and uphold the appeal to keep the Township's options open.

On a motion by A. Spade, seconded by K. Eshleman, the Board made the motion that the Township Solicitor be authorized to intervene on behalf of the Township in support of the Decision of the Zoning Hearing Board of Warwick Township in the land Use Appeal filed by Log Cabin Holdings, LLC/Dale R. Hershey in the Court of Common Pleas of Lancaster, County, Pennsylvania, to Docket No. CI-18-02640 and to take such further action as may be necessary or appropriate in connection with the Land Use Appeal.

**ADJOURNMENT:** With no other business to come before the Board, the meeting was adjourned at 7:46 a.m.

Respectfully submitted,

Daniel L. Zimmerman  
Township Manager