

WARWICK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
Warwick Township Municipal Building
June 5, 2019

W. Logan Myers, III convened the June 5, 2019 Warwick Township Board of Supervisors meeting to order at 7:00 a.m. In attendance were Supervisors Kenneth Eshleman, Herbert Flosdorf, Logan Myers, Michael Vigunas, and Andrew Spade. Also in attendance were Daniel L. Zimmerman, Township Manager; Patrick Barrett, Assistant Township Manager; Thomas Zorbaugh, Code and Zoning Officer; Wade Hartz, 1015 Log Cabin Road, Leola; Matt and Mike Garman, 813 Pine Hill Road, Lititz; Laura Knowles representing the Lititz Record Express; and Kip Lynch 348 Pin Oak Drive, Lititz.

SNOKE LETTER: The Township received a letter from a Township resident who raised his concern regarding recent accidents at the culvert on Newport Road between the intersection of Newport Road and Clay Road and Newport Road and Oak Street. D. Zimmerman stated in reviewing records from the NLCRPD, it appears that speed and visibility are contributing factors. Therefore, the Township will contact PennDOT and request that reflectors be placed on the guide rail to increase visibility to this area.

REVIEW PROPOSED ZONING PETITION SCHEDULED FOR 6/19/2019: D. Zimmerman stated one area to be considered for rezoning is the frontage at the intersection of Newport Road and Orchard Road and involve the Green Hill Groceries and Weaver Garage businesses. The other area is the Sechrist Farm which involves LEFC, the construction of 6th Street and the roundabout, and the final completion of Lititz Reserve.

CONSIDER SETTLEMENT AGREEMENT FOR GARMAN TRACT, 813 PINE HILL ROAD: D. Zimmerman stated this was presented and discussed with the Board last month. There was support from the neighborhood for the proposal, however there was a split vote with the Zoning Hearing Board. The Staff recommendation was to not support any type of appeal but instead to outline conditions and steps the Applicant would need to take to include a stormwater plan. The removal of the trailer along some of the debris and the building of a new home would be allowed. The site has sewer but no public water. The Board had questioned the onsite water source. In situations such as this when water availability is being questioned, a geologist is employed and a report must be provided for the analysis of the water including sustainability and if there is any well interference.

On a motion by H. Flosdorf, seconded by A. Spade, the Board unanimously approved the settlement agreement for the Garman Tract, 813 Pine Hill Road.

DISCUSS AND CONSIDER ORDINANCE 285 PROVIDING FOR AMENDMENT OF THE ZONING ORDINANCE TO PROVIDE FOR STANDARDS RELATING TO COMMUNICATION FACILITIES: D. Zimmerman stated the Board has before them the third draft of this ordinance. It has been reviewed by the County Planning Commission as well as the Township Planning Commission. D. Zimmerman stated there are three issues with 5G technology. One involves the existing towers and this regulation is remaining unchanged. Another involves monopoles. This was an issue because some of the poles could be as high as 120 ft. in an existing right-of-way. Now they can only be 40-50 ft. and are allowed in five different districts however not in a residential area. The Township does allow in all districts the antennas and repeater units if they go on existing poles. Finally there are small antennas that are nonintrusive and can be attached to existing poles. The Board was in agreement that this Ordinance gave the Township control over everything except residential.

On a motion by H. Flosdorf, seconded by M. Vigunas, the Board unanimously approved Ordinance 285 Providing for Amendment of the Zoning Ordinance to Provide for Standards Relating to Communication Facilities.

CONSIDER DRAFT OF FEE RESOLUTION FOR COMMUNICATION FACILITIES: D. Zimmerman stated this would provide a fee if Staff would need to go out to look at the locations. In addition, the ordinance would allow the Township to contract independent consultants who specialize in this technology should there be the need and these fees would help pay for some of these costs. This is a typical fee schedule however the costs can be lowered or increased if the Board did not agree with fees. H. Flosdorf stated he would like the fee resolution to complement the zoning ordinance in terms of wording. He also felt if an antenna were going to be put on an existing pole there should be a minor fee; however if a new pole were going to be placed there should be a higher fee. D. Zimmerman stated the Resolution will be changed to include these changes and brought before the Board again for their review.

DISCUSS APPROACH TO CABLE FRANCHISE AGREEMENT NEGOTIATIONS: D. Zimmerman stated an agreement with Comcast was completed last year. The agreement with Blue Ridge is due at the end of this year, 2019. One option with regard to this agreement is to extend it for another seven years. H. Flosdorf had a concern with extending the same agreement with Blue Ridge when the terms in the agreement were not the same as with terms of agreement with Comcast and would this lead to possible liability issues down the road. D. Zimmerman stated this question was posed to D. Cohen in an email, and he stated the Township has minimal exposure to this situation and Blue Ridge has not requested a change at this time. A discussion ensued amongst the Board Members regarding this issue. D. Zimmerman suggested one or two Board Members directly communicate with D. Cohen, the solicitor, to come up with a strategy and address the issues that were discussed and come back before the Board. D. Zimmerman stated this agreement is done in conjunction with Lititz Borough, Ephrata Township and Ephrata Borough. H. Flosdorf suggested adding a provision to the Blue Ridge agreement acknowledging they recognize the Township's agreement with Comcast and they will not consider any type of claim against the Township. It was decided that L. Myers, H. Flosdorf, and K. Eshleman would get in contact with the solicitor on behalf of the Board to discuss their concerns with the agreement with Blue Ridge.

REVIEW DRAFT OF RFP FOR AUDIT SERVICE: D. Zimmerman stated an RFP has not been done for the Township, the Authority or the NLCRPD for eight years and this should be performed periodically. The Board is in agreement, so the Township will begin getting proposals and starting the interview process which is expected to take several months.

DISCUSS PROCESS FOR REVIEW OF DEMOLITION OF HISTORIC STRUCTURES: D. Zimmerman stated Lititz Borough has done a broad ordinance that addresses all Class I and II structures. The objective was that any demolition of a Class I or II historic structure would have to go through Conditional Use. Since the Township has a Joint Strategic Plan with the Borough, the Borough and the Township try to complement each other. Staff is proposing to come up with a list of properties (a prior list was provided to the Board) that played a strategic role in the early formation of the Township. The Board will then need to decide if Staff should come up with a list of key strategic locations and put them under Conditional Use. D. Zimmerman feels obtaining public input would be beneficial in this process. D. Zimmerman stated as of now if a property is removed a completed inventory must be submitted of the structure. This is then entered into a digital inventory that the Township has so the information is not completely lost. The list provided to the Board was compiled 15 years ago by a consultant group from Rettew Engineering. The Board was open to having a discussion on a process for the demolition of historic structures and compiling a new inventory of said structures. A proposal will be started as well as a list of people from the community who might wish to be involved in this process.

LCATS EVENT 7/30/2019 ATTENDANCE: The Board reviewed the Memo from LCATS.

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ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:02 a.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager