

WARWICK TOWNSHIP BOARD OF SUPERVISORS

June 17, 2015

Chairman Logan W. Myers convened the June 17, 2015 meeting of the Board of Supervisors at 7:00 p.m. Present were supervisors Herbert Flosdorf, Michael Vigunas, C. David Kramer, Anthony Chivinski, Daniel L. Zimmerman Township Manager, Thomas Zorbaugh Zoning and Coding Enforcement Officer, Dean Saylor Public Works Superintendent, Austin Schaeffer representing Blue Ridge Cable 11, Ted Cromleigh representing Diehm & Sons, Laura Knowles representing the Lititz Record, Michael Cronin from Lititz Car Company, and Don Krushinski.

GUEST RECOGNITION: Mr. Cronin is here tonight in reference to a letter he sent to the Board on April 8, 2015 concerning the Northern Lancaster County Regional Police Department's towing policy changes which occurred January 22, 2015. Cronin wanted an explanation as to why this change had transpired as he feels he has not received an acceptable explanation. Cronin stated there was an original towing policy that the Police Department adopted in July 2012 and Cronin was unaware of any problems with this policy. A Board member responded to Cronin stating a study was done authorized by the Chief of Police and a decision was made to use towing companies within the jurisdiction of the Northern Lancaster County Regional Police Department. This policy will be reviewed throughout 2015 and in October a final review will be completed and any changes deemed necessary will be made at that time. Myers stated to Cronin the Chief gave a lot of thought into making this decision. The Board will talk with the Sergeant who conducted the study and to try and get more information on the study and relay this information to Cronin.

Don Krushinski addressed the Board and gave the suggestion they pay to have someone at the Woody Leaf and Drop-off site on a Saturday morning to have them load mulch onto people's trucks for them.

PUBLIC HEARING: This public hearing is being held to consider a Conditional Use Application from James S. Hoover. The Applicant is seeking approval for a single family detached dwelling under Article 11, Section 340-11.D.1 pertaining to development within the Agricultural Zoned District. Ted Cromleigh from Diehm & Sons is here on behalf of James Hoover, the Applicant. The property is located at 205 Skyview Lane and is 15.22 acres. It is in the Agricultural Zone of Warwick Township. The tract contains an existing dwelling, a barn and a shed. It is served with an online septic system and water supply. The majority of the property is currently used for the raising of Christmas trees. Mr. Hoover is proposing a two lot subdivision of the property. Lot 1 would include the existing dwelling and would be 1.5 acres. Lot 2 would continue to be used for agricultural purposes. Deferment of planning approvals for storm water management grading will be requested at the subdivision stage with the plan submission. Lot 2 will be served with an on-lot sewage system and well when developed. Sewage testing has been

conducted on the property for primary and sewage absorption areas on lot 2 and replacement area on lot 1. A water well pump test has been performed on the existing well on lot 1 which will be submitted with the subdivision plan. Cromleigh stated the comments from the ELA letter dated May 21, 2015 are minor and will be addressed upon submission of the final subdivision plan.

Zimmerman stated the only recommendation the Planning Commission had was when the tract changed from a tree farm to a truck farm operation and is actively farmed it was suggested a Conservation plan be created at that time.

With no questions from the Board or the public, a motion was made by Vigunas, seconded by Chivinski, to close the hearing.

APPROVAL OF MINUTES: On a motion by Vigunas, seconded by Flosdorf, the Board unanimously approved the May 6, 2015 and May 20, 2015 meeting minutes.

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

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

MANAGER'S REPORT: NLCRPD: Zimmerman stated the Commission received notice from the police union that contract negotiations may be started. This process will start in July.

Adaptive Traffic System- 501 Corridor: Zimmerman stated continued monitoring of the system is being done. Zimmerman stated there is a lot of data being generated and it was found that the band width on the internet was not as fast as it needed to be to bring this information to an operable level. PennDOT will pay to upgrade the system. Improvements should take place within the next 30 days. Continued improvements should be seen.

Septic Maintenance: Zimmerman stated there are two properties that have failed to respond to numerous notices in regard to onsite septic maintenance. On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved to refer these two properties to the District Magistrate

North 501 Corridor: Zimmerman stated this is a project with PennDOT involving a center turn lane and resurfacing. This was supposed to be completed in the fall of 2016. The Township was notified that bids will be awarded August of 2016 so it will now be completed in the spring of 2017.

Strategic Plan: The Housing and Economic Committee meets Thursday, June 18, 2015 at Elizabeth Township at 7:00 a.m.

MS4 Permit: Zimmerman stated the Township is hosting a mock training session with all the Public Works Superintendents for seven surrounding municipalities. The training will take place on Tuesday, June 23, 2015.

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

PUBLIC WORKS REPORT: Saylor stated the storm water project was just finished on Rothsville Station Road.

Saylor stated they will be working with the contractor for the Authority when they begin water line extensions to connect the new well with the old well in Rothsville.

Saylor stated he just heard from the contractors and the last week in June and the first week of July are when the seal coat projects will be started. The paving looks like it will be done in August or September due to scheduling and tying in with Traditions of America's project on Millport Road.

Saylor stated work needs to be done on E. Woods Dr. at the pump station by Shenk's Fruit Farm. The culvert has been deteriorating for a number of years and it was decided to be replaced this year as there is sewer work being done at the pump station so the two could be tied together. It was thought the work would be able to be done just under the bid limits however it now appears it will be slightly over. ELA will be preparing a drawing and ask for approval from the Board to advertise the bids. Zimmerman stated a GP7 permit will need to be obtained. Saylor stated a box will be placed. Several other options were looked at but were more expensive. Zimmerman stated this project is eligible under the storm water capital replacement program. The cost for the project will be approximately \$25,000.00. On a motion by Flosdorf, seconded by Kramer, the Board unanimously voted to go ahead with the project and authorize Zimmerman to bid as necessary and appropriate.

POLICE DEPARTMENT REPORT: See attached report.

ZONING OFFICER'S REPORT: Zorbaugh stated three cases were heard and there were 42 permits issued in May.

WESC/EMC REPORT: See attached report.

See attached letter from Sam Young, Chief of the Rothsville Fire Company, expressing thanks from the Fire Company for the WESC Banquet and to express how pleased he is with Duane's job performance.

BRUNNEVILLE FIRE COMPANY: See attached report.

PSATS: See attached Bulletin.

CONSIDER RELEASE OF LETTER OF CREDIT FOR DANIEL KLINE: On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the Release of Letter of Credit for Daniel Kline in the amount of \$8,604.20.

CONSIDER BID FOR PURCHASE OF TRANSFERRABLE DEVELOPMENT RIGHTS(TDR): Zimmerman stated there was one bid received and there is one developer interested in buying TDR's. The bid is for 90 TDR's submitted at the minimal bid amount of \$3,000.00 generating a total bid submittal of \$270,000.00. This will be applied to the Rock Lititz LP project for Phase II. Flosdorf inquired what the total number of TDR's is. Zimmerman stated if the TDR's were sold at \$3,000.00 it would generate approximately 1.2-1.4 million. On a motion by Chivinski, seconded by Vigunas, the Board unanimously

approved the accepted bid as submitted for Rock Lititz, LP for 90 TDR's at the total bid amount of \$270,000.00.

CONSIDER CONDITIONAL APPROVAL OF THE ROCK LITITZ PHASE 1C BUILDING 2A & 2B FINAL LAND DEVELOPMENT PLAN, PREPARED BY DERCK & EDSON, DATED 11/25/2014: Wenger stated the Land Development Plan is very similar to the Master Plan. This is a large multi-tenant building. There will be a center gathering space with the businesses off this space. There is a second building in the back which is primarily warehouse. Parking for this building is located on the south-southwest corner, at the north end, across the street and to the back of the building. There is room to add more parking in the future.

Wenger stated there are storm water BMP's within the site and the flood plain continues to serve the general storm water requirements.

There will be some traffic improvements to Toll Gate Road and modifications to the intersection at Newport Road.

Wenger stated as of now there are 16-17 tenants that are interested in this building. For signs, the thought is to have an identification sign to get to the street Pod 2 is on and then next to the building there will be suite numbers for the businesses inside.

Wenger stated there are three modification requests. One is to not use curbing to help with the flow of water. Second, is the separation of the driveway into the 50-space parking area near the southwest corner of the proposed building to the opposite drive. And the third request is to have less than the required cover of the storm pipe due to existing grade conditions.

Flosdorf inquired if any performances, music, or loud activities would be taking place inside this building. Wenger stated it would not be that type of operation. A discussion ensued as to how the issue of noise should be addressed in relation to this building. Zimmerman stated this particular activity should be confined to the first building. The use should not be taken to the other buildings as this is not how it has been proposed. Caroline Hoffer, who is here tonight representing Rock Lititz, stated she does not feel comfortable with the idea of making a condition in regards to noise without Andrea Shirk being present. The decision was made that Hoffer would take the information discussed at this meeting back to Shirk and to also look back at the previous agreement drafted from the first building and return to next month's Board of Supervisors meeting with a proposal.

On a motion by Vigunas, seconded by Chivinski, the Board unanimously approved waivers on Section 270-11.F, Section 285-27. K, and Section 285-28.C. On a motion by Flosdorf, seconded by Chivinski, the Board unanimously granted approval subject to conditions listed on the cover letter and an additional condition that an agreement be reached with the developer on a noise standard for this phase.

CONSIDER REVISION OF THE MASTER PLAN FOR ROCK LITITZ TO PROVIDE FOR A HOTEL LODGING PROJECT: Wenger stated with a set-up studio workers are brought from out of town and lodging is needed to be found for them. Rock Lititz has been in contact with multiple entities in Lititz to look at possible available options. At this time Rock Lititz is looking at one independent hotelier to be on-site. The building which is being considered for lodging is the L-shaped building. This building would be made longer and thinner to reflect the configuration of a hotel. This was thought to be an ideal location as the

employees could leave by the front door and go to the offices of the support facilities or go out the back door to go to the set-up building.

At this time the building would include 80-100 rooms in the first phase to stay within the 35 foot height restriction. If the potential for additional rooms is needed in the future, at the Planning Commission meeting the possibility of adding to the height of the building to achieve this need was raised. It was ultimately decided a shorter and taller building would be built and wings would be added in the future if the need for additional space were required. A Board Member raised the question as to how much taller the building would be. Wenger stated it would be approximately six or seven stories instead of three or four. A Board Member stated having this building be tall would not make it look out of place as there is a tall building next to it. Zimmerman stated an evaluation and feedback would be needed from the fire companies on how they would be able to service this building as this would be an occupied building.

Wenger stated one goal tonight was to show the plan keeping in mind details are still being worked on with potential hoteliers. Secondly, there is the question of how does the Board want to approach the potential height issue of the building. The consensus from the Board was everyone would be better served if it were worked out now.

DISCUSSION ON REVISING THE R-1 RESIDENTIAL CONSERVATION CLUSTER PROVISION: Zimmerman reminded the Board this was first discussed at the Board meeting two weeks ago. The Township's current Ordinance allows 40% of a tract to be saved. Zimmerman stated there is a tract that will be presented to the Board soon which would be a good one to consider using the Conservation Cluster Provision on and to use for future reference. Zimmerman stated the Planning Commission is supportive of this effort. The Board Members are all in favor of this plan.

LANCASTER COUNTY SUPERVISORS ASSOCIATION: Zimmerman stated DA Craig Stedman is holding meetings in regards to the Drug Task Force. Zimmerman stated he will be attending one of these meetings.

OTHER BUSINESS TO COME BEFORE THE BOARD: Zimmerman stated the Warwick Regional Rec Commission met yesterday. One objective that was discussed was the Lititz Springs Pool. Support from the community was gauged in an effort to determine if the pool should be replaced or modified. Zimmerman stated the Rec Center has completely taken over the operation of the pool so a complete record of attendance as far Township attendance, Borough attendance etc. will be able to be determined.

Flosdorf stated the Rec Center's approach is to get commitments from municipalities on how much money they are willing to contribute over a given period of time towards a capital fund. Once the Rec Center has these commitments they will go to businesses to get private commitments and then go to a bank to finance the rest.

The Township needs to receive more information from the Rec Center in regards to the utilization of the pool, commitment from the community and the financial situation. Flosdorf brought up the fact that does the Township need two pools and is there the possibility that the two entities could work together and combine into one. This was thought to be a possibility.

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ADJOURNMENT: With no other business to come before the Board the meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Daniel L. Zimmerman,
Township Manager