

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES

June 6, 2012

Chairman W. Logan Myers convened the June 6, 2012 meeting of the Board of Supervisors at 8:00 a.m. Present were Supervisors W. Logan Myers, Michael Vigunas, Herbert Flosdorf, Anthony Chivinski, and C. David Kramer. In attendance were Township Manager Daniel Zimmerman, Tom Shumate, Bill Shumate, Dave Biddison, Nathan Jameson, Mark Johnson, Whit Buckwalter, Leslie Howland, Kevin Varner, Raymond Buckwalter, Mike Wagner, and Alex Piehl.

GUEST RECOGNITION: Leslie Howland, 1317 Firestone Road, stated that Firestone Road is only 1/4 mile in length and is posted at 40 mph. She noted that the Warwick School District buses do not use the roadway since it is narrow; in addition, most motorists travel less than 40 mph since it is a short and narrow roadway. She stated that her dog was killed on the roadway recently when it ran into the roadway. Howland stated that all of the neighbors request that the posted speed limit be reduced from 40 mph to 25 mph due to the number of homes along the roadway. The Township Manager explained that a letter was submitted to the Township requesting a reduction in the speed limit along Firestone Road. He added that volume count and speed frequency data is currently being gathered to determine whether the speed limit could be reduced.

COMMUNICATIONS: The Board received a letter from a resident expressing concern over the recent addition of the pickle ball court painted in blue over the white lines on one side of the tennis court at the Lions Park in Rothsville. The Township Manager explained that pickle ball is becoming a popular sport and noted that the shared use of facilities is common.

The Board received a letter of appreciation from Lancaster County Commissioner Craig Lehman. Commissioner Lehman attended the May 16, 2012 meeting of the Board of Supervisors.

CONSIDER THE CONDITIONAL USE APPROVAL OF THE THOMAS AND BILLY SHUMATE FINAL SUBDIVISION/LAND DEVELOPMENT PLAN PREPARED BY DIEHM & SONS, DATED 2/22/2012: Kevin Varner, representing Diehm & Sons, explained that Thomas Shumate and Billy Shumate purchased the 7.71-acre tract at the intersection of Rothsville Road and Briar Hill Road. The property is zoned Community Commercial. The property is currently vacant with the exception of a public sewage pumping station at the north end of the frontage along Briar Hill Road, and an existing sediment basin is located on the property. The property would be served by public water and sewer. The owners plan to relocate their existing paving business to the site. They plan to construct a 7,200 sq. ft. building for the business with macadam and gravel paved areas that would provide for the required parking, as well as an outdoor storage area. They also plan to construct a single-family dwelling on the property to serve as Tom Shumate's home. The business would be accessed by a new access drive that would connect with Briar Hill Road across from Santa Fe Drive. The proposed dwelling would have its own separate driveway. Varner noted that the plan includes a proposal to subdivide the pumping station from the remainder of the tract. Varner explained that right-of-way along Rothsville Road and Briar Hill Road would be dedicated to the Township outside of the existing PennDOT right-of-way. He stated that a 5' macadam trail is proposed along Briar Hill Road extending from the driveway at the commercial business to the property line. In addition, a 100' wide riparian buffer (50' each side) is proposed along the stream that flows through the property. He noted that the only disturbance in this area would be for additional tree planting. Varner stated that the existing sediment basin will be modified to a detention basin in accordance with the site design and stormwater calculations.

Varner addressed the Township Engineer's comment letter dated May 25, 2012. Varner explained that the macadam trail would connect to the regional rails-to-trails facility to provide pedestrian access to the homes in the surrounding development. He added that a deferent agreement would be part of any approval since the macadam trail would not be constructed until the regional rails-to-trails is extended. The Township Manager explained that the plan includes a note regarding a "proposed 20' long pedestrian bridge (by others)", in order to provide for the future construction of the bridge. He noted that the applicant is not funding the construction cost for the bridge and would simply work with the Township in its construction.

The Applicant is requesting Waiver of Section 285-7.C, pertaining to Preliminary Plan application. The applicant's consultant is requesting a modification to process a preliminary/final plan in lieu of processing a preliminary plan and subsequently a final plan. The Planning Commission recommends approval of the Waiver request.

The Applicant is requesting a Waiver of Section 285-27.J(3), pertaining to improvements to existing streets. The applicant's consultant has requested consideration of a Waiver to eliminate the requirements for roadway frontage improvements or providing a fee in-lieu-of actually constructing the required improvements. Varner explained that a Waiver is requested for Rothsville Road, and a deferment is requested for Briar Hill Road. He added that the Applicant has agreed to install a 5' walkway that would connect to the curb cut along Briar Hill Road. He explained that the walkway would be completed to Santa Fe Drive, where the commercial building is proposed; however, a deferment is requested for the remaining walkway area. The Planning Commission recommends approval of the Waiver request.

The Applicant is requesting a Waiver of Section 285-28.A(9), stipulating that a parking area is to be constructed of concrete or bituminous surface and a Waiver of Section 285-28.C(1), pertaining to curbs. Varner explained that the access drive is proposed to be paved along the PennDOT roadway. He added that there would be concrete and macadam in front of the building for handicap and visiting parking. The remaining parking spaces for employees and equipment are proposed to be gravel to allow the turning movement for large pieces of equipment. Varner explained that the stormwater design proposes perpendicular drainage from the building to grass areas and then into the water quality facility. The Planning Commission recommends approval of the Waiver requests.

The Applicant is requesting a Waiver of Section 285-28(1), pertaining to sidewalks. The applicant's consultant is requesting a Waiver to allow for the construction of a macadam walkway along a portion of Briar Creek Road as shown on the Plans. Varner explained that a macadam walkway is proposed from the pump station to the access drive, and added that a full Waiver is requested along Rothsville Road and a deferment is requested on Briar Hill Road. He noted that a Waiver is also requested for extending sidewalk into the business property. The Planning Commission recommends approval of the Waiver request.

On a motion by Kramer, seconded by Chivinski, the Board voted unanimously to Waivers of Section 285-7.C, Section 285-27.J(3), Section 285-28.A(9), Section 285-28.C(1), and Section 285-28(1) contingent upon the Township Engineer's comments being addressed.

On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to approve the Thomas and Billy Shumate Final Subdivision/Land Development Plan, contingent upon the Township Engineer's comments being addressed.

CONSIDER THE SKETCH PLAN SUBMITTAL FOR 814 LITITZ PIKE, PREPARED BY RGS ASSOCIATES, DATED 5/11/2012:

Alex Piehl, representing RGS Associates, explained that the site is approximately 2.3 acres and is located at 814 Lititz Pike, on the west side of the roadway. The site currently consists of a commercial building with 12,740 square feet of gross floor area, with multiple commercial uses. The proposal is to redevelop the site with two new commercial retail buildings (7,500 square feet and 7,360 square feet respectively), with a total of 14,860 square feet of gross floor area. The proposed facilities would use the existing entrance along SR 501. In addition, a second entrance to the property is proposed from the future extension of Highlands Drive to the rear of the property. Piehl explained that the plan also proposes a future connection to La Piazza Restaurant to the north.

The Township Manager explained that the original plan for the Highlands Drive extension does not illustrate the access point to the rear of this site, since the proposal was only recently submitted. He stated that this property is adjacent to the La Piazza Restaurant, and the Daniel Cicala tract (Lititz Land Trust). He explained that the current entrance to the restaurant along SR 501 would be modified to eliminate the left-turn to SR 501, and the Lititz Land Trust entrance along SR 501 would be restricted to right-in only. He added that these projects would provide rear access from the Highlands Drive extension.

Piehl stated that the existing building sits at the center of the site, with parking on three sides. The proposal is to remove this building and place one building toward the west of the site, and one building toward the north of the site. He noted that this proposal represents an approximate 1% increase in impervious area. He stated that sidewalk would be extended along SR 501 and within the site to provide pedestrian access to each building.

Piehl stated that the site is served by public sewer and public water, and both buildings would be served with these utilities. The increase in storm water runoff and the water quality requirements for the site will be managed on-site. Currently, two stormwater facilities are illustrated on the plan. One toward the south of the site, and the other to the rear of the site along Highlands Drive.

Piehl explained that the property owner is currently in negotiations with Autozone for the commercial building closest to SR 501. The other retail building on the site does not currently have a prospective tenant. He noted that this building could have multiple lease spaces. He added that the landscaping has not been illustrated on the plan; however, he anticipated that landscaping and buffers would be provided in accordance with Ordinance requirements. He noted that the Preliminary/Final Plan for the project would include this information.

Piehl reviewed the (alternate) Township Engineer's comment letter dated May 17, 2012. He added that they can address the comments indicated in the letter.

Piehl stated that a portion of the adjoining site (Lititz Land Trust) is currently zoned R-3, which requires a 50' setback. He stated that the issue was discussed with Township staff, and since this portion of the adjoining site is proposed to be rezoned, the plan does not currently illustrate a 50' setback. Piehl explained that a traffic analysis is being performed, and would be submitted as part of a Preliminary Plan. He added that this analysis seems to indicate that the proposal would not meet the traffic volume threshold that would require a full traffic study.

The Board is agreeable to the Sketch Plan as illustrated.

CONSIDER THE SKETCH PLAN SUBMITTAL FOR THE TRADITIONS OF AMERICA/BUCKWALTER TRACT, PREPARED BY RGS ASSOCIATES, DATED

5/2/2012: David Biddison, representing Traditions of America, explained that the site is located at the intersection of West Millport Road and Hess Lane. He stated that the proposal includes a rezoning request and text amendment. Biddison stated that the site is located across from the Heart of Lancaster hospital.

Biddison stated that the project has been discussed with Township staff, and was previously presented to the Planning Commission. He explained that the proposal is for approximately 250 homes with a mix of attached and detached homes serving the over-55 population. He explained that the proposal also includes site amenities. He provided a background of Traditions of America and stated that the firm has over 30 years of development experience and has operated in Pennsylvania exclusively as an over-55 builder and developer for over 15 years. Biddison explained that they have locations in Lehigh Valley, Lancaster County (Mount Joy), Mechanicsburg, Pittsburgh and State College. He stated that their communities are customer focused with walking trails. He stated that maintenance of siding, roofing, snow removal & landscaping are covered under the association. He stated that the company has completed every project that they started. He provided additional background about the business for the benefit of the Board. Biddison presented photographs of the streetscape within these communities as well as the amenities. He explained that most homes have a 20' setback and can have a mix of stone, brick, siding, etc. which creates a unique and interesting appearance. He added that the homes contain 1,250 square feet and up. He stated that the homes can be one-story and two-story buildings and some homes would have porches. He explained that each home has a 2-car garage with additional parking for 2 vehicles in the driveway.

Biddison explained that their facilities include a club house that varies in size from 7,000-9,000 square feet. He provided photographs of the various club houses at their facilities. He added that they all include a pool, large grand ballroom, a bar area, billiards, exercise room, spas, tennis courts and locker rooms. He explained that in order to provide these amenities, the density of the development needs to provide for at least 250 units. He added that this creates a regional centerpiece. Biddison stated that the Club House is the gathering place of these communities.

Biddison stated that the proposal has been discussed with Township staff, and has been presented to the Warwick Township Planning Commission. He explained that the Planning Commission expressed concern about the lack of sidewalks, and recommended either arterial sidewalks or more walking trails. He stated that the applicant is considering adding sidewalks through the center of the development. The Township Manager stated that the plan proposes narrow roadways and no sidewalks, and the Commission members were concerned that residents of the development would need to walk within the roadway to reach certain destination points within the community. He noted that Commission members will be visiting one of their communities.

Biddison stated that only one of their developments (in State College) has sidewalk since the roadways are publicly owned. He added that sidewalks create a maintenance burden on home owners (snow shoveling, repairs). He noted that residents of these communities prefer walking trails to sidewalks. The Chairman inquired whether safety is an issue for residents walking home from a neighbors home in the evening. Biddison explained that the roadways have adequate streetlights and the communities do not have a large amount of vehicular traffic. He noted that the proposed roadways would be privately owned. He added that some of the communities are gated

which would restrict third-party vehicles. In addition, none of the roadways are a through-street.

Biddison estimated that home prices would begin in the mid \$200,000s and the average price would be in the low \$300,000s. He explained that the average unit size is 2,300 square feet, and noted that the homes could be as small as 1,260 square feet. Biddison stated that the market location in Warwick Township has been age and income qualified. He noted that individuals have contacted their sales agency following the Planning Commission meeting asking about the availability of the site in Warwick Township. He noted that approximately 62% of their residents come from within a 15-mile radius. Biddison stated that residents would have fee simple ownership of their home, and the remainder of the land is common area maintained by the homeowner's association.

The Township Manager explained that the proposal was discussed with representatives of the Heart of Lancaster Hospital since the Commission recommended that the trail provide a connection to their trail system. Flosdorf stated that the proposal is for 60 acres of the total property size of 132 acres and inquired whether there are any proposals for the remaining 72 acres. Mark Johnson, representing RGS Associates, stated that no formal plans are proposed on the remaining portion of the tract. He noted that the remaining use could be a low-density R-1 use, or possibly R-2 north of this site. Vigunas inquired whether any Campus Industrial uses could be developed on the property. Johnson stated that no Campus Industrial uses are planned at this time. The Township Manager inquired what percentage of the residents in these communities is employed. Biddison estimated that approximately 50% of the residents are employed. He noted that the average annual income of homeowners within the development is \$85,000, which includes pension income.

Vigunas stated that the plan should address the intersection of Hess Lane and West Millport Road. Johnson stated that the property is south of the homestead on West Woods Drive and extends to West Millport Road. He explained that the project proposes vacating a portion of Hess Lane along the frontage of the site, which would eliminate the issues relating to the intersection of Hess Lane and West Millport Road.

Flosdorf suggested that the Township consider rezoning the northeast side of the stream from Agricultural to R-1 zoning in order to prevent setback issues. He noted that it is feasible to suggest that this tract would not be used for Agricultural purposes in the future, and this would eliminate the need for another rezoning process. It also prevents the agricultural zone abutting an R-2 zone. Vigunas inquired what types of enterprises or businesses generally compliment this type of development. Nathan Jameson, representing Traditions of America, responded that these uses are currently within walking distance to the site and include the hospital, retail stores, and coffee shop. He expressed the opinion that any commercial uses closer to the site would detract from its residential nature. The Township Manager noted that he would not rezone this entire area to R-2 without further analysis of the infrastructure. He added that this potential of higher density rezoning could be part of the update to the strategic plan discussion. He explained that this project should be part of a workshop session. Vigunas stated that the farmstead could be part of a buffer or park system for the development, since no parks exist within this region of the Township. Biddison stated that a tour of the facility in Lehigh Valley is proposed on June 21, 2012. This would illustrate the design of the development without sidewalks.

CONSIDER RESOLUTION #06-06-12-01 ACCEPTING RIGHT OF WAY FROM RRR

HOSPITALITY, LLC FOR THE HIGHLANDS DRIVE PROJECT: The Board reviewed the Resolution. On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to adopt Resolution #06-06-12-01 as drafted.

CONSIDER RESOLUTION #06-06-12-02 ACCEPTING RIGHT OF WAY FROM LITITZ LAND TRUST, LLC FOR THE HIGHLANDS DRIVE PROJECT: The Board reviewed the Resolution. On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to adopt Resolution #06-06-12-02 as drafted.

CONSIDER RESOLUTION 06-06-12-03 AUTHORIZING THE SALE BY AUCTION OF THE SALT SHED AT 752 ROTHVILLE ROAD: The Board reviewed the Resolution. The Resolution would authorize a Township representative (Chairman or Township Manager) to act on behalf of the Township at the auction to enable the sale of the property. On a motion by Vigunas, seconded by Kramer, the Board voted unanimously to adopt Resolution #06-06-12-03 as drafted.

CONSIDER MOTIONS TO AUTHORIZE TOWNSHIP STAFF TO PREPARE AMENDMENTS TO THE 2006 UPDATE TO THE LITITZ/WARWICK JOINT STRATEGIC PLAN FOR THE CURRENT ECONOMIC DEVELOPMENT INITIATIVE (TOTAL OF THREE MOTIONS): The Board reviewed the information. The Township Manager explained that these motions authorize the Township Manager and Township Solicitor to take the necessary action associated with the amendments to the Joint Strategic Plan update and the rezoning. On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to authorize the Township Manager and the Township Solicitor to take such action as may be necessary to permit the Board of Supervisors to consider amendments to the 2006 Update to the Lititz/Warwick Joint Strategic Comprehensive Plan (the "Comprehensive Plan") in connection with the possible rezoning of the following tracts of land:

1. A tract of land containing approximately 95.5 acres located at 36 West Newport Road, currently owned by Lloyd H. Wenger and Anabaptist Foundation, from its present classification as Agricultural Zone to Campus Industrial Zone.
2. A tract of land containing approximately 8.2 acres located to the rear of 133 Rothsville Station Road, currently owned by Hurst & Hurst, from its present classification as Agricultural Zone to Community Commercial Zone.

On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to authorize the Township Manager and the Township Solicitor to take such action as may be necessary for the Board of Supervisors to consider the possible rezoning of the following tracts of land and the following text amendment to the Zoning Ordinance:

1. The rezoning of a tract of land containing approximately 95.5 acres located at 36 West Newport Road, currently owned by Lloyd H. Wenger and Anabaptist Foundation, from its present classification as Agricultural Zone to Campus Industrial Zone.
2. The rezoning of a tract of land containing approximately 8.2 acres located to the rear of 133 Rothsville Station Road, currently owned by Hurst & Hurst, from its present classification as Agricultural Zone to Community Commercial Zone.
3. The rezoning of a tract of land containing approximately 1.743 acres located west of Lititz Pike,

south of Lititz Borough, and east of the proposed extension of Highlands Drive, currently owned by Lititz Land Trust, LLC, from its present classification as R-3 Residential Zone to Local Commercial Zone.

4. A text amendment to the Zoning Ordinance regarding the maximum height in the Campus Industrial Zone.

On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to set Wednesday, August 15, 2012, at 7:00 p.m. as the date and time to hold a public hearing on and to consider the adoption of a resolution amending the Comprehensive Plan and to hold public hearings on and to consider the enactment of ordinances amending the Zoning Ordinance as referenced in the preceding Motions.

DISCUSSION ON FINAL COSTS FOR THE HIGHLANDS DRIVE PROJECT: The Township Manager explained that the cost to extend Highlands Drive is approximately \$723,000. He stated that through grants and developer fees, the Township has approximately \$530,000 toward the construction project. He added that Lititz Land Trust would pay the remaining balance as part of their project, and noted that the developer is aware of this fee. The Township Manager stated that he anticipates that the project will be bid next month, and construction could begin in August.

DISCUSSION ON RENTAL OPTIONS FOR BUILDING #3: The Township Manager explained that the proposed modifications to the (old police department) building is estimated at \$50,000-60,000 based on the current proposed tenant. He stated that Capital Reserve Fund could be used to fund the project, since the potential tenant has indicated that they would be agreeable to a 10-year lease. He explained that based on the rent, interest, and an approximate 3% CPI, the Township could fund these costs and deposit the funds, plus interest, back to the Capital Reserve Fund. He added that the project has not been finalized, and the tenant has not guaranteed to lease the building, to date. The Board is agreeable to the proposal.

CONSIDER REQUEST FOR FIRE POLICE FOR THE AMERICAN CANCER SOCIETY RUN: The Board reviewed the request. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to authorize fire police for the American Cancer Society's Relay for Life on June 8, 2012.

CONSIDER REQUEST FOR TRAFFIC STUDY ON FIRESTONE ROAD: The Board reviewed the request. On a motion by Chivinski, seconded by Vigunas, the Board voted unanimously to authorize a traffic study on Firestone Road.

OTHER BUSINESS TO COME BEFORE THE BOARD: The Township Manager stated that under one of the current EDC initiatives (Rock Lititz), the developer is requesting a speed study analysis to be performed by ELA Group (the Township Engineer) as part of the rezoning request. He noted that the developer would fund the cost. The Board is agreeable to the proposal, since the alternate Township Engineer would review the data.

Vigunas stated that a discussion ensued at the last regional economic development coordinating committee meeting that the Township should have municipal representation on the County's EDC. On a motion by Vigunas, seconded by Flosdorf, the Board voted unanimously to appoint Chivinski to serve on the Committee, and Vigunas will be the alternate to serve on the EDC.