

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES

July 18, 2012

Chairman W. Logan Myers convened the July 18, 2012 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, C. David Kramer, Herbert Flosdorf, and Anthony Chivinski. In attendance were Code & Zoning Officer Thomas Zorbaugh, Roadmaster Dean Saylor, Township Engineer Charles Hess, Adam L. Byler, Jamie L. Johnson, Dakota L. Johnson-Ortiz, Phil Burkholder, Mark Hackenburg, Rick Jackson, Gerald Pfautz, and Dan Cicala. Gary P. Klinger of the Lititz Record Express represented the press.

GUEST RECOGNITION: Gerald Pfautz, 83 North Heck Road, expressed concern over the proposed rails-to-trails that would extend along his property. He stated that he will continue to research his options regarding the rails-to-trails extension.

Flosdorf inquired whether Pfautz is opposed to the rails-to-trails, or whether he is seeking compensation. Pfautz responded that he is not specifically opposed to the rails-to-trails. He added that he would like to be compensated.

APPROVAL OF MINUTES: The Board reviewed the meeting minutes. On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved the minutes of the June 6, and June 20, 2012 meetings as submitted.

TREASURER'S REPORT: The Board reviewed the Treasurer's Report. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to approve the Treasurer's Report as submitted.

PAYMENT OF BILLS: The Board reviewed the list of bills submitted for payment. On a motion by Chivinski, seconded by Flosdorf, the Board unanimously approved the payment of bills from the General Fund in the amount of \$414,811.61.

TOWNSHIP MANAGER'S REPORT: The Township Manager submitted a report that provides the status of the following projects:

Northern Lancaster County Regional Police Department - The department is currently reconciling the first six months of operations to prepare a fiscal report, and they also have issued RFPs for the pension and investment consultants.

WESA - The organization is in the process of establishing a committee to create a job description and cost estimates for the Administrator position.

Highlands Drive - The right-of-way issues have been resolved with PennDOT and the project is ready to go out on bid.

MS4 application - The application process and Mapshed modeling is underway.

6th Street extension - The right-of-way acquisition is underway. Moravian Manor would be prepared for the project to proceed in September.

The Board unanimously approved the Township Manager's Report.

TAX COLLECTOR'S REPORT: The Board reviewed the June, 2012 Tax Collector's report. On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved the Tax Collector's June, 2012 report.

PUBLIC WORKS DEPARTMENT REPORT: The Roadmaster presented a report that outlines the activities of the Public Works Department during June, 2012. The Board unanimously approved the Public Works Department Report.

NORTHERN LANCASTER COUNTY REGIONAL POLICE DEPARTMENT REPORT: The Police Chief submitted a report that outlines the activities of the NLCRPD during June, 2012. The Board unanimously approved the Police Department Report.

ZONING OFFICER'S REPORT: The Code and Zoning Officer presented a report that outlines the Zoning/Building permits issued in June, 2012. He also provided a report outlining the cases heard by the Zoning Hearing Board at their June 13, 2012 meeting. The Board unanimously approved the Zoning Officer's Report.

COMMUNICATIONS: The Board received a letter from the Lititz RecCenter Executive Director expressing appreciation for the Township's 2nd Quarter contribution.

The Board received a letter from the Lititz Public Library Director expressing appreciation for the Township's 2nd Quarter contribution.

CONSIDER CONDITIONAL APPROVAL OF LITITZ LAND TRUST PROPERTY PRELIMINARY PLAN, PREPARED BY ELA GROUP, DATED 5/04/12: Rick Jackson, representing ELA Group, stated that the Board has previously reviewed the proposal, and added that the Board approved a Conditional Use for the project. Jackson addressed the alternate Township Engineer's comment letter dated June 18, 2012. He provided an outline of the project for the benefit of the Board. He noted that the commercial portion of the site, which includes 2 commercial buildings, would be constructed as Phase I, and the rental units (consisting of 2 buildings with 36 units each) would be constructed as Phase II. These areas would be separated by the extension of Highlands Drive through the site. Jackson added that a Final Plan would be submitted for each phase of the project.

The Applicant is requesting a Waiver of Section 285-27.J(4)(I) pertaining to sidewalks along property frontage. Lots 1, 2 and 3 are reverse frontage lots and sidewalk is being proposed along Lititz Pike. In addition, a bituminous path will be constructed along the west side of Highlands Drive with a proposed crossing to access Lots 2 & 3. The Planning Commission recommends granting the Waiver request.

The Applicant is requesting a Waiver of Section 285-27.P.(4) pertaining to vertical and horizontal alignment of access drives. The access drives will provide access to commercial Lots 2 and 3 and the residential apartment Lot 4. The vehicle volume and speed will be low and the access drives will be privately owned and maintained. The Planning Commission recommends granting the Waiver request.

The Applicant is requesting a Waiver of Section 285-28.B.(1)(d) pertaining to sidewalks. This request applies to the parking lots on all four lots which are curbed. Sidewalk is proposed at

appropriate locations to provide adequate pedestrian access from the parking lots to the buildings. The Planning Commission recommends granting the Waiver request.

The Applicant is requesting a Waiver of Section 285-28.C.(l)(2) pertaining to curbs along parking compounds. The applicant is requesting to construct curb with 6" reveal rather than 8" reveal only in parking areas to prevent undercarriage and bumper damage to vehicles. The curb is on private property and will be privately maintained. The Applicant is also requesting that no curb be constructed adjacent to BMP 2 to allow stormwater to sheet flow into the BMP. Bumper blocks will be provided. The Planning Commission recommends granting the Waiver request.

On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to approve the Lititz Land Trust Preliminary Plan, and to grant Waivers of Section 285-27.J(4)(l), Section 285-27.P.(4), Section 285-28.B.(1)(d), and Section 285-28.C.(l)(2) contingent upon the alternate Township Engineer's comments being addressed.

CONSIDER SKETCH PLAN FOR UNITED ZION RETIREMENT, PREPARED BY RGS ASSOCIATES, DATED 6/06/12:

Mark Hackenburg, representing RGS Associates, stated that the 11.35 acre property is located on the west side of SR 501 approximately 700' north of the intersection of SR 501 and West Newport Road. He explained that the use is permitted by Special Exception in the R-2 zone. He noted that a new Special Exception application will be filed to expand the campus use would and to include the two adjoining lots (.6 acres and .3 acres) owned by United Zion Retirement Community that are situated immediately north of the parent tract.

Hackenburg explained that the Sketch Plan illustrates both the initial and future growth stages. The initial project includes the construction of a personal care facility off the existing north and west wings of the primary facility. This would include 2 personal care beds, 24 memory care beds, independent living units, and an adult daycare. Hackenburg explained that the existing personal care beds will be relocated from the existing facility to the new building, which would accommodate the renovation of the vacated personal care area into independent living apartments. He stated that two lots currently under the ownership of the retirement community would be joined to the existing larger parent tract to create an approximate 12 acre property. Hackenburg explained that the future project would include the construction of the separate independent living apartment building that would be situated on the two northern lots that will be added to the parent tract. He noted that this apartment building is only conceptual at this time, and is part of the overall Master Plan for the site.

Hackenburg stated that the future proposed independent living building would provide approximately 35 units, and is proposed to connect via an overhead span to allow direct access to the campus amenities and services. This building would provide 35 parking spaces under the building. A proposed dining expansion is also proposed in addition to the proposed reconstruction of a maintenance building in the southwest area of the primary facility, an enclosed dementia courtyard, and a reconfigured drop off area and entrance to the primary facility.

Hackenburg stated that the access to the site via SR 501 would remain unchanged, and additional pedestrian amenities will be provided within the site. He explained that the overall Master Plan proposes a total of 250 beds. The maximum density for retirement care communities is 27 beds per acre. The Master Plan would result in approximately 21 beds per acre. Hackenburg explained that the Ordinance would required 243 parking spaces, and this plan proposes 264 parking spaces. Hackenburg stated that they are currently reviewing the public sewer and public water capacity for the project. He noted that they are discussing the issue with WTMA staff.

Hackenburg explained that stormwater would be managed via the existing detention basin located in the southern portion of the tract. BMPs will be considered during land development to control runoff and ensure water quality. The full build project proposes an approximate 48% impervious coverage, which is less than the 60% maximum allowed. He noted that it appears a portion of the building would be constructed over existing parking spaces.

Hackenburg stated that the Applicant is considering requesting a deferment of sidewalk improvements along SR 501, similar to the request submitted by the adjoining Warwick Auto site. Hackenburg stated that traffic, wetlands, and other reports will be evaluated during the land development process. A trip generation analysis will be performed as part of the project.

Hackenburg explained that the proposal would require several waivers. He explained that their intent is to request approval to file the initial project as a preliminary/final plan since they are not proposing any new public streets or additional lots. It appears that a Waiver of the Subdivision and Land Development Ordinance, Section 285.27.P.(3) will be requested to permit the proposed personal care expansion to be less than 30' from an access drive. This is needed for the proximity of the personal care building expansion to the existing access drive. He noted that relief of this section for the community was granted on a prior land development plan to enable the best use of land without affecting existing infrastructure and buildings. In addition, it appears the future independent living building along SR 501 could encroach slightly into the setback area.

The Board members are agreeable to the Sketch Plan as submitted.

CONSIDER REQUEST FOR RELEASE OF LETTER OF CREDIT FOR TAIT TOWERS PARKING LOT PROJECT: The Board reviewed the request. The Township Engineer commented that based on their recent observation of the project with Township staff, they recommend the Township release the \$2,000.00 cash escrow account. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to release the \$2,000.00 cash escrow account for the Tait Towers Parking Lot project.

CONSIDER RESOLUTION 07-18-12-01 EXPRESSING APPRECIATION FOR THE RESTORATION OF THE SPEEDWELL FORGE LAKE: The Board reviewed the Resolution. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to approve Resolution 07-18-12-01 as drafted.

CONSIDER REQUEST TO REDUCE SPEED LIMIT ON FIRESTONE ROAD: The Roadmaster explained that a Speed Sentry device was installed to obtain preliminary speed figures along the roadway. He added that based on PennDOT guidelines, an area that meets the residential district guidelines could be posted at 25 mph and an urban district could be posted at 35 mph without a formal speed study. He noted that the roadway meets the guidelines for an urban district at 35 mph. He explained that a formal speed study would be needed to lower the speed limit below 35 mph. He added that the roadway is currently posted at 40 mph. The Roadmaster stated that he could borrow a speed plate from Clay Township to place in the middle of the roadway to perform another study. He noted that ELA performed a speed limit study approximately 6 years ago to establish the current posting of 40 mph. The Board is in agreement to perform another speed analysis to verify the Speed Sentry data.

CONSIDER RESOLUTION 07-18-12-02 AMENDING WINTER MAINTENANCE AGREEMENT: The Board reviewed the Resolution. The Roadmaster stated that the agreement

was amended to provide winter maintenance along Woodcrest Avenue by PennDOT rather than the Township. The section of Woodcrest Avenue extended from Lititz Borough to Rohrer's Quarry and was previously plowed by the Warwick Township Public Works Department. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to approve Resolution 07-18-12-02 as drafted.

CONSIDER REQUEST FOR FALL BLAST 5K RUN/WALK ON SATURDAY, OCTOBER 6, 2012: The Board reviewed the request. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to authorize the Fall Blast 5K Run/Walk on Saturday, October 6, 2012 beginning at 9:00 a.m. as requested.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 8:08 p.m.

The undersigned certifies that he was present at the meeting of the Board of Supervisors held on July 18, 2012, that he acted as the recording secretary at such meeting, and that the foregoing minutes are accurate in all material respects.

Date: 8/10/2012

Thomas L. Zorbaugh
Code and Zoning Officer

Based upon the foregoing Certification, the undersigned approves the minutes of the Board of Supervisors for the meeting held on July 18, 2012, and directs that the minutes be duly filed.

Date: 8/10/2012

Daniel L. Zimmerman
Secretary