

## **WARWICK TOWNSHIP PLANNING COMMISSION**

### **Meeting Minutes**

March 22, 2023

Chairman Tom Zug convened the March 22, 2023 meeting of the Warwick Township Planning Commission to order at 7:00 p.m. In attendance were Commissioners Tom Zug, Dale Keeney, Jane Windlebleck, Dan Garrett, Craig Kimmel, and John Gazsi. Absent were Commissioners Marcello Medini and Robert Kornman. Also in attendance were Brian Harris, Township Manager; Billy Clauser, Township Planner; Sarah Rider, Barley Snyder; Scott Wigglesworth, Compass Mill; Mark Will, Compass Mill; Claudia Shenk, McNees Wallace & Nurick, LLC; Rachel Felpel, Compass Mill; Gwen Will, 1213 Orchard Road; Matthew Clair, 1 Ellen Avenue; Dave Madary, 652 Dorset Street; Andrea Shirk, 3061 Weaver Road; Kelly Gutshall, 22 Limestone Court; and Nelson Peters, 6 Pebble Creek Drive.

**APPROVAL OF MINUTES:** The January 25, 2023 minutes were approved as submitted.

**DISCUSS ROCK LITITZ BUILDING 200 PRELIMINARY/FINAL SUBDIVISION, LAND DEVELOPMENT, & LOT ADD-ON PLAN, PREPARED BY DERCK & EDSON, DATED FEBRUARY 9, 2023:** B. Harris noted the review letter from ELA dated February 16, 2023 regarding the preliminary/final land development plan for the Clair building which is 200 Rock Lititz Blvd. The applicant is seeking a waiver for the preliminary plan application.

Dave Madary stated they are present to discuss the proposed Clair building otherwise known as Pod 1B. In 2018 a plan was approved for a building at that location. This plan is almost identical to the plan that was previously approved in regard to access and parking. This building and the existing Clair Global building at 1 Ellen Avenue are going to work in tandem as a complex. The new plan has the proposed building further east and north so that it is in close proximity to the existing building, which will remain a manufacturing facility. Most of the employees at Clair Global will move to the new building which will become their new headquarters. There are some Clair employees in Pod 2 that will also move to the new headquarters building. Because they are sliding the building east, they are doing a land swap with the Sauder property. They are taking a small portion of land at the rear of the Sauder property and swapping a strip along the south edge of the Sauder property. That will allow the building to meet the necessary setbacks. C. Kimmel asked what the narrow piece was for. Madary stated that it is to help gain more parking behind the Clair building. Madary stated that he had the opportunity to work with ELA and work through a number of the review comments.

On a motion by C. Kimmel and seconded by D. Garrett, the Commission unanimously approved recommending the waiver for the preliminary plan application.

Madary stated that there are a couple follow-up items and some of those tie in to the proposed Touring Boulevard connection which is currently called Mark V Drive. Over the next few months a plan will be submitted that shows that road connection. They will be addressing some of the items in the ELA letter as part of that plan. They are starting the traffic study that will accompany that plan. There was some discussion

about a walkway along Route 501 and that would either be included as part of that plan or a deferral agreement until such time the Township requests the walkway be installed. Madary explained that the Rock Lititz team is reviewing vehicular access and circulation and will share more about that with the upcoming master plan. B. Harris suggested that language be included indicating that sidewalks will be installed when Touring Boulevard is constructed, or within one year of the new building being constructed in case Touring Boulevard never gets completed. Chuck Haley mentioned if this plan gets approved, there is no plan that illustrates the Sauder land swap relating to Touring Boulevard and added that this issue should be addressed to ensure Sauder is party to the plan. A. Shirk stated that they are requesting a commitment from the Township to extend sidewalk from Lititz Borough north along SR501. B. Harris mentioned the Santo Domingo Grant that the township received includes a pedestrian bridge to ensure completion of the northern sidewalk connection. Haley expressed concern over truck traffic through the site and questioned how Touring Boulevard is going to extend around Pod 2. The plan is to relocate truck access through the site from Newport Road around Pod 2 and down Touring Boulevard. Haley mentioned there is a discussion about doing more floodplain restoration down to the bridge. Madary stated that they have been adding buffers and berms along the south end of the property and that is the plan along the floodplain corridor as well. They are in discussions about reforestation in all the available pockets especially at the southern end of the campus. They have planted buffer trees along the north end which would continue if it is further developed. Internally they are restricted where trees can be planted due to PP&L rights-of-way that do not allow trees. Trees will be provided along Touring Boulevard when it is constructed.

On a motion by D. Garrett and seconded by J. Windlebleck, the Commission recommended the conditional approval of the land development plan.

**CONSIDER 817 ROTHSVILLE ROAD CONDITIONAL USE APPLICATION FOR THE DEMOLITION OF A HISTORIC STRUCTURE, RECEIVED FROM COMPASS MILL COMPLEX LLC:** B. Harris stated the township received an application for a conditional use hearing for the demolition of a historic structure. ELA provided a review letter dated March 16, 2023 in response to the application. Demolition of a historic structure requires a conditional use hearing based on the ordinance that was adopted in 2020. The applicant is here tonight to review the application and the township has 45 days from the conclusion of the Board of Supervisors Hearing to render a decision.

Claudia Shenk from McNees Wallace & Nurick, LLC is present on behalf of Compass Mill Complex, LLC. She is joined by Mark Will and his team. They are present this evening because they have submitted a conditional use application for demolition of an historic structure which is pursuant to Section 340-46.2 of the Township Zoning Ordinance. Shenk stated that the tract where the mill is located is about 1.2 acres but it is part of a larger area that is owned by Compass Mill which contains 4 separate parcels totaling about 5.3 acres. Compass Mill's intent is to consolidate all four parcels and to comprehensively redevelop the property. The parcels are within the community commercial zone. The property is bordered on the east by Lititz Run and on the west by Rothsville Road. The properties were purchased by Compass Mill in 2020. The northern-most building on the site is a new building. There was a previous structure there that was demolished and the new structure was constructed in 2020. Currently located there is the Compass Mill Tap House and a pierogi shop. This property previously underwent a redevelopment effort in the 1970's and it was marketed as a historic village that was known as Rome Mill Village. There are a number of older buildings that were brought to the site in the 1970's as part of this creation of a tourist attraction. There is a barn structure on the site that is now artisan shops but it was originally constructed as a restaurant building. It was made to look like a historic structure but was not original to the site. There is another barn structure and a building known as the Blacksmith Shop when it was Rome Mill Village. Both of these structures were brought to the site in the 1970's and are not original to

the site. Those structures are both being used residentially. Out along Rothsville Road is a single family dwelling and further south is Compass Mill and then south of that is the Friedrich House which was built in 1797 and there is an outbuilding out behind it that is in poor condition.

C. Shenk explained that a draft redevelopment plan was prepared for the site; however the plan has been slightly modified since it was submitted. The building containing the tap house and pierogi shop and the artisan mill building will remain as part of the redevelopment of the property. The barn and the blacksmith shop that were brought to the property in the 1970's will remain as well. The original intention for Compass Mill was to reuse/repurpose that building; however, that plan is no longer feasible. The Friedrich House is to remain, and the exterior of that building is to be restored and a new building would be built on the footprint of the accessory building to the rear of the Friedrich House. The single family dwelling that is close to Rothsville Road will be removed as part of this plan. There are currently 4 access points onto the roadway from this property so another component of the plan is to limit that to 2 access points and to install some additional paved parking areas. She noted that additional parking has already been provided on the property as part of the project.

The Compass Mill was originally built in 1775 or 1776; subsequently, there was a fire and the mill was rebuilt on the same foundation. The 2-story grist mill produced flour and grist. It also functioned as a saw mill and permanently closed in 1927. After the mill closed it was vacant for approximately 40 years until the 1970's when the Rome Village development project took place. There was outside equipment and materials, some of it historic and some not, brought to the site as part of the Rome Village project. Some gears and wheels have been recovered from inside the mill but they are not sure they are all original to the mill. After the Rome Mill Village project no longer became viable in the 1980's and 1990's the property was generally used to sell antiques or for antique dealers. Only the four walls of the Compass Mill building remain standing so there are no doors, windows, roof, or interior floor structures present. This puts the building in jeopardy of a structural collapse because those elements are part of what holds the structure of the building together. C. Kimmel asked if the wood was removed by the current owner. Mark Will stated that he had the roof removed and when they were removing the roof they removed the wood. They were able to salvage some of the wood. There were wood eating bugs that destroyed most of the wood and the beams within the building. Kimmel asked if the floor and all the internal wood framing was removed by the current owner. M. Will confirmed that he did have those removed as well. Kimmel stated that reason for the instability is primarily because the wood is gone. Will stated that the floor that was removed was not original to the building and that the former owner had brought it in during the restoration attempt in the 1970's. Shenk mentioned that there was concern about leaving it there because it was not doing the job of providing a structural support since it was in rotted condition. Kimmel mentioned that the McSherry report speaks specifically to the fact that because the floors are not there that the wall is unsupported vertically. Shenk stated that Jack McSherry, a structural engineer, evaluated the building. Mr. McSherry indicated that this is not something he would classify as a building but more of a ruins of a building and that collapse is inevitable and likely to occur during a rain storm and the bracing is a stop gap measure. His recommendation is demolition to control collapse and to avoid possible collateral damage. The proposal would be to demolish the remains of the existing structure and then to build on the same site that would be similar architecturally and use some of materials from the existing Compass Mill. The new building is designed as an event space location. There are a number of components that are pulled in from the Compass Mill design. Shenk stated that a wood shake roof is proposed which is the same concept from the mill. There are some decorative elements above the windows and doors which are very similar to what was used in the mill itself. The structure will be primarily stone and the intent is to reuse the stone that is part of the current mill structure, as well as the stone that is on the property from the parts of the structures that have been demolished or collapsed.

If the conditional use is approved, the applicant is willing to agree to a condition to use those materials in the new structure, and if they cannot be used or are unsuitable, they would make them available for donation if there were any historic society, group, or builder that wanted to try to use those items. The same would go for the gears, wheels, and other materials that were found inside the building. They would use the best efforts they had to try to incorporate them into the structure.

Shenk mentions that the Zoning Ordinance sets forth three conditions where demolition, removal, or relocation of a historic structure is permitted. Only one of the conditions needs to be satisfied in order for the approval to be granted. The conditions are that the structure cannot feasibly and reasonably be reused and the situation is not a result of intentional neglect by the owner. The second is denial of the demolition would result in unreasonable economic hardship to the owner and was not self-created, and the third is the demolition is necessary to allow a project to occur that would have a public benefit. Shenk stated that rather than just meeting one of the criteria, this proposal meets all three. The condition of the building is self-evident from the pictures, and although some of the components of the building were removed since the applicants owned the property, they have only owned the property for approximately 3 years. Shenk stated that a lot of the deterioration occurred before they took possession of the property. When they discovered the extent of the deterioration the only safe and reasonable thing to do was to remove those elements. It is supported in this case by the opinion of their structural engineer. In addition, to try to restore or save the structure at this time would result in unreasonable economic hardship. As the engineer has indicated, collapse is more or less inevitable and that is not something the applicant wants to see happen, since they are trying to redevelop this property and bring additional commercial activity into the site. The construction of the new building using some of the existing materials and architectural concepts borrowed from the original structure will allow them to have a more modern building and be more functional and usable while still retaining the character of the original building.

C. Kimmel asked if the structural engineer was contacted about the removal of the wood rafters and/or floor system. M. Will stated he was contacted and added that the structural engineer did the initial inspection of the wood eating bugs on the beams and the internal structure. The engineer suggested that the wood was damaged and beyond repair. Kimmel also asked what is the guarantee that this new building is constructed if the Commission recommends approval of the mill building demolition. Shenk stated that right now there is a provision in the zoning ordinance that states you cannot engage in the demolition until the new land development plan is processed and bonded with the township so she thinks that is the guarantee. There was a lengthy discussion regarding the demolition of the existing structure and the guarantee that the proposed new building is constructed. T. Zug referred to Brick Gables and the condition of that structure and how that structure was rebuilt and managed to keep the existing facades of the building intact; he added that he is struggling to understand why the same couldn't be done with the proposed structure. Shenk acknowledged that could be done but it would be extremely expensive. She mentioned that the ordinance addresses the cost prohibitive nature of some improvements or renovations. She stated that the proposed structure would use materials from the original structure. In addition, they would incorporate elements from the original structure so it would be more structurally sound. They are keeping all the key pieces of it and incorporating it into a new building. J. Gazsi asked if they have cost estimates for maintaining as much of the foundation and the structure that is there and building upon it as well as a cost estimate of demolition but reusing some of the same materials. M. Will stated he does have those estimates. He added that Brick Gables was a bank barn and this structure is a mill with lower ceilings which couldn't be modified due to the window heights. He noted that

the building is within the 100-year floodplain; however, they are proposing to raise it 18 inches out of the floodplain.

Will expressed the opinion that you probably would not be able to tell the difference in the plan to restore the mill compared to the plan to rebuild it. They are going to reuse all of the stone that they possibly can and are willing to use the viable wood for an end product that is a building that long term on this site will be able to be used and be functional. Will explained that he understands restoration and stated that was their original intention. As they inspected the building, they determined it would not be feasible to restore it. It made more sense to rebuild it in a very similar fashion to what it would look like restored. D. Garrett asked what the best case estimate is on how much of the original stone is going to be used. Will stated he would like to use all the stone. Will does not believe there is enough stone on site to rebuild the entire building, so they are proposing to cut the original stone so they could use it on the façade of the entire building, in addition to the expansion that is being proposed. Will stated that the proposed building would be approximately 4 feet taller than the existing building. D. Keeney asked about the Redevelopment Assistance Capital Program (RACP) which awarded \$1.5 million dollars to the project. C. Shenk stated that it is a state program. Scott Wigglesworth stated that the program is for economic development, but it is not dependent on historical nature but more about job creation. He also mentioned that their goal is to create a beautiful entrance from the east into Lititz. The RACP program is primarily for economic activity. Wigglesworth stated they talked to the state regarding the new proposal. They reached out to the Pennsylvania Historical Museum Commission (PHMC) to verify that they were okay with the new proposal; he added that he shared the letter from PHMC with Township Manager B. Harris since their response was clear that it was acceptable. B. Harris mentioned that comment 8 in ELA's letter references the PHMC acceptance of the proposal. D. Garrett asked when the Friedrich house will be restored. M. Will stated that they have been careful with the house and will keep it in a state that it will not deteriorate. As part of the development, the Friedrich House will be restored as part of the overall plan. They are hoping to have approvals by November, then they are expecting a one year build out from the time they have all of their land development approvals. D. Garrett asked if an arborist has evaluated the sycamore tree that is in front of the Friedrich House. Will stated that he will check on that. J. Windlebleck and C. Kimmel agreed that they are struggling with how much deterioration has happened since all the wood framing has been removed from the building. They also would like more information about the costs to demolish the building, cutting the stone in half, and refacing the entire building compared to building a new structure inside the exterior wall and supporting that horizontally to reinforce the wall. Kimmel expressed the opinion that it seems the mill building was neglected and now that neglect has created an opportunity to build a new structure and raise the floor to floor heights because it is a new building. C. Shenk reinforced the fact that you need to consider all the reasons why they are suggesting demolition such as the cost of trying to retain the walls, the issue of the floor heights, and the fact that it is currently located within a floodplain and it could be lifted out of the floodplain with the proposed plan. D. Garrett stated that although it seems the building might look nice if it were restored, the extended ceiling heights with windows at different places really wouldn't look good. He added that he understands the challenge, and the end result may not be what everyone is looking for. He stated he could give his support to the project if the applicant is going to use the stone from the old mill and rebuild the building. C. Kimmel made a motion to table action on the plan; however, there was no second to the motion. Kimmel stated he does not want to deny the application but he is not comfortable approving it at this point. T. Zug asked if this action could be done in the time frame with the hearing already scheduled. B. Harris stated that the applicant would need to waive the 60-day period to hold the hearing; otherwise, they have the ability to proceed without a recommendation to the Board of Supervisors if they choose. The township would put this on the April Planning Commission meeting agenda and it would be re-advertised for the May Board of Supervisors meeting if the applicant decides to pursue that course. Mr. Will asked what specific information the Commission is requesting. C. Shenk stated they are looking for the cost

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opinions of the two different alternatives and looking for the structural engineer to testify about whether removing the wood exacerbated the existing condition.

D. Garrett asked if there was any apprehension when the building was purchased that it might not be structurally sound. Mr. Will stated that he did not question the structural integrity, and that is evidenced by their intention to restore the building. J. Windlebleck stated that she cannot support the project as proposed. She referred to the engineer's report indicating that the roof and floor structure are required for stability, so by taking them down it immediately put the whole building at risk. She would hate to see the structure torn down unless there is absolutely no other option. Sherk stated that their request would be that no recommendation be made at this time, and they will consider presenting additional information to the Commission.

**DISCUSS THE WALTON HILL SUBDIVISION – STREET EXTENSION:** B. Harris stated that the Planning Commission members recommended approval of the Walton Hill Plan, and the Board of Supervisors approved the plan. B. Crosswell contacted Mr. Harris and stated that due to the requirements of the MPC regarding the proposed Hillcrest Avenue extension, the Township Planning Commission and the Lancaster County Planning Department should confirm that they are agreeable to the proposal to extend the roadway as part of the subdivision plan, especially because there is condemnation involved. Harris stated that he discussed the issue with the Lancaster County Planning Department and they specifically said they did not want to review the plan again, and that the street extension was part of the planning process. B. Harris wanted all the Planning Commission members to go on the record to say that this was part of the subdivision plan and this was the intention the entire time. On a motion by C. Kimmel and seconded by D. Garrett, the Planning Commission confirmed that they have recommended approval of the subdivision plan and the Hillcrest Avenue street extension that was shown on the plan.

B. Harris stated that a resignation was received from Commission member Marcell Medini due to his travel schedule. He added that the Commission members may provide a recommendation for Marcello's replacement if they desire. The Commission members did not provide a recommendation for Medini's replacement.

**NEXT MEETING:** Wednesday, April 26, 2023 at 7:00 p.m. On a motion by J. Windlebleck and seconded by J. Gazsi, the board approved adjournment.

Respectfully Submitted,

Brian Harris,  
Township Manager