

## **WARWICK TOWNSHIP PLANNING COMMISSION**

### **Meeting Minutes**

April 26, 2023

Chairman Tom Zug convened the April 26, 2023 meeting of the Warwick Township Planning Commission to order at 7:00 p.m. In attendance were Commissioners Tom Zug, Jane Windlebleck, Dan Garrett, John Gazsi, and Bob Kornman. Absent were Commissioners Dale Keeney and Craig Kimmel. Also in attendance were Brian Harris, Township Manager; Billy Clauser, Township Planner; Jack McSherry, III, PE, 150 Indian Hill Rd., Conestoga PA; Todd Vaughn, David Miller Associates; Allen Martin, 615 E. Newport Road, Lititz; Randy Hess, 24 Windsor Lane, Lititz; Dave Madary, 652 Dorset Street, Lititz; Victoria Collins, 307 S. Broad Street, Lititz; Claudia Shank, McNees Wallace & Nurick, LLC; Craig Hasson, 952 Log Cabin Road, Lititz; Chad Miller, 122 Brusen Drive, Lititz; Jim & Heidi Bushong, 1403 Brunnerville Road, Lititz; Andrea Shirk, 3061 Weaver Road, Lititz; Mark & Gwen Will, 1213 Orchard Road, Lititz; Scott Wiglesworth, Compass Mill; Rachel Felpel, Compass Mill;

**APPROVAL OF MINUTES:** The March 22, 2023 minutes were approved with the following amendment:

D. Garrett made a motion for conditional approval and due to a lack of a second the motion did not carry.

**DISCUSS THE REVISED ROCK LITITZ MASTER PLAN, PREPARED BY MADARY ENGINEERING & DESIGN, DATED APRIL 12, 2023:** D. Madary stated that over the last few months the Rock Lititz ownership team as well as the design team has taken a closer look at the next 7-10 years for the campus. The main focus is on the vehicular access, internal vehicular circulation, trying to get trucks out of the core of the campus and make it more pedestrian oriented in the center. Madary also mentioned that the next section of the floodplain is going to be restored. Pod 4 is under construction to the rear of the campus and the new Clair building is going to be constructed in the fall of 2023 or the spring of 2024. The next big project coming is the road connection for Touring Boulevard. The plan is to create an internal loop through the campus from what is currently Mark V over to what is currently Production Drive. That whole loop will be renamed Touring Boulevard. That loop will provide a bypass for a lot of the truck traffic around the campus so there are fewer trucks coming in and out of Ellen Avenue, Toll Gate Road, Rock Lititz Boulevard and Studio Drive. Newport Road at Toll Gate Road will continue to be a main truck access and they will also be able to come in at Touring Boulevard from the south end. They are not going to prohibit access on Ellen Avenue and they are going to continue to have access on Studio Drive. For trucks that are exiting the site southbound they can go out Touring Boulevard and toward what is currently Mark V and if they are going northbound on Route 501 they are going to want to come out at Newport Road. They are looking to reconfigure the parking in the core campus to make it more efficient and to create a core green space in front of Pod 2. D. Garrett asked if there will be signage on Touring Boulevard off of Route 501 right in and right out or is it strictly for truck traffic. Madary stated that there is already a turn restriction sign at Touring Boulevard in the north end but at the south end that would be a full access. B. Kornman asked if there is any way of making the Rock Lititz Boulevard entrance off of Toll Gate Road more like you are going toward Rock Lititz and less like you are turning in to a parking lot. A. Shirk stated that the configuration was on purpose because they do not want people cutting through there from a safety perspective. They want people to only go straight if they are going to a parking lot. Shirk confirmed that all the signage will be redone to direct people. Madary mentioned

the numerous pedestrian connections proposed through the center core between the building entrances and in the future along Touring Boulevard and along Route 501 to connect to some future township work. T. Zug asked for further clarification of the pedestrian access. Madary stated that there is a current connection along Newport Road. They are proposing connections across to the future Tait facility, a walk along Touring Boulevard along the whole length of the floodplain. They have key connections between the entrances of the buildings, the hotel and Pod 2, the studios, and the school. They have a walk system along Studio Drive and there will be a section of walk that comes along the new section of road that is proposed at Pod 2. A. Shirk stated that they are committed to putting in walkways on the properties they own, but they do not own many of the properties. B. Harris is going to be working with those property owners so they can put the connections to the borough. B. Harris stated that as part of the Clair building approval last week, the township agreed that when the plan comes in for Touring Boulevard, at that point the sidewalks would be constructed or within one year of the Clair building being opened. South of the Santo Domingo to Wynfield there is some subdivision land development activity that is going on and that will ultimately be the connection to Wynfield. On a motion by B. Kornman and seconded by D. Garrett, the Board unanimously granted a favorable review of the Rock Lititz Master Plan.

**CONSIDER OWL HILL ROAD PRELIMINARY/FINAL SUBDIVISION & LAND DEVELOPMENT PLAN, PREPARED BY DAVID MILLER ASSOCIATES, DATED DECEMBER 15, 2022:** B. Harris stated the Randy Hess is present with Chad Miller and Todd Vaughn from David Miller Associates to discuss the Owl Hill plan. Harris mentioned that this is a 14 lot subdivision with four existing lots on Owl Hill Road. Mr. Hess is proposing to develop the rear portion of the tract. Harris pointed out that the conservation zoning line is at the rear of the parcel and Mr. Hess was very cooperative with being willing to grant an easement on that area and then extend that easement out past that as part of the subdivision negotiations. T. Vaughn stated that the property is approximately 15 acres in size and it includes the existing 4 lots along the frontage on the east side of Owl Hill Road. They are proposing to use the 50 foot access and put a street back in to subdivide the lot into 10 lots, bringing it to a 14 lot development. Vaughn mentioned working with the Township to extend the conservation zone and increase that approximately 2.2 acres in size from its original condition. The site will be served by public water and sewer. They are proposing to have parking and sidewalk on one side of the street. Stormwater will be handled by infiltrating the collection of water back into the ground water table. There were very favorable results in their testing for the rock bins for the development. There was a discussion regarding eliminating the driveways off of Owl Hill Road and the grading of some of the driveways. D. Garrett asked if the property was in clean and green. R. Hess confirmed that it was in clean and green which required him to pay 7 years of taxes. It will be removed from clean and green once the plan is recorded. The applicant is requesting a modification to process this plan as a final plan and waive the preliminary plan application processing. They are also asking for a modification for the sidewalks for the proposed street for which they are proposing sidewalk on one side of the road based on the limited number of lots. The third modification is sidewalks for Owl Hill Road because there are no existing sidewalks and nothing to tie to. The fourth modification is for curbing for Owl Hill Road because there is no curbing to tie into. There will be curbing with the new road and they have worked with the township to align that for any future widening or improvements. The last modification is for street tree placing. Based on driveways and stormwater conveyance they are going to provide the required number of trees but they all cannot be placed on the street so they will be put on the property. Some of the trees will be in the front yards and some in the rear yards. T. Zug mentioned he would like to see as many placed in the front of the properties as possible. T. Vaughn reviewed the plan showing the proposed placement of trees. R. Hess stated that the rear yard trees are replacement trees. J. Windlebleck ask about the width of the street to which Mr. Hess stated it is 28 feet. There was a discussion on which trees can be saved or transplanted on the property. On a motion by J. Windlebleck and seconded by D. Garrett, the Board unanimously recommended conditional approval of the waiver requests. On a motion by D. Garrett and seconded by J. Windlebleck, the Board recommended the approval of the preliminary/final land development plan in a 4 to 1 vote with B. Kornman voting against the recommendation.

**CONSIDER THE 817 ROTHSVILLE ROAD CONDITIONAL USE APPLICATION FOR THE DEMOLITION OF A HISTORIC STRUCTURE, RECEIVED FROM COMPASS MILL:**

Claudia Shank from McNees Wallace & Nurick LLC is representing Compass Mill Complex LLC. She is joined by several representatives of Compass Mill and also Jack McSherry who is the structural engineer who wrote the report which was reviewed at the last Planning Commission meeting. Shank mentioned being at the last Planning Commission meeting and having a lengthy discussion about the project.

Shank reviewed the aerial map of the property. The property where Compass Mill is situated is 1.2 acres but it is part of a larger grouping of properties that are owned by the applicant which total 5.3 acres. The plan is to develop those properties comprehensively. The property is in the community commercial zoning district and is abutted on the east by Lititz Run and on the west by Rothsville Road. The applicant purchased the property in November of 2020. The applicant has already started to redevelop the site with a new structure built in 2020 where the tap house and pierogi shop are located. That replaced an existing building that was demolished. There has been renovations of the Artisan Mill Company Shops. There are other small historic buildings, not original to the property but were previously relocated to the property which have remained and continue to be used as part of the project. The future plans for the development is to demolish the existing residence that it is right along the right-of-way along Rothsville Road. The Friedrich or pink house would be restored. There is a building in disrepair behind the Friedrich house that would be demolished as well. There is roadway and access management improvements that would need to be made which are rather substantial. Rothsville Road, being a state highway, will require HOP permitting. Lastly is the reconstruction of Compass Mill and the dismantling of the existing structure on the property.

The Compass Mill building is a 2-story grist mill that dates back to the late 1700's. It was last operational or used in the 1980's and 1990's as an antique dealer space. The proposal is to dismantle the structure, retain as much of the existing materials as possible, and to rebuild it with a design that mimics the original characteristics as closely as possible. The request is for a conditional use approval to facilitate that work as is required by ordinance.

C. Shank introduced Mr. McSherry. He confirmed his name is Jack McSherry, III and he is the owner of Jack L. McSherry, Jr. Incorporated engineering firm. He has been working in this field 41 years. Mr. McSherry stated he is a professional engineer and if you don't know what a professional engineer is, that is his credential. Shank asked if Mr. McSherry if he had the opportunity to visit the property where Compass Mill is located. Mr. McSherry stated he did visit the property twice. The first visit was over 5 years ago. Shank asked if the applicant was the owner of the property at that time. Mr. McSherry thought he may have been the owner at the time of the first visit. Shank asked him how sure he was of the date. Mr. McSherry stated that he was not because he did not generate a bill or report. Shank asked if she were to tell him that the visit occurred approximately the end of 2020 when the applicant purchased the property would that seem plausible to Mr. McSherry. He stated he would have thought it was longer ago than that but possible. Mr. McSherry stated that during his initial visit to the property they were discussing what they might want to do with the building, so it was a walk through to look at the structure of the existing building and to give instructions to the draftsman to document what it there and any failures that they could find and to give a coherent plan of what they intended to do so they could check the loading. Mr. McSherry stated that at the time of the initial visit the building was not in use, things were cut out that should not have been cut out, but the building was structurally sound. Mr. McSherry stated he did not see the roof collapsing or any holes in the roof. Mr. McSherry stated he did not see any buckets collecting water in the structure. Mr. McSherry stated he did not perform any sort of detailed assessment of the condition of the building or structural elements and that this visit was preliminary to that. C. Shank asked what type of assessment Mr. McSherry would have had to do at that time to fully determine the condition. Mr. McSherry stated that they would document exactly what is there. He stated the general rule is if it is existing and unaltered

by not changing the loading you would leave it alone. He would look for any known defects and fix them and then you structurally check for any new loading and if the floor can take it. They also look for signs of settlement and other damage. Mr. McSherry confirmed his second visit to the property on February 10, 2023. Mr. McSherry stated that the building was in ruin at that visit. It was just 4 walls. Mr. McSherry was asked if he thinks the removal of the roof and the floors contributed to the condition. Mr. McSherry stated that it caused the condition. Mr. McSherry was asked if the structure is safe in its current condition to which he stated no. He also stated that he wrote a letter saying that this is a dangerous situation, imminent collapse, a hazard to the public and it must be fenced. The letter went to the owner, contractor, lawyer, bureaucrats, board members, and building officials have all read that letter and 5 weeks later there is still no fence around the structure. C. Shank asked if Mr. McSherry could predict how long the structure will remain standing. Mr. McSherry stated he could not make a prediction stating it could come down now or last 10 more years. Mr. McSherry stated that he recommended demolition at this time because it is unsafe.

T. Zug asked if it could be made safe with additional shoring. Mr. McSherry stated it could be saved. The walls would have to be shored and a roof put on immediately and without both of those things it would not be safe. D. Garrett questioned Mr. McSherry regarding the first time he looked at the property and that he deemed it structurally sound, the interior walls and supports were adequate to hold the walls up and there was no damage to the roof. Mr. McSherry stated he did not recall crawling up into the roof area but from where he walked through it he did not see any damage and it was structurally sound and the walls were sound. D. Garrett asked Mr. McSherry if the owners of the property created their own problems to which he stated yes.

C. Shank introduced Craig Hasson as the next witness. Mr. Hasson confirmed he is a member of Compass Mill Complex LLC. Mr. Hasson was asked to describe his background and experience in building, construction, and development. Mr. Hasson stated that he has been building since 1995 and his company does residential renovations, new construction and site work. Mr. Hasson stated that the mill was an old building and when they purchased it the previous owner had placed buckets to try to catch water that was leaking through the roof but no one was emptying the buckets. There were sections of floors that were starting to deteriorate. Mr. Hasson was asked what the first thing was that they did to mitigate the water damage that was happening with the building when they purchased it. Hasson stated they had tarps placed over the roof to try to keep water from entering the building. Mr. Hasson confirmed that in the spring of 2021 they discovered that the building had a bug infestation of wood eating bugs or post beetles. To address that infestation they had an extermination company come in twice to treat. Mr. Hasson stated that the roof was covered in tarps at least two times. C. Shank asked Mr. Hasson to explain why the decision was made to remove the roof in August of 2021. Mr. Hasson stated that they had gotten their first approval from the Redevelopment Assistance Capital Program (RACP) and they put their job out to bid. They had opened the bids and were ready to get started on the project and the contractor that was going to be doing work wanted to utilize the material for other use in the building and they were planning on using all new beams so they started the process and then the HOP project held it up. B & D Builders was the contractor that was going to be doing the work and they specialize in historic restoration. This builder rebuilt the star barn. The plan was to remove the wood and try to kiln dry it and preserve it to the extent possible and use it in other capacities like trim, stairs, windows, etc. All this was at the recommendation of B & D. Mr. Hasson stated that the site work, basically the HOP permit, delayed the project from moving forward at that point in time. Mr. Hasson stated they could not utilize the building so they did not go forward with awarding the contract. At that same time the decision was made to apply for more RACP funds. Hasson stated that when B & D tarped the top of the walls and braced the gables they did not know it was going to sit as long as it has been sitting. T. Zug asked if B & D Builders took the roof off and take all the interior wood out of the mill. Mr. Hasson stated that is correct and that the wood is still sitting down at their facility. B. Kornman asked why there would be delays because of the HOP (Highway Occupancy Permit) permitting. C. Hasson stated that the cost and not being sure of getting the permit are reasons for the delay. D. Garrett asked if the contractors informed the owners that

the building was beyond restoring. C. Shank stated that they may not have gotten a certificate of occupancy for a change in use of the building without having an HOP in place and a land development plan in place. Shank also stated there were other funding concerns and considerations in play that prevented them from moving forward at that time. There was a lengthy discussion on why the owners did what they did and quotes for costs. M. Will stated that when they started the project it was made very clear that they would not be able to use the building without an HOP. Will stated that during a meeting with Dan Zimmerman and Billy Clauser Mr. Zimmerman made it very clear that there was no previous HOP therefore the site could not be utilized without a new HOP. B. Clauser stated that unless you could find an existing HOP you would need a new one and you would need to go through the land development plan. D. Garrett questioned the HOP being necessary for the owner to go in and do restoration work, especially considering the owner already went in and tore everything out without the HOP. Garrett stated that the HOP does not prohibit the owner from coming in and doing work on the property, it just means that the owner cannot open it up to the public. Mr. Will mentioned that Mr. McSherry did not make it to the third floor of the building during his inspection where the buckets were placed filled with water and overflowing into the building for many years before they purchased it. Mr. Will stated that when they started to deconstruct the building they had wood eating beetles and the damage was beyond what could be saved. That was the opinion of their crew, the demolition crew, and B & D Builders. Will noted that there is no wood or very little wood to salvage on the site not because they destroyed it, not because they intentionally tore it apart, but because it was so damaged that it is not acceptable to reuse. J. Windlebleck stated that the original concept of that whole thing was this charming restoration of all of the buildings and that the stone building was one of the big things that was going to be used for events. Will also mentioned they will be raising the new building out of the floodplain which in most circumstances you would praise them for but now you are trying to have us testify to the condition of the building which they are showing pictures of and they are testifying that the building had taken on water for many years before he purchased it. B. Kornman stated that their structural engineer is saying that it was structurally sound before all the timber was removed. Will denies that is what the engineer is saying. C. Shank stated that the engineer stated he did not do a full investigation of the building. Mr. Will stated that the purpose of J. McSherry was to look at the existing structure which Sylvan Brandt did a renovation of the building in the 1970's and he further asks Mr. McSherry if the renovation on the first floor was done correctly. Mr. McSherry stated he saw structural defects such as columns removed and splices in beams where they should not have been. Mr. McSherry agreed with Mr. Kornman's statement that the building was structurally capable of holding up the end walls. Mr. Kornman questioned taking out all the structural support and now you are requesting permission to go ahead to tear the rest of the building. Kornman also asked how the owner got permission to tear down what they did without having a conditional use to do it. Mr. Will stated that when the demolition crew came in the roof was failing. It was a cedar shingle roof that had taken on water and the support beams for the roof had deteriorated over time because of water infiltration. The water infiltration was captured by the previous owner for many years. When the wheel that was in the building needed to be removed the idea was that they would remove the roof structure and remove the wheel and at that point rebuild or firm up the building. Once they got into that they determined that at that point the beams because of the wood eating beetles and water infiltration were no longer structurally sound so they were removed. There was an option at that point which would have been remove every roof truss one by one and replace it and remove every floor beam one by one and replace it. Mr. Will stated that was not economically feasible at that point and time. Mr. Will stated the reason they shored the building was that they did plan to reuse it but after further investigation on the structure it was determined that it is not salvageable. B. Kornman asked how they got permission to remove the wooden structure when you are asking for permission to remove the stone walls. C. Shank stated she didn't know that permission was needed to do that and she is not sure when this ordinance was enacted. Shank also noted that there was not a demolition of the building and no one was intending to demolish the building. If they intended to demolish the building why would have it not been done then. The intent was to keep and shore the structure. B. Kornman mentioned that two structural engineers are saying that the stone walls can be reshored to be maintained. Shank stated that they intend to explain why they think the proposal of reusing the existing

materials is better. C. Shank referred everyone to the cost opinion from B & D. Shank asked Mr. Hasson what the overall cost that B & D quoted to reconstruct the structure and understand that this cost estimate was given after the floor and roof had been removed. Mr. Hasson stated the cost was \$2.345 million and that was just to construct the shell of the building. That did not include interior finishes, interior plumbing, basically emergency lighting was up and nothing was finished out at the number. Shank referred to a copy of the architectural drawing that the quote was based off of. Shank asked Mr. Hasson for an explanation of the dormer running across the roof and what the function of that was in the design. Mr. Hasson stated that their intention was always to use it as a wedding venue with the bottom floor gathering area, the second floor was going to be the dining area, and the third floor would be the ceremony space. To get the seating and head room up on the third floor and have room for everybody they proposed a big shed dormer out the front. Shank asked at this point and time based on the cost estimate they received and the architectural rendering that you had was a decision made to evaluate what the differential would be to reconstruct the building in terms of appearance, functionality, and cost. Mr. Hasson stated he wasn't sure when they determined that but they went in a different direction. They thought they would make it look more original by using a traditional frame building and using the real stone back on the building again. Shank stated that they came to a place where they were evaluating the options of reconstruction versus using the materials to construct a new building. Shank asked based on that did they have the architect prepare a plan that showed what the building could look like if it were reconstructed using the existing material. Hasson stated that they had the architect generate a sketch but the plan is not complete. D. Garrett asked what the difference would be in square footage between the proposed elevation versus if you went within the four corners of the existing mill. Hasson noted that it is similar square footage, it is just the new design is going back and putting the dormers on the roof that were originally there. Garrett questioned if it would basically be built on the same footprint as the existing mill. C. Shank noted that there were some additions to the structure. Hasson noted that they need an elevator. J. Windlebleck questioned the cost estimate for restoring the existing building. J. Windlebleck asked when the mill was built. C. Shank stated that the mill was built in 1776. Windlebleck stated that she for one cannot be a part of destroying or tearing down anything that has this kind of history with it. Shank showed a drawing of the original building and the plan for reconstruction. The idea for the reconstruction is to keep it as similar to the original building with the dormers on the roof as possible. That could not be achieved if the existing walls were used because of the floor height. Shank asked Hasson why it is preferable to construct from the ground up in terms of the functionality of the building. Mr. Hasson stated that it would raise the building out of the floodplain and with the old beams it would make it difficult for a sprinkler system, HVAC trunk lines, and lighting. With new construction they can incorporate it into the new walls which will be covered in the existing stone. Shank stated that they can increase the height of each floor of the building and not have to do the shed dormer across the roof. Shank asked Mr. Hasson if he was able to estimate the cost of fully reconstructing the building using the stone and wood from the original structure. Mr. Hasson did not have a good estimate because all they have is the sketch. She asked if Mr. Hasson's team would be able to do in house rather than contracting it out. Mr. Hasson stated they did not decide on which direction to go. Shank asked if he was able as a contractor to give any kind of a raw estimate in terms of the cost based on price per square foot. Mr. Hasson stated he believes it would not be as expensive as trying to restore the original beams on the route they want to go but until they have a plan and engineer anything he is not sure of exact cost. Hasson stated that to take it to the same stage he thinks they could do that more economically. T. Zug asked if that would include the work involved in dismantling the existing stone walls and would they be refacing it with the existing stone as they are or would they be cutting the stones down so that there was a uniform thickness. Hasson stated that the plan is to use them as they are. Mr. Hasson stated that he spoke with a mason about what the process is to dismantling and reusing the stone. He stated they have to select a mason and how they want to take it apart to be able to reuse the stone. B. Kornman asked about the cost estimate for the stone work on the exterior only of approximately \$130,000.00, the windows would cost 75% more at \$207,000.00 and the doors would be \$175,000.00 but all that is involved in the stone work is less than the doors. Hasson stated that the \$130,000.00 is just repointing the outside that is there now. C. Shank stated that the cost estimate Mr. Kornman is referring to is

for restoration of the original building and what Mr. Hasson is saying is they believe they can do it much more economically if they dismantle and reconstruct the building. Mr. Hasson stated that with the way they want to proceed today they do not have the cost or actual blueprint for that to get bids on. Kornman also questioned the two different demolition figures. Has stated that is the 2-story rental house out front that is part of the package of the bid and also the chicken house that is behind the pink house.

S. Wigglesworth stated that he has assisted Compass Mill with land development and also getting approvals and going through the RACP Grant process. Mr. Wigglesworth confirmed that Compass Mill has gotten funding this project. He stated that originally they were granted just over \$1.5 million and the scope was much smaller. Mr. Wigglesworth stated that he can sense the disappointment for the loss of this historical building but he asked everyone to take a holistic picture of the entire site. What the owners have done is very ambitious and innovative in their idea to combine these 4 properties, put them together and create a beautiful gateway into Lititz and essentially that is still there. The initial process that they started with the RACP funding was just limited to the building itself and that was the only purpose for applying for the RACP funding when they were trying to keep the scope small. There is an expensive part of RACP funding in which prevailing wage is required to be paid for whatever your scope of work is. As they got into the process and started moving forward with it the intent was always to preserve the building. He feels there is a little bit of underlying tone that you guys got what you wanted, the building is collapsing. That is not the case. They did not arrive at this decision to go in a different direction lightly. This project is going to require at least \$7 million dollars in matching funds and he feels like everybody's focus is well you got \$4.5 million dollars just go ahead and rebuild and restore this building but there is so much more that needs to be done to make it a viable site. He thinks that needs to be taken into account so it is not just one decision that has to be made but hundreds that go into all of these decisions. He stated that they are at right about \$4.5 million dollars in RACP funding and the scope has expanded significantly. That money will be used for site improvement, HOP improvement, the restoration of the pink house, the demolition and building of what is now the chicken coop which will be an additional building that will serve Compass Mill Complex. In addition they also have to build a water vault to supply the new building whether it is a complete restoration or a rebuild for sprinklers as well. There is a significant cost and his best guess is that they are going to be at \$7 million dollars when it is all said and done. B. Kornman confirmed that they have \$4.5 million dollars in public money. Wigglesworth stated they have been awarded \$4.5 million dollars in public funds but there is a \$7 million dollar contract and that does not account for the money to acquire the property or the money that has been invested already. You are looking at a \$10 million dollar project overall. Kornman asked how many people will be employed when it is complete. Wigglesworth stated he is not prepared to answer that because he just doesn't know but he would assume at least 20-30 people. Kornman stated that the public is paying \$4.5 million dollars to employee 20 people. Mr. Wigglesworth stated that is a very unfair assessment. Wigglesworth stated that you are looking at bringing in economic activity into the area and that is exactly what the RACP Grant is for. He compared how many people Spooky Nook employs compared to the millions of dollars that it brings into the Lancaster County community. D. Garrett stated he thinks this new drawing looks good and is an asset to the property. He can understand that it is more of an asset than the existing building is. What troubles and upsets him is the way you went about it. Garrett stated that it appears to any reasonable person that this was a self-imposed hardship and he feels as though as a member of this board that he has been manipulated and he doesn't like that but the situation is such that he doesn't know what recourse the board has. He also stated that he cannot see restoring what is left there as a shell. He would much rather have somebody come in and do what Zigs Bakery did with that building. They took an existing building and they made it marvelous. We are beyond that point here by whose ever fault. D. Garrett proposed conditional approval but he is not happy with the way it was achieved. J. Bushong asked what happens if you get grant money to restore a structure and you don't actually restore it. S. Wigglesworth stated that the purpose of RACP is not for the restoration of the building. With the RACP project the scope, the purpose, and the properties are interchangeable and come in and out all the time. They went back to the office of the budget and told them where they were at and what they were looking at doing and that is

around the point right when that happens around the point where the mindset changed from restoring to rebuilding. At that point they were sent to the Pennsylvania Historical Museum Commission and if they had a concern about them rebuilding it or whether it had to be restored which they had no concerns. The project and the government funding as provided for is for economic stimulus. H. Bushong asked why the roof wasn't rebuilt right away after the existing one was torn off. M. Mill stated that it was a determination when they were taking the roof off and again the goal was to repair the roof and take the wheel out of the building because the wheel was deteriorated at that point and time. It was determined that the roof structure was no longer sound and much larger than what they anticipated and the beams were much weaker than what they anticipated. S. Wigglesworth stated that when they start the RACP process it is a policed process. All the work has to be done by the winning bidder of the project. You have to be paying prevailing wage and there is significant documentation that has to be done. M. Will stated that if you took the roof off of a house and at that point you determined that they roof structure was so far deteriorated and then you determine wow the floor joists are so far deteriorated you would make a decision at that point to either abandoned the project or restore it. They did not abandoned the project at that point. They put the braces on the walls and it was after further investigation that they determined that the structure itself wasn't sound. J. Bushong questioned why the engineer was not shown the root of the problem. Mr. Will stated that he does believe that they walked Mr. McSherry through the property that day. Wigglesworth stated that the money does not have to be used on this building at all it can be used on every other building on the property. B. Kornman stated he totally agrees with what D. Garret is saying where the Township is in a position now where he is not sure what else they can do except accept what you are saying. He went on to say that he is totally frustrated and he thinks the Planning Commission Board and Warwick Township is very fair and above board with everything they do. He does not think the applicant came to the board that way. He mentioned it disappoints him knowing that contractor and having worked with that contractor on Veteran's Honor Park he is disappointed that this happened. He notes that the applicant's attorney is present and is going to win the case for them but they have lost a lot of respect in his eyes and he thinks in the rest of the Board's eyes also. Kornman stated that in a small community when you lose the respect of people that says a lot and he is sorry about that. J. Windlebleck stated lets hope that there is nothing wrong with the pink house or any other things on that property that needs to be fixed or restored because then they will have trouble. B. Korman asked Brian Harris what happens if they don't second the motion and there is no motion. Harris stated that the hearing is scheduled for May 17<sup>th</sup> in front of the Board of Supervisors. Kornman asked if it would be wise to have Bill Crosswell review this. Harris confirmed that Mr. Crosswell will be present at the hearing on the 17<sup>th</sup> to run the hearing and he will get a copy of the minutes. Harris stated that the Township is mandated to hold a hearing within 60 days of receipt of the application. The applicant was asked to come back to the Planning Commission to further the discussion and they did grant a time extension to the Township to hold the hearing in May. The Township has 45 days to issue a decision after the May meeting and that decision can be conditioned on whatever we want it to be conditioned on. If it is conditioned on the Township recommending demolition of the structure and each stone being counted one by one, labeled and identified and being reincorporated into the new building you can attach whatever conditions you want. It would be a recommendation from the Planning Commission. The Board of Supervisors then render their decision conditionally based on whatever they chose to incorporate. B. Kornman stated he doesn't see any option for them not to do this. If they don't do it they will not be able to set any recommendations/conditions going forward. J. Windlebleck mentioned that at the previous meeting the applicants stated they were going to cut the stones in half to be used on the surface of the building. C. Hasson stated that the stones are going to be used to their original state. D. Garrett stated a large part of his decision was when he saw the absolute effort to make that new structure look as much like the old structure as possible. B. Korman seconded the motion with the understanding that the Board's concerns about the reconstruction are noted in their motion. T. Zug stated that the corners of the existing building are cut stone and there is arches over the windows and the arch where the mill race went in that at least those should be reused as they are and the stone in between should at least give the appearance of the building as it is now. Mr. McSherry stated that the stone would be taken off, graded, and then stockpiled and reused. Usually when they reuse the stone it is in a



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random order but it is still the original stones. A good mason could handle that task. D. Garrett amended his motion to the fact that he recommends conditional approval based on the idea that the applicant will use as much of the original stone as conceivably possible and what stone cannot be used they will find replacement that looks as close to identical to the stone you are not using or that is currently being used. B. Korman seconded the motion adding that they use the design that they have presented. The motion was approved in a 3-2 vote.

B. Harris mentioned that at the last Planning Commission Meeting the resignation of Marcello Medini was accepted. A few possibilities were discussed with one being moving Bob Kornman from alternate to fill Mr. Medini's spot. He also indicated that he had another gentleman named Mike Wetherhold that would be available to serve as an alternate or a member. Harris asked for the Planning Commission to make a recommendation regarding Mr. Medini's replacement so he can get it on the next Board of Supervisors agenda and formally put that in place. T. Zug made a motion to recommend that Mr. Kornman be promoted to a full member. D. Garrett seconded the motion. In a unanimous vote Mr. Kornman was recommended to be promoted to a full member of the Planning Commission Board.

On a motion by B. Kornman and seconded by J. Windlebleck, the Board unanimously voted to adjourn the meeting.

**NEXT MEETING:** Wednesday, May 24, 2023 at 7:00 p.m.

Respectfully Submitted,

Brian Harris,  
Township Manager