

WARWICK TOWNSHIP BOARD OF SUPERVISORS
Meeting Minutes
Warwick Township Municipal Building
November 4, 2020
7:00 p.m.

W. Logan Myers, III, convened the November 4, 2020 Warwick Township Board of Supervisors meeting to order at 7:00 p.m. In attendance were Supervisors Logan Myers, Kenneth Eshleman, and Jeffrey Tennis. Absent were Supervisors Herbert Flosdorf and Kelly Gutshall. Also in attendance were Daniel L. Zimmerman, Township Manager; Patrick Barrett, Assistant Township Manager; Tom Zorbaugh, Code and Zoning Officer; Joyce Gerhart from RGS Associates; Lee Moyer; Mike Smith from the Lititz Fire Company; Duane Ober, WESC Fire Commissioner; David Lapp, Anthony Petersheim with Lancaster Design and Chris Hartman with Hartman Valeriano Magovern & Lutz PC.

LANCASTER COUNTY COMMISSIONERS: D. Zimmerman stated the County indicated further distribution of money from COVID-19 will be forthcoming. This will help to cover some of the Township's deficit. The Township should receive this money before the end of the fiscal year.

CONSIDER CONDITIONAL APPROVAL OF WARWICK CROSSING, PHASE 1, PREPARED BY RGS

ASSOCIATES, DATED 8/5/2020: Joyce Gerhart with RGS Associates was present to review the plan before the Board. The development is located directly across from Lititz Reserve Lane. Phase 1 consists of 21 single family units and 10 duplex units. There are also two lots involved, one of which is being conveyed to the Municipal Authority for the relocation of a sewer line. There are three open space lots as well as a lot add-on being done with the Seigrist Property for the land swap for the right-of-way as well as the conveyance of the right-of-way for Seigrist Farm Lane.

The following waiver is being requested:
Section 285-27.M-Temporary Cul-De-Sac

D. Zimmerman stated the waiver request was requested by WESC at their review for better capability of turning their equipment around as well as other large vehicles.

D. Zimmerman stated there are numerous agreements with this project. One such agreement is for a landscape buffer to be placed near the Veterans Honor Park. There is a swale agreement which will connect into the culvert where the pipe crosses. With regards to the right-of-way dedication, the Township requires that in order to use it for the match for the grant for the section of 6th Street that will be constructed in 2021. The Developer will donate monies to connect the sidewalk system to provide pedestrian access into Lititz Borough. There is also a Historic Preservation Agreement for the Seigrist Farm to preserve 10 acres and to allow no further subdivision. If an intersection is needed, a contribution will be made by the Developer in the amount of \$45,000.00 between the two developments for this. This would be done by a Letter of Credit. There is a modification on a current Letter of Credit. J Gerhart stated the paving amount is incorrect. The Seigrist Farm was included in this amount and it should not have been as it is being constructed by the Township as part of the grant. Instead of \$1,652,004.42 it should be \$1,256,471.92. D. Zimmerman stated the HOA documents were reviewed by the Township's Solicitor. This development will help pay for the stormwater maintenance. J. Gerhart stated it was determined what volume of capacity Lititz Reserve was utilizing in the bio swale and what volume Warwick Crossing was utilizing and this was divided by the percentage of stormwater.

On a motion by K. Eshleman, seconded by J. Tennis, the Board unanimously approved the waiver request and approved the Final Subdivision Plan for Warwick Crossing, Phase 1, prepared by RGS Associates, dated 8/5/2020 conditional upon the Staff Comments on the letter dated October 30, 2020.

CONTINUED DISCUSSION ON THE SKETCH PLAN FOR BLESSINGS OF HOPE: D. Zimmerman stated the Applicant went before the Zoning Hearing Board last month. The Applicant is here tonight to discuss the letter the Board wrote to the Zoning Hearing Board at the Applicant's request after they first met with the Board. Chris Hartman was present to review the Plan before the Board. C. Hartman represented the Applicant at the Zoning Hearing Board on October 14, 2020 for a Special Exception for a non-conforming use. The Zoning Hearing Board felt that what Blessings of Hope does is different from what the previous use of the building was used for. Therefore, they requested the Applicant consider reapplying for a Use Variance. C. Hartman is requesting the letter from the Township dated October 20, 2020 be modified. With regards to the statement of retail sales, C. Hartman stated the Applicant is not seeking approval for retail sales. David Lapp, CEO of Blessings of Hope, has started the implementation of ID tags for all volunteers. This ID must be shown in order to receive any food at the end of a shift to ensure that only volunteers are partaking of the food. D. Lapp is willing to extend this ID system to all the ministries they partner with as well. D. Zimmerman stated as far as the concern for the operation being retail is concerned, there are shopping carts located outside the facility making it look like a retail operation from the streetscape. In addition, the facility is located in the Agricultural Zone. C. Hartman stated there was a temporary structure located at the north end of the building to house the shopping carts. This is also where the entrance for the volunteers was located. A proposal is now being sought to have this temporary structure placed at the southeast corner of the building to house the shopping carts. Fencing and screening is being proposed along the eastern boundary, the southern boundary and a portion of the western boundary. These are the boundaries where vehicles enter and leave the property. For safety reasons, truck traffic and non-truck traffic will be divided. The driveway to the north would be for truck traffic and employees and the southern driveway would be for the volunteers and ministry partners who come for pickups.

Another item mentioned in the letter C. Hartman wanted to clarify was regarding the number of volunteers on a shift. C. Hartman stated the number of volunteers averages 50 however they would like to be allowed up to 100 to allow for flexibility. D. Zimmerman stated he does not have an issue with modifying the statement to the number of volunteers that can be accommodated by the approved number of parking spaces.

C. Hartman is requesting that the Board consider making a recommendation that D. Zimmerman send a revised letter to the Zoning Hearing Board stating it is the Board's position that the food that is taken by volunteers and ministry partners should not be considered a retail activity provided that Blessings of Hope uses a shopping cart enclosure, installs fencing and vegetative screening and uses an ID system so that only volunteers and ministry partners can take food at the property. D. Zimmerman responded by stating both the Board of Supervisors and the Planning Commission are supportive of the mission of Blessings of Hope. He has had many conversations with Blessings of Hope as well as with A. Petersheim explaining that a Land Development Plan needed to be put through the approval process and this has yet to occur. D. Zimmerman is willing to address the shopping cart issue in a letter to the Zoning Hearing Board however the fencing and screening issue should not be addressed until a Land Development Plan is submitted as well as a traffic study. If there is approval from the Zoning Hearing Board, a date will be required as to when a traffic study, the sewer system certification, Land Development Plan and any other documents that are required will be filed.

C. Hartman is requesting tonight positive support from the Board as the Zoning Hearing Board is looking for a recommendation from the Board for the application. Without a positive support the likelihood of the project moving forward is not favorable.

C. Hartman stated under a Use Variance, which is what the Zoning Hearing Board is requesting the Applicant reapply for, a hardship of the property needs to be identified that is justification for this type of variance. C. Hartman stated

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the hardship is the large existing nonconforming use building in an Ag district which has been vacant for a number of years. This makes the property not readily useable for an agricultural use as it currently exists. C. Hartman feels Blessings of Hope would make a valuable contribution to the community.

There was a discussion on the role of the Board of Supervisors in this situation and what C. Hartman was requesting of them. D. Zimmerman stated he would modify the letter to some degree and would send it to the Zoning Hearing Board with copies going to the Planning Commission and the Board of Supervisors.

DISCUSSION ON SERVICE AGREEMENTS FOR EMERGENCY SERVICE PROVIDERS: D. Ober stated that since his role changed there was a need to change the Intergovernmental Cooperation Agreement. Rob Brady helped to make the necessary changes to the agreement. D. Ober pointed out the items that were changed in the new agreement with the Board.

D. Zimmerman stated when the amendment to the Cooperative Agreement is ready it will go before the Board for approval most likely in December and the Service Agreements will be a part of the reorganizational meeting.

CONSIDER RESOLUTION 11-04-20-01 TO CONVEY RIGHT-OF-WAY FOR SIEGRIST FARM ROAD: On a motion by J. Tennis, seconded by K. Eshleman, the Board unanimously approved Resolution 11-04-20-01 to convey the Right-Of-Way for Siegrist Farm Road.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager