

WARWICK TOWNSHIP BOARD OF SUPERVISORS

March 3, 2021

7:00 a.m.

Due to COVID-19 this meeting was held in a virtual format.

Chairman Kenneth Eshleman convened the March 3, 2021 meeting of the Warwick Township Board of Supervisors at 7:02 a.m. In attendance were Supervisors Kenneth Eshleman, Logan Myers, Kelly Gutshall, Herbert Flosdorf, and Jeffrey Tennis. Also in attendance were Daniel Zimmerman, Township Manager; Patrick Barrett, Assistant Township Manager; Chuck Haley with the ELA Group; and Laura Knowles with the Lititz Record Express.

DISCUSS THE STATION 13 PROJECT AT SAYLOR PARK: D. Zimmerman stated this project is slated for 2022. The existing station fronts Market Street and is adjacent to the Santo Domingo Creek. The proposal is to relocate this station back approximately 150 feet due to its proximity to the stream as the station has been flooded in the past. It will be slightly smaller in size however it will have a larger capacity. Permitting will go through DEP which is expected to take approximately six to eight months. This application was submitted to DEP last month. It is anticipated to release the bids for the project towards the end of this year and work on the station would then start in the early spring of 2022 to try and minimize the impact to the park activity. J. Tennis inquired what the projected cost for the project is. D. Zimmerman stated it is between 1 and 1.2 million dollars. K. Gutshall inquired what will happen to the existing pump station. D. Zimmerman stated it will be completely removed. K. Gutshall stated this would be a good opportunity to improve the drainage in this area. D. Zimmerman was in agreement and stated the wetlands area may be able to be expanded and these details are still being finalized. K. Gutshall inquired if the lighting that is there currently is required by DEP for safety reasons. D. Zimmerman stated all public infrastructures do require certain security measures and the new lighting will be LED and shielded.

DISCUSS THE LRWA STREAM RESTORATION PROJECT-RIPARIAN PARK: D. Zimmerman stated this is a joint project between the Township, the Lititz Run Watershed Alliance and the Conservation District who received \$75,000 worth of grant money to help complete the project. The Developer of the Compass Mill project is providing materials that can be used for the project as part of their contribution. The project will start at the Riparian Park, which was restored in 1998, and go to what was formerly known as the Banta Tract which was restored in the 1990's. The project will involve attempting to eliminate erosion along the stream banks and adding fish habitats. All the property owners involved have been contacted and it is anticipated to start the project either at the end of March or the beginning of April. K. Gutshall inquired if the landowners were taking on the responsibility for long term maintenance. D. Zimmerman stated that yes they are and this was part of the sign-off each homeowner received.

Review of 2020 Fish Study: D. Zimmerman stated the Lititz Run Watershed did a fish study with Susquehanna University last year. It was found that there are reproducing trout populations along the Lititz Run. The study shows indications of both brown and rainbow trout being reproduced in the stream. The significance of this is that trout will only reproduce in clean water. This is significant to the Township in that it shows the stream has significantly improved and there is now the potential that portions could be classified as a Class 1 Stream. Back when the Township and the Lititz Run Watershed started restoring Lititz Run it was an impaired stream and a warm water fishery. It was reclassified as a cold water fishery 10 years ago and sections could now possibly be reclassified again now as Class 1. If the stream does qualify to get reclassified as Class 1, it would be hard to argue that the Township has not made significant strides in meeting its TMDL which DEP has thus far not acknowledged. D. Zimmerman stated the information from the study will be released carefully as the stream is already known as a good trout stream and this does not want to be overly promoted but at the same time these positive strides should be made public.

CONTINUED DISCUSSION ON 2021 TRANSPORTATION PROJECTS: D. Zimmerman stated the Township is in the process of getting W. Siegrist's temporary construction easements signed. The Township has not received the right-of-way for the project as it is still tied up with the recording of Warwick Crossing. However it is anticipated this will take place within in the next week or two. The bid specs are under review by GMS and the State with the anticipation of releasing the bids by the end of March or the beginning of April. K. Gutshall inquired if LEFC will continue to utilize the one-way exit onto Pierson Road. D. Zimmerman stated yes however it will become secondary as there will also be a primary access off of Sixth Street and one off of Pierson Road. K. Gutshall voiced her concern about the grading along Siegrist Farm Road and what type of seed mixture would be used here. She recommended a fine fescue mix that does not need to be mowed would be a good choice for the areas of transition. H. Florsdorf inquired if Siegrist Farm Road would be fully curbed. D. Zimmerman stated it would be as part of the development however along the Siegrist Farmstead it will not.

D. Zimmerman stated the Township received word on the Lincoln Road project which impacts Carpenter Road. The project will be starting in June. P. Barrett is continuing to work with the property owners about the final details. The Township is also reaching out to Clay and Ephrata Township to make sure they are prepared as well.

CONTINUED DISCUSSION ON THE AMENDMENT TO THE ZONING ORDINANCE: D. Zimmerman stated the Township's Solicitor modified the ordinance from the comments made by the Board regarding signage and the conditional use process for demolition of Class I or Class II historic structures. Staff is looking for feedback from the Board on these revisions. L. Myers inquired regarding the personal expression signage, will this cover some of the comments the Township had recently received on this topic. D. Zimmerman stated it would address the majority of the comments received however under case law this is all that can be addressed. H. Florsdorf feels it should state those historic structures identified in 2008 as Class I or Class II or in any subsequent study. D. Zimmerman was in agreement and stated this will be expanded in the ordinance. K. Gutshall stated she is aware that in some municipalities there are issues with the renting of RV's in parking lots and she would like to know if it can be added into the short term rental something to the effect that temporary mobile rental facilities are not permitted. D. Zimmerman stated this is addressed but not as direct so this will be looked into. D. Zimmerman stated he would like to take this to the Township Planning Commission as well as the County Planning Commission for their reviews and then bring it back to the Board with the comments from these two reviews. The ordinance will then hopefully be ready for adoption by May or June.

H. Florsdorf noted that there is a conflict under demolition or removal of structures. In B (2)(c) it states a conditional use is not needed for relocation. However in sections 3 C,D, & E it states about getting approval for relocation. The Board felt that B (2)(c) should be eliminated. D. Zimmerman stated all three questions that were brought up today will be looked at again with the solicitor.

CONTINUED DISCUSSION ON THE MS4 PROGRAM FOR THE TOWNSHIP: D. Zimmerman stated Staff went back to the solicitor outlining the Board Members concerns on this initiative and another approach is to simply eliminate all credits and all exemptions and make the fees low enough that they will be acceptable. There is one fee for all residential properties regardless of size and one fee for all farms regardless of size. The direct benefit from this fee is if there is a required inspection it would be inspected by the Township at least every two or three years and these would be verified inspections by the Township. Another benefit is they would be eligible for the sinkhole reimbursement. This would be capped at six applications per year with up to a maximum of 50% reimbursement of up to \$2,500. Lastly is education. Staff and engineering assistance would be provided. For non-residential, institutional and non-profit, the fee is based on acreage. These parcels would also receive the same benefits as the residential parcels. In looking at how to get the program started, there are four categories that are earmarked towards the private maintenance of facilities. The first is the sinkhole funding in which part would go into the Township's sinkhole funding and the rest into the self-funding for the individual parcels. Second is the inspection and enforcement. It is anticipated the Township would complete 75-100 inspections per year accompanied with enforcement inspections or assistance inspections or with assistance with design if permitting is required. The Township has a homeowner's maintenance book which would be given out. Lastly is watershed projects as the

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Township did contribute some money to the Conservation District's time in order to get the permits for the Lititz Run project.

J. Tennis inquired what the reasoning was behind not including farms in the non-residential parcels with acreage listed. D. Zimmerman stated all the farms are in the Clean and Green so the only real estate they are paying is on their house. Essentially they are being assessed as any house in the Township. H. Flosdorf stated the \$50,000 for annual cost under inspections/enforcement seemed low considering there will be 75-100 inspections completed a year and there will assistance with the design and repair as well as the permitting process and the time involved. D. Zimmerman stated once he knows the true revenue generated he will adjust the budget numbers accordingly. He stated this new concept simplifies the program and at the same time could be very effective in addressing the areas of sinkhole funding, inspections/enforcement, education and watershed projects. If this is approved conceptually, Staff will have LandStudies run the numbers and this information will be brought before the Board. A more detailed budget can be determined for the four categories this year along with determining the bidding costs for inspections to be subcontracted out to a third party. The hope is this could then get adopted for the 2022 budget and would allow D. Zimmerman's predecessor to weigh in on the subject before a final decision is made as they will be the one to actually implement the program. The Board liked this format better than what was previously discussed.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 7:52 a.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager